

Ordinances & Administration Committee
Monday, July 18, 2016 – 5:30 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Steve LeBlanc; Vice Chair, Councilor Jamie O’Hara; Councilor Sean Nolan
Absent: None.

Also Present: Councilor Ciolino; Councilor Cox (left at 6:35 p.m.); Councilor Gilman (arrived at 5:36 p.m.); Dan Smith; Tony Gross; T.J. Ciarametaro

The meeting was called to order at 5:30 p.m. There was a quorum of the City Council.

1. *Appointments & Reappointments*

A) *New Appointments:*

Harbormaster

Thomas T.J. Ciarametaro

TTE 02/14/19

Mr. Ciarametaro explained that he spent the past 10 years with the U.S. Coast Guard on active duty, and is now a Coast Guard Reservist. He was born and raised in Gloucester and a graduate of Gloucester High School, and a current city resident. He indicated that the administration of the Harbormaster’s Department is very outdated and is now in process of being rapidly updating the entire department’s operations. There is 67 miles of coastline in the city, help with the U.S. Coast Guard, patrol the city’s coastline and the Annisquam River, he noted, and said that good, up-to-date organization is vital for his office and to be updated as quickly as possible, he said. They have all city systems talking to each other now, he said, and that there is now a system for follow up to enforcement matters which was not in place previously. Moorings are a hot issue, with over 1,200 moorings controlled by the Harbormaster’s Office with the Waterways Board, and 30 transient moorings which are fully booked. He advised the department is finding new revenue streams. They are also finding that there are contracted services for his department that can be done in-house which will be a cost-saving move. He and the Deputy Harbormaster are combing through paper data to create a centralized computer mooring system; and looking to move from Lotus to a new software system for tracking and issuing mooring permits and updating the annual mooring list. He said he has been on the job three weeks and recommends the work of his newly hired Deputy Harbormaster, Chad Johnson, whom he noted is also is a U.S. Coast Guard retired “XO” (Executive Officer). His department has stepped up customer service, is now on social media for posting events, notices to mariners and is just one part of a total overhaul of the department’s outreach and administration that is underway, he said.

Councilor LeBlanc said he was part of the search committee to find a new Harbormaster which included Tony Gross, Waterways Board Chair; and Dan Smith, CAO. He said he is proud of Mr. Ciarametaro’s accomplishments to date and has heard many good things about him since he’s taken the helm of the department. He advised he had and has spent time with the new Harbormaster in the office for several hours with Mr. Johnson and other members of the staff. He said he’s heard good things on the water about Mr. Ciarametaro and lauded the new Harbormaster for his new outreach efforts on social media. He said Mr. Ciarametaro not only has the support of the Waterways Board but that of the Council, and should he need any help he should reach out to them. He urged his fellow Councilors to stop in at the Harbormaster’s office to get to know him and the staff.

Councilor Nolan said during the run up to the municipal election one of the hottest topics brought up was about the administration of the Harbormaster’s Department, and admitted he wasn’t a boater. He said from what he’s seen on Facebook is a welcome initiative and welcomed him to the position. **Councilor O’Hara** added his endorsement to Mr. Ciarametaro’s appointment and wished him good luck. **Councilor Ciolino** added his approbation saying that Mr. Ciarametaro is the right man at the right time for the job.

Councilor Cox said she spent six hours with the Harbormaster boat with Mr. Ciarametaro on Saturday getting to know him well during the Blackburn Challenge, and pointed out there a lot of good ideas coming from his office. There are many ways that the Council can support the Harbormaster’s Department, she said, and looked forward to hearing the Harbormaster’s new ideas at the Council level.

Tony Gross, Waterways Board Chair, said that when they started this process four years ago, and getting the Management Audit completed, and as the Board built their vision for the Harbormaster’s Department, the Board couldn’t have envisioned two better people to take on the department to bring rapidly into the future. He said next year the Council will see that this will be one of the top-notch Harbormaster’s Departments in the state.

Councilor Gilman said that she was present at the welcome session held by the Waterways Board for Mr. Ciarametaro. She said she was impressed with his answers to the Board's questions and welcomed him to the city position as Harbormaster.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Thomas "T.J." Ciarametaro Harbormaster, TTE 02/14/19.

Zoning Board of Appeals Kristopher Howard (Alternate)

TTE 02/14/18

Mr. Howard said that he was born in the city and is a graduate of Gloucester High School. He served with U.S. Air Force, he advised, and moved back, having graduated from Embry-Riddle Aeronautical University with a degree in airport management right after 9/11 but didn't go into that business. He worked locally for Jeffrey Richon, a contractor, and obtained his contractor's license. He was a contractor for Massport, an inspector for the Metropolitan Boston Housing Partnership and is now a director of Real Estate Operations for a real estate agency in Cambridge for the last 10 years. He advised he has been to ZBA meetings here and in other communities as part of his work and is familiar with their processes.

Councilor LeBlanc said that the city boards and commissions makes it easy on the Council by laying solid groundwork to help them make their decisions, and that the ZBA is an important part of that process.

Councilor Ciolino said they try to make the Boards, Committees and Commissions customer friendly. He asked Mr. Howard to be patient with applicants that come before the Board who don't come forward armed with legal counsel.

Councilor Nolan said it was good to have a Board member who has some property and building management and maintenance experience, and that with Mr. Howard's background he will add value to the Board's knowledge base.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Kristopher Howard (Alternate) to the Zoning Board of Appeals, TTE 02/14/18.

Zoning Board of Appeals Joseph Parisi III (Full Member)

TTE 02/14/18

Mr. Parisi explained that things are going well with the ZBA, which is a relief board. The Board has good members, who have applications that come before them running the gamut from complicated projects to homeowners simply wanting to do small enhancements to their homes. The ZBA agendas are busy, he noted, and it helpful that he understands how to read plans, he pointed out.

Councilor Ciolino said he has known Mr. Parisi a long time and to have someone on the Board who is knowledgeable and knows how to build is reassuring.

Councilor O'Hara thanked Mr. Parisi for his continuing service to the City.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council appoint Joseph Parisi, III (Full Member), to the Zoning Board of Appeals, TTE 02/14/18.

B) **Reappointments:**

EDIC

Ruth Pino*, Michael DeLascio*

TTE 07/01/19

*Cont'd to 08/01/16

2. **CC2015-044 (Verga, Cox) Amend GCO Sec. 9-12 re: Prohibition of plastic checkout bags (Cont'd from 06/20/16)**

Councilor Cox referring to updated documentation on file with the Committee (see agenda packet 07/18/16), said that her Council Order came directly from Sierra Club language and is an example of what other cities and towns are doing across the state. She advised that some of the "heavier" language in the proposed ordinance is removed. As long as a bag is reusable it will be acceptable, she said. She noted that another change from the original Order is that the original order had exemptions from the bag ban for small businesses. This amended language no longer carries that exemption regardless of the business' square footage or number of businesses one

owns in the city -- it is now a total ban of plastic non-reusable, recyclable checkout bags. A lot of cities and towns have instituted a 100 percent ban and said that Gloucester should have no exceptions. She advised that her plan is to use the next four to six months to educate and talk to consumers and businesses, and do some FAQ's. She said businesses need to focus on the summer high season. When things slow, they will refocus between the fall and the Christmas shopping season. She asked that this and the next agenda item pertaining to a ban on polystyrene take-out food and beverage containers be continued as well.

Councilor LeBlanc expressed his appreciation for the Councilor's measured response and wanting to do educational outreach. He said it has been done in Newburyport successfully as has Seabrook as two good examples with active business communities. **Councilor Cox** pointed out that because the Sierra Club is so interested in this matter, they have done studies and has gotten feedback that the businesses have had less money spent on bags and these bans have not hurt their businesses. Many consumers are happy to pay more for an item on a shelf to make sure plastic bags are not polluting the environment, she said. Councilor Cox added she is trying to do the responsible thing by educating businesses and consumers first before asking the Committee to vote to take this and the next matter to public hearing.

Councilor Ciolino said that the manager of Gloucester's Shaw's supermarkets is objecting to this ordinance amendment and seniors are displeased with this effort also.

This matter is continued to October 3, 2016,

3. *CC2016-015 (Cox) Request O&A review & recommend the matter of prohibiting the use of polystyrene food & beverage containers or serving items for food service establishments if the packaging takes place on the premises of food service establishments & recommend whether an ordinance on polystyrene food & beverage containers be adopted (Cont'd from 06/20/16)*

This matter is continued to October 3, 2016

4. *CC2016-002 (Cox) City Council requests the Traffic Commission to conduct a study of tractor trailer parking on Rogers Street (Cont'd from 06/06/16)*

Councilor Cox reported that after having discussed at length with business owners at Harbor Loop and in and around Rogers Street, and having consulted with the Traffic Commission over the course of the last six months, highlighting a map (placed on file) she noted a map and described that she was proposing to remove tractor trailer parking from Harbor Loop and replace it with an additional section of parking on Rogers Street in front of the National Grid property on Rogers Street creating 18 parking tractor trailer parking spaces on the water side. She noted she spoke to Lenny Parco with Ocean Crest, who expressed his apprehension about the change, but also expressed he understands that it is equal space about two blocks away. She said she gave Mr. Parco her word that once the initiative passes at Council that during the 30-day waiting period for that action to become ordinance, she will flyer cars in the currently unregulated area of Rogers Street telling them that section will become trailer truck parking only. The section on Harbor Loop will then become unregulated parking as the city has no spare parking meters. The move was precipitated because Harbor Loop has become more tourist/family-oriented and the parking of trailer trucks is becoming a pedestrian safety issue. As to the section of Rogers Street in front of Gorton's of Gloucester plant, she advised she spoke to Bruce Horne, Transportation Coordinator for Americold and Gorton's. She pointed out that for many years this whole section of Rogers Street has always been car parking even though it is designated as tractor trailer parking but has not had active enforcement. Mr. Horne, she said, has indicated to her that it is actually harder for his employees to get in and out of the parking lot if there are trailer trucks there because they can't see around them and is a danger to the area. They are removing that trailer truck parking all together in front of parcel #38 as indicated on the submitted map (Gorton's processing plant) which will become unregulated, on the water side of Rogers Street in front of the Gorton's plant between the two driveways.

Ann Molloy, Ocean Crest and Neptune's Harvest, Commercial Street and Kondelin Road, asked if her business can run the "reefer" (refrigeration units on tractor, semi-trailers and box trucks) at night on Rogers Street which is important. **Councilor Cox** said she didn't know but would check and have that information for the Council by the time of the public hearing. The Traffic Commission didn't indicate that there would be a problem, she said, and they know the activity on Harbor Loop and Rogers Street. **Ms. Molloy** said her driver informed her there are parts of Rogers Street where reefer trucks can't park. She asked if the police will be ticketing illegally parked vehicles in this newly outlined trailer truck parking area on Rogers Street if the ordinance takes effect. **Councilor Cox** said she

was assured by Chief Campanello when speaking to him about this initiative that there would be enforcement of the ordinance. **Ms. Molloy** asked if her business can move its trailer trucks to Harbor Loop during the Fishbox Derby and the Fishtown Horribles Parade when Rogers Street is closed to through traffic. **Councilor Cox** noted the parade turns off of Rogers Street at Manuel F. Lewis Street and would not affect the truck parking. **Councilors LeBlanc** and **Cox** agreed that such a request would be a consideration of the Special Events Advisory Committee that permits the Horribles Parade. **Ms. Molloy** pointed out that Harbor Loop is part of the DPA as is Rogers Street and is in place to protect marine/industrial concerns such as hers.

Councilor LeBlanc read an email from Patti Page, 3 Tidal Cove Way, in which she expressed her concern that she couldn't find a report of the Traffic Commission minutes on this matter on line, and asked about the concerns that brought this forward for her. **Councilor Cox** said that the minutes of the Commission's June 23 minutes aren't approved yet by the Commission and so are not posted on the city's website, but their draft minutes from that date were included in the O&A Agenda Packet and was made available on line (posted July 14). She said those Traffic Commission minutes won't be posted to the Commission's portion of the city's website until they are approved at their August meeting, and conveyed she had emailed that information to Ms. Page upon receipt of her email. **Councilor LeBlanc** continued that Ms. Page went on to highlight those businesses that use Rogers Street and Harbor Loop, Ocean Crest Seafood, and Mortillaro Lobster, and advised that both Harbor Loop and Rogers Street are located within the DEP. **Councilor Cox** said that if she was able to have found the minutes in the packet it would have addressed all of Ms. Page's concerns. The fear is that the spaces are removed, she said, but in fact, by removing the few tractor trailer spaces on Harbor Loop, even more space is being added on Rogers Street.

Councilor Nolan said he was concerned about taking a vote on this matter until he learns more about the location of reefer units on Rogers Street as he knew there had been issues with the units running towards from the Flanagan Square area about noise. He expressed further concern that if reefer units wouldn't be allowed on this particular portion of Rogers Street as proposed it would make no sense to make the change from Harbor Loop. **Councilor Cox** assured she would have an answer by the time of the public hearing scheduled for July 26. She said if they don't get the answer they want the matter can be referred back to O&A.

Councilor O'Hara said he spoke to Ms. Molloy, Mr. Parco, and Vincent Mortillaro who were okay with moving the spaces as long as there is no loss in equivalent spaces. He expressed concern for vehicles coming out of the Gorton's, Americold and the National Grid property for sight lines of vehicles heading off those properties into the Rogers Street traffic, and resolve one issue but create another that could be a safety issue. **Councilor Cox** pointed out that as with any road, there can be no parking from 20 feet to a corner, and that signs will all be replaced and/or refreshed and enforcement will be stepped up to the extent that she can move forward with this initiative. One of the reasons she was looking at Harbor Loop is because of the on-going National Grid remediation project that has greatly reduced parking availability in that area which has attracted more family-oriented events taking place at Harbor Loop. She said this action is to avoid problems rather than create more. Gorton's of Gloucester and the Traffic Commission advised that the way tractor trailer parking is now on Rogers Street is more of a hazard.

Councilor O'Hara reiterated that there would be a safety issue coming out of the National Grid property. **Councilor LeBlanc** said that he isn't in favor of losing parking spaces, and also expressed he wanted to receive answers on the reefer matter. He said he'd like to see that the matter is moved to Council but that at Council the Committee members can change their minds about their vote at that time.

Councilor Ciolino said that there are businesses on Harbor Loop, a herring processor, in particular and asked if that owner had been advised of these changes and the fish auction. **Councilor Cox** confirmed the auction was notified. He said in addition to the Maritime Center at Harbor Loop there are businesses, and that Rogers Street is essentially designed as a trailer truck park. He pointed out that there is legal bus parking near Flanagan Square on Rogers Street. He said they should be making more spaces for trucks not less.

Tom Balf, Maritime Gloucester Director, 23 Harbor Loop, said that there is no desire to displace tractor trailers. The goal is to assist the business owners of Harbor Loop in a particularly constrained parking situation with the National Grid remediation of Solomon Jacobs Park. He said he talks routinely with Peter Mullen about the herring boats, to Mr. Christensen, the owner of Zeus Packing. He pointed out that typically there is one ocean Crest trailer truck on Harbor Loop, and any tractor trailers are almost always related to that company. This is by no means an attempt to move tractor trailers out of Gloucester, he said, adding that the goal is to put them onto Rogers Street and ensure that there is parking for those that are related to maritime industrial activities. He said this is an equitable and reasonable solution. He pointed to a great deal of underutilized space at Rogers Street, and that part of the issue is there is not much enforcement on Rogers Street. There is replacement of the Harbor Loop parking space loss with a comparable space on Rogers Street.

Councilor LeBlanc said that Councilor Ciolino brought up good points about the fish auction and the fish processing plant at Harbor Loop, and that without hearing from them about what this change will do to their

business the Council may need to take another look at this. Councilor Cox highlighted that Mr. Balf said he has discussed this matter with those two business concerns who informed him they have no issue with the change. **Mr. Balf** said the auction house doesn't use Harbor Loop for truck parking and never has. As for the herring processing business, it is now done out of Portland, Maine. When that business concern has tractor trailers, they go directly onto that business's property. He said that Harbor Loop with the public parking lot on Rogers Street and trailer parking on the same street can accommodate area businesses.

Councilor O'Hara said there are still many questions to be answered and with businesses struggling to survive in Gloucester he was reluctant to take away parking from some businesses. **Councilor Cox** said all the businesses have been talked to and reiterated that tractor trailer parking is being added to Rogers Street equivalent to what is being removed at Harbor Loop.

Councilor Nolan said he would vote to put the matter forward to public hearing, but that he still has questions that need to be answered and didn't support the ordinance amendment overall at this time without find out if there is a reefer policy in place as it relates to the noise ordinance. Parking, he pointed out, has been restricted all over the city, and the only place there really is tractor trailer parking is these areas downtown. He highlighted there are even industrial parks where tractor trailers can't park on the street. He said he will vote to put it through to public hearing but doesn't support these changes.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 1 (Nolan) in favor, 2 opposed, to recommend that the City Council Amend GCO Sec. 22-285 "Parking of trucks, trailer trucks, and other commercial vehicles" by DELETING subsection (d) as follows:

"Harbor Loop, easterly side, space shall be provided for the parking of one trailer truck from a point beginning 392 feet from its intersection with Rogers Street, in a southerly direction for 142 feet."

And to Amend GCO Sec. 22-286 "Parking of trailers, semi-trailers and tour buses" by DELETING subsection (b) as follows:

"Rogers Street, southerly side, from a point 425 feet from its intersection with Rowe Square, for a distance of 80 feet in a westerly direction."

Ms. Molloy pointed out that tour buses are allowed to park on Rogers Street and are now parking on Harbor Loop. **Councilors LeBlanc** and **Ciolino** confirmed that they were. Ms. Molloy expressed her concern that more and more tour buses are coming to Gloucester and may displace that many more trailer trucks that need the parking spaces.

Councilor LeBlanc said he would support more trailer truck parking on Rogers Street and tour bus parking and so would support this motion. **Councilor Cox** said that the point is that there is additional parking being opened up on Rogers Street. She said they can't add trailer truck parking on Rogers Street if they keep the Harbor Loop trailer truck parking. **Mr. Balf** reiterated in general the tractor trailer parking area on Rogers Street has is no enforcement, and that it is about enforcing the current tractor trailer restriction, and precipitates the parking on Harbor Loop. **Ms. Molloy** pointed out that the buses are taking up more of Harbor Loop. **Councilor Cox** said if it is an enforcement issue it is different than what this ordinance amendment does. **Councilor LeBlanc** said this amendment would open up more parking spaces on Rogers Street for tractor trailers which is more business friendly. **Councilor Cox** reminded the Committee that other businesses besides those mentioned previously use Rogers Street for parking in the unregulated areas as there are no parking meters. If they add tractor trailer parking as proposed and don't remove it from Harbor Loop, they are then displacing those other businesses.

Councilor O'Hara said the owners he spoke with prefer the status quo and don't want to lose anything.

Councilor LeBlanc said he'd like to see this initiative tried in order to add more tractor trailer parking, and that if it didn't work out it could be removed from the ordinance.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 22-286 "Parking of trailers, semi-trailers and tour buses" by ADDING as follows: "Rogers Street, southerly side, from a point beginning 120 feet from its intersection with Manuel F. Lewis Street (easterly side entrance to Americold), in an easterly direction, for a distance of 430 feet (to the westerly side of the entrance of the Gorton's of Gloucester plant parking lot)."

5. *CC2016-028 (Cox) Amend GCO Sec. 22-265 "Turning movements-Generally," Sec. 22-159 "Same-Between certain hours & on school days," & Amend Sec. 22-291 "Tow-away zones" relative to traffic patterns & parking in the area of former St. Ann's School (West Parish Elementary School (Cont'd from 06/06/16)*

Councilor LeBlanc explained that now that the West Parish Swing School is no longer needed and the new West Parish School is built. Councilor Ciolino added that the Council promised the neighborhood it would remove the parking restrictions once the school was no longer needed.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend the Gloucester Code of Ordinances by DELETING FROM THE FOLLOWING SECTIONS OF CHAPTER 22 "Traffic and Motor Vehicles":

Sec. 22-265 "Turning movements-Generally," "Pleasant Street. While school is in session, Pleasant Street in a northerly direction no left turn onto Smith Street, between the hours of 8:30 a.m. to 9:15 a.m. and 2:30 p.m. to 3:15 p.m.

Sec. 22-159 "Same-Between certain hours and on school days" by DELETING as follows: "Pleasant Street. While school is in session, Pleasant Street from a point beginning at its intersection with Prospect Street, westerly side, in a northerly direction to Smith Street, no parking between the hours of 8:30 a.m. to 9:15 a.m. and 2:30 p.m. to 3:15 p.m. on school days.

Sec. 22-291 "Tow-away zones" "Pleasant Street. While school is in session, Pleasant Street from a point beginning at its intersection with Prospect Street, westerly side, in a northerly direction to Smith Street, no parking between the hours of 8:30 a.m. to 9:15 a.m. and 2:30 p.m. to 3:15 on school days.

6. *Update to O&A Committee on Dog Ordinance Ad Hoc Committee by Chair, Councilor O'Hara and CC2016-031 (O'Hara) Request to amend GCO Sec. 4-16(a) regarding expansion of off-leash areas for dogs and whether Sec. 4-16(a)(2) should be amended by adding new subsections "k" and "l"*

Councilor O'Hara explained the proposals now before the Committee for their recommendation to move to public hearing for amending the "Dog" ordinance. This to open up two areas so dogs can go swimming, he said. The Ad Hoc Committee researched this matter and there are state regulations and there are shellfish regulations that make the areas very limited in the city to take a dog on a summer day to cool off. They have identified two areas with limited time to be considered -- Cressy Beach and Plum Cove Beach, he said. **Councilor LeBlanc** asked if the Public Works Director weighed in on this new proposal as all city beaches are off limits in the summer, he noted.

Dan Smith, CAO, said that all city beaches are off limits to dogs during summer months, he pointed out. The DPW Director would have to weigh in and so would the Public Health Department.

Councilor LeBlanc said that not only will this rewrite the dog ordinance under GCO Sec. 4-16 but beach ordinances would have to be rewritten -- This ordinance can't be implemented without changing other sections of ordinance, city rules and regulations.

Cindy Dunn, 7 Rose Lane, said that the proposal to change the ordinance further regulates dogs on public beaches and is the motion the Ad Hoc Dog Committee wants presented to the Council to go up to City Council and to give the public the ability to weigh in.

Councilor Ciolino said that it is necessary that the Public Works Director sign off on this new initiative. He reminded the Committee that the Stage Fort Park Advisory Committee (SFPAC) had previously voted and given their opinion to the O&A Committee that they did not want dogs off leash in Stage Fort Park of which Cressy Beach is part of.

Councilor LeBlanc said they keep coming back with things that haven't been looked at completely like Stone Pier, now coming back with several beaches. All city beaches are under the purview of the Public Works Director, by City Charter. Cressy Beach is a tourist destination as part of Stage Fort Park, he pointed out. The Stage Fort Park Advisory Committee has voted against the initiative. He said he wants the Public Works Director to weigh on this matter first before the changes are proposed for public hearing. There are proper channels and process first, and the DPW Director manages the city's beaches.

Ms. Dunn discussed process with Councilor LeBlanc, Councilor O'Hara and Councilor Ciolino. Councilor O'Hara said there is no legal area for dog owners to let their dogs enjoy the ocean. Councilor LeBlanc said there are

bad owners not bad dogs. While his dog is well behaved, it takes one incident, one needle on the beach, to create a city-wide concern. He said he wants to make sure they're doing the right thing for everybody. He reiterated that the Public Works Director should weigh in on this opening of city beaches to dogs in the summer, noting City Charter Sec. 7-16(b).

Councilor Gilman pointed out that Councilor Ciolino had advised that the SFPAC recommended there be no dogs on Cressy Beach but it is a recommendation only as they are an advisory committee. She said she appreciates the work that Advisory Committee does to protect Stage Fort Park but added that Cressy's Beach is hardly used, with a parking lot where there isn't a concern about entire neighborhoods. She said the Mayor suggested Cressy Beach for dog use. She asked if the opinion of the SFPAC trumps the opportunity to deliberate at a Council meeting about the future for one extra beach to be considered at a public hearing.

Councilor LeBlanc said the SFPAC, like the Traffic Commission does make recommendations to the O&A Committee, and the Committee can vote for or against what they believe is the right thing to do. He said he is a dog owner and that he, also, wants what is best for dogs, but he said he envisioned dogs getting loose under this new proposal and creating unfortunate situations. He wants to ensure that bad dog owners don't give good dog owners and good dogs a bad rap. **Ms. Dunn** asked that this debate be had at City Council. She said this should be a discussion had with all nine Councilors. She said many dog owners are waiting patiently for this kind of change. Citing a statement from Councilor Ciolino that the Ad Hoc Dog Committee was charged to condense the Dog Ordinance into a one-page document, she pointed out that the problem with a one-page ordinance is that the city has so many different types of areas and neighborhoods, to have a rule that fits downtown and the woods is not a likely fit. She advised the Ad Hoc Committee has ideas for the future and will need outreach for them on the Ad Hoc Committee's part. She said the dog community deserves the public hearing on this matter in front of the Council.

Linda Brayton, 527 Washington Street; **Jennifer Holmgren**, 385 Magnolia Avenue; and **Lorraine Law**, 7 Jacque Lane, all likened one "bad dog" or "bad dog owner" to bully that should be punished rather than the whole school for that child's behavior. They asked for a fair and reasonable approach for opening city beaches to dogs in the summer and to not condemn all dogs on the fear of bad behavior that might occur by one dog and its owner.

Valerie Nelson, 7 Sunset Point Road, informed the Committee that the Ad Hoc Dog Committee will go before the SFPAC at their first August meeting and will also plan to meet with Mike Hale, Public Works Director, to review the proposed dog ordinance changes.

Councilor LeBlanc said that he is there to protect all the public as well not just the interests of dogs and their owners. **Councilor O'Hara** said that he, too, represents the public and reiterated the matter should go to public hearing to allow residents the ability to speak on the subject.

Councilor LeBlanc said he wished to make clear that he would vote to put the dog amendments forward for the purpose of taking it to public hearing, but that he wants to hear from the Public Works Director before he makes his final decision as to how he would ultimately vote. He said that Cressy's Beach is a difficult area with a seasonal food establishment and many families making use of the area in and around it and Cressy's Beach in the evenings, as well as a nearby ball field which will require dog owners to and from the beach to be very responsible and cognizant of their surroundings. Plum Cove is not so much of a stretch to see dogs there, he said.

Councilor Nolan said he would support the amendment to move it to public hearing.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Chapter 4, Article II, Sec. 4-16(a) "Dogs allowed on public beaches at certain times," by DELETING the first and second paragraphs and ADDING new the following ordinance language:

"Dogs shall be prohibited from public beaches from May 1 to September 30 annually with the following exceptions: 1) Dogs are allowed leashed and unleashed on Cressy Beach; 2) Dogs are allowed leashed and unleashed at Plum Cove Beach and Niles Beach from 5:30 p.m. to sunset and sunrise to 8:00 a.m.

Dogs shall be allowed leashed and unleashed on public beaches from October 1 to April 30 subject to the following exceptions: 1) Dogs are allowed unleashed only on even-numbered days at Good Harbor Beach; 2) Dogs are allowed unleashed only on odd-numbered days at Wingersheek Beach, subject to the following conditions:"

Ms. Dunn said that this next amendment is put forward at the request of the Friends of the Gloucester Dog Park to further clarify the Dog Park regulations.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend GCO Sec. 4-16(d) (a) (2) by ADDING a new subsections as follows:

**“(k) Dogs that weigh 25 pounds or less are not allowed in areas designated for large dogs.
(l) Dogs that weigh 26 pounds or more are not allowed in areas designated for small dogs.”**

7. CC2016-30 (Gilman) Request amendment to GCO Sec. 10-81(a) “Diver’s flag”

Councilor Gilman said she was discussing the scuba diving laws when there were no lifeguards at Plum Cove Beach with Assistant Police Chief John McCarthy. She said in her research the laws that state law 90B, §30A requires, “that divers remain in the area of 100 feet of such displayed diver flag while at or near the surface of the water...” She pointed out that in contrast, the Code of Ordinances, Sec. 10-81 (a) says that, “... The diver shall trail this flag while submerged, unless the harbormaster grants permission to do otherwise and shall surface within 25 feet of the flag.” She advised that as a certified diver, and a past lobster license holder and conforming to all rules, they are teach about the 100 yard rule only. One issue, in ticketing divers, is that if the signs aren’t right the violators end up appealing the tickets, and that the ordinance should be consistent with state law. She said she was looking forward to hearing what the Waterways Board has to say about this matter.

This matter is continued to August 15 pending a recommendation from the Waterways Board.

8. CC2016-032 (LeBlanc) Request Traffic Commission review traffic patterns & no parking at Intersection of Maplewood Ave. & Gloucester Ave. & make written recommendation to O&A and whether to amend GCO accordingly

Councilor LeBlanc said that at the intersection of Maplewood and the upper part of Gloucester Avenue, there is a bump out with flower plantings into the roadway towards Bomco, which has created more parking on that corner but at the same time has created a problem for an elderly couple who are unable to pull in and out of their driveway as well as several others who live in that immediate area. This parking was added in an ad hoc manner and needs to be removed, he said, and that he supported this amendment.

COMMITTEE RECOMMENDATION: On a motion by Councilor O'Hara, seconded by Councilor Nolan, the Ordinances & Administration Committee voted 3 in favor, 0 opposed, to recommend that the City Council Amend the Gloucester Code of Ordinances by ADDING FROM THE FOLLOWING SECTIONS OF CHAPTER 22 “Traffic and Motor Vehicles”:

Sec. 22-270 “Parking prohibited at all times” “Maplewood Avenue, easterly side, from its intersection with Gloucester Avenue, in a southerly direction, for a distance of 100 feet (pole #1371).

Sec. 22-291 “Tow-away zones,” “Maplewood Avenue, easterly side, from its intersection with Gloucester Avenue, in a southerly direction, for a distance of 100 feet (pole #1371).”

9. CC2016-020 (Cox) Request O&A determine whether GCO c. 11, Sec. 1-11 “Permit required; fee” be amended by deleting, “The fee for a permit issued shall not exceed \$100.00” (referred back to Committee by Council on 06/28/16)

This matter is continued to August 1, 2016.

Councilor LeBlanc asked for an Ad Hoc Traffic Committee Report to be submitted to the O&A Committee for its review. Upon receipt he would schedule a discussion by the Committee on the report.

A motion was made, seconded and voted unanimously to adjourn the meeting at 7:15 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- Map entitled, "Downtown Parking" for Committee discussion on Agenda Item #4 CC2016-002 (Cox) City Council requests the Traffic Commission to conduct a study of tractor trailer parking on Rogers Street
- Emails dated Monday, July 18 from Patti Page, 3 Tidal Cove Way, and Ann Molloy, Neptune's Harvest and Ocean Crest