

**TOWN OF PROVINCETOWN  
ZONING BOARD OF APPEALS  
MEETING MINUTES OF  
January 19, 2017**

**Members Present:** David M. Nicolau, Robert Littlefield, Joe Vasta, Jeffrey Gould, Marianne Clements, Jeremy Callahan and Daniel Wagner.

**Members Absent:** Jeffrey Haley (excused) and Rob Anderson (unexcused).

**Others Present:** Gloria McPherson (Town Planner), Ellen C. Battaglini (Permit Coordinator) and Attorney Ilana Quirk (Town Counsel).

**WORK SESSION**

Chair David M. Nicolau called the Work Session to order at 6:30 P.M.

Attorney Quirk conducted a workshop on zoning issues. She reviewed hand-outs including a PowerPoint summary about making defensible zoning decisions in order to prevent litigation, public records request updates and an explanation of important deadlines for special permits and variances. The Board questioned her about the issues.

**PENDING DECISIONS:**

- FY17-43**      **404 Commercial Street (*Town Center Commercial Zone*), Steven Latasa-Nicks, on behalf of Strangers and Saints, Inc. –**  
Robert Littlefield, Jeffrey Haley, Jeffrey Gould, Marianne Clements and Daniel Wagner sat on the case.
- FY17-45**      **300A Commercial Street (*Town Center Commercial Zone*), SGI 300A, LLC –**  
Robert Littlefield, Jeffrey Haley, Jeffrey Gould, Jeremy Callahan and Marianne Clements sat on the case.
- FY17-46**      **307 Bradford Street (*Residential 2 Zone*), Tom Thompson, on behalf of Hal Z. Katzen –**  
Robert Littlefield, Jeffrey Gould, Jeremy Callahan, Marianne Clements and Daniel Wagner sat on the case.
- FY17-48**      **63 Shank Painter Road (*General Commercial Zone*), William N. Rogers, II, on behalf of Elizabeth Athineos –**  
Robert Littlefield, Jeffrey Haley, Jeremy Callahan, Marianne Clements and Daniel Wagner sat on the case.
- FY17-49**      **63 Shank Painter Road (*General Commercial Zone*), William N. Rogers, II, on behalf of Elizabeth Athineos –**

Robert Littlefield, Jeffrey Haley, Jeremy Callahan, Marianne Clements and Daniel Wagner sat on the case.

Chair David M. Nicolau postponed the Work Session at 8:19 P.M.

## **PUBLIC HEARING**

Chair David M. Nicolau called the Public Hearing to order at 8:19 P.M. There were seven members of the Zoning Board present and two absent.

**FY17-41 51 Commercial Street, Rear (*Residential 2 Zone*), Don DiRocco, of Hammer Architects, on behalf of Jay Anderson -**  
The applicant seeks a Special Permit pursuant to Article 3, Section 3110, Change, Extensions and Alterations, of the Zoning By-Laws to re-locate a structure 18' to the north and to construct an 11' by 14' 10" addition up and along a pre-existing, non-conforming west side yard dimension. A request to withdraw without prejudice was submitted. *Robert Littlefield moved to grant the request to withdraw Case #FY17-41 without prejudice, Marianne Clements seconded and it was so voted, 5-0.*

**FY17-47 12 Cudworth Street (*Residential 3 Zone*), KA Bazarian Construction, on behalf of Jennifer Realty Trust –**  
The applicant seeks a Special Permit pursuant to Article 3, Section 3110, Change, Extensions and Alterations, of the Zoning By-Laws to add a farmer's porch on a north elevation, to construct two 18' dormers up and along east and west elevations and to extend a gable up and along east and south elevations. The matter has been postponed until the February 2, 2017 Public Hearing.

**MINUTES: January 5, 2016** – Postponed.

Chair David M. Nicolau adjourned the Work Session at 8:21 P.M.

## **WORK SESSION**

Chair David M. Nicolau reconvened the Work Session at 8:21 P.M.

Attorney Quirk continued the previous discussion. The Board discussed Article 3, s. 3110 with her.

**NEXT MEETING:** The next meeting will take place on Thursday, February 2, 2017. It will consist of a Work Session at 6:30 P.M. and a Public Meeting at 7:00 P.M.

**ADJOURNMENT:** *Joe Vasta moved to adjourn at 8:45 P.M. and it was so voted unanimously.*

Respectfully submitted,  
Ellen C. Battaglini

Approved by \_\_\_\_\_ on \_\_\_\_\_, 2017  
David M. Nicolau, Chair