

**TOWN OF PROVINCETOWN - BOARD OF SELECTMEN  
MEETING MINUTES - SPECIAL MEETING  
TUESDAY – MARCH 15, 2016 – 5:00 p.m.  
JUDGE WELSH ROOM - 260 COMMERCIAL STREET**

Chairman Donegan convened the open meeting at 5:00 p.m. noting the following attendees:

Board of Selectmen members: Thomas Donegan, Erik Yingling, Cheryl Andrews, and Robert Anthony.

Excused: Raphael Richter

Other attendees: Town Manager David Panagore, Assistant Town Manager David Gardner, Director of Finance Dan Hoort, DPW Director Richard Waldo, Cape Cod Commission Technical Service Director Glenn Cannon, Cape Cod Commission Transportation Planner Patrick Tierney, Parking Director Domenic Rosati, and Police Chief Jim Golden.

Recorder: Loretta Dougherty

**1. Presentation of the Provincetown Parking and Circulation Study for the Town of Provincetown to be given by the Cape Cod Commission's Transportation Engineers.**

Technical Service Director Glenn Cannon and Transportation Planner Patrick Tierney appeared before the Board. Glenn thanked the Provincetown staff for all of their assistance in meeting a lot of their deadlines which were very critical. The presentation gave a list of considerations, dismissed alternatives, further study recommendations, and recommendations. They looked at event parking management, transit to existing remote parking on rainy days, parking policies, parking structures, valet parking, Route 6 parking, and smart phone parking.

Robert asked about the south side of Conwell; two-way traffic and sidewalks.

Cheryl asked if they looked at any previous studies done on Conwell.

Glenn looked up the old MassDOT drawing and you have 30 ft. Yes, there is a list of previous studies.

Tom asked if they had looked at reversing the entrance to the parking lot at Lopes Square; exiting out at Lopes Square and entering on Ryder Street Extension. It is much clearer to enter on Ryder Street Extension.

Glenn stated that they did not look at it; it was not brought to their attention. They will take a look at it and come back to the Board.

Tom asked about the sidewalk exiting out of the Grace Hall parking lot. The sidewalk takes you down and then abruptly ends with no crosswalk at that location.

David G. stated that we spent a lot of time reviewing this and the sidewalk on the south side is not sufficient. It is very expensive to make the south side sidewalk bigger by taking out the sidewalk and making the road shift.

Erik asked about the status of the master bike plan; any funding source from state for the trail hooking up with Wellfleet (Cape Cod Rail Trail).

Glenn stated that there is no final recommendation or date as yet. They are optimistic in working with the state to get the funding.

Erik asked about Shank Painter Road; are there any state funding grant options for it.

Rich Waldo stated we do not have a cost estimate; between \$6 & \$8 million for the drainage, sewer, and sidewalks. It can take 5-8 years to get into the que for state funding grant options.

There were no public comments regarding this report. Closed public comments.

**No action was taken on this item.**

**2. Presentation of the Parking Operations Review Work Plan, to be given by Dan Hoort, Director of Finance.**

Dan presented the Parking Operations Review Work Plan, which will over the course of the next six to twelve months, staff will be working on to prepare a comprehensive plan for parking. Three guiding principles for basing recommendations on and making informed decisions should be to maximize revenues to the Town, enhance Provincetown visitor experience, and enhance service to Provincetown residents and minimize their inconvenience.

Cheryl thanked Dan for the presentation and is glad we are taking time to do things right. She recommended that under guiding principles to add a section for homeowners; people who are buying homes. They take down their fences and ask for a curb cut and that decreases the street parking. Condos for sale now do not come with parking. Would we ever consider doing something with the land we own to have longer term parking?

Robert would like to see homeowners on Commercial Street have their no parking areas enforced better. Perhaps there could be a permit system and a time limit on the permit. Enforcement can see the permit and if they are there more than the time limit they are given a ticket.

Dan wants to make it user friendly to give you a time period to loading and unloading, but not leave your vehicle longer than that time period.

Tom is intrigued at having the employees more engaged with the tourists. Figure out how to engage everyone. He is looking forward to seeing the equipment part of it.

Erik thanked Dan. Expanding the parking season is interesting. The fall is getting busier and busier; make it a longer parking season.

Dan wants to hear as many ideas as people have. His role is to listen, collect information, formulate ideas and take it to those who are the experts in their area.

There were no public comments. Closed public comments.

**No action was taken on this item.**

### **3. Public Hearing: Annual Traffic Hearing:**

#### **Item 1. Proposal by Edward Lee to demark a No Parking area in front of a gate located at 9 Center St.**

##### **Team Recommendation:**

**NOT RECOMMEND. Extending the area around the driveway would reduce the area of allowed parking and remove a public space. The property currently has one pedestrian access now. Pursuant to the BOS policy, an additional access that removes parking is required to obtain a curb cut permit at a public hearing.**

**Edward Lee** is the owner of the house and stated that he has a family with small children and older parents. He is requesting this for safety purposes. He believes that access should be granted for the people who live there and no existing parking spaces will be removed.

##### **Public Comments:**

**Donna Walker** is a neighbor and agrees with not granting this request. It would take away the parking on this street. She wants to support the staff's recommendation.

**Steven Porter** stated that the yellow X has just recently been painted on the street. It had previously been painted black by someone.

**David G.** had spoken with Domenic Rosati at the Parking Dept. and Rich at DPW. It is his understanding that the area was blacked out. At some point it had been painted yellow and not by the DPW.

Closed public comments.

**Cheryl** noted that there is a pedestrian access to the front door and parking lot already. This would be a third curb cut. The yellow line tells you where the wheels stop. She will not support the proposal.

**Erik** agrees with staff, at this point.

**MOTION: Move that the Board of Selectmen vote to accept the staff's recommendation to not support this item.**

**Motion: Erik Yingling**

**Seconded: Cheryl Andrews**

**4/0/0 Motion passed.**

Staff recommended that Mr. Lee stop by to see David G. and discuss the curb cut process.

#### **Item 2. Proposal by Michael Chute to prohibit parking along Commercial Street year round from Johnston Street to Court Street.**

##### **Team Recommendation:**

**RECOMMEND AS PROPOSED Alternative to an outright ban year round would be to consider banning parking on Commercial Street between Johnson Street and Court Street during the higher snow months of January, February and March.**

**Michael Chute** spoke in favor of his proposal as a safety issue. Over and above the safety not opening it up would make it friendlier during the shoulder season; it is more welcoming. Staff continues to recommend this proposal for primarily public safety purposes. It is a snow emergency street and can be cleared. The Fire Dept. has brought this before the Board in the past. It is understood the desire to have quick access to their properties but we need to weigh it in the balance.

**Erik** does not agree with staff. He sees it as being a detriment.

##### **Public Comments:**

**John Santos** he is in favor of this. Truck drivers claim it is worse in the winter due to the parking. We are foolish to allow it. It does not harm anyone to walk a couple of blocks. He supports this.

**Chris Snow** opposes this proposal. Having grown up here, it is a rite of passage to be able to park on Commercial Street. The few businesses who try to survive are aided by the parking available. Our first responders will get to where they need to be one way or the other.

**Noah Santos** of the Provincetown Fire Dept. is in favor of this.

**Jack Orlich** stated that the only reason we come downtown is that we have parking. If there is snow pay attention. Nothing should get in the way of the Fire Dept. ever. He is opposed to this.

Closed public comments.

**Cheryl** respects the Fire Dept. but is not compelled to do this. This would affect so many people in town. Do a petitioned Article for Town Meeting so that the town's people can make that decision. She is opposed to this.

**Robert** stated that people live and work in that area. Fire & Police Chiefs have done a great job in identifying those areas that may present a problem. He is opposed to this.

**Erik** is opposed to this; the need is not great enough. The impact would be extremely negative.

**MOTION: Move that the Board of Selectmen vote to not recommend.**

**Motion: Erik Yingling**

**Seconded: Cheryl Andrews**

**Tom** stated there are some spaces that should not be year round parking at all. The town is not ready for this at present. He wants to see this taken to Town Meeting as a bylaw and see how it does. He opposes this. When we do Phase III of the paving, we will do the 18 ft. wide sections and others should be marked no parking year-round.

**4/0/0 Motion passed.**

**Item 3. Proposal by Rik Ahlberg on behalf of Provincetown 365 to paint bike "sharrows" in the center of the northbound lane of Shank Painter Road from Bradford Street to Route 6. Paint bike symbols and southbound arrows on the shoulder of the southbound side of Shank Painter Road from Bradford Street to the Stop and Shop. Paint bike "sharrows" on Shank Painter Road between Stop and Shop and Province Road. Paint bike symbols and southbound arrows between Province Road and Route 6. Install additional "Share the Road" signs from Stop and Shop to Route 6 on the Southbound side.**

**Team Recommendation:**

**RECOMMEND.**

**Sharrows painted in the roadway should be placed off-center towards the shoulder. We need to determine an acceptable size or scale of the sharrows for our roadway and speeds but 112" is not appropriate. Do not recommend "Bike may use full lane" sign, but recommend instead additional "Share the Road" signs.**

**No budget has been identified for the signs and sharrows.**

**Rik Ahlberg** came before the Board asking for approval of his proposal. The Bicycle Committee voted to support this again. **Jay Gurewitsch** spoke about putting sharrows on the road to explain bikers belong on the road with the traffic. He recommended putting the sharrows in the center lane; bicyclists are accustomed to that placement.

**David P.** stated that data shows that sharrows are not safe on roads with speed limits of 35 mph or greater.

**Rik** wants to see something done here.

**Jay** stated this is easier to do and will cost less than putting tarmac down.

**Public comments:** None.

Closed public comments.

**Cheryl** is more educated about this. Drivers ride fast on Shank Painter because it is a straight away.

**Erik** disagrees with the Town Manager. We need to do something now.

**MOTION: Move that the Board of Selectmen vote to recommend, as revised by staff.**

**Motion: Erik Yingling**

**Seconded: Robert Anthony**

**Tom** agrees with Erik. The next step is to have some paving done on Shank Painter; get this request on the next warrant. He bikes every day and would like to promote Court Street as a bike route as well as looking at the two-way bike and one-way vehicle streets. We should ask NStar to move their poles out of the public way.

**Robert** asked about using the area before you get to the Stop N Shop going north on the right hand side; drainage ditch.

**Rich** stated that the Conservation Commission would want to weigh in on that as it is part of the wetlands area.

**4/0/0 Motion passed.**

**Item 4. Proposal by Rik Ahlberg on behalf of Provincetown 365 to paint sharrows in the center travel lanes in each direction on Conwell Street from Bradford Street to Cemetery Road. Install "bicycles may use full lane" signs in both directions.**

**Team Recommendation:**

**RECOMMEND** between Bradford and Harry Kemp Way only as the remainder is State Road. Direct DPW to pursue application with MassDOT to install sharrows between Harry Kemp Way and Cemetery Road. Sharrows painted in the roadway should be placed off-center towards the shoulder. We need to determine an acceptable size or scale of the sharrows for our roadway and speeds but 112" is not appropriate. Do not recommend "Bike may use full lane" sign, but recommend instead additional "Share the Road" signs. No budget has been identified for the signs and sharrows.

**Rik Ahlberg** stated that this is an interim solution. Cars tend to run bikes off of the road in this area. He is asking for sharrows in the middle of the road instead of on the side. This would continue a path for people putting sharrows.

**Staff** believes that Conwell Street north of Harry Kemp Way is the state's property. We may need to apply to MassDOT to do this area. Route 6 to Cemetery has been approved by the state.

**Public comments:** None.

**Erik** supports staff's recommendation on this proposal.

**MOTION:** Move that the Board of Selectmen vote to recommend, as recommended by staff.

**Motion:** Erik Yingling **Seconded:** Robert Anthony

**Rich** does not expect that the state will take long to give us an answer.

**David P.** recommended not putting the sharrows on the side on Conwell Street, but placing them in the middle from Harry Kemp Road to Bradford Street.

The motion was amended so that the sharrows will be painted in the middle of Conwell Street from Harry Kemp Road to Bradford Street.

**MOTION:** Move that the Board of Selectmen vote to recommend, as amended, to paint the sharrows in the middle of Conwell Street from Harry Kemp Road to Bradford Street.

**Motion:** Erik Yingling **Seconded:** Cheryl Andrews

4/0/0 Motion passed.

**Item 5. Proposal by the Parking Department to adopt a Boat and Kayak Storage Permit. The Permit would allow storage of boats, trailers and kayaks at the VFW Lot from October 1<sup>st</sup> to May 1<sup>st</sup>, along with regulations on boat storage. The Fees are as follows:**

**Kayaks: \$50 and Boats and Trailers up to 17 feet are \$50, plus \$40 for each foot up to 30 feet.**

**Team Recommendation:**

**RECOMMEND.** Spaces will be made available temporarily at the VFW Lot. The Town Manager will identify an appropriate place for boat storage once the VFW lot is no longer available.

**Public Comments:**

**Michael Chute** asked what would prevent someone from opening a business and running through the Town on this property.

Closed public comments.

**David G.** stated boats will be required to have stickers and will be registered to the owner. It is clear that the rates are under market, but this regulation goes along with our recent Harbor Regulations. This provides an alternative for boat owners.

**Cheryl** wanted to clarify which permits are issued from the Harbormaster and to double check with the Zoning Board to make sure they do not need to weigh in on this.

**Erik** is in favor of this proposal.

**MOTION:** Move that the Board of Selectmen vote to recommend the proposal as amended to include all Harbormaster permits; dinghy, mooring, kayak, and beach boats, at a lot as determined by the Board of Selectmen at a duly noticed public hearing.

**Motion:** Erik Yingling **Seconded:** Cheryl Andrews

**Chris Snow** asked to be heard and is concerned that if the VFW is no longer available this could be done at any town owned public parking lot. He wants to see it just in the VFW and then come back again if that is no longer available.

**John Santos** asked to be heard and stated that he had rented property from Mr. Mendez for boat storage, but it was closed down last year. He asked if the Town was mistaken in closing down Mr. Mendez business, because it is not allowed on the other side of the VFW fence. It would put him back in business, if this would be allowed.

**Tom** does not want to end up replacing a private business. If this is the case, he is not comfortable with this proposal.

**David P.** stated that this was an attempt to formulize this storage space area that was being used informally.

4/0/0 Motion passed.

**Item 6. Proposal by the Parking Department to prohibit long term parking within the public way.**

**Team Recommendation:**

**RECOMMEND AS AMENDED.**

**Add the following sentence to Parking Regulations Section 4-1-3**

Each day of violation of this bylaw after the initial citation shall be deemed to be a separate offense.

**David P.** stated that every idea was considered and this amendment is the one that survived. This is the most responsive in looking at residential parking.

**David G.** stated that they needed to add language to Section 4-1-3 that was left out, and it is an amendment to the Public Hearing Notice.

**Public Comments:**

**Chris Snow** stated that this could not affect Commercial Street because it is cleared for street sweeping.

Closed public comments.

**Tom** rescinded the street sweeping year round because it cannot be done in winter.

**David G.** this would be for all public ways year-round; vehicle has to be moved every 14 days.

**Chris Snow** asked for the Board's thoughts on towing and ticketing.

**Tom** stated we passed a policy that we ticket instead of towing for street sweeping offences; with multiple offences.

**MOTION: Move that the Board of Selectmen vote to recommend, as amended.**

**Motion: Erik Yingling**

**Seconded: Cheryl Andrews**

**4/0/0 Motion passed.**

**Item 7. Proposal by the Parking Department to prohibit long term parking within the Johnson Street Parking Lot, Alden Street Parking Lot and West End Parking Lot year round.**

**Team Recommendation:**

**Recommend postpone and refer to the Parking Operations Review.**

**Public Comments:**

**Airport Commissioner Jim Woods; Airport Commission member Steven Katsurinis and Airport Manager Butch Lisenby** appeared before the Board to ask that this proposal not pertain to the Airport Parking lot. Parking is very tight at the airport; it is not like everything else. They asked the Board to allow the Airport Commission to manage their parking lot.

**Tom** asked what the resolution to this would be for those cars parked for a very long time in the airport parking lot. There are periods of time when this is an issue. He will defer this for a while, but not much longer.

**Erik** is not ready to impose a 14 day limit on some of these lots.

**David G.** recommends postponement of this proposal and will refer it for a parking operations review.

**Tom** stated that the Town does own the parking lot; it is a part of the parking regulations not the corporation or anyone else.

**Airport Marketing Director Michelle Lohr** stated that last year was a good year for the airport. The only issue was a pilot shortage. If the lot is being used as a long-term parking lot, we are willing to work with the Town.

**Chris Snow** spoke on behalf of the Mast Head, as their legal counsel. He asked staff to be sensible and have a rational view of bans such as this. In the winter season there is more than ample parking. Taxpayers will be affected. It is prohibitive and irrational. He asked this proposal to be reconsidered and reevaluated.

**Don Murphy** lives across the street from the west end parking lot. He understands what the Board is trying to do. If it moves from one spot to the other does the 14 day clock start again?

Closed public comments.

**Tom** stated that there had been snow removal problems a couple of years ago in the airport parking lot with two cars that did not move all winter. He will support the recommendation and would also like to monitor the Johnson Street parking lot closely.

**Robert** stated that at last year's traffic hearing a citizen brought up extended parking on the side streets. He did not realize we would be looking at the parking lots.

**Erik** does not agree with this at all; he will not support the proposal in any form.

**Cheryl** suggested that staff keep track of the problem and bring a proposal forward in the future.

**MOTION: Move that the Board of Selectmen vote to not recommend.**

**Motion: Erik Yingling**

**Seconded: Robert Anthony**

**4/0/0 Motion passed.**

**4. Parking Fees for April 2016:**

**David P.** asked the Board whether a decision to allow the month of April of 2016 to extend free parking throughout the whole system or do something else. If we are going to allow free parking, he would like to speak with Tourism Director Fuccillo to get some advertising/marketing done to get the word out.

**Erik** believes that it helps the community. Some business owners felt it was good and others did not think it made any difference. He wants to move forward with charging for parking in April.

**Cheryl** stated that we really have to offer it two years in a row so that people know it is being offered. We should market it.

**Domenic** would like to see the advertising done this year if we are offering free parking.

**Tom** wants to promote economic development during the shoulder season. There is some benefit to it. He supports continuing the April free parking.

**Cheryl** will go along with it one more year. The Executive Directors from the Provincetown Business Guild and the Chamber of Commerce should be consulted after this year for their input.

**MOTION: Move that the Board of Selectmen vote that for the month of April there will be free parking in Provincetown.**

**Motion:** Cheryl Andrews

**Seconded:** Erik Yingling

**4/0/0 Motion passed.**

The meeting was adjourned at 8:37 p.m.

Minutes transcribed by: Loretta Dougherty