

Town of Barnstable

BARNSTABLE TOWN CLERK Town Clerk Time Stamp Date:

48 Hour Notice of Meetings of Town Departments and all Town Boards
As required by Chapter 28 of the Acts of 2009 which amends MGL
Chapter 30A

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Zoning Board of Appeals

Name of Public Body: Committee, Board, or Commission

Wednesday, August 26, 2020

7:00 PM

Date of Meeting:

Time:

Special Instructions Below

Place:

The Zoning Board of Appeals Public Hearing will be held by remote participation methods as a result of the COVID-19 state of emergency in the Commonwealth of Massachusetts.

Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Channel 18 and may be viewed via the Channel 18 website at <http://streaming85.townofbarnstable.us/CablecastPublicSite/>
2. Real-time access to the Zoning Board of Appeals meeting is available utilizing the Zoom link or telephone number and Meeting ID provided below. Public comment can be addressed to the Zoning Board of Appeals by utilizing the Zoom link or telephone number and Meeting ID provided below:

Join Zoom Meeting

<https://zoom.us/j/98591082475>

Meeting ID: 985 9108 2475

888 475 4499 US Toll-free

Meeting ID: 985 9108 2475

3. Applicants, their representatives and individuals required or entitled to appear before the Zoning Board of Appeals may appear remotely and are not permitted to be physically present at the meeting, and may participate through accessing the link or telephone number provided above. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to anna.brigham@town.barnstable.ma.us, so that they may be displayed for remote public access viewing.

Copies of the applications are available for review by calling (508) 862-4682 or emailing anna.brigham@town.barnstable.ma.us.

Topics to be discussed:

Call to Order

Introduction of Board Members

Notice of Recording

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

Discussion

Attorney Ford has requested to be placed on the agenda of the Board of Appeals for the meeting of August 26, 2020 for the purpose of the Board's review and approval of the MOU required under Condition 7 of Special Permit 2019-047. Since the MOU, at the request of the DPW, provides for a contribution to the Town by the applicant for development of plans for expansion of the Town waste water system rather than the installation of sewer improvements as contemplated by Condition 7, Zoning Board approval of the MOU is requested. Per the MOU the paving of Rosary Lane, as required by Condition 8 of the Special Permit, which would have been undertaken in conjunction with the installation of the sewer improvements, will still be completed as part of the construction of the carwash facility. Since no modification of the carwash facility as approved by the Board is proposed or requested, the applicant believes a formal modification of the Special Permit is not required.

Old Business

7:00 PM

Appeal No. 2020-025

Cape Resources

EAC Organics, Inc, d/b/a Cape Resources have petitioned for a Modification to Variance No. 2009-025 pursuant to M.G.L. Chapter 40A Section 14 in order to enter into a long term lease with a solar company. The Petitioner seeks to modify the existing Variance to maintain two principal uses on site (the solar photovoltaic system and the wood waste recycling business, at 280 Old Falmouth Road, as well as enable the Petitioner to locate the proposed solar photovoltaic system at "O" Old Falmouth Road. The Petitioner seeks to reduce the area of the wood waste re-cycling operation. The subject properties are located at 280 Old Falmouth Road and "O" Old Falmouth Road, Marstons Mills, MA as shown on Assessors Map 100 as Parcel 008 and Map 100 as Parcel 007. Both lots are located in the Residence F (RF) Zoning District, Groundwater Protection (GP) and the Ground-Mounted Solar Photovoltaic Overlay Districts.

Opened August 12, 2020 and continued to August 26, 2020. No members assigned.

New Business

7:01 PM

Appeal No. 2020-026

Grady

Julie A. Grady has applied for a Special Permit pursuant to Section 240-47.1.B (4) Family Apartments and pursuant to Section 240-125C – Special Permit Provisions. The Applicant is proposing to convert an existing detached apartment unit, previously used as an accessory apartment unit in the Accessory Affordable Apartment Program (AAAP), into a family apartment. The subject property is located at 521 Main Street, West Barnstable, MA as shown on Assessor's Map 133 as Parcel 033. It is located in the Residence F (RF) Zoning District.

7:02 PM

Appeal No. 2020-027

Dumais

Virginia K. Dumais and Bruce E. Dumais, Trustee of the Dumais 1999 Irrevocable Trust have petitioned for a Variance to Section 240-14.E – RF Residential Bulk Regulations, Minimum Lot Area, Minimum Frontage requirements and Lot Shape Factor. The Petitioners are proposing to convey a small portion (Lot 6A) of land located at 42 Jenkins Lane, West Barnstable to 56 Jenkins Lane, West Barnstable in order to correct encroachments at 56 Jenkins Lane, West Barnstable. The subject properties are 42 Jenkins Lane and 56 Jenkins Lane, West Barnstable, MA as shown on Assessor's Map 128 as Parcels 004-007 and 004-008. They are located in the Residence F Zoning District and the Resource Protection Overlay District (RPOD).

7:03 PM

Appeal No. 2020-028

St. Michael the Archangel Orthodox Church

St. Michael the Archangel Orthodox Church, Inc., has applied for a Modification Permit in accordance with Section 240-8(3)(b)-Exempt Uses. The Applicant is proposing to reduce the pre-existing, nonconforming front yard setback from 19.3 feet to 16.5 feet in order to renovate and expand the existing vestibule and covered stairwell. The subject property is located at 62 Main Street, Cotuit, MA as shown on Assessor's Map 023 as Parcel 006. It is located in the Residence F (RF) Zoning District.

Correspondence

Matters Not Reasonably Anticipated by the Chair

Upcoming Hearings

September 9, 2020, September 23, 2020

Adjournment