



**CITY OF GLOUCESTER  
ZONING BOARD OF APPEALS  
3 POND ROAD, GLOUCESTER MA 01930**

**ZONING BOARD OF APPEALS**  
Remote Participation Special Meeting Minutes  
November 23, 2020

**Board Members Present:**

Joseph Parisi III, Chairman  
Catherine A. Schlichte, Esquire, Vice Chair  
Adria Pratt, Esquire, Secretary  
Michael C. Nimon  
Peter Cannavo -Late

**Also in Attendance:**

Bill Sanborn, Building Commissioner  
Alison Battle, Clerk

The Chair introduces the members and gives the public an overview of the proceedings that pertain to all open hearings.

**Minutes:**

Ms. Schlichte moves to approve the minutes for 10/22/2020, 10/29/2020, 11/5/2020 and 11/12/2020 as they were written.

Mr. Nimon seconds  
All in favor, 5-0

**Continued Business:**

**71 Middle St.**

Petition of Young Men's Christian Association of the North Shore seeking Special Permit Comprehensive Permit Pursuant to M.G.L. c. 40 B, secs 20-23. Variance Comprehensive Permit Pursuant to M.G.L. 40B, sects 20-23 to allow demolition of the building and construction of a new building with 44 apartments for seniors age 62 years and over.

The Chair reads the Ad for the application and requests that the Applicants go through the architectural piece of the project so that it can be put to rest.

Atty. Deborah Eliason of Eliason Law, 63 Middle St., Gloucester, MA introduces herself and asks Jen Hockerman to begin.

Jen Hockerman of S.V. Design, 126 Dodge St., Beverly MA, shares her screen and goes over the (4) issues addressed at the last meeting.

1. Garage Door – Ms. Hockerman spoke to the manufacturer of the door who informed her that there is a chain to open the coiling door in case of an emergency or motor failure. The information has been modified on the drawings.
2. Exiting vehicle and pedestrian safety – There will be an exiting vehicle alarm on the outside of the building. This alarm will be both audio and visual by use of a flashing light and sound.
3. Gutters on the Middle and Hancock St. facades were added.
4. The Trim on the short ends of the building are no longer PVC trim but now a cementitious trim.

The Chair states his concern for the safety of the Senior Citizens when using the patio area and requests that security measures be put in place to alleviate access to the public.

Jen Hockerman comments on ways to address the issue. People must have a key to get through the 6' gate at Hancock St. and also at the stairs on Middle St. Panic hardware will be installed for emergencies to get out of the area.

Mr. Sanborn requests auto release for emergency personal to access.

Chris Lovasco, Director of the YMCA states that they are looking into video surveillance and perimeter security protection. They will look into putting lock boxes around the building.

The Chair asks Mr. Sanborn and Mr. Cademartori to review the feedback from the City departments.

Greg Cademartori states that he has only heard from the Historic Commission, Board of Health, Building Department, Fire Department and City Engineer. He doesn't expect to hear from any other departments. He discusses the plans that he has received from the Applicant which were reviewed in both group and individual settings and stated in the remarks of the City Engineer, Ryan Marques. He feels that he has in rough form what he needs to see to move this project forward.

Mr. Sanborn agrees with Mr. Cademartori and states that the construction will all be governed by the building code. His concern is with the building, the site and how it will affect the neighbors and traffic flow. He discusses the site location and how some of their plans will

change when they begin the project in (2) years. He has worked with the architect and his concerns have all been answered at this point.

The Chair discusses the approval of the waivers and how to grant them when the studies haven't yet been concluded and cannot be reviewed and changed again after being approved.

The Chair states his concerns that the Board has not received any response from the DPW Director or the Traffic Commission.

Mr. Cademartori discusses this issue with the Chair stating that most of the waivers are dealt with as a part of the City process and are in the Code of Ordinances, not in the Zoning Ordinances. Many of the other waiver he agrees should not be granted, such as; sewer connection fees and sewer review, water connection fees and water review and drainage ordinances. In the past, none of those waivers were approved.

The Chair reviews the letters addressed by the staff that the Board has received and states that he doesn't feel that they will have enough information to make a decision if they are not going to hear from any other of the City staff as Mr. Cademartori stated earlier. The Chair calls for Atty. Eliason to address the comments that have been made in the letters received so far.

Atty. Eliason reminds the Board that with a Comprehensive Permits their can be conditions in the permit but that they only need to be at a conceptional level and not at a construction level. The following are the concerns that they see at this time, and would like the opportunity to go through the list of waivers once more to see if there are any other concerns that they would like to discuss.

Atty. Eliason feels that the City's Engineers request for a neighborhood study to be done in regards to the sewer is beyond a reasonable request as Mr. Marques previously stated that the project will have a minimal effect of the system. She asks that this not be a condition of the project.

It was requested that the public shade trees be removed by the Building Inspector. They request that the Board allow that the trees be removed under the Comprehensive Permit and make it a condition that they do not have to go before the Tree Warden to request this be done.

In the question of the street closure, they request that it be allowed under the Comprehensive Permit and that the requirement to go before the City Council to request this be waived. Atty. Eliason informs the Board of their intentions to work with City officials to negotiate the logistics of the necessary closures.

Atty. Keifer agrees with Atty. Eliason regarding a Comprehensive Permit eliminating the need to go before other Boards. She recommends that the Members reach out to the Boards whose decisions will be bypassed and those who have not yet responded to request that they reply ASAP, as their comments may be useful in the Board making these decisions. Atty. Keifer discusses the concern of sewer capacity and states that if the Board has a

concern, it should be addressed now and not later. She feels that the Applicants will fine tune and resubmit the waivers and she questions if signage has been addressed as she finds that it is something that is often overlooked until they are ready to go up.

The Chair discusses the rules on waivers with Atty. Keifer.

The Chair walks through the waivers on page 14.

Mr. Lovasco informs the Board that he is working with Atty. Mark Nestor of the VFW regarding securing some of the units for Veterans.

Demolition conditions given by the Board of Health are discussed. The Chair would like to get them down to specifics. The Applicant has no issues with their requests.

The Chair request that they drill down all the specifics on the waivers to help move this application along.

Atty. Eliason asks how the process will be moving forward for the next meeting and Mr. Cademartori answers that on the issues discussed this evening they will work with the Architect team and City boards and departments to review and clean everything up for the next meeting.

The Chair requests that they Applicant submit an updated draft of the waivers for the Members to review before the next meeting on 12/3/2020.

The YMCA's application deadline is discussed.

Mr. Lovasco informs the Board that their pre-application has been approved conditionally by the Department of Housing and Community Development. As long as they can meet the one outstanding condition of a zoning approval, they can apply for the January submission. If not they will have to wait and submit their application in 9 months.

Tara Mizarhi states that it would be best if the signed decision was through the appeal period as well and meeting future meeting dates are discussed.

Speaking in favor: None

Speaking in opposition- None

The Chair calls for questions by the Board and all the members comment that the information pending from the City boards and departments is needed to move forward. They are all open to adding other Special Meetings and would like to see a draft decision to help them make their decision.

Ms. Schlichte moves to continue this hearing to December 3, 2020 at 7:00 PM.

Mr. Nimon seconds

All in favor, 5-0

Motion to adjourn was made at: 8:19PM

Motion by: Ms. Schlichte

Second by: Mr. Nimon  
All in favor, 5-0