

Public Meeting Agenda

April 18, 2019

The Provincetown Zoning Board of Appeals will hold a Work Session at 6:00 P.M. followed by a Public Hearing at 6:30 P.M. on Thursday, April 18, 2019, in the Judge Welsh Room at Town Hall, 260 Commercial Street, Provincetown, MA. 02657.

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

1) Pending Decisions:

ZBA 19-41 (Jeremy)

Application by **Ted Smith, Architect**, on behalf of **Thomas Tannariello**, seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, of the Zoning By-Laws to construct a new single-family structure that will have a volume greater than the maximum allowable scale for the neighborhood on the property located at **6 Commercial Street (Residential 1 Zone)**.

ZBA 19-44 (Town Counsel)

Notice of Appeal by the **White Sands Beach Club** aggrieved by a decision of the Building Commissioner dated December 21, 2018, which it believes to be a violation of the Provincetown Zoning By-Laws or the Massachusetts Zoning Act, in reference to the property located at **963 Commercial Street, #10 (Residential 1 Zone)**.

ZBA 19-47 (Jeremy)

Application by **John Love Yingling** seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, of the Zoning By-Laws to add a canopy to a structure that exceeds the allowable building scale on the property located at **183-185 Commercial Street (Town Center Commercial Zone)**. **Jeremy, Daniel, Peter and Susan sat on the case.**

ZBA 19-50 (Susan)

Application by **Christopher J. Snow, Esq.**, on behalf of **Linchris Hotel Corp.**, seeking a Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, of the Zoning By-Laws to provide entertainment, including movies, pool tables, karaoke, dancing, live entertainment with amplified music and theatrical shows, at the property located at **698 Commercial Street (Residential 1 Zone)**.

ZBA 19-51 (Daniel)

Application by **Glenn Siegmund** seeking a Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, of the Zoning By-Laws to change the seating plan for a coffee shop on the property located at **170 Commercial Street (Town Commercial Center Zone)**.

ZBA 19-52 (Jeremy)

Application by **One Hundred Twenty-Nine Commercial Street Corp** seeking a Special Permit pursuant to Article 3, Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to alter and extend a pre-existing, non-conforming two-family dwelling for the installation of exterior egress stairs per FEMA regulations on the property located at **129 Commercial Street (Town Commercial Center Zone)**.

ZBA 19-56 (Rob)

Application by **Steven L. Benjamin**, seeking a Special Permit pursuant to Article 2, Sections 2440, Permitted Principal Uses, B5, Restaurant, bar, and 2460, Special Permit Requirements, of the Zoning By-Laws to convert a retail space to a coffee shop with pre-packaged food on the property located at **361 Commercial Street (Town Commercial Center Zone)**.

(Pending decisions continued on next page)

ZBA 19-57 (Daniel)

Application by **Chris Hartley** seeking a Special Permit pursuant to Article 2, Sections 2440, Permitted Principal Uses, B5, Restaurant, bar, and 2460, Special Permit Requirements, of the Zoning By-Laws to convert a market to a nano brewery and for the service of food and alcohol on the property located at **141 Bradford Street (Town Commercial Center Zone)**.

ZBA 19-59 (Rob)

Application by **Steven Schnitzer** seeking a Special Permit pursuant to Article 2, Sections 2440, Permitted Principal Uses, B5, Restaurant, bar, and 2460, Special Permit Requirements, of the Zoning By-Laws to convert a retail shop to a bar for the service of alcohol and take-out food on the property located at **258 Commercial Street (Town Commercial Center Zone)**.

ZBA 19-62 (Susan)

Application by the **Provincetown Film Society** seeking a Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, of the Zoning By-Laws to allow the service of alcohol in the lobby of a movie theater on the property located at **237 Commercial Street (Town Commercial Center Zone)**.

- 2) Approve minutes of the April 4, 2019 meeting.
- 3) Any other business that may properly come before the Board.

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

- 1) **ZBA 19-29** (*postponed from the meeting of April 4th*)
Application by **509 Commercial St., LLC** seeking a Special Permit pursuant to Article 3, Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to raise a structure by 9', alter it up and along pre-existing, non-conforming east and west elevations and move it 15' to the south of its existing location on the property at **509 Commercial Street (Residential 3 Zone)**.
- 2) **ZBA 19-35** (*request to postpone to the meeting of May 2nd*)
Application by **Mark Legere, of Marolima East, LLC**, seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, of the Zoning By-Laws to construct a single-family house where a neighborhood average scale has not yet been established on the property located at **806 Commercial Street (Residential 1 Zone)**.
- 3) **ZBA 19-36** (*request to postpone to the meeting of May 2nd*)
Application by **Mark Legere, of Marolima East, LLC**, seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, of the Zoning By-Laws to construct a single-family house where a neighborhood average scale has not yet been established on the property located at **820 Commercial Street (Residential 1 Zone)**.
- 4) **ZBA 19-46** (*request to postpone to the meeting of May 2nd*)
Application by **Stanley Sikorski & Eva Sikorski**, on behalf of **David Mayo**, seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, of the Zoning By-Laws to construct a single-family structure that will exceed the allowable building scale on the property located at **294 Bradford Street (Residential 3 Zone)**.
- 5) **ZBA 19-48** (*request to postpone to the meeting of May 2nd*)
Application by **Don DiRocco, of Hammer Architects**, on behalf of **Steve Tait & Dave Cook**, seeking a Special Permit pursuant to Article 3, Section 3110, Change, Extensions or Alterations, and Section 3115, Demolition and Reconstruction, of the Zoning By-Laws to demolish and rebuild portions of a structure up and along pre-existing, non-conforming dimensions, including height and side yard setbacks, at the property located at **425 Commercial Street (Residential 3 Zone)**.
- 6) **ZBA 19-54** (*request to postpone to the meeting of May 2nd*)
Application by **Olivier Jamin Changeart** seeking a Special Permit pursuant to Article 3, Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to construct a deck on the south elevation of a structure up and along a pre-existing, non-conforming east elevation dimension on the property located at **259-263 Commercial Street (Town Commercial Center Zone)**.

7) **ZBA 19-55** (*request to withdraw without prejudice*)

Application by **Dave Krohn** seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, of the Zoning By-Laws to demolish and replace a horse barn and to construct a new culinary barn, which will include a dwelling unit, and a single-family and a duplex residential structure on the property located at **66 & 72 West Vine Street (Residential 1 & 3 Zones)**.

8) **ZBA 19-61** (*request to withdraw without prejudice*)

Notice of Appeal by **Siobhan M. Carew**, of **99 Commercial Street Realty Trust**, of the Building Commissioner's issuance, on January 29, 2019, of a denial of her building permit application to construct a deck on the property located at **99 Commercial Street**, a decision the applicant believes to be in violation of the Provincetown Zoning By-Laws or the Massachusetts Zoning Act.

9) **ZBA 19-63**

Application by **Matthew Verge, dba Foxberry Inn, LLC**, seeking a Special Permit pursuant to Article 2, Sections 2440, Permitted Principal Uses, B3, Hotel, motel or inn, footnote 2, and 2460, Special Permit Requirements, of the Zoning By-Laws to offer alcoholic beverages for sale to guests on the property located at **29 Bradford Street Extension (Residential 1 Zone)**.

Jeremy Callahan, Chair,

Posted by the Assistant Town Clerk www.provincetown-ma.gov, 04/12/2019, 8:45 am AR