

Town of Provincetown Planning Board

Meeting Minutes September 20, 2000

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Members present: Gordon Gaskill (Chairman), John Paul Grunz, Anne Howard, David Nicolau and Richard Olson

Members absent: Jeff Carroll (alternate)

Others in attendance:

Joseph P. Kelley, John Reis, William Rogers, II, and Gary Silva

Agenda:

7:00 p.m.

Case #2000-014 (cont. from 8/23/00)

Application by J. P. Kelley on behalf of Barbara Murphy

10 Pilgrim Heights Road – Construction of single family

Sanjo Realty Trust – 24 Captain Bertie's Way

Approval of the retaining wall construction.

Approval of Minutes

Any other business that shall properly come before the Board.

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

10 Pilgrim Heights Road, Barbara Murphy – (Construction of single-family home)

Joseph P. Kelley presented the plan on behalf of Barbara Murphy. The application seeks a Site Plan Review approval to construct a single-family dwelling at the property located at 10 Pilgrim Heights Road (*Residential Class B Zone*). The approval is sought under Article III, Section 3900 of the Zoning By-law, High Elevation Protection District A. David Nicolau had asked Mr. Kelley for a height computation; it was supplied to Mr. Nicolau. The house when constructed will be 3.5' below the line in the sky which represents the maximum height limitation.

Motion: Anne Howard made a motion to approve the plan for 10 Pilgrim Heights Road under Article III, Section 3900 of the Zoning By-law, High Elevation Protection District A. Richard Olson seconded the motion and it passed 4-1 abstention (John Paul Grunz).

Sanjo Realty Trust, 24 Captain Bertie's Way – (Approval of retaining wall construction)

David Nicolau, once again, recused himself from this case since he is a direct abutter. Anne Howard filled in Gordon Gaskill on what had transpired at the last meeting of the Planning Board. A site visit had been prompted by an abutter (Peter Stuermer) and this led to an engineered design of the proposed retaining wall. William Rogers, II presented the newly designed retaining wall and showed on the plan that the wall when completed will be 12" (both above and below ground) from Mr. Stuermer's property line. There was technical talk about "whalers" and "dead men" as they referred to the wall construction. These terms were explained to the members of the Board. Mr. Rogers said the plan might change "dead men" to sheet piling but the 3K psi rating will rule the method. John Reis told the Board that Warren Alexander's approval was also necessary. If all goes well he (Reis) feels within a two-three week period the foundations should be installed.

The Board had concerns about erosion control of the area during the winter months. Netting was considered to assure that sand won't blow over the area.

The Board received a copy of plan #P99-1641 revised on September 20, 2000 containing Mike Trovato's signature

agreeing to the wall on the property. Mike was working but said the Board could call him up to ascertain his agreement to the plan. It was not necessary since the Board had the signed plan.

Motion: Anne Howard made a motion that at some future date after the construction of a retaining wall, a site visit would be arranged by the Board to see if screening might be necessary. John Paul Grunz seconded the motion and it passed 3-1 abstention (Richard Olson). Mr. Olson had not made the site visit of September 6th.

John Reis welcomed the thought of a site visit once the wall is complete. Anne Howard said ground cover needs to be addressed as well.

Motion: Anne Howard made a motion to approved the certified engineering plan for the two proposed walls in the site plan as revised on plan P99-1641 and with the two retaining walls on the engineered drawings on plan P00-1641. John Paul Grunz seconded the motion on the two proposed walls. It passed with a vote of 3-1 abstention (Richard Olson).

Motions: (The next three motions refer to Minutes from prior meeting of the Board.)

Motion 1.: Anne Howard made a motion to approve the minutes of the August 2nd meeting. John Paul Grunz seconded it and it was approved 3-2 abstentions.

Motion 2.: Anne Howard made a motion to approve the minutes of the August 23rd meeting. Richard Olson seconded the motion and it passed 4-1 abstention.

Motion 3.: Anne Howard made a motion to accept the minutes of the September 6th meeting. John Paul Grunz seconded it and it passed 3-2 abstentions.

Board Discussion:

A discussion was held by the Board on the Locke Property. The Chairman felt the Board should not sign off on the Locke proposal until after the Conservation Commission and the Board of Health both approve. Also an engineering study of the road would be in order. One of the members wondered about the authority of the Cape Cod Commission since they recommended a turn-down of the project? Another member felt if no action were taken the proposal might be automatically considered approved. David Nicolau, once again, felt he would have to recuse himself.

After a bit more conversation it was decided to ask Judith Oset to come to the next meeting on October 4th. The members would like to discuss procedural issues with Judith.

Motion: Anne Howard made a motion to request the Chair to inform the Board of Selectmen that the alternate, Jeff Carroll, has not attended meetings for quite some time. John Paul Grunz seconded the motion and it passed unanimously.

Anne Howard, as chair of the newly formed Local Comprehensive Plan Implementation Committee, informed the group that a letter will soon arrive addressed to the Board from the LCP group requesting the Board review all the Zoning By-laws. John Paul Grunz had another idea. "How about the LCP review the By-laws and point out the conflicts to us for our review?"

Motion: A motion to adjourn the meeting came at 8:35 p.m. It was unanimously approved.

THE NEXT MEETING WILL TAKE PLACE ON OCTOBER 4TH, 2000 AT 7:00 P.M.

Respectfully submitted,

Evelyn Rogers Gaudiano

Approved by _____ on _____ date

Gordon Gaskill, Chairman