

PLANNING BOARD  
Meeting Minutes  
Thursday, January 26, 2017  
Judge Welsh Room  
6:30 P.M.

**Members Present:** John Golden, Grace Ryder-O'Malley, Brandon Quesnell, Steven Baker and Dave Abramson.

**Members Absent:** Ryan Campbell (excused)

**Staff:** Gloria McPherson, Town Planner and Ellen C. Battaglini, Permit Coordinator.

Chair John Golden called the meeting to order at 6:31 P.M.

### Meeting Agenda:

1. **Public Comments:** None.

2. **Public Hearings:**

a) **Case #FY17-13**

Application by **William N. Rogers, II**, on behalf of **Elizabeth S. Athineos**, requesting a Special Permit pursuant to Article 4, Section 4015, Site Plan Review by Special Permit, of the Zoning By-Laws, to construct a second floor addition and install a retaining wall on a commercial property with a curb cut greater than 25% of its existing street frontage located at **63 Shank Painter Road**. John Golden, Grace Ryder-O'Malley, Ryan Campbell, Steven Baker and Brandon Quesnell sat on the case.

Mr. Rogers, a civil engineer, appeared to discuss the project. He reviewed the new site and building plans that he submitted to the Board. He had highlighted in yellow the new aspects of the project on the plans. Ms. McPherson reviewed the Board's requested changes. The Board discussed the amended site plan with Mr. Rogers and made requests for further changes, including the installation of the inverted 'U' or post and ring bike rack configuration for at least 6 bikes, installation of flow wells and gutters to prevent runoff onto Court Street and to provide a fence specification for height and material. The Board discussed the configuration and pitch of the proposed fence abutting the parking spaces. The Board was satisfied with the architectural changes made to the building on the site.

***Grace Ryder-O'Malley moved to grant a Special Permit pursuant to Article 4, Section 4015, Site Plan Review by Special Permit, of the Zoning By-Laws, to construct a second floor addition and install a retaining wall on a commercial property with a curb cut greater than 25% of its existing street frontage located at 63 Shank Painter Road with the following conditions that:***

- ***the pavers are extended the entire length of the driveway to Court Street;***
- ***different colored pavers are used to demarcate individual parking spaces;***
- ***dry wells and gutters are installed to prevent roof runoff onto Court Street;***

- *a fence specification for the top of the wall is submitted denoting material and height and showing a level fence design dropping off at minimum at each parking space;*
- *the concrete wall is extended 10” above parking spaces;*
- *an elevation looking west is produced showing the wall with the fence on top and brought back for final approval by the Planning Board;*
- *3 inverted ‘U’ or post and ring bike racks are installed, spaced 36” apart;*
- *all existing and proposed utilities are placed underground and no overhead wires are allowed;*
- *there are no exterior storage units on the site without an amendment to the site plan; and*
- *any zoning violation on the property is resolved before the issuance of a temporary or permanent Certificate of Occupancy.*

*The motion was seconded by Brandon Quesnell. VOTE: 5-0-0.*

*Grace Ryder-O’Malley moved to grant waivers of Article 4, s. 4053 (1) as requested. The motion was seconded by Steven Baker. VOTE: 5-0-0.* Grace Ryder-O’Malley will write the decision. The Board requested a revised site plan from Mr. Rogers.

b) **Case #FY17-14** (*postponed to the meeting of February 9th*)

Application by **William N. Rogers, II**, on behalf of **Milan Realty, LLC**, requesting a Special Permit pursuant to Article 4, Section 4015, Site Plan Review by Special Permit, of the Zoning By-Laws, to construct a second floor addition for employee housing on a commercial property with a curb cut greater than 25% of its existing street frontage located at **130 Bradford Street..**

c) **Land Use or Development Articles**

In accordance with s.2-2-3 of the Provincetown Charter, the Provincetown Planning Board will hear comments from the public and determine the number of Board members in favor or opposed to the proposed warrant article for the February 6, 2017 Special Town Meeting concerning the acquisition by the Provincetown Year-Round Market Rate Rental Housing Trust of four parcels of land (containing 1.2 acres in total) and the 26 housing units thereon, together comprising the Harbor Hill Condominium located at 3, 4 and 8 Harbor Hill Road and at 37 Bradford St. Extension, Provincetown.

Ms. McPherson read the entire warrant article. There was no public comment. Mr. Abramson, Mr. Quesnell and Ms. Ryder-O’Malley reviewed a meeting that they attended on the same topic. A PowerPoint presentation that was given out at that meeting about the Harbor Hill acquisition was passed out to Board members who then discussed the warrant article.

*Steven Baker moved to recommend Warrant Article 1 of the Special Town Meeting to be held on February 6, 2017. The motion was seconded by Brendon Quesnell. VOTE: 3-0-2 (Dave Abramson and Grace Ryder-O’Malley abstaining).*

**3. Work Session:**

a) Pending Decision

**Cases #FY17-06 & #FY17-07: (Ryan)**

Application by **Coastal Custom Builders** requesting Site Plan Approval pursuant to Article 2, Section 2320, High Elevation Protection District (B), and a Special Permit pursuant to Article 4, Section 4015, Site Plan Review by Special Permit, of the Zoning By-Laws, for the demolition of an existing single-family house and garage and the construction of a new single family residence with a carport, pool, landscaping, new septic system and associated site work, including earth moving of more than 750 cu. yds. at the property located at **226B Bradford Street**. The decision was not ready.

b) **Discussion regarding the Inclusionary By-Law:** Ms. McPherson handed out her notes from the Town Meeting Forum and a draft of the By-Law for discussion. She suggested scheduling a work session to discuss the By-Law in more detail. A meeting was scheduled for January 31, 2017 at 6:00 P.M. in Caucus Hall at Town Hall. In addition, a Work Session will be held between 5:30 and 6:30 on February 9<sup>th</sup> before the regularly scheduled Planning Board Meeting. Ms. McPherson reviewed her notes. The Board discussed the By-Law. The Board discussed holding more Forums before Town Meeting with visual aids and meeting with the Finance Committee to ask for its support. Ms. McPherson will contact Mark Hatch, Chair of the FinCom, about a joint meeting in February.

c) **Discussion regarding Outer Cape Health plantings and whether they are in compliance with the approved plan:** The Board briefly reviewed the planting plan. Ms. McPherson said that it was a zoning enforcement issue and up to the Building Commissioner to investigate. She will bring it to her attention. She suggested that the Board request that the person in charge of the planting plan, Mr. Golden would contact Jim Hood and invite him to an upcoming meeting.

d) **Discussion of final draft of proposed Tree By-Law** (*postponed to the meeting of February 23<sup>rd</sup>*)

e) **Discussion of planting list** (not ready)

g) **Discussion of proposed standard conditions for telecommunications facilities** (not ready)

h) **Minutes of April 23<sup>rd</sup>, August 27<sup>th</sup> and October 22, 2015, January 14<sup>th</sup>, March 24<sup>th</sup>, April 28<sup>th</sup>, June 9<sup>th</sup>, December 8, 2016 and January 12, 2017 meetings.**

January 12, 2017: *There was a motion by Steven Baker to approve the minutes as amended. Brandon Quesnell seconded. VOTE: 5-0-0.*

h) Any other business that may properly come before the Board:

There was a motion by Brandon Quesnell to adjourn the Planning Board meeting at 9:15 P.M.

Respectfully submitted,

Ellen C. Battaglini

Approved by \_\_\_\_\_ on \_\_\_\_\_, 2017  
John Golden, Chair