



CITY OF GLOUCESTER  
PLANNING BOARD  
MEETING MINUTES - **DRAFT**  
**June 4, 2015**  
**7:00 P.M.**

Kyrouz Auditorium, City Hall, 9 Dale Avenue, Gloucester  
Richard Noonan, Chair

**Members Present:** Rick Noonan – Chairman, Mary Black – Vice-Chair, Shawn Henry, Henry McCarl, Joe Orlando

**Staff Present:** Gregg Cademartori - Planning Director, Matthew Coogan – Senior Planner, Courtney Karcher - Recording Clerk

**I. BUSINESS**

Chairman Noonan opened the meeting at 7:08 p.m.

**Motion:** To approve the Meeting Minutes from **May 7, 2015**.

**1<sup>st</sup>:** Mr. McCarl

**2<sup>nd</sup>:** Ms. Black

**Vote:** Approved 5-0

**Public Comment:** None

**II. CONSENT AGENDA**

Planning Board to consider the *Approval Not Required* Plan submitted by James P. and Judith M. Masciarelli to divide one lot into two new lots at **23 Way Road** (Assessors Map 74, Lot 24).

**Mr. Coogan** reviewed the application to divide one lot into two lots. He stated both lots, within an R20 district, comply with zoning in regard to frontage and lot width.

**Motion:** The subdivision control law does not apply to the division at **23 Way Road** (Assessors Map 74, Lot 24).

**1<sup>st</sup>:** Mr. Henry

**2<sup>nd</sup>:** Mr. Orlando

**Vote:** Approved 5-0

Planning Board to consider the *Approval Not Required* Plan submitted by Seaside Legal Solutions, P.C. to reconfigure a lot line between **275 and 279 Atlantic Road** (Assessors Map 134, Lot 33 & 34).

**Presenter:** Joel Favazza – Seaside Legal Solutions, 111 Main Street, Gloucester, MA

**Mr. Favazza** declined to comment.

**Mr. Coogan** reviewed the application to reconfigure an existing lot line between two properties. He stated both lots, within an RC40 district, comply with zoning in regard to frontage and lot width. Mr. Coogan noted an existing wetland on the easterly side of the property.

**Mr. Noonan** questioned the location of proposed access for the newly created lot.

**Mr. Cademartori** explained the proposed access would be through the frontage, pointing out the location on the filed plan.

**Motion:** The subdivision control law does not apply to the division at **275 and 279 Atlantic Road** (Assessors Map 134, Lot 33 & 34).

**1st: Mr. Orlando**

**2nd: Mr. Henry**

**Vote: Approved 5-0**

### **III. NEW PUBLIC HEARINGS**

In accordance with the provisions of MGL Chapter 40A, Section 5, and the Gloucester Zoning Ordinance, Section 1. 1.11.2(a) of Zoning Ordinance, the Gloucester Planning Board will hold a public hearing to consider the following petition to amend the zoning ordinance as follows:

1. Amend Section 2.3 Use Tables 2.3.1 Residential Uses, by changing the use allowance of Residential Use #10 Boarding House, rooming house, lodging house or hostel, licensed by the Licensing Board from allowed by special permitted issued by the Zoning Board of Appeals (SPS) to a prohibited use (N).

**Mr. Cademartori** reviewed the first of two amendments discussed at the last Planning Board meeting that would allow implementation of the Harbor Plan. This amendment would provide consistency with the DPA regulations that prohibit residential use in the Marine Industrial district. Mr. Cademartori verified with the Zoning Board there would be no negative impact on an existing property.

**Public Comment:** None

**Motion:** To amend section 2.3 Use Tables 2.3.1 Residential Uses, by changing the use allowance of Residential Use #10 Boarding House, rooming house, lodging house or hostel, licensed by the Licensing Board from allowed by special permitted issued by the Zoning Board of Appeals (SPS) to a prohibited use (N).

**1st: Mr. Henry**

**2nd: Mr. McCarl**

**Vote: Approved 5-0**

2. Amend footnote #1 to Section 2.3 Uses Tables by striking the words “and uplands” from the first sentence so it will read:

*"(1) In the MI District, Supporting Designated Port Area (DPA) Uses, as defined in 310 CMR 9.02, shall not in the aggregate occupy more than 50% of the ground level area on filled tidelands ~~and uplands~~ on a lot within the DPA. Such uses shall also be subject to dimensional requirements of 310 CMR 9.0. Within the water-dependent use zone, as defined in 310 CMR9.02, in the MI District no use shall be permitted unless it provides access to water-borne vessels."*

**Mr. Cademartori** reviewed the second of two amendments discussed at the last Planning Board meeting that would allow implementation of the Harbor Plan.

**Mr. Cademartori** stated the footnote, originally enacted in 2010, is in reference to allowances for supporting use. The amendment allowed for greater flexibility for some lots as the percentage for supporting use was upped from 25% to 50%, but also regulated the entire lot within the Designated Port Area.

**Mr. Cademartori** noted there was discussion during the Harbor Planning process about the limit of jurisdiction the State has and the dimensional requirements of use limitations only pertaining to State jurisdiction that stops at the mean high water line.

**Mr. Cademartori** stated the State is comfortable with the calculations that any lot can take advantage of 50% within jurisdiction; striking “and uplands” would mean only local zoning would take control of areas in the Marine Industrial district outside the States’ jurisdiction.

**Public Comment:**

Rich Hersey, 652 Essex Ave, Gloucester, MA

**Mr. Hersey** questioned how many lots the amendment would impact significantly.

**Mr. Cademartori** replied it would impact three existing lots:

Gortons/Americold, Mass Electric, and The Cruiseport. These lots have ¼ to ½ of the lot “upland.”

**Public comment closed**

3. **Motion:** To amend footnote #1 to Section 2.3 Uses Tables by striking the words “and uplands” from the first sentence so it will read:

*"(1) In the MI District, Supporting Designated Port Area (DPA) Uses, as defined in 310 CMR 9.02, shall not in the aggregate occupy more than 50% of the ground level area on filled tidelands ~~and uplands~~ on a lot within the DPA. Such uses shall also be subject to dimensional requirements of 310 CMR 9.0. Within the water-dependent use zone, as defined in 310 CMR9.02, in the MI District no use shall be permitted unless it provides access to water-borne vessels."*

**1st: Mr. Orlando**

**2nd: Mr. McCarl**

**Vote: Approved 5-0**

**3.** Add a new definition to Section VI for “Farmers Market”.

**Motion:** To continue adding a new definition to Section VI for “Farmers Market” to June 18, 2105.

**1<sup>st</sup>: Mr. Orlando**

**2<sup>nd</sup>: Ms. Black**

**Vote: Approved 5-0**

#### **IV. CONTINUED PUBLIC HEARING**

In accordance with MGL Chapter 41 and the Planning Board’s Rules and Regulations Governing the Subdivision of Land in Gloucester, the Planning Board shall review a Definitive 1-Lot Subdivision Plan for the land located at **12 and 12R Cole Ave** (Assessors Map 213 Lots 24 and 25) submitted by Chris and Carlene Melanson.

**Mr. Cademartori** noted the Applicants request for a continuance.

**Motion:** To Continue the Public Hearing for Definitive 1-Lot Subdivision Plan for the land located at **12 and 12R Cole Ave** (Assessors Map 213 Lots 24 and 25) to June 18, 2015.

**1<sup>st</sup>: Ms. Black**

**2<sup>nd</sup>: Mr. Orlando**

**Vote: Approved 5-0**

#### **V. Other Business**

##### **1. Coastal Resilience Working Group update**

**Mr. Cademartori** noted the group held their second Public Meeting. A presentation was made in regard to city info structure vulnerability by a consultant examining the years 2030 and 2070.

**Mr. Cademartori** mentioned two areas, low roads and sewer info structure, which may need to be addressed in the short term, specifically with adequate back up systems and flood proofing.

**Mr. Cademartori** stated a presentation on potential impact on natural resources has not yet taken place. The group intends to hold a final meeting on June 16, 2015. After which, a final report will be generated which Mr. Cademartori will forward to the Planning Board.

##### **2. Discussion of new representative to CPA**

**Mr. Orlando** resigned from the CPA due to time restraints and medical reasons. The Planning Board discussed the representative’s responsibilities and a potential new representative.

**Mr. McCarl** volunteered to take over the duties of the CPA representative.

**Recommendation:** To nominate Hank McCarl to the CPC as the planning board delegate.

**1<sup>st</sup>:** Mr. Orlando

**2<sup>nd</sup>:** Ms. Black

**Vote:** Approved 5-0

**3. Announcements** - None

**VI. ADJOURNMENT**

There being no further business the Chair adjourned the meeting at 7:45 pm.

*Next regular meeting of the Planning Board is scheduled for June 18, 2015.*