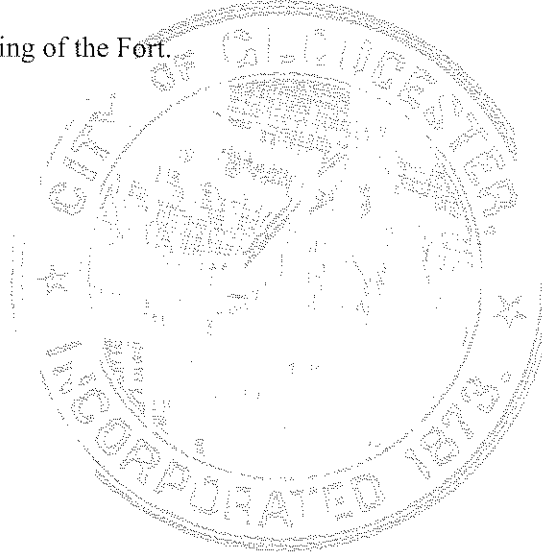


City of Gloucester City Council

CITY HALL • GLOUCESTER • MASSACHUSETTS • 01930
Telephone 978-281-9722 Fax 978- 282-3051

CITY COUNCIL
AND
CITY COUNCIL STANDING COMMITTEE
Planning & Development
Wednesday, February 4, 2009 – 6:30 p.m.
American Legion Building, 8 Washington Street

1. Special permit renewal for Procaccini open air parking lot permit. *(cont from 1/21/09)*
2. Proposed rezoning of the Fort.



COMMITTEE
Councilor Jackie Hardy, Chair
Councilor Sharon George, Vice Chair
Councilor Philip Devlin

Committee members – Please bring relevant documentation

C.
Mayor
Jim Duggan
City Clerk
Sarah Buck
Gregg Cademartori
Ellen Preston
Jim McKenna

CITY COUNCIL
AND
CITY COUNCIL STANDING COMMITTEE
Planning & Development
Wednesday, January 21, 2009 – 7:00 p.m.
Council Conference Room, City Hall

**Attendance: Councilor Jackie Hardy, Chair, Councilor Sharon George, Vice Chair,
Councilor Philip Devlin**

Also: Jim McKenna, Nicholas Saso, Antonio and Angela Procaccini

Absent:

The meeting was called to order at 7:08 p.m.

1. Special permit renewal for Procaccini open air parking lot permit.

**Attorney James McKenna, 63 Middle Street representing the Procaccinis.
Nicholas Saso, 24 Rockport Road supports the application.**

Attorney McKenna appreciates the effort made to take this on an individual basis. This is a mixed use neighborhood, sub shop, hotel and two parking lots and a public attraction, Long Beach. The beach to a large extent is owned by Rockport and the Gloucester side is owned privately with public access and in recent years has seen much more use even on the off season. The Procaccini's have owned and operated this lot for 37 years and the lots capacity has been adjusted over the years. At a high it was 26, recently it has been at 18 spaces. It was reduced in 1993 to 18 spaces. The Procaccinis provide an important resource, parking, especially in the summer months. Folks coming to Gloucester contribute to the local economy. In doing so we provide safe use of property as opposed to having people seek out spaces. The Procaccinis provide a bathroom facility and clean up and down the street because they are concerned about the appearance of the lot. There is diligent observation going on all the time and he feels that is a good thing for the neighborhood. We are alert to the patrons and behaviors and supervise how they use the lot and are very concerned about noise and observant of private property. There is signage that addresses private property interests of the neighborhood. The plan shows 26 spaces which historically has functioned quiet well. We would like 26 parking spaces because the fixed costs of doing business and staying in business.

Angela Procaccini noted they are also residents of Rockport Road and as part of the neighborhood have concerns for our own residential experience. This property is solely used as a parking lot. We do not park our vehicles on it or hold private activities or picnicking on it. It is there and unobtrusive unless it is in operation.

Councilor George likes the signs posted noting there is a cap of 18 cars and the fact that none of the neighbors complained.

Ms. Procaccini stated we are a small operation and there are no employees. We are very diligent and responsible about what is going on.

Councilor Devlin is curious of the size of the compact spaces.

Attorney McKenna measured them to be 7' x 15' the same size as those at the CATA building. It seems that 26 spaces worked and was never an issue before. He presented photos that illustrate how the lot works. We have distinguished the right hand side for compact vehicles and the left hand side is 9' x 20' for regular sized vehicles. Because the lot is managed that they can fit within the footprint shown on the plan.

Councilor Hardy received an e-mail from Councilor Grow stating he was unable to be present tonight but he was in support of this because he had not received any complaints. She also received an e-mail from Bill Sanborn, noting parking spaces may not take up more than 30' of the lot. He also indicated the size for compact cars is 7' x 20', not 7' x 15'. On the regular sized cars he thought it was 8' rather than 9'. Additionally there is space needed to back up and maneuver from one to the other and that is either 24' or 25' so the car in the middle would probably not be allowed because it doesn't meet those distance requirements. She questioned the dotted blocks on the map.

Attorney McKenna replied that is an estimation of car size.

Councilor Hardy also indicated if you were looking for an increase that the accessibility would kick in. She read from Mr. Sanborn's e-mail.

Attorney McKenna we provide two at present both on the front end of the lot. The immediate two spaces on the right and left sides are handicapped accessible.

Councilor Hardy asked if the two spaces are larger than regular spaces. Mr. Sanborn stated the spaces should be double the regular width.

Mr. Procaccini commented on when 26 cars were parked there - in those days the cars were bigger.

Ms. Procaccini asked if there were any problems with parking close or people not being able to get out.

Mr. Procaccini replied no.

Councilor Devlin asked why the spaces were reduced.

Ms. Procaccini feels our capacity was reduced to appease the neighbors as well as Mr. Pratt's. Now it is reduced to 18 and there are empty spaces she has to turn people away.

Councilor Devlin appreciates the fact they have abided by the 18 cars and have not tried to put more cars in there.

Councilor Hardy stated the measurements of the parking spaces are not up to the committee. She clarified that she also went through the file today and noted in that on 4/29/93 a memorandum from the Building Inspector at the time to the City Clerk indicated that someone called to their attention an error made in the issuing of a permit, in that the Pratt permit went from 194 to 250 and the Procaccini permit went from 26 to 18, when in fact it should have been the City Council to make that decision. That is where the confusion came in.

Attorney McKenna stated in the 1980's the Licensing Commission was vested with the authority.

Councilor Hardy asked the applicant for another drawing of the parking lot after speaking with **Mr. Sanborn** met Angela three or four years ago when she went down on a complaint. She noted Mrs. Procaccini takes care of her patrons.

Ms. Procaccini stated we had to make a financial decision. We provide a rest room and our water and sewer rates are one of the highest in the country; we also have the community preservation act. We have increased fixed costs and this is why we couldn't hire an engineer for another plan.

Councilor Hardy feels the plan is fine as long as it shows the right number of feet.

Attorney McKenna agreed to work with the Building Inspector to provide a scaled plan with the appropriate measurements.

Councilor Hardy stated the Building Inspector will sign off on a plan and then it will go to the Clerk's office for the Fire Chief to sign off. In the past we also had the Board of Health involved and will probably ask them to inspect the bathrooms before opening. Is the lot usually dirt or grass.

Ms. Procaccini stated the lot consists of sparse grass and sandy gravel. Her father cuts it and is very responsible. She met with Chief McKay and are aware of his concerns.

Councilor Hardy asked about the bathrooms.

Ms. Procaccini stated the bathrooms are registered as an accessory building on the property. The other is the original train ticket booth. The structures have been incorporated into one entity and the city is very aware of the structures and what is going on there.

Councilor Hardy asked about trash barrels and how you dispose of trash.

Ms. Procaccini stated we have two and uses stickers we do not leave our trash barrels out over night.

Councilor Hardy asked if they still make a contribution to the Cape Ann Motor Inn for the upkeep of the beach.

Ms. Procaccini replied every year we pay \$100 and do pick up the street. Rick Pratt does a lot of cleaning of the beach.

Councilor Hardy is not comfortable going forward at this time and requested continuing this to Wed., 2/4 at 6:30 p.m. at the American Legion Building.

MOTION: On motion of Councilor George, seconded by Councilor Devlin the Planning and Development Committee voted 3 in favor, 0 opposed to continue the SCP review of the Procaccini open air parking to Wednesday, 2/4 at 6:30 p.m.

It was moved and seconded to adjourn the meeting at 7:52 p.m.

Respectfully submitted,

June Budrow
Clerk of Committees