

**TOWN OF PROVINCETOWN**  
**ZONING BOARD OF APPEALS**

**MEETING MINUTES OF**  
**December 14, 2006**

**MEETING HELD IN TOWN HALL**

**Members Present:** Gary Reinhardt, Peter Bez, Peter Page, Lynne Davies and Elisabeth Verde.

**Members Absent:** Steve Melamed (excused), Patrick Eleey (excused) and Todd Dever (excused).

**Others Present:** Doug Taylor (Building Commissioner) and Ellen C. Battaglini (Recording Secretary).

**WORK SESSION**

Chair Gary Reinhardt called the Work Session to order at 6:30 P.M.

**PENDING CASES:**

**2006-070**      **150 Bradford Street (*Residential 3 Zone*), Tom Boland and James Farley -**  
This case is postponed until the April 19, 2007 hearing.

**2006-084**      **175 Bradford Street Extension (*Residential 3 Zone*), Victor DePoalo on behalf of 175 Bradford Street Nominee Trust -**

The applicant seeks a Special Permit under Article 2, Section 2460 of the Zoning By-Laws for a change in seating. Gary Reinhardt, Peter Bez, Peter Page, Lynne Davies and Todd Dever sat on the case.

**Presentation:** Ginny Binder and Victor DePoalo appeared to discuss the case. The applicant submitted a new site plan, including a new parking layout for the site, and new seating plans for the restaurant.

**Board Discussion:** The Board questioned Ms. Binder and Mr. DePoalo.

***Peter Bez moved to grant a Special Permit under Article 2, Section 2460 of the Zoning By-Laws for a change in seating at the property located at 175 Bradford Street Extension (Res 3), Lynne Davies seconded and it was so voted, 4-0-1 (Todd Dever absent).*** Gary Reinhardt will write the decision.

## **PENDING DECISIONS:**

- 2006-083**      **175 Bradford Street Extension (Residential 3 Zone), Victor DePoalo on behalf of 175 Bradford Street Nominee Trust -**  
Gary Reinhardt, Peter Bez, Peter Page, Lynne Davies and Patrick Eeley sat on the case. Gary Reinhardt read the decision. *Lynne Davies moved to accept the language as written, Peter Bez seconded and it was so voted, 4-0.*
- 2006-085**      **175 Bradford Street Extension (Residential 3 Zone), Victor DePoalo on behalf of 175 Bradford Street Nominee Trust -**  
Gary Reinhardt, Peter Bez, Peter Page, Lynne Davies and Elisabeth Verde sat on the case. Gary Reinhardt read the decision. *Lynne Davies moved to accept the language as written, Peter Bez seconded and it was so voted, 5-0.*
- 2006-084**      **175 Bradford Street Extension (Residential 3 Zone), Victor DePoalo on behalf of 175 Bradford Street Nominee Trust -**  
Gary Reinhardt, Peter Bez, Peter Page, Lynne Davies and Todd Dever sat on the case. Gary Reinhardt read the decision. *Lynne Davies moved to accept the language as written, Peter Bez seconded and it was so voted, 4-0.*
- 2003-055**      **80-82 Bradford Street and 4 Prince Street (Residential 3 Zone), Attorney Elliot Parkhurst on behalf of Boutique Hospitality, Inc. -**  
Peter Page, Lynne Davies, Patrick Eeley, Elisabeth Verde and Todd Dever sat on the case. Peter Page read the decision. *Lynne Davies moved to accept the language as written, Elisabeth Verde seconded and it was so voted, 3-0.*

**BOARD NOMINATIONS:** Keith Amato appeared before the Board and answered questions about his qualifications and his reasons for applying for a seat on the Board. Then Robert Littlefield appeared and discussed the same.

*Peter Bez moved to appoint Robert Littlefield to a seat on the Zoning Board of Appeals with a term to expire in 2008, Elisabeth Verde seconded and it was so voted, 5-0.*

*Peter Bez moved to appoint Keith Amato to a seat on the Zoning Board of Appeals, Peter Page seconded and it was so voted, 4-1 (Elisabeth Verde opposed).*

The Board discussed a letter Chair Gary Reinhardt had written to the Board of Selectman in regard to the position of Permit Coordinator.

*Peter Page moved to authorize Chair Gary Reinhardt to send a revised letter to the Board of Selectmen in regard to the position of Permit Coordinator, Peter Bez seconded and it was so voted, 5-0.*

The Board briefly discussed the case of Nichols v. Zoning Board of Appeals of Cambridge.

Outgoing Chair Gary Reinhardt then discussed the importance of writing good decisions, with solid Findings of Fact, with the Board. The latter must be written so as to stand up to judicial scrutiny in case the decision is appealed to the Superior Court.

**MINUTES: December 7, 2006 – Lynne Davies moved to approve the language as written, Elisabeth Verde seconded and it was so voted, 5-0.**

## **NEXT MEETING:**

The next meeting will be on January 4, 2007 and will be held in the Caucus Hall and will consist of a Work Session at 6:00 P.M and a Public Hearing at 7:00 P.M.

## **ADJOURNMENT:**

*Peter Bez moved to adjourn at 8:00 P.M. and it was so voted unanimously.*

These minutes were approved by a vote of the Zoning Board of Appeals at their meeting on January 4, 2007.

Respectfully submitted,

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*Zoning Board of Appeals Signature*

Ellen C. Battaglini