

**TOWN OF PROVINCETOWN  
ZONING BOARD OF APPEALS  
MEETING MINUTES OF  
June 20, 2019**

**Members Present:** Jeremy Callahan, Daniel Wagner, Peter Okun, Susan Peskin, and Caleb Eigsti.

**Members Absent:** Steven Latasa-Nicks (excused) and Robert Nee (excused).

**Others Present:** Jeff Ribeiro (Town Planner) and Ellen C. Battaglini (Permit Coordinator)

**WORK SESSION**

Chair Jeremy Callahan called the Work Session to order at 6:15 P.M.

1) **Election of a Vice Chair:** This matter is postponed.

2) **PENDING DECISIONS:**

**ZBA 19-48 (Steven)**

Application by **Don DiRocco**, of **Hammer Architects**, on behalf of **Steve Tait & Dave Cook**, seeking 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 and rebuild portions of a structure up and along a pre-existing, non-conforming dimensions, including height and side yard setbacks, at the property located at **425 Commercial Street (Residential 3 Zone)**. **Steven Latasa-Nicks, Daniel Wagner, Peter Okun, Susan Peskin and Robert Nee sat on the case.** The decision was not ready.

**ZBA 19-71 (Caleb)**

Application by **Guy Busa** 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 construct a two-story addition on the structure located at **2 & 2A Conway Street (Residential 2 Zone)**. **Jeremy Callahan, Daniel Wagner, Peter Okun, Caleb Eigsti, and Robert Nee sat on the case.** The decision was not ready.

**ZBA 19-75 (Peter)**

Application by **Frank Vasello, dba Relish**, seeking a Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, of the Zoning By-Laws to add 4 seats in the front window of the structure located at **93 Commercial Street, US (Residential 2 Zone)**. **Jeremy Callahan, Daniel Wagner, Peter Okun, Caleb Eigsti, and Robert Nee sat on the case.** Peter Okun read the decision. *Caleb Eigsti moved to approve the language as written, Daniel Wagner seconded and it was so voted, 4-0.*

**3) Approval of Minutes:**

June 6, 2019 – The minutes were not ready.

**4) Any Other Business that may properly come before the Board.** None.

Chair Jeremy Callahan adjourned the Work Session at 6:20 P.M.

## **PUBLIC HEARING**

Chair Jeremy Callahan called the Public Hearing to order at 6:30 P.M. There were 5 Board members present and 2 absent.

**1) PUBLIC HEARINGS:**

**ZBA 19-46** (*request to postpone to the meeting of July 18<sup>th</sup>*)

Application by **Stanley Sikorski & Eva Sikorski**, on behalf of **David Mayo**, seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, to construct a single-family structure that will exceed the allowable building scale on the property located at **294 Bradford Street (Residential 3 Zone)**. There was a request from the applicant to postpone the matter to the July 18, 2019 Public Hearing. *Caleb Eigsti moved to grant the request to postpone ZBA 19-46 to the July 18, 2019 Public Hearing at 6:30 P.M., Peter Okun seconded and it was so voted, 5-0.*

**ZBA 19-65** (*request to postpone to the meeting of July 18<sup>th</sup>*)

Application by **George Tagaris** seeking a Special Permit pursuant to Article 3, Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to modify a condition of Special Permit #FY15-57 requiring the installation of a sprinkler system in a structure on the property located at **143 Commercial Street (Town Center Commercial Zone)**. Mr. Ribeiro stated that it was staff recommendation that the Board open the hearing and postpone it to the July 18, 2019 Public Hearing. He reviewed the request, which is the second requesting such relief, the first having been withdrawn without prejudice, and explained why staff made such a recommendation, as it involves a public safety issue. He continued that staff further recommends that if the applicant is not prepared to move forward on July 18, 2019, that the Board deny the request. The Board briefly questioned Mr. Ribeiro regarding the process and the recommendation.

*Peter Okun moved to continue the public hearing to the meeting of July 18, 2019, with notice to the applicant that any additional materials wished to be considered by the Board must be submitted to the Department of Community Development no later than the close of business on July 11, 2018, Susan Peskin seconded and it was so voted, 5-0.*

**ZBA 19-74** (*continued to the meeting of July 18<sup>th</sup>*)

Application by **Peter Brox** 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 replace a 10' by 12' addition with a 20' by 31' addition and to extend an overhang into a pre-existing, non-conforming front yard setback on the structure located at **74 Franklin Street (Residential 3 Zone)**. Jeremy Callahan, Daniel Wagner, Peter Okun, Caleb Eigsti, and Robert Nee sat on the case.

**NEXT MEETING:** The next meeting will take place on Thursday, July 18, 2019 in the Judge Welsh Room. It will consist of a Work Session at 6:00 P.M. and a Public Hearing at 6:30 P.M.

**ADJOURNMENT:** *Caleb Eigsti moved to adjourn the Public Hearing at 7:00 P.M., Peter Okun seconded and it was so voted unanimously.*

Respectfully submitted,

Ellen C. Battaglini

Approved by \_\_\_\_\_ on \_\_\_\_\_, 2019  
Jeremy Callahan, Chair