



## Town of Barnstable

# Zoning Board of Appeals



### Board Members

Jacob Dewey – Chair   Herbert Bodensiek – Vice Chair   Paul Pinard – Clerk  
Emanuel Alves – Associate Member   Mark Hansen – Regular Member   Larry Hurwitz – Associate Member  
Rodney Tavano – Associate Member   Aaron Webb – Regular Member   Vacant – Associate Member  
Betty Ludtke – Town Council Liaison

### Staff Support

James Kupfer – Director – [James.Kupfer@town.barnstable.ma.us](mailto:James.Kupfer@town.barnstable.ma.us)  
Anna Brigham – Principal Planner – [anna.brigham@town.barnstable.ma.us](mailto:anna.brigham@town.barnstable.ma.us)  
Genna Ziino – Administrative Assistant – [genevey.ziino@town.barnstable.ma.us](mailto:genevey.ziino@town.barnstable.ma.us)

<https://www.town.barnstable.ma.us/ZoningBoard>

## Agenda

**Wednesday, December 11, 2024**

**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, December 11, 2024, 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 live via Xfinity Channel 8 or high definition Channel 1072. It may also be accessed via the Government Access Channel live stream on the Town of Barnstable’s website:  
<http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>
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
<a href="https://townofbarnstable-us.zoom.us/j/87665255429">https://townofbarnstable-us.zoom.us/j/87665255429</a>	US Toll-free 888 475 4499
Meeting ID: 876 6525 5429	Meeting ID: 876 6525 5429

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](mailto: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](mailto:anna.brigham@town.barnstable.ma.us).

### Call to Order

Introduction of Board Members

### Notice of Recording

This meeting of the Zoning Board of Appeals is being recorded and broadcast on the Town of Barnstable’s Government Access Channel. In accordance with MGL Chapter 30A §20, I must inquire whether anyone is recording this meeting and if so, to please make their presence known.

### Minutes

October 23, 2024 and November 13, 2024

## Old Business

**7:00 PM**

**Appeal No. 2024-035**

**Tripp**

Christopher Tripp has applied for a Variance pursuant to Section 240-14 E Bulk Regulations in the RC-1 and RF Residential Districts. The Applicant seeks a variance to the front yard setback to construct a pool with a 6-foot fence around it. The Applicant proposes to reduce the front yard setback to 58.98 feet where 100 feet is required along Route 28. The subject property is located at 12 Geraldine Road, Cotuit, MA as shown on Assessor's Map 040 as Parcel 009. It is located in the Residence F (RF) Zoning District.

**Continued from October 9, 2024 and October 23, 2024. Members assigned: Bodensiek, Webb, Hansen, Alves, Hurwitz**

## New Business

**7:01 PM**

**Appeal No. 2024-041**

**McGill**

Scott and Melinda McGill have applied for a Special Permit pursuant to Section 240-91 H. (3) Developed Lot Protection. The Applicants are seeking a Special Permit to allow the demolition of the existing house and construction of a new dwelling on a nonconforming lot. The proposed dwelling will comply with all setbacks, lot coverage will be less than 20%, floor area ratio will be less than 30%, and the building height will not exceed 30 feet. The subject property is located at 394 Strawberry Hill Road, Centerville, MA as shown on Assessor's Map 248 as Parcel 228. It is located in the Residence B (RB) Zoning District.

**7:02 PM**

**Appeal No. 2024-042**

**Miles**

Samuel J. Miles, as Trustee of the Miles Family Irrevocable Trust, has applied for a Special Permit pursuant to Section 240-93 B. Nonconforming Buildings or Structures Not Used as Single- or Two-Family Dwellings. The Applicant seeks to demolish a garage located 2.5 feet from the property line and construct a barn located 11.5 feet from the property line. The subject property is located at 693 Santuit-Newtown Road, Marstons Mills, MA as shown on Assessor's Map 028 as Parcel 011. It is located in the Residence F (RF) Zoning District.

**7:03 PM**

**Appeal No. 2024-043**

**Nantucket Stone**

Nantucket Stone, as tenant, has applied for a Special Permit pursuant to Section 240-21 C. (3) Condition Uses. The Applicant seeks to use the property for a kitchen installation business. The Building Commissioner determined that a portion of the use would constitute manufacturing, which is a conditional use and allowed only by Special Permit. The subject property is located at 155 Rosary Lane, Building A, Bays 1 and 2, Hyannis, MA as shown on Assessor's Map 345 as Parcel 024. It is located in the Business (B) Zoning District.

**7:04 PM**

**Appeal No. 2024-045**

**Simpson**

Terry L. Simpson, as Trustee of the Blumist Trust, has applied for a Special Permit pursuant to Section 240-91 H. (3) Developed Lot Protection. The Applicant began with partial demolition but it was later determined that the demolition exceeded the allowable amount to be removed and shall be a full demolition and therefore needed compliance with Section 240-91 H. (3). The setbacks, lot coverage, and gross floor area comply with zoning. The project cannot proceed "as of right" because the lot is less than 10,000 sq. ft. The subject property is located at 146 Scudder Road, Osterville, MA as shown on Assessor's Map 140 as Parcel 032. It is located in the Residence C (RC) Zoning District.

## Correspondence

- Cape Cod Commission Hearing Notice for the Sandwich Community Health Center on Thursday, December 5, 2024 at 3:00 p.m.
- Cape Cod Commission continued Hearing Notice for the Long Pond Rd Monopole project on Tuesday, December 10, 2024 at 5:00 p.m.
- Cape Cod Commission Hearing Notice for Wilkens Housing Phase II project being held on Monday, December 9, 2024 at 5:00 p.m.
- Cape Cod Commission agenda for the Executive Committee meeting on Thursday, December 5, 2025 at 1:45 p.m.
- Cape Cod Commission meeting on Thursday, December 5, 2024 at 3:00 p.m.

## Matters Not Reasonably Anticipated by the Chair

## Upcoming Hearings

January 8, 2025 (in person), January 22, 2025 (remote), February 12, 2025 (in person)

## Adjournment