



GLOUCESTER CITY COUNCIL  
**Planning & Development Committee**  
Wednesday, January 21, 2015 – **5:30 p.m.**  
**1<sup>st</sup> Fl. Council Committee Room – City Hall**  
*(Items May be taken out of order at the discretion of the Committee)*

1. *Memorandum from Administration re: Options for the Fuller property RFP (Cont'd from 12/10/14)*
2. *SCP2014-012: Thatcher Road #78, Map 179, Lot 44, GZO 2.3.1.7 conversion to or new multi-family or apartment dwelling, four to six dwelling units and Sec. 2.7.1 Major Projects (Cont'd from 01/07/15)*
3. **CC2015-001 (Verga) Request P&D & O&A Standing Committees together and in connection with City Council Order 2014-039 regarding the position of the Executive Director of the Fisheries Commission, assure that the structure of the Fisheries Commission be consistent with the requirements of the Special Acts governing the commission particularly the requirements of Chapter 361 of the Acts of 1980 and Chapter 740 of the Acts of 1981**

**COMMITTEE**  
**Councilor Greg Verga, Chair**  
**Councilor Paul Lundberg, Vice Chair**  
**Councilor Steven LeBlanc**

CC: Mayor Theken  
Jim Destino  
Linda T. Lowe  
Tom Daniel  
Gregg Cademartori

**The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.**

**Planning & Development Committee**  
 October 22, 2014 – 5:30 p.m.  
 1<sup>st</sup> 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 McGeary; Salvatore DiStefano; Suzanne Egan; Tom Daniel; Police Chief Leonard Campanello; Fire Chief Eric Smith; Assistant Fire Chief Aiello

The meeting was called to order at 5:30 p.m. Matters were taken out of order.

1. *Special Events Application: Request to hold the Gloucester Christmas Parade and Tree Lighting on November 30, 2014*

Joseph Ciolino, Christmas Parade and Tree Lighting organizer and former City Councilor, and Ringo Tarr, reviewed with the Committee that the Special Events Advisory Committee had approved their plans under one Special Event Permit, although two separate organizations, which remain unchanged from previous years, for the Christmas parade and Christmas tree lighting on Sunday, November 30 with a rain date of Sunday, December 7. This is the 33<sup>rd</sup> year, and the combined event is covered under the city's insurance policy. Mr. Tarr reiterated that all plans are the same as in previous years.

Councilor Verga confirmed the receipt of a memo from the CAO in April advising of the insurance coverage.

**MOTION:** On a motion by Councilor LeBlanc, seconded by Councilor Lundberg, the Planning & Development Committee 2 voted 0 in favor, 0 opposed, to recommend that the City Council permit the Downtown Gloucester Christmas Parade and Tree Lighting from 3 pm to 6 pm on Sunday, November 30, 2014 with a rain date of Sunday, December 7, 2014. 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, which falls under the City's General Liability Insurance.

2. *Memorandum from Administration re: Options for the Fuller property RFP (Cont'd from 10/08/14)*

A. *Response Time Studies: "Police Zone Review" and "Evaluation of Relocation of Fire Headquarters (Item #1 requested P&D Committee of the Administration out of its 10/08/14 meeting)*

Sal DiStefano, CAO, noted that the Response Time studies revealed that response times were a wash when compared to responses from the center of the city.

Police Chief Leonard Campanello said that moving the Police Station to the Fuller site not have a huge effect on the Police Department because they are a fluid agency – wherever their building is their police cruisers will go to wherever they are assigned. The study indicated a few small recommendations for zone reviews only.

Councilor Verga asked how much walk-in traffic did the department because if headquarters weren't downtown that foot traffic may slow. Chief Campanello said in winter there is little foot traffic but in the summer they average 10 to 20 people could come in to report an accident or for general information and based on financial outlooks of budget and what power issues, he said he didn't see a huge difference than what is in the report.

Fire Chief Eric Smith also said there is not a huge change in response times once they get past the 4.5 minute mark, and that once past it, they are covering the community in the downtown. By moving the station (to the Fuller Site) is adding response time, whether it is moved three blocks or three miles there will be an effect. The overall picture is what the feasibility of staying in Central Station and its functionality. He pointed out that the ladder truck in order to pull out, back up and then take a hitch turn to get onto the street. The department has outgrown the building which is not functional to the department's needs. He noted that the public interaction is difficult accessing the building, he added. There isn't a lot of open space to move the department to within the city – the options are limited unless there is property taken for that purpose, he suggested. He spoke about shaving time off of responses by up to 30 seconds or possibly more if there was a truly centralized dispatch for the city's emergency services, and could be a cost savings, not just time savings.

Councilor Lundberg said there is the issue of upgrading the stations and maybe centralizing them which is a separate discussion on where they would be located. The city has studies about whether locating at the Fuller site would be a good idea with the response times a wash which leaves the issue of the necessity of looking at facilities

for particular for fire and now and when it is done. **Councilor Verga** said that spoke to the comments made by Councilor McGeary of the knock on effect. He asked if there were plans to incorporate the Emergency Operations Center (EOC) into a new public safety center. **Chief Smith** said that there has been a space needs analysis for the project, and the EOC with a dual purpose training room would be included in combined building near the public entrance so other functions can take advantage of that space as well. Everything they need as a department would be incorporated into the new public safety building, as well as a 6 position dispatch center with space for a supervisor and adequate space for IT.

**Councilor Verga** commented that the size limitations of Central Station have impacted the purchase of firefighting apparatus. **Chief Smith** said when purchasing trucks the department tries to keep them as small as possible because of the streets and the building, but if they want a 100 ft. elevation ladder which comes on a chassis of 40-50 feet long there is no getting away from it. Not only has the apparatus outgrown the building, but the firefighting equipment has outgrown the building with the advent of new air packs and compressor systems just to name a few, he pointed out. With the interaction with the public, they don't have any appropriate space at Central Station. He said has no meeting room in order to conduct professional business there. He commented that there is very little available land in the city for building such a combined emergency services center and that it may be that the city would have to look to take some land by eminent domain if the Fuller site would not be used. **Councilor Verga** noted that the city isn't ready to pull the trigger on building the new combined public safety building. He commented that no land has been taken by eminent domain for such purposes as building a public building to his knowledge. He suggested that the Central Station was built around the time of the horse and buggy era.

**Councilor LeBlanc** said his concern was Grant Circle with traffic bottlenecks if coming from Blackburn with fire apparatus especially if the pedestrian warning light is on with a pedestrian is in the crosswalk when there is a call. **Chief Smith** noted along with **Councilor Verga** that they deal with that situation now at different times of day whether responding to a fire call or a medical call with the ambulance transporting to the hospital. **Councilor Verga** noted that the city isn't ready to pull the trigger on a new combined public safety building. He commented that the city has not taken any land by eminent domain for a very long time.

**Councilor McGeary** said as they look at the Fuller site, the first decision has to be made on what are they going to do about the safety building, because it impacts other sites and has to be a priority as they look at an RFP for the Fuller site. Before an RFP is issued, they have to make up their minds what they're going to do about the public safety center. **Councilor Verga** also pointed out about the issue of the District Court at the Police Station. He suggested if the city built a new public safety center at the Fuller site, and moves out of that building, is the city prevented from renting out the space left by the Police Department because of the security issues for the court, and also if the police leave, would the District Court stay. **Councilor McGeary** said those are questions that need to be answered or at least considered, as to what is the knock on effect.

**B. Memorandum from Mayor in response to inquiry by P&D Committee re: documentation requested from 10/08/14 P&D Committee Meeting (Items #2-#5)**

**Mr. DiStefano** reviewed the Mayor's Memo dated 10/14/14 noting that the request for the Gloucester Public Schools Master Plan Study Final Report has been submitted to the Committee. **Councilor Verga** mentioned that the consultant, Dore & Whittier who did the study made a presentation to the School Committee last Thursday in a Special School Committee Meeting. He suggested a joint meeting of the Council and School Committee and **Mr. DiStefano** said it would be arranged. **Councilor McGeary** said he concurred. **Councilor Lundberg** said such a meeting would be helpful, noting he read the report and the assumption about swing space and future space needs and although he said he made his conclusion that the swing space is solved and would want to hear from the School Committee about sequencing and other necessary details as there is more that needs to be understood.

**Councilor McGeary** said Dore & Whittier (who did the West Parish studies) presented three options for the elementary schools: repair the schools they have; the second was to consolidate from five elementary schools to four; or to consolidate five elementary schools to three. This is conceptual with no numbers attached, but there were some projections of enrollment, scenarios were presented with no recommendations. The study essentially said these are things you can do and if you are to combine schools under two of those scenarios options were presented. **Councilor Verga** said that there would not be the same swing space issue at the Beeman School (as with West Parish) because the site should be large enough to build a new school before the need to tear down the current one, and the original school could then serve as a potential swing space while other elementary schools are renovated or built.

**Mr. DiStefano** said as to the Capital Improvements Advisory Board (CIAB) and the Capital Improvement Plan, in previous versions has been submitted to the Council, but the current plan is in process and is tied to the FY16

budget. The CIAB is expected to meet in November on FY16 capital improvements recommendations with a completed version of the Capital Improvement Plan due in March. He pointed out that plan is a fluid document, always being worked on and calibrated to move with the budget each year. As projects are completed they fall off the list, he said. **Councilor Verga** said he assumed the CIAB discussion would involve some of the knock on effects. **Mr. DiStefano** said he understood the needs have been built in for capital matters, and explained the process of those projects that are completed that fall off and those that come on once new projects are put forward and slotted in. **Councilor Verga** confirmed with **Mr. DiStefano** that the CIAB are looking at future needs. **Mr. DiStefano** said he didn't know if the CIAB had a plan for empty buildings as a result of the public safety building should it be built. **Councilor McGeary** said it is more than just capital investment, there are other dominos falling over and are part of an overall plan. He said while the CIAB should be aware of them, they are more focused on what the city can afford and when the city can afford it, what can be put off, etc. He pointed out that the last CIAB report didn't incorporate water and sewer into the plan so there is a need for a total big picture capital plan. **Mr. DiStefano** said he would follow up with **Councilor McGeary**.

Request for additional independent evaluation on the Fuller Site: **Mr. DiStefano** referred to the Mayor's 10/14/14 memo which said that, "The Administration would not entertain an additional independent evaluation of the condition of the Fuller building and the surrounding grounds with an eye to reuse of the school for mixed use. Any such exercise is speculative in nature." The memo also stated it is preferred to issue an RFP "to allow private investment to lead such analysis if desired and to move redevelopment project forward." He cited several studies done over the past few years by MassDevelopment, Dore & Whittier, and Tom Daniel, Community Development Director who did a cost/space analysis using part of the building for some city offices.

**Councilor Verga** cited the fact that none of those studies talked about reuse of the building saying that Mass Development talked about building a YMCA, and Dore & Whittier talked about use of the building as a school. **Mr. DiStefano** pointed out that each of those reports had multiple analyses and in them there were different scenarios. **Councilor Verga** pointed out that the MassDevelopment study did the analysis before the school was deemed a "teardown" in 2011. The Dore & Whittier study was not to look at the existing space as something other than a school or for non-school purposes, he pointed out, but for a swing school or a possible reuse as a school, he said. **Mr. Daniel's** analysis was based on tearing the building down and rebuilding it, he pointed out. **Mr. DiStefano** reiterated that multiple scenarios were pointed out in each study in depth. **Councilor Verga** said he would like a second opinion.

**Councilor Lundberg** made the following remarks: He agreed with the Administration on this matter and didn't think there was a need for another independent analysis. The Committee is not qualified to choose between these different analyses. The Administration's idea of getting an RFP issued so that people who are professionals in this area to say what they would do with the Fuller site. Developers who come to the city in response to an RFP will be more able than they to make a determination. The Council still gets to decide in the end no matter what responses are received. While the suggestion has been made to obtain an analysis from a well-known member of the community, then what does the Committee do with that analysis and opinion and where do they go from there. **Councilor Verga** responded that the Administration is working on the assumption that Fuller is a teardown and discarded the idea of using this building as municipal space as it would cost too much because you have to start from scratch and didn't look at it from the view of using the space that is already there. **Councilor Lundberg** reminded the Committee that the RFP can be crafted in such a way to potential respondents, and one item could require is 50,000 to 75,000 square feet of office space for the city under certain terms and conditions and let the proposers come forward with what they can do. He said a year ago a non-binding vote by city voters overwhelming said they wanted a development of the site for a mix of uses and a year later they're no closer and are letting the voters down. He said he would like the Committee to figure out what is the right way to go in a mindful way as soon as they can. **Councilor Verga** reminded the Committee that on the non-binding ballot question, one of the mixed options was office space.

Current use of the building and Site Visit. **Councilor LeBlanc** asked if any city staff is using the Fuller School was it completely vacant. **Mr. DiStefano** said there is a small DPW machine shop left, and there are some things left in the building. **Councilor LeBlanc** asked if anyone has toured the building for RFP purposes. **Mr. DiStefano** said not to his knowledge. **Councilor Verga** asked for a confirmation that no one has had access to the building. He said he found it interesting that he couldn't go into the building noting that two school committee members with a non-school committee member were let into the building by the facilities manager a year ago. **Mr. DiStefano** said other Councilors are welcome to view the building but not the independent evaluator.

**Suzanne Egan**, General Counsel, said that the building is in such a state that there are no city employees using the building; there is no electricity. It has been noted that the building is in such a condition that people shouldn't be going in and out of it which is in a memo from the Building Inspector (in city files). In terms of the city's own

liability which Ms. Egan said is her job to protect, the only way she would recommend that people go into the building is if they sign a document releasing the city from all liability for any physical injury or anything that can occur during the Fuller School site visit. **Councilor Lundberg** said when an RFP is issued, the respondents will have to go through that building and so that has to be solved. **Ms. Egan** said that all the liability would have to have all the liability released in an RFP and listed very specifically. She said that a site visit is scheduled and open to the public which is the danger versus an RFP meeting visit is completely managed. Unmanaged site visits without releases it is not recommended but the releases will not solve the issue completely, she said. **Ms. Egan** recommended the public not go into the building. There was a brief discussion of whether Councilors were covered under the city's general liability. Former City Councilor Joseph Ciolino offered that Councilors are considered full-time employees of the city and therefore are covered under the city's general liability.

**Ms. Egan** recommended to the Committee that the public not go into the building. **Councilor Lundberg** said with no electricity in the building and it not being properly secured, he said then this is a safety issue. **Councilor Verga** said that since August of 2013 when the Council went through the building has deteriorated further then.

**Mr. DiStefano** offered that arrangements are made to let the Councilors in, but the issue was that an independent evaluator would join the Councilors. **Councilor Verga** said there is a misinterpretation, in that the independent evaluator is not a consulting firm. **Councilor Lundberg** asked who would conduct the tour, who would determine where it is safe to go in the building. **Mr. DiStefano** said there would be a member of the DPW accompanying the Councilors. **Ms. Egan** said with no electricity she expressed her concern that although she understood the Council has requested a site visit which is understandable, but to open up the building, that the Building Inspector has said is not safe, to the public is a mistake for the city in terms of its risk management and liability. **Councilor Verga** rejoined that he was deeply disturbed that the building was in such a terrible state of disrepair.

**Councilor McGeary** said typically the site visits are open to the public and that they are not typically in buildings that are deemed unsafe, and perhaps it would be wise to limit the tour to Councilors. The Council can insist to put the Administration on notice that any RFP issued will neither prohibit nor require that the Fuller School be torn down. He said, like Councilor Lundberg, he would leave it to the developers as to how they want to deal with the site. If the Council decides as part of the RFP that they want 15,000 square feet of municipal offices included in the proposal, let that be up to the developer to do that. If understanding the Chair correctly, he said that they don't want an RFP to go out that says that you have to bring a bulldozer to the site. The RFP should be as fluid as possible, he pointed out, adding that the key is the public safety building which affects the size of the lot and should be the focus. The developer should make a recommendation whether to tear the building down or rehab the building. **Councilor Verga** said the Committee's site visit would be counterproductive and a waste of time.

Without objection, the site visit was cancelled, **Councilor Verga** announced. **Councilor LeBlanc** expressed his desire to still like to walk through the building before the Committee makes a decision. **Councilor Verga** recommended Councilor LeBlanc do it independently and make his arrangements through the Administration.

Leasing of office space by the city. **Mr. DiStefano** reviewed the final the request of the Committee from the Mayor's 10/14/14 memo for a 30 year analysis on the leasing of space. He noted that the Administration finds this difficult to answer and again referred to the memorandum response (on file). **Councilor Verga** clarified that the Committee wants to know if the intention to continue to rent space for city offices indefinitely or is there going to be a central location owned by the city where all these offices will be moved to. **Councilor McGeary** said this part of what has to be proposed which is that Central Station is about the same amount of space for the rental space at Pond Road for the City Hall annex. **Mr. DiStefano** said one of the pieces that will answer the questions is the final report for the public safety building in terms of costs, etc. which would address some of the domino issues posed by Councilor McGeary – that report is expected sometime in November. **Councilor Lundberg** acknowledged the question of renting space is a good one. He referred to the off the cuff numbers the CFO gave to the Committee at its last meeting and asked that the information be put in writing to the Committee. **Councilor Lundberg** noted that one of the valuable assets is that the developer provides space at a discount to the city as a condition so that the city can get out of the rentals and/or here are the terms to leverage the asset. If it is too hard for the developer, then the RFP can be recrafted.

**Thomas Gillett**, Executive Director, EDIC, said that in February the EDIC issued a suggested plan for the Fuller site and read an excerpt from the 17 page report (to be forwarded to the Committee), "... the area around the Fuller Site (referred to in this report as the "Fuller Area") as being the property with the greatest potential value creation for Gloucester for the foreseeable future. Value in the form of added or enhanced services, job creation, and tax revenue generation." The document speaks to the assessment of the Fuller Site, the seeking out of expert opinion solicited from local and regional developmental leaders, and if the Cape Ann YMCA moves to the Fuller Site it must include what steps are going to be taken to mitigate the negative economic impact to the city's

downtown. It points out that in 2013 the YMCA had over 100,000 users scanned into their downtown building and asked what steps will be taken to make up for that loss of downtown customers.

He said that instead of saying what they want in an RFP, he suggested an RFR to get suggestions for using the acreage with direct access to Route 128. He said he would not constrain the task at hand and wait to see what comes out of the woods with an incredibly valuable piece of property. The EDIC advocates great care for the development of the site and need a full area plan before a narrowly focused RFP is issued and should not commit to a single path now, he pointed out. There are a lot of vacant buildings downtown what won't cost millions of dollars to renovate to keep the city's attention to the downtown, he said and urged that the city take its time to really evaluate what is right for Gloucester. **Councilor McGeary** asked about how the EDIC came to 70 acres. **Mr. Gillett** said it did include the playground and the Linsky property. **Councilor Verga** asked if the city ever considered the Linsky property which is for sale, and the city has access to Brownfield's funds to mitigate what is known to be an area of contamination. **Councilor McGeary** said there is state money for transit station and that it could be a conduit. This effort is stuck on square one with a time constraint—it should be within two or three months to get to a decision about the RFP, he said. **Councilor Verga** pointed out by obtaining the Linsky property it would provide an excellent cut through for the emergency vehicles from the Fuller site. **Mr. Gillett** said this doesn't need to take another year; there could be a quick look.

This matter is continued to November 12, 2014.

→ Dec. 10 → Jan. 21

**3. Letter from Lane's Cove Historical Association, Inc. re: Lane's Cove Public Landing and Lane's Cove Fish Shack**

**Suzanne Egan**, General Counsel, explained that it would be appropriate that the LCHA sign a Memorandum of Understanding (MOU) with the city which her work with the LCHA to draft such an MOU to lay out what the city's role is, what their role is and will work to get that in order. This is more of an administrative matter, and is similar with other non-profits.

The letter from the Lane's Cove Historical Association was placed in the P&D Committee files.

**4. Letter of request for revision of condition/restriction #1 from Angela Procaccini regarding Outdoor Parking permit at 2 Long Beach Road**

**Councilor Verga** noted there were some contradictions on the Permit which is why this matter was before the Committee.

**Attorney Kevin Kiley**, representing Angela Procaccini, permittee, said that Condition 1 and 14 appear to contradict each other and asked that they be made more clear.

**Councilor Verga** expressed agreement said that the Committee should do a Council Order to review the ordinance in that although through the years the term for an open air permit has traditionally been three years rather than five, the ordinance is mute and would look to clarify that by an ordinance review by the O&A Committee.

**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 Amend its vote of February 14, 2012 in order to clarify condition #1 and condition #14 to now read as follows:**

1. That this Permit shall be valid from April 30, 2012 to May 1, 2017 upon payment of appropriate fees to the City Clerk on an annual basis as delineated in condition #14;
  14. The Permit Fee is to be paid yearly to the City Clerk on April 30. The application is to be reviewed by the City Council in five years unless it deems there is a cause to review the Permit sooner due to any violations of conditions herein.
- 6. SCP2014-011: Main Street #260, Map 13, Lot 8, GZO Sec. 1.10.1(a)(3) and 3.2.2(a) for a decrease in the minimum lot area and open space per dwelling unit**

**Attorney Robert Coakley**, 64 Middle Street, representing Fernwood Holdings, LLC, owners of the property at 260 Main Street, Map 13, Lot 8, and Tom Taliadoros of Fernwood Holdings, LLC. **Mr. Coakley** reminded the

November 10, 2014

14 NOV 12 PM 3:13  
CITY CLERK  
GLOUCESTER, MA

City of Gloucester City Council  
c/o Linda T. Lowe, City Clerk  
City Hall – Nine Dale Avenue  
Gloucester, MA 01930

**RE: 78 THATCHER ROAD, LLC – MULTI-FAMILY PERMIT APPLICATION**

Dear Councilors:

This office represents 78 Thatcher Road, LLC, the owner entity of 78 Thatcher Road (the "Site"). As you may recall, the Site is currently home to the now-closed Olivia's By-the-Sea restaurant, and was previously home to Amelia's restaurant.

In May of this year, the City Council approved a request from my client to rezone the Site from EB (Extensive Business) to R-10 (Medium / High Density Residential) to enable my client to seek the necessary permits to construct a residential building on the Site. After several months of work, a final design was completed. In September, my client petitioned the Zoning Board of Appeals to grant dimensional variances and a special permit for building height and was granted the requested relief.

The last permitting step in this process is a multi-family special permit from the City Council. However, due to the fact that another multi-family permit has been recently issued on an abutting piece of property (known as the "Brierneck Crossing at Gloucester"), the Major Project standards have been triggered. Please note, however, that this project is in no way connected to Brierneck Crossing and, if not for Brierneck Crossing's recent permit acquisition, would not trigger the Major Project standards on its own.

The proposed building will house six condominium units, which will each contain between 2,150 and 2,450 square feet of gross floor area. Each unit will contain two bedrooms, at least two bathrooms, and will have at least two deeded parking spaces. Due to the fact that the Site sits in a flood plain, the first level cannot be used for habitable space and has been instead reserved for use as garages. The second and third level will both contain three single-level units located and laid out almost identically on both levels.

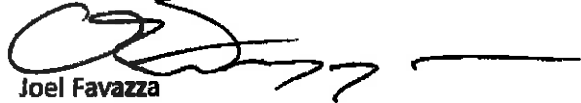
The building will take advantage of the views from the Site with several decks while providing privacy both to the units within the building as well as the neighbors. The placement of the building on the Site and the configuration of the rooms and decks for each unit have been designed to make sure that there is no overcrowding or obstructing of the neighboring properties.

The landscape design has been tailored to fit the natural features of the nearby beach and salt marsh. What is now comprised mostly of flat lawn and paved parking lot will be transformed to undulating grassy swales that will not only add aesthetic value to the Site but also contribute to storm water management.

The entire team behind this project has remained connected with the neighborhood by hosting neighborhood meetings at the Site through each step of this process. We anticipate holding the third neighborhood meeting on November 22, 2014, to go over the plans submitted herewith. So far, meeting attendance has been impressive and we hope that the support shown by the neighborhood thus far continues as we make our way through the multi-family permitting process.

I look forward to discussing this project further at an upcoming P&D subcommittee meeting and, hopefully, at the full City Council not too long thereafter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Joel Favazza', with a long horizontal line extending to the right.

Joel Favazza

JF/fea



CITY CLERK  
GLOUCESTER, MA  
14 NOV 12 PM 3:07



CITY OF GLOUCESTER  
GLOUCESTER, MASSACHUSETTS - 01930

City of Gloucester  
Special Council Permit - Application

*January 16, 2015*

(Public hearing to be held no later than above date)

In conformance with the requirements of the Zoning Ordinance of the City of Gloucester, the undersigned hereby applies for a Special Council Permit (CC or CCS) in accordance with Section 1.8.3 of the Ordinance and other Sections as listed below:

Type of Permit (Give specific section of Zoning Ordinance) Special Permit to build a 6-unit multi-family building pursuant to § 2.3.1.7 & Major Project pursuant to § 5.7.1

Applicant's Name: 78 Thatcher Road, LLC

Owner's Name \_\_\_\_\_  
(if different from applicant)

Location 78 Thatcher Road Map # 179 Lot # 44  
(Street Address)

Zoning Classification: R-10

- Attached is a list of owners (with complete addresses) of land directly opposite on any public or private street or way, direct abutters, and abutters to the abutters of land within three hundred (300) feet of the property line, as they appear on the most recent City of Gloucester Assessor's Maps and Tax list.
- Attached is a listing of criteria set forth in Section 1.8.3 of the Zoning Ordinance, including any supportive material or comments the applicant may wish to include (i.e. ZBA decisions, Order of Conditions, ect.) if necessary.
- Attached are the necessary plans as set forth in Section of 1.5.3 of the Zoning Ordinance, which at a minimum consist of an accurate plot plan (to scale) showing existing and/or proposed building or structures.

**City of Gloucester - Action**

Fee: \$ 1000 / 000.00

City Clerk (received): 11/12/14

City Council (received): 11/18/14

Public Hearing (ordered) \_\_\_\_\_

Public Hearing (opened) \_\_\_\_\_

Public Hearing (closed) \_\_\_\_\_

Final Decision \_\_\_\_\_

Disposition \_\_\_\_\_

(Approved, Denied, Approved w/conditions)

**Applicant:**

Name (Signature) \_\_\_\_\_  
78 Thatcher Road, LLC  
by John P. Fiaherly, Manager

Address \_\_\_\_\_  
c/o Seaside Legal Solutions, P.C.,  
PO Box 1172, Gloucester, MA 01931

Telephone \_\_\_\_\_  
978-627-4500

Certified for completeness: \_\_\_\_\_

Building Inspector: DN Date: 11/12/14

Planning Director: MC Date: 11/12/14



CITY OF GLOUCESTER  
GLOUCESTER, MASSACHUSETTS - 01930

City of Gloucester  
Special Council Permit - Application

(Public hearing to be held no later than above date)

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(if different from applicant)

Location 78 Thatcher Road Map # 179 Lot # 44  
(Street Address)

Zoning Classification: R-10

- Attached is a list of owners (with complete addresses) of land directly opposite on any public or private street or way, direct abutters, and abutters to the abutters of land within three hundred (300) feet of the property line, as they appear on the most recent City of Gloucester Assessor's Maps and Tax list.
- Attached is a listing of criteria set forth in Section 1.8.3 of the Zoning Ordinance, including any supportive material or comments the applicant may wish to include (i.e. ZBA decisions, Order of Conditions, ect.) if necessary.
- Attached are the necessary plans as set forth in Section of 1.5.3 of the Zoning Ordinance, which at a minimum consist of an accurate plot plan (to scale) showing existing and/or proposed building or structures.

**City of Gloucester - Action**

Fee: \_\_\_\_\_

City Clerk (received): \_\_\_\_\_

City Council (received): \_\_\_\_\_

Public Hearing (ordered) \_\_\_\_\_

Public Hearing (opened) \_\_\_\_\_

Public Hearing (closed) \_\_\_\_\_

Final Decision \_\_\_\_\_

Disposition \_\_\_\_\_

(Approved, Denied, Approved w/conditions)

**Applicant:**  
John P. Flaherty  
 Name (Signature)  
 78 Thatcher Road, LLC  
 by John P. Flaherty, Manager

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Address  
 c/o Seaside Legal Solutions, P.C.,  
 PO Box 1172, Gloucester, MA 01931

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Telephone  
 978-627-4500

Certified for completeness:  
Building Inspector: \_\_\_\_\_ Date: \_\_\_\_\_

Planning Director: \_\_\_\_\_ Date: \_\_\_\_\_

Section 1.8.3 (Use additional sheets, if necessary)

1. Social, Economic, or community needs served by the proposal :

The proposed six-unit multi-family building would replace the current restaurant use on the site, which would bring the site into uniformity with the residential character of the neighborhood, increase the tax revenue generated by the property, and transform the appearance of the site into a more attractive and aesthetically pleasing piece of property.

2. Traffic flow and safety:

The existing site has two curb cuts, which are not being altered, to keep familiarity of traffic flow on and around the site. However, the intensity of vehicular traffic is expected to decrease substantially from the amount of traffic generated by patrons of the former restaurants on site to that of six two-bedroom dwelling units. The site has more than sufficient parking and will not require any "backing out" onto the abutting roadways.

3. Adequacy of utilities and other public services :

The site sits among a developed residential neighborhood and the existing restaurant is already connected to public utilities, which will be relocated to the proposed building. There will be upgrades to the on-site stormwater drainage, which is expected to lower the volume of runoff entering the City's storm drain system. The site is readily accessible by emergency vehicles from either Thatcher Road or Witham Street.

4. Neighborhood character and social structure :

The neighborhood is residential in nature and zoned R-10. The proposed building adheres to the density limits set in the Zoning Ordinance and is a more appropriate use of the site than the existing restaurant.

5. Qualities of the natural environment :

Currently, the property contains large areas of impervious surfaces and some basic landscaping. The proposed site plan will increase the amount of pervious surfaces, use more natural-looking building materials, and add more green space and vegetation to the site than currently exists. There will be a net benefit to the qualities of the natural environment found at the site.

6. Potential fiscal impact :

The improvement of the site and addition of six dwelling units is likely to increase the value of the surrounding properties as well as the site itself.

The applicant is advised that City staff is available to assist the applicant in preparing the application, including the Inspector of Buildings and City Planner.

Application for Special Permit

The undersigned applicant hereby applies for a special permit under M.G.L. Ch. 40A, 9 as follows.

1. Applicant (includes equitable owner or purchaser on a purchase and sales agreement):

Name: 78 Thatcher Road, LLC

Address: c/o Seaside Legal Solutions, PO Box 1172, Gloucester, MA 01931

Tel. #: Days 978-627-4500 Evenings \_\_\_\_\_

\_\_\_\_\_ Check here if you are the purchaser on a purchase and sales agreement.

2. Owner, if other than applicant:

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Tel. #: Days \_\_\_\_\_ Evenings \_\_\_\_\_

3. Property:

Street address: 78 Thatcher Road

Assessor's map: 179 Lot 44

Registry of deeds where deed, plan, or both records:

Southern Essex District Registry of Deeds

Deed recording: ~~Book~~ \_\_\_\_\_ ~~Page~~ \_\_\_\_\_ Certificate No. 85495

Plan recording: Plan # \_\_\_\_\_

Property is location in the R-10 zoning district.

4. Nature of relief requested:

Special permit pursuant to ~~XXXX~~Section 2.3.1.7 of the  
Zoning Ordinance/~~Bylaw~~ which authorizes the City Council to permit  
a 6-unit multi-family building  
+ Major Project pursuant to § 5.7.1

Detailed explanation of request:

The owner is seeking to demolish the existing commercial building and parking lot in order to build a  
six-unit multi-family condominium building with associated parking and accessory features such as a  
plunge pool and decorative landscaping. The proposed building meets all multi-family requirements  
for the R-10 district except for height and setbacks, for which relief has been granted previously by  
the ZBA. Please also see attachments submitted herewith for additional information.

5. Evidence to support grant of special permit:

Because of reasons set forth below, the special permit requested will be in harmony with the intent  
and purpose of the Zoning Ordinance/~~Bylaw~~:

The property was recently rezoned R-10 to fit in better with the residential neighborhood in which it is  
located. This project aims to construct appropriate residential use on the newly rezoned site. The  
proposed six units are within the density limits prescribed by the Zoning Ordinance and the few non-  
conformities in design have already been examined and given the necessary relief by the Zoning  
Board of Appeals. Please also see attachments submitted herewith for additional information.

Because of reasons set forth below, the special permit requested will meet the additional requirements of the Zoning Ordinance ~~by law~~ as follows:

The building has already received the necessary dimensional variances and height special permit from the Zoning Board of Appeals (see recorded decision attached hereto). Otherwise, the proposed building meets or exceeds all requirements of the Zoning Ordinance.

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If someone other than owner or equitable owner (purchaser on a purchase and sales agreement) is the Applicant or will represent the Applicant, owner or equitable owner must designate such representative below.

Name of Representative: Joel Favazza

Address of Representative: Seaside Legal Solutions, PO Box 1172, Gloucester, MA 01931

Tel. #: Days 978-627-4500 Evenings \_\_\_\_\_

Relationship of representative to owner or equitable owner:

Attorney

I hereby authorize Joel Favazza to represent my interests before the Special Permit Granting Authority with respect to this Special Permit Application.

(Signed by owner/equitable owner) \_\_\_\_\_

78 Thatcher Road, LLC  
by John P. Flaherty, Manager

Because of reasons set forth below, the special permit requested will meet the additional requirements of the Zoning Ordinance ~~by DCA~~ as follows:

The building has already received the necessary dimensional variances and height special permit from the Zoning Board of Appeals (see recorded decision attached hereto). Otherwise, the proposed building meets or exceeds all requirements of the Zoning Ordinance.

If someone other than owner or equitable owner (purchaser on a purchase and sales agreement) is the Applicant or will represent the Applicant, owner or equitable owner must designate such representative below.

Name of Representative: Joel Favazza

Address of Representative: Seaside Legal Solutions, PO Box 1172, Gloucester, MA 01931


Tel. #: Days 978-627-4500 Evenings \_\_\_\_\_

Relationship of representative to owner or equitable owner:

Attorney

I hereby authorize Joel Favazza to represent my interests before the Special Permit Granting Authority with respect to this Special Permit Application.

(Signed by owner/equitable owner)

  
78 Thatcher Road, LLC  
by John P. Fiherty, Manager

I hereby certify under the pains and penalties of perjury that the information contained in this Application is true and complete.

  
\_\_\_\_\_  
Signature of Applicant

11/11/14  
\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Owner, if other than Applicant

\_\_\_\_\_  
Date

\_\_\_\_\_  
Signature of Equitable Owner Who is filing Application to satisfy condition of Purchase and Sales Agreement

\_\_\_\_\_  
Date



**Major Project Standards:**

In addition to meeting the multi-family requirements (partially by way of relief granted by the ZBA), the proposed project also meets the Major Project standards set forth in the Zoning Ordinance. The project has access from both an arterial and a collector street, parking areas are screened from public ways, lighting avoids glare on adjoining properties, egress does not require backing onto any public way, and the topographical changes are not major in scope but will have significant positive impact on the site and will add additional green space to the site.

The following pictures illustrate the premises in relation to the adjoining structures (of which there are only two) and to natural features.

**SCP2014-013  
Thatcher Road #78**

**Special Council Permit to build a 6-unit multi-family building  
Pursuant to GZO Sec. 2.3.1.7 and Sec. 5.7 Major Project**

**To view a complete application, please go to:**

**<http://gloucester-ma.gov/ArchiveCenter/ViewFile/Item/4061>**

**or during business hours in the City Clerk's Office,  
City Hall, 9 Dale Avenue**



**CITY OF GLOUCESTER 2015  
CITY COUNCIL ORDER**

**ORDER: CC#2015-001  
COUNCILLOR: Greg Verga**

**DATE RECEIVED BY COUNCIL: 01/13/15  
REFERRED TO: P&D & O&A  
FOR COUNCIL VOTE:**

**ORDERED** that the City Council Planning & Development and Ordinances & Administration Committees together and in connection with Order CC #2014-039 concerning the position of the Executive Director of the Fisheries Commission, assure that the structure of the Fisheries Commission including appointments of members be consistent with the requirements of the several Special Acts from 1956 through 1984 governing the commission particularly the requirement that there be thirteen members including the Mayor and “twelve persons to be appointed by the Mayor seven of whom shall be elected officers of organizations within the City whose primary concern is the fishing industry” and the requirements of Chapter 361 of the Acts of 1980 and Chapter 740 of the Acts of 1981 concerning the role and duties of the Executive Director of the Fisheries Commission.

**FURTHER ORDERED** that the O&A, following this review and the review under ORDER CC#2014-039 should consider whether any further revisions to the job description for the Executive Director of the Fisheries Commission should be recommended.

**FURTHER ORDERED** that the matter be referred to the Planning & Development and Ordinances & Administration Committees for review.

Greg Verga  
Councillor at Large