

Public Hearing
Planning Board
November 6, 2002, 7:00 PM
Judge Welsh Room at Provincetown Town Hall

Members Present: Anne Howard (Chair), Ellen Battaglini, Barnett Adler (Co-Chair), Len Bowen and Howard Burchman

Also Attending: Katharine Doyle, Town Counsel from Kopelman and Paige, Mark LaTour, Assistant Town Manager, and John Gilmore, Director of Community Development

Anne Howard handed out a schedule of meetings for 2003 and requested that the Board members check it over.

Anne Howard called the meeting to order at 7:00 PM and introduced the Planning Board members present.

Meeting Agenda

Case #2002-016 Approval Not Required Plan

Application by Coastal Engineering Co., Inc. on behalf of Cesco's Realty Trust map/parcel numbers 15-1-028, Lot 2 to become and remain a part of Lot 3 subject to an easement for the repair and maintenance of the existing septic system of Lot 1 for the property located at **211 Bradford Street, Provincetown.**

A site visit was made at 4:00 PM on November 5th attended by Board members: Anne Howard, Ellen Battaglini, Howard Burchman, and Barnett Adler.

There were no further questions from the Board members to the representative of Coastal Engineering. It was moved to endorse the plan.

Motion by: Howard Burchman

Seconded by: Barnett Adler

Vote: 5-0-0

Case #2002-013 Site Plan Review (Continued from October 02, 2002 and October 16, 2002)

Application by Eric E. Dray under Article 4, Section 4100 of the Zoning By-law, Dwelling Units and Commercial Accommodations. The applicant seeks Site Plan Review approval to change configuration of Building B from two dwelling units and 8 motel rooms to three dwelling units at the property located at **586 Commercial Street (Res2 Zone).**

There was a site visit at 4:30 PM on November 6th attended by Board members: Anne Howard, Ellen Battaglini, Howard Burchman, and Barnett Adler.

Board member Len Bowen could not sit on this Case as he is one of the owners of a unit at the location.

It was moved to table this hearing until Eric Dray arrives (see below).

Motion by: Howard Burchman

Seconded by: Barnett Adler

Vote: 4-0-0

Case #2002-017 Site Plan Review

Application by John Lisbon on behalf of Miriam Collinson and James Buckingham under Article 4, Section 4100 of the Zoning Bylaw, Dwelling Units and Commercial Accommodations. The applicant seeks Site Plan Review approval to construct six (6) two-bedroom duplexes and one (1) residential garage/storage building at the property located at **48 Race Point Road (Res3 Zone).**

The Lot lines were removed at a previous hearing to create a larger lot in order to perform the work described in this application.

Page 2 of the sub-surface plan was not included in the package for the Board members. The representatives of the

owners will supply a copy on November 17th. Some members of the Board did not have a chance to review this Case earlier.

It was moved to continue this Case until November 20th.

Motion by: Barnett Adler

Seconded by: Ellen Battaglini

Vote: 5-0-0

Case #2002-013 was removed from being tabled as Eric Dray arrived at the meeting. It was moved to grant approval of the Site Plan as presented. Before the Board members could sign the Site Plan, copies of the plan without the word "Preliminary" would be required which Eric Dray will provide.

Motion by: Howard Burchman

Seconded by: Barnett Adler

Vote: 4-0-1
(Len Bowen abstained)

Case #2002-012 Special Permit

(Public hearing continued from September 4, 2002, October 2, 2002, and October 16, 2002)

Application by Nextel Communications of the Mid-Atlantic, Inc. [d/b/a Nextel Communications ("Nextel")] seeks Special Permit from the Town of Provincetown Planning Board with Waiver requests under Article 5, Section 5300 *et seq*, and Article 7 *et seq* of the Town of Provincetown Zoning By-Law concerning construction of a Wireless Telecommunication Facility with six (6) panel antennas to be camouflaged inside a cupola together with an underground ten foot by twenty foot (10' x 20') equipment room all as proposed to be constructed on land owned by Richard P. Wrigley located at 232-236R Bradford Street, Provincetown, MA. Additionally, Nextel requests Waivers from the Planning Board for provisions of the following sections of Article 7 of the Provincetown Zoning By-Law including: Section 7070, subsections L and M.3 (Location, Class/Type 4), five hundred foot (500's) horizontal setback requirement; Section 7110, Monitoring and Evaluation of Compliance; Section 7130, Indemnification, Insurance and Fees; and Section 7140, Term of Special Permit.

A general discussion ensued by the members of the Planning Board.

Katharine Doyle prepared and handed out a printed summary and history of Nextel's application for a Special Permit with Findings, Deliberations and Discussion.

Howard Burchman prepared and handed out a printed summary of the findings as per the Zoning By-law and the corresponding information provided by Nextel and Mark Hutchins.

It was moved to adopt the Findings (Numbers 1-16) in the memo dated November 6th, presented by Katharine Doyle.

Motion by: Howard Burchman

Seconded by: Barnett Adler

Vote: 5-0-0

A discussion regarding the waivers requested by Nextel followed. The Planning Board does not have the right to grant waivers.

According to the members, the main “stumbling block” is the 500 foot setback.

A motion was made for the Board to digest the information of the Site Plan request and develop wordage for its approval and continue the discussion at the November 20th meeting.

Motion by: Howard Burchman

Seconded by: Barnett Adler

Vote: 5-0-0

A motion was made to approve the minutes of October 2nd.

Motion by: Barnett Adler

Seconded by: Howard Burchman

Vote: 5-0-0

A motion was made to approve the minutes of October 16th.

Motion by: Len Bowen

Seconded by: Barnett Adler

Vote: 5-0-0

Anne Howard gave her new cell phone number, which is 508-237-1732, so that she can be contacted by Board members if necessary.

The next Planning Board meeting will be on November 20, 2002.

A motion was made to adjourn the meeting at 8:50 PM.

Motion by: Barnett Adler

Seconded by: Howard Burchman

Vote: 5-0-0

Respectfully Submitted
Joel Glasser

Approved by: _____ on _____
Anne Howard, Chair (Date)