

CITY COUNCIL STANDING COMMITTEE

Planning & Development

Wednesday, May 5, 2010 – 6:30 p.m.

1st Fl. Council Room – City Hall

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

Absent: None

Also Present: Jennifer Amero

The meeting was called to order at 6:34 p.m.

1. *Unfinished Business*

A) CC2010-016 (Verga) Request filed with City Clerk's office on March 19, 2010 re: Lot on corner of Concord Street and Rt. 128 (Continued from 04/07/2010)

Councilor Ciolino stated that will be continued until a report is received in by the Planning Board. This matter is continued for May 19, 2010.

B) COM2010-021: Request from Latitude 43 Restaurant & Fisherman's Wharf for temporary extension of use to utilize Lat 43/Fisherman's Wharf adjoining parking lot areas for outside Fiesta Family Fish Fry (Continued from 04/21/2010)

Councilor Ciolino noted all the Councilors did a site visit.

Councilor Verga was happy with the plan in place.

Councilor Ciolino stated the MOU with the City Hall Restoration Commission and the St. Peter's Fiesta should be on file with the City Clerk by the Tuesday's City Council meeting. There is also need for proof they have permission to use the adjoining parking lot. The Councilors have a lot of faith they can pull this off. The argument that the applicant made by spreading out people, there's a likelihood of fewer problems. The Committee is willing to give you the benefit of the doubt.

Councilor Verga stated they've shown their willingness to do things for the public good, and is confident that it will be a success.

MOTION: On motion by Councilor Ciolino, seconded by Councilor Verga, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to grant approval for a temporary use of the outdoor premises of Latitude 43 Restaurant and a temporary extension of said premises located at 25 Rogers Street and at the adjoining properties at 29 Rogers Street, 37R Rogers Street and 39 Rogers Street a.k.a. Fishermen's Wharf Parking Lot all as shown on a plan submitted by the applicant, Latitude 43 Restaurant and signed and dated by the Chairperson of Planning & Development. Said use is permitted only for the 2010 St. Peter's Fiesta, specifically from June 24 (3:00 p.m. to 11:30 p.m.); June 25 (3:00 p.m. to 11:30 p.m.); June 26 (12:00 p.m. to 11:30 p.m.); and June 27 (12:00 p.m. to 11:30 p.m.). Said use may include construction and installation of two tents as shown on said plan which depicts size and location of the tents. This temporary use shall be restricted to service of food and drinks as depicted on said plan and as presented to Planning & Development. This grant of approval and permission shall not include any necessary approvals which the applicant must obtain from the City Licensing Board for food, drink and entertainment. Further, this grant of approval and permission does not authorize the applicant to in any way obstruct or close the public pedestrian walkway known as The Harbor Walk. This approval is further conditional upon the applicant providing proof of the right to use the adjoining premises, and proof of all necessary insurance certificates to the appropriate City agencies including the City Council.

C) COM2010-003: Extension of Special Permit re: Cliff Avenue (Continued from 01/13/2010)

and from PH2010-005 at City Council under continuance from March 16, 2010)

Councilor Ciolino informed the Committee that the matter of COM2010-003: Extension of SCP2007-019-Windover Properties, LLC, 14 Cliff Avenue, Sec. 5.7 (Major Project) Multi-Family has been withdrawn by Attorney Miranda P. Gooding of Glovsky & Glovsky, who represents the applicant. They'll go through the ZBA. This matter was now closed.

2. PH2010-002: Installation of concrete encased conduit across East Main Street near Gerring Road

Councilor Ciolino stated this matter was continued to Wednesday, May 19, 2010 at 6:30 p.m. for public hearing before the Planning & Development Committee.

3. *Other Business:* None

A motion was made, seconded and passed unanimously to adjourn the meeting at 6:45 p.m.

Respectfully submitted,

Dana C. Jorgenson

Clerk of Committees