



## Zoning Board of Appeals

# Meeting Agenda

**The Provincetown Zoning Board of Appeals will hold a Public Meeting on Thursday, April 21, 2022 at 6:00 P.M., followed by a Work Session in the Judge Welsh Room at Town Hall, 260 Commercial Street, Provincetown, MA 02657.**

Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted in person and, as a courtesy, via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law.

Joining the Meeting: [Click here to join the meeting](#)

Microsoft Teams: Join on your computer or mobile app

Phone: Or call in (audio only) [\(833\) 579-7589](tel:8335797589) Phone Conference ID: 509 646 155#

**To Participate during public comment:**

- Teams: Raise hand to be called on to speak; or
- Phone: Speak name clearly to be called on to speak.

**Please do not speak again until acknowledged by Chair or meeting moderator.**

- Keep your phone muted at all times when not talking (\*6 to mute & unmute your phone);
- Do not use speakerphone, Bluetooth devices (speakers or headphones); and
- Mute all background noises, including PTV, television or computer and use only phone audio.

**AGENDA ITEMS MAY BE TAKEN OUT OF ORDER AND VOTES MAY BE TAKEN ON ANY OF THE AGENDA ITEMS BELOW**

**MEETING WILL END AT 9:00 P.M. AND ANY APPLICATIONS NOT YET CONSIDERED WILL BE POSTPONED TO THE NEXT HEARING**

## A. Public Hearings:

1) [ZBA 21-59](#) (*request to continue to the meeting of May 5<sup>th</sup>*)

Application by **Wayne Tavares**, on behalf of **Michael J. Shuster et vir.**, seeking a Special Permit pursuant to Article 2, Section 2450, Permitted Accessory Uses, G12, Swimming pool, of the Zoning By-Laws to install a swimming pool on the property located at **99 Bayberry Avenue (Residential 1 Zone)**.

2) [ZBA 22-12](#) (*postponed to the meeting of May 5<sup>th</sup>*)

Application by **Eliot Parkhurst, Esq.**, on behalf of **LCOF Provincetown CPBK Investment, LLC**, seeking a Special Permit pursuant to Article 2, Section 2440, Permitted Principal Uses, B5, Restaurants, Bars, Entertainment, of the Zoning By-Laws to exchange 50 full-service restaurant seats for 87 tavern seats to be utilized in an enclosed courtyard area in the summer and inside a gatehouse, the Shipwreck Lounge, during inclement weather and in the winter and shoulder seasons on the property located at **67 Bradford Street (Residential 3 Zone)**.

3) [ZBA 22-14](#)

Application by **Fredy Sanchez**, on behalf of **Haley D. Freeman et al.**, seeking a Special Permit pursuant to Article 3, Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to enclose an existing screened porch up and along a pre-existing, non-conforming rear yard setback on the property located at **6 Duncan Lane (Residential 1 Zone)**.

4) [ZBA 22-15](#)

Application by **Jeff Purcell**, on behalf of **Stephen Cozzi, 8 & 20, LLC**, seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, of the Zoning By-Laws to correct headroom deficiencies in a kitchen, bathroom, and hallway, as well as basic remodeling and a framing correction that will result in an increase in the building scale of a structure that is already in excess of the neighborhood average scale on the property located at **5 Kiley Court (Residential 3 Zone)**.

5) [ZBA 22-16](#)

Application by **Bill Fornaciari**, on behalf of **William J. Burley et al.**, seeking a Special Permit pursuant to Article 3, Sections 3110, Change, Extensions or Alterations, and 3115, Demolition and Reconstruction, of the Zoning By-Laws to install a new foundation under an existing sunroom and to reconfigure and rebuild an existing front egress stair and deck that are located in a pre-existing, non-conforming west front yard setback on the property located at **31 Pearl Street (Residential 3 Zone)**.

6) [ZBA 22-17](#)

Application by **Paul Melanson**, on behalf of the **Post Office Café Realty Trust**, seeking a Special Permit pursuant to Article 2, Section 2440, Permitted Principal Uses, B, Business, 5, Restaurants, Bars, Entertainment, of the Zoning By-Laws to allow outdoor entertainment on a patio located at **303 Commercial Street (Town Center Commercial Zone)**.

## B. Work Session VOTES MAY BE TAKEN ON ANY OF THE AGENDA ITEMS BELOW

1) Pending Decisions:

**ZBA 22-9**

Application by **Mark Kinnane**, on behalf of **10 Atwood Realty Trust**, seeking a Special Permit pursuant to Article 2, Section 2450, Permitted Accessory Uses, G14, Utility Garden Shed, of the

Zoning By-Laws to construct a shed on the property located at **10 Atwood Avenue (Residential 2 Zone)**.

**ZBA 22-11**

Application by **Eliot Parkhurst, Esq.**, on behalf of **LCOF Provincetown CPBK Investment, LLC**, seeking a Special Permit pursuant to Article 2, Sections 2440, Permitted Principal Uses, B3, Hotel, motel or inn, and 2470, Parking Requirements, of the Zoning By-Laws to approve the use of 45 existing seats plus 24 newly acquired seats on a flex basis, including allowing 36 exterior seats on a patio, and to waive parking requirements on the property located at **82 Bradford Street (Residential 3 Zone)**.

**ZBA 22-13**

Application by **Sadie Hutchings** seeking a Special Permit pursuant to Article 2, Sections 2440, Permitted Principal Uses, F, Other Principal Uses, 3a, Animal hospital, and 2450, Permitted Accessory Uses, G11, Other customary accessory uses, of the Zoning By-Laws to open an animal hospital and establish a retail space to sell animal health-related products on the property located at **43 Race Point Road, UE1 (Residential 3 Zone)**.

- 2) Approve Minutes of April 7, 2022 meeting.
- 3) Any other business that may properly come before the Board.

Submitted By: Jeremy Callahan, Chair

Posted: Town Clerk, [www.provincetown-ma.gov](http://www.provincetown-ma.gov); 4/15/22 0945hrs EC