

PLANNING BOARD
Meeting Minutes
Thursday, April 27, 2017
Judge Welsh Room
6:30 P.M.

Members Present: John Golden, Grace Ryder-O'Malley, Brandon Quesnell, Steven Baker, Ryan Campbell and Dave Abramson (alternate).

Members Absent: None.

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

Chair John Golden called the Meeting to order at 6:35 P.M.

1. **Public Comments:** None.

2. **Public Hearings:**

a) **Case #FY17-17** (*request to continue to the meeting of May 11th*)

Application by **TMC New England, LLC c/o T.M. Crowley & Associates**, on behalf of **Riley Brothers Realty, LLC**, requesting a Special Permit pursuant to Article 4, Special Regulations, Section 4015, a (4), Site Plan Review by Special Permit, of the Zoning By-Laws for exterior building, sidewalk, landscaping and parking improvements on a commercial property with a curb cut greater than 25% of its existing street frontage located at **132 Bradford Street**. *There was a motion by Grace Ryder-O'Malley to grant the request to continue Case #17-17 to the meeting of May 11, 2017 at 6:30 P.M., Steven Baker seconded. VOTE: 5-0-0.* The applicant had submitted a waiver of time constraints.

b) **Case #FY17-18** (*continued to the meeting of May 11th*)

Application by **Chad, LLC** and **Villa, LLC** requesting a Site Plan Review pursuant to Article 4, Special Regulations, Section 4010, Administrative Site Plan Review, of the Zoning By-Laws to amend a previously-approved site plan for the property located at **336R Commercial Street**. There was a request from the applicant to continue to the meeting of May 25, 2017. *There was a motion by Ryan Campbell to continue Case #17-18 to the May 25, 2017 Public Hearing at 6:30 P.M. Grace Ryder-O'Malley seconded. VOTE: 5-0-0.*

c) **PLN-17-20** (*request to continue to the meeting of May 11th*)

Application by **Christopher D. Wise**, on behalf of **Coastal Acres Properties, LLC**, requesting a Special Permit pursuant to Article 4, Special Regulations, Section 4015, a (5), Site Plan Review by Special Permit, of the Zoning By-Laws for the upgrading of an electrical system, including the installation of meter pedestals and electric packs, and the extension of a line of service to meter sites, which requires trenching and earth moving of more than 750 cu. yds. at the property located at **76R Bayberry Avenue**. *There was a motion by Ryan Campbell to grant the request to continue PLN 17-20 to the meeting of May 11, 2017 at 6:30 P.M. Brandon Quesnell seconded. VOTE: 5-0-0.*

d) **PLN 17-23 & PLN 17-24** (*request to continue to the meeting of June 8th*)

Application by **Heal, Inc.**, on behalf of **94 Harry Kemp Way Revocable Trust, William Gately, Trustee**, requesting a Special Permit pursuant to Article 2, Districts and District Regulations, Section 2440, D7, Medical Marijuana Treatment Center, and Article 4, Special Regulations, Section 4015 a (2), Site Plan Review by Special Permit, of the Zoning By-Laws for the establishment of a medical marijuana treatment center that includes a change in use of an existing storage building, the development of more than 2,000 sq. ft. of commercial area, upgrades to parking, landscaping and associated site improvements at the property located at **94 Harry Kemp Way**. *There was a motion by Grace Ryder-O'Malley to grant the request to continue PLN 17-23 & PLN 17-24 to the June 8, 2017 Public Hearing. Ryan Campbell seconded. VOTE: 5-0-0.*

e) **PLN 17-27**

Application by **Robin B. Reid** for Site Plan Approval pursuant to Article 2, Districts and District Regulations, Section 2440, (A1a)(2), Permitted Principal Uses, of the Zoning By-Laws to add an accessory dwelling unit at the property located at **12 Thistlemore Road**. Steven Baker recused himself because of a conflict of interest. John Golden, Grace Ryder-O'Malley, Ryan Campbell, Brandon Quesnell and Dave Abramson sat on the case.

Robin B. Reid and Donna Vaillancourt, property owners, appeared to discuss the application. Ms. Reid reviewed the floor and the site plans. She explained that the application was to bring a long-existing unit into compliance with the Zoning By-Laws. She indicated that she and Ms. Vaillancourt have always paid real estate taxes as a two-family structure. She indicated that the current year-round resident in the accessory dwelling unit had a year-long lease and a rental certificate and that the dwelling unit is less than 14.3% of the square footage of the house. She reviewed the benefits to the Town of the accessory unit pursuant to Article 5, s. 5330 and indicated that there would be no detrimental effects related to the additional dwelling unit.

There were no public comments and there were 2 letters in support of the application and 1 letter of no objection to the application.

The Board briefly questioned Ms. Reid. Ms. McPherson read a recommended condition from a previous staff report on an accessory apartment stating that when the apartment is no longer used as a year-round apartment, the accessory unit would no longer be allowed to exist as a dwelling unit.

There was a motion by Ryan Campbell to approve the site plan pursuant to Article 2, Districts and District Regulations, Section 2440, (A1a)(2), Permitted Principal Uses, of the Zoning By-Laws to add an accessory dwelling unit at the property located at 12 Thistlemore Road with the condition that when the accessory unit is no longer used as a year-round apartment it would no longer be allowed. Dave Abramson seconded. VOTE: 5-0-0.

f) **PLN 17-28**

Application by **Teresa R. Hickok**, on behalf of **East End Reserve Condominium**, requesting Site Plan Approval pursuant Article 2, Districts and District Regulations, Section 2320C, High

Elevation Protection District (A), of the Zoning By-Laws to install a shed at the property located at **664R Commercial Street**. Dave Abramson recused himself because of a conflict of interest. John Golden, Grace Ryder-O'Malley, Ryan Campbell, Brandon Quesnell and Steven Baker sat on the case.

Teresa Hickok appeared to present the application. She is seeking to install an 8' by 12' shed for use by the entire condominium. It will be located 22' from the property line. She explained the site plan of the property showing the proposed location of the shed.

There was no public comment and there were 7 letters from abutters in opposition to the application.

The Board discussed the proposal and the previously-approved site plan for the property and whether it conformed to what the existing conditions were on the site. Ms. Hickok said that all the plantings have not been installed at of yet. The Board discussed the proposed location of the shed and requested that the shed be moved closer to the pavement. Ms. Hickok will stake the site of the shed for the Board members to make site visits. The Board discussed the landscaping plan, including the removal of trees on the site and at 350 Bradford Street, and a replanting plan. The Board also noted that there was a gas tank visible on the site that had not been buried based on photographs of the existing conditions. Ms. McPherson said that before the next meeting, she would try to merge planting plans from 350 Bradford and 664R Commercial Streets in order to get an more accurate vision of what the area should look like based upon the Board's previous site plan review conditions. The Board also requested additional plantings to screen the shed. Ms. McPherson will investigate the erosion in the area, as several letters from abutters mentioned the issue.

There was a motion by Grace Ryder-O'Malley to continue PLN 17-28 to the May 11, 2017 Public Hearing at 6:30 P.M. Ryan Campbell seconded. VOTE: 5-0-0.

3) Work Session:

a) **Annual Board Organization:**

i) Election of Chair: *There was a motion by Ryan Campbell to nominate John Golden for Chair of the Planning Board. Brandon Quesnell seconded. VOTE: 4-0-1(John Golden abstaining).*

ii) Election of Vice Chair: *There was a motion by John Golden to nominate Grace Ryder-O'Malley for Vice Chair of the Planning Board. Brandon Quesnell seconded. VOTE: 5-0-0.*

c) Pending Decisions:

Case #FY17-14 (Steven)

Application by **William N. Rogers, II, P.E. & P.L.S.**, 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. Steven Baker read a draft of the decision and the Board made recommendations for revisions. The decision will be approved at the next meeting.

PLN-17-21 (Grace)

Application by **Scott N. Adams, Advanced Engineering Group, P.C.**, on behalf of **7-Eleven, Inc.**, requesting a Special Permit pursuant to Article 4, Special Regulations, Section 4015, a (5), Site Plan Review by Special Permit, of the Zoning By-Laws for exterior improvements on a commercial property with a curb cut greater than 25% of its existing street frontage, including realigning an existing curb gutter line, replacement of a bike rack, re-striping an existing parking lot and the installation of a 4' wide sidewalk with granite curbing, a crosswalk striping across curb cuts, landscape plantings, composite traffic dividers, two additional light poles, two street trees and an additional handicap ramp within a proposed sidewalk at the property located at **137 Bradford Street**. The decision was not ready.

- b) **Discussion regarding Outer Cape Health plantings and whether they are in compliance with the approved plan:** This matter is tentatively scheduled for the meeting of June 8, 2017, contingent upon the availability of Jim Hood.
- b) **Discussion of planting list** (placeholder)
- c) **Discussion of proposed standard conditions for telecommunications facilities** (placeholder)
- d) **Minutes of April 23rd, August 27th and October 22, 2015, January 14th, March 24th, April 28th, June 9th, December 8, 2016 and March 9, March 23, March 30 and April 13, 2017.**

March 9, March 23 and April 13, 2017: *There was a motion by Steven Baker to approve all three sets of minutes as amended. Ryan Campbell seconded. VOTE: 5-0-0.*

e) **Any other business that may properly come before the Board:** Ms. Ryder-O'Malley asked for an update on 65 Franklin Street.

There was a motion by Dave Abramson to adjourn the Planning Board meeting at 8:30 P.M.

Respectfully submitted,

Ellen C. Battaglini

Approved by _____ on _____, 2017
John Golden, Chair