

PLANNING BOARD
Meeting Minutes
Thursday, February 26, 2015
Judge Welsh Room
6:30 P.M.

Members Present: Mark Weinress, John Golden, Marianne Clements, Ryan Campbell and Brandon Quesnell.

Members Absent: Grace Ryder-O'Malley (excused).

Staff: Gloria McPherson, Town Planner.

Chair Mark Weinress called the meeting to order at 6:30 P.M.

Public Comments

There were none.

Public Hearings

Case #FY15-7 (Continued from December 11

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 reported that the applicant has requested a continuation to the March 26th meeting as they are in the process of doing the requested traffic study and stormwater report.

The Board questioned the scope of the traffic study, and believed the most important information is turning radii for access to the site of potential 53-foot trucks. The Board would like the applicant to check in at the March 12th meeting to see where they are with the traffic study and stormwater report to decide if they have sufficient information at this point so that the Board can potentially reduce the scope of the work requested, and to give them guidance as to how they should move forward.

Mr. Golden made a motion to continue the public hearing to March 12 at 6:30 pm, for the applicant to check in with the Board, and the Board to determine how they should move forward. Ms. Clements seconded. The motion passed unanimously.

Case #FY15-14

Application by William N. Rogers on behalf of James D. Epstein and Thomas A. Hess requesting Site Plan Approval pursuant to Article 2, Section 2320, High Elevation Protection

District (B), of the Provincetown Zoning Bylaw, to install a pool with all associated site work at the property located at **5 Telegraph Hill Road**.

Mr. Quesnell noted that because of the snow, the Board was not able to see the site. He felt a site visit would be necessary.

Mr. Weinress asked the applicant if they would like to postpone the hearing or present the application.

William Rogers and Chris Deitrich presented the application and described the proposed pool, which was a plunge pool of 240 square feet. It is to be located on the flat portion of the site, rather than the crest of the dune.

Ms. Clements asked the depth of excavation.

Mr. Deitrich replied that the excavation for the pool would be 6 feet deep, and the excavation for the equipment lines would be 4 feet deep.

Mr. Weinress asked the applicant to describe the vegetation located outside the fenced-in area.

Mr. Rogers responded that it was natural vegetation outside the fence and lawn inside. Mr. Deitrich showed the Board photographs of the area before the snow.

The Board discussed the new location of the fence, which would increase the lawn area at the expense of the natural vegetation. There would also be a small amount of paving in the area that is currently natural.

Mr. Weinress noted that most of the proposed work area is already disturbed and lawn, and is on the flat part of the site far from the edge of the slope. He stated that based on what the Board has seen and heard today, the project seems ok, but that since there will be excavation, the Board would like to conduct a site visit to confirm.

Mr. Golden asked if they would be excavating by hand or with equipment.

Mr. Deitrich stated that they would be using a very small excavator that would come around the side of the house.

Ms. McPherson asked Mr. Rogers to stake the corner of the new fence and all four corners of the bluestone patio so the Board can get a sense of the location of the work at the site visit.

The Board decided to go to the site individually, rather than schedule an official site visit.

Mr. Golden made a motion to continue the hearing to March 12 at 6:30 pm. Ms. Clements seconded. The motion passed unanimously.

At 7:10 pm, Mr. Weinress closed the Public Hearing portion of the meeting and opened the Work Session.

Work Session

Minutes

Ms. McPherson told the Board that the Minutes were not yet finished.

DART Liaison

Ms. McPherson reported that Ms. Ryder-O'Malley had suggested that the Planning Board select a member to be a liaison to the DART meetings, to report back to the Board about the monthly meetings.

Mr. Campbell volunteered and the Board unanimously agreed.

Proposed Zoning Bylaw Amendments

The Board decided to hold the legally-required public hearing on all proposed Zoning Bylaw amendments and land use related warrant articles on March 26, 2015 at 6:30 pm.

Inclusionary Bylaw

Ms. McPherson reported that the Board of Selectmen agreed to postpone the proposed Inclusionary Bylaw to the Fall 2015 Town Meeting.

Mr. Quesnell suggested that as the Board undertakes the writing of an Inclusionary Bylaw that there be a representative from the Board of Selectmen to attend the meetings that the Bylaw is discussed. He would also like a representative from the Community Housing Council, but that it might not be necessary that rep attend all meetings. He also suggested that the Board meet with the FinCom in advance of Town Meeting to get their feedback.

Ms. McPherson stated that as the process gets underway, she will draft a memo to the Board of Selectmen and Community Housing Council to request a representative for the Inclusionary Bylaw meetings. She also recommended inviting the Building Commissioner and members of the Zoning Board of Appeals as necessary.

FEMA Requirements Article

The Board read an email from the Building Commissioner.

The Board went over the proposed bylaw amendments and made some minor changes to the wording.

Ms. Clements made a motion to approve the FEMA Requirements Article as amended and place it on the Annual Town Meeting Warrant. Mr. Golden seconded. The motion passed unanimously.

Use Regulation Article

Ms. McPherson described updates to the article based on feedback from the Board of Selectmen meeting Monday evening. The accessory apartments in Res1 would continue to be required to be year-round rentals, but there would be no affordability requirement.

The Planning Board agreed to the changes. The Board discussed if it would allow in-laws to stay in the accessory apartments, and determined that there is nothing in the article that would prevent that, provided that the apartment was rented.

Mr. Golden made a motion to approve the Use Regulations Article as written and place it on the Annual Town Meeting Warrant. Ms. Clements seconded. The motion passed 4-0-1, with Mr. Weinress abstaining because he lives in the Res1 Zoning District.

Growth Management Article

Ms. McPherson explained the background of this proposed amendment. There was a question of priority in the Category 3 Growth Management queue, based on Town Counsel’s interpretation of a potential 3 year zoning use freeze from an approved 81P plan for a proposed duplex. This would allow the duplex to jump ahead of the single family homes that receive priority. The bylaw amendment would allocate enough additional gallons on a one-time basis in 2015 to allow the duplex and all the single family homes in the queue to receive gallons.

Ms. Clements made a motion to approve the Growth Management Article as written and place it on the Annual Town Meeting Warrant. Mr. Golden seconded. The motion passed unanimously.

Other Business

Mr. Quesnell, Planning Board representative to the Community Preservation Committee, updated the Board on the recommendations of the CPC to Town Meeting, noting that all the requests were approved as presented with the exception of the Winslow Farms purchase, where the \$1 million requested was reduced to a recommendation of \$300,000.

There was a motion by Mr. Quesnell to adjourn the Planning Board meeting at 8:05 pm. Ms. Clements seconded. The motion passed unanimously.

Respectfully submitted,
Gloria McPherson

Approved by _____ on _____, 2015
Mark Weinress, Chair