

PLANNING BOARD
Meeting Minutes
Thursday, February 12, 2015
Judge Welsh Room
6:30 P.M.

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

Members Absent: Marianne Clements, Mark Weinress.

Staff: Gloria McPherson, Town Planner.

Acting Chair John Golden called the meeting to order at 6:30 P.M.

Public Comments

There were none.

Case #FY15-7 (Continued to February 26)

Application by Five Star Pet Services, LLC dba Provincetown Pet Resort requesting Site Plan Approval and a Special Permit pursuant to Article 4, Section 4015, Site Plan Review by Special Permit, of the Provincetown Zoning Bylaw, for a commercial property with a curb cut greater than 25% of the frontage, for Phase 2 parking and landscaping improvements to a previously approved Site Plan (Case #FY14-21) at the property located at **79 Shank Painter Road**.

Ms. McPherson reminded the Board that the applicant had requested to continue the hearing to the February 26th meeting and the Board had approved the continuation at the last meeting.

Case #FY15-12 (Continued from January 22)

Application by Deborah Paine, Inc. on behalf of Susan C. Bestgen requesting Site Plan Approval pursuant to Article 2, Section 2320, High Elevation Protection District (A), of the Provincetown Zoning Bylaw, to construct an 8'x15' addition and enclose an existing carport at the property located at **684 Commercial Street**.

Deborah Paine and Dave Holberg presented the new information to the Board, including a planting plan, which also indicated stormwater runoff and the location of drywells, and outside lighting fixtures. She said they were planning to use bayberry and sweetfern, with bearberry as a ground cover to stabilize the site. She stated that she included cut sheets for the light fixtures, and that everything will be downlights.

Ms. Paine also provided information on helical piles from an engineer, including a letter addressing the concerns of the board that one of the piles of the carport is over the edge of the slope.

Ms. Ryder-O'Malley explained that the board was concerned about runoff from the roof causing erosion, and wondered why there is a drywell so close to the area of erosion.

Ms. Paine explained that the downspout would go down through the deck and into the drywell, so there won't be any erosion.

Mr. Quesnell asked how they planned to camouflage the deck as the neighbors below look up.

Ms. Paine replied that they would use skirting boards.

Mr. Quesnell expressed his concern that if erosion happens and the dune continues to move, the piling is right on the edge and it can be eroded.

Ms. Paine explained that the helical will go down to where it's solid ground, not sand. One of the reasons for using helical piles is that they are at least twice as deep as a four foot footing and similar to marine pilings. She stated that it will never move again.

Ms. Ryder-O'Malley is still concerned that the top of the slope can erode away around the piling.

Ms. Paine stated that the current footings are not installed correctly and not deep enough and they have been frost heaved. That's where all the movement came from. Bearberry planted all around will also help stabilize the top layer.

Mr. Campbell noted that they are proposing to use helical piles with grade beams, not bearing on the soil, which will protect the slope. He said there is a letter stamped and signed by an engineer saying that this will work.

Mr. Golden stated that he believes this method sounds more reasonable than the yards of cement poured on Telegraph Hill.

Mr. Holberg mentioned that another good thing about them is they are reversible.

Ms. Paine stated that the ground, once revegetated, will have a great opportunity to stabilize. No one will touch it. And there is already a lot of vegetation on the slope.

Mr. Quesnell asked if they would be hooking up to the sewer.

Ms. Paine replied in the negative, that there is an existing title V system off the garage, where it says limit of work on the plan. She said she would like to poll the board before moving forward with a vote.

Mr. Golden is in favor of the project; Ms. Ryder-O'Malley is going to vote no because she is concerned about erosion; Mr. Quesnell is in favor because there is a stamped engineering report; Mr. Campbell is also in favor.

Mr. Quesnell made a motion to approve the application as presented. Mr. Golden seconded. The motion passed 3-1-0, with Ms. Ryder-O'Malley opposed.

Case #FY15-13

Application by Edward Dusek on behalf of Ellen Grubert and Janis Lippman requesting Site Plan Approval pursuant to Article 2, Section 2320, High Elevation Protection District (A), of the Provincetown Zoning Bylaw, to construct a deck with stairs and rebuild front entry stair at the property located at **12 Brewster Street**.

Pavel Fiodarau presented the application. He explained that the lot is within the High Elevation Protection District, but the entire lot is developed. He described the steps and deck that will be located on the flat portion of the site. Existing plantings will not be disturbed. The rear deck and stairs are located outside setbacks. The front steps located within the front setback but are not more non-conforming.

Ms. Ryder-O'Malley asked if the deck over the existing septic, the depth of footings.

Mr. Fiodarau said that the deck is located over the septic and that the footings are only about 16" deep

Mr. Quesnell asked if there were any lighting for the deck and stairs.

Mr. Fiodarau stated that there would not be lighting on the deck and there is already a wall mounted light on the house near the stairs.

Mr. Quesnell confirmed that underneath the stairs will be closed off from view.

There was no public comment and one letter of support in the file, read aloud by Mr. Golden. Ms. Ryder-O'Malley noted that the letter was from the immediate abutters, closest to the work.

Mr. Quesnell stated that he spoke to neighbor on the other side and reported that they are in support of the project.

Ms. Ryder-O'Malley made a motion to approve the application as submitted. Mr. Quesnell seconded. The motion passed unanimously.

Work session

Affordable Accessory Dwelling Unit Bylaw Amendment

Ms. McPherson presented the Planning Board with a draft of a proposed bylaw amendment. She explained that the Board of Selectmen had requested that she look at amending the Zoning Bylaw to allow accessory dwelling units. Because all of the residential zoning districts except Res1 allow multiple principal structures on a lot, accessory apartments only make sense in Res1. She explained that there were size restrictions, affordability restrictions, a year-round rental requirement, and a requirement that one of the units (either principal residence or accessory unit) be owner-occupied so that there would be no short term rentals of either unit.

Mr. Golden wanted to make sure any accessory units wouldn't be able to be sold separately and condo-ized.

Ms. Ryder-O'Malley questioned requiring them to be affordable in perpetuity rather than shorter term and wondered how the town would enforce the requirement that one of the units be owner-occupied.

Mr. Campbell had concerns that it would be difficult to sell affordable in perpetuity at Town Meeting.

Ms. Ryder-O'Malley stated that because of what happened at fall town meeting, she did not want to present something that was not initiated by the Planning Board.

Mr. Quesnell opined the need for more collaboration with the BOS and the Finance Committee and requested that the Planning Board get on their agendas if they don't come to our work sessions and public hearings.

Public Comment

Jim Woods stated that if affordable housing/year-round rental restriction is only for a limited amount of time, then after that, it would likely no longer be a rental unit since there is incentive to condo-ize.

Charter Amendment for second PB alternate

Ms. McPherson asked the Board if they would be interested in a Charter Amendment to increase the number of alternate member positions on the Planning Board from one to two. She explained that recently, there were two very qualified applicants for the single alternate position and one applicant had to be turned down.

The Board generally agreed that there was no down side to having a second alternate position and that it would be helpful for quorum issues.

Ms. McPherson said she would submit a warrant article for the second alternate.

At 7:45 pm, Mr. Quesnell made a motion to adjourn. Ms. Ryder O'Malley seconded. The motion passed unanimously.

Respectfully submitted,
Gloria McPherson

Approved by _____ on _____, 2015
Mark Weinress, Chair