

PLANNING BOARD
Meeting Minutes
Thursday, August 28, 2014
Judge Welsh Room
6:30 P.M.

Members Present: Mark Weinress, Dorothy Palanza, Grace Ryder-O'Malley and Brandon Quesnell.

Members Absent: John Golden (excused) and Marianne Clements (unexcused).

Staff: Gloria McPherson, Town Planner.

Chair Mark Weinress called the meeting to order at 6:40 P.M.

Meeting Agenda:

1. **Public Comments:**
None.

2. **Public Hearings:**

a) **Case #FY15-2** (*continued from August 14th meeting*)

Application by 26 Alden LLC requesting a Special Permit pursuant to Article 4, Special Regulations, Section 4015, Site Plan Review by Special Permit, of the Zoning By-Laws to develop an existing building into nine dwelling units, three of which will be affordable, to reconfigure an existing parking lot and install landscaping, lighting, walkways and drainage, with associated site work at the property located at **26 Alden Street**.

Robert O'Malley, Jason Ellis, Attorney Mark LaCasse and David Goldman appeared to discuss the application. The three issues that the Board requested the applicant to investigate were the access stairs to Motta Field, the possibility of making the first floor units ADA accessible and the feasibility of putting the electrical lines from Alden Street underground. The Board discussed the Motta Field access stairs. The Board urged the applicant to continue its discussion of continuing to provide access to Motta Field with the Town.

An e-mail from the Department of Public Works Director Rich Waldo was read into the record. It contained requests in regard to the site plan and Mr. Waldo's concerns regarding the project. The applicant has spoken with the DPW about these concerns and has agreed to designate an area for the Town to install and have access to a generator, to work with the Town to make that happen and to submit an amended plan showing the change. The applicant also agreed to put the designated utilities underground and to show on the site plan both the location of drainage pipe connections between 26 Alden Street and the drainage structures in the street and a fence on the northeast corner of the building where a generator hook-up is located.

There was a motion by Grace Ryder-O'Malley to grant a Special Permit pursuant to Article 4, Special Regulations, Section 4015, Site Plan Review by Special Permit, of the Zoning By-Laws to develop an existing building into nine dwelling units, three of which will be affordable, to reconfigure an existing parking lot and install landscaping, lighting, walkways and drainage, with associated site work at the property located at 26 Alden Street with the conditions that:

- *revised plans showing the generator location and the relocated fence be submitted;*
- *overhead utilities from Alden Street to the building shall be put underground;*
- *the site plan show the location of drainage pipe connections between 26 Alden Street and the drainage structures in the street;*
- *the applicant shall be responsible for the safety and maintenance of drainage structures on the property;*
- *the sewer lines shall be shown on the site plan; and*
- *further discussion shall take place with the Town regarding deeding a strip of land on the southeast side of the property for the purpose of public pedestrian access from Alden Street to Motta Field.*

The motion was seconded by Dorothy Palanza. VOTE: 4-0-0.

b) **Case #FY14-26**

Request by Sprint Spectrum L.P., requesting a Special Permit pursuant to Article 7, Wireless Telecommunication Towers and Facilities, Section 7070, General Requirements, and Section 7080, Application Requirements, and Site Plan approval pursuant to Article 2, Districts and Regulations, Section 2320, High Elevation Protection District (B), of the Zoning By-Laws for the addition of two panel antennas and two remote radio heads, onto the existing water tank together with new cables down the side of the water tank to the existing ground mounted equipment at the property located at **120 Mt. Gilboa Road**.

Sharon Horne appeared to present the application. The project involves the installation of two antennas, two remote radio heads to be located on an existing open Sprint pipe mounts and the cables to run from Sprint's existing equipment cabinets to the antennas via an existing icebridge. Drawings and photo simulations were submitted. Ms. Horne spoke with Sprint engineer Bill Hastings regarding the Board's concern about the limitation of coverage in the area and the possibility of providing coverage specifically in the National Seashore. She received a letter from Mr. Hastings stating that Sprint is doing everything in its power to provide coverage to the area and the letter was read into the record. She noted that the request before the Board was for data speed only and not for increasing coverage.

The Board questioned Ms. Horne about the project. A correction was requested by the Board in Section IV, **Request for Special Permit**, to change the words 'Downtown Providence' to 'Provincetown'. The Board will require a condition that the lease with the Town is coterminous with the Special Permit.

The Board reviewed the following applicable findings pursuant to Article 7, Section 7090:

- That applicant is not already providing Adequate Coverage and/or Adequate Capacity to the Town of Provincetown. This is not applicable because Sprint is already providing adequate coverage.
- That applicant is not able to use or modify for use existing towers/facility sites located within or outside the town, either with or without the use of Repeaters, to provide Adequate Coverage and/or Adequate Capacity to the Town of Provincetown. This is not applicable because Sprint is modifying an existing facility;
- That applicant has endeavored to provide Adequate Coverage and Adequate Capacity to the Town with the least number of towers and antennas which is technically economically feasible. There is a letter to that effect from Bill Hastings;
- That applicant has agreed to rent or lease available space on the Tower, under the terms of a fair-market lease, with reasonable conditions and without discrimination to other Telecommunications Providers. This has been satisfied;
- That the proposed telecommunications facility or tower will not have an undue adverse impact on historic resources, scenic views, natural beauty, residential property values, natural or man- made resources. This has been satisfied.
- That applicant has agreed to implement all reasonable measures to mitigate the potential adverse safety and aesthetic impacts of the facilities. The cable tray will be painted the same color as the tower. All fences will be maintained as is.
- That the proposed Tower/Telecommunications Facility shall comply with current FCC standards (or other current applicable standard, if changed) regarding emissions of electromagnetic radiation and that the required Monitoring Protocol (as defined in Section 7040 above) is in place and shall be paid for by the applicant. This has been satisfied.
- That the proposed sites for facilities and towers have been camouflaged and screened to the greatest extent possible to minimize adverse visual impacts. The additional equipment will run along the existing cable tray, which is painted the same color as the water tower.
- That applicant has conclusively demonstrated that the proposed site for the service facility or tower is at the highest level, in the order of site acceptability, specified in Section 7070, subsection M, number 3. This has been satisfied.
- That no indirect services proposed could reasonably be provided by use of land lines or other non-radiating means; and that all other conditions and requirements of this by-law have been fulfilled by the applicant. This requirement has been met; and
- That less than 50% of the primary coverage of the proposed site is outside of Provincetown. This has been confirmed by a map submitted by the applicant.

There was a motion by Dorothy Palanza to grant Special Permit pursuant to Article 7, Wireless Telecommunication Towers and Facilities, Section 7070, General Requirements, and Section 7080, Application Requirements, and Site Plan approval

pursuant to Article 2, Districts and Regulations, Section 2320, High Elevation Protection District (B), of the Zoning By-Laws for the addition of two panel antennas and two remote radio heads, onto the existing water tank located at together with new cables down the side of the water tank to the existing ground mounted equipment at the property located at 120 Mt. Gilboa Road with the condition that the Special Permit shall be in effect and shall run coterminously with the lease with the Town. The motion was seconded by Grace Ryder-O'Malley. VOTE: 4-0-0.

b) **Other Business**

a) Discussion of proposed Zoning By-Law Amendments:

- i. Proposed amendment to Article 4, Special Regulations, Section 4035, Commercial Design Standards, of the Zoning By-Laws, regarding pedestrian and bicycle circulation and infrastructure requirement for Commercial Developments and Redevelopments. The Board discussed the draft changes to the design standards regarding bicycle circulation and infrastructure requirements. Ms. McPherson passed out the revisions made by the Board at the last meeting.
- ii. Proposed amendment to Article 3, General Requirements, Section 3430, Illumination, regarding outdoor lighting design standards.

The Board discussed the revisions to Section 3430. After some discussion, Section 3434A (1) was revised to read, "To light a primary entrance as long as the uplight is captured under an architectural element (e.g. roofs over walkways/entries or overhanging, non-translucent eaves) to prevent light spillage."

The Board discussed revising Section 3434A (2) in regard to lighting flags to include only the national flag and the use of up to two light fixtures with a maximum of 1100 lumens per fixture and to indicate that the preferred method of lighting the flag would be downlit and pole-mounted.

The Board discussed Section 3434B, the highlighting and illumination of building facades and the lighting of trees and sculptures.

The Board discussed Section 3435B and decided to specify the prohibition as being limited to public or private right of ways.

The Board discussed adding museums to Section 3436 and adding the words 'and properties' after the word 'buildings' in Section 3436A (6).

The Board discussed the number lumens under Section 3436A (5) and decided to leave the number of lumens at 510. The Board discussed Section 3436C, lighting for temporary use/special events and whether to place a limit on the number of days the lighting would be allowed.

The Board scheduled a Work Session for September 9, 2014 at 6:00 P.M. to discuss further by-law amendments. The Board will meet with the D.A.R.T. team on Wednesday, September 17, 2014 at 6:00 P.M.

The Board briefly discussed the bicycle infrastructure requirements for commercial developments or redevelopments.

- b) Review and approve the minutes of the July 24, 2014 and the August 14, 2014 Public Hearings. There are corrections to be made to the August 14, 2014 minutes.
- c) Any Other Business

There was a motion by Dorothy Palanza to adjourn the Planning Board meeting at 9:30 P.M.

Respectfully submitted,
Ellen C. Battaglini

Approved by _____ on _____, 2014
Mark Weinress, Chair