

**TOWN OF PROVINCETOWN
ZONING BOARD OF APPEALS
MEETING MINUTES OF
October 21, 2021**

Members Present: Jeremy Callahan, Daniel Wagner, Peter Okun (participating virtually), Susan Peskin (participating virtually), and Quinn Taylor (participating virtually).

Members Absent Steven Latasa-Nicks (excused), Robert Nee (excused) and Erik Borg (excused).

Others Present: Thaddeus Soulé (Town Planner).

Mr. Soulé introduced the hybrid meeting, explaining how applicants and the public could participate in the meeting remotely, either via phone or Microsoft Teams. Since there is not a quorum in the meeting room, if there are technical difficulties, the meeting will cease. He announced the information, phone number and conference ID needed to call into the meeting. He explained how public comment would work and asked that the public keep their electronic devices on mute until they are recognized by the Chair. The meeting is being broadcast live by PTV.gov, Channel 18, and will be posted on its website as soon as possible.

Chair Jeremy Callahan called the meeting to order at 6:01 P.M.

A. Public Hearings:

ZBA 21-23 (*re-advertised and re-noticed to the meeting of November 18th*)

Application by **Ted Smith**, on behalf of **Howard Burchman**, seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, and Article 3, Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to renovate, by adding and expanding, two structures operating as a guesthouse, including converting the front building to three residential units by constructing a one-story bay on the south elevation and increasing an existing one-story appendage on the north elevation to two stories, thereby increasing its building scale above the neighborhood average, and to go up and along pre-existing, non-conforming side and rear yard setbacks to add a second story to the rear building on the property located at **12 Center Street (Residential 3 Zone)**. There was an extension filed by the applicant and informing the Board that the project will be re-advertised and re-noticed for the Public Hearing on November 18, 2021 at 6:00 P.M. **Daniel Wagner moved to grant the request to re-advertise and re-notice ZBA 21-23 for the Public Hearing of November 18, 2021 at 6:00 P.M., Peter Okun seconded, and it was so voted, 5-0 by roll call.**

ZBA 21-40 (*request to postpone to the meeting of November 4th*)

Application by **Ted Smith**, on behalf of **Gregory Whitehead et vir.**, seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, Article 3, Section 3110, Change, Extensions, or Alterations, and Article 3, Section 3115, Demolition and Reconstruction, of the Zoning By-Laws to demolish a garage and construct a one-story addition with a shed dormer on the northwest corner of an existing structure, to be partially located in the demolished garage's

footprint, and going up and along a pre-existing, non-conforming northwest side yard setback, to infill a southwest corner, adding a new second-floor dormer, and to add a new shed dormer on the southeast corner of the structure, all of which will result in an increase in the building scale of the existing structure above the neighborhood average scale on the property located at **24 Standish Street (Residential 3 Zone)**. There was a request from the applicant to postpone to the Public Hearing of November 4, 2021 at 6:00 P.M. *Peter Okun moved to grant the request to postpone ZBA 21-40 to the Public Hearing of November 4, 2021 at 6:00 P.M., Susan Peskin seconded, and it was so voted, 5-0 by roll call.*

ZBA 21-42

Application by **Meryl Cohn** seeking a Special Permit pursuant to Article 3, Section 3110, Change, Extensions, or Alterations, of the Zoning By-Laws to construct an 8' by 9.5' addition behind an existing garage and connecting it via a breezeway up and along a pre-existing, non-conforming northwest side yard setback on the property located at **148 Commercial Street, U5 (Town Center Commercial Zone)**. Jeremy Callahan, Daniel Wagner, Peter Okun, Susan Peskin, and Quinn Taylor sat on the case.

Presentation: Meryl Cohn and Mary Beth Caschetta appeared to present the application. Ms. Cohn said that the project involved enlarging the garage by connecting an 8' by 9.5' addition connected by a breezeway and the two will not communicate via an opening. The addition will go up and along a pre-existing, non-conforming side yard setback. The pitch of the addition's roof and siding (cedar shingles painted white) will match that of the garage. The rear gable end of the addition will face the rear gable end of the existing garage. The addition will be about 36" lower than the existing garage and not closer to the lot line than the existing garage. The addition is not visible from Conant Street or Commercial Street.

Public Comment: None. There were 3 letters in support of the project.

Peter Okun moved to close the public portion of the hearing, Susan Peskin seconded, and it was so voted, 5-0 by roll call.

Board Discussion: The Board had no questions or comments

Peter Okun moved that the Board find pursuant to Article 5, Section 5330, Special Permit Consideration, that the social, economic, and other benefits of the proposal to the neighborhood or Town outweigh any adverse effects such as hazard, congestion, or environmental degradation, and further move that the Board grant a Special Permit pursuant to Article 3, Section 3110, Change, Extensions, or Alterations, of the Zoning By-Laws to construct an 8' by 9.5' addition behind an existing garage and connecting it via a breezeway up and along a pre-existing, non-conforming northwest side yard setback on the property located at 148 Commercial Street, U5 (TCC), Quinn Taylor seconded, and it was so voted, 5-0 by roll call.

B. Work Session:

1) Pending Decisions:

ZBA 21-39

Application by **Sean Curran**, on behalf of **Ptown Place, LLC**, seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, of the Zoning By-Laws to remove a rear gable roof and replace it with a flat roof and deck and to extend an existing roof dormer on the

west elevation to match an existing shed dormer on the east elevation on the structure located at **16 Bradford Street (Residential 3 Zone)**. There were no changes to the decision.

ZBA 21-41

Application by **Robert Slifer** seeking a Special Permit pursuant to Article 2, Section 2450, Permitted Accessory Uses, G14, Utility/Garden Shed, to install a shed on the property located at **4 Race Road, #3 (Residential 3 Zone)**. There were no changes to the decision.

2) Approval of minutes: October 7, 2021:

October 7, 2021: Peter Okun moved to approve the language as written, seconded, and it was so voted, 5-0 by roll call.

3) Any other business that may properly come before the Board: Mr. Callahan had a letter from the Town Clerk about ZBA members Daniel Wagner, Susan Peskin, and Peter Okun whose terms are ending on December 31, 2021. In addition, Robert Nee's, as an alternate, term will expire at the end of the year.

Mr. Callahan is working on putting the rules of the ZBA together and filing them with the Town Clerk. He said that other ZBA's in the Commonwealth have done so. He will be looking at other Town's policies and rules for some guidance. He will raise the topic again when more members are present.

NEXT MEETING: The next meeting will take place on Thursday, November 4, 2021. It will consist of a hybrid Public Hearing at 6:00 P.M. followed by a Work Session.

ADJOURNMENT: *Peter Okun moved to adjourn the meeting at 6:15 P.M., Daniel Wagner seconded, and it was so voted unanimously by roll call.*

Respectfully submitted,

Ellen C. Battaglini

Approved by _____ on _____, 2021.
Jeremy Callahan, Chair