

Planning & Development Committee
September 16, 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 Cox; Councilor McGeary; Linda T. Lowe

The meeting was called to order at 5:30 p.m. There was a quorum of the City Council upon the arrival of Councilors Cox and McGeary on or about 5:40 p.m.

1. *CC2015-007 Request informal review under GZO 1.11.3 with City Staff for informal review of Sections 5.13 Personal Wireless Service Facility and to retain expert legal counsel in order to amend & update the Zoning Ordinance and that the P&D Committee or its designated member work together with city Planning Director and General Counsel with outside expert legal counsel to recommend to the City Council amendments to Sec. 5.13 of the Zoning Ordinance so that it is compliance with current applicable federal laws & regulations (Cont'd from 07/22/15) TO BE CONTINUED TO 10/07/15*

This matter is continued to October 7, 2015.

2. *SCP2015-004: Maplewood Avenue #120, GZO Sec. 2.3.1(8) conversion to or new multi-family or apartment dwelling, seven or more dwelling units; Sec.5.7.1 Major Project; Sec.1.10.1 (a)(1) increase building height over 35 feet; Sec. 1.10.1(a)(3) &3.2.2fn (a) decrease in minimum lot area and minimum open space per dwelling unit (Cont'd from 09/02/2015)*

Councilor Verga noted that all department sign-offs as required under the Zoning Ordinance, Sec. 5.7.3 are in place as is the recommendation of the Planning Board as required under GZO Sec. 5.7.4 and Sec. 5.7.5 which he confirmed with City Clerk, **Linda T. Lowe**.

Councilor Steven LeBlanc said the applicant has met with the neighbors in several meetings he held since the application was put forward. He said he believed that Mr. Noyes has addressed most of the concerns of the neighborhood. He reiterated the neighbors' concerns for storage of construction equipment and vehicles, that it is on site rather than on neighborhood streets, and that parking for contractors and their employees is on site as well as much as possible. He noted there was still a lingering concern over removal of any lead paint and asbestos which may still be in the former school.

Kirk Noyes, representing the Gloucester Development Team, Inc. (GDT), applicants for a Special Council Permit/Major Project to develop the Maplewood School building at 120 Maplewood Avenue into a 12-unit residential building said the Health Department and state laws requires that any hazardous materials are removed are by licensed contractors and that permits are in place prior to the start of any such work. Ms. Lowe pointed out it is the law. He said there have been tests and that they know there is lead paint on the Maplewood School's window frames but is all covered in aluminum at this time. He said the lead paint doesn't have to be removed as the population is not of an age that needs its removal. There is an engineer's report about the asbestos, and he said that most of the asbestos has been encapsulated previously and can remain. He said the asbestos at issue is only found in pipe wrap in the building's basement along with the original 1889 boiler, also wrapped. The asbestos wrap removal is not a big undertaking, he assured. He said, and **Ms. Lowe** confirmed, it is required by law to remove any hazardous materials by licensed contractors with permits in place prior to the start of any work and is stated clearly in the Health Department's recommendation to the Planning Board and as forwarded to the Council by Max Schenk, Manager-Environmental Health Services for the city's Health Department (on file). Councilor LeBlanc said that since this is mandatory regarding hazardous materials and that the Health Department recommendation is a part of the City Council Special Council Permit file, he did not see the need to attach a condition to the permit.

Councilor LeBlanc said he believed that they are ready to move this project forward for permitting. He informed Mr. Noyes should he need anything during the construction project that he should contact him directly to liaise with the neighbors. He also encouraged Mr. Noyes use and buy locally as much as possible. **Mr. Noyes** highlighted he has notified the abutters of the September 22 City Council public hearing opening and continuance to October 13.

Councilor McGeary offered his support for the Maplewood School project.

COMMITTEE RECOMMENDATION: On 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 Special Council Permit (SCP2015-004) for Major Project for 120 Maplewood Avenue to Gloucester Development Teams, Inc. (applicant) (owner _____, Map 39, Lot 4, R-5 (High Density Residential) zoning classification, pursuant to GZO Section 2.3.1(8) Multi-Family Use and Section 5.7.1 (Major Project) for a project containing more than 11 dwelling units (12 dwelling units in all) as shown on site plans entitled, "Maplewood School Residences" by Kontseptual Architects stamped by William Peterson, Registered Architect, dated 6/25/15 consisting of ten (10) sheets. and "Site Plan for 120 Maplewood Avenue, Gloucester, Massachusetts, Map 39, Lot 4 dated July 14, 2015," prepared for Gloucester Development Team, Inc., 1 Woodbury Street, Gloucester, MA 01930, plans prepared by Mill River Consulting, 6 Sargent Street, Gloucester Massachusetts, with no revisions noted, labelled as "Not for Construction," and stamped by Raymond L. Willis (III), Professional Engineer (MA Civil 45092) on 7-14-15, consisting of three sheets. The City Council finds that this project is in harmony with GZO Sec. 1.8.3 pursuant with the six Special Council Permit conditions governing criteria with the following conditions:

1. That if occupants are allowed to have pets, provisions should be made, whether in letting agreement or condominium association master deed, for the requirement of collecting and properly disposing of pet waste.
2. That property maintenance including snow removal and trash removal as the obligation of the property owner(s).
3. That the applicant will pay for a Third Party Code Review conducted by a Code Reviewer of the City of Gloucester's choosing. All identified areas of concern as enumerated by the Gloucester Fire Chief and his staff are covered under Fire Safety Code (527 CMR 1.00) and Mass. General Law on Fire Prevention (MGL 148). The conclusions of the Third-Party Fire Safety Review are to be adhered to and additionally are incorporated herein.
4. The Fire Alarm System is to be connected by radio control master box to the City of Gloucester's municipal fire notification system and the building shall be sprinkled.
5. Detailed plans are to be designed and stamped by a registered design professional at the time of the building permit application as directed by the Building Inspector
6. A final set of construction level site and utility plans are to be provided to the Gloucester Department of Public Works, both the Engineering Division and the Utility Division not less than 30 days prior to the request for sign-off as part of the Building Permit Process. In addition to two hard copies of the plans, an electronic version (PDF) shall be provided for the city's Electronic Filing Cabinet (EFC) application.
7. A final set of "As Built" site and utility plans are to be provided to the Gloucester Department of Public Works, both the Engineering Division and the Utility Division not less than 30 days prior to the request for sign-off as part of the Certificate of Occupancy Process. This plan shall be a survey level document (250 CMR 6 et seq) prepared in accordance with the Standards of the City Department of Public Works, and shall be prepared to the satisfaction of the City Engineer, and further shall include ties to critical components of underground utility systems.
8. The Zoning relief granted at the request of the Applicant for 120 Maplewood Avenue by the Gloucester Zoning Board of Appeals in a decision dated February 28, 2014 is incorporated herein.

COMMITTEE RECOMMENDATION: On 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 of a Special Council Permit (SCP2015-004) for Major Project, Gloucester Development Teams, Inc. (applicant), Map 39, Lot 4, R-5 (High Density Residential) zoning classification, pursuant to GZO Sections 1.10.1(a) (3) and 3.2.2 footnote (a) for a minimum lot area per dwelling unit from 2,500 square feet to 1,695 square feet and minimum open space per dwelling unit from 1,250 square feet to 424 square feet and a

Special Permit for Height Exception under Sec. 1.10.1(a)(1) to a height of 53.91 feet for a height exception of 23.91 feet as shown on site plans entitled, "Site Plan for 120 Maplewood Avenue, Gloucester, Massachusetts, Map 39, Lot 4 dated July 14, 2015," prepared for Gloucester Development Team, Inc., 1 Woodbury Street, Gloucester, MA 01930, plans prepared by Mill River Consulting, 6 Sargent Street, Gloucester Massachusetts, with no revisions noted, labelled as "Not for Construction," and stamped by Raymond L. Willis (III), Professional Engineer (MA Civil 45092) on 7-14-15, consisting of three sheets.

Further, the Application complies with the requirements of Zoning Ordinance Section 5.7.5 Major Project Special Permit criteria (a) through (d) and the project construction is subject to Zoning Ordinance 5.7.6 in that the Special Council Permit is made conditional upon project execution not deviating from supporting documentation without explicit authorization.

A motion was made, seconded and voted unanimously to adjourn the meeting at 5:41 p.m.

Respectfully submitted,

**Dana C. Jorgensson
Clerk of Committees**

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.