

Planning Board Public Hearing
Wednesday, June 18, 2008
Judge Welsh Hearing Room, Town Hall
260 Commercial Street, Provincetown, MA 02657

Members Present: Ellen Battaglini, Joe DeMartino, and Marianne Clements.

Excused Absence: Howard Burchman.

Staff Present: Maxine Notaro, Permit Coordinator and David Gardner, Assistant Town Manager.

Joe DeMartino, Vice Chairman, called the meeting to order at 7:07 p.m.

Case 2008-14 Approval Not Required

William N. Rogers, II on behalf of Mary B. Martinez to combine parcel 1 with 24 Winthrop Street to form lot 1 at the property located at **24 & 26 Winthrop Street, Provincetown, MA**

There were no changes to the plan since the preliminary review.

Motion: Move to approve Case 2008-14 subject to plan P-08-0708A dated June 2, 2008.

Moved: Ellen Battaglini

Second: Marianne Clements

Vote: 3:0:0

Request for Approval Not Required Pre-Application

William N. Rogers, II on behalf **2 Commercial Street Realty Trust** to create nine building lots from one parcel of land at the property located at **2 Commercial Street, Provincetown, MA**. Lots 1 through 5 will front on Provincelands Road and will meet the minimum required frontage. Lot 6 crosses Commercial Street and the State Road and lots 7, 8 and 9 will front on Commercial Street. The Murchinson House will remain on a 1.624 acre parcel known as lot 7. The Gate House will be on lot 1 and the existing garage structure on lots 4 and 5 will be removed.

Provincelands Road is a State Road; therefore, the property owner intends to place an access easement across the existing driveway to provide access to lots 1 through 7 from within the development rather than seeking curb cuts from the State Road.

Some concerns raised by board members were:

- ◆Lot 6 with respect to high elevation and the possibility of building in a dune. The plan submitted did not indicate the high elevation area.
- ◆Question as to the creation of a lot with a non-conforming structure on it. Is the non-conformancy increasing by subdividing the lot? Where are the setbacks for Lot 1 compared to the location of the existing building on the proposed lot? Does it create a greater non-conformancy for side, front and rear lines by making the lot?
- ◆There do exist parking spaces located on Commercial Street that would affect lots 8 and 9.
- ◆There is one section of land that is Land Courted and the rest is not.

It was suggested by the Board members that Lot 1 setbacks to the existing structure be discussed with the Zoning Enforcement Officer.

A site visit will be scheduled for July 16, 2008 at 6:00 p.m. providing the Engineer has the lot lines staked out.

Administrative Amendment

Ken Hassett of 208 Bradford Street seeking revisions through an administrative amendment to a recent previously approved plan for the location of a swimming pool for the property located at 208 Bradford Street.

Members who sat on the original hearing were Joe DeMartino, Ellen Battaglini and Marianne Clements.

The proposed changes can be approved administratively, as the change is a minor alteration and is included in the area of the original review and not within the area of the dune.

Motion: To allow the minor change to be heard as an administrative amendment to Case 2008-02.

Moved: Ellen Battaglini **Second:** Marianne Clements. **Vote:** 3-0-0

Motion: To approve the modified plans to Case 2008-02 dated June 17, 2008 as presented.

Moved: Ellen Battaglini **Second:** Marianne Clements **Vote:** 3-0-0

Adjournment

Motion: To adjourn the meeting at 8:16 p.m.

Moved: Marianne Clements **Second:** Ellen Battaglini **Vote:** 3:0:0

Respectfully submitted,
David Gardner
Maxine Notaro