

Ad Hoc Zoning Bylaw Revision Working Group
Wednesday, February 2, 2011
Caucus Hall, Town Hall
260 Commercial Street, Provincetown, MA 02657

Members Present: Anne Howard and David Nicolau

Excused Absent: Marianne Clements, Ginny Binder and Ted Malone.

No quorum was present for this meeting. A work shop was conducted and discussion ensued.

Staff Present: David Gardner, Russ Braun and Maxine Notaro,

Also Present: Peter Page, Margo Page, Dorothy Polanza, Bill Dougal, Howard Burchman, Mike Zebbie

Public Comment: None.

RECOMMENDATION 1:

Provincetown Zoning Bylaws Article 6 – Growth Management By-Law

Section 6500 Table of Use Categories and Priorities

GENERAL USE CATEGORY 3

- 3a. Expansions or alterations to existing residential structures or uses that result in increased Title 5 flow, not to exceed the Title 5 Design Flow pursuant to 310 CMR 15.203(2). A total of 330 gallons per year will be reserved for one bedroom per year per applicant. ~~not to exceed a total of 330 gallons per year.~~
- 3b. Single-family dwelling on one per lot; two-family dwelling on one per lot; and for the addition of more than one bedroom to existing residential structures
- 3c. All other market rate residential projects without affordable housing components that result in increased Title 5 flow, except that no one applicant may gain access to 65% of allowable growth within this category within any given year.

Section 6600 Growth Limitation Goal Allocations

2. The Growth Limitation Goal shall be allocated for categories 2, 3 and 4 each year as follows:

(a) Annually, during the Growth Management Review, the Board of Selectmen may allocate up to 1,100 gpd to General Use Category 2, provided that the Board of Selectmen shall have made a

finding that the Town is in compliance with the water withdrawal permit issued by the Department of Environmental Protection (“DEP”) pursuant to 310 CMR 36.00 and all applicable rules and regulations promulgated by DEP with respect thereto.

All unassigned gallonage remaining at the end of each calendar year for General Use Category 2 shall remain available for assignment in the next calendar year for General Use Category 2.

(b) Annually, during the Growth Management Review, the Board of Selectmen may allocate up to 1,870 gpd to General Use Category 3, provided that the Board of Selectmen shall have made a finding that the Town is in compliance with the water withdrawal permit issued by the Department of Environmental Protection (“DEP”) pursuant to 310 CMR 36.00 and all applicable rules and regulations promulgated by DEP with respect thereto. Within this allocation, 330 gpd shall be reserved for General Use Category 3a (expansions to existing residential structures).

**RECOMMENDATION 2:
Article 1 Definitions:**

Boarding, Lodging or Tourist Home A dwelling with a ~~managing family~~ resident manager on the premises or associated with the business when the business occupies more than one parcel, plus accommodations, with or without meals, ~~rented to~~ renting more than three but fewer than twenty ~~persons~~ separate guest units.

**RECOMMENDATION 3:
Section 4170 Change of Use/Non-Residential to Residential Use Conversions**

1. Purpose and Intent

The purpose of this by-law is to establish special permit requirements for changes of use from commercial to residential use and to minimize adverse impacts on the community from such development. In addition, this by-law is intended to create additional affordable housing opportunities for Provincetown residents and to assist the Town in creating units eligible for inclusion in its Subsidized Housing Inventory.

2. Applicability

The following types of change of use shall require Special Permit authorization from the Zoning Board of Appeals as provided for in Article 5, Section 5300:

- (a) Any change of use from a non-residential use to a residential use of more than four dwelling units;
- (b) Any change of use from a boarding, lodging or tourist homes use, to a residential use of more than four dwelling units; and
- (c) Any change of use involving mixed use development that alters the existing mix of uses such that a predominantly non-residential development becomes predominantly residential.

No Further discussion.

Adjournment

Motion to adjourn at 7:30 p.m.

Respectfully submitted,
David Gardner, Assistant Town Manager