

TOWN OF PROVINCETOWN
ZONING BOARD OF APPEALS

MEETING MINUTES OF
June 30, 2005

MEETING HELD IN TOWN HALL

Members Present: Gary Reinhardt, Peter Bez, Steve Melamed and Patrick Eeley (arrived at 6:29 P.M.).

Members Absent: Peter Page (excused) and Lynne Davies (unexcused).

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

WORK SESSION

Chair Gary Reinhardt called the Work Session to order at 6:00 P.M.

PENDING CASES:

2005-029 70-74 Shank Painter Road (General Commercial Zone), Charles W. Silva -

The applicant seeks a Special Permit under Article 2, Section 2440-B7 of the Zoning By-Laws for a Parking Lot. Gary Reinhardt, Peter Bez, Peter Page, Lynne Davies and Steve Melamed sat on the case.

Presentation: Charles W. Silva appeared to answer questions from the Board.

Board Discussion: There were letters from the Chief of Police, the Building Commissioner and the Fire Chief in the file. A quorum was not present to discuss the case further.

PENDING DECISIONS:

2005-031 566 Commercial Street (Residential 2 Zone), Barnett Adler -

Gary Reinhardt, Peter Bez, Peter Page, Lynne Davies, and Steve Melamed sat on the case. Peter Bez read the decision. *Steve Melamed moved to approve the language as written, Gary Reinhardt seconded and it was so voted, 3-0-2 (Lynne Davies and Peter Page absent).*

ADMINISTRATIVE REVIEW:

2004-056 290D Bradford Street, Robert Valois on behalf of Brian Ganson -

The applicant seeks to modify previously approved plans. Gary Reinhardt, Peter Bez, Peter Page, Lynne Davies and Steve Melamed sat on the original case.

Presentation: Robert Valois appeared to present the request. The scale will be reduced to 72.55 scale units, but will still be under the original Special Permit scale of 72.94 s.u..

Board Discussion: The Board questioned Mr. Valois.

Peter Bez moved to consider the request as an Administrative Amendment, Steve Melamed seconded and it was so voted, 3-0.

Peter Bez moved to grant the request for an Administrative Amendment for Case # 2004-056, Steve Melamed seconded and it was so voted, 3-0.

MINUTES: June 16, 2004 – Peter Bez moved to accept the language as written, Steve Melamed seconded and it was so voted, 3-0.

Chair Gary Reinhardt adjourned the Work Session at 6:30 P.M.

PUBLIC HEARING

Chair Gary Reinhardt called the Public Hearing to order at 6:30 P.M. There were four members of the Zoning Board of Appeals present and three absent.

2005-028 10 Washington Avenue (Residential 3 Zone), Neal Kimball on behalf of Vernon Brown -

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 the non-conforming dimensions. Gary Reinhardt, Peter Bez, Steve Melamed and Patrick Eley sat on the case. Since only four members of the Board were present, necessitating a unanimous decision in order to grant a Special Permit, the applicant was given the option of proceeding with four members or postponing until five members were seated. The applicant chose to proceed.

Presentation: Attorney Christopher J. Snow and Neal Kimball appeared to present the application. There are 4 cottages on the property that will be renovated, bringing them into conformance with the State Building Code and eliminating the mold problem in the structures. Roofs will be removed and sidewalls raised on the cottages and a corrugated fiberglass carport structure that connects cottages 3 and 4 will be removed.

Public Comment: David Chambers, an abutter, is concerned about the proposed size of the cottages and an increase in the number of parking spaces at the premises. Gary Call, an abutter, is concerned about his view of the skyline and the decrease in light that reaches his property as a result of the renovations. There was one letter in opposition to the project.

Board Discussion: The Board questioned Attorney Snow and Mr. Kimball. The Board reminded the applicant that cottages 3 and 4 needed to remain connected structurally. The suggestion was that a landing or other structure be built to preserve that connection. The applicant agreed and new plans will be submitted before the Board takes a vote.

FINDINGS OF FACT:

- the existing property has a main structure and four cottages, two of which are connected by means of a carport;
- the proposal is to increase the height of the four cottages, while maintaining the connection between cottage 3 and 4;
- all existing setbacks will remain except for the rear yard setback of cottages 3 and 4, which will be reduced with the elimination of the carport;
- the four cottages are each single-family structures; and
- the proposed renovation will bring the cottages into conformance with the State Building Code.

Patrick Eley will write the decision.

NEXT MEETING:

The next meeting will be on July 21, 2005 and will consist of a Work Session at 6:45 P.M. and a Public Hearing at 7:00 P.M.

ADJOURNMENT:

Peter Bez moved to adjourn at 7:45 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 July 21, 2005.

Respectfully submitted,

Zoning Board of Appeals Signature

Ellen C. Battaglini