

CITY COUNCIL STANDING COMMITTEE

Planning and Development

Wednesday, January 27, 2010 – 7:00 p.m.

1st Fl. Council Conference Room – 9 Dale Avenue, City Hall

Present: Chair, Councilor Joseph Ciolino; Vice-Chair, Councilor Robert Whynott; Councilor Greg Verga.

Absent: None.

Also Present: Attorney David Harrison, Kevin Clancy

The meeting was called to order at 7:00 p.m.

- 1. COM2010-001: Letter from Attorney Harrison re: High Popples – Links Road Sewer Project, LLC (Continued from 01-14-10)**

Councilor Ciolino made it known that he lives on High Popples Road but was not involved in any manner with the High Popples-Links Road Sewer Project whatsoever, and, therefore, will be voting on it.

Attorney David Harrison, representing the applicants, High Popples-Links Road Sewer Project, LLC stated that three years ago the residents on High Popples Road from Atlantic Road to Links Road wished to put a sewer in because of septic systems that were not working properly or on the verge of failing due to stringent requirements in place should they choose to sell their property. The LLC posted a bond with the City Clerk's office. About one year later, the sewer

was extended to Links Road. The sewer has been in working order for one and a half (1-1/2) years. Under the terms of the regulations of the City of Gloucester's Department of Public Works, they, as holders, wish to have their bond returned, and are asking for that today. Mike Hale, DPW Director, has determined the sewer is fully functioning to the City's satisfaction since its completion. Attorney Harrison briefly reviewed the "As Built" map submitted to the Engineering Department (on file). They ask that the Planning and Development Committee recommend to the City Council to release their bond and that the sewer be accepted.

Councilor Verga asked about the dead ends of the sewer and Attorney Harrison showed on the map how the sewer extended appropriately. He noted that two property owners did not hook into the sewer but in future may do so under the City of Gloucester's regulations.

Mr. Clancy noted that all the septic systems on the properties not connected to the sewer are in working order, those that are relatively new. The owners of those homes elected not to go into this project.

Councilor Verga said they have the option to tie in to which Attorney Harrison and Mr. Clancy said yes they can.

Councilor Ciolino explained to the Councilors some of the background on the work of the sewer and how it was done.

Attorney Harrison said as property owners sell their homes they may find that hooking into the sewer would be beneficial.

Councilor Ciolino noted that there was a memo from Mike Hale, Director of the Department of Public Works (on file) saying that the sewer was fully functional to the his and his department's satisfaction.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Whynott, the Planning and Development Committee voted 3 in favor, 0 opposed to recommend to the City Council that the City of Gloucester accept ownership of and full responsibility for the

approximately 1,167 linear foot long pressure sewer main and all existing laterals that lay within the streets known as High Popples and Links Road, which was constructed by the High Popples-Links Road Sewer Project LLC and as shown on plan entitled "as Built Sewer Plan" prepared by Gateway Consultants, Inc. and dated January 14, 2010.

With the following conditions:

1. That the existing, current rules and regulations pertaining to the city's acceptance of private sewers be adhered to.

2. That Project LLC and the City of Gloucester by its appropriate administrative staff coordinate the execution and exchange of all documents deemed necessary by the City of Gloucester legal office to effectuate the transfer of ownership and control of the High Popples-Links Road Sewer Project LLC sewer main from High Popples-Links Road Sewer Project LLC to the City of Gloucester.

2. Lighting Ordinance

Councilor Ciolino stated that the lighting ordinance simply needs an editorial correction to renumber it to Chapt.5 - Buildings and Building Regulations, sec. 5-3. When it was passed in 2007 it was numbered as sec. 8-5 which would put it in "Fire Prevention". Bill Sanborn, Building Inspector agrees that the numbering was in error and the ordinance belongs in Chapter 5.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Verga , the Planning and Development Committee voted 3 in favor, 0 opposed to recommend to the City Council the renumbering of the lighting ordinance to Chapter 5 – Buildings and Building Regulations, section 5-3.

3. Other Business

**A. COM2010-003: Extension of SCP2007-019 – Windover Properties, LLC, 14
Cliff Avenue, Sec. 5.7 (Major Project) Multi-Family**

Councilor Ciolino stated for the record that the request to extend Special Council Permit 2007-019 – Windover Properties, LLC, 14 Cliff Avenue, Sec. 5.7 (Major Project) Multi-Family, was received by the City Clerk on December 30, 2009 and provided to the City Council on January 5, 2010. Therefore, it should be considered timely made; and the permit should not expire before the applicant has an opportunity to be before the City Council on February 16, 2010.

Councilor Ciolino reminded the Councilors about the second Site Visit to 79-99 Essex Avenue on Saturday, February 6, 2010 at 8:00 a.m. At this visit they anticipate a boom being raised to the top height of the proposed Hampton Inn.

Councilor Verga said it would be good to view the site while the boom is in place from one of the abutter's yards and see how their view is affected.

Councilor Whynott suggested a possible property of an abutter whom he thought he might be amenable.

The meeting was adjourned at 7:15 p.m.

Respectfully submitted,

Dana C. Jorgenson

Clerk of Committees