

Provincetown Planning Board

Wednesday, July 18, 2001

7:00 p.m.

Members present: Mindy Baransky, Ellen Battaglini, Anne Howard, and Richard Olson.

Member absent: John Paul Grunz (unexcused)

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

Public Statements: There were none.

2001-011 (continued from June 20, 2001 and July 11, 2001)

Application by Moors Realty Trust represented by William N. Rogers, II, under Article III, Section 3100 of the Zoning By-law, Dwelling Units and Commercial Accommodations. The applicant seeks Site Plan Review approval to remove restaurant and construct three multi-family units at the property located at 5 and 15 Bradford Street Extension (Residential Class B Zone).

Anne Howard, the Chairman, deemed it more appropriate to hear case 2001-012 first. **A motion was made by Anne Howard to hear case 2001-012 first, seconded by Richard Olson and unanimously accepted.**

Approval Not Required (Case #2001-012) (continued from July 11, 2001)

William N. Rogers, II, for Moors Realty Trust, map/parcel numbers 05-3-024 and 05-3-025, 5-15 Bradford Street Ext.

Lester J. Murphy, Jr., the attorney, along with William Rogers, II and Gary Locke, the engineers, presented the case to the Board. Repeating what had been said at previous meetings, Attorney Murphy said the request for an ANR is merely to combine three lots; they comprise the Moors property. Lots 6, 7, and 9. The proposed combining will become lot 12. The main reason will be to alleviate any lot line issues. The original plan will stay with the land court up in Boston – all original plans are filed in Boston.

Motion: Richard Olson moved to endorse the ANR plan as shown on 17025. Mindy Baransky 2nd the motion and it was unanimously accepted.

Now a motion was made to go back to **case # 2001-011**. It was unanimously agreed to:

Lester J. Murphy, Jr, William Rogers, II, and Gary Locke went through the presentation again. J. Murphy said at the last meeting he had gone through all the issues. Major issue for combining the three lots was to avoid lot line restrictions that might be encountered. The septic plans have been filed with the Board of Health. The plans are now waiting for George Heufelder to approve them. Mr. Rogers said the septic plans had been submitted last Wednesday. Richard Olson questioned the scale issue and was told that the assessors had resolved all the scale numbers. The three presenters also informed the Board that plans are under way to put all utility lines underground.

(case # 2001-011 – continued)

Motion: Richard Olson made a motion to give conditional approval of the plan pending approval of the Board of Health. Ellen Battaglini seconded the motion and it was approved 3-0-1 abstention (MB)

50 Pointe Street Revisions to Site Plan

Request for revision to plans without new site plan review.

This agenda item was evidently put on in error since the matter was resolved at the meeting on July 11th.

Approval Not Required (Case #2001-013)

John D. McElwee, Felco, Inc. for Barnett Adler, Map 07-1 Parcel 064, 68 Franklin Street

Anne Howard recused herself because she is employed by the contractor doing the work.

John McElwee presented. At the last meeting the Board gave him permission to proceed with the final plan. John took out a couple of jogs in the new line. All measurements meet the setbacks and area requirements of a lot. Mr. McElwee sought an endorsement of the Planning Board.

Motion: Mindy Baransky made a motion to approve the application for the ANR plan. Ellen Battaglini

seconded the motion and it was passed. 3-0-1 abstention (AH)

Approval Not Required - pre-application meeting (Case #2001-014)

William N. Rogers, II, for Nay Block Realty Trust, map/parcel numbers 15-2-038, 30 Atkins Mayo Road

Robin Reid and William Rogers, II presented the case. Ellen Battaglini offered to step down since she was very “familiar” with the case but it was not deemed necessary. In presenting Robin said that two of the Board members had already seen the property on a site visit (RO and AH) The house #30 is the original house. The ANR is not requested for development reasons; it merely is to divide property between two sisters. Robin continued citing Article 1300 and Section 81K of Chapter 31.

The proposed use of the property is the existing use. Lot 2 has wet land and Anne Howard said that after viewing the lot in question, she did not fear further development.

A tentative date was made to take Mindy Baransky on a site visit; then at the last minute, at the conclusion of the meeting, a twilight site visit for Mindy was proposed and away she went. Most of Board approved of the ANR but there was not a definitive motion.

Motion: Richard Olson made a motion to approve the minutes of the July 11th meeting. Ellen Battaglini seconded the motion and it was unanimously approved.

BOARD DISCUSSION:

Anne Howard asked if everyone had received the draft Memorandum of Understanding (MOU) to the Cape Cod Commission (CCC)? Most of the Board had received it and found it to be rather vague. The Local Comprehensive Planning Implementation Committee (LCPIC) is particularly concerned with Section 3D. What, for example, will \$20K buy? The LCPIC would ideally like a minimum of three work sessions with the Planning Board. Different members of the Board had questions regarding the MOU i.e., exactly what is involved (hours/meetings?) and also will the offering be just boilerplate? Would it involve a rewrite of the by-laws or a rehash?, etc.

Anne Howard said she has a letter from J. Murphy regarding the Locke Family Trust. Since there is a pending site plan he wishes the plan to be withdrawn.

Motion: Richard Olson made a motion to withdraw the Locke Family Trust from consideration by Planning. Ellen Battaglini seconded the motion and it passed unanimously..

Chapter 91 applications, all on Commercial Street:

Numbers - 409, 73, 337, 349, 345A, and 396.

Richard Olson passed out a memo regarding Town governance and requested Board members to read it and provide input. Stay tuned for responses.....

Motion: A motion was made to adjourn the meeting at 8:15 p.m. It was seconded by all in unison.

NEXT MEETING IS AUGUST 1ST AT 7:00 P.M.

Evelyn Gaudiano

Respectfully submitted

Evelyn Rogers Gaudiano

Approved by _____ on _____ date
Anne Howard, Chairman