

**Planning & Development Committee**  
Wednesday, October 17, 2018 – 5:30 p.m.  
**1<sup>st</sup> Fl. Council Committee Room - City Hall**  
-Minutes-

**Present: Chair, Councilor Valerie Gilman; Vice Chair, Councilor Jen Holmgren; Councilor Paul Lundberg (entered the meeting at 5:41 p.m.)**

**Absent: None.**

**Also Present: Gregg Cademartori**

**The meeting was called to order at 5:30 p.m. Matters were taken out of order.**

**1. Request by Utility Companies for Pole Petitions - to be conducted as Public Hearings**

- A. PP2018-009: Request by National Grid to install a J.O. Pole with Anchor besides 10R Tufts Lane (36 Bennett Street North)

**This public hearing is opened at 5:45 p.m.**

**Those speaking in favor: Elizabeth Cardarelli**, Designer B, representing National Grid (NG), explained that National Grid is requesting to install a new J.O. (Jointly Owned) pole and anchor beside 10R Tufts Lane (36 Bennett St. North). The new Pole will be approximately 122 feet southeast off existing Pole #8323 to bring in the needed electricity, she advised.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing is closed at 5:46 p.m.**

**MOTION: On a motion by Councilor Lundberg, seconded by Councilor Holmgren, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit National Grid to install one (1) new J.O. (Jointly Owned) Pole and anchor beside 10R Tufts Lane (36 Bennett Street North). New Pole #8324 will be approximately 122 feet off existing Pole #8323 together with such sustaining and protecting fixtures as said Company may deem necessary, in the public way as substantially at the points indicated on plan entitled, “National Grid And Verizon New England, Inc., dated 08-07-2018, Work Request #26600345 “To the City of Gloucester, For Proposed Pole: 8234 Location Bennett St N” with the following conditions:**

- 1. Notification to the Department of Public Works 72 hours in advance of the proposed work. A construction schedule and resurfacing plan will be prepared by the applicant for review and acceptance by the Dept. of Public Works prior to construction.**
- 2. Proposed excavation may only occur during accepted road opening and construction season, 15 March - 15 November. No winter construction shall be permitted.**
- 3. In the absence of a detailed construction plan, the Dept. of Public Works requests: all proposed conduits and appurtenances shall be placed so as to cause minimum conflict with existing underground utility services.**
- 4. All excavated trenches shall be patched flush with the surrounding asphalt using hot mix asphalt binder at the end of each work day, to minimize pedestrian hazards. Asphalt shall be applied in two lifts of 2-inches totaling 4-inches.**
- 5. All final paving shall be full width paving of affected area.**

- B. PP2018-010: Request by Comcast to install +/- 335 ft. of underground conduit for 417 Main Street

**This public hearing is opened at 5:48 p.m.**

**Those speaking in favor: Dave Flewelling**, Specialist 2, Construction Comcast, Woburn, MA, explained that the customer at 417 Main Street requires service (known as GMGI or Gloucester Marine Genomics Institute) for their new building. The request requires the installation of underground conduit starting at the existing vault located in the sidewalk between 382 and 384 Main Street; and place one 4” PVC conduit to a proposed 17” x 30” vault in the sidewalk at 370 Main St.; and final conduit installation across to Main St. to #417. The total estimated footage of the conduit installation is 335 feet.

**Those speaking in opposition: None.**

**Communications: None.**

**Councilor Questions: None.**

**This public hearing is closed at 5:49 p.m.**

**MOTION: On a motion by Councilor Holmgren, seconded by Councilor Lundberg, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit Comcast to install underground conduit starting at the existing vault located in the sidewalk between 382 and 384 Main Street. The street will be excavated to place one (1) four (4) inch PVC conduit to a proposed 17" x 30" vault in the sidewalk at 370 Main St., then continuing with the conduit installation across Main St. to #417. The total estimated footage of the conduit installation is 335 feet including the necessary sustaining and protecting fixtures as shown on "Proposed Comcast Underground Conduit Plan to Service 417 Main Street, Gloucester, MA," dated September 21, 2018 with the following conditions:**

- 1. Notification to the Department of Public Works 72 hours in advance of the proposed work. A construction schedule and resurfacing plan will be prepared by the applicant for review and acceptance by the Department of Public Works.**
  - 2. Proposed excavation may only occur during accepted road opening and construction season, 15 March - 15 November. No winter construction will be permitted.**
  - 3. In the absence of a detailed construction plan, the Dept. of Public Works requests: all proposed conduits and appurtenances shall be placed so as to cause minimum conflict with existing underground utility services.**
  - 4. All excavated trenches shall be patched flush with the surrounding asphalt using hot mix asphalt binder at the end of each work day, to minimize pedestrian hazards. Asphalt shall be applied in two lifts of 2-inches totaling 4-inches.**
  - 5. All final paving shall be full width paving of affected area.**
- 2. *Special Event Application: Christmas Parade & Tree Lighting, November 25, 2018***

**Former Councilor Joseph Ciolino** joined by **Brent "Ringo" Tarr** advised the Committee that the Christmas Parade & Tree Lighting on Nov. 25 (rain date Dec. 2) was reviewed at the Special Events Advisory Committee (SEAC), and that nothing has changed from the previous year's event -- the parade organizes and steps off from the Jodrey State Fish Pier ending at Kent Circle. Details of the parade were briefly reviewed by Mr. Ciolino. He announced that this year's Grand Marshall is Ms. Pat Earl of the First R's non-profit organization, highlighting that this is about the 39<sup>th</sup> year of the Christmas Parade. Upon the parade's conclusion at Kent Circle, Mr. Tarr takes over for the tree lighting ceremony (in its 26<sup>th</sup> year and the 23<sup>rd</sup> year for the tree coming down from Nova Scotia) which he organizes. Mr. Tarr noted there are no road closures for his portion of the festivities, and that the ceremony takes about 20 minutes. It was noted there is a memo on file acknowledging the city's liability insurance covers the event. Both agreed that this event has run for some time annually, and it all works very smoothly with full cooperation of the city -- with the Mayor in charge of the judge's float.

**Councilor Holmgren** advised her daughter's brownie troop will march in the parade for a second year in a row.

**MOTION: On a motion by Councilor Holmgren, seconded by Councilor Lundberg, the Planning & Development Committee voted 3 in favor, 0 opposed, to permit the Downtown Gloucester Christmas Parade and Tree Lighting from 2:00 p.m. to 7:00 p.m. on Sunday, Nov. 25, 2018 which starts at the Jodrey State Fish Pier and ends at Kent Circle, with a rain date of Sunday, Dec. 2, 2018. Sign offs from the Fire and Police Departments and other interested city departments are on file as well as written documentation of the parade route in the City Clerk's Office and proof of insurance coverage as a sanctioned event by the City of Gloucester, which falls under the City's General Liability Insurance.**

- 3. *SCP2018-003: Atlantic Road #171, Map 73, Lot 26, GZO Sec.1.8.3 "Standards to be Applied" and GZO Sec. 3.1.6(b) "Building Heights in Excess of 35 Feet" in the R-20 district" (Cont'd from 10/03/18)***

**John M. Morin, P.E.**, Morin-Cameron Group, Inc., Danvers, MA, representing 171 Atlantic Road LLC, Brian Melanson, Owner, who was present, advised they've submitted an application for a Special Council Permit required to rehabilitate an existing building located at 171 Atlantic Road and to convert it from a hotel use to a single family residence. He then gave the Committee the following information: The Applicant, 171 Atlantic Road LLC has purchased the former Ocean View Inn property. The owner wishes to maintain one of the existing buildings on the property, a "mansion" as part of the development. An ANR Plan has been produced to subdivide the property into

five lots. It was noted all the lots comply with the zoning. As proposed, the existing mansion at the corner of Atlantic and High Popples Roads will be retained and convert it from a “conference center to a single-family dwelling. As soon as lot lines were proposed to be changed the existing structure became non-compliant to a front (yard) setback to High Popples. The Applicant went before the Zoning Board of Appeals the previous week. The existing structure is now non-compliant regarding its height. Minimum height is 30 feet although relief can be given for 35 feet. The existing structure is 38 feet. By proposing the lot lines to be relocated, it causes the structure to again be non-compliant although the height will remain unchanged at 38 feet. The relief being sought is to allow the retention of the 38 foot height of the structure. The proposed changes in the lot lines don’t affect the structure -- even if there were no proposed changes in the lot lines, the structure would still be 38 feet, it was pointed out, still be less than the required setback to High Popples Road. The proposal doesn’t change any of the existing elements that are there now.

**Mr. Morin** then reviewed the six criteria for a Special Council Permit under GZO Sec. 1.8.3 as follows:

1. Social, economic and community needs are served by the Project: The Applicant intends to restore the existing building on the property into single-family residence, in keeping with similar larger homes in the area. The height of building which is currently nonconforming will not change. The restoration will add value to the home and may help to increase the value of the other homes in the area and provide additional tax revenue to the city.
2. Traffic flow and safety: 1.5 off-street parking spaces are required in the R-20 district. The existing driveway provides for many more cars than required and will remain intact and comply with the Zoning criteria. The change in use from a hotel/conference center to a single-family dwelling will reduce traffic entering and exiting this property. This will be a “bonus” to the neighborhood by decreasing traffic to the building.
3. Utilities and other public services: Utilities will be updated as necessary and will be adequate to meet the needs of a residential household.
4. Neighborhood character and social structure: The structure appears as a single-family dwelling in-kind with other larger homes in this neighborhood. It is consistent with the neighborhood character and social structure of larger, remodeled homes in this mixed residential and commercial oceanfront area. There also will be no new obstruction of views as the height is pre-existing and will not be changed after the proposed lot line change. There are no proposed structure height changes in any way.
5. Qualities of the natural environment: The qualities of the natural environment will not be impacted as the height is pre-existing. Furthermore, except for this building, other buildings on this site will be removed, creating more permeable area -- there are multiple buildings on the site including single-story type motel buildings and will be removed. The exception is the former conference center structure. The porch and deck attached to the building will also be removed so that it complies with Zoning. Lot coverage proposed on Lot 1 would comply with the Zoning criteria as it would be approximately 12% where 25% is the maximum for the R-20 district.
6. Potential fiscal impact: The improvement and occupation of this long vacant building will increase its value and possibly that of its neighbors, and add residential income to the city.

Photos (on file) were shown of the structure proposed to remain at 38 feet in height by **Mr. Morin** which he briefly described to the Committee.

**Gregg Cademartori**, Planning Director, at the request of the Chair, noted that there are multiple applications filed on the property simultaneously which he conveyed in an email to the Committee (on file) which all rely on each other in many ways. The ANR plan that was filed with the Planning Board was continued to tomorrow’s meeting. The representation of the plan is correct in that the lots will comply with the (Zoning) district. The reason that the Applicant is before the Council and the ZBA is about the existing structure whether it remains or not. Without the relief the structure wouldn’t comply with Zoning and would have to be razed. With the relief of the front-yard setback that the ZBA already granted last week; and the height for the existing structure would allow it to remain and be renovated for one or two-family use. If the Applicant does obtain the relief from the Council they will be able to file the ANR Plan without any Zoning violation for the structure because it will be addressed by those two permits that are required.

**Councilor Holmgren** expressed that she was in favor of preserving the exterior of the building, and expressed appreciation for all the work that’s been done.

**Councilor Gilman** recounted that she and her husband spent their first night of their honeymoon in the Ocean View Inn’s penthouse on June 2, 1985 and had very lovely memories of that beautiful location. She expressed appreciation that the exterior of the building is to be kept.

She noted that no building and floor plans on file presented under GZO Sec. 1.5.3(b)(2) because the proposed building structure is pre-existing. She asked if this has to be waived or is it assumed. **Mr. Cademartori** advised that

because this is an existing structure and its use is for a one- or two-family dwelling and is as of right, any modification it would fall to the Building Permit process -- this is simply the exterior appearance of the building for the purposes of a Special Permit. **Mr. Morin** also confirmed for **Councilor Gilman** that notifications to abutters were filed.

**Mark Poulin**, 84 High Popples Road, a direct abutter, noted there is no objection to the height of the building, but to the area that he advised was non-conforming in an 8" x 10" he held up to the Committee (not placed on file) which he indicated was a "bump out." He asked what was it that would stop that bump out to go to 38 feet. **Mr. Cademartori** advised because that part of the structure is non-conforming the Applicant would have to return to the Board of Appeals. What is authorized is the incursion into the front-yard setback based on what was submitted to the ZBA; he pointed out, responding to an inquiry by **Mr. Poulin**. Any change to that portion that is non-compliant, such as the setback in question, it would require another special permit from the ZBA, **Mr. Morin** confirmed.

Although it was noted that **Councilor Lundberg** had entered the meeting during the presentation to the Committee by the Applicant, he confirmed to the Chair that he had read all the materials on file and had no questions regarding the application.

**COMMITTEE RECOMMENDATION: On a motion by Councilor Holmgren, seconded by Councilor Lundberg, the Planning & Development Committee voted 3 in favor, opposed, to recommend that the City Council grant a Special Council Permit (SCP2018-003) to 171 Atlantic Road, LLC, Bryan Melanson, Owner, for a property located at Atlantic Road #171, Map 73, Lot 26, in the R-20 District pursuant to GZO Sections 1.8.3 and 3.1.6(b) "Building Heights in Excess of 35 Feet" in the R-20 district" for a pre-existing building with a height of 38 feet that is to remain unchanged. Further, the City Council is to waive the requirement of full plan sets to be on file for SCP2018-003. This project is found to be in harmony and intent of the Gloucester Zoning Ordinance.**

4. **SCP2018-004: Main Street #189, Map 8, Lot 27, GZO Sec. 1.8.3 "Standards to be Applied" and GZO Sec. 2.3.1.7 "Conversion to or new multi-family or apartment dwelling, four to six dwelling units," 3.1.6(b) "Building Heights in Excess of 35 Feet" and 3.2.2(a) "Minimum lot area per dwelling unit or minimum open space per dwelling unit, or both, may be decreased by special permit" in the CB district**

This Special Council Permit is continued to the November 8, 2018 P&D Committee Meeting.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:00 p.m.

Respectfully submitted,

*Dana C. Jorgensson*

Clerk of Committees

**DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.**