

# TOWN OF PROVINCETOWN

## ZONING BOARD OF APPEALS

### MEETING MINUTES OF June 15, 2000

#### Meeting Place: Judge Welsh Room in Town Hall

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**Members Present:** Gary Reinhardt (Chair), Peter Bez (Vice Chair), Barbara Gard, Larry Mahan

**Members Absent:** Ray Boylan (Clerk), Steve Melamed

**Others Present:** Warren Alexander (Building Commissioner), Rachel Crosby (Recording Secretary)

### PUBLIC HEARING

Chair Gary Reinhardt convened the public hearing at 7:03 P.M. and explained the public hearing procedures to the public. Four members of the Board were present and three were absent

**2000-042**      **308 Commercial Street, Karen Coill on behalf of Muriel Coill** - Gary Reinhardt, Peter Bez, Barbara Gard, Larry Mahan sat on case. The applicant accepted a four member Board. Karen Coill appeared to present the application, which is for a special permit for outside display. No one spoke either in favor or opposition. There were no letters in file. *Peter Bez moved to grant, Barbara Gard seconded and it was so voted, 4-0.* Peter Bez wrote the decision using the standard outside display decision form.

**2000-041**      **185 Commercial Street, E. James Veara on behalf of 185 Commercial Realty Trust** - Mr. Veara appeared to present the application, which is to appeal by reason of the Building Commissioner's failure to act on a request and the decision of the Health Agent. Gary Reinhardt explained that he had requested and received a letter of opinion from Town Counsel. Gary Reinhardt read the letter of opinion from Town Counsel, Judith Cutler, who basically said that the Zoning Board of Appeals does not have jurisdiction to hear the appeal. Mr. Veara argued against the Town Counsel's opinion, saying, among other things, that he had been instructed to bring the appeal to the Zoning Board of Appeals. The Board discussed whether they should hear the appeal. Mr. Veara explained why he felt the appeal was for relief from the Zoning By-Laws. **Board Discussion:** whether the applicant needed to get building permit(s). *Peter Bez moved to accept the opinion of Town Counsel and not hear the application, Larry Mahan seconded and it was so voted, 4-0.*

**2000-043**      **139 Commercial Street, Robert O'Malley on behalf of J.C. Anderson** - sat on case. Jame Veara appeared to present the application, which is for a special permit for approval to extend/alter a pre-existing structure by adding a second story balcony over a front porch. Mr. Veara requested and was granted a continuance until the next meeting (July 6, 2000).

Chair Gary Reinhardt adjourned the Public Hearing at 7:34 P.M.

### WORK SESSION

Chair Gary Reinhardt called the Work Session to order @ 7:36 P.M.

#### PENDING DECISIONS

**2000-025**      **49 Bradford Street, William Rogers on behalf of Allen Green** – Gary Reinhardt, Larry Mahan, Steve Melamed, Donna Campana sat on case. Still pending written decision.

#### MINUTES

**May 30, 2000** – *Peter Bez moved to approve with a correction, Barbara Gard seconded, and it was so voted, 4-0, 2 absent (Ray Boylan, Steve Melamed).*

**MISCELLANEOUS**

Gary Reinhardt reported that a decision previously approved on application **2000-039, 5 Masonic Place**, needed further clarification. *After discussion, Larry Mahan moved to clarify that the intention of the Zoning Board of Appeals was to grant a seven day special permit for entertainment to application 2000-039 and that the decision was not meant to make a six day special permit for entertainment, Peter Bez seconded and it was so voted, 4-0.*

**ADJOURNMENT**

*Peter Bez made a motion to adjourn at 7:42 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:

\_\_\_\_\_  
Zoning Board of Appeals Signature

\_\_\_\_\_  
Title

**Rachel Crosby**  
On-call secretary