

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

**MEETING MINUTES OF**  
**February 21, 2008**

**MEETING HELD IN TOWN HALL**

**Members Present:** Patrick Eeley, Elisabeth Verde, Robert Littlefield, Amy Germain and Anne Howard.

**Members Absent:** Keith Amato (excused).

**Others Present:** Russ Braun (Acting Building Commissioner), Maxine Notaro (Permit Coordinator) and Ellen C. Battaglini (Recording Secretary).

**WORK SESSION**

Chair Patrick Eeley called the Work Session to order at 6:47 P.M.

**MINUTES: February 7, 2008** – *Amy Germain moved to approve the language as amended, Elisabeth Verde seconded and it was so voted, 5-0.*

**PENDING DECISIONS:**

**2008-02**      **9 Carnes Lane (*Residential 3 Zone*), Yuriy Litvinov and Pavel Fiodarau -**

Patrick Eeley, Elisabeth Verde, Robert Littlefield, Amy Germain and Anne Howard sat on the case. Anne Howard read the decision. Although before she had finished reading, she brought up the issue of the proposed lot coverage for the project. The Board briefly discussed the issue. Acting Building Commissioner Russ Braun went downstairs to check the file.

**2008-04**      **81 Commercial Street (*Residential 1 Zone*), E. James Veara, Esq. on behalf of Michael Winstanley –**

Patrick Eeley, Elisabeth Verde, Robert Littlefield, Amy Germain and Anne Howard sat on the case. Patrick Eeley read the decision. *Amy Germain moved to approve the language as written, Elisabeth Verde seconded and it was so voted, 5-0.*

Chair Patrick Eeley adjourned the Work Session at 7:05 P.M.

**PUBLIC HEARING**

Chair Patrick Eeley called the Public Hearing to order at 7:05 P.M. There were 5 members of the Zoning Board of Appeals present and 1 absent.

**NEW CASES:**

**2008-09**      **91 Bradford Street (*Residential 3 Zone*), Bernard Brahm and Scott Shamenek -**

The applicant seeks a Special Permit under Article 3, Section 3110 of the Zoning By-Laws for the extension of a pre-existing, non-conforming dimension along the front and side yard setbacks. Patrick Eeley, Elisabeth Verde, Robert Littlefield, Amy Germain and Anne Howard sat on the case.

**Presentation:** John DeSouza, Tom Thompson, Bernard Brahm and Scott Shamenek appeared to present



dormers. The applicant requests a postponement.

- 2008-15**      **108 Commercial Street (Residential 3, Zone), Robert Valois on behalf of Peter Demers -**  
The applicant seeks a Special Permit under Article 3, Section 3110 of the Zoning By-Laws to extend up and along a pre-existing, non-conforming front and side setback dimension by adding a dormer. Patrick Eeley, Elisabeth Verde, Robert Littlefield, Amy Germain and Anne Howard sat on the case.  
**Presentation:** Robert Valois appeared to present the application. The applicant seeks to add a dormer for more head room on the second floor and to match a dormer on the other side of the house. There will be no change in height.  
**Public Comment:** None. There were no letters in the file.  
**Board Discussion:** The Board questioned Mr. Valois.  
*Patrick Eeley moved to approve a Special Permit under Article 3, Section 3110 of the Zoning By-Laws to extend up and along a pre-existing, non-conforming front and side setback dimension by adding a dormer at the property located at 108 Commercial Street (Res 3), Robert Littlefield seconded and it was so voted, 5-0.* Patrick Eeley will write the decision.

The Board briefly discussed the new regulations regarding filing plans at the Registry of Deeds.

### **PENDING DECISIONS:**

- 2008-03**      **9 Carnes Lane (Residential 3 Zone), Yuriy Litvinov and Pavel Fiodarau -**  
Patrick Eeley, Elisabeth Verde, Robert Littlefield, Amy Germain and Anne Howard sat on the case. Anne Howard read the decision. *Robert Littlefield moved to approve the language as amended, Elisabeth Verde seconded and it was so voted, 5-0.*

The Board discussed Chapter 40B. Chair Patrick Eeley suggested that Board members obtain a copy of it and read it. The Board also discussed inviting someone, possibly from the Cape Cod Commission, who is familiar with 40B to come and talk to the Board

The Board discussed the writing of decisions and several issues related to applications.

### **NEXT MEETING:**

The next meeting will be on March 6, 2008 and will be held in the Judge Welsh Hearing Room. It will consist of a Work Session at 6:45 P.M. and a Public Hearing at 7:00 P.M.

**ADJOURNMENT:**

*Amy Germain moved to adjourn at 9:15 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 March 6, 2008.

Respectfully submitted,

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*Zoning Board of Appeals Signature*

Ellen C. Battaglini