



Public Meeting  
August 15, 2011  
Judge Welsh Hearing Room  
6:30 p.m.

**Members Present:** Eric Gelinas, John Golden, Peter Page, Dorothy Palanza, and Mark Weinress.

**Member Absent:** Marianne Clements

**Staff:** David Gardner

The meeting was called to order at 6:30 p.m.

**Public Comments**

There were none.

**Public Hearing**

**Case #FY11-24 Site Plan Review (Request continuance on or before Sept. 19, 2011)**  
**Application by William N. Rogers, II, P.E. & P.L.S. under the Zoning Bylaws Article 4, Section 4100 for Dwelling Units and Commercial Accommodations.** The applicant seeks approval for the construction of five buildings to consist of 6 dwelling units with a total of 15 bedrooms at the property located at **67 Harry Kemp Way, Provincetown, MA (Res3 Zone).**

The applicant requested a continuance which was granted.

**Motion: Move to continue FY11-24 until the next meeting and to waive the time constraints.**

**Motion: Dorothy Palanza      Seconded: Eric Gelinas      Vote: 5-0-0.**

**Case #FY11-20 Site Plan Review (Review and approve revised plans)**

**Application by Edward Malone and Community Housing Resource, Inc. under the Zoning Bylaws Article 2, Section 2320 High Elevation Protection and Article 4, Section 4100 for Dwelling Units and Commercial Accommodations.** The applicant seeks

construction of 29 units on two lots including 23 affordable and community rental housing units at the property located at **19-35 Race Point Road, Provincetown, MA (Res3 Zone)**.

Ted said that this is really an update since he's still waiting for a ZBA approval of the revised plan he has submitted to them. The ZBA will make its final finding and/or approval at their August 25<sup>th</sup> meeting.

The Building Commissioner also changed the plan for the handicapped parking places making sure that these are as level as possible.

The applicant explained that - in the area of 6, 8, 10 – the center of the plan - there used to be one large building and now there are 3 pods which have been separated. It works well for the purposes of the grade and it turned out to be an improvement. Thus, we've been able to adjust the level parking in the handicapped area. We have the same number of parking spaces. Actually the Building Commissioner had yet another finding and the floor plans have been adjusted. Ted will also have the graphic scale on the finalized plan. Building 4 is the 1<sup>st</sup> one on the left as you come in. Buildings 6, 8, & 10 were the 3 pods of the L-shaped building.

Mark raised a question about Building 10. He wondered if Unit A in this building had enough clearance on the bedroom door to the right of the kitchen. Ted will check with the architect and get back to Mark with an answer.

Ted doesn't need anything tonight and David Gardner said that if the revised plans can be made available on Monday (August 22<sup>nd</sup>) the Planning Board members in attendance at that meeting will sign off on them.

### **Minutes of previous meeting**

The amended minutes are being resent to members for their input.

### **Any other business that shall properly come before the Board**

David Gardner said that the group could proceed with the discussion on by-laws even though the chair of the ad hoc committee wasn't at the meeting.

### **Discussion on Zoning Bylaw Revisions:**

**Parking:** There were very minor changes where most any deviance can be granted a special permit.

**Signage:** Basically the by-law states the size (up to 32 sq ft), registration of signs, and duration of the allowed signage.

**Growth Management:** Since the BoS has economic development as one of its goals, this by-law spawned the most discussion. Mark W. worried that every time we allow a larger allotment – we expand to the utmost.

David G. said that Planning and the ad hoc committee have to decide on an appropriate rate of growth. David Nicolau, a local real estate broker, said that it's better to have more available and you don't have to give the growth capacity out. David G. cited OCHS as a prime example. They want to expand their facility and – as a community – we have to allow it and have the expandability to be able to do it.

Dorothy P. questioned the difference between category 4 and then category 4A?

Ted M. said to David G. - remember the conversation about a lot of gallons because of restaurants being abandoned - so the residential category is being rolled over into affordable housing or whatever and we're now running under for the reassignment.

Peter P. said that he would like any redundancy removed from the growth management by-law. He would request that David make the by-law shorter.

**Telecommunication Towers, etc.:**

This by-law is an effort to eliminate cell towers on water towers, etc. David G. has maintained the buffer zone for towers but not for facilities – so, again – we're taking the same position as the Cape Cod Commission. We are encouraging all people to explore existing structures rather than create new ones.

**Solar Farm Facilities:**

The BoS has directed the appropriate committees to find a site for a solar installation. The group suggested the transfer station which lies within the National Park Service land. When it was mentioned to them they said that they're interested on installing an energy facility at the transfer facility. The purpose of this by-law is to encourage the NPS to install something on their facilities.

**Density:**

Again the BoS wanted the adhoc committee to report on density. David wanted to put something together to demonstrate that we were going to look at it and he basically wants to elicit comments on density. We still have to work on density and how the proposed projects fit on a site. This, too is a great subject for Monday's meeting but he doesn't intend to have a great debate about this tonight.

David Nicolau said that – on occasion - the results of a project are not as expected and then the by-law changes in order to prevent similar results in the future.

David G. said that our density applies to the entire town and he decided to differentiate the downtown from other areas and the downtown is certainly where the density is prevalent.

**Lighting:**

This proposed by-law sparked a lot of discussion. Dorothy Palanza was thanked for all the research she did on this subject but it was felt that this by-law was not quite ready for presentation to town meeting. It was felt that if it were presented at the November Special Town Meeting – it may not pass in its present form and that would doom its passage at the Annual Town Meeting in April. The proposal will be reworked.

Ted Malone left at 8:00 p.m. for another meeting and David Nicolau followed suit at 8:12 p.m.

The discussion concluded by having David G. request that Dorothy P. send him the link.

Adjournment happened at 8:15 p.m.

Respectfully submitted,

*Evelyn Gaudiano*

Evelyn Rogers Gaudiano

Approved by \_\_\_\_\_ on \_\_\_\_\_, 2011.

John Golden, Chairman