

Planning & Development Committee
Wednesday, May 16, 2018 – 5:30 p.m.
1st Fl. Council Committee Room – City Hall
-Minutes-

Present: Chair, Councilor Valerie Gilman; Vice Chair, Councilor Jen Holmgren; Councilor Paul Lundberg
Absent: None.

Also Present: Joanne M. Senos; Jim Destino

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

1. *Special Events Applications:*

A. Request to hold Concerts on the Boulevard, July 3 & September 1, 2018

As Brent “Ringo” Tarr was unable to attend, **Barry Pett**, represented the Concerts on the Boulevard who advised that on July 3 the concert starts at 5:00 p.m., stops at 6:00 p.m. for the start of the Horribles Parade. It restarts after the parade goes by and ends one half hour after the fireworks end. That is coordinated with the Police and Fire Departments, he noted. The Police Department also makes the determination based on crowd size whether to close the east side of Stacy Boulevard to traffic. It is the same for the September 1 concert, he noted. All plans are the same, and during the Boat Parade of Lights. The fireworks are a half hour earlier on that evening, but the end of the concert is still a half hour after the end of the fireworks.

Joanne M. Senos, City Clerk, reviewed that Mr. Tarr appeared before the Special Events Advisory Committee (SEAC) and received departmental sign-offs. There is a memo (on file) from the Mayor’s Office advising that the city’s liability insurance covers both events. She asked that a condition be added that road closures are at the discretion of the Police Department for both concerts.

MOTION: On a motion by Councilor Holmgren, seconded by Councilor Lundberg, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit the Gloucester Fund to hold a free concert on Stacy Boulevard in the vicinity of the Blynman Bridge on Tuesday, July 3, 2018, on the condition that the Gloucester Fund obtains all necessary approvals and to ensure that all required documentation and insurance is timely filed with the appropriate City departments. Road closures are at the discretion of the Police Department. Failure to comply with any conditions precedent may result in revocation of Council Approval.

MOTION: On a motion by Councilor Lundberg, seconded by Councilor Holmgren, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit the Gloucester Fund to hold a free concert on Stacy Boulevard in the vicinity of the Blynman Bridge on Saturday, September 1, 2018, on the condition that the Gloucester Fund obtains all necessary approvals and to ensure that all required documentation and insurance is timely filed with the appropriate City departments. Road closures are at the discretion of the Police Department. Failure to comply with any conditions precedent may result in revocation of Council Approval.

B. Request to hold the Around the Cape 25K Road Race, August 26, 2018

This matter is continued to August 26, 2018 as no representative of the Cape Ann YMCA was present.

C. Request to hold the Fishbox Derby on September 16, 2018

Mr. Pett, organizer for the 2018 Fishbox Derby, briefly explained details this longstanding annual event to the Committee with a rain date is September 23, he noted, saying that these are the only dates they can use the Gorton’s property and won’t be in conflict with the Mother of Grace Fiesta which requires a closure of Washington Street in one section. All permits and permissions are in place from Gorton’s and are set with the Police and Fire Departments. He reviewed some of the details of posting of signage warning of the upcoming event as far as no parking; neighborhood advisories about parking available in the Gorton’s parking lot through Sunday; advising businesses open on Sunday parking availability for their employees. He mentioned he is unaware of any issues of this annual event. The United Veterans Council will be taking over the running of this event starting next year.

Ms. Senos advised Mr. Pett has been before SEAC and prior to the event he will need to submit a new Certificate of Insurance.

MOTION: On a motion by Councilor Holmgren, seconded by Councilor Lundberg, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit Fishbox Derby, Inc. on Sunday, September 16, 2018 with a rain date of Sunday, September 23, 2018, to hold the Fishbox Derby (“Soapbox Car” Race) closing Rogers Street from Manuel F. Lewis Street to Flanagan Square that day from 6:00 a.m. to 4:00 p.m. with the following conditions:

1. **Certificate of Insurance:**
An updated 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 16, 2018 (or September 23, 2018 if event is on rain date).
 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 other necessary City Board or Commission necessary approvals. It is the sole responsibility of Fishbox Derby, Inc. to ensure that 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. *Application of DML Properties LLC for the storage of diesel at 24 Kondelin Road, Assessors Map 197, Lot 13, per MGL Ch. 148, §13 & GCO Ch. 8, Sec. 8.1 “License for Storing Inflammables” (TBC 06/06/18)*

At the request of the Applicant, this matter is continued to June 6, 2018.

3. *Application of NSDJ Real Estate LLC for the storage of ammonia, gas & oil at 159 East Main Street, Assessors Map 63, Lot 26, per MGL Ch. 148, §13 & GCO Ch. 8, Sec. 8.1 “License for Storing Inflammables”*

Nick Osgood, representing NSDJ Real Estate LLC, appeared with Antonio Pereira, Manager, National Fish & Seafood for a license for Storing Inflammables at 159 East Main Street. **Mr. Osgood** advised the NSDJ Real Estate LLC is the new property owner, and that this is an application for a transfer of license for the storage of inflammables - ammonia, gas and oil, used at this seafood processing plant. This license was in place for 25 years prior to the change in ownership. He described that ammonia is used for cooling the cold storage facility and is part of the daily process. The gases are for cutting torches which has a separate permit from the state. The cooking oils are for the seafood processing daily. **Mr. Pereira** noted he’s been with the company for 25 years and that these inflammables have to be used to run the facility without incident. **Mr. Osgood** pointed out that since they acquired the property there have been no changes associated with either the use or any issues for these inflammables use.

Ms. Senos advised she reached out to Mr. Osgood because of the change of ownership as the inflammables license is licensed to the property not the business. As Americold was no longer the owner, she advised she wanted to ensure the company can be in compliance with state law.

Councilor Lundberg noted the license and materials on site were already in place; that this action is recognizing change in ownership. **Ms. Senos** noted the City Clerk's Office file goes back to 1969. This isn't a change of use, she confirmed, but is to transfer the license to the new owner. **Councilor Lundberg** noted that when P&D permits the event applications, it is because the City Council has given the Committee the purview to permit them, but it is the Council that will permit this kind of license. **Ms. Senos** reviewed the process with Mr. Osgood under the Code of Ordinances, as well as his company's responsibility to publish the legal advertisement of the public hearing, and that the abutters are to be noticed by registered mail of that hearing. She noted there is an annual renewal with the City Clerk's office, as well as an annual fire inspection associated with licensure.

COMMITTEE RECOMMENDATION: On a motion by Councilor Lundberg, seconded by Councilor Holmgren, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council grant a license under GCO Ch. 8 "Fire Prevention and Protection," Sec. 8-1 "License for storing inflammables," MGL. Ch. 148, §13 and 527 CMR 1.00 for storage of inflammables at 159 East Main Street, Assessors Map 63, Lot 26, owner NSDJ Real Estate LLC, specifically to store Ammonia (9,730 lbs.); Argon Gas (225 lbs. in 3 cylinders); Oxygen Gas (50 lbs. in 2 cylinders); Acetylene Gas (50 lbs. in 2 cylinders); Cooking Oils (11,500 gallons - two (2) 5,000 gal. tanks and three (3) 500 gallon tanks).

This matter will be advertised for public hearing.

4. *Memorandum from Mayor re: Recreational Marijuana Recommendations: That the Council adopt the requisite ordinances and zoning requirements necessary in that regard currently at the Planning Board (Cont'd from 04/18/18)*

Councilor Lundberg updated the Committee noting that he's spoken to Chairman Rick Noonan of the Planning Board, and General Counsel, Chip Payson. He advised that the Planning Board had a working group which has done considerable work on a proposed zoning ordinance pursuant to recreational marijuana retail establishments. The Board will deal with that tomorrow night at their meeting. It is hoped that they'll make a recommendation very shortly thereafter. He suggested the proposed Zoning Ordinance is at its completion. He indicated that the Board is aware that the Council is eager to have those proposals to educate the public as to what it means to them and where these facilities might be located and other matters. The Committee discussed Council process briefly.

This matter is continued to June 6, 2018.

5. *SCP2017-012: School House Road #2, #3 and #4, Map 262, Lots 14 & 37 and Gloucester Crossing Road #7, Map 43, Lots 4 & 5 for a Special Permit under the Mixed Use Overlay District pursuant to GZO Sec. 5.29 (including Major Project under GZO Sec. 5.7) and Sec.'s 5.29.10 and 5.11.8 (Cont'd from 04/04/18)(TBC 06/06/18)*

This matter is continued to June 6, 2018.

A motion was made, seconded and voted unanimously to adjourn the meeting at 5:53 p.m.

Respectfully submitted,

Dana C. Jorgensson

Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.