

Planning & Development Committee
Wednesday, June 22, 2016 – 5:30 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Vice Chair, Councilor Cox; Councilor Valerie Gilman; Councilor Sean Nolan (Alternate)

Absent: Councilor Lundberg

Also Present: Dan Smith; Stephen Winslow

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

1. *Special Events Application Requests:*

A) To hold Gloucester Sidewalk Bazaar on August 4, 5, & 6, 2016

John Orlando, representing the Gloucester Downtown Association advised that this year's Sidewalk Bazaar has had their event reviewed by the Special Events Advisory Committee (SEAC) and that all city department sign-offs have been received. This event has been run for 57 years. It was noted that this is a city-sponsored event and that a memo from the Chief Administrative Officer is on file confirming the city's liability insurer covers this event for the city. He assured the Committee that he is on duty at the event all three days to oversee trash and that side streets are clear.

Councilor Gilman asked about the GDA's recycling plan during the event and was locations for recycling bins established in advance. **Mr. Orlando** said they don't have any recycling bins. He noted when a former event coordinator was in charge she would bring recycling bins to Main Street. **Councilor Cox** noted that the DPW could provide metal stands with clear bags and suggested he call the DPW, by contacting Rose Lopiccolo or Joseph Lucido. **Councilor Gilman** noted the city's insurance coverage for the city-sponsored event but asked if Party Time, owner of the Bouncy House attraction, has their own liability insurance which **Mr. Orlando** assured they did and would be located in the Blackburn Tavern parking lot.

It was noted that Joanne Senos, Interim City Clerk had sent a memo to the Committee (dated 6/21/16 and on file) confirmed that the Special Events Advisory Committee had no issues with the event, all sign-offs were received by appropriate departments and confirmed that insurance coverage is through the City Of Gloucester as it is a city-sponsored event (memo from CAO, Dan Smith on file).

MOTION: On a motion by Councilor Gilman, seconded by Councilor Nolan, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit the Gloucester Downtown Association (GDA) to close Main Street from Pleasant Street to Washington Street, including Hancock, Center, Porter, and Short Streets to all vehicular traffic from 6:00 AM to 6:00 PM, Thursday, August 4, Friday, August 5, and Saturday, August 6, 2016 for the purpose of conducting the Gloucester Sidewalk Bazaar with the following conditions:

1. A memorandum from the City of Gloucester that shows the DGA Sidewalk Bazaar is covered under the city's insurance has been received.
2. There are to be no vendor set ups on the sidewalk blocking hydrants, crosswalks, or handicap ramps; Vendor set ups are not to extend beyond the marked parking lines on the streets.
3. No vendor set ups in front of the police station other than the area designated by the Police Department.
4. All vendor set ups must allow for unobstructed drivable area along the entire Sidewalk Days route slightly wider at the curve of the Brass Monkey to maintain adequate access for emergency vehicles. Failure to do so may necessitate the removal or relocation of the vendor at the discretion of the Fire Department, the Police Department or the event agent of the GDA.
5. The organizers shall allow the Fire Department drive-through access with a fire engine once each day of the event, on or about 9:00 a.m., and one random drive through to be decided by the Fire Department.
6. No parking or unloading of goods on any of the above-mentioned streets after 8:50 AM until 5:00 PM on each of the days of the Gloucester Sidewalk Bazaar.
7. Event staff is to have cell phones and be identified by the public with distinct shirts. A list of event staff and their cell phone numbers is to be submitted to the Police, Fire or DPW Departments in advance of the first day of the Sidewalk Bazaar.

8. **The GDC is also required to obtain any necessary approvals from the Licensing Board, the Health Department, and the Licensing Commission. It is the sole responsibility of the applicant to ensure that all required documentation is filed in a timely manner with the appropriate City departments as indicated. Failure to comply with any conditions precedent may result in permit revocation. Applicant is also required to comply with any requirements made by departments through the Special Events Advisory Committee including vending.**

B) To hold Fishbox Derby on September 18, 2016

Barry Pett, representing the Fishbox Derby organization cited that all plans for this year's event are the same as last year. He assured there were no changes to this long-standing annual event except for the date. He reviewed details of the set up and take down of the race course on Rogers Street briefly with the Committee briefly and that Gorton's of Gloucester graciously offers their parking lot to be available for the residents of the immediate area who are affected by the event. There have been no issues in the last three years, he noted.

Councilor Cox noted last year there was an issue with a delivery van remaining on Main Street that caused a problem. **Mr. Pett** said it was the only vehicle on the street, and the police attempted to contact the owner for several hours but were unsuccessful, he said, adding that it would be up to the police to decide to tow the vehicle -- that it is not his decision. **Councilor Cox** said she understood that the Derby committee does all it can to notify neighbors and businesses of their need to not park in the area the day of the event and diligently post signs well in advance of the event day. **Mr. Pett** reiterated that area parking is offered for businesses and residents alike for the night before and day of the event in the Gorton's of Gloucester parking lot.

Councilor Gilman noted that Condition #6 in the event application which is signed by the applicant says that all beverages and cans must be recycled by the city guidelines. **Mr. Pett** said they have no vendor selling anything of that nature, and it is carry in/carry out, the responsibility of those attending the event to dispose of their recycling appropriately. He said they have a small dumpster, and that the streets are pristine when they leave the area, receiving a helping hand from the ROTC cadets.

It was noted that Ms. Senos had sent a memo to the Committee (dated 6/21/16 and on file) confirmed that the Special Events Advisory Committee had no issues with the event, all sign-offs were received by appropriate departments and that a Certificate of Insurance naming the City Of Gloucester as the holder was on file.

MOTION: On a motion by Councilor Nolan, seconded by Councilor Gilman, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit Fishbox Derby, Inc. on Sunday, September 18, 2016, to hold the Fishbox Derby ("Soapbox Car" Race) closing Rogers Street from Manuel F. Lewis Street to Flanagan Square that day from 8:00 a.m. to 4:00 p.m. with the following conditions:

1. Certificate of Insurance:

A Certificate of Insurance naming the City of Gloucester as an additional insured party is on file with the City Clerk's Office.

2. Road Closure Plans:

Roads to be closed are to be marked with signage directing the public as to the duration of the closure and alternate routes. Any substantial changes, as determined by either the Police or Fire Chief or their designees to the route or related to safety issues will require Council approval.

3. Refuse and Comfort Stations:

All refuse and recycling due to this event must be removed by the organizer. Any portable toilets (with two handicap accessible) are to be provided and maintained by the organizer, placed the evening before the event or early in the morning of the day of the event and removed by 5:00 PM, September 18, 2016.

4. Emergency Services:

Emergency services shall be as determined by Emergency Medical Services Director, Sander Schultz.

5. Staffing:

Event staff is to have cell phones and be identified by the public with distinct shirts. A list of event staff and their cell phone numbers to be submitted to the Police, Fire or DPW Departments.

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

Notice shall be made by the event organizer by hand or by mail no later than 7 days in advance of the event to any businesses along the race route.

7. Responsibility of the Fishbox Derby, Inc.:

The applicant is also required to obtain any necessary approvals from the Licensing Board, the Board of Health and the Licensing Commission. It is the sole responsibility of Fishbox Derby, Inc. 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.

2. SCP2016-003: Pleasant Street #19, Map 8, Lot 73, GZO Sec. 2.3.6 Other Principal Uses

Jane Deering, art gallery owner at Pleasant Street #19, Map 8, Lot 73, zoned CCS, said she was before the P&D Committee seeking a Special Council Permit under GZO Sec. 2.3.6 Other Principal Uses subsection 4 “Arts, crafts and sale of arts or crafts if made on the premises, in order that she be permitted to continue to operate her art gallery at that address. This space has been a retail establishment for some time, she said. She noted that the gallery is on the first floor of the building at 19 Pleasant Street, and is a 14 foot by 16 foot room. The property, it was noted, is owned by Charles McManus from whom she leases the space, and the application showed that Mr. McManus had signed off it. She noted that the art gallery while small will complement the nature and character of the neighborhood. She pointed out that just catty corner to her gallery are two others at street level on Pleasant Street. She said she uses the gallery as her office and had signed a lease on March 1 but wasn’t aware that she was part of the civic center, a subset of the commercial district. She said she has a gallery in Concord where her sales are run through until she receives her Special Council Permit.

Reviewing the six criteria of GZO Sec. 1.8.3 she said that:

1. Social, Economic or community need served by the proposal: The proposed gallery will support visual artists and contribute to the vitality of the arts in Gloucester;
2. Traffic flow and safety: There are no traffic flow or safety concerns. Metered parking for the immediate area was available at the Warren Street Parking Lot, as well as on Middle and Warren Streets;
3. Adequacy of utilities and other public services: Utilities were noted to be adequate for the small gallery.
4. Neighborhood character and social Structure: The gallery location is adjacent to the Cape Ann Museum and across the street from existing galleries;
5. Qualities of the natural environment: This was noted to be unaffected and with no impact.
6. Potential fiscal impact: The proposed gallery will add revenue to the city’s tax base.

Councilor Gilman confirmed with Ms. Deering that the abutters had been noticed by her of this meeting. **Ms. Deering** said that she has heard nothing from abutters on this matter before the Committee either positive or negative. **Councilor Cox** said she hasn’t heard anything negative on the application. The Clerk of Committees noted that unless a Special Council Permit applicant turns in an Affidavit of Notice to Abutters, the Committee would have been unable to hear the matter this evening, and that document had been turned in several days prior to the meeting as proof that they noticed abutters of the P&D Committee’s public meeting.

Councilor Cox welcomed Ms. Deering to the downtown business community.

COMMITTEE RECOMMENDATION: On a motion by Councilor Nolan, seconded by Councilor Gilman, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council grant Jane Deering a Special Council Permit (SCP2016-003) under GZO Sec. 2.3.6(4) Other Principal Uses for the purpose of an art gallery at Pleasant Street #19, Map 8, Lot 73, zoned CCD, and as shown on an undated plan submitted with the Special Council Permit application entitled, “First Floor Plan, Jane Deering Gal, 17-19 Pleasant Street, Gloucester MA 01930.” The application under GZO Sec. 1.8.3 is deemed in harmony with the intent and purpose of the zoning ordinance governing Special Council Permits.

This matter will be advertised for public hearing.

3. Memo from Directors of DPW, Community Development and Planning and Senior Project Manager re: approval for Safe & Accessible Streets per MassDOT Complete Street Prioritization Plan Matrix

Stephen Winslow, Senior Project Manager, Community Development Department, said that the state in the past year has developed the Complete Streets program to allow cities and towns to have access for more funds for streets and sidewalks. He said that he is spearheading this effort which dovetails with his role with the Mass in Motion grant. That grant program funding is meant to improve the city’s sidewalks and bike lanes for better pedestrian safety and access. He recounted that the Community Development Department provided Community Development Block Grant (CDBG) money for the program, and that he raised money through grants for the bike lanes accessibility, noting that the bike lanes were just repainted that day. He said 30 percent of Gloucesterites don’t own a car so safe walking and biking access is essential. He noted that after the first set of sidewalks were done in 2009, it was such a success that the city put more CDBG money into the sidewalk rehabilitation program. **Mr.**

Winslow said that potentially the city could get another \$400,000 a year through the MassDOT Safe & Accessible Streets program. He advised the Committee that the city has to adopt a Complete Streets Policy which will provide safe streets for everyone. The Mayor has signed off, and this is asking the Council to endorse the program as well. The second step will be the creation of a prioritization plan and identify the areas where it will have the biggest safety impact and create the most accessibility.

He noted several priorities for sidewalk inclusion: Tally's Corner to install and improve sidewalks and crosswalks and to create a roundabout. That is a priority with the DPW Director as well, he noted. He said safety statistics have shown there are a number of bicycle and pedestrian accidents that happen at Tally's Corner so it is a safety priority for the city. Sidewalks have been improved from Grant Circle along Washington Street to the train station, but that needs to go further. He reiterated that while bike lanes are refreshed with paint that only lasts six months, it isn't thermoplastic paint which is more expensive but is much better because it lasts so much longer in the long run will be much better for the city. He said they'd like to do work on sidewalks around the O'Maley School as well and is in the plan in the packet.

Mr. Winslow briefly discussed with the Committee if they want more process with the public prior to the city's submission deadline of July 15 or after that deadline. **Councilor Cox** said they can move this matter forward and have joint ward meetings to follow which she suggested could take place in the early fall.

Councilor Gilman expressed her agreement of the importance of looking at the schools for student safety in and around O'Maley Innovation Middle School and Beeman Elementary School. She highlighted that in the Reynard Street sidewalk safety issue came up in a Ward 4-1 meeting as a priority and said she was pleased to see it is as a priority noted in the plan. She said she would support this effort.

Councilor Nolan said he believed a sidewalk on Concord Street going to the new West Parish School would be of a higher priority over the O'Maley School, because it is in the two mile radius that requires students to pay for the bus. There are no sidewalks but they're telling the public it is safe to have their kids walk to school or pay a fine. There is no sidewalk coming from West Gloucester to the beach and to the school. It is completely unsafe and should be made the highest priority from a safety perspective. **Councilor Gilman** and **Cox** added their agreement that the West Parish School sidewalk installation should be made a priority over the O'Maley School. **Councilor Nolan** added he realized sidewalk installations around the West Parish School two-mile radius will be a big project, but that it was very important for public safety.

Councilor Cox asked Mr. Winslow to contact her to work on arranging meetings in the fall to bring the program forward with the community to air the issues. She also asked that he forward a first run color copy of the documentation to the Clerk of Committees who will forward it to the Council and to the Superintendent of Schools.

COMMITTEE RECOMMENDATION: On a motion by Councilor Gilman, seconded by Councilor Nolan, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council accept the, "Planning for Safe and Accessible Streets in Gloucester MassDOT Complete Streets Prioritization Plan," dated June 7, 2016.

4. *CC2016-022 (Nolan) Request that the P&D Committee consider whether the Gloucester Zoning Map shall be amended to match Sec. 2.1.1, "Enumeration of Zoning Districts and the definitions contained therein specifically that of the BP (Business Park)(Cont'd from 05/18/16) (TBC 07/06/16)*

This matter is continued to July 6, 2016.

5. *Amendment to the Gloucester Zoning Ordinance referred by the City Council at its May 10, 2016 Meeting whether to amend Use Table 2.3.2 re: Kondelin Road (TBC 07/06/16)*

This matter is continued to July 6, 2016.

6. *Memo from Community Development Senior Planner re: Gloucester Aggregation Plan's submittal of final work to the Dept. of Energy Resources & Dept. of Public Utilities*

This matter is continued to July 6, 2016.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:10 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.