



# CITY OF GLOUCESTER

## PLANNING BOARD

### MEETING MINUTES

Thursday April 7, 2011 at 7:00 PM

Kyrouz Auditorium, City Hall, 9 Dale Avenue, Gloucester

Richard Noonan, Chair

#### **Members Present:**

**Rick Noonan, Chair**  
**Mary Black, Co Chair**  
**Marvin Kushner**  
**Karen Gallagher**  
**Henry McCarl**

#### **Staff:**

**Gregg Cademartori, Planning Director**  
**Pauline Doody, Recording Clerk**

#### **I. BUSINESS**

- A. Call to Order with a Quorum of the Planning Board
- B. Introduction of Planning Board Members and Staff

#### **II. PUBLIC COMMENT -NONE**

#### **III. APPROVAL OF MINUTES**

- A. Meeting of March 3, 2011

**Ms. Gallagher** sited one correction on the last page, it should read, “the second round of applications have been announced”, not received.

**Motion: Approval of March 3, 2011 minutes**

**1<sup>st</sup>: Mary Black**  
**2<sup>nd</sup>: Karen Gallagher**  
**Vote: Approved 5-0**

- B. Meeting of March 17, 2011

**Motion: Approval of March 17, 2011 minutes**

**1<sup>st</sup>: Mary Black**  
**2<sup>nd</sup>: Henry McCarl**  
**Vote: Approved 4-0**

#### **IV. CONSENT AGENDA**

- A. James B. Gifford to divide one lot into one building lot, and one unbuildable lot to be conveyed to abutting land owner at 25 Starknaught Heights, Assessor’s Map 161 Lot 49.

**Mr. Cademartori** stated it is a simple application. It’s to separate land from one lot and conveyed to the other. It does not affect the minimum required lot area or frontage for either of the lots and does need approval under the subdivision control law.

**Motion: Approval of James B. Gifford to divide one lot into one building lot, and one unbuildable lot to be conveyed to abutting land owner at 25 Starknaught Heights, Assessor’s Map 161 Lot 49 which does not need approval under the subdivision control law.**

**1<sup>st</sup>: Henry McCarl**  
**2<sup>nd</sup>: Marvin Kushner**  
**Vote: Approved 5-0**

B. Site Plan Review - Bomco Inc. to construct a new 14,500 sf building at 115 & 125 Gloucester Avenue, Assessor's Map 42, Lot 1.

Mr. Cademartori stated he received an email requesting a continuance to May 5, 2011.

**Motion: Approval to continue Site Plan Review - Bomco Inc. to construct a new 14,500 sf building at 115 & 125 Gloucester Avenue, Assessor's Map 42, Lot 1 to May 5, 2011.**

**1<sup>st</sup>: Karen Gallagher**

**2<sup>nd</sup>: Henry McCarl**

**Vote: Approved 5-0**

C. Site Plan Review - P&G Realty Trust to construct a new 7,500 sf building at 14 Pond Road, Assessor's Map 264, Lot 33.

**Presenter: John Judd Gateway Consultants**

Mr. Judd stated the site is a vacant parcel of 3 1/2 acres at the end of Cul de sac and will be the new home of Beauport Ambulance Co. The access is off of Pond Road with parking.

Conservation Commission is worked out, however the order of conditions has not been drafted for approval. The building plans have been submitted. It has a closed drainage system and a detention basin to collect runoff.

Mr. Cademartori stated Bill Sanborn has reviewed the plans and the board scope is limited to the connectivity to other properties pedestrian walkways etc. They will using the same roadway as they are using now. The drainage has been approved and lighting is compliant with the lighting ordinances.

Mr. Cademartori asked if utilities would be rerouted.

Mr. Judd stated they would be tying in to existing systems.

Mr. Cademartori asked if it city maintenance of the line or private

Mr. Faherty stated it is a private line. The lift station is private too.

**Conditions:**

- **Pressure line to be located and exposed prior to construction**

**Motion; Approval of the site plan review submittal for P&G Realty Trust to construct new 7,500 sf building at 14 Pond Road, Assessor's Map 264, Lot 33.**

**1<sup>st</sup>: Mary Black**

**2<sup>nd</sup>: Karen Gallagher**

**Vote: Approved 5-0**

## **V. CONTINUED PUBLIC HEARINGS**

In accordance with MGL Chapter 40A, Section 9, and City of Gloucester Zoning Ordinance, Sections 1.5.5 and 5.21, Gloucester Planning Board will hold a public hearing to consider the petition to **amending the Gloucester Zoning Ordinance** in sections pertaining to the definitions of multi-family and mixed-uses in Section 2.2.3, 3.2.1 and Section 6.

*Continued from March 17, 2011.*

Mr. Cademartori stated he provided a memo to the board summarizing the past public hearing and the issues presented. One of issues was whether or not there was a need to establish the one residential unit and another non residential use in one project as a mixed use project in the use table itself. Also how to deal with dimensional requirements as to what will be applied. There was proposed language to an existing footnote that addresses the standard for one and two family use that also received "The Savings Provision" in certain areas.

Given that we are redefining the use that was not a one or two family or a multi family or some other category that has some specific dimensional table. We arrived at the conclusion that if you change the definition of multifamily you would start to follow dimensional requirements of table 3.2.3. That would need to have a reference in that location to deal with the definition of this new mixed use. Since that discussion Mr. Faherty has submitted some revisions to the sections that were proposed initially with the petition to clarify. Also the issue that was raised by Attorney Coakely in terms of by not by terms of definition of excluding other types of mixed use that are out there where there is potentially several uses that was originally proposed as not more than one other principle use in residential.

Effectively we have narrowed what the petition is trying to address, which is a non residential use and no more than one residential unit. Also how to deal with the dimensional requirements subject to

because it would be heading towards the other use table 3.2.3. Also what has been drafted is a new footnote G that would go that table and be applied to the VB and NB district which would extent the savings provision to buildings in existence prior to the zoning changes that occurred in the late 90's. What is suggested is in the schedule of uses under residential use, there is currently use number 5 zoning ordinance is conversion or new multi family/apartment dwelling up to two units and that is the location to insert mixed use as defining as a non residential use and a residential use as a conversion to a mixed use building with no more than one dwelling unit. Anything over two falls into the family definition up to two dwelling units, which is already covered in the existing schedule. To address what the impact or affect is, currently the there is no multifamily projects that are attempting to be addressed in this proposal would be treated as a multifamily. They need relief from the Board of Appeals often, but the special permit from the City Council is still required. Because of the way that everything has been drafted, the impact could be that the variance could go away in some properties that they have already received. In some of the smaller lot districts where there are undersized lots and structures in existence that may have altered and received a variance, the impact of extending the savings provision reduces the setback requirements. It does create more opportunity on some of the lots in some of those districts. The ordinance allows these uses. If someone proposed a brand new mixed use project, they would be allowed but would have to follow the special permit process. It could potentially relieve them from going to the Board of Appeals from getting the setback. If it's a question of use or intensity of use it would be dealt with in the special permit process. But it does allow some relaxation in the setbacks in this proposal.

**Motion: To recommend to the City Council the adoption of the amendment to the Gloucester Zoning Ordinance in sections pertaining to the definitions of multi-family and mixed-uses in Section 2.2.3, 3.2.1 and Section 6**

**1<sup>st</sup>: Karen Gallagher**

**2<sup>nd</sup>: Henry McCarl**

**Vote: Approved 4-0**

#### **VI. OTHER BUSINESS**

A. Decision to Adopt – Common Driveway Special Permit – 33 Dollivers Neck Road.

**Mr. Cademartori** stated there are fairly standard conditions. What is being permitted is an existing common driveway as it serves two properties and there will be a 3 driveway built off of that. At this time, there are no plans for the third lot to be developed. Prior to the issuance of a building permit of the third lot, the condition of that the driveway is to be inspected.

**Motion: To adopt the decision Common Driveway Special Permit**

**1<sup>st</sup>: Henry McCarl**

**2<sup>nd</sup>: Marvin Kushner**

**Vote: Approved 5-0**

**Ms. Gallagher** stated the deadline for pre-applications was April 1, 2011. We received over 20 applications.

B. Chairperson's Report

**Mr. Noonan** stated he met with Bill Fonvielle to discuss Boards and Commissions and for the Planning Board and PIRC to work more in harmony. One of the suggestions that came up was the notion of a Master Plan update, the function of PIRC, this living document and whether or the not the city will take on a 10 year Plan.

#### **VII. ADJOURNMENT**

**Motion: To Adjourn**

**1<sup>st</sup>: Henry McCarl**

**2<sup>nd</sup>: Mary Black**

**Vote: Approved 5-0**