

Planning Board Public Hearing
Monday, July 19, 2010
Grace Gouveia Building, Room 6
26 Alden Street, Provincetown, MA 02657

Planning Board Members Present: Howard Burchman, Marianne Clements, Dorothy Palanza, Peter Page and John Golden.

Excused Absent: None.

Staff Present: Maxine Notaro, Permit Coordinator and David Gardner, Assistant Town Manager.

Dorothy Palanza called the meeting to order at 6:10 p.m.

Public Comments

Continued Public Hearing

Case #2010-17 Site Plan Review

Application by **Anne K. Malone, Esq. of Prince, Lobel, Glovsky & Tye LLP on behalf of Nextel Communications of the Mid-Atlantic, Inc. and its affiliate Sprint Spectrum, L.P.** under Article 7, Wireless Telecommunication Towers and Facilities of the Zoning Bylaws. The applicant seeks to modify their Special Permit (Case No. 2002-12 dated August 25, 2003) regarding the requirement for the Radio frequency ("RF") Emissions monitoring at the property located at 232-236R Bradford Street, Provincetown, MA (Res3 Zone).

The applicant requested a continuance to the meeting of August 2, 2010.

Motion: To approve request to continue to August 2, 2010.

Moved: Marianne Clements. Seconded: Dorothy Palanza. Voted: 4-0-1 (Howard Burchman).

Board member appoint to the Community Preservation Committee

The present board member appointment is Dorothy Palanza.

Peter Page asked what the function of the Preservation Committee was and Dorothy Palanza said they review proposals and recommend funding for Open Space, Affordable Housing, Historic Preservation and Recreation. There are guidelines that must be followed within those categories.

Motion: To appoint Dorothy Palanza to the Community Preservation Committee.

Moved: Peter Page. Seconded: Marianne Clements. Voted: 5-0-0.

Minutes of June 2, 2010

Motion: To approve the minutes as amended to include the opinion of Town Counsel.

Moved: Dorothy Palanza. Seconded: John Golden. Voted: 4-0-1 (Howard Burchman).

Joint workshop with the Town Manager's AdHoc Zoning Bylaws Revision Committee

David Gardner updated the board members on the work the AdHoc Group has been doing on the proposed amended bylaw changes.

Definition of Structure

The board members felt the language in the first sentence was worded incorrectly. The Planning Board would not make a substantive change. Will be re-reviewed.

2550 Two Buildings per Lot

Ginny Binder explained the concerns of the AdHoc Committee's discussion. The intention of this bylaw was to have buildings be more discrete and less visible from scale.

Howard Burchman said, so a colonnade would be considered the same structure.

David Nicolau said they were thinking more of a one story structure or connection of enclosed floor area being attached to on of the units.

Peter Page said he was thinking on intrical parts of one of the units or another.

Dorothy Palanza said basically what is happening is having more building on the lot and one of the things that need to be addressed is the density.

Anne Howard said, unfortunately, changing the bylaws is something that must be done gradually.

Motion: To recommend to a potential public hearing.

Moved: Peter Page. Seconded: John Golden. Voted: 5-0-0.

Palletized Patio

The AdHoc Committee felt it needed a stronger definition. It's very difficult to lift a deck.

Peter Page asked why the 8" and Ginny Binder said that is what Russ Braun said is in the building code.

Peter Page said the framing alone for a deck is 8". With the framing it puts it at grade.

David Gardner asked if allowances should be made and increase the height.

Howard Burchman said it seems as though the process was one could not go beyond the 2 x 6 built in sections, otherwise it would be a deck.

Motion: To recommend Palletized Patio Bylaw to the public hearing of September 20, 2010.

Moved: Howard Burchman. Seconded: Marianne Clements. Voted: 5-0-0.

Section 3110 Non-Conformancy

Add 3115 Demolition and Reconstruction

Howard said he was concerned with the wording except for wording "or portion thereof". This could mean a door.

Peter Page asked if 3115 #2 means someone would have to build to the same footprint.

Ginny Binder said what it is saying is that the reconstruction shall not extend beyond the same footprint as the original footprint.

Motion: To recommend the language for the September 20, 2010 public hearing.

Moved: Dorothy Palanza. Seconded: Peter Page. Voted: 5-0-0.

Demolition Bylaw

Motion: Howard Burchman moved to recommend the language as presented for the September 20, 2010 public hearing.

Seconded: Dorothy Palanza. Voted: 5-0-0.

The Board members also discussed the Formula Business Bylaw. The Attorney General has requested further information and had recommended changes.

Open Flags

The board members recommended removing the language after the words 3 x 5 up to the last sentence.

There were two letters in support to allow flags.

Ginny Binder said this bylaw was designed to help those businesses from October to May.

Motion: To recommend for September 20, 2010 as amended.

Moved: Marianne Clements. Seconded: Dorothy Palanza. Voted: 5-0-0.

Any other business that shall properly come before the Board

None.

Adjournment

Motion to adjourn at 7:55 p.m.

Respectfully submitted,
Maxine Notaro