

PLANNING BOARD
Meeting Minutes
Thursday, November 12, 2015
Judge Welsh Room
6:30 P.M.

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

Members Absent: John Golden

Staff: Gloria McPherson, Town Planner.

Acting Chair Grace Ryder-O'Malley called the meeting to order at 6:32 pm.

Public Comments:

Mr. Rik Ahlberg, Bicycle Committee and P365 Committee member, reporting to the Planning Board (PB) on the P365 proposals for the traffic hearing. All three of the proposals were endorsed unanimously by the PB.

Mr. Ahlberg stated the Board of Selectmen (BOS) approved bike rack locations on Court Street and Pearl Street Landings. The BOS weren't sure about the Johnson Street parking lot and deferred to staff for more information particularly regarding if it is a public way.

The other two proposals for sharrows on Shank Painter and Conwell were deferred pending the final results of the Cape Cod Commission (CCC) Parking and Transportation Study. A sharrow (or shared-lane marking) is a street marking to indicate where people should preferably cycle.

P365 will pursue the proposals in the future, probably at the spring traffic hearing.

Public Hearings:

Case #FY16-04 (Applicant requests postponement to the January 14, 2016 hearing)
Application by Lester J. Murphy on behalf of 3 Cottages LLC requesting Site Plan Approval pursuant to Article 4, Section 4015(a)(1)(5), Site Plan Review by Special Permit, of the Provincetown Zoning Bylaw, to demolish 3 existing cottages and construct two duplex structures resulting in a total of 5 dwelling units on the lot and perform associated site work resulting in the excavation of more than 750 cubic yards of earth at the **property located at 52 Creek Road.**

Mr. Quesnell noted that he would not be at the meeting of January 14. Mr. Weinress added that his term is up at the end of December and he will not be seeking reappointment.

Ms. McPherson noted that the Board should try to find a new alternate before then, so that there will be 5 members.

Mr. Campbell moved to postpone to January 14, 2016. Mr. Woods seconded the motion. The motion passed unanimously.

Case #FY16-06 (Continued to December 10)

Application by Lester J. Murphy on behalf of Kathleen C. Meads requesting Site Plan Approval pursuant to Article 2, Section 2320, High Elevation Protection District (A), and Article 4, Section 4015(a)(1)(5), Site Plan Review by Special Permit, of the Provincetown Zoning Bylaw, to construct two duplex structures, one per lot, install a shared driveway and perform associated site work resulting in the excavation of more than 750 cubic yards of earth at the **property located at 5 & 7 Georges Path.**

This case was already continued at the previous meeting.

Case #FY16-08

Application New Cingular Wireless LLC dba AT&T on behalf of Cabral Enterprises requesting Article 4, Section 4010, Administrative Site Plan Review, of the Provincetown Zoning Bylaw, to increase the width and height of an existing radio frequency antenna located on top of the fish house at the end of the pier to facilitate the collocation of new antenna for cell service upgrades at the **property located at 9 Ryder Street.**

Mr. Ed Pare, counsel for AT&T and Mr. Tim Greene, TerreSearch, presented the application on behalf of AT&T.

Mr. Pare explained they are utilizing an existing site by collocating the Stealth cylinder, which is 40' above the roof and the new cylinder will increase in diameter by 4" and in height by 4' - 4". All of the ancillary equipment is located inside the building. This equipment will provide high speed service for customers.

Mr. Weinress asked if it mattered that the property is transferring ownership.

Mr. Greene said that they have a long term lease, so the transfer doesn't matter to them.

The Board had no additional questions.

Mr. Woods moved to approve the request as presented. Mr. Weinress seconded the motion. The motion passed unanimously.

Case #FY16-09

Application by Louise Venden requesting Site Plan Approval pursuant to Article 2, Section 2440 (A1a)(2), Permitted Principle Uses, of the Provincetown Zoning Bylaw, to create an accessory dwelling unit within the Res 1 zoning district that comprises of less than 40% of the total gross floor area of existing principle residence at the property located at **16 Thistlemore Road.**

Ms. Ryder-O'Malley opened the hearing. Ms. Louise Venden presented the application.

Ms. Venden thanked the Board for giving her the opportunity to use skills she hasn't used since the sixth grade; i.e., drawing on graph paper.

Ms. Venden explained how she calculated the green space and lot coverage, and described the existing site and landscaping.

Mr. Quesnell thanked her for being the first to apply for an accessory apartment. He asked how the two units were to be separated from each other. It wasn't clear on the plans.

Ms. Venden showed the Board a plan that showed new walls and doors being installed to make a self-contained apartment. Two egresses, plus a door that can be unlocked to egress through the garage if necessary.

Mr. Quesnell asked about the location of the parking spot and wanted to know if a car is parked in the space designated, is there room for a car to get out of the garage.

Ms. Venden replied that there is a lot of room to back out of the garage, and that the parking space is drawn much larger than an actual car.

Ms. Ryder-O'Malley confirmed that the lighting is already in place.

Ms. Venden stated that they put in some low voltage lights along the pathway and near the wall. They provide a little light for safety.

There were no public comments and three letters in the file. Two in support, one expressing concern that their parking space not be blocked.

The Board reviewed the plan regarding the neighbor's expressed concern.

Mr. Weinress added that the road is private, but the Homeowners Association doesn't prohibit parking on the road.

Ms. Ryder-O'Malley noted that there was nothing in the lease agreement about the parking space.

The Board discussed parking requirements.

The Board reviewed the staff report and provided Ms. Venden with the report.

Ms. McPherson discussed with the board that they can grant a special permit only with a determination that the social, economic or other benefits of the proposal for the neighborhood or town outweigh any adverse effects such as hazard, congestion, or environmental degradation.

The Board requested a copy of the updated floorplan showing the new layout of the accessory unit to stamp and sign.

Mr. Quesnell moved to approve the application with the condition(s) that:

- 1. The approved accessory dwelling unit shall be used for year-round rental only, and the property owner shall submit a copy of an executed lease for the accessory dwelling unit, the lease term of which shall be a minimum of 12 months, to the Department of***

Community Development with each annual renewal of the rental certificate for said accessory dwelling unit.

- 2. If at any time the accessory dwelling unit is no longer rented on an annual basis, the unit will no longer be allowed under this Special Permit and the provisions of the Provincetown Zoning Bylaw.*
- 3. The Board receive a copy of the updated floor plans.*

Mr. Campbell seconded. The motion passed unanimously.

Mr. Quesnell asked Ms. Venden for feedback of the process. Ms. Venden stated that it was like a scavenger hunt. Every time she brought something back, something else was requested. But she said overall the process was kind of fun and working with the planning department was great.

Mr. Woods volunteered to write the special permit decision with help from Ms. McPherson.

Work Session:

Preliminary Mapping of incentive Zones:

Ms. McPherson described increased density as an incentive, e.g., an extra story or varying the setbacks within a zoning district.

Board members reviewed the zoning maps of the Town and discussed a variety of ideas for different zones.

Member Schedules and Quorums:

Members are encouraged to forward information to Ms. McPherson regarding any conflicts with scheduled Board meetings. Mr. Quesnell alerted the Board that he is not available to be here for the January 14, 2016 meeting.

Meeting Minutes:

The Board reviewed the Minutes of October 13. The Board had a question about the date establishing 750 cubic yards threshold and asked Ms. McPherson to check the date of the Town Meeting when it was approved.

Mr. Campbell moved to accept the minutes with the caveat that the date be confirmed. Mr. Woods seconded the motion. The motion passed unanimously.

Ms. Ryder-O'Malley will sign a paper copy of the minutes after the information is confirmed.

Other Business:

Ms. McPherson mentioned that the Board will need a new rep to the Cape Cod Commission (CCC) because Mr. Weinress is only a member through December, 2015.

Ms. McPherson to reach out to potential PB alternate (who originally applied to Beautification Committee) to see if he can come to the PB December meeting.

Mr. Quesnell described the CCC Outer Cape Bike Master Plan presentation taking place tonight. At this meeting, there will be discussions about proposals to improve bike trails from Wellfleet to Provincetown. They are reviewing three different options and are looking for Public feedback tonight to get preferred path locations. Mr. Quesnell will bring maps to next PB meeting.

Mr. Quesnell expressed concern and confusion about emergency access. He would like to request someone from the CCC or other expert to speak to the Board about requirements for site access. He would like to also invite the fire and police department representatives to that meeting.

Ms. McPherson will get specs for the town vehicles so the discussion can be tailored to our circumstances.

Ms. McPherson will also ask for the CCC or consulting engineer to put together a packet of standard specifications that would work for our fire trucks and emergency vehicles.

Ms. McPherson provided the Board with a Site Plan Review Information Packet as reference material for the PB members.

At 8:53 pm, Mr. Quesnell moved to adjourn the meeting. Mr. Woods seconded. The motion passed unanimously.

Respectfully submitted,
Gloria McPherson, Town Planner

Approved by _____ on _____, 2016
John Golden, Chair