

At a meeting of the Town Council holden in and for the Town of Gloucester on August 27, 2018:

I. Call to Order

The meeting was called to order at 7:00 p.m.

II. Roll Call

Members Present: Edward C. Burlingame, Vice-President; Walter M. O. Steere, III; and Patricia Henry.

Also present: Jean Fecteau, Town Clerk; Tim Kane, Town Solicitor; Ken Johnson, Bldg/Zoning Official; Robert Shields, Recreation Director; and Joseph DelPrete, Chief of Police.

III. Pledge of Allegiance

The Pledge of Allegiance was recited.

IV. Proposed Special Event- Per Gloucester Code of Ordinance Chapter 190-9 Special Event Licenses - **Discussion and/or action**

For Consideration of Proposed Outdoor Vendor & Entertainment Event

Location of proposal: A.P. 17, Lot 190, also known as: 401 Putnam Pike

Councilor W. Steere stated he is glad Council agreed to this meeting. Councilor W. Steere explained this use is not allowed by Zoning and he wants it to be clear, if it is approved, it is a one time event.

Councilor Henry stated an outside media company, Birds Eye Communication, was hired by the applicants and the promotion indicated the a year after year event. Councilor Henry stated media went out on August 10th. Councilor Henry expressed her thoughts regarding how this whole event was planned prior to Council notification and/or approval. Councilor Henry stated this is a situation where this event is advertised all over social media and the Council, as the permitting authority, had no knowledge of the event. Councilor Henry stated the Council works very hard to do what is best for our community and does not like being backed into a corner. Councilor Henry stated it should never gotten to this point.

Councilor W. Steere stated he hopes the applicant appreciate the efforts of the Council to hear this proposal. Councilor W. Steere stated we have to look at zoning, public safety, & licensing within our limited resources. Councilor W. Steere stated he would like to hear from those involved with safety, legal, and licensing before going forward.

Councilor Burlingame stated he had heard about the event and then received a call from Mr. Worthy volunteering to have the event at their establishment. Councilor Burlingame reiterated that you have gone ahead and advertised ahead of approvals and this put Big Bear owners in a situation also. Councilor Burlingame stated to the applicants they need to understand this isn't the

wild west and we have rules and regulations in place for a reason. Councilor Burlingame also stated we cannot shut our highways down for events like this.

Councilor Henry stated the diagram is not clear and asked for a better drawing.

Councilor W. Steere stated he does not have a problem with the concept just the proposed size of the event. Councilor W. Steere asked the Chief what he needs to see happen. Chief DelPrete stated one of the big issues is a parking plan must be submitted. The Chief stated there would be no alcohol served. The Chief stated at least one detail is needed, possibly two if the officer feels another detail is needed. The Chief then stated all vendors would need a BCI check because these are people dealing with the public.

Councilor Henry questioned the plan submitted asks for BCI checks for certain vendors. The Clerk stated that it is part of the ordinance that all vendors need a check. Councilor Henry stressed to the applicants they have to get a BCI check for everyone.

Councilor Henry questioned the walking path to the event. The Chief explained. Mr. Worthy, from his seat, explained the walking path from the parking area proposed. The Chief asked Mr. Worthy to have proper signage to direct the flow of traffic. Mr. Worthy further explained the proposed plan. Mr. Worthy stated the main entrance to the entire event would be by the Hill's property (formerly Sticks Tavern) and Harmony Market Place would be the "overflow".

The Clerk asked the Solicitor if the Town would need to obtain anything from the owner of the property that is proposed for the main parking area. T. Kane explained that while this event is against zoning, he found under Chapter 190, Hawkers & Peddlers. T. Kane explained, per the ordinance, has strict licencing requirements, including BCI checks. T. Kane stated that all owners of properties where people are parking would have to submit a certificate of liability insurance with the Town named as a certificate holder. T. Kane stated if Council approves a public safety plan with a narrative and map (with Chief's approval) could be submitted. T. Kane stated approval could be subject to licensing requirements of the Town Clerk, as laid out in the ordinance, and the Chief's approval of the safety plan.

The Chief stated he felt the applicants were part way there already, pending the narrative with egress and ingress clearly marked.

J. Fecteau, Clerk, stated some time back she gave the applicants a list of vendor requirements back when it was a small enough affair under consideration by the Recreation Director. The Clerk stated the requirements are all in the ordinance, are pretty clear, and that certain vendors should already have most of the required documentation. The Clerk stated there will be a strict schedule to have all documentation into her office and further if the proposed vendors do not submit in time there will be no license issued.

K. Johnson, Building/Zoning Official, stated this use is not allowed by zoning and stressed that this is a one time event. Councilor Burlingame stated he doesn't want this problem again. K. Johnson stated that is why zoning is in place. K. Johnson questioned what was proposed for local artists to do to the building. K. Johnson stated this location is a burn location and stated we don't typically

allow people to hang around and access is usually restricted. K. Johnson questioned using young people for safety purposes. K. Johnson cautioned the owner of the property and asked if it was the plan to paint the building. Mr. Worthy questioned if “artsy” things would be allowed on the front of the building. Councilor Henry stated she felt the Building Inspector was rather clear. K. Johnson cautioned the owners to keep people away from that side of building. Councilor Henry stated it is either black or white, if we want people to stay away from a building that has been compromised by fire that is clear. Councilor Henry stated she does not want anyone to get hurt. K. Johnson asked the owner to keep people clear of the portion affected by the fire.

Councilor Henry questioned the vendor list and asked as of today how many have the applicants committed to. The applicant answered at this time there are 27 committed at this time. Councilor Henry questioned what the set up time would be for these vendors to which the applicant stated one hour. Councilor Henry stated that each vendor would be supplied an electrical outlet. The applicants stated that may be on the original application for the proposal at the pavilion. Councilor W. Steere asked the applicant if the Fire Chief approved the application or final plan. The applicant stated she hasn’t shown the Fire Chief the plan yet but that he had approved the plan as she outlined it in a conference call with Chief DelPrete. Councilor W. Steere stated the Fire Chief will have to see the final plan because he is liable for anything that happens.

Councilor Henry questioned if this was suppose to be a craft/art fair. The applicant answered yes. Councilor Henry asked why then would be have travel services, child care, etc. The applicants reiterated the intent of their event (not at microphone). The applicant stated their intent was to celebrate shopping local and supporting our neighbors. Councilor Henry again questioned the businesses proposed as vendors and asked the applicants pare it down and focus their event to a celebration of the artesian and crafters in our town as ordinally proposed. Councilor Henry stated she believes there will be crafting and inflatables for children. The applicant stated similar to the Touch a Truck event held by the Recreation Department. Councilor Henry stated that event was a child’s event not an arts and craft event. Councilor Burlingame agreed that this is an arts and crafts event, not a jobs or business fair. Councilor Burlingame stated that wouldn’t fit with what we were originally told. Councilor Burlingame referenced there was no resale of items at the Scituate Art Festival and agreed with Councilor Henry keeping commercial vendors out.

Councilor W. Steere stated he counted 39 in the document supplied and asked if Council wanted to pare down the amount of vendors. Councilor Burlingame stated that if pared down to eliminate the business vendors the number may not be a problem. L. Barrett stated if that is the type of the event the Town can approve we would welcome that. L. Barrett thanked the town Council and all those that have helped. L. Barrett stated they were trying to follow what we felt people in town wanted and that she thought it made sense to offer small businesses an opportunity to tell people about their service. Councilor Henry read from the first page of the proposal and it doesn’t include those “business” vendors. Both Councilor Henry and Councilor Burlingame stated our GBA is very active with promoting businesses. Councilor Burlingame stated this is a one time event and the use is based on the request before them and now the applicants are trying to expand on that. Councilor Burlingame stated he won’t approve that. Councilor Burlingame stated we would be giving certain businesses an edge over others that do the same business.

Councilor Henry stated that she wants everyone to understand that there will be no more miscommunications or misunderstanding and the event will be pure to the motion and this conversation.

L. Barrett asked how we are to define a craft, and asked if that was handmade items. Councilor Henry stated not a resale of merchandise. Councilor Henry and Councilor W. Steere stated if you stick to the initial paragraph of proposal and that we are not allowing businesses to promote their business/services. Councilor Burlingame stated keep this application in front of you when others apply because it is restrictive and we will hold your feet to the fire on this.

MOTION was made by Councilor W. Steere to APPROVE a Special Event License , under Gloucester Code of Ordinance 190-9, for September 22, 2018 from 9:00 a.m. to 2:00 p.m., at property located at 401 Putnam Pike, not to exceed 50 outdoor/indoor arts and crafts type vendor only, live music, face painting, comedy, and a bounce house, approval is subject:

1. Compliance with all licensing requirements per Gloucester Code of Ordinance, Chapter 190, as set forth by the Gloucester Town Clerk;
2. Public Safety Plan approved by Police Chief;
3. All property owners where the event or parking will take place must provide shall provide cert of liability insurance naming the Town of Gloucester as Certificate Holder.

Seconded by Councilor Henry

Discussion followed on the comedy aspect and it was agreed the applicant was to use their judgement. The Clerk asked if political signs would be allowed. Councilor Burlingame and Councilor Henry discussed there are already signs there placed by the owner but candidate signs shouldn't be at the fair. L. Barrett asked if the Grange can promote the Scarecrow festival. Council answered in the affirmative.

Discussion: none

VOTE: AYES - Burlingame, W. Steere, & Henry
NAYS - 0

MOTION PASSED

V. Adjourn

MOTION was made by Councilor W. Steere to ADJOURN at 7:51 p.m.;seconded by Councilor Henry

Discussion: none

VOTE: AYES - Burlingame, W. Steere, & Henry
NAYS - 0

MOTION PASSED

Posted