

# Provincetown Zoning Board of Appeals Cases 2009

**Updated Wednesday, March 24, 2010**

Index to applications filed during the calendar year 2009. The disposition of a decision is indicated in the last column. A blank space in this column indicates that the case is under consideration and there is no decision on file with the Office of the Town Clerk.

Copies of applications and decisions are available for public inspection in the Office of the Town Clerk - Monday through Thursdays 8:00 a.m. to 6:00 p.m. Any questions can be directed to [townclerk@provincetown-ma.gov](mailto:townclerk@provincetown-ma.gov)

Street Address of Project	Case No.	Date Application was Filed	Applicants Name	Request	Decision/Date Filed with the Town Clerk
361 Commercial Street	2009-01	December 18, 2008	T. Gandolfo, Trustee of the Tonga Trust	Variance, Art. 2, Sect. 2471	Approved/February 10, 2009
37 Mayflower Avenue	2009-02	January 14, 2009	Theodore Cormay	Special Permit, Art. 2, Sect. 2450	Approved/ February 19, 2009
47C Commercial Street	2009-03	January 22, 2009	David Martin	Special Permit, Art. 3, Sect. 3110	Approved/ March 24, 2009
206-208 Commercial Street #13	2009-04	February 17, 2009	Steven Allan Couch	Special Permit, Art. 2, Sect. 2460	Approved/ March 24, 2009
143 Bradford Street	2009-05	February 17, 2009	Anathan Benson II LLC	Special Permit, Art. 3, Sect. 3110	Approved/ March 24, 2009
234 Commercial Street #B1, B2, C1	2009-06	February 25, 2009	Kerry Filiberto dba Cortile Gallery	Special Permit, Art. 3, Sect. 3420	Approved /April 7, 2009
30 Harry Kemp Way	2009-07	February 25, 2009	William N. Rogers II obo Ka-Hur Enterprises, Inc.	Special Permit, Art. 3, Sect. 3110	Approved/ April 8, 2009
30 Harry Kemp Way	2009-08	February 25, 2009	William N. Rogers II obo Ka-Hur Enterprises, Inc.	Special Permit, Art. 3, Sect. 3340	Approved/ April 8, 2009
24 Pearl Street	2009-09	February 25, 2009	Fine Arts Work Center in Provincetown, Inc.	Special Permit, Art. 2, Sect. 2560/3110	Approved/ April 8, 2009
24 Pearl Street	2009-09	February 25, 2009	Fine Arts Work Center in Provincetown, Inc.	Variance, Art. 5, Sect. 5222	Approved/ April 8, 2009
	2009-		Fine Arts Work Center in Provincetown,	Special Permit,	

24 Pearl Street	10	February 25, 2009	Inc.	Art. 3, Sect 3110/3340E	
83 Shank Painter Road	2009-11	February 26, 2009	Community Housing Resource, Inc.	Appeal for Comprehensive Permit MGL Chap. 40B	Approved/ June 19, 2009
306 Commercial Street	2009-12	March 5, 2009	Elisabeth & Carlos Verde, Tails in the Air, LLC	Special Permit, Art. 3, Sect 3110	Approved/ April 28, 2009
306 Commercial Street	2009-13	March 5, 2009	Elisabeth & Carlos Verde, Tails in the Air, LLC	Variance, Art. 2, Sect. 2471	Approved/ May 07, 2009
MacMillan Pier	2009-14	March 12, 2009	Provincetown Public Pier Corp/Town of Provincetown	Special Permit, Art. 2, Sect. 2460, 2315, D3 & E3f	Approved/ May 07, 2009
277 Commercial Street	2009-15	March 23, 2009	Lucy Butler obo Knights of Columbus	Special Permit, Art 3, Sect. 3420	Approved/ May 07, 2009
31 Duncan Lane	2009-16	March 23, 2009	Daniel J. Silva obo Chris Enos	Special Permit, Art. 3, Sect. 3340	Approved/ May 07, 2009
359 Commercial Street	2009-17	March 23, 2009	Lester J. Murphy obo ATL Holdings, LLC	Special Permit, Art. 2, Sect. 2460	Approved June 15, 2009
15 Montello Street	2009-18	March 23, 2009	Christine Dipree	Special Permit, Art. 2, Sect. 3110	Approved/ May 28, 2009
15 Montello Street	2009-19	March 23, 2009	Christine Dipree	Special Permit, Art. 3, Sect. 3340	Withdrawn without prejudice/ April 29, 2009
90 Shank Painter Road	2009-20	April 08, 2009	The Community Builders, Inc. obo Town of Provincetown	Appeal for Comprehensive Permit MGL Chap. 40B	Approved/ June 19, 2009
212E Commercial Street	2009-21	April 14, 2009	Lydia Hamquist	Special Permit, Art 3, Sect. 3420	Approved/ May 28, 2009
173 Commercial Street	2009-22	April 14, 2009	William Todd Dever obo J.E.T. Enterprises, Inc.	Special Permit, Art. 3, Sect. 3420	Approved/ May 28, 2009
265-267 Commercial Street	2009-23	April 14, 2009	Geraldine Boccio, Way Downtown	Special Permit, Art. 2, Sect. 2460	Approved/ May 28, 2009
32 Bradford Street	2009-24	April 14, 2009	Robert Valois obo Enco Realty, Inc.	Special Permit, Art. 3, Sect. 3110	Approved July 7, 2009
32 Bradford Street	2009-25	April 14, 2009	Robert Valois obo Enco Realty, Inc.	Special Permit, Art. 3, Sect. 3340	Approved July 7, 2009
359 Commercial Street	2009-26	May 04, 2009	Lester Murphy obo Todd W. Colpitts ATL Holdings, LLC	Special Permit, Art. 2, Sect. 2440 B5	Approved June 15, 2009
362 Commercial Street	2009-	May 04, 2009	Jill Vaughan	Special Permit,	Approved June 15, 2009

	27			Art.3, Sect. 3420	
284 Commercial Stree	2009-28	May 04, 2009	Edwardo Fallas	Special Permit, Art. 3, Sect. 3420	Approved July 7, 2009
329 Commercial Street	2009-29	May 04, 2009	Edwardo Fallas	Special Permit, Art. 3, Sect. 3420	Approved July 7, 2009
50 Bradford Street	2009-30	May 04, 2009	Evangelos Lambrou	Special Permit, Art. 2, Sect. 2460	Withdrawn without prejudice/ June 25, 2009.
141 Bradford Street	2009-31	May 04, 2009	James J. Sheehan & Rodney Johnson	Special Permit, Art. 2, Sect. 2451 G11 & 2460	Approved June 15, 2009
5 Ryder Street	2009-32	May 21, 2009	Town of Provincetown	Special Permit, Art. 2, Sect. 2440 E3f & 3420	Approved June 15, 2009
1 MacMillan Pier	2009-33	May 28, 2009	Provincetown Public Pier Corp.	Variance, Art. 3, Sect. 3200 & 3240E	Approved August 19, 2009
315 Commercial Street	2009-34	May 28, 2009	Linda & Nelson Vital/ Coffee Pot	Special Permit, Art.2, Sect. 2460	Approved July 20, 2009
636 Commercial Street	2009-35	May 28, 2009	Charles Merrill	Special Permit, Art. 3, Sect. 3110	Approved August 19, 2009
963 Commercial Street Unit #2	2009-36	May 28, 2009	Jerome & Nancy Goedken	Special Permit, Art. 3, Sect. 3110	Withdrawn without prejudice/ July 16, 2009
50 Bradford Street	2009-37	May 28, 2009	Evangelos Lambrou	Variance, Art. 2, Sect. 2471	Denied July 20, 2009
18 Franklin Street	2009-38	June 10, 2009	Richard Motta & Gary Bolan	Special Permit, Art. 331, Sect. 10	Approved August 19, 2009
22 Brewster Street	2009-39	June 10, 2009	Louis Lima & Jerome Crepeau	Special Permit, Art. 3, Sect. 3340	Approved October 6, 2009
74 Shankpainter Road	2009-40	June 10, 2009	Ewa Nogiec, Gallery Ehva	Special Permit, Art. 3, Sect. 3420	Approved September 22, 2009
135 Bradford Street, Unit D	2009-41	June 24, 2009	Neal Kimball	Special Permit, Art. 3, Sect. 3110	Approved August 20, 2009
135 Bradford Street, Unit D	2009-42	June 24, 2009	Neal Kimball	Variance, Art. 2, Sect. 2471	
293 Commercial Street- Unit A	2009-43	July 15, 2009	Julesan, Inc. dba Twist'd Sisters	Special Permit, Art. 2, Sect.2460	Approved October 6, 2009
36 Shank Painter Road #19	2009-44	July 15, 2009	David & Susan Hale	Special Permit, Art, 3, Sect. 3110	Approved October 6, 2009
8A Commercial Street, Unit #3	2009-45	July 15, 2009	Deborah Paine, Inc. obo David Dawe & Larry Bartanen	Special Permit, Art. 3, Sect. 3110,	Approved October 6, 2009

				3340 D/E	
305 Commercial Street	2009-46	July 16, 2009	Steven Milliken obo Provincetown Chamber of Commerce	Special Permit, Art. 3, Sect. 3420	Approved October 6, 2009
212 Bradford Street	2009-47	August 17, 2009	Gary Posnick, KOPA dba East End Marketplace	Special Permit, Art. 2, Sect. 2460	Approved September 22, 2009
18 Alden Street	2009-48	August 17, 2009	Donald Beal	Special Permit, Art. 3, Sect. 3100	Approved October 6, 2009
101 Bradford Street	2009-49	September 14, 2009	Tim Barry	Special Permit, Art. 3, Sect.3110	Approved October 22, 2009
101 Bradford Street	2009-50	September 14, 2009	Tim Barry	Variance, Art. 2 & 5, Sect. 2560 & 5222	Approved October 22, 2009
157 Commercial Street	2009-51	September 23, 2009	Neal Kimball obo Martin Family Realty Trust	Special Permit, Art 2, Sect. 2460 & 2440-B5	Withdrawn without prejudice/ December 7, 2009
157 Commercial Street	2009-52	September 23, 2009	Neal Kimball obo Martin Family Realty Trust	Special Permit, Art. 4, Sect. 4170	Withdrawn without prejudice/ December 7, 2009
157 Commercial Street	2009-53	September 23, 2009	Neal Kimball obo Martin Family Realty Trust	Special Permit, Art. 3, Sect. 3110 & 3340	Withdrawn without prejudice/ December 7, 2009
157 Commercial Street	2009-54	September 23, 2009	Neal Kimball obo Martin Family Realty Trust	Special Permit, Art. 2 & 4, Sect. 2560 & 4140	Withdrawn without prejudice/ October 22, 2009.
157 Commercial Street	2009-55	September 23, 2009	Neal Kimball obo Martin Family Realty Trust	Variance, Art. 2, Sect. 2471	Withdrawn without prejudice/ December 7, 2009
359 Commercial Street, Units G & H	2009-56*	September 23, 2009	3 Old Dogs LLC	Repetitive Petition	Approved December 7, 2009* Administrative Ammendment Approved March 18, 2010.
359 Commercial Street	2009-57*	September 23, 2009	3 Old Dogs LLC	Special Permit, Art. 2, Sect 2440-B5	Approved December 17, 2009* Adminstrative Ammendment Approved March 18, 2010.
359 Commercial Street	2009-58*	September 23, 2009	3 Old Dogs LLC	Speical Permit, Art. 2, Sect. 2460	Approved December 17, 2009* Administrative Ammendment Approved March 18, 2010.0
16 Kimberly Lane	2009-59	November 10, 2009	Brian Reardon	Special Permit, Art. 3, Sect. 3110	Approved January 19, 2010
24 Franklin Street	2009-60	November 10, 2009	Robert P. Tosner	Special Permit, Art. 3, Sect. 3340	Approved January 19, 2010
277 Commercial Street	2009-61	November 10, 2009	Provincetown St. Peters Club, Inc.	Special Permit, Art. 3, Sect. 3110	Approved January 19, 2010
277 Commercial Street	2009-62	November 10, 2009	Provincetown St. Peters Club, Inc.	Special Permit, Art3 3, Sect. 3340E	Approved January 19, 2010

