

Public Meeting Agenda September 21, 2017

REVISED

The Provincetown Zoning Board of Appeals will hold an Executive Session at 6:30 P.M., a Work Session at 6:45 P.M. and a Public Hearing at 7:00 P.M. on Thursday, September 21, 2017, in the Judge Welsh Hearing Room, Town Hall, 260 Commercial Street, Provincetown, MA.

A. Executive Session

TMC New England LLC v. Zoning Board of Appeals, Land Court Docket No. 17 MISC 000430. A declaration and vote, under G.L. c.30A, §21(a)(3), are expected, to allow the ZBA to go into executive session to discuss litigation strategy as a discussion in open session may have a detrimental effect on the litigation position of the ZBA. The litigation concerns the appeal of a ZBA decision which denied the Plaintiff's Special Permit application request for a Formula Business use at 132 Bradford Street.

B. Work Session VOTES MAY BE TAKEN ON ANY OF THE AGENDA ITEMS BELOW

1) Pending Decisions:

a) **ZBA 18-03 (Jeremy)**

Application by **Stephen Baker** requesting a Special Permit pursuant to Article 2, Section 2640, Building Scale, and Article 3, Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to construct a two-story atrium on the rear of the structure, to increase building scale and to enlarge and enclose an existing open storage area under a second floor deck at the property located at **39 Pearl Street (Residential 3 Zone)**. **Jeff G., Marianne, Jeremy and Daniel sat on the case.**

b) **ZBA 18-08 (Steven)**

Application by **Michael McIntyre**, on behalf of **PMR Realty, LLC**, requesting a Special Permit pursuant to Article 2, Section 2640, Building Scale, and Article 3, Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to construct a second floor dormer up and along pre-existing, non-conforming dimensions and to increase building scale on the structure located at **212 Bradford Street (Residential 3 Zone)**. **Jeff G., Marianne Jeremy, Daniel and Steven sat on the case.**

c) **ZBA 18-09 (Steven)**

Application by **Michael McIntyre**, on behalf of **PMR Realty, LLC**, requesting a Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, of the Zoning By-Laws to revise a seating plan in the structure located at **212 Bradford Street (Residential 3 Zone)**. **Jeff G., Marianne Jeremy, Daniel and Steven sat on the case.**

2) Review and approve minutes of the September 7, 2017 meeting

3) Any other business that may properly come before the Board

C. Public Hearings VOTES MAY BE TAKEN ON ANY OF THE AGENDA ITEMS BELOW

1) **ZBA17-64**

Application by **KA Bazarian**, on behalf of **Maria Cirino**, requesting a Special Permit pursuant to Article 3, Sections 3110, Change, Extensions or Alterations, and 3115, Demolition and Reconstruction, of the Zoning By-Laws to demolish a garage and rebuild in the same footprint, adding dormers on the east and west elevations on the property located at **3 Cudworth Street (Residential 3 Zone)**.

(Public Hearings continued on next page)

- 2) [ZBA 18-05](#)
Application for an appeal by **BPJC, LLC**, aggrieved by a July 12, 2017 decision of the Building Commissioner regarding the height of a structure located at **350 Bradford Street (Residential 3 Zone)**.
- 3) [ZBA 18-07](#) (*previously postponed to the meeting of October 5th*)
Application by **Linda E. Salmon** requesting a Special Permit pursuant to Article 3, Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to vertically extend a cottage up pre-existing, non-conforming dimensions on the property located at **963 Commercial Street, #28 (Residential 1 Zone)**.
- 4) [ZBA 18-10](#)
Application by **Berta Walker** requesting a Special Permit pursuant to Article 3, Section 3420, Outside Display, of the Zoning By-Laws to allow an outdoor display of sculptures on the property located at **208 Bradford Street (Residential 3 Zone)**.
- 5) [ZBA 18-11](#)
Application by **Paul Fiore & David Foley**, requesting a Special Permit pursuant to Article 3, Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to replace a retaining wall on the properties located at **22 Bangs Street** and **6 Upper Miller Hill Road (Residential 3 Zone)**.
- 6) [ZBA 18-12](#)
Application by **Paul Fiore & David Foley**, requesting a Special Permit pursuant to Article 2, Section 2550, Multiple Buildings Per Lot, and Article 3, Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to renovate a cottage up and along pre-existing, non-conforming south and west elevations on the property located at **22 Bangs Street (Residential 3 Zone)**.

David Nicolau, Chair

Posted by the Town Clerk: www.provincetown-ma.gov 9/15/17 9:25 am dv

REVISED: 9/18/17 5:00 pm dv