

**Public Hearing
Planning Board
August 6, 2003
Judge Welsh Room at Provincetown Town Hall**

Members Present: Anne Howard (Chair), Howard Burchman, Ellen Battaglini, and Barnett Adler

Town Representative: Mark LaTour, Deputy Director of Community Development

Anne Howard called the meeting to order at 7:10 PM introducing the members of the Planning Board present as well as Mark LaTour, Deputy Director of Community Development.

Public Hearings

Case #2003-011 Site Plan Review

Application by **William N. Rogers II, P.E. P.L.S. on behalf of J.B. Realty Trust, c/o Ms. Judy Mencher, Trustee**, under Article 2, Section 2320, of the Zoning Bylaw, High Elevation Protection, District A. The applicant seeks Site Plan Review approval for construction of a stonewall installed as shown on a Site Plan amended June 12, 2003 at the property located at **68 Race Point Road** (Res3 Zone).

Mr. Rogers explained that the owners would like to amend the original site plan and include the wall, which was originally built without Planning Board approval. The wall is over 4' high in some places to prevent erosion in others.

Members of the public were asked for comments. Mr. James Tasher, representing Jackie McGrath of 70 Race Point Road, stated that the wall was causing problems on the property of 70 Race Point Road.

The Planning Board has to approve the wall as an amendment to the original site plan as it is a structure of over 4'.

Ms. Louise Guiliano, an abutter on the other side of 68 Race Point Road also showed pictures of how her property was affected by the wall and the elevation of the property.

A discussion ensued regarding the Planning Board protecting abutter's property as well. The problem is to determine elevations on all three properties.

A motion was made to continue this case until the August 26th meeting when more information from William Rogers and Warren Alexander can be supplied.

Moved by: Howard Burchman

Seconded by: Barnett Adler

Vote: 4-0-0

Case #2003-012 Site Plan Review

Application by **Felco, Inc. on behalf of Jeremy Meads and Kathleen Meads**, under Article 2, Section 2320, of the Zoning Bylaw, High Elevation Protection, District A. The applicant seeks Site Plan Review approval for construction of a two-family dwelling with septic system and driveway at the property located at **9 George's Path** (Res3 Zone).

Mr. Alan Cabral represented Felco, Inc. A motion was made for a site visit. A few years ago the Planning Board members had made a visit to see the property. The site visit will be on Monday, August 11th at 5:45 PM at 9 George's Lane.

Moved by: Howard Burchman

Seconded by: Ellen Battaglini

Vote: 4-0-0

Case #2003-013 Site Plan Review

Application by **John B. Hopkins on behalf of Bob Winge, 101 Bayberry Avenue**, under Article 2, Section 2320, of the Zoning Bylaw, High Elevation Protection, District B. The applicant seeks Site Plan Review approval for construction of decks to an existing single family dwelling at the property located at **101 Bayberry Avenue** (Res 1 Zone).

A motion was made that a site visit was not required and to approve the Site Plan Review as presented.

Moved by: Barnett Adler

Seconded by: Howard Burchman

Vote: 4-0-0

Following the Public Hearings

16 Thistlemore Road – Review As-built plans on elevations.

Ellen Battaglini had to step down from reviewing the as-built plans. The Board compared the as-built plans to the original site plans. Engineering as-built plans were supplied. A motion was made approve these plans as presented.

Moved by: Howard Burchman

Seconded by: Barnett Adler

Vote: 3-0-0

Administrative Amendment to

Case #2001-011 Site Plan Review

Mitchell H. Finn on behalf of Race Point Residence LLC, 5-15 Bradford Street Extension, Map/Parcel 05-3-025, Res1 Zone, for the construction of decks.

A motion was made to approve the amendment as presented.

Moved by: Barnett Adler

Seconded by: Howard Burchman

Vote: 4-0-0

Case # 2003-015 Request for Approval Not Required Pre-Application Meeting

Chester Lay of Slade Associates, Inc. on behalf of Locke Family Trust. Parcel 2B is to become part of and remain part of parcel 17-1-36 at the property located at **682 Commercial Street**; Map/Parcel 17-1-036, Res1 Zone.

The Planning Board felt that a site visit was not necessary. The applicants will return in two weeks. Barnett Adler had to step down from hearing this case as he is an abutter.

Case # 2003-016 Request for Approval Not Required Pre-Application Meeting

Chester Lay of Slade Associates, Inc. on behalf of Margaret Tinkham for the consolidation of lots 1-4 for the property located at **29 Bradford Street Extension**, Map/Parcel 05-3-039 Res1 Zone.

The Planning Board felt that a site visit was not necessary. The applicants will return in two weeks.

Discussion with Deputy Community Development Director

- a. Amnesty Bylaw
- b. Affordable Structure Bylaw
- c. Use of Variances to create affordable housing

Mark LaTour handed out an early draft of the affordable housing by-laws based on by-laws of other towns and cities. They will be sent to the Town Counsel and then a Public Hearing will be held with the Planning Board.

Minutes

The minutes of the July 23rd meeting were approved.

Moved by: Barnett Adler

Seconded by: Howard Burchman

Vote: 3-0-0

Ellen Battaglini could not vote on the approval as she was not present at this meeting.

It was moved to adjourn the meeting at 9:15 PM.

Moved by: Barnett Adler

Seconded by: Howard Burchman

Vote: 4-0-0

Respectfully Submitted
Joel Glasser

Approved by: _____ on _____
Anne Howard, Chair (Date)