

Planning Board Public Hearing
Wednesday, August 1, 2007
Judge Welsh Hearing Room, Town Hall
260 Commercial Street, Provincetown, MA 02657

Members Present: Howard Burchman, Anne Howard, Ellen Battaglini and Joe DeMartino

Members Excused: Kevin Rich

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.

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Pending Case

Case #2007-07 Site Plan Review (Continued from June 6, & June 20, 2007 & July 18, 2007)

Application by **David Krohn on behalf of WK Red Clay, LLC** under Article 4, Section 4100 of the Zoning Bylaws for Dwelling Units and Commercial Accommodations. The applicant seeks approval for the removal of two buildings and for the construction of five buildings to contain a total of 17 residential units and for modification of the commercial tennis operation at the property located at **21 Bradford Street Extension, Provincetown, MA. (Res1 Zone)**

Anne Howard recused herself.

In process of doing re-design in reference to Fire Department and Conservation Commission issues. Requesting continuance to September 5, 2007.

Motion: continue to September 5, 2007

Moved: Joe DeMartino

Second: Ellen Battaglini

Vote: 3:0:0

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New Cases

Approval Not Required Pre-Application/Approval Not Required

Town of Provincetown and Michael J. Tasha, 227 Route 6 and 90 Shankpainter Road regarding land exchange.

Parcel 5 to be conveyed to Michael J. Tasha, parcel 7 is to be conveyed to the Town of Provincetown. Parcels 3-6 are to be combined to form Lot 1, all in accordance with MA General Laws: Chapter 41, Section 81-D.

Motion: to endorse Approval Not Required plan #P-971807A dated July 2007.

Moved: Anne Howard

Second: Joe DeMartino

Vote: 4:0:0

Case #2007-13 Site Plan Review

Application by **William N. Rogers II, P.E., P.L.S.** under Article 2, Section 2320 of the Zoning Bylaws for High Elevation Protection District A. The applicant seeks approval to remove the existing structures and install Blueberry Lane at the property located at 105, 109R Bradford Street Extension and 7A & 7B Point Street (Res1 Zone), Provincetown, MA.

Applicant requests that Site Plan Review be postponed until Subdivision Plan is approved. Lester Jay Murphy, attorney, William Rogers, engineer and Bill Gordon, applicant. Applicants are willing to withdraw without prejudice.

Motion: To accept withdrawal of application without prejudice.

Moved: Anne Howard

Second: Ellen Battaglini

Vote: 4:0:0

Case # 2007-14 Definitive Subdivision Plan

Application by **William N. Rogers II, P.E., P.L.S. on behalf of Gordon Realty Trust** under Chapter 41, Section 81-L for approval of a proposed subdivision shown on a plan entitled subdivision plan in accordance with the Rules and Regulations of the Provincetown Planning Board and as shown on a plan entitled Plan of Land in Provincetown by William N. Rogers II, P.E., P.L.S., dated June 25, 2007 located at 105 & 109R Bradford Street Extension and 7A & 7B Point Street, Provincetown, (Res1 Zone), Provincetown, MA.

Lester Jay Murphy, attorney, William Rogers, engineer and Bill Gordon, trustee.

Abutter notification cards submitted.

Proposing to subdivide into 10 build able lots. Sole means of access being proposed would be off of Bradford Street Extension (current entry to Chateau Motel). Requesting the following waivers:
Section IV A.2.b.-Minimum centerline radius at the intersection of proposed way and Bradford Street Extension is less than 100ft. Proposed radius is 30 ft.

Section IV A.2.d.-Property line at street intersection has curb radius less than 25 ft. Radius at edge of pavement is 30 ft. and 40 ft.

Section IV A.4.b.-Property grade of 12% for minor road based upon unusual topographical condition of site instead of 8%.

Section IV A.5.a.-Proposed dead end street longer than 400 ft. Length of 625 ft. proposed due to topography and width of site.

Section V A.9.-Minimum width of berm is 18 inches instead of 2 ft.

Public Hearing Opened

-John McCue, abutter from The Dunes stated that he has heard only good things about proposed subdivision and asked if Blueberry Lane will be only egress as well as only access. The answer was yes.

-Ted Malone, trustee and developer of Meadows. Was concerned about new drainage basins becoming clogged with sand and silt. Applicants expressed willingness to address this issue.

Stated that he hopes 4170 will be complied with for this project.

-David Cooperstein, abutter from Telegraph Hill expressed concern about land de-stabilization during construction.

Jay Murphy read letter of support for project from Ken Weiss.

Public Hearing Closed

Applicants are willing to submit waiver of time restraints to October 3, 2007

Site visit scheduled for August 29, 2007 at 6:00 p.m.

Motion: to continue to September 19, 2007 meeting.

Moved: Joe DeMartino

Second: Anne Howard

Vote: 4:0:0

Old Business

Discussion on Zoning By-Laws

Martha Heavnor presented draft of and a discussion ensued regarding Inclusionary Housing By-Law modifications.

Minutes

Motion: to approve minutes from July 18, 2007

Moved: Joe DeMartino

Second: Ellen Battaglini

Vote: 3:0:1

Meeting adjourned at 9:15 p.m.

Respectfully submitted,

Phyllis Lutsky

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Recording Secretary