



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 Natalie Pittenger – Associate Member
Betty Ludtke – Town Council Liaison

Staff Support

James Kupfer – Director – James.Kupfer@town.barnstable.ma.us
Anna Brigham – Principal Planner – anna.brigham@town.barnstable.ma.us
Genna Ziino – Administrative Assistant – genevey.ziino@town.barnstable.ma.us

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

Agenda

Wednesday, February 26, 2025

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, February 26, 2025, 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
https://townofbarnstable-us.zoom.us/j/87200317826	US Toll-free: 888 475 4499
Meeting ID: 872 0031 7826	Meeting ID: 872 0031 7826

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

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

02/12/25 Draft Minutes

Old Business

7:00 PM

Appeal No. 2024-050

McNamara/Holistic Health Group

Tim McNamara d/b/a Holistic Health Group has applied for a Special Permit pursuant to Section 240-30 Medical Marijuana Overlay District. The Applicant proposes to operate a medical marijuana treatment center, licensed through a Host Community Agreement with the Town Council, with the purpose of conducting patient dispensary sales. The subject property is located at 120 Airport Road, Hyannis, MA as shown on Assessor's Map 294 as Parcel 014. It is located in the Industrial (IND) Zoning District. **Continued from January 22, 2025. Members assigned: Dewey, Bodensiek, Pinard, Hansen, Webb.**

New Business

7:00 PM

Appeal No. 2025-001

Alicia L. Fix, Trustee

Alicia L. Fix, Trustee of the 333 Seapuit Road Realty Trust, has applied for a Special Permit pursuant to Section 240-94 B. Nonconforming Use, Expansion. The Applicant proposes to alter a preexisting nonconforming use by transferring the 470 square foot apartment unit located in the former principal dwelling to a proposed 874 square foot golf cart barn. The subject property is located at 359 Seapuit Road, Osterville, MA as shown on Assessor's Map 095 as Parcel 009. It is located in the Residence F-1 (RF-1) Zoning District.

7:01 PM

Appeal No. 2023-010

Arista Hyannis LLC -REMANDED

Arista Hyannis LLC has applied for a Special Permit in accordance with Section 240-25(B)(22) and 240-25(C)(10) Drive-Through for a proposed restaurant. The Applicant proposes to remodel the former bank building and change the use to a food service establishment with a drive-through. The subject property is located at 715 West Main Street, Hyannis, MA as shown on Assessor's Map 249 as Parcel 155. It is located in the Highway Business (HB) District. The Land Court, in an order issued on January 28, 2025 following an appeal of the Board's previous denial of the special permit has ordered the matter remanded to the Zoning Board of Appeals for further deliberation in accordance with the terms of the order. The board will consider the matter in accordance with the terms of the court's order after judgment with no further public comment.

Correspondence

- Cape Cod Commission meeting notice for Eastham DCPC, Thursday, February 27, 2025 at 3:00 p.m.
- Cape Cod Commission meeting notice for Wilkens Housing Phase II, Thursday, February 27, 2025 at 3:00 p.m.
- Cape Cod Commission meeting notice for Wilkens Housing Phase II Wednesday, February 19, 2025 at 5:00 p.m.
- Park City Wind LLC Final Order for construction of substation.
- Cape Cod Commission meeting Notice for Wilkins Housing Phase II, Monday February 24, 2025 at 5:00 pm.
- Cape Cod Commission DRI Decision for Starightway and Hyannisport Water Facilities

Matters Not Reasonably Anticipated by the Chair

Upcoming Hearings

March 12, 2025 (in person), March 26, 2025 (remote), April 9, 2025 (in person)

Adjournment