

TOWN OF PROVINCETOWN

ZONING BOARD OF APPEALS

MEETING MINUTES OF

September 21, 2006

MEETING HELD IN TOWN HALL

Members Present: Peter Page, Steve Melamed, Patrick Eleey, Elisabeth Verde and Todd Dever.

Members Absent: Gary Reinhardt (excused), Peter Bez (excused) and Lynne Davies (excused).

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

PUBLIC HEARING

Acting Chair Peter Page called the Public Hearing to order at 7:02 P.M.

- 2006-074** **636 Commercial Street (*Residential 2 Zone*), Paul Colburn on behalf of Charles Merrill-**
The applicant seeks a Special Permit under Article 3, Section 3110 of the Zoning By-Laws to alter a pre-existing, non-conforming structure up and along a non-conforming side and rear setback for the construction of a bedroom addition using the existing deck footprint. Peter Page, Steve Melamed, Patrick Eleey, Elisabeth Verde and Todd Dever sat on the case.
Presentation: Paul Colburn appeared to present the application.
Public Comment: None. There were no letters in the file.
Board Discussion: The Board questioned Mr. Colburn. The Board requested that the applicant submit a more complete set of plans, including what is existing and what is being proposed. The case is continued until the October 5, 2006 hearing.
- 2006-075** **231 Bradford Street (*Residential 3 Zone*), Neal Kimball, Kimball Residential Designs on behalf of Louise Venden -**
The applicant seeks a Special Permit under Article 3, Section 3110 of the Zoning By-Laws for the alteration to a pre-existing, non-conforming structure by way of moving the existing structure southward along and parallel to the pre-existing, non-conforming east side yard dimensional setback and placing it on a new full foundation. The extension off of the south (or rear) of the structure will be done so as to comply with the local by-law requirements. Peter Page, Steve Melamed, Patrick Eleey, Elisabeth Verde and Todd Dever sat on the case.
Presentation: Neal Kimball appeared to present the application.
Public Comments: Anne Howard, an abutter, spoke in favor of the application. There were no letters in the file.
Board Discussion: The Board questioned Mr. Kimball. The Board requested that the applicant submit a new site plan, which will be reviewed by the Building Commissioner.
Steve Melamed moved to consider as a finding under the Goldhirsh v. McNear ruling, Elisabeth Verde seconded and it was so voted, 5-0.
- Steve Melamed moved to grant a Special Permit under Article 3, Section 3110 of the Zoning By-Laws for the alteration to a pre-existing, non-conforming structure by way of moving the existing structure southward along and parallel to the pre-existing, non-conforming east side yard dimensional setback and placing it on a new full foundation at the property located at 231 Bradford Street (Res 3) as a finding under the Goldhirsh v. McNear ruling. The extension off of the south (or rear) of the structure will be done so as to comply with the local by-law requirements. Patrick Eleey seconded and it was so voted, 5-0.*

2006-076 **290C Bradford Street (Residential 3 Zone), Neal Kimball, Kimball Residential Design, on behalf of Andres Rahorcsak -**

The applicant seeks a Special Permit under Article 3, Section 3110 of the Zoning By-Laws for the alteration to a pre-existing, non-conforming structure by way of reconstructing the pre-existing, non-conforming structure on a new foundation with its original footprint and by adding a second story, which will extend up and along the non-conforming dimensional east rear yard and south side yard setbacks. The addition of a turret off of the north (or left) side of the structure will be done so as to comply with local zoning by-law requirements. Peter Page, Steve Melamed, Patrick Eeley, Elisabeth Verde and Todd Dever sat on the case

Presentation: Neal Kimball appeared to present the application.

Public Comment: None. There was one letter in support of the application in the file.

Board Discussion: The Board questioned Mr. Kimball.

Todd Dever moved to consider as a finding under the Goldhirsh v. McNear ruling, Patrick Eeley seconded and it was so voted, 5-0.

Todd Dever moved to grant a Special Permit under Article 3, Section 3110 of the Zoning By-Laws for the alteration to a pre-existing, non-conforming structure by way of reconstructing said structure on a new foundation with its original footprint and by adding a second story, which will extend up and along the non-conforming dimensional east rear yard and south side yard setbacks at the property located at 290C Bradford Street (Res 3) as a finding under the Goldhirsh v. McNear ruling. The addition of a turret off of the north (or left) side of the structure will be done so as to comply with local zoning by-law requirements. Elisabeth Verde seconded and it was so voted, 5-0.

Acting Chair Peter Page adjourned the Public Hearing at 8:10 P.M.

WORK SESSION

Acting Chair Peter Page called the Work Session to order at 8:10 P.M.

PENDING CASES:

2006-070 **150 Bradford Street (Residential 3 Zone), Tom Boland and James Farley on behalf of Farland, Inc., d/b/a Far Land Provisions -**
This case is postponed.

MINUTES: A quorum was not present to approve the minutes of August 3 or September 7, 2006.

NEXT MEETING:

The next meeting will be on October 5, 2006 and will consist of a Public Hearing at 7:00 P.M. with a Work Session to follow.

ADJOURNMENT:

Steve Melamed moved to adjourn at 8:20 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 October 5, 2006.

Respectfully submitted,

Zoning Board of Appeals Signature

Ellen C. Battaglini