

PLANNING BOARD
Meeting Minutes
Thursday, October 22, 2015
Judge Welsh Room
6:30 P.M.

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

Members Absent: Mark Weinress

Staff: Gloria McPherson, Town Planner.

Chair Golden called the meeting to order at 6:32 pm

Public Comments

There were no public comments

Public Hearings

[Case #FY16-03](#) (continued from October 8)

Application by Victor DePaolo requesting Site Plan Approval pursuant to Article 2, Section 2320, High Elevation Protection District (A), of the Provincetown Zoning Bylaw, to construct a two family structure with associated site work at the property located at 164 Bradford Street Extension.

Robin Reid, attorney, and Victor DePaolo, property owner presented the revised application. Reid states that there is an adjustment that moves the building back all the way to the set back on the rear line (5 foot difference) which is as far back as they could go.

Two letters were added to the file this week from the two immediate abutters. Their support is strongly positive.

Ms. Reid explains that they are aware that the property has not been in its natural condition in a very long time. When Victor is done, it is going to look a lot more like it did originally, more than 50 years ago. He is already making a significant investment in planting. No offsite runoff, the driveways will be stone, and there are no abutting wetlands. Retaining walls are for the grading of the driveway. They are adding two new homes to the sewer water and transfer station. All plans are allowed by Growth Management, just needs to be passed by Planning Board. Current revised plan is in compliance with Zoning. Mr. DePaolo plans to reside in 1 of the 2 units. No real danger to vehicular danger or pedestrian.

Mr. DePaolo explains that only 25' at the bottom of the hill, not the entire dune would be deconstructed. His goal is to not lose the hill that already exists, so that's why he plans to have it pulled back to maintain the hill that was there.

Mr. Quesnell's main concern is that the cut in the hill and the addition of the garage is going to damage the hill even more.

Ms. McPherson gives her feedback to the Planning board, states that despite the large cut, the revised plan will provide fewer disturbances and provides the best case scenario for what will eventually happen to the site. It is difficult to think about it because it is sand, but when you dig into a slope like that and you take away a lot of fill and sand one of the best ways to sure it back up is with concrete retaining walls. The slope would be stabilized. "Victor does have a good record for re-vegetating."

Mr. DePaolo gave up curb cut for parking for the town, and with an agreement (with Chris) is that he could come down and cut into the hill one way or another.

Mr. Golden moved to approve the request. Mr. Campbell seconded the motion. Ms. Ryder-O'Malley and Mr. Quesnell disapproved. Mr. Woods approved, the revised plan goes through motion.

Case #FY16-04 (Continued to November 12)

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.

Ms. Ryder-O'Malley moved to postpone the public hearing to the meeting of November 12th at 6:30 pm, and Mr. Woods seconded. The motion passed unanimously.

Case #FY16-06

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.

Mr. Murphy requests a waiver for the radii at the intersection for the subsection to be 25'. Proposing a 5' radius on the north side of the driveway and 15' radius on the south side.

Mr. Murphy requests a waiver for the centerline grade. Proposing the slope is 10% towards the bottom and top and max 20% in the middle. Reducing the slope to 12% would cause a lot more cutting. A lot more disturbance to the site than what they are hoping.

Mr. Quesnell brings up the idea of connecting the bypass of George's Path and a shelled drive to create a 'drive to drive' so there would be no disturbance of the dune and creates and access of egress. Mr. Murphy states they will look into that as an option as well.

Mr. Murphy addresses the abutter's letter that was received; there is no issue with the plan moving forward.

Mr. Campbell vocalizes his issues with the multiple waiver requests. He has issues with the alignment, but understands the limited area and with a few tweaks to the plan it can be feasible. Concern with the catch basin was also vocalized.

Ms. McPherson states her issues with the trees getting removed but no notion of any vegetation re-gen.

Mr. Jay who represents Ms. Meads states that under the 'Wetland Protection Act' and the proposed work on the slope, he will use straw, ground staples, bio logs, mixed leaves, and a silk fence to create zero discharge. He believes it is genuinely on the applicant for upkeep. He has provided a genuine effort to provide the appropriate measure as an explanation to Ms. McPherson, but physical plans are needed.

Planning Board will postpone the application until they get more information and finalizes answers to the proposed questions.

Mr. Quesnell moved to continue the hearing to December 10th at 6:30pm. Ms. Ryder-O'Malley seconded the motion. The motion passed unanimously.

Work Session

Discussion with developer Chris Wise regarding conceptual site plan for 350 Bradford Street.

Chris Wise on behalf of PPJC LLC wants to engage abutters. The applicant is having the discussion to ensure he is heading in the right direction. He does not have specifics but has a slide show for the Planning board. As a general discussion, the plan is in zoning, the buildings are within the scale of the neighborhood, and the number of units is allowed based on the lot area.

He will come back at a later date with the appropriate plans for a public hearing.

Case #FY16-07

Application by William N. Rogert on behalf of Milan Realty LLC for endorsement of a plan believed not to require approval (ANR) to combine two lots at the property located at 128 & 130 Bradford Street (Assessor's Map 12-1, Parcel 47 & Map 12-1, Parcel 48).

Ms. Ryder-O'Malley believes that the incremental improvements are sufficient enough to approve.

Mr. Woods moved to endorse the request as presented. Ms. Ryder-O'Malley seconded. The motion passed unanimously

Meeting with the Airport Commission for discussion regarding expanding cell service and email from Verizon of September 16, 2015

Ms. Ryder-O'Malley states that the town has been approached by different cell services about upgrading to make their services faster but there is still absent coverage in areas such as, the Airport, Herring Cove, and Race Point as well as other places in town. In terms of safety it is an issue. The company's response is that it is very expensive and they would need to be close to if not on those sites. She asks the commission about putting a micro cell at the Airport.

The Commission response that they have had their own conversations with Verizon and the micro cell has been discussed, but the decision was given to the MIS department, Beau.

The Commissions issues are: What is the range of coverage and can the (3) major companies all work together to have unanimous coverage for all carriers.

The Planning Board and the Airport Commission agree to follow up with the MIS department and then create a time for a future meeting.

Discussion regarding conveyance of town owned land along Harry Kemp Way to the owners of 34A Pearl Street.

Mr. Murphy representing the owner of 34A Pearl St states that they bought the property under the assumption that the picket fence was apart of the layout. Mr. Murphy proposes to the town that his client will pay \$2500, legal fees, and surveying fees if the town would approve the conveyance 690 sq. ft. parcel.

Mr. Woods moved to endorse the request as presented. Ms. Ryder-O'Malley seconded. The motion passed unanimously.

Release of Surety Bond at 25 Miller Hill Road (FY13-16)

Mr. Woods moved to endorse the request as presented. Mr. Golden seconded. The motion passed unanimously.

Meeting Minutes:

Minutes of April 23, May 28, July 23, August 13, August 27, September 10, September 24 and October 8, 2015

Meetings were moved to a later date.

Other Business:

Discussion regarding board member vacation schedules and quorums.

Discussion regarding potential Zoning Bylaw amendment: Inclusionary Bylaw and Incentive Zoning were moved to a later date.

Respectfully submitted,
Tyler Ranauro, Administrative Assistant