

CITY OF GLOUCESTER  
PLANNING BOARD  
MEETING MINUTES  
**September 3, 2015**

**7:00 P.M.**

**Kyrouz Auditorium, 9 Dale Ave, Gloucester  
Richard Noonan, Chair**

**Members Present:** Mary Black – Vice Chair, Doug Cook, Shawn Henry, Joe Orlando  
**Staff Present:** Gregg Cademartori – Planning Director, Matt Coogan – Senior Planner

**I. BUSINESS**

A. Vice-Chair Mary Black opened the meeting at 7:00 PM.

**II. CONSENT AGENDA**

Planning Board to consider the *Approval Not Required* Plan submitted by M & N Holdings to reconfigure 2 building lots and create an additional building lot which would front on Washington Street, at **6 and 7 Autumn Lane** (Assessors Map 123, Lots 63 & 97, respectively).

**Deb Eliason, Eliason Law Office, 63 Middle St represented the applicant.**

**Ms. Eliason** explained that there is an existing house at 6 Autumn Lane, and with the new lot configuration the applicant has also obtained variance from ZBA for relief for the 22 ft of frontage. Access 6 Autumn Lane has always been through Autumn Lane. The new lot has 75 ft of Frontage on Washington St. The top portion of the new lot would be added to 7 Autumn Lane to total 25,000 SF. Ms. Eliason supplied a copy of Variance was supplied to Planning Department.

**Mr. Cademartori** confirmed that the Planning Division received a copy of the variance. With grant of variance request, staff found no other issues with regards to frontage and lot size required for lots within the zoning district.

**Motion:** The subdivision control law does not apply to the reconfiguration of two lots and the creation of one new lot at **6 and 7 Autumn Lane** (Assessors Map 123, Lots 63 and 97).

**1st: Mr. Henry**

**2<sup>nd</sup>: Mr. Orlando**

**Vote: Approved 4-0**

Since the following 3 ANR applications are from one pet for the same locus, Ms. Black read into the record each application before inviting the applicant to speak on all the applications.

Planning Board to consider the *Approval Not Required* Plan submitted by Stanwood Point Development LLC and Stanwood Point Realty Trust to reconfigure 2 building lots and create an additional building lot at **2, 4, and 6 Stanwood Point** (Assessors Map 230, Lots 69 & 163).

Planning Board to consider the *Approval Not Required* Plan submitted by Stanwood Point Development LLC and Stanwood Point Realty Trust to reconfigure two building lots and create two additional building lots at **2, 4, and 6 Stanwood Point** (Assessors Map 230, Lots 69 & 163).

Planning Board to consider the *Approval Not Required* Plan submitted by Stanwood Point Development LLC and Stanwood Point Realty Trust to reconfigure two building lots and create three additional building lots at **2, 4, and 6 Stanwood Point** (Assessors Map 230, Lots 69 & 163).

**Joseph Pelich, Manager of Stanwood Point LLC at 21 High Street, North Andover MA. presented on the applications.**

**Mr. Pelich** explained that he has met with planning staff before submitting the applications. He explained that Lot 1B is an existing lot and all three submitted plans all include the same slight lot adjustment for Lot B. For the three lot application, Lot 2 and Lot 3 would be new lots that would derive their frontage from Stanwood Pt. Each lot has the required 80 feet of frontage and the minimum lot size required for the R-20 zoning district. Mr. Pelich also noted that the existing right of way has been in existence since 1904 and that there's adequate access.

**Mr. Pelich** clarified to the Board that Lot 1B and Lot 2 have the same configuration on each of the applications. The applications differ on the configuration of the remainder of the property – there's an additional 3<sup>rd</sup> lot in the 3 lot plan, 2 additional Lots in the 4 Lot plan, and 3 additional lots in the 5 Lot plan.

**Mr. Cademartori** asked if the applicant received zoning relief for having 2 existing dwellings on Lot 1B. Mr. Pelich explained that the previous owner of Lot 1B obtained a variance for 2 dwelling units on a single parcel.

**Mr. Pelich** cited a portion of Section 81L of MGL Chapter 40A pertaining to existing structures, which states that “the division of a tract of land on which two or more buildings were standing when the subdivision control law went into effect in the city or town in which the land lies into separate lots on each of which one of such buildings remains standing, shall not constitute a subdivision”. Mr. Pelich distributed the Section 81L section of MGL Chapter 40A. Mr. Pelich also distributed copies of the Massachusetts ANR Handbook to the Planning Board to be included in the application. He stated that all three filings structures on each of the lots that will be created for all three applications.

**Mr. Pelich** introduced Mr. Haight to discuss the conditions and adequacy of the roadways at Stanwood Pt.

**Steve Haight, Haight Engineering, 181 Watson Rd, Dover, NH**

**Mr. Haight** explained that all three applications include information from test pits and soils analysis for portions of the traveled way. He also stated that Stanwood Pt traveled way was adequate for large vehicle access, including fire apparatus. The largest vehicle in the Gloucester Fire Department is ladder truck, and Mr. Haight's firm created a template to illustrate how the ladder truck could maneuver on Stanwood Pt. His firm proposed the creation of a hammer head configuration for a large vehicle like the ladder truck to allow for turning around on Stanwood Pt.

**Mr. Cademartori** asked for clarification of where the turnaround would be located, since it appears to be located outside any right of way.

**Mr. Pelich** explained that the proposed turnaround could serve as snow storage and would have signage that would discourage vehicle access beyond this point of Stanwood Point with the exception of the residents.

With the information presented, Mr. Pelich requested that the Board find that Subdivision Control Law does not apply to the 3 lot plan at the present meeting.

**Mr. Cademartori** stated that the traveled way of Stanwood Pt has variable paved width and does not have an average paved width 20 ft wide but is an established traveled way. In addition, he explained that the City extended sewer and was responsible for paving of Stanwood Point. There are no issue that this is a private established way until the edge of pavement on plan. Mr Cademartori noted that suitable width, grade, and construction would need to be considered for potential additional development, since Stanwood Point is a fairly narrow roadway and some areas are unpaved and unimproved. Mr. Cademartori did note that the engineering evidence submitted by the applicant, including the test pits, address improved roads that lie primarily within a dotted area on all 3 plans that has a note that this right of way was relocated through litigation as Mr. Pelich described. It is a Fairly unique situation as the site's former use was a campground with various driveways and traveled ways, many that were extinguished by court order. It is unusual for the Board to receive 3 proposals for the same property at one time, and each proposal has added complexity. Mr. Cademartori advised the Board to focus on the standards and the uniqueness of the parcel. He also suggested that, for the benefit of the Board, a site visit should be conducted to better understand the applications.

**Mr. Pelich** noted that frontage for lots 3, 4, and 5 could be derived from Stanwood point or through the easement way created through litigation.

**Mr. Cademartori** stated that it would benefit the Board to consider all three 3 applications, and that the Board is entitled to a 21 review period. A site visit is recommended by staff for the Board to better understand the 3 applications.

**Ms. Black** stated that she is inclined to follow staff's suggestion and schedule a site visit.

**Mr. Henry** agreed to a site visit and to review all 3 applications.

**The Board** set next Thursday night September 10<sup>th</sup> at 5:30 for the site visit.

There was a discussion of when the 21 day process begins. It was concluded that the 21 day process starts tonight at the meeting.

**Motion:** To continue the 3 ANR applications at 2, 4, and 6, Stanwood Pt(Assessors Map 230, Lots 69 & 163) until next scheduled Planning Board meeting

**1<sup>st</sup>: Mr. Orlando**

**2<sup>nd</sup>: Mr. Cook**

**Vote: Approved 4-0**

### **III. OTHER BUSINESS**

- A. Planning Board to acceptance the request to the withdraw without prejudice by Chris and Carlene Melanson for the Definitive 1-Lot Subdivision Plan for the land located at 12 and 12R Cole Ave.

**Mr. Cademartori** explained that the Planning Board received a letter from Attorney Sal Frontiero on behalf of the applicant that requested the application be withdrawn without prejudice. The applicant will pursue other ways to develop this one lot. Planning staff have no issues with accepting this request.

**Motion:** Acceptance to withdraw without prejudice requested by Chris and Carlene Melanson for the Definitive 1 Lot Subdivision Plan for the land located at 12 and 12R Cole Ave

**1st: Mr. Orlando**

**2<sup>nd</sup>: Mr. Henry**

**Vote: Approved 4-0**

- B. Acceptance of request for Release of Performance Bond by West Gloucester Capital, LLC for the Village at West Gloucester Subdivision.

Mr. Cademartori reminded the Board that there were outstanding items to be resolved and a surety had been posted for the developer complete those items. The developer has completed these items and has submitted information to the City Engineering Department for review. The Board does not need to take any action at this time.

#### **IV. ADJOURNMENT**

The Vice-Chair adjourned the meeting at 7:45 PM.

#### **V. NEXT MEETING**

*Next regular meeting of the Planning Board September 17, 2015*

**Planning Board Members:** *If you are unable to attend the next meeting please contact the Planning Office at (978)281-9781.*