

# Provincetown Planning Board

Wednesday, April 11, 2001

7:00 p.m.

The following minutes are available on-line as a service and are not the official record due to changes in formatting for the Internet. The minutes may have attachments that are not included here in this format. The official, complete paper copy can be viewed during regular office hours, Monday - Friday: 8 a.m. to 5 p.m. in the Office of the Town Clerk, 260 Commercial St. Provincetown, MA 02657.

Members present: **Ellen Battaglini, Anne Howard, David Nicolau, and Richard Olson.**

Members absent: **John Paul Grunz (excused)**

## Public Hearing Agenda

2000-015 (Continued from Nov 1, Nov 15, December 6, 2000, Jan 17, Feb 7, and March 7, 2001)

Application by William N. Rogers, II on behalf of Ozland Realty, LLC under Article III, Section 3900 of the Zoning By-law, High Elevation Protection District B. The applicant seeks Site Plan Review approval to construct a single family dwelling at the property located at **6 Telegraph Hill** (Residential Class B Zone).

2000-016 (Continued from Nov 1, Nov 15, December 6, 2000, Jan 17, Feb 7, and March 7, 2001)

Application by William N. Rogers, II on behalf of Ozland Realty, LLC under Article III, Section 3900 of the Zoning By-law, High Elevation Protection District B. The applicant seeks Site Plan Review approval to construct a single family dwelling at the property located at **4 Telegraph Hill** (Residential Class B Zone).

Case #2001-007 Application by William N. Rogers, II, P.E., P.L.S., owner Donald R. and Barbara K. Edwards under Article III, Section 3000 of the Zoning By-law, Commercial Business Retail, Wholesale, Service and Industrial. The applicant seeks Site Plan Review approval to convert existing structure to retail/office use at the property located at **141 Bradford Street** (Commercial Class R Zone).

Approval Not Required (Case #2001-006)

Felco, Inc., on behalf of Meadows Motel Realty Trust, **122 Bradford Street Ext.**, map/parcel number 06-1-009.

Approval Not Required - pre-application meeting (Case #2001-009)

Felco, Inc., for John Reis, map/parcel numbers 12-4-135 and 12-4-135A, **Bangs Street Extension**

Approval Not Required - pre-application meeting (Case #2001-010)

William N. Rogers, II, for Stephen L. Fletcher, map/parcel number 6-4-103, **15-17 Franklin Street**

Approval of Minutes

Any other business that shall properly come before the board.

The meeting was called to order at 7:00 p.m.

### **6 Telegraph Hill – Ozland Realty Trust**

David Nicolau sat on the case through necessity (in order to make a quorum). Attorney Murphy requested a continuance until the May 2<sup>nd</sup> meeting.

**Motion: Ellen Battaglini made a motion to grant the continuance of the case until the May 2<sup>nd</sup> meeting. Anne Howard seconded it and it passed 2-0-1 abstention (DN).**

### **4 Telegraph Hill – Ozland Realty Trust**

David Nicolau sat on the case through necessity (in order to make a quorum). Attorney Murphy requested a continuance until the May 2<sup>nd</sup> meeting.

**Motion: Ellen Battaglini made a motion to grant the continuance of the case until the May 2<sup>nd</sup> meeting. Anne Howard seconded it and it passed 2-0-1 abstention (DN).**

### **141 Bradford Street, Donald & Barbara Edwards**

Gary Locke, Donald and Barbara Edwards, and Lester Murphy presented the case to the Board. David Nicolau, once again, began sitting on the case through necessity, however; Richard Olson arrived at 7:07 p.m. and at that time David Nicolau recused himself from the hearing. Attorney Murphy made the main presentation regarding the plans and how the plans hoped to address the problems with the site. Barbara Edwards now runs Lembas, a health food store that has outgrown its present location. One of the problems is providing parking for the delivery equipment while meeting the 30% green area requirement. Most of the customers arrive either on foot or by bicycle but adequate parking is needed for the delivery truck, thus eliminating the need for a traffic impact assessment. The building will also be handicapped accessible.

Two proponents of the proposal spoke. They were Jackie Kelly and Joe Duarte.

Board members' comments:

Ellen B. was in favor of the proposal and her only concern regarded the traffic issue.

Anne H. was concerned about the 44-foot delivery trailer. (Gary Locke, in response to Anne's concerns, assured her that the delivery trailer could pull into the parking space at an angle.)

**Motion: Ellen Battaglini made a motion to approve the application P-01-1718. Richard Olson seconded the motion and it was approved 3-0.**

### **122 Bradford Street extension, Meadows Realty Trust**

John McElwee of Felco presented the ANR. He explained that the plan he was presenting was the same one previously presented. It involves a 6 acre parcel on the Bradford St extension. Lot 1 has 3 cottages on an over 40,000 sq ft. lot. Lot 2 will contain the 2 motel buildings. Lot 1 has 300 ft frontage and Lot 2 has more than the 50 ft frontage required

**Motion: Richard Olson made a motion to approve the ANR. Ellen Battaglini seconded the motion and it was approved 3-0. (David Nicolau had stepped down.)**

### **Bangs Street Extension, ANR**

The lot numbers are 25-31 Bangs Street. John McElwee presented this case, too. It contains several parcels owned by John Corea. It was divided in 1973 originally. The proposal is for 4 lots to be made from the original site. After reviewing the plans the Board decided that a site visit would be necessary. The date set for the site visit was Thursday, April 19<sup>th</sup> at 4:00 p.m. (David Nicolau stepped down from the case.)

### **15-17 Franklin Street, Stephen Fletcher**

ANR depicting subdivision of the lot. Gary Locke presented the plan which was called a pre-meeting. The Board didn't feel it will be necessary to have a site visit. Anne Howard told the applicant to just file the application and come back to the Board.

### **Approval of Minutes**

**Motion: Richard Olson made a motion to postpone the approval of minutes until all the members had an opportunity to peruse them at home. David Nicolau seconded the motion and it was passed 5-0.**

Richard Olson proposed a discussion on any proposed Zoning by-law changes well before the Special Town Meeting to be held in the fall. Anne Howard reminded the Board that the Town Meeting had approved \$20K for the purpose of rewriting the by-laws. Richard Olson wanted the Planning Board to have input on any proposed changes.

Anne Howard suggested having a meeting with the LCP. David N. thinks the by-laws should be highlighted so that discussion will be meaningful. It was decided that starting on the 18<sup>th</sup> a work session will be held to go over the zoning by-laws.

It was suggested that the Board send a memo to DRM re: work session on the 18<sup>th</sup> to address the Zoning by-laws. Precisely: "Do they have any they want to have us look over?"

Richard Olson said the new proposals have to have the issues highlighted so that people can fully understand the issues. He continued, other towns have a warrant committee. Our Finance Committee has hand-outs for the town meeting. Warrant committees have hand-outs two or three weeks ahead of a town meeting to inform public. David Nicolau suggested that Richard Olson send a memo to the Board of Selectmen detailing his concerns.

The addresses of the properties who have recently applied for Chapter 91 licenses are as follows. All addresses are on Commercial Street – Numbers 27½, 51, 59, 65A, 67, 69, 77, 77A, 79, 81, 103, 107, 109, 175, 183, 185, 191A, 205, 209, 227, 337, 355, 385, 401½, 403, 415, 417, 423, 427, 437, 439, 447, 481, and 487.

Adjournment happened at 8:35pm

Respectfully submitted

*Evelyn Gaudiano*  
Evelyn Rogers Gaudiano

Approved by \_\_\_\_\_ on \_\_\_\_\_ date  
Anne Howard, Chairman