

PLANNING BOARD

Meeting Minutes

Thursday, April 22, 2021

6:00 P.M.

PB Members Present: Brandon Quesnell, Paul Graves, Jeffrey Mulliken, Monica Stubner, Paul Kelly, Steven Azar, and Mia Cliggot-Perlt.

Members Absent: Marianne Clements (unexcused).

Staff: Thaddeus Soulé (Town Planner) and David Gardner (Assistant Town Manager).

Mr. Soulé introduced the virtual hearing, explaining the reason the Public Hearing was being held virtually. He then called the roll.

Chair Brandon Quesnell called the Planning Board Public Hearing to order at 6:00 P.M. and turned the meeting back over to Mr. Soulé, who then explained how the Board, the applicants and the public could participate remotely, and reviewed the meeting protocol.

1. Stellwagen Bank National Marine Sanctuary Visitor Center Presentation and

Feedback: Anne Marie Runfola, from the National Oceanic and Atmospheric Administration (NOAA), and Conrad Ello, of Oudens Ello Architecture, were in the meeting to present the project. Ms. Runfola said that the purpose of her presentation was to keep the Board informed of the status and progress of the project and to get feedback. This was not a permitting meeting, but the project will return to the Board for permitting in the future. She added that she would like to talk about next steps in the process and proceeded to give some background on the project. She is a program coordinator with the Stellwagen Bank National Marine Sanctuary, which is part of NOAA. She said that the NOAA headquarters where she works is in Scituate and the organization also maintains a tank at the New England Aquarium, however she said that it was important to have a sense of place that a visitor's center for the Sanctuary would provide where the public can emotionally connect with the organization without getting wet. The Center for Coastal Studies is a partner in this project and, along with the Town of Provincetown, which is a major gateway to Stellwagen Bank, was instrumental in designating the area as a sanctuary. She said a feasibility study was done in 2017 and 2018, with the primary partners and a community steering committee, which included non-profits, businesses, the Chamber of Commerce, and individuals from the community. The result of the study was a huge thumbs-up for constructing the Visitor Center. There was a desire and an audience for the project, resulting in its moving ahead to the conceptual design phase. In late 2019 and early 2020, the conceptual design was funded and an architectural firm hired. The conceptual design is still in its early phase, but it will help in identifying a location, the general design, the functionality of the programs, and will reconfirm the need for the project. She said that it was important to hear the Board's comments and identify any deal-breakers that may exist at this stage.

Mr. Ello reviewed the project. He said that since last summer, his architectural firm has been working on a concept design for the 10,000 sq. ft. Stellwagen National Marine Sanctuary Visitor Center in close collaboration with the Town of Provincetown, NOAA, and CCS. After a site analysis and many months of programming was done, a conceptual design was created.

The Select Board has seen an earlier version of the design, was supportive of it, and encouraged the project to move forward in the proposed location. He cautioned that what he would be showing tonight was a work in progress and he was looking for feedback from the Board. There will be additional opportunities in the coming months to comment on the project as well. This project builds on the 2018 feasibility study that was done and which identified the center of Town, near MacMillan Pier, as the preferred location for this structure. There are aspirations for the building beyond its being a visitor center, including improvements that will benefit the Town and its residents. There are proposed improvements to the existing transportation center and Ryder Street Extension. The current comfort station building will be demolished and the public bathrooms will be moved to the proposed building. That area will be freed up for the installation of bus parking stalls and for green space with the addition of trees. Additional electrical vehicle charging stations will be added as well. The proposed building will run parallel to the first stem of MacMillan Pier that extends from Lopes Square out into the Harbor. Mr. Ello presented and reviewed two versions of the building that have been created, the first of which elevates the main floor of the building to 6.5' above the boardwalk level. The base of the building needs to be elevated because the proposed location is in FEMA flood zones. The base flood elevation of the V Zone, in which the building will be located, is 13', which is about 3' above the boardwalk. The underfloor of the new building must be above that base floor elevation. The second scheme, which he characterized as the more compelling of the two versions, elevates the floor to 9' above the boardwalk. This height allows for the activation and programming of the underbelly of the structure for parking, which will help mitigate for the loss of parking spaces in the Municipal Parking Lot. In addition to parking, this portion of the boardwalk would be activated with vendor stalls, which complements the existing seasonal activity of the trap sheds along the boardwalk. He said the intention was to locate the comfort stations at the boardwalk level in order to serve the transportation center, Lopes Square, and the visitors coming off the ferries docking at MacMillan Pier. He presented floor plans of the proposed building. A breezeway will be constructed to link the boardwalk to the MPL and facilitate the circulation of visitors from the MPL to more pedestrian-friendly areas. There will be two main entrances, with stairs leading up to the building, located on the north and south sides. These will serve to invite people into the building as they come off MacMillan Pier. The upper floor, which is the main floor level, will have large information/exhibit/retail space that will orient visitors to the Town and the Marine Sanctuary. From there, another stair will lead up to the second floor, which will accommodate exhibits for the Marine Sanctuary and will have a multi-purpose room, which can accommodate 80 people and can be sub-divided. This room will be utilized by non-profit groups, school groups and other organizations. Mr. Ello reviewed a conceptual section through the building that showed how the underbelly of the elevated building will allow for flood waters to flow beneath it. He reviewed how the building will fit in, in terms of scale and character, into the fabric of the Town. There will be a lantern-like window that will extend along the southwest-facing roof that will allow more light into the upper level and will maximize the roof in order to accommodate a photo-voltaic solar array. There are aspirations for the building to be net zero energy, with renewable energy on site helping to achieve that goal. He reviewed various aerial and ground-level views/images of the proposed building, showing how it fit into the fabric of this area of Town. He said that that structure would energize and activate this portion of the Pier that narrows as it nears Lopes Square. It currently is not a great area for pedestrian-

friendly circulation, but will, in its proposed expanded form along with the boardwalk, be more of a gateway for tourists coming onto and going off the Pier.

Mr. Ello asked for questions and feedback. Mr. Quesnell asked about the team holding more public forums before the project came back to the Planning or the Zoning Board for approval. Ms. Runfola said that throughout the process, there have been public forums, including an in-person, socially-distanced one, with the involvement of the steering committee, flyers were sent out, a public webinar was held, a public service announcement was created and posted on PTV and on both the CCS and the Town's website, and two resident surveys were conducted to gather public comment. She said that in between these, the team has been meeting with various groups, such as the Chamber, and has held multiple public steering committee meetings. The team will do one more outreach forum and they will be having one more formal meeting with the steering committee. They will meet with the Zoning Board before the final design is made. When that phase happens, more public outreach will commence.

Mr. Quesnell asked for public comment. Ms. Runfola added that the team's contact information is on the Town's and the CCS website in case any member of the public wants to contact them for comment. There were no comments from the public. The Board was asked for comments and questions. In response to a question from Mr. Azar about re-development and use of the MPL area, Mr. Soulé said that the Local Comprehensive Plan foresees exploring options for the re-development and reuse of the MPL. He said that one concept was to create a green area to allow more public access to the waterfront. Mr. Azar said that the time to look at the issue was now. He commented on how the MPL parking could be re-located and re-configured. He said that more options, such as artists' spaces, retail outlets, and affordable housing should be considered. Mr. Mulliken commented positively on the design of the building and thought it fit into, and was respectful, of its surroundings. He asked about the two options and whether both were still being considered. Mr. Ello said that they were still waiting for an answer to the question of whether the public restrooms could, by Code, be located at grade in the flood zone and to gauge the will of the partners to activate the area under the building. Option two allows for more ground-level activity. Ms. Runfola said that this project has acted as a catalyst for looking at, and discussing, green infrastructure, green space, traffic and parking studies, how many artists' sheds can be situated under the building, and the location of the Fishermen's Memorial. The discussion on a more comprehensive study of the area continued. Mr. Kelly commented on option one, saying that there were elements of that option that he preferred. Mr. Ello explained why the public bathrooms were not now allowed to be located at the ground level for new construction. Ms. Stubner commented positively on the design and location of the structure. Ms. Cliggott-Perlt commented that she thought the building looked great and would be a great improvement in that area of Town, however if the public restrooms were going to be moved that more thought and study should be done about how to use the area that will be freed up, whether as green space or for additional parking, more creatively.

2. **Public Comment:** None.

3. **Public Hearings:**

a) Zoning By-Law Amendments – To hear comments from the public and vote on the proposed amendments to the Provincetown Zoning By-Laws for the May 1, 2021 Annual Town Meeting warrant, as well as any proposed petitioned articles concerning land use development. Mr. Soulé reviewed the Zoning By-Law amendments proposed for Town Meeting, including summarizing the consent agenda items. Mr. Quesnell asked for public comment on the consent agenda items. Mr. Soulé reviewed the outdoor display by-law and why it was being moved from the Zoning By-Laws to the General By-Laws. There were no public comments. **Jeff Mulliken moved to recommend the consent agenda items to Annual Town Meeting. Paul Kelly seconded. VOTE: Unanimous by roll call.**

Mr. Soulé reviewed Article 37, after which Mr. Quesnell asked for public comment. **Paul Graves moved to recommend Article 37 to Annual Town Meeting, Jeff Mulliken seconded. VOTE: Unanimous by roll call.**

Mr. Soulé reviewed a PowerPoint presentation about Article 38, after which Mr. Mulliken commented on his presentation. The Board talked about amending the by-law to raise the lumen threshold to 1200. Mr. Mulliken noted the temporary lighting exemption that accommodates the unique nature of the Town's commercial activity. Mr. Quesnell asked for public comment. Mr. Gardner commented on the by-law and the process of amending it. He suggested creating the amendment now and announcing it with the main motion for the Article at Town Meeting as amended, for clarity's sake. The Board discussed the issue. It was decided that the Article would be amended now to raise the lumen threshold to 800. **Jeff Mulliken moved to recommend Article 38 to Annual Town Meeting as amended. Monica Stubner seconded. VOTE: Unanimous by roll call.** Jeff Mulliken will give the Board's report at Town Meeting.

Mr. Soulé reviewed Article 39. Mr. Gardner gave a brief review of the Inclusionary and Incentive Zoning By-Law. He said the intent of amending it was an attempt to make changes pursuant to Town staff experiences in its implementation. He reviewed some of the changes. Mr. Quesnell asked for public comment. Doug Dolezal commented on the amendment and the dearth of affordable housing created since the By-Law was first passed. He said that the reason for the paucity of housing is, according to the people who have been through the process, was the arduousness of the Board approval process and the Town administration, which was a deterrent to the construction of affordable housing through the implementation of the By-Law. He said the only way to increase the number of units created is to incentivize developers. He reviewed his experience with Inclusionary By-Laws, both in Boston and in Provincetown. He is concerned about the proposed amendments, which he thinks will weaken the existing By-Law and discourage the construction of new affordable units. He suggested postponing the Article until it can be discussed further. The Board discussed the issue. The sense of the Board was that the Article should be postponed. **Paul Graves moved to postpone Article 39 at the Annual Town Meeting. Paul Kelly seconded. VOTE: Unanimous by roll call.**

b) Planning Board Rules and Regulations - To hear comments from the public and vote to approve. Mr. Quesnell opened the topic to public comment. There were no public comments. He asked for Board comment or questions. There were none.

Monica Stubner moved to adopt the Planning Board Rules and Regulations. Jeff Mulliken seconded. VOTE: Unanimous by roll call.

PLN 20-2030 (continued from the meeting of March 25th)

Application by **Jay Abbiuso** seeking a Site Plan Review by Special Permit pursuant to Article 4, Section 4015 a., 1), Site Plan Review by Special Permit, and Article 4, Section 4180, Inclusionary and Incentive Zoning By-Law, to develop vacant land by constructing a total of 12 dwellings, 2 of which will be community housing units, in 4 duplex units and 4 cottages on the property located at **286.5 Bradford Street**. Brandon Quesnell, Paul Graves, Monica Stubner, Jeffrey Mulliken, and Steven Azar sat on the case.

Presentation: Jay Abbiuso was in the meeting to discuss the application. Mr. Quesnell said that the Board had already discussed the mailbox location, bicycle parking, trash enclosure location, emergency access, and regular parking. Mr. Abbiuso reviewed his presentation, which recapped the changes that had been made to the project in the last four months. The areas he reviewed consisted of landscaping and plants, hardscape and fences, lighting and fixtures, services and utilities, stormwater and sewer, and planning and design elements of the project. The presentation also included the civil engineering plans. He reviewed the landscaping plan, including identifying the plant species that are proposed and the areas where they will be planted. He said the existing woodland area would remain as such and mulch will be used in the more prominent areas. Drought-tolerant fescue grass will be used in the grassy areas, which are minimal. Three prominent trees on the site will be preserved. A fence will be constructed to start and stop on either side of those trees to protect them. He has worked with the abutting tennis club to expand the planting area on the east side of the property and will include trees. He is proposing to plant trees, such as the Imperial honey locust and other species, as well as hydrangeas and azaleas on the site. He noted the location of the various plantings on the landscape plan. He summarized the planting scheme as preserving mature trees, selecting native shrubs, providing year-round foliage, and planting drought-tolerant species, all in effort to complement the existing landscape. He added that a well and irrigation system will be installed on the property.

Mr. Abbiuso reviewed the proposed hardscape and fences, the latter existing around 286 Bradford Street, and the newly extended, on the east and west elevations. The addition of the fences was based upon abutter feedback. Pervious pavers will be used throughout the site for water infiltration and the parking area will be delineated with gravel. Reserved parking and signage will also be installed. The fences will provide privacy and the pervious walkways and driveway, the latter of which will meet load guidelines for fire trucks, will allow for water infiltration. The curb cut will provide for a perpendicular, 90-degree intersection between the driveway and the street for greater visibility and a drop-off area at the street, as well as clear pedestrian pathways, will be created within the site.

Mr. Abbiuso reviewed the exterior lighting and fixtures, all dark sky compliant. The type and location of the exterior lighting fixtures were noted on the lighting plans, both those on posts throughout the site and those attached to the buildings. In summary, he said that dark sky compliant lighting will be utilized with no observable cast shadows, no overspill to adjacent lots, no unshielded light sources, no illuminated signage, and will contribute to the maintenance of the residential appeal of the neighborhood.

As to services and utilities, Mr. Abbiuso showed an image of a mailbox that will be used, located along the curb. Two car-charging stations will be installed and located so as all cars in the parking area can utilize them. He noted the location of the HVAC condensers for each building. He noted the location of two centrally-located underground propane tanks. The trash and recycling enclosure, based upon previous feedback from the western abutter, have been flipped in location with the bicycle racks. He noted an image of the bicycle rack to be used. The trash and recycling enclosure will be screened, as will the HVAC units. The bicycle storage guidelines promulgated by the Bicycle Committee have been met. All buildings will have underground utilities and be hooked up to the Town water and sewer systems.

Mr. Abbiuso pointed out where the stormwater infiltration tanks will be located. All stormwater on the site will be infiltrated back into the ground and have no effect on abutters. All stormwater will be recharged on site. The project is outside of the flood zone. Earth removal will be below the threshold of 750 cu. yds. and measures, including the installation of sheet piles, will be taken to protect neighbors during construction.

Mr. Abbiuso reviewed the planning and design of the project. He has followed the state guidelines for low-impact, cluster housing. He said he had reviewed the Fire Code compliance requirements at the last hearing and all residential units will be sprinkled. His designs were approved by the Historic District Commission. The Community Housing Council approved the proposal as well. Units 1 and 6 will be the affordable, the former being very conducive to be adaptable to handicapped usage. As to the Zoning requirements, all units are under the neighborhood average scale, the site meets lot and density requirements, exceeds the green space requirement, and all the setbacks have been met. He reviewed the waivers and the requests.

Public Comment: 2 new letters in opposition have been received. There was a public comment from Ted DeColo who is in opposition to the project because of potential congestion and what he perceives as an overdevelopment of the lot.

Board Discussion: Mr. Soulé said that he had submitted and uploaded his staff report, dated today. The Board questioned Mr. Abbiuso. Mr. Kelly asked about an abutting cottage and the direct effect of the front door location on the southwest duplex. He suggested that Mr. Abbiuso re-orient it more towards the communal area. He wanted to know if Mr. Abbiuso would consider moving the door so all occupants could be farther away from the cottage and increase the planting materials on that side of the site. Mr. Abbiuso said he would agree to that and he has begun a dialogue with the neighbor. Mr. Mulliken praised the project and its presentations and the applicant's willingness to consider the Board's suggestions. Ms. Stubner said she was pleased with the project and agreed with the movement of the doors for less impact on the neighboring cottage. Ms. Cliggott-Perlt said the project looked good and agreed with the movement of the door location. Mr. Quesnell asked about the handicapped accessibility of one of the units. Mr. Abbiuso said he would make the unit ADA-compliant if it was awarded, pursuant to the Town's lottery system, to a disabled person. Anne Howard, the Building Commissioner, commented on the handicapped requirement, stating that it had to be handicapped adaptable, which would meet 521 CMR, the Architectural Access requirement of the State Building Code. Revised plans showing the reconfigured door locations on the southwest building, away from the abutting cottage, will be submitted.

There was a motion by Jeffrey Mulliken to approve the waivers as discussed. Steven Azar seconded. VOTE: 5-0-0 by roll call.

There was a motion by Jeffrey Mulliken to approve the Special Permit pursuant to Article 4, Section 4015 a., 1), Site Plan Review by Special Permit, and Article 4, Section 4180, Inclusionary and Incentive Zoning By-Law, to develop vacant land by constructing a total of 12 dwellings, 2 of which will be community housing units, in 4 duplex units and 4 cottages on the property located at 286.5 Bradford Street with the conditions as noted in the staff report and with the optional condition of submitting revised plans that show doorways re-configured such that they are pointed away from the southwest property boundary to be approved by Town staff and to increase the landscaping between the proposed duplex and cottage and the southwest property boundary. Monica Stubner seconded. VOTE: 5-0-0.

PLN 21-4 (*postponed from the meeting of April 8th*)

Application by **Robin B. Reid, Esq.**, on behalf of **100 Bayberry, LLC**, seeking a Special Permit pursuant to Article 2, Section 2440, Permitted Principal Uses, A1b1., Two Family Dwelling, and Article 4, Section 4180, Inclusionary and Incentive By-Law, and Site Plan Review by Special Permit pursuant to Article 4, Section 4015, Site Plan Review by Special Permit, a. (1) for developments consisting of the aggregate of three or more residential units, of the Zoning By-Laws to add a modest two-family duplex on the property located at **18 Winslow Street** with requested waivers from Article 4, Sections 4163 (2) and (3) and 4600.

PLN 21-5 (*postponed from the meeting of April 8th*)

Application by **Robin B. Reid, Esq.**, on behalf of **100 Bayberry, LLC**, for Site Plan Review pursuant to Article 2, Section 2320 (A), High Elevation Protection District (A), of the Zoning By-Laws to add a modest two-family duplex to an existing single-family site on the property located at **18 Winslow Street**. The two applications were heard together. Brandon Quesnell, Steven Azar, Paul Kelly, Jeffrey Mulliken, and Monica Stubner sat on the case.

Presentation: Robin B. Reid, Esq., Jim Savko, and Kevin Bazarian were in the meeting to present the application. Attorney Reid said that the proposal was to build a duplex, containing two/two-bedroom dwelling units in the high elevation protection district. There is an existing three-bedroom single-family dwelling on the site, which will be renovated as a two-bedroom single-family dwelling. She reviewed the site plan with contour lines. The duplex will be 28' high, under the required gable end threshold height of 33' for the Residential 3 Zoning District. Each two-bedroom dwelling unit in the duplex will have 1000 sq. ft. of living space. This project is in keeping with the character of the neighborhood, which includes single-family residences, a five-unit condominium, and much larger structures, such as the Pilgrim Monument and museum, a school, and a community center. There is a large public parking lot in the neighborhood as well. She argued that the new duplex will be situated in a manner that will have as little impact on the abutting properties as possible. It is behind the single-family structure and to the rear of the five-unit condominium at 16 Winslow Street. The proposed duplex will have no impact on the visual character of the neighborhood, have no impact on the historic character of the neighborhood, and will not detract from the site's scenic qualities, given its location behind the existing single-family structure and given its proximity to the school, the community center, and the Pilgrim Monument and museum. It will be located away from the crest of the slope and the foundations will fit into the slope. Construction will involve the excavation of less than 750 cu. yds. of earth and the finished contours will be consistent

with existing grade. Straw bales will be staked around the southern lot line., abutting 16 Winslow Street, for sediment control during construction. A new appropriately-sized septic system will be constructed and all stormwater will be handled on-site. Three new leach fields will be installed to handle runoff from the existing structure's roof and from the proposed duplex roof via downspouts. The patios and new driveway will consist of permeable material. All utilities serving the duplex, including the electrical and cable services, will be underground. She noted these lines on the southern lot line on the site plan. The new patios appurtenant to the new duplex units will be bounded by rough-cut wooden 3-4' fences, which will be constructed on the site. The locus is already disturbed and much of the existing vegetation is non-native and invasive. The proposed project will create a more natural environment with Arrowwood and shadbush planted along the southern and eastern lot lines. She reviewed a planting plan. Crinkled hairgrass and other short native grasses will also be planted in other areas of the site. The new plantings will be hand-watered until established. She said that Gordon Peabody, of Safe Harbor Environmental Services, had selected the planting, which are suited to this particular site. All exterior light fixtures will be dark sky compliant and in accordance with Article 3, Section 3430 of the Zoning By-Laws. Five posted lights will be situated along the driveway and wall-mounted sconce lighting will be attached at each of the two doors at new duplex units. She said that cut sheets for the fixtures had been submitted. A new 12' traveled way is proposed for the driveway for the duplex, sufficiently wide for the safe passage of vehicles to the parking spaces. There is plenty of turn-around space in the parking area. Each of the duplex units will have two dedicated parking spaces and the existing single-family structure will retain the parking along Winslow Street. A bicycle rack will be installed on the north side of the driveway and she noted the cut sheet that was submitted. A trash receptacle will be located on the eastern end of the driveway. She argued that the project is in accordance with the Zoning By-Laws subject to the approval of these applications and is consistent with the goals and objectives of the Local Comprehensive Plan particularly with respect to the compact re-development of an existing residential property. It is consistent with existing setbacks and massing. She said that the site could potentially support eight units under the density schedule. The project meets the design requirements of Article 4, Section 4163, except with respect to the curb radii and the width of the traveled way, for which waivers have been requested, and otherwise meets the Section 4035 criteria. This property is not located in a flood hazard area and does not abut a wetland resource area. The project will have no impact on water supply or quality. This is not a sewer property and will not have an impact on the Town's septic services and an appropriately-sized septic system will be installed on the site. The new duplex will have no impact on abutter's existing drainage patterns and all stormwater will be contained on-site. There will be limited impact on traffic to and from the site during construction and construction parking can be accommodated on the site. The project will not impose any extraordinary burdens on Town services and will not interfere with the solar access of abutting properties. The project will create a more natural environment than the non-native species landscape that currently exist and will support the development of a more appropriate biological balance. The lot coverage will remain under 40% and the green area will be 61.3%, greater than what is required.

Attorney Reid said that the applicant was seeking a Special Permit for the Inclusionary and Incentive By-Law and will be making a payment in lieu of \$30,805 into the Town's housing fund. She said that three waivers have been requested: curb radii, width of the traveled surface

and the requirement for street trees. The latter is requested because there is no place to put them. She argued that pursuant to Article 5, Section 5330, the social, economic, or other benefits of the project for the neighborhood or Town outweigh any adverse effects. She stated that the Town will benefit from the addition of two dwelling units to the housing stock and the attendant increase in the Town's tax base. There will be no adverse effects, as all parking will be on site and wastewater and stormwater will be contained on site. The slope will be protected during the construction phase and new plantings will go into the ground after the project is complete.

Public Comment: There were 3 letters from abutters in opposition to the project. There was no other public comment.

Board Discussion: The Board questioned Attorney Reid. Mr. Mulliken had questions about the siting of the duplex on the lot, specifically suggesting that the duplex be moved to the northwest, closer to the parking area. Being sited so close to the lot line abutting 16 Winslow Street makes it have more of an impact on those abutters at that address. He said that the height, because it is located into the slope, makes it appear higher than it is. He also thought that too much of the site would be taken up by the proposed patios. Attorney Reid said that the setbacks are being met and high elevation requires building away from the crest of hills. She said that the other consideration for the location of the duplex structure was the location of the septic system and its requisite distance from the foundation of the structure. As a compromise, she said that the applicant would be willing to put more trees along that area, but the other goals that the applicant is trying to achieve would be defeated by the re-positioning.

Mr. Savko commented on the siting of the structure, stating that it is as close to the septic system, including the leaching field, as is allowed by Code. He said that the site was designed in order not to have to demolish the existing single-family structure on the lot, which was a request from the previous owner of the property. He said that the siting also was done in an attempt to break up, or split, the building in order to preserve the view of the abutter at 20 Winslow Street and to make the building unobtrusive. In addition, a lower profile 2/3 hip roofline was designed and not a high, steep gabled roofline. The proposed structure has the maximum setbacks allowable without having to demolish the existing structure. He said that he did talk to his neighbors and they were all happy, except for those living at 16 Winslow Street, that the existing structure was remaining and that a high intensity development was not being proposed. He said that the location was driven by the location of the septic and the leaching field. It is also located next to the parking, as opposed to the living area, of 16 Winslow Street. There will be a minimal removal of the soil on the slope. He said that he worked hard to take all issues that neighbors would have into consideration in order to fit the duplex into the neighborhood and keep the roof profile as low as possible. The siting of the duplex was discussed further. Ms. Stubner thought the project was well-thought out and did not have a walkout in the rear. Mr. Kelly commented on the landscape plan and asked about why there are no trees in the patio and grass areas that abut the driveway. Attorney Reid said that there was a tree in the grass area towards the end of the driveway. Mr. Savko said that maple trees cannot be planted near leaching fields because of their root system and the planting was going to be concentrated on the back slope area. He said that the grassy areas are such because of the root system issue with the leaching field. He said he was not averse to planting more trees, but overhead electrical wires prevented them being planted on the street. He said the existing red maple would remain. Mr. Kelly suggested that Mr. Savko consider planting shrubs to visually

soften the grassy and patio areas. He disputed Mr. Savko's claim that no trees could be planted on the street due to the electrical wires and requested that the Tree Warden be contacted to weigh in on the claim. Mr. Savko said that in his experience, unit owners liked to decorate and plant their own patio space. Attorney Reid said that planting trees in the front yard could be investigated. Mr. Kelly said that shrubbery planted in the areas between the parking area and the structure where there are no plantings would be sufficient to allay his concerns. Mr. Bazarian commented that the two arc sections next to the parking spaces were going to be landscaped with shrubs and grass and mulch, as would the front of the structure. The patios were just on one side of the front of each unit. The only outdoor space will be in the front of the structure. The trees that can possibly remain along the back will remain. The front will be planted with grass and foundation plantings. Mr. Kelly said that Mr. Bazarian's comments should be put on a revised landscaping plan, as well as any trees that could be planted in the front. Mr. Quesnell said that the applicant should get a landscape architect, or Mr. Peabody, to provide a more thorough plan and should consult the Tree Warden regarding the planting of trees in the front yard. In addition, he said a schematic rendering of the height of the building in relation to the abutting buildings should be submitted to address the abutters' concerns about the height of the proposed duplex. Mr. Soulé requested that a statement from an engineer explaining the need for the structure's siting on the lot be submitted. Mr. Mulliken said that there was plenty of language that allows movement of trees in the event of electrical wires, which would require one less waiver. Attorney Reid said a more thorough landscape plan will be generated and submitted after a conversation with the Tree Warden and a landscape architect.

There was a motion by Jeffrey Mulliken to continue PLN 21-4 and PLN 21-5 to the Public Hearing of May 13, 2021 at 6:00 P.M. Monica Stubner seconded. VOTE: 5-0-0 by roll call.

4. Work Session:

a) Pending Decision:

PLN 21-6

Application by **Ted Smith**, on behalf of **Steven Lagana**, seeking a Site Plan Review by Special Permit pursuant to Article 4, Section 4015, Site Plan Review by Special Permit, a.1, for developments consisting of an increase of residential units that will result in a total of three or more, and a Special Permit pursuant to Article 4, Section 4180, Inclusionary and Incentive By-Law, of the Zoning By-Laws to construct a new two-and-a-half story structure containing three one-bedroom dwelling units on the property located at **46.5 Harry Kemp Way**. A quorum was not present to approve the decision. The item was tabled.

b) Minutes of April 8, 2021:

April 8, 2021: There was a motion by Monica Stubner to approve the minutes of April 8, 2021 as written. Steven Azar seconded. VOTE: Unanimous by roll call.

c) Any other business that may properly come before the Board: Mr. Mulliken asked about 227R Commercial Street and when it was scheduled for a hearing before the Board. There will be no joint hearing with the Zoning Board of Appeals.

Mr. Azar asked if there was a comprehensive or master waterfront plan to reference that would help have the conversation regarding the Stellwagen Marine Sanctuary Visitor Center. Ms. Cliggot-Perlman made a statement about her background and why she applied to be a member of the Planning Board.

There was a motion by Jeffrey Mulliken to adjourn the meeting at 9:48 P.M. Paul Kelly seconded. VOTE: Unanimous by roll call.

Respectfully submitted,

Ellen C. Battaglini

Approved by _____ on _____, 2021
Thaddeus Soulé, Town Planner,
on behalf of the Planning Board