

TOWN OF PROVINCETOWN

ZONING BOARD OF APPEALS

MEETING MINUTES OF SEPTEMBER 6, 2001

Meeting Held in Town Hall

Members Present: Peter Bez (Vice Chair), Esther Czyoski, Peter McDonough, Steve Melamed

Members Absent: Gary Reinhardt (Chair), Larry Mahan (Clerk) (both excused)

Others Present: Rachel Crosby (Recording Secretary)

WORK SESSION

Acting Chair Peter Bez called the Work Session to order at 6:50 PM.

MISCELLANEOUS

Peter Page appeared to discuss his potential membership on the Zoning Board of Appeals. *Steve Melamed moved to appoint Peter Page as an alternate member of the Zoning Board of Appeals, Peter McDonough seconded and it was so voted, 4-0.*

PENDING DECISIONS

2001-060 8 Commercial Street, Alix Ritchie –

Gary Reinhardt, Peter Bez, Larry Mahan, Esther Czyoski, Peter McDonough sat on case. Esther Czyoski read the decision. *Peter McDonough moved to accept the decision with a minor revision, Peter Bez seconded and it was so voted, 3-0, 2 absent (Gary Reinhardt, Larry Mahan).*

PENDING CASES

2001-061 10 Snows Lane, Gary Delius and Bob McCandless –

Gary Reinhardt, Larry Mahan, Esther Czyoski, Peter McDonough sat on case. Continued until all four members are present to deliberate the application.

MINUTES

August 23, 2001 – Postponed for corrections.

Acting Chair Peter Bez closed the Work Session at 6:58 P.M.

PUBLIC HEARING

Acting Chair Peter Bez 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.

2001-062 8A Commercial Street, Edward Freitas - Continued until September 20, 2001.

The application is for a Special Permit to continue a pre-existing, non-conforming structure along non-conforming structure under Article II Section 2110 of the Zoning By-Laws.

2001-063 335 Commercial Street, Dermot O'Neill on behalf of Sara Cole, Trustees of Clipper Venture Realty Trust - Continued until September 20, 2001.

The application is for a Special Permit to modify/alter the area of alcohol service under Article I Section 1260 of the Zoning By-Laws.

2001-064 24 Race Point Road, David Guertin on behalf of the Town of Provincetown -

Peter Bez, Peter McDonough, Esther Czyoski, Steve Melamed sat on case.

David Guertin appeared to present the application, which is for a Special Permit to construct a steel building to house vehicles and equipment under Article I Section 1240 D3 of the Zoning By-Laws. The applicant accepted a

four member Board. **Presentation:** wants to build a 40x60 foot steel building to store trucks and material out of the weather; will be built by Town staff. **Public Comment:** No one spoke in favor. One person spoke with concerns about access to an abutting piece of property. Warren Alexander spoke to the question of whether the building would be a non-conformancy upon a non-conformancy. Mr. Alexander mentioned granting a municipal use special permit which would apply to the entire lot, as opposed to only specific structures. One person spoke in opposition. There were no letters in file.

Findings of Fact:

- Parcel is in Class W zone
- Property is being used for a municipal use, but is not zoned for municipal use.
- Municipal use requires a special permit in a class W zone.
- The new steel building will not be visible from the street.
- There will be no environmental degradation.
- The buffer zone planting will improve the environment.

Steve Melamed moved to approve a Special Permit under Article I Section 1240 D3 of the Zoning By-Laws with the special condition that a buffer screen of plantings be placed along the northern boundary of the parcel, Peter McDonough seconded, and it was so voted, 4-0. Steve Melamed will write the decision.

2001-065 337-345 Commercial Street, Christopher J. Snow on behalf of Land's End Marine Supply - Continued until October 4, 2001.

The application is for a Special Permit to extend, alter or change a pre-existing non-conforming structure by adding an addition and connecting the two existing buildings under Article II Section 2110 and Article VII Section 7102 of the Zoning By-Laws.

2001-066 234 Commercial Street, Charles L. Odams Jr. on behalf of Union Square Shops, Inc - Peter Bez, Esther Czyoski, Peter McDonough, Steve Melamed sat on case.

Mr. Odams appeared to present the application, which is for a Special Permit for an outdoor display under Article II Section 2420 of the Zoning By-Laws. The applicant accepted a four member Board. **Presentation:** wants to display works of art and sculpture outside; was a previous permit for outdoor display at this property. **Public Comment:** No one spoke either in favor or opposition. There were no letters in file.

Peter McDonough moved to approve a Special Permit for an outdoor display under Article II Section 2420 of the Zoning By-Laws, Steve Melamed seconded and it was so voted, 4-0. Esther Czyoski wrote the decision using the standard outdoor display decision form.

Acting Chair Peter Bez closed the Public Hearing at 7:43 P.M.

NEXT MEETING

⌘ Next meeting will be on September 20, 2001 at 6:30 P.M.

Peter Bez moved to go into Executive Session at 7:55 PM for the purpose of discussing pending litigation, Steve Melamed seconded and it was so voted in a roll call vote as follows: Peter Bez – yes; Esther Czyoski – yes; Steve Melamed – yes; Peter McDonough – yes.

The Board emerged from Executive Session at 7:59 PM.

ADJOURNMENT

Peter Bez moved to adjourn at 7:59 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:

\_\_\_\_\_  
Zoning Board of Appeals Signature

\_\_\_\_\_  
Title

*Rachel Crosby*  
On-call secretary