

**TOWN OF PROVINCETOWN
ZONING BOARD OF APPEALS
MEETING MINUTES OF
November 18, 2010**

MEETING HELD IN THE GRACE GOUVEIA BUILDING

Members Present: Anne Howard, Elisabeth Verde, Amy Germain, David Nicolau and Tom Roberts.

Members Absent: Robert Littlefield (excused).

Others Present: Maxine Notaro (Permit Coordinator) and Ellen C. Battaglini (Recording Secretary).

WORK SESSION

Chair Anne Howard called the Work Session to order at 6:30 P.M.

MINUTES: November 4, 2010 – *Amy Germain moved to approve the language as written, David Nicolau seconded and it was so voted, 4-0.*

PENDING DECISIONS:

FY11-37 **293 Commercial Street (Town Commercial Center Zone), Julie Knapp of Julesan, Inc., d/b/a Twistd Sister** –
Anne Howard, Robert Littlefield, Amy Germain, David Nicolau and Tom Roberts sat on the case. Tom Roberts read the decision. *David Nicolau moved to approve the language as written, Amy Germain seconded and it was so voted, 4-0.*

Harriet Gordon, an applicant for an alternate seat on the Board, appeared to state her qualifications and to answer questions. *Amy Germain moved to approve Harriet Gordon's application as an alternate member on the Zoning Board of Appeals, Tom Roberts seconded and it was so voted, 5-0.*

FY11-38 **300 Commercial Street (Town Commercial Center Zone), William N. Rogers, P.E., P.L.S.** –
Anne Howard, Robert Littlefield, Amy Germain, David Nicolau and Tom Roberts sat on the case. Amy Germain read the decision. *Tom Roberts moved to approve the language as written, David Nicolau seconded and it was so voted, 4-0.*

Chair Anne Howard adjourned the Work Session at 7:10 P.M.

PUBLIC HEARING

Anne Howard called the Public Hearing to order at 7:10 P.M. There were five members of the Zoning Board of Appeals and one absent.

CONTINUED/POSTPONED CASES:

- FY11-35** **21 Bradford Street Extension (Residential 1 Zone), WK Red Clay, LLC –**
The applicant seeks a Special Permit under Article 3, Section 3110 of the Zoning By-Laws for a modification of a Special Permit granted in Case 2007-18 with a revision granted in Case 2007-57 to re-orient the location of six previously approved dwelling units. (Present use of premises is Multi-family Dwellings and 5 Commercial Tennis Courts and proposed use of premises is Multi-family Dwellings with two Private Tennis Courts).
Tom Roberts moved to continue Case #FY11-35 to the December 2, 2010 Public Hearing, Elisabeth Verde seconded and it was so voted, 3-0.
- FY11-39** **19 Commercial Street (Residential 2 Zone), Mark P. Kinnane of Cape Associates on behalf of Kathy Cote –**
The applicant seeks a Special Permit under Article 2, Section 2540 of the Zoning By-Laws to construct an addition and deck up and along a pre-existing, non-conforming Harbor setback and Article 3, Section 3110 of the Zoning By-Laws to construct an addition and a deck up and along a pre-existing, non-conforming side yard and rear yard setback. *Anne Howard moved to postpone Case #FY11-39 to the December 2, 2010 Public Hearing, Tom Roberts seconded and it was so voted, 3-0.*
- FY11-41** **14 Johnson Street (Residential 3 Zone), Neal Kimball of Kimball Residential Designs, LLC on behalf of Carpe Diem Guesthouse –**
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 south and west sides by adding a second story above the western-most building segment within the existing footprint. *Tom Roberts moved to continue Cases #FY11-41 and FY11-42 to the December 2, 2010 Public Hearing, David Nicolau seconded and it was so voted 4-0.*
- FY11-42** **14 Johnson Street (Residential 3 Zone), Neal Kimball of Kimball Residential Designs, LLC on behalf of Carpe Diem Guesthouse –**
The applicant seeks a Special Permit under Article 3, Section 3340 of the Zoning By-Laws for a deviation in building scale. The Board will hear the two cases together. *Tom Roberts moved to continue Cases #FY11-41 and FY11-42 to the December 2, 2010 Public Hearing, David Nicolau seconded and it was so voted, 4-0.*

NEW CASES:

FY11-43 **21 Bradford Street Extension (*Residential 1 Zone*), WK Red Clay, LLC –**
The applicant seeks a Special Permit under Article 4, Section 4170 for an amendment to a Special Permit under Article 3, Section 3110 of the Zoning By-Laws granted in Case #2007-18, revision granted in Case #2007-57 for “Change in Use” in a Residential 1 Zone from “Mixed Use” (residential/commercial) to “Residential Use” only. *Elisabeth Verde moved to postpone Case #FY11-43 to the December 2, 2010 Public Hearing, Tom Roberts seconded and it was so voted, 3-0.*

FY11-44 **15 Commercial Street (*Residential 1 Zone*), Phillip Mossy on behalf of the Red Inn, LLC –**
The applicant seeks a Special Permit under Article 2, Section 2540 and Article 3, Section 3110 of the Zoning By-Laws to construct an addition and dormers up and along pre-existing, non-conforming front yard and Harbor setbacks. *Tom Roberts moved to postpone Case #FY11-44 to the December 2, 2010 Public Hearing, Elisabeth Verde seconded and it was so voted, 3-0.*

FY11-45 **15 Commercial Street (*Residential 1 Zone*), Phillip Mossy on behalf of the Red Inn, LLC –**
The applicant seeks a Special Permit under Article 3, Section 3340 of the Zoning By-Laws for a deviation in building scale to construct an addition and dormers. *Tom Roberts moved to postpone Case #FY11-45 to the December 2, 2010 Public Hearing, Anne Howard seconded and it was so voted, 3-0.*

NEXT MEETING: The next meeting will take place on December 2, 2010. It will consist of a Work Session at 6:30 P.M. and a Public Hearing at 7:00 P.M.

ADJOURNMENT: *Elisabeth Verde moved to adjourn at 7:15 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 December 2, 2010.

Respectfully submitted,
Ellen C. Battaglini

Approved by _____ on _____, 2010
Anne Howard, Chair