

PLANNING BOARD
Meeting Minutes
Thursday, December 10, 2015
Judge Welsh Room
6:30 P.M.

Members Present: Grace Ryder-O'Malley, Brandon Quesnell, Mark Weinress, and Jim Woods.
Ryan Campbell arrived after the start of the meeting at 6:56pm

Members Absent: John Golden

Staff: Gloria McPherson, Town Planner.

Acting Chair Ryder-O'Malley called the meeting to order at 6:32 pm.

Public Comments

There were no public comments

Public Hearings

Case #FY16-04 (request to postpone to the January 14, 2016 hearing):

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.

Mr. Murphy spoke on behalf of the applicant and requested to postpone because the ZBA hasn't acted on the application yet. Mr. Murphy already provided a waiver to today's date and offered to provide a request for waiver until the next meeting, as needed.

Mr. Quesnell moved to postpone to January 14, 2016. Mr. Woods seconded the motion. The motion passed unanimously, 4-0-0.

Case #FY16-10

Application by Edward D. Pare of Brown Rudnick LLP on behalf of T-Mobile Northeast LLC requesting Site Plan Approval

pursuant to Article 2, Section 2320, High Elevation Protection District (B), and Article 4, Section 4010, Administrative Site Plan Review, of the Provincetown Zoning Bylaw, for the collocation of panel antenna arrays with associated equipment and cables on the water tower, and the construction of a 9.6' x 19.6' metal platform supported by 4 concrete piers to hold equipment at the property located at 120 Mount Gilboa Road.

Mr. Edward Pare, representing T-Mobile, presented the application to modify the installation on the water tower at 120 Mt. Gilboa Road. T-Mobile would like to attach 9 antennas to a previously approved cell location. The plans have been approved by the water superintendent and the DPW director.

Ms. Ryder-O'Malley questioned the coverage map specifically regarding how reliable they are.

Mr. Pare stated the maps are very reliable and they take into account elevation (i.e., clutter, topography, etc.). This should provide better coverage to the airport because there is a direct site line from the water tower to the airport.

Referencing sheet S2, Mr. Quesnell questioned how they will get drilling equipment to the site without compromising the integrity of the hill. Is it possible to put it somewhere that doesn't go over the hill?

Mr. Pare stated T-Mobile will work with the water department to maintain the integrity of the hill, water tank and fencing. The water department decided the placement for the T-Mobile equipment. The applicant would have preferred to put the ground equipment on flat land.

The Board asked Ms. McPherson about the site. She noted that the slope around the tank is stabilized by riprap and that the excavation will be protected by the existing riprap.

There were no public comments or letters submitted for this case.

Mr. Weinress made a motion to approve the site plan as proposed, with the condition that a performance bond is posted in the amount of \$30,000 for removal of the installation at the end of the lease if not renewed. Mr. Woods seconded. The motion passed unanimously, 4-0-0.

Case #FY16-11

Application by Edward D. Pare of Brown Rudnick LLP on behalf of T-Mobile Northeast LLC requesting Site Plan Approval pursuant to Article 2, Section 2320, High Elevation Protection District (B), and Article 4, Section 4010, Administrative Site Plan Review, of the Provincetown Zoning Bylaw, for the collocation of panel antenna arrays with associated equipment and cables on the water tower, and the installation of a 10'x20' concrete pad for base equipment at the property located at 7 Captain Bertie's Way.

Mr. Pare presented the application on behalf of T-Mobile. It is a similar installation as previously approved. There are 9 antennas with magnetic mounts, so there is no damage to the water tank. This plan is also approved by the water superintendent and DPW director. Screening of the equipment from general public view will be provided. No generator is planned for this installation.

Mr. Quesnell asked if it was possible to move the equipment tray closer to the ladder so that there aren't so many vertical trays running down the tower.

Mr. Pare stated that the water superintendent has approved the location. He will go back to the superintendent to get the tray as close as possible.

There were no public comments or letters submitted for this case.

Mr. Weinress moved to approve the application as presented, with the conditions that a performance bond is posted in the amount of \$30,000 for removal of the installation at the end of

the lease, if not renewed, and to move the cable tray as close to the ladder as possible with approval of the water superintendent. Mr. Woods seconded. The motion passed unanimously, 4-0-0.

Ryan Campbell arrived for case 16-06, Mr. Weinress is not sitting on this case.

Case #FY16-06 (Continued from October 22)

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 in the excavation of more than 750 cubic yards of earth at the property located at 5 & 7 Georges Path.

Attorney Jay Murphy, property owner Kathy Meads, and John McElway, project engineer, appeared before the Board to present the application.

Attorney Murphy described a number of issues raised by the board at the meeting of October 22. They met with the fire chief. He didn't feel the 10 ft driveway was sufficiently wide enough for the emergency fire equipment. The plan has been revised to show a 12 ft width driveway.

Ms. Ryder-O'Malley asked to point out the water main and fire hydrant referred to in the letter from the fire chief.

Mr. Woods expressed concerns about the grade of the driveway, the 10% slope at the bottom, going quickly to 20%, and whether the vertical curve is adequate for the length of vehicles. The Board agreed that it would like to hear from the fire chief specifically about the grade, in addition to the width, of the driveway.

Mr. Quesnell asked the applicant about a previously approved plan from 2008, where the driveway went over an adjacent lot to access the site and did not have the environmental impact of this plan.

Ms. Kathy Meads said that she would like to go back to a previously approved plan from 2000 because the side entrance is no longer a part of her estate planning with her son.

Ms. McPherson confirmed with Ms. Meads that she is still the owner of the adjacent parcel.

Attorney Murphy stated that after Georges Path subdivision was proposed, the plan was revised to lessen the grade of the road and this revision impacted trees to be preserved. The plan will go before the Conservation Commission and expects significant revegetation.

Ms. Ryder-O'Malley noted that the locations of trees were added to the plans, but the plans do not clearly show which trees are actually going to be able to be preserved.

Mr. McElway went tree by tree describing which trees could be saved.

Attorney Murphy stated that they also looked at rotating the orientation of the buildings, as requested by the board, but the proposed locations result in less disturbance on the lot.

Mr. McElway said that the site wants the buildings to be aligned the way they are.

Ms. Ryder-O'Malley confirmed that the buildings traverse across the topography with a significant grade change and neither building has been rotated, as requested.

Attorney Murphy said that they looked at whether access could be obtained through the abutters in the rear, but those properties get their access through a town parking lot. He also said that abutters had concerns about privacy.

Ms. Ryder-O'Malley asked if they reached out to the abutters.

Ms. Meads stated that she did not, because they didn't have legal frontage driveway.

Ms. Ryder-O'Malley noted that at the last meeting they also asked about screening from the abutters, and the location of trash and recycling.

Attorney Murphy asked what kind of screening.

Ms. McPherson said that it is up to the applicant to propose screening that addresses the concerns of the Board that the buildings are perfectly lined up with the abutters - fencing, vegetation, whatever might work. It's not appropriate for the Board to be designing the project. She also noted that the Board had asked for lighting specs.

Attorney Murphy reviewed the list of things that the PB is requesting for the next meeting; including trash recycling, screening and lighting fixture specifications. Attorney Murphy also noted that the Conservation Commission will want native species.

There were no public comments and one new letter in favor submitted for this case.

Mr. Woods moved to continue the hearing to Feb 11 at 6:30. Mr. Campbell seconded. The motion passed unanimously, 4-0-0.

Work Session

The Planning Board began discussions with Mr. John Krajovic, a candidate for Planning Board Alternate position. Mr. Krajovic discussed some of his background. The Board discussed the role of the Planning Board, the types of projects they see and the role of alternates. Ms. McPherson also discussed long range planning that the board does, including zoning bylaw amendments and the Local Comprehensive Plan (LCP).

Mr. Krajovic mentioned that he is also interested in the Beautification Committee. Ms. McPherson noted that she had spoken with Bill Docker, who was interested in more of a connection with the Planning Board.

Mr. Krajovic asked whether the Board had a representative to the CCC. Mark noted that he is the current rep but is leaving the Board at the end of the month. He described his involvement with the commission and offered to discuss further after the meeting.

Pending Decisions

Case #FY16-09:

Application by Louise Venden requesting Site Plan Approval pursuant to Article 2, Section 2440 (A1a)(2), Permitted Principle Uses, of the Provincetown Zoning Bylaw, to create an accessory dwelling unit within the Res 1 zoning district that comprises of less than 40% of the total gross floor area of existing principle residence at the property located at **16 Thistlemore Road**.

Mr. Woods read the draft decision into the record.

Mr. Quesnell moved to approve the decision with the changes as discussed. Mr. Campbell seconded. The motion passed unanimously, 5-0-0.

Other Business:

The Board signed plans for previously approved cases. (See above.)

The Board discussed the 2016 calendar and vacation schedules. The Board cancelled the second meeting in November and December.

The Board discussed the possible selection of a representative to the Cape Cod Commission. The Board decided to wait to see if John was interested in joining the Board since he seemed very interested.

Mr. Woods and Ms. McPherson updated the Board on activities of the Local Comprehensive Planning Committee.

Ms. McPherson updated the board on Judi Barretts, Housing Specialist, suggestion to incentivize the production of affordable units on site by making that by Site Plan Review (SPR) only, other by Special Permit.

At 8:55 pm, Mr. Quesnell moved to adjourn for 2015. Mr. Weinress seconded. The motion passed unanimously, 5-0-0.

Respectfully submitted,
Gloria McPherson, Town Planner

Approved by _____ on _____, 2016
John Golden, Chair