

**TOWN OF PROVINCETOWN  
ZONING BOARD OF APPEALS  
MEETING MINUTES OF  
June 2, 2015**

**Members Present:** David M. Nicolau, Robert Littlefield, Joe Vasta and Bryan Armstrong.

**Members Absent:** Amy Germain (excused), Jeffrey Haley (excused), Peter Page (unexcused) and Rob Anderson (unexcused).

**Others Present:** Gloria McPherson (Town Planner) and Ellen C. Battaglini (Recording Secretary).

**PUBLIC HEARING**

Chair David M. Nicolau called the Public Hearing to order at 5:46 P.M. There were four members of the Zoning Board present and four absent.

He presented procedural options to the applicant given that there were only four Board members present. The applicant chose to move forward with the hearing of the cases and give Attorney E. James Veara, who was representing direct abutters who oppose the project, an opportunity to present his clients' case.

**PUBLIC HEARINGS:**

**FY15-57**      **143 Commercial Street (Town Commercial Center Zone), Sean A. Curran on behalf of Nicolas G. Tagaris (continued from May 21) –**

The applicant seeks a Special Permit pursuant to Article 2, Section 2310, Harborfront Regulation, Article 2, Section 2550, Multiple Buildings Per Lot, Article 3, Section 3110, Change, Extension or Alteration, and Article 3, Section 3115, Demolition and Reconstruction, of the Zoning By-Laws to allow the demolition and reconstruction of two existing cottages and to combine the two residential structures into one new principle residential structure with a change in footprint on a non-conforming lot and continue the use of a deck beyond the 195' Harborfront setback.

**FY15-58**      **143 Commercial Street (Town Commercial Center Zone), Sean A. Curran on behalf of Nicolas G. Tagaris (continued from May 21) –**

The applicant seeks a Special Permit pursuant to Article 2, Section 2640, Building Scale, of the Zoning By-Laws for the construction of a new residential structure outside of the district's setbacks to replace a structure that was demolished 14 years ago. David M. Nicolau, Robert Littlefield, Joe Vasta, and Bryan Armstrong sat on both cases.

**Presentation:** Attorney Lester J. Murphy, William N. Rogers, II, Sean Curran and George Tagaris appeared to discuss the project. Attorney Murphy reiterated that the applicant had presented revised plans for the back building at the last

hearing. These plans showed uilding reductions in height by 2'2" and in width by 1'. Also shown is the building pulled back from the east side lot line by an additional 6". This was done in an effort to address Board concerns about the close proximity of the building to the east side abutting property. A revised site plan showing the actual footprint had not been submitted because the applicant wanted to find out whether the revised building plans were acceptable to the Board, before expending the time and expense of re-drafting one. Mr. Curran explained that he tried to visually modify the front building as much as he could in order to bring down scale and massing by modifying the angle of the roof and reducing the windows on the shed dormer and on the south side of the structure.

**Board Discussion:** The Board briefly questioned Attorney Murphy, Mr. Rogers, Mr. Curran and Mr. Tagaris. The Board briefly discussed parking requirements on the site.

**Public Comment:** Attorney Veara, on behalf of his clients, spoke in opposition to the project. The Board allowed Attorney Murphy to respond to Attorney Veara's argument.

**Board Discussion:** The Board discussed the project. Chair David M. Nicolau said that the question before the Board was whether joining the two structures on the back of the property was substantially more detrimental to the neighborhood than what currently existed. Board members voiced the same concerns about the structures as at the last hearing, namely questioning why the Board would grant scale relief for the front building that had not yet been built and concerns that the two proposed structures were too much for the size of the lot. The Chair polled Board members about the revised building plans. Two Board members thought that the revised rear structure was still too large for the site, one Board member had not made a decision and one Board member was encouraged by the applicant's reduction of the rear structure. The Board continued the matter until the July 16, 2015 Public Hearing.

***Robert Littlefield moved to continue Cases FY15-57 and FY15-58 until the July 16, 2015 Public Hearing at 7:00 P.M., Joe Vasta seconded and it was so voted, 4-0.***

**NEXT MEETING:** The next meeting will take place on Thursday, June 4, 2015. It will consist of a Public Hearing at 6:45P.M. and a Public Hearing at 7:00 P.M.

**ADJOURNMENT:** *Joe Vasta moved to adjourn at 6:35 P.M. and it was so voted unanimously.*

Respectfully submitted,  
Ellen C. Battaglini

Approved by \_\_\_\_\_ on June 18, 2015  
David M. Nicolau, Chair