

Public Meeting Agenda

July 17, 2014

The Provincetown Zoning Board of Appeals will hold a Work Session at 5:30 p.m. in the Auditorium and Public Hearings at 7:00 p.m. in the Judge Welsh Hearing Room, both on Thursday, July 17, 2014, Town Hall, 260 Commercial Street, Provincetown, MA.

1. Vote to go into Executive Session pursuant to M.G.L. c30A Sec 21(a) Clause 3; Votes may be taken on the following item:

Clause 3 – To discuss strategy with respect to litigation, if an open meeting may have detrimental effect on the litigation position of the public body and the chair so declares. Update on Mayo v. ZBA, discussion regarding settlement.

2. Work Session

a) Pending Decisions

- i. **Case #FY14-62 (need signed decision from Amy)**
Application by Al Gordon requesting a Special Permit pursuant to Article 2, 2460, Special Permit Requirements, of the Zoning Bylaw to alter the seating layout and add flex seating but not increase the total number of seats at the property located at **386 Commercial Street (TCC Zoning District)**.
 - ii. **Case #FY14-63 (decision revised, need Amy's signature)**
Application by Robert H. Quigley requesting a Special Permit pursuant to Article 2, Section 2450(G14), Permitted Accessory Uses, and Article 3, Section 3110, Nonconformancy – Change, Extensions or Alterations, of the Zoning Bylaw to demolish and reconstruct a utility/garden shed at **8 Winthrop Street (Res 3 Zoning District)**.
 - iii. **Case #FY14-64 (need revised decision, to be signed by Amy)**
Application by William N. Rogers II on behalf of Robert R. McBride Et Al requesting a Special Permit pursuant to Article 2, Section 2450, Permitted Accessory Uses, of the Zoning Bylaw for the installation of an in-ground swimming pool at the property located at **3 Creek Round Hill Road (Res1 Zoning District)**.
 - iv. **Case #FY14-65 (ZBA needs to stamp and sign plan)**
Application by Steve Milliken dba Dolphin Fleet requesting a Special Permit pursuant to Article 3, Section 3420, Outside Display, of the Zoning Bylaw to have an outdoor display at the property located at **307 Commercial Street (TCC Zoning District)**.
 - v. **Case #FY14-66 (ZBA needs to stamp and sign plan)**
Application by Steven Underwood on behalf of Donald Edwards requesting a Special Permit pursuant to Article 3, Section 3420, Outside Display, of the Zoning Bylaw to have an outdoor display at the property located at **322 Commercial Street (TCC Zoning District)**.
 - vi. **Case #FY14-67**
Application by William N. Rogers II on behalf of Neil Hanscomb requesting a Special Permit pursuant to Article 3, Section 3110, Nonconformancy – Change, Extensions or Alterations, of the Zoning Bylaw to demolish and reconstruct a 12 foot by 21 foot deck at the property located at **11A Mermaid Avenue (Res1 Zoning District)**.
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- vii. **Case #FY 14-71**
Application by Nancy Ann Meads requesting a Special Permit pursuant to Article 3, Section 3420, Outdoor Display, of the Zoning Bylaw to display a welcome sign on an easel and a Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, of the Zoning Bylaw to increase seating from 53 to 65 at the property located at **333 Commercial Street (TCC Zoning District)**.

 - viii. **Case #FY 14-72**
Application by Donald Murphy requesting a Special Permit pursuant to Article 3, Section 3115, Demolition and Reconstruction, of the Zoning Bylaw to demolish and reconstruct a deck within the same footprint at the property located at **56 Commercial Street (Res 3 Zoning District)**.

 - ix. **Case #FY 14-73**
Application by B+C Construction on behalf of Louise Silver requesting a Special Permit pursuant to Article 3, Section 3110, Nonconformancy – Change, Extensions or Alterations, of the Zoning Bylaw to extend a pre-existing non-conforming deck 3 feet at the property located at **586 Commercial Street (Res 2 Zoning District)**.

 - x. **Case #FY 14-74**
Application by Provincetown Public Pier Corp requesting a Special Permit pursuant to Article 2, Section 2450(G11), Permitted Accessory Uses, of the Zoning Bylaw to allow the sale of food from local vendors within the pier pavilion at the property located at 1 **MacMillan Wharf (TCC/Harbor Overlay Zoning District)**.
- b) Review and approve Minutes of the June 5 and June 19, 2014 meetings
 - c) Any other business that may properly come before the Board

3. Public Hearings

- a. **Case #FY14-59 (continued from June 5)**
Application by Don Di Rocco on behalf of PTown Landing LLC requesting a Special Permit pursuant to Article 2, Section 2640, Building Scale, of the Zoning Bylaw to build an addition to the existing dwelling at **169 Bradford Street (Res3 Zoning District)**.

- b. **Case #FY 14-68 (continued from June 5)**
Application by Marlene Janice Sawyer requesting a Special Permit pursuant to Article 2, Section 2440(B7), Permitted Principle Uses, of the Zoning Bylaw to reconfigure and add addition parking spaces at the property located at **152 Commercial St (TCC Zoning District)**.

- c. **Case #FY 14-69 (continued from June 5)**
Application by Elizabeth Athineos requesting a Special Permit pursuant to Article 3, Section 3420, Outdoor Display, of the Zoning Bylaw to display bikes on the outdoor deck at the property located at **63 Shank Painter Road (GC Zoning District)**.

- d. **Case #FY 14-70**
Application by William N. Rogers on behalf of Young's Court East Condominium requesting a Special Permit pursuant to Article 3, Section 3110, Nonconformancy – Change, Extensions or Alterations, of the Zoning Bylaw to construct a shed dormer and roof deck at the property located at **173 Bradford Street (Res3 Zoning District)**.

- e. **Case #FY 14-75**
Application by John DeSouza on behalf of Thomas Thompson requesting a Special Permit pursuant to Article 2, Section 2640, Building Scale, to deviate from neighborhood average building scale to extend two porches, one of which to be enclosed to create a mudroom, at the property located at **3 Fishburn Court (Res3 Zoning District)**.

(Public Hearings continued on next page)

f. **Case #FY 14-77**

Application by Ambrose Homes, Inc. on behalf of David Krohn requesting a Special Permit pursuant to Article 3, Section 3110, Change, Extension and Alteration, to raise the pre-existing non-conforming structure to construct a new foundation underneath and construct a new second floor deck at the property located at **478 Commercial Street (Res3 Zoning District)**.

g. **Case #FY 14-78**

Application by 26 Alden LLC requesting a Special Permit pursuant to Article 3, Section 3110, Change, Extension and Alteration, to demolish and reconstruct two pre-existing non-conforming stairways within the front yard setback at the property located at **26 Alden Street (Res3 Zoning District)**.

h. **Case #FY 14-79**

Application by 26 Alden LLC requesting a Special Permit pursuant to Article 4, Section 4170, Change of Use/Non-Residential to Residential Use Conversions, to convert the existing municipal use to a 9 unit multi-family use, including 3 affordable units at the property located at **26 Alden Street (Res3 Zoning District)**.

i. **Case #FY 14-80 (Request by applicant to postpone to August 7)**

Application by John Pompeii requesting a Special Permit pursuant to Article 3, Section 3110, Change, Extension and Alteration, to add a second floor and a dormer within the side yard setback at the property located at **10 Young's Court (Res3 Zoning District)**.

David Nicolau, Chair

Posted by the Town Clerk: www.provincetown-ma.gov, 7/11/14 11:30 am dj

Revised by the Assistant Town Clerk: 7/15/14 11:10 am dv