



Zoning Board of Appeals

Meeting Agenda

The Provincetown Zoning Board of Appeals will hold a Public Meeting followed by a Work Session on Thursday, December 1, 2022, at 6:00 P.M. 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: 513 730 429#

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 22-70**

Application by **Eric Auger**, on behalf of **Joseph A. Asermely et vir.**, seeking a Special Permit pursuant to Article 2, Section 2450, Permitted Accessory Uses, G14, Utility/Garden Shed, of the Zoning By-Laws to install a shed on the property located at **4 Browne Street (Residential 3 Zone)**.

2) **ZBA 22-71**

Application by **Robin B. Reid, Esq.**, on behalf of **Treved Holdings, LLC**, seeking a Special Permit pursuant to Article 2, Section 2440, Permitted Principal Uses, B, Business, B5, Restaurants, Bars, Entertainment, of the Zoning By-Laws to allow expanded liquor service and limited food service to the existing innkeepers license at the premises located at **22 Commercial Street (Residential 1 Zone)**.

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

1) **Pending Decisions:**

ZBA 22-52

Application by **Don DiRocco**, of **Hammer Architects**, on behalf of **Kenneth M. Grandber et ux.**, 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 remove an existing one-story addition and replace it with a two-story addition on the rear of the structure up and along a pre-existing, non-conforming rear yard setback and to increase the building scale above the allowed neighborhood average on the property located at **558 Commercial Street, UB (Residential 2 Zone)**.

ZBA 22-59

Application by **Terry McCumber**, on behalf of **The Boatslip, LLC**, seeking a Special Permit pursuant to Article 2, Section 2440, Permitted Principal Uses, E3 e., Temporary Carnivals, Festivals & Fairs, of the Zoning By-Laws to hold several themed fairs each year on the property located at **161 Commercial Street**.

ZBA 22-60

Application by **Robin B. Reid, Esq.**, on behalf of **Bradford Montello Realty Trust**, seeking a Special Permit pursuant to Article 2, Section 2470, Parking Requirements, of the Zoning By-Laws to designate two parking spaces that are required for a two-bedroom residential unit at **35 Bradford Street (Residential 2 Zone)**.

ZBA 22-61

Application by **Swavi Osev**, on behalf of the **Brian R. Faidell Living Trust**, seeking a Special Permit pursuant to Article 2, Section 2450, Permitted Accessory Uses, G12, Swimming pool, of the Zoning By-Laws to install a swimming pool on the property located at **78 Bayberry Avenue (Residential 1 Zone)**.

ZBA 22-63

Application by **Christopher J. Snow, Esq.**, on behalf of **Michael Bellante**, 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 a pre-existing, non-conforming two-family structure, including raising the structure 18" in order to comply with FEMA regulations, and increase the building scale above the allowed neighborhood average on the property located at **49 Commercial Street (Residential 2 Zone)**.

ZBA 22-67

Application by **Richard A. Francis** seeking a Special Permit pursuant to Article 2, Section 2450, Permitted Accessory Uses, G14, Utility/Garden Shed, of the Zoning By-Laws to install a shed on the property located at **14 Off Conwell Street (Residential 3 Zone)**.

ZBA 22-68

Application by **Sheila Kaiser**, on behalf of **EH Realty, LLC**, seeking a Special Permit pursuant to Article 2, Section 2640, Building Scale, and Article 3, Section 3115, Demolition and Reconstruction, of the Zoning By-Laws to remove rear wings and appendages and rebuild a pre-existing, non-conforming structure in the existing footprint and to construct an addition on the rear, thereby increasing the scale in excess of the allowable by right volume increase on the property located at **90 Bradford Street (Residential 3 Zone)**.

ZBA 22-69

Application by **Robin B. Reid, Esq.**, on behalf of **Foxberry Inn, LLC**, seeking a Special Permit pursuant to Article 2, Sections 2440, Permitted Principal Uses, A3, Boarding, Lodging or Rooming House; Dormitory or Employee Housing, and 2470, Parking Requirements, of the Zoning By-Laws to add an employee housing unit in an existing unfinished basement and a parking waiver on the property located at **29 Bradford Street Extension (Residential 1 Zone)**.

- 2) Approve Minutes: November 17, 2022 meeting.
- 3) Any other business that may properly come before the Board.

Submitted By: Jeremy Callahan, Chair

Posted: Town Hall, www.provincetown-ma.gov;