

PLANNING BOARD
Meeting Minutes
Thursday, October 20, 2014
Judge Welsh Room
6:30 P.M.

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

Members Absent: Dorothy Palanza (excused), John Golden (excused) and Marianne Clements (excused).

Staff: Gloria McPherson, Town Planner.

Chair Mark Weinress called the meeting to order at 6:41 P.M.

Meeting Agenda:

Article 11: Zoning Bylaw Amendment/Section 4053 Commercial Design Standards. To see if the Town will vote to amend the Provincetown Zoning By-Laws, Article 4, Special Regulations, Section 4053, Commercial Design Standards. As follows:

No changes to sub-sections 4053 (1) through 4053 (5).

Add new sub-section 4053 (6), Bicycle and Pedestrian Accommodation in Commercial and Industrial Developments and Redevelopments.

The Board asked for public comment on the Article. Ms. McPherson summarized the amendment by stating that this Article would address and serve to clarify what will be required on site plans for commercial and industrial developments. It seeks to separate, to the extent feasible, pedestrian, vehicular and bicycle traffic on a site for public safety purposes. It also would require bike racks for these commercial developments and re-developments in the General Commercial Zoning district. Bicycle racks may be required in other zoning districts.

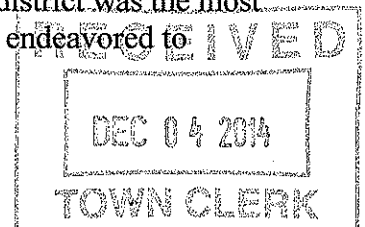
Selectman Robert Anthony asked a question regarding a site that did not have enough land to accommodate a bicycle rack. The Board clarified that bicycle racks would not be required in all zoning districts and that an applicant could request a waiver if there were space restrictions.

Article 12: Zoning By-Law Amendment/Section 2400 Use Regulations. To see if the Town will vote to amend the Provincetown Zoning By-Laws, Article 2, Districts and District Regulations, Section 2400, Use Regulations, as follows:

Add a new Section 2480, Portable Storage Structures.

The Board asked for public comment on the Article.

Ms. McPherson explained that portable storage structures were not allowed by the Provincetown Zoning By-Laws and that this proposed amendment sought to address that issue. Recognizing that portable storage structures were an important and necessary part of some businesses, the Building Department asked the Board to look into the possibility of allowing these structures under certain circumstances and in certain zoning districts. The GC zoning district was the most suitable to allow these structures because the lot sizes are larger. The Board endeavored to



address a need of the business community and find appropriate places to allow portable storage structures. Ms. McPherson reviewed the requirements and performance standards.

Selectman Raphael Richter asked if the current Zoning By-Laws allowed portable structures. Ms. McPherson explained that everything is restricted by the Zoning By-Laws if it is not explicitly allowed, so since these structures are not explicitly allowed in the current Zoning By-Laws, it is understood that they are prohibited. This amendment would allow portable structures. Mr. Richter asked if dumpsters were included in the new amendment. Ms. McPherson explained that most dumpsters would be excluded because of their size, however a particularly large dumpster used to clean out a building would be included in the exemptions, but only if there was a valid building permit for the building. Otherwise the dumpster would be allowed for a 48-hour period of time. Mr. Richter thought that time period was too short. The Board took the suggestion under consideration.

Article 10: General By-Law Amendment/Outdoor Lighting. To see if the Town will vote to amend the Provincetown General By-Laws, as follows:

Add a new Chapter 16, Outdoor Lighting By-Law.

Chair Mark Weinress explained the reasoning behind the amendment. The Board asked for public comment on the Article. Ms. McPherson explained each section of the By-Law.

Selectman Raphael Richter commented about Section 16-6, A (4) in regard to winter seasonal outdoor lighting. He supported the entire Article, however, he thought this Section might cause people to vote against it. The Board discussed that exemption with Mr. Richter.

Polly Cote spoke in support of the Article and asked how it would be enforced. Mr. Weinress explained that the Police Department would enforce the By-Law, which would be complaint driven. He added that there was a three-year phase-in process for replacing outdoor bulbs.

Mike Trovato asked for a clarification about the bicycle racks in the proposed Section 4053, 6 (a) and (c). Ms. McPherson explained what site plans are required to show if a property were to undergo site plan review.

Sherry Smith asked if Section 4053, 6 would be enforced retroactively. Ms. McPherson explained that zoning by-laws were not enforced retroactively. If a property was undergoing major renovations and site plan review was triggered, then these requirements would have to be met. Ms. Smith asked if a property would be required to undergo site plan review if only windows or siding on a structure were going to be replaced. Ms. McPherson said that in that situation no site plan review would be required.

Tom Donegan thanked the Board for all of its hard work on the amendments. The Board of Selectmen withholds its recommendations to allow Town Boards to hear public comment and make recommendations. He said that the BOS will make its recommendations when it meets the hour before Town Meeting convenes and will let the Board know what those recommendations are at that time.

Stephen Athineos asked a question about where a portable storage structure would be located if a property does not have a rear yard large enough to fit the structure. Ms. McPherson said that there is a Special Permit process set up so that the Zoning Board can look at each individual circumstance.

There was a motion by Grace Ryder-O'Malley that the Planning Board recommend Article 12 to Fall Town Meeting with a change to the time period in Section 2480A from 48 hours to 10 days. The motion was seconded by Brandon Quesnell. VOTE: 3-0-0.

The Board discussed revising Article 16-4 F.

There was a motion by Grace Ryder-O'Malley that the Planning Board recommend Article 10 as written to Fall Town Meeting. The motion was seconded by Brandon Quesnell. VOTE: 3-0-0.

There was a motion by Grace Ryder-O'Malley that the Planning Board recommend Article 11 as written to Fall Town Meeting. The motion was seconded by Brandon Quesnell. VOTE: 3-0-0.

There was a motion by Brandon Quesnell to adjourn the Planning Board meeting at 7:45 P.M.

Respectfully submitted,
Ellen C. Battaglini

Approved by Dorothy Palanza on Dec 4, 2014
~~Mark Weinress, Chair~~
DOROTHY Palanza Vice chair