

CITY CLERK
GLOUCESTER, MA

2016 DEC 28 AM 8:07



GLOUCESTER CITY COUNCIL

Planning & Development Committee

Wednesday, January 4, 2017 – 5:30 p.m.

1st Fl. Council Committee Room – City Hall

(Items May be taken out of order at the discretion of the Committee)

1. ***PP2016-011: Petition by Comcast place a 17" x 30" vault over the existing Comcast plant at corner of Bass Rocks Road & run 2" PVC underground conduit +/- 80' to 30 Atlantic Road - To be conducted as an advertised public hearing***
2. ***Memorandum from Planning Board re: GZO Sec. 5.27 Medical Marijuana Treatment Centers (MMTC) & Medical Marijuana Cultivation Facilities (MMCF) proposed amendment to Sec., 5.27.5 "Separation" (Also referred to Planning Board) (TBC 01/18/16)***
3. ***Application for Ward 5-2 Wastewater District Map amendment pursuant to GCO Sec. 23-42(H)(2) re: 650R Essex Avenue (Map 238, Lot 6) (Also referred to: Planning Board, CIAB, ConCom, Shellfish Advisory Commission & Board of Health) (TBC 02/08/17)***
4. ***SCP2016-006: Warner Street #9, Map 29, Lot 22, GZO Sec. 1.8.3 & Sec. 2.3.1(7) for conversion to multi-family four units***

COMMITTEE

Chair, Councilor Paul Lundberg
Vice Chair, Councilor Melissa Cox
Councilor Valerie Gilman

CC: Mayor Theken
Jim Destino
Joanne Senos
Chip Payson
Gregg Cademartori

The listing of matters is those reasonably anticipated by the Chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.



PP2016-011: Request to install a
17"x30" vault @ cnr. Bass Rocks Rd.
& 80' UG to 30 Atlantic Rd.

Comcast
David R. Flewelling
Specialist 2 Construction
9 Forbes Road, Suite 9B
Woburn, MA 01801
Cell – 617-279-7864
dave_flewelling@cable.comcast.com

November 21, 2016

Ms. Joanne M. Senos
City Clerk
Gloucester City Hall
9 Dale Avenue
Gloucester, MA 01930

RE: 30 Atlantic Road
Grant of Location-Petition

2016 NOV 28 PM 12:58
CITY CLERK
GLOUCESTER, MA

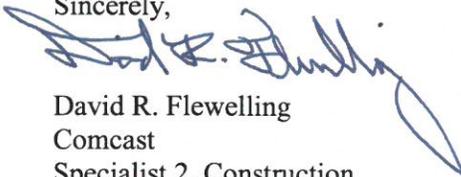
Dear Ms. Senos:

Enclosed please find materials supporting Comcast request for a grant of location from the City of Gloucester. The work associated with the attached petition is for the purpose of installing a new underground conduit to 30 Atlantic Road. For a more detailed description of the work please refer to the attached construction plan.

I look forward to the opportunity to address this matter in further detail at the next available City Council Meeting.

Should you have any questions or concerns, please feel free to contact me at (617) 279-7864.

Sincerely,



David R. Flewelling
Comcast
Specialist 2, Construction

Enclosure (3)

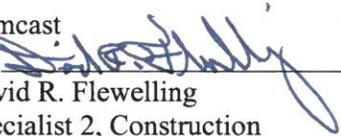
PETITION OF COMCAST FOR LOCACTION FOR CONDUITS AND MANHOLES

To the City Council for the City of Gloucester, Massachusetts:

Respectfully represents Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC. a company incorporated for the distribution of telecommunications services, that it desires to construct a line for such telecommunications under the public way or ways hereinafter specified.

Atlantic Road: Placing a 17" x 30" vault over the existing Comcast plant at the corner of Bass Rock Road. From the new vault placing (1) 2" PVC conduit 80'+/_ to service the customer located at 30 Atlantic Road.

Wherefore, your petition prays that, after due notice and hearing as provided by law, the City Council may by Order grant your petitioner permission to construct, and a location for, such a line of conduits and manholes with the necessary wires and cables therein, said conduits and manholes to be located, substantially as shown on the plan made by Comcast . Dated November 21, 2016, and filed here with, under the following public way or ways of said City of Gloucester:

Comcast
By: 
David R. Flewelling
Specialist 2, Construction

Dated this November 21, 2016

City of Gloucester Massachusetts

Received and filed _____, 2016

ORDER FOR CONDUIT LOCATION

In the City Council for the City of Gloucester, Massachusetts.

ORDERED:

That permission be and hereby is granted to Comcast of Connecticut/Georgia/Massachusetts / New Hampshire/New York/North Carolina/Virginia/Vermont, LLC., to lay and maintain underground conduits and manholes, with the wires and cables to be placed therein, under the surface of the following public way or ways as requested in petition of said Company dated November 21, 2016

Atlantic Road: Placing a 17" x 30" vault over the existing Comcast plant at the corner of Bass Rock Road. From the new vault placing (1) 2" PVC conduit 80'+/_ to service the customer located at 30 Atlantic Road.

Substantially as shown on plan marked - Proposed Comcast Underground, filed with said petition.

Also that permission be and hereby is granted said Comcast to lay and maintain underground conduits, manholes, cables and wires in the above or intersecting public ways for the purpose of making connections with such poles and buildings as it may desire for distributing purposes.

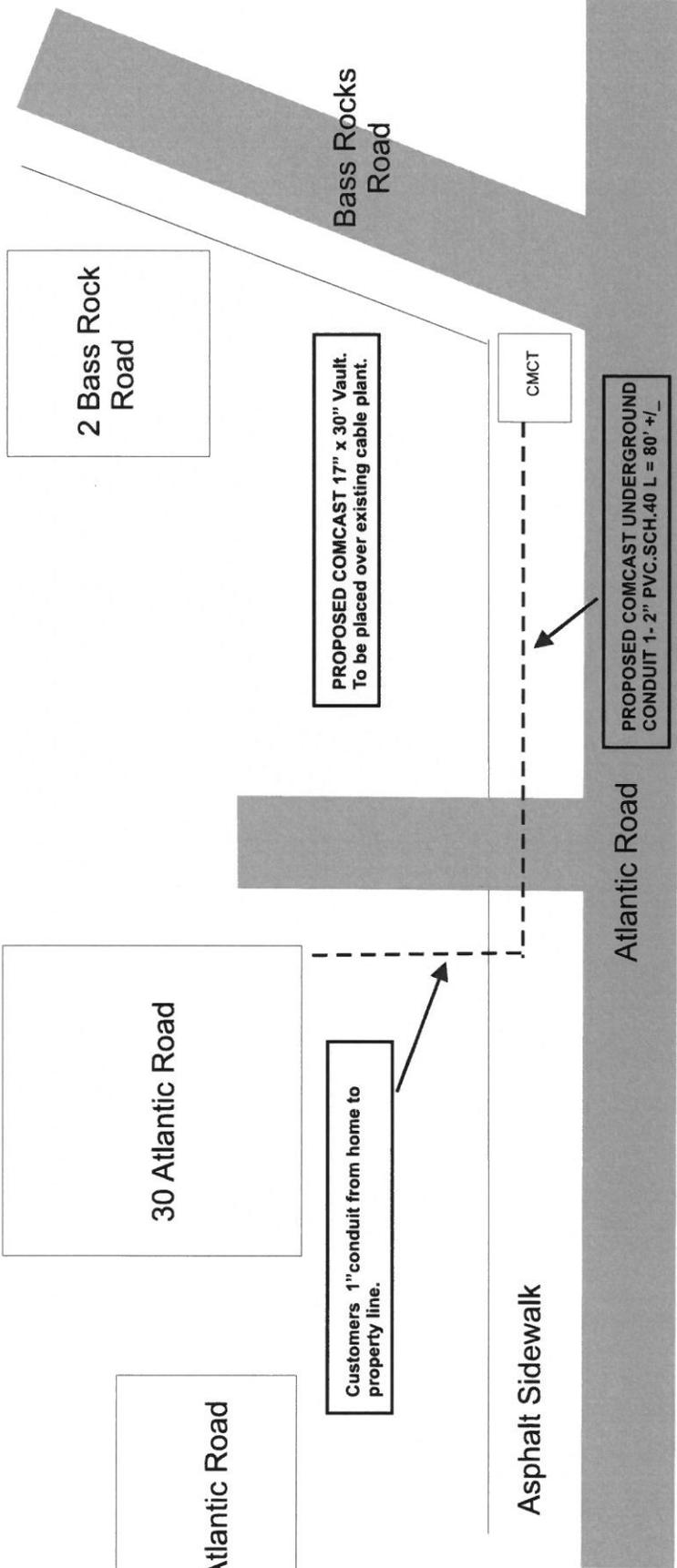
The foregoing permission is subject to the following conditions:

1. The conduits and manholes shall be of such materials and construction and all work done in such manner as to be satisfactory to the City Council or to such officers as it may appoint to the supervision of the work, and a plan showing the location of conduits constructed shall be filed with the City when the work is completed.
2. Said Company shall indemnify and save the City harmless against all damages, costs and expense whatsoever to which the City may be subjected in consequence of the acts or neglect of said Company, its agents or servants, or in any manner arising from the rights and privileges granted it by the City.
3. In addition said Company shall, before a public way is disturbed for the laying of its wire or conduits, execute its bond in a penal sum of One Hundred Thousand Dollars (\$100,000) (reference being had to the bond already on file with said City) conditioned for the faithful performance of its duties under this permit.
4. Said Company shall comply with the requirements of existing by-laws and such as may hereafter be adopted governing the construction and maintenance of conduits and wires, so far as the same are not inconsistent with the laws of the Commonwealth.

I hereby certify that the foregoing order was adopted at a meeting of the City Council for the City of Gloucester, Massachusetts, held on the _____ day of _____ 2016.

(over)

City Clerk



28 Atlantic Road

30 Atlantic Road

2 Bass Rock Road

PROPOSED COMCAST 17" x 30" Vault.
To be placed over existing cable plant.

Customers 1" conduit from home to property line.

Asphalt Sidewalk

Atlantic Road

PROPOSED COMCAST UNDERGROUND
CONDUIT 1-2" PVC.SCH.40 L = 80' +/-

CMCT

Bass Rocks Road

29 Atlantic Road

31 Atlantic Road

35 Atlantic Road

Notes:

1. This plan was prepared to depict the proposed Comcast Underground to provide service to number 30 Atlantic Road. The total length of the proposed conduit is 80' +/-.
2. Prior to any construction the contractor shall notify Dig Safe at least 72 hours in advance at 1-888-Dig-Safe or 811 for verification of utilities and for field locations.
3. All work to be undertaken shall conform to the City of Gloucester Engineering Department and Department of Public Works Standards.

PROPOSED COMCAST UNDERGROUND CONDUIT PLAN TO SERVICE 30 Atlantic Road Gloucester, MA
PLAN of LAND in GLOUCESTER, MA
DATE: November 21, 2016 SCALE: NA DRAWING NO. CMCT-1

Department of Public Works
28 Poplar Street
Gloucester, MA 01930



TEL (978)281-9785
FAX(978)281-3896
mhale@gloucester-ma.gov

CITY OF GLOUCESTER
DEPARTMENT OF PUBLIC WORKS
MEMORANDUM

Date: 28 November 2016

To: Councilor Paul Lundberg, Planning & Development Committee
Councilor Melissa Cox, Vice Chair
Councilor Valarie Gilman, Member

From: Michael B. Hale, Director of Public Works

Re: Application (PP2016-011) by Comcast of Connecticut/Georgia/Massachusetts/New Hampshire/New York/North Carolina/Virginia/Vermont, LLC. to place a 17" x 30" vault over the existing Comcast plant at the corner of Bass Rocks Road. From the new vault place (1) 2" PVC conduit 80' +/- to service the customer located at 30 Atlantic Road.

Councilors:

The Department of Public Works has reviewed the above mentioned application to install 17" x 30" vault over the existing Comcast plant at the corner of Bass Rocks Road and from the new vault install 80" of conduit under the public way, Atlantic Road. The Department of Public Works has no objections to the application. In an attempt to maintain the quality of City roadways, the Department of Public Works requests the following be required of the applicant.

1. Notification to the Department of Public Works 72 hours in advance of the proposed work. A construction schedule 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 shall be permitted.
3. In the absence of a detailed construction plan, the Department 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 done in consultation with the Department of Public works and an agreed upon final paving plan executed by the applicant.

Should you have any questions regarding the conditions requested, please do not hesitate to contact my office.

CITY CLERK
GLOUCESTER, MA
2016 DEC - 1 AM 8:06



City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit **68-26**

Please be aware that the abutters list reflects mailing address for the real estate tax bills as requested by the property owners. Mortgage companies, banks and other financial institutions may be receiving the notification and not the homeowner as required. Please be sure you are complying with notification requirements.
Gloucester Board of Assessors.

This list of owners of record as shown on the most recent tax list of the City of Gloucester has been prepared for the purposes of notifying abutters within 100ft as required by the City's City Council and it reflects the abutters to the Parcel known as Map 68 Lot 26 as further shown on the attached map dated 11/22/2016.

ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
68-23 DICICCO ROBERT A & MADELEINE P C/O INSTITUTION FOR SAVINGS	24 ATLANTIC RD	68-23	DICICCO ROBERT A & MADELEINE P C/O INSTITUTION FOR SAVINGS P O BOX 510 NEWBURYPORT, MA 01950
68-25 28 ATLANTIC ROAD LLC	28 ATLANTIC RD	68-25	28 ATLANTIC ROAD LLC 18 CHESTERFORD RD WINCHESTER, MA 01890
69-20 SHAUFFER EDITH C TRUSTEE C/O SHAUFFER PHYLLIS	29 ATLANTIC RD	69-20	SHAUFFER EDITH C TRUSTEE C/O SHAUFFER PHYLLIS 7717 INDIAN RIDGE TR N KISSIMMEE, FL 34747-1905
68-26 KRUEGER PAUL E	30 ATLANTIC RD	68-26	KRUEGER PAUL E 33 DARLING WY STOUGHTON, MA 02072-1853
69-19 SHAUFFER CAROL & KHASHIJAN PHYLLIS TRS C/O KHASHIJAN PHYLLIS	31 ATLANTIC RD	69-19	SHAUFFER CAROL & KHASHIJAN PHYLLIS TRS C/O KHASHIJAN PHYLLIS 7717 INDIAN RIDGE TR N KISSIMMEE, FL 34747-1905
68-39 GLOUCESTER CITY OF	32 ATLANTIC RD	68-39	GLOUCESTER CITY OF 9 DALE AV GLOUCESTER, MA 01930 0000
69-18 MAKI PEGGY L	35 ATLANTIC RD	69-18	MAKI PEGGY L 35 ATLANTIC RD GLOUCESTER, MA 01930
68-27 PORCELLO ANTHONY S & ERIN S	2 BASS ROCKS RD	68-27	PORCELLO ANTHONY S & ERIN S 2 BASS ROCKS RD GLOUCESTER, MA 01930
68-28 PORCELLO ANTHONY S & ERIN S	2R BASS ROCKS RD	68-28	PORCELLO ANTHONY S & ERIN S 2 BASS ROCKS RD GLOUCESTER, MA 01930
68-29 PORCELLO ANTHONY S & ERIN S	2A BASS ROCKS RD	68-29	PORCELLO ANTHONY S & ERIN S 2A BASS ROCKS RD GLOUCESTER, MA 01930



City of Gloucester Abutters Report

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ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
68-30 HART EDWARD J	6 BASS ROCKS RD	68-30	HART EDWARD J 6 BASS ROCKS RD GLOUCESTER, MA 01930
68-32 HART EDWARD J	6B BASS ROCKS RD	68-32	HART EDWARD J 6 BASS ROCKS RD GLOUCESTER, MA 01930
68-35 BASS ROCKS BEACH CLUB	17 NAUTILUS RD	68-35	BASS ROCKS BEACH CLUB P O BOX 3163 GLOUCESTER, MA 01930 0000
68-34 LANE JOHN W III TR C/O LANE NANCY	21A NAUTILUS RD	68-34	LANE JOHN W III TR C/O LANE NANCY 855 MAIN ST #16 WOBURN, MA 01801
68-33 LANE JOHN III TR C/O LANE NANCY	21 NAUTILUS RD	68-33	LANE JOHN III TR C/O LANE NANCY 855 MAIN ST UNIT 16 WOBURN, MA 01801
69-21 QUARTA MAUREEN A	4 SOUTHER RD	69-21	QUARTA MAUREEN A 4 SOUTHER RD GLOUCESTER, MA 01930



City of Gloucester Abutters Report

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ABUTTER

STREET ADDRESS

PARCEL NO.

TAX BILL ADDRESS

The Gloucester Board of Assessors certifies that the Abutters Report program written to create a list of the names and addresses of property owners from the applicable tax list has been reviewed. To the best of our knowledge and belief the Abutters Report program generates an accurate list from the most recent tax list of the assessed owner of record and the mailing information of the parties in interest as defined within and required by the law and therefore the within document constitutes a certified abutters list.

Nancy A. Papows, MAA
Gary I. Johnstone, MAA
Bethann B. Godinho, MAA
GLOUCESTER BOARD OF ASSESSORS

City of Gloucester Assessors' Office, City Hall, 9 Dale Avenue, Gloucester, MA 01930

11/22/2016



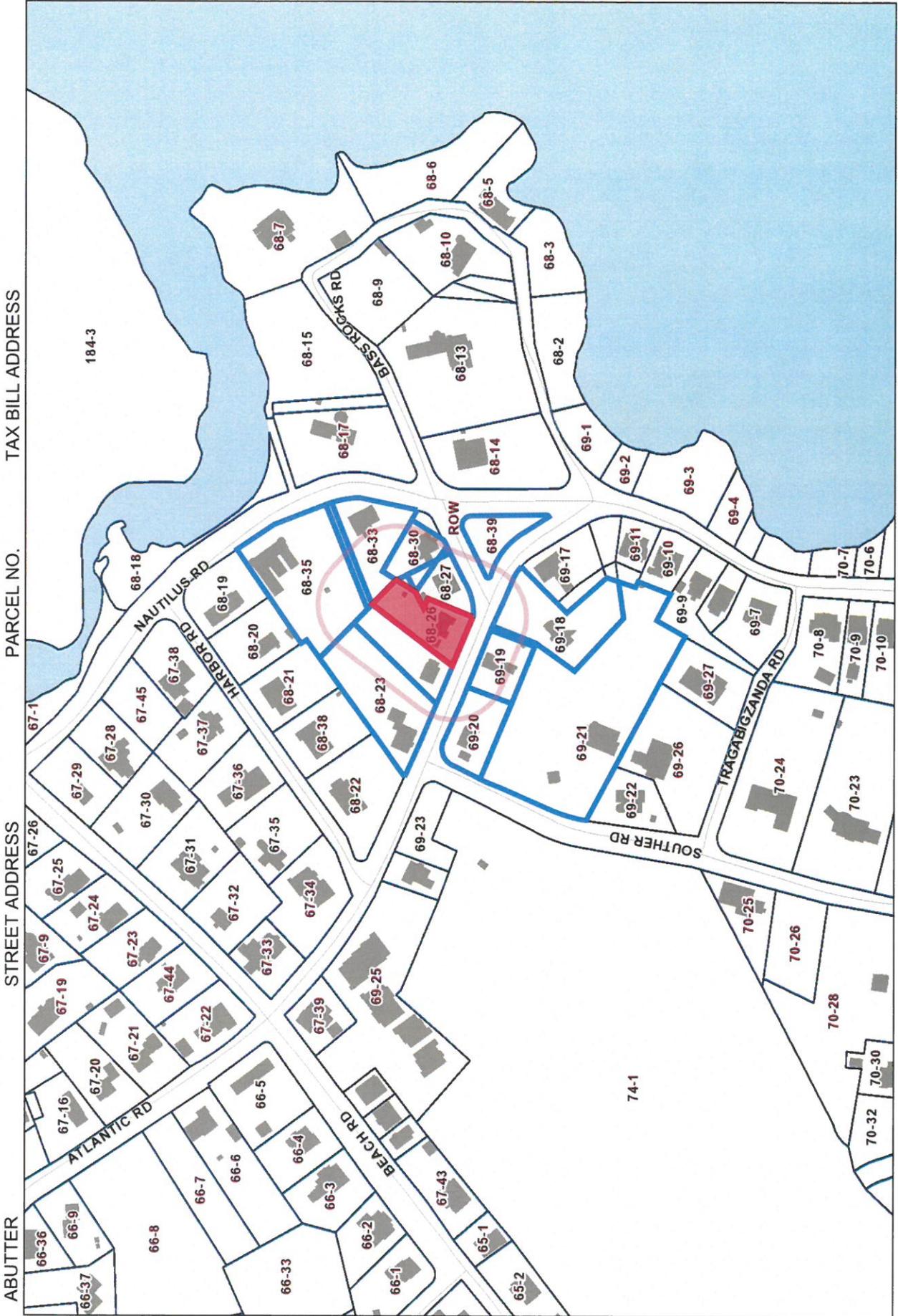
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CITY OF GLOUCESTER

Commonwealth of Massachusetts
COMMUNITY DEVELOPMENT DEPARTMENT
PLANNING DIVISION
CITY HALL ANNEX
2ND FLOOR
3 POND ROAD
PHONE: 978- 281-9781 FAX: 978-281-9779

2016 DEC - 2 AM 11: 03
CITY CLERK
GLOUCESTER, MA

Date: December 2, 2016
To: City Council
From: Planning Board
RE: Proposed Amendment to Section 5.27 Medical Marijuana Treatment Centers (MMTC) and Medical Marijuana Cultivation Facilities (MMCF)

The Planning Board has reviewed two MMTC applications with projects proposed to be located within 1,500 linear feet of one another in the Blackburn Industrial Park, Business Park Zoning District. Section 5.27.5 currently prohibits such facilities from being located within such proximity of one another. The Board advises that such setback is arbitrary and may limit the introduction of compatible uses to the Business Park district.

As per Chapter 40A Section 5 and Section 1.11 of the Gloucester Zoning Ordinance, at a meeting of the Planning Board on November 17, 2016, the Planning Board voted unanimously (7-0) to submit to the City Council the following proposed amendment to the Zoning Ordinance:

Amend Section 5.27.5 Separation by eliminating the fifteen hundred (1,500) liner foot setback requirement of a siting of Medical Marijuana Treatment Facility or Medical Marijuana Cultivation Facility from another by specifically striking the following language from 5.27.5, "3. Any other Medical Marijuana Treatment Center or Medical Marijuana Cultivation Facility; or" and renumbering items 4 and 5, accordingly.

December 7, 2016

City of Gloucester City Council
c/o Joanne Senos, City Clerk
Nine Dale Avenue
Gloucester, MA 01930

2016 DEC - 7 AM 11: 05
CITY CLERK
GLOUCESTER, MA

RE: APPLICATION FOR MAP CHANGE PURSUANT TO GCO § 23-42(H)(2)
650R ESSEX AVENUE – MAP 238, LOT 6

Dear Councilors:

This office represents Rich Hersey, owner of 650R Essex Avenue. Pursuant to Gloucester Code of Ordinances section 23-42(H)(2), I am petitioning on Mr. Hersey's behalf to amend the Ward 5-2 Wastewater District Map to correct what we believe is an error relating to Mr. Hersey's property.

As you may know, the properties along Essex Avenue are subject to GCO Section 23-42, which creates a sewer district for properties in Ward 5, Precinct 2. Although this section of the Ordinance is not available online, I have attached what I believe is a complete copy to this petition. The ordinance is accompanied by a map outlining the sewer district and the properties therein. Like with the ordinance itself, the map is not available online. However, I have attached what I believe is a complete copy to this petition as well.¹

If you examine the map, you will see that the sewer district extends "back" from Essex Avenue to a variable "rear" line on either side of the road. In nearly all instances, this "rear" line of the district is governed by either a formal rear property line or by a stream / body of water.

However, when the district reaches my client's property at 650R Essex Avenue, the delineating line cuts through the middle of the lot rather than following the rear property line as it does for nearly all other properties (including the directly abutting properties on either side). I have attached a marked-up section of the sewer district map showing what I believe is the mistake that has been made.

Our belief that the location of this line is a mistake is supported by several points:

First, as stated above, the "rear" line of the sewer district is governed almost entirely by rear property lines or streams / bodies of water (except for only a few properties like 650R Essex where it appears a mistake has been made).

Second, the nearest other property that shares a similar anomaly is 618R Essex Ave. However, in that instance, the sewer district line follows the R-10 zoning line, which also cuts through that property. As shown in the attached section of the zoning map, the entirety of 650R is designated R-10, meaning the sewer district line is running contrary to the zoning line.

¹ The digital submission of this Petition has a complete copy of the map attached; the hard-copy version does not.

Third, with the exception of a few parcels owned by the City or by Greenbelt (and, of course, Mr. Hersey's parcel), essentially all properties that front on Essex Avenue are included in the sewer district.

Fourth, when the sewer line was brought through Essex Avenue, an 8" sewer line "stub" was installed at the frontage for 650R, which we believe was sized to accommodate the entirety of the parcel as it is much larger than connections installed for parcels relatively similar in size to just the portion of the parcel shown on the map as "in" the sewer district.

Fifth, and potentially most importantly, the language of the ordinance itself by which the map was created expressly states in the section entitled, "Statement of Legislative Intent" that "every property [is] either in or out" of the sewer district. There is no contemplation that certain parcels would be partially in and partially out anywhere in the language of the ordinance; only the specific language to the contrary stated previously.

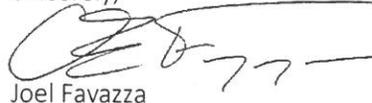
I have already reached out to the Director of Public Works, Mike Hale, to see if he would allow the entirety of my client's property to be connected to the sewer given what I believe is a mistake on the map. However, his opinion is that the map controls and the portions of the property on the wrong side of the line are out. The City Solicitor, Chip Payson, went further and concluded that Mr. Hersey's parcel is entirely "out" as a result of the line bisecting the parcel and that my client must seek an amendment through the process outlined in GCO § 23-42 to be considered "in."

GCO § 23-42 outlines criteria that must be met for typical map amendments. However, I contend that this map amendment request is atypical in that we're not looking to add parcels that were intentionally left out, we're looking to correct a line to accurately capture a parcel that was intended to be included. As such, the City Council has the standard legislative authority to correct errors in previously passed legislation. Nevertheless, in an abundance of caution, it should be noted that we believe the proposed amendment clearly meets criterion (a) in that the parcel in question has an intermittent stream running through the lower elevations and siting septic systems on the parcel would not be feasible. Criterion (b) is met in that there are also several other abutting properties that are shown as "in" the sewer district that would be able to connect through Mr. Hersey's land. This would increase the efficiency of the Gloucester sewer system (opposed to making several, separate connections) and also meet the spirit of criterion (f) in reducing threats of pollution by eliminating existing septic systems servicing the abutters.

To that end, I have attached a copy of a letter from one of Mr. Hersey's neighbors who is also hopeful this issue can be resolved expeditiously so that they might be able to tie in to the sewer system as well.

Please let me know if you have any questions or need additional information at this time. Otherwise, I hope we can move this along expeditiously and correct what appears to be a simple mapping error that has been overlooked until now. Thank you.

Sincerely,

A handwritten signature in black ink, appearing to read "Joel Favazza", with a horizontal line extending to the right.

Joel Favazza

Enc.

CITY OF GLOUCESTER
In the Year 2002

AN ORDINANCE RELATING TO SEWER EXTENSION ORDINANCE

BE IT ORDAINED by the City Council of the City of Gloucester as follows:

**CHAPTER 23 UTILITIES
ARTICLE II. SEWERS
DIVISION 2: USE REGULATIONS**

by **ADDING:**

Section 23-42. SEWER EXTENSIONS IN WARD FIVE (5) - PRECINCT TWO (2).

(A). Authority.

Article II, SEWERS, Division 2, regarding sewer extensions in Ward Five (5) - Precinct Two (2), hereafter Ward 5-2, has been adopted pursuant to authority set forth in Mass. G.L. c. 83, s. 10.

(B). Purpose.

This ordinance is designed to serve the following purposes:

- (1) To promote the efficiency and effectiveness of the Gloucester sewer system.
- (2) To limit the number of sewer extensions in Ward 5-2 in an effort to conserve citywide resources pertaining to sewage treatment.
- (3) To provide for orderly growth in Ward 5-2.
- (4) To delineate areas intended for service by fixed-line sewers versus those areas intended for service by onsite wastewater treatment.
- (5) To depict where the City of Gloucester may consider authorizing funding for sewer construction and to depict where private parties may fund the cost for sewer construction.

(C). STATEMENT OF LEGISLATIVE INTENT.

In 1989 the city was required by state and federal government consent decree (USA and Commonwealth of Massachusetts v. City of Gloucester, No. 89-22067-Y) to deal with contamination emanating from sanitary system emissions. The decree included local action to restore and maintain coastal water quality, including formulation of a Wastewater Management Plan (Board of Health, 1994) which provides strategies to identify and replace substandard septic systems in seven parts of the city with known coastal water pollution problems. The Wastewater

Management Plan was developed just as the Commonwealth updated on-site wastewater regulations known as Title 5 and it provides a framework to ensure that all septic systems are properly maintained. On August 3, 2000 standards articulated in this plan were adopted as Onsite Wastewater Regulations (Regulation #6) by the Board of Health. More recently, the Town of Essex was ordered to resolve long standing similar issues of failing septic systems and pollution. The result was that an intermunicipal agreement was instituted providing that Essex would tie into Gloucester's sewer system after it finances construction of a main sewer line along Essex Avenue in Gloucester. With the impending construction of a sewer to Essex, it became a priority to address development potential within the Essex Avenue corridor and on adjacent streets because the area is completely unsewered and has large tracts of undeveloped land. The West Gloucester Land Use and Wastewater Plan (Ward 5-2 Section) - Final Report, by Daylor Consulting Group, was a byproduct of public process that explores how to solve existing water quality and wastewater disposal problems in the 5-2 precinct while at the same time planning proactively for future physical development of the area. This study: (1) assesses water pollution associated with failing septic systems in the 5-2 precinct; (2) identifies areas where on-site wastewater solutions are most feasible and/or cost effective; (3) identifies areas where sanitary sewer connections are most feasible or cost effective; and (4) places every property either in or out of one of two defined 'sewer service areas' within which it is permissible for a user to dispose wastewater into the sanitary sewer system. This sewer extension ordinance does not necessarily authorize or mandate construction of sewers by the city, but rather it enables or makes it permissible to develop sewers within certain eligible sewer service areas, and it is intended to promote consistency with recommendations of The West Gloucester Land Use and Wastewater Plan (Ward 5-2 Section) and the Community Development Plan For The City of Gloucester, 2001 by providing a mechanism to facilitate orderly development of sewers inside the aforementioned sewer service areas, to promote sitings of onsite wastewater systems outside of these areas, and to establish a procedure whereby City Council may amend these sewer service area boundaries through defined public process. A separate city ordinance and corresponding DPW sewer rules and regulations provide for application and review of a permit application to actually construct specific sewer extensions city wide (including Ward 5-2).

(D). Effect of Ordinance.

This ordinance shall apply in the Ward 5-2 Wastewater District as defined below. This ordinance shall supersede all other Ordinances and Rules and Regulations to the extent such other Ordinances or Rules and Regulations contradict this ordinance.

(E). Definitions.

The following definitions shall apply:

- **(I) Sewer Extension:** The extension of any existing public or private sewer line, or the installation of any new public or private sewer line, including the appurtenant sewer works for which the ultimate point of wastewater treatment is the City of Gloucester wastewater treatment plant. Any installation of sewer pipe in an existing or newly created

public or private way, or any installation of sewer pipe other than a sewer service connection, shall be deemed to be a sewer extension.

(2) **Eligible Sewer Extension:** Any proposed sewer extension that is situated entirely within one of two categories of "Sewer Service Areas" as shown on the Ward 5-2 Wastewater District Map, Exhibit A hereto, is eligible for a Sewer Extension Permit hereunder. A sewer extension deemed "eligible" shall not be entitled to a sewer extension permit unless all other requirements of this ordinance have been satisfied. The depiction of a sewer extension as "eligible" shall not be construed as a representation that the City of Gloucester shall set aside funds for the construction, in whole or in part, of said sewer extension.

(3) **Sewer Extension Permit:** The document issued by the City of Gloucester Department of Public Works, or its designee, as set forth in Section F, below.

(4) **Sewer Service Connection:** Shall mean the extension of the pipe, used only for discharge of sewage, from a point of four (4) feet outside the foundation wall of the building served to its junction with the sanitary or combined sewer. The term shall have the same meaning as the term, "particular sewer" in M.G.L.A. C. 83.

(5) **Ward 5-2 Wastewater District:** The area shown on the Ward 5-2 Wastewater District Map in which this ordinance shall apply.

(6) **Ward 5-2 Wastewater District Map:** A map entitled "WASTEWATER DISTRICT MAP: Areas Eligible For City Sewer Service & Areas Eligible for Private Sewer Service PER CITY ORDINANCE. CH. 23 UTILITIES, ART. II. SEWERS, DIV. 2: USE REGULATIONS, Sec. 23-42 SEWER EXTENSIONS IN WARD FIVE PRECINCT TWO" referred to as Exhibit A hereto, which is on file with the Gloucester City Clerk and available for review in the City of Gloucester Community Development Department, the Department of Public Health and the DPW/ Engineering Department, and which has been adopted by the Gloucester City Council to define the areas eligible for sewer extensions in the Ward 5-2 Wastewater District. The Ward 5-2 Wastewater District Map and the accompanying text description may be amended from time to time by the Gloucester City Council in accordance with the procedures set forth herein.

(F). Sewer Extension Permits.

All applicants proposing to extend an existing public or private sewer line or to create a new sewer extension shall obtain a sewer extension permit from the Department of Public Works (DPW) before such extension is permitted.

(1) **Application.** The Gloucester DPW shall adopt rules and regulations pertaining to the review of sewer extension permits, including but not limited to definition of the minimum required contents of a sewer extension permit application and definition of what

constitutes a complete application. Applications will be reviewed for completeness within thirty (30) days.

(2) Eligible Sewer Extensions. No sewer extension permit shall be issued by the DPW unless such sewer extension is entirely within one or more areas that are Eligible Sewer Extension(s)" on Exhibit A, attached hereto, as may be amended.

(G). Sewer Extension Permit Conditions.

Sewer extension permits shall be expressly subject to all provisions of this ordinance and to all other applicable ordinances and regulations, user charges and fees established by the City of Gloucester and the DPW to the extent not superseded hereby.

(H). Ward 5-2 Wastewater District Map.

(1) Effect. No sewer extension permit shall be granted unless such proposed extension is entirely within one or more of the areas of "Eligible Sewer Extension(s)" as shown on the Ward 5-2 Wastewater District Map, Exhibit A, attached hereto, as may be amended from time to time by the City Council.

(2) Amendment. A petition to amend the Ward 5-2 Wastewater District Map may be presented to the City Council by any applicant for a sewer extension permit, or, in the alternative, by the DPW or the Board of Health. The City Council shall take final action on such petitions within one hundred and twenty (120) days of receipt of a complete application. Sixteen (16) copies of the application for such review shall be provided to the City Council by the applicant. Within five (5) days of the receipt of any petition, the City Clerk on behalf of City Council shall send the application to and request the written recommendation of the DPW, Planning Board, Capital Improvements Advisory Board, Conservation Commission, Board of Health, and the Shellfish Advisory Commission. The City Council may request the applicant to submit all information necessary, and may engage technical experts, at the applicant's expense, in order to make its determination as set forth below. Failure by any reviewing agency to respond to the City Council within sixty -five (65) days shall be deemed a lack of opposition to the petition.

(3) Criteria. The City Council may amend the Ward 5-2 Wastewater District Map by adding or deleting areas eligible for sewer extensions. In determining whether an area should be classified as "eligible," the City Council shall consider the following criteria. At a minimum, to be determined "eligible", a proposed sewer extension in the area must meet criterion (a) and also meet at least one of criteria of (b) through (f):

- (a) The proposed sewer extension serves an area that could not be feasibly served by either on-site or community wastewater treatment systems.

- (b) The proposed sewer extension promotes the efficiency and effectiveness of the Gloucester sewer system.
- (c) The proposed sewer extension was shown on a definitive plan approved by the planning board prior to the effective date of this ordinance.
- (d) The proposed sewer extension improves the capacity of an existing overloaded sewer line.
- (e) The proposed sewer extension eliminates the need for a pump station serving existing development.
- (f) The Board of Health has determined that the proposed sewer extension is necessary to address existing water pollution problems or public health threats and has provided the rationale for such determination in writing to the City Council.

(4) Denial. Any denial shall be in writing and shall state the reasons therefor.

(1). Effective Date.

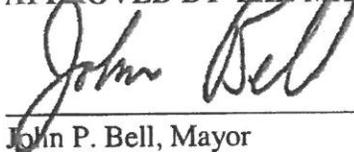
This ordinance shall take effect on January 18, 2003

IN CITY COUNCIL
DECEMBER 17, 2002
VOTED TO ADOPT



Robert D. Whynott, City Clerk

APPROVED BY THE MAYOR



John P. Bell, Mayor

VETOED BY THE MAYOR

John P. Bell, Mayor

EFFECTIVE, JANUARY 18, 2003

ORDINANCE #



City of Gloucester
Community Development Department
Planning Division

WASTEWATER DISTRICT MAP:
Areas Eligible for City Sewer Service &
Areas Eligible for Private Sewer Service
PER CITY ORDINANCE CH. 23 UTILITIES ART. 8
SEWER DIST. 2. USE REGULATIONS, AND 23-402
SEWER EXTENSIONS BY LEAD PIPE CONTRACT TYPE

City Ordinance Approved by a Majority of the City Council on
December 17, 2007

AREAS ELIGIBLE FOR SEWER SERVICE

- CITY SBA: By Rule
- PRIVATE SBA: By Rule and Permit

WATER FEATURES

- WETLANDS, TIDAL FLATS
- OPEN WATER



NOTES:

1. Areas which are labeled as the property boundary lines shown herein are based on property lines shown on the map in the adjacent area. The boundary lines shown on this map are for informational purposes only and do not constitute a warranty of any kind. In particular, the City of Gloucester does not warrant the accuracy of the information shown on this map. The City of Gloucester is not responsible for any errors or omissions on this map. The City of Gloucester is not responsible for any errors or omissions on this map.

2. This map is prepared in accordance with City Ordinance, Ch. 23 UTILITIES, ART. 8, SEWER DIST. 2. USE REGULATIONS, AND 23-402 SEWER EXTENSIONS BY LEAD PIPE CONTRACT TYPE.

3. Some addresses are only permissible when a designated City SBA or Private SBA.

4. Some addresses are permissible on the ground when a City SBA or Private SBA that has a sewer connection according to the appropriate permit regulatory regime.

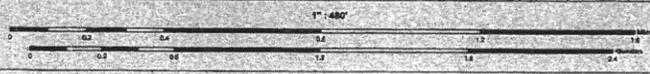
DATA SOURCES:

Geographic Data:
City of Gloucester Planning and Capital Construction

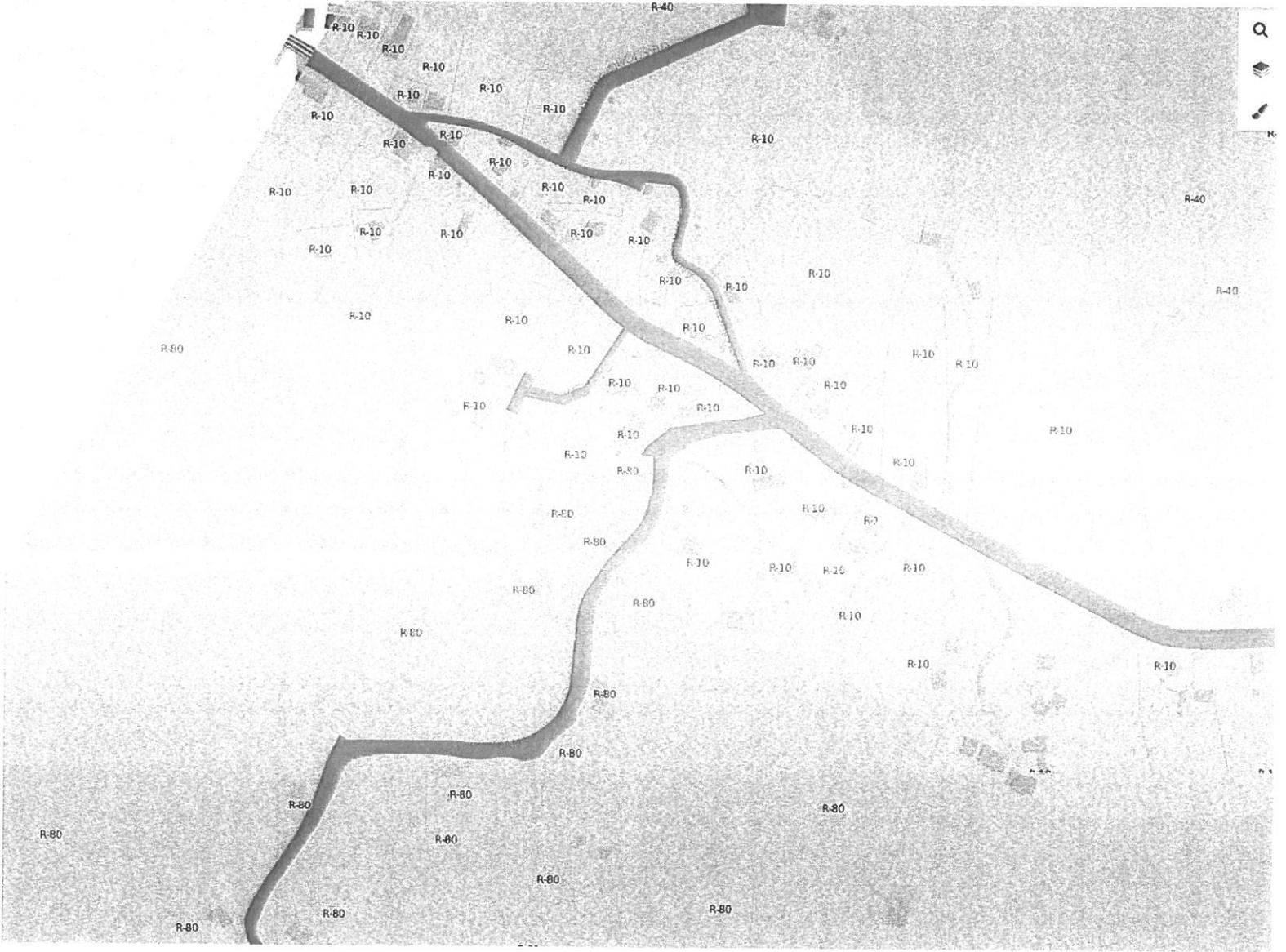
Hydro Features:
MapScale: 1:8,000 (vertical and surface area)

Project:
City of Gloucester Sewerage Department
WWSO Sewer Map

Project Number	2007-01-001
Project Name	WWSO Sewer Map, Gloucester, Massachusetts, United States
Project Date	December 17, 2007
Project Location	City of Gloucester, Massachusetts
Project Status	Final Design
Project Contact	City of Gloucester Sewerage Department
Project Address	100 Gloucester Street, Gloucester, MA 01930







**Stephen A. Mitchell
652R Essex Avenue
Gloucester, MA 01930**

November 2, 2016

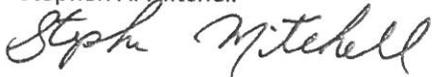
City of Gloucester
Nine Dale Avenue
Gloucester, MA 01930

To Whom it May Concern:

I am the owner of 652R Essex Avenue, which abuts property owned by Richard S. Hersey at 650R Essex Avenue. Mr. Hersey has explained to me that he is seeking to bring sewer service to the rear portion of his property to develop the lot. If he is permitted to perform such work, it would be a great benefit to me as I would be able to tie my property into the sewer line as well. I offer Mr. Hersey my full support and urge the City of Gloucester to allow him to tie in his entire property as proposed.

Sincerely,

Stephen A. Mitchell





CITY OF GLOUCESTER
GLOUCESTER, MASSACHUSETTS 01930

CITY CLERK
GLOUCESTER, MA

2016 DEC -7 PM 2:59

CITY OF GLOUCESTER
Special Council Permit - Application

2/16/17

(Public hearing to be held no later than
above date)

In conformance with the requirements of the Zoning Ordinance of the City of Gloucester, the undersigned hereby applies for a Special Council Permit (CC or CCS) in accordance with Section 1.8.3 of the Ordinance and other Sections as listed below:

Type of Permit (Give specific section of Zoning Ordinance) 2.3.1(7)
R-5 CC Special Permit Issued by the City Council Section 1.8 and filing section ~~2.3.7~~ - Conversion to multy family 4-b Units

Applicant's Name: Drew Hale / Hale Design Build Corp

Owner's
Name: BRM Realty LLC
(if different from applicant)

Location: 9 Warner Street Map # 29 Lot # 22
(Street Address)

Zoning Classification: R-5

- Attached is a list of owners (with complete addresses) of land directly opposite on any public or private street or way, direct abutters, and abutters to the abutters of land within three hundred (300) feet of the property line, as they appear on the most recent City of Gloucester Assessor's Maps and Tax list.
- Attached is a listing of criteria set forth in Section 1.8.3 of the Zoning Ordinance, including any supportive material or comments the applicant may wish to include (i.e. ZBA decisions, Order of Conditions, etc.) if necessary.
- Attached are the necessary plans as set forth in Section 1.5.3, of the Zoning Ordinance, which at a minimum consist of an accurate plot plan (to scale) showing existing and/or proposed building or structures.

City of Gloucester - Action	
Fee:	<u>\$350.00</u>
City Clerk (received):	<u>12/17/16 Bms</u>
City Council (received):	<u>12/13/16</u>
Public Hearing (ordered):	_____
Public Hearing (opened):	_____
Public Hearing (closed):	_____
Final Decision:	_____
Disposition	_____
(Approved, Denied, Approved w/conditions)	

APPLICANT:
[Signature]
Name (Signature)

17 Abbott Rd, Gloucester MA 01930
Address
781-589-2280
Telephone

Certified for completeness:
Building Inspector: [Signature] Date: 12.7.16
Planning Director: [Signature] Date: 12/1/16

Section 1.8.3 (Use additional sheets, if necessary)

1. Social, Economic, or community need served by the proposal:

Provide newly constructed market price Four (4) unit apartment living within close proximity to downtown and commuter rail

2. Traffic flow and safety:

The existing structure has been a 3 unit dwelling with off street parking. The conversion to a 4 unit dwelling should not have any effect on traffic since Warner connects to outlets - Burnham Street and Prospect.

That end of Warner Street as it intersects with Prospect has new (2 years) sidewalks that create ideal pedestrian access

3. Adequacy of utilities and other public services:

New water and sewer lines were installed 2 years previous

4. Neighborhood character and social structure:

The neighborhood and direct abutters consists of primarily a multi family dwelling

5. Qualities of the natural environment:

Consistent with surroundings

6. Potential fiscal impact:

- Tax revenue
- Limited additional required resources
- Young professional housing potentially adding to the current workforce

The applicant is advised that City staff is available to assist the applicant in preparing the Application, including the Inspector of Buildings and City Planner

Application for Special Permit

The undersigned applicant hereby applies for a special permit under M.G.L., Ch. 40A, § 9 as follows.

1. Applicant (includes equitable owner or purchaser on a purchase and sales agreement):

Name: Drew Hale / Hale Design Build LLC

Address: 17 Abbott Rd, Gloucester MA 01930

Tel.# Days 781-589-2280 Evenings _____

_____ Check here if you are the purchaser on a purchase and sales agreement.

2. Owner, if other than applicant:

Name: BRM Realty LLC

Address: 69 Pearson Drive, Byfield MA 01922

Tel.# Days 978-360-6266 Evenings _____

3. Property:

Street address: 9 Warner Street, Gloucester MA 1930

Assessor's Map: 3 Lot: 39

Registry of Deeds where deed, plan, or both records:

Salem Registry

Deed recording: Book 35301 Page 11

Plan recording: Plan # _____

Property is located in the R-5 zoning district.

4. Nature of relief requested:

Special permit pursuant to Article/Section 2.3.7 of the Zoning Ordinance/By-Law

which authorizes City Council to permit

Hale Design Build Corp to convert existing 3 family into 4 family dwelling

Detailed explanation of request:

Requesting to occupy existing 3rd floor of building to a separate habitable dwelling in accordance with 2009 IEBC

New space will serve as separate rental unit.

5. Evidence to support grant of special permit:

Because of reasons set forth below, the special permit requested will be in harmony with the intent and purpose of the Zoning Ordinance/By-Law:

Renovation of the 3rd floor will offer 2 bedrooms with required means of emergency egress.

There will be two means of egress to the unit as required.

Proper fire protection alarm system will be installed.

Completely new construction to be compliant with IEBC 2009 requirements and recommendations

Because of reasons set forth below, the special permit requested will meet the additional requirements of the Zoning Ordinance/By-Law as follows:

Parking will be provided to satisfy the 1 space per dwelling unit

If someone other than owner or equitable owner (purchaser on a purchase and sales agreement) is the Applicant or will represent the Applicant, owner or equitable owner, must designate such representative below.

Name of Representative: Drew Hale / Hale Design Build Corp

Address of Representative: 17 Abbott Rd, Gloucester MA 01930

Tel. # Days 781-589-2280 Evenings

Relationship of representative to owner or equitable owner:

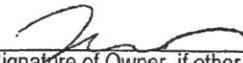
Contractor and permitting CSL License holder

I hereby authorize Drew Hale to represent my interests before the
Special Permit Granting Authority with respect to this Special Permit Application.

(Signed by owner/equitable owner)  BRM Realty, LLC

I hereby certify under the pains and penalties of perjury that the information contained in this
Application is true and complete.

 10-20-16
Signature of Applicant Date

 10-20-16
Signature of Owner, if other than Applicant Date

Signature of Equitable Owner who is filing application to satisfy condition of Purchase and Sales agreement Date



Granted

*City of Gloucester
Board Of Appeals, Zoning*

CITY HALL • GLOUCESTER • MASSACHUSETTS • 01930

April 10, 1986

MAY 30 10 56 AM '86
CITY CLERK
GLOUCESTER MASS.

Decision: ZONING BOARD OF APPEALS

Petitioner: Grazio Ciolino, 9 Warner Street, Gloucester, Massachusetts.

Petition: Seeking a Special Permit for lot area, lot area per dwelling unit, lot width, lot frontage, side 2nd rear yard setbacks to enable petitioner to seek a Special Permit from the City Council to add one apartment (from 2 - 3) at 9 Warner Street. (Assessor's Map 29, Lot 22)

The Board finds that proper notice has been given through mailing and advertising. The hearing was held at the time and place as advertised: 7:30 p.m., April 10, 1986, City Hall Auditorium, Gloucester, Massachusetts.

Board Members Present: JAMES P. MOVALLI, CHAIRMAN
VIRGINIA BERGMANN
CAROLYN FUCHS

Alternate: WILLIAM FRAGA

The zoning classification for the property under consideration is R-4 (High Density Residential).

Lori Ciolino, 9 Warner Street, Gloucester, Massachusetts appeared at the hearing [representing Petitioner].

Lori Ciolino stated she wants to change the two family home into a three family home. She also stated she has enough parking on one side of the house for two cars and on the right of the house for one car.

No one appeared at the hearing to speak in favor of the petition.

No petitions/communications were received by the Board signed by residents who expressed favor of the petition.

No one appeared at the hearing to speak in opposition of the petition.

No petitions/communications were received by the Board signed by residents who expressed opposition to the proposal.

Decision: ZONING BOARD OF APPEALS - APRIL 10, 1986

Petitioner: Lori Ciolino, 9 Warner Street, Gloucester, Massachusetts

Petition: Seeking a Special Permit for lot area, lot area per dwelling unit, lot width, lot frontage, side 2nd rear yard setbacks to enable petitioner to seek a special permit from the City Council to add one apartment (from 2 to 3) at 9 Warner Street.

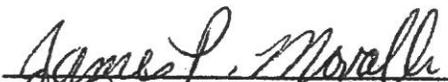
The Board has carefully considered the petitioner's request and finds that the proposed use is in harmony with the general purpose and intent of the zoning ordinance. The Board finds that the proposed use will not have adverse effects which over balance the beneficial effects to the neighborhood and the City. The Board also finds that the proposed use complies with the general or specific provisions of the zoning ordinance. In making determination relative to the proposal the Board considered the social, economic and community needs served by the proposal, the traffic flow and safety in the area, the adequacy of utilities and other public services, the neighborhood character and social structure, the qualities of the natural environment and the potential fiscal impact.

THE PETITIONED SPECIAL PERMIT IS HEREBY GRANTED SUBJECT TO THE FOLLOWING CONDITIONS:

The afore granted Special Permit shall not take effect until such notice is filed in the Registry of Deeds for Essex County. The fee for such notice shall be paid by the owner. Prior to registering this decision with the Registry of Deeds, the applicant shall have the Seal of the City affixed to same.

VOTE OF THE BOARD

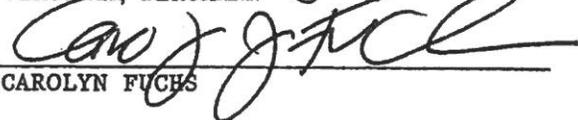
In Favor:



JAMES P. MOVALLI, CHAIRMAN



VIRGINIA BERGMANN



CAROLYN FUCHS

Opposed: NONE

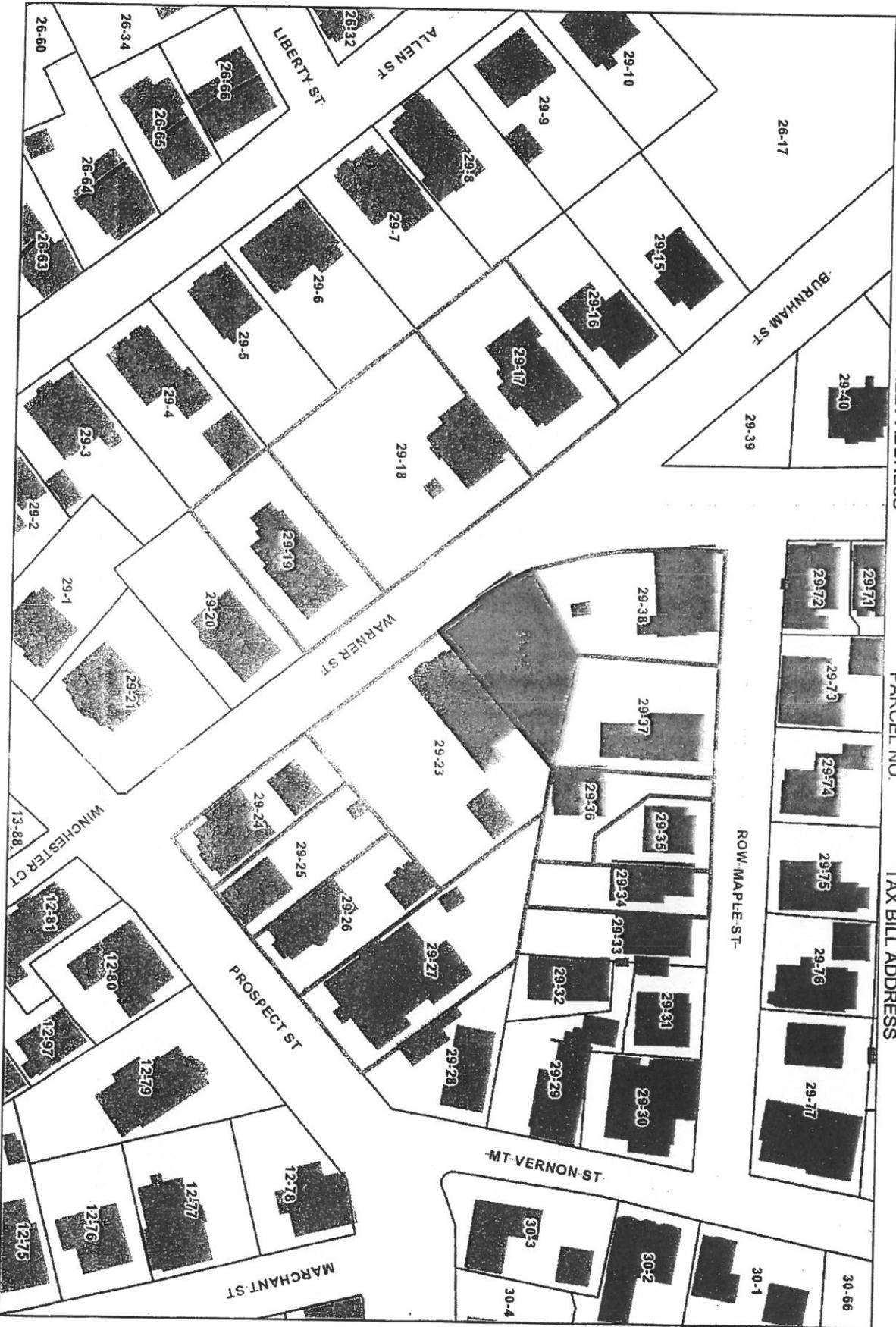


City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 29-22

Please be aware that the abutters list reflects mailing address for the real estate tax bills as requested by the property owners. Mortgage companies, banks and other financial institutions may be receiving the notification and not the homeowner as required. Please be sure you are complying with notification requirements.
Gloucester Board of Assessors.

This list of owners of record as shown on the most recent tax list of the City of Gloucester has been prepared for the purposes of notifying abutters as required by the City's Zoning Board of Appeals or City Council and it reflects the abutters to the Parcel known as Map 29 Lot 22 as further shown on the attached map dated 11/16/2016.





City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 29-22

Please be aware that the abutters list reflects mailing address for the real estate tax bill, as requested by the property owners. Mortgage companies, banks and other financial institutions may be receiving the notification and not the homeowner as required. Please be sure you are complying with notification requirements.
Gloucester Board of Assessors.

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ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
29-38 CANNAVO ANTONIO & MARIA	1 MAPLE ST	29-38	CANNAVO ANTONIO & MARIA 1 MAPLE ST GLOUCESTER, MA 01930
29-37 ALEJANDRO RAUL A JR & MEJORADA MAGALY	3 MAPLE ST	29-37	ALEJANDRO RAUL A JR & MEJORADA MAGALY 3 MAPLE ST GLOUCESTER, MA 01930-2809
29-36 MARION RICHARD A & MARY E	5H MAPLE ST	29-36	MARION RICHARD A & MARY E 5H MAPLE ST GLOUCESTER, MA 01930
29-35 LOPES GRACE E	5 MAPLE ST	29-35	LOPES GRACE E 5 MAPLE ST GLOUCESTER, MA 01930
29-34 BERKMAN CAROL L & OCONNOR RORY	7 MAPLE ST	29-34	BERKMAN CAROL L & OCONNOR RORY 7 MAPLE ST GLOUCESTER, MA 01930
29-24 MURPHY ALANA M & SHEILA G	120 PROSPECT ST	29-24	MURPHY ALANA M & SHEILA G 120 PROSPECT ST GLOUCESTER, MA 01930
29-25 BROWN CORA	122 PROSPECT ST	29-25	BROWN CORA 122 PROSPECT ST GLOUCESTER, MA 01930
29-26 SANFILIPPO ACCURSIO & PHYLLIS	124 PROSPECT ST	29-26	SANFILIPPO ACCURSIO & PHYLLIS 124 PROSPECT ST GLOUCESTER, MA 01930
29-27 MIGONIS ANDREW J II & JENNIFER T	126 PROSPECT ST	29-27	MIGONIS ANDREW J II & JENNIFER T 1 OVERLEDGE RD MANCHESTER, MA 01944
29-19 LOCONTRIO PIETRA & PIETRO	6 WARNER ST	29-19	LOCONTRIO PIETRA & PIETRO 6 WARNER ST GLOUCESTER, MA 01930



City of Gloucester Abutters Report

Abutters to Parcel: Map-Lot-Unit 29-22

Please be aware that the abutters list reflects mailing address for the real estate tax bills as requested by the property owners. Mortgage companies, banks and other financial institutions may be receiving the notification and not the homeowner as required. Please be sure you are complying with notification requirements:
Gloucester Board of Assessors.

This list of owners of record as shown on the most recent tax list of the City of Gloucester has been prepared for the purposes of notifying abutters as required by the City's Zoning Board of Appeals or City Council and it reflects the abutters to the Parcel known as Map 29 Lot 22 as further shown on the attached map dated 11/16/2016.

ABUTTER	STREET ADDRESS	PARCEL NO.	TAX BILL ADDRESS
29-23 HOVIS NICOLE TR	7 WARNER ST	29-23	HOVIS NICOLE TR 7 WARNER ST GLOUCESTER, MA 01930
29-22 CIOLINO ALFONSO & CINSIA	9 WARNER ST	29-22	CIOLINO ALFONSO & CINSIA 9 WARNER ST GLOUCESTER, MA 01930
29-18 FOREMAN MICHELLE	10 WARNER ST	29-18	FOREMAN MICHELLE 7425 HARVARD HILLS PL SPRING HILL, FL 34606
29-17 LECLAIR ROSELLE M & EUGENE	12 WARNER ST	29-17	LECLAIR ROSELLE M & EUGENE 12 WARNER ST GLOUCESTER, MA 01930

The Gloucester Board of Assessors certifies that the Abutters Report program written to create a list of the names and addresses of property owners from the applicable tax list has been reviewed. To the best of our knowledge and belief the Abutters Report program generates an accurate list from the most recent tax list of the assessed owner of record and the mailing information of the parties in interest as defined within and required by the law and therefore the within document constitutes a certified abutters list.

Nancy A. Papows, MAA
Gary I. Johnstone, MAA
Bethann B. Godinho, MAA
GLOUCESTER BOARD OF ASSESSORS

City of Gloucester Assessors' Office, City Hall, 9 Dale Avenue, Gloucester, MA 01930
11/16/2016

(c) Places of assembly, not including churches and places of worship, but including all other places customarily involving assembly, such as, but not in limitation thereof, auditoriums, theaters, assembly halls, funeral homes, bowling alleys, fraternal quarters, and other places of assembly, shall provide for each 100 square feet of floor area exclusive of basement or for each four seats, whichever shall be greater, one off-street parking space.

(d) For every retail store, professional and public building, and private educational building, one off-street parking space shall be provided for each 200 square feet of ground floor area not used for bulk storage, and one off-street parking space for each 400 square feet of floor area not used for bulk storage above the ground floor. For restaurant or food-service uses, one additional off-street parking space shall be provided on or adjacent to the site for every three (3) persons that may be served by the establishment at one time.

(e) For industrial establishments, one off-street parking space shall be provided for each motor vehicle in connection with the operation of such establishment, and in addition, one off-street parking space for each three (3) employees on the largest shift.

(f) For Schools, Hospitals, Sanitaria, Nursing Homes, and similar places, one off-street parking space shall be provided for each 500 square feet of floor space exclusive of basements.

(g) Casino boat water uses: one off-street parking space required for every four passengers (including crew) based on the maximum allowable occupant load of the vessel. (Adopted 7/6/99)

4.1.3 Location of Parking Facilities

(a) Required off-street parking facilities shall be provided on the same lot as the principal use they are required to serve, with the following exceptions:

1) Required parking facilities for office buildings may be located on other lots if all spaces are within five hundred (500) feet of the entrance to the building to be served.

2) Industrial districts and in the case of institutional uses in any district, the required parking facilities may be provided on other lots within a reasonable distance from the building to be served. The reasonable distance to be determined by the Building Inspector.

3) In the case of a dormitory of a non-profit educational institution, the required parking facilities may be provided on other lots not more than three thousand (3,000) feet away from the dormitory to be served.

4.1.4 Design and Layout of Required Parking Facilities

(a) General Provisions

1. The following are not subject to the design and layout standards set forth in this Section 4.1.4:

- a) parking spaces required for single-family and two-family dwellings;
- b) parking spaces required for the expansion of a building in existence on April 1, 1991 if:
 - i) the expansion is less than 50% of the floor area of the existing building, or
 - ii) the expansion would require the creation of no more than ten additional spaces.

2. No accessory off-street parking space shall be permitted within the required front yard of a lot in any residential district.

3. Parking areas shall be designed so as to allow each vehicle to enter and leave each parking space without requiring the moving of any other vehicle (except for an area providing valet parking or a parking lot in which spaces are assigned to occupants of the building served by that lot) and so as not to require the backing of a vehicle onto a collector street.

4. Required off-street parking facilities may be enclosed or may be open. If such facilities are open, they shall be graded, surfaced with bituminous concrete, cement concrete or other non-dusting all weather surface, drained and suitably maintained to the extent necessary to avoid the nuisance of dust, erosion or excessive water flow onto public ways or adjoining property.

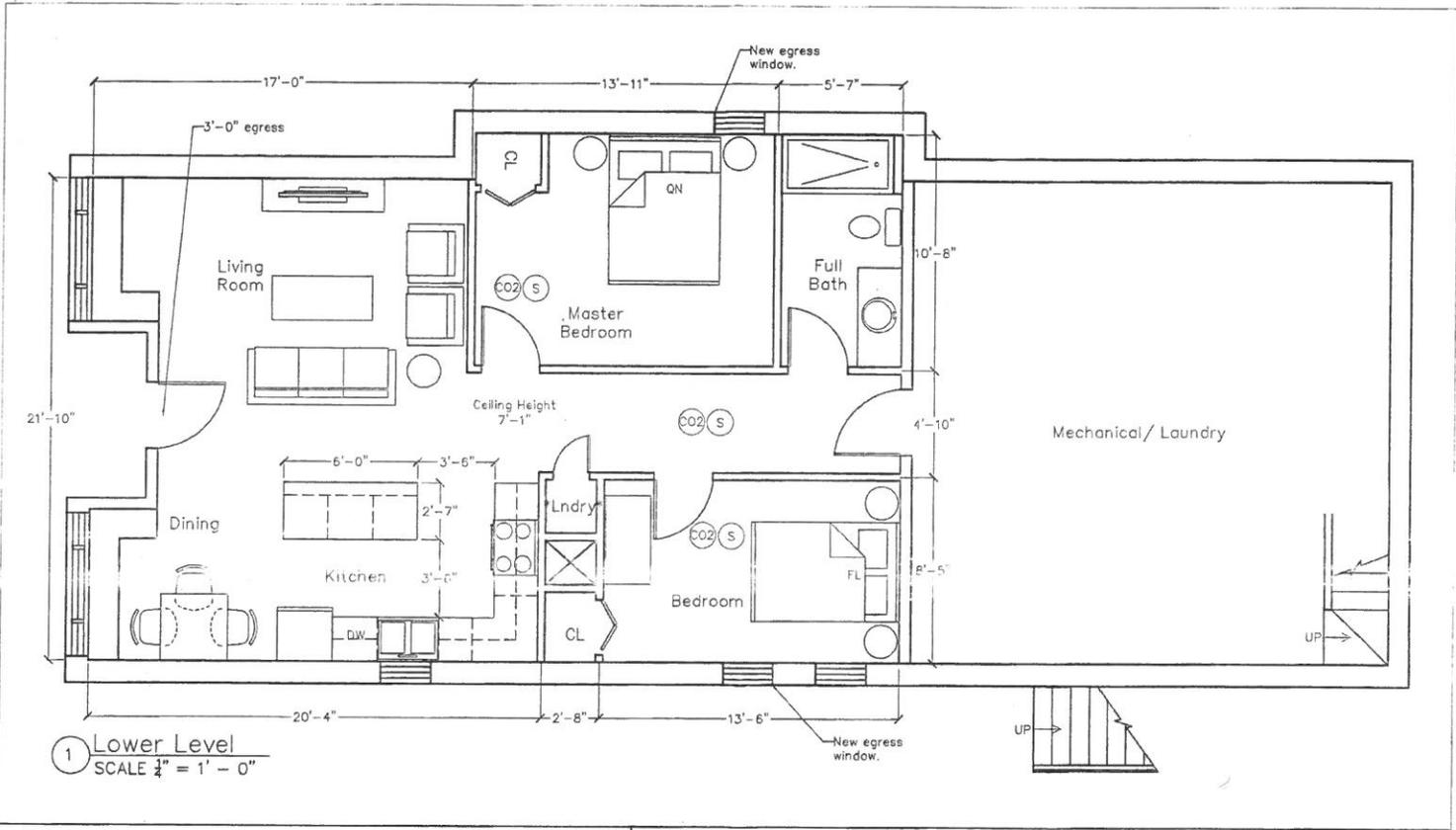
5. Parking areas shall not be used for automobile sales, gasoline sales, dead storage, repair work, dismantling or the servicing of vehicles of any kind.

6. Any light fixture used to illuminate parking areas shall be shielded so as not to shine on streets or adjacent properties.

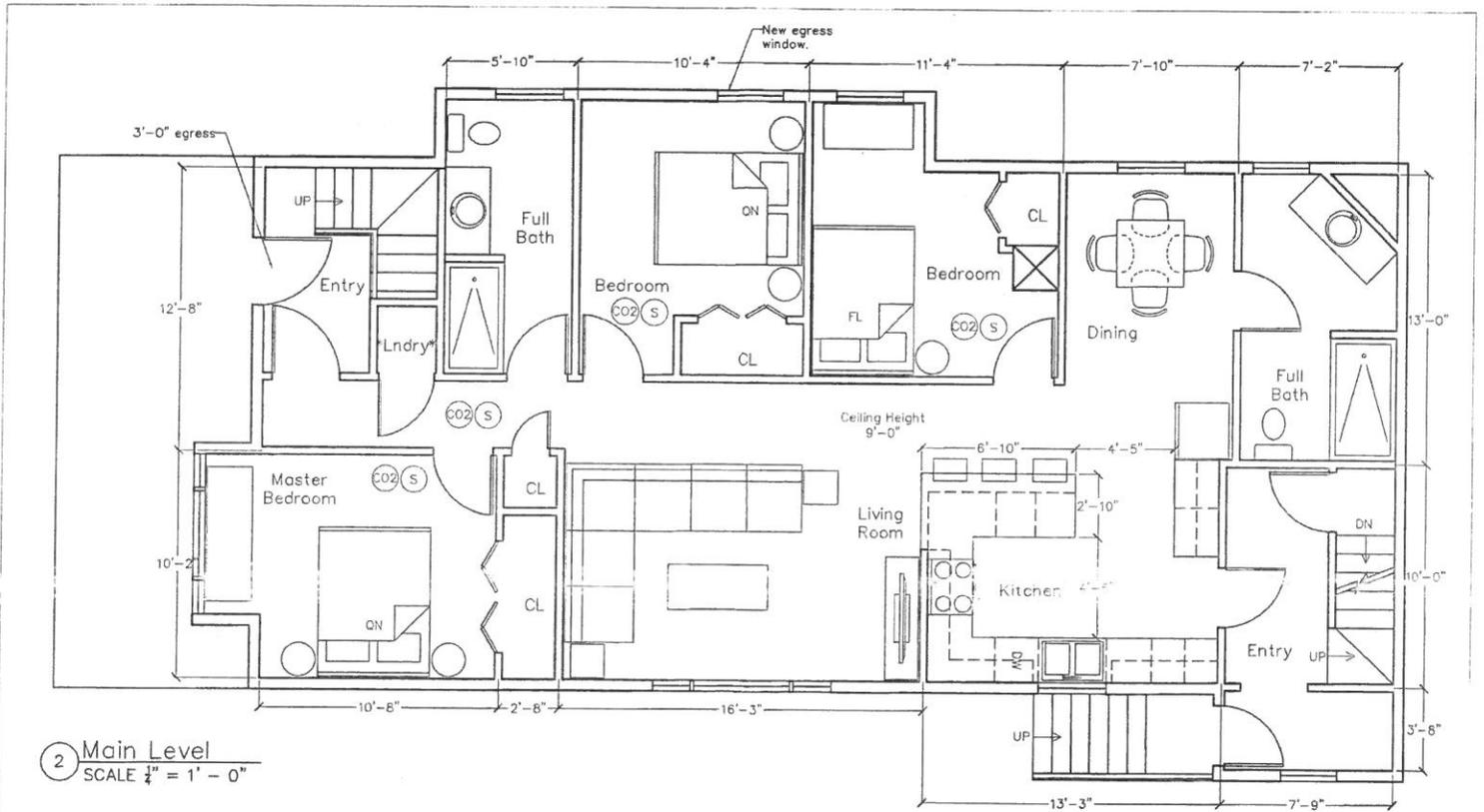
7. No parking stall, except those contained in a parking structure that is below the mean original grade of the lot (determined at the street line), shall be located within one foot of a sidewalk, street, or external property line.

8. Parking areas which contain more than five off-street parking spaces and which are located within ten feet of the boundaries of the property shall be equipped with a barrier, curbing, fence or low wall sufficient to confine vehicles entirely within the property and to protect any plantings and landscaping.

9. Parking areas containing more than five off-street spaces shall be marked so as to clearly indicate the space to be occupied by each motor vehicle, in accordance with the dimensions specified in 4.1.4(b). Such markings shall be maintained so as to be plainly visible.



Project: 9 Warner St Gloucester, MA 01930	Date: 9/13/16 Scale: Refer to Drawing Drawn By: RM	A 1
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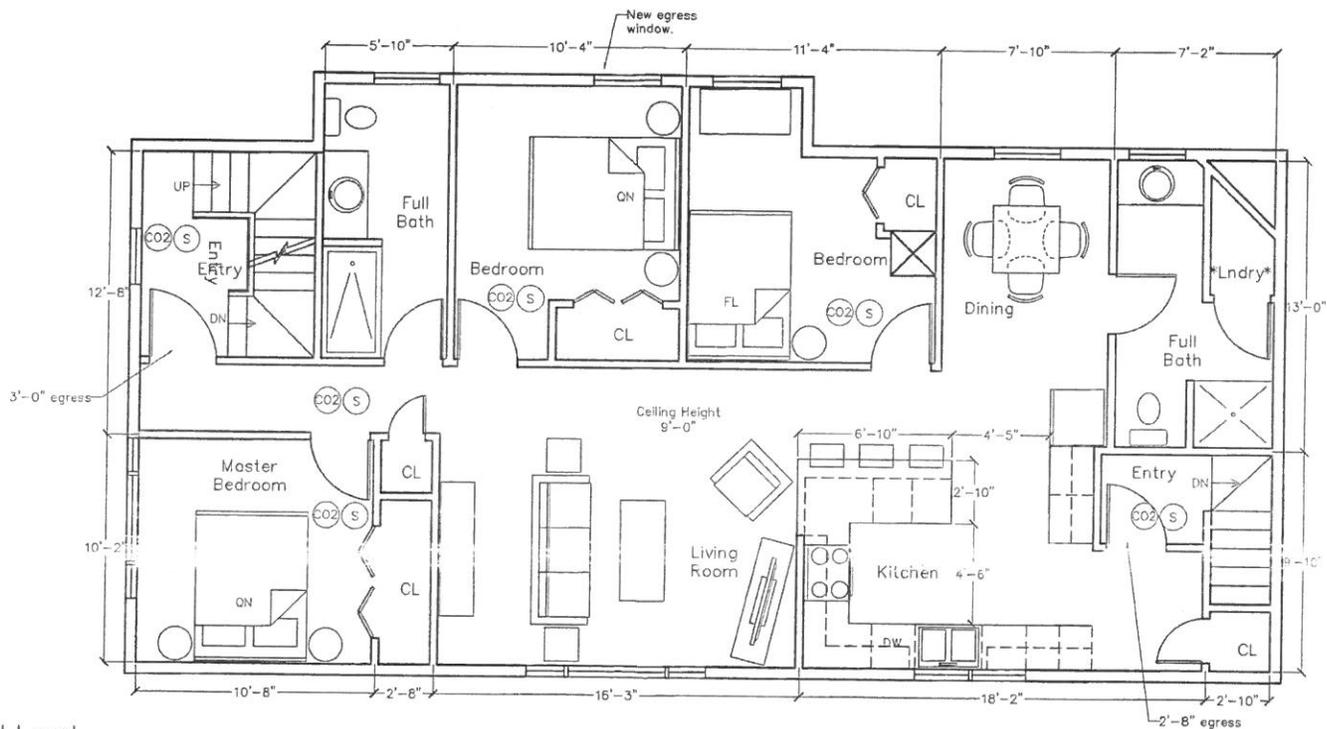


Project:

9 Warner St
Gloucester, MA 01930

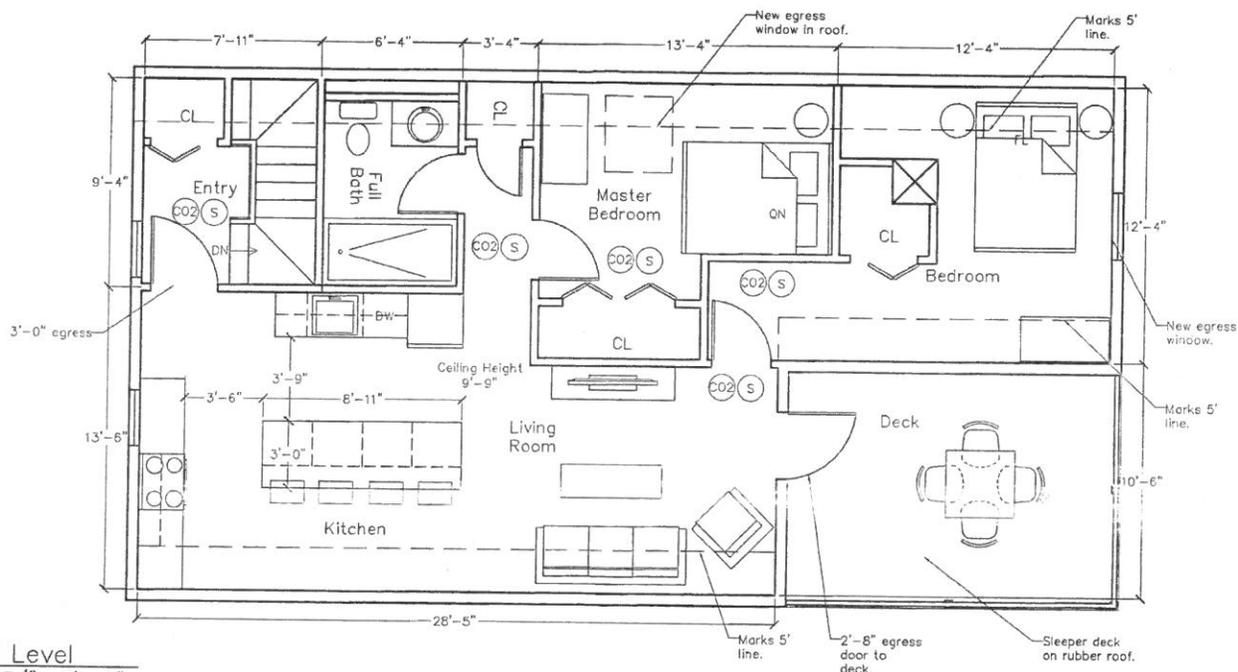
Date 9/13/16
Scale Refer to Drawing
Drawn By RM

A 2



3 2nd Level
 SCALE 1/4" = 1' - 0"

Project: 9 Warner St Gloucester, MA 01930	Date: 9/13/16 Scale: Refer to Drawing Drawn By: RM	A 3
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4 3rd Level
 SCALE 1/4" = 1' - 0"

Project: **9 Warner St**
 Gloucester, MA 01930

Date: 9/13/16
 Scale: Refer to Drawing
 Drawn By: RM

A 4