

# Public Meeting Agenda

February 19, 2015

The Provincetown Zoning Board of Appeals will hold a Work Session starting at 6:30 pm and a Public Hearing at 7:00 pm on Thursday, February 19, 2015, in the Judge Welsh Hearing Room, Town Hall, 260 Commercial Street, Provincetown, MA.

## A. Work Session

- i. Request from the Building Commissioner for an opinion from the ZBA pursuant to Section 5120 of the Zoning Bylaw regarding the proposed placement of a walk-in cooler/freezer adjacent to a structure containing a pre-existing non-conforming retail use at 212 Bradford Street (East End Market).
- ii. Pending Decisions
  - a. **Case #FY 15-35 (Bryan)**  
**Application by DKR Developers** requesting a Special Permit pursuant to Article 2, Section 2640, Building Scale, to construct an addition on the rear of the structure and new egress stairs at the property located at **29 Conant Street (Res 3 Zoning District)**.
  - b. **Case #FY 15-38 (reprint p1 of decision, needs Bryan's signature on plans and decision sheet)**  
**Application by James Turner** requesting a Special Permit pursuant to Article 2, Section 2640, Building Scale, to enlarge a second floor deck at the property located at **11 Bradford Acres Road (Res 3 Zoning District)**.
  - c. **Case #FY 15-39 (Bryan)**  
**Application by Regina Binder on behalf of Guy Busa** requesting a Special Permit pursuant to Article 2, Section 2640, Building Scale, and Article 3, Section 3110, Change, Extensions or Alterations, to construct a second story on an existing single-story house at the property located at **2 Conway Street (Res 2 Zoning District)**.
  - d. **Case #FY 15-43 (Bryan)**  
**Application by Ted Smith Architect LLC on behalf of Mark Oldham** requesting a Special Permit pursuant to Article 2, Section 2640, Building Scale, to construct a covered porch and addition to the front of the structure at the property located at **37 Pleasant Street (Res 3 Zoning District)**.
  - e. **Case #FY 15-44 (need Building Commissioner approved seating plan and signatures, Bryan's signature on decision sheet and site plan)**  
**Application by Jason P. Aubee** requesting a Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, and Article 2, Section 2440(B8), Permitted Principle Uses, to change a former retail use to a fast order food establishment use (self-serve frozen yogurt shop) at the property located at **293 Commercial Street Unit C (TCC Zoning District)**.
  - f. **Case #FY 15-45 (Bryan)**  
**Application by Ted Smith Architect LLC on behalf of David High** requesting a Special Permit pursuant to Article 2, Section 2640, Building Scale, to reconfigure an existing deck and reconstruct as a new covered porch at the property located at **50 Commercial Street (Res 2 Zoning District)**.
  - h. **Case #FY 15-46 (Bob)**  
**Application by William N. Rogers on behalf of EH Realty LLC** requesting a Special Permit pursuant to Article 2, Section 2450(G12), Permitted Accessory Uses, to construct a 10'x18' swimming pool at the property located at **90 Bradford Street (Res 3 Zoning District)**.

(Pending Decisions continued on the next page)

- i. **Case #FY 15-47 (David)**  
**Application by Marlene Janice Sawyer** requesting a renewal of a Special Permit pursuant to Article 2, Section 2440(B7), Permitted Principle Uses, to allow a parking lot for 18 parking spaces at the property located at **152 Commercial Street (TCC Zoning District)**.
  - j. **Case #FY 15-48 (Bob)**  
**Application by Christopher J. Snow Esq. on behalf of Souza, LLC** requesting a Special Permit pursuant to Article 2, Section 2440(B4e), Permitted Principle Uses, to convert an existing neighborhood retail use to a package store use at the property located at **252 Commercial Street (TCC Zoning District)**.
  - k. **Case #FY 15-49 (David)**  
**Application by Regina Binder on behalf of Hank Hitopolous** requesting a Special Permit pursuant to Article 2, Section 2640, Building Scale, and Article 3, Section 3110, Change, Extension or Alteration, and Article 3, Section 3115, Demolition and Reconstruction to construct a new covered porch at the property located at **8 Cook Street (Res 3 Zoning District)**.
  - l. **Case #FY 15-50 (Rob) (need revised plans showing mechanicals adjacent to vacant lot 7-1-50)**  
**Application by Christian P. Dittrich on behalf of Lee Giroux** requesting a Special Permit pursuant to Article 2, Section 2450(G12), Permitted Accessory Uses, to construct a new 16'x12' swimming pool at the property located at **75 Franklin Street (Res 3 Zoning District)**.
  - m. **Case #FY 15-51 (David)**  
**Application by Ben deRuyter on behalf of New Art Realty Corp** requesting a Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, to relocate the bar and create a new seating layout with no increase in seating at the property located at **214 Commercial Street (TCC Zoning District)**.
  - n. **Case #FY 15-52 (Rob) (need revised shed plan per HDC decision)**  
**Application by B+C Construction on behalf of Russell A. Friedman & Wayne E. Briggs** requesting a Special Permit pursuant to Article 3, Section 3110, Change, Extension or Alteration, and Article 3, Section 3115, Demolition and Reconstruction, to demolish an existing shed and reconstruct a new shed that is two feet taller within the same footprint at the property located at **8 Fishburn Court (Res 3 Zoning District)**.
  - o. **Case #FY 15-54 (Bob)**  
**Application by William N. Rogers on behalf of 368 Commercial Street LLC** requesting a Special Permit pursuant to Article 3, Section 3110, Change, Extension or Alteration, to raise the roof of the existing retail space by 1'7", construct a 10'x10' addition to east side of the retail space, and construct two dormers at the property located at **368 Commercial Street (TCC + Res 3 Zoning District)**.
- iii. Review and approve Minutes of the February 5, 2015 meeting
  - iv. Any other business that may properly come before the Board

## B. Public Hearings

- i. **Case #FY 15-55**  
**Application by Paul C. Mendes** requesting a Special Permit pursuant to Article 2, Section 2440(C3.b), Permitted Principle Uses, to allow the parcel to be used for the storage of more than three boats at the property located at **55R Captain Bertie's Way (Res 3 Zoning District)**.
- ii. **Case #FY 15-56**  
**Application by William N. Rogers on behalf of James D. Epstein** requesting a renewal of a Special Permit pursuant to Article 2, Section 2450(G12), Permitted Accessory Uses, to install a swimming pool at the property located at **5 Telegraph Hill Road (Res 1 Zoning District)**.

David Nicolau, Chair

Posted by the Assistant Town Clerk: [www.provincetown-ma.gov](http://www.provincetown-ma.gov), 2/12/15 11:30 am dj

Revised: 2/13/15 8:25 am dv