



CITY OF GLOUCESTER

PLANNING BOARD

MEETING MINUTES

Thursday April 12, 2012 at 7:00 PM

Kyrouz Auditorium, City Hall, 9 Dale Avenue, Gloucester

Richard Noonan, Chair

Members Present:

Rick Noonan, Chair, Mary Black, Vice Chair, Marvin Kushner, Joseph Orlando, Henry McCarl, Karen Gallagher, Linda Charpentier
Gregg Cademartori, Planning Director

Planning & Development

Councilor Greg Verga, Vice Chair, Councilor Joe Ciolino, Councilor Paul McGeary

I. BUSINESS

- A. Call to Order with a Quorum of the Planning Board
- B. Introduction of Planning Board Members and Staff
- C. **Councilor Verga** opened the public hearing for the Planning & Development Committee.

Motion: To approve the minutes of April 5, 2012

1st: Joe Orlando

2nd: Marvin Kushner

Vote: Approved 7-0

II. PUBLIC COMMENT-

Susan Altenberger 66 Atlantic Street

Ms. Altenberger requested that a public forum be held to discuss the future of I4 C2. She asked for a civilized in depth conversation of what is being considered and for the citizens of Gloucester to be heard on their ideas for the future of the lot.

III. CONTINUED PUBLIC HEARING

In accordance with the provisions of MGL Chapter 40A, Section 5, and the Gloucester Zoning Ordinance, Section 1.11, the **Gloucester Planning Board** will hold a continued public hearing to consider the following petition to amend the Zoning Map and Zoning Ordinance as follows:

Amend the Gloucester Zoning Map by creating an Hotel Overlay District consisting of 3 +/- acres in the Marine Industrial district located at 33 & 47 Commercial Street, Assessor's Map 1 Lots 22 and 33, respectively, and to amend the Gloucester Zoning Ordinance by adopting a corresponding new Section 5.25 entitled Hotel Overlay District (HOD) governing the permitting hotel and accessory uses by City Council special permit in the overlay district.

Mr. Cademartori stated that since the last meeting there have been several submissions that have been distributed to the Board. All of the information is available on the city's website.

Mr. Noonan asked the Board members if there were any other clarifications needed regarding the proposal.

Ms. Gallagher stated she understands that Attorney Cunningham changed the square footage of the minimum lot area from 40,000 to 60,000 in order to prevent more than one special permit application for a hotel within the proposed HOD; however, she

questioned whether or not changing the minimum lot area would be sufficient. She felt that the Planning Board should also be concerned about the proposed boundaries of the HOD.

Mr. Cademartori stated that at last meeting there were two options submitted to the Board for consideration of reducing the size of the district boundary.

Mr. Noonan polled the board for any additional information needed to be able to move forward with a recommendation for City Council.

Ms. Gallagher stated she would like to address the boundaries before the vote is taken.

Mr. Kushner stated he felt substantial information has been submitted and this is not the end of the road either way.

Mr. Orlando stated he wants to make it clear what is being submitted to the Board.

Ms. Black stated she was satisfied with the information received.

Ms. Charpentier asked Mr. Cademartori for clarification regarding how the area was zoned prior to 1991.

Mr. Cademartori stated that prior to that there were a number of districts throughout the city differentiating between light industrial, heavy industrial and business districts. The entire MI area was divided up into three types of business and industrial districts. They were then all combined in a blanket area which is one of the reasons that there are such a large number of diverse uses permitted in the MI district. It was an amalgamation of several districts into one.

Mr. Noonan stated if there was not further information needed at this time from the petitioner he would entertain a motion to close the public hearing.

Motion: To close the public hearing

1st: Karen Gallagher

2nd: Mary Black

Vote: Approved 7-0

Mr. Cademartori stated this application was submitted through the City Clerks office, distributed to the City Council and referred to the Planning board on February 15, 2012. The charge of the Planning Board is to provide a recommendation to the City Council on the proposal. It can come in the form of a recommendation of the proposal as initially submitted, a rejection of the proposal, or a recommendation to consider the proposal with an amendment.

Ms. Gallagher stated she believes that the applicant has made a considerable effort to address the concerns of this body.

Mr. Cademartori stated there have been concerns over dimensional requirements, how height will be dealt with, how this particular use relates to how it's treated in other sections of the zoning ordinance. They are to be consistent with the proposed HOD and the rest of the zoning ordinance. There was considerable discussion of height which now is proposed to fall under section 3.1.6 which is the height exception for any height above allowed in an underlying zoning district. It would be extended to this area within the HOD. There were options provided in direct response to questions about the boundaries of the district as they were initially proposed. There was an option provided that would only include the 47 Commercial Street property, as well as, an alternative that included the open unconstructed parking lot area on 33 Commercial Street

Mr. Noonan asked Ms. Gallagher if her concern was limited to the boundary of the HOD at this point, or if there were other concerns.

Ms. Gallagher stated that the map that was shown to us incorporating just the parking lot, along with the increase in the minimum lot area will satisfy my concerns regarding the potential for an additional hotel.

Mr. Noonan asked if a recommendation can be made to City Council to just consider the parcel, but also make a recommendation in consideration of parking as noted in the plan titled Modification B as a means of relief.

Ms. Gallagher stated she does not want to constrict the proposal but thinks it needs to be clear that this is about a hotel proposal and not multiple hotels. Voting on the plan that does not include any part of 33 Commercial Street and allowing City Council to incorporate additional parking as they see fit would be her suggestion.

Ms Black, Mr. McCarl, and Mr. Kushner were all in agreement with Ms. Gallagher.

Mr. Orlando stated the Board should go with the original application so the City Council has full discretion.

Mr. Noonan stated the board is charged with crafting a recommendation to City Council.
Mr. Cadmartori stated that everything submitted to the Planning Board will be submitted to City Council. The intent is to have the adequate area for the proposed use as it comes forward. The concern raised is whether the district produces a proposal and not multiple proposals. It can be through dimensional requirements, which have been proposed to be amended, as well as, boundary amendment.

Councilor Ciolino asked if that parking lot at 33 Commercial Street be used for overflow parking without an overlay on it. It is already a parking lot so why rezone?

Mr. Cademartori stated you can provide parking for a use that is allowed in a district in the same district. We have provisions that can allow parking by special permit in a district that's not within. The point of this is, use would be allowed in the overlay district, it is not allowed in the MI district. If that parking is going to be used for hotel use or accessory uses associated with hotel, it should be included within the overlay district otherwise one could argue it's not a use that is permitted in the underlying district.

Councilor Ciolino stated that it could then be challenged if that property was not included in the overlay.

Ms. Charpentier stated she would support the original proposal and go to City Council with that. They would have the discretion to make reductions and changes.

Ms. Gallagher stated she believes the Planning Board should put forth something more specific. She stated she was not comfortable about including the full parcel at 33 Commercial. We want to prevent some unknowns from happening in the future.

Mr. Noonan asked the Board if they were comfortable to amend the district to exclude part of 33 Commercial, but include just the parking portion.

Ms. Charpentier stated yes.

Mr. Orlando stated he was comfortable with the modification that includes the parking.

Mr. Kushner stated that when this gets to City Council they have the authority to make the changes.

Ms. Black stated she was comfortable with it as initially discussed.

Mr. Cademartori stated the boundary issue was left for further discussion. The language of the Planning Board would suggest to City Council to reduce the size of the district such of the boundaries to the needs of the proposed hotel use which is limited to 47 Commercial Street and the parking area or a portion of 33 Commercial Street. Mr. Cademartori prepared a draft of a document outlining the Board's process to date. It has been prepared to deliver a report one way or another. Mr. Cademartori read the draft to the public.

Mr. Noonan stated that leads us to making a modification to the April 9 document. The amendment we will make to City Council is to approve the April 9 draft with the inclusion of only the parking on 33 Commercial Street in the district.

Mr. Cademartori stated the language can be revised to say the Board recommends to City Council to reduce the district such that the boundary is limited to 47 Commercial Street and the parking area at 33 Commercial Street.

Ms. Black stated the language should be specific to the parking area instead of a portion.

Mr. Orlando suggested adding the language that we are recommending Modification B as outlined by the applicant.

Mr. Cademartori read a revised recommendation to the planning board members for approval; The Planning Board suggests to the City Council to reduce the size of the district boundaries to 47 Commercial Street and a portion of 33 Commercial Street as depicted on the plan labeled Modification B as submitted to the board on April 5, 2012

Motion: To file the report with the City Clerk recommending that the City Council adopt the Hotel Overlay District ordinance as amended draft dated April 9, 2012 and to reduce the size of the district boundaries to 47 Commercial Street and a portion of 33 Commercial street as depicted on the plan labeled Modification B submitted to the Planning Board on April 5, 2012.

1st: Mary Black

2nd: Marvin Kushner
Vote: Approved 7-0

IV. ADJOURNMENT

Motion: To adjourn

1st: Henry McCarl

2nd: Joe Orlando

Vote: Approved 7-0

Motion: Planning & Development to adjourn.

1st: Councilor McGeary

2nd: Joe Ciolino

Vote: Approved 3-0

V. NEXT MEETING

Next regular meeting of the Planning Board is Thursday May 3, 2012

Planning Board Members: If you are unable to attend the next meeting please contact the Planning Office at (978)281-9781.