



## Public Meeting

January 24, 2011

Caucus Hall

6:30 p.m.

**Members Present:** Eric Gelinas, John Golden, Peter Page, and Dorothy Palanza

**Member Absent:** Marianne Clements

**Staff:** David Gardner and Maxine Notaro

### Site Visit at 4:00 p.m.

Martin R. Donoghue, P.E. of Realty Development Associates/Coastal Engineering Co., Inc. on behalf of Marilyn R. Glasser to divide the subject property into three lots that comply with the applicable dimensional requirements of the Provincetown Zoning By-laws for the property located at **9 Willow Drive, Provincetown, MA.**

The meeting was called to order by Vice Chair, Dorothy Palanza at 6:36 p.m.

### Agenda

#### Public Comments

Dorothy said that anyone wishing to speak on the ANR for Willow Drive would have to speak under Public Comments because no comments would be heard during the actual case. There were no public comments.

#### Request for Approval Not Required

Application by Martin R. Donoghue, P.E. of Realty Development Associates/Coastal Engineering Co., Inc. on behalf of Marilyn R. Glasser to divide the subject property into three lots that comply with the applicable dimensional requirements of the Provincetown Zoning By-laws for the property located at **9 Willow Drive, Provincetown, MA.**

The plan was presented to the Planning Board by Mr. Donoghue. The four members of the Planning Board who were present at this meeting had also been at the 4:00 p.m. site visit. The proposed three lots were determined to be: Lot 1 - 8,251 sq ft, Lot 2 - 6,984 sq ft, and Lot 3 - 11,892 sq ft. After the presentation, the following motion was made:

**Motion: Move to endorse the plan of 9 Willow Drive as submitted.**

**Motion: John Golden**

**Seconded: Eric Gelinas**

**Vote: 4-0-0.**

### Continued Cases

#### **Case #FY11-04 Site Plan Review (Continued to April 11, 2011)**

**Application by Victor DePoalo under Article 4, Section 4100 of the Zoning Bylaws for Dwelling Units and Commercial Accommodations.** The applicant seeks approval to reconfigure the parking having the same number of parking spaces, which is 28 spaces reducing the handicap spaces from three to two at the property located at **175 Bradford Street Extension, Provincetown, MA (Res3 Zone).**

This case was continued to April 11<sup>th</sup>, 2011. At that time plans will be submitted.

#### **Case #FY11-09 Special Permit**

Application by Michael Johnson on behalf of T-Mobile Northeast LLC seeks a Special Permit from the Provincetown Planning Board to construct a Wireless Telecommunications Facility at the property located at 200 Route 6, Provincetown, MA. (*Municipal Zone*).

David Gardner said that this permit has to be filed tomorrow so he added bi-annual inspections and told the group that T-Mobile does monitor the facility remotely. We also have the ability to file a written report if they have made a change or if they are not in compliance. This stipulation should be written into the records.

The FY11-09 Special Permit was read aloud (in its entirety) into the record by Peter Page. There were minimum changes which are described as follows:

On page two under Findings of Fact - #3 should read:

3. The Board of Selectmen submitted a letter via the Cape Cod Commission dated September 28, 2010, which provided background on the Town's Request for Proposal and emphasized the public safety aspects of the request and to state the number one priority is to provide reliable cell phone service to the Route 6 corridor, Provincetown Airport, and Province Lands. (The only change is the addition of the underlined word – to.)

On page three under Conditions - #4 should read:

4. Tower shall be painted Benjamin Moore Color – Patriotic White – 2135-70 to minimize the adverse visual impact. Antennas shall be painted to match the tower. Paint shall be maintained and shall not be permitted to peel or chip. (Changes, once again, are contained in the underlined words/numbers.)

**Motion: Move to approve the language for a public hearing on February 28<sup>th</sup>.**  
**Motion: Dorothy Palanza      Seconded: Eric Gelinias      Vote: 4-0-0.**

**Motion: Move to accept decision for the cell tower as written.**  
**Motion: Eric Gelinias      Seconded: Dorothy Palanza      Vote: 4-0-0.**

### **Case #FY11-12 Site Plan Review**

**Application by Robert Valois on behalf of Don Eunson and Douglas Evans under Article 2, Section 2320 of the Zoning Bylaws for High Elevation Protection District A.** The applicants seek approval to remove an existing shed; re-build existing retaining walls; renovate existing structure and construct a proposed 230 square foot addition at the property located at **48 Franklin Street, Provincetown, MA (Res3 Zone).**

The case FY11-12 was a duly advertised site plan review and it was originally viewed last Saturday by Marianne Clements, Eric Gelinias, Dorothy Palanza, and Peter Page. (John Golden went by the property today to review it.)

Robert Valois said that it's a very straight forward plan which addresses the concerns of neighbors regarding erosion and, of course, we're trying to increase some of the property. Dorothy also noted that you are trying to protect the dune and restore it. Robert said that they might also want to clean up the conservation land behind the property.

**Motion: Move to approve all three plans for FY11-12 including the lighting plan, the landscaping plan, and the site plan dated May 26<sup>th</sup> which was part of the original plan.**  
**Motion: Dorothy Palanza      Seconded: Peter Page      Vote: 4-0-0.**

### **New Case**

#### **Case #FY11-13 Site Plan Review**

**Application by Deborah Paine, Inc. on behalf of Shawn Nightingale & Jay Jakubowski under Article 2, Section 2320 of the Zoning Bylaws for High Elevation Protection District B.** The applicants seek approval to add a three story addition to the Northwest façade 21' x 23'4" to accommodate a two-car garage under the expanded existing bedrooms at the property located at **54 Mayflower Avenue, Provincetown, MA (Res3 Zone).**

The applicant wished to withdraw FY11-13 without prejudice.

**Motion: Move to approve the request to withdraw FY11-13 without prejudice.**  
**Motion: John Golden      Seconded: Eric Gelinias      Vote: 3-0-1 ab (PP)**

### **Discussion on Zoning Bylaw Amendments**

David Gardner discussed the proposed bylaw amendments to the Flood Plain District. FEMA recently revised the Flood Plain maps relating to Provincetown and requires that the maps be adopted by June 16, 2011. Provincetown will need to adopt the new maps

in order to participate in the National Flood Insurance Program. The proposed bylaw language adopts the new maps which are available on our website. We will need to adopt them at town meeting. It's really important to hold the public hearing on February 28, 2011 since the warrant closes on March 3<sup>rd</sup>. These changes will be reflected in the public hearing notice which will go out tomorrow. This is the only by-law amendment for the April Town Meeting. The Bylaw revision Committee will start up again after Town Meeting.

**Minutes of previous meeting**

**Motion: Move to approve the minutes of the January 10, 2011 meeting as amended.**

**Motion: Dorothy Palanza      Seconded: Eric Gelinas      Vote: 4-0-0.**

(The amendments referred to the two misspellings of Eric's surname. Also Peter questioned the lack of a plan for FY11-04 widening of a sidewalk at 175 Bradford St. extension.)

**NEXT TWO MEETINGS**  
**FEBRUARY 8<sup>TH</sup>**  
**AND**  
**FEBRUARY 28<sup>TH</sup>**

(The February 8<sup>th</sup> is not definite – e-mail from Maxine will confirm or cancel.)

The meeting adjourned at 7:30 p.m.

Respectfully submitted,

*Evelyn Gaudiano*

Evelyn Rogers Gaudiano

Approved by \_\_\_\_\_ on \_\_\_\_\_, 2010.  
Dorothy Palanza, Vice Chair