

Planning Board Public Hearing  
Wednesday, March 7, 2007  
Judge Welsh Hearing Room, Town Hall  
260 Commercial Street, Provincetown, MA 02657

Members Present: Howard Burchman, Anne Howard, Kevin Rich and Joe DeMartino

Members Absent: Ellen Battaglini

Staff Present: Maxine Notaro, Permit Coordinator and Matt Mulvey, Acting Building Commissioner and Director of Community Development

Meeting called to order at 7:00 p.m.

Site Visit 98 Bayberry Avenue 5:00 p.m.-Howard Burchman, Anne Howard, Kevin Rich and Joe DeMartino attended.

#### Case #2007-04 Site Plan Review

Application by Neal Kimball on behalf of Irene Gage under Article 2, Section 2320 of the Zoning Bylaws for High Elevation Protection District A. The applicant seeks approval to modify the existing dwelling unit located in the High Elevation Protection District area 56' +/- by increasing the footprint and modifying the style from contemporary to traditional and increase the number of stories from 2 to 2½ at the property located at 98 Bayberry Avenue Road (Res1 Zone).

Irene Gage, Susan Pierce and Neal Kimball representing applicants.

Landscape plan was presented. Site visit and plan were reviewed.

Santiago Villazon abutter at 100 Bayberry Avenue wrote a letter in opposition to this project.

**Motion:** To approve Site Plan as submitted.

**Moved:** Anne Howard      **Second:** Kevin Rich      **Vote:** 4:0:0

John McElwee of Felco, Inc. on behalf of Bradford Montello Realty Trust to discuss creating two lots from one lot at the property located at 35 Bradford Street.

John McElwee, Bill Dougal and Rick Murray representing applicants.

Joe DeMartino recused himself from above case.

Setbacks (averages) must be on plan and Mr. McElwee will schedule a meeting with Building Commissioner.

Randy Carpenter, continued preliminary discussion on 54 Bradford Street, Unit D. Will meet with Building Commissioner to bring him up to speed and see what direction to take.

#### Short-Term Rental Units

Discussion on legality of short-term basis of rental units

Ginny Binder spoke in favor of the possibility of regulating weekly rentals via ZBA approved Special Permits. Issue is clearly controversial and multi-faceted and all believe discussion should and will continue. Ginny will provide other MA town, (particularly on the

Cape,) by-laws that address this issue.

Minutes

**Motion:** to approve minutes from January 3, 2007

**Moved:** Anne Howard                      **Second:** Joe DeMartino    **Vote:** 4:0:0

**Motion:** to approve minutes from January 17, 2007

**Moved:** Anne Howard                      **Second:** Kevin Rich                      **Vote:** 4:0:0

**Motion:** to approve minutes from February 28, 2007 as amended

**Moved:** Joe DeMartino                      **Second:** Kevin Rich                      **Vote:** 3:0:1

Discussion on Zoning Bylaw and review warrant for Land Use articles.

Warren and Brian Alexander came before board to continue discussion regarding Zoning Article 2, Section 2440, Footnote 5. As it is too late to present as an article at this Town Meeting, possibility of adding it as an amendment to 2440 was discussed. Will be raised and discussed at March 28, 2007 meeting.

Meeting adjourned at 8:45 p.m.

Respectfully submitted,

*Phyllis Lutsky*

Phyllis Lutsky

Recording Secretary

Approved by \_\_\_\_\_ on \_\_\_\_\_