

TOWN OF PROVINCETOWN

ZONING BOARD OF APPEALS

MEETING MINUTES OF APRIL 27, 2000

Meeting Place: Judge Welsh Room in Town Hall

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Members Present: Gary Reinhardt (Chair), Peter Bez (Vice Chair), Ray Boylan, Steve Melamed

Members Absent: Barbara Gard (Clerk.), Larry Mahan, Donna Campana

Others Present: Rachel Crosby (Recording Secretary)

WORK SESSION

Chair Gary Reinhardt called the Work Session to order @ 6:05 P.M.

PENDING DECISIONS

2000-012 Marine Specialties – Gary Reinhardt, Peter Bez, Ray Boylan, Barbara Gard, Larry Mahan sat on case. Gary Reinhardt read the decision. *Peter Bez moved to accept the decision as amended, Ray Boylan seconded and it was so voted, 3-0, 2 absent (Barbara Gard, Larry Mahan).*

2000-018 10 Commercial Street, Richard Olson - Gary Reinhardt, Ray Boylan, Steve Melamed, Larry Mahan, Donna Campana sat on case. Ray Boylan read the decision. *Steve Melamed moved to approve the decision as written, Gary Reinhardt seconded and it was so voted, 3-0, 2 absent (Donna Campana, Larry Mahan).*

2000-020 198 Commercial Street, Frederick Bayer - Gary Reinhardt, Ray Boylan, Larry Mahan, Steve Melamed, Donna Campana sat on case. Gary Reinhardt read the decision. *Steve Melamed moved to approve as written, Ray Boylan seconded and it was so voted, 3-0, 2 absent (Donna Campana, Larry Mahan).*

2000-021 198 Commercial Street, Frederick Bayer - Gary Reinhardt, Ray Boylan, Larry Mahan, Steve Melamed, Donna Campana sat on case. Ray Boylan read the decision. *Steve Melamed moved to approve as written, Gary Reinhardt seconded and it was so voted, 3-0, 2 absent (Larry Mahan, Donna Campana).*

PENDING CASES

2000-019 599 Commercial Street, Mathew Smith and Michael Jeffries – Gary Reinhardt, Ray Boylan, Larry Mahan, Steve Melamed, Donna Campana sat on case. Gary Reinhardt announced that he would reopen the public comment portion of the hearing to hear new evidence. **Public Comment:** Mr. and Mrs. Lisbon appeared and read a letter and spoke against the application. Mr. Manso spoke in opposition and referred to a letter he had submitted. Mr. Bologna of Coastal Engineering clarified elevation issues and submitted scale calculations. Mr. Bologna also submitted a locus map and stated that the actual building height increase will be 4' 8". Taken under advisement until at least four members are present.

MINUTES

April 13, 2000 – *Steve Melamed moved to approve, Ray Boylan seconded, and it was so voted, 3-0, 1 abstain (Peter Bez).*

ELECTIONS

Peter Bez moved to nominate and elect Gary Reinhardt as Chair, Ray Boylan seconded and it was voted, and it was so voted, 3-0, 1 abstain.

Steve Melamed moved to nominate and elect Peter Bez as Vice-Chair, Ray Boylan seconded and it was so voted, 4-0.

Steve Melamed moved to nominate and elect Ray Boylan as Clerk, Peter Bez seconded and it was so voted, 4-0.

GENERAL DISCUSSION

- Gary Reinhardt announced there was a Work Session scheduled with the Board of Health on May 9, 2000 at 10:30 P.M. The Work Session will focus on the new growth management by-law and how a bedroom is defined.
- Gary Reinhardt reported on a letter from Selectman Cheryl Andrews, concerning the possibility of having a work session with her on the new growth management by-laws as it relates to Title V criteria.

Gary Reinhardt adjourned the Work Session at 6:55 P.M..

PUBLIC HEARING

Chair Gary Reinhardt convened the public hearing at 7:05 P.M. and explained the public hearing procedures to the public. Four members of the Board were present and three were absent

- 2000-017** **328 Commercial Street, Brian Hart on behalf of Ruth Dwyer** - This application continued from April 13, 2000. Application is for a special permit to move seats from outside to inside. Postponed again because a four member Board could not be seated without a conflict-of-interest.
- 2000-024** **277A Commercial Street, Jude Maria on behalf of St. Peter's Club** - Gary Reinhardt, Peter Bez, Ray Boylan, Steve Melamed sat on case. Steve Melamed disclosed that the St Peter's Club was a landlord of one of his businesses and the applicant agreed to allow Mr. Melamed to sit on the case. The applicant also agreed to a four person Board. Ms Maria appeared to present the application, which is for renewal of a special permit for outdoor display. **Public Comment:** Ms Blake, Ms Baker and Ms Hamilton spoke in favor. No one spoke in opposition. There was one letter in favor in file. ***Peter Bez moved to grant, Steve Melamed seconded and it was so voted, 4-0.*** Peter Bez wrote the decision using the standard outdoor display form.
- 2000-025** **49 Bradford Street, William Rogers, II** – The application is for a special permit to raise existing dwellings, providing new second floors and decks. Postponed because a four member Board could not be seated without a conflict-of-interest.
- 2000-026** **212-214 Commercial Street, Kelly Blake for Kidbits, Inc. on behalf of Shafir Realty** – Gary Reinhardt, Peter Bez, Ray Boylan, Steve Melamed sat on case. Ms Blake appeared to present the application, which is for renewal of a special permit for outdoor display. **Public Comment:** Ms Shafir spoke in favor. The applicant accepted a four member Board. There were no letters in file. ***Steve Melamed moved to grant, Peter Bez seconded and it was so voted, 4-0.*** Peter Bez will write the decision using the standard outdoor display form.
- 2000-027** **368 Commercial Street, P.J. Layng for Roots, Inc. on behalf of Lenore Luttinger** - The application is for renewal of a special permit for outdoor display. The applicant did not appear. Continued until May 18, 2000.
- 2000-028** **773 Commercial Street, Susan Barris** – Gary Reinhardt, Peter Bez, Ray Boylan, Steve Melamed sat on case. Mr. Coneen appeared to present the application, which is for a special permit for an extension of a pre-existing, non-conforming building. The applicant accepted a four member Board. **Presentation:** has been approved by Conservation Commission; would remain a two bedroom dwelling; wants to expand living room; non-conformity created by property line encroachment. **Public Comment:** No one spoke either in favor or opposition. There was one letter in favor. **Board Discussion:** can be considered under Goldhirsch; whether addition could be built without going into setback. ***Peter Bez moved to grant under Goldhirsch, Ray Boylan seconded and it was so voted, 4-0.*** Peter Bez wrote the decision using the standard Goldhirsch form.
- 2000-029** **404 Commercial Street, John Guerra** - The application is for a special permit to provide outside seats. Postponed because a four member Board could not be seated without a conflict-of-interest.

Chair Gary Reinhardt closed the public hearing at 7:56 P.M.

ADJOURNMENT

Ray Boylan made a motion to adjourn at 7:58 P.M. and it was so voted unanimously.

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These minutes were approved by a vote of the Zoning Board of Appeals at their meeting on \_\_\_\_\_, 2000

Respectfully Submitted:

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Zoning Board of Appeals Signature

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Title

  
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On-call secretary