

TOWN OF PROVINCETOWN ZONING BOARD OF APPEALS

MEETING MINUTES OF
December 18, 2003

MEETING HELD IN TOWN HALL

Members Present: Gary Reinhardt, Peter Page, Peter Bez, Lynne Davies, Howard Weiner and Patrick Eeley.

Members Absent: Steve Melamed (excused) and Brian Falvey (unexcused).

Others Present: Warren Alexander and Ellen C. Battaglini (Recording Secretary).

PUBLIC HEARING

Chair Gary Reinhardt called the Public Hearing to order at 7:00 P.M.

2003-076 253A Commercial Street (*Town Commercial Center Zone*), Binder Boland Associates, Inc. and Kimbal Residential Designs on behalf of Lester Heller -

The applicant seeks a Special Permit under Article 2, Section 2314, B4b, Article 3, Section 3110 and a Variance under Article 2560, rear yard setback, of the Zoning By-Laws to remove and reconstruct a pre-existing, non-conforming structure and use and to extend the structure along a non-conforming rear yard setback. Gary Reinhardt, Peter Bez, Peter Page, Lynne Davies and Patrick Eeley sat on the case.

Presentation: Ginny Binder and Neal Kimball appeared to present the application. The applicant seeks to expand the structure to include a gallery, workshop space, storage space for artwork and living quarters.

Public Comment: Lester Heller spoke in support of the application.

Board Discussion: The Board questioned Ms. Binder and Mr. Kimball concerning the need and justification for a Variance. The Board then inquired as to whether the plans could be reconfigured in order that the rear yard setback would be conforming, thus negating the need for a Variance. Ms. Binder and Mr. Kimball agreed to rework the plans to make the rear yard conform to the setback requirements of the Zoning By-Laws and resubmit them for the Board's consideration at its January 8, 2004 hearing. Peter Bez will write the decision.

Chair Gary Reinhardt closed the Public Hearing at 8:00 P.M.

WORK SESSION

Chair Gary Reinhardt called the Work Session to order at 8:00 P.M.

MINUTES:

December 4, 2003 – *Lynne Davies moved to accept the language as written, Howard Weiner seconded and it was so voted, 6-0.*

ADMINISTRATIVE AMENDMENT:

2003-067 **134 Commercial Street, (Town Commercial Center Zone), Keith R. Stone -**
Gary Reinhardt, Peter Page, Steve Melamed and Howard Weiner sat on the original case. Gary Reinhardt, Peter Page and Howard Weiner sat on this case. The applicant seeks to reconfigure the roof from a gable to a hip.
Peter Page moved to consider the case as an Administrative Amendment, Howard Weiner seconded and it was so voted, 3-0.
Peter Page moved to approve the Administrative Amendment for Case # 2003-067, Howard Weiner seconded and it was so voted, 3-0.

NEXT MEETING

The next meeting will be on January 8, 2004 and will consist only of a Work Session at 6:30 P.M. and a Public Hearing at 7:00 P.M.

ADJOURNMENT

Howard Weiner moved to adjourn at 8:15 P.M. and it was so voted unanimously.

These minutes were approved by a vote of the Zoning Board of Appeals at their meeting on January 8, 2004.

Respectfully submitted,

Zoning Board of Appeals Signature

Ellen C. Battaglini