



CITY OF GLOUCESTER

PLANNING BOARD

September 21, 2017

6:00 P.M.

**Kyrouz Auditorium
9 Dale Ave, Gloucester**

Richard Noonan, Chair

Members Present: Rick Noonan, Chair, Jonathon Pratt, Doug Cook, Henry McCarl, Ken Hecht, Shawn Henry

Staff Present: Gregg Cademartori, Planning Director, Matt Coogan, Senior Planner, Paul Keane, City Engineer

I. BUSINESS

The Meeting was called to order at 6:04 PM.

There were no meeting minutes available for approval.

Review of Community Development Director Appointee, Jill Cahill

Jim Destino, Chief Administrative Officer introduced Jill Cahill as Mayor's candidate to fill to open Community Development Director position and explained the hiring process. Mr. Destino also extended a special thank you to Mr. Cademartori for his role as acting Community Development Director. Ms. Cahill discussed her professional experience.

A motion was made by Mr. Pratt , seconded by Mr. McCarl , and unanimously approved (6-0) to recommend the City Council to appoint Jill Cahill to Community Development Director position.

II. CONSENT AGENDA

Planning Board to consider a *Site Plan Review* submitted by Homeport Development Corporation for an expansion of a commercial use at 10 Witham Street (Assessors Map 161, Lot 114).

A motion was made by Mr. Hecht , seconded by Mr. Pratt , and unanimously approved (6-0) to continue the Site Plan Review submitted by Homeport Development Corporation for 10 Witham Street to the next Planning Board meeting, October 5th.

Planning Board to consider a *Site Plan Review* submitted by Patrick Titus, Trustee, for a new mini-storage facility to be located at 21 Reynard Street (Assessors Map 108, Lot 13).

John Judd, Gateway Consultants.

Mr. Judd represents Mr. Titus. He explained that the property recently was purchased by Mr. Titus and had been used as a nursery and more recently storage for a plumbing company. It is zoned as Extensive Business, and self-storage is allowed by right in this district. Mr. Titus operates other self-storage

facilities. The proposal is for five, single story buildings with self-storage. Applicant is providing screening around the property.

Mr. Coogan reviewed the staff memo. Staff has been working with the applicant in resolving a few issues, including fire access. The Fire Chief is now satisfied. Curb openings were also reduced to comply with zoning and as a result one of the two entrances was made one way. The applicant has made appropriate efforts to screen property, since it is zoned Extensive Business but abutted by a high to medium density residential zoning district, R-10. The Fire Chief, DPW Director, City Engineer have all provided memos and are satisfied with the site plan. Planning staff also feels that the waiver to allow a composite plan is appropriate.

At the request of Mr. McCarl, Mr. Judd reviewed the landscaping plan for the project. Mr. Cook was satisfied with the plan.

On a motion by Mr. Pratt, seconded by Mr. Hecht, the Planning Board unanimously approved the Site Plan Review submitted by Patrick Titus, Trustee, for a new mini-storage facility to be located at 21 Reynard Street.

III. CONTINUED PUBLIC HEARINGS

In accordance with the provisions of MGL Chapter 40A, Section 5, and the Gloucester Zoning Ordinance, Section 1.11, the Gloucester Planning Board to consider the following petition to rezone one parcel of land:

Amend the Gloucester Zoning Map and corresponding zoning districts in the Zoning Ordinance by rezoning approximately 0.43 acres in the Medium/High Density Residential (R-10) District to the Extensive Business (EB) District at 4 Rust Island Road (Assessors Map 233, Lot 72). *Continued from 8/17/2017 meeting.*

Corey Grammas, 141 Western Ave

Mr. Grammas is the owner of 4 Rust Island Road. He also owns Lobsta Land restaurant at 84 Causeway Street. Mr. Grammas acquired 4 Rust Island Rd to resolve septic issues at the restaurant. The restaurant's septic system is located at 4 Rust Island Rd and was structurally designed to accommodate employee parking on top of system, approximately 15 to 20 vehicles. The lot is currently zoned R-10, and parking is not an allowed use in that district. Rezoning the property to EB allows for additional uses, including boat storage.

Mr. Noonan asked whether there had been any feedback from abutters. Mr. Grammas stated he had a great relationship with the neighbors and is proceeding with full transparency.

Mr. Cademartori mentioned that the lot is very narrow, possibly 100 feet at widest, and it may be necessary to seek potential dimensional relief for future uses. Most of the property is encumbered by the setback requirements. Relaxing the dimensional requirements and other potential types of relief may require a variance from Board of Appeals or other boards. Most of property is encumbered by setback requirements.

There was no additional public comment.

On a motion by Mr. McCarl, seconded by Mr. Pratt, the Planning Board voted unanimously to close the public hearing.

On a motion by Mr. Pratt, seconded by Mr. McCarl, the Planning Board voted unanimously to recommend to the City Council to approve the petition to rezone one parcel of approximately 0.43 acres in the Medium. High Density (R-10) District to the Extensive Business District at 4 Rust Island Road (Assessors Map 233, Lot 72).

IV. MAJOR PROJECT SPECIAL PERMIT REVIEW

In accordance to the City of Gloucester Zoning Ordinance, Sections 5.27 and 5.7.4, Gloucester Planning Board to review the following application:

School House Road #2, #3, and #4, Map 262, Lots 14 & 37, and Gloucester Crossing Road #7, Map 37, Lots 4 & 5, for a Special Permit under the Mixed Use Overlay District pursuant to GZO Sec. 5.29 (including Major Project GZO Section 5.7) and Secs. 5.29.10 and 5.11.8. Also being reviewed by the Planning Board under GZO Section 5.8 Site Plan Review.

Deb Eliason, 63 Middle Street

Ms. Eliason represents Fuller Mixed Use Development, LLC, and she led a presentation on the project (the presentation is attached to these minutes). There were other members of the project team that were part of the presentation, including Peter Gourdeau, Windover Construction, Beverly MA; Hans Strauch, HDS Architecture, Cambridge MA; Thad Siemasko, Siemasko + Verbridge, Beverly MA; Charlie Wear, Meridian Associates, Beverly MA; Bob Michaud, MDM Transportation Consultants, Marlborough, MA; Tom Miner, Hawk Design, Inc. Sandwich MA; and Mark Bobrowski, Blatman Bobrowski & Haverly, LLC Concord Ma.

Mr. Cademartori discussed the memo he provided to the Board. He mentioned the large amount of detail in the application that needs to be reviewed. City staff has met with the applicant and there is agreement that there are aspects of the project that would be best evaluated with the assistance of peer reviewing consultants to arrive at workable solutions and validate aspects of the submission. Under the ordinance, the Board has the ability to authorize peer review, and Mr. Cademartori has included draft language for a motion to do so. The civil, traffic, and site design aspects review are straightforward, but there's a unique situation where there's a lot of information on how the applicant is addressing the inclusionary requirement. This issue is specific to application and hasn't been requested to the Council before. The applicant has experts, and for the City to be diligent it should have peer review. He leaves it up to the Board on whether they need support through a peer review to vet the applicant's approach to the inclusionary requirement. But such a review would be appropriate and in compliance with the ordinance.

A motion was made by Mr. McCarl, seconded by Shawn Henry, for the Planning Board to engage peer review consultants to provide a technical review of the application in the areas outlined and require the applicant to submit a review fee to be deposited with the City Treasurer in the Planning Board's project review account and authorize the Planning Director to develop the scope of such peer review, solicit response(s), and administer and manage consultant contracting.

Mr. Henry agrees with Mr. Cademartori that in addition to the technical aspects, in this particular situation with 5.11, it would be beneficial to include the inclusionary issue in the peer review expertise for the

benefit of the project and for the City Council, who ultimately grant the permit. Revenue vs. payment calculation is significant and has a significant effect on the calculation for in- lieu payment.

Mr. Hecht agrees with Mr. Henry on the peer review. Encourages peer review to have an expert on advising on the concept of burden and in lieu payments.

The motion passes unanimously.

Ms. Eliason explained that the applicant has no objection to having an expert peer reviewer to evaluate the applicants proposal to comply with the Inclusionary Ordinance, Section 5.11. However, some of the information in the hardship analysis is private. She proposed that the applicant turn over the private information directly to expert peer reviewer for evaluation but that that information not be released to the public in a public document.

Mr. Henry asked why the information would be considered private and referred to the Inclusionary Ordinance which requires that an applicant provide proof of a hardship, which would include financial information.

Ms. Eliason stated they can be more specific of what can be released publicly and what is proprietary.

Mr. Gourdeau explained that some information in the hardship analysis is proprietary, including construction and operational costs, and would not want it shared publicly so that their competitors could view it.

Mr. Cademartori stated that it is an unusual situation for an applicant to provide an analysis to validate their compliance to the Inclusionary Ordinance but not allow peer reviewers to check the work in a public process. He added there is a need to define a process that protect the applicant's interest to maintain their proprietary information but also provides the Board information for evaluation.

Ms. Eliason agrees there's a way to do this that would be comfortable to both parties.

Mr. Noonan reiterated that both parties need to find some resolution that gives the Board a sense of comfort that it needs for third party review in compliance with a rigorous public process necessary for such a large project. Ms. Eliason agrees.

Mr. Henry clarified that it's the Board's duty is to focus on the technical aspects to make it a good project technically. But it is beneficial to both parties to be diligent in addressing the justification of the payment in lieu request.

Mr. Hecht stated that he prefers transparency in this process. The applicant is seeking relief on hardship, and more information is needed to vet their reasoning and to understand the nature of the hardship. The Board needs to understand all the numbers in order to understand the hardship.

Mr. Gourdeau you will get all the information but request that the information be given to the board through an expert peer reviewer. Need the Board to consider whether they are satisfied with the definition of hardship as proposed by the applicant.

On a motion by Mr. Hecht, seconded by Mr. Pratt, the Planning Board voted unanimously to continue the Major Project Review to the October 5 meeting.

V. OTHER BUSINESS

- CPA Update

Mr. McCarl provided members with a memo showing the CPA allocations to projects. The Sargent House request may change because they received another grant from the Massachusetts Historical Society and that may reduce their CPA funding for the project.

VI. ADJOURNMENT

On a motion by McCarl, seconded by Mr. Hecht, the Planning Board voted unanimously to adjourn.

VII. NEXT MEETING

Next regular meeting of the Planning Board October 5, 2017

Planning Board Members: *If you are unable to attend the next meeting please contact the Planning Office at (978)325-5235.*