

Public Meeting Agenda March 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, March 19, 2015, in the Judge Welsh Hearing Room, Town Hall, 260 Commercial Street, Provincetown, MA.

A. Work Session

i. Pending Decisions

a. **Case #FY 15-35 (Leif)**

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 15-39 (Bob)**

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)**.

c. **Case #FY 15-43 (Leif)**

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)**.

d. **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)**.

e. **Case #FY 15-45 (Leif)**

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 15-50 (revised decision from Rob and signatures on revised plans)**

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)**.

i. **Case #FY 15-52 (Revised decision from Rob)**

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)**.

(Pending Decisions continued on the next page)

Case #FY 15-59(Amy)

Application by Paul Melanson dba Tin Pan Alley requesting a renewal of a Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, to allow the continued operation of an 86 seat restaurant with a full liquor license, live entertainment and outdoor seating at the property located at **269 Commercial Street (TCC Zoning District)**.

Case #FY 15-61(Amy)

Application by Sebastian Taffara on behalf of Bay Ocean Properties LLC dba Mac's Provincetown requesting a renewal of a Special Permit pursuant to Article 2, Section 2460, Special Permit Requirements, to allow the continued use of the 260 seat restaurant with full liquor license, live entertainment and outdoor seating at the property located at **85-87 Shankpainter Road (GC Zoning District)**.

- ii. Review and approve Minutes of the March 5 and March 16, 2015 meetings
- iii. Any other business that may properly come before the Board

B. Public Hearings

- a. **Case #FY 15-55 (Applicant requests to withdraw without prejudice)**
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)**.
- b. **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)**.
- c. **Case #FY 15-60 (Applicant requests to postpone to April 2nd hearing)**
Application by Lisa Pacheco Robb requesting a Special Permit pursuant to Article 3, Section 3110, Change, Extension or Alteration, and Article 3, Section 3115, Demolition and Reconstruction, to allow the demolition and reconstruction of two portions of a pre-existing non-conforming residential structure with a change in footprint while maintaining existing non-conforming setbacks from the side and rear yard lot lines at the property located at **19 Franklin Street (Res 3 Zoning District)**.
- d. **Case #FY 15-62 (Applicant requests to postpone to April 2nd hearing)**
Application by Mark Kinnane of Cape Associates Inc. on behalf of Romaine Macomb requesting a Special Permit pursuant to Article 3, Section 3110, Change, Extension or Alteration, and Article 3, Section 3115, Demolition and Reconstruction, to allow the demolition and reconstruction of the rear portion of a pre-existing non-conforming residential structure with an increase in footprint while maintaining or reducing current non-conforming setbacks at the property located at **532 Commercial Street (Res 3 Zoning District)**.
- e. **Case #FY 15-63**
Application by Kaye McFadden of Cape Tip Construction on behalf of Leon Roy requesting a Special Permit pursuant to Article 3, Section 3110, Change, Extension or Alteration, to allow the construction of a dormer within the front yard setback upon the pre-existing non-conforming residential structure at the property located at **48 ½ Bradford Street (Res 3 Zoning District)**.