



PLANNING BOARD
July 15, 2013
Public Hearing
Judge Welsh Hearing Room
6:30 p.m.

Members Present: **Mr. Mark Weinress, Chair**
 Ms. Dorothy Palanza, Vice- Chair
 Ms. Marianne Clements
 Mr. John Golden
 Ms. Grace Ryder O'Malley

Other Staff Present: **Mr. David Gardner, Assistant Town Manager**
 Ms. Maxine Notaro, Permit Coordinator

The meeting was called to order by Mark Weinress, Chair, at 6:30 p.m.

Public Comments:

No public comments

Public hearing was opened at 6:32 p.m.

CASE# FY14-01 Site Plan Review (Revised plans submitted for 6 single family structures on one lot)

Application by William N. Rogers II, P.E. & P.L.S. on behalf of Winslow Trading Company under the Zoning Bylaws Article 4 Section 4100, Dwelling units and Commercial Accommodations. The applicant seeks approval to create six buildings with eleven two-bedroom units with a 20 ft. wide access drive and an 80 ft. diameter turn-around at the end of the parcel, at the property located at **44-48 Winslow Street, Provincetown, MA (Res 3 Zone)**.

Mr. Lester J. Murphy, Attorney, and Mr. Gary Lock, Engineer, on behalf of the applicant informed the Board they were denied by the Zoning Board, therefore they are before the Planning Board again under a modified plan. The applicant proposes to construct 6 buildings with 11, 2 bedroom units, 17 bedrooms total. The proposed plan has been reduced by 27 % and the density reduced by half. As per the request of the Planning Board and the Fire Chief an 80 ft. diameter turn around has been added as seen on the plan. The applicant feels the plan meets the design requirements under section 4163. All the drainage will be contained on the site as indicated on the plans, all the utilities will be underground.

Mr. Murphy also informed the Board that all necessary permits have been obtained except for the building permit. MESA approval was granted. The plan follows the growth management bylaw

due to reducing the density and scale of the project. All 6 units will hook-up to the municipal water system with no negative impacts foreseen. Sewage will be contained onsite using a Title 5 system. The applicant also feels that traffic will be minimally impacted by this project.

Mr. Murphy told the members by reducing the number of units from 11 to 6 they were able to save 3 mature trees on the site. The applicant proposed to plant cypress trees around the cul-de-sac to minimize its visibility to abutters. Behind building #2 & #3 a 6 ft. privacy fence or a 3-4 ft. fencing atop the existing retaining wall to increase privacy due to difference in elevation of the abutting property at Georges Path.

The applicant has submitted a detailed lighting plan as outlined in Section 4162. Mr. Gary Lock explained with more detail how the drainage will be contained onsite.

Board Discussion:

Member Marianne Clements asked if the cul-de-sac could be moved over about 20 ft. to allow room for more vegetation to be planted.

Member Dorothy Palanza informed the applicant it was her understanding from a discussion with Brian Carlson, Conservation Agent, the applicant would need to go before the Conservation Commission and also get approval from National Heritage. Ms. Palanza would also like to see the application go before the Conservation Commission for review prior to the Planning Board making any determinations.

Mr. David Gardner, Assistant Town Manager, advised the applicant and Planning Board members the local bylaw applies, however, it's not clear which Board approval takes precedence.

Member John Golden thanked the applicant for making all the revisions to the plans that were requested.

Member Grace Ryder O'Malley feels the plans are much clearer, however, she is interested in hearing input from the neighborhood.

Member Mark Weinress told the applicant the Board is pleased to see 6 units instead of 11 as previously proposed. Mr. Weinress requested the applicant to extend plantings around the entire cul-de-sac possibly using different variations of screening trees in a staggered formation to increase privacy.

Public Statements:

There were several abutters in the audience in favor and opposition to this project.

Favor:

Pat Benatti, Joel Small, Jane Gildeshere, Mary Derocco, and Paul Mendez.

Oppose:

Kathy Meades, Ryan Fildrel, Kevin Usarion, and Patricia Flaherty.

Ms. Flaherty, 10 Georges Path, requested a permanent easement be granted to have access to her property in the event emergency or routine maintenance was needed for her properties retaining wall.

Kevin Sullivan, 10B Georges Path, requests the easement be granted and made official and that privacy issues be mitigated.

Member Dorothy Palanza requested the recommendation of the Conservation Commission regarding the types of plantings being proposed on the site.

A motion made by Member John Golden to approve Case FY14-01 Site Plan Review with conditions; review of application by the Conservation Commission and approval from National Heritage, applicant is required to increase the amount of privacy around the proposed cul-de-sac with different variations of screening trees. The motion was seconded by Member Grace Ryder O'Malley. Vote 5-0-0.

CASE # 204-2 Site Plan Review & Special Permit

Application by Michael E. Scott of Nutter McClennen & Fish LLP, Attorneys at Law on behalf of Open Cape Corporation under the Zoning Bylaws Article 2, Section 2320, High Elevation Protection District B and a Special Permit with waiver requests pursuant to Article 5 section 5300 and Article 7 of the Provincetown Zoning Bylaw for the placement of radios and associated antenna equipment for microwave links on the Town-owned water tower and ground support equipment on a parcel of land on the perimeter of the tower on the property located at **7 Captain Berties Way, Provincetown MA, 02657 (Res 3 Zone)**.

Mr. Michael Scott, Attorney, informed the Board they were seeking a waiver pursuant to Article 5, section 5300 and Article 7 of zoning bylaws for the placement of radio and antenna equipment on the Town owned water tower using the same access, with no proposed landscape changes.

The Board briefly reviewed the application.

A motion by Member Marianne Clements to approve Case # 204-2 plans dated 9/26/2012 with no conditions. The motion was seconded by Member Dorothy Palanza. Vote 5-0-0.

Minutes:

No minutes to review at this time.

Adjournment:

A motion by Member John Golden to adjourn the Planning Board meeting of July 15, 2013 at 8:00 p.m. The motion was seconded by Member Marianne Clements. Vote 5-0-0.

Respectfully submitted,

Edward F. Atwood

Approved by Dorothy Palanza Vice Chair, 8/19/2013