

Special Planning & Development Committee

Wednesday, July 11, 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:** Councilor O'Hara; Jim Destino; Chip Payson; Gregg Cademartori**The meeting was called to order at 5:34 p.m.**

1. **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 06/20/18)**

Councilor Gilman expressed her thanks to Gregg Cademartori, Planning Director, and the Planning Board for their eleven “rigorous” meetings with the applicant reviewing all the details on this application. She also expressed her appreciation for Mr. Cademartori’s effort in sending the Committee the final document with all the minutes attached on the Friday before his vacation.

At the request of **Councilor Gilman** the Fuller Mixed Use Venture team introduced themselves. **Peter Gourdeau**, Windover Construction introduced **Attorney Deborah Eliason**; **Jack Meany**, YMCA Association; **Andrew Dolben**, Dolben Company; **Dan Mills**, MDM Transportation; and **April Ferraro**, Meridian Associates, Inc.

Councilor Gilman announced that the Committee would have a brief presentation from the Applicant reviewing the changes that were made since last time the Applicant appeared before them; review the conditions of GZO Sec. 1.8.3, and the Planning Board recommendation with the Planning Director. If additional material is requested after review of these documents, the Applicant will have a week to submit the additional materials before the next P&D Committee meeting of July 18.

Councilor Paul Lundberg stated that he would like to have all the materials and questions answered so that they can have a draft motion with conditions for next week’s P&D meeting to enable the Committee to vote to recommend to the City Council.

Mr. Gourdeau expressed his thanks to Mr. Cademartori and Planning Board on behalf of the Fuller Mixed Use Venture for their efforts. He advised the brief presentation will focus on the changes and touch on the history of what has happened since the FMUV’s last appear before the Committee. The review will include the following matters: key project benefits as there has been a slight change; a legal overview of the permit applications; review changes related to architectural, civil, traffic and landscape designs. The Planning Board’s recommendation is included as FMUV assumed this would be part of this evening’s presentation and address how the criteria will be met under GZO Sec. 1.8.3.

NOTE: The review of the FMUV, LLC presentation was given by Mr. Gourdeau unless otherwise noted.
Page 3: The organizational chart is unchanged from the previous year. The only addition is FMUV is in the process of an EENF (Expanded Environmental Notification Form & Filing for State of Massachusetts) and SEIR (State Environmental Impact Report) going through the MEPA (Mass. Environmental Policy Act) process because the project has triggered some thresholds regarding traffic and parking. Fort Point Associates, Inc. has been added to the FMUV team who are managing that process. He stated that the Committee has received notification of a site meeting and welcomed local government to attend on July 24, 2018 at 11:00 a.m. He encouraged the local government to attend this site meeting for MEPA to hear from the local government to show support this project, if that may be the Committee’s position.

Page 4: This is the same slide as last meeting of November 2017 with some additions. In November 2017, FMUV commenced the peer review process, which ultimately took about six months, now completed. Simultaneously, FMUV was before the Conservation Commission, and the Commission issued an Order of Conditions in April 2018. Also in April 2018, FMUV, LLC formally withdrew its Hardship Request having come to an agreement with regard to the affordable housing component with the City of Gloucester. In June 2018, the peer review finished, and the Planning Board unanimously voted to recommend the approval of the Special Permit/Major Project to the Planning & Development Committee. He noted it has been about 2 ½ years into this project with the end now in sight.

Page 5: This is the same due diligence slide as previously presented with two items added at bottom. In regard to wastewater disposal, they have determined in working with the city that there are capacity limitations in the existing gravity system. The city’s preference is that rather than using a dosing system or a time system that they had

suggested that they be allowed to flow in real time. This would require upsizing of pipes from 8 inches to 10 inches and 10 inches to 12 inches, estimated to be about 900 linear feet. The city is in process of applying for a MassWorks grant occurring simultaneously with this approval process which will ultimately provide for the upgrades to the off-site sewer. The other entitlement added is that the FMUV are going through the MEPA process previously mentioned.

Page 6: Benefits to the city -- The property sale revenue changed from \$5.6 million to \$4.1 million as a result of the affordable housing change. While in the midst of this process, the city's Housing Production Plan came out and indicated that the city would need 434 new multi-family units before 2020. This project will meet almost half of that need and will also bring affordable housing to serve folks at 80% of their AMI. Lastly, it had been discussed that this project being a figurative gateway to Gloucester Crossing and Mr. Gourdeau expressed his belief that this has been proven to be true. He advised that Sam Park, Gloucester Crossing owner, has broken ground for an Aspen Dental franchise and a Home Goods store which he suggested was triggered by confidence in what is happening on the Fuller property.

Page 7: **Attorney Deborah Eliason** advised that the Applicant is seeking a favorable recommendation to the City Council under the FMUV, LLC Special Permit/Major Project. She gave an overview of the permit applications. In regard to waiver requests, which were presented previously, the block model of residential buildings were substituted with three dimensional renderings of the entire project with a fly through. It is technologically more advanced and gives a better feel to the whole project, she noted. Scale of architectural plans requires 1/8 inch equals one foot and for ease of presentation and viewing

As to retail space, 1/16 inch equals one foot and the multi-family at 330 seconds inch equals one foot. Under the Special Permit requested under GZO Sec. 5.29.10 MUOD (Mixed Use Overlay District), lights at the entrances of the project will not be shielded and will shine on adjacent sheets for better illumination of the roadways at the entrances only. The Applicant believes this will be better for pedestrian and vehicular safety. In relationship of parking to the sidewalks, parking will be within one foot of the sidewalks. The goal is to promote walkability in connection with the independent uses.

Pages 8 through 11: **April Ferraro**, Meridian Associates, Inc. gave an overview of the main changes to the site plan shown on pages 9 and 10. **Ms. Ferraro** noted concerns regarding pedestrian accessibility; a ramp; how people were going to get in and out of the YMCA; and the work within the wetland areas. After appearing before the Conservation Commission and the Planning Board, the revised plan has moved everything out of the wetland areas and that shifted the location of the parking fields, added a YMCA drop-off lane and a bypass for safety and accessibility. There are sidewalk additions to the plan, including a switchback and staircase; and flipped in previous iterations of the residential dumpster; adding screening so that the shed is the first thing you see coming off the walkway from Gloucester Crossing. When the parking was moved out of the wetland area, the retail building shrunk about seven feet and added a couple of specific seating areas for pedestrians walking through the site. As part of the conservation component, they have included mitigation for work within the 100 foot buffer zone. There is an equivalent of two-to-one ratio including evasive species removal and replanting. Another significant change based on peer review was revamping the hydrology study. CDM (the city's peer reviewer) requested that the Applicant use rainfall studies from NOAA, and they re-graded the existing basin which will reconfigure the outer control structure. Everything is contained within the existing basin, she pointed out.

Page 12 through 19: **Dan Mills**, MDM Transportation Consultants, Inc. presented the overview of the transportation changes relative to parking and traffic. Page 13 shows the orientation of the site to Rte.128, and there are no changes to the intersection that was studied. On Pages 14 & 15 as previously mentioned, the shifting of the parking for the wetlands and the creation of the bypass lane for retail and the YMCA component reduced the 316 spaces by eight spaces for a more efficient drop-off and pickup. He advised that this plan still meets zoning requirements and their projection for the amount of parking spaces for the demand for the YMCA and the retail component. There are no changes to the residential parking supply. In relation to the evaluation of access by fire apparatus, Pages 16 & 17 show that because of change in the YMCA frontage, they ran a simulation with the fire apparatus which shows it still meets the requirements of the "movability." MDM did modify an island along School House Road so that there is no conflict with the fire apparatus. On Page 18, it indicates potential changes in the CATA bus route for servicing the property. There have been several conversations with the Operations Manager of CATA Transportation, and the Administration, relative to servicing this property and as well as possibly increasing service in general. On page 19, it shows a conceptual plan showing a left turn lane into the site out of Blackburn Circle.

Page 20 through 21: **Mr. Gourdeau** informed the Committee that the consultant for the Landscape Design was unable to attend this meeting. He said Ms. Ferraro touched on most of the landscape changes. The requests from the Planning Board was to create a more comfortable and walkable place. On page 21, the walkways were changed to be more curvilinear, created two small pocket parks -- one by YMCA with a bike rack and one between

residential and retail places that are well landscaped and quiet. Additional screening was added in certain places along the dumpster, along the YMCA play area and retail dumpster; and there were some plant changes requested by CDM which have been incorporated into the Landscape Design.

Gregg Cademartori, Planning Director, informed the Committee that the packet they received (on file) includes the Planning Board's recommendation dated June 29, 2018 which sets up to be the front end potentially of a Special Permit decision with some of the background as well as some recommendation on suggested conditions. **Mr. Cademartori** advised that the Applicant did a good job of giving a quick overview and couldn't tell the Committee how much iteration and cooperative work that has transpired between CDM and all of the professionals that have been involved in the project on the development side. He noted that what may look like not a lot of change has actually been a lot of work put into the plan set -- most of the recommendations relate to how the project would progress through the development process. Much of the Board's response and recommendation to Council is reflected in how these plans have evolved. There is definitely recognition that the response from the Applicant in the RFP had a certain program associated with it; that had dollars associated with it; and there was not a lot of flexibility on how the site was laid out. There are no broad sweeping changes to the plan set, he pointed out, but there are a lot of smaller details that were addressed by the Planning Board. The Board conditions are consistent and similar with other larger major projects such as Gloucester Crossing project permitting. He advised it was a very constructive process with the Planning Board, and the Applicant had an opportunity to review the suggested conditions and recommendations. Certain aspects related to how the construction will progress with the goal of protecting the surrounding neighborhood was highlighted, but also wanting to ensure that if the project moves forward in the development phase it impacts people in the shortest amount of time.

Councilor Holmgren thanked the Planning Board on behalf of the neighbors for addressing their noise concerns.

Councilor Lundberg requested that Mr. Cademartori review for the Committee the stormwater condition on page 14. **Mr. Cademartori** advised there was a lot of discussion and one of the things that were discovered in the process of evaluation of the proposed stormwater management plan was predicated on how the original basin was constructed. He reviewed that it wasn't built as it was originally designed; therefore, there was some modification of that basin which ultimately would be collecting the stormwater and metering it out as it heads downstream. They want to make sure before the site is opened up that the basin is prepared to handle the stormwater. Even in an interim situation, there will be techniques used to ensure that silt isn't leaving the site, but the water ultimately all has to go in the same direction. As the property goes from its current state to the built environment, it is going to increase stormwater generated, some of which is stored on site but ultimately will pass through that basin. These conditions are looking at what needs to be frontloaded in terms of preparation for that large basin, he advised. There is an operational plan that needs to be followed and reported to the city, he added.

Mr. Gourdeau summarized how the FMUV meets the six criteria of **GZO Sec. 1.8.3** as follows:

Social, Economic and Community Benefits: Introduction of a new and improved recreational asset to community; new housing which the Housing Production Plan is exhibited a need for; new retail opportunities which creates jobs taxes and a lot of economic benefit; YMCA's intent to double membership and additional programs and YMCA contributing back in terms of free service to people who need it; increasing housing opportunities within the city for which 30 of the built housing units would be affordable housing; new employment opportunities of about 165 new jobs between the YMCA and retail jobs; one-time revenue of \$4.1 million, approximately \$0.5 million in permit fees, plus tax revenue and water and sewer revenue.

Traffic Flow and Safety: A full traffic impact and access study was conducted and has been review in depth by CDM, the peer reviewer. Additional studies were conducted at the request of CDM, and it has been determined that there is no significant deterioration in service in the surrounding transportation system. There is adequate parking on site.

Adequacy of Utilities and other Public Services: There is adequate electric, natural gas and water on the site. A pump station to move wastewater from the site into the gravity sewer system has been designed and approved. The off-site gravity improvements are being designed under a contract with the city. An application for a MassWorks grant, which would fund those improvements, is being applied for by the city. Assuming that grant is received, it would fund the adequate off-site gravity system.

COUNCILOR QUESTIONS:

Councilor Lundberg asked what is the concept about that particular plan and how that works and what happens if the grant isn't received. **Mr. Gourdeau** replied that the grant must be submitted between July 30 and August 10, 2018. The response time is approximately a couple of months to make the awards, and they would know mid-Fall. The DPW Director's intent is to finish his design by year end, go out to bid and start in the spring. **Mr. Gourdeau** advised that if they were not successful in receiving the grant, they would revisit the time system with

the city. He advised that it is absolutely not the preference of the DPW Director, but in the FMUV opinion it is a viable system. He further advised that if the DPW Director were present at this meeting, he might say that he would disagree. He pointed out such a system is being done elsewhere largely for the same reasons where they want to encourage economic development but the existing infrastructure is inadequate to support the growth. Everyone is hopeful that this is a perfect project for a MassWorks Grant, he added. **Councilor Lundberg** noted his agreement with Mr. Gourdeau that it is probably a perfect project for the grant. He wanted to make sure to condition this in a way that the Council has the ability to review how the sewerage system is going to be handled if the MassWorks grant doesn't come through. **Mr. Goudreau** replied that there is a condition in place that they couldn't be issued a building permit -- they wouldn't be able to close without an understanding.

Councilor Gilman requested that Mr. Cademartori describe why the revised plan for the sewer system would be preferred. **Mr. Cademartori** stated for the record that the DPW Director would absolutely say that he would disagree with what Mr. Goudreau stated. The issue is the capacity in the downstream area; and the project could have an impact on that neighborhood if the improvement isn't made. He reviewed there is holding time, generators; not that there isn't a pumping station there now, but rather than dealing with the issue it is designing a system to accommodate the fact that there is a capacity issue downstream. Long term for this area for potential future growth, it makes sense to do this now, which is why there is a strong opinion to do that work now. **Councilor Gilman** noted the system is "wider." **Mr. Cademartori** reviewed that at this time at the top of Trask Street there is a force main that comes from the Fuller property which formerly had its wastewater discharging to the pipes that lead down Trask Street. The wastewater that is generated from this project is far greater than that of the former school. Therefore, as the wastewater is sent down it is going into a system that wasn't designed to accommodate what's being generated. There is a point further downstream that has a large pipe with a lot of capacity. As you go up it is smaller and smaller, and there's a certain point that the pipes will have to have the capacity increased as it comes down the hill. He also pointed out that as a part of the MassWorks grant, there are other potential municipal improvements the city is looking at to enhance connectivity of the project to the neighborhood, Green Street, that are within public right of ways or city property. The MassWorks grant is a great opportunity for the city and the Applicant to leverage more out of the project as this is a "bigger ticket item" which is necessary. He expressed his agreement that there needs to be more discussion about the "cadence" if the award is not granted. The criterion of the grant opportunity "rings all the bells" and is in line with the state program. He noted his optimism about receipt of the grant.

Councilor Lundberg commented that the proposed infrastructure construction in the area of Trask Street and just described what the MassWorks grant will do is the optimum design for this issue. For the P&D Committee to say that if it doesn't happen they can go to a sub-optimal infrastructure solution, i.e. this metering system, which the DPW Director doesn't really agree with -- the Committee needs to hear more about this matter. The right thing to do is to improve the sewer on Trask Street and the proposed alternative is not the right thing to do, he noted. **Mr. Gourdeau** pointed out that if the MassWorks grant isn't approved they couldn't move forward because there'd be no solution. They can't force that dosed solution it is the one that is economically viable for the project. He suggested that if there were another way to approach this issue, they would support it.

Councilor Holmgren commented that this was a concerning situation in that they would have to wait for grant approval. Noting that sewers need improvement throughout the city, but that she would trust the advice of the DPW Director and expressed hope the grant would come through.

Councilor Gilman asked who was writing the grant. **Mr. Cademartori** reported the city is working with CDM who is doing the design, and that it will be a cooperative effort of various departments also.

Councilor O'Hara through the Chair asked what the sewer expansion that's been described would cost. **Mr. Gourdeau**, pointing out on the site map the site, Trask Street where he said it doesn't need to be replaced, and Warner and Miller Streets and whether a portion needs to be replaced "to here" or another 700 feet down Shepherd Street, advised that the price to do this from their site contractor was around \$450,000. He suggested that the DPW Director feels that it would be more expensive than \$450,000. He pointed out that when a city undertakes a sewer replacement they'll take the opportunity to do a variety of renewals and replacements and therefore is no longer "apples to apples." **Councilor Lundberg** pointed out that this is similar what was done with the Beauport Hotel development as to in-street infrastructure for "The Fort." **Mr. Cademartori** expressed agreement saying it was similar as well as the improvements to the Gloucester Crossing Road network which was through a different state grant program at the time but similar in magnitude.

Jim Destino, CAO, added that if they didn't get the grant they'd be, "back to the drawing board," saying they'd be looking at alternative plans. He suggested it would be more of the magnitude of \$2 to \$3 million to do water, sidewalks, repaving of streets and that they want to do it right to that there is minimal disruption. He pointed out these pipes are old and need to be done. **Councilor Gilman** added that this has been an issue of concern for the community and was pleased to hear it vetted through this process.

Adequacy of Utilities and other Public Services (Cont'd): The stormwater design is “100% acceptable” to CDM.
Neighborhood Character and Social Structures: The focus was on the scale of the buildings and access to the site, and is both appropriate for the area and the goals of the project.

Impacts on the Natural Environment: This has been the focus of the Conservation Commission (Memo from Conservation Agent and Order of Conditions on file) evidencing the Commission’s satisfaction with the current revised design, because of the wetlands buffer zone. There were many changes to the original plan to minimize any impact to the resource areas. They are taking down a school that is full of asbestos and other hazardous materials as well as removing an, “unattractive nuisance”

Potential Fiscal Impact including Sale of Property and Impact on City Services, Tax Base and Employment: It was reiterated there was a purchase price of \$4.1 million; year 1 tax revenue and other fees of about \$600,000 annually; one-time building permit fees of about \$0.5 million; on-going water and sewer fees; about 165 new jobs; excise taxes with 200 new families also bringing the economic impact to other areas of the city.

REVIEW OF PLANNING BOARD RECOMMENDATIONS:

Councilor Gilman highlighted the interchanging of the words, “shall” and “should” and as they go through this, having reviewed past Special Council Permits, she advised typically the word to be used is, “shall” and that the word be used asked for consistency sake. **Mr. Cademartori** pointed out that this was the Planning Board’s recommendation to the Committee and for their consideration. If a condition is something that is a responsibility of the Applicant to follow through it is the Applicant’s responsibility, he advised. **Mr. Gourdeau** noted he would like to review each instance on a case-by-case basis to ensure that a “should” should be “shall.”

Councilor Lundberg summarized that the next 12 items enumerated in the presentation are “boilerplate” in how the Council approaches Special Council Permitting.

Mr. Gourdeau advised that the Landscaping Sets in the submission to the Planning Board were labelled July 11, and it is advised to say, “Landscape Drawings dated March 29, 2018 by Meridian Associates, Inc. as revised July 11, 2018.”

Councilor Gilman referred to Item #3 asking why landscaping was left out of this section and questioned if this was deliberate. **Mr. Cademartori** suggested there was a separate condition elsewhere in the document which can be included for clarity; “private is private.” **Councilor Gilman** noted this would be put down as a question. She advised they left out snowplowing of internal roads and parking areas, highlighting that she was reviewing Gloucester Crossing’s permitting for consistency sake referring page 8 of 14 (Planning Board recommendation). **Ms. Eliason** pointed out that it does say that, “operation maintenance of all roadways and parking areas within the project,” which she suggested would include snow plowing. **Councilor Holmgren** questioned that if this was boilerplate would it be necessary to include snow plowing. **Councilor Lundberg** suggested that the statement quoted by Ms. Eliason would indicate it was included. **Mr. Gourdeau** indicated that it is their understanding that it is private and will be plowed privately. **Councilor Gilman** advised they can say that, “All roadways and parking areas within the project, *including snowplowing...*” if the Committee saw a need.

Mr. Destino referred to the number of acres of the property pointed out on Page 90 shows 13.6 acres of land. He asked if that was just for the site because the city is selling only 10.6 acres. **Mr. Cademartori** noted that it also includes the parcel owned by Sam Park.

Mr. Gourdeau referred to Item #2 saying at the Planning Board one of the concerns the Applicant raised was how to manage the inevitable minor change process that will happen and whether there is a vehicle other than going back to the City Council to make those changes. He suggested that Item #2 could be read that any change goes back to the Council for its approval, and that it is unwieldy. He noted that Mr. Cademartori mentioned that it is a practice in the city that the Building Inspector uses his discretion, and expressed the concern of the FMUV with that process as it is a policy not a practice. He advised the FMUV preference was contained in the document which he handed to the Committee (placed on file) entitled, “Proposed Amendment to Certain Language in the Planning Board Recommendation of June 29, 2018, 11 July 2018, DRAFT submitted by Peter Gourdeau, Windover Construction for FMUV, LLC.” **Councilor Lundberg** suggested that this was similar to what is contained in the Gloucester Crossing Special Council Permit that if the FMUV can certify that the changes are “insubstantial” would be the same process. **Mr. Cademartori** advised he did not intentionally include that condition. That process has had some good examples of its practice and some that have been more complex. He suggested that they’re presented with architectural renderings that are brought to a certain level of detail that go to a construction level of detail with minor changes. A change in a window design, those types of details would go through the process. When the site is changed or a use is changed, that is something, he suggested, that should rightfully be considered by the Council. There is a process already in the Zoning Ordinance. At the time with Gloucester Crossing they did

something different with the understanding at the time that it was predominantly retail environment without firm tenants, and it was unknown when those businesses would be in place, that there may be different demands and needs with modifications. The FMUV project is different, he noted, in that there is very little retail on the site; a larger housing element and the YMCA which are known quantities. He further suggested that it was hoped there were less variables with this project moving forward as they've heard how important the elements of the project are and static to some degree. If it is striking this language entirely and the process is in the Zoning Ordinance, and that the changes are minor as determined by the Building Inspector, he pointed out, that is practice. The types of things that were included as thresholds with Gloucester Crossing sometimes worked, and sometimes they didn't, and didn't know of another project with that kind of conditioning, he added. **Ms. Eliason** advised that one of the concerns with this language is that it states that the only option is to go before the City Council for another public hearing no matter how minor the change. She noted there is a practice, which is the Applicant's understanding, that the Building Inspector might determine otherwise but someone could challenge that. She highlighted that the FMUV suggested language tries to memorialize that practice so that the Building Inspector can determine within his purview an insubstantial change. **Councilor Lundberg** advised that the Committee agrees with that concept as they've been trying to push decisions such as that away from the Council; but that they want to ensure that there is a process so that there is a determination process with the Building Inspector they're fine with that. **Mr. Destino** highlighted that if the Council is thinking about doing something like that he suggested it be limited to the Building Inspector for site plan problems if minor but it can be determined that it must move to Planning; but were it a drainage problem that would be the purview of the City Engineer. The Building Inspector, the Planning Director and City Engineer need to sign off on areas of their purview. After a discussion of language, **Councilor Gilman** asked that Mr. Cademartori review Item #2 pursuant to the Applicant's suggestions and whether this matches the Planning Board's suggestion. **Mr. Cademartori** advised he would reach out to the DPW Director, General Counsel, and Engineering to come up with suggestions for revision. **Chip Payson**, General Counsel offered that Item #2 also had the "should" "shall" problem. He suggested the changes to read "shall."

Items #5 through #7: **Mr. Cademartori** at the request of **Councilor Gilman** reviewed that Item #6 was a standard Item. As to Item #7, he advised this is capturing the practice of what will be required as an element of the project as completed; an "As-Built" has to be submitted. When a building permit application that is submitted, drainage approval comes with that, in this case the Engineering Department will likely defer to the approved plan set that's been reviewed by CDM, but then prior to occupancy there is a submission of an As-Built Plan to ensure it was built to the original plans. **Mr. Gourdeau** noted that the modifications are to capture the fact that FMUV has some elements of the project are common and others divided between the three owners, and so this may vary. He pointed out it makes sense to create "As-Built" on an owner-by-owner basis so that there was never an issue where a residential building couldn't be occupied because the retail hadn't supplied their As-Built. The first change is to individualize these. They understand that the city views this as one project. There will be common infrastructure installed at the onset that would all be captured as a common element As-Built and individual As-Built and between that there would be a complete As-Built. **Councilor Gilman** confirmed that this is just additional specific language capturing the unique elements of the FMUV site to which **Mr. Gourdeau** expressed agreement. He mentioned that when Dolben has completed Residential Building #1 and are ready for occupancy, curbs, landscaping are in and parking lot is paved with a binder coat and striped, the As-Built of catch basins, and such, will be off until that is final, and didn't want to hold up their ability to occupy just because they're waiting for final paving. He expressed agreement that he should work with Mr. Cademartori and the Building Inspector to come up with a process for a logical process. **Councilor Gilman** announced the Committee would do a revisit on this element as well and wait for a recommendation.

Item #8 through #13: **Mr. Cademartori** advised that there will be more detailed plans for construction and go through all the departments and contents that are needed to ensure they know who to reach out to if something doesn't go as planned which is typical. This is also to ensure minimization of impact to the surrounding neighborhood and to facilitate the construction in an expeditious manner. Some of this states existing regulations that have to be followed and are standard.

Councilor Gilman asked why "construction fencing shall be erected for the duration within the buffer zone..." was omitted and was the fencing typical of a building site. **Mr. Cademartori** advised he didn't know if there was any reference to that from the Conservation Commission. **Mr. Gourdeau** pointed out that they typically fence their construction site. Any contractor will fence their site; it is a requirement. **Councilor Gilman** suggested the Committee could add that, "Construction fencing shall be added for the duration." **Mr. Gourdeau** reported the Applicant didn't have an issue with that condition should it be placed. **Mr. Cademartori** voiced he had no objection.

Councilor Gilman noted under Item #13 that the, "...Applicant must be required to promptly repair any damage which Applicant causes to sidewalks, street pavement, signs or other fixtures or features within the public right of way after obtaining permission from the city;" and suggested that if there was wear and tear to roads leading to the property the Applicant would restore the public way to its original condition. **Mr. Gourdeau** expressed his agreement. **Mr. Cademartori** advised it is a fairly broad statement to cover everything within the public right of way whether it is infrastructure, curbing, and damage to the roadway or a light fixture; that it could be more in the city's favor to leave the statement as broad as possible to cover any contingency. He advised he would review that condition.

Item #14: **Mr. Cademartori** reported that at the Council Public Hearing they will have representatives from the Peer Review team to answer any questions the Council may have or arise from public comment. One of the matters that had quite a bit of "back and forth" between the CDM Engineer and the Applicant was related to the characterization of the traffic generation on the site. The YMCA is a unique use with each having their own programming and follow through with what they need to do to demonstrate what was going on in a future condition. Item #14 shows a "look" after occupancy which was suggested as a middle ground that they think they know what the built environment and traffic generation will be like but that it might make sense to do some monitoring after occupancy. If there is any mitigation needed then the city would work cooperatively with the Applicant to determine what might happen. He noted that sometimes it is as simple as small geometry changes to road networks, and/or reviewing the YMCA programming and operations of different uses and adjusting it in order to mitigate a traffic flow issue. This, he pointed out, is a direct recommendation from the traffic review by the Peer Reviewers.

Councilor Gilman asked if there was a determination for mitigation under certain circumstances, would it come back to the Committee. **Mr. Cademartori** noted that as those are generated, and if there is a non-finding, it would be submitted to the Council for its information but were there something more significant it would return to the Council after the two consecutive years with a recommendation from the Planning Board.

Item #15: **Mr. Cademartori** reported that the Applicant has already been in discussions with the Cape Ann Transportation Authority (CATA) about creating bus stop(s) at the site and how they might create a circulation pattern for the multiple uses. As the project goes to construction drawing there will be more detail ensuring ADA compliance, he noted. He mentioned that there may be other changes to the public rights of way or the connections to the neighborhood if there is a need for an enhancement to a sidewalk for instance, and would want to coordinate any decisions are made under the best possible circumstances. There is a recognition that associated with the project there are some changes in the right of way at the old entrance to the School where the parking field is, and there will be modifications in the right of way which is clear and will work cooperatively. There will be more details with the plan set and as the MassWorks grant evolves, he pointed out, as does the project.

Councilor Gilman asked that the Committee consider adding specifically to a pedestrian bicycle link to Trask Street with a traffic mitigation plan for school safety. There will be kids going from the YMCA, crossing over the street to get home, and their safety is important, she highlighted. **Councilor Holmgren** advised that the residents of Trask Street have expressed their concern about increased traffic to their area both pedestrian and vehicular to her. She mentioned it is understood there will be an increase in traffic, more cars when the school was active; but children were able to walk to Fuller while school was in session. That neighborhood may want to see their neighborhood kept the way it is, she pointed out, and that it would be better if there were a more pedestrian-friendly area and asked that they take care on this point. **Councilor Lundberg** suggested the Committee let the Item remain as is pointing out there is the switchback and the enhanced crosswalk at the entrance to Gloucester Crossing Road which is a protected crossing which gets people to the inner network of Gloucester Crossing. If they're speaking of a crossing at School House Road, it is not where they want to encourage pedestrian traffic. **Mr. Cademartori** advised there is an existing crosswalk at that location; one of the matters that will be evaluated is the connections to the neighborhood and will be on the city side of things with outreach and coming up with something the neighborhood supports which is important. They want to make the best situation possible for who wants to use it; there's a chain link fence with a hole in it which isn't optimal currently. **Councilor Gilman** expressed agreement. Item #18 and #19: **Mr. Cademartori** reported that the condition is clear with the "cadence" issue and verification of connections etc., before occupancy and is standard. **Councilor Gilman** noted that the Applicant has added "Inspection of On-Site Sewer Infrastructure." **Mr. Gourdeau** reported that the word "Inspection" should be changed to "Connection," because with a large amount of sewer work on-going that they wanted to make clear to the extent they're paying fees, the fees are related to the on-site connection. **The Committee** and **Mr. Cademartori** agreed to add the Applicant's suggestion under this heading.

Item #20 and #21: **Mr. Cademartori** and **the Committee** agreed the matter of stormwater management had already been discussed earlier in the meeting.

Item #22: **Mr. Cademartori** pointed out there is a potential for 165 new jobs and this condition relates to outreach to qualified Gloucester residents for filling those limited opportunities. He offered no opinion but shared the Board's opinion that it would be "nice" to have an opportunity as to future employment opportunities to look locally on an on-going basis, understanding it is for "qualified" individuals. **Councilor Gilman** noted the Applicant had offered additional qualifiers. **Mr. Gourdeau** reported that all three members are supportive of hiring locally with ads in local papers first and that they would support that now and in the future but wanted to show that the job fair as stated in this Item was a one-time only occurrence, not an on-going annual obligation. As **Mr. Cademartori** voiced no objection, **Councilor Gilman** suggested the Committee could add, "Local recruitment of qualified applicants, but not including regular job fairs..." and to strike, "...qualified Gloucester residents for any future employment opportunities..." and instead insert, "...shall be an on-going obligation of the Applicant..." **Mr. Cademartori** agreed this alteration in the language doesn't change the intent of the Planning Board.

Item #23 and #24: **Mr. Cademartori** highlighted this is cross-referencing for having the permits work with one another. If there is an issue of compliance, the City Council as the right to incorporate the Conservation Commission's Order of Conditions on the project thereby ensuring a future condition of landscaping does what it's supposed to and that there is ongoing maintenance and replacement, for example. **Mr. Gourdeau** advised FMUV is assuming that if there is a need to adjust landscaping because salt is killing something every year they'll need to replace it with something more tolerant. **Councilor Gilman** suggested that the Committee might want to add language that says, "Any required mitigation for wetland impacts shall be initiated or constructed prior to the issuance of a Certificate of Occupancy." She noted it was addressed with the parking, and offered this as an addition. **Mr. Gourdeau** pointed out there would be sequential Certificates of Occupancy which could be on-going while they're doing the first building and should be done by the time they're done with the last building. He suggested brief alternative language, but the Committee determined there was not a need for any change to this Item. Item #25: **Mr. Cademartori** advised that in conjunction with General Counsel and Outside Counsel, the Housing Authority and he would develop this condition for the Committee's consideration at its next regularly scheduled meeting. **Ms. Eliason** advised the Applicant has to know that the Housing Authority needs to agree to participate first.

Councilor Gilman summarized that the Committee made a thorough review of the project, and that there are some items that will be scrutinized by city staff further to advise the Committee with recommendations at their next meeting. The goal of the next meeting is to make a Committee Recommendation to the Council to be on track for a full public hearing on July 24.

Councilor Lundberg mentioned that the MassWorks grant approval will need to have the Special Council Permit approval in place. **Mr. Cademartori** noted that different applications are submitted at different levels of approval; if it is a permitted project they'll relay that in the application process. **Mr. Gourdeau** noted it is an advantage. **Councilor Lundberg** advised the Committee would do all that they can to, "get there." He pointed out that the Committee is going to need a draft of a motion with all the conditions they talked about which he further advised his assumption that Mr. Cademartori and General Counsel would assist the Committee in formulating for their next meeting. Both **Mr. Cademartori** and **Mr. Payson** said, "Yes."

A motion was made, seconded and voted unanimously to adjourn the meeting at 7:04 p.m.

Respectfully submitted,

Joanne M. Senos

City Clerk & Substitute Recorder

&

Dana C. Jorgenson

Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING:

- **Proposed Amendment to Certain Language in the Planning Board Recommendation of June 29, 2018, 11 July 2018, DRAFT submitted by Peter Gourdeau, Windover Construction for FMUV, LLC**