

# Planning Board Town Hall Auditorium February 10, 1999

The following minutes are available on-line as a service and are not the official record due to changes in formatting for the Internet. The minutes may have attachments that are not included here in this format. The official, complete paper copy can be viewed during regular office hours, Monday - Friday: 8 a.m. to 5 p.m. in the Office of the Town Clerk, 260 Commercial St. Provincetown, MA 02657.

Present: Gordon Gaskill - Chairman

John Paul Grunz  
Donna Sdeker  
Jay Coburn

Topic 1: 49 Bayberry Avenue, Dieter Groll  
Site Plan Review under Article 111, Section 3900, High Elevation Protection, District "A", for construction of a roof deck.

Present: Dieter Groll

DR - Original Site Plan was approved in February of 1994 and then revised in February of 1995 with the addition of retaining walls. What is now required is permission to build a roof deck. There is no change to the Site Plan. Elevation remains below the legal limit.

Questions and discussion took place with the Board members resulting in a...

Motion: Move to approve construction of a roof deck at 49 Bayberry Avenue.  
JPG/DS

Vote: Approve 4 Disapprove 0

Topic 2: Telegraph Hill, Seven H Realty Trust  
Request to release bond

Gordon Gaskill brought the Board up to date on the bond plan assigned to Seven H Realty Trust in regard to certain plantings to be accomplished in the near future. The amount of the Bond was \$5,000. Gordon said that he recently saw the plantings and found that they were quite -adequate.

Motion: Move to release the bond on Telegraph Hill. JC/JPG

Vote: Approve 4 Disapprove 0

Topic 3: 48 & 64 Race Point Road, Miriam A. Collinson  
Unauthorized Site grading

Rex Peterson distributed a letter to the Board members that he sent to the office of Attorney Veara on behalf of the Planning Board. In it, he stipulated what the Planning Board had unanimously voted. Namely, that immediate steps must be taken to stabilize the banks by -installing a jute matting. And, that the Planning Board will accept no less than re-grading the site in accordance with the Site Plan endorsed by the Board on February 18, 1998. The

Planning Board expects to receive a plan for reconstruction **no later than March 3, 1999.**

The discussion will be continued at the next official Board **meeting, February 24, 1999.**

Topic 4: Revision to Article VII, Section 7102 - **Building Scale**

**Discussion** - The Board of Selectmen voted to ask the **Planning Board and the Zoning Board of Appeals to reconsider** the amendment to Article **VII, Section 7102 dealing with building scales.** Members of the public were present and invited to speak **on the subject. "Chuck" Silva opposes the** scale requirement approved earlier this year. **Minimum construction under 324 Cubic Feet should not require** scale. An unidentified gentleman **suggested increasing the percentage ration.** Custodio Silva commented on the necessity of having a scale **by-law at all.**

Rick Murray called for a Point of Order: He suggested that **the secretary of the Planning Board record the names of all those who will be sitting in judgement on this issue. That will include Gordon Gaskill, John Paul Grunz, Donna Sdeker, Jay Coburn and Peter Demers.**

Rick Murray then suggested that "Chuck" Silva was proposing **a by-law that would be self-serving to his advantage.** Mr. Silva denied this.

Motion: Move to have Rex Peterson bring back **more information to the Planning Board** as regards Article VII, Section 7102.

Since the question was moot, no vote was required and **Rex Peterson will return with the additional information** for consideration at a later date.

Rex Peterson also brought up the subject of Growth Management. **He reported that the Selectmen** would like the Planning Board to sponsor an Article **reducing the number of building permits from 28 annually to 23.**

This question too, will be taken up by the Planning Board at **a later date.**

Topic 5: Review of the minutes of January 20, 1999.

Motion: Move to accept minutes of January 20, 1999 **DS/JPG**

**Vote:** Approve 4 **Disapprove** 0

Topic 6: 40A Nelson Avenue, Provincetown Heights, Inc.

Site Plan Review for Chapter 40B application.

Present: Charlou & Emilio **Rogol, Robin Garran, Ted Malone.**

A revised Site Plan was shown to the Board plus **printed modifications in deference to the comments Planning Board** members made when the plan was **originally presented. Charlou and Emilio** were making the presentation in the absence of **Ted Malone who arrived later. Gordon Gaskill disqualified** himself from this session because of his **close proximity to Nelson Avenue.** Jay Coburn took over the chair. The Planning Board cannot sit **in judgement of this project**

since it is now before the Zoning Board of Appeals. However, **the Planning Board is charged** with passing along their recommendations to the Zoning Board. There was much discussion between Board members and the applicants. Most of the concerns centered around drainage and variance requests. As the evening was getting late, the Board decided to hold a special meeting the following week for discussion of this subject only.

Motion: Move to adjourn. DS/JPG

Vote: Approve 4 Disapprove 0

Meeting was adjourned at 9:45 PM.