

PLANNING BOARD MINUTES

Judge Welsh Hearing Room

February 24, 2000, 7:00 PM

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.

Present: Gordon Gaskill- Chairman, John-Paul Grunz, Richard Olson

Excused: Jay Coburn

also present: Judith Oset, Permit Coordinator
Judith Cutler, Attorney

PUBLIC HEARING re: Proposed Zoning By-laws affecting the Growth Management Zoning By-law (Article VIII); the Posted Occupant load in Section 1260, and the definition of "Posted Occupant Load" in the Definition Section, Article II of the Provincetown By-laws.

The Public hearing was opened for public input.

About 35 citizens attended. There were questions and/or statements made by the following: Cheryl Andrews, David Atkinson, and Keith Bergman, (Selectmen); also, Christopher Snow, John Sinaiko, Custudio Silva, Jr. (Water and Sewer Board), Allan Gallant, David Nicholau, Patrick Patrick, Ken Weiss, Rick Murray, Mike Fernandez, Neva Hansen, Mariellen Serena, Greg Russo, Hunter O'Hanian, George Bryant.

Discussions centered around making the allotment more equitable for residential growth along with some commercial growth and not favoring affordable housing growth as much as it does, the unfairness of the new priority list, the gallons per day allotment.

Cheryl Andrews recommended an amendment to the proposed Growth Management By-law to include the amendments as proposed by Town Counsel in a letter to Mr. Winn Davis dated February 18, 2000. The recommended changes amend the By-law to provide three categories of priorities for allocation of the allotted gallons per day annual growth limitation goal and to amend the associated language of the By-law to incorporate that change.

The Public input section of the meeting closed at 9:20 PM. The Planning Board thanked selectmen and Judith Oset and Judith Cutler for attending and explaining the PLAN.

After some discussion by the Board, *Jean-Paul Grunz moved that the Planning Board recommend the warrant article, Zoning By-law Amendment; Article VIII, Growth Management, as advertised on February 10, 2000 with the amendment as provided by the Board of Selectmen and set forth by Town Counsel in the letter to Mr. Winn Davis dated February 18, 2000 re **Draft Amendments to Proposed Growth Management By-law to Address Dr. Cheryl Andrew's Request** and further to amend the Growth Limitation Goal to be 1850 gpd for the General Use Category 1, 1100 gpd for the General Use Category 2 and 700 gpd for the General Use Category 3. The amendment is also to include the language as provided by Town Counsel in the letter to Keith Bergman dated February 23, 2000 re **Growth Management By-law Exemption For Special Permit Projects.***

Gordon Gaskill seconded the motion.

VOTE: Approve: 3 Disapprove: 0

The Board next opened the Public Hearing to revise the existing Section 1260 "The Posted Occupant Load" in Section 1260 as follows:

To see if the Town will vote to amend the Provincetown Zoning By-law, Article I, Section 1260 by inserting the phrase "nor any establishment increases its Posted Occupant Load" in the first sentence, or take any other action relative thereto.

No one spoke in favor and no one spoke against.

Jean-Paul Grunz moved that the Planning Board recommend the article as written above. Richard Olsen seconded the motion.

VOTE Approve: 3 Disapprove: 0

The Board opened the Public Hearing to revise the existing Definition Section, Article V, as it pertains to Posted Occupant Load as follows:

To see if the Town will vote to amend the Provincetown Zoning By-law, Article V, Definitions by adding "Posted Occupant Load" defined as "The approved number of occupants of an assembly room or space posted in a conspicuous place, near the main entrance to the room or space", or take any other action relative thereto.

Motion to recommend the article as written above by Richard Olsen. Seconded by Jean Paul Grunz.

VOTE: Approve: 3 Disapprove: 0

The Planning Board proceeded to the Public Hearings related to proposed land use and development articles for Annual Town Meeting 2000.

The Board opened the Public Hearing to see if the Town will authorize the Board of Selectmen to convey a certain parcel of real estate known as 5 Fritz;s Way (Assessor's Map: 07-2-075), lot area 7,182 square feet, Residential Class W zone, for the sum of one dollar, to Habitat for Humanity of Cape Cod for construction of affordable housing, and further provided that the Board of Selectmen be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Provincetown to effect such transfer of ownership, or take any other action relative thereto.

Michael Bunn spoke in favor of the article; no one spoke against.

Gordon Gaskill made motion to recommend the article as written above. Richard Olson seconded the motion.

VOTE: Approve: 3 Disapprove: 0

The Board opened the Public Hearing to see if the Town will authorize the Board of Selectmen to convey a certain parcel of real estate known as 30 Creek Road (Assessor's Map: 06-3-004), lot area 21,334 square feet, Residential Class W zone, for the sum of one dollar, to the Provincetown Housing Authority for construction of affordable housing, and further provided that the Board of Selectmen be authorized to enter into all agreements and execute any and all instruments as may be necessary on behalf of the Town of Provincetown to effect such transfer of ownership, or take any other action relative thereto.

Michael Bunn speaking for the Local Housing Partnership requested that this article be withdrawn.

Jean-Paul Grunz moved to withdraw the article and Richard Olsen seconded it.

VOTE: Approved: 3 Disapproved: 0

The Board opened the Public Hearing to see if the Town will vote to adopt a Master Plan for Provincetown which has been developed by the Local Comprehensive Plan Committee and which plan if approved by the Town Meeting would constitute Provincetown's Local Comprehensive Plan as defined in Section 9 of the cape Cod Commission Act (89 Mass. Acts c 716), or take any other action relative thereto. *Jean-Paul Grunz moved that the Board continue this hearing to the Planning Board Public Hearing scheduled after the warrant closes. Seconded by Richard Olsen.*

VOTE: Approved: 3 Disapproved: 0

The Board opened the Public Hearing Article to see if the town will authorize the Board of Selectmen to appoint a Local Comprehensive Plan Implementation Committee (LCPIC) to oversee the implementation of the Local Comprehensive Plan, or take any other action relative thereto. *Richard Olsen moved that the Board continue this hearing to the Planning Board Public Hearing scheduled after the warrant closes. Seconded by Gordon Gaskill.*

VOTE: Approved: 3 Disapproved: 0

Mr. Gaskill made a motion to adjourn. Seconded by Mr. Grunz.

VOTE: Approved:3 Disapproved: 0

Meeting adjourned at 9:45 PM

These minutes were approved by a vote of the Planning Board members present at their meeting on _____, 2000.

Respectfully submitted:

Planning Board Signature

Title

Joan Barron, On-Call Secretary