

Public Meeting Agenda

March 7, 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, March 7, 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 19-33 (Rob)

Application by **Kevin O'Shea** 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 a portion of the structure up and along a pre-existing, non-conforming west elevation on the property located at **157 Commercial Street (Town Commercial Center Zone)**. **Jeremy, Rob, Daniel, Steven and Peter sat on the case.**

ZBA 19-34 (Peter)

Application by **Doug Dolezal**, of **Design Matters, LLC**, on behalf of **Brian O'Malley**, seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, of the Zoning By-Laws to add multiple affordable housing units to a structure resulting in an increase over the allowable neighborhood building scale on the property located at **30 Shank Painter Road (General Commercial Zone)**. **Jeremy, Rob, Daniel, Steven and Peter sat on the case.**

ZBA 19-42 (Jeremy)

Application by the **Fine Arts Work Center** seeking a Special Permit pursuant to Application by the **Fine Arts Work Center** seeking 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 renovate a common room, increasing pre-existing, non-conforming lot coverage and building scale on the property located at **24 Pearl Street (Residential 3 Zone)**. **Jeremy, Rob, Daniel, Steven and Susan sat on the case.**

2) Approve minutes of the February 7, 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** (*request to continue to the meeting of March 21st*)

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 March 21st*)

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 March 21st*)

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)**.

(Public Hearings continued on next page)

4) **ZBA 19-37** (*request to withdraw without prejudice*)

Application by **Topknot Properties, LLC** for a Notice of Appeal of a decision by the Building Commissioner, dated November 21, 2018, regarding the calculation of a front yard setback on the property located at **225 Commercial Street (Town Commercial Center Zone)** for which the applicant is aggrieved.

5) **ZBA 19-41** (*postponed from the meeting of February 6th*)

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)**.

6) **ZBA 19-43** (*postponed from the meeting of February 21st*)

Application by **Tom Thompson**, on behalf of **George Sauer**, seeking 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 extend up and along a pre-existing, non-conforming side yard dimension to construct a second floor deck over an existing first floor deck at the property located at **2 Winthrop Place, U2D (Residential 3 Zone)**.

7) **ZBA 19-44** (*request to postpone to the meeting of April 4th*)

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)**.

8) **ZBA 19-45** (*postponed from the meeting of February 21st*)

Application by **Lululemon USA, Inc.**, on behalf of **Marc Roland, LLC**, seeking a Special Permit pursuant to Article 2, Section 2360, Formula Business Regulated District, of the Zoning By-Laws to establish a formula business retail store on the premises located at **184 Commercial Street (Town Center Commercial Zone)**.

9) **ZBA 19-46** (*request to postpone to the meeting of April 4th*)

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)**.

10) **ZBA 19-47** (*postponed from the meeting of February 21st*)

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)**.

11) **ZBA 19-48** (*request to postpone to the meeting of April 4th*)

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)**.

12) **ZBA 19-49**

Application by **Tom Thompson**, on behalf of **Frank Christopher**, seeking a Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, of the Zoning By-Laws to allow the service of food and alcohol and to provide entertainment at the property located at **193 Commercial Street, #AU6 (Town Commercial Center**

Zone).

13) **ZBA 19-50** (*request to postpone to the meeting of March 21st*)

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)**.

Jeremy Callahan, Chair,

Posted by the Assistant Town Clerk www.provincetown-ma.gov, 03/01/2019, 10:20 am AR
Revised 03/04/2019 1:30 pm AR