

Planning Board Public Hearing
Wednesday, December 20, 2006
Judge Welsh Hearing Room, Town Hall
260 Commercial Street, Provincetown, MA 02657

Members Present: Howard Burchman, Anne Howard, Ellen Battaglini, Kevin Rich and Joe DeMartino
Staff Present: Doug Taylor, Building Commissioner and Maxine Notaro, Permit Coordinator

Meeting called to order at 7 p.m.

Case #2006-15 Site Plan Review

Application by **Victor DePoalo on behalf of 175 Bradford Street Extension Nominee Trust, Kimberly Furlano, Trustee** under Article 4, Section 4100 of the Zoning Bylaws for Dwelling Units and Commercial Accommodations. The applicant seeks approval to demolish the existing restaurant building and construct 7 condominium units and one restaurant in four new buildings at the property located at 175 Bradford Street Extension (Res3 Zone).

Victor DePoalo and Ginny Binder representing applicants. Abutter cards were submitted. Plan dated December 12, 2006 was reviewed. Ginny Binder made presentation and addressed Section 4100 as follows:

4120: site is total of 20,041 square feet; project will cover 19,000

4130: not applicable

4140: lot coverage is 14% increasing to 27.7%

4150: green space is 5% increasing to 30%

4162: new plan corrects defects in current design in terms of water run-off; new plan improves vehicular traffic and streetscape along Bradford Street.

4163: plan meets all criteria

Applicants will be requesting special permit variance for parking before ZBA on January 4, 2007.

Public Comments

In favor of project: none

Opposed to project:

Jamie Veara, attorney representing the trustees of Willows and Gale Force Condos challenged presentation on all counts. He claimed that not enough information was presented and questioned how calculations were arrived at. He strongly urged the Planning Board to require a Development Impact Statement for the project, stating that this project will have a detrimental impact on neighborhood and municipal services and that it does not meet community needs.

Leo Loudon, trustee of Gale Force Condo stated his opposition to project in its current configuration. He thinks project is too large for lot and that there is not enough parking; it will result in too much congestion in neighborhood, wonders where delivery trucks will park?

Amy Germaine, 150 Commercial Street spoke in opposition to project claiming it will have a detrimental effect on community character.

Carol Carlson, 25 Nickerson Street spoke in opposition to project stating it is too large for lot and citing negative impact on neighborhood.

The following people wrote letters in opposition and were read into the record:

Paul Carey and Barry Pike, Willows Condo; Dana Gould, Gale Force Condo; Shaun Rimer, abutter; Ira Grolman, Gale Force Condo; Ray Faulkner, Gale Force Condo;

Robert Duncan, Gale Force Condo; Michael Winkelmann, abutter

All objected to large scale of project and detrimental impact on neighborhood.

Anne Howard questioned legality of current upstairs apartment, to which Mr. DePaulo stated that he had a letter from BOH which was submitted to ZBA. Anne Howard stated that she would like to review BOH files and

letter and would like a letter from Board of Fire Engineers with their recommendation.

Joe DeMartino questioned number of allotted parking spaces in plan. He asked about septic plan to which Mr. DePaulo said he would bring plan to next meeting. He asked what the plan was for deliveries to restaurant and questioned whether lot size was large enough for project to which Doug Taylor responded that it was as commercial space does not require square footage.

Kevin Rich stated that there were several things missing from plan and proposal such as septic plan, illumination plan and drainage plan.

Ellen Battaglini asked for and received a copy of scale calculations. She asked about roof pitches and was directed to plan. She asked about utilities and was told that underground lines were planned and would come from existing pole on right side of lot. She stated that submitted plan required engineer stamp.

Applicants stated that they will be meeting with abutters to address concerns and agreed to provide the following at next Planning Board meeting:

- illumination plan
- recommendation from Board of Fire Engineers
- Board of Health file including existing and new septic plans
- storm drainage plan
- preview of parking variance request
- landscape plan
- stamped plan by engineer

Planning Board will see if above submissions alleviate need for Development Impact Statement. The issue of waiving time restraints was raised and agreed to by applicants.

Motion: To continue Site Plan Review to January 3, 2007 meeting

Moved: Ellen Battaglini **Second:** Anne Howard **Vote:** 5:0:0

Minutes

Motion: to approve minutes from November 15, 2006

Moved: Kevin Rich **Second:** Anne Howard **Vote:** 4:0:1

Motion: to approve minutes from December 6, 2006

Moved: Anne Howard **Second:** Ellen Battaglini **Vote:** 5:0:0

Discussion on Zoning Bylaws with Martha Hevenor. Issue of creating 40R (Smart Growth) District was discussed. Also discussed need to meet with Board of Selectman about having bylaw revisions come to Planning Board sooner rather than later so that adequate discussion can occur before being required to make a recommendation.

Howard Burchman reported that the CPC vote unanimously to reject Planning Board request to hold meetings in the evening so that a representative can attend.

Steve Page, 31 Bayberry Avenue explained plan to add a 5x10 foot foyer to his property which is located in high elevation district. He was informed that he could come before Planning Board as an Administrative Amendment.

Meeting adjourned at 9:05 p.m.

Respectfully submitted,

Phyllis Lutsky

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Recording Secretary

Approved by _____ on _____