

Planning Board Public Hearing  
Wednesday, September 20, 2006  
Judge Welsh Hearing Room, Town Hall  
260 Commercial Street, Provincetown, MA 02657

Members Present: Howard Burchman, Anne Howard, Ellen Battaglini, Kevin Rich and Joe DeMartino  
Staff Present: Doug Taylor, Building Commissioner and Maxine Notaro, Permit Coordinator

Public Hearing called to order at 7 p.m.

**Motion: To take agenda items out of order**

**Moved: Anne Howard**

**Second: Kevin Rich**

**Vote: 5:0:0**

**Agenda**

**Planning Board Report regarding 4<sup>th</sup> Town Landing**

Keith Bergman, Town Manager reported on proposed alteration to layout of Town Landing. BOS have referred the matter to the Planning Board which has 45 days to issue a report if it so chooses. This will be taken up at Special Town Meeting on November 13, 2006 (warrant closes on October 13, 2006). 1988 Town Meeting authorized the town to dispose of 3 surplus firehouses. 1995 Town Meeting voted to retain the town landing in question with no legal separation between firehouse and town landing which makes sale of firehouse impossible. Currently considering options that would accomplish the sale of the firehouse while maintaining the town landing. Keith Bergman said an option is to carve out an undersized lot for the firehouse and leave the rest for the town landing. Any change to property would require a Home Rule Petition. This will be put on agenda for next Planning Board meeting.

Ellen Battaglini recused herself.

**Case #2006-08 Site Plan Review (Continued from August 9, 2006)**

Application by **Robert Hughes on behalf of Ann O'Hara Hughes, Trustee** under Article 4, Section 4100 of the Zoning Bylaws for Dwelling Units and Commercial Accommodations. The applicant seeks approval for the construction of four new residential condominiums at the property located at **204 Bradford Street** (Res3 Zone).

Jamie Veara, attorney, Robert & Ann Hughes, applicants, Patrick Eleey, landscape designer and Neal Kimball, Kimball Design representing applicants.

Jamie Veara presented an amended Site Plan Review application which was submitted on September 9, 2006 as requested. Administrative amendment was presented and approved by Historic District Commission for the new plans. In reference to the question of scale: maximum allowed is 114.29 units and this proposal is for 112.81 units. Curb cut application has been prepared but not formally submitted. Illumination plan was presented and explained by Patrick Eleey. Amended plan includes revision to septic system and retaining walls in deference to abutters concerns.

Letter from Robin Reid, attorney for abutters was read into the record.

Public hearing was closed at 7:40 p.m.

Kevin Rich raised the issue of whether this should be considered as 1 structure or 4 structures.

Howard Burchman stated that discretionary approval requires that project meet the best interest of the community and he feels that eliminating the apartment is not in the best interest of community considering Provincetown's housing crisis. He continues to question whether this project is 6 units as proposal suggests or 7 units which would require a Special Permit. He also thinks that there is a need for a Development Impact Review due to increase in traffic and increase on town resources. As a result, he recommends that the Planning Board does not grant discretionary approval or waivers.

Applicants requested continuance until October 4, 2006 meeting so that they can submit plan for elimination of bedroom.

**Motion: To continue case to October 4, 2006 meeting.**

**Moved: Anne Howard**

**Second: Kevin Rich**

**Vote: 4:0:0**

**Administrative Amendment to Site Plan Review (Continued from August 2, 2006)**

William N. Rogers on behalf of Evelyn M. Gentemann and Roberta J. Cornette to discuss the construction of a deck on the south elevation and for the installation of a swimming pool with surrounding decking at the property located at **10 Telegraph Hill, Provincetown, MA.**

**Motion: to continue to October 18, 2006**

**Moved: Anne Howard**

**Second: Kevin Rich**

**Vote: 5:0:0**

**Review and Approve Site Plan**

Ted Malone, final site plan, 34-36 Conwell Street

Modification to as built plan which reconfigures and adds 2 parking spaces as a result of electrical pole.

**Motion: To continue until October 4, 2006 at which time easement information and stamped plan will be submitted.**

**Moved: Anne Howard**

**Second: Kevin Rich**

**Vote: 5:0:0**

General discussion on proposed Zoning By-law changes

Warren and Brian Alexander presented their concerns regarding Article 2, Section 2440, and footnote 5 of the Zoning By-laws to the board.

Meeting adjourned at 9:30 p.m.

Respectfully submitted,

*Phyllis Lutsky*

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Recording Secretary

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