

Public Hearing - Planning Board
January 15, 2003, 7:00 PM
Judge Welsh Room at Provincetown Town Hall

Members Present: Anne Howard (Chair), Barnett Adler (Co-Chair), Ellen Battaglini, and Len Bowen

Excused Absence: Howard Burchman

Town Representative: Mark LaTour, Town Planner

Anne Howard called the meeting to order at 7:00 PM.

A site visit was made at 4:00 PM, January 15th, to 30 Alden Street for Case #2003-01. Planning Board members attending were Anne Howard, Ellen Battaglini and Barnett Adler.

Public Meeting

Case #2003-02 Request for Approval Not Required Pre-Application Meeting

John McElwee, Felco, Inc. on behalf of F. John Santos, map/parcel numbers 6-4-18 to create two lots from one parcel of land for the property located at 131A Commercial Street (Flyers Boat Yard).

Mr. McElwee explained that the lot is 17,000 square feet and to be divided into two lots. Lot 1 with the building and Lot 2 is vacant but mainly for parking area. Mr. Santos is obligated to have a certain amount of parking for the boat yard. Questions raised were about parking for both lots and the septic system for both lots. Mr. McElwee was asked to redraw the plan to show parking areas. The question re parking and septic still to be answered.

Public Hearings

Case #2003-01 Site Plan Review

Application by John McElwee, Felco, Inc. on behalf of Jane Gildersleeve and David Curtis under Article 4, Section 4100 of the Zoning Bylaw, Dwelling Units and Commercial Accommodations. The applicant seeks Site Plan Review approval for Phase 1: Change building 1 to two-unit condominium, Phase 2: To reconfigure building 2 into two condominium units and, Phase 3: To construct one unit building within footprint at the property located at 30 Alden Street (Res3 Zone).

Mr. Murphy, attorney for the owner-applicant, spoke describing the site and plans where they meet and do not meet the Zoning By-laws. He went through the sections of the Zoning By-laws section-by-section. He stated that, currently, the buildings have a total of nine bedrooms and they plan to have a maximum of 11 bedrooms even though they can build 14. The only differences with zoning is that the driveway leading to parking for two of the units, which will be in the proposed building under Phase 3, would be less than 18' wide which is required by Zoning. Another difference is that the existing grade of the property is 13° when 12° is required. In general, Mr. Murphy stated that the plans comply with the Zoning By-laws and the Site Plan By-laws.

Anne Howard opened the meeting to any comments from the public.

Polly Brenell of 35 Alden Street spoke regarding some drainage problems from the property at 30 Alden Street. She stated that some of the problems seem to be abated with the new work being done on the property.

Richard McCarr of 35 Alden Street also brought up the problems of the drainage and also stated that the problem seems to be fixed due to the construction of the sewer.

Members of the Planning Board asked questions of Mr. Murphy. Len Bowen wanted to know the height of the new building. Mr. Murphy stated that plans have not been set for the new building in Phase 3. Len Bowen also wanted to know if fire equipment could be brought up the narrower driveway. The answer was that the Planning Board can waive the 18' requirement and it was mentioned that fire equipment have traveled on narrower roadways.

Barnett Adler asked about the number of bedrooms. The answer was that there was no hard and fast decision regarding the final number of bedrooms.

Ellen Battaglini asked if there was a landscaping plan. The reply was that there was none at present but landscaping would be similar to that around building 1 when building 3 is completed.

Ms. Brenell and Mr. McCarr brought up the topic of the number of people who would be residing at 30 Alden Street and whether they would be long-term or seasonal. Anne Howard read a letter from residents at 28 Alden Street who were opposed to any alteration of 30 Alden Street.

Marilyn Downey of the Cape End Manor Board of Directors stated that there would be a need for someone to oversee the increase in the traffic flow in the area.

Mr. Murphy stated that drywells would be installed on all buildings so there would be no drainage problems.

It was moved to approve the Site Plan Review with the following conditions:

1. Waive the 18' required width of the travel surface.
2. Waive 12° grade and allow the existing grade.
3. Require underground utilities for all units, both existing and proposed.
4. Require drywells for all buildings, both existing and proposed.
5. The Planning Board sees the design for Building 3 and a landscape plan prior to issuance of any building or growth management permit.

Motion by: Ellen Battaglini

Seconded by: Barnett Adler

Vote: 4-0-0

Proposed Zoning Amendments

Article A. Highway Corridor Overlay District Rezoning: To see if the Town will vote to amend the Provincetown Zoning By-laws to add the following paragraph to §2352, **District Boundaries**, relative to the Highway Corridor Overlay District (HCOD):

The boundaries of the HCOD shall be expanded to include those properties shown on a map, entitled "Highway Corridor Overlay District, Provincetown, MA," dated December 12, 2002, which map is on file with the Town Clerk's office and hereby incorporated by reference into the Zoning By-laws. The properties shown on said map include: those lands north of the paved surface of Route 6, going northward to and including the DPW Highway Garage Site, and those lands running westward and northward from the eastern edge of the Race Point Road and Route 6 intersection to include the following four parcels: Assessors Map 9-1-08; 9-1-013; and 9-1-07; and a portion of the layout of Route 6 which is adjacent to both 9-1-013 and 9-1-07 which is about the same size as parcels 9-1-013 and 9-1-07.

The original copy of this zoning by-law change is on file for public inspection in the Town Clerk's Office.

Dennis Anderson of Cape End Manor handed out an overview and explained the items on it for the new Cape End Manor Care Campus to be erected at 24 Race Point Road. A discussion ensued regarding the definition of the zoning and where it should be placed in the Zoning By-laws to cover the nursing home.

It was moved to support this Zoning By-law change as written.

Motion by: Barnett Adler

Seconded by: Len Bowen

Vote: 4-0-0

It was decided that a Public Hearing would be scheduled for February 19th to discuss Sections 2353, 2354, 2355 and 2356 of the Zoning By-laws. Mark LaTour, Town Planner handed out a copy of the proposed changes for Article 10.

Article 6 – Growth Management By-law

Section 6500 Table of use Categories and Priorities

GENERAL USE CATEGORY 2 to amend from 25% affordable housing to 33% affordable housing.

Section 6500 Table of use Categories and Priorities

GENERAL USE CATEGORY 1 to amend Category 1 so those projects are at least 67% affordable, rather than 100% affordable.

Section 6600 Growth Limitation Goal Allocations

Unassigned gallonage shall remain in Category 2 at the end of the calendar year and shall not be assigned to Category 1.

