

TOWN OF PROVINCETOWN

ZONING BOARD OF APPEALS

MEETING MINUTES OF August 24, 2000

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Meeting Place: Judge Welsh Room in Town Hall

Members Present: Gary Reinhardt (Chair), Peter Bez (Vice Chair), Ray Boylan (Clerk), Barbara Gard, Larry Mahan, Steve Melamed

Members Absent: None

Others Present: Rachel Crosby (Recording Secretary)

PUBLIC HEARING

Chair Gary Reinhardt convened the public hearing at 7:00 P.M. and explained the public hearing procedures to the public. Six members of the Board were present and none were absent

- 2000-054** **409 Commercial Street, Robert Valois on behalf of John Anderson** – (postponed from August 3, 2000 meeting). Gary Reinhardt, Peter Bez, Barbara Gard, Ray Boylan, Larry Mahan sat on case. Mr. Valois appeared to present the application, which is for a special permit to alter a pre-existing non-conforming structure and for a change of use. **Presentation:** Non-conformancies were listed. Is currently a three story building. Wants to upgrade to rectify building code violations, also eliminate retail use. Redesign to 2 ½ story building. Historical Commission has approved. **Public Comment:** No one spoke either in favor or in opposition. There were two letters in opposition. There was a letter from Mr. Valois responding to one of the opposition letters. There were three letters in favor. **Board Discussion:** degree to which Section 2110 is applicable – only main building issues are covered; whether degree of renovation in fact creates a new building; footprint to enlarge by 310 square feet; explanation of scale calculations; proposed average building height is 31.5 feet; changing from mixed-use to single family home; whether entire basement be included in scale calculations. **Peter Bez moved to grant under Section 2110, Ray Boylan seconded and it was so voted, 5-0.** Ray Boylan will write the decision.
- 2000-055** **494 Commercial Street, Howard Davis, III** - Gary Reinhardt, Peter Bez, Barbara Gard, Ray Boylan, Larry Mahan sat on case. Mr. Davis and Mr. Carroll appeared to present the application, which is for a special permit for entertainment. **Presentation:** Licensing Board suggested applicant seek annual entertainment permit. **Public Comment:** Mr. Richman and Ms Lamb-Britton spoke in favor. Ms Maguire asked questions on behalf of Michael Ford. There were no letters in file. **Board Discussion:** type of entertainment; whether entertainment is an allowable use in Class W zoning district; original change-of-use application designated second floor hall as performance/entertainment space; amplification issues. Tabled until original application can be reviewed.
- 2000-056** **184 Commercial Street, Thomas Rogers on behalf of Eileen Roland** - Gary Reinhardt, Peter Bez, Barbara Gard, Ray Boylan, Larry Mahan sat on case. Mr. Rogers appeared to present the application, which is for renewal of a special permit for outdoor display. **Presentation:** to primarily display garden ornaments, from ten to thirty items. **Public Comment:** Mr. Melamed spoke in favor. No one spoke in opposition. There was a letter from the landlord granting approval. **Peter Bez moved to grant, Larry Mahan seconded and it was so voted, 5-0.** Peter Bez wrote the decision using the standard outdoor display decision form.
- 2000-057** **432 Commercial Street, Unit G-2, Cortland Jessup** - Gary Reinhardt, Peter Bez, Barbara Gard, Ray

Boylan, Larry Mahan sat on case. Ms Jessup appeared to present the application, which is for renewal of a special permit for outdoor display. **Presentation:** wants to continue to have sculpture and works of art on the deck **Public Comment:** No one spoke either in favor or opposition. There were no letters in file. *Peter Bez moved to grant, Larry Mahan seconded and it was so voted, 5-0.* Peter Bez wrote the decision using the standard outdoor display decision form.

2000-058 **411 Commercial Street, Arthur Santos on behalf of Madelyn and John Carney** - Gary Reinhardt, Peter Bez, Barbara Gard, Ray Boylan, Larry Mahan sat on case. Mr. Santos appeared to present the application, which is for a special permit to extend a pre-existing non-conforming structure. **Presentation:** raise eastside and northside dormers to allow full headroom; removing exterior fire escape; scale increase is insignificant. Has Historical and Conservation Commission approval. **Board Discussion:** current ridgeline exceeds 33 feet; **Public Comment:** No one spoke either in favor or opposition. There was one letter granting authority to Mr. Santos to represent the owners. *Peter Bez moved to grant, Ray Boylan seconded and it was so voted, 5-0.* Peter Bez will write the decision.

2000-059 **53 Bradford Street, Unit 1, Pasquale Natale on behalf of Side Street Realty Trust** - Gary Reinhardt, Peter Bez, Barbara Gard, Ray Boylan, Larry Mahan sat on case. Mr. Natale and Ms Nancy Correia appeared to present the application, which is for a special permit to change the use of a prior non-conforming use. **Presentation:** change use from retail to office space; **Public Comment:** Ms Dean spoke in favor. No one spoke in opposition. There were no letters in file. **Board Discussion:** will probably be used as attorney's office; both units would be combined for use as office. *Peter Bez moved to grant, Ray Boylan seconded, and it was so voted, 5-0.* Larry Mahan will write the decision.

2000-060 **53 Bradford Street, Unit 1, Pasquale Natale on behalf of Side Street Realty Trust** - Gary Reinhardt, Peter Bez, Barbara Gard, Ray Boylan, Larry Mahan sat on case. Mr. Natale and Ms Correia appeared to present the application, which is for a variance to the on-site parking space requirement for an office. **Presentation:** could fit six cars on lot; several nearby public parking facilities; will arrange to lease spaces from private lot **Public Comment:** Ms Dean spoke in favor. No one spoke in opposition. There were no letters in file. **Board Discussion:** can only fit four or five cars on the lot. *Peter Bez moved to grant, Ray Boylan seconded and it was so voted, 5-0.* Larry Mahan will write the decision.

Chair Gary Reinhardt adjourned the Public Hearing at 8:38 P.M.

WORK SESSION

Chair Gary Reinhardt called the Work Session to order at 8:38 P.M.

MINUTES

August 3, 2000 – *Steve Melamed moved to approve as written, Peter Bez seconded, and it was so voted, 4-0, 2 abstain (Larry Mahan, Barbara Gard).*

ADJOURNMENT

Steve Melamed made a motion to adjourn at 8:40 P.M. and it was so voted unanimously.

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These minutes were approved by a vote of the Zoning Board of Appeals at their meeting on \_\_\_\_\_, 2000

Respectfully Submitted:

\_\_\_\_\_  
Zoning Board of Appeals Signature

\_\_\_\_\_  
Title

**Rachel Crosby**  
On-call secretary