



## Zoning Board of Appeals

# Meeting Agenda

The Provincetown Zoning Board of Appeals will hold a Public Meeting on Thursday, May 5, 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: 136 578 302#

**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](#) (continued to the meeting of May 19<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](#)

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 22-18](#)

Application by **Peter McCoubrey**, on behalf of **Provincetown Marina, LLC**, 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 operate an outdoor pop-up bar for 30 (non-consecutive) days next to the seawall on the property located at **9 Ryder Street Extension (Town Center Commercial Zone)**.

4) [ZBA 22-19](#)

Application by **Robin B. Reid, Esq.**, on behalf of **Bradford Street Realty, LLC**, seeking a Special Permit pursuant to Article 2, Section 2440, Permitted Principal Uses, B, Business, 5, Restaurants, Bars, Entertainment, of the Zoning By-Laws for an outdoor seating area with flex-seating on the property located at **31 Bradford Street (Residential 3 Zone)**.

5) [ZBA 22-20](#)

Application by **Jonathan Hawkins**, on behalf of **The Anchor in Town, LLC**, 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 demolish existing bars/storage sheds and replace them with prefabricated sheds, in the same footprints, up and along pre-existing, non-conforming east side and rear yard setbacks on the property located at **243-249 Commercial Street (Town Center Commercial Zone)**.

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

1) Pending Decisions:

**ZBA 22-14**

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)**.

**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)**.

**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)**.

**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)**.

2) Consideration of the request to rescind the Special Permit (FY 16-09) granted on December 10, 2015, and recorded September 11, 2018, at Book 31520, Page 349, allowing an Accessory Dwelling Unit at 16 Thistlemore Rd.

3) Approve Minutes of April 21, 2022 meeting.

4) Any other business that may properly come before the Board.

Submitted By: Jeremy Callahan, Chair

Posted: Town Hall, [www.provincetown-ma.gov](http://www.provincetown-ma.gov); 4/29/22 1000hrs EC