



**PLANNING BOARD**  
**March 18, 2013**  
**Public Hearing at 6:30 p.m.**  
**Judge Welsh Hearing Room**

**Members Present:** Mr. John Golden, Chair, Ms. Marianne Clements  
Mr. Mark Weinress, Vice Chair, Ms. Dorothy Palanza

**Other Staff Present:** Ms. Maxine Notaro, Permit Coordinator

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

**Public Comments:**

No comments from the public.

**CASE# FY13-14 Request for Approval Not Required Pre-Application**

**Application by Chris Fiset, Esq. on behalf of Donald Fiset and Robert Fiset to create two lots (Lot 4 and Lot 8) with sufficient frontage, depth, access, setbacks, and lot size requirements pursuant to Provincetown Zoning Bylaws at the property located at 166 Bradford Street Extension and 27 Creek Road, Provincetown, MA. (Assessor's Map 6-3, Parcel 50 A, B &D)**

Member Marianne Clements recused herself because she was an abutter.

Chris Fiset, Esq. presented the application on behalf of the applicants, to create two (2) lots (Lot 4 & Lot 8). The applicants were before the Board a few months ago the lots are abutting, both 7700 sq. ft., the lot was filed as a pan handle and abuts Creek Road the applicants own the East abutting lots.

**Board Discussion**

The Board had no questions.

*A motion made by Member Mark Weinress to accept Case # FY13-14 Slade Associates 2013-6 as submitted. The motion was seconded by Member John Golden. VOTE 3-0-0.*

Member Marianne Clements returned to the meeting.

**CASE# FY13-13 Request for Approval Not Required**

**Application by William N. Rogers, II, P.E. & P.L.S. on behalf of Josephine C. Romeo % James D. Savko** to remove a lot line between 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 was previously before the Board seeking approval of ANR to remove lot line between lots 33 & 34, he will have to return before the Board after the property has come out of land court.

**Board Discussion:**

The Board members asked Mr. Rogers if the plans were the same as originally submitted. Mr. Rogers informed the Board there were no changes made to the plans.

The Board had no other questions.

*A motion made by Member Mark Weinress to accept Case # FY13-13 PB 1255 as submitted. The motion was seconded by Member Marianne Clements. VOTE 4-0-0.*

**Member John Golden opened the Public Hearing at 7:15 p.m.**

**CASE # FY13-12 Site Plan Review**

**Application by William N. Rogers II, P.E. & P.L.S. on behalf of Winslow Trading Co.** under the Zoning Bylaws Article 4, Section 4100, Dwelling Units and Commercial Accommodation's. The applicant seeks approval to construct six buildings with eleven two-bedroom units with an 18' wide access drive at the property located at **44-48 Winslow Street, Provincetown, MA.**  
**(Res 3 Zone).**

Mr. Rogers informed the Board the MEFA & Title 5 applications have been filed. Their hearing with the Zoning Board has been re-scheduled due to lack of a quorum.

Mr. David Nicalou, explained to the Board the project conforms to all height and set back requirements (front, rear, side). The plan exceeds scale requirements. The travel width of the driveway is 18 ft. under 3 % grade with road. There is no proposed drainage for this project due to minimal elevation. All utilities will be underground. The applicant proposes eleven (11) parking spaces, one per unit; Winslow Street has 56 public spaces which provides for any additional parking. The Special Permit application with the ZBA has been filed, Title 5 plan un-variance, there are no abutting wetlands or conservation land. Most of the Trees will be preserved, natural vegetation will be preserved, and three (3) additional trees will be added at the entry way of the driveway.

The application follows the vision of the Local Comprehensive Plan. One (1) single family unit will be offered as affordable/low income shown on the plan as Unit # 5. Non-variance septic plan, lighting plan submitted. All the buildings are setback 9ft. from the property line rather than the minimum requirement of 6 ft.

**The Board opened the meeting to comments from the public regarding this application.**

**Member John Golden explained to the public they would have three (3) minutes each to speak, and not to restate a point that has already been made.**

**Public comments heard from:**

Kathy Meades, Richard Henry, Henry Chinosky, Patricia Benatti, Victoria Shepps, Attorney, on behalf of 10 Georges Path, Kathryn Ferreira, Marge Derocco, and Kevin Walsh shared their concerns with the Board.

The concerns from the public included, size & scale of all structures, number of units, length of driveway, insufficient parking, disturbance to the natural landscape (plantings)/ grade.

**Board Discussion:**

Member Dorothy Palanza would like to see a more detailed lighting plan, and a change to the proposed light fixtures, to conform to the guidelines i.e. “no polluting light”. Recommends the patio be shorter than 9 ft. and to replace with landscaping to buffer noise to abutting properties.

Member Mark Weinress expressed his concern with the width of the driveway and the lack of ability for a car to turn around. Mr. Weinress is uncomfortable with the proposed eleven (11) units; feels six (6) units would be more appropriate.

Member Marianne Clements expressed her concern with the integrity of the existing timber wall. Recommends having money in escrow to cover any possible damage. Ms. Clements also would like to see the driveway be 20 ft. wide rather than 18 ft. with the ability to turn around at the end.

**Letter in favor: 3**

**Letters in opposition: 3 non-abutters**

**The members reviewed and read the letters.**

A letter from the Fire Chief was read for the record, recommending a 20ft. wide driveway/road for a project of this nature, overall this project is not in the best interest of public safety due to the lack of accessibility for public safety vehicles.

Mr. Rogers requested a copy of each letter for his records and to continue to the application to the April 8, 2013 meeting of the Planning Board.

*A motion made by Member Mark Weinress to continue Case # FY13-12 to the Planning Boards next Public Hearing on April 8, 2013. The motion was seconded by Member Marianne Clements. VOTE 4-0-0.*

**Discontinuance of a portion of Collyer Street:**

**William N. Rogers, II, P.E. & P.L.S. on behalf of the Town of Provincetown to discontinue a portion of Collyer Street known as Parcel "A" Article #7.**

*A motion made by Member Dorothy Palanza to discontinue the portion of Collyer Street known as Parcel "A", Article #7. The motion was seconded by Member Marianne Clements. VOTE 4-0-0.*

**Minutes for Review and Approval**

**February 6, 2013**

*A motion made by Member Dorothy Palanza to approve the February 6, 2013 minutes of the Planning Board as amended. The motion was seconded by Member Marianne Clements. VOTE 4-0-0.*

**February 20, 2013**

*A motion made by Member John Golden to approve the February 20, 2013 minutes of the Planning Board as amended. The motion was seconded by Member Mark Weinress. VOTE 4-0-0.*

**February 27, 2013**

*A motion made by Member Dorothy Palanza to approve the February 27, 2013 minutes of the Planning Board as amended. The motion was seconded by Marianne Clements. VOTE 4-0-0.*

**Any other unanticipated business that shall properly come before the Board.**

There was no other business to be discussed.

**The next meeting of the Planning Board will be a Public Hearing on Monday, April 8<sup>th</sup>, 2013 at 6:30 p.m. in the Judge Welsh Hearing Room, Town Hall.**

**Adjournment:**

*A motion made by Member Dorothy Palanza to adjourn the meeting of March 18, 2013 at 9:00 p.m. The motion was seconded by Member Marianne Clements. VOTE 4-0-0.*

Respectfully submitted,

**Edward Atwood**

Edward F. Atwood  
Recording Secretary

Approved by \_\_\_\_\_ on \_\_\_\_\_ 2013.

