

**TOWN OF PROVINCETOWN
ZONING BOARD OF APPEALS
MEETING MINUTES OF
February 1, 2018**

Members Present: Jeffrey Gould, Jeremy Callahan, Rob Anderson, Daniel Wagner Steven Latasa-Nicks.

Members Absent: Marianne Clements (excused).

Others Present: David Gardner (Assistant Town Manager) and Ellen C. Battaglini (Permit Coordinator).

PUBLIC HEARING

Chair Jeffrey Gould called the Public Hearing to order at 7:01 P.M. There were 5 members of the Board present and 1 absent.

1) ZBA 18-05

350 Bradford Street (Residential 3 Zone), Attorney Lester J. Murphy, on behalf of BPJC, LLC –

The applicant seeks a reconsideration of a **Notice of Appeal** regarding a July 12, 2017 decision by the Building Commissioner that a flat-roofed structure was in excess of 23' and was in violation of Article 2, Section 2560, Dimensional Schedule, of the Zoning By-Laws. The applicant has requested to postpone until the March 1, 2018 Public Hearing. *Jeremy Callahan moved to grant the request to postpone ZBA 18-05 until the March 1, 2018 Public Hearing at 7:00 P.M., Rob Anderson seconded and it was so voted, 5-0.*

2) ZBA 18-21

53 Commercial Street, Rear (Residential 2 Zone), Don DiRocco, of Hammer Architects, on behalf of Jay Anderson –

The applicant seeks a Special Permit pursuant to Article 2, Section 2640, Building Scale, and Article 3, Section 3110, Change, Extensions or Alterations, and Article 3, Section 3115, Demolition and Reconstruction, of the Zoning By-Laws to demolish an existing structure and construct a new structure within a pre-existing, non-conforming east elevation and for an increase in building scale. The applicant has requested to postpone the matter until the March 1, 2018 Public Hearing. *Jeremy Callahan moved to grant the request to postpone ZBA 18-21 to the March 1, 2018 Public Hearing at 7:00 P.M., Rob Anderson seconded and it was so voted, 5-0.*

3) ZBA 18-23

509 Commercial Street (Residential 3 Zone), KA Bazarian on behalf of 509 Commercial, LLC –

The applicant seeks a Special Permit pursuant to Article 3, Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to raise a structure 9' to conform with FEMA regulations, going up and along east and west pre-existing, non-conforming elevations, to add and enclose the space below a deck on the south elevation and to add an egress stairway on the west elevation. The applicant has requested to postpone the matter until the March 1, 2018 Public Hearing. ***Jeremy Callahan moved to grant the request to postpone ZBA 18-23 to the March 1, 2018 Public Hearing at 7:00 P.M., Rob Anderson seconded and it was so voted, 5-0.***

4) ZBA 18-29

59 Province Lands Road (Residential 1 Zone), Ellen and Robert Blood –

The applicant seeks a Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, of the Zoning By-Laws for the service of alcohol to guests and guests of guests at the Inn at the Moors. Jeffrey Gould, Jeremy Callahan, Rob Anderson, Marianne Clements and Daniel Wagner sat on the case. There was a request from the applicants to continue the case until February 15, 2018.

Jeremy Callahan moved to grant the request to continue ZBA 18-29 to the February 15, 2018 Public Hearing at 7:00 P.M., Rob Anderson seconded and it was so voted, 5-0.

5) ZBA 18-30

212 Bradford Street (Residential 3 Zone), PMC Realty, LLC –

The applicant seeks a Special Permit pursuant to Article 2, Section 2470, Parking Requirements, of the Zoning By-Laws for relief from the parking requirements. Jeffrey Gould, Rob Anderson, Jeremy Callahan, Daniel Wagner and Steven Latasa-Nicks sat on the case.

Presentation: Michael McIntyre appeared to present the application. He explained why the request was being made. Mr. Gardner added that the property does not have any parking on it and the business has entered into a licensing agreement requiring an annual fee, with the Town for parking spaces that are located in the public way adjacent to the property on Howland Street.

Public Comment: None.

Board Discussion: The Board briefly questioned Mr. McIntyre.

Jeremy Callahan moved to a Special Permit pursuant to Article 2, Section 2470, Parking Requirements, of the Zoning By-Laws for relief from the parking requirements at the property located at 212 Bradford Street (Res 3), Daniel Wagner seconded and it was so voted, 5-0.

Steven Latasa-Nick will write the decision.

Chair Jeffrey Gould adjourned the Public Hearing at 7:10 P.M.

WORK SESSION

Chair Jeffrey Gould called the Work Session to order at 7:10 P.M.

MINUTES: January 18, 2018 – *Jeremy Callahan moved to approve the minutes as written, Rob Anderson seconded and it was so voted, 5-0.*

NEXT MEETING: The next meeting will take place on Thursday, February 15, 2018. It will

consist of a Work Session at 6:45 P.M. followed by 7:00 P.M. followed by a Public Hearing.

ADJOURNMENT: *Daniel Wagner moved to adjourn the Public Hearing at 7:15 P.M. and it was so voted unanimously.*

Respectfully submitted,

Ellen C. Battaglini

Approved by _____ on _____, 2018
Jeffrey Gould, Chair