

**Wellfleet Planning Board**  
**Wednesday February 12, 2020 7PM**  
**715 Old King's Highway, Duck Pond Room**  
**Meeting Minutes**

**Members Present:** Gerald Parent, Chair; Andrew Freeman, David Rowell, David Mead-Fox, Alfred Pickard

**Members Absent:** Beth Singer, Bonnie Shepard

**Others Present:** Allan Kronfield, Operating Officer Cape Cod Cannabis; Simon Baker, Chief Executive Officer, Cape Cod Cannabis; Larysa Kavaleva, Chief Financial Officer, Cape Cod Cannabis; Daniel Lencioni, Operational Manager, Cape Cod Cannabis; Jill Shafer, Counsel for Cape Cod Cannabis; Matt Christianson, Architect; Helen Miranda Wilson, Selectboard member; Gary Sorkin, Sharon Rule-Agger, Stephanie Cox, Kate & June Nowack, abutters for a land to be taken by the town.

Chair called the meeting to order at 7:02 pm

**Announcements, Open Session & Public Comment:** Note: Public comments must be brief. The board will not deliberate or vote on any matter raised solely during announcements & public comment.

**Cape Cod Cannabis ~ South Wellfleet General Store**

- Chair Parent stated this is a project of significant impact due to the parking. There is no permit needed as the Board is not the special permit granting authority. He explained that the Board has to analyze the parking and the traffic in and out of the property. A letter will be issued to the Zoning Board of Appeals regarding what the decision was.
- Chair then directed his attention to the applicants and expressed his concerns of square footage being used, adequacy of the parking, the access in and out of the property. He stated the Board doesn't need a full presentation, because this is a matter of parking and square footage. Chair Parent made the applicants aware that he is the previous owner of the South Wellfleet General Store.
- The applicants provide the Board with new updated maps. The applicant stated this shop will be open by appointment only so they will be able to manage the parking and that there will be a full-time security person at the front door. Kronfield stated that there will be people that will oversee the parking lot.
- The map handed to the board was color coded for the Board to better understand where the parking for Cape Cod Cannabis would be. Kronfeld explained that the bike shop has 4 spaces, the Beachcomber has 8 spots and Cape Cod Cannabis has four types of parking categories, one for employees, one for express parking for three-minute, ten minute, and thirty-minute parking. The total parking spaces for Cape Cod Cannabis is 34 spots. He went on to explain that each code was for the different parking on the map.
- Freeman asked what the square footage for just their business. Kronfeld stated it was 3,917 square feet. Freeman asked how they calculated it. Baker explained how they came to the numbers and some of that space will be used for offices.
- Freeman stated that customers from the restaurant across the street had used some of the designated parking in the past and that this might cause a problem.
- Mead-Fox asked how they were planning to handle bicycle traffic. Baker stated they intend to maintain bike parking for any bike customers.

- Pickard asked when the three parking assistants would start. He wanted to know what they considered summertime. They explained that they considered summer to run from Memorial Day through Labor Day.
- Pickard asked if there was an apartment being used. The group stated that yes there was. Pickard asked about the parking for the apartment. Baker explained that there is an agreement with the landlord that the parking space for the apartment will not be used. Pickard stated that this should be documented in the file.
- Chair Parent asked the group if they understood some people use the parking area to park for the restaurant and also to walk to the beach. He stated if the parking isn't closed off while their facility is closed this will occur. Chair Parent feels that access to the parking needs to block early in the morning to avoid this circumstance.
- Pickard expressed his concern about the apartment, there needs to be two spaces which is stated in the permits. Shafer stated that it was in the lease, Pickard expressed to them they need to find another spot. Baker stated they would be more than happy to add one more space for the apartment.
- Chair Parent stated another concern about the shell that was in the lot. Baker stated they were going to replace the stone with crushed stone. Chair Parent asked if they would be a year-round business, Baker stated that was the group's intent. Chair Parent would like to have a wall of some type to be reshaped as a buffer with the trees.
- Chair Parent asked the group if they plan to receive the permit the following night at the Zoning Board of Appeals. Shafer stated she understands there is a need for an updated plan. Chair Parent stated he felt it was in the best interest of Cape Cod Cannabis to get the new updated plan so Zoning can see that they are working with the Planning Board.
- The Board will write a letter to the zoning board of appeals detailing what they are asking for regarding parking. Pickard asked the group if there were letters that went out to abutters.
- **Pickard moved to continue this to the next Planning Board meeting when they are to receive an updated full-size plan with more details regarding a gate system concerning the morning parking situation, extra parking space, stone and paving, upper level paving, widening the slope and structural support gaining five more feet. The premise of what they are looking for will be put into a letter for the Zoning Board of Appeals. Rowell seconded the motion, motion carried 5-0**
- Chair Parent asked to have this for them for the February 19<sup>th</sup> meeting.

### **Discussion on Affordable Housing**

- Freeman began by asking Sorkin what they were planning to discuss this evening. Sorkin explained that they would like to look at the wording at the bylaws for AADU's (Affordable Accessory Dwelling Units). Pickard went on to explain how the current AADU's work and how much can be charged. He stated the document that they are currently discussing needs to be found and reviewed. Sorkin Stated they have it and will provide the Board with it at the next meeting. Pickard stated that the previous ATA

(Assistant Town Administrator) Rex knew what the intent was for an AADU and sat down trying to write it and figure it out. It worked at the time. Pickard stated that this is not a HUD program.

- Freeman stated again his concern that there needs to be consistency in interpretation of the implementation of this bylaw. Sorkin stated there needs to be something written up so that doesn't happen. Chair Parent stated that a new guideline could be written. Miranda Wilson stated she wouldn't do that, she stated to make sure that the guideline doesn't misinterpret the bylaw.
- Sorkin stated that there has been an issue with year-round rental, he gave an example that his tenant moved out in March and it took him months to get a new tenant in the apartment. There were issues with that being year-round. Pickard went on to explain how that works. He said doing the paperwork is imperative. The board continued to discuss what a year-round rental is, and how can one determine what the one year is. They continued to discuss this and hopefully changing the wording then present it to town counsel and come back to the Planning Board to see whether the language needs to be changed. The board thanked them for coming and will return once something has been written up.

### **Climate Issues**

- This is continued to the next meeting he will be first on the agenda

### **Disposition of Town Owned Land**

- Chair Parent took the meeting out of order to do this subject first. They discussed Kincaid first, Parcel #14 Map #30. The Nowack's are abutter's and stated their daughter and significant other would like to investigate buying that property. They were told by the town that there might be a way for them to buy it to build a single-family residence. Chair Parent expressed that there doesn't appear to be enough frontage for road access.
- Chair Parent stated that the cluster bylaw might permit two dwellings on the property putting a driveway on. He stated he believes with the bylaw that they would have to prove that they could lay out a 40-foot road. Freeman stated he was wondering if the town sold them lot 14 and the owners came in and subdivided, could they have frontage. Pickard stated they needed to create a cul-de-sac; he feels there is enough land to do this. Pickard went on to talk about the cost of the lot, he gave an example of the beach land that the town had. They continued to discuss this land and if it was buildable. The Nowack's pointed out to the board where their house was located on the lot.
- Freeman questioned the price of the sale. Chair Parent gave an example if the town sold the land for \$5000 what has the town gained, he feels there is no more liability and potentially a tax revenue. He stated he didn't feel it was a bad thing to sell the land.
- **Rowell moved to have the town sell Map #30, Parcel #14, Chair Parent seconded, motion carried 3-2-1**
- Miranda Wilson explained the housing authority removed their petition for a parcel of land. She explained they thought about it and decided to not move forward with this property. Pickard expressed his disappointment in this decision.
- 201, 203 & 209 were discussed and then voted on
- **Freeman moved to have the town transfer custody of these properties to conservation committee, Mead-Fox seconded the motion; motion passed 5-0**

## **Minutes**

- January 22, 2020 ~ Continued to the next meeting due to Eldridge being out on sick leave.

## **Topics for future concern**

**Freeman moved to adjourn at 10:00pm, Rowell seconded, motion carried 5-0**