

# TOWN OF PROVINCETOWN

## ZONING BOARD OF APPEALS

### MEETING MINUTES OF MARCH 1, 2001

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#### Meeting Held in Town Hall

**Members Present:** Gary Reinhardt (Chair), Peter Bez (Vice Chair), Ray Boylan (Clerk), Larry Mahan, Esther Czyoski, Peter McDonough, Steve Melamed

**Members Absent:** Barbara Gard (excused)

**Others Present:** Rachel Crosby (Recording Secretary)

### WORK SESSION

Chair Gary Reinhardt called the Work Session to order at 6:30 PM.

#### PENDING CASES

**2001-016 250 Bradford Street, Anthony Vevers** – Gary Reinhardt, Peter Bez, Ray Boylan, Larry Mahan, Steve Melamed sat on case. Mrs. Vevers appeared to discuss the application. **Board Discussion:** possibility of waiting until Town Meeting to see if applicant's article to remove the scale bylaw is successful; no advantage in waiting for either the owner or the Board. Taken under consideration.

#### PENDING DECISIONS

**2001-009 441B Commercial Street, Joel Jeffrey Ouellet** - Gary Reinhardt, Peter Bez, Ray Boylan, Larry Mahan, Peter McDonough sat on case. Peter Bez read the decision. *Larry Mahan moved to approve as written, Ray Boylan seconded and it was so voted, 5-0.*

**2001-005 5-15 Bradford Street, Kimberly Medeiros on behalf of Moors Realty Trust** – Gary Reinhardt, Peter Bez, Ray Boylan, Larry Mahan, Peter McDonough sat on case. Ray Boylan read the decision. *Peter Bez moved to approve with one correction, Peter McDonough seconded and it was so voted, 5-0.*

**2001-017 56 Shank Painter Road, Charles Silva** - Gary Reinhardt, Peter Bez, Ray Boylan, Larry Mahan, Esther Czyoski sat on case. Peter Bez read the decision. *Ray Boylan moved to approve as written, Esther Czyoski seconded and it was so voted, 5-0.*

#### MODIFICATION

**2000-061 48 Shank Painter Road, Joan Taves** - Gary Reinhardt, Peter Bez, Barbara Gard, Ray Boylan, Steve Melamed originally sat on case. Applicant seeks to review a change on the construction plan originally approved by the Zoning Board of Appeals on September 7, 2000. Mr. Taves appeared to discuss the modification. **Presentation:** wants to build a dormer on the west side of the building and install inset windows and door to allow creation of deck; scale considerations do not apply. *Steve Melamed moved to accept as a modification not requiring a new public hearing, Ray Boylan seconded and it was so voted, 4-0, 1 absent (Barbara Gard).*  
*Steve Melamed moved to approve the modification, Ray Boylan seconded and it was so voted, 4-0, 1 absent (Barbara Gard).*

#### MINUTES

**February 15, 2001** – *Peter Bez moved to approve as written, Steve Melamed seconded, and it was so voted, 6-0, 1 abstain (Peter McDonough), 1 absent (Barbara Gard).*

Steve Melamed left the meeting at 7:00 PM.

# PUBLIC HEARING

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

- 2000-015**      **371-373 Commercial Street, Nils Berg on behalf of Berg Family Trust** - Gary Reinhardt, Peter Bez, Ray Boylan, Larry Mahan, Esther Czyoski sat on case. Nils Berg appeared to present the application which is for a special permit to modify areas of service in a restaurant. **Presentation:** wants to move bar and lounge to where Palm Court is now and create coffee/espresso café in current bar and lounge area; previously granted in 1996 and 1999. **Public Comment:** No one spoke either in favor or opposition. There were no letters in file. **Board Discussion:** same number of seats; total seating is 217. **Peter Bez moved to grant, Ray Boylan seconded and it was so voted, 5-0.** Peter Bez will write the decision.
- 2001-018**      **170 Commercial Street, John Yingling** – Gary Reinhardt, Peter Bez, Ray Boylan, Larry Mahan, Peter McDonough sat on case. Tom Conklin appeared to present the application which is for a special permit to operate a paid parking lot. **Presentation:** wants to renew permit granted three years ago. **Public Comment:** Mr. Stoman spoke in favor, no one spoke in opposition. There was one letter with concerns and one letter in opposition. Building Commissioner Warren Alexander asked about the current surface of the handicapped area and Mr. Conklin said he did not think it was paved. Mr. Alexander expressed concerns about the surface during wet weather and Mr. Conklin said he was willing to address the issue. **Board Discussion:** applicant needs to get letters of approval from both the Police Department and the Fire Department. **Peter Bez moved to grant as a permanent permit pending receipt of the letters of approval from Police Department and the Fire Department and with the condition that the handicapped spot be in compliance with all ADA requirements, Ray Boylan seconded and it was so voted, 5-0.** Ray Boylan will write the decision.
- 2001-019**      **25 Winslow Street, Motta Field, Peter Grosso on behalf of the Provincetown Lions Club** - Gary Reinhardt, Peter Bez, Ray Boylan, Larry Mahan, Esther Czyoski sat on case. Mr. Grosso appeared to present the application which is for a special permit to allow a circus. **Presentation:** annual function sponsored by Lion’s Club; will be July 6, 7 and 8, 2001. **Public Comment:** No one spoke either in favor or opposition. There were no letters in file. **Peter Bez moved to grant, Esther Czyoski seconded and it was so voted, 5-0.** Esther Czyoski will write the decision.
- 2001-020**      **135 Bradford Street, Joseph Pezzulo on behalf of Pezzulo, Inc.** - Gary Reinhardt, Peter Bez, Ray Boylan, Larry Mahan, Peter McDonough sat on case. Mr. Pezzulo appeared to present the application which is for a special permit to allow entertainment and outdoor seating. **Presentation:** would like permit to be permanent. **Public Comment:** No one spoke either in favor or opposition. There were no letters in file. **Peter Bez moved to grant the permit permanently, Ray Boylan seconded, and it was so voted, 5-0.** Peter Bez will write the decision.

Chair Gary Reinhardt closed the Public Hearing at 7:32 P.M.

## MEETING SCHEDULE

⌘ Next meeting will be on March 15, 2001 at 6:30 P.M.

## ADJOURNMENT

*Peter Bez moved to adjourn at 7:33 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 \_\_\_\_\_, 2001

Respectfully Submitted:

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

\_\_\_\_\_  
Title

**Rachel Crosby**  
On-call secretary