

**Public Hearing  
Planning Board**  
July 17, 2002, 7:00 PM

**Meeting**

**Members Present:** Anne Howard (Chair), Ellen Battaglini, and Barnett Adler

**Excused Absences:** Len Bowen and Howard Burchman

Anne Howard called the meeting to order at 7:07 PM and announced the members present and those with excused absences.

**Old Business**

**Case #2002-008      Approval Not Required – Pre-Application Meeting. Felco, Inc., on behalf of Estate of Mary Towne, Map/Parcel numbers 06-4-84, 12 Franklin Street.**

There was a site visit at 12 Franklin Street at 4:00 PM on this date. The members who attended were Anne Howard, Ellen Battaglini and Barnet Adler.

John McElwee represented Felco, Inc. He stated that this was just a perimeter survey of the property which would protect the property from zoning changes within the next three years,

It was moved to endorse the plan as presented.

**Moved by:** Barnett Adler

**Seconded by:** Ellen Battaglini

**Vote:** 3-0-0

Anne Howard announced that Sprint submitted a letter asking for a continuance of the following two cases until August 7, 2002.

**Case #2002-001      (Public Hearing Continued from January 16, February 6, March 6, and May 1, 2002)**  
Application by Milo Caruso of Atlantic Environmental Technologies, Inc. on behalf of Sprint Spectrum LP, under Article X, Sections 10010-10150 of the Zoning By-Law, Wireless Telecommunication Towers and Facilities. The applicant seeks a Special Permit from the Planning Board to install repeater antennas and ground equipment at the property located at Mt. Gilboa Road Map/Parcel 18-4-002. (*Residential Class B Zone.*)

**Case #2002-002      (Public Hearing Continued from January 16, February 6, March 6, and May 1, 2002)**  
Application by Milo Caruso of Atlantic Environmental Technologies, Inc. on behalf of Sprint Spectrum LP, under Article III, Section 3900 District B of the Zoning By-Law, High Elevation Protection. The applicant seeks a Site Plan Approval from the Planning Board to install repeater antennas and ground equipment at the property located at Mt. Gilboa Road Map/Parcel 18-4-002. (*Residential Class B Zone.*)

**New Business**

**Case #2002-009      Approval Not Required – Pre-Application meeting. Felco, Inc. on behalf of Douglas Pew and Donald Croxton, Map/Parcel 63-007, 52 Creek Road.**

Ansel Chaplin of the P-town Conservation Trust and John McElwee representing Felco, Inc. spoke. Mr. McElwee stated that they planned to submit this case to the Massachusetts Land Court (MLC). The plan shows the property in two deeds. They will submit a complaint plan to the MLC so the judge can make the final decision. A requirement of the MLC is that the plan be endorsed by the Planning Board. Mr. McElwee also asked for a formal application in the future.

Mr. Chaplin stated that the statute does not give the Board the right to sign off (endorse) a perimeter plan which this plan is. The Planning Board is asked to make a decision over ownership. The second title of the property goes back to

1973.

Mr. Chaplin also stated that Mr. Pew and Mr. Croxton, who currently own 52 Creek Road, are seeking approval of their property plan from the Planning Board which they say includes some property, designated in Town records, as owned by the Provincetown Conservation Trust.

Mr. Alex Brown, an abutter, stores his fishing gear down the hill from his house. He stated that the shed he used and trees were being bulldozed down and was treated rudely by Mr. Pew and Mr. Croxton. He said that the Planning Board should not do anything on this case until it is found out exactly what is going on. The boundary is not clear. He will "fight" Felco, Inc. on this matter.

Ms. Ellen Craigmeyer represented one of the owners who resides near the property under discussion and was against the owners who, she stated, were very abusive and rude to her.

Celine Gondolfo was for the Provincetown Conservation Trust stating that this is conservation land and an animal habitat.

Mr. Chaplin stated that the Conservation Trust is very upset about this and is spending funds to settle this case when the funds can be used for other items.

William Fitts, a member of the Conservation Trust, thinks it is premature for the Planning Board to make a decision.

Anne Howard said that the Planning Board needs Town guidance before the Board can make any decision.

Mr. McElwee stated that the Planning Board should only be involved in the subdivision of the property not ownership.

There will be no site visit until the Planning Board hears from Town Counsel. It was moved to request advice from the Town Counsel if this property comes before the Planning Board.

**Moved by:** Barnett Adler                      **Seconded by:** Ellen Battaglini                      **Vote:** 3-0-0

A copy of the Town Counsel results will be sent to Mr. McElwee then a Planning Board site visit will be set up.

Celine Gondolfo handed out packages of literature regarding telecommunications. She explained some of the items in the package and will supply updated information as well.

Warren Alexander, Building Commissioner stated that the Planning Board's concern is proper frontage of property. By creating another lot without frontage would mean that the Conservation Trust property would become land-locked.

Anne Howard went through some letters and notices which might be of interest to Planning Board members.

A motion was made to accept the minutes of June 19, 2002.

**Moved by:** Ellen Battaglini                      **Seconded by:** Barnett Adler                      **Vote:** 3-0-0

A motion was made to adjourn the meeting at 8:45 PM.

**Moved by:** Barnett Adler                      **Seconded by:** Ellen Battaglini                      **Vote:** 3-0-0

Respectfully Submitted  
Joel Glasser

Approved by: \_\_\_\_\_ on \_\_\_\_\_

Anne Howard, Chair