



Town of Barnstable Zoning Board of Appeals



Board Members:
Alex Rodolakis – Chair David Hirsch – Vice Chair Herbert Bodensiek - Clerk
Jacob Dewey – Regular Member Paul Pinard – Regular Member
Todd Walantis – Associate Member Mark Hansen – Associate Member Robert Twiss – Associate Member
David Bogan – Town Council Liaison

Staff Support
Elizabeth Jenkins – Director - elizabeth.jenkins@town.barnstable.ma.us
Anna Brigham – Principal Planner – anna.brigham@town.barnstable.ma.us
Carol Puckett – Administrative Assistant – carol.puckett@town.barnstable.ma.us

20
AUG 13
AM 10:08

BARNSTABLE
TOWN CLERK

Minutes

Wednesday, April 8, 2020

As a quorum is present, Alex Rodolakis opens the hearing at 7:01 PM and reads the following:

In accordance with the Governor’s Order Assuring Continued Operation of Essential Services in the Commonwealth, Closing Certain Workplaces, and Prohibiting Gathering of More Than 10 People issued on March 24, 2020, and extended on March 31, 2020, the April 8, 2020 public meeting of the Zoning Board of Appeals shall be physically closed to the public to avoid group congregation.

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 accessed the Channel 18 website at <http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>

2. Real-time public comment can be addressed to the Zoning Board of Appeals utilizing the Zoom link or telephone number and access code for remote access below.

Link: <https://zoom.us/j/720824040>

Telephone Number: 888 475-4499 Meeting ID: 720 824 040

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 the link or telephone number provide 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.

Call to Order

Introduction of Board Members – **Alex does a Roll Call Attendance:**

Member	
Alex Rodolakis – Chair	Present
David Hirsch – Vice Chair	Absent
Herb Bodensiek – Clerk	Present
Jacob Dewey	Present
Paul Pinard	Present
Mark Hansen	Absent
Todd Walantis	Present
Robert Twiss	Present

Also present were Paul Wackrow – Senior Planner, Anna Brigham – Principal Planner, and Carol Puckett – Administrative Assistant

Alex reads the following into the record with no response:

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

Alex then reads the following into the record:

Old Business

7:00 PM Appeal No. 2019-050 1000 Main, LLC.

1000 Main LLC., has applied for a Special Permit pursuant to Section 240-20.B – West Barnstable Village Business District. The Applicant is seeking relief in order to store small traditional sailboats and to continue the pre-existing use of three residential units in the dwelling. The subject property is located at 1000 Main Street, West Barnstable, MA as shown on Assessor’s Map 179 as Parcel 002. It is located in the West Barnstable Village Business District (WBVBD) and the Residence F (RF) Zoning Districts.

Continued from September 25, 2019. Members assigned: Alex Rodolakis, Herbert Bodensiek, Paul Pinard, Todd Walantis and Bob Twiss.

Time Extension Signed and Time Stamped – Decision due January 3, 2020. Continued from December 11, 2019. Time Extension signed – Decision Due: 04-27-20
<https://tobshare.town.barnstable.ma.us/link/JBi4rOSufxFEkF4six2KAa>

Alex Rodolakis – Chair, asks if there a motion to continue this item to the June 24 Meeting?

Motion to continue this to the June 24, 2020 hearing at 7:00 PM in the James H. Crocker Jr. Hearing Room at 367 Main Street, Hyannis or through remote participation means to be posted with the Town Clerk is made by Paul Pinard and seconded by Bob Twiss

Roll Call Vote is as follows:

Member	AYE	NAY	ABSTAINED
Alex Rodolakis – Chair	x		
David Hirsch – Vice Chair	Absent		
Herb Bodensiek – Clerk	x		
Jacob Dewey	x		
Paul Pinard	x		
Mark Hansen	Absent		
Todd Walantis	x		
Robert Twiss	x		

CONTINUED TO JUNE 24, 2020 at 7:00 PM

Alex reads the following into the record:

7:01 PM Appeal No. 2020-004 West

Maryanne West, as Appellant, is appealing the Building Commissioner’s issuance of a demolition permit. The Appellant is claiming that her family owns the dwelling and the demolition will cause undo harm to her family. The Assessor’s Office lists the ownership as Sharon and Richard Briansky who purchased it on July 25, 2019. The subject property is 125 Wianno Circle, Osterville, MA as shown on Assessors Map 140 as Parcel 091. It is located in the Residence C (RC) Zoning District.

Continued from January 8, 2020 and from February 26, 2020. No members assigned, no testimony taken. Time Extension signed – Decision due 04-30-20
<https://tobshare.town.barnstable.ma.us/link/Y0ke11mn8mm4rK3hkRZ6Ba>

Alex Rodolakis – Chair, asks if there a motion to continue this item to the June 24 Meeting?

Motion is made by: Bob Twiss to continue the application for Appeal No. 2019-004 an appeal of the Building Commissioners issuance of a demolition permit at 125 Wianno Circle, Osterville to 7:00 pm June 24, 2020, in the James H. Crocker Jr. Hearing Room at 367 Main Street, Hyannis or through remote participation means to be posted with the Town Clerk.

Seconded by: Todd Walantis

Roll Call Vote as follows:

Member	AYE	NAY	ABSTAINED
Alex Rodolakis – Chair	x		
David Hirsch – Vice Chair	Absent		
Herb Bodensiek – Clerk	x		
Jacob Dewey	x		
Paul Pinard	x		
Mark Hansen	Absent		
Todd Walantis	x		
Robert Twiss	x		

CONTINUED TO JUNE 24, 2020 AT 7:00 PM

Alex reads the following into the record:

7:01 PM Appeal No. 2020-013

Goff, as Trustee

Jennifer M. Goff, Trustee of Jennifer M. Goff 2010 Revocable Trust, has applied for a Special Permit in accordance with Section 240-92 Nonconforming building or structures used as single and two family residences. The Applicant is requesting to demolish an existing accessory structure and construct a one-bedroom accessory cottage. The subject property is located at 511 Wianno Avenue, Osterville, MA as shown on Assessors Map 162 as Parcel 004. It is located in the Residence F-1 (RF-1) Zoning District.

Continued from March 11, 2020 and March 25, 2020. No members assigned, no testimony taken.

<https://tobshare.town.barnstable.ma.us/link/TbVMFy5GsUb4eKuAUErLJ>

Alex Rodolakis – Chair, asks if there a motion to continue this item to the June 10 Meeting?

Motion is made by Paul Pinard to continue the application for a Special Permit No. 2020-013 to demolish an existing accessory structure and construct a one-bedroom accessory cottage at 511 Wianno Avenue, Osterville, MA to 7:00 pm June 10, 2020, in the James H. Crocker Jr. Hearing Room at 367 Main Street, Hyannis or through remote participation means to be posted with the Town Clerk.

Seconded by:Herb Bodensiek

Roll Call Vote as follows:

Member	AYE	NAY	ABSTAINED
Alex Rodolakis – Chair	x		
David Hirsch – Vice Chair	Absent		
Herb Bodensiek – Clerk	x		
Jacob Dewey	x		
Paul Pinard	x		
Mark Hansen	Absent		
Todd Walantis	s		
Robert Twiss	x		

CONTINUED TO JUNE 10, 2020 AT 7:00 PM

Alex reads the following into the record:

7:02PM Appeal No. 2020-016

McCarthy

Thomas J. and Nancy J. McCarthy have applied for a Special Permit pursuant to Section 240.47.1.B (4) – Family Apartments. The Applicants are proposing to remove an existing three-car detached garage down to the foundation and re-construct the 1,498 square foot detached garage with deck. A family apartment is to be located on the second floor of the proposed garage and consist of 683 square feet. The subject property is located at 8 Marchant’s Mill Road, Hyannis (Hyannisport), MA as shown on Assessor’s Map 266 as Parcel 029. It is located in the Residence F-1 (RF-1) Zoning District.

Continued from March 25, 2020. No members assigned, no testimony taken.

<https://tobshare.town.barnstable.ma.us/link/cfrCrsot8enXyltnSCb001>

Alex Rodolakis – Chair, asks if there a motion to continue this item to the June 10 Meeting?

Motion is made by: Bob Twiss to continue the application for a Special Permit No. 2020-016 to remove an existing three-car detached garage down to the foundation and reconstruct a 1,498 square foot detached garage with deck to be a family apartment at 8 Marchant’s Mill Road, Hyannis, MA to 7:00 pm June 10, 2020, in the James H. Crocker Jr. Hearing Room at 367 Main Street, Hyannis or through remote participation means to be posted with the Town Clerk.

Seconded by: Jake Dewey

Roll Call Vote as follows:

Member	AYE	NAY	ABSTAINED
Alex Rodolakis – Chair	x		
David Hirsch – Vice Chair	Absent		
Herb Bodensiek – Clerk	x		
Jacob Dewey	x		
Paul Pinard	x		
Mark Hansen	Absent		

Todd Walantis	x		
Robert Twiss	xf		

CONTINUED TO JUNE 10, 2020 AT 7:00 PM

Alex reads the following into the record:

7:03 PM Appeal No. 2020-017

Windmill Square, LLC

Windmill Square, LLC., has petitioned for a Variance in accordance with Section 240-35.F - GP Groundwater Protection Overlay District Regulations, 240-53 – Landscape Requirements for Parking Lots, and Section 240-56 – Schedule of Off Street Parking Requirements. The Petitioner is seeking to construct a 19,072 square foot retail operation with approximately 14,020 square feet of outdoor customer pick up/storage fenced in area. The subject property is located at 1174 Pitcher’s Way, Hyannis, MA as shown on Assessor’s Map 273 as Parcel 123. This project previously received Development of Regional Impact approval from the Cape Cod Commission, and the project has been found approvable by the Town of Barnstable’s Site Plan Review Committee subject to conditions that include relief necessary from the Zoning Board of Appeals. It is located in the Business (B) and Groundwater Protection (GP) Overlay Zoning Districts, and an Economic Center subject to a Chapter H Decision from the Cape Cod Commission.

Continued from March 25, 2020. No members assigned, no testimony taken.

<https://tobshare.town.barnstable.ma.us/link/TyqVky8TgxFPJH1UzzFNYK>

Attorney Princi is online via ZOOM and recognized. Attorney Princi states that their application to the Cape Cod Commission was appealed. However, they had spoken with John Idman at Cape Cod Commission, and will withdraw the appeal with ZBA and reapply back to Site Plan Review with future plans if need be.

Alex Rodolakis – Chair, asks if there a motion to allow the Applicant to Withdraw without Prejudice?

Motion is made by: Todd Walantis and seconded by Paul Pinard to Withdraw without Prejudice.

Roll Call Vote as follows:

Member	AYE	NAY	ABSTAINED
Alex Rodolakis – Chair	x		
David Hirsch – Vice Chair	Absent		
Herb Bodensiek – Clerk	x		
Jacob Dewey	x		
Paul Pinard	x		
Mark Hansen	Absent		
Todd Walantis	x		
Robert Twiss	x		

New Business

Correspondence

Matters Not Reasonably Anticipated by the Chair

Upcoming Hearings

April 22, 2020; May 13, 2020; May 27, 2020,

Adjournment

Motion to adjourn is made by Alex Rodolakis and seconded by Paul Pinard to adjourn.

Roll Call Vote:

Member	AYE	NAY	ABSTAINED
Alex Rodolakis – Chair	x		
David Hirsch – Vice Chair	Absent		
Herb Bodensiek – Clerk	x		
Jacob Dewey	x		
Paul Pinard	x		
Mark Hansen	Absent		
Todd Walantis	x		
Robert Twiss	x		