

## Public Meeting Agenda January 16, 2020

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. in the Judge Welsh Room on Thursday, January 16, 2020, 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 20-24 (Caleb)**

Application by **Chris Hartley**, of **Provincetown Brewing Company**, seeking a Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, of the Zoning By-Laws to allow indoor entertainment on the property located at **141 Bradford Street (Town Center Commercial Zone)**. **Jeremy, Peter, Caleb, and Robert sat on the case.**

##### **ZBA 20-30 (Town Counsel)**

Application by **Christine Barker** seeking a Variance pursuant to Article 2, Section 2560, Dimensional Schedule, of the Zoning By-Laws to increase the maximum building height allowed for a proposed structure containing 31 hotel units, 4 condominium units, and a restaurant/bar, with a parking area beneath, on the property located at **227R Commercial Street (Town Center Commercial Zone)**. **Jeremy, Daniel, Steven, Peter, and Robert sat on the case.**

##### **ZBA 20-31 (Town Counsel)**

Application by **Christine Barker** seeking Special Permits pursuant to Article 2, Sections 2334, 2440, Permitted Principal Uses, B3, Hotel, motel or inn, footnote 2, "V" Zones, 2560, Dimensional Schedule, 2630E2, Roofs, 2640, Building Scale, and Article 3, Sections 3110, Change, Extensions or Alterations, and 3115, Demolition and Reconstruction, of the Zoning By-Laws to construct a building containing 31 hotel units, 4 condominium units, and a restaurant/bar, with a parking area beneath, on the property located at **227R Commercial Street (Town Center Commercial Zone)**. **Jeremy, Daniel, Steven, Peter, and Robert sat on the case.**

##### **ZBA 20-42 (Town Counsel)**

Application by **Christine Barker** seeking Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, of the Zoning By-Laws to construct a building containing 31 hotel units, 4 condominium units, and a restaurant/bar on the property located at **227R Commercial Street (Town Center Commercial Zone)**. **Jeremy, Daniel, Steven, Peter, and Robert sat on the case.**

##### **ZBA 20-33 (Town Counsel)**

Application by **Don DiRocco**, of **Hammer Architects**, on behalf of **Delft Haven II Condominium Association**, 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 increase the building height up and along a pre-existing, non-conforming north front yard setback and an east side yard setback on the property located at **7 Commercial Street, U1-5 (Residential 1 Zone)**. **Jeremy, Daniel, Steven, Peter, and Robert sat on the case.**

##### **ZBA 20-34 (Town Counsel)**

Application by **Don DiRocco**, of **Hammer Architects**, on behalf of **Delft Haven II Condominium Association**, seeking a Variance pursuant to Article 2, Section 2560, Dimensional Schedule, of the Zoning By-Laws to for the construction of a new landing and egress stairs on a structure that will encroach farther into a pre-existing, non-conforming north front yard setback and an east side yard setback located at **7 Commercial Street, U1-5 (Residential 1 Zone)**. **Jeremy, Daniel, Steven, Peter, and Robert sat on the case.**

**ZBA 20-35 (Town Counsel)**

Application by **Don DiRocco**, of **Hammer Architects**, on behalf of **Delft Haven II Condominium Association**, Special Permit pursuant to Article 3, Sections 3110, Change, Extensions or Alterations, and 3115, Demolition and Reconstruction, of the Zoning By-Laws to increase the building height up and along a pre-existing, non-conforming north front yard setback on the property located at **7 Commercial Street, U2 (Residential 1 Zone)**. **Jeremy, Daniel, Steven, Peter, and Robert sat on the case.**

**ZBA 20-36 (Town Counsel)**

Application by **Don DiRocco**, of **Hammer Architects**, on behalf of **Delft Haven II Condominium Association**, seeking a Variance pursuant to Article 2, Section 2560, Dimensional Schedule, of the Zoning By-Laws for the construction of a new landing and egress stairs on a structure that will encroach farther into a pre-existing, non-conforming north front yard setback on the property located at **7 Commercial Street, U2 (Residential 1 Zone)**. **Jeremy, Daniel, Steven, Peter, and Robert sat on the case.**

**ZBA 20-37 (Town Counsel)**

Application by **Don DiRocco**, of **Hammer Architects**, on behalf of **Delft Haven II Condominium Association**, 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 increase the height of a structure and deck, within their existing footprint, up and along a pre-existing, non-conforming west side yard setback on the property located at **7 Commercial Street, U3-4 (Residential 1 Zone)**. **Jeremy, Daniel, Steven, Peter, and Robert sat on the case.**

**ZBA 20-38 (Town Counsel)**

Application by **Don DiRocco**, of **Hammer Architects**, on behalf of **Delft Haven II Condominium Association**, 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 increase the height of a structure and deck, within their existing footprint, and to construct a new egress stair up and along a pre-existing, non-conforming west side yard setback on the property located at **7 Commercial Street, U7-8 (Residential 1 Zone)**. **Jeremy, Daniel, Steven, Peter, and Robert sat on the case.**

**ZBA 20-39 (Town Counsel)**

Application by **Don DiRocco**, of **Hammer Architects**, on behalf of **Delft Haven II Condominium Association**, 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 increase the height of a structure and deck, within their existing footprint, and to construct a new egress stair up and along a pre-existing, non-conforming east side yard setback on the property located at **7 Commercial Street, U17 (Residential 1 Zone)**. **Jeremy, Daniel, Steven, Peter, and Robert sat on the case.**

**ZBA 20-40 (Peter)**

Application by **Tom Thompson**, on behalf of **Luis & Vanessa Ruelas**, seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, and Article 3, Section 3110, Change, Extensions or Alterations, and Section 3115, Demolition and Reconstruction, of the Zoning By-Laws to construct a deck extension and an addition up and along pre-existing, non-conforming east side and south rear elevations and to extend a porch up and along a pre-existing, non-conforming north elevation, thereby increasing the building scale of a structure, and to demolish a shed on the property located at **419 Commercial Street (Residential 3 Zone)**. **Jeremy, Daniel, Steven, Peter, and Robert sat on the case.**

**ZBA 20-41 (Robert)**

Application by **William N. Rogers, II**, on behalf of **Sandmark Management, LLC**, 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 20' by 46' retractable awning over an existing outdoor seating area (deck) on the property located at **328 Commercial Street (Town Center Commercial Zone)**. **Jeremy, Daniel, Steven, Peter, and Robert sat on the case.**

- 2) Approve minutes of the December 5 and December 19, 2019 meetings.
- 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 20-32** *(continued from the meeting of December 19<sup>th</sup>)*  
Application by **Ted Smith** on behalf of **Mitchell Klein**, seeking a Special Permit pursuant to Article 2, Sections 2470, Parking Requirements, and 2640, Building Scale, of the Zoning By-Laws for relief from parking requirements and an increase in the building scale of a structure located at **26 Bradford Street (Residential 3 Zone)**.
- 2) **ZBA 20-43** *(continued from the meeting of December 19<sup>th</sup>)*  
Application by **Christine Barker** seeking Special Permit pursuant to Article 2, Section 2470, Parking Requirements, of the Zoning By-Laws to construct a building containing 31 hotel units, 4 condominium units, and a restaurant/bar, with a parking area beneath, on the property located at **227R Commercial Street (Town Center Commercial Zone)**.
- 3) **ZBA 20-46** *(request to withdraw without prejudice)*  
Notice of Appeal by **James Savko** of an October 24, 2019 decision by the Building Commissioner regarding parking at the property located at **446 Commercial Street**, and which applicant believes to be a violation of the Provincetown Zoning By-Laws.
- 4) **ZBA 20-47**  
Application by **Ted Smith, Architect, LLC**, on behalf of **Grant Hester**, seeking a Special Permit pursuant to Article 3, Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to construct a one-story addition and a deck on the rear of a structure to extend along a pre-existing, non-conforming front yard setback on the property located at **240½ Bradford Street (Residential 3 Zone)**.
- 5) **ZBA 20-48**  
Application by **Ted Smith, Architect, LLC**, on behalf of **Steven Schnitzer**, seeking a Special Permit pursuant to Article 3, Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to extend a pre-existing, non-conforming structure along a rear yard setback on the property located at **119 Bradford Street (Town Center Commercial Zone)**.

Jeremy Callahan, Chair,

Posted by the Assistant Town Clerk: [www.provincetown-ma.gov](http://www.provincetown-ma.gov) , 01/10/2020, 10:10 am AR