

## PLANNING BOARD

Meeting Minutes

Thursday, October 10, 2019

Judge Welsh Room

5:00 P.M.

**Members Present:** Jason Potter, Brandon Quesnell, Paul Graves, Ross Zachs, John Peters-Campbell, and Jeff Mulliken.

**Members Absent:** None.

**Staff:** Jeff Ribeiro (Town Planner), Gloria McPherson (Planning Board consultant) and Ellen C. Battaglini (Permit Coordinator).

**Joint Work Session:** Chair Jason Potter called the Joint Work Session to order at 5:00 P.M. and introduced the members of the Planning Board. Jeremy Callahan, chair of the Zoning Board of Appeals, introduced the members of the ZBA.

a) Discussion of proposed project at 227R Commercial Street: Ginny Binder, Christine Barker, Attorney Liza Cox, and Jeffrey Burchard, of Machado Silvetti, an architectural firm, appeared to review the project. Attorney Cox, Ms. Binder, Ms. Barker, and Mr. Burchard reviewed the project, which includes the creation of 31 hotel rooms and 4 condominium units and the development of a public pier on the property.

Jason Potter adjourned the Joint Work Session at 6:35 P.M.

Jason Potter called the Planning Board Public Hearing to order at 6:35 P.M.

1. Public Comments: None.

2. Public Hearings:

### PLN 20-09

Application by **Eric Sussman**, on behalf of the **Town of Provincetown**, requesting Administrative Site Plan Review pursuant to Article 4, Section 4010, Administrative Site Plan Review, of the Zoning By-Laws to remove and relocate ticket booths and reconfigure traffic islands on the property located at **19 Ryder Street Extension**. Jason Potter, Brandon Quesnell, Paul Graves, Ross Zachs, and John Peters-Campbell sat on the case.

**Presentation:** Eric Sussman appeared to present the application. He reviewed the project, which involves the replacement of ticket booths and reconfiguring the traffic islands in the municipal parking lot. A concrete island will be installed to hold a new proposed ticket booth, which will replace the existing. Mr. Sussman is appearing before the Board because there will be a small footprint change for a minor structure and the site plan requires approval pursuant to Administrative Site Plan Review. The existing concrete pad and booth will be demolished and new ones will replace them. In addition, a second, smaller concrete pad will be poured about 19' farther inside the lot and to the east. The second pad will hold a camera pole for license recognition technology equipment to help manage the parking operations.

**Public Comment:** None. There were no letters in the file.

**Board Discussion:** The Board questioned Mr. Sussman. The Board discussed the pedestrian access walkway and whether it would be made wider, and thus safer, for the public, and especially for disabled individuals. The Board requested that adequate space for wheelchairs be allowed to which Mr. Sussman agreed. The Board asked Mr. Sussman about lighting, to which he replied that any changes in lighting are not part of the application. The Board discussed pedestrian and vehicle access lanes and how to improve them with Mr. Sussman. The Board was of the opinion that the reconfiguration of the traffic island was creating a problem for pedestrian access. It thus required that distance between the existing guardrail and the lamppost be increased for adequate pedestrian access. The first disabled spot would have to be moved to allow that to happen. Mr. Ribeiro suggested that the Board require that there be an increase in the distance without conditioning how that would be accomplished. Ms. McPherson suggested that the guardrail could be cut to insure that 36" of space is available, the requirement for disabled access. Mr. Sussman said that the guardrail will be reconfigured to allow adequate space for wheelchair access.

*There was a motion by Brandon Quesnell to approve the site plan pursuant to Article 4, Section 4010, Administrative Site Plan Review, of the Zoning By-Laws to remove and relocate ticket booths and reconfigure traffic islands on the property located at 19 Ryder Street Extension with the condition that the guardrail be reconfigured to allow adequate space for wheelchair egress. Paul Graves seconded. VOTE: 5-0-0.*

**PLN 20-11** (*request to continue to the meeting of October 24<sup>th</sup>*)

Application by **Christopher J. Snow, Esq.**, on behalf of **Green Harbor Dispensary, LLC**, seeking a Special Permit pursuant to Article 2, Section 2440, Permitted Principal Uses, B14, Marijuana Establishment, Retail, of the Zoning By-Laws to change the use of a structure from a pet resort to a retail marijuana facility on the property located at **79 Shank Painter Road**. Chair Jason Potter opened the hearing for PLN 20-11.

*There was a motion by Brandon Quesnell to continue PLN 20-11 to the meeting of October 24, 2019 at 6:30 P.M. Paul Graves seconded. VOTE: 5-0-0.*

### **3. Work Session:**

a) Discussion of proposed project at 30 Shank Painter Road: Ted Roach, of Meili, LLC, the developer of the proposed project, and Julian Gabriel, a designer, appeared to review and informally discuss the project, which involves developing the site with 13 units, 4 of which will be inclusionary and affordable. He will be seeking a third floor bonus as a result of the latter. Mr. Ribeiro said that the structure will have a modest increase over the allowed height requirement, but meets the standard for a pitched roof. The project would exceed the one-sixth affordability requirement in the Inclusionary and Incentive By-Law by having 30%, or 4, affordable units. The number of units proposed is allowed by using the density bonuses and exceeding the density schedule that would allow 5 units. 4 of those 5 would be affordable and would allow for 8 density bonus units. He said that the Board would have to grant relief from the allowed site coverage and green area. The Board could also waive parking requirements if there the requisite amount of spaces is not available on the site. However, there is public parking across the street. He said that the project proposed 62% lot coverage and 25% green space. The Board questioned Mr. Roach about screening of utilities and trash/recycling areas and proposed bike rack locations. Mr. Roach said that one of the proposed 12 parking spaces

would be used for bike racks. The Board noted that the structure manifested a bulky presence on the Shank Painter Road streetscape. The Board made suggestions about the design of the building, including the color and type of the roofing material, creating a more identifiable entryway on Shank Painter Road, and the roof deck access building. The Board suggested looking at other large, multi-family structures in Town for design ideas. Mr. Ribeiro summarized that the Board is amenable to the density and the lot coverage, the parking configuration, and would like to see a true front entrance on Shank Painter Road to the rear court and a variation in shingle design on the mansard roof.

b) Decisions:

**PLN 19-51**

Application by **Jonathan Sinaiko** requesting Site Plan Review pursuant to Article 2, Section 2320(A), High Elevation Protection District (A), of the Zoning By-Laws to increase the size of a shed on the property located at **292 Bradford Street**. Jason Potter read the decision. *There was a motion by Jason Potter to approve the language as written. Brandon Quesnell seconded. VOTE: 5-0-0.*

**PLN 19-52**

Application by **Cape Cod Pilgrim Memorial Association of Provincetown** requesting Site Plan Review pursuant to Article 2, Section 2320(B), High Elevation Protection District (B), and Article 4, Section 4010, Administrative Site Plan Review, of the Zoning By-Laws for hardscape modifications in the Monument area to provide access to disabled people and to install two handicapped parking spaces adjacent to the Monument on the property located at **1 High Pole Hill Road**. Jason Potter read the decision. *There was a motion by Jason Potter to approve the language as written. Brandon Quesnell seconded. VOTE: 5-0-0.*

**PLN 19-53**

Application by **Doug Dolezal**, on behalf of **Mariam Gallardo & Courtney Spitz**, requesting Site Plan Review pursuant to Article 2, Section 2320(A), High Elevation Protection District (A), of the Zoning By-Laws for a two-story addition to the structure on the property located at **62 Mayflower Avenue**. Jason Potter read the decision. *There was a motion by Jason Potter to approve the language as written. Brandon Quesnell seconded. VOTE: 5-0-0.*

**PLN 20-03**

Application by **Lisa Pacheco-Robb**, on behalf of **Travis and Wendy Connors**, requesting Site Plan Review pursuant to Article 2, Section 2320(A), High Elevation Protection District (A) of the Zoning By-Laws to extend a cantilevered addition to the ground on the north elevation, to add a widow's walk that extends above the existing roof deck railing by 3'6", and to add and relocate windows on the structure located at **14 Thistlemore Road**. Jason Potter read the decision. *There was a motion by Jason Potter to approve the language as written. Brandon Quesnell seconded. VOTE: 5-0-0.*

**PLN 20-04**

Application by **NSTAR Electric Company, dba Eversource Energy**, requesting Site Plan Review pursuant to Article 2, Section 2320(A), High Elevation Protection District (A) of the

Zoning By-Laws to construct an energy storage facility on the property located at **90 Race Point Road**.

**PLN 20-05**

Application by **NSTAR Electric Company, dba Eversource Energy**, requesting Site Plan Review by Special Permit pursuant to Article 4, Section 4015 a. (2) and (5), of the Zoning By-Laws to construct an energy storage facility consisting of more than 2,000 sq. ft. of new commercial area and that will involve moving more than 750 cu. yds. of earth, altering the topography from natural grade, on the property located at **90 Race Point Road**. Jason Potter read the decision. *There was a motion by Jason Potter to approve the language as written. Brandon Quesnell seconded. VOTE: 5-0-0.*

**PLN 20-06**

Application by **Dol-Fin Development** requesting Administrative Site Plan Review pursuant to Article 4, Section 4010, Administrative Site Plan Review, of the Zoning By-Laws for a change in use of a pre-existing, non-conforming lot with a garage to provide off-street parking for a two-family dwelling at 16 Carver Street on the property located at **3 Cudworth Street**. Jason Potter read the decision. *There was a motion by Jason Potter to approve the language as written. Ross Zachs seconded. VOTE: 5-0-0.*

**PLN 20-07**

Application by **William N. Rogers, II, P.E., P.L.S.**, on behalf of **Enco Realty, Inc.**, requesting Site Plan Review by Special Permit pursuant to Article 4, Section 4015, a. (2) and (3), of the Zoning By-Laws to construct a second-floor addition over a storage and landing area, to add dwelling units along a northwest property line, and to enclose a loading dock area under an overhand that will result in more than 2,000 sq. ft. of commercial area on the property located at **20 Province Road**. Ross Zachs read the decision. *There was a motion by Ross Zachs to approve the language as written. Paul Graves seconded VOTE: 5-0-0.*

**PLN 20-09**

Application by **Eric Sussman**, on behalf of the **Town of Provincetown**, requesting Administrative Site Plan Review pursuant to Article 4, Section 4010, Administrative Site Plan Review, of the Zoning By-Laws to remove and relocate ticket booths and reconfigure traffic islands on the property located at **19 Ryder Street Extension**. Paul Graves read the decision. *There was a motion by Paul Graves to approve the language as written. Jason Potter seconded. VOTE: 5-0-0.*

c) **Minutes of April 23, August 27 and October 22, 2015, January 14, March 24, April 28, June 9, 2016 and September 12, 2019.**

September 12, 2019: *There was a motion by Jason Potter to approve the minutes of September 12, 2019 as written. Ross Zachs seconded. VOTE: 5-0-0.*

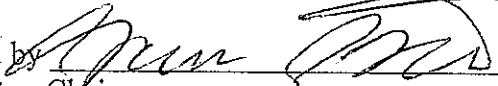
d) **Discussion of comment letter in support of the Ryder Street Dune Enhancement project**: Mr. Ribeiro reviewed the letter and the Board agreed to support the project.

e) Any other business that may properly come before the Board: None.

*There was a motion by Jason Potter to adjourn the Planning Board meeting at 8:15 P.M.  
Jeffrey Mulliken seconded. VOTE: Unanimous.*

Respectfully submitted,

Ellen C. Battaglini

Approved by  on 12/12/19, 2019  
Jason Potter, Chair

