

CITY COUNCIL STANDING COMMITTEE  
**Special Planning & Development Committee**  
Wednesday, August 15, 2013 – 6:00 p.m.  
**1<sup>st</sup> Fl. Council Conference Room – City Hall**  
MINUTES

**Present:** Chair, Councilor Greg Verga; Councilor Joseph Ciolino (Alternate); Councilor Steve LeBlanc (Alternate)

**Absent:** Councilor Tobey; Councilor Hardy

**Also Present:** Councilor Whynott; Councilor Cox; Councilor McGeary; Linda T. Lowe; Mark Cole

The meeting was called to order at 6:00 p.m. There was a quorum of the City Council. Councilor McGeary left the meeting at 6:50 p.m. Councilor Whynott stepped away the meeting at 7:00 p.m.; at that time there was no longer a quorum of the City Council. He returned just prior to the vote by the Committee, and so there was again a quorum of the Council.

**1. Review of site visit re: Condition of Stage Fort Park related to the Essex County Velo Cyclo Cross Event of September 2012**

**Councilor Verga** explained that the Committee conducted a site visit to Stage Fort Park on Saturday, July 27<sup>th</sup> to see firsthand the reparations made to the park from the 2012 Essex County Velo (ECV) Cyclo Cross.

**Councilor Ciolino** noted that there is no new information regarding the park; that the park survived last year's event and the elements that were repaired have come back decently.

**Councilor LeBlanc** added that while he was not a part of the site visit, he spends a great deal of time at the park and is quite familiar with the situation.

**Paul Boudreau**, Director of Essex County Velo said as far as the 2012 event reparations were concerned that it was his understanding that the DPW was satisfied with the conditions of Stage Fort Park.

**2. Special Event Application: Essex County Velo to hold Gloucester Gran Prix Cyclo Cross Race at Stage Fort Park on September 28 & 29, 2013**

**Councilor Verga** said that the application is in front of the P&D Committee which went before the Special Events Advisory Committee and all sign-offs are received.

**Paul Boudreau**, Essex County Velo (ECV) and **Christopher McKernan** is the Director of Operations for the ECV event and attended the last meeting discussed briefly their appearances before two Special Events Advisory Committee meetings as well as a meeting with Jim Duggan, CAO; Fire Chief Eric Smith and Building Inspector, Bill Sanborn to further clarify issues related to the 2013 event. They said it did help to have all departments in one room, and the Advisory Committee's signoff was received although they said to them it felt a bit of a cumbersome process.

**Councilor Verga** discussed the new final course with **Mr. Boudreau** who said that neither Cressy's Beach will part of this year's cyclo cross course because in order to do so the process involves going before the Conservation Commission (ConCom) for a Request for Determination which then goes then to the Mass. Department of Environmental Protection for review before final permission is granted. The timing involved disallowed that process, he said. He reported he had spoken with David Dow (a citizen advocate for Stage Fort Park), about concerns on the use of the beach as part of the course. **Mr. Boudreau** explained that using the beach this year was less about an environmental impact on the beach, but that the beach was not available to the public during the event. **Mr. Boudreau** pointed out that another part of the part that won't be used for the 2013 event is the hillside which is between the Lucy Davis Pathway and playground because, again, ConCom would have to be involved, and ECV wants time for the soil to recover. Time is needed for that particular area to return to its prior state of remediation which he said regardless of ConCom his organization wants that part of the part of the park to come back, he said. **Mr. Boudreau** added that this area had been used in the past for years with DPW permission but as a result of the 2012 event, the area didn't see enough re-growth so this year it is excluded from the race course.

**Councilor Verga** confirmed that with the exclusion of the two areas Mr. Boudreau outlined, the Committee essentially walked the 2013 course on July 27<sup>th</sup>.

**Mr. Boudreau** brought up his organization's sensitivity to the Parisi Ball Field and explained about the course construction as follows:

- That the course is 3 meters wide for its entire length.
- Ruts typically occur where there is a corner or where there isn't much traction and riders are jostling for the same line.
- Course design preference is to not have curves laid in the Parisi ball field. The course designer had the area designed to slow the cyclists as they enter the "pit" area which is the approach from the hill and the far outfield.
- The equipment pit is an area for cyclists to be able to move off the course and can trade out their bikes or initiate repairs.
- While turns force cyclists to slow down, ECV will make sure cyclists are not turning on Parisi ball field to minimize ruts in that particular area.

**Councilor Ciolino** asked if the infield would be roped off. **Mr. McKernan** said the field has never been used. ECV does use the area behind the first plate baseline, home plate, the backstop and the foul ball line only. The course is either roped or fenced off, he noted. **Councilor Ciolino** confirmed the Lucy Davis pathway is off the table as is the area he called "the waterfall". **Mr. Boudreau** said the Lucy Davis pathway is not off the table. He clarified that it is not a waterfall but a run-up which is an obstacle feature of the course where competitors dismount and run up a hill carrying their cycles. It is the run-up that is off the table not the pathway. To get to the pathway without using the run-up the course would continue on in a straight line, he said. **Mr. Boudreau** said at an intersection at the Lucy Davis pathway a right will be taken towards the playground and that is the portion that will be used as it has been for many years. **Councilor Whynott** said that the run-up conditions have deteriorated each year, and that the pathway repairs itself more quickly. **Mr. Boudreau** noted the Councilors concerns and assured them the run-up is not part of the course. **Councilor LeBlanc** added his concern about the run-up and was pleased it was not going to be involved.

**Mr. Boudreau** confirmed with **Councilor Ciolino** that a Certificate of Insurance was filed with the City Clerk. Councilor Ciolino then asked for a \$10,000 surety bond made out to the City of Gloucester to ensure repair the damages to the park if for some reason the organization disbands or has financial difficulty, he said it assures the City will be paid.

**Mr. Boudreau** asked what would be the specific criteria to trigger the bond. **Councilor Ciolino** said if that if by January 1, 2014 the repairs are not done the bond would be triggered. **Mr. Boudreau** said if his organization already puts in \$6,000 to \$7,000 in park reparations and then it is determined that that it is not enough, he asked what triggers the bond. **Mr. McKernan** said the Councilor was talking about an event that hasn't happened yet. **Councilor Ciolino** said he understood ECV will work immediately to initiate repairs in good faith, but this acted as an insurance policy.

**Mr. Boudreau** pointed out this event has gone on successfully for 14 years. He said ECV has worked with the DPW to make this better. Councilor Ciolino said this race is up to 1,000 participants and the damage to Stage Fort Park grows with the size of the event. This is at the point that the City has to assure these repairs need to be made.

**Councilor Verga** said the City's Legal Department can draw appropriate language up.

**Councilor Whynott** said he agreed with Councilor Ciolino's assertion that a bond would be worthwhile. He didn't want the DPW to put the park back better than before and instead would rather the user of the park to do the repairs.

**Mark Cole**, Assistant DPW Director said that a later date should be put on the bond as half the effects of the reparations would not be seen on January 1<sup>st</sup>. He suggested the date should be April 1<sup>st</sup> to see that the repairs to the park would begin to appear. **Mr. Boudreau** asked that a landscaping expert weigh in on an appropriate date.

**Linda T. Lowe**, City Clerk suggested a more appropriate date would be for the performance/surety bond to be good for calendar year 2014.

**Councilor Verga** said draft language will go to Mr. Boudreau from the Legal Department as soon as possible prior to the upcoming August 27<sup>th</sup> City Council public hearing on the permitting of this event..

**Councilor Ciolino** said according to City ordinance the City can still collect parking fees at Stage Fort Park. He said any organization, especially such as ECV that does such a high volume, there should be something extra to go back to the park and one way is to charge for parking. The parking fee is \$10 per day, he said pointing out that the Blues Festival, the Waterfront Festival and Reid's Ride participants pay for parking. That money, **Councilor Ciolino** said, could be used to do other repairs to the park and he would request a condition to charge for parking to contestants.

**Mr. Boudreau** expressed concern that there are several parking areas not just for event participants coming into a parking lot, but there is a "club row" which consists of the parking spots on Hough Avenue which was created to control the tents pitched in the area. The organization has charged \$50 for a 10 foot x 10 tent and a car of which half the proceeds from that parking area last year saw \$250 donated by ECV to the Gloucester Rider's Center and \$250

to the Gloucester Fisherman's Fund. **Councilor Ciolino** asked that Mr. Boudreau make arrangements with the DPW for this parking fee.

**Mr. Cole** said he would work with Mr. Boudreau on this matter who noted that the Cupboard is closed that time of year and that parking area is used for the team mechanics and their 40 foot rigs. **Mr. Cole** added there is no charge for parking at Stage Fort Park after Labor Day at the beach parking lots including the grassy part on the hillside which is part of the parking lot because there is no longer any staffing to do so.

**Councilor Verga** said the issue is not lost revenue because no revenue is gained from Labor Day through the fall. **Councilor Ciolino** said that according to City ordinance the City can charge until the end of September.

**Councilor McGeary** said he'd like to know if someone who has a resident beach parking sticker would they be charged for parking during the ECV event which **Councilor Verga** thought they would not.

**Councilor Cox** reiterated that there is no charging for parking after Labor Day for the beach parking lots because there is no staffing available. She said the City should not discourage off-season events and added that she voted for the change in the regulations for beach parking not event parking. Rather, the City should be doing anything it can to encourage such events, she said. **Councilor Cox** also said that as a member of the Budget and Finance Committee, she knew that money taken in from parking fees is not guaranteed to go back to Stage Fort Park. The money goes to the General Fund and falls to the bottom line; and there is no certainty that the funds go to Stage Fort Park. **Councilors Ciolino** and **Cox** then discussed the merits of charging or not charging for parking for this event.

Both **Mr. Boudreau** and **Mr. McKernan** spoke on opposition to the parking fee during the two day event they said it appeared to them to be a penalty fee for any damage to the park. They pointed out event competitors put up solid money to participate in the event, and that this added fee would cause tremendous flack from competitors and spectators alike. They also pointed to a requested surety bond is protecting the park.

**Councilor LeBlanc** said that he didn't agree with charging for parking by the City. He would rather see more people come in and use City assets and would not support charging a parking fee by the City during this event.

**Councilor Cox** said she did check with the Administration, and was told by CAO, Jim Duggan that Labor Day is the cut off for the beach sticker and that anybody can park there – the beach sticker no longer applies and it is \$10. She said until they get that regulation fixed, not ordinance, the City will run into issues. As far as money from parking revenue, she said Mr. Duggan told her that the money goes to the bottom line and will not be reserved for anything specific. **Councilor McGeary** said he too didn't think there should be a charge for parking which he said seemed to be gouging. The usual City fees are being charged and the event is bringing revenue into the City which benefits from it. **Councilor Cox** added to the remarks that there is the performance/surety bond and a condition submitted by Mr. Cole to the Committee (on file) in a memo where there would be a video of the course pre-race to show the baseline conditions which are tangible securities for the park. She also pointed out post race weather conditions could be balmy with grass regrowing by October 15<sup>th</sup> or there could be severe weather that could prohibit reparations to the park which prolongs damage being repaired until the spring.

**Clerk of Committees**, Dana Jorgensson also brought forward the communication (on file) from Councilor Tobey in support of not charging for parking fees for the ECV event which he submitted due to his inability to attend the meeting due to professional obligations.

On inquiry by **Councilor Ciolino**, **Mr. Cole** said the ECV uses Stage Fort Park Friday, Saturday and Sunday at \$250 per day, totaling \$750 for the use of the park; set up starts on Thursday but don't take up the park until Friday, and it is all taken down that Sunday night. **Mr. Cole** distributed a document (placed on file) which showed what ECV paid the previous year to the City. **Mr. Cole** noted that there are two people who manage the Welcome Center bathrooms from the DPW during the event. **Mr. McKernan** said also noted his organization's volunteers take care of much of the litter and managed more of it last year themselves rather than using an unsightly dumpster behind the Visitor's Center as had been done in previous years.

**Councilor Ciolino** asked about staking areas of the park that are loamed and seeded to keep people off those areas moving forward and asked Mr. Boudreau to talk to his landscaper.

**Aaron Ciluffo**, 4 Doanne Road expressed his concern for a cross-country event follows the ECV Cyclo Cross event in early October where 1,500 high school students participate and that the stakes would present a physical hazard to those runners.

**Steve Kaity**, Gloucester Rotary Club expressed concern about the playground area his club supports and maintains. He said the Rotary Club encourages destination events such as this, but wanted to see consideration that a group of stakeholders be formed into a committee to oversee the park reparations. **Councilor Verga** said the course would be videotaped prior to the event for a baseline of conditions. **Mr. Kaity** said if the playground is not affected then he is satisfied. He did note that shrubs were missing over the last 11 years, and last year one of the picnic tables was damaged. **Councilor Verga** said that this came up during the site visit and was made clear. **Mr.**

**Boudreau** said that he was made aware of the damage. That area, he said, would be roped off so that no one goes near the monument. The tables were not damaged intentionally and would speak to the heavy equipment operators.

**Councilor LeBlanc** asked if there was some type of absorptive material to put on the course if there were rainy conditions as was the case last year. **Mr. McKernan** said that if conditions on the course that are dangerous to the riders the course would be altered by detouring around a particular area. Stabilizing a portion of the course by using absorptive materials, he said, could also further damage the park and create conditions for the participants that would act like ice on a roadway.

**David Dow**, 12 Essex Street said he wished to claim that some of the damage from last year is not repaired. He said during the site visit there were three or four other areas that the Councilors didn't see that are still damaged which he tried to voice to them at that time, but members of the public were not allowed input then. The run-up area was only repaired a week before the site visit, he asserted, and there was damage near the volleyball court. **Mr. Dow** added that if the City is going to permit this race, the City should receive more money to fix the park as ECV damages the park. **Mr. Boudreau**, responding to Mr. Dow's remarks confirmed that the Committee and ECV didn't walk by the volleyball courts. **Mr. Dow** also said they didn't walk behind the two gardens where the statue is, and there are lots of tire tracks there as well as damage still visible behind the clear cut.

**Councilor Cox** submitted a color photograph of one area Mr. Dow was referring to which was taken in October 2012 and given to her by George Roark (photo placed on file).

**George Roark**, 1Beaumont Avenue said he wanted to see staking of areas for protection purposes where loam and seed is laid down. He pointed out that last year after the third round of reparations, more loam and seed was added, in four areas, one being between the Lucy Davis Park and the Gloucester Garden Park, and the loam near the volleyball court and the area behind the Visitor Center. He said those are the areas where he is asking staking to be done, not the whole park, so that those areas can be avoided by cyclists, pedestrians and vehicles. There are other areas that show damage that weren't fixed, which he said he had evidence of damaged (not submitted) and asserted that some final repairs weren't made right up to a week before the P&D Committee's site visit. He asked for more timely repairs. **Mr. Ciluffo** reiterated his concern about the staking the area with 1,500 runners for a cross country event in October, and **Mr. McKernan** offered that stepped equestrian stakes could be used for stakes which would be safer.

On inquiry by **Councilor Ciolino**, **Mr. Boudreau** said that until there is City permit he will not put out any word on the 2013 event. He explained that last year, there are eight cyclo cross events each day. The field of participants adds up to 930. He said while it is claimed to be 1,000 participants per day which comes from their marketing. They do not expect 1,000 riders. He asked how damage changes with respect with a cap of, say, 750 riders versus 950 riders. Since 2010 there have been from 725 to 850 competitors overall, **Mr. McKernan** said, based on official race results. A cap of 1,000 would be mostly symbolic, he said.

**Ms. Lowe** said that the Advisory Committee requested certain documents and most have been received by her office. She doesn't yet have a plan dated 2013 for the race course. The one she received showed a date of 2011. **Mr. Boudreau** said he would submit a redated race plan prior to the August 27<sup>th</sup> public hearing.

**Councilor Ciolino** briefly discussed the Certificate of Insurance with **Ms. Lowe** and confirmed spectators and participants are covered by it.

Upon proposing a motion which included a condition permitting the City to charge for parking at the Stage Fort Park parking lot during the Essex County Velo Gran Prix Cyclo Cross event, the following discussion took place as to whether to include such a condition in the final recommendation to the Council (Written comments by Councilors McGeary and Tobey were on file indicating they did not support charging a parking fee):

**Councilor LeBlanc moved and Councilor Verga seconded the removal of the parking fee condition.**

**Councilor LeBlanc** said that ECV has already committed to the reparations to any damage to the park and that with the surety bond it was enough. Adding parking revenue to the City for other reparations not related to the event was inappropriate. He said that if ECV wished to give back something to the City outside of what they are already paying for that should be up to them.

**Councilor Ciolino** reiterated his reasons for charging for parking and would like it to stay in the motion. The money gained from parking fees would help to improve the park and said he thought it was fair. He wanted to see the condition go to the Council for discussion. He pointed out that the Visitors Welcome Center needs improvement, as do the trails, and this would be revenue generated for those purposes and he reiterated that by ordinance the City can charge for parking to the end of September.

**Councilor Verga** said while it may be a good idea on the surface to charge for parking, this is picking and choosing. The concept of the fee structure and dates as to beach lot parking fees need to go back to B&F, and this is changing the rules midstream. He pointed out that anything voted in Committee goes to the Council for discussion

and vote. He said while it might not be part of the motion to move forward to the Council, charging for parking can be discussed at the Council meeting when the motion comes forward.

**By a vote 2 in favor and 1 (Ciolino) opposed, the condition for charging a daily parking fee for the Stage Fort Park parking lot during the ECV was removed from the main motion.**

**MOTION: On motion by Councilor Ciolino, seconded by Councilor LeBlanc, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to permit the Essex County Velo Cyclo-Cross Race event to be held at Stage Fort Park on Saturday, September 28, and Sunday, September 29, 2013 with the following conditions:**

**1. Certificate of Insurance:**

**A Certificate of Insurance naming the City of Gloucester as an additional insured party is to be filed with the City Clerk's Office on or before August 27, 2013.**

**2. Traffic and Road Closure Plans:**

**a) Memoranda from the Police Department and Fire Department giving approval of the plans for the Essex County Velo Cyclo-Cross Race to be on file with the City Clerks office on or before September 13, 2013. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Traffic and parking plan and police detail information by the Police Chief or his designee is to be filed with the City Clerk and the DPW Director or his designee on or before September 13, 2013. After Council permit is granted if either the Police Chief or Fire Chief or their designees determine that a substantial change(s) has been made to the route, then the applicant shall obtain City Council approval or the change.**

**b) Traffic Signage:**

**The applicant is to place signage on the roads leading in and out of Stage Fort Park to be sure it is clear to the public which access roads are closed but that the Visitor's Center is accessible.**

**3. Refuse and Comfort Stations:**

**All event refuse and recycling must be removed by the Essex County Velo event organizer. Any portable toilets (including the two required handicap accessible) are to be provided, maintained and paid for by the event organizer and must be in place the evening before the first day of the event or early in the morning of the day of the event and removed no later than 9:00 p.m. Sunday, September 29, 2013.**

**4. Emergency Services:**

**Emergency services are as required by the Fire Department Emergency Medical Services Director, Sander Schultz.**

**5. Staffing:**

**Event staff is to have cell phones and be identified by the public with distinct shirts, and list of event staff and their cell phone numbers submitted to the Police, Fire and DPW Departments.**

**6. Notification of Immediate Abutters and Businesses to Race Course:**

**Notice shall be made by the Essex County Velo Gran Prix Cyclo Cross event organizer by hand or by mail no later than 7 days in advance of the event to any function halls, motels and hotels, and other businesses along the race route and Hough Avenue.**

**7. Course Adjustments:**

**The Essex County Velo event organizers are to present a written detailed list of all activities that require the assistance of the Department of Public Works (rocks to be moved or equipment to be moved, etc.) at least 7 calendar days prior to the event.**

**8. On-Site City Staff:**

**The Public Services Superintendent, or his representative, is to be on site during the event in order to facilitate any problems that might arise during the event. The cost of this service will be covered by the event organizers.**

**9. Videotaping of Pre-Event Conditions:**

Once the course is set up, the Essex County Velo event organizers will walk the entire course with a video camera. This video will be delivered to the Department of Public Works within 7 calendar days of the event; the video will then be used to determine prior conditions when discussing the repairs post-race.

**10. Site Walk Post-Event:**

On the Monday immediately following the event a group consisting of the Assistant Director of Public Works, Public Services Superintendent, a member from Essex County Velo, Ward Councilor, and the landscape contractor hired for the Stage Fort Park repairs will walk the entire course to inspect the course for damages. Any damage to the park will be documented, discussed and a solution agreed upon by the group prior to any repairs being started. A start date for repairs will be agreed upon and a follow up meeting at the site will be scheduled two weeks after the repairs have been completed. Any discrepancies will be reviewed with the help of the pre-race video.

**11. Responsibility of the Essex County Velo organization:**

The applicant is also required to obtain any necessary approvals from the Licensing Board, the Board of Health, and the Licensing Commission. It is the sole responsibility of the Essex County Velo organization to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.

**12. A Performance/Surety Bond for Repairs to Stage Fort Park:**

A performance/surety bond for Repairs to Stage Fort Park will be posted by Essex County Velo and payable to the City of Gloucester by Essex County Velo to insure that repairs are completed to Stage Fort Park. The performance/surety bond will be for a term of the 2014 calendar year with said repairs to be determined by the DPW Director or his designee.

**13. Cap of Entrants:**

The maximum number of entrants to this event is set at 1,000 per day for each day of the 2013 Gran Prix Cyclo Cross event.

**14. Staking of Repaired Areas to Stage Fort Park:**

Post-event, staking of the repaired areas of Stage Fort Park that require loam and seed will be erected to prevent damage to the areas by foot traffic or vehicles and shall be maintained in good order until the DPW determines the date of removal.

**15. Related Costs to the Event:**

Essex County Velo organization is to pay the City of Gloucester any costs for City services related to the race course and affected adjacent areas of Stage Fort Park before, during and after the 2013 Gran Prix Cyclo Cross event.

A motion was made, seconded and voted unanimously to adjourn the meeting at 7:19 p.m.

Respectfully submitted,

Dana C. Jorgensson  
Clerk of Committees

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:**

- From Assistant DPW Director, Mark Cole an accounting of funds paid by Essex County Velo for DPW services for the Cyclo Cross Race in 2012
- 8x11 color reprint of a photograph from George Roark of Stage Fort Park taken in October 2012 of a rutted area