



# Town of Barnstable

# Zoning Board of Appeals



[www.town.barnstable.ma.us/ZoningBoard](http://www.town.barnstable.ma.us/ZoningBoard)

#### Board Members:

Brian Florence –Chair Alex Rodolakis – Vice Chair George Zevitas - Clerk  
David A. Hirsch – Associate Member Herbert Bodensiek – Associate Member Robin Young – Associate Member Matthew Levesque – Associate Member  
James Tinsley – Town Council Liaison

#### Staff Support

Elizabeth Jenkins – Principal Planner - [elizabeth.jenkins@town.barnstable.ma.us](mailto:elizabeth.jenkins@town.barnstable.ma.us)  
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## Agenda

**Wednesday, August 12, 2015**

2<sup>nd</sup> 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

Minutes of June 10, 2015 and July 8, 2015

### Requests for Extensions

#### **7:00 PM Appeal No. 2013-035**

#### **Ruggiero**

By a letter dated July 27, 2015, Brian R. Grady, R.S., as representative for Daniel and Mindi Ruggiero, has requested a one year extension of Appeal No. 2013-050, a special permit for the demolition and rebuilding of a structure on a nonconforming lot. The property is located at 93 Circuit Avenue, Hyannis, MA as shown on Assessor's Map 324 as Parcel 052. Granting the request would extend the validity of the permit from September 10, 2015 to September 10, 2016.

### Old Business

#### **7:00 PM Appeal No. 2015-038**

#### **Atlantic Development**

Atlantic Development has petitioned for a variance to Section 240-25(E) – Front Yard Setback Requirements and to amend the conditions of Variance No. 1995-21. The petitioner seeks to demolish the existing building and site features (pavement, landscaping, fuel storage tanks, utilities, etc) and construct a new self-service BJ's fueling station with canopy, attendant's kiosk and associated driveways, fuel storage tanks, landscaping, utilities, etc. Variance relief is sought to decrease the required front yard setback from Hinckley Road and modify conditions regarding the number of curb cuts on Iyannough Road and Hinckley Road set forth in Variance No. 1995-21. The property is located at 590 Iyannough Road/Route 132, Hyannis, MA as shown on Assessor's Map 311 as Parcel 017. It is in the Highway Business Zoning District.

Continued from July 8, 2015 and July 22, 2015. Members assigned: Alex Rodolakis, George Zevitas, David Hirsch, Matthew Levesque, Brian Florence

**7:00 PM Appeal No. 2015-039****Atlantic Development**

Atlantic Development has applied for a Special Permit for extension of a preexisting nonconforming site dimension per Section 240-93 and expansion of a preexisting nonconforming use per Section 240-94. The applicant seeks to demolish the existing building and site features (pavement, landscaping, fuel storage tanks, utilities, etc) and construct a new self-service BJ's fueling station with canopy, attendant's kiosk and associated driveways, fuel storage tanks, landscaping, utilities, etc. Special Permits are sought to extend existing nonconformities regarding impervious area (increase impervious area from 73.2% to 84.8% of the lot) and fuel storage (replace 30,000 gallons of fuel storage with three new 64,000 gallon underground fuel storage tanks, plus 200 gallons of diesel fuel for emergency generator). The property is located at 590 Iyannough Road/Route 132, Hyannis, MA as shown on Assessor's Map 311 as Parcel 017. It is in the Highway Business Zoning District.

Continued from July 8, 2015 and July 22, 2015. Members assigned: Alex Rodolakis, George Zevitas, David Hirsch, Matthew Levesque, Brian Florence

**7:00 PM Appeal No. 2015-035****Cwynar**

Elaine R. Cwynar has applied to modify Conditions No. 1 & 2 of Variance No. 2007-072. The applicant seeks to amend the conditions to allow for the construction of a 219 sq.ft second floor loft. Under Variance No. 2007-072 the "dwelling shall not be increased in area, limited to "one story" and "the gross area of the building shall not be expanded." The property is located at 29 Norris Street, Hyannis, MA as shown on Assessor's Map 306 as Parcel 033. It is in the Residence B Zoning District.

Continued from July 8, 2015 – No members assigned.

**New Business****7:00 PM Appeal No. 2015-040****Thompson**

Jane McC. Thompson, Trustee of 205 Scudder Realty Trust, has applied for a modification of the conditions of Variance Nos. 1995-052 and 2011-023. The applicant is requesting to eliminate Condition #3 of 1995-052 and Condition #3 of 2011-023 restricting the further division of the land. The applicant seeks to allow approval of a further division of the land from one nonconforming lot into two conforming lots. The property is located at 205 Scudder Lane, Barnstable, MA as shown on Assessor's Map 259 as Parcel 007-001. It is located in the Residence 2-C Zoning District.

**7:01 PM Appeal No. 2015-041****Parrella**

Cynthia Parrella, as prospective owner, has petitioned for a Special Permit pursuant to Section 240-91 Nonconforming lot H.Developed Lot Protection (3) Special Permit. The petitioner requests relief to demolish the existing dwelling and to construct a new dwelling on a lot consisting of less than 10,000 square feet. The property is located at 82 Bland Road, Osterville, MA as shown on Assessor's Map 140 as Parcel 065. It is in the Residence C zoning district.

**Announcements**

Next regularly scheduled hearings are August 26, 2015, September 9, September 30

**Other Business Not Reasonably Anticipated by the Chair 48-Hours Prior to the Meeting****Correspondence****Adjourn**

Please Note: The list of matters are those reasonably anticipated by the chair, which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the Board may go into executive session. The Board may also act on items in an order other than they appear on this agenda.

\* Public files are available for viewing during normal business hours at the Zoning Board of Appeals office located at 200 Main Street, Hyannis, MA