



## Zoning Board of Appeals

# Meeting Agenda

**The Provincetown Zoning Board of Appeals will hold a Public Meeting on Thursday, May 19, 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: 602 002 357#

**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. Election of Officers

## B. Public Hearings:

### 1) [ZBA 21-59](#) (continued from 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 22-21](#)

Application by **Trevor Pontbriand**, on behalf of **Allan J. Robinson et al.**, seeking a Special Permit pursuant to Article 3 Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to construct a new 29.3 sq. ft. addition and 3 small dormers up and along pre-existing, non-conforming side and front yard setbacks on an under-sized lot with less than 50' of frontage located at **153 Bradford Street (Residential 3 Zone)**.

### 3) [ZBA 22-22](#)

Application by **Ted Smith**, on behalf of **Bowman Morrison Family Holding Trust, AJ Bowman and JS Morrison, Trustees**, 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 lift and renovate a structure, including adding dormers, expanding an existing dormer up and along a pre-existing, non-conforming front yard setback, constructing a one-story addition on the west elevation, adding a new exterior entry stair on the northwest corner and reconfiguring an existing egress stair and deck on the northeast corner up and along pre-existing, non-conforming rear yard setback and increasing its building scale, located on an under-sized lot with less than 50' of frontage at **5 Tremont Street (Residential 3 Zone)**.

### 4) [ZBA 22-23](#)

Application by **Ginny Binder**, on behalf of **Clipper Ventures Realty Trust**, seeking a Special Permit pursuant to Article 3, Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to install a canopy over a second-floor seating area up and along pre-existing, non-conforming side yard setbacks on the property located at **335 Commercial Street (Town Center Commercial Zone)**.

### 5) [ZBA 22-24](#)

Application by **Ted Smith**, on behalf of **Trevor's Trails II, LLC**, seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, and Article 3, Sections 3110, Change, Extensions or Alterations, and 3115, Demolition and Reconstruction, of the Zoning By-Laws to demolish and rebuild a pre-existing, non-conforming structure in a slightly smaller footprint, but with an increase in its building scale, on an under-sized lot with less than 50' of frontage at **7 Snow Street (Residential 2 Zone)**.

### 6) [ZBA 22-25](#)

Application by **Paul Melanson**, on behalf of **269 Comm, LLC**, seeking a Special Permit pursuant to Article 3, Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to place a tent over our existing outdoor dining area to provide shade and weather protection on the property located at **269-271 Commercial Street (Town Center Commercial Zone)**.

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

1) Pending Decisions:

**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)**.

**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)**.

**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)**.

**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)**.

- 2) Approve Minutes of May 5, 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); 5/13/22 1000 EC