

Planning & Development Committee
Wednesday, July 8, 2015 – 5:30 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; Councilor Melissa Cox; Linda Lowe; Gregg Cademartori; Chip Payson; Dave Dow

The meeting was called to order at 5:30 p.m.

1. *Special Events Application: request to hold the Gran Prix of Gloucester Cyclo-Cross Race on September 26 and 27, 2015 at Stage Fort Park*

Linda Lowe stated that race director Paul Boudreau appeared before the Special Events Committee recently and answered everyone's questions. He has also worked closely with Mark Cole and Joe Lucido and everything that needs to be done has been done. **Mr. Boudreau** presented slides showing a map of the current situation at the park with areas that cannot be used (including the Lucy B. Davis Pathway) and the edge of construction. He said that Mr. Cole suggested that they could use the hillside near Boudreau Field, which would require that a few boulders be moved so riders could cross the street. Mr. Boudreau stated that access to Stage Fort Park for participants and spectators would be through the southern entrance and that the northern entrance to the park would be blocked off because it would come too close to the course. He requested use of the existing pathway that goes to the playground and indicated that they would leave it as is. He noted that the pathway will not be used if there is torrential rain. **Dave Dow** stated that the Stage Fort Park Advisory Committee did not vote to do anything until they had further information. Mr. Boudreau said that his course man will be in town tomorrow morning and they will take a look at it. **Councilor LeBlanc** suggested the possibility of using the ball field parking lot, and Mr. Boudreau said they could use it for RV parking. Councilor LeBlanc also requested that permanent spray paint not be used. **Councilor Fonvielle** requested a site visit Friday morning. Mr. Boudreau said he will be leaving on Friday but will try to send a representative. Mr. Dow requested a course map for use during the site visit, and Mr. Boudreau stated that it probably will not be ready by then. There was a discussion about use of the beach, and Mr. Boudreau indicated that it is not part of the course and they will not tell people they cannot use the beach.

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 permit the Essex County Velo Gran Prix of Gloucester Cyclo-Cross Race event to be held at Stage Fort Park on Saturday, September 26 and Sunday, September 27, 2015, with the following conditions:

1. Certificate of Insurance:

A Certificate of Insurance naming the City of Gloucester as an additional insured party is to be filed with the City Clerk's Office on or before August 28, 2015.

2. Traffic and Road Closure Plans:

a) **Memoranda from the Police Department and Fire Department giving approval of the plans for the Essex County Velo Cyclo-Cross Race to be on file with the City Clerk's office on or before September 15, 2015. Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Traffic and parking plan and police detail information by the Police Chief or his designee is to be filed with the City Clerk and the DPW Director or his designee on or before September 11, 2015. After Council permit is granted if either the Police Chief or Fire Chief or their designees determine that a substantial change(s) has been made to the route, then the applicant shall obtain City Council approval or the change.**

b) Traffic Signage: The applicant is to place signage on the roads leading in and out of Stage Fort Park to be sure it is clear to the public which access roads are closed but that the Visitor's Center is accessible.

3. Refuse and Comfort Stations:

All event refuse and recycling must be removed by the Essex County Velo, event organizer. Any portable toilets (including the two required handicap accessible) are to be provided, maintained and paid for by the event organizer and must be in place the evening before the first day of the event or early in the morning of the day of the event and removed no later than 9:00 p.m. Sunday, September 27, 2015.

4. Emergency Services:

Emergency services are as required by the Fire Department Emergency Medical Services Director, Sander Schultz.

5. Staffing:

Event staff is to have cell phones and be identified by the public with distinct shirts, and list of event staff and their cell phone numbers submitted to the Police, Fire and Public Works Departments prior to the first day of the event.

6. Notification of Immediate Abutters and Businesses to Race Course:

Notice shall be made by the Essex County Velo Gran Prix of Gloucester Cyclo Cross event organizer by hand or by mail no later than 7 days in advance of the event to any function halls, motels and hotels, and other businesses along the race route and Hough Avenue.

7. Course Adjustments:

The Essex County Velo event organizers are to present a written detailed list of all activities that require the assistance of the Department of Public Works (rocks to be moved or equipment to be moved, etc.) at least 7 calendar days prior to the event.

8. On-Site City Staff:

The Public Services Superintendent, or his representative, is to be on site during the Gran Prix of Gloucester Cyclo Cross event in order to facilitate any problems that might arise during the event. The cost of this service will be covered by the event organizers.

9. Videotaping of Pre-Event Conditions:

Once the course is set up, the Essex County Velo event organizers will walk the entire course with a video camera. This video will be delivered to the Department of Public Works within 7 calendar days prior to the event; the video will then be used to determine prior conditions when discussing the repairs post-race.

10. Site Walk Post-Event:

On the Monday immediately following the event a group consisting of the Assistant Director of Public Works, Public Services Superintendent, a member from Essex County Velo, Ward Councilor, the Chair of the Stage Fort Park Advisory Committee, and the landscape contractor hired for the Stage Fort Park repairs will walk the entire course to inspect the course for damages. Any damage to the park will be documented, discussed and a solution agreed upon by the group prior to any repairs being started. A start date for repairs will be agreed upon and a follow up meeting at the site will be scheduled two weeks after the repairs have been completed. Any discrepancies will be reviewed with the help of the pre-race video.

11. Responsibility of the Essex County Velo organization:

The applicant is also required to obtain any necessary approvals from the Licensing Board, the Board of Health, Conservation Commission, and the Licensing Commission. It is the sole responsibility of the Essex County Velo organization to ensure that all required documentation is timely filed with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation.

12. A Performance/Surety Bond for Repairs to Stage Fort Park:

A performance/surety bond in the amount \$10,000 for repairs to Stage Fort Park will be posted by Essex County Velo and payable to the City of Gloucester submitted to the Director of Public Works by Essex County Velo to insure that repairs are made to Stage Fort Park following the Gran Prix event of September 26 and 27, 2015. Said repairs are to restore Stage Fort Park to the original or better condition of that prior to the event. The performance/surety bond is to be returned to Essex County Velo in whole if it is determined by the Director of Public Works, or his designee, that the reparations made to the park are completed by May 13, 2016. If by that date the Director of Public Works or his designee determines the reparations are not complete, Essex County Velo has 30 calendar days to cure any defects as indicated. If after the determination that reparations are found deficient by the end of that 30 calendar day period, notice will be given to Essex County Velo that the performance/surety bond will then be used to take the necessary steps to complete the park reparations.

In the event that Essex County Velo cannot obtain a performance/surety bond to insure that repairs are made to Stage Fort Park following the Gran Prix event of September 26 and 27, 2015, the City shall require as an alternative, that Essex County Velo place \$5,000 payable to the City of Gloucester, in a non-interest bearing escrow account no later than 7 days prior to the 2015 event with John Dunn, City of Gloucester CFO, serving as escrow agent with Essex County Velo only liable in the event of willful default.

Said repairs are to restore Stage Fort Park to original or better conditions to that prior to the event. If it is determined by the Director of Public Works, or his designee, that the reparations made to the park are completed by May 15, 2016, the escrowed funds are to be returned to Essex County Velo in full. If by that date the Director of Public Works or his designee determines the reparations are not complete, Essex County Velo has 30 calendar days to cure any defects as indicated. If after the determination that reparations are found deficient by the end of that 30 calendar day period, notice will be given to Essex County Velo that the escrowed funds will then be used to take the necessary steps to complete the reparations.

13. Cap of Entrants:

The maximum number of entrants to this event is set at 1,000 per day for each day of the 2015 Gran Prix of Gloucester Cyclo Cross event.

14. Staking of Repaired Areas to Stage Fort Park:

Post-event, staking of the repaired areas of Stage Fort Park that require loam and seed will be erected to prevent damage to the areas by foot traffic or vehicles and shall be maintained in good order until the DPW determines the date of removal.

15. Related Costs to the Event:

Essex County Velo organization is to pay the City of Gloucester any costs for City services related to the race course and affected adjacent areas of Stage Fort Park before, during and after the 2015 Gran Prix of Gloucester Cyclo Cross event.

16. Restricted Use of Gloucester Dog Park during Gran Prix of Gloucester Cyclo Cross Event 2015:

Essex County Velo shall be restricted from use of the Gloucester Dog Park which is located in the southerly section of the Stage Fort Park parking area. Said restriction shall include but not be limited to the following:

- That the Dog Park is not to be used as part of the event course;
- There shall be no parking of automobiles or storage of bicycles or other equipment or any erection of temporary structures, tents.
- DPW to mark off approximately 20 spaces for Gloucester Dog Park users for the duration of the event.

17. Areas of Stage Fort Park not to be used in the 2015 Essex County Velo Gran Prix Race Course:

- Half Moon Beach;
- The area from Lucy B. Davis Pathway to the playground area (so called “Run up”);
- The area surrounding the Elizabeth Smith Garden and the Gloucester Garden Club Garden;
- The area between the Visitors Welcome Center and the fort which is a wetlands protection area.

18. Overnight camping or tenting before, during and after the Gran Prix of Gloucester Cyclo Cross Event at Stage Fort Park is prohibited:

Overnight camping/tenting is expressly prohibited at Stage Fort Park before, during and after the Gran Prix of Gloucester Cyclo Cross event. Event organizer is to prominently display this fact on their website and at the event informing all participants when registering and checking in to the event of this prohibition.

19. This permit is contingent upon Essex County Velo receiving any necessary approval by the Licensing Board in order to serve alcoholic beverages during the event as needed.

This matter will be taken up at the July 28 City Council Meeting under Committee Report.

2. Memorandum from General Counsel re: 302 Essex Avenue Easement (Little River Stream Habitat Restoration Project/Wellspring House)

Councilor Lundberg disclosed pursuant to MGL Chapter 268A, Section 19 that he is on the Board of Trustees of Wellspring House. However, neither he nor the board have any financial involvement or benefit from this easement.

Mr. Cademartori said that a bid for construction has been put out and bid awards have been received. After the project is implemented, it will be a preserved stream corridor. The fishing pier across the street is not related to this project.

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 accept a Conservation Restriction easement for the nominal consideration of \$1.00 on the property at 302 Essex Avenue to construct, maintain, repair, replace and access the Little River Stream Habitat Restoration project extending from the southwest property line to Essex Avenue as shown on a plan entitled, Easement Plan, 302 Essex Avenue, Gloucester, MA dated 8/7/14 and prepared by Gateway Consultants, from Wellspring House, Inc.

This matter will be taken up at the July 14 City Council Meeting under Committee Report.

3. Amend GZO by adding a new definition to Section VI “Definitions” for “Farmers Markets” as referred back to the P&D Committee by the City Council on June 23, 2015

Councilor Verga said that he had put this order forward several weeks ago and that the Planning Board took it up recently and voted not to recommend it. **Mr. Payson** stated that the definition of a “Farmers Market” is not in the ordinance or statute. He said that the state Department of Agriculture has a policy that recommends the minimum criteria for a farmers market as well as a definition, but it does not have the force and effect of law. He stated that the committee can decide to put a definition in the Gloucester Code of Ordinances. If it does, it should include the guidelines of the Mass. Department of Agriculture. The committee could also follow the Planning Board’s

recommendation and not put in a definition. **Linda Lowe** strongly disagrees with the Planning Board's decision saying that it has no purpose or meaning. She believes it is quite possible that more farmers markets will spring up and noted that the Building Inspector expressed concern that there are no restrictions on who does it, where they do it, when they do it, and how do they it. **Councilor Cox** expressed concern that the Cape Ann Farmers Market does not pay anything to the city to use Stage Fort Park, that they change the lineup of vendors occasionally, and that they do not give preference to Gloucester owned businesses. She noted that the city is also giving their vendors and patrons free parking and that there is a problem with cleanup (zip ties being left on the ground). **Ms. Lowe** stated that this year they are paying \$500 to the DPW. **Mr. Cademartori** said that the Code of Ordinances deals with these types of operational issues and that we need to define the best way that they can be addressed. **Ms. Lowe** indicated that she has records on what other communities do and what their definitions are if anyone wants to look at them. **Councilor Verga** suggested that the committee get a report from the Stage Fort Park Advisory Committee before taking any further action on this matter.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:25 p.m.

Respectfully submitted,

Maria C. Puglisi
Substitute Recorder

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.