

TOWN OF PROVINCETOWN
ZONING BOARD OF APPEALS

MEETING MINUTES OF
January 15, 2009

MEETING HELD IN THE GRACE GOUVEIA BUILDING

Members Present: Elisabeth Verde, Robert Littlefield, Amy Germain, Anne Howard and Peter Bez.

Members Absent: Patrick Eleey (excused).

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

WORK SESSION

Acting Chair Anne Howard called the Work Session to order at 6:30 P.M.

MINUTES: December 18, 2008 – *Anne Howard moved to approve the language as written, Elisabeth Verde seconded and it was so voted, 5-0.*

PENDING CASES:

- 2008-59** **67 Harry Kemp Way (Residential B Zone), William N. Rogers, II, P.E., P.L.S. on behalf of Demetrios Daphnis** –
Patrick Eleey, Elisabeth Verde, Robert Littlefield, Amy Germain and Anne Howard sat on the case. Anne Howard read the decision. *Amy Germain moved to approve the language as written, Robert Littlefield seconded and it was so voted, 4-0.*
- 2008-65** **334 Commercial Street (Town Commercial Center), Broken Wheel Farm, LLC, d/b/a Purple Feather** –
Patrick Eleey, Elisabeth Verde, Robert Littlefield, Amy Germain and Anne Howard sat on the case. Amy Germain read the decision. *Anne Howard moved to approve the language as written, Robert Littlefield seconded and it was so voted, 4-0.*
- 2008-66** **174 Bradford Street (Residential 3 Zone), Hal Winard, of Winard Construction and Development, on behalf of Mitchell Baker and Thom Egan** –
Patrick Eleey, 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, 4-0.* The applicants had not filed existing plans as requested by the Board at a previous hearing. *Amy Germain moved to postpone the filing of the decision in Case #2008-66 until the requested plans have been submitted to the Zoning Board of Appeals, Robert Littlefield seconded and it was so voted, 4-0.*
- 2008-67** **18 West Vine Street (Residential 1 Zone), John Reis, Inc. on behalf of Beverly Serabian** –
Patrick Eleey, Robert Littlefield, Amy Germain and Anne Howard sat on the case. Robert Littlefield read the decision. *Amy Germain moved to approve the language as written, Anne Howard seconded and it was so voted, 3-0-1 (Elisabeth Verde abstaining).*

Acting Chair Anne Howard adjourned the Work Session at 6:55 P.M.

PUBLIC MEETING

Chair Patrick Eleey called the Public Meeting to order at 7:00 P.M. There were five members of the Zoning Board of Appeals present and one absent.

NEW CASES:

2009-01 **361 Commercial Street (Town Commercial Center), Lester J. Murphy, Jr. on behalf of T. Gandolfo, Trustee of Tonga Trust –**

The applicant seeks a Parking Variance under Article 2, Section 2471 of the Zoning By-Laws for the establishment of a previously-approved single-family residential apartment without providing on-site parking. Elisabeth Verde, Robert Littlefield, Amy Germain, Anne Howard and Peter Bez sat on the case.

Presentation: Attorney Lester J. Murphy and T. Gandolfo appeared to present the application. A parking space, pursuant to Article 2, Section 2471, is required for the residential unit in the structure. The lot measures 2136 square feet and is almost entirely covered by the structure. The only open space on the lot immediately abuts Commercial Street and could not physically accommodate a parking space. Therefore, the lot size and configuration make it impossible to meet that parking requirement. However, the premises is located directly next to a municipal off-street parking lot, which is one of the criteria to be met for a Parking Variance.

Public Comment: None. There was one letter in the file opposed to the application.

Board Discussion: There was no discussion by the Board.

Robert Littlefield moved to approve a Parking Variance under Article 2, Section 2471 of the Zoning By-Laws for the establishment of a previously-approved single-family residential apartment without providing on-site parking at the property located at 361 Commercial Street (TCC), Elisabeth Verde seconded and it was so voted, 5-0. Elisabeth Verde will write the decision.

NEXT MEETING: The next meeting will take place on February 5, 2009. It will consist of Work Session at 6:45 P.M. followed by a Public Hearing at 7:00 P.M.

ADJOURNMENT: *Amy Germain moved to adjourn at 7:15P.M. and it was so voted unanimously.*

These minutes were approved by a vote of the Zoning Board of Appeals at their meeting on February 5, 2009.

Respectfully submitted,
Ellen C. Battaglini

Approved by _____ on _____, 2009
Patrick Eleey, Chair