

**Town of Barnstable**  
**Zoning Board of Appeals**  
**Agenda**  
**October 7, 2009**

All hearings are scheduled for 7:00 P.M.  
Revised as of 09-24-09

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**Remand of Appeal No. 2007-059**

**Swift/Clough**  
**Modification of Condition 4 of Appeal No. 2007-059**

By an Agreement of Remand, Appeal No. 2007-059 has been remanded back to the Zoning Board of Appeals for a new hearing to afford the Board an opportunity to review a request to modify Condition 4 of the variance issued. That condition involves the issue of access to the lot. The variance was issued to Donna Swift Clough for relief from Sections 240-36 and 240-13.E, Bulk Regulations, Minimum Lot Area and Resource Protection Overlay District. The variance created a buildable undersized lot from a lot that has merged due to common ownership with adjoining lots. The subject properties are addressed 99 & 109 Old Salem Way and 83 Swift Avenue, Osterville, MA, as shown on Assessor's Map 165 as parcels 041, 036 and 122. They are in a Residence C Zoning District and the Resource Protection Overlay District.

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**Appeal No. 2009-046**

**Poyant/Centerville Shopping Center**  
**Conditional Use Special Permit**

Marcel R. Poyant, Trustee of Centerville Shopping Center Nominee I Trust, has applied for a Conditional Use Special Permit pursuant to Section 240-25.C. The petitioner is seeking the permit to allow 900 sq.ft., of the existing commercial building (1 of the 10 units) to be used as a retail store and salesroom and/or a shop for tailoring and retail sales of clothing, slipcovers and other fabric related items. The subject property is addressed as 1682 Falmouth Road, Centerville, MA and is shown on Assessor's Map 209 as parcel 003. It is in a Highway Business Zoning District.

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**Appeal No. 2009-059**

**Wallace, Lampi, Lampi & Bumpus**  
**Appeal of the Building Commissioner**

Joan M. Wallace, Irene Lampi, Derwin Lampi and Gordon Bumpus have appealed the decision of the Building Commissioner dated July 21, 2009. In that decision, the Commissioner determined that the subject lot lacks the required frontage of 150 feet on a way. The appeal is being made pursuant to MGL Chapter 40A, Section 15 and is seeking the Zoning Board of Appeals to overrule the Building Commissioner's decision. The subject property is a 5.9 acre lot accessed over a 40-foot easement from Wayside Lane. The property is addressed as 0 High Street, West Barnstable, MA and is shown on

Assessor's Map 110 as Parcel 007. It is in a Residence F Zoning District and the Resource Protection Overlay District.

**Appeal No. 2009-060**

**Wallace, Lampi, Lampi & Bumpus  
Bulk Variance, Minimum Lot Frontage**

Joan M. Wallace, Irene Lampi, Derwin Lampi and Gordon Bumpus have applied for relief from Section 240-14.E Bulk Regulations, Minimum Lot Frontage. The applicants are seeking relief from the required 150 feet of frontage. The subject property is a 5.9 acre lot accessed over a 40-foot easement from Wayside Lane. The property is addressed as 0 High Street, West Barnstable, MA and is shown on Assessor's Map 110 as Parcel 007. It is in a Residence F Zoning District and the Resource Protection Overlay District.

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**Open**

**Chairman's Discussion**

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