

CITY COUNCIL STANDING COMMITTEE  
**Planning & Development**  
Wednesday, June 30, 2010 – 6:30 p.m.  
1<sup>st</sup> Fl. Council Conference Rm. – City Hall

**Present:** Chair, Joseph Ciolino; Vice Chair, Robert Whynott; Councilor Greg Verga

**Absent:** None

**Also Present:** Councilor Hardy; Anthony Giacalone; Anthony Bertolino; Kathy Hurlburt; Jenny LeColst; Karen McCann; Art McCann

**The meeting was called to order at 6:30 p.m.**

**1. Continued Business**

- A) Petition of Residents re: 85-89 Bass Avenue: Report by Building Inspector (Continued from 06/16/2010)

**Councilor Verga** read from an email sent to Linda T. Lowe, City Clerk on June 20, 2010 for the record as follows: Representatives of Nino Ciarametaro, the owner of 89 Bass Avenue, were before the Planning & Development Standing Committee on Wednesday evening. I disclose that I had a business relationship with Mr. Ciarametaro that concluded in 2008. I represented him as a licensed real estate agent, specifically at 89 Bass Avenue. I was contracted to find a suitable tenant which I did in February 2008. Since that time I have not had any financial relationship with Mr. Ciarametaro. Additionally I believe I had only seen him in passing a couple of times since then. Therefore, I do not feel there is any conflict and, as I did at P&D, I will participate and vote should this issue come before the City Council.

**Councilor Ciolino** reviewed for those present that a year ago Planning & Development said they would revisit the matter in one year. This Committee did a site visit to look at the situation four weeks ago. They all checked it and came to the conclusion that nothing will grow on the wall. This was continued from the last meeting of P&D in order that the neighbors of 85-89 Bass Avenue could offer their opinion as to whether the new landscaping scheme proposed by Mr. Anthony Giacalone to plant trees on the property, in lieu of attempting to replant the wall pockets with vegetation as per the Special Council Permit condition, to be acceptable to them. Two trees would be planted against the wall and three would be planted on Bass Avenue. He felt the trees would ‘take the curse off the wall’. Letters were sent to Anthony Bertolino, Joseph Cromosini and C. George Elanjian, the three neighbors who spearheaded the original petition to the Planning & Development Committee asking that the matter be revisited. He asked any neighbors of the property to step forward to offer their opinion.

**Anthony Bertolino**, 132 Bass Avenue noted this issue was approximately four years old. For that number of years they’ve been trying to come to some reasonable conclusion relative to ‘taking the curse off the wall’ which is an area that is a “gateway” to where they live. There is a common interest here to make it look nice. He knew the wall ‘pockets’ would be inadequate. The only reasonable alternatives would be to put some ivy on that wall. Boston ivy goes from the bottom up, English ivy from the top down. He still felt that Mr. Giacalone is not in favor of that. When they move snow around it would suffocate those plants. He appreciated that, but felt there were some things that could possibly have been done to protect those plants to propagate successfully. If trees were planted the length of the property to give it some kind of aesthetic beauty would be perhaps acceptable. Making decisions here this evening was difficult because it doesn’t give everyone an opportunity to think and talk about the plan. He couldn’t speak for the others who signed the petition.

**Councilor Ciolino** stated they’re trying to settle this. Further, there’s a lot of ledge under the soil. The pockets in the wall are too shallow, making viable propagation of vegetation in the pockets of approximately 6” of soil impossible. The only thing in front of them is what kind of vegetation will be put on the property; and the only thing they could come up with is trees. They can tell Mr. Ciarametaro to

plant trees and that will be their responsibility to make them grow and then one year from now have the Building Inspector go back and take another look.

**Mr. Bertolino** stated he's not as convinced it's an impossible task. They discussed trees there years ago. Five trees are not enough. When the trees become mature they'll see under the trees.

**Councilor Ciolino** stated the trees will make it better. There were only a few species of trees that were hardy enough to withstand the conditions of the salt and sanding of the parking lot and main road as well as the heat of the summer.

**Mr. Giacalone** stated there is only a certain amount of frontage that can be planted; maybe 100 feet along Bass Avenue. Further, with the wall not being maintained in accordance with the Special Council Permit, he'd like a modification - eliminate the plantings on the wall and replace it with planting the trees instead he and his family didn't wish to be in constant violation of the Special Council Permit condition. The planting troughs won't work but looking at the wall and how it was constructed, there's a four foot footing below it. There's hot top over concrete. He can't even plant a tree under that. The Bass Avenue side will require removing the hot top and then plant the trees by a professional company.

**Mr. Bertolino** hoped to see the trees run the length of the property.

**Mr. Giacalone** replied that this was all based on the permit. They were going for condominiums. A lot of these things were all generated when they were trying to do some intense development that is now not being done. It is a commercial piece of property. They want to do the trees on the frontage of Bass Avenue, large trees.

**Mr. Bertolino** stated from the onset they asked for the wall to be covered. Now it can't. Now we're going to an alternative. The Committee says five trees. It's not enough trees.

**Councilor Ciolino** stated in the Gloucester Code of Ordinances Section 24-4, Street trees, species, there's nine different types of large trees that you can choose from.

**Mr. Bertolino** asked what they could do reasonably to block the sight line of the wall.

**Mr. Giacalone** stated the trees they're talking about choosing start at 10 ft. and will grow to 30 ft. It all depends on how the trees are pruned. He looked at the trees across from Meineke Muffler. It was an ornamental pear tree.

**Councilor Ciolino** stated those trees have performed well in tough growing conditions.

**Mr. Giacalone** responded they're going to do it to get it done within the next few weeks.

**Councilor Hardy** stated that they should be thinking of the needs of the neighborhood. She suggested working with them on the number of trees. She also proposed a visit with Wolf Hill and to the area of Meineke to see the trees and determine what would work.

**Mr. Bertolino** liked the suggestion of going to Wolf Hill to discuss the selection of the species and number of trees that could be planted.

**Councilor Verga** also appreciated Councilor Hardy's suggestion. Five was the number spoken of. Let the professionals tell them what would work; how to maximize the growth and space.

**Councilor Whynott** had no idea how wide the trees were. At 100 feet there couldn't be 10.

**Councilor Verga** stated it might be three, but it will then be a professional opinion. It is a fair compromise. It may set it back a few weeks, but it's been a long time already.

**Mr. Giacalone** reiterated if they're talking about planting the Bass Avenue portion, he would want an agreement of how many trees so that the Special Council Permit condition can be modified.

**Mr. Bertolino** asked for a continuation for 30 days, go to Wolf Hill, and then if they do their homework and come back with their suggestions. Many neighbors of the property are seasonal.

**Councilor Verga** felt it was the 100 feet around the two entrances they were speaking of for the plantings.

**Mr. Giacalone** reiterated his willing to do the trees, 5 or 10 and then modify the permit.

**Councilor Ciolino** stated his degree is in forestry. You're not going to get more than three grown trees. We need to see if he can put some trees on the wall, and see where we can put the trees in front.

**Councilor Verga** stated that they're agreed on the 100 feet and then meeting with the landscaper and then coming back to P&D to discuss the findings.

**Councilor Hardy** stated that it is the sight line from across the street not having to look at the “Lego” wall. It probably is 100 feet.

**Councilor Whynott** stated that as long as it is the section of the property where the trees would go in.

**Councilor Ciolino** stated they’ve never sent people to the nursery.

**Councilor Hardy** stated they had.

**Councilor Verga** stated is there an expiration date.

**Mr. Giacalone** stated this is planting season and doesn’t want to ‘shotgun’ this.

**Councilor Ciolino** stated they can plant in the fall.

**Mr. Giacalone** stated the visit to the landscaper will be organized by him to include the interested neighbors, Mr. Bertolino, and Councilor Hardy.

The Committee agreed this was the best course; and therefore continued the matter to July 28, 2010.

**2. COM2010-031: Request from Seacoast Nursing and Rehabilitation Center, Inc., to hold the 7<sup>th</sup> Annual Seacoast Seven Road Race**

**Jennifer LeColst** and **Karen McCann** of Seacoast Nursing and Rehabilitation Center, Inc. presented to the Committee their plans for the 7<sup>th</sup> Annual Seacoast Seven Road Race.

**Chief Dench** stated he’s had a couple of phone calls and was asked for his blessing. If they have tents, they’ll need to have them inspected. If there’s cooking they will need a permit. He had no issues, and believed there was no need to confer about the race with the organizers or ‘bless’ it. His Department had no need to be involved.

**Ms. LeColst** assured that there were no tents being erected, nor would they have any cooking taking place. The only piece of the documentation remaining was the submission of their Certificate of Insurance, which they expect to have very shortly upon receipt would bring in an original copy to the City Clerk’s office.

**Councilor Ciolino** stated they’re not singling their race out; that they are asking all races and parades to come in before the P&D Committee, making sure all aspects are covered and there are no event conflicts.

**MOTION: On motion by Councilor Whynott, seconded by Councilor Verga, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council to permit Seacoast Nursing and Rehabilitation Center, Inc. to hold the 7<sup>th</sup> Annual Seacoast Seven Road Race on Saturday, July 17, 2010 starting at 8:00 a.m. and ending by 1:00 p.m. with the race to run from Stage Fort Park onto Hough Avenue, left onto Western Avenue, left onto Hesperus Avenue, right onto Fuller Street, through the intersection onto Magnolia Avenue, right onto Hough Avenue, ending at the top of the hill by the Gazebo on Hough Avenue with the following conditions:**

- 1. A Certificate of Insurance be on file in the City Clerk’s office seven (7) business days prior to the event naming the City of Gloucester the Certificate Holder;**
- 2. A Memorandum of Understanding be on file between Seacoast Nursing and Rehabilitation Center and Lyons Ambulance confirming they will be providing a dedicated ambulance with crew for the duration of the event;**
- 3. A Letter of Understanding between the Seacoast Nursing and Rehabilitation Center and the Department of Public Works indicating permission to use the grounds of Stage Fort Park to be on file 7 business days in advance of the event in the City Clerk’s Office;**
- 3. That a Memorandum of Endorsement from Police Department for the race be on file 7 business days in advance of the event in the City Clerk’s Office;**
- 4. A written plan of the parade route with attendant map indicating times of start and estimated finish be on file 7 business days in advance of the event in the City Clerk’s Office.**

**3. CC2010-016(A) (Verga) Reinitiated Order re: Lot on corner of Concord St. & Rt. 128**

**Councilor Ciolino** stated they asked the Planning Board for their minutes and for their recommendation. He has received nothing in his hands to date. He has also not heard anything from Demoulas either. He was then ready to move forward regardless. He wanted to fulfill the promise by the last City Council to the residents of rezoning the area back to its original state. He liked also that if someone decides to put a development in, they have to go through the process of permitting again. Once again the neighbors will have a say in what goes in.

**Councilor Verga** stated it's important that they listened to the neighbors, especially where this has had no response from DeMoulas; and the neighbors have been very patient.

**Kathy Hurlburt**, 6 Causeway Street commented that neighbors didn't not want the property developed, just not something that would require 27,000 car trips per week not including trucks on her street where they were unable to pass each other. DeMoulas was unwilling to widen the street. With that, the neighbors vowed to fight the supermarket development; and 35 years later here they were.

**Councilor Whynott** stated they [the Council] made a commitment; and it should stand.

**MOTION: On motion by Councilor Verga, seconded by Councilor Whynott, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend to the City Council for the lot on the corner of Concord Street and Rt. 128 to be rezoned back to Residential 2 (R2) [current designation R20] and General Industrial (GI) agreed upon in the Memorandum of Agreement between DeMoulas Supermarket and the City of Gloucester dated January 3, 2007 with proper wording and designations provided by the City of Gloucester Legal Department AND FURTHER TO ADVERTISE FOR PUBLIC HEARING.**

**A motion was made, seconded and voted unanimously to adjourn the meeting at 7:30 p.m.**

**Respectfully submitted,**

**Dana C. Jorgenson  
Clerk of Committees**