

GLOUCESTER CITY COUNCIL MEETING

Tuesday, January 28, 2014 – 7:00 p.m.

Kyrouz Auditorium – City Hall

-MINUTES-

Present: Chair, Councilor Paul McGeary; Vice Chair, Councilor Sefatia Theken; Councilor Hardy; Councilor Steven LeBlanc; Councilor Melissa Cox; Councilor Paul Lundberg; Councilor Greg Verga; Councilor William Fonvielle; Councilor Whyntt

Absent: None.

Also Present: Linda T. Lowe; Kenny Costa; Fire Chief Eric Smith; Suzanne Egan; Jonathan Pope; J. J. Bell Sandra Dahl-Ronan; Deborah Laurie; Steven Dexter; Maggie Rosa; Melissa Teixeira; Michelle Sweet; Anthony Gross

The meeting was called to order at 7:02 p.m.

Flag Salute & Moment of Silence.

Oral Communications: None.

Presentations/Commendations: None.

Consent Agenda:

- **MAYOR'S REPORT**
1. Management Reappointments:

Purchasing Agent	Donna Compton	(TTE 02/14/15)	
Community Development Director	Thomas Daniel	(TTE 02/14/15)	
Chief Administrative Officer	James Duggan	(TTE 02/14/15)	
General Counsel	Suzanne Egan	(TTE 02/14/15)	
City Engineer	Paul Keane	(TTE 02/14/15)	
Personnel Director	Sally Polzin	(TTE 02/14/15)	
Building Inspector	William Sanborn	(TTE 02/14/15)	
Director of Public Works	Michael Hale	(TTE 02/14/16)	
Assistant Director of Public Works	Mark Cole	(TTE 02/14/16)	
Assessor	Beth Ann Godhino	(TTE 02/14/17)	(Refer O&A)
 2. Appointment of John Dunn as the City's Chief Financial Officer for a one-year term to expire February 14, 2015 (Refer O&A)
 3. Administration's proposed comprehensive plan for free cash (Refer B&F)
 4. Memorandum requesting City Council approve of a loan authorization in the amount of \$39,774,111 for the West Parish School Project West Parish School Schematic Design on City Website under City Council Agendas & Packets (Refer B&F)
 5. Memorandum from Community Development Director re: requesting a \$1,120,000 loan authorization as a 20% match to the \$5.6 million in funding from Seaport Advisory Council for repairs to the Stacy Boulevard and Blynman Canal seawalls (Refer B&F)
 6. Memorandum, Grant Application & Checklist from Harbor Planning Director re: City Council acceptance of a grant in the amount Of \$50,000 for Harbor Planning (Refer B&F)
 7. Memorandum from Community Development Director re: an off-cycle recommendation from the Community Preservation Committee for Burnham's Field Phase I Improvements Project (Refer B&F)
 8. Memorandum from Harbormaster re: City Council approval for a Launch Fee increase (Refer O&A & B&F)
 9. Memorandum from Harbormaster & Supplemental Appropriation-Budgetary Transfer Request (#2014-SA-8) (Refer B&F)
 10. Memorandum from Harbormaster & Supplemental Appropriation-Budgetary Transfer Request (#2014-SA-9) (Refer B&F)
 11. Memorandum from Harbormaster & Supplemental Appropriation-Budgetary Transfer Request (#2014-SA-10) (Refer B&F)
 12. Memorandum from Harbormaster & Supplemental Appropriation-Budgetary Transfer Request (#2014-SA-11) (Refer B&F)
 13. Memorandum from Harbormaster & Supplemental Appropriation-Budgetary Transfer Request (#2014-SA-12) (Refer B&F)
 14. Memorandum from Harbormaster & Supplemental Appropriation-Budgetary Transfer Request (#2014-SA-13) (Refer B&F)
 15. Memorandum from City Auditor re: City Council acceptance of FEMA/MEMA February 2013 Blizzard Grant Reimbursement in The amount of \$229,086.57 (Refer B&F)
 16. Memorandum, Grant Application & Checklist from Community Development Director, Public Health Director & Planning Director re: City Council approval to submit grant application to Mass Council on Aging's Health Aging through the Healthy Community Design grant program in the amount of \$10,000 (Refer B&F)
 17. Memorandum, Grant Application & Checklist from Community Development Director & Public Health Director re: City Council Acceptance of Addison Gilbert & Beverly Hospitals' Community Collaborative Grant in the amount of \$6,000 to fund the Implementation of the Get Fit Gloucester! Workplace Wellness Initiative 2014 (Refer B&F)
 18. New Appointment: Downtown Development Commission (TTE 02/14/17) Joseph Ciolino (Refer O&A)
 19. Reappointments:

Affordable Housing Trust	(TTE 02/14/16)	Betsy Works Cook, George Sibley, Mary John Boylan	
Archives Committee	(TTE 02/14/17)	Sarah Dunlap, Jane Walsh, Stephanie Buck	
Board of Health	(TTE 02/14/17)	Claudia Schweitzer, Fred Cowan	
Board of Registrars	(TTE 02/14/17)	Lucia Sheehan	
Clean Energy Commission	(TTE 02/14/17)	Tom Kiely, Linda Stout-Saunders, Candace Wheeler	
Committee for the Arts	(TTE 02/14/17)	Barbara Markell	
Community Preservation Committee	(TTE 02/14/17)	William Dugan-Gloucester Housing Authority representative	
	(TTE 02/14/17)	Scott Smith-At large member	

Conservation Commission	(TTE 02/14/17)	Robert Gulla
Downtown Development Commission	(TTE 02/14/17)	Jane Fonzo, Douglas Cook, Katherine Cuddyer
Fisheries Commission	(TTE 02/14/17)	Angela Sanfilippo, Al Cottone, Paul Vitale, Mark Ring Joseph Orlando, William "BG" Brown
Historic District Commission	(TTE 02/14/17)	Stephen Miller (Alternate member) David Porper, Nancy Goodick, Charles Nazarian
Historical Commission	(TTE 02/14/17)	David Rhinelander, Susan Albiero
Magnolia Woods Oversight & Advisory Committee	(TTE 02/14/17)	Thomas Falzarano, Alexander Monell
Open Space & Recreation Committee	(TTE 02/14/17)	Charles Crowley, Susan Hedman
Shellfish Advisory Commission	(TTE 02/14/17)	David Roach
Tourism Commission	(TTE 02/14/17)	Catherine Ryan
Traffic Commission	(TTE 02/14/17)	Larry Ingersoll
Waterways Board	(TTE 02/14/17)	Anthony Gross
Zoning Board of Appeals	(TTE 02/14/17)	Virginia Bergmann, Francis Wright, David Gardner Leonard Gyllenhaal (Alternate member) (Refer O&A)

- **COMMUNICATIONS/INVITATIONS**
- **APPLICATIONS/PETITIONS**
- **COUNCILORS ORDERS**

1. CC2014-004 (Cox) Amend GCO Chapter 22, Sec. 22-287 "Disabled veteran, handicapped parking re: Dale Avenue (Refer O&A & TC)
 - **APPROVAL OF MINUTES FROM PREVIOUS COUNCIL AND STANDING COMMITTEE MEETINGS**
1. City Council Meeting: 01/14/14
2. Standing Committee Meetings: B&F 1/23/14 (under separate cover), O&A 1/20/14 (no meeting), P&D 1/22/14

Items to be added/deleted from the Consent Agenda:

By unanimous consent the Consent Agenda was accepted as presented.

Committee Reports:

Budget & Finance: January 23, 2014

The following motions were presented in the form of a consent agenda and were adopted by the Council by the votes indicated.

MOTION: On a motion by Councilor Cox, seconded by Councilor Theken, the City Council voted 9 in favor, 0 opposed, to accept the Budget & Finance Committee’s Unanimous Consent Agenda dated January 28, 2014 as follows:

MOTION: On a motion by Councilor Cox, seconded by Councilor Theken, the City Council voted 9 favor, 0 opposed under MGL c. 44, §53A-1/2 accept a donation of \$14,000 from the Gloucester Rotary Club for the purpose of repairing and improving the ironwork on the Stage Fort Park Gazebo.

MOTION: On a motion by Councilor Cox, seconded by Councilor Theken, the City Council voted 9 in favor, 0 opposed under MGL c. 44, §53A to accept a grant in the amount of \$2,086 from the Massachusetts Department of Fire Services Student Awareness of Fire Education (S.A.F.E.) Grant Program for the purpose of the Fire Department’s student education outreach programming.

MOTION: On a motion by Councilor Cox, seconded by Councilor Theken, the City Council voted 9 in favor, 0 opposed under MGL Chapter 44, §64 to permit the payment of an approved step increase for a Senior Records Clerk in the Police Department in the amount of \$4,559.10 that the step increase is retroactive to FY2013 and to be expended with current FY2014 Police Department budget funds.

MOTION: On a motion by Councilor Cox, seconded by Councilor Theken, the City Council voted 9 in favor, 0 opposed to approve Special Budgetary Transfer 2014-SBT-14 in the amount of \$1,249.50 from Assessments, Vocational School Assessment, Account #101000.10.942.56200.0000.00.000.00.056 to Inspectional Services, Salary/Wages-Longevity, Account #101000.10.241.51400.0000.00.000.00.051 for the purpose of eliminating a projected deficit in the account.

MOTION: On a motion by Councilor Cox, seconded by Councilor Theken, the City Council voted 9 in favor, 0 opposed to approve Special Budgetary Transfer 2014-SBT-15 in the amount of \$3,000 from Assessments,

Vocational School Assessment, Account #101000.10.942.56200.0000.00.000.00.056 to Personnel, AFSCME Tuition/Training-Employees, Account #101000.10.152.51910.0000.00.000.00.051 for the purpose of further funding the account due to contractual obligations.

End B&F Consent Agenda

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$135,000.00 (One Hundred Thirty Five Thousand Dollars) from the Community Preservation Act Funds, Unrestricted Reserves in Fund #270000, as recommended by the Community Preservation Committee, to Account# 270000.10.172.59100.0000.00.000.00.059, CPA – Open Space - Debt Service, Principal Debt for the purpose of redeeming Community Preservation Act - Open Space debt service principal related to the Newell Stadium Capital Project. The appropriation will be allocated to the Open Space category.

DISCUSSION:

Councilor Cox explained the following: that there were left-over funds from FY14 Round 4 Community Preservation Act funding. The Community Preservation Committee recommended, and the B&F Committee agreed, that a portion of the leftover funds should be used to pay down a portion of the debt associated with the New Balance Track & Field at Newell Stadium in the amount of \$135,000. The former CFO borrowed short term in July in the form of a Bond Anticipation Note (BAN). That note expires February 7th and there is an opportunity to pay off a portion of the entire BAN. The remaining \$78,000 would be rolled over into another BAN until February 2015.

MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted by 9 in favor, 0 opposed to appropriate up to \$135,000.00 (One Hundred Thirty Five Thousand Dollars) from the Community Preservation Act Funds, Unrestricted Reserves in Fund #270000, as recommended by the Community Preservation Committee, to Account# 270000.10.172.59100.0000.00.000.00.059, CPA – Open Space - Debt Service, Principal Debt for the purpose of redeeming Community Preservation Act - Open Space debt service principal related to the Newell Stadium Capital Project. The appropriation will be allocated to the Open Space category.

MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 1 (Whynott) in favor, 8 opposed to reconsider the City Council vote to appropriate up to \$135,000.00 (One Hundred Thirty Five Thousand Dollars) from the Community Preservation Act Funds, Unrestricted Reserves in Fund #270000, as recommended by the Community Preservation Committee for the purpose of redeeming Community Preservation Act - Open Space debt service principal related to the Newell Stadium Capital Project.

MOTION FAILS.

COMMITTEE RECOMMENDATION: On a motion by Councilor McGeary, seconded by Councilor Fonvielle, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council approve Supplemental Appropriation 2014-SA-14 in the amount of \$100,000 (One Hundred Thousand Dollars) from the General Fund, Fund Balance Undesignated (“Free Cash”) Account #101000.10.000.35900.0000.00.000.00.000 to DPW -Facilities-Contracted Services, Account #101000.10.472.52000.0000.00.000.00.052 for the purpose of a site feasibility and response time analysis for a proposed Public Safety Building.

DISCUSSION:

Councilor Cox said that the budget for the Site Feasibility and Response Time Analysis for a proposed Public Safety Building is \$225,000 with \$100,000 coming from Free Cash and the remainder from the Federal Seizure Account managed by the Police Department.

MOTION: On a motion by Councilor Cox, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 9 in favor, 0 opposed to approve Supplemental Appropriation 2014-SA-14 in the amount of \$100,000

(One Hundred Thousand Dollars) from the General Fund, Fund Balance Undesignated (“Free Cash”) Account #101000.10.000.35900.0000.00.000.00.000 to DPW -Facilities-Contracted Services, Account #101000.10.472.52000.0000.00.000.00.052 for the purpose of a site feasibility and response time analysis for a proposed Public Safety Building.

Ordinances & Administration: January 20, 2014 (No meeting-National Holiday)

Planning & Development: January 22, 2014

Councilor Verga said there were two matters that would come forward from the January 22nd meeting during the public hearing phase of the Council meeting.

Scheduled Public Hearings:

1. **PH2014-005: Group Free Petition under City Charter Sec. 9-1(b) re: Leash Free Gloucester Beaches Petition which requests the City council to amend the Code of Ordinances Sec. 4-16a “Dogs prohibited on beaches at certain times.**

This public hearing is opened.

Council President McGeary said that due to the fact that the Ordinances & Administration’s study and review of the City’s dog ordinance and leash law is getting underway this week with a meeting of the Ad Hoc Committee headed by **Councilor LeBlanc**, the public hearing on the Group Free Petition regarding the Leash Free Gloucester beaches will be continued to March 25th. **Councilor LeBlanc** invited the public to attend the Ad Hoc Committee’s first meeting on Thursday, January 30th at 5:30 p.m. in the 1st Fl. Council Committee Room at City Hall.

This public hearing is continued to March 25, 2014

2. **PH2013-060: Recommendations of the Community Preservation Committee for Round 4, FY2013 Funds: Project #6 – City Hall Restoration Committee: City Hall Restoration – Repairs/Restoration of Auditorium Windows - \$36,000 (Cont’d from 12/10/13)**

Council President McGeary reminded the Council that the public hearing was held on December 10, 2013, and at that time the public hearing was opened, discussion was heard, questions from the Councilors were also heard; and the public hearing was closed. He then asked Budget & Finance Chair, **Councilor Cox** to read the motion back into the record even though it has been made previously:

COMMITTEE RECOMMENDATION: On a motion by Councilor Ciolino, seconded by Councilor Cox, the Budget & Finance Committee voted 3 in favor, 0 opposed to recommend that the City Council appropriate up to \$36,000.00 (Thirty Six Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the City Hall Restoration Committee for the purpose of the City Hall repairs and restoration of the Kyrouz Auditorium windows in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Capital Fund #346001.

CONTINUED COUNCIL DISCUSSION:

Council President McGeary explained the Council Rules of Procedure as it related to the Council discussion and vote, and received unanimous Council assent to allow questions from the Council at this juncture.

Councilor Verga said he recalled was that there was concern regarding a lack of communication between the Department of Public Works, the Administration, the City Hall Restoration Committee (CHRC) and the Council. He said he would appreciate reassurance that this matter had been resolved.

Jim Hafey, Facilities Manager, said he agreed with the Councilor that communications between the DPW and CHRC had been a problem. He said the problem areas were being worked out and had been improved upon. Regular attendance at CHRC meetings has been made mandatory, but that there were other issues as well that he wished to address for the Council regarding City Hall.

City Hall American with Disabilities Act (ADA) Deficiencies:

Mr. Hafey said there were questions from the Council about the progress of the resolution of pending ADA issues in City Hall. Last fall the Building Inspector did a detailed ADA analysis of City Hall resulting in a four-page report of items to be corrected, he pointed out. **Mr. Hafey** said since that time, his staff, with the help of some contractors, has addressed about 90 percent of the reported deficiencies. The last few items, exterior railings on Dale Avenue and Warren Street, automatic door openers and replacement of interior railings on the building's main staircase with a different style of wood railing, are anticipated to be finished and in full compliance by the end of February 2014.

City Hall Restored Windows:

Mr. Hafey reporting having completed his own investigation on each individual window and that he is satisfied with the quality of workmanship of the installed restored windows. Some of the issues arose from the expectation that the restored windows would perform to modern standards, which would not be the case as these windows are single-paned of wood construction like those which were original to the building. **Mr. Hafey** added there were still are items needing to be address at the end of the project, collectively known as a punch list. He assured those remaining issues with the windows will be added to the punch list with input from himself, the Building Inspectors and City Hall staff. He said he was confident that no new windows would need major corrective action. He also said he is confident the new windows proposed for City Hall will work well. There are some storm windows still to be installed, **Mr. Hafey** noted.

City Hall Heating System:

Mr. Hafey informed the Council that the heating system at City Hall has been and will continue to be will be worked on it by the DPW's new HVAC (heating, ventilation and air-conditioning) person, and that the department will go out to the State's Central Register next week for bids on a new gas boiler to be installed during the summer. He said the new boiler will be more efficient and cost effective.

Councilor Hardy inquired about what had been done since the last Council meeting regarding the drafts experienced by office workers from the restored windows. **Mr. Hafey** said the drafts from windows were from those windows without storm windows. He said the storm windows have been installed, which has abated much of the issue. He pointed out that much of the drafts are not from the windows but from the jambs beneath the window sills and noted the lack of insulation around the windows, which the storm windows help to alleviate. The masonry of the City Hall brick façade will be repointed in the spring, he said, which will also help greatly with the drafts. **Councilor Hardy** asked if **Mr. Hafey** believed the communications had improved since the December 10, 2013, Council meeting. **Mr. Hafey** said the improvement is dramatic, and he has attended all weekly City Hall Restoration Committee meetings since the December 10th Council meeting. **Councilor Hardy** expressed her surprise that the money being spent this evening will not get to the goal of sound windows and asked what would. **Mr. Hafey** said 100 percent correction of these windows will not be attainable, but that the new storm windows and the masonry improvements should improve the comfort of the City Hall staff in the winter.

Councilor LeBlanc pointed out that City Clerk Linda T. Lowe's office has a tremendous draft coming through her window and asked that it be remediated. **Mr. Hafey** said that is part of his punch list and that her window is not the only window in City Hall with that particular issue that will be addressed with the contractor. **Councilor Whynott** added when he was City Clerk there was plastic sheeting put up on the City Clerk's window each winter to reduce the draft. **Mr. Hafey** pointed out that the storm windows will accomplish the same thing. **Councilor LeBlanc** asked if there was a schedule for when the punch list items would be addressed. **Mr. Hafey** said he wanted to wait until March or April to address the punch list when the weather was more temperate.

Council President McGeary asked how many windows would be restored with the \$36,000 CPA funds. **J.J. Bell**, CHRC member, said the funds would pay for three windows on City Hall's Warren Street side. Private funds might make possible restoration of a fourth window to complete the Warren Street elevation.

MOTION: On a motion by Councilor Cox, seconded by Councilor Theken, the City Council voted by ROLL CALL 8 in favor, 1 (Hardy) opposed to appropriate up to \$36,000.00 (Thirty Six Thousand Dollars) from the Community Preservation Act Funds as recommended by the Community Preservation Committee, for a grant to the City Hall Restoration Committee for the purpose of the City Hall repairs and restoration of the Kyrouz Auditorium windows in Gloucester, Massachusetts, in order to restore a historic resource. The appropriation will be allocated to the Historic Preservation category and funded from Unrestricted Reserves in Fund #270000. The project will be tracked in the Community Preservation Fund – Historic Preservation Projects Capital Fund #346001.

3. PH2014-006: SCP2014-001: Poplar Street #28, Assessors Map 105, Lot #18-#19, GZO Sec. 3.1.6(b) for Building height in excess of Sec. 3.2 limits

Councilor Whynott noted that under MGL c. 268A he would recuse himself from the Council discussion and vote due to his being a direct abutter of Poplar Street #28.

This public hearing is opened.

Those speaking in favor:

Suzanne Egan, General Counsel, said that it is the City's application for a height exception Special Permit to build an engineered salt containment shed in the DPW yard up to 42 feet in height. The new shed, she said, would allow the City to store the road salt under cover to protect it from the elements and also allow the City to have enough salt to get it through the winter.

Ms. Egan reviewed for the Council that the application meets the Special Council Permit qualifications:

There is no change in use to the site, so there is no increase in traffic or public utilities served. The natural environment will be protected because the salt is stored inside the shed. There will be no view obstruction or overshadowing of any buildings. This is also a financial benefit to the City in that the larger storage capacity will allow the City to purchase enough road salt for the entire winter season.

Those speaking in opposition:

Thomas Haberman, 14 Cherry Street, said it is not so much that he is in opposition to the installation of a new salt shed, but wished to learn about the proposed location of the new shed in the DPW yard. **Mike Hale**, DPW Director, said the current salt shed will be located to the right side of the Public Works property, at the bottom of the Cherry Street hill. The proposed salt shed will be on the opposite side of the property behind the mechanic's barn adjacent to the fuel pumps and as far away from any residential units as possible, he noted. **Mr. Hale** added that the new salt shed will be on the opposite side of the campus going back as far into the lot allowed by the zoning set back in an area used for storing other Public Works materials thereby freeing up the area near Cherry Street for a possible future use.

Communications: None.

Councilor Questions: None.

This public hearing is closed.

COMMITTEE RECOMMENDATION: On a motion by Councilor LeBlanc, seconded by Councilor Lundberg, the Planning & Development Committee voted 3 in favor, 0 opposed, to recommend that the City Council grant to the City of Gloucester a Special Council Permit (SCP2014-001) for the property located at 28 Poplar Street (Assessor's Map 105, Lots 18 and 19), zoned EB (Extensive Business), pursuant to Gloucester Zoning Ordinance Sections 1.10.1 and 3.1.6(b) for a building height in excess of 35 feet, for a Salt Containment Shed to be 42 feet (for a total height increase of 7 feet over 35 feet). This permit is made on the basis of the plans and elevations dated October 23, 2013, drawn by Legacy Building Solutions, submitted to the City Clerk on January 8, 2014, all as incorporated in this decision, and as approved with this special permit.

DISCUSSION:

Councilor Hardy asked Mr. Haberman if he thought the new salt shed infringed on his property in any way. **Mr. Haberman** said he did not see an issue with the new salt shed from the description of its location.

Councilor LeBlanc said he would support the Special Council Permit for the new salt shed as the current salt shed is outdated and insufficient whereas the new shed will hold seven times more road salt. This, he said will better equip the City for treating its streets before and during storm events.

MOTION: On a motion by Councilor Verga, seconded by Councilor Fonvielle, the City Council voted by **ROLL CALL 8 in favor, 0 opposed, 1 (Whynott) recused, to recommend that the City Council grant to the City of Gloucester a Special Council Permit (SCP2014-001) for the property located at 28 Poplar Street (Assessor's Map 105, Lots 18 and 19), zoned EB (Extensive Business), pursuant to Gloucester Zoning Ordinance Sections 1.10.1 and 3.1.6(b) for a building height in excess of 35 feet, for a Salt Containment Shed to be 42 feet (for a total height increase of 7 feet over 35 feet). This permit is made on the basis of the plans and elevations dated October 23, 2013, drawn by Legacy Building Solutions, submitted to the City Clerk on January 8, 2014, all as incorporated in this decision, and as approved with this special permit.**

Both **Councilor Verga** and **Council President McGeary** explained that due to the time sensitivity of the City's application, the Council would take up the adoption of the Decision for SCP2014-001 at this time.

MOTION: On a motion by Councilor Verga, seconded by Councilor Hardy, the City Council voted by ROLL CALL 8 in favor, 0 opposed, 1 (Whynott) recused, to adopt the Special Council Permit decision for Poplar Street #28 pursuant to Sec. 3.1.6(b) and Section 3.2 of the Gloucester Zoning Ordinance.

4. PH2014-007: SCP2014-002: Concord Street #10, Assessors Map 105, Lot #21-#22, GZO Sec. 3.1.6(b) for Building height in excess of Sec. 3.2 limits

This public hearing is opened.

Those speaking in favor:

Ms. Egan explained that this is the City's Special Permit application for a height exception for the reconstruction of the new West Parish Elementary School, to be built at the school's current site at 10 Concord St. She noted that with no increase in school population, this is not a change in use of the property but is construction of a new school building. **Ms. Egan** pointed out that the height exception is sought for a three story academic wing, 49 feet in height. She said the footprint of the building will be approximately 65,679 square feet with the 49 foot high portion of the building will be approximately 34,455 square feet. The three-story plan was adopted so that the academic wing will help minimize the impact to the site so that the natural environment will be protected, and so that the site can be upgraded, she said. **Ms. Egan** also pointed out that there would be no increase in traffic; no increased use in public utilities and will have a beneficial impact on the neighborhood because this is an upgrade to the site and building. She said this would revitalize the neighborhood school building.

Jonathan Pope, School Committee Chair, urged the Council to grant the Special Permit. He explained that the portion of the new school, for which the application for a height exception is sought, is in the back corner of the school, close to where the playing fields and Science Park are, and backs into a rise of the property. The proposed academic wing, he said, blocks no views; those residents who live on Essex Avenue would still be looking down on the building. **Mr. Pope** said that as one approaches from the street the school silhouette steps up incrementally and doesn't appear to be a big building except when viewed from the Science Park and playing fields. This design, he pointed out, was necessary to fit all things the Building Committee and School Committee wanted on the site because the site's buildable footprint was limited by wetlands and ledge. **Mr. Pope** further explained that the three story unit is the academic section of the School – kindergarten and first grade classrooms will be located on the first floor, second and third grade on the second floor and the fourth and fifth grade on the top floor. The academic wing also will be able to be isolated so the community can have access to the gym, cafeteria, library, and technology center without having to go through the academic wing, he said.

At this juncture, **Councilor Hardy** requested that the Cape Ann TV technician pan the audience to show the auditorium audience.

Those speaking in opposition: None.

Communications: None.

Councilor Questions: None.

This public hearing is closed.

COMMITTEE RECOMMENDATION: On a motion by Councilor Verga, seconded by Councilor LeBlanc, the Planning & Development Committee voted by 3 in favor, 0 opposed, to recommend that the City Council grant to the City of Gloucester School Department a Special Council Permit (SCP-2014-002) for the property located at 10 Concord Street (Assessor's Map 229, Lots 21 and 22), zoned R-20 (Low/Medium Density Residential), pursuant to Gloucester Zoning Ordinance Sections 1.10.1 and 3.1.6(b) for a building height in excess of 35 feet, for the new West Parish Elementary School Building to be 49 feet (for a total height increase of 14 feet over 35 feet). This permit is made on the basis of the plans dated January 7, 2014, and "Elevations," dated January 13, 2014 drawn by Dore & Whittier Architects, Inc. 260 Merrimac St., Newburyport, Mass., submitted to the City Clerk on January 9, 2014, and January 13, 2014, respectively, all as incorporated in this decision, and as approved with this special permit.

DISCUSSION:

Councilor Verga declared that while he is not a direct abutter, his home, visually and from a proximity perspective, is probably the most impacted by the new school building height and said he did not see any impact for the neighborhood. Rather, he said, it would be a tremendous improvement to the neighborhood. **Councilor Verga**

also said that this project an excellent opportunity for the City to obtain funding from the State. He expressed his wholehearted support for the Special Council Permit application

Council President McGeary noted he went with the West Parish Building Committee to Dedham to see a similar school with a three floor elevation; and that this rebuilding of the West Parish School is long overdue. He added that granting the special permit an important step in that process. **Council President McGeary** noted that the Council does not need to vote a reconsideration but rather will a vote to adopt the Council Decision this evening which will act as codification of the Council vote.

Councilor Hardy said it was unfortunate more people were not in attendance for this discussion and Council vote. She noted it is great to see the meeting on television, but reminded the public that it is important to come to meetings to voice opinions on particular matters and encouraged more people to come to City Council meetings.

MOTION: On a motion by Councilor Verga, seconded by Councilor LeBlanc, the City Council voted by ROLL CALL 9 in favor, 0 opposed, to grant to the City of Gloucester School Department a Special Council Permit (SCP-2014-002) for the property located at 10 Concord Street (Assessor's Map 229, Lots 21 and 22), zoned R-20 (Low/Medium Density Residential), pursuant to Gloucester Zoning Ordinance Sections 1.10.1 and 3.1.6(b) for a building height in excess of 35 feet, for the new West Parish Elementary School Building to be 49 feet (for a total height increase of 14 feet over 35 feet). This permit is made on the basis of the plans dated January 7, 2014, and "Elevations," dated January 13, 2014, drawn by Dore & Whittier Architects, Inc., 260 Merrimac St., Newburyport, MA, submitted to the City Clerk on January 9, 2014 and January 13, 2014 respectively, all as incorporated in this decision, and as approved with this special permit.

Councilor Verga said that as with the first Special Council Permit, this Special Council Permit is very time sensitive and called for a the adoption of the Special Council Permit decision.

MOTION: On a motion by Councilor Verga, seconded by Councilor Cox, the City Council voted 9 in favor, 0 opposed to adopt the Special Council Permit decision for Concord Street #10 pursuant to Sec. 3.1.6(b) and Section 3.2 of the Gloucester Zoning Ordinance.

For Council Vote: None

Unfinished Business: None.

Individual Councilor's Discussion including Reports by Appointed Councilors to Committees: None.

Councilors' Requests to the Mayor:

Councilor Whynott thanked Mr. Hafey, Mr. Hale and the Administration for heating the Kyrouz Auditorium this evening.

Councilor LeBlanc reiterated there will be a meeting on Thursday, Jan. 30, at 5:30 p.m. of the O&A Ad Hoc Dog Ordinance and Leash Law Review Committee and invited interested members of the public to attend.

Councilor Cox spoke about a ward meeting the following evening starting at 6 p.m. at 5 Cedar Street at J&L Welding where Massachusetts Bay Commuter Rail representatives will talk about train noise, and that on Thursday, Jan 30, there would be another ward meeting at 7 p.m. at Unitarian Universalist Church regarding downtown neighborhoods. She urged residents of her ward to attend these meetings.

Councilor Lundberg said he experienced the Gloucester Fire Department putting down a recent fire at a home on Leonard Street, which abutted his property; and that the department's professionalism was unrivaled. He noted that the Bay View Fire Station was open that day, and its engine was on site before the downtown engines. He commended the Administration, the Fire Department and the union for working towards making that a permanent situation.

Councilor Theken spoke to the on-going issues under the Affordable Care Act (ACA).

Council President McGeary, on behalf of the City Council, wished **Councilor LeBlanc** a Happy Birthday.

A motion was made, seconded and voted unanimously to adjourn the meeting at 8:00 p.m.

Respectfully submitted,

Dana C. Jorgenson
Clerk of Committees

DOCUMENTS/ITEMS SUBMITTED AT MEETING: None.