

**TOWN OF PROVINCETOWN
ZONING BOARD OF APPEALS
MEETING MINUTES OF
March 6, 2014**

MEETING HELD IN THE JUDGE WELSH ROOM

Members Present: David M. Nicolau, Amy Germain and Leif Hamnquist.

Members Absent: Robert Littlefield, Harriet Gordon, Joe Vasta and Jeffrey Haley (all excused).

Others Present: Gloria McPherson (Town Planner) and Ellen C. Battaglini (Recording Secretary).

WORK SESSION

Chair David M. Nicolau called the Work Session to order at 6:30 P.M.

Consideration of appointment of Peter Page to the Zoning Board of Appeals:

The Board discussed appointing Mr. Page to the ZBA.

Amy Germain moved to appoint Peter Page to the Zoning Board of Appeals for the open, alternate position, Leif Hamnquist seconded and it was so voted, 3-0.

MINUTES: February 20, 2014 – *Leif Hamnquist moved to approve the language as written, Amy Germain seconded and it was so voted, 3-0.*

PENDING DECISIONS:

FY14-43 **2 Winthrop Place (Residential 3 Zone), Ted Smith, Architect, LLC on behalf of George Sauer –**

Robert Littlefield, Amy Germain, Harriet Gordon and Leif Hamnquist sat on the case. Gloria McPherson read the decision. The decision will be revised and its approval was postponed until the March 20, 2014 Public Hearing

FY14-45 **572 Commercial Street (Residential 2 Zone), Ron Kollen –**

Amy Germain, Harriet Gordon, Leif Hamnquist and Jeffrey Haley sat on the case. Leif Hamnquist read the decision. *Amy Germain moved to approve the language as written, David M. Nicolau seconded and it was so voted, 3-0.*

FY14-46 **99 Commercial Street (Residential 3 Zone), Lora Papetsas/Sal's Place –**

David M. Nicolau, Amy Germain, Harriet Gordon and Jeffrey Haley sat on the case. The Board signed the form for outside displays.

Amy Germain stated that the issue of what constitutes an outside display and what constitutes a sign is still outstanding. She would like more information from staff concerning the issue, such as what other towns have for definitions. Gloria McPherson said that the Building Commissioner

has already looked into the issue and does not think that the by-laws need to be revised. She suggested that the ZBA decide whether or not it would like to pursue the issue and if so, to write a letter asking the Planning Board to review the by-laws.

Ms. Germain proposed that the ZBA write a letter to former Permit Coordinator Maxine Notaro thanking her for her many years of service to the Board. She will write the letter.

Chair David M. Nicolau adjourned the Work Session at 7:04 P.M.

PUBLIC HEARING

Chair David M. Nicolau called the Public Hearing to order at 7:04 P.M. There were three members of the Zoning Board of Appeals present and four absent.

- FY14-41** **838 Commercial Street (*Residential 1 Zone*), Mariellen Serena –**
The applicant seeks a Special Permit under Article 3, Sections 3110 and 3115 of the Zoning By-Laws to demolish and reconstruct a garage, making the west side setback and front setback less non-conforming on the lot. A quorum was not present in order to hear the case. *Leif Hamnquist moved to continue Case #FY14-41 until the March 20, 2014 Public Hearing, Amy Germain seconded and it was so voted, 3-0.*
- FY14-44** **85/87 Shank Painter Road (*General Commercial Zone*), MacGregor Hay on behalf of Bay Ocean Properties, LLC –**
The applicant seeks a Special Permit under Article 2, Section 2460 of the Zoning By-Laws for the approval of a final seating layout and to allow public entertainment. This case is continued to the March 20, 2014 Public Hearing.
- FY14-42** **175 Bradford Street Extension (*Residential 3 Zone*), Victor DePoalo –**
The applicant seeks a Special Permit under Article 2, Section 2460 of the Zoning By-Laws for an increase in seating from a 33-seat restaurant to a 55-seat restaurant. This case is continued to the March 20, 2014 Public Hearing.

NEXT MEETING: The next meeting will take place on March 20, 2014. It will consist of a Work Session at 6:15 P.M. followed by a Public Hearing at 6:30 P.M.

ADJOURNMENT: *Amy Germain moved to adjourn at 7:05 P.M. and it was so voted unanimously.*

Respectfully submitted,
Ellen C. Battaglini

Approved by _____ on March 20, 2014
David M. Nicolau, Chair