

Town of Provincetown Planning Board

Meeting Minutes September 6, 2000

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Members present: John Paul Grunz, Anne Howard, David Nicolau and Richard Olson

Members absent: Jeff Carroll (alternate) and Gordon Gaskill (Chairman) (excused)

Others in attendance:

Warren Alexander, John Reis, William Rogers, II, Gary Silva, Peter Stuermer, and Mike Trovato.

Agenda:

6:00 p.m.

Site Visit at 24 Captain Bertie's Way – Sanjo Realty Trust

7:00 p.m.

Sanjo Realty Trust – 24 Captain Bertie's Way

Approval of Minutes

Any other business that shall properly come before the Board.

Anne Howard, acting as chair of the meeting, called the meeting to order at 7:05 p.m. David Nicolau, the recently sworn member of the Planning Board, was welcomed by the Board. David immediately recused himself because the property under discussion either was or had been his client.

Sanjo Realty Trust, 24 Captain Bertie's Way

Anne Howard opened the packet from the Department of Regulatory Management (DRM) and an approved and signed site plan dated September 30, 1999 was enclosed. Anne went on and said the main area of concern was the southwest corner of the property. Also it seemed as though the plans had undergone a few changes since being approved about a year ago and none of the changes had come before the Board.

Mike Trovato had agreed to a wall adjacent to his property which would serve to give him a level back yard. There didn't seem to be any documentation to support this agreement but the developers and Mike seemed to be happy with the arrangement.

Peter Stuermer, another abutter, was not happy with the retaining wall as proposed. Although he intends to build on his site eventually, he worries about the stabilization of his property.

John Paul Grunz, after much testimony, said that the Board has a fiduciary responsibility to all abutters and he couldn't in good conscience approve a plan which encroached on another's property. Project plans call for 28' steel pilings to retain the hill. John Paul continued, "I'd like an engineer to look me in the eye and say the proposed design won't affect an abutter's property." There are a lot of engineering avenues that can be explored without saying this is the only option.

William Rogers, II said the ideal solution would be to have both parties put in concrete walls. He repeated this solution several times during the course of the meeting.

Anne Howard jumped in again and said, "We want a well engineered wall that will withstand leaching, land, etc. We need a plan to study. Also we need an erosion protocol.

John Paul, once again, told the developers that the Planning Board has tried very, very hard on this project. We have

not been met evenly. Unless signed documentation is in place to protect the neighbors he feels all work must be stopped.

The meeting, after a short time became cyclical!

The group will return in two weeks (September 20th) to present engineering changes and/or agreements with abutters.

The minutes of previous meetings, one more time, could not be approved since a quorum was not present.

The site visit did not have a quorum. Only John Paul Grunz and Anne Howard took part in it.

Motion: A motion to adjourn the meeting came at 8:25 p.m. It was unanimously approved.

THE NEXT MEETING WILL TAKE PLACE ON SEPTEMBER 20TH, 2000 AT 7:00 P.M.

Respectfully submitted,

Evelyn Rogers Gaudiano

Approved by _____ on _____
Gordon Gaskill, Chairman date