



# CITY OF GLOUCESTER

## PLANNING BOARD

### MEETING MINUTES

**August 15, 2013 - 7:00 P.M.**

**Kyrouz Auditorium, City Hall, 9 Dale Avenue, Gloucester**

**Richard Noonan, Chair**

**Members Present:** Rick Noonan, Chair, Mary Black, Vice Chair- **absent**, Marvin Kushner, Henry McCarl, Karen Gallagher **absent**, Linda Charpentier, Joe Orlando- **absent**

**Staff:** Gregg Cademartori, Planning Director, Pauline Doody, Recording Clerk

#### **I. BUSINESS**

- A. Call to Order with a Quorum of the Planning Board
- B. Introduction of Planning Board Members and Staff

#### **II. PUBLIC COMMENT - None**

#### **III. CONSENT AGENDA**

##### **Approval Not Required Plans**

Planning Board to consider the Approval Not Required Plan submitted by Bertrand and Marylyn Mason at **83 Leonard Street** (Assessors Map 122, Lots 11)

**Mr. Cademartori** explained that the applicant is conveying property from lot 1 to lot 2. It does not affect the frontage or access for either lot.

**Motion: The subdivision control law does not apply to 83 Leonard Street (Assessors Map 122, Lots 11)**

**1<sup>st</sup>: Linda Charpentier**

**2<sup>nd</sup>: Marvin Kushner**

**Vote: Approved 4-0**

#### **IV. CONTINUED PUBLIC HEARINGS**

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 public hearings to consider the following petition to amend to the Zoning Ordinance as follows:

- a) Amend the Gloucester Zoning Ordinance by repealing Section 5.5.4 of Section 5.5 Lowland Requirements.

**Mr. Cademartori** explained to the board that if section just 5.5.4 is repealed from the ordinance the remaining three sections do not make sense. The intention of the initiation of the amendment by the City Council is that they have found that other jurisdictions that review these projects have more stringent standards. There is not a lot to do after they have gone through the Conservation Commission, DEP, and the Chapter 91 process. If members of City Council make a recommendation through this proposed amendment, they feel that other jurisdictions are already adequately protecting the city and its projects through their reviews. It makes sense to repeal the entire section of 5.5 It has been pointed out other sections of the code of ordinances already mirror the standard of building code and FEMA flood plain code. The primary purpose of the existing ordinance is public health and safety and City Council has

recommended other jurisdictions already cover these concerns. If the board agrees it can make a recommendation to the city council to repeal the section of 5.5.4 of the Lowland Requirement

**Motion: Recommend to the City Council to repeal section 5.5.4 of the Lowland Requirement and further to repeal Section 5.5 in its entirety.**

**1<sup>st</sup>: Linda Charpentier**

**2<sup>nd</sup>: Henry McCarl**

**Vote: Approved 4-0**

b) Amend the Gloucester Zoning Ordinance by adding a definition to Section VI “Self- Storage Service Facility.” And by adding to Section 2.3.5 Industrial Uses #8 Self-Storage Service Facility to be permitted in the EB, MI, GI and BP Zoning Districts, subject to the following footnote (4) With the exception of the MI District, no self-storage service facility may be permitted on land with an elevation less than 12 relative to the North Atlantic Vertical Datum (NAVD).

**Mr. Cademartori** informed the board that Councilor Verga wanted to look at regulating zoning in low lying areas after reviewing the proposed maps. One minor revision is to change the elevation to prohibit the construction of storage facilities on lands less than 13 NAVD rather than the initially proposed elevation 12 NAVD. This will limit the potential for storage facilities in high hazard flood plains.

**Motion: Recommend to City Council to adopt the proposed amendment to section 2.3.5 and footnote 4 with the revision of utilizing elevation 13.**

**1<sup>st</sup>: Henry McCarl**

**2<sup>nd</sup>: Linda Charpentier**

**Vote: Approved 4-0**

## **V. NEW PUBLIC HEARING**

In accordance with MGL Chapter 40A, Section 9, and City of Gloucester Zoning Ordinance, Sections 1.8.3 and 5.21, **GLOUCESTER PLANNING BOARD** to consider the application from Mary Godwin, for a Common Driveway Special Permit at 18 & 20 Keystone Road (Assessors Map 237, Lots 106 & 115).

Applicant requested a continuance to September 5, 2013

**Motion: To continue the public hearing for the GLOUCESTER PLANNING BOARD to consider the application from Mary Godwin, for a Common Driveway Special Permit at 18 & 20 Keystone Road (Assessors Map 237, Lots 106 & 115).**

**1<sup>st</sup>:Linda Charpentier**

**2<sup>nd</sup>: Marvin Kushner**

**Vote: Approved 4-0**

## **VI. Other Business**

1. Request for Partial Release from Covenant “Not to Build”, The Woodlands/The Village at Magnolia Shores, Restoration Capital, LLC

**Bob Forbes, Prime Engineering**

**Mr. Forbes** reminded the board that he presented this project to them last winter. There were significant problems with the infrastructure of the site. Bill Ross from the city was brought in to confirm and help to move the project forward. Phase 1 of the project is now constructed to the correct specifications.

**Mr. Cademartori** confirmed that Bill Ross has been acting as the board’s inspector and discussed 5 project points that have been corrected in Phase 1 of the project.

- Utilities,
- Pre blast any ledge removal
- Drainage infrastructure

- Road reshaping,
- Off site water valve & Ryan Road repaving,

He stated to the board that its independent engineer recommends that the Phase I work has substantially been completed and that it is reasonable to issue the release for the lots that are being built in Phase 1 and that staff concur with this recommendation.

**Motion: Release lots 1, 2, 4, 16, 17, 18, 19, 20 and 21 as shown on the definitive sub-plan “The Woodlands” March 15, 2002 and as revised August 29, 2002, from the Covenant dated October 22, 2003. Release from covenant not to build.**

**1<sup>st</sup>: Henry McCarl**

**2<sup>nd</sup>: Marvin Kushner**

**Vote: Approved 4-0**

## 2. Harbor Planning Update

**Mr. Noonan** informed that board that the Harbor Planning Committee has had their 8<sup>th</sup> meeting with a round table discussion. A consultant group hired to facilitate the harbor planning process gave introductions and a brief presentation. They laid out the scope of work, and the in depth study they will perform of Gloucester’s harbor. There are three main economic sectors; maritime, tourism and fishing. They will look at them in a broader sense. At the committee level, there is struggle with what is allowed or not allowed within the DPA. The consultant company will help focus the committee’s efforts. The restriction is for the benefit of the Commonwealth, but Gloucester does not seem to be receiving the intended benefit of the program. Some members think Gloucester should get rid of it. The overall sentiment is less restriction, and more allowed uses perhaps including recreational use.

**Mr. Cademartori** informed the board the CPA has made all its recommendations to City Council for this round of grant funding.

## **VII. ADJOURNMENT**

**Motion: To Adjourn**

**1<sup>st</sup>: Henry McCarl**

**2<sup>nd</sup>: Linda Charpentier**

**Vote: Approved 4-0**

## **VIII. NEXT MEETING**

***Next regular meeting of the Planning Board September 5, 2013***