



# CITY OF GLOUCESTER

## PLANNING BOARD

### MEETING MINUTES

**June 5, 2014 - 7:00 P.M.**

**Kyrouz Auditorium, City Hall, 9 Dale Avenue, Gloucester  
Richard Noonan, Chair**

**Members Present:** Rick Noonan, Chair, Mary Black, Vice Chair, Doug Cook, Henry McCarl, Joe Orlando, Linda Charpentier, Shawn Henry

**Staff:** Gregg Cademartori, Planning Director, Matt Coogan, Senior Planner, Pauline Doody, Recording Clerk

Mr. Noonan opened the meeting at 7:02 pm.

**PUBLIC COMMENT - None**

#### **I. CONSENT AGENDA**

Planning Board to consider the *Approval Not Required* Plan submitted by Seaside Legal Solutions to adjust common lot line between **2 & 4 Lupine Lane and 1 Reynard Street** (Assessors Map 108, Lots 19, 20, 24).

**Attorney Michael Faherty** explained to the board that one of the lots has frontage on Reynard Street and that property was served by a common driveway that was approved when the entire subdivision was approved. The common driveway was to serve 3 lots and that is being reduced to two lots. Lot 6 will have its own driveway. It is an adjustment between the adjacent lots.

**Mr. Cademartori** stated there are no issues with the required frontage area. There are 4 lots remaining in the subdivision. There is a closing of one of the lots and 3 will remain under the covenant.

**Motion: To approve the ANR plan to adjust common lot lines between 2 & 4 Lupine Lane and 1 Reynard Street (Assessors Map 108, Lots 19, 20, 24). The subdivision control law does not apply.**

**1st: Mary Black**

**2nd: Henry McCarl**

**Vote: Approved 7-0**

Planning Board to consider the *Approval Not Required* Plan submitted by Seaside Legal Solutions to four lots into one at **25-31 Rocky Neck Avenue** (Assessors Map 130, Lots 5,6,7,&8).

**Attorney Joel Favazza Seaside Legal Solutions**

**Attorney Favazza** explained that the 4 lots are mixed zoning and there will be a petition to rezone all lots into one as Neighborhood Business District.

**Mr. Cademartori** stated the lots combined will have the required frontage and access for the district. There is no issue with the combination.

**Motion: No new lots to be considered and the subdivision control law does not apply to the combination for the ANR plan to combine four lots into one at 25-31 Rocky Neck Avenue (Assessors Map 130, Lots 5, 6, 7, & 8).**

**1st: Mary Black**

**2nd: Henry McCarl**

**Vote: Approved 7-0**

Planning Board to consider the *Approval Not Required* Plan submitted by Turner Farm Realty Trust to adjust lot line at **210 Eastern Avenue** (Assessors Map 264, Lots 23).

**John Judd Gateway Consultants**

**Mr. Judd** explained that the ANR is for a minor modification for the lot line that bisects the two properties. It is to accommodate the expanded footprint to meet zoning requirements.

**Motion: To approve the ANR plan to adjust lot line at 210 Eastern Avenue (Assessors Map 264, Lots 23).**

**1st: Henry McCarl**

**2nd: Linda Charpentier**

**Vote: Approved 7-0**

Planning Board to consider the *Modification of Site Plan Approval* submitted by Turner Farm Realty Trust to modified building footprint and parking area **210 Eastern Avenue** (Assessors Map 264, Lots 23).

**John Judd, Gateway Consultants**

**Mr. Judd** explained that a lease was signed and the new tenants require an extension for their business. The new foundation will be 40x62 feet. The drive through has been eliminated. Access and lighting remains the same.

**Mr. Cademartori** stated that all departments have commented on the project and there are no issues.

**Motion: To approve the ANR plan to adjust lot line at 210 Eastern Avenue (Assessors Map 264, Lots 23).**

**1st: Joe Orlando**

**2nd: Linda Charpentier**

**Vote: Approved 7-0**

Planning Board to consider the *Site Plan Review Application* submitted by VJ & E Realty LLC, c/o Mortillaro Lobster, Inc. to construct at wharf/pier and pre-engineering building at **58-60 Commercial Street** (Assessors Map 1, Lots 73).

**Attorney Michael Faherty**

**Attorney Faherty** informed the board that the project includes the construction of a 7850 s.f. pier in the NE corner of the property over tidal waters. The building will be 50x100 metal processing building on deep driven piles. The piles support the building over the water. The deck will be precast concrete. There will be a foundation wall 30 inches high that will be bolted on to the deck with a pre-engineered building constructed above that. There is an existing easement that runs across property for drainage; it will be relocated as part of a previously approved plan with the city infrastructure project. The drainage area for the pipe has been reduced to what it is servicing and the city will place a tide gate on it. The system has been raised since it is servicing a smaller area. Parking will not be disrupted. Several waivers have been requested; storm-water drainage plan, lighting specifications- they will be low lights that light the pier section. VJ & E Realty LLC, c/o Mortillaro Lobster, Inc. would like to shift the pier 10 feet in the NW direction to take advantage of deeper water for vessel access.

**Mr. Cademartori** stated that engineering supports the requested waivers. The parking lot use will remain the same. The waiver requests to make a finding that this is in the public interest and the guidelines that apply have been satisfied with this submission.

**Motion: Approve the Site Plan Review Application submitted by VJ & E Realty LLC, with submitted plan dated May 13, 2014 giving the flexibility of shifting the pier 10 feet in the NW direction.**

**1st: Linda Charpentier**

**2nd: Doug Cook**

**Vote: Approved 7-0**

**II. Other Business**

1. Release of Covenant for Common Driveway at **126 Eastern Ave.**

**John Judd Gateway Consultants**

**Mr. Judd** explained that the obligations have been met and a release of the covenant is being requested.

**Mr. Cademartori** stated that the improvements have been made and the covenant can be closed out.

**Motion: To endorse the release of the covenant and that all improvement have been made.**

**1st: Joe Orlando**

**2nd: Sean Henry**

**Vote: Approved 7-0**

2. Approval of Common Driveway Use and Maintenance Agreement – **33 Dollivers Neck Road**

**Mr. Cademartori** stated that this was an approval for 3 lots on Dollivers Neck and there was a special permit condition that the board approves the common drive use and maintenance agreement. There is a possibility that only 2 lots will be served by common driveway and a proposed 3<sup>rd</sup> lot. The common driveway may not be used. If that is the case, they will have to come back before the board for an amendment to the easement. There was peculiar language suggesting that if the owner of the 3<sup>rd</sup> lot ceased to use the easement area, that they would not be responsible for the maintenance of the driveway. An amended draft has been provided which strikes that language. Also the land court plan has been finalized and there is different numbering of the final plan on record

**Motion: Approve the drafted grant of easement driveway use and maintenance agreement for 33 Dollivers Neck Road**

**1st: Doug Cook**

**2nd: Linda Charpentier**

**Vote: Approved 7-0**

3. Decision to Adopt – Watershed Protection Overlay District Special Permit – **35 Dory Road**

**Mr. Cademartori** stated this is special permit decision dated June 5, 2014.

**Motion: To adopt the decision for the construction of a nitrogen generation facility at 35 Dory Road for Varian Semiconductor Equipment Associates Inc.**

**1st: Sean Henry**

**2nd: Henry McCarl**

**Vote: Approved 7-0**

**Mr. Cademartori** informed the board that that Lot 4A which fronts on Reynard Street does have the potential of a closing in two weeks and has requested a release of covenant of Lot 4A. If the board approved the release there still remains 3 more lots in the covenant.

**Motion: To approve the release of covenant not to convey for Lot 4A, 1 Reynard Street**

**1st: Joe Orlando**

**2nd: Henry McCarl**

**Vote: Approved 7-0**

4. Harbor Plan Update

**Mr. Noonan** reported that there was a special meeting for the presentation of the regulatory framework that the consultants have prepared for the city surrounding the harbor plans recommendations. Issue becomes identifying a planning district versus a parcel in the designated port as it is modified as a result of boundary review that was done by CZM.

5. Planning Division Update

**Mr. Cademartori** reported that on June 23 there will be a meeting on work to be done in the Railroad Ave area. Community Development is working with the MAPC who has completed a draft of a market analysis of the downtown area. It centers on the train station to the fringes of the residential neighborhood of the area. The document will give an idea of where things are going; and a current snapshot of the demographics and market in the area.

**III. ADJOURNMENT**

**Motion: To Adjourn**

**1st: Henry McCarl**

**2nd: Sean Henry**

**Vote: Approved 7-0**

**IV. NEXT MEETING**

*Next regular meeting of the Planning Board June 19, 2014*