

Planning & Development Committee
Wednesday, December 5, 2018 – 5:30 p.m.
Kyrouz Auditorium - City Hall
-Minutes-

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

Also Present: Jim Destino; Chip Payson; Mark Cole; Gregg Cademartori; Jill Cahill; David Benjamin; David Dow; Frederick Geisel; Rick Noonan; Mary Ellen Lepionka; Robert Whitmarsh

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

1. Memorandum from Assistant Public Works Director re: requested approval of Sign Location Lease #19062 between the Gloucester House Restaurant and the City of Gloucester

Jim Destino, CAO, explained that this is a five-year lease (on file) up for renewal (between the Gloucester House Restaurant and the city for the small plot of land in the municipal parking lot on 45 Rogers Street). It was noted that the lease over the last five years was placed at \$1,200 per year based on information from the Assessors and the Administration's recommendation is that the next five-year lease remains at the same rate. Mark Cole, Assistant DPW Director, added that the Gloucester House takes care of the maintenance, and that it doesn't cost the city anything.

Councilor Lundberg advised that given informational memo provided by the Assessors (on file) it was a reasonable to keep the next lease at \$1,200 a year for the five-year term, recounting that when this lease last came before the Council the rate was raised to \$1,200.

COMMITTEE RECOMMENDATION: On a motion by Councilor Holmgren, seconded by Councilor Lundberg, the Planning & Development Committee voted 3 in favor, 0 opposed to recommend that the City Council approve under GCO Sec. 2-3(a) (2) and 2-3(e) the Disposition of Real Property #19062, Sign Location Lease Agreement for the Gloucester House Restaurant sign located at 45 Rogers Street for a five-year term beginning January 1, 2019 and ending December 31, 2023 at a rate of \$1,200 per year.

This matter will come forward under the P&D Committee Report.

2. Letter from the Stage Fort Park Advisory Committee re: the Cyclo-Cross race on October 17 & 18, 2018

Councilor Gilman explained that the Stage Fort Park Advisory Committee (SFPAC) had a meeting in November and spoke about the Cyclo-Cross post-race park conditions, sending an email to the DPW Director and to her, and she, in turn asked that it be placed on the Council's Consent Agenda for referral to P&D for discussion purposes. Documentation on file was noted by the Chair all found in the Committee's agenda packet.

Mr. Cole recounted that there was a walk-through of Stage Fort Park the week after the Cyclo-Cross event with himself; Councilors Gilman and Nolan; Paul Boudreau, Cyclo-Cross event organizer; DPW Operations Manager of Public Properties, Joe Lucido; Mr. Benjamin, and David Dow (SFPAC members). They walked the course; pointed out areas where Mr. Boudreau had started to work that needed further attention which Mr. Boudreau said he would do. He conveyed that the DPW was satisfied where the park was at that point, noting they've always had "good luck" with the event organizer returning in the spring to reseed areas that needed further amending. At the point in the year with the first seeding (in October), he noted it's difficult to grow grass that late in the season. When the DPW received the SFPAC's letter early in November, they reached out to three local landscaping companies about further seeding of the park this fall. The companies all advised the DPW not to spend more money at this time on the park as it would be a waste of money as the seed won't take and would need to be redone in the spring. He advised that Mr. Boudreau is aware he'll have to return in the spring and do more work. He reviewed that he'd walked the park that afternoon and took a series of photos (color photos on file) which show areas where the grass has started to come back with some new growth. He pointed out there are a lot of areas where the grass is laid down now as it is wet and muddy and stayed that way since the event. He advised that in the spring with warmer weather that grass will regenerate -- by the first of June the course will stand out because the reseeded areas will be greener than the surrounding park areas. He added that the DPW is satisfied at this time and is not doing anything further at this time.

David Benjamin, SFPAC Secretary, recounted that the SFPAC has had long discussions expressing their concern for holding the Cyclo-Cross event annually at Stage Fort Park based on the Committee's assessment of the

damage caused to the park. Their greatest concern of the SFPAC is that that all these areas that get reseeded are out of commission for eight months of the year, and didn't see the value against what the perceived benefit is to the city's visitor-based economy and the city's financial gain. He pointed out that this represents another year that parts of the park will be "torn up" until June.

Councilor Gilman confirmed there was grass seed put down on the ball field. **Mr. Cole** confirmed grass there is just laid down and will come back in the spring. **Councilor Gilman** confirmed with Mr. Cole in November about the park's landscaping issue, saying it was her understanding that a reseeding this late in the season wouldn't have sprouted.

Councilor Lundberg noted this issue comes forward every year. The city hosts the event and spends the rest of the year repairing the park and has a continuing discussion about the repairs to it. The citizens who use the park year round are left with a deficient park and suggested he was unsure if it is worthwhile. He asked to determine how the Council can raise the issue to gain public input to make a determination whether it is a good idea to continue to permit the event to go forward at Stage Fort Park. He added that the damage to the park is never really completely repaired.

Councilor Holmgren expressed agreement for public input beyond this meeting, noting the letters exchanged, and suggested a public forum. Councilor Gilman suggested this be referred to the Council for a discussion and to listen to the public. **Councilor Lundberg** further suggested it be done soon, so that if it is the decision of the Council this event would no longer be allowed to be permitted at Stage Fort Park the event organizer has adequate notice. **Councilor Gilman** offered that the event organizer is very cooperative and that seeking public opinion will be helpful.

Frederick Geisel, SFPAC member, confirmed that events such as these are organized in February and that they need to do the public hearing sooner rather than later because of that and suggested involving the 400th Anniversary Committee also. Councilor Gilman pointed out as the 400th Anniversary of the city approaches (holding the event at Stage Fort Park) could be problematic.

Jill Cahill, Community Development Director, member of the Special Events Advisory Committee and the 400th Committee advised she had this discussion with the event organizer about the city's upcoming 400th Anniversary with Stage Fort Park being a centerpiece of the city's celebrations, and he is aware of it; this won't be new information to him.

Chairperson Gilman asked Councilor Lundberg in his role as Council President to take this matter under advisement and arrange for an opportunity to hear public opinion on this matter at the Council level. This matter is closed.

3. *Nomination of Dogtown to the National Register of Historic Places Application (Also referred to the Planning Board) See Application link here:*

<http://gloucesterma.gov/DocumentCenter/View/5374?fbclid=IwAR2vJtqnsueTaysOdI7TgoA3nVUI1TuiF1GKIXYCFn26W46hiEL3zx722PpU>

Councilor Gilman reviewed the Committee's process for this segment of the agenda of the Committee process on the matter of the Nomination of Dogtown to the National Register of Historic Places. She expressed the Committee's positive sentiment that the Gloucester Historical Commission (GHC) agreed to a joint action plan between them and the Committee to be developed at an annual meeting which is affirmed by the City Charter. This will allow them to look forward as to the nominations in the queue, deciding which need further support, which projects will require grants for archeological studies, and determine which are non-impactful and may move forward independent of a more in-depth process. A letter from the GHC (dated November 29, 2018 and on file) was forwarded to the Committee. At the joint meeting that there was consensus on the place and the nomination process which she reported was after the PAL report was finalized, an archeological survey which she suggested may need to be revisited. She advised they aren't ready to speak to the details of the Dogtown nomination this evening. There are expectations that Gregg Cademartori, Planning Director; Rick Noonan, Planning Board Chair, and Jill Cahill, Community Development Director, can outline some of the processes necessary for them because the Dogtown nomination was referred to the Planning Board and will first be vetted by them to make a recommendation, and then return to the P&D Committee.

Councilor Gilman then announced that her property at 75 Revere Street abuts a parcel of land that is in the boundary (of Dogtown) and disclosed she has no financial Conflict of Interest as required under MGL Ch. 268A, § 23B3 and has filed a report in the City Clerk's office.

Gregg Cademartori, Planning Director, advised that this (the vetting of the Dogtown nomination) will be a new activity for the Planning Board, suggesting the Planning Board would benefit from a presentation from the GHC. He recounted that last November there was a comprehensive presentation from a Mass. Historical Commission representative on this matter (available on YouTube). He noted that the questions from the audience were difficult to hear, and suggested that it might be helpful to “get at” some of those questions for people to understand what such a designation would mean to the city; whether there are limitations and what the opportunities are by a designation. It is clear from the presentation the assets within the bounds are substantial and of great value from a preservation perspective. He suggested that representatives that would be reviewing applications for nominations said when you put this together the likelihood to get the designation are very high. He added that now with the ‘substantiation’ through the archeological investigation and the historic package that’s been put together, “it’s well on its way.” He advised that he anticipates the Board would appreciate a presentation from the GHC to the extent that there’s an opportunity to present in the context of how the reviewers might see it. He conveyed this will make sure that stakeholders have been reached out to in building a consensus for a great application for registration. He advised he would discuss this with the Board, and will want questions answered; there will be special time on the Board’s agenda for the presentation. He put forward that the last piece from a municipal perspective are the different departments that may or may not be impacted, mentioning that there is a learning curve as this isn’t a frequent occurrence.

Councilor Lundberg mentioned that the Zoning Ordinance is specific as to the purview and process of the Planning Board. It details what the Board is supposed to do, and he suggested that there’s no detail about this particular kind of matter and associated process. What are they asking the Board to do -- how can the Board contribute to the overall process. He pointed out that the applicable state law only refers to the City Council not any other Board or Committee. **Mr. Cademartori** pointed out this would be another public venue and opportunity to gain a better understanding of what the nomination means; that when an application comes to the Board there is not just a referral to the Board, there’s a referral to municipal staff for recommendations. To have a comprehensive summation from the perspectives from the Administration as to the impact to city departments and having another public venue where a seven-member board will hear this information and make a recommendation. He expressed agreement there isn’t a set of criterion that are outlined for the Board to measure applications against.

Richard Noonan, Chair of Planning Board, after a brief outlining of the “asks” previously from the Council to the Planning Board and their different formats, he asked for parameters from the P&D Committee as to how the Board should approach the Dogtown nomination.

Councilor Holmgren noted this is a precedent sending the nomination to the Planning Board, and asked if it is because the area is so vast or because it is a concerning issue for the community. **Councilor Lundberg** advised that the application by the city through the GHC has had public impact that they hadn’t planned for describing this past summer’s proposal by the GHC for the possible creation of an Annisquam historic district and recounted there was notification to property owners within the proposed district and that the proposal came as a surprise to them and was rejected -- it wasn’t that the project wasn’t worthy but the process was “a surprise.” He suggested that it wouldn’t be the Planning Board who would determine the worthiness of the nomination which is the role of the GHC. **Councilor Gilman** noted she watched the YouTube video and agreed it was hard to hear the questions the answers were heard and the majority of questions were answered. She commented that with no minutes of the informational meeting taken, the opportunities to see the results of it were missed. She explained based from what they’re hearing in the community perhaps it may be advisable to have the MHC come to the community and make a general presentation about what the nomination is and isn’t, and to have questions answered which may negate the need for a Planning Board review.

Mary Ellen Lepionka, Co-Chair, Gloucester Historical Commission, stated the GHC’s charter under state “charter” is that the work that a historical commission is to assist the Planning Department or any municipality giving them information for use in city planning for the future of the community. She suggested it may be that the Planning Department could be interested to consider some of the GHC projects as part of the joint P&D and GHC annual meeting to bring the Board into that process. **Mr. Cademartori** expressed his agreement. **Ms. Cahill** noted that if the nomination doesn’t go to the Planning Board, she reminded the Committee that they can request a general municipal review as Dogtown is important watershed land which in turn makes it important for the DPW, the city’s Planning Division and Community Development weigh in.

Councilor Gilman suggested a joint Planning Board meeting to which **Mr. Destino** advised that the Council is to make a recommendation to the MHC whether this should happen or not. He conveyed that the Planning Board can vet the nomination, but the Committee has to give parameters to the Board -- they’ll give a recommendation after absorbing all the presented information. He advised that there is not a need for more process talk, and that having a representative of the MHC to come to go over process is also unnecessary. **Ms. Cahill** added that the question of

impact has to be consistent throughout. **Councilor Lundberg** asked if this project is historically significant and what is the impact is to the community. **Ms. Lepionka** highlighted there is historical significance associated with Dogtown. **Councilor Lundberg** noted that while that may be one person's opinion and it may be true; the purpose of having the City Council approve this nomination is to determine that it is something that is in the city's interest to do and to determine if it is significant. He pointed out that they have an archeological study that may lead them to that conclusion but they haven't reached that conclusion yet -- they're are now figuring out the process to approve the nomination and to understand the impact to the community.

Councilors then discussed process -- and the criteria for the Planning Board to embrace. It was suggested at the end of a brief discussion that they are asking the Board to weigh in on the historic significance of Dogtown; the community and environmental impact; as well as a municipal review. **Councilor Lundberg** pointed out that the GHC has weighed in already saying that Dogtown is historically significant. He pointed out that concern has been expressed that this designation will increase the attraction of Dogtown to the world in general and will attract tourists, suggesting that there has to be a way to assess such an impact. He highlighted that there are letters from Rockport Boards of support for Dogtown as an honorary designation and maybe that is a less impactful designation. Mr. Noonan touched upon the municipal review that may be undertaken briefly, and advised the Board would want a well-rounded, not one-sided presentation. He expressed, as one member of the Board, has a great deal of questions.

This matter is continued to February 20, 2018.

4. *SCP2018-005: Gloucester Crossing Road #1 & #7, Map 262, Lots 13 & 37, GZO Secs. 1.5.3(g) "Drive-Through Facilities" (retail drive-through facility) and 5.17 "Special Regulations; Drive-Through Facility" in the EB district (Cont'd from 11/07/18)(TBC 01/02/19)*

This matter is continued to January 2, 2018.

5. *SCP2018-006: Gloucester Crossing Road #1 & #7, Map 262 Lots 13 & 37, GZO Secs. 1.5.3(g) "Drive-Through Facilities" (coffee shop drive-through facility) and 5.17 "Special Regulations; Drive-Through Facility" in the EB district and 5.17 "Special Regulations; Drive-Through Facility" in the EB district (Cont'd from 11/07/18)(TBC 01/02/19)*

This matter is continued to January 2, 2018.

6. *SCP2018-007: Gloucester Crossing Road #1 & #7, Map 262 Lots 13 & 37, GZO Secs. 1.5.3(c) "CCS" Special Permits" & (d) "Major Projects" and 5.7 "Major Projects" in the EB district (Cont'd from 11/07/18) (TBC 01/02/19)*

This matter is continued to January 2, 2018.

A motion was made, seconded and voted unanimously to adjourn the meeting at 6:23 p.m.

Respectfully submitted,

Dana C. Jorgensson

Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.