

TOWN OF PROVINCETOWN

ZONING BOARD OF APPEALS

MEETING MINUTES OF JUNE 7, 2001

Meeting Held in Town Hall

Members Present: Gary Reinhardt (Chair), Peter Bez (Vice Chair), Larry Mahan (Clerk), Steve Melamed

Members Absent: Esther Czyoski (excused), Peter McDonough (excused)

Others Present: Rachel Crosby (Recording Secretary)

PUBLIC HEARING

Chair Gary Reinhardt convened the public hearing at 7:00 P.M. and explained the public hearing procedures to the public. Four members of the Board were present and two were absent.

2001-040 **186 Commercial Street, ESF Ltd, d.b.a. Esther's on behalf of Ellen S. Freeman, trustee for ESR Realty Trust**– The application is for a Special Permit to increase the number of outdoor seats without changing the total number of allowed seats. **Postponed because, due to absences and conflicts of interest, there were not enough members present to sit on the case.**

2001-034 **545 Commercial Street, Lester Murphy on behalf of Provincetown Hospitality, LLC** - The application is for a Special Permit for the service of food and liquor with seating of not more than 37 in a lounge. **Postponed because, due to absences and conflicts of interest, there were not enough members present to sit on the case.**

2001-036 **345A Commercial Street, Charles Collins and Robert Nee** – Gary Reinhardt, Peter Bez, Steve Melamed, Larry Mahan sat on case. Lester Murphy appeared to present the application which is for a Special Permit to alter a pre-existing non-conforming structure by enclosing an area under a second floor deck. The applicant accepted a four person Board. **Presentation:** Part of Fish and Yee Condominiums; second floor deck allowed in 1996; all other unit owners are agreeable to granting permit; additional living area is 121 square feet; extend existing living room wall outwards; would not result in additional room; Conservation Commission is considering a proposal to lift two buildings and this would provide a basement beneath the area in question; no violation of scale provisions; only visible from waterside. **Public Comment:** No one spoke either in favor or opposition. There were no letters in file. **Board Discussion:** whether is a separate single family house; whether building on Commercial Street side is part of condominium association (no); have received Order of Conditions from Conservation Commission. *Steve Melamed moved to grant, Larry Mahan seconded and it was so voted, 4-0.* Peter Bez will write the decision.

2001-037 **25 Winslow Street, Motta Field, Peter Grosso on behalf of the Provincetown Lion's Club** - Gary Reinhardt, Peter Bez, Steve Melamed, Larry Mahan sat on case. Peter Grosso appeared to present the application which is for a Special Permit for a 5-day carnival fund-raiser. The applicant accepted a four person Board. **Presentation:** Carnival is to supplement the circus, which has already been granted a permit; Lion's Club is sponsoring the carnival as a public service. **Public Comment:** No one spoke either in favor or opposition. There was two letters in favor. **Board Discussion:** Will be for unspecified five days between July 10 and July 20. *Peter Bez moved to grant, Steve Melamed seconded and it was so voted, 4-0.* Gary Reinhardt read a decision presented by Mr. Grosso. *Steve Melamed moved to approve the decision, Peter Bez seconded and it was so voted, 4-0.*

2001-038 **336 Commercial Street, Unit #2, Esther Lastique on behalf of Donald Edwards** – Gary Reinhardt, Peter Bez, Steve Melamed, Larry Mahan sat on case. Esther Lastique and Kathy Wiley (?) appeared to present the application which is for a Special Permit for outdoor display. The applicant accepted a four person Board. **Presentation:** Gallery now occupying Units 2, 4 and 5; wants to put a sculpture in an existing flower bed in front of Unit 2; will only visually block gallery window. **Public Comment:** No one spoke either in favor or opposition. There were no letters in file. **Board Discussion:** Will be more

than 10 feet back from Commercial Street. *Peter Bez moved to grant, Steve Melamed seconded and it was so voted, 4-0.* Peter Bez wrote the decision using the standard outdoor display decision form.

Gary Reinhardt postponed the Public Hearing at 7:38 P.M.

WORK SESSION

Chair Gary Reinhardt called the Work Session to order at 7:38 PM.

PENDING DECISIONS

2001-035 150 Bradford Street, Roland DiOrio – Gary Reinhardt, Steve Melamed, Larry Mahan, Peter McDonough, Esther Czyoski sat on case. Peter Bez, as a friend of the Board, recreated from memory the decision written by Peter McDonough. *Larry Mahan moved to approve the decision, Steve Melamed seconded and it was so voted, 3-0, 2 absent (Esther Czyoski, Peter McDonough).*

MINUTES

May 17, 2001 – *Peter Bez moved to approve with a correction, Larry Mahan seconded, and it was so voted, 4-0.*

MISCELLANEOUS

Memo from Local Comprehensive Plan Committee – by consensus, the Board agreed it was not required to nor interested in providing input to this Committee.

Gary Reinhardt closed the Work Session at 7:50 P.M.

PUBLIC HEARING

Chair Gary Reinhardt reconvened the Public Hearing at 7:50 PM

2001-039 619 Commercial Street, Architects Studio on behalf of Sherry Turkle - Gary Reinhardt, Peter Bez, Steve Melamed, Larry Mahan sat on case. Trevor Pontbriand appeared to present the application which is for a Special Permit to extend up and along a pre-existing non-conforming structure (front and side setbacks). The applicant accepted a four person Board. **Presentation:** wants to renovate and winterize; need to replace entire foundation and install a new roof system; will do interior renovations later; cost of work requires a FEMA-compliant foundation; total height increase is 4.13 feet; will go from a shed roof to a gable roof, of which Historical Commission approves; footprint is not changing; **Public Comment:** No one spoke either in favor or opposition. There were no letters in favor. There was one letter in opposition. **Board Discussion:** Whether applicant should have complete plans ready at this time; most of future renovations are to the interior, with the exception of enclosing the bump-out section; building height will be 31.9 feet above grade; *Peter Bez moved to grant, Steve Melamed seconded and it was so voted, 4-0.* Steve Melamed will write the decision.

2001-041 48 Shank Painter Road, Jane Taves - The application is for a Special Permit for a deviation from building scale. The applicant opted to wait until a five member Board could be seated.

Chair Gary Reinhardt closed the Public Hearing at 8:06 P.M.

MEETING SCHEDULE

⌘ Next meeting will be on June 21, 2001 at 6:30 P.M.

ADJOURNMENT

Larry Mahan moved to adjourn at 8:07 P.M. and it was so voted unanimously.

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These minutes were approved by a vote of the Zoning Board of Appeals at their meeting on \_\_\_\_\_, 2001

Respectfully Submitted:

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Zoning Board of Appeals Signature

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Title

***Rachel Crosby***  
On-call secretary