



PLANNING BOARD
February 20, 2013
Judge Welsh Hearing Room

Members Present: Mr. John Golden, Ms. Marianne Clement,
Mr. Mark Weinress, Ms. Dorothy Palanza

Other Staff Present: Mr. David Gardner, Assistant Town Manager
Ms. Maxine Notaro, Permit Coordinator
Mr. Edward Atwood, Recording Secretary

The meeting was called to order by Mr. John Golden, Chair at 6:30 p.m.

Public Statements:

Mr. Jim Hood, Outer Cape Health abutter to 25 Miller Hill Road expressed his concern with a section of the road experiencing erosion onto the property of Outer Cape Health. Mr. Hood submitted photos to the board (photos available in file).

Member Marianne Clements recused herself due to being employed by Outer Cape Health.

Mr. Hood feels the erosion is being caused by heavy rains resulting in a heavy amount of debris being deposited into Outer Cape Health's parking lot. Runoff has been significant this year along the footpath causing a 12-16 inch deep ravine. Mr. Hood's hope is that the board considers the use of storm drains for this project and any future projects in the on Miller Hill Road.

Mr. John Golden closed the public statement portion of the meeting at 6:50 p.m.

CASE # FY13-06 Site Plan Review

Application by Mr. Lester J. Murphy, Jr. Attorney on behalf of Stanley Sikorski under the Zoning bylaws Article 2, Section 2320, High Elevation Protection district A. The applicant seeks approval for the construction of a 2 family residential structure on vacant land at the property located at **294 Bradford Street, Provincetown, MA.**

Mr. Murphy told the Board the Architect and Surveyor began to redo plans addressing the concerns the board had with the project. Mr. Murphy expressed his feeling of surprise after hearing the Board was considering zoning bylaw amendments given the case before them. Mr. Murphy's understanding was once the publication of the meeting, any applicant that didn't have a building permit previously issued by the Building Department would be subject to all bylaw amendments. Given this information Mr. Murphy advised his client (Mr. Sikorski) to postpone revising plans pending the Town meeting vote on any zoning bylaw amendments. It's the applicant's request that the

application be continued to a meeting of the Planning Board sometime after Town Meeting.

Board Discussion:

Member Mark Weinress expressed to Mr. Murphy that it was his understanding any permits currently in progress would likely fall under a grandfather provision. Mr. Weinress emphasized that the purpose of the bylaw amendment is not directed towards or intended to hurt any application currently in progress.

A motion by Member John Golden to continue Case # FY13-06 to the April 22nd, 2013 meeting of the Planning Board. The motion was seconded by Member Marianne Clements. VOTE 4-0-0.

Request for Approval Not Required Pre-Application:

Application by William N. Rogers II, P.E. & P.L.S. on behalf of Josephine C. Romeo c/o James D. Savko to remove a lot line between lot number 33 and lot number 34 as shown on Assessor's Map 8-2 parcels 19 & 19D to form lot 48 which contains the minimum area and frontage required at the property located at **44 & 48 Winslow Street, Provincetown, MA.**

Mr. Rogers explained the pre-application proposal; the Board had no specific questions but would like to schedule a site visit however would like to schedule a site visit prior to the hearing of the Planning Board on March 18, 2013. The Board and the applicant decided on Saturday, March 16, 2013 at 1:15 p.m. for the site visit.

CASE # FY13-11

Request for Approval Not Required:

Application by John M. O'Reilly & Associates, Inc. on behalf of Daniel Kaizer and Adam Moss for the division of two lots and expunge a lot line with remaining two lots having frontage on a public way at property located at **29 and 25 Miller Hill Road, Provincetown, MA.**

The Board took a moment to review the plans submitted.

A motion by Member John Golden to approve Case FY13-11 as submitted. The motion was seconded by Member Marianne Clements. VOTE 4-0-0.

CASE # FY13-09 Site Plan Review

Application by Deborah Paine, Inc. on behalf of Daniel Kaizer and Adam Moss under the Zoning bylaws Article 2, Section 2320, High Elevation protection district

B. The applicant seeks approval for the construction of a deck on the Hawthorne Barn building at property located at **25 Miller Hill Road.**

Ms. Deborah Paine told the Board that all project materials will be walked to the site and that there would be no use of heavy equipment. They propose backfilling as they go along to keep existing grade and prevent further erosion, and all footings for the deck will be hand dug.

Member John Golden opened the meeting to public comment on this case: there were no additional comments made other than for Mr. Hood representing Outer Cape Health at the beginning of the meeting.

A motion by Member John Golden to approve Case # FY13-09 as submitted. The motion was seconded by Member Dorothy Palanza. Vote 4-0-0.

CASE # FY13-10 Site Plan Review

Application by Deborah Paine, Inc. on behalf of Daniel Kaizer & Adam Moss under the Zoning bylaws Article 2, Section 2320, High Elevation Protection District B. The applicant seeks approval for the installation of a septic line for 25 Miller Hill Road and all utility lines across 29 Miller Hill lot at the property located at **25 Miller Hill Road, Provincetown, MA.**

Deborah Paine introduced Mr. Ryan Weber, Project Manager to get familiar with process and to help answer any questions the Board may have. They will be installing a septic for barn, which will go up and around property, will include water and electric lines. To do this they will clear a 9ft wide path prior to the lines being installed. The Landscape plan was included, along with proposed lighting for the path due to its length. It will take 3 days to install the septic lines. They intend on using silk fence to protect from any erosion coming from Upper Miller Hill Road.

Mr. David Gardner, Assistant Town Manager feels in order to decrease erosion hay bails could also be used. Mr. Gardner also told the applicant if they intend on renting the space a rental certificate would need to be applied for and issued.

A motion by Member Marianne Clements to approve Case # FY13-10 with conditions to have a plan to help maintain the structural integrity of the hill and to stop any further erosion with the use of hay bails, silk fence, backfilling, and grading. The motion was seconded by Member Dorothy Palanza. VOTE 4-0-0.

Ms. Paine requested she get all copies of the plans once the official record has been filed with the Town Clerks office.

Minutes of Previous meeting: None to approve.

Discussion on Site Visits and the Planning Process:

Ms. Maxine Notaro, Permit Coordinator explained to the members the current process pertaining planning. There meetings are held on Town owned property and posted in advance in accordance with the Open Meeting Law. A Site Plan review is held for all land use regulatory boards and members hold a site visit. Ms. Notaro expressed concern that a lot of properties are not staked out in advance, making it difficult for Board members to identify what they are looking at. Ms. Notaro suggested the Board establish a rule stating all property's requiring a site visit need to be properly staked prior to the Site Plan review meeting with the Board.

The Board would also like to see any property requiring a site visit be staked prior to the applicant's site plan review. The Board and asked if their packets could be made available to them two weeks in advance to allow for review time and scheduling of the site visit.

Mr. David Gardner told the board the opinion they requested from Town Council regarding the lighting bylaw and the grandfather provision for the scale bylaw will be available at there next meeting on February 27, 2013.

The next meeting of the Planning Board will be held on Wednesday, February 27, 2013.

A motion to adjourn was made by Member John Golden at 8:20 p.m. The motion was seconded by Member Marianne Clements. VOTE 4-0-0.

Respectfully submitted,

Edward F. Atwood

Edward F. Atwood
Recording Secretary

Approved by _____ on _____, 2013.