



Public Meeting
May 16, 2011
Judge Welsh Hearing Room
6:30 p.m.

Members Present: Marianne Clements (arr. 7:30p), Eric Gelinias, John Golden, Peter Page, and Dorothy Palanza.

Member Absent: Mark Weinress

Staff: David Gardner and Maxine Notaro

Agenda

Dorothy Palanza called the meeting to order at 6:38 p.m.

Election of Officers

This didn't happen.

Public Comments

There were none.

Public Hearing

Case #FY11-20 Site Plan Review (Request continuance to June 06, 2011)
Application by Edward Malone and Community Housing Resource, Inc. under the Zoning Bylaws Article 2, Section 2320 High Elevation Protection and Article 4, Section 4100 for Dwelling Units and Commercial Accommodations. The applicant seeks approval for the demolition of a 20' x 124' garage storage structure and for new construction of 29 units on two lots including 23 affordable and community rental housing units at the property located at **19-35 Race Point Road, Provincetown, MA (Res3 Zone).**

Motion: Move to approve the continuance of FY11-20 until the June 6, 2011 meeting.

The motion to continue was made, approved, and voted – 4-0-0.

Public Hearing

Case #FY11-23 Site Plan Review

Application by William N. Rogers, II, P.E. & P.L.S. under the Zoning Bylaws

Article 4, Section 4100 for Dwelling Units and Commercial Accommodations. The applicant seeks approval for the construction of two buildings to consist of 4 dwelling units with a total of 8 bedrooms at the property located at **53 West Vine Street, Provincetown, MA (Res3 Zone).**

The people presenting were Gary Locke, J. Lester Murphy, Ron Reil, and Wm. Rogers, II. Gary Locke gave out plans to all members of the Planning Board. At this point, J. Lester Murphy, an attorney, presented the plan. It was a comprehensive presentation that took almost a full hour and detailed all the restrictions, etc. that have been met save two waivers that may be required. One of them is that a requirement calls for a 90 degree intersection which cannot be met due to all the other restrictions imposed on the plan and the other waiver has to do with the minimum width footage required for a residential access driveway which also cannot be met. (the lot width is only 20 ft and all the utilities have to go into this small width)

The lot drainage - which will be contained on site - was described and J. said that the property will not impact any other properties. He said that this project will not continue until the water availability is ascertained – and he doesn't anticipate any negative impact on the water quality of the town nor any negative effect on the conservation land – even stating that one of the lots in this subdivision has been set aside to protect the proverbial toads.

J. concluded by stating that obviously there will be added costs to the town but the added taxes will take care of it.

Gary Locke then presented the landscape plan for the property. A 3 foot retaining wall will be installed to level the grade of the property (it currently slopes down from east to west). He said they plan on installing a line of arbor vitae to make a privacy barrier and to make it blend in with the surroundings. They are also using shrubs and perennials on the entranceway; he had included a master list of plants that will do well in the area but nothing definite is proposed for the landscape plan.

Dorothy wanted pictures of the lighting proposed by Gary as well as a description of the dry well which had been approved before.

Mr. Rogers then commented on the two waivers that are being requested. “Where the road joins West Vine - the State Highway Dept. requires a 12 ft radius but what we're

planning is adequate.” The word “adequate” was used several times to explain the limitations in the plan.

Ron Reihl – the owner??? – had nothing to say.

When comments from abutters were requested a woman named Debra who is a trustee of the West Vine Condo Association spoke in opposition to the project. She said that West Vine Street is getting to be a very popular place and then she named all the properties that may also be developed. “It’s a street that will eventually have a whole lot more construction and if this plan will allow 4 units – where will it stop?” She worried that allowing the dense project will be precedent setting and that fact worries her and the other condo owners.

There was a man in the audience who wanted to review the plans. He did.

David Gardner asked about the green area – where is the 30% green area? There’s no percentage? David asked Gary L. – “How are you calculating this?” David would like the square footage of the green area.

Dorothy P. asked, “You’re not including the planters in the 30%, are you?” Gary said that the planters had been calculated in the 30%.

David continued and said that visually it’s difficult to come to the 30% conclusion.

J. said that the 4th unit is allowed and the lot can handle the 4 units and we’re assuming that the board would want to schedule a site unit.

Dorothy still had a problem with the landscape and had questions about it.

Motion: Move to continue the case until the June 6th meeting after a site visit at 5:00 p.m. on that date has been completed.

Motion: Dorothy Palanza Seconded: Eric Gelinas Vote: 4-0-0.
(Gary promised to have the lighting and landscaping plan at that time.)

Maryanne Clements arrived at this point in the meeting - 7:30 p.m.

Public Hearing

Case #FY11-24 Site Plan Review

Application by William N. Rogers, II, P.E. & P.L.S. under the Zoning Bylaws Article 4, Section 4100 for Dwelling Units and Commercial Accommodations. The applicant seeks approval for the construction of five buildings to consist of 6 dwelling units with a total of 15 bedrooms at the property located at **67 Harry Kemp Way, Provincetown, MA (Res3 Zone).**

The people presenting were Gary Locke, J. Lester Murphy, Wm. Rogers, II and the owner. Attorney Murphy said that this was another site plan review. It, too, was accompanied with a lot of details and it was also stated that only 23% of the lot would be covered. He also said that the plan is in accordance with the Provincetown zoning bylaws. All of the density issues and set backs are well below the minimum allowed and the ConCom has already reviewed the plan and approved it.

J. went through all the requirements for site development and all of the plan falls within the parameters; all storm water drains will be contained on site and all permits have been approved or are pending. The plan just needs a scale deviation permit but we did have a lot of structures with a realistic neighborhood average. J. continued by saying that the plan also expanded out the scale deviation waiver which had been approved by the relevant state agency. The septic system design has already been approved.

J. said that these six units will not create a significant impact. He also made a lot of promises about how careful the construction will be; there are no neighbors that could be affected and there is no building scale calculation. Once again, J. said that there would be no detrimental effects on the entire area. There is only one waiver needed and then the plan is very compliant.

Gary Locke then took over the discussion proposing the low landscaping lighting. All the plantings that you see have been approved by the ConCom, i.e., raising the grade and leveling it out. The property borders the nice wooded area and the detail on the landscaping plan promises that they will be using redbud trees.

Billy Rogers said that this project has been going on for quite a while. Approval from ConCom took about a year and it took over a year to come up with a satisfactory planting plan. Billy continued by saying that we designed these buildings twice because they also had to be above the water table.

Robert Studley, an abutter who lives on Willow Drive, had a question about building density and wanted to know how this works?

Billy said that you're questioning the density with the number of units. The scale refers to the structure itself and the reference to Willow Drive is not necessary.

Marianne asked, "What is the percentage of green space?"

Gary Locke said that we'll have all that for you at the site visit on each of the 5 buildings and the parking area. There were a few questions raised about the parking area with Gary L. referring to "a normal car." Gary said that it's not a huge parking lot but it actually works.

Motion: Move to conduct a site visit on the property at 5:45 p.m. on June 6th.

Motion: Marianne Clements Seconded: Eric Gelinias Vote: 5-0-0.

Billy then asked for signatures for a previously approved plan; the signatures were given.

Minutes of previous meeting

Motion: Move to approve the minutes of the April 11th meeting as amended.

Motion: Dorothy Palanza Seconded: Marianne Clements Vote: 5-0-0.

Motion: Move to approve the minutes of the May 2nd meeting as written.

Motion: Peter Page Seconded: Eric Gelinias Vote: 4-0-1 ab (DP)

David G. brought up the Nantucket Dark Sky Initiative Article regarding zoning bylaws as they affect outdoor lighting. Peter Page said he would attend a meeting about the bylaw and report back to the group. Maxine made copies of all the pertinent data and it was handed out to the members of the Board.

Any other business that shall properly come before the Board

Dorothy questioned density and David said that our zones make no reference to density. Also one question was that - what purpose does it serve to have a 30% green area? when you can park just about anywhere in a lot. The reasoning for having guest parking areas might be for tenants to use them as back out areas.

JUNE 6TH SCHEDULE

5:00 P.M. SITE VISIT
53 WEST VINE STREET

5:45 P.M. SITE VISIT
67 HARRY KEMP WAY

6:30 P.M.
PLANNING BOARD MTG

The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Evelyn Gaudiano

Evelyn Rogers Gaudiano

Approved by _____ **on** _____, 2011.