

CITY CLERK  
GLOUCESTER, MA  
15 NOV -4 AM 9:35



GLOUCESTER CITY COUNCIL  
Planning & Development Committee  
Tuesday, November 10, 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. **PP2015-006: Joint Application of National Grid & Verizon New England to install 80 ft. +/- of new electrical duct in the roadway from P3390 in a SW direction on Middle Street to MH95 on Western Avenue intersection – A Public Hearing**
2. **Application for License of Flammables and Combustible Liquids, Flammable Gases and Solids re: 21 Great Republic LLC**
3. **CC2015-037 (LeBlanc) Request City Council amend GZO Sec. VI definition of “Junk Yard” and Amend GCO Chapter 19, Sec. 19-30(b), Sec. 19-32, Sec. 19-1, Sec. 19-1(3), Sec. 19-1(4) (Cont’d from 10/22/15)**
4. **CC2015-039 (McGeary) Amend GZO Sec. 5.5 “Lowlands Requirements”(Cont’d from 10/22/15)**
5. **CC2015-040 (Ciolino) Amend GZO to create an “Atlantic Road Overlay District”(Cont’d from 10/22/15)**
6. **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 10/22/15)**
7. **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 (Cont’d from 10/07/15)**
8. **Acceptance of Private Ways as Public Roadways – Returned from City Council Public Hearing of October 27 at the request of the Administration**

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

CC: Mayor Theken  
Jim Destino  
Linda T. Lowe  
Chip Payson  
Tom Daniel  
Gregg Cademartori  
Fire Chief Eric Smith  
Bill Sanborn  
Mike Hale

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.



October 12, 2015

City of Gloucester

CITY CLERK  
GLOUCESTER, MA  
15 OCT 19 PM 1:12

To Whom It May Concern:

Enclosed please find a petition of NATIONAL GRID covering the installation of underground facilities.

If you have any questions regarding this permit please contact:

Peter NG 508-897-5723

If this petition meets with your approval, please return an executed copy to:

National Grid Contact: Vincent LoGuidice; 1101 Turnpike Street; North Andover, MA 01845  
Phone 978-725-1392.

Very truly yours,

A handwritten signature in blue ink that reads "Rafael Ramos".

Name: Distribution Design Supervisor  
Supervisor, Distribution Design

Enclosures

Questions contact -- Peter NG 508-897-5723

Petition of the NATIONAL GRID  
Of NORTH ANDOVER, MASSACHUSETTS  
For Electric conduit Location:

To the City Council of Gloucester, Massachusetts

Respectfully represents the NATIONAL GRID of North Andover, Massachusetts, that it desires to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way or ways hereinafter named.

Wherefore it prays that after due notice and hearing as provided by law, it be granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with the plan filed herewith marked -- Middle Street - Gloucester - Mass.

The following are the streets and highways referred to:

Plan # 14604460 Middle Street - National Grid to install beginning at a point approximately 110FT North of the centerline of the intersection of Western Ave and continuing approximately 80 feet in a SW direction. National Grid to install new Duct (80") from P3390 (Middle St) to MH95 (Western Ave) on the Western Ave intersection.

Location approximately as shown on plan attached

NATIONAL GRID  
BY \_\_\_\_\_  
Engineering Department



Dated: October 12, 2015



ABUTTERS LIST

31 WESTERN AV  
2 MIDDLE ST  
6 MIDDLE ST  
3 DEXTER PL  
5 DEXTER PL  
41 WESTERN AV  
8 LEWIS CT  
4 DEXTER PL

ABUTTERS LIST

MALLOY MAUREEN P ET AL TRS  
LEONARD ELIZABETH B & BIGGS JAMES O TRS  
MORRISSEY SYLVIA A  
MORRISSEY SYLVIA A  
BIGGS JANE EST OF  
GATTINERI DANIEL & CATHERINE E TRS  
IVAS PATRICIA  
BIGGS JANE EST OF

Department of Public Works  
28 Poplar Street  
Gloucester, MA 01930



TEL (978)281-9785  
FAX(978)281-3896  
mhale@gloucester-ma.gov

CITY OF GLOUCESTER  
DEPARTMENT OF PUBLIC WORKS  
MEMORANDUM

CITY CLERK  
GLOUCESTER, MA  
15 OCT 30 AM 11:37

Date: October 20, 2015

To: Councilor Greg Verga, Chair  
Councilor Paul Lundberg, Vice Chair  
Councilor Steven LeBlanc, Member  
Planning & Development Committee

From: Michael B. Hale, Director of Public Works

Re: Application by National Grid for the installation of new Duct (80') from P3390 (Middle Street) to MH95 (Western Ave) on the Western Avenue intersection

---

Councilors:

The Department of Public Works has reviewed the above mentioned application to install a line of underground electric conduits, including the necessary sustaining and protecting fixtures within a public way, Western Avenue. The Department of Public Works has no objections to the application. In an attempt to maintain the quality of City roadways, the Department of Public Works requests the following be required of the applicant.

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. Proposed excavation may only occur during accepted road opening and construction season, 15 March – 15 November. No winter construction shall be permitted.
3. 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.
4. All excavated trenches shall be patched flush with the surrounding asphalt using hot mix asphalt binder at the end of each work day, to minimize pedestrian hazards. Asphalt shall be applied in two lifts of 2-inches, totaling 4- inches.
5. All final paving shall be done in consultation with the Department of Public works and an agreed upon final paving plan executed by the applicant.

Should you have any questions regarding the conditions requested, please do not hesitate to contact my office.

Electric

**ORDERED:**

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 12th day of October, 2015.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Middle Street - Gloucester - Mass. Plan # 14604460

The following are the public ways or part of ways along which the underground electric conduits above referred to may be laid:

Middle Street - National Grid to install beginning at a point approximately 110FT North of the centerline of the intersection of Western Ave and continuing approximately 80 feet in a SW direction. National Grid to install new Duct (80") from P3390 (Middle St) to MH95 (Western Ave) on the Western Ave intersection.

I hereby certify that the foregoing order was adopted at a meeting of the .....  
.....  
....., held on the ..... day of ....., 20 .....  
....., 20 .....

Received and entered in the records of location orders of the City/Town of  
Book ..... Page .....

Attest:  
.....

..... hereby certify that on .....20....., at ..... o'clock, ....M  
at ....., a public hearing was held on the petition of  
NATIONAL GRID for permission to construct the underground electric conduits described in the  
order herewith recorded, and that I mailed at least seven days before said hearing a written notice  
of the time and place of said hearing to each of the owners of real estate (as determined by the last  
preceding assessment for taxation) along the ways or parts of ways upon which the Company is  
permitted to construct the underground electric conduits under said order. And that thereupon said  
order was duly adopted.

.....  
.....

Verizon

**ORDERED:**

Notice having been given and public hearing held, as provided by law, that the NATIONAL GRID be and it is hereby granted permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as said company may deem necessary, in the public way or ways hereinafter referred to, and to make the necessary house connections along said extensions, as requested in petition with said company dated the 12th day of October, 2015.

Said underground electric conduits shall be located substantially in accordance with the plan filed herewith marked – Middle Street - Gloucester - Mass. Plan # 14604460

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order herewith recorded, and that I mailed at least seven days before said hearing a written notice  
of the time and place of said hearing to each of the owners of real estate (as determined by the last  
preceding assessment for taxation) along the ways or parts of ways upon which the Company is  
permitted to construct the underground electric conduits under said order. And that thereupon said  
order was duly adopted.

.....  
.....





FP-002A  
(Rev. 1.1.2015)

The Commonwealth of Massachusetts  
City/Town of Gloucester

**Application For License**

Massachusetts General Law, Chapter 148 §13

New License     Amended License

GIS Coordinates	
_____	
LAT. _____	
_____	
LONG. _____	
_____	
License Number _____	

Application is hereby made in accordance with the provisions of Chapter 148 of the General Laws of Massachusetts for a license to store flammables, combustibles or explosives on land in buildings or structures herein described.

Location of Land: 21 Great Republic Drive, Gloucester 01930  
Number, Street and Assessor's Map and Parcel ID

Attach a plot plan of the property indicating the location of property lines and all buildings or structures.

Owner of Land: Twenty-One Great Republic, LLC

Address of Land Owner: 21 Great Republic Drive, Gloucester MA 01930

Use and Occupancy of Buildings and Structures: Food Manufacturing

If this is an application for amendment of an existing license, indicate date of original license and any subsequent amendments

Attach a copy of the current license

**Flammable and Combustible Liquids, Flammable Gases and Solids**

Complete this section for the storage of flammable and combustible liquids, solids, and gases; see 527 CMR 1.00 Table 1.12.8.50; Attach additional pages if needed. All tanks and containers are considered full for the purposes of licensing and permitting.

PRODUCT NAME	CLASS	MAXIMUM QUANTITY	UNITS gal., lbs, cubic feet	CONTAINER UST, AST, IBC, drums
<u>Anhydrous Ammonia</u>		<u>13.455</u>	<u>lbs</u>	<u>Vessels, piping, System</u>

Total quantity of all flammable liquids to be stored: 0

Total quantity of all combustible liquids to be stored: 0

Total quantity of all flammable gases to be stored: 0

Total quantity of all flammable solids to be stored: 0

15 OCT 15 AM 10:02  
CITY CLERK  
GLOUCESTER, MA

**LP-gas** (Complete this section for the storage of LP-gas or propane)

Indicate the maximum quantity of LP-gas to be stored and the sizes and capacities of all storage containers. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum quantity (in gallons) of LP-gas to be stored in aboveground containers: 0

List sizes and capacities of all aboveground containers used for storage: \_\_\_\_\_

❖ Maximum quantity (in gallons) of LP-gas to be stored in underground containers: 0

List sizes and capacities of all underground containers used for storage: \_\_\_\_\_

Total aggregate quantity of all LP-gas to be stored: 0

**Fireworks** (Complete this section for the storage of fireworks)

Indicate classes of fireworks to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.3G: 0 Type/class of magazine used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.4G: 0 Type/class of magazine used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.4: 0 Type/class of magazine used for storage: \_\_\_\_\_

Total aggregate quantity of all classes of fireworks to be stored: 0

**Explosives** (Complete this section for the storage of explosives)

Indicate classes of explosive to be stored and maximum quantity of each class. (See 527 CMR 1.00 Table 1.12.8.50)

❖ Maximum amount (in pounds) of Class 1.1: 0 Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.2: 0 Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.3: 0 Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.4: 0 Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.5: 0 Number of magazines used for storage: \_\_\_\_\_

❖ Maximum amount (in pounds) of Class 1.6: 0 Number of magazines used for storage: \_\_\_\_\_

I, [Signature], hereby attest that I am authorized to make this application. I acknowledge that the information contained herein is accurate and complete to the best of my knowledge and belief. I acknowledge that all materials stored pursuant to any license granted hereunder must be stored or kept in accordance with all applicable laws, codes, rules and regulations, including but not limited to Massachusetts Chapter 148, and the Massachusetts Fire Code (527 CMR 1.00). I further acknowledge that the storage of any material specified in any license granted hereunder may not exceed the maximum quantity specified by the license.

Signature [Signature] Date 10/14/15 Name Sam Santuccio

**Fire Department Use Only**

I, Eric Smith, Head of the Gloucester Fire Department endorse this application with my

Approval  Disapproval

Signature of Head of the Fire Department [Signature] Date 10/14/15

Recommendations: Gloucester Safety processing Inc. has met all FD requirements.



# City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 263-56

Please be aware that the abutters list reflects mailing address for the real estate tax bills as requested by the property owners. Mortgage companies, banks and other financial institutions may be receiving the notification and not the homeowner as required. Please be sure you are complying with notification requirements.  
Gloucester Board of Assessors.

This list of owners of record as shown on the most recent tax list of the City of Gloucester has been prepared for the purposes of notifying abutters as required by the City's Zoning Board of Appeals or City Council and it reflects the abutters to the Parcel known as Map 263 Lot 56 as further shown on the attached map dated 10/26/2015.

ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
263-55 BLACKBURN REALTY GROUP LLC	15 GREAT REPUBLIC DR	263-55	BLACKBURN REALTY GROUP LLC 69 PARKER ST NEWBURYPORT, MA 01950
263-30 VARIAN SEMICONDUCTOR EQUIPMENT ASSOCIATE C/O TAX DEPT- MAGINEL RUSS	35 DORY RD	263-30	VARIAN SEMICONDUCTOR EQUIPMENT ASSOCIATE C/O TAX DEPT- MAGINEL RUSS 9700 US HWY 290 EAST AUSTIN, TX 78724
263-54 GLOUCESTER CITY OF CITY HALL	49 HARRISON AV	263-54	GLOUCESTER CITY OF CITY HALL 9 DALE AV GLOUCESTER, MA 01930
263-56 TWENTY-ONE GREAT REPUBLIC LLC C/O SWIBEL STEVEN W	21 GREAT REPUBLIC DR	263-56	TWENTY-ONE GREAT REPUBLIC LLC C/O SWIBEL STEVEN W 21 GREAT REPUBLIC DR GLOUCESTER, MA 01930
263-58 SWAN NET EAST COAST SERVICES CORP	41 GREAT REPUBLIC DR	263-58	SWAN NET EAST COAST SERVICES CORP 3 STATE PIER GLOUCESTER, MA 01930
263-63 HERITAGE WAY I LLC & HERITAGE WAY II LLC	5 HERITAGE WY HERITAGE WAY II LLC	263-63	HERITAGE WAY I LLC & HERITAGE WAY II LLC 5 HERITAGE WAY GLOUCESTER, MA 01930
263-66 GLOUCESTER ECONOMIC DEVELOPMENT	53 GREAT REPUBLIC DR	263-66	GLOUCESTER ECONOMIC DEVELOPMENT 3 POND RD GLOUCESTER, MA 01930
263-60 NGP V GLOUCESTER MA LLC C/O CORELOGIC COMMERCIAL TAX SERVICES	55 GREAT REPUBLIC DR	263-60	NGP V GLOUCESTER MA LLC C/O CORELOGIC COMMERCIAL TAX SERVICES PO BOX 961009 FORTH WORTH, TX 76161-0009
263-59 F W WEBB COMPANY	51 GREAT REPUBLIC DR	263-59	F W WEBB COMPANY 160 MIDDLESEX TP BEDFORD, MA 01730



# City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 263-56

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ABUTTER

STREET ADDRESS

PARCEL NO.

TAX BILL ADDRESS

The Gloucester Board of Assessors certifies that the Abutters Report program written to create a list of the names and addresses of property owners from the applicable tax list has been reviewed. To the best of our knowledge and belief the Abutters Report program generates an accurate list from the most recent tax list of the assessed owner of record and the mailing information of the parties in interest as defined within and required by the law and therefore the within document constitutes a certified abutters list.

Nancy A. Papows, MAA  
Gary I. Johnstone, MAA  
Bethann B. Godinho, MAA  
GLOUCESTER BOARD OF ASSESSORS

City of Gloucester Assessors' Office, City Hall, 9 Dale Avenue, Gloucester, MA 01930

10/26/2015



# City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 263-56

Please be aware that the abutters list reflects mailing address for the real estate tax bills as requested by the property owners. Mortgage companies, banks and other financial institutions may be receiving the notification and not the homeowner as required. Please be sure you are complying with notification requirements.  
Gloucester Board of Assessors.

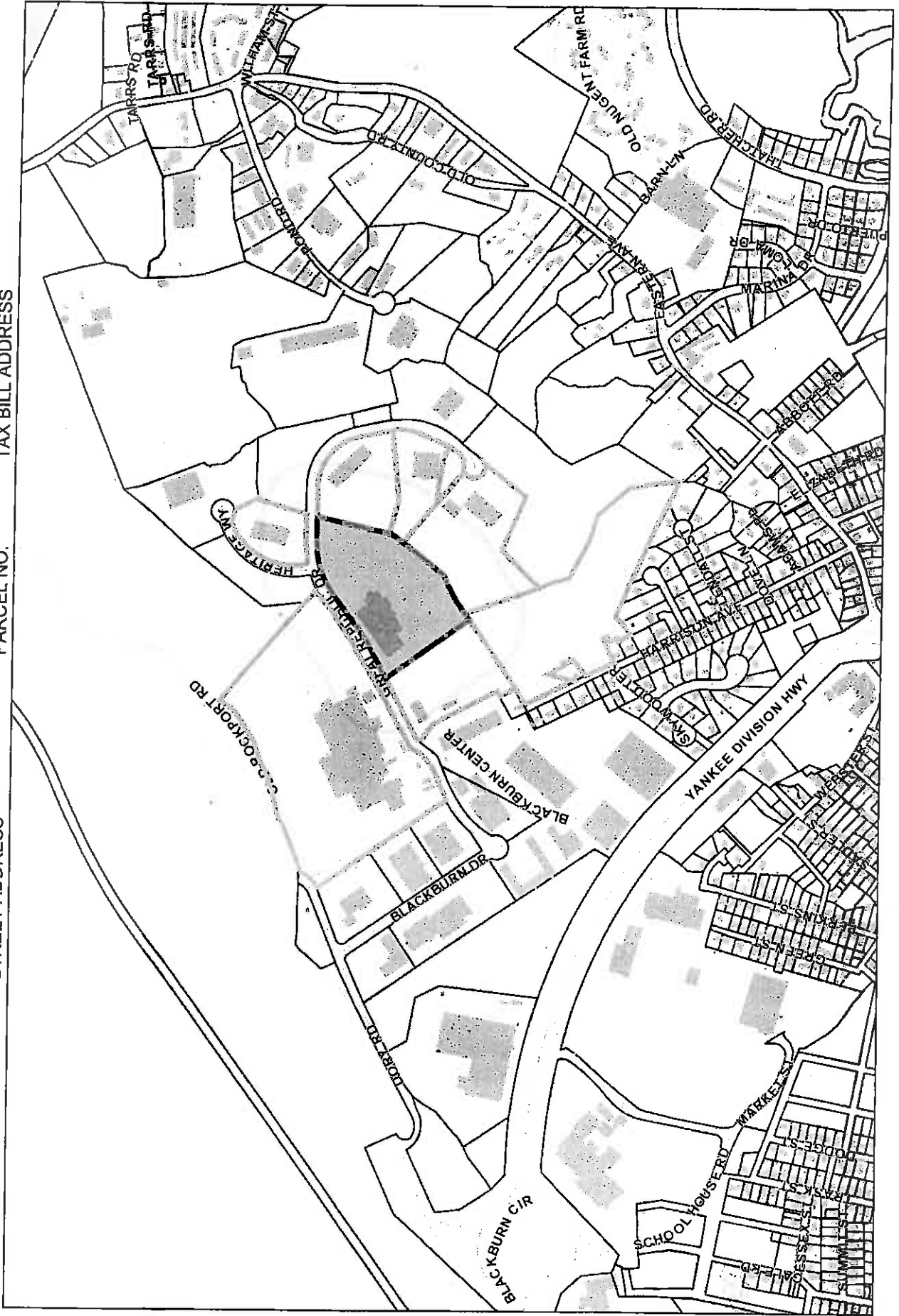
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ABUTTER

STREET ADDRESS

PARCEL NO.

TAX BILL ADDRESS





**CITY OF GLOUCESTER 2015  
CITY COUNCIL ORDER**

**ORDER: CC#2015-037**  
**COUNCILLORS: Steve LeBlanc**

**DATE RECEIVED BY COUNCIL: 10/13/15**  
**REFERRED TO: O&A, P&D & PB**  
**FOR COUNCIL VOTE:**

**ORDERED** that the Ordinances & Administration Committee recommend to the City Council to amend the definition of “Junk Yard” in section **VI of the City of Gloucester Zoning Ordinance** by **DELETING** the definition of “Junk Yard” and by **ADDING**:

“Junk yard” shall mean a site or facility used for the collection, storage, salvage, disposal, dismantling, processing, recycling, sale, or resale of waste materials including paper, rags, cloth, metal, glass, batteries, rubber, parts from old or damaged motor vehicles and equipment, and other discarded goods and materials. These materials are generally but not necessarily, stored in the open air or under a roofed structure rather than within a fully enclosed building.”

**FURTHER ORDERED** that the Ordinances & Administration Committee recommend to the City Council to amend Chapter 19 “Second Hand Goods”, Sec. 19-30(b) by **DELETING** the definition of “junk yard” and by **ADDING**:

“Junk yard shall mean a site or facility used for the collection, storage, salvage, disposal, dismantling, processing, recycling, sale, or resale, of waste materials including paper, rags, cloth, metal, glass, batteries, rubber, parts from old or damaged motor vehicles and equipment, and other discarded goods and materials. These materials are generally but not necessarily, stored in the open air or under a roofed structure rather than within a fully enclosed building.”

**FURTHER ORDERED** that the Ordinances & Administration recommend to the City Council to amend Chapter 19 Sec.19-32 “Fee” by **DELETING** this section and by **ADDING** to Sec. 19-1 “License Fees” subsection (1) Secondhand furniture and articles \$100(Delete \$20); Sec.19-1(3) Junk \$100(Delete \$20) and Sec.19-1(4) Antiques \$100(Delete \$20).

**FURTHER ORDERED** that this matter be referred to the Planning Board for review and recommendation as concerns the GZO definition of “junk yard ;” and that the O&A review the Code of Ordinance amendments and make recommendations to the City Council.

Steven LeBlanc  
Ward 3 Councillor



**CITY OF GLOUCESTER 2015  
CITY COUNCIL ORDER**

**ORDER: CC#2015-040**  
**COUNCILLORS: Joe Ciolino**

**DATE RECEIVED BY COUNCIL: 10/13/15**  
**REFERRED TO: P&D and Planning Board**  
**FOR COUNCIL VOTE:**

Propose that the City of Gloucester create an **Atlantic Road Overlay District** on the water side of Atlantic Road from the intersection of Grapevine Road and Atlantic Road to the intersection of Atlantic Road and Bass Rocks Road. The purpose of the overlay would be to protect the coastal shoreline known as **Gloucester's Back Shore** from any development. The overlay would **prohibit** any residential or commercial construction insuring protection of this valuable environmental resource, and to amend the GZO accordingly.

Councilor Joe Ciolino  
Councilor at Large



# CITY OF GLOUCESTER 2015 CITY COUNCIL ORDER

**ORDER:** CC#2015-039  
**COUNCILLORS:** Paul McGeary

**DATE RECEIVED BY COUNCIL:** 10/13/15  
**REFERRED TO:** P&D and Planning Board  
**FOR COUNCIL VOTE:**

**ORDERED** that, in accordance with Section 1.11.3 Gloucester Zoning Ordinance Section 5.5 (LOWLANDS REQUIREMENTS) be **amended** as follows:

THAT the Caption for Section 5.5 "LOWLANDS REQUIREMENTS" be **DELETED** and **REPLACED** with this language:

"FLOODPLAIN REQUIREMENTS."

THAT section 5.5.1 be **DELETED** in its entirety and **REPLACED** with:

5.5.1 Sections 5.5.2 and 5.5.3 shall not apply to non-residential structures on lands bordering Gloucester Harbor north and east of a line from the mouth of Blynman Canal to the intersection of Farrington Avenue and Eastern Point Boulevard.

THAT Section 5.5.2 be **DELETED** in its entirety and **REPLACED** with the following language:

5.5.2 No building permit for a principal building for residential use shall be issued for construction in special flood hazard areas within the City of Gloucester as designated A, AE, AH, AO or VE zone (flood zones) as identified on the recent Essex County Flood Insurance Rate Maps (FIRMs) issued by the Federal Emergency Management Agency (FEMA) and adopted by the City of Gloucester, except on the approval of a Special Permit issued by the City Council. Such Special Permit shall be issued only if it is demonstrated by the applicant that the proposed development will pose no hazard to the health or safety of the occupants thereof.

THAT Section 5.5.3 be **DELETED** in its entirety and **REPLACED** with the following language:

5.5.3 Without limiting the generality of the foregoing, the following are presumed to be hazardous to health or safety:

- (a) Floor level of any structure for human occupancy less than the base flood elevation displayed on the FIRMs.
- (b) Individual sewage disposal systems subject to inundation in the event of coastal flooding in the flood zones.
- (c) Methods of filling or excavation subject to displacement by coastal flooding in the flood zones.
- (d) Water supplies subject to interruption or contamination in the event of coastal flooding in the flood zones.
- (e) Structures requiring pile or pier supported foundations in the VE flood zones.

**And FURTHER ORDERED** that this matter be referred to the Planning Board and the Council Committee on Planning and Development for Review and Recommendation.

Respectfully submitted,

Paul McGeary, Council President, Ward 1 Councilor





**CITY OF GLOUCESTER 2015  
CITY COUNCIL ORDER**

**ORDER: CC#2015-007**  
**COUNCILLOR: Greg Verga**

**DATE RECEIVED BY COUNCIL: 04/14/15**  
**REFERRED TO: P&D & Administration**  
**FOR COUNCIL VOTE:**

**ORDERED** that in connection with CC Order 2015-005 the Planning and Development Committee under section 1.11.2(e) of the Zoning Ordinance concerning amendments to the Zoning Ordinance work together with the Planning Director and the General Counsel under section 1.11.3 of the Zoning Ordinance on an informal review of section 5.13 "Personal Wireless Service Facility" and to retain expert legal counsel in order to amend and update the ordinance particularly as it relates to definitions of new technology and to changes in FCC regulations which apply to current federal law on wireless facilities especially as found in section 6409(a) of the Tax Relief and Job Creation Act of 2012.

**FURTHER ORDERED** that as part of the review under section 1.11.3, the Planning and Development Committee or a designated member together with the Planning Director and the General Counsel work together with the outside expert legal counsel to recommend to the City Council amendments to section 5.13 of the Zoning Ordinance so that it is in compliance with current applicable federal laws and regulations.

Greg Verga  
Councillor at Large

Minutes to the Stage Fort Park Advisory Committee Meeting: October 16, 2015

The regular monthly meeting of the Stage Fort Park Advisory Committee was held on October 15, 2015, at 6:00pm in the Community Room of the Cape Ann Savings Bank.

The following Committee members were in attendance: David Dow, chair; Steven Kaity, Fred Geisel, Donna Polizzia, David Benjamin, and Marie Demick. Committee members William Fonvielle, Sal Frontiero and Joe Lucido and were absent.

President David Dow opened the meeting by waiving his remarks.

The Secretary's Report of the September 17, 2015 meeting were moved, seconded and approved.

Public Comment: William Schofield, 8 Georgia Way, Gloucester spoke as a concerned abuter to the Park relative to the Cyclo-cross event. His comments are noted as follows:

The cyclo-cross organizers control the park for the weekend.

He feels like he has to guard his property.

There was a police detail (2 patrolmen) assigned in 2014.

This year there was one detail on Saturday and one on Sunday, with one of the policemen assigned to Georgia Way.

No-parking areas in the neighborhood are ignored by spectators.

People moved the traffic horses as well as caution tape in order to park

Parking is out of control and some spectators are arrogant.

He made three calls on the first day of the event.

The parking is not adequate for the size of the audience.

He cited spectators publicly urinating within sight of his home.

He noted a lack of enough portable toilets.

He recommends more police presence at the event.

He recommends stopping cars at Western Avenue once the parking lots are full.

He finds the loudspeaker system to be overwhelming.

Many people were filling the Cupboard dumpster with trash.

The race compressors ran constantly throughout both days of the event, quite close to private homes.

Old Business: Farmers Market

The Committee continued discussion of the Cape Ann Farmer's Market (CAFM) use of Stage Fort Park. A motion was made, seconded and approved that:

"Vehicular use near the band stand area of the park, by the Cape Ann Farmers Market and others, is adjusted in order to repair and maintain the area."

Other recommendations by the Committee included but were not limited to:

1. Request that the CAFM assure that all vendors (excluding farms) be properly permitted by the City of Gloucester.
2. Request that the annual fee of \$500. be reviewed. The Committee suggests the current fee is too low and doesn't cover the cost of trash removal after the CAFM events. The SFP Advisory Committee will make these recommendations to the Ordinance and Administrative Committee. The Committee will resume discussion of the CAFM at their November 5, 2015 meeting.

Old Business: Leash Law Proposal #2015-032

The Committee discussed Ordinance cc#2015-032, concerning proposed leash law changes. After careful review of all the changes that would affect Stage Fort Park, the Committee moved, seconded and voted the following recommendation to the Planning and Development Committee

“Make no changes to the current leash law. Do not allow dogs to be off-leash at Stage Fort Park, Cressey's or Half Moon Beach. Allow dogs over four months of age to be off-leash at the Stage Fort Park Dog Park.”

The meeting adjourned at 7:50pm

The next meeting will be held on Thursday, November 5, 2015, at 6:00pm, location to be confirmed.

Respectfully submitted,

David Benjamin, Secretary for the Stage Fort Park Advisory Committee

**Map #264, Lot 23, zoned GI-General Industrial, to operate a 24 hour animal kennel facility as shown on "Proposed Site Development Plan" dated 3/9/15 by Gateway Consultants, Inc., Lynnfield, MA, received by the City Clerk's Office May 7, 2015, and that this permit application is in harmony with the general purpose and intent of the ordinance and meets with the requirements of GZO Sec. 1.8.3.**

This public hearing is scheduled to take place June 9 at City Council.

**5. Memorandum from Public Works re: Acceptance of Unaccepted or Private Ways**

**Mike Hale**, Director of Public Works, said that his department has listed a group of unaccepted and/or private ways and recommends that the City Council accept these ways as public ways in the City of Gloucester. With unaccepted and/or private ways, the DPW can only spend public dollars on temporary versus permanent repairs, and are not eligible for Chapter 91 funds which is state money the city receives annually for public road repair and maintenance based on the number of road miles the city has that are documented as public.

He said the city does a great deal of maintenance on private ways out of good faith, more than many other communities – plowing, brush cutting, and pot hole repair, the same as public ways. He noted that when they started their pavement management program in 2013 they had about 88 public roads, 53 miles of unaccepted and 27 miles of private. He explained that the difference between private and unaccepted roads is a fine line – many of the unaccepted roads are subdivisions that have gone through the traditional subdivision process and don't really have any ownership. Deeds don't refer to the rights to the way; some private roads may only be easements across parcels or completely owned in fee by people who travel across them. The department had to figure out how to reduce the number of private ways without infringing on someone's rights to their way. To that end they made a list of unaccepted ways putting a list together of about 11 miles of private ways consisting of about 20 streets which range through all city wards.

**Mr. Hale** highlighted several roads that are already city property but were never accepted as public roadways by the City Council, such as Osman Babson Road, a school access road which also serves as frontage for some parcels but no Chapter 90 credit is given by the state and the same for Dogtown Road which serves the city's compost facility. These types of roads are about 20 percent of the listed as unaccepted ways in the city. It means in terms of Chapter 90, there is a formula which is used to determine the distribution of funds based on city accepted road miles, which is 58.33 percent of the formula, population which is 20.83 percent and employment (people working in town) is 20.83 percent of the formula. Gloucester received for this fiscal year \$669,589 for Chapter 90 monies which is enough to do a few miles of roadway in the city. He said if he calculated the proposed 11.629 miles of roadway into the formula it only affects the road miles portion of the state formula and would increase the city's annual funding by just over \$51,000. **Mr. Hale** said it is not enough to pave all these streets but gets the city to the point they can spend public dollars on them more freely.

He also highlighted that a few of the streets listed for the Council's consideration for acceptance went through the public/private split on paving and won't need resurfacing for another 20 years. He added that every year they are not resurfacing some of these roads, it is paving money they can spend on roads that are in desperate need of it. This is the first go-round of forwarding unaccepted and/or private roads for city acceptance, he said.

**Councilor Verga** said that every ward in the city is affected. He pointed out that this list is composed of unaccepted roads, which ` confirmed. These are all straightforward, he said, and some have had the maintenance accepted by the city, but not the acceptance of ownership.

**Councilor Lundberg** said this was a great effort and appreciated that the DPW brought this matter forward. He noted Hough Avenue as an example of a heavily travelled byway and needs maintenance. **Mr. Hale** said to accept an unaccepted roadway by the state consists of filling out and submitted a few forms and a Certificate of Vote from the Council. **Councilor LeBlanc** added his approbation of the effort by **Mr. Hale**. He asked about the High Popples area that went through the 50/50 paving program. **Mr. Hale** said they are requesting that the city accept the roads, adding that Crowell Avenue was another similar situation. He noted that once the Council has accepted these ways, there is another list of approximately the same number of unaccepted ways that will also be put forward for the Council's consideration to adopt as public ways.

**Councilor Verga** asked about private roads process to accept roadways. **Mr. Hale** said the DPW will notify all the abutters of these ways, that a vote was taken which will be done prior to the Council voting. They are dedicated to getting this process done for many more roads over the next few years, he added.

**Councilor Verga** said as a former ward Councilor this is a great start and an action that should be taken.

**MOTION: 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 accept the following roadways as public ways in the City of Gloucester for a total of 11.629 miles of public roadway under GCO Section 21-1, 21-35, 21-36 to 43 and M.G.L. Chapter 85 in order to add 11.629 roadway miles to as follows:**

**Apple Street; Baker Street; Beach Road; Birch Grove Heights; Biskie Head Point; Blueberry Lane; Brierwood Street; Brightside Avenue; Colburn Street; Colonial Street; Crowell Avenue; Decatur Street; Dogtown Road; Dr. Osman Babson Road; Duley Street; Gilbert Road; Goodwin Road; Grapevine Road; Harold Court; Harriet Road; High Popples Road; Hillside Road; Honeysuckle Road; Hough Avenue; Jacque Lane; Juniper Road; Lane's Cove Road; Laurel Street; Lawndale Circle; Lincoln Avenue; Lincoln Street; Linden Road; Lisa Drive; Macomber Road; Marsh Street; Mason Court; Montvale Avenue; Morgan Avenue; Munsey Lane; North Kilby Street; Oceanview Drive; Pigeon Lane; Rockport Road; Scott Street.**

This matter will be advertised for public hearing.

A motion was made, seconded and voted unanimously to adjourn the meeting at 7:16 p.m.

Respectfully submitted,

Dana C. Jorgensson  
Clerk of Committees

**DOCUMENTS/ITEMS SUBMITTED AT MEETING:**

- o Peer Review of SCP2015-001 : Concord Street #250 Personal Wireless Service Facility as conducted by David Maxson of Isotope Wireless, Consultant to City on matter

Color copies of already submitted documentation as noted under Agenda Item #2 by Edward Pare regarding SCP2015-001

1. AT&T FCC Licenses – Essex County
2. Petition in favor of Cell Tower signed by 80 Gloucester Residents
3. Photos from Red Rock of other visible tall structures
4. A revised RF Report and coverage maps submitted to Isotope Wireless (City consultant).
5. 700 MHz LTE and 1900 MHz LTE – Transmitter Information with frequency maps