

## Public Meeting Agenda April 2, 2015

The Provincetown Zoning Board of Appeals will hold a Work Session starting at 6:30 pm and a Public Hearing at 7:00 pm on Thursday, April 2, 2015, in the Judge Welsh Hearing Room, Town Hall, 260 Commercial Street, Provincetown, MA.

### A. Work Session

#### i. Pending Decisions

- a. **Case #FY 15-44 (need Building Commissioner approved seating plan and signatures, Bryan's signature on decision sheet and site plan; time waiver signed)**  
**Application by Jason P. Aubee** requesting a Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, and Article 2, Section 2440(B8), Permitted Principle Uses, to change a former retail use to a fast order food establishment use (self-serve frozen yogurt shop) at the property located at **293 Commercial Street Unit C (TCC Zoning District)**.
  - b. **Case #FY 15-50 (need revised decision from Rob)**  
**Application by Christian P. Dittrich on behalf of Lee Giroux** requesting a Special Permit pursuant to Article 2, Section 2450(G12), Permitted Accessory Uses, to construct a new 16'x12' swimming pool at the property located at **75 Franklin Street (Res 3 Zoning District)**.
  - c. **Case #FY 15-59 (need someone to write this decision)**  
**Application by Paul Melanson dba Tin Pan Alley** requesting a renewal of a Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, to allow the continued operation of an 86 seat restaurant with a full liquor license, live entertainment and outdoor seating at the property located at **269 Commercial Street (TCC Zoning District)**.
  - d. **Case #FY 15-61 (need someone to write this decision)**  
**Application by Sebastian Taffara on behalf of Bay Ocean Properties LLC dba Mac's Provincetown** requesting a renewal of a Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, to allow the continued use of the 260 seat restaurant with full liquor license, live entertainment and outdoor seating at the property located at **85-87 Shank Painter Road (GC Zoning District)**.
- ii. [Discussion of Comprehensive Permit "Project Eligibility/Site Approval" application to MassHousing \(\*there is no application pending to the Town of Provincetown at this time\*\) by BPJC, LLC, for the demolition of an existing vacant restaurant and the construction of a 24-unit condominium building, of which 6 units will be affordable, at the Hot-L property located at 350 Bradford Street \(Res3 Zoning District\)](#).
  - iii. Review and approve Minutes of the March 5 and March 16, 2015 meetings
  - iv. Any other business that may properly come before the Board

### B. Public Hearings

- i. [Case #FY 15-56](#)  
**Application by William N. Rogers on behalf of James D. Epstein** requesting a renewal of a Special Permit pursuant to Article 2, Section 2450(G12), Permitted Accessory Uses, to install a swimming pool at the property located at **5 Telegraph Hill Road (Res 1 Zoning District)**.

(Public hearing continued on next page)

- ii. [Case #FY 15-63](#)  
**Application by Kaye McFadden of Cape Tip Construction on behalf of Leon Roy** requesting a Special Permit pursuant to Article 3, Section 3110, Change, Extension or Alteration, to allow the construction of a dormer within the front yard setback upon the pre-existing non-conforming residential structure at the property located at **48 ½ Bradford Street (Res 3 Zoning District)**.
  
- iii. [Case #FY 15-57](#)  
**Application by Sean A. Curran on behalf of Nicholas G. Tagaris** requesting a Special Permit pursuant to Article 2, Section 2310, Harborfront Regulation, Article 2, Section 2550, Multiple Buildings Per Lot, Article 3, Section 3110, Change, Extension or Alteration, and Article 3, Section 3115, Demolition and Reconstruction, to allow the demolition and reconstruction of two existing cottages and combine the two residential structures into one new principle residential structure with a change in foot print on a non-conforming lot and continue the use of a deck beyond the 195 foot harbor front setback at the property located at **143 Commercial Street (TCC Zoning District)**.
  
- iv. [Case #FY 15-58](#)  
**Application by Sean A. Curran on behalf of Nicholas G. Tagaris** requesting a Special Permit pursuant to Article 2, Section 2640, Building Scale, to allow a deviation from scale for the construction a new residential structure outside of the districts setbacks to replace a structure that was demolished 14 years ago at the property located at **143 Commercial Street (TCC Zoning District)**.
  
- v. [Case #FY 15-60](#)  
**Application by Lisa Pacheco Robb** requesting a Special Permit pursuant to Article 3, Section 3110, Change, Extension or Alteration, and Article 3, Section 3115, Demolition and Reconstruction, to allow the demolition and reconstruction of two portions of a pre-existing non-conforming residential structure with a change in footprint while maintaining existing non-conforming setbacks from the side and rear yard lot lines at the property located at **19 Franklin Street (Res 3 Zoning District)**.
  
- vi. [Case #FY 15-62 \(Applicant requests to postpone to April 2<sup>nd</sup> hearing\)](#)  
**Application by Mark Kinnane of Cape Associates Inc. on behalf of Romaine Macomb** requesting a Special Permit pursuant to Article 3, Section 3110, Change, Extension or Alteration, and Article 3, Section 3115, Demolition and Reconstruction, to allow the demolition and reconstruction of the rear portion of a pre-existing non-conforming residential structure with an increase in footprint while maintaining or reducing current non-conforming setbacks at the property located at **532 Commercial Street (Res 3 Zoning District)**.
  
- vii. [Case #FY 15-64](#)  
**Application by Kevin A. Bazarian of B+C Construction on behalf of Lyn Plummer** requesting a Special Permit pursuant to Article 3, Section 3110, Change, Extension or Alteration, to allow the construction of a 6' x 22' farmers porch across the front of the pre-existing non-conforming residential structure at the property located at **414 Commercial Street (Res 3 Zoning District)**.