



Town of Barnstable

Zoning Board of Appeals



www.town.barnstable.ma.us/ZoningBoard

Board Members:

Craig Larson – Chair Brian Florence – Vice Chair Alex Rodolakis – Clerk George Zevitas – Member
David A. Hirsch – Associate Member Herbert Bodensiek – Associate Member
James Tinsley – Town Council Liaison

Staff Support

Elizabeth Jenkins – Principal Planner - elizabeth.jenkins@town.barnstable.ma.us
Carol Puckett – Administrative Assistant – carol.puckett@town.barnstable.ma.us

Agenda

Wednesday
June 25, 2014

2nd Floor Hearing Room – 367 Main Street, Hyannis, MA

Call to Order

Introduction of Board Members

Notice of Recording

Please note that this meeting is recorded and broadcast on Channel 18 in accordance with MGL Chapter 30A §20. I must inquire whether anyone is taping this meeting and to please make their presence known.

Approval of Minutes

April 23, 2014, May 14, 2014

Comprehensive Permit Modifications

7:00 PM Comprehensive Permit 2010-036 Living Independently Forever, Inc.

Living Independently Forever (LIFE), Inc. has requested a minor modification to Comprehensive Permit No. 2010-036 to change the designation of the affordable units within the multi-family development. The Applicant seeks to confirm the current location of affordable units within then development and subsequently add units B-2 and D-4 as affordable units and release Units A-2 and A-4 from affordability restrictions.

The property is subject to Comprehensive Permits 1992-068, 1995-020 and 2010-036. The property is located at 550 Lincoln Road Extension and 184 Castlewood Circle, Hyannis, MA as shown on Assessor's Map 272 as Parcel 025.

7:00 PM Comprehensive Permit 2005-100 Bay Point, LLC & PLM Buzzy, LLC

Bay Point, LLC and PLM Buzzy, LLC have submitted a request to extend a date as stipulated in a Second Memorandum of Understanding executed in connection with the Endorsed Disposition and Settlement Agreement between Bay Point, LLC and the Town of Barnstable and Cotuit Fire District. The Second Memorandum of Understanding stipulates a date of June 30, 2014 by which the applicant agreed to undertake and complete all construction on the existing residence shown as "Existing D.U." on a plan partially entitled "Bay Point Townhouses Layout and Landscape Site Plan" dated and revised 05-08-09. The Applicants are requesting the June 30, 2014 date be extended to October 31, 2014. The request states the extension is being requested in accordance with 760 CMR 56.05(11) – Changes After Issuance of a Permit. On May 28, 2014 the Zoning Board unanimously voted to forward this request to a public hearing.

The property is subject to Comprehensive Permit No. 2005-100 – Cotuit Center Residences (Book 27606 Page 3), an Endorsed Disposition and Settlement Agreement (Book 27606 Page 32) and two Memorandums of Understanding (Book 27606 Page 58, Book 27606, Page 61). The property is located at 671 Main Street, Cotuit, MA as shown on Assessor's Map 036 as Parcel 015. It is in the Residence F Zoning District.

Old Business

7:01 PM Appeal No. 2014-021

Gevorgyan

Garik Gevorgyan has petitioned for a Special Permit pursuant to §240-94 for change of a nonconforming use to another nonconforming use and §240-93 for alteration of a nonconforming structure not used as a single- or two-family dwelling. The petitioner seeks to demolish an existing 120-seat restaurant and single-family dwelling and reconstruct two multi-family, three-unit dwellings with parking areas and other associated site improvements. The new construction will be more conforming than the existing structures, but will not meet all current setback requirements. The property is located at 36 Old Colony Road, Hyannis, MA as shown on Assessor's Map 306 as Parcel 117. It is in the Residence B Zoning District.

[Continued from May 14, 2014. No members assigned.](#)

7:00 PM

Appeal No. 2014-026

Metlow

Deborah and Peter Metlow, as prospective lessees, have petitioned for a Conditional Use Special Permit in accordance with Section 240-25(C)(1) HB Business District. The petitioners are seeking to operate a personal service or parapsychology business which will include palm readings and tarot card readings. The property is located at 120 West Main Street, Hyannis, MA as shown on Assessor's Map 290 as Parcel 161. It is in the Highway Business (HB) zoning district

[Continued from June 9, 2014. Members assigned: Craig Larson, Alex Rodolakis, George Zevitas, Brian Florence, Herbert Bodensiek](#)

New Business

7:00 PM

Appeal No. 2014-031

U.S. Immigration and Customs Enforcement

U.S. Immigration and Customs Enforcement, as lessee, has petitioned for a Special Permit under §240-108 and a modification of Special Permits Nos. 1997-008 and Variance No. 1997-009, issued by an August 18, 1999 Memorandum of Understanding. The petitioner is proposing to install one antenna and appurtenant equipment at the 170 feet mounting height on the existing telecommunications tower. The property is located at 749 Oak Street, West Barnstable, MA as shown on Assessor's Map 215 as parcel 015-002. It is zoned Residence F.

7:01 PM

Appeal No. 2004-033

Cape Cod Chamber of Commerce

The Cape Cod Chamber of Commerce has applied for modification of Use Variance No. 2003-045 (a modification of Use Variance No. 1957-33), which granted relief from §240-13(A) Principal Permitted Uses in the RF-1 Zoning District. The applicant seeks to allow for a 370 square foot expansion of the existing structure, additional parking and improvements to the internal site circular driveway. The applicant also seeks to modify the prior variances to allow for additional construction and tenants in the future without having to return to the Zoning Board for further permit modifications provided that: 1) the use is Chamber-related or an office use; and 2) the future construction complies with all applicable dimensional requirements of the Zoning Ordinance. The property is located at 5 Patti Page Way, Centerville, MA as shown on Assessor's Map 235 as Parcels 003-B00 and 003-W00. It is zoned Residence F-1.

7:02 PM

Appeal No. 2014-034

Berube

Michael and Julie Berube have petitioned for a modification of Special Permit 1996-068 and alternatively a Special Permit pursuant to §240-92 - Nonconforming buildings or structures used as single-family residences. The petitioners seek to expand an existing dwelling by increasing the second-floor living area through the addition of a dormer. Special Permit 1996-068, which permitted expansion of the dwelling not in conformance with setback requirements, includes a condition that states "there shall be no further expansion of this dwelling on this undersized lot." The property is located at 55 Longwood Avenue, Hyannis (Hyannisport), MA as shown on Assessor's Map 287 as Parcel 055. It is zoned Residence F-1.

Correspondence

Other Business

Next Regularly Scheduled Hearings: July 9, August 13, September 10

Adjourn