

Planning & Development Committee
September 2, 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: Linda T. Lowe; Gregg Cademartori; Adam Curcuru

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

1. *Communication from Craig Anderson requesting approval of Council for proposed Eagle Scout Project (Also referred to the Historical Commission)*

Craig Anderson, Eagle Scout candidate and senior at Essex Technical High School reviewed his Eagle Scout Project as follows: The goal is to place Quick Response (QR) Code at 10 war memorials in Gloucester (locations on file). The Codes would be placed on a 2" x 2" steel pole permanently secured in the ground 18" deep with cement; attached at the top of each post will be a 5" x 5" steel plate welded on that holds the code and title of the memorial. The height of the poles once installed was likened to the height of the granite bollards stationed along the HarborWalk. A QR code when scanned by any smartphone would link the user directly to information on the war memorial and the Gloucester soldiers who gave their lives in defense of their country as well as information on that particular conflict. Councilor Verga asked if there was a dedicated site or will the user be directed to specific sites for information on a particular conflict. **Mr. Anderson** said that the scan will bring smartphone users to the city's website in a special location, and each war memorial will have its own page.

Adam Curcuru, Veteran's Agent, endorsed Mr. Anderson's project saying that it will expand the veterans' memorials, adding more depth and life to them. He acknowledged the collaboration with the city's Archives Department who assisted in developing the information to be posted on line for each memorial. He mentioned that the Vietnam War Memorial on line information will be fuller as there is a great deal more biographical information on the city's soldiers who lost their lives in that conflict.

Councilor Verga asked if it was unusual to have so many Eagle Scouts candidates coming forward in Gloucester. **Craig Anderson, Sr.**, said that Gloucester has three Scout troops, and the city puts forward two or three Eagle Scout candidates a year. He said it is anticipated there will be four candidates this year from Scout Troop 56.

Councilor Lundberg said this is a great project and builds on the restoration of the Riverdale Civil War memorial. He said telling the stories of the memorials are very important, and this is a nice technological way to do it.

Councilor LeBlanc also added his enthusiastic endorsement of Mr. Anderson's Eagle Scout project.

Councilor Verga noted that six percent of all Boy Scouts become Eagle Scouts, and that 25 percent of NASA astronauts are Eagle Scouts, and is something to strive for.

COMMITTEE RECOMMENDATION: 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 approve Craig Anderson's Eagle Scout Project designed to place QR Code stations at ten of the City of Gloucester War Memorials to link with the city's website which shall be done in consultation with the city's Veterans' Agent and Public Works Director.

This matter will be brought before the City Council under Committee Report on September 8.

2. *PP2015-005: National Grid & Verizon New England to install 30 ft. +/- SVC cable in 1" to 3" conduit from Pole 3766 River Road to property line of 23R River Road – Public Hearing*

This public hearing is opened at 5:35 p.m.

Those speaking in favor:

Peter Glynn, National Grid representative, informed the Committee that this is a joint petition of National Grid and Verizon New England, Inc., for a customer to install 30 feet +/- of SVC cable in a 1 inch to 3 inch conduit encased in concrete from Pole 3766 on River Road in the public way to the property line of 23R River Road to service that property with the road to be restored to the same or improved condition upon completion. He showed

the Committee photographs (placed on file) of the property where the public way would be disrupted and repaired to install the conduit. Note: The property owners were in attendance.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed at 5:38 p.m.

MOTION: On a motion by Councilor LeBlanc, seconded by Councilor Lundberg, the Planning & Development Committee voted 3 in favor, 0 opposed, to GRANT the petition of National Grid and Verizon New England, Inc. to install 30 feet +/- of SVC cable in 1" to 3" conduit encased in concrete from Pole 3766 on River Road to the property line of 23R River Road including the necessary sustaining and protecting fixtures as shown on a plan entitled "Underground Petition" dated 08/05/2015 WR#18905602 with the following conditions:

1. **Notification to the Department of Public Works 72 hours in advance of the proposed work. A construction schedule will be prepared by the applicant for review and acceptance by the Department of Public Works.**
 2. **The contractor performing the excavation shall be insured and bonded as a licensed Drain Layer. A road opening permit must be applied for prior to any work commencing.**
 3. **Proposed excavation may only occur during accepted road opening and construction season, 15 March – 15 November. No winter construction shall be permitted.**
 4. **In the absence of a detailed construction plan, the Department of Public Works requests: all proposed conduits and appurtenances shall be placed so as to cause minimum conflict with existing underground utility services.**
 5. **The trench opening, within the asphalt portion of the street, shall be cut by an asphalt cutting saw. The use of a hydraulic breaker shall not be permitted. Where River Road was resurfaced in 2014, the excavation shall be backfilled with control density fill (CDF) and cover with a steel plate until fully cured. The excavation shall be cut back a minimum of one (1) foot prior to final restoration of the surface. The excavated trenches shall be patched flush with the surrounding asphalt using hot mix asphalt binder and top coat. Asphalt shall be applied in two lifts of 2-inches, totaling 4-inches minimum or to match the existing pavement thickness, whichever is greater.**
 6. **All final paving shall be done in consultation with the Department of Public Works and any deviation shall be agreed by Public Works upon prior to implementation.**
3. *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 08/05/2015)*

Councilor Verga noted that the Committee is in receipt of the Fire Chief's Major Project recommendation (for a third-party review to ensure that all life safety systems were in place.

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 he didn't interpret the Fire Chief's memo as requiring a third-party Code Review as a condition of granting the Special Council Permit. He said that the Fire Chief will name its engineer that will tell the applicant what the fire suppression system/life safety systems should be which he said he would agree to. He said it was included in the Fire Department findings and was a part of the process that leads to permitting, inspection and enforcement which he likened as to the same process with the Building Inspector, Plumbing Inspector and Electrical Inspector. This happens after the Special Council Permit process is completed and is done during construction and finishing of the project for final departmental permitting. He said he didn't view this as something that had to be accomplished before the public hearing or the voting of the City Council on the Special Council Permit application.

Linda T. Lowe, City Clerk, said she agreed with Mr. Noyes except for the part that it doesn't have to be done now. She suggested that the Fire Chief would have said at some later point, like the recommendations of the Building Inspector and City Engineer and his memo does not say that. She noted there was a similar major project several months ago where there needed to be a review which was done during the Council review. Sometimes certain special fire-related conditions are enumerated as conditions in a Special Council Permit, she pointed out.

She said in her opinion that the Fire Chief was indicating that something should be done before the Council permit was approved.

The Committee asked that an inquiry be made by the Clerk of Committees to the Fire Chief asking for clarification as to whether the Code review may occur after the Council granting of the permit.

This matter is continued to September 16, 2015.

4. CC2015-022 (Stewart) Amend GZO Sec. VI "Definitions," Sec. 2.3.1 "Residential Uses," and Sec. 2.4.4 (Cont'd from 08/19/15)

Gregg Cademartori, Planning Director, said that as initiated by Councilor Stewart amendments to the Zoning Ordinance were reviewed by the Planning Board during a public hearing opened on Aug. 6 and continued to Aug. 20. Between the two meetings, he advised there was a working session with Planning Board member Shawn Henry, Councilor Stewart and Bill Sanborn, Building Inspector, to refine the ordinance language. He reviewed that the intent of this zoning amendment is to streamline the permitting of three-family dwellings. He provided some data (on file) to the Council showing the distribution of three-family dwellings in the city, which highlights the large number of three-family dwellings in the R-5 district. He said that any time one of those structures is modified, it potentially requires Zoning Board of Appeals (ZBA) relief and if the property held a Special Council Permit (SCP), it may require a SCP modification. As Councilor Stewart was a member of the ZBA and has sat on the Council reviewing some of these projects, he made the proposal that a three-family dwelling permitting could be consolidated to the ZBA.

He also reviewed that the original set of recommendations was to change the use table from City Council to ZBA for three-family dwellings, and the decision was to take it further by example, in looking at the distribution of conformity of three-family dwellings, the minimum requirement just in the R-5 district, is 10,000 square feet for minimum cut in for a multi-family, and then there is lot area per dwelling unit. About 80 percent of the three-family dwellings in the R-5 district don't comply with the minimum, **and are on lots with 6,000 square feet or less**. About 80 percent of the three-family dwellings in the R-5 district don't comply with the minimum 6,000 square foot requirement. To facilitate investment and upgrading in what is part of the city's core housing stock, it would be appropriate to place it with one permitting body and focus the discussion on what the issues are. He said most of these dwellings are on 6,000 square feet or less. He said it doesn't really matter how big the lot is, there still have to be setbacks for a building on a lot whether a one or two-family and now a three-family and to focus on what is being proposing to modify the structure, side or back additions, etc., but at least it is all resting with the ZBA.

Mr. Cademartori then described some of the issues that would have come up if the original proposal by Councilor Stewart were left in place. He also noted that Councilor Stewart had proposed a change in the definition of "multi-family" to pull out "three-family." He said that the current proposal that is recommended by the Planning Board is that it is no longer felt necessary as they tackled those issues in the use tables that deal with three-family dwellings. He pointed out the overall recommendation is to change the permitting from the City Council to the ZBA and have 3-family dwellings follow dimensional tables for one- and two-family dwellings, in all districts with the exception of the R-30 district, where there aren't very many multi-family dwellings as it is a predominantly one- and two-family district. He said the Planning Board believed that issue should still rest with the City Council. Councilor Stewart had several recommendations to make it clear for the ZBA in GZO Sec. 2.2.4 that when the ZBA reviews these three-family dwelling applications, they need to look at the Special Permit criteria for any special permit and is a clarification. He added that there are a lot of small tweaks when looking at the Planning Board recommendations from the Councilor Stewart's original proposal, but that the Planning Board, as is Councilor Stewart who participated in the development of the Planning Board amendments, is satisfied with this approach.

Councilor Lundberg said that in his six years on the Planning Board he learned to accept recommendations such as this that have been worked through by a knowledgeable group that includes Mr. Cademartori. He said this was a good idea.

Councilor Verga said this follows along with the work P&D has been trying to accomplish in streamlining city permitting processes, and he expressed his agreement with the Zoning Ordinance amendments.

COMMITTEE RECOMMENDATION: 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 the Gloucester Zoning Ordinance as follows:

1. Section 2.3.1 "Residential Uses", the table shall be AMENDED as follows:

- Lines 5 & 6 where it currently reads “CC” *replace* with “SP” with the exception of the R-30 district column.
- Footnote number column in lines 5 & 6 ADD NEW reference to footnote “8.”
- Footnotes: ADD new footnote “8” to read:
“Special permit standard applies without regard to Sections 2.4.4(a) through 2.4.4(b). For dimensional standards see Section 3.2.1.”

2. Section 2.4.4 shall be AMENDED as follows:

- The introductory title to subparagraph (b) shall be DELETED and a new title ADDED to read, “Determination by the Zoning Board of Appeals relative to single and two-family residences”;
- ADD new subparagraph (c) to read as follows: “Determination by the Zoning Board of Appeals relative to Three-Family Residences: The Zoning Board of Appeals, on a petition relating to a proposed alteration of expansion of a three-family residence shall apply the Special Permit criteria without regard to Sections 2.4.4(a) and 2.4.4(b).”
- AMEND the title of Table 3.2.1 in the Table of Contents and Section heading to read: “3.2.1 Dimensional Requirements for Single, Two-Family and Three-Family Dwellings”

This matter is advertised for public hearing.

The Committee briefly discussed with Mr. Cademartori possible future amendments to the Zoning Ordinance that will help to enhance the downtown district.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:00 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- Two 11”x17” color photographs double sided depicting the area in and around 23R River Road submitted by Peter Glynn, National Grid representative re: PP2015-005
- Chart depicting number of multi-family units submitted by Planning Director, Gregg Cademartori