



Town of Barnstable

Zoning Board of Appeals



www.town.barnstable.ma.us/ZoningBoard

Board Members:

Brian Florence – Chair Alex Rodolakis – Vice Chair
David A. Hirsch – Regular Member Herbert Bodensiek – Regular Member Robin Young – Associate Member Matthew Levesque – Associate Member
Spencer Aaltonen – Associate Member Jacob Dewey – Associate Member
James Tinsley – Town Council Liaison

Staff Support

Elizabeth Jenkins – Regulatory / Design Review Planner - elizabeth.jenkins@town.barnstable.ma.us
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Carol Puckett – Administrative Assistant – carol.puckett@town.barnstable.ma.us

Agenda

Wednesday, July 27, 2016

Hearing Room – 2nd Floor – 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.

Minutes

Minutes of May 11 and May 25, 2016

Old Business

7:00 PM Appeal No. 2016-021

Giatrelis

Daniel J. Giatrelis and Karen L. Giatrelis have applied for a Special Permit pursuant to Section 240-91(H)(3) Developed Lot Protection and a modification of Special Permit No. 2013-032. Special Permit No. 2013-032 approved the demolition of an existing dwelling and reconstruction of a new dwelling with a “garage under”. The Applicant is seeking a modification of the Special Permit to construct the garage adjacent to the house, at grade, and attached by a breezeway. The lot coverage of the original dwelling/structures was 25.3%; the dwelling approved with Special Permit No. 2013-002 had a lot coverage of 17.9%; and the new proposal has a lot coverage of 22.4%. The property is located at 112 Ocean Drive, Hyannis, MA as shown on Assessor’s Map 266 as Parcel 008. It is zoned Residence B.

Members assigned Alex Rodolakis, Robin Young, David A. Hirsch, Matthew Levesque and Spencer Aaltonen. Continued from May 25 and June 22, 2016.

Request to Withdraw without Prejudice submitted by Attorney John Kenney on 07-16-16

7:01 PM Appeal No. 2016-025

Habitat for Humanity of Cape Cod, Inc.

Habitat for Humanity of Cape Cod, Inc. has applied for a Comprehensive Permit in accordance with MGL Chapter 40B, §§20-23 and 760 CMR 56. They are proposing to divide a 5.91 acre parcel into four buildable lots, each to be developed with an affordable, three-bedroom single-family dwelling. The remaining land would be unbuildable open space and area for an access road. Waivers are being sought from the area, frontage and setback requirements of the RF Zoning District; the two-acre minimum lot area requirement of the Resource Protection Overlay District; maximum lot shape factor requirements; and from the Subdivision Rules and Regulations as follows: street length; width, alignment and grades; drainage; storm drains; clearing, grubbing and excavation; roadway foundation and surface; monuments; inspections; fee schedule; and electronic filing requirements. The property is located at 536 River Road, Marstons Mills, MA as shown on Assessor’s Map 061 as Parcel 002. It is located in the Residence F and Resource Protection Overlay Zoning Districts.

Members assigned are Alex Rodolakis, Robin Young, Matthew Levesque, Jacob Dewey, and Brian Florence. Continued from June 22, 2016

New Business

7:00 PM Appeal No. 2016-027

Zelman

Richard B. Zelman has applied for a Variance pursuant to Section 240-91.H(1)(b)[1] Developed Lot Protection – Lot Coverage. The petitioner is requesting relief from the lot coverage requirement of 20% to construct an addition to an existing one car garage in order to make it a two car garage. The addition would increase the lot coverage from 19.94% to 20.81%. The subject property is located at 133 Sunset Lane, Barnstable, MA as shown on Assessor's Map 319 as Parcel 022. It is located in the Residence B Zoning District.

7:01 PM Appeal No. 2016-028

E R & C Enterprises, Inc.

E R & C Enterprises, LLC has petitioned for a Special Permit in accordance with Section 240-25(C)(1) – Conditional Uses in the Highway Business District for a retail convenience store and food establishment with drive-through. The Applicant, who currently operates a pre-existing nonconforming gas station with car wash and retail, intends to remove the existing drive-through car wash, including all equipment and underground tanks, and construct a 980 square foot addition with a relocated drive-through at the rear of building. The drive-through would be converted to a takeout beverage and food lane. The retail sale of gasoline, a pre-existing nonconforming use, is proposed to continue. The property is located at 577 West Main Street, Hyannis, MA as shown on Assessor's Map 269 as Parcel 003. It is located in the Highway Business (HB) Zoning District and the Wellhead and Groundwater Protection Overlay Districts.

7:02 pm Appeal No. 2016-029

Norwood

Guy Norwood has petitioned for a Special Permit pursuant to § 240-131.5.(B) – Dimensional, Bulk, and other Requirements. The applicant is seeking to replace and raise the existing roof by 4 feet thereby increasing the total height of the dwelling to 19 feet 9 inches and increasing the gross floor area by 487 square feet. The property is located at 54 Laurel Avenue, Centerville, MA as shown on Assessor Map 226 as Parcel 089. It is in the Craigville Beach District (CBD) and the Craigville Village (CV) Neighborhood Overlay Zoning Districts.

Note: Petitioner has requested to Withdraw without Prejudice

Comprehensive Permit No. 2005-013 – Osterville Landing

The undersigned, being an authorized agent of the Zoning Board of Appeals of Barnstable, Massachusetts, hereby certifies that the following lots under the control of KTW Group, LLC, and securing the Covenant dated October 30, 2014, and recorded at the Barnstable Registry of Deeds in Book 28479, Page 34 for lots shown on a plan entitled "Lot Layout Plan Mill Pond Estates Osterville Massachusetts" dated and recorded with said Registry in Plan Book 606, Page 27 are hereby released from the restrictions as to sale and building specified in said Covenant. Said lot is designated on said plan as Lot Numbered 10.

Correspondence

Received 06-27-16 – Notice of License Application No. W16-4692 - Waterways License Application by John Fish, Trustee to construct and maintain stone and timber groins and perform beach nourishment at 81 & 86 Sand Point, in and over flowed tidelands of North Bay.

Received 07-12-16 – Notice of Amended Chapter A, Enabling Regulations Governing Review of Developments of Regional Impact from Cape Cod Commission. Amendments were made to Section 16: Schedule of Fees.

Matters Not Reasonably Anticipated by the Chair

Upcoming Meetings

August 10, 2016, August 24, 2016

Adjournment

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