



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, November 12, 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 an 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

Minutes from October 8, 2014

Old Business

7:00 PM Appeal No. 2014-015

Whole Foods Markets Group, Inc

Whole Foods Markets Group, Inc, as lessee, is petitioning to modify Special Permit No. 2013-055 to permit the addition and operation of two mobile food venues on the site. The property is located at 990 Iyannough Road and 65 Independence Drive, Hyannis, MA as shown on Assessor’s Map 295 as Parcel 015-X02 and Map 294 as Parcel 004. They are in the Highway Business, Business, and Industrial Zoning Districts.

Continued from April 23, 2014 and October 8, 2014. Continued from October 8th due to quorum issues. Continued from October 22, 2014 to November 12, 2014. Members Assigned April 23, 2014: Craig Larson, Brian Florence, Alex Rodolakis, George Zevitas, Herbert Bodensiek

7:00 PM Appeal No. 2014-043

K&E Plus Three Enterprises, LLC.

K&E Plus Three Enterprises, LLC, has petitioned for a Conditional Use Special Permit pursuant to Section 240-93.B to allow for retail sales and a drive-through pick-up window in the Highway Business District. The petitioner seeks to eliminate the carwash use and construct a 940 square feet addition to the westerly side of the existing gas station/carwash including installation of a drive-up window. The total area of the expanded building is to be used for a convenience store for the retail sales of groceries and sundries including coffee sales via a drive-through. The subject property is located at 577 West Main Street, Hyannis, MA and is shown on Assessor’s Map 269 as parcel 003. It is in the Highway Business (HB) Zoning District and a Groundwater Protection (GP) Overlay District.

Continued from October 8, 2014. No members assigned.

7:01 PM Appeal No. 2014-044

K&E Plus Three Enterprises, LLC.

In the alternative to Appeal 2014-043 above, the petitioner, K&E Plus Three Enterprises, LLC, has petitioned for a Special Permit pursuant to Section 240-94.A, Change of a Nonconforming Use to another Nonconforming Use and 240-94.B, Expansion of Nonconforming Use Section. In this Appeal, the petitioner seeks to construct a 940 square feet addition to the westerly side of the existing building and to change the use of the service station and carwash to that of a convenience store for the retail sales of groceries and sundries including coffee sales via a drive-through. The subject property is located at 577 West Main Street,

Hyannis, MA and is shown on Assessor's Map 269 as parcel 003. It is in the Highway Business (HB) Zoning District and a Groundwater Protection (GP) Overlay District.

Continued from October 8, 2014 due to quorum issues. No members assigned.

7:02 PM Appeal No. 2014-045

K&E Plus Three Enterprises, LLC.

K&E Plus Three Enterprises, LLC, has petitioned for a Special Permit pursuant to Section 240-93.B Alteration Expansion of a Pre-Existing Non-Conforming Building. In this Appeal, the petitioner seeks the Permit, if necessary, to provide for the 940 square feet addition to the westerly side of the existing building as that building does not conform to the required 60-foot front yard setback required on Old Craigville Road. The subject property is located at 577 West Main Street, Hyannis, MA and is shown on Assessor's Map 269 as parcel 003. It is in the Highway Business (HB) Zoning District and a Groundwater Protection (GP) Overlay District.

Continued from October 8, 2014 due to quorum issues. No members assigned.

New Business

7:00 PM Appeal No. 2014-048

NSTAR

Commonwealth Electric Company (NSTAR) has applied for an amendment/modification of Variance No. 1978-087 to remove an existing 240.5' tall guyed transmission tower and construct a new tower of the same size, height and style. Additionally, the Applicant seeks to remove and replace the existing fence, compound, and equipment shelter and to install a propane fueled emergency back-up power generator, propane tank and associated equipment. The property is located at 2059, 2015 and 2039 Service Road, West Barnstable, MA as shown on Assessor's Map 214 as Parcels 008, 009, and 010. It is in the Residence F and Groundwater Protection Overlay Zoning Districts.

7:01 PM Appeal No. 2014-049

King

Michael and Janice King have petitioned for a Special Permit pursuant to Section 240-47.1.A(1) Family Apartments. The petitioners seek to permit a 980 square foot attached family apartment. A special permit is required as the apartment exceeds 800 square feet. The property is located at 305 Lovell's Lane, Marstons Mills, MA as shown on Assessor's Map 078 as Parcel 009-002. It is zoned Residence F.

7:02 PM Appeal No. 2014-050

Berkery

Andrew M. and Joan W. Berkery have petitioned for a Special Permit pursuant to Section 240-92.B - Nonconforming buildings or structures used as single- and two-family residences. The petitioners are proposing to expand, alter and renovate the existing principal single-family dwelling and accessory cottage. The principal dwelling is to expand from 1,440 sq.ft., to 2,648 sq.ft. and the cottage is to expand from 493 sq.ft. to 829 sq.ft. Additions to the principal dwelling are located based upon existing nonconforming front- and side-yard setbacks. The property is located at 49 Lafayette Avenue, Hyannisport, MA as shown on Assessor's Map 287 as Parcel 047. It is in the Residence F-1 zoning district.

Correspondence

Other Business

Next Regularly Scheduled Hearing December 10, 2014, January 8 & 22, 2015

Adjourn