

Planning Board

Public Meeting

June 2, 2004

7:00 p.m.

Members Present: Barnett Adler, Ellen Battaglini, Howard Burchman, and Annie Howard.

Advisory Staff: Mark Latour

The meeting was called to order at 7:01 p.m.

Public Hearing Agenda:

Case #2004-05 Site Plan Review

Application by Slade Associates, Inc. on behalf of Henry Bloch, Jr. under Chapter 41, Section 81-L for approval of a Definitive Subdivision Plan in accordance with the Rules and Regulations of the Provincetown Planning Board and as shown on a plan entitled Plan of Land in Provincetown by Slade Associates, Inc. Surveyors dated February 26, 2004 located at 10 Hobson Avenue, Provincetown, (Res 1 Zone), being land bounded as follows: northerly by Lot 1, LLC 37209, easterly by Hobson Ave., southerly by Provincetown Harbor and westerly by land of Douglas Taylor.

The applicant for #2004-05 requested a continuance until the June 16th meeting. The continuance was granted.

Comments from the public:

Nancy Robinson wondered if there were any plans for #2004-05 that she could look at. She was told that there were plans for her perusal and that any letter she chose to send would be carefully considered and read into the records.

Case #2004-07 Site Plan Review

Application by Deborah Paine, Inc. on behalf of Eastwinds Realty Trust for Site Plan Review under Article 4, Section 4100 of the Zoning Bylaw, Dwelling Units and Commercial Accommodations. The applicant seeks Site Plan Review approval to increase the density of residences from three (3) to six (6); 16,000 square feet of land required for density of six (6) units at the property located at **14 Bradford Acres (Res 3 Zone)**. (The artist's studios as shown on the site plan are not requested in this application at this time.)

Motion: Ellen Battaglini made a motion to invoke the rule of necessity. Howard Burchman seconded the motion and it passed 4-0-0.

(Explanation: Three members are required for a quorum; thus Barnett Adler, the developer of #2004-07 opted to step down. Anne Howard who works for the builder decided to stay on the Board and hear the case citing the "rule of necessity.")

Deborah Paine presented the case to the Board and the members of the public who were gathered. The lot has over 41K sq. ft. and the developer is allowed by law to put in far more buildings than they are requesting. Ms. Paine said that under the (40B) affordable housing guidelines, the lot could

conceivably have been covered with a much denser development.

Diana Hardy, an abutter, said that this plan will contain a lot of units for that hill. There is already too much traffic on the hill and – even with plowing – the hill is treacherous in the winter during and immediately after storms.

James Turner, another abutter, also had concerns about plowing on the hill and wanted it stipulated that no other cars will be on the hill. Deborah assured him that a condo association would be established and they will see to it that regular plowing will be done. She believes that this will happen in the condo docs. Mr. Turner continued saying that with the density from 3 to 7 units – the increase on that road will be over 200% and wondered aloud how it could possibly be maintained.

Another concern was that a four bedroom house had suddenly become a six-bedroom house. He was told that on May 14th the Health Agent walked through the house and counted it as having six bedrooms.

Adam Beck, another abutter, said he lives at 5 Thistlemore and last year they suffered huge dump trucks rushing up and down the street for yet another project. He would like to see something from the condo association which might have deeded restrictions regarding “no parking” on streets in the area. He would like to see some sense of responsibility from the owner and builder.

At this point in the meeting Deborah Paine asked the Board’s permission to ask the developer to address the concerns of those in the public meeting; she left to consult him. When she returned she had the following directive from Barnett Adler:

There will be a covenant that the condo owners will not be able to park on the hill.

Adam Beck said it is a fragile neighborhood and a quiet one and he didn’t think it would be any more. James Turner wondered if there were going to be a site visit.

At this time input was asked from the Board:

Howard Burchman wanted clarification on the restrictive covenants. Deborah responded:

The property cannot be developed any more than it will be in the current plan.

Provisions on maintaining the road year round.

No parking on the streets on the hill.

The developer will contribute to maintaining the road.

Deborah Paine said that this is her 4th development for these men and they are very sensitive and responsible. The abutters also added that they hate light pollution and they like the neighborhood dark.

Ellen Battaglini wanted to go over the lot coverage which includes a 70% green area and she also asked about parcel 2 on the site plan. It was thought that this might be for the Felco group to plan a Title V.

Anne Howard set up a site visit for next Wednesday night – June 9th at 5:00 p.m. with a Planning Board meeting immediately following at 5:30 p.m. She also told Ms. Paine that it would be helpful if she attended the site visit as well – in order to answer any questions that the Board may have.

Motion: Anne Howard made a motion to continue case #2004-07 until June 9th. Howard Burchman seconded the motion and it passed 3-0-0.

Any other business that shall properly come before the board

Minutes of the 19th

Motion: Howard Burchman made a motion to approve the minutes of May 19th, Ellen Battaglini seconded the motion and it was approved 4-0-0.

Board Reorganization

Motion: Ellen Battaglini made a motion to nominate Anne Howard as Chair. Barnett Adler seconded the motion and it passed unanimously.

Motion: Ellen Battaglini made a motion to nominate Barnett Adler as Vice Chair, Anne Howard seconded the motion and, it too, passed unanimously.

Mark Latour – referring to Bradford Acres – said that there were issues of scale and they were going in front of the ZBA tomorrow night for a possible resolution.

Anne Howard received a hand delivery just before the meeting from Jamie Veara regarding 64 Race Point Road; his clients were concerned about the 56 Race Point Road excavation. Also of concern was the placement of propane tanks in the area where the proposed driveway will be. Karen Rivet and her co-owner Louise _____ are the complainants.

It was decided that Annie would like to communicate with the women and tell them that we're going to request that Ken Weiss come to the July 7th mtg. (If the 7th is not good for them then they will reschedule.) Also, Ken Weiss will be asked to attend the meeting to respond to the ongoing correspondence; the Building Commissioner will also be asked to attend in order to respond to correspondence from abutters property.

Adjournment happened at 8:25 p.m.

Respectfully submitted,

Evelyn Gaudiano

Evelyn Rogers Gaudiano

Approved by _____ on _____, 2004.
Annie Howard, Chair