



Planning & Development Standing Committee
Wednesday, July 7, 2021 – 5:30 p.m.
REMOTE MEETING
-Minutes-

Present: Chair, Councilor Val Gilman; Vice Chair, Councilor Jen Holmgren; Councilor Barry Pett

Also Present: Clerk of Committees, Sherry Karvelas

Applicants: Elizabeth Cardarelli for National Grid; Attorney Joel Favazza of Seaside Legal Solutions on behalf of Nicholas Giacalone

This meeting was conducted remotely through ZOOM
All votes conducted by ROLL CALL

Meeting called to order at 5:38 p.m.

Councilor Gilman announced this meeting is recorded by video and audio in accordance with state Open Meeting law. Consistent with Chapter 20 of the Acts of 2021, this meeting will be conducted by remote participation. Additionally, all votes taken by the Planning & Development Standing Committee 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 “raised 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 Gilman announced the names of the P&D Committee members in attendance (Councilors Holmgren, Pett and herself) and City staff who were attending via Zoom.

Matters were taken out of order.

1. Public Hearing: PP#2021-006: Request by National Grid to construct a line of underground electrical conduits to install a single phase junction box at the intersection of Atlantic Road and Bass Rocks Road

The public hearing opened at 5:42 p.m.

Clerk of Committees, Sherry Karvelas, confirmed the City Clerk’s office had mailed notice to the abutters on June 25, 2021.

Those speaking in favor:

Elizabeth Cardarelli, Distribution Designer at National Grid, 44 River Street, Beverly, stated the petition request was for an underground feed out of an existing manhole, with a conduit install as well as a fiberglass foundation placed at the location depicted on the sketch. She stated this was for a switching module and explained the switching module was a device to help the underground crews during an outage safely operate the underground conductors.

Those speaking in opposition: None.

Written communications received: The Clerk of Committees shared her screen and read the following communication in favor of the pole petition received from the **Public Works Director**:

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: June 24, 2021

To: Councilor Valerie Gilman, Planning & Development Committee Chair
Councilor Jen Holmgren, Vice Chair
Councilor Barrett S. Pett, Member

From: Michael B. Hale, Director of Public Works *MBH*

Re: Application (PP2021-006) Atlantic Road

Councilors:

The Department of Public Works has reviewed the above-mentioned application by National Grid to construct a line of underground electric conduits, including the necessary sustaining and protecting fixtures, under and across the public way named below:

Atlantic Road: National Grid to install beginning at a point approximately 25 feet east of the centerline of the intersection of Atlantic Road and Bass Rocks Road. Installing a single phase junction box next to current phone/cable equipment to upgrade the reliability for the area off Bass Rocks Road, Nautilus Road, and Atlantic Road.

Also for permission to excavate the public highways and to run and maintain underground electric conduits, together with such sustaining and protecting fixtures as it may find necessary for the transmission of electricity, said underground conduits to be located substantially in accordance with Plan # 29730169 filed with 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.
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 excavations must be secured at all times.
5. 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.
6. Sidewalks must be restored with like material immediately after pole set.
7. 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.

Questions from the public: None.

Summary of Discussion: Councilor Gilman stated Susan Richards, 45 Atlantic Road, sent a message to **Ward 1 Councilor Scott Memhard** asking if the lamppost located at the convergence of Nautilus Road and Bass Rocks was under the scope of work of National Grid, as wheelchairs needed to maneuver into the road to get around the lamppost because the lamppost was in the middle of the sidewalk. **Ms. Cardarelli** stated the work that was being proposed would not involve the area where the lamppost existed, but stated she would reach out to the streetlight group at National Grid and follow up with the DPW Director and Councilor Memhard.

2021 JUN 24 PM 5:38
CITY CLERK
GLOUCESTER, MA

The public hearing closed at 5:50 p.m.

MOTION: On a motion by Councilor Gilman, seconded by Councilor Pett, the Planning & Development Committee voted by ROLL CALL 2 in favor, 0 opposed, 1 technical difficulties (Holmgren) to permit National Grid to locate poles, wires and fixtures, including the necessary sustaining and protecting fixtures along and across the public way, and to install beginning at a point approximately 25 feet east of the centerline of the intersection of Atlantic Rd and Bass Rocks Rd. Installing a single phase junction box next to current phone/cable equipment to upgrade the reliability for the area off Bass Rocks Road, Nautilus Road, and Atlantic Road - as shown on a plan included in the application dated May 12, 2021 – with the following conditions:

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.
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 excavations must be secured at all times.
5. 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.
6. Sidewalks must be restored with like material immediately after pole set.
7. 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.

2. Memorandum from Planning Director requesting a Conservation Restriction from the Essex County Greenbelt Association for Concord Street #286, Assessor's Map 249, Lot 25

Summary of Discussion: Dennis McGurk, 283 Concord Street, stated he bought an acre of land (Concord Street #286) across the street from his residence with the intent to never build on that property. He stated his existing property was already under conservation rights with Essex County Greenbelt and stated it was a natural step for him to contact Greenbelt for this newly acquired property.

Maggie Brown, Land Conservation Project Manager at Essex County Greenbelt Association, stated the conservation restriction would cover the entirety of the parcel and protect the parcel forever from development. She stated this parcel was a key conservation link in the network around Concord Street and Thompson Street. She stated the conservation restriction had been reviewed and approved by the Office of Energy and Environmental Affairs and it also had been reviewed and approved by the Gloucester Conservation Commission.

The Clerk of Committees shared her screen and read a memo from **Planning Director, Gregg Cademartori:**

City Hall Annex
Three Pond Road
Gloucester, MA 01930



GREGG M. CADEMARTORI
Planning Director
tel 978-325-5242
gcademartori@gloucester-ma.gov

CITY OF GLOUCESTER
Community Development Department
Planning Division

Date: June 15, 2021
To: Mayor Sefatia Romeo Theken
From: Gregg Cademartori, Planning Director
CC: Jill Cahill, Community Development Director
Maggie Brown, Essex County Greenbelt Association
Charles Payson, City Solicitor
RE: Conservation Restriction submitted by Essex County Greenbelt Association
286 Concord Street (Assessor's Map 249 Lot 25)

The Community Development Department is in receipt of a draft conservation restriction (CR) from the Essex County Greenbelt Association (Greenbelt). Maggie Brown, Greenbelt's Land Conservation Project Manager reports that Greenbelt has finalized this CR to permanently protect lands adjacent to Thompson Street, which leads south from Concord Street to Bray Street to Greenbelt's Thompson Street Reservation, in a partnership property owner Dennis McGurk.

The plan and proposed CR has been reviewed and approved by the Department of Conservation Services. The CR also requires the endorsement of the Gloucester City Council and a Certificate of Vote endorsed by the Office of the Mayor. Please forward the attached, which includes a cover letter from Maggie Brown, the plan and the proposed CR, to the City Council for review and approval. Greenbelt staff will be available to address any questions.

Members of the Committee offered their thanks to Mr. McGurk for bringing this matter forward.

COMMITTEE RECOMMENDATION: On a motion by Councilor Gilman, seconded by Councilor Pett, the Planning & Development Committee voted by ROLL CALL 2 in favor, 0 opposed, 1 technical difficulties (Holmgren) to recommend that the City Council approve the foregoing Conservation Restriction from Dennis J. McGurk to Essex County Greenbelt Association, Inc., as being in the public interest, pursuant to Section 32 of Chapter 184 of the Massachusetts General Law, specifically for Essex County Greenbelt Association for Concord Street #286, Assessor's Map 249, Lot 25

3. *Application of Seaside Legal Solutions on behalf of Nicholas Giacalone, for an open-air parking permit at Long Beach Road #2, Map 180, Lot 1, pursuant to GCO Ch. 22, Sec. 22-153 and MGL Ch. 148, Sec. 56*

Summary of Discussion: Attorney Joel Favazza, Seaside Legal Solutions, 123 Main Street, stated he was before P&D on behalf of Nicholas Giacalone who, he stated, was under contract to purchase Long Beach Road #2, which had historically been used as an open-air parking lot. He stated his client was seeking a license to continue operating the property as it was currently being operated, due to the current license expiring because of the sale of the property.

The **Clerk of Committees** shared her screen and read two memos submitted by the Building Commissioner and Fire Chief:

3 Pond Road
Gloucester, MA 01930
Ph# 978-281-9774

Fax# 978-282-3036



Memo

To: Val Gilman, Chair P & D
From: Bill Sanborn, Inspector of Buildings
Date: July 7, 2021
Re: Open Air Parking Lot
2 Long Beach Road
Map 180 Lot 1

2021 JUL -7 AM 11:59
CITY CLERK
GLOUCESTER, MA

Chairman Gilman,

I have reviewed the plan submitted to me dated June 22, 2016, labeled PLAN B drawn by Robert H. Griffin, Civil Engineer. The plan shows the location of proposed bathrooms that have been permitted, which are handicapped accessible, one handicap parking spot as required and 22 parking spaces. Two of the spaces are located in the middle of the lot. These two spaces do not comply with section 4.1.4 (9C) of the City Zoning Ordinance. This section requires that the travel line be 14 feet wide, although there is 14 feet on the left side, the right side by the bathroom only appears to have 12 feet on the plan. It does appear that one space being placed in that area may allow for compliance with the ordinance.

Cc: Eric Smith, Fire Chief
Christopher Sicuranza, Assistant to CAO
Joanne Senos, City Clerk
Grace Poirier, Assistant City Clerk
Mayor's Office



Office of the Fire Chief
 Eric L. Smith
 CITY OF GLOUCESTER FIRE DEPARTMENT
 8 School St.
 Gloucester, MA 01930
 978-281-9760 office

2021 JUL -6 PM 3:03
 CITY CLERK
 GLOUCESTER, MA

Memorandum

TO: City Council P&D Chair Val Gilman via City Clerk's Office
FROM: Fire Chief Smith
RE: 2 Long Beach Rd Open-Air Parking License
DATE: 7/6/21
 .cc: Chip Payson City Solicitor

Councilor Gilman,

I have reviewed the application for an Open-Air Parking License submitted by Attorney Favazza on behalf of Mr. Nicolas Giacalone for 2 Long Beach Road. The dates requested for the license are not in conformance to the GCO section 22-153 (d). So long as this was corrected prior to any approval I have no objection to the application. I will reiterate to the applicant that conformance to the approved parking plan by Griffen Engineering on 6/22/16, Building Commissioner Sanborn's memo of 12/29/16, and my email of 1/4/17 is mandatory. Fire Lanes must remain open and no obstruction of entrances, exits or roadways due to parking lot operations are acceptable and any failure to maintain Fire Access and Fire Lanes will result in enforcement action.

Please let me know if anything further is needed or required.

Fire Chief Eric L. Smith

Councilor Gilman informed Attorney Favazza that the date of the license would be from July 15, 2021, through April 30, 2026, to keep the dates consistent with the ordinance. **Councilor Gilman** also highlighted condition #6 regarding compliance with City Zoning Ordinance Sec. 4.1.4 (9c) which required that the travel lane be 14-feet wide. **Attorney Favazza** stated the same issue that the Building Commissioner and Fire Chief commented on in their respective memos had previously been addressed and corrected and he confirmed that only 21 spaces were being used (with one space dedicated as handicapped). **Attorney Favazza** confirmed that abutters were noticed about today's meeting, as well as the public hearing at full City Council on July 13, 2021.

Councilors Pett and **Holmgren** gave their support for the matter as long as all documentation was in order.

COMMITTEE RECOMMENDATION: On motion by Councilor Gilman, seconded by Councilor Holmgren, the Planning & Development Committee voted by **ROLL CALL 3** in favor, **0** opposed to grant a license for Nicholas Giacalone, pursuant to MGL c. 148, §56 & GCO Sec. 22-153 for an open air parking lot at 2 Long Beach Road, Gloucester, MA with the conditions and restrictions listed as follows:

1. The City Clerk shall not issue the license until the applicant presents a) legally valid documentation of the property owners' permission or b) legally valid documentation that proves ownership of the property pursuant to GCO 22-53(a);
2. That this License shall be valid from July 15, 2021, through April 30, 2026, upon payment of appropriate fees to the City Clerk;

3. That prior to the issuance of the license by the City Clerk, the applicant shall pay over to Cape Ann Motor Inn the sum of \$100.00 for the maintenance of the Gloucester portion of Long Beach;
 4. That the number of cars allowed to park on the lot at any one time is limited to 21;
 5. That one space of the 21 spaces allowed is to be designated handicapped parking;
 6. That the individual parking spaces shall be delineated and be in accordance with the lot plan approved by the Building Inspector dated June 22, 2016 and on file in the City Clerk's office and per the Building Commissioner's memo dated July 7, 2021, and that the two spaces located in the middle of the lot be compliant to section 4.1.4 (9C) of the City Zoning Ordinance, which requires that the travel lane be 14-feet wide.
 7. That the grass in the parking lot be kept short;
 8. That an attendant shall be on duty at all times during hours of operation;
 9. That the Fire Chief and Building Inspector approve of the parking plan (see Building Inspector memo dated December 29, 2016, email from Fire Chief dated January 4, 2017, memo from Fire Chief dated July 6, 2021 and memo from Building Commissioner dated July 7, 2021);
 10. That the applicant obtains and keeps current a favorable restroom inspection from the Board of Health;
 11. That the parking lot maintains a carry-in/carry-out trash policy and assures such a policy is adhered to by its paying patrons;
 12. That four shrubs that were placed on the property abutting Cliff Road are maintained;
 13. Signage: the following shall be posted on a sign to be erected by the applicant, the size and location of said sign to be agreed with the Building Inspector:
 - a. Fee for parking
 - b. Number of cars allowed by the license
 - c. Location of restrooms and hours they are open
 - d. Hours of operation
 - e. Beach regulations
 - f. Parking lot trash policy of carry in/carry out;
 14. That the License Fee is to be paid yearly to the City Clerk on April 30. The application is to be reviewed by the City Council in five years unless it deems there is a cause to review the License sooner due to any violations of conditions herein;
 15. The City of Gloucester shall not be held liable for any claims incurred by the parking lot operation;
 16. That the applicant obtain a certificate of insurance in the aggregate amount of \$1 million naming the City of Gloucester as the Certificate Holder and that the coverage run for the duration of the yearly license.
4. *Special Events Application: Request for street closures re: Harbor Loop Summer Concert Series, Thursdays, July 8, 2021 thru August 26, 2021 (Cont. from 6/30/21/To be withdrawn)*

Summary of Discussion: There was no discussion on this matter.

MOTION TO WITHDRAW: On a motion by Councilor Gilman, seconded by Councilor Pett, the Planning & Development Committee voted by ROLL CALL 2 in favor, 0 opposed, 1 technical difficulties (Pett) to WITHDRAW Special Events Application: Request for street closures re: Harbor Loop Summer Concert Series, Thursday, July 8, 2021 thru August 26, 2021

MOTION: On a motion by Councilor Holmgren, seconded by Councilor Barry Pett, the Planning & Development Committee voted by ROLL CALL 3 in favor, 0 opposed to adjourn the meeting at 6:22 p.m.

Submitted by: Sherry Karvelas, Clerk of Committees

Documents submitted at the meeting: None.

Meeting Recording: <http://gloucester-ma.gov/1097/Past-Remote-Public-Meetings>