

**TOWN OF PROVINCETOWN**  
**ZONING BOARD OF APPEALS**

**MEETING MINUTES OF**  
**March 3, 2005**

**MEETING HELD IN TOWN HALL**

**Members Present:** Peter Bez, Peter Page, Lynne Davie and Patrick Eeley.

**Members Absent:** Gary Reinhardt (excused) and Steve Melamed (excused).

**Others Present:** Doug Taylor (Building Commissioner), Maxine Notaro (Permit Coordinator) and Ellen C. Battaglini (Recording Secretary).

**PUBLIC HEARING**

Acting Chair Peter Bez called the Work Session to order at 7:00 P.M. There were four members of the Zoning Board of Appeals present and two absent.

**2005-013 19 West Vine Street (*Residential 3 Zone*), Victor DePoalo on behalf of David Silva -**

The applicant seeks a Special Permit under Article 3, Section 3110 of the Zoning By-Laws to extend a pre-existing, non-conforming structure up and along a non-conforming yard with the addition of dormers over an existing footprint. The applicant was informed that only four members of the Board would be seated on the case necessitating a unanimous vote in order to be granted a Special Permit. The applicant could thus proceed with the application with four members or postpone until five members were seated. The applicant chose to proceed. The address of the property was mis-advertised and the applicant was asked again if he would like to proceed with the application and he agreed. Patrick Eeley disclosed that he was an abutter to an abutter. The Peter Bez, Peter Page, Lynne Davies and Patrick Eeley sat on the case.

**Presentation:** Ted Smith, architect, and Victor DePoalo appeared to present the application.

**Public Comment:** Antonio Sanz spoke in favor of the application. There were no letters in the file.

**Board Discussion:** The Board questioned Mr. Smith and Mr. DePoalo.

*Peter Page moved to consider as a finding under the Goldhirsh v. McNear ruling, Lynne Davies seconded and it was so voted, 4-0.*

*Lynne Davies moved to approve a Special Permit under Article 3, Section 3110 of the Zoning By-Laws to extend a pre-existing, non-conforming structure up and along a non-conforming yard with the addition of dormers over an existing footprint at the property located at 19 West Vine Street (Res 3) as a finding under the Goldhirsh v. McNear ruling, Peter Page seconded and it was so voted, 4-0.*

Acting Chair Peter Bez adjourned the Public Hearing at 7:15 P.M.

**WORK SESSION**

Acting Chair Peter Bez called the Work Session to order at 7:15 P.M.

**MINUTES:**

**February 17, 2004 –** *Lynne Davies moved to accept the language as written, Peter Page seconded and it was so voted, 4-0.*

**NEXT MEETING:**

The next meeting will be on March 17, 2005 and will consist of an Executive Session at 6:45 P.M. and a Public Hearing at 7:00 P.M followed by a Work Session.

**ADJOURNMENT:**

*Patrick Eleey moved to adjourn at 7:20 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 March 17, 2005.

Respectfully submitted,

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*Zoning Board of Appeals Signature*

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Ellen C. Battaglini