



Zoning Board of Appeals

Meeting Agenda

The Provincetown Zoning Board of Appeals will hold a Public Meeting on Thursday, September 16, 2021 at 6:00 P.M., followed by a Work Session in the Judge Welsh Room at Town Hall, 260 Commercial Street, Provincetown, MA 02657.

Pursuant to Chapter 20 of the Acts of 2021, this meeting will be conducted in person and, as a courtesy, via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast, unless required by law.

Joining the Meeting: [Click here to join the meeting](#)

Microsoft Teams: Join on your computer or mobile app

Phone: Or call in (audio only) [\(833\) 579-7589](tel:8335797589) Phone Conference ID: 796 372 617#

To Participate during public comment:

- Teams: Raise hand to be called on to speak; or
- Phone: Speak name clearly to be called on to speak.

Please do not speak again until acknowledged by Chair or meeting moderator.

- Keep your phone muted at all times when not talking (*6 to mute & unmute your phone);
- Do not use speakerphone, Bluetooth devices (speakers or headphones); and
- Mute all background noises, including PTV, television or computer and use only phone audio.

AGENDA ITEMS MAY BE TAKEN OUT OF ORDER AND VOTES MAY BE TAKEN ON ANY OF THE AGENDA ITEMS BELOW

MEETING WILL END AT 9:00 P.M. AND ANY APPLICATIONS NOT YET CONSIDERED WILL BE POSTPONED TO THE NEXT HEARING

A. Public Hearings:

1) [ZBA 21-23](#) (postponed to the meeting of October 7th)

Application by **Ted Smith**, on behalf of **Howard Burchman**, seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, and Article 3, Section 3110, Change, Extensions or Alterations, of the Zoning By-Laws to renovate, by adding and expanding, two structures operating as a guesthouse, including converting the front building to three residential units by constructing a one-story bay on the south elevation and increasing an existing one-story appendage on the north elevation to two stories, thereby increasing its building scale above the neighborhood average, and to go up and along pre-existing, non-conforming side and rear yard setbacks to add a second story to the rear building on the property located at **12 Center Street (Residential 3 Zone)**.

2) [ZBA 21-35](#)

Application by **Olivier Jamin Changeart** seeking a Special Permit pursuant to Article 3, Section 3110, Change, Extensions, or Alterations of the Zoning By-Laws to install a 909 sq. ft. deck on the south elevation and up and along a pre-existing, non-conforming east side elevation on the property located at **259-263 Commercial Street (Town Center Commercial Zone)**.

3) [ZBA 21-36](#)

Application by **Irfan Ali**, on behalf of **Hatches Harbor Condominium**, seeking a Special Permit pursuant to Article 3, Section 3110, Change, Extensions, or Alterations of the Zoning By-Laws to extend a deck by 3' along a pre-existing, non-conforming side yard setback on the property located at **75 Province Lands Road. (Residential 1 Zone)**.

4) [ZBA 21-37](#)

Application by **Deborah Morrison** seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, and Article 3, Section 3110, Change, Extensions, or Alterations of the Zoning By-Laws to construct a shed dormer and staircase alcove to extend up and along a pre-existing non-conforming rear yard setback and to increase the building scale of the structure on the property located at **5 Cottage Street, U1 (Residential 3 Zone)**.

5) [ZBA 21-38](#)

Application by **David High** seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, of the Zoning By-Laws to add a porch and increase the building scale of a structure that is above the neighborhood average on the property located at **36 Commercial Street (Residential 2 Zone)**.

B. Work Session VOTES MAY BE TAKEN ON ANY OF THE AGENDA ITEMS BELOW

1) Pending Decisions:

ZBA 21-28

Application by **Lester J. Murphy, Esq.**, on behalf of **Timothy A. Maher**, seeking a Special Permit pursuant to Article 3, Section 3110, Change, Extensions or Alterations, and of the Zoning By-Laws to renovate an existing one-story single-family structure by constructing a new flood zone compliant foundation and adding a second story on the property located at **963 Commercial Street, U23 (Residential 1 Zone)**.

ZBA 21-32

Application by **Dan Gallagher**, on behalf of the **Lynn A. Kappelman Trust et al.**, seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, of the Zoning By-Laws to add 145 q. ft. of indoor space to the upper floor of a structure, to remove a tower and two dormers, and to create an 8' eave line resulting in an increase in the building scale that is already in excess of the neighborhood average scale on the property located at **3 Harbour Drive (Residential 1 Zone)**.

ZBA 21-33

Application by **Ted Smith**, on behalf of the **Michael T. Careno Revocable Trust**, seeking a Special Permit pursuant to Article 3, Sections 3110, Change, Extensions, or Alterations, and 3115, Demolition and Reconstruction, of the Zoning By-Laws to remove, rebuild, and reconfigure a pre-existing, non-conforming exterior stair and a deck at grade on the property located at **43 Commercial Street, UA (Residential 2 Zone)**.

- 2) Approve Minutes of August 5 and September 2, 2021 meeting.
- 3) Any other business that may properly come before the Board.

Submitted By: Jeremy Callahan, Chair

Posted: Town Hall, www.provincetown-ma.gov; 09/10/2021, 10:25 am AR