



Town of Barnstable
Zoning Board of Appeals
Agenda
September 15, 2010

The following hearings will be held at Barnstable Town Hall, 367 Main Street, Hyannis, MA, Hearing Room, 2nd Floor.
Meeting notice previously filed with Town Clerk
Revised as of 09-08-10

Approval of minutes from 08-11-10 and 08-25-10

7:20PM **Appeal No. 2009-025 – Continued** **EAC Disposal, Inc.**
Modification of Variance No. 1996-14

Opened April 1, 2009, continued, May 20, 2009, August 5, 2009, September 23, 2009, November 4, 2009 December 9, 2009, February 10, 2010, moved to February 24, 2010, April 14, 2010, May 26, 2010, July 14, 2010, August 11, 2010 and to September 15, 2010.

Continued for an update on Outside Consultant.

Board Members Assigned: William H. Newton, George T. Zevitas, Brian Florence, Alex M. Rodolakis, Laura F. Shufelt

Decision Due: June 18, 2011

EAC Disposal, Inc., d/b/a Cape Resources Company has applied for a Modification of Variance No. 1996-14. The modification is sought to allow for revisions to the site that include a new wood processor and staging area, alteration to interior site circulation, and additions and alterations to screening berms and landscape. The property is addressed 280 Old Falmouth Road, Marstons Mills, MA as shown on Assessor's Map 100 as parcel 008. The lot is in a Residence F Zoning District

7:10 PM **Appeal No. 2010-009 – Continued** **Reed**
Appeal of the Building Commissioner

Opened April 28, 2009, continued July 14, 2010 and to September 15, 2010.

Continued for review and input of the Town Attorney's Office and for alternative variance relief to be filed and noticed.

Board Members Assigned: William H. Newton, James F. McGillen, Michael P. Hersey, Craig G. Larson, Laura F. Shufelt -
Associates Present: George T. Zevitas, Alex M. Rodolakis

Decision Due: November 19, 2010

An August 19, 2010 letter from Attorney Duane P. Landreth has requested a continuance of this hearing (copy enclosed).

Carol Anne Reed has appealed the Building Commissioner's February 12, 2010 denial of a building permit to construct a single family dwelling on a lot addressed as 1175 Shootflying Hill Road, Centerville, MA. The appeal is being made pursuant to Section 8 of MGL Chapter 40A and is requesting that the Board overrule the Commissioner and find that the lot is a legally-created, pre-existing undersized nonconforming lot that is independently buildable. The subject property is shown on Map 190 as parcel 218, and addressed 1175 Shootflying Hill Road, Centerville, MA. The lot is in a Residence D-1 and Residence C Zoning District and in the Resource Protection Overlay District.

7:15 P.M. Comprehensive Permit No. 2003-90

**JDJ Housing Development, LLC
The Village Green - Modification Request**

Opened, August 11, 2010 continued August 25, 2010, and to September 15, 2010.

No Members assigned. No testimony taken.

Staff Report and Application Materials previously distributed to the Board.

Additional letters submitted from Barnstable Housing Committee, Barnstable Board of Health and from K. L. Benson are enclosed.

Decision Due: February 18, 2011

JDJ Housing Development, LLC and Dakota Partners, Inc., have requested a modification of Comprehensive Permit No. 2003-090 as previously modified for the development of The Village Green. The modification request seeks to make changes to the approved plans for the development including: changes in the unit types and area, increase in building footprints and gross building area, interior layout and exterior changes in the proposed structures, integration of the community club house into one of the apartment buildings, adjustments to the site plan to accommodate the building changes, and to modify the distribution of affordable units and workforce housing units amongst the buildings and also to allow the option to change the subsidy program to include the state and federal Low Income Housing Tax Credit Program. The subject property is addressed 0 Independence Drive, Barnstable, MA, and is shown on Assessor's Map 332 as parcel 010-001. The property is zoned IND - Industrial and GP - Groundwater Protection Overlay Zoning Districts.

Open Chairman's Discussion
