

Public Meeting Agenda October 5, 2017

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, October 5, 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 Decision:

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.**

2) Review and approve minutes of the September 21, 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** (*postponed from the meeting of September 21st*)

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)**.

2) **ZBA 18-05** (*postponed from the meeting of September 21st*)

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** (*postponed from the meeting of September 21st*)

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)**.

5) **ZBA 18-11** (*postponed from the meeting of September 21st*)

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)**.

(Public Hearings continued on the next page)

- 6) [ZBA 18-12](#) (*postponed from the meeting of September 21st*)
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)**.

- 7) [ZBA 18-13](#)
Application by **David Silva**, requesting a Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, of the Zoning By-Laws to continue to allow public entertainment at the Red Inn located at **15 Commercial Street (Residential 1 Zone)**.

David Nicolau, Chair

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