

CITY COUNCIL STANDING COMMITTEE
Planning & Development Committee
Wednesday, January 22, 2014 – 6:00 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Greg Verga; Vice Chair, Councilor Paul Lundberg; Councilor Steven LeBlanc
Absent: None.

Also Present: Councilor William Fonvielle; Suzanne Egan; Jim Duggan; Mike Hale; Tom Daniel; Stephen Winslow; Jim Hafey; Robert Ryan; Kevin Buckley; Gregg Cademartori; Dr. Richard Safier; Jonathan Pope; Heidi Wakeman

The meeting was called to order at 6:00 p.m. Agenda items were taken out of order.

1. *Revisit of Free Petition in accordance with City Charter Sec. 9-1(b) re: Condition, Restoration and Preservation of Stage Fort Park (Cont'd from 01/08/14)*

Councilor Verga reviewed in brief the history of the Free Petition submitted to the Council led by George Roark (present) the resultant public hearing at the end of 2013. He noted the Committee would hear from City staff, some of whom were at the public hearing and heard some of the ideas put forward to the care and restoration of Stage Fort Park. **Councilor Verga** also noted that the Department of Public Works (DPW) oversees the park. He asked the Chief Administrative Officer to share the Administration's vision for the park related to the ideas presented at the public hearing but pointed out that the public hasn't heard a City response to date.

Jim Duggan, CAO explained that the investment for Stage Fort Park will have to be taken through the budget process. He said the DPW doesn't have the resources or manpower to bring Stage Fort Park back to the level that has been recently expressed. The City would have to review and coordinate a continued phasing in through the budget process for the reparation of the park, he said.

Councilor Verga, noting he and Mr. Duggan had spoken recently on this matter, said that he had put forward that there is the possibility of setting up an oversight and advisory committee similar to what was created by the Council for Magnolia Woods. He said there is no plan for the park, and with the advent of the City's 400th anniversary in 2023 he expressed he would like to see a plan and hear what the Administration thinks regarding a possible Stage Fort Park advisory committee. **Mr. Duggan** expressed his concern for the investment of time of City staff. He said he is not saying no but wanted to create realistic expectations going forward. If they can continue to examine that, and recognizing the 400th anniversary, he said he didn't want to create false expectations in starting a process because there are so many things City staff is focused on right now. Much of this effort would come out of the Community Development, he noted, acknowledging Tom Daniel, Director of that department with Stephen Winslow, a department Project Manager who could speak to the current demands on staff.

Councilor Verga said he recalled that in early summer there was an agenda item for the Open Space & Recreation Committee (OSRC) that didn't get taken up about consolidation of some committees, as there were committees and commissions related to parks and recreation that are unfilled; and if they are not going to be filled, he said, those tasks should be moved and utilized in another committee, such as the OSRC. **Councilor Verga** also acknowledged the presence of Heidi Wakeman from the OSRC.

Tom Daniel, Community Development Director said the OSRC has formulated a recommendation and does have a plan for consolidation for inactive committees to be moved to a similar committee, which he added, made sense. He advised that there is work that needs to be done internally among departments and the Administration of what it will ultimately look like because the duties, powers and responsibilities of the Parks & Recreation Commission, and the Recreation Committee, and the OSRC are different. He said there will need to be a process on how the defunct committees can be consolidated in an efficient way and what responsibilities gets shifted where. **Mr. Daniel** said that is a step that has yet to be taken.

Stephen Winslow, Project Manager said that the OSRC has an idea for consolidation but that it needs assurance that the DPW is on board, as he noted the Parks Commission is focused on DPW operations, and the OSRC was formed to develop an open space plan. Now that the plan is complete, the OSRC is taking on another role as a sounding board on plans for the future which would be a shift of focus for it. He pointed out that there is a strong OSRC made up of open space people who have interests in recreation, parks, playgrounds, and conservation which he said was good overall. **Mr. Winslow** said that in terms of Stage Fort Park whether the oversight is consolidated into a subcommittee of OSRC or something else remains to be determined, as well as whether OSRC can take that

responsibility on. He pointed out there are diverse groups interested in the Stage Fort Park's different aspects; and he suggested it is important before forming an advisory committee to have an initial meeting to see who would be interested in participating in a committee rather than rushing to set one up. He cautioned it will also take a while to build consensus. He confirmed Mr. Duggan's and Mr. Daniel's statements of the investment of time by City staff. He pointed out currently he does a great deal of the open space work but he also has to focus on health grants and civic design which impacts his availability. **Mr. Winslow** said ultimately if this is working towards a master plan, the City will have to commit significant funding to hire a landscape architectural firm to work a plan through which is a significant. This not only involves, he pointed out, a commitment of staff time, and the need for an expert consultant, but should go through a slow, careful community process to ensure a good overall plan.

Mr. Duggan said acknowledged the different levels of interest with the diverse interest groups – the Friends of Stage Fort Park, the Friends of the Gloucester Dog Park, the Farmer's Market, the Gloucester Rotary Club, and others noting there is demand for the park's use, the financial obligation and investment that needs addressing with the DPW. He asked the P&D Committee to allow him the time to have an internal team meeting to formulate suggestions and recommendations to hit all the points that have come forward regarding the park.

Councilor LeBlanc asked how much will be spent in FY14 on the Stage Fort Park. **Mr. Hale** said that for all City parks, ball fields and open spaces, the DPW has a budget of \$20,000. What is spent at Stage Fort Park depends on need with what is budgeted. Stage Fort Park, he noted, has the most dedicated staff of all parks unlike other City facilities. **Mr. Duggan** added that every year for the last six years, Mr. Hale has recommended a higher investment, but he said it is a matter of delivery of City services; if more is invested in Stage Fort Park he has to take it away from somewhere else.

Councilor Verga said the Committee is looking for a plan that shows where the park is today, and using the goal of 2023, where the City wants the park to be, and what the costs associated with that plan are. **Mr. Duggan** assured the Committee he would convene a meeting of DPW staff, Community Development staff, and General Counsel to formulate a plan that will highlight some of the issues and in 30 days to come back to the P&D Committee with a report.

Councilor Verga acknowledged the presence of members of the Friends of Stage Fort Park, the Rotary Club and others who have a vested interest in the renewal and maintenance of the park.

Councilor Lundberg said what Mr. Duggan is referring to are some of the parameters of taking care of the park as it exists today with the current resources, but there are many folks who have a vision of the park that is different than just maintaining it. He said their responsibility is to somehow gather that vision to come together in a plan and then to then figure out what the costs associated with that plan are. **Councilor Lundberg** suggested there needs to be a way, having read about the diverse visions through Council minutes, to pull those diverse visions together.

George Roark, 15 Beauport Avenue said he filed the Group Free Petition in August 2013. He reviewed the Council actions to date. The recommendation of his group was to see the City establish a revolving fund for the care, improvement and maintenance of Stage Fort Park. Stage Fort Park revenue, he said, is about \$140,000 in parking fees and about \$40,000 for park use; about \$150,000 a year about. He noted former City Councilor Joseph Ciolino had asked, and another request has gone forward to the Administration, for the creation of a revolving fund. **Mr. Roark** suggested 10 percent of the park's parking fees and use fees be used to fund a Stage Fort Park revolving fund. He pointed out the areas of need in Stage Fort Park to the Committee and said there is an obligation of the City to maintain the park, adding that at this time it is a negligent stewardship. He mentioned the Dog Park, the Rotary Club, the users of the sports fields, the people who use the bocce courts and the Fisherman's Wives Association, who all have an interest in the park. **Mr. Roark** also recalled that another recommendation made at the public hearing was for the City to pursue State PARC grants and other grant monies that may be available to help fund these improvements. He said there is a need to act now and looked forward to the on-going conversation.

Councilor Verga said he would continue this matter to March 5th to give the Administration the time to present a preliminary report.

This matter is continued to March 5, 2014.

2. Memorandum and pertinent material from Planning Director re: Land Disposition Committee Recommendations on 6 Stanwood Street (Easement Request by Karen Elliot, 6 Stanwood Street Cont'd from 12/04/13)

Councilor Verga said at the request of General Counsel, the Committee would continue the matter to February

This matter is continued to March 5, 2014.

3. RZ2013-002: A portion of #52 Whitmore St., Assessor's Map 21, Lot 7 from General Industrial (GI) to R-10 (Medium/High Density Residential) (Cont'd from 01/08/14)

Attorney Deborah Eliason, 63 Middle Street representing the Cape Ann Forge Trust, John D. McNiff, Jr. Trustee (present) noted that trust is the owner of the property at 52 Whittemore Street.

- Overview:

Ms. Ellison explained that she is before the Committee requesting that a small portion of the Whittemore Street property at #52 currently zoned as General Industrial (GI) be rezoned to Residential R-10 (R-10) so that it will be consistent with the zoning of the remainder of the property. **Ms. Ellison**, displaying a plot plan of the property (on file), gave the following information to the Committee:

The property is predominantly zoned R-10 (Residential). A small piece at 52 Whittemore Street is zoned GI (General Industrial). The adjacent property is also owned by Cape Ann Forge and is GI. The area the applicant is asking to be re-zoned from GI to R-10 to be consistent with the rest of the parcel. The area to be rezoned is approximately 2,345 square feet. The entire parcel contains 3.33± acres. The zoning discrepancy is the result of a reconfiguration of lot lines between the two parcels. Originally both parcels were GI, and many years ago zoning for a portion of the parcel was rezoned to R-3 (at that time). Some time after that there was a reconfiguration of the property line for a development that was being contemplated which didn't go forward. The property line changed but the zoning did not. Therefore, there is a small area zoned GI which juts out into the R-10 portion of the parcel. Once rezoned to R-10, the parcel has a preliminary definitive plan before the Planning Board to develop the property into five residential lots, and this small area will be used as part of a proposed residential subdivision road to access five lots planned for the property. As it stands now based on current zoning, it creates an awkward access to the property. It was noted that the Planning Board voted in favor of this rezoning at their meeting of January 16th.

Gregg Cademartori, Planning Director pointed out there is a great deal of language under Sec. 2 of the Zoning Ordinance when the zoning district boundary doesn't follow the lot line which causes a lot of complications in terms of future use planning for the two properties. He noted other things could be rectified through potential easements but that this is the cleanest way to make a clear path for the development of the parcel as well as maintaining set back requirements for the existing us. **Mr. Cademartori** confirmed there was a unanimous vote by the Planning Board to recommend to the City Council the rezoning of this parcel (recommendation memo on file).

Councilor LeBlanc and **Ms. Eliason** discussed the entry road to the property. **John D. McNiff, Jr.** displayed the subdivision plans, and pointing out the property lines (subdivision plans on file with the Planning Board). He confirmed they are looking to rezone a small triangle of the property. **Ms. Eliason** added that the subdivision plans are currently being considered by City staff, and at the suggestion of the Planning Director they are before the Committee to clean up the zoning of the parcel.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Lundberg, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend that the City Council grant a zoning change for the property at Whittemore Street #52, Assessors Map #21, Lot #7 from its present zoning classification of General Industrial (GI) to R-10 (Medium/High Density Residential) and to amend the Zoning Map accordingly.

4. SCP2014-001: Poplar Street #28, Assessors Map 105, Lot 18-19, GZO Sec. 3.1.6(b) for building height in excess of Sec. 3.2 Limits & Building height in excess of 35 feet

Ms. Egan said this Council Special Permit is for a 42 feet height exception under GZO Sec. 1.10.1 and 3.1.6(b) and 3.2.3 for a salt containment center with building height in excess of thirty-five (35) feet to be located in the DPW yard.

Mike Hale, DPW Director informed the Committee the current salt shed was built in 1994 to hold approximately 700 tons of salt. On average his department uses 7,000 tons a year, and he said that holding 10 percent of what is used annually is far below what a public works facility should have. Snow and ice technology has transitioned since 1994, in that before it was about de-icing, and now the process is about pre-treatment of streets in the face of advancing storms to meet the expectation that there will be black pavement.

He said the ability to procure salt in a timely manner is difficult, although the City is part of a salt consortium giving them a good price per ton which comes from Chelsea, Everett or Portsmouth, New Hampshire. The City is as far away as possible to where the salt is trans-shipped, **Mr. Hale** noted. During a snow event delivery will not be made to the City. He explained about the difficulties of the recent storm events and salt procurement. He said that

the idea is to have enough capacity to fill up a salt containment center that would be enough for the entire winter.

Mr. Hale explained that the location of the new salt containment center will be near the back of the DPW property towards the mechanics barn which, he said, is far enough back so as not to be seen much from the street. The building will be a steel-framed and fabric structure (pictures and plans on file) which is the epitome of a modern salt containment building. He noted that North Shore Technical School just built a similar structure which can be seen on Route 62. This structure will be white or cream in color, he noted. **Mr. Hale** acknowledged this building will be taller than the current structure, but that is so trailer trucks can back into the structure and off load the salt under cover. Currently the department must move the salt physically around which he said takes a great deal of staff time.

Councilor Lundberg confirmed the current storage facility's capacity is 700 tons and the new salt containment center will have a 7,000 ton capacity. **Mr. Hale** confirmed depending on how the salt is stacked; it can have capacity up to 7,200 tons. He noted on inquiry by **Councilor Lundberg** that for an average winter, 7,000 tons of salt is what the department uses, and that to date the department has used 4,600 tons of salt this winter.

Councilor LeBlanc discussed the durability of the fabric cover. **Mr. Hale** confirmed there is a 10 year warranty for the new structure; and if the fabric tears it can be replaced. The new structure will be constructed using a pre-engineered metal building to be connected to and supported by a concrete foundation up 10 feet which meets all the current wind loads and building codes. It is hoped to set the new structure down by two feet, but the height is necessary to get a trailer into the structure. This structure is what the Massachusetts Highway Department uses and is the preferred model. The choice is I-beam or tubular steel construction, he said. **Mr. Hale** said this is a kit and the fabric fits over it. He also discussed a wood structure building versus what is proposed with the fabric and steel structure with **Councilor LeBlanc**.

Joseph Gross, 25 Poplar Street asked about access to the DPW yard with the advent of the new structure. **Mr. Hale** said the drive into the DPW yard is not altered, and will remain the same entrance which he showed **Mr. Gross** (plot plan on file) the path the salt trucks take to prevent back up of the trucks. He noted for **Mr. Gross** the fact that the Conservation Commission issued an Order of Conditions (on file). **Mr. Gross** said he lives across the street from the DPW yard and that this proposal made sense to him.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Lundberg, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council grant to the City of Gloucester a Special Council Permit (SCP2014-001) for the property located at 28 Poplar Street (Assessor's Map 105, Lots 18 and 19), zoned EB (Extensive Business), pursuant to Gloucester Zoning Ordinance Sections 1.10.1 and 3.1.6(b) for a building height in excess of 35 feet, for a Salt Containment Shed to be 42 feet (for a total height increase of 7 feet over 35 feet). This permit is made on the basis of the plans and elevations dated October 23, 2013 drawn by Legacy Bldg. Solutions, submitted to the City Clerk on January 8, 2014, all as incorporated in this decision, and as approved with this special permit.

5. SCP2014-002: Concord Street #10, Assessors Map 229, Lot 21-22, GZO Sec. 3.1.6(b) for building height in excess of Sec. 3.2 Limits & Building height in excess of 35 feet

Suzanne Egan, General Counsel said this is a very timely decision through a Special Council permit because of the process of the Massachusetts School Building Authority which will be reviewing the West Parish School project the day after the City Council review (Tuesday, January 28th) of this Special Permit decision. The height exception requested, **Ms. Egan** said is for 49 feet with the actual height slated at 48 feet, 10 inches.

Kevin Buckley, Owner's Project Manager said that the way that the new West Parish School is designed, when approaching the building a one/two story building will be in view. The front elevation of the school will be only one story which steps back to a two story structure averaging 28 feet in height, with the three story section is in the far left corner of the property, by the woods and ledge next to the cemetery at the back of the property. **Ms. Egan** confirmed that the way the school was designed when approaching the building the vision is that it is a one to two story building, but only when coming up to the school and going to its back will the three story portion be in full view.

Councilor LeBlanc said he has seen all the slide shows and been to all the meetings to date on the construction of the new school and approves of the height exception.

Councilor Fonvielle added that he thought this was a necessary height exception and overall project.

Councilor Verga said he can see the school from his house and is not offended by the project's extra height.

MOTION: On a motion by Councilor Lundberg, seconded by Councilor LeBlanc, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council grant to the City of

Gloucester School Department a Special Council Permit (SCP-2014-002) for the property located at 10 Concord Street (Assessor's Map 229, Lots 21 and 22), zoned R-20 (Low/Medium Density Residential), pursuant to Gloucester Zoning Ordinance Sections 1.10.1 and 3.1.6(b) for a building height in excess of 35 feet, for the new West Parish Elementary School Building to be 49 feet (for a total height increase of 14 feet over 35 feet). This permit is made on the basis of the plans dated January 7, 2014 and "Elevations," dated January 13, 2014 drawn by Dore & Whittier Architects, Inc. 260 Merrimac St., Newburyport, MA, submitted to the City Clerk on January 9, 2014 and January 13, 2014 respectively, all as incorporated in this decision, and as approved with this special permit.

6. *CC2014-002 (Verga/Fonvielle) Request that the Planning & Development Committee in consultation with the Planning Dept., DPW & Legal Dept. undertake the process for City action to determine if the City should lay out a public way within the existing Biskie Head Point Road*

The P&D Committee had a discussion with **Councilor Fonvielle, Ms. Egan** and **Mr. Hale** regarding whether there should be a lay out of a public way at Biskie Head Point Road. The Committee asked that the DPW do further research into the matter and that when that research was completed to report the findings to the Committee.

A motion was made, seconded and voted unanimously to adjourn the meeting at 7:00 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.