



Town of Barnstable Zoning Board of Appeals

www.town.barnstable.ma.us/ZoningBoard

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Carol Puckett – Administrative Assistant – carol.puckett@town.barnstable.ma.us

Agenda

Wednesday, May 10, 2017

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.

Election of Officers

Old Business

7:03 PM Appeal No. 2017-014

Centerville Village Apartments Realty Trust

Adam J. Hostetter and Kristen Williams Haseotes, Trustees of the Centerville Village Apartments Realty Trust have applied for Special Permits pursuant to §240-93(B) Nonconforming Buildings or Structures not used as single or two-family dwellings and §240-94(B) Expansion of a Preexisting Nonconforming Use. The Applicant seeks to expand the preexisting nonconforming multi-family residential use on the property. The proposal is to relocate and preserve the existing filling station building on the property; demolish the remainder of the structures; and construct nine single-family dwellings (four two-bedroom units and five one-bedroom units). The property is located at 981 Main Street, Osterville, MA as shown on Assessor's Map 117 as Parcels 026 and 178. It is located in the Residence C and Wellhead Protection Overlay Zoning Districts

Original Decision Due: 06-06-17. Time Extension: New Date for Decision Due: 07-06-17

Continued from March 8th, March 22, 2017 and April 12, 2017. No members assigned. No testimony taken.

Correspondence received 04-25-17 asking to continue to May 24, 2017 with the new application Appeal No. 2017-038

7:00 PM Appeal No. 2017-008

Glick

Marvin and Diane Glick are appealing the Building Commissioner's constructive denial of a request for zoning enforcement. The Appellants seek enforcement of a zoning violation on 305 Baxters Neck Road, specifically the construction of a retaining wall inside of the zoning setback area adjacent to the Glick property located at 285 Baxters Neck Road. The appeal is filed pursuant to Massachusetts General Law 40A Section 7, citing Sections 240-123 (enforcement), 240-14 (RF Zoning District) and 240-128 (Definitions) of the Zoning Ordinance. The property that is the subject of this appeal is located at 305 Baxters Neck Road, Marstons Mills, MA as shown on Assessor's Map 075 as Parcel 009. It is located in the Residence F (RF) Zoning District.

Continued from February 22, 2017. No members assigned. No testimony taken. Time Extension: New Date for Decision Due: 05-30-17. Pending Time Extension: New Date for Decision Due: 06-29-17

Continued from March 22, 2017. Members assigned: Alex Rodolakis, Herbert Bodensiek, Matthew Levesque, Spencer Aaltonen, Jacob Dewey.

Continued from April 26, 2017.

7:01 PM Appeal No. 2017-020

Parrella

Cynthia Parrella has applied for a Special Permit pursuant to Section 240-91.H(3) Nonconforming Lot - Developed Lot Protection. The applicant is proposing to demolish an existing 1,313 square foot dwelling and construct a new 2,248 square foot, three-bedroom single-family dwelling with a one-car garage on a developed lot that contains less than 10,000 square feet. The proposed structure will not be in compliance with current zoning setback requirements but will be more conforming than the existing structure. The property is located at 109 First Avenue, Osterville, MA as shown on Assessor's Map 116 as Parcel 043. It is located in the Residence C and Resource Protection Overlay Zoning Districts.

Decision Due: 07-11-17

Continued from April 12, 2017. Members assigned 04-12-17: Brian Florence, Herbert Bodensiek, Jake Dewey, Alex Rodolakis, Matthew Levesque

New Business

7:00 PM Appeal No. 2017-034

Topalski

Gencho M. Topalski, as lessee, has applied for a Special Permit pursuant to Section 240-25(C)(1) – Conditional Uses in the Highway Business (HB) Zoning District. The applicant is proposing to use the premises (Store #6) for purposes of a retail business. The subject property is located at 1652 Falmouth Road, Centerville, MA as shown on Assessor's Map 209 as Parcel 113. It is located in the Highway Business (HB) Zoning District.

7:01 PM Appeal No. 2017-036

Bornstein

Stuart Bornstein has petitioned for a variance from Section 240-24(B)(1)(b) to allow apartments on the first floor of two existing buildings. The petitioner is proposing to convert the buildings from commercial use to apartments on the first and second floors. Apartments are a permitted accessory use in the VB-A District when located above the first floor only. The subject property is located at 3821 Falmouth Road, Buildings 1 and 9, Marstons Mills, MA as shown on Assessor's Map 057 as Parcel 004. It is located in the Village Business A Zoning District.

Correspondence

Matters Not Reasonably Anticipated by the Chair

Upcoming Meetings

May 24th, June 14th, June 28, 2017

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