



EDIC Meeting Minutes

September 25, 2018 at 5:30pm

2 Pond Road, City Hall Annex

Call to Order: EDIC Chair Bernie called the meeting to order at 5:30PM.

EDIC Members in Attendance:

Board Members: B. Bernie, B. Pett, R. Pino, W. Bramhall, R. Ross, M. DiLascio

Employees / Associates: T. Gillett; J. Cunningham (EDIC Attorney)

Others in Attendance:

From Happy Valley: Michael Reardon (Manager / Chairman of the Board); J. Favazza (Attorney)

Innovation Video Project: Erich Archer (Cape Ann TV Executive Director); Karen Ristuben

Items of Business:

Happy Valley Construction Proposal for 38 Great Republic Drive in Blackburn Industrial Park

HVV Gloucester, LLC, as owner of real property located in the Blackburn Industrial Park known as 38 Great Republic Drive and Happy Valley Ventures MA, Inc., as the tenant and operator of the proposed facility (collectively, "Happy Valley") was in front of the EDIC Board to request variances to the Restrictive Covenants that impact construction within a portion (which includes 38 Great Republic Drive) of the Blackburn Industrial Park. Mr. Favazza began the discussion with a review of the project including approvals from Conservation Commission, Planning Board, Council P&D Committee and examples of items they have addressed, such as: parking, fire department requirements, sidewalk, and conservation.

Mr. Favazza then presented one at a time each of the seven covenant variances that Happy Valley was requesting.

[Happy Valley had listed those variance requests in an August 28, 2017 letter to the EDIC. The specific section of the letter referring to the requests is quoted below and the EDIC action taken at this meeting in response to those requests is inserted after each request.]

4. Location of Structures and Intensity of Use. Variance requested. This covenant incorporates the Gloucester Zoning Ordinance dimensional controls for the Business Park District as well as the Basic distance requirements that trigger Conservation Commission review. My client's proposal is Fully compliant with the Gloucester Zoning Ordinance and, therefore, the majority of this covenant. However, the proposal will site a building within 100 feet of a wetland area and paved Surfaces within 40 feet of a wetland area, which requires a variance from the EDIC. However, as The Conservation Commission has already reviewed these plans and given their blessing, the EDIC Can grant a variance knowing the protection for wetlands sought after in this covenant are provided.

EDIC BOARD ACTION: VARIANCE REQUEST GRANTED

5. Roads and Utilities. Variance requested. This covenant repeats the distance-from-wetlands restriction found in #4 above and, thus, a variance is technically required here as well. However, the proposal is otherwise compliant with the covenant in that it seeks to site utilities underground, use bituminous pavement, and include granite curbing within 20 feet of the public way.

EDIC BOARD ACTION: VARIANCE REQUEST GRANTED

6. Amount and Location of Parking. Variance requested. The number of spaces provided exceeds the amount required (approx. 70) by providing 82. The retail portion of the project, if considered "office space," requires 17 spaces. If the flower beds are considered warehouse/distribution space, they require 9 spaces per floor, for a total of 18 spaces. The remaining manufacturing/fabrication space would require 28 spaces, and the remaining office space would require 7 spaces. However, several spaces are within 10 feet of lot lines.

EDIC BOARD ACTION: VARIANCE REQUEST GRANTED WITH CAVEAT THAT THERE WOULD BE NO ON STREET PARKING AND THEY WOULD RECEIVE GLOUCESTER DPW CERTIFICATION.

7. Building and Design Materials. Variance requested. As with other building in the Blackburn Industrial Park, the proposed construction material for this building is metal, not the brick, stone, etc. called for in Covenant 7. In doing so, the building will match other large metal buildings along Great Republic Drive and thereby still manage to help with the visual continuity of the park. All mechanicals, utilities, etc., will be shielded / screened as required.

EDIC BOARD ACTION: VARIANCE REQUEST GRANTED FOR THE SPECIALIZED METAL SIDED STRUCTURE. THIS VARIANCE WAS GRANTED DUE TO THE FACILITY AND MANUFACTURING REQUIREMENTS (FULLY CLOSED WALL, ENVIRONMENTAL CONTROLLED INTERIOR) OFFER BY THIS CONSTRUCTION TYPE AND NECESSARY FOR HAPPY VALLEY'S PROCESS CONTROLS AND MANUFACTURING OF THEIR END PRODUCT. IT WAS FURTHER NOTED FOR ESTHETIC, THERMAL AND CONSISTENCY WITH EXISTING BUILDINGS WITHIN THE INDUSTRIAL PARK; THAT NO MURALS (INSTALLED OR PAINTED) BE ADDED TO THE EXTERIOR OF THIS STRUCTURE.

8. Loading Docks and Facilities. Variance requested. Although the two loading areas are located in the side and rear yards with paved entrances, they are not a traditional "loading dock" in that Page 3 of 3 the project will not require transportation of product to/from the facility by anything larger than a cargo van.

EDIC BOARD ACTION: VARIANCE REQUEST GRANTED DUE TO THE MASSACHUSETTS STATE REGULATIONS FOR THE TYPE OF FACILITY, BEING A CLOSED, CONTROLLED LOADING/UNLOADING AREA(S), THIS REQUEST WAS GRANTED. TYPICAL OPEN DOCK PLATFORMS WOULD NOT MEET THESE REQUIREMENTS. FURTHERMORE, THE TRANSPORT OF INCOMING/OUTGOING SUPPLIES AND PRODUCT WOULD BE ACCOMPLISHED BY A SMALL VAN TYPE VEHICLE AND NOT SEMI-TRAILER TRANSPORT.

10. Landscaping / Open Space. Variance requested. The variance requested herein mirrors the variance requested in #6 above relating to parking spaces being within 10 feet of the property line, which thereby prevents a full 10 feet of vegetated border required by this covenant. Otherwise, the proposal complies with the open space and landscaping requirements of this covenant. Additionally, due to the parking in proximity of the front property line, attractive safety fencing at the edge of the property may be necessary.
EDIC BOARD ACTION: VARIANCE REQUEST GRANTED AS LONG AS APPROVED BY DPW.

14. No Subdivision or Grant of Easements. Variance requested. The southern portion of the site is intended to be made available for continued use as an access road to Pond Road properties below, and has been burdened by an easement that was granted prior to my client's purchase.
EDIC BOARD ACTION: VARIANCE REQUEST GRANTED

Cape Ann TV Spirit of Innovation Video Project

Mr. Archer presented a description of the project including a need for \$10,000 to fund this. A discussion among EDIC members present ensued. The Board decided not to fund this project at this time, but requested additional information from Mr. Archer with regard to coverage area of video and how this video would be distributed to insure it is effective.

Executive Director Update

EDIC Executive Director Gillett briefed the Board on the status of currently active projects. Those projects included: efforts to find tenants for Gloucester Engineering building; City strategic plan; status of next stage of 2007 new industrial park study; plans to write a narrative on the EDIC history; coworking project; activities of entrepreneurship group; work on Gloucester Ocean Cluster; work on green crab project; and progress on shellfish aquaculture project.

Close of Business: Chair Bernie closed the Board meeting at 7:13:45PM.

Meeting Minutes Submitted by: T. Gillett