

Planning Board Public Meeting
Wednesday, January 12, 2005
Judge Welsh Hearing Room, Town Hall, Provincetown, MA 02657

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

Staff Present: Doug Taylor, Building Commissioner/Staff Liaison

Maxine Notaro, Permit Coordinator

Executive Session was called to order at 7:05 p.m.

Maxine Notaro announced that Ginny Binder has submitted her resignation from the Planning Board as of January 5, 2005 which raised questions as to whether board could vote on special permit for Cingular.

Executive Session closed at 7:55 p.m.

Public Hearing continued at 8:00 p.m.

10 Hobson Avenue

Henry Bloch and Ed Patton, attorney was present. Lisa Westervelt, attorney for abutters was also present.

Ed Patton informed Planning Board members that he sent a letter to the Town Clerk on October 6, 2004 requesting a certificate of constructive approval and did so again on October 22, 2004 and has not had any response.

Board apologized that Town Counsel was not present at meeting as he was expected to attend.

If request was granted and Hobson Avenue were extended, Zoning by-laws (Res. 1) would require 30 foot front setback and 20 foot back setback which would only leave room for 10 foot structure which is why they are proposing to construct a new private way (lot 4) as frontage which would deal with that problem. Proposed building would be on lot 5 and lot 3 would be unbuildable.

Motion: To deny plans for 10 Hobson Avenue, Provincetown, MA based on the fact that proposed plans do not meet legal definition of a subdivision in that it does not propose two or more build able lots and because the designation of lot 4 as a private way does not create necessary frontage for lot 5.

Moved: Howard Burchman Seconded: Barnett Adler Vote: 3:0:1

Ed Patton responded that applicant objects to the decision. This decision was rendered more than 90 days after application was submitted and that applicant does no waive right to seek certificate of constructive approval from Town Clerk.

Howard Burchman made a motion to approve minutes from December 15, 2004. Barnett Adler seconded and it passed 4:0:0.

Barnett Adler made a motion to accept findings for 9 Ryder Street (2004-015).

Ellen Battaglini seconded and it passed 3:0:1.

Meeting adjourned at 9:10 p.m.

Respectfully submitted,

Phyllis Lutsky

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Recording Secretary