

**TOWN OF PROVINCETOWN
ZONING BOARD OF APPEALS
MEETING MINUTES OF
April 6, 2017**

Members Present: Robert Littlefield, Jeremy Callahan and Daniel Wagner.

Members Absent: David M. Nicolau (excused), Joe Vasta (excused), Jeffrey Haley (excused), Jeffrey Gould (excused), Rob Anderson (excused) and Marianne Clements (excused).

Others Present: Ellen C. Battaglini (Permit Coordinator).

WORK SESSION

Vice Chair Robert Littlefield called the Work Session to order at 7:00 P.M.

VOTE TO POSTPONE THE ENTIRE WORK SESSION AGENDA TO THE MEETING OF APRIL 20TH AT 6:30 P.M.

Jeremy Callahan moved to postpone the entire Work Session Agenda to the Public Hearing of April 20, 2017 at 6:30 P.M., Daniel Wagner seconded and it was so voted, 3-0.

PENDING DECISIONS:

ZBA 17-54 **7 Johnson Street (*Residential 3 Zone*), Christopher Fiset, Esq., on behalf of White Porch Inn, LLC –**
David M. Nicolau, Jeffrey Gould, Rob Anderson, Marianne Clements and Jeremy Callahan sat on the case.

ZBA 17-56 **192-194 Commercial Street (*Town Commercial Center Zone*), Scott Powell –**
Jeffrey Gould, Rob Anderson, Marianne Clements, Jeremy Callahan and Daniel Wagner sat on the case.

ZBA 17-58 **85-87 Shank Painter Road (*General Commercial Zone*), MacGregor Hay –**
David M. Nicolau, Rob Anderson, Marianne Clements, Jeremy Callahan and Daniel Wagner sat on the case.

ZBA 17-59 **7 Duncan Lane (*Residential 3 Zone*), Tom Boland and Jim Farley –**
David M. Nicolau, Jeffrey Gould, Marianne Clements, Jeremy Callahan and Daniel Wagner sat on the case.

ZBA 17-60 333 Commercial Street (*Town Commercial Center Zone*), Courtney Hurst on behalf of Nancyann Meads – David M. Nicolau, Jeffrey Gould, Marianne Clements, Jeremy Callahan and Daniel Wagner sat on the case.

MINUTES: March 16, 2017– Postponed.

Vice Chair Robert Littlefield adjourned the Work Session at 7:02

PUBLIC HEARING

Vice Chair Robert Littlefield called the Public Hearing to order at 7:02 P.M. There were 3 members of the Board present and 6 absent.

FY17-53 132 Bradford Street (*Town Center Commercial Zone*), TMC New England, LLC, c/o TM Crowley & Associates, on behalf of Steve Riley (*request to postpone to the hearing of May 18, 2017*) – The applicant seeks a Special Permit pursuant to Article 2, Section 2360, Formula Business Regulated District, of the Zoning By-Laws to allow a formula business (CVS Pharmacy) to operate. There was a request from the applicant to postpone the matter to the May 18, 2017 Public Hearing at 6:30 P.M. A waiver of time constraints was submitted. *Jeremy Callahan moved to approve the waiver of Case #FY17-53 to the May 18, 2017 Public Hearing at 6:30 P.M., Daniel Wagner seconded and it was so voted, 3-0.*

ZBA 17-55 225 Commercial Street (*Town Commercial Center Zone*), Topknot Properties, LLC – The applicant seeks a Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, of the Zoning By-Laws to change the seating plan in an area of service, add a new point of sale location and expand an exterior area of service. *Jeremy Callahan moved to postpone ZBA 17-55 to the April 20, 2017 Public Hearing at 6:30 P.M., Daniel Wagner seconded and it was so voted, 3-0.*

ZBA 17-57 21 Dewey Avenue, Unit 9 (*Residential 1 Zone*), Timothy Scott – The applicant seeks a Special Permit pursuant to Article 3, Section 3110, Change, Extensions and Alterations, of the Zoning By-Laws to replace an existing gable roof with a flat roof and deck in a pre-existing, non-conforming dimension. *Jeremy Callahan moved to postpone ZBA 17-57 until the April 20, 2017 Public Hearing at 6:30 P.M., Daniel Wagner seconded and it was so voted, 3-0.*

- ZBA 17-61 5 Carnes Lane (Residential 3 Zone), Ted Smith, Architect, LLC, on behalf of Robert Wotiz –**
 The applicant seeks a Special Permit pursuant to Article 2, Section 2640, Building Scale, and Article 3, Sections 3110, Change, Extensions and Alterations, and 3115, Demolition and Reconstruction, of the Zoning By-Laws to demolish a three bedroom principal structure and an accessory shed and rebuild a new three bedroom principal structure. *Jeremy Callahan moved to postpone ZBA 17-61 until the April 20, 2017 Public Hearing at 6:30 P.M., Daniel Wagner seconded and it was so voted, 3-0.*
- ZBA 17-62 579 Commercial Street (Residential 3 Zone), Joseph T. Realmuto –**
 The applicant seeks a Special Permit pursuant to Article 3, Section 3110, Change, Extensions and Alterations, of the Zoning By-Laws to raise a structure pursuant to FEMA regulations up and along pre-existing, non-conforming dimensions. *Jeremy Callahan moved to postpone ZBA 17-62 until the April 20, 2017 Public Hearing at 6:30 P.M., Daniel Wagner seconded and it was so voted, 3-0.*
- ZBA 17-63 79 Shank Painter Road (General Commercial Zone), Five Star Pet Services –**
 The applicant seeks a Special Permit pursuant to Article 3, Section 3420, Outside Display, of the Zoning By-Laws to place a sandwich board sign listing specials and cute sayings. *Jeremy Callahan moved to postpone ZBA 17-63 until the April 20, 2017 Public Hearing at 6:30 P.M., Daniel Wagner seconded and it was so voted, 3-0.*

NEXT MEETING: The next meeting will take place on Thursday, April 20, 2017. It will consist of a Work Session at 6:30 P.M. and a Public Meeting at 7:00 P.M.

ADJOURNMENT: *Jeremy Callahan moved to adjourn at 7:05 P.M. and it was so voted unanimously.*

Respectfully submitted,
 Ellen C. Battaglini

Approved by _____ on _____, 2017
 David M. Nicolau, Chair