



Town of Barnstable Zoning Board of Appeals



Board Members:

Jacob Dewey – Chair David Hirsch – Vice Chair Herbert Bodensiek - Clerk
Paul Pinard – Regular Member Mark Hansen – Regular Member
Todd Walantis – Associate Member Vacant – Associate Member Aaron Webb-Associate Member Denise Johnson-Associate Member
Vacant – Town Council Liaison

Staff Support

Elizabeth Jenkins –Director - elizabeth.jenkins@town.barnstable.ma.us
Anna Brigham – Principal Planner – anna.brigham@town.barnstable.ma.us
Genna Ziino – Adinistrative Assistant – genevey.ziino@town.barnstable.ma.us

Agenda

Wednesday, September 28, 2022

7:00 PM

To all persons interested in or affected by the actions of the Zoning Board of Appeals, you are hereby notified, pursuant to Section 11 of Chapter 40A of the General Laws of the Commonwealth of Massachusetts, and all amendments thereto, that a public hearing on the following appeals will be held on Wednesday September 28, 2022, at the time indicated:

The Zoning Board of Appeals Public Hearing will be held by remote participation methods.

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 Option	Telephone Number Option
https://townofbarnstable-us.zoom.us/j/83372256140	888 475 4499 US Toll-free
Meeting ID: 833 7225 6140	Meeting ID: 833 7225 6140

3. Applicants, their representatives and individuals required or entitled to appear before the Zoning Board of Appeals may appear remotely, 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.

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.

Minutes

Discussion and vote

7:00 PM - Request for Minor Modification Cotuit Residences – Comprehensive Permit No. 2005-100

In 2007, Comprehensive Permit No. 2005-100 was granted for Five (5) units of multi-family housing on 2.38 acres. In a letter dated August 26, 2022, Attorney Patrick Nickerson, representing the Condo Association, requested a minor modification of Comprehensive Permit # 2005-100 so that the responsibility for maintenance of the existing landscaping is transferred from the Town to the Trust, and so that the Trust may make changes and improvements to the landscaping and its aesthetics

By permitting this minor modification to the Comprehensive Permit, the Trust will be empowered to make changes, improvements, and maintenance to the landscaping and aesthetics. The Town will also be relieved of its obligation to maintain the existing landscaping.

(Click [HERE](#) for Materials)

Old Business

7:01 PM

Appeal No. 2022-037

MWV Associates LLC

MWV Associates LLC has petitioned for a Variance from Section 240- 24.1.8 C. Dimensional, bulk and other requirements in the HG Hyannis Gateway Zoning District. The Petitioner seeks a variance from the minimum bulk regulations to clarify parcel records and Assessing division lines pursuant to the plan prepared by Down Cape Engineering. The subject property is located at 195 Ridgewood Avenue, Hyannis, MA as shown on Assessor's Map 328 as Parcel 073. It is located in the Hyannis Gateway (HG) Zoning District. *Continued from August 10, 2022, August 24, 2022, September 14, 2022.*

(Click [HERE](#) for Materials)

7:02 PM

Appeal No. 2022-045

MWV Associates LLC

MWV Associates LLC has petitioned for a Variance from Section 240- 24.1.8 C. Dimensional, bulk and other requirements in the HG Hyannis Gateway Zoning District. The Petitioner seeks a variance from the minimum bulk regulations to clarify parcel records and Assessing division lines pursuant to the plan prepared by Down Cape Engineering. The subject property is located at 313 Iyannough Rd, Hyannis, MA as shown on Assessor's Map 328 as Parcel 235. It is located in the Hyannis Gateway (HG) Zoning District. *Continued from September 14, 2022*

(Click [HERE](#) for Materials)

New Business

7:03 PM

Appeal 2022-046

30 Crosby Circle Realty Trust

Mark A. Crosby and Scott E. Crosby, Trustees of 30 Crosby Circle Realty Trust, have applied for a Special Permit pursuant to Section 240-91 (H)(3) Developed Lot Protection, Nonconforming Lot. The Applicants propose to demolish the existing 3,004 square foot dwelling and construct a new 2,281 dwelling with attached garage in accordance with the plans prepared by Sullivan Engineering and K. Marshall Works on a lot containing less than 10,000 square feet of upland. The subject property is located at 30 Crosby Circle, Osterville, MA as shown on Assessor's Map 116 Parcel 022. It is located in Residence C (RC) Zoning District.

(Click [HERE](#) for Materials)

7:04 PM

Appeal 2022-047

Star Market

TRT Hyannis LLC/Star Market Company, Inc has filed an appeal of an Administrative Official's Decision in accordance with Section 240-125B(1)(a). The Building Commissioner issued a Cease & Desist Order on August 1, 2022. The violation states the refrigeration trailer parked at a loading dock on the side of the building has been used over an extended period of time to provide additional storage for the operation of the store, which is an expansion of use and as such it must be presented to Site Plan Review for approval pursuant to Section 240-100C. The subject property is located at 625 West Main Street, Hyannis, MA as shown on Assessors Map 248 as Parcel 076. It is located in the Highway Business (HB) Zoning District.

(Click [HERE](#) for Materials)

7:05 PM

Appeal 2022-048

Pigott

William T. Pigott and Prudence A. Pigott have applied for a Special Permit pursuant to Section 240-91.H(3) – Developed Lot Protection, Nonconforming Lot. The Applicants are seeking to demolish an existing 4,132 square foot single-family dwelling and construct a 3,321 square foot single-family dwelling on a lot containing less than 10,000 square feet of upland in accordance with plans prepared by James Phillip Golden Architect and Down Cape Engineering. The property is located at 95 Sunset Lane, Barnstable, MA as shown on Assessor's Map 301 as Parcel 027. It is located in the Residence B (RB) Zoning District.

(Click [HERE](#) for Materials)

Correspondence

Matters Not Reasonably Anticipated by the Chair

Upcoming Hearings

October 12, 2022, October 26, 2022, November 9, 2022, December 7, 2022

Adjournment