

**TOWN OF PROVINCETOWN**  
**ZONING BOARD OF APPEALS**  
**MEETING MINUTES OF**  
**December 16, 2010**

**MEETING HELD IN THE JUDGE WELSH ROOM**

**Members Present:** Anne Howard, Elisabeth Verde, Robert Littlefield and Tom Roberts.

**Members Absent:** Amy Germain (excused), David Nicolau (excused) and Harriet Gordon (excused).

**Others Present:** Maxine Notaro (Permit Coordinator) and Ellen C. Battaglini (Recording Secretary).

**WORK SESSION**

Chair Anne Howard called the Work Session to order at 6:03 P.M.

**PENDING DECISIONS:**

**FY11-43**     **21 Bradford Street Extension (*Residential 1 Zone*), WK Red Clay, LLC –**  
Anne Howard, Elisabeth Verde, Robert Littlefield, Tom Roberts and Harriet Gordon sat on the case. Tom Roberts read the decision. *Elisabeth Verde moved to approve the language as written, Anne Howard seconded and it was so voted, 3-0.*

**FY11-41**     **14 Johnson Street (*Residential 3 Zone*), Neal Kimball of Kimball Residential Designs, LLC on behalf of Carpe Diem Guesthouse –**  
Anne Howard, Elisabeth Verde, Amy Germain, David Nicolau and Tom Roberts sat on the case. Anne Howard read the decision. *Elisabeth Verde moved to approve the language as written, Tom Roberts seconded and it was so voted, 3-0.*

**FY11-42**     **14 Johnson Street (*Residential 3 Zone*), Neal Kimball of Kimball Residential Designs, LLC on behalf of Carpe Diem Guesthouse –**  
Anne Howard, Elisabeth Verde, Amy Germain, David Nicolau and Tom Roberts sat on the case. Anne Howard read the decision. *Elisabeth Verde moved to approve the language as written, Tom Roberts seconded and it was so voted, 3-0.*

**MINUTES:** December 2, 2010 – *Tom Roberts moved to approve the language as written, Elisabeth Verde seconded and it was so voted, 4-0.*

**FY11-39**      **19 Commercial Street (Residential 2 Zone), Mark P. Kinnane of Cape Associates on behalf of Kathy Cote –**  
Anne Howard, Elisabeth Verde, Robert Littlefield, Tom Roberts and Harriet Gordon sat on the case. Robert Littlefield read the decision. *Anne Howard moved to approve the language as written, Elisabeth Verde seconded and it was so voted, 4-0.*

Elisabeth Verde addressed the Board, requesting that she become an alternate member with the intention of resigning on or before May 19, 2011. *Anne Howard moved to accept the request of Elisabeth Verde to move from a full time to an alternate member on the Board, Robert Littlefield seconded and it was so voted, 3-0.* Tom Roberts will submit an application to become a full time member of the Board.

The Board discussed the recent conversions of inns and guesthouses to single-family homes and the need for those properties to obtain Special Permits for changes in use. Real estate offices offering guesthouses or inns for sale should inform prospective buyers that there is a Zoning By-Law that governs changes in use. *Anne Howard moved to direct the Zoning Enforcement Officer to send a notice to all real estate offices in the Provincetown, Truro, Wellfleet area reminding them that any conversion from an inn or guesthouse to a single-family home is a change in use pursuant to the Provincetown Zoning By-laws and would require a Special Permit from the Zoning Board of Appeals, Robert Littlefield seconded and it was so voted, 4-0.* Anne Howard will call The Banner about writing an article in regard to the issue. *Elisabeth Verde moved to direct the Zoning Enforcement Officer to contact guesthouses or inns that have become single-family homes and inform the owners that they need to apply for a Special Permit for a change in use if they have not yet done so, Robert Littlefield seconded and it was so voted, 4-0.*

The Board discussed the *Goldhirsh v. McNear* ruling and giving applicants a choice on the Special Permit application whether to be heard under the ruling. *Anne Howard moved to put an area on the Zoning Board of Appeals application for a Special Permit asking whether the applicant wants to be heard under the Goldhirsh v. McNear ruling, Robert Littlefield seconded and it was so voted, 4-0.*

**NEXT MEETING:** The next meeting will take place on January 6, 2011. It will consist of a Public Hearing at 7:00 P.M. with a Work Session after.

**ADJOURNMENT:** *Elisabeth Verde moved to adjourn at 7:20 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 6, 2011.

Respectfully submitted,  
Ellen C. Battaglini

Approved by \_\_\_\_\_ on \_\_\_\_\_, 2011

Anne Howard, Chair