

# City of Gloucester City Council

CITY HALL • GLOUCESTER • MASSACHUSETTS • 01930  
Telephone 508-281-9722 Fax 508-281-8472

**CITY COUNCIL STANDING COMMITTEE  
Planning & Development  
Wednesday, February 24, 2010 – 7:00 p.m.  
Council Conference Room (first floor)  
9 Dale Avenue - City Hall**

**AGENDA**

1. Old Business:
  - A. GFAA Triathlon 2010
2. Unfinished Business
  - A. Mayor's Report Addendum dated February 2, 2010 re: Facilities Management Report (Continued from February 12, 2010)
  - B. CC2010-006 (Hardy) Review Fee Structure under Sec. 5.7.3 of the Gloucester Zoning Ordinance on Major Projects and to review obligations of applicant to provide reproducible plan(s) and to review the application forms for all special permits (Continued from February 12, 2010)
  - C. Request from National Grid re: Installation of 4-way duct bank from existing manhole 540-A to existing riser poles 42 and 41-A via proposed manholes, Cherry Street, Gloucester (Continued from December 9, 2009)
3. Request from National Grid re: Installation of 1-2" conduit and service wire for 4-6 Grapevine Road, Gloucester
4. COM2010-008: Report from Planning Board re: Under Zoning Ordinance Sec. 1.11, Proposed Zoning Amendments to Sections 2.2.1, 2.3, 5.5, 5.8 and 5.18 relating to the 43D Priority Development Site and 2009 Harbor Plan Recommendations
5. COM2010-009: Planning Board re: Under Zoning Ordinance Sec. 1.11, Initiation of Zoning Amendments to the GZO Sections 2.3.6 Other Principal Uses and Section 5.22 Commercial Land-based Wind Energy Conversion Facilities in large-lot, low-density residential zoning districts (R-80, R-40, and R-30)
6. Other Business

**COMMITTEE**

**Councilor Joseph Ciolino, Chair  
Councilor Robert Whycott, Vice Chair  
Councilor Greg Verga**

*Committee members – Please bring relevant documentation*

**Back-up and Supporting Documentation all on file at the City Clerk's Office, City Hall**

**CITY COUNCIL STANDING COMMITTEE  
PLANNING & DEVELOPMENT  
Wednesday, February 24, 2010**

**AGENDA PACKET NOTE:**

**ALL BACK-UP DOCUMENTATION FOR**

**“Old Business” and “Unfinished Business”  
is on file previously as indicated on the agenda in the City Clerk’s Office  
or on line at the City’s Website under Standing Committee Agenda Packets**



February 10, 2010

City Council  
City Hall  
Gloucester, MA 01930

Enclosed please find the following:

One (1) copy of Petition and two copies of Order for the installation for approximately 5' of conduit northeast from Pole#900 to #4 Grapevine Road, to accommodate an electric service upgrade.

If granted, please retain your copy and return the others to this company.

Sincerely,

Craig Spinale  
Supervisor Distribution Design

A handwritten signature in cursive script that reads "Craig Spinale".

CS/mg

Enclosures

Petition of National Grid of 170 Medford Street, Malden, Massachusetts  
for Electric Conduit Locations:


To the City Council – Gloucester, Massachusetts

Respectfully represents National Grid of Malden, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it may be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity. Said underground conduits to be located substantially in accordance with the plan filed herewith marked National Grid, UG-WR#8046390 01/26/10

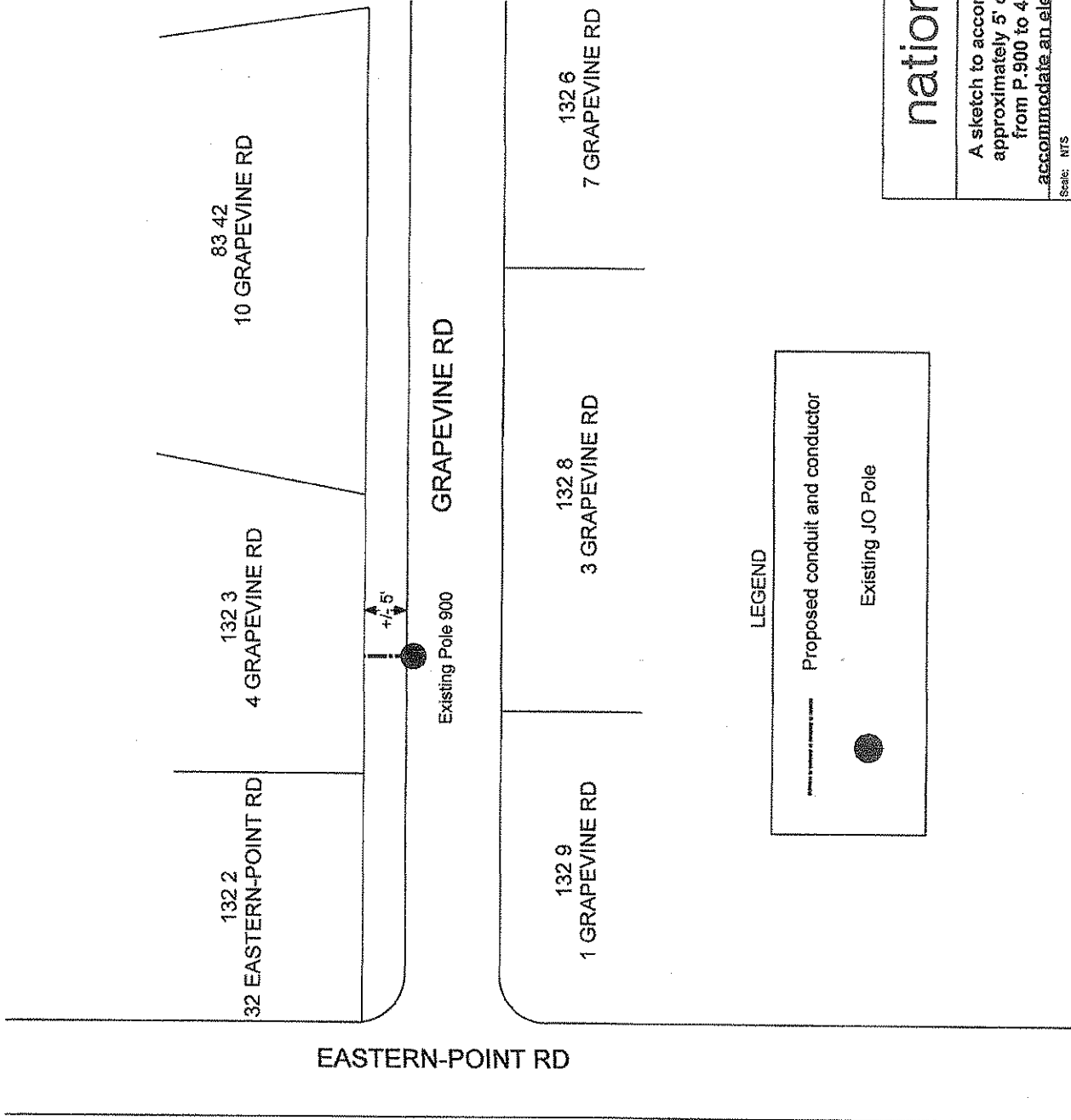
The following are the streets and highways referred to:

GRAPEVINE ROAD – Installation for approximately 5' of conduit northeast from Pole#900 to #4 to accommodate an electric service upgrade.

BY  National Grid  
Craig Spinale-Supervisor Distribution Design

Dated this 10<sup>th</sup> day of February, 2010

City of Gloucester



**nationalgrid**

A sketch to accompany a petition for approximately 5' of conduit northeast from P. 900 to 4 Grapevine Rd, to accommodate an electric service upgrade.

Scale: NTS  
 Date: 01/26/2010  
 Drawn By: RCH  
 Approved By:   
 AutoCAD Drawing Number: **8046390**

# City of Gloucester, Abutters List

**Report Description:**

Abutters To Parcel... MAP 132 LOT 3

Please be aware that the abutters list reflects mailing addresses for the real estate tax bills, as requested by the property owners. Mortgage companies, banks and other financial institutions may be receiving the notification and not the homeowner as required. Please be sure you are complying with notification requirements.  
Gloucester Board of Assessors

Abutter	Street Address	Parcel No.	Mailing Address
1 HEATH BRIAN L & FATIMA M TRS	17 LEDGE LN	83 9	17 LEDGE LN GLOUCESTER MA 01930
2 HADLEY CHRISTOPHER TR	12 GRAPEVINE RD	83 41	HADLEY-GRAPEVINE LIVING TRUST 12 GRAPEVINE RD GLOUCESTER MA 01930
3 HADLEY J P & P M ET AL	10 GRAPEVINE RD	83 42	10 GRAPEVINE RD GLOUCESTER MA 01930
4 BALESTRACI BARBARA M	28 EASTERN POINT RD	132 1	22 EASTERN POINT RD GLOUCESTER MA 01930 0000
5 CUSICK DAVID P	32 EASTERN POINT RD	132 2	3 THURSTON POINT RD GLOUCESTER MA 01930 0000
6 CUSICK DAVID P	4 GRAPEVINE RD	132 3	3 THURSTON POINT RD GLOUCESTER MA 01930 0000
7 SLOANE VERA T	3 GRAPEVINE RD	132 8	3 GRAPEVINE RD GLOUCESTER MA 01930
8 CULLEN JANE S	1 GRAPEVINE RD	132 9	1 GRAPEVINE RD GLOUCESTER MA 01930
9 BALESTRACI BARBARA M	22 EASTERN POINT RD	132 37	22 EASTERN POINT RD GLOUCESTER MA 01930
10 BALESTRACI BARBARA M	22R EASTERN POINT RD	132 38	22 EASTERN POINT RD GLOUCESTER MA 01930
11 BALESTRACI BARBARA M.	28R EASTERN POINT RD	132 39	22 EASTERN PT RD GLOUCESTER MA 01930

2/8/10

BOARD OF ASSESSORS  
CITY HALL  
9 DALE AVENUE  
GLOUCESTER, MA 01930

*Madonna Jenkins*



February 10, 2010

By the City Council –Gloucester, Massachusetts

**ORDERED:**

Notice having been given and a public hearing held as provided by law, that National Grid be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition of said company dated the 10<sup>th</sup> day of February, 2010.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked National Grid, UG-WR#8046390 01/26/10.

The following are the public ways or parts of ways under which the underground electric conduits above referred to may be laid:

GRAPEVINE ROAD – Installation for approximately 5' of conduit northeast from Pole#900 to #4 to accommodate an electric service upgrade.



I hereby certify that the foregoing order was adopted at a meeting of the \_\_\_\_\_, held on the \_\_\_\_\_ day of \_\_\_\_\_ 2010

\_\_\_\_\_  
\_\_\_\_\_, \_\_\_\_\_ 2010

Received and entered in the records of location orders of the \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_

Attest:

\_\_\_\_\_ hereby certify that on \_\_\_\_\_ 2010 at \_\_\_\_\_

hearing was held on the petition of National Grid Company for permission to construct the underground electric conduits described in the order herewith recorded, and that I mailed at least seven days before said hearing a written notice of the time and place of said hearing to each of the owners of real estate (as determined by the last preceding assessment for taxation) along the ways or parts of ways upon which the company is permitted to construct the underground electric conduits under said order. And that thereupon said order was duly adopted.

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## Legal Notices

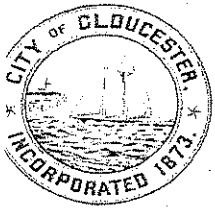
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GLOUCESTER  
LEGAL NOTICE  
CITY COUNCIL STANDING COMMITTEE  
Planning & Development  
City of Gloucester  
PUBLIC HEARING will be held on  
WEDNESDAY, February 24, 2010  
@ 7:00 p.m.  
1st Fl. Council Conference Room- City  
Hall

on a Petition by National Grid

For installation of underground 1-2" elec-  
tric conduit(s) & service  
wire for #4-6 Grapevine Rd.  
Councillor Joseph Ciolino, Chair

AD#12171230  
CX 2/5/10



**GLOUCESTER CITY COUNCIL 2010  
COMMUNICATION**

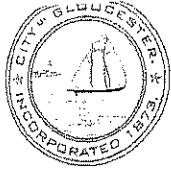
**RECEIVED: 02/11/2010**

**NUMBER: COM-008**

**NUMBER OF PAGES: 1**

**SUBJECT: Report from Planning Board re: Under Zoning Ordinance, Proposed Zoning Amendments to Sections 2.2.1, 2.3, 5.5, 5.8 and 5.18 relating to the 43D Priority Development Site and 2009 Harbor Plan Recommendations**

**ACTION: P&D**



**CITY OF GLOUCESTER**

**PLANNING BOARD**

3 Pond Road, Gloucester, MA 01930

Tel 978-281-9781

Fax 978-281-9779

Report

Date: February 9, 2010  
To: City Clerk  
From: Planning Board *JML*  
Re: Planning Board Report on Proposed Zoning Amendments to:  
Sections 2.2.1, 2.3, 5.5, 5.8, and 5.18 relating to the 43D Priority Development Site and 2009 Harbor Plan Recommendations

CITY CLERK  
GLOUCESTER, MA  
10 FEB 11 PM 3:06

The Planning Board held a public hearing on February 4, 2010, to consider the suite of zoning proposals which would amend to the following Section of the Zoning Ordinance:

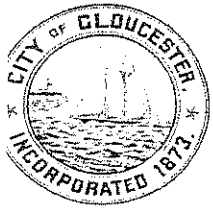
- Section 2.2.1 to include a reference to the Site Plan Review process
- Section 2.3 Uses Tables to eliminate the consideration of new uses that are in conflict with the Designated Port Area (DPA) and permit the consideration of "Facilities for water transportation loading and unloading, and allow the increase of Supporting Uses from 25% to 50% with in the DPA.
- Section 5.5, exempting commercial and industrial development in the Marine Industrial District from the Lowland Requirement Special Permit.
- Section 5.8, returning provisions related to a dimensional requirement to Transportation terminals to a footnote in Section 2.3, and introducing an administrative Site Plan Review process for commercial/industrial development and other projects of certain thresholds. This process would be administered by the Planning Board and compliment existing special permitting/variance processes, as applicable. It is this process that will enable the increase allowance of Supporting Uses in the Marine Industrial District.
- Section 5.18, changing "factors" to be considered in Special Permits in the MI District to needed "findings".

One amendment to the language of the proposed Site Plan Review Ordinance was also suggested. The third sentence of the proposed Section 5.8.4 Procedures should read:

*The Planning Board shall review and act upon the site plan at a regularly scheduled meeting within forty five (45) days of the meeting after a project appears on a Planning Board agenda.*

The purpose of these amendments is to streamline the permitting process in the Marine Industrial District, facilitate new proposals consistent with local and state regulations, and provide adequate review of impacts from commercial/industrial/residential projects of varying scale. These changes if enacted will also permit the increased allowance of Supporting Uses in the Designated Port Area from 25% to 50% of an individual lot which has been supported by the State in the Approval of the 2009 Harbor Plan.

For these reasons, the Planning Board unanimously recommended (5-0) to adopt these amendments as drafted.



**GLOUCESTER CITY COUNCIL 2010**

**COMMUNICATION**

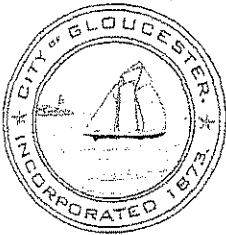
**RECEIVED: 02/11/2010**

**NUMBER: COM-009**

**NUMBER OF PAGES: 2**

**SUBJECT: Planning Board re: Under Zoning Ordinance Sec. 1.11, Initiation of Zoning Amendments to the GZO Sections 2.3.6 Other Principal uses and Section 5.22 commercial Land-based Wind Energy Conversion Facilities in large-lot, low-density residential zoning districts (R80, R40, and R30)**

**ACTION: P&D**



**CITY OF GLOUCESTER  
PLANNING BOARD**

3 Pond Road, Gloucester, MA 01930

Tel 978-281-9781

Fax 978-281-9779

Memorandum

10 FEB 11 PM 3:06  
CITY CLERK  
GLOUCESTER, MA

Date: February 9, 2010

To: City Clerk

From: Planning Board *Enc*

Re: Initiation of Zoning Amendments to the Gloucester Zoning Ordinance (GZO) Sections 2.3.6 Other Principal Uses and Section 5.22 Commercial Land-based Wind Energy Conversion Facilities, to permit commercial scale Wind Energy Conversion Facilities in large-lot, low-density residential zoning districts (R-80, R-40, and R-30).

In the context of a pending Massachusetts Senate proposed amendment known as MGL Chapter 40T Wind Energy Permitting, the Green Communities Act inclusion of criteria for As-of-Right Zoning for Renewable Energy Projects and As-of-Right permitting of Renewable Energy Manufacturing and Research Facilities, and land-owner interest in considering alternative land uses in residential districts; the Planning Board initiates consideration of the following proposed zoning amendments which would provide for the allowance of commercial-scale wind energy conversion facilities (wind turbines) in the R-80, R-40 and R-30 Residential Districts by City Council Special Permit. Aside from the need to follow all of the siting requirements and special permit criteria contained in Section 5.22, projects may only be considered if they are proposed on lots greater than 12.5 acres in size in the outlined districts and if they can provide setbacks from existing residential uses equal to the height of proposed turbines. It is believed that this will provide a sensitive means of review and maintain local control over permitting of this potential land use.

At a regularly scheduled meeting on February 4, 2010, in accordance with Section 1.11.2 of the Gloucester Zoning Ordinance the Planning Board voted unanimously (5-0) to initiate amending the Zoning Ordinance by submission of the following proposed amendments to the City Council.

2.3.6 Other Principal Uses (by adding use numbers 8, 9, & 10)

#8 Commercial land-based wind energy conversion facilities (See Section 5.22)

R-80	R-40	RC-40	R-30	R-20	R-10	R-5	CCD	CB	VB	NB	EB	MI	GI	BP
CCS	CCS	N	CCS	N	N	N	N	N	N	N	N	N	N	N

#9 Commercial land-based wind energy conversion facilities on city-owned land (See Section 5.22)

R-80	R-40	RC-40	R-30	R-20	R-10	R-5	CCD	CB	VB	NB	EB	MI	GI	BP
CCS	CCS	CCS	CCS	CCS	CCS	CCS	N	N	N	N	N	N	CCS	N

#10 Temporary monitoring tower for use numbers 8 & 9 above (See Section 5.22)

R-80	R-40	RC-40	R-30	R-20	R-10	R-5	CCD	CB	VB	NB	EB	MI	GI	BP
Y	Y	Y	Y	Y	Y	Y	N	N	N	N	N	N	Y	N

5.22.3 Applicability (by adding the following paragraph at the beginning of existing 5.22.3(a) and amending 5.22.3 (b) with text in bold)

(a) The construction of a commercial wind energy conversion facility shall be permitted in the R-80, R-40, and R-30 zoning districts and on municipally owned property, subject to the issuance of a Special Permit by the City Council and provided that the use complies with all requirements set forth in this section of the zoning ordinance (see Section II, 2.3.6, Other Principal Uses Numbers 8 & 9).

The construction of ~~a~~-an accessory commercial wind energy conversion facility shall be permitted in the MI, GI and BP zoning districts and on municipally owned property, subject to the issuance of a Special Permit by the City Council and provided that the use complies with all requirements set forth in this section of the zoning ordinance (see Section II, 2.3.7, Accessory Use Number 15)

(b) Wind monitoring or meteorological towers shall be allowed by-right on a temporary basis, in the MI, GI, BP, R-80, R-40, and R-30 districts and on municipally owned land subject to the issuance of a building permit (see Section II, 2.3.6, Other Principal Uses Number 10 ; Section II, 2.3.7 Accessory Use Number 17).

5.22.6 Special Permit Regulations (by inserting new 5.22.6 (b)iii) and renumbering existing iii and iv to iv and v, accordingly)

(b) Setbacks

2. In addition the following setbacks shall be observed:

iii) In the R-80, R40, and R-30 residential districts, the minimum lots size for a wind energy conversion facility shall be 12.5 acres, and the minimum lot frontage shall be 100 feet. The minimum distance of a proposed turbine to any existing residential dwelling shall be equal to the height of the wind turbine to the tip of its rotor blade at its highest point.

*Initiation of Zoning Amendments*

*Section 2.3.6 Other Principal Uses and Section 5.22 Commercial Land-Base WECF*