



CITY OF GLOUCESTER
PLANNING BOARD
MEETING MINUTES - **DRAFT**
May 7, 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, Doug Cook, 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 7:04 p.m.

Motion: To approve the Meeting Minutes from **April 16, 2015**.

1st: Mr. Henry

2nd: Ms. Black

Vote: Approved 5-0

Public Comment: None

II. CONSENT AGENDA

Planning Board to consider the *Approval Not Required* Plan submitted by Carrigan Development, LLC to create four new lots at **186 Concord Street** (Assessors Map 248, Lot 14).

Mr. Noonan recused himself from this item.

Presenter: Deborah Eliason – Attorney, Eliason Law Office, LLC, 63 Middle Street, Gloucester, MA

Ms. Eliason reviewed that the property is located on the corner of Bray Street and Concord Street. There are three existing lots on the property in the R40 district. These three lots meet zoning requirements as well as the 75 percent upland requirement. The remaining lot is 21 acres. There is adequate access over the frontage to the buildable portion of the lots. Ms. Eliason noted that Bray Street is a certified Public Way and there are many lots in the neighborhood that have been developed.

Mr. Coogan noted the lots do comply with zoning regulations for an R40 zone. Staff conducted a site visit and observed elevation changes and wetlands in the area. Mr. Coogan clarified that access is located on Bray Street and questioned if there was consideration with steepness at the access points.

Presenter: Mike Carrigan, 44 School Street, Rockport, MA

Mr. Carrigan stated his intention of using the easiest points of access. He noted there are plenty of areas that could provide access without much disturbance. He clarified, when questioned by Ms. Black, that the address of the lot will change to Bray Street as there is better access than from Concord Street. Each lot would have it's own driveway and septic system.

Motion: The subdivision control law does not apply to the division at **186 Concord Street** (Assessors Map 248, Lot 14).

1st: Mr. Orlando

2nd: Mr. Henry

Vote: Approved 5-0

Mr. Noonan rejoined the Board

Planning Board to consider the *Approval Not Required* Plan submitted by Maria Murphy and Joseph Frontiero, as Trustees of Joppa Way Condominium to divide one lot into one lot with an existing dwelling and an unbuildable lot at **4 Joppa Way** (Assessors Map 161, Lot 71).

Mr. Coogan reviewed the application. The lot with an existing dwelling would continue to comply with R10 zoning regulations. The new parcel would be an unbuildable lot located on Starknaught Heights.

Motion: The subdivision control law does not apply to the division at **4 Joppa Way** (Assessors Map 161, Lot 71).

1st: Mr. Orlando

2nd: Mr. Cook

Vote: Approved 5-0

III. 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. Coogan noted the Applicant requested 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 May 21, 2015.

1st: Mr. McCarl

2nd: Mr. Henry

Vote: Approved 5-0

IV. Other Business

1. 2014 Harbor Plan implementation – Marine Industrial (MI) zoning district amendments

Mr. Cademartori reviewed that the Harbor Plan was approved late last year in a decision issued by the Secretary of Executive Office of Energy and Environmental Affairs. Section 5 of the Harbor Plan is in regard to a 6-month implementation period that municipalities are afforded.

Mr. Cademartori stated there are four areas of discussion dealing with use allowance under local zoning ordinance. There is one area of discussion dealing with designated port area regulations. There has also been discussion of where state jurisdiction begins and ends versus where there is city jurisdiction only.

Mr. Cademartori stated a boundary review was conducted in the midst of Harbor plan review. He presented a map showing the new designated port area boundary to the Board.

Mr. Cademartori outlined the four areas of discussion regarding use allowance that he detailed in a filed memorandum to the Board.

1. AMENDMENT – Exclude new (or conversions to) housing units or residential facilities
(Number 10 Table 2.3) *Boarding House, Rooming House, Lodging House or Hostel* licensed by the Licensing Board is currently prohibited, but allowed in the MI district by a Zoning Board special permit. In order to make the industrial port consistent with the Designated Port Area regulations, Planning Staff is suggesting what is now allowed by special permit becomes prohibited.
2. CLARIFICATION – Exclude new hotels, motels, and other facilities of transient lodging. Planning Staff is suggesting. No Amendment is required.
3. CLARIFICATION – Exclude hospitals, nursing homes, and other care facilities. No amendment is required.
4. CLARIFICATION – Exclude Day-care centers, primary schools, and secondary schools, or other schools unrelated to maritime trades or marine science and technology. No amendment is required.

Mr. Cademartori discussed the issue of jurisdiction. The restriction under the state's jurisdiction that a maximum of 25 percent of a site can operate as supporting commercial uses will now be 50 percent. Anything outside of the state's jurisdiction will fall under local zoning ordinance. To comply with this Amendment, Staff is suggesting striking the words "and uplands".

Mr. Cademartori stated if the Board moves forward with the implementation of these recommendations for the Harbor Plan they would be sent to the City Council, brought back to the Planning Board for a Public Hearing, then a P&D discussion would take place before returning to the City Council. This would take place within the 6-month timeframe.

Motion: The planning board under Section 1.11.2A of the zoning ordinance to initiate two proposed amendments to the Marine Industrial District:

1. Changing the permissioning of use number 10 in the residential use schedule from *Special Permitted by the Zoning Board of Appeals* to *NO - Prohibited*
 2. Amending footnote to Section 2.3 Use Tables by striking the words “*and uplands*”.
- 1st: Mr. McCarl**
2nd: Ms. Black
Vote: Approved 5-0

2. CPA Update

Mr. Orlando reviewed the CPA has been receiving and considering many public proposals. Many site visits have been conducted. The committee is moving toward recommendations. Mr. Orlando will bring more details to the next meeting.

3. Announcements

Mr. Cademartori mentioned the Resiliency Study has been significantly delayed. A public meeting will take place on May 20, 2015 with results of the vulnerability assessment. Mr. Cademartori expects a final meeting to take place in late June to discuss adaptation.

4. 18 Keystone Road

Presenter: Daniel Davison, 10 Hill Street, Peabody, MA

Mr. Davison stated he completed work at the address to specs after purchasing. He noted he included in the condominium documents mandatory yearly maintenance of the road along with a yearly road maintenance budget.

Motion: To release 18 Keystone Road from Covenant.

1st: Mr. McCarl

2nd: Mr. Henry

Vote: Approved 5-0

V. ADJOURNMENT

There being no further business the Chair adjourned the meeting at 7:59 pm.

Next regular meeting of the Planning Board is scheduled for May 21, 2015.