

CITY COUNCIL STANDING COMMITTEE
Planning & Development Committee
Wednesday, November 6, 2013 – 6:00 p.m.
1st Fl. Council Conference Room – City Hall
-Minutes-

Present: Councilor Greg Verga, Chair; Councilor Hardy; Councilor Paul McGeary (Alternate)

Absent: Councilor Tobey

Also Present: N/A

The meeting was called to order at 6:00 p.m.

1. *Special Events Application Request to hold the annual Downtown Christmas Parade & Tree Lighting On December 1, 2013*

Councilor Hardy said having been a judge, as has Councilor McGeary, for this annual event for many years this parade runs smoothly each year. She said there have been no complaints, and that it is a wonderful event for the children of the community. **Councilor McGeary** added his support as well.

MOTION: On a motion by Councilor Hardy, seconded by Councilor McGeary, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to permit the Downtown Gloucester Christmas Parade and Tree Lighting from 3 p.m. to 5 p.m. on Sunday, December 1, 2013 with a rain date of Sunday, December 8, 2013. Sign offs from the Fire and Police Departments are to be on file as well as written documentation of the parade route in the City Clerk's Office and proof of insurance coverage as a sanctioned event by the City of Gloucester, insurance for the event which falls under the City's General Liability Insurance.

2. *SCP2013-006: Ferncliff Heights #6, GZO Sec. 2.3.4(6) Animal daycare, animal grooming, daytime only*

Lisa Carnevale, 6 Tolman Street reviewed her plans for an animal daycare facility at 6 Ferncliff Heights, a property owned by Janet E. Cooney, Assessor's Map 219, Lot 20 with a zoning classification of R20. It was noted by **Ms. Carnevale** that hours of operation are to be 7:00 a.m. to 7:00 p.m. **Ms. Carnevale** said that she has a Purchase and Sale agreement in place for Ferncliff Heights #6 and would like to run a small, private dog daycare and grooming facility on site as a true animal day care. She assured the Committee there is to be no kennel activity at all. The dogs when not being walked would be inside her home, she said.

Councilor Hardy noted for the record the following documentation on file and in order: This Special Council Permit application was received October 16, 2013 by the City Clerk's office and that the Building Inspector and Planning Director signed off on the application which is under GZO Section 2.3.4(6) for Lisa Carnevale and Janet Cooney, Ferncliff Heights #6. A check has been received for \$350, the fee for the Special Council Permit application. Also submitted by the applicant and on file were the Certification of Notice to Abutters; and an amendment to the application dated November 6, 2013 which includes an attestation of the property owner indicating her support of the Special Council Permit, as well as the property owner's signature (Janet Cooney) to page App.A.11.

Councilor McGeary pointed out the application describes the area a business area but the zoning is actually R-20. **Councilor Hardy** confirmed the same and suggested that the application be amended to show Ferncliff Heights #6 abuts a General Industrial area and a Neighborhood Business area as Neighborhood Business and General Industrial categories do not allow animal daycare, but an R-20 residential zone does allow the property use as an animal daycare facility.

Councilor McGeary asked about high fencing/screening of the property or if there are plans for just general fencing around the property's yard. **Ms. Carnevale** said there would be an installation of a six foot fence. She pointed out her business is not a kennel service, and reiterated the dogs are in her house and that she is not looking for a kennel license. These are just visiting dogs that are on this location for the day; the dogs will be walked in the neighborhood, she said.

Councilor Hardy confirmed this is a daytime business only and the hours of operation are limited from 7 a.m. to 7 p.m. and would be a condition she would put on the Special Council Permit. She also noted there is no real definition in the zoning ordinance of "daytime hours," however; these hours of operation do fit within the noise

ordinance. **Ms. Carnevale** indicated to **Councilor Hardy** upon her inquiry, that she needed no further zoning relief from the Zoning Board of Appeals or the Planning Board. **Ms. Carnevale**, when asked about any anticipated expansion of the building to accommodate her business said there is no basement or attic on the house, and that eventually there may be an accessory building added, but it would be for her residential use only. She also owns no dogs personally, she noted.

Councilor Hardy asked about noise from barking dogs, and if there was any buffering such as trees or shrubs between this property and the abutting properties. **Ms. Carnevale** pointed out and to the left of the property is directly on Route 133. **Councilor Hardy** concluded there would be traffic/ambient noise to diffuse any noise created by the dogs as, she pointed out, was the case with Cape Ann Animal Aid. **Ms. Carnevale** said this is to be her residence as well. She said before taking on a dog in for daycare, she does an evaluation. If there is a notorious barker, the dog would not be allowed to be in her dog daycare program, she added.

Councilor McGeary pulled up on his iPad an aerial photograph of the area of Ferncliff Heights #6 for the Committee and **Ms. Carnevale** pointed out the location of the property as well as the immediate abutting General Industrial and Neighborhood Business areas as well as Essex Avenue which, it was noted by **Councilor Hardy**, did provide plenty of ambient noise

Councilor Hardy remarking upon the City's leash laws said that Ms. Carnevale must abide by when walking the dogs in her care. **Ms. Carnevale** assured that all her dogs in her care are leashed appropriately when taken off her property.

Councilor Verga said if barking dogs are a problem the applicant could possibly get complaints, but he noted that with the proposed screening and ambient noise, this should not be much of an issue.

MOTION: On motion by Councilor Hardy, seconded by Councilor McGeary, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to grant a Special Council Permit (SCP2013-006) pursuant to Sections 1.8.3 and 2.3.4(6) Animal daycare, animal grooming – daytime only, to Lisa F. Carnevale at 6 Ferncliff Heights as shown on Assessors Map #219, Lot 10, zoned R-20 to operate an Animal Day Care Facility as shown on “Locus Map” received by the City Clerk’s Office October 16, 2013 and is in harmony with the general purpose and intent of the ordinance with the following condition:

1. That said business is operated between the hours of 7 a.m. to 7 p.m. yearly.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:14 p.m.

Respectfully submitted,

Dana C. Jorgensson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.