

TOWN OF PROVINCETOWN
ZONING BOARD OF APPEALS

MEETING MINUTES OF
March 1, 2007

MEETING HELD IN TOWN HALL

Members Present: Lynne Davies, Patrick Eeley, Elisabeth Verde, Todd Dever and Keith Amato.
Members Absent: Peter Page, Robert Littlefield, Amy Germain (excused).
Others Present: Maxine Notaro (Permit Coordinator) and Ellen C. Battaglini (Recording Secretary).

PUBLIC HEARING

Chair Lynne Davies called the Public Hearing to order at 7:01 P.M.

- 2007-08** **371-373 Commercial Street (Town Commercial Center), Astrid Berg on behalf of Eva K. Berg, Berg Family Trust -**
The applicant seeks a Special Permit under Article 2, Section 2460 of the Zoning By-Laws for a modification of areas of service with no change in seating. All areas are currently licensed for food and liquor service. Lynne Davies, Patrick Eeley, Elisabeth Verde and Todd Dever sat on the case. The applicant appeared to request a withdrawal without prejudice.
Patrick Eeley moved to accept the request for a withdrawal without prejudice for Case #2007-08, Elisabeth Verde seconded and it was so voted, 4-0.
- 2007-09** **258 Commercial Street (Town Commercial Center), Brian Hart -**
The applicant seeks a Special Permit under Article 2, Section 2460 of the Zoning By-Laws to re-locate the bar and change the seating arrangement with no change in the number of seats. Lynne Davies, Patrick Eeley, Elisabeth Verde, Todd Dever and Keith Amato sat on the case.
Presentation: Brian Hart and Steve Schnitzer appeared to present the application. The applicant seeks to make the flow of patrons through the service areas more efficient, as there are areas that have a tendency to become congested when the restaurant is busy. The project includes enlarging and changing the location of the bar.
Public Comment: Astrid Berg spoke in support of the application. Acting Police Chief Warren Tobias spoke against the application, citing his concerns regarding public safety if the bar's location was to be moved closer to the end of the restaurant that overlooks Commercial Street. There were no letters in the file.
Board Discussion: The Board questioned Mr. Hart and Mr. Schnitzer. The Board informed the applicant that he would need to submit a revised seating plan before they could make an informed decision. The Board also decided to make a site visit, individually, to the premises in order to see where the new location of the bar was in relation to the tables and to the edge of the restaurant that overlooks Commercial Street. The Board requested that the applicant submit a revised seating plan, showing accurate floor plan drawn to scale, including the location of all tables, chairs and barstools at the next hearing.
Todd Dever moved to continue Case #2007-09 until the March 15, 2007 hearing, Elisabeth Verde seconded and it was so voted, 5-0.
- 2007-10** **349 Commercial Street (Town Commercial Center), Felicia Wichrowski -**
The applicant seeks a Special Permit under Article 3, Section 3420 of the Zoning By-Laws for an outside display of postcard racks, nautical flags and a wind chime birdhouse. Lynne Davies, Patrick Eeley, Elisabeth Verde, Todd Dever and Keith Amato sat on the case.

Presentation: Felicia Wichrowski appeared to present the application.

Public Comment: None. There was 1 letter in the file against the application.

Board Discussion: The Board questioned Ms. Wichrowski.

Todd Dever moved to grant a Special Permit under Article 3, Section 3420 of the Zoning By-Laws for an outside display of postcard racks, nautical flags and a wind chime birdhouse for property located at 349 Commercial Street (TCC), Patrick Eleey seconded and it was so voted, 5-0.

Chair Lynne Davies adjourned the Public Hearing at 8:00 P.M.

WORK SESSION

Chair Lynne Davies called the Work Session to order at 8:00 P.M.

2006-070 **150 Bradford Street (Residential 3 Zone), Tom Boland and James Farley -**
This case is continued until the April 19, 2007 hearing.

MINUTES: February 15, 2007 – Elisabeth Verde moved to approve the language as amended, Todd Dever seconded and it was so voted, 4-0-1 (Keith Amato abstaining).

NEXT MEETING:

The next meeting will be on March 15, 2007 and will be held in the Judge Welsh Hearing Room and will consist of a Public Hearing at 7:00 P.M. with a Work Session to follow.

ADJOURNMENT:

Elisabeth Verde moved to adjourn at 8:35 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 March 15, 2007.

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Respectfully submitted,

Zoning Board of Appeals Signature

Ellen C. Battaglini