

Planning Board Public Hearing

Monday, February 01, 2010

Grace Gouveia Building, Room 6

26 Alden Street, Provincetown, MA 02657

Planning Board Members Present: Howard Burchman, Marianne Clements, Dorothy Palanza and Peter Page.

Excused Absent: None.

Staff Present: Maxine Notaro, Permit Coordinator.

Howard Burchman, Chairman called the meeting to order at 7:00 p.m.

Site Visit

29 Miller Hill Road at 4:30 p.m.

Present at the site visit was Howard Burchman, Marianne Clements and Dorothy Palanza.

Peter Page was absent.

AGENDA

Case #2009-11 Site Plan Review (Continued from November 16, 2009)

Application by Eliot Parkhurst, Esq. on behalf of Coastal Land Trust under Article 2, Section 2320 of the Zoning Bylaws for High Elevation Protection District B. The applicant seeks approval for the for modification to existing retaining walls and installation of reconfigured pool and hot tub with associated walkways and retaining walls at the property located 9 Oppen Lane, Provincetown, MA, (RES1 Zone).

New plans were submitted showing the proposed wall location and plantings. Also submitted were two fence plans. There is a painted white fence that would run along one

section of the property and a black fence installed in another area of the property as shown on the plans submitted.

The previous concerns such as lighting, fencing and plantings were all addressed. The plan for the timber wall was to remove two rows of timbers down and all the way across and feather the wall back.

The board members asked what measures would be taken to prevent someone falling down the hill. The applicants mentioned installing hedges and lighting as well as a low fence noticing danger to prevent this from happening. The applicants said they would have to check with their insurance company to get their input.

The board questioned where things went astray so that the Planning Board was not contacted from the beginning and how this type of situation could be avoided in the future.

Eliot Parkhurst said the Board could perhaps notice something out in the local newspaper or it could be handled through the building permit procedures by having it as part of the application process.

The applicants agreed to submit an illumination plan, fencing plan and site plan.

Motion: To approve with the condition plans be submitted to include an illumination plan, fencing plan and site plan as dated February 01, 2010.

Moved: Dorothy Palanza. Seconded: Marianne Clements. Voted: 4-0-0.

Case #FY10-07 Site Plan Review

Application by Deborah Paine, Inc. on behalf of Daniel Kaizer under Article 2, Section 2320 of the Zoning Bylaws for High Elevation Protection District B. The applicant seeks approval to replace decks and to construct a screened in porch on the east deck at the property located at 29 Miller Hill Road, Provincetown, MA (ResRB Zone).

Deborah Paine explained that new conduit and electric lines will be installed up the hill directly to the basement door. The septic system is being installed in what is known as the parking lot area. She will be working in the same area as the present deck locations and will remove any debris through the decks. A silt fence can be installed around the perimeter of the property and everything must be hand done given the slope of the land.

The only areas to be disturbed are the driveway, parking area and deck area. Just for the record, the property owner has pulled back the deck in order to preserve the Oak tree.

Motion: To approve the revised plans dated January 13, 2010.

Moved: Marianne Clements. Seconded: Dorothy Palanza. Voted: 4-0-0.

Approval Not Required Plan

Application by East Cape Engineering on behalf of Alix L.L. Ritchie for a two lot division; lot 18 is to be conveyed to the Provincetown Conservation Trust and lot 19 to be conveyed to adjacent land owned by Alix L.L. Ritchie at the property located at 9 Provincelands , Provincetown MA.

Motion: To endorse the plan as submitted.

Moved: Marianne Clements. Seconded: Peter Page. Voted: 4-0-0.

Approval Not Required Plan

Application by East Cape Engineering on behalf of Alix L.L. Ritchie to combine lot 19 of land court land with the existing parcel of land owned by Alix L.L. Ritchie at the property located at 8 Commercial Street, Provincetown MA.

Motion: To endorse the plan as submitted.

Moved: Marianne Clements. Seconded: Peter Page. Voted: 4-0-0.

Any other business that shall properly come before the Board

Wind Turbine Discussion

The board members felt wind turbines should be by Special Permit through the Planning Board such as the Cell Towers have to do. The bylaw would have to define what would be required such as commercial use and residential use. It was the consensus of the board that residential wind turbines should only be sized to accommodate the residential dwelling.

Formula Stores

The board members discussed formula stores and things that should and should not be allowed such as a drive-through should not be allowed, a formula store should operate on a year-round basis and design review is necessary. No formula designs such as a McDonalds, Burger King, etc. has.

Election of Officers

Motion: To appoint Marianne Clements as Vice-chair.

Moved: Dorothy Palanza. Seconded: Peter Page. Voted: 4-0-0.

Adjournment

Motion to adjourn at 7:45 p.m.

Respectfully submitted,

Maxine Notaro

Permit Coordinator/Recording Secretary