

PLANNING BOARD
Meeting Minutes
Thursday, March 26, 2020
Judge Welsh Room
6:00 P.M.

Members Present: Brandon Quesnell, Paul Graves, Ross Zachs, Jeff Mulliken, and Monica Stubner.

Members Absent: John Peters-Campbell (excused).

Staff: Thaddeus Soulé (Town Planner), and Ellen C. Battaglini (Permit Coordinator).

Mr. Soulé introduced the virtual hearing, explaining the reason the Public Hearing was being held virtually, how the Board, the applicants and the public could participate remotely, and the meeting protocol. He then called the roll.

Chair Brandon Quesnell called the Planning Board Public Hearing to order at 6:02 P.M.

2. **Public Comments:** None.

3. **Public Hearings:**

Proposed Zoning By-Laws Changes: To hear comments from the public and vote on the proposed amendments to the Provincetown Zoning By-Laws for the April 6, 2020 Annual Town Meeting Warrant, as well as any proposed petitioned articles concerning land use or developments: **A copy of this proposed zoning by-law is available for public inspection at the Office of the Town Clerk, Provincetown Town Hall, 260 Commercial Street, Provincetown, MA 02657.** Staff advised that this matter be postponed to the meeting of May 28, 2020. *There was a motion by Paul Graves to postponed the discussion and public comments regarding the proposed Zoning By-Laws to the Public Hearing of May 28, 2020 at 6:00 P.M. Ross Zachs seconded. VOTE: 5-0-0.*

PLN 20-14 *(continued from the meeting of February 13th)*

Application by **Edward Roach**, on behalf of **Meili West, LLC**, requesting Site Plan Review by Special Permit pursuant to Article 4, Section 4015, a. (1), Site Plan Review by Special Permit, of the Zoning By-Laws to construct a three-story, multi-family development that will result in three or more residential units on the property located at **30 Shank Painter Road** with waivers from Article 4, Sections 4035, Review Criteria, e, 4053, Commercial Design Standards, 4120, Density Schedule, 4140, Lot Coverage, 4150, Green Area, and 4600, Street Trees.

PLN 20-15 *(continued from the meeting of February 13th)*

Application by **Edward Roach**, on behalf of **Meili West, LLC**, seeking a Special Permit pursuant to Article 4, Section 4180, Inclusionary and Incentive Zoning By-Law, to develop 13 condominium units, 4 of which will be affordable, on the property located at **30 Shank Painter Road**. Brandon Quesnell, Paul Graves, Ross Zachs, and Jeffrey Mulliken sat on the cases. The Board heard the two cases together.

Presentation: Attorney Christopher J. Snow, Rafael Hernandez, designer and architect, Ted Roach, the applicant, Randy Carpenter, a representative of the ownership group, Julian Gabriel, of Meili LLC, and Brad Malo, landscape architect were present to discuss the application. Mr. Hernandez reviewed the revised plans that had been submitted to the Board. Mr. Hernandez said that the project had been scaled down to include 8 units with 1 affordable on site and 1 affordable off site, on Nelson Avenue. The size of the building has been reduced from 9,048 sq. ft. to 7,068 sq. ft., almost a 22% reduction. The volume has been reduced 132,686 cu. ft. to 92,726 cu. ft., a reduction of 30%. The applicant and his team have taken the recommendations of the Board and the abutters and reduced the size, volume and the asymmetry of the building. In addition, in an effort to improve the Browne Street and Police Station elevations of the proposed structure, doors and entrances have been added in an effort to mimic the front façade, which the Board had reviewed favorably. The structure is shaped like a cube, with a roof deck, which has been made larger, covering the garage and creating outdoor space. Fencing has been removed and trees have been added to improve the look of the perimeter. Carriage doors have been added to prevent lighting from the parking garage area to spill into the street and the structure has been pulled back 2' from Shank Painter Road as a result in its reduced size and volume. Additional architectural detail has been given to overhangs and windows for a more traditional look. Attorney Snow reviewed the changes and reiterated the reduction in the size and the volume of the structure. He added that the changes have eliminated the need for a parking waiver and a waiver from the street tree requirement. He said that the applicant had responded to the concerns of the Board that were voiced at the last hearing of the project.

Public Comment: None.

Board Discussion: The Board questioned Attorney Snow, Mr. Roach, Mr. Hernandez, Mr. Gabriel, Mr. Carpenter and Mr. Malo. The Board appreciated the applicant's effort to improve the project and respond to its concerns. There were questions about the location of the mechanicals, the electrical meter panel, and the trash receptacles, plans for not disrupting the police station activities during construction, the location of lighting fixtures on the deck, which unit is the affordable, and the existing street tree on the landscape plan. Mr. Roach responded that he had spoken to the Police Dept. about the construction activities, he said that all of the exterior light fixtures would be dark sky compliant, he identified the location of the trash receptacles based upon his conversation with the trash hauler, said that the existing street tree was not on the property, but the Town's, which is why it wasn't put on the landscaping plan, and that Unit 102, on the first floor, would be the affordable one. Attorney Snow reviewed each of the requested waivers, including the density schedule, lot coverage, green area, setback requirements, building height, and curb radii at street intersections.

There was a motion by Jeff Mulliken to grant the waivers as amended, Paul Graves seconded. VOTE: 4-0-0 by roll call.

There was a motion by Paul Graves to grant a Special Permit pursuant to Article 4, Section 4015, a. (1), Site Plan Review by Special Permit, and Article 4, Section 4180, Inclusionary and Incentive Zoning By-Law, of the Zoning By-Laws to construct a three-story, multi-family development that will result in eight residential units, two of which will be affordable; one located on site and one located off site on Nelson Avenue, on the property located at 30 Shank Painter Road, with the following conditions:

- *Lighting on the property shall be dark sky compliant;*

- *Bicycle racks shall be the “inverted u” type and located as shown on the approved site plan;*
- *A copy of the as-built plan shall be submitted to the Provincetown Department of Public Works depicting the areas of pavement removed from the public right-of-way and replaced with lawn;*
- *All plantings on the property shall be native species and drought-tolerant;*
- *All stormwater runoff from the proposed impervious surfaces will be fully contained and treated within the property;*
- *A separate electrical meter will be installed with electrical wiring necessary to accommodate the future installation of an electric vehicle charging station;*
- *All utilities for the property shall be underground;*
- *Revised plans shall be submitted depicting the identified affordable Unit #102 for review and approval by Town staff and shall occur prior to application for a building permit;*
- *Owners and tenants of the affordable units and market rate units shall have the same rights and privileges to access and use any of the development’s amenities and facilities;*
- *Evidence that the affordable, year-round occupancy in perpetuity deed restriction has been executed and recorded at the Barnstable County Registry of Deeds shall be submitted to the Department of Community Development prior to any units in the development receiving a Certificate of Occupancy; and*
- *The last Certificate of Occupancy to be issued shall be for a market rate unit and shall not be issued unless and until all affordable units are occupied.*

Paul Graves seconded. VOTE: 4-0-0 by roll call.

PLN 20-19 *(continued from the meeting of March 12th)*

Application by **Ted Smith**, on behalf of **Mitchell Klein**, seeking Site Plan Review by Special Permit pursuant to Article 4, Section 4015, Site Plan Review by Special Permit, a. (1), of the Zoning By-Laws to move one bedroom from the main structure to another structure on the site and to create a new dwelling unit in the main structure, resulting in three or more dwelling units, on the property located at **26 Bradford Street**.

PLN 20-20 *(continued from the meeting of March 12th)*

Application by **Ted Smith**, on behalf of **Mitchell Klein**, seeking Site Plan Review pursuant to Article 2, Section 2320 (A), High Elevation Protection District (A), of the Zoning By-Laws to move one bedroom from the main structure to another structure on the site and create a new dwelling unit in the main structure on the property located at **26 Bradford Street**. The Board heard the two cases together. Brandon Quesnell, Paul Graves, Ross Zachs, and Jeffrey Mulliken sat on the cases.

Presentation: Ted Smith was present to discuss the application. He reviewed the revisions to the site plan, including the demarcation of the seven parking spaces, the reconfiguration of the parking spaces, two of which will be tandem, by 90 degrees, and the gate will remain in its place. In addition, one parking space was always tandem and now two more will be tandem (numbers 5 & 6). and the shrinking of the size of the upper deck. Because a dwelling unit is being added to the main structure, the requirement for parking decreases, as the rooms comprising that dwelling unit would each have a space, but now less spaces are needed. On the landscaping plan, there will be new plantings in the rear of the property near the cottage. All of

the trees on the site will be maintained. As to the stormwater runoff issue raised by the Board at the last hearing, given that the roof on the main structure will be reconfigured, adding height on the rear portion, actually has gutters and downspouts everywhere and he has labelled these on one of his drawings. Several of the downspouts are going into drywells and the rest empty out onto landscaped areas. On the cottage, as additional roof area is being added, proposing gutters and drywells at all the corners of the structure. As to the site lighting plan, he has submitted light fixture specifications. All exterior light fixtures will be dark sky compliant. As to the decks on the north, rear elevation of the main structure, he explained that the lower deck is no longer proposed to be raised to meet the upper deck, which will not be higher than the roofline. The existing elevation drawing indicated that there were two levels of decks; one larger and below the another, which was higher up, just under the ridgeline. This is the area of the roof that is proposed to be reframed and extended upward in order to gain headroom and occupiable space. No deck will be located above the roof ridge or at a higher level as was proposed previously. The deck is still on two levels and has a slightly larger footprint, extending a few feet to the left because of framing and load issues.

Public Comment: Arthur Mahoney, Tom Tostengard, Peter Kassel, Greg Lombardi asked questions about various aspects of the project, such as runoff down Carnes Lane, the height of the roof deck, the increase in lot coverage of the cottage and the green space.

Board Discussion: The Board questioned Mr. Smith about remediation of any construction damage and stormwater runoff on Carnes Lane. Mr. Smith said that no parking is being added to the site. Multiple other properties shed stormwater onto the road. His client would be willing to regrade the road after construction has been completed. Mr. Smith said that the height of deck, which is below the ridgeline, will increase about 1.5' and was asked if that height could be decreased. Mr. Smith said that it could be decreased by 1'. Mr. Smith addressed the concerns of the abutters who spoke. The Board suggested a trench drain where the parking area meets Carnes Lane. Mr. Smith agreed to the idea and proposed that the trench drain empty into a drywell to be located near the cottage. He also agreed that any floodlights on the property could be put on a motion sensor.

There was a motion by Paul Graves to approve the Special Permit pursuant to Article 4, Section 4015, Site Plan Review by Special Permit, a. (1), of the Zoning By-Laws to move one bedroom from the main structure to another structure on the site and to create a new dwelling unit in the main structure, resulting in three or more dwelling units, on the property located at 26 Bradford Street with the following conditions:

- ***The upper deck will be lowered by 1.5';***
- ***Staff shall be provided with the drywell capacity;***
- ***After construction, the applicant will re-grade and re-top Carnes Lane and add a trench drain at the end of the driveway to drain into a drywell at the cottage; and***
- ***All existing and proposed exterior lighting shall be dark sky compliant.***

Ross Zachs seconded. VOTE: 4-0-0 by roll call.

PLN 20-26 (continued to the meeting of March 12th)

Application by **Eliot Parkhurst, Esq.**, on behalf of **Five Star Pet Services, LLC**, seeking Site Plan Review by Special Permit pursuant to Article 4, Section 4015, Site Plan Review by Special Permit, a. (1) & (2), and a Special Permit pursuant to Article 4, Section 4180, Inclusionary and Incentive Zoning By-Law, of the Zoning By-Laws to add a dwelling unit and 3 dormers and a new egress on an existing structure and remove a shed, animal runs, and fenced

pens in the rear of the site to construct a duplex on the property located at **79 Shank Painter Road**, with waivers from Article 4, Sections 4053, Commercial Design Standards, 4163, Residential Design Standards, and 4150, Green Area, of the Zoning By-Laws. Brandon Quesnell, Paul Graves, Ross Zachs, Jeff Mulliken, and Monica Stubner sat on the case.

Presentation: Attorney Eliot Parkhurst, Tom Walter, and David Nicolau were present to discuss the application. Attorney Parkhurst gave a short history of the property and reviewed a new site plan that had been submitted to the Board as well as other supplemental material. As to the lighting/landscaping plan, he said that all exterior lighting fixtures will be dark sky compliant and there will be a 38% decrease in lumens. He has reached out to the Police Chief concerning the lighting for the retail marijuana business on the property who requested that an additional light be added on the south side of the building. As to the landscaping, all plantings will be native and drought-resistant. There will be an increase in green space, from 4.1% to 20.2%, on the site. All other spaces will be covered with crushed shell. He reviewed the structure, including the addition of three dormers on the second floor, and a deck and staircase on the rear for emergency egress. The footprint of the structure will not change. He said that the proposed two townhouse structures will be pre-fabricated and trucked in and laid onto a foundation. There will be an increase in the parking area mid-site, with each space having undergone a turn-around review, and which will remain comprised of crushed shells. No impervious pavement is being added to the site. The applicant will be making a payment in lieu of providing an affordable dwelling unit pursuant to the inclusionary by-law requirements.

Public Comment: None.

Board Discussion: The Board questioned Attorney Parkhurst. He said that the four parking spaces in the front are reserved for the commercial retail business and two spaces in the rear are reserved for employees of the business and the rest of the spaces are for residential units in the structure. To facilitate and simplify the parking issue, he said that a sign will be located in the front of the structure stating that no cars or pedestrians are allowed past that point. He said that the trash area was moved to a more discreet location and will be screened and separate from the commercial retail business trash. The propane tank location was discussed with Mr. Walter. He said that the propane tank was moved to a less visible area and he would consider siting it on the lower walk-out pavement area. He has to discuss that location with the propane delivery company and he will be glad to do that. He said that it was not possible to put the utilities underground because of a thick concrete slab on the property and the amount of disruption to the property that would be required. As soon as he is able to put them underground, he will. There will be screening for both the trash area and the propane tank. Fencing was discussed. The fencing on the side is wood and Mr. Walter argued that the black chain-link in the rear of the property that will remain is the best material as it becomes invisible when one looks at it. Mr. Walter agreed to have the wood fencing on the side go all the way up the side of the property. Attorney Parkhurst reviewed the requested waivers. He said that as part of the Board's prior decision, it was required that the applicant present a traffic study to the Town for its review 12-14 months after the Certificate of Occupancy was issued. He requested instead of that requirement, that the applicant be allowed to appear before the Board to determine whether a traffic study was necessary after 12-14 months. Mr. Quesnell reviewed the conditions of PLN 20-11, the previous Special Permit granted to the property, including the previous condition of the possible submission of a traffic study mentioned by Attorney Parkhurst. He read the condition as a requirement that a review of traffic and safety, either a report or feedback from the police, not a formal traffic study, associated with the

operation of the marijuana retail establishment shall take place between 12 and 14 months after the receipt of a C of O. A report shall be provided to the Board by the Town Planner outlining any issues discussed and any recommended changes to address the issues. The Board shall then determine whether any agreed upon changes were within the scope of the approval or required the filing for an amendment to the approved Special Permit. All conditions enumerated in PLN 20-11 will be applied to this Special Permit. Mr. Quesnell said that he had seen in the applicant material that the Dept. of Public Works had been contacted concerning installing a crosswalk at the front of the property and that it was the Director of the DPW's opinion that such a condition was not necessary at this time, but Mr. Quesnell recommended that the condition could be required after the traffic review mentioned above. In addition, he reiterated the conditions discussed, which included the relocation of the propane tank, appropriate screening for both the propane tank and the trash area, the replacement of chain-link fences on the sides of the property with a light fence, and a payment in lieu for the affordable dwelling unit. ***There was a motion by Ross Zachs to approve the waivers as requested. Paul Graves seconded. VOTE: 5-0-0 by roll call.***

Mr. Soulé indicated that this site plan if approved would supersede any previously approved site plan and the decision for the Special Permit would reflect that fact.

There was a motion by Jeffrey Mulliken to grant a Special Permit pursuant to Article 4, Section 4015, Site Plan Review by Special Permit, a. (1) & (2), and a Special Permit pursuant to Article 4, Section 4180, Inclusionary and Incentive Zoning By-Law, of the Zoning By-Laws to add a dwelling unit and 3 dormers and a new egress on an existing structure and remove a shed, animal runs, and fenced pens in the rear of the site to construct a duplex on the property located at 79 Shank Painter Road with the conditions as reviewed. Ross Zachs seconded. VOTE: 5-0-0 by roll call.

PLN 20-30 (*request to postpone to the meeting of April 9th*)

Application by **Robin B. Reid, Esq.**, on behalf of **BWell Holdings, Inc.**, seeking a Special Permit pursuant to Article 2, Section 2440, Permitted Principal Uses, B15, Marijuana Establishment, Industrial, of the Zoning By-Laws to operate a cannabis-infusion production facility at the property located at **45 Court Street**. There was a request by the applicant to postpone to the Public Hearing of April 9th at 6:30 P.M. ***There was a motion by Ross Zachs to grant the request to postpone PLN 20-30 to the Public Hearing of April 9, 2020 at 6:30 P.M. Paul Graves seconded. VOTE: 5-0-0 by roll call.***

PLN 20-31 (*postponed from the meeting of March 12th*)

Application by **Don DiRocco**, of **Hammer Architects**, seeking a Site Plan Review pursuant to Article 2, Section 2320 (B), High Elevation Protection District (B), of the Zoning By-Laws to construct a screen porch on an existing second floor deck and reconstruct an existing set of stairs on the structure located at **5 Telegraph Road**. Brandon Quesnell, Paul Graves, Ross Zachs, Jeff Mulliken, and Monica Stubner sat on the case.

Presentation: Leif Hamnquist was present at the hearing. He reviewed the project and said that there would be minimal impact on the viewscape from any streets in the area.

Public Comment: None.

Board Discussion: The Board questioned Mr. Hamnquist.

There was a motion by Jeffrey Mulliken to approve the Site Plan pursuant to Article 2, Section 2320 (B), High Elevation Protection District (B), of the Zoning By-Laws to construct a screen porch on an existing second floor deck and reconstruct an existing set of stairs on the structure located at 5 Telegraph Road. Ross Zachs seconded. VOTE: 5-0-0 by roll call.

PLN 20-34 (*request to postpone to the meeting of June 11th*)

Application by **Keith LeBlanc**, of **LeBlanc Jones Landscape Architects**, seeking a Site Plan Review pursuant to Article 2, Section 2320(A), High Elevation Protection District (A), of the Zoning By-Laws for changes to parking, stairs, and walkways, and adding a wood deck, and installing a pre-fabricated swim spa, an outdoor shower, retaining walls, and native plantings on the property located at **14 Thistlemore Road**. There was a request by the applicant to postpone to the Public Hearing of June 11th at 6:30 P.M. ***There was a motion by Paul Graves to grant the request to postpone PLN 20-34 to the Public Hearing of June 11, 2020 at 6:30 P.M. Jeffrey Mulliken seconded. VOTE: 5-0-0 by roll call.***

PLN 20-35 (*postponed from the meeting of March 12th*)

Application by **Dave Krohn** seeking a Site Plan Review by Special Permit pursuant to Article 4, Section 4015, a. (1) and (5), Site Plan Review by Special Permit, and Article 4, Section 4180, Inclusionary and Incentive By-Law, of the Zoning By-Laws to construct five dwelling units, two septic systems, gravel driveways, and retaining walls, re-align fencing, complete associated utility upgrades, add hardscape patios and other landscape improvements, resulting in the moving of more than 750 cu. yds. of earth, which will alter the topography from the natural grade on the properties located at **66 & 72 West Vine Street**. Brandon Quesnell, Paul Graves, Ross Zachs, Jeff Mulliken, and Monica Stubner sat on the case.

Presentation: Dave Krohn, Chris King, an engineer, and Brad Walker, an architect, was present at the hearing. Mr. Krohn reviewed the project, which involves the development of the properties. First, he briefly reviewed the history of the site, built in the early 1900s, and its use as a dairy farm and its subsequent deterioration. He would like to re-establish the farm character of the properties by constructing farm-like structures and dwelling units. The horse farm will continue to operate as such. The project includes the construction of proposed septic systems, construction of gravel driveways, construction of retaining walls, the re-alignment of fencing, utility upgrades, hardscape patios and other landscape improvements. Erosion and sediment controls are proposed as well. All roof runoff will be directed to gravel filled dripline trenches or drywells to facilitate recharge. This condition was required by the Conservation Commission for perpetual maintenance. He said it may not be possible to bury the propane tank because of the level of groundwater in the area. The grading proposed will be minimal and limited to fill materials as required to meet separation from groundwater at the septic locations and additional material along the proposed driveways with short-step landscape retaining walls to limit disturbance along the southern edge of the development area. Work will also include a deck/palletized patio and landscape retaining walls. Hardscape materials proposed for the site include wood for decks and dry-laid stones for walkways and patio areas in order to promote infiltration in place by allowing stormwater to flow between the joints of the materials. All proposed buildings will be slab construction. All proposed lighting will be building-mounted with dark sky compliant cutoff luminaires or low-level landscape lighting to ensure the project will not create direct glare/spillover onto adjacent properties. Bicycle racks and trash receptacles are being proposed as seen on the submitted site plan for 72 West Vine

Street. The project will require the excavation of more than 750 cu. yds. of earth. A cut-fill analysis, which documents the amount of fill required to complete the project, has been submitted. The site plans and details contain information specific to sediment and erosion control measures that will be implemented.

Public Comment: There were 10 letters in opposition, 4 letters in support and 6 letters had questions or concerns regarding the project.

Board Discussion: The Board questioned Mr. Krohn about how he intended upon conforming with the inclusionary by-law, about underground utilities, the parking plan, and the landscape plan. The Board felt that the landscape plan was too vague and the proposed bike racks were not of the type approved by the Board. Mr. Krohn said the concrete walls, which are less than 4' tall, have been approved by the Conservation Commission and the Board of Health. He said they would be screened with native plantings. He said that he would like to put the utilities underground. The Board suggested planting more trees on 72 West Vine, along Creek Road to screen the property from the neighbors. There were 4 parking spots for the farm on 66 West Vine and 2 for the single-family house on 72 West Vine and will need to be updated in the schedule submitted to be consistent with the site plan. Mr. Krohn said that all of the trash receptacles would be together for easy pickup and agreed to screen it with plantings. The Board requested that the trash receptacle area be screened, while still making sure that it was accessible to the Dept. of Public Works. There was a question about screening for the retaining walls and whether there would be a fire hydrant installed near the properties. The Board was unclear as to where the fencing would be located. Mr. Krohn explained where the fencing would be, but will submit a fencing plan for clarity. The Board requested more information and understanding about the plantings, the propane tank, and a firm answer as to whether the electrical lines will be buried or not. Mr. Krohn added that he would be doing a payment in lieu to satisfy the inclusionary by-law. Mr. Krohn addressed the concern of neighbors about pedestrian and bicycle rider safety in the area of the West Vine Street. The Board all agreed to continue the hearing of the application. Mr. Soulé will research whether the 4 parking spaces on 66 West Vine can be deed-restricted or turned into green space if the farm ceases to exist. Mr. Quesnell reiterated the Board's requests for supplemental information: details on roof runoff mitigation techniques, such as gravel drip edges, more detail on proposed plantings, more detail on fencing, the location and screening of propane tank and trash receptacles, confirmation on utilities placement underground, and a revision of a proposed bike rack.

There was a motion by Ross Zachs to continue PLN 20-35 to the Public Hearing of April 9, 2020 at 6:30 P.M. Jeffrey Mulliken seconded. VOTE: 5-0-0 by roll call.

PLN 20-36 (*postponed from the meeting of March 12th*)

Application by **Deborah Rossi, Patricia Ackad, & Jonathan Stevens** seeking a Site Plan Review pursuant to Article 2, Section 2320 (A), High Elevation Protection District (A), of the Zoning By-Laws to add a wrap-around deck and to remove a concrete ramp on the structure located at **19 Brewster Street**. Brandon Quesnell, Paul Graves, Ross Zachs, Jeff Mulliken, and Monica Stubner sat on the case.

Presentation: Patricia Ackad and Deborah Rossi were at the meeting. Ms. Rossi briefly described the project.

Public Comment: None.

Board Discussion: The Board questioned Ms. Ackad and Ms. Rossi.

There was a motion by Paul Graves to approve the Site Plan pursuant to Article 2, Section 2320 (A), High Elevation Protection District (A), of the Zoning By-Laws to add a wrap-around deck and to remove a concrete ramp on the structure located at 19 Brewster Street. Jeffrey Mulliken seconded. VOTE: 5-0-0 by roll call.

PLN 20-37 (postponed from the meeting of March 12th)

Application by **Melissa S. Schwartz & Linda M. Freundlich** seeking a Site Plan Review pursuant to Article 2, Section 2320 (B), High Elevation Protection District (B), of the Zoning By-Laws to construct a three-season addition and two decks on the structure located at **24 Berry Lane**. Brandon Quesnell, Paul Graves, Ross Zachs, Jeff Mulliken, and Monica Stubner sat on the case.

Presentation: Melissa Schwartz and Linda Freundlich were present at the meeting. Ms. Freundlich described the project, which includes two decks and a three-season sunroom and explained why they were seeking to add these elements to their house. There is minimal disturbance to the landscape and will blend into the topography of the property and neither deck will be visible from a public way, as Berry Lane is a private way, and well below the treeline.

Public Comment: None. There was 1 letter in support of the application from an abutter.

Board Discussion: The Board questioned Ms. Freundlich and Ms. Schwartz. The Board asked if lighting was going to be present on the site. Ms. Freundlich replied that only low-level landscape lighting will be installed. The Board asked about roof runoff and stormwater management. Ms. Freundlich said that there are existing gutters and downspouts, which will need to be re-directed due to the project. Ms. Schwartz said that there will be gutters and downspouts added to the new addition to control runoff. She added that the soil on the site was very permeable. Ms. Freundlich asked if they are only adding low voltage landscaping light and none on the addition, why all of the exterior lighting had to be changed to dark sky compliant fixtures. The Board discussed the question and decided to only require a cut sheet for the landscape lighting.

There was a motion by Jeffrey Mulliken to approve the Site Plan pursuant to Article 2, Section 2320 (B), High Elevation Protection District (B), of the Zoning By-Laws to construct a three-season addition and two decks on the structure located at 24 Berry Lane with the condition that a cut sheet for the landscape lighting be submitted to Town staff and that runoff management be approved by Town staff. Ross Zachs seconded. VOTE: 5-0-0 by roll call.

3. Work Session:

a) Minor modification: Sign a modified site plan for 446 Commercial Street. Mr. Soulé reviewed the request, which was necessitated by a Special Permit for a parking lot for one parking space on the site that was approved by the Zoning Board of Appeals. *There was a motion by Ross Zachs to approve a minor modification for the site plan of 446 Commercial Street. Paul Graves seconded. VOITE: 4-0-0 by roll call.*

b) Pending Decisions:

PLN 20-24

Application by **Christine Barker**, on behalf of **Bradford Rose**, seeking a Site Plan Review by Special Permit pursuant to Article 4, Section 4015, Site Plan Review by Special Permit, a. (1) & (2), of the Zoning By-Laws for the development of 31 hotel rooms and a restaurant/bar, consisting of 2,000 sq. ft. of new commercial area and the development of an aggregate of residential units that will result in four condominium units on the property located at **227R Commercial Street**.

PLN 20-25

Application by **Christine Barker**, on behalf of **Bradford Rose**, seeking a Special Permit pursuant to Article 2, Sections 2314, Special Permit Uses, 2440, Permitted Principal Uses, A2, Multi-Family Dwelling, 2560, Dimensional Schedule, and Article 4, Section 4180, Inclusionary and Incentive Zoning By-Law, of the Zoning By-Laws for the development of 31 hotel rooms and 4 condominium units in the Harborfront Overlay District and an increase in the allowable lot coverage on the property located at **227R Commercial Street**. *There was a motion by Paul Graves to approve the language as written for Plan 20-24 and PLN 20-25. Ross Zachs seconded. VOTE: 4-0-0 by roll call.*

c) **Minutes of April 23, August 27 and October 22, 2015, January 14, March 24, April 28, June 9, 2016 and February 13, 2020.**

February 13, 2020: *There was a motion by Ross Zachs to approve the minutes of January 23, 2020 as written. Paul Graves seconded. VOTE: 5-0-0.*

f) **Any other business that may properly come before the Board:** None.

There was a motion by Jeff Mulliken to adjourn the Planning Board meeting at 10:45 P.M. Monica Stubner seconded. VOTE: Unanimous.

Respectfully submitted,

Ellen C. Battaglini

Approved by _____ on _____, 2020
Brandon Quesnell, Chair