

GLOUCESTER CITY COUNCIL MEETING
Tuesday, November 24, 2020 – 6:00 p.m.
REMOTE MEETING
-Minutes-

Present: Council President Steve LeBlanc; Council Vice President Val Gilman; Councilor Jen Holmgren; Councilor John McCarthy; Councilor Scott Memhard; Councilor Sean Nolan; Councilor James O’Hara; Councilor Barry Pett

Also Present: Mayor Sefatia Romeo Theken; Acting CAO Vanessa Krawczyk; City Clerk Joanne M. Senos; CFO John Dunn; Auditor Kenny Costa; General Counsel Chip Payson; Asst. General Counsel Krisna Basu; Police Chief Ed Conley; School Resource Officer Peter Sutera

Applicant: Attorney Joel Favazza from Seaside Legal Solutions representing PH2020-030: SCP2020-005

Absent: Councilor Melissa Cox

This meeting was conducted remotely through Zoom. All votes were by ROLL CALL.

Meeting called to order at 6:00 p.m.

Council President LeBlanc announced, “This meeting is recorded by video and audio in accordance with state Open Meeting Law. Consistent with the Governor’s orders suspending certain provisions of the Open Meeting Law and banning gatherings of more than 10 people, this meeting will be conducted by remote participation. Additionally, all votes taken by the City Council during this and future remote meetings will be by roll call vote. If you are calling in on a phone you can press Star 9 (*9) to request to speak. If you are watching on a computer or device there is a “raise hand” button that you can tap or press to request to speak. Please use either of these options during oral communications to be recognized to speak.”

Councilor O’Hara joined the meeting at 6:07 p.m.

Council President LeBlanc stated that the meeting currently consisted of 16 panelists and 7 attendees.

Summary of Discussion: Mayor Romeo Theken expressed excitement over the new wonderful, positive family member to the Gloucester Police Department.

Mayor Romeo Theken and **Council President LeBlanc** were thanked by **Police Chief Ed Conley** for having invited himself, **School Resource Officer Peter Sutera**, and Ace, GPD’s new community resource therapy dog to this evening’s meeting. He credited **Officer Sutera** for his enthusiasm of how beneficial Ace would be. He stated that a lot of research had been conducted on the subject, and also thanked **Officer Sutera**, Lieutenant Nicastro, and Officer Mike Scola for their outreach to different organizations to secure funding for Ace’s care. He expressed gratitude for the support received by the **Mayor’s** office, and shared that Ace had already assisted earlier today with a child in need. He believed programs such as this helped to create a new model of “out-of-the-box” problem solving and policing.

Officer Sutera explained that he was the School Resource Officer at O’Maley Innovation Middle School. He introduced Ace, who was trained by Golden Opportunities for Independence (GOFI). He referred to his previous experience working at a special education school prior to joining the GPD, and that he has seen these types of programs work. He welcomed any questions, and explained to anyone who might be concerned that a

gentle leader is being used on Ace. It is not a muzzle, and it is necessary to keep his face at a safe distance from the children he will be interacting with.

Mayor Romeo Theken shared a communication she received from the grateful parent of the child Ace had assisted earlier today. His presence provided the child with the comfort necessary for self-expression during a difficult time. She also thanked the School Committee and City for their efforts to open the schools in the midst of the pandemic (especially for the social and emotional well-being of students), **Councilor McCarthy** for his work with the Kops N' Kid Program during his time as Interim Police Chief, and **Police Chief Conley** for listening to his team, and recognizing their individual strengths. **Councilor Holmgren** echoed **Mayor Romeo Theken's** expressed thanks to **Chief Conley**, **Officer Sutera**, **Councilor McCarthy**, and Ace.

Councilor O'Hara thanked **Officer Sutera** for his amazing work with O'Maley students, and stated that he is an asset to the school administration and police department. He thanked **Councilor McCarthy** (who appointed **Officer Sutera** to that position), and **Chief Conley** for his continued support.

Councilor Gilman shared that she had met Ace at the Open Door Saturday morning, and praised him for being so well-mannered. She asked in the future when it was safe to do so, if **Officer Sutera** and Ace might be able to participate in a couple of events at the Rose Baker Senior Center. **Officer Sutera** expressed willingness to participate in any community events that received permission from **Mayor Romeo Theken** and **Chief Conley**. He also requested that everyone ask him before touching Ace for safety's sake since he is a trained dog on duty. **Mayor Romeo Theken** promised to keep the City Councilors updated on the City's efforts to alleviate isolation among the senior population during this time.

Councilor Nolan thanked **Officer Sutera**, Gloucester High School Resource Office Mike Scola, and the entire police department. He felt that this program was one more step forward in what makes Gloucester great, and hoped that the momentum would keep moving forward.

Councilor McCarthy stated that Gloucester has a great police department, and credited **Chief Conley** for the support he provides to the school resource officers, Community Impact Unit, and Kops N' Kids program.

Council President LeBlanc congratulated **Officer Sutera**, said that he looked forward to meeting Ace, and encouraged him to contact the City Council if he ever needed assistance. **Officer Sutera** and **Chief Conley** thanked everyone for their support.

At 6:15 p.m., a Moment of Silence was held for the crew members of the Emmy Rose (a ship that recently sank approximately 20 miles off the coast of Provincetown) and their loved ones.

ORAL COMMUNICATIONS:

Mary Ann Albert Boucher, 93 Mount Pleasant Avenue

Ms. Boucher thanked **Council President LeBlanc** for having announced the panelists this evening. She stressed the importance of the panelists and attendees present being announced during Zoom meetings since viewers are not able to view everyone who is there. She asked **Mayor Romeo Theken** to make it a point to let the other boards and committees know that it was really important to know who those panelists are that cannot always be seen.

She also shared that she lived next to an elementary school growing up, and the principal called her mother at least a few times a week to ask that her yellow Labrador Retriever visit the students to assist children who were upset and in need of emotional support. She thought having a trained therapeutic dog like Ace was one of the greatest things the City could do, and thanked everyone who took part in him being brought to Gloucester.

Mayor Romeo Theken stated that she was pleased with **Mr. Knowles'** personality and his eagerness to help and work as a team. She expressed hope that the City Council would support his nomination this evening.

Council President LeBlanc said he looked forward to working with **Mr. Knowles**, and encouraged him to contact the City Council if he ever needed assistance. **Mr. Knowles** thanked everyone, and expressed the desire to also be of assistance to anyone who may need it.

MOTION: On a motion by Councilor Nolan, seconded by Councilor Gilman, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Cox) to recommend that the City Council appoint Ryan Knowles to the position of IT Director, TTE 2/14/21.

Gloucester Cultural Council Lucas Cotterman TTE 2/14/21 (fulfilling an unexpired term)

COMMITTEE RECOMMENDATION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the Ordinances & Administration Committee voted BY ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council appoint Lucas Cotterman to the Gloucester Cultural Council, TTE 02/14/21.

Summary of Discussion: As a West Coast native, **Lucas Cotterman** shared that he and his wife had lived in Gloucester for the past four years, and are the owners of Dogtown Books. He appreciated Gloucester's rich history of art, painting, sculpture, and literature, and it was their shared goal to become involved in community outreach to get people involved with the wealth of local artists and authors willing to conduct presentations and performances. When they outgrew their art space, they began hosting events at the Movement Arts Gloucester, MA (MAGMA) Center, and benefited from some grants from the Gloucester Cultural Council. He also enjoyed his interactions with the MA Cultural Council and Cape Ann Symphony Orchestra. He stated that he saw enormous potential in connecting with the culturally underserved parts of Gloucester.

Councilor Nolan expressed support, and mentioned that the City was lucky to have someone like **Mr. Cotterman** become a resident and participate on the Gloucester Cultural Council.

Mayor Romeo Theken, Councilor Holmgren, Councilor Pett, Councilor Memhard, and Councilor McCarthy echoed **Councilor Nolan's** statement, and thanked **Mr. Cotterman** for his volunteer service.

Council President LeBlanc expressed appreciation that board and commission volunteers provide necessary help to the Council, and encouraged him to contact them if he needed any assistance.

MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the City Council voted BY ROLL CALL 8 in favor, 0 opposed, 1 absent (Cox) to recommend that the City Council appoint Lucas Cotterman to the Gloucester Cultural Council, TTE 02/14/21.

CONSENT AGENDA:

• CONFIRMATION OF REAPPOINTMENTS

• MAYOR'S REPORT

- | | |
|--|-------------|
| 1. Memorandum from General Counsel re. proposed amendments to Article 97 Home Rule legislation related to East Gloucester/Veteran's Memorial Elementary School Combined School project | (Refer P&D) |
| 2. Memorandum from CFO re. Loan Authorization request in the amount of \$66,700 to support the design, site work, construction and outfitting of the new East Gloucester/Veterans Memorial Elementary School | (Refer B&F) |
| 3. Supplemental Appropriation Budgetary Request (#2021-SA-2) from the CFO | (Refer B&F) |
| 4. Memorandum from Assistant DPW Director requesting disposition of real property for the Good Harbor/Wingarssheek Beach Concession lease | (Refer B&F) |
| 5. Flyer from the Massachusetts Department of Public Health with tips for a safe Thanksgiving | (Info Only) |
| 6. Flyer from the Gloucester Health Department re. creating a COVID-19 Plan | (Info Only) |
| 7. Flyer from the State of Massachusetts re. steps following a COVID-19 test | (Info Only) |
| 8. Memorandum of notification re. Gloucester Fire Department Apparatus Repair Facility lease agreement | (Info Only) |
| 9. Update on the CARES Act Coronavirus Relief Fund | (Info Only) |

• COMMUNICATIONS/INVITATIONS

ACTION

- **INFORMATION ONLY**

- **APPLICATIONS/PETITIONS**

1. Group Petition under City Charter Sec. 9-1 "Free Petition" Subsection (b) "Group Petition" re. use of public land for a Gloucester Police Shooting Range (Refer City Council)
2. SCP2020-006: School House Road #2-4, Map 262, Lots 37 & 38, modification of SCP2017-012 pursuant to GZO Secs. 5.29.3.3 "Additional Uses," 5.29.6.1 "Off-Street Parking Requirements," 5.29.10 "Relief by Special Permit," 5.17 and 5.29.8 "Drive-through Facilities," and 4.3 "Sign Regulations," to allocate parking spaces, obtain a new drive-through permit, and relief from signage requirements in the R-10/Mixed Use Overlay District (Refer P&D)

- **COUNCILLORS ORDERS**

- **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**

1. City Council Meeting: 11/10/2020 (under separate cover) (Approve/File)
2. Standing Committee Meetings: B&F 11/19/2020 (under separate cover), O&A 11/16/2020, P&D 11/18/2020 (under separate cover) (Approve/File)

Items to be added/removed from the Consent Agenda: Council President LeBlanc requested that Item# 1 under Applications/Petitions: Group Petition under City Charter Sec. 9-1 "Free Petition" Subsection (b) "Group Petition" re. use of public land for a Gloucester Police Shooting Range be removed.

A public hearing on this matter has been scheduled for the City Council meeting on January 12, 2021.

MOTION: On a motion by Councilor Holmgren, seconded by Councilor Gilman, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Cox), to accept the Consent Agenda as amended.

COMMITTEE REPORTS:

- **Budget & Finance – Meeting of November 19, 2020**

Summary of Discussion: Councilor Memhard presented the Unanimous Consent Agenda to the Council.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Cox), to accept the November 19, 2020 Budget & Finance Unanimous Consent Agenda.

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A a state grant from the Metropolitan Area Planning Council (MAPC) on behalf of Commonwealth of Massachusetts and Dept. of Public Health (MDPH), Bureau of Infectious Disease and Laboratory Sciences (BIDLS), Immunization Division in the amount of \$3,090.10. The purpose of this grant is to support the enhancement of local influenza vaccinations for the 2020 flu season, including but not limited to staffing or supply needs. Funding cannot be used for direct vaccine purchase. The grant period is from July 1, 2020 through December 31, 2020 and there's no local match for this grant.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Cox) to accept under MGL c. 44, §53A a state grant from the Metropolitan Area Planning Council (MAPC) on behalf of Commonwealth of Massachusetts and Dept. of Public Health (MDPH), Bureau of Infectious Disease and Laboratory Sciences (BIDLS), Immunization Division in the amount of \$3,090.10. The purpose of this grant is to support the enhancement of local influenza vaccinations for the 2020 flu season, including but not limited to staffing or supply needs. Funding cannot be used for direct vaccine purchase. The grant period is from July 1, 2020 through December 31, 2020 and there's no local match for this grant.

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Committee voted BY ROLL CALL 3 in favor, 0 opposed to recommend that the City Council accept under MGL c. 44, §53A, a state grant from the Massachusetts Executive Office of Public

Safety And Security, State 911 Department, a FY21 State 911 Department Emergency Medical Dispatch Grant Program for \$45,149.79. The grant period is from October 27, 2020 through June 30, 2021 and there is no local match for this grant.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted BY ROLL CALL 8 in favor, 0 opposed, 1 absent (Cox) to accept under MGL c. 44, §53A, a state grant from the Massachusetts Executive Office of Public Safety And Security, State 911 Department, a FY21 State 911 Department Emergency Medical Dispatch Grant Program for \$45,149.79. The grant period is from October 27, 2020 through June 30, 2021 and there is no local match for this grant.

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A ½, a gift of tangible goods with an estimated value of \$16,000 from the Doug Flutie, Jr. Foundation for Autism to purchase a trained comfort/support dog through Golden Opportunities for Independence (GOFI).

MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Cox) to accept under MGL c. 44, §53A ½, a gift of tangible goods with an estimated value of \$16,000 from the Doug Flutie, Jr. Foundation for Autism to purchase a trained comfort/support dog through Golden Opportunities for Independence (GOFI).

COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A a state grant from the MA Seaport Economic Council (SEC) in the amount of \$240,000. The purpose of this grant is to support the City's next generation of the Harbor/Designated Port Area (DPA) Master Plan. The grant period is through June 30, 2022. There is a 20% local match for this grant.

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COMMITTEE RECOMMENDATION: On a motion by Councilor Cox, seconded by Councilor Memhard, the Budget & Finance Committee voted by ROLL CALL 3 in favor, 0 opposed, to recommend that the City Council accept under MGL c. 44, §53A a state grant from the MA Seaport Economic Council (SEC) in the amount of \$170,000. The purpose of this grant is to create a plan to develop a healthy, safe and economically resilient fishing workforce. The grant period is from October 2, 2020 through June 30, 2022. There is a 20% match for this grant.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Cox) to accept under MGL c. 44, §53A a state grant from the MA Seaport Economic Council (SEC) in the amount of \$170,000. The purpose of this grant is to create a plan to develop a healthy, safe and economically resilient fishing workforce. The grant period is from October 2, 2020 through June 30, 2022. There is a 20% match for this grant.

Ordinances & Administration-Meeting of November 15, 2020 (no items under this heading)

Planning & Development-Meeting of November 18, 2020 (no items under this heading)

SCHEDULED PUBLIC HEARING

1. PH2020-032: Tax Classification in accordance with MGL c. 40, §5 and GCO Ch. 2, Sec. 2-26 to determine the percentage of the local tax levy for the Fiscal Year 2021 to be borne by each class of real and personal property

This public hearing has been continued until Tuesday, December 8, 2020.

2. PH2020-033: Amend GZO Sec. 5.32 “Temporary Zoning Relief to Businesses during COVID-19 Pandemic
TBC 12/8/2020

This public hearing has been continued until Tuesday, December 8, 2020.

3. PH2020-030: SCP2020-005: Rocky Neck Avenue #37, Map 130, Lot 4A, GZO Secs. 2.3.1.7 “Conversion to or new multi-family or apartment dwelling, four to six dwelling units,” and 3.2 “Dimensional Tables,” reduction in minimum lot area and open space per dwelling unit to create a fourth unit, in the NB zone (Cont. from 11/10/2020, 11/24/20)

COMMITTEE RECOMMENDATION: on a motion by Councilor Gilman, seconded by Councilor Holmgren, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed to recommend that the City Council grant to Seaside Legal Solutions, P.C., on behalf of owner, Mark Goetemann, P.R., a Special Council Permit (SCP2020-005), for the property located at Rocky Neck Avenue #37, Assessors Map 130, Lot 4A, pursuant to Gloucester Zoning Ordinance Sec. 2.3.1.7 “Conversion to or new multifamily or apartment dwelling, four to six dwelling units” and Sec. 3.2.2 “Dimensional Requirements for Multi-family Dwellings and Their Accessory Uses (other than signs),” footnote (a) for reduction in minimum lot area and open space per dwelling unit, to construct a fourth housing unit. This permit is made on the basis of plans and elevations dated August 10, 1990 and submitted to the City Clerk on September 16, 2020 entitled “37 Rocky Neck Avenue Condominium” and plans and elevations dated August 14, 1990 and submitted to the City Clerk on September 16, 2020, entitled “Phase Plan – Site Plan of Thirty Seven Rocky Neck Avenue Condominium, Gloucester, Massachusetts.” This relief granted by this City Council Special Permit is conditioned upon Petitioner maintaining the “front” two rooms on the first floor of Petitioner’s condominium unit (the “Gallery”) for use as a gallery or other gallery-related use. Petitioner shall allow third parties to operate the Gallery, including but not limited to the Rocky Neck Art Colony, provided that Petitioner does not charge such third parties rent; however, Petitioner may require such third parties carry their own liability and hazard insurance and cover the actual costs of utilities consumed by the Gallery. Should such use cease, Petitioner shall have 120 days to seek modification of this City Council Special Permit, failing which, this City Council Special Permit shall terminate. Subject to new information and/or debate that results from the public hearing, this Special Council Permit is deemed to be in harmony with the intent and purpose of the Zoning Ordinance.

The public hearing opened at 6:44 p.m.

Those Speaking in Favor:

Councilor Gilman shared the Planning and Development Committee narrative that can be found in the transcript for this meeting. She expressed support for this motion, as she believed that the social and community needs are served, as this fulfills a community need to preserve a historic art colony, which she thought was noble. She also noted that the proposed changes were barely visible from the outside of the building. **Council President LeBlanc** agreed.

Councilor Holmgren praised **Councilor Gilman** for touching on every important point, expressed appreciation to the applicant for appearing before the Planning & Development Committee again to finalize the Special Condition, and support for the recommendation before the Council this evening.

Councilor Memhard believed that a valuable balance was being proposed to maintain the character of a diverse neighborhood, while making it economically viable for the property owner. He congratulated everyone for their efforts to thoroughly vet this permit request.

Councilor McCarthy supported this request because he believed that since Smith Cove is the property's backyard, and the southeast harbor is the front yard, open space was not an issue in this case. Rocky Neck is densely populated, however, it was his opinion that the gallery space provided by the owner outweighed any detrimental effect that it may have on the neighborhood.

Councilor O'Hara expressed support for this request since he believed the applicant was doing wonderful things for our artists of East Gloucester and the rest of the city.

Councilor Nolan shared that after reviewing this matter in various ways, he concluded that Rocky Neck would always be a congested area with a parking space shortage, however, the studio space was much-needed and beneficial.

Councilor Pett stated that he had been in support of this project since day one in terms of how important the art colony is to the city. He thanked Mr. Goetemann and Attorney Favazza for their willingness to negotiate the terms of the Special Condition in order to ensure that the gallery space remains in perpetuity.

General Counsel Chip Payson shared that a deed restriction would be heavy-handed, and believed that the proposed Special Condition was sufficient. **Council President LeBlanc** reminded the Council that a request for any proposed changes to the gallery space would need to appear again before the Council.

Those Speaking in Opposition: None

The public hearing closed at 6:54 p.m.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Cox) to grant to Seaside Legal Solutions, P.C., on behalf of the owner, Mark Goetemann, P.R., a Special Council Permit (SCP 2020-005) for the property located at Rocky Neck Avenue Number 37, Assessors Map 130, Lot 4A, pursuant to Gloucester Zoning Ordinance Sec. 2.3.1.7 "Conversion to or new multifamily or apartment dwelling, four to six dwelling units" and Sec. 3.2.2 "Dimensional requirements for Multi-family Dwellings and Their Accessory Uses (other than signs) fn(a) for reduction in minimum lot area and open space per dwelling unit, to construct a fourth housing unit. This permit is made on the basis of plans and elevations dated August 10, 1990 and submitted to the City Clerk on September 16, 2020 entitled "37 Rocky Neck Avenue Condominium" and plans and elevations dated August 14, 1990 and submitted to the City Clerk on September 16, 2020, entitled "Phase Plan-Site Plan of Thirty Seven Rocky Neck Avenue Condominium, Gloucester, Massachusetts." This relief granted by the City Council Special Permit is conditioned upon Petitioner maintaining the "front" two rooms on the first floor of Petitioner's condominium unit (the "Gallery") for use as a gallery or other gallery-related use. Petitioner shall allow third parties to operate the Gallery, including, but not limited to, the Rocky Neck Art Colony, provided that Petitioner does not charge such third parties rent; however; Petitioner may require such third parties carry their own liability and hazard insurance and cover the actual cost of utilities consumed by the Gallery. Should such use cease, Petitioner shall have 120 days to seek modification of this City Council Special Permit, failing which, this City Council Special Permit shall terminate. Subject to new information and/or debate that results from the public hearing, this Special Council Permit is deemed to be in harmony with the intent and purpose of the zoning ordinance.

FOR COUNCIL VOTE:

1. City Council's consideration of the Land Court Judgement Miscellaneous Case No. 19 MISC 000516 (HPS) regarding SCP2019-006, East Main Street #116

Summary of Discussion: Council President LeBlanc explained that on November 2, 2020, Land Court Judge Howard Speicher issued an order annulling the City Council's decision denying four Special Council Permits to the Bevilacqua Company for 116 East Main Street, and ordered the City Council to issue the four permits within 30 days from the decision. While the City Council was disappointed with this order, they were legally obligated to follow it.

An executive session was held last week, during which time, there was a rigorous discussion, and all questions were answered by City General Counsel. After the potential positive and negative outcomes of this order being appealed were weighed, it was determined to not be in the best interest of the taxpayers to appeal the order since it did not have a high probability of being overturned.

Councilor Gilman shared that she intended to vote against the motion this evening since 37 residents had spoken in opposition of it, and she thought it was important for Councilors to always listen to and consider constituents when they expressed their opinions, and to learn from their shared experiences. While Judge Speicher had felt that her comments regarding density and Rocky Neck were not worded strongly enough, she stood behind her decision, and felt committed to the people who had moved her by their statements to the point that she had changed her mind. As Chair of the Planning & Development Committee, **Councilor Gilman** expressed pride in the committee's detailed vetting, rigorous discussions, and substantiated votes of recent special council permits that had appeared before it. She felt that the Zoom meeting platform had increased transparency and public attendance, and was thankful that site visits had resumed. While she did not agree with her colleague's decision not to appeal, she understood their decisions, and that it was the will of the committee.

The following Councilors shared their opinions as to why they believed the decision should not be appealed:

Council President LeBlanc cited the reasons discussed in executive session, along with the extremely strong possibility that the order would probably not be overturned.

Councilor McCarthy mentioned the lengthy discussion during which time the Council relied heavily on the expertise of City attorneys, and outside attorney hired by the City, and an attorney brought in to provide an independent opinion. He believed that as the keepers of the taxpayers' money, it would not have behooved the City Council to appeal the order.

Councilor Holmgren asked when the executive meeting minutes would be released, to which **Council President LeBlanc** responded that after this evening's vote was taken, they would be released during the next City Council meeting scheduled on Tuesday, December 8, 2020.

Councilor Gilman asked if a Motion to Adopt would be required at a later date once the four permits were voted on this evening. **Council President LeBlanc** indicated that was correct.

Councilor Pett thanked everyone for the updated executive session discussion, and agreed with **Councilor McCarthy's** statement.

Councilor O'Hara stated that as painful as it was, he would vote to accept the Land Court's decision. **Councilor Pett** echoed **Councilor O'Hara's** statement.

MOTION: On a motion by Councilor Holmgren, seconded by Councilor Gilman, the City Council voted by ROLL CALL 7 in favor, 1 opposed (Gilman), 1 absent (Cox) to accept the Land Court Judgement Miscellaneous Case No. 19 MISC 000516 (HPS) regarding SCP2019-006, East Main Street #116

MOTION for RECONSIDERATION: On a motion by Councilor Holmgren, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 1 in favor (Gilman), 7 opposed, 1 absent (Cox) to reconsider accepting the Land Court Judgement Miscellaneous Case No. 19 MISC 000516 (HPS) regarding SCP2019-006, East Main Street #116

MOTION: On a motion by Councilor Pett, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 7 in favor, 1 opposed (Gilman), 1 absent (Cox) to grant a special council permit, Special Council Permit 2019-006 to the Bevilacqua Company, Inc., for a property owned by Son, LLC at East Main Street number 116, Map 59, Lot 53, zoned NB (Neighborhood Business) to build two buildings on the property consisting of four dwelling units each, for a total of eight dwelling units pursuant to Gloucester Zoning Ordinance Section 1.8.3.

MOTION for RECONSIDERATION: On a motion by Councilor Holmgren, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 2 in favor (Gilman, O'Hara), 6 opposed, 1 absent (Cox) to reconsider granting a special council permit, Special Council Permit 2019-006 to the Bevilacqua Company, Inc., for a property owned by Son, LLC at East Main Street number 116, Map 59, Lot 53, zoned NB (Neighborhood Business) to build two buildings on the property consisting of four dwelling units each, for a total of eight dwelling units pursuant to Gloucester Zoning Ordinance Section 1.8.3.

MOTION: On a motion by Councilor Holmgren, seconded by Councilor Pett, the City Council voted by ROLL CALL 7 in favor, 1 opposed (Gilman), 1 absent (Cox) to grant a Special Council Permit (SCP2019-006) to The Bevilacqua Company, Inc., for a property owned by Son, LLC at East Main Street #116, Map 59, Lot 53, zoned NB (Neighborhood Business) pursuant to GZO Sec. 2.3.1.(8) conversion to or new multi-family or apartment dwelling, seven or more dwelling units for an 8-unit residential use.

MOTION for RECONSIDERATION: On a motion by Councilor Holmgren, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 2 in favor (Gilman, O'Hara), 6 opposed, 1 absent (Cox) to reconsider granting a Special Council Permit (SCP2019-006) to The Bevilacqua Company, Inc., for a property owned by Son, LLC at East Main Street #116, Map 59, Lot 53, zoned NB (Neighborhood Business) pursuant to GZO Sec. 2.3.1.(8) conversion to or new multi-family or apartment dwelling, seven or more dwelling units for an 8-unit residential use.

MOTION: On a motion by Councilor Holmgren, seconded by Councilor Nolan, the City Council voted by ROLL CALL 7 in favor, 1 opposed (Gilman), 1 absent (Cox) to grant a Special Council Permit (SCP2019-006) to The Bevilacqua Company, Inc., for a property owned by Son, LLC at East Main Street #116, Map 59, Lot 53, zoned NB (Neighborhood Business) pursuant to GZO Sec. 3.2.2 fn (e) distance between principal buildings.

MOTION for RECONSIDERATION: On a motion by Councilor Holmgren, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 2 in favor (Gilman, O'Hara), 6 opposed, 1 absent (Cox) to reconsider granting a Special Council Permit (SCP2019-006) to The Bevilacqua Company, Inc., for a property owned by Son, LLC at East Main Street #116, Map 59, Lot 53, zoned NB (Neighborhood Business) pursuant to GZO Sec. 3.2.2 fn (e) distance between principal buildings.

MOTION: On a motion by Councilor Nolan, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 7 in favor, 1 opposed (Gilman), 1 absent (Cox) to grant a Special Council Permit (SCP2019-006) to The Bevilacqua Company, Inc., for a property owned by Son, LLC at East Main Street #116, Map 59, Lot 53, zoned NB (Neighborhood Business) pursuant to GZO Sec. 3.2.2 fn (a) minimum lot area per dwelling unit and minimum open space per dwelling unit.

MOTION for RECONSIDERATION: On a motion by Councilor Holmgren, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 2 in favor (Gilman, O'Hara), 6 opposed, 1 absent (Cox) to reconsider granting a Special Council Permit (SCP2019-006) to The Bevilacqua Company, Inc., for a property owned by Son, LLC at East Main Street #116, Map 59, Lot 53, zoned NB (Neighborhood Business) pursuant to GZO Sec. 3.2.2 fn (a) minimum lot area per dwelling unit and minimum open space per dwelling unit.

2. Decision to Adopt: SCP2020-001: Wingersheek Road #105, Map 261, Lot 31, GZO Secs. 1.8.3 "Standard to be Applied" and 3.1.6(b) "Building Heights in Excess of 35 Feet" in the R-20 Low/Medium Density Residential District

MOTION: On a motion by Councilor Gilman, seconded by Councilor Holmgren, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Cox), to adopt the Special Council Permit decision for SCP2020-001 for Wingersheek Road #105 pursuant to Sections 1.8.3 and 3.1.6(b) of the Gloucester Zoning Ordinance.

3. Decision to Adopt: SCP2020-003: Atlantic Road #163 (formerly part of #171), Map 73, Lot 41 (a portion of former Map 73, Lot 26), GZO Secs. 1.8.3 "Standard to be Applied," 3.1.6(b) "Building Heights in Excess of 35 Feet," 3.2.2 fn.(e) "Dimensional Requirements for Multi-family Dwellings and Their Accessory Uses (other than signs) – reduction in distance between buildings," 2.3.1(8) "Conversion to or new multi-family or apartment dwelling, seven or more dwelling units," 5.7.5 "Special Permit Criteria" for Major Project and 1.10.1(a)(1)(2) "Jurisdiction of the City Council" in the R-20 Low/Medium Density Residential district

MOTION: On a motion by Councilor Nolan, seconded by Councilor Gilman, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Cox), to adopt the Special Council Permit decision for SCP2020-003 for Atlantic Road # 163 pursuant to Sections 1.8.3 and 3.1.6(b), 3.2.2 fn. (e), 2.3.1 (8), 5.7.5, 1.10.1 (a) (1) (2) of the Gloucester Zoning Ordinance.

4. Decision to Adopt: SCP2020-004: Folly Point Road #1, Map 146, Lot 28, GZO Sec. 3.1.6(b) "Building Heights in Excess of 35 Feet" in the R-20 District

MOTION: On a motion by Councilor Gilman, seconded by Councilor Pett, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Cox), to adopt the Special Council Permit decision for SCP2020-004 for Folly Point Road #1 pursuant to Sections 1.8.3 and 3.1.6(b) of the Gloucester Zoning Ordinance.

COUNCILORS' REQUESTS TO THE MAYOR: None

COUNCILOR'S WARD UPDATES & COMMUNITY NEWS: None

COUNCILOR'S THANKS & ACKNOWLEDGEMENTS

Councilor McCarthy and Councilor Pett wished everyone a happy and safe Thanksgiving.

Councilor Pett asked that a special thanks be extended through the **Mayor** to the United States Coast Guard. He thanked them for everything they do on a regular basis, but especially now when as soon as word came that there was a loss of a vessel, US Coast Guard cutter Key Largo departed immediately for the scene, and Station Gloucester sent one of its 47 boats as well. He stated that their contribution has been a huge part of this effort, and he thanked them for the immediate response to help those in our community.

Summary of Discussion: Mayor Romeo Theken shared that both she and the Harbormaster's office had been in touch with the commanders in Boston and Maine to extend condolences to the Coast Guard, the crew's family members, and the owner of the Emmy Rose. The boat owner's wife told **Mayor Romeo Theken** that she had never seen such a great outpouring of support from the City of Gloucester, including the Fishermen's Wives Association and the Massachusetts Fishermen Support Center. She thanked everyone, and wished all a Happy Thanksgiving.

Councilor Holmgren thanked the City Councilors, **Mayor Romeo Theken**, and the City administration and staff. She reflected on how the pandemic had brought out the best in people. She stated that the City had an incredibly talented pool of individuals working for it, and thanked them for facing the daily demands with grace and aplomb. She wished everyone a Happy Thanksgiving, and expressed appreciation to all.

Councilor Memhard thanked the Councilors for their comments and tributes. He urged everyone to please be very careful and stay safe.

Councilor Nolan echoed the Councilors' previous statements, stated that Gloucester is a great community, and thanked Ringo Tarr for still managing to get a Christmas tree for the City in spite of everything that's happened this year. While the tree lighting will not be its traditional annual gathering, it is sentimental to the residents who will enjoy seeing it lit up.

Councilor O'Hara mimicked everything that had been said, and extended his sincere thanks and gratitude to the men and women of all branches of the armed forces that protect us in our country and throughout the world on a daily basis, 24/7. He also wished everyone a Happy Thanksgiving.

Councilor Gilman thanked all first responders, teachers, nurses, health care professionals, grocery workers, and City staff. She also wished everyone a Happy Thanksgiving.

Council President LeBlanc announced that he and **Mayor Romeo Theken** had been discussing and reviewing structured fees for businesses to determine if any assistance could be provided. More information will be available to constituents and business owners as soon as possible. He shared a personal experience he had growing up in a fishing family, and thanked the Coast Guard for their efforts. He wished everyone a safe, socially-distance holiday, and asked everyone to protect the vulnerable populations in our community.

MOTION: On a motion by Councilor Nolan, seconded by Councilor O'Hara, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 absent (Cox) to adjourn the meeting at 7:44 p.m.

There is a link to this meeting available on the city website at https://gloucester-ma.gov.zoom.us/rec/play/geBgT7t4uvCk00DbTw5oNEes3FMBk9Tk7LLzwq9papiUNXagKkhDnZj4WQN5N-iglXAJxpt_yzWluBBl.3wg9MBekEN8guJk1

A transcript of this meeting will be filed with the minutes as soon as possible.

Respectfully submitted,
Brianna Komi
Administrative Support

City Clerk's Office