

CITY COUNCIL STANDING COMMITTEE  
**Planning & Development Committee**  
Wednesday, February 6, 2013 – 7 p.m.  
**Friend Room at the Sawyer Free Public Library**  
-Minutes-

**Present:** Vice Chair, Councilor Greg Verga; Councilor Jackie Hardy; Councilor Joseph Ciolino (Alternate)  
**Absent:** Councilor Tobey  
**Also Present:** Councilor Melissa Cox; Councilor Steven LeBlanc; Gregg Cademartori

**The meeting was called to order at 7:00 p.m. There is a quorum of the City Council,**

**1. Memorandum from Mayor and revised RFP re: 65 Rogers Street (I4-C2) (Cont'd from 01/16/13)**

**Councilor Hardy** announced an email had been received today by the Committee from Jim Duggan, CAO asking for a continuance on this matter. By unanimous consent the Committee voted to continue the matter to the February 20<sup>th</sup> regularly scheduled meeting.

**This matter is continued to February 20, 2013.**

**2. SCP2012-010: Application of Beauport Gloucester LLC under GZO Sec. 5.25 Hotel Overlay District; GZO Sec. 5.5.4 Lowlands; Sec. 5.7 Major Project (Cont'd from 01/16/13)**

**Attorney John Cunningham**, representing Beauport Gloucester LLC said that the applicant had been working with the Fire Department; and since the January 31<sup>st</sup> Joint P&D and Planning Board meeting, the applicant has submitted materials and revised plans related to emergency vehicular access to the hotel site, and related matters. It is the applicant's understanding that the Fire Chief has sent a memo to Gregg Cademartori (Acting Community Development Director) indicating he is satisfied with those changes. **Mr. Cunningham** said anticipates further updates for the Committee at their February 20<sup>th</sup> meeting (to be held in Kyrouz Auditorium at City Hall).

**Gregg Cademartori** said this matter will also be on the Planning Board's agenda the following evening for its continuing review. Since the meeting last Thursday he confirmed his office received a memo from Fire Chief Eric Smith who had a number of issues that were outlined with the plan set through December 21, 2012 and how the applicant has responded to his satisfaction. **Mr. Cademartori** said he also received a memo from Mike Hale, DPW Director which was addressed to the City Council (on file) responds to the adequacy of public utilities. Additionally, his department has received a memo from Max Schenk, Health Department Sanitarian that enumerates concerns related to the Health Department's jurisdiction as to construction and demolition. **Mr. Cademartori** said he believed those matters would be incorporated into any future discussions and decisions. That information is being provided to the Planning Board, and he said he expects a discussion on Site Plan Review and the Board's recommendation to the Council tomorrow evening. The applicant is continuing through the Conservation Commission (ConCom) process. He said some additional information has been supplied to the Commission which will be taken up at their February 20<sup>th</sup> meeting. There is also a scheduled site visit for Saturday, February 16<sup>th</sup> at 8:00 a.m. by the P&D Committee.

**Councilor Hardy** said the Council had scheduled March 5<sup>th</sup> for the hotel public hearing. She asked how true would that deadline to open the public hearing be at this time given that ConCom is not yet done with their review nor is the Planning Board. **Mr. Cunningham** said he believed the Planning Board would give some indication of where they are in their review process tomorrow. ConCom's role is under GZO Sec. 5.5.4 (Lowlands) is concerning two permits asked for, the HOD hotel permit and the Lowlands Permit which requires ConCom action. The applicant is working to stay on that schedule, he said and the applicant is hopeful they can do it. **Councilor Hardy** said would not be prepared to pass on a Committee recommendation to the Council without a ConCom approval. **Mr. Cunningham** commented ConCom has been very helpful to keeping to the proposed schedule. **Councilor Hardy** said if the Council has to continue the public hearing they will do so.

When the Planning Board next meets it would be after the March 5<sup>th</sup> public hearing date, **Councilor Hardy** noted. **Mr. Cademartori** said the Board is responding to an application with multiple jurisdictions. If the Board does provide a recommendation at their next meeting it will be reflective of the plans before them. If the design stays consistent then the Committee could review it at future P&D meetings. The Board is not aware of any significant change to the application from the petitioner. If there is something that comes out of ConCom, **Mr.**

**Cademartori** said, then Planning Board has to review it. At the last presentation to the P&D and the Planning Board, the consultants (BETA) had three areas that it indicated some work still needed to be done to provide additional information for the City to consider. Those were bulleted items in the beginning of the November 28<sup>th</sup> BETA report that related to the West End intersection which has been suggested is something the City needs to examine. **Mr. Cademartori** said he did not see this being something that would be resolved in this process. BETA specifically found that it doesn't consider the potential impact of traffic associated with this project to be a safety concern for the West End intersection. It is for the City to decide how it may wish to address those issues in the future. BETA also spoke to the remaining concerns, he said, in a memo from the Fire Department of October 6<sup>th</sup> which had outstanding items including the height of the canopy as proposed and whether it was adequate for all the emergency vehicles to be able to drive underneath. Those were also highlighted within the report from BETA of November 28<sup>th</sup>. He reiterated that at this point the Fire Chief is satisfied the plan modifications address those concerns, some of which were altered to his specifications. BETA said there is additional information that needs to be understood in terms of the functional design and how construction would occur and potential impacts of the seawall, which are outstanding. These matters fall under the ConCom review. He said as to the stormwater design and coastal issues, the consultants are "on board" and will be responding to any additional information provided by the applicant and also supporting ConCom for their decision on the application. What the Planning Board is asked to review, he said, it has a complete package to consider tomorrow. If the plans are modified, the Board will have to deal with that, **Mr. Cademartori** said.

**Councilor Hardy** asked about the proposed height of the hotel and the impact on sight lines from various City aspects with the new proposed plan. She asked if the site will be able to have indications of this for the Committee's visit on the 16<sup>th</sup>. **Attorney Cunningham** said the applicant has been working with its engineer to mark the site and that the top of the building, to indicate height, will be noted by the existing Birdseye tower. There will be the ability to get a good feel to see where the building will be, he said, including the sidewalk, and the 8 foot walkway.

**This matter is continued to February 20, 2013.**

**3. *Application for Further Modification for a Special Council Permit previously modified 12/7/10 originally granted July 7, 2010 re: Rogers Street #9-11, GZO Sec. 2.3.4(8) and Sec. 2.3.4 (9)(Cont'd from 01/16/13)***

**Attorney Catherine Schlichte**, representing the Cape Ann Brewing Company (CABC) said the last time she was before P&D there was a question of the Department of Environmental Protection (DEP) Chapter 91 license modification filed by CABC. A decision by the DEP was rendered (on file). She gave the Committee a plan that had previously been submitted to the Committee in November of 2012 (on file). She said that an issue for the DEP license was a small area that was landscaped in front on Rogers Street and a landscaped area by the City-owned boardwalk that had previously been designated for lobster trap storage and the silo that was added that the Council had granted a modification of the Special Council Permit for, and was also included in the modification of the DEP license. Because the original deck is smaller and the original storage area on the side of the building is smaller than what was originally permitted in the initial license, the change in the DEP area was about 3 percent. The City received a modification to the Designated Port Area (DPA) and now up to 50 percent of a property may be supporting use. This property was at 40.1 percent. The modifications bring that percentage to 45.9 percent which is under the 50 percent limit and is why, **Ms. Schlichte** said, the DEP granted the modification to the license. She very briefly described the enhanced color coded map to the Committee which indicated supporting use, the temporary use area (parking, public access) and the area which includes the walkway and the lobster trap storage areas. That, she said, is the water-dependent use of the lot. She said that the area that was lost was on the left-hand side of the map that was landscaped area. The DEP opened its public comment period and no comments during the public comment period were made. The appeal period passes this coming Friday. She told the Committee that only individuals who commented during the public comment period can make an appeal. She reiterated the DEP allowed the modification of the Chapter 91 license which she said addressed some of the concerns of opponents to the application.

**Ms. Schlichte** said that the issue before the Council is the deck and the awning that goes over the deck. The City Council in 2010 granted a Special Council Permit to the CABC operate a restaurant in this building in the M/I district which allowed the CABC to convert the "Doyon" building to the restaurant brew pub. This summer the owner, after speaking with the Building Department was under the impression that he could put an awning over the deck. She said there is a memo on file from the Building Inspector, Bill Sanborn, that says he considers the awning and an outside bar to be a significant change to the Special Council Permit and so those changes requires a modification to the Special Council Permit. The bar was in the original application. Initially, **Ms. Schlichte** noted, Mr. Sanborn said the bar was movable and was not really a structure; but given size and heft, it was not really

movable; and Mr. Sanborn wanted the bar included in the application. There is an awning to go over the bar as well which has not been constructed yet but is part of the application to extend the awning so it goes over the bar.

**Councilor Hardy** asked if the awning will be bigger than the one viewed during the Committee's site visit. **Ms. Schlichte** responded that the awning there now will stay where it is. However, over the outside bar there is a 6 foot by 12 foot awning that was put up, more like a pop-up tent. This bar, she said is used more as a service bar to assist the wait staff to serve patrons on the outside deck. The seating capacity and square footage of the restaurant hasn't changed, she said; rather, the service bar is adding functionality and awnings to shield the patrons from the sun. She noted there are drop down sides to the awning to allow the deck to be used for a longer season. **Ms. Schlichte** further noted the standard for the modification of a Special City Council Permit is under GZO Sec. 1.8.5: "Modification may be granted if the interests of the City and the neighborhood are not impaired."

**Councilor Hardy** asked why she should not consider the use of the bar an increase in the intensity of use. **Ms. Schlichte** said it does not provide any more seating; in fact, it decreases the seating capacity of the restaurant as it is an area where tables and chairs could have been placed. It means, she said, less patrons but more functionality. The owner did not have to go to the Liquor Licensing Board to expand the liquor license because this is not an expansion of the service area. The footprint of the restaurant is not changing at all, she noted.

**Councilor Hardy** said now the Harborwalk begins and ends at and around the CABG location; and that an impression is created by walking immediately adjacent to an open outdoor bar whether it is the first or last thing seen from the Harborwalk. She stated she is not "fond" of the bar being on the deck, and said she believes it is a greater intensity of use than originally reported. When the Committee did their site visit, the Building Inspector was on site with them, she said, and he apparently didn't do the initial inspection of the bar. He was told it was a portable bar and when he saw it he was surprised at how big it was and how much space it took up, she said.

Additionally, **Councilor Hardy** noted there is a fund set up by the City which is mentioned in the DEP license conditions (as noted DEP decision of 1/18/13), on page 2, paragraph 2: "The licensee is required by the current license to provide \$20,000 over a 10 year period." She asked whether the payment had been made this year.

**Attorney Schlichte** said that several inquiries had been made. Payment had been made to the City. **Councilor Hardy** said the payment hasn't been received for 2013. **Attorney Schlichte** noted the owner has made \$4,000 in contributions for 2011 and 2012. **Councilor Hardy** asked if the payments are made on a calendar or fiscal year schedule, and asked Ms. Schlichte to confirm that fact.

**Councilor Ciolino** asked if everything on the property is legal according to the DEP and also asked was lobster trap storage going on at the site now. **Ms. Schlichte** said area is available for trap storage use. Part of the DEP license modification condition is for the development of a marketing and property management plan which is due in to the DEP by February 18<sup>th</sup> which is to go to all those people who had initially commented on the first DEP Chapter 91 license. She said it is a difficult site to use. The owner constructed a deck to level the area beside the City-owned wharf to assist with the storage. The walkway is part of the DEP which takes a large part of the area in order to allow for public access the City dock and allows for lobstermen to drive to the wharf with their trucks. She said as far as permanent things on the site, it has not been utilized a lot and is why the DEP wants the marketing plan developed. There is a lot of lobster trap storage space available in other waterfront areas such as a site at the end of Commercial Street which is more easily accessible, she pointed out. **Councilor Ciolino** asked if the State is good with the 50:50 rules. **Ms. Schlichte** stated it is a supporting designated port use, which the DEP deems a restaurant to be that in a DPA. While a licensee can go up to 50 percent of the lot, this license is only utilizing 45 percent of the lot. She reiterated this is the documentation the Committee has before then which shows the DEP approved the modified use. **Councilor Ciolino** said he agreed with Councilor Hardy saying the Brew Pub started off with the pub, and it is "morphing" into more than what the City Council "bargained for." **Ms. Schlichte** said the pub was originally permitted as the same size as a restaurant, and hadn't "morphed" into anything other than that, she said. She added that the Liquor Licensing Board allowed the owner to serve beer on the premises. CABG makes more beer than is served. It is shipped to other places. The property use hasn't changed. The City asked the owner to do the landscaping and he did. She said the owner didn't think that was a violation to the DEP license, and the DEP granted the modification. While the bar may not be visually appealing to the Committee members, **Ms. Schlichte** said, it is not increasing the intensity. The bar on the deck is the same bar at the original site of CABG. **Councilor Ciolino** suggested the position of the bar be relocated to the other side of the deck. **Councilor Hardy** asked if CABG could screen the corner of the deck where the bar is located so it is not so visible. **Ms. Schlichte** said the situation on the deck is not so different from Latitude 43 and the Gloucester House who use the outside of their premises to serve patrons. The CABG has had no incidents of over serving. There is only beer served which she said only attracts a certain type of crowd. **Councilor Verga** noted the brewery doesn't bottle the beer on site but sends it out for bottling and has a license to do so. He asked Ms. Schlichte to confirm the CABG only serves the beer they produce.

**[Note: This matter is considered closed at the P&D Committee level - a recommendation had been previously made by a vote of the Committee on July 18, 2012 to the City Council and the requested DEP documentation was to be submitted to the Committee prior to the matter being taken up in a public hearing before the City Council. The public hearing is scheduled to be opened on February 12, 2013.]**

**4. SCP2012-014: Mansfield Street #3/Washington Street #24, Map 6, Lots 36 & 37 re: GZO Sec. 1.8.1 and Sec. 2.3.1(7) Conversions to new or multi-family or apartment dwelling, four to six dwelling units (Cont'd from 01/16/13)**

**Councilor Hardy** noted for the record that an application was received in the City Clerk's office dated December 5, 2012. An application fee of \$350 has been paid. The application has been reviewed by the proper departments. There is a request before the Committee to add an additional zoning ordinance, a building height exception and a record of that request on file. An Affidavit of Notice to Abutters was received by the Clerk of Committees.

**Attorney Thomas Murphy**, Shea, Murphy, & Gulde, Burlington, MA representing the applicant, James Santo, the owner of both properties, and stated the applicant is looking to construct a six unit building with one unit commercial use and five residential units facing Mansfield Street. Plans have been submitted, he said. He noted there was a site visit by the Committee a week ago. **Mr. Murphy** said that Mr. Santo has owned the Washington Street property for quite a while. He lost the Washington Street building to a fire and bought the adjoining property on Mansfield Street which also burned. Mr. Santo owns both properties now, he said. Mr. Santo is now seeking a Special Council Permit to allow him to build a six unit building and to build the project to a height of 39 feet 11 inches as shown on the plans (on file). **Mr. Murphy** said the use [of the building] is not expanded. There were six units total previously, and there will remain six units total for the project; there will be off-street parking where there was none previously for these units. He said five of the units will have garages for two vehicles to park in tandem. He noted there is no dumpster shown on the plan. There will be private trash pickup with the units keeping their trash in the garages. The ZBA has given all the variances for set backs (on file) and the others the owner needed for the project. **Councilor Hardy** asked for confirmation that there would not be a dumpster. **Mr. Santo** said there is no plan for a dumpster for the retail unit and assured Councilor Hardy that the commercial and residential trash will be picked up by a private trash hauler.

**Attorney Murphy** on inquiry by **Councilor Hardy** said the neighboring lot was bought by the applicant but it is a combined ownership, and it is a combined parcel. It is to be one building on two combined lots. The Registry of Deeds shows two separate lots but the two lots are co-joined and now owned singularly. **Councilor Hardy** asked was this previously two separate buildings or one connected building. **Mr. Santo** said they were two separate buildings. **Councilor Verga** asked if the parcels are officially combined in the City records. **Mr. Santo** said it was combined with the City. **Councilor Hardy** asked that be clarified by the time of the public hearing that the City Assessors show these two lots combined as one lot.

**Councilor Ciolino** asked about the curb cuts for the residential unit garages. He expressed concern for ADA compliance with regards to the sidewalk. **Councilor Verga** said the Committee would like to see a plan of the curb cuts and the sidewalk plan. **Councilor Hardy** said the transition from the street would be difficult for a wheelchair with five garage entrances in succession. **Councilor Ciolino** also expressed concern that people who live there will park and block the sidewalks. **Mr. Santo** said the garage parking will be tandem. **Councilor Ciolino** asked if the garage units are 40 feet deep. **Mr. Santos** said the depth of the building is 41 feet. **Councilor Ciolino** said that the plans show the outside of the foundation is 41 feet and noted it will be tight. **Councilor Hardy** asked about parking in front of the garages if tenants don't want to put their second car in the garage. **Mr. Santo** said there is no parking on that side of Mansfield Street. His project, he said, is not taking away any parking spaces from that street. The only tenant who might have any potential trouble in backing out onto the street is the unit "at the back."

**Councilor LeBlanc** said that some concerns from the neighborhood were about the driveways and vehicles backing out onto Mansfield Street. Another concern is for a rooftop deck, accessibility to the property in emergencies and overshadowing of other properties and further, tenants looking inside of other properties. The Councilor discussed the notification of abutters for the ZBA meetings with the Committee. **Councilor Hardy** said each board has their specific notification rules. She advised that is something the Councilor would have to take up with the ZBA. **Councilor Verga** pointed out that notices go out to the owners of record for abutting properties, not renters. **Councilor Hardy** suggested Councilor LeBlanc speak with the Building Inspector's office (There was an abutter in question named on the certified abutters list who had informed Councilor LeBlanc they had not been noticed for the ZBA meetings.).

**Regina Ciaramitaro**, 5 Mansfield Street explained to the Committee where the properties are so close together she was concerned as to rain run off and where that water would drain to. She noted debris over the last year and a half since the fire has fallen onto her property. She did not want her property or tenants endangered, she said. She pointed firefighters did an “amazing job” when the two properties burned, but the Fire Department could not get equipment in between the properties. **Councilor Hardy** said at the site visit the Committee noted that fact. She asked if the drains on the building go to a drain on a street. **Mr. Santo** said he would talk to the DPW about that when he examines the curb cuts. **Councilor Hardy** suggested Mr. Santo avail himself of “Dig Safe” to aid him in that endeavor. **Councilor Verga** suggested there be a memo from the DPW to sign off on the curb cuts and the drainage. **Councilor Ciolino** said the new building would have the drainage improvement.

**Ms. Ciaramitaro** did not have an issue with the property being developed, she said, and is looking forward to something nice there. Her concern is being so close with drainage and a roof top deck having someone looking in her windows, she said. **Councilor Hardy** noted there are no drainage plans on file for the DPW Director to review. **Councilor Verga** said with the CSO project, there is a concern for stormwater drainage. He said the Committee would like to see a communication about a stormwater plan and ADA compliant curb cuts and sidewalks from the DPW, and confirmation from the Assessor’s Office regarding the combining of the lots. He noted there will likely be a condition that tenants do not block the sidewalks with their cars. **Councilor Hardy** said this is a good project and Mr. Santos is following through with the Committee’s requests to date. **Councilor Verga** also suggested some screening towards 5 Mansfield Street which would be a condition.

**The Committee voted unanimously to continue this matter to February 20, 2013.**

**5. SCP2012-015: 107 Atlantic Road, Map 72, Lot 1, Replacement of existing pool pursuant to GZO Sec. 5.26.7**

**Attorney Joel Favazza** representing the Bass Rocks Ocean Inn, Inc. (“hotel”) at 107 Atlantic Road explained that the hotel, under the new 107 & 125 Atlantic Road Hotel Overlay District (ARHOD), GZO Sec. 5.26.4.1 allows for the construction of structures within the setbacks established by this section of the ARHOD. The owner wishes to reconstruct the in-ground swimming pool so as to comply with ADA regulations (plan with application on file). He said at its closest, the pool will now be 21.3 feet away from the front property line, and so there is a need for about 9 feet of zoning relief from the front yard set back requirement of 30 feet. **Mr. Favazza** said this hotel is in need of updating. The Americans with Disabilities Act (ADA) requires upgrades to existing pools and is based on what standards are readily achievable and because of this the hotel must upgrade the pool he said. The closest edge of the pool would be 21 feet 3 inches from the property line. The setback is 30 feet under the zoning ordinance. The applicant is asking for 9 feet for dimensional relief.

In order to accommodate the ADA compliance there will be a ramp installed with a simple railing, **Mr. Favazza** said. By extending the pool laterally it is 20 feet longer than the existing pool. They will be able to put in a ramp that is over 30 feet long that is discrete that no one would be uncomfortable using, he said. It is moved away from the hotel rooms onto a new patio which he said would increase guest privacy and better coordinate guest flow on the property. He said it also gives greater options for enclosure of the pool with better fencing for added safety and controlled entry and exiting through gates. The design received ConCom approval in December 2012 he noted. The alternative to this design is a lift system which is obtrusive and difficult to use, **Mr. Favazza** explained. These lifts are also, he said, a hazard to children in the pool; and are complicated to use for disabled guests. This is why the owner went with a bigger and longer pool; he said, and noted the Bass Rocks Ocean Inn is an older hotel looking to stay competitive.

**Councilor Hardy** asked if there is any blasting involved to reconstruct the pool. **Tracy Muller**, President, Bass Rocks Ocean Inn said she can’t confirm absolutely that there won’t be blasting. She said a lot of the area is where the existing pool is located now. There is a leaching field and septic tank and so a lot of blasting was done for that installation when the pool originally put in. The contractor, she said, would prefer to use a jackhammer instead of the blasting. Until the demolition and reconstruction begins, she said there is no way to know. **Councilor Hardy** asked if the applicant knew of the rules and regulations of regarding blasting. **Mr. Favazza** assured the Committee that all rules and regulations will be followed. **Councilor Hardy** requested of the applicant that no less than two weeks in advance of any blasting taking place, should there be a need to do so, that the neighborhood is notified in writing and the owner is to have a meeting with the neighbors with the person doing the blasting present. She asked that the abutters and the abutters to the abutters be included in this notification and meeting. Both **Mr. Favazza** and **Ms. Muller** expressed their agreement to the condition.

It was noted to the Committee by **Mr. Favazza** that the patio is only that which is surrounding the pool. He said there will be some incidental renovation work in the process of removing the old pool to it. **Councilor Ciolino**

asked if food would be served outside in and round the pool area. **Mr. Favazza** said wait staff will not be walking the property. The patio is not for the restaurant use, but for pool use. If the owner wanted to expand the use, they would have to come back to the Council. The restaurant on site, he confirmed, is for hotel guests only.

**Councilor Hardy** noted that the plan for this Special Council Permit was submitted to the Council December 19, 2012 with a \$350 fee paid; the application reviewed for completeness. This site is located on Assessor's Map is 72, Lot 1. **Councilor Ciolino** expressed his approval saying this would be a wonderful addition to the Back Shore and that this will be good for everybody. **Councilor Hardy** said she agreed with Councilor Ciolino's opinion of the project.

**MOTION: On motion by Councilor Hardy, seconded by Councilor Ciolino, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to grant Bass Rocks Ocean Inn, Inc. a Special Council Permit (SCP2012-015) for the property located at 107 Atlantic Avenue, Assessors Map 72, Lot 1, zoned R-20 pursuant to Sections 1.8.3 and 5.26.7 of the Gloucester Zoning Ordinance to replace an existing swimming pool 21.3 feet away from the front property line and as shown on Plans dated 11/2/12 as drawn by Robert H. Griffin, PE, Griffin Engineering Group, LLC entitled "Site Plan to Accompany NO1," as approved and with the following conditions:**

1. That no less than two weeks prior to any blasting that may take place, that a neighborhood meeting which includes the abutters and the abutters to the abutters be called to inform them of the impending blasting work by notification via first class U.S. Mail.

**6. SCP2012-016: 30 Blackburn Drive, Bldg. 4, Map 262, Lot 24, GZO Sec. 5.13.7 (PWSF)**

**Michael Johnsen**, representing MetroPCS Massachusetts, LLC ("MetroPCS") as their agent explained that MetroPCS in 2009 the City Council permitted MetroPCS to locate antennas at a tower at 30 Blackburn Drive at the 90 foot mark. MetroPCS, he said, is seeking to replace three existing antennas with three new antennas of similar size and shape and to install six new coaxial cables (bringing the total to 12) within the shaft of the tower, hidden from view. The antennas would allow for updated 4G technology.

**Councilor Hardy** asked if this is the McNiff property which was confirmed by Mr. Johnsen. **Councilor Hardy** asked for a map of all locations of all the PWSF facilities in the City so the Committee can see exactly where they are all sited which she said should be part of the submitted application. She added there are issues that need addressing in the community and knowing where the towers are in the City is important. **Mr. Johnsen** said that MetroPCS had asked in their application for a waiver on this condition. **Councilor Hardy** said without the map the Committee can't point to where the City's needs are for mitigation purposes. She asked that Mr. Johnsen provide that map for the Committee's next regularly scheduled meeting so that they may more fully consider this modification of a Special Council Permit

**This matter is continued to February 20, 2013.**

**7. SCP2013-001: 25-31 & 43 Rocky Neck Avenue, Map 130, Lot 8; Map 130, Lot 7; Map 130, Lot 6; Map 130, Lot 5; Map 130, Lot 3, GZO Sec. 5.5.4 Lowlands**

**This was continued at the request of the applicant due to a notification to abutters matter.**

**This matter is continued to February 20, 2013.**

**A motion was made, seconded and voted unanimously to adjourn the meeting at 8:28 p.m.**

Respectfully submitted,

Dana C. Jorgensson  
Clerk of Committees

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:**

- Color coded map showing supporting use, the temporary use area and the area which includes the walkway and the lobster trap storage areas of Cape Ann Brewing Company site submitted by Attorney Schlichte