

**TOWN OF PROVINCETOWN
ZONING BOARD OF APPEALS
MEETING MINUTES OF
April 18, 2013**

MEETING HELD IN THE JUDGE WELSH ROOM

Members Present: Amy Germain, Joe Vasta and Leif Hamnquist.

Members Absent: David Nicolau, Robert Littlefield, Tom Roberts and Harriet Gordon. (all excused).

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

PUBLIC HEARING

Acting Chair Amy Germain called the Public Hearing to order at 7:00 P.M. There were three members of the Zoning Board of Appeals present and four absent.

POSTPONED CASE:

FY13-40 **44-48 Winslow Street (*Residential 3 Zone*), William N. Rogers, II, P.E., P.L.S. on behalf of Winslow Trading Company –**

The applicant seeks a Special Permit under Article 2, Section 2440 of the Zoning By-Laws to construct six buildings with eleven two-bedroom dwelling units. The applicant has requested a postponement until the May 2, 2013 Public Hearing.

Leif Hamnquist moved to approve the request to postpone Case #FY13-40 until the May 2, 2013 Public Hearing, Joe Vasta seconded and it was so voted, 3-0.

CONTINUED CASE:

FY13-42 **133 Commercial Street (*Town Commercial Center Zone*), Audrey L. Mostaghim on behalf of Lorraine Najjar and Diarmuid O’Neil –**

The applicant seeks a Special Permit under Article 2, Section 2460 of the Zoning By-Laws for a reduction in seating from 87 seats to 74 seats. This case is continued until the May 2, 2013 Public Hearing.

NEW CASES:

FY13-48 **24 Pearl Street (*Residential 3 Zone*), Fine Arts Work Center –**

The applicant seeks a Special Permit under Article 3, Section 3420 of the Zoning By-Laws for a display case for the outside display of upcoming events such as programming, readings and art exhibits. The applicant has withdrawn the case without prejudice.

FY13-49 **16 Harry Kemp Way (*Residential B Zone*), Joy Futch Reis –**

The applicant seeks a Special Permit under Article 4, Section 4800 of the Zoning

By-laws to amend the deed restriction on a previously-approved decision (Case #2005-41) from two existing affordable rental units to ownership units. There was a request to postpone this case until the May 2, 2013 Public Hearing. *Leif Hamnquist moved to approve the request to postpone Case #FY13-49 until the May 2, 2013 Public Hearing, Joe Vasta seconded and it was so voted, 3-0.*

Acting Chair Amy Germain adjourned the Public Hearing at 7:10 P.M.

WORK SESSION

Acting Chair Amy Germain called the Work Session to order at 7:10 P.M.

PENDING DECISIONS:

FY13-44 **540-542 Commercial Street (Residential 3 Zone), Lester J. Murphy, Attorney, on behalf of Provincetown Hospitality, LLC –**

Leif Hamnquist recused himself because of a conflict of interest. Robert Littlefield, Amy Germain, Tom Roberts, Harriet Gordon and Joe Vasta sat on the case. Amy Germain read the decision. *Leif Hamnquist moved to approve the language as written, Joe Vasta seconded and it was so voted, 3-0.*

FY13-47 **5 Ryder Street (Town Commercial Center Zone), Andrew Pollock -**

Robert Littlefield, Amy Germain, Harriet Gordon, Joe Vasta and Leif Hamnquist sat on the case. Joe Vasta read the decision. *Leif Hamnquist moved to approve the language as amended, Joe Vasta seconded and it was so voted, 3-0.*

FY13-45 **50 Commodore Avenue (Residential 1 Zone), Marcey Oil Company, Inc. –**

Robert Littlefield, Amy Germain, Tom Roberts, Joe Vasta and Leif Hamnquist sat on the case. Amy Germain read the decision. *Joe Vasta moved to approve the language as amended, Leif Hamnquist seconded and it was so voted, 3-0.*

MINUTES: April 4, 2013 – Joe Vasta moved to approve the language as written, Leif Hamnquist seconded and it was so voted, 3-0.

NEXT MEETING: The next meeting will take place on May 2, 2013. It will consist of a Work Session at 6:30 P.M. followed by a Public Hearing at 7:00 P.M.

ADJOURNMENT: *Leif Hamnquist moved to adjourn at 8:00 P.M. and it was so voted unanimously.*

Respectfully submitted,
Ellen C. Battaglini

Approved by _____ on May 2, 2013
David Nicolau, Chair