

Zoning Board of Appeals
MINUTES
Wednesday, October 9, 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, October 9, 2024, at the time indicated:

Call to Order

Chair Jake Dewey calls the meeting to order at 7:00 PM with an introduction of Board Members:

| Member | Present | Absent |
|---------------------------------|---------|--------|
| Dewey, Jacob – Chair | X | |
| Bodensiek, Herbert – Vice Chair | | X |
| Pinard, Paul – Clerk | | X |
| Alves, Manny | X | |
| Hansen, Mark | X | |
| Hurwitz, Larry | X | |
| Webb, Aaron | | X |

Also present is Anna Brigham, Principle Planner and Genna Ziino, Administrative Assistant.

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

September 11, 2024 & September 25, 2024 – Mark Hansen moves to approve both sets of minutes. Larry Hurwitz seconds.

Vote:

Aye: Jake Dewey, Manny Alves, Mark Hansen, Larry Hurwitz

Nay: None

Old Business

None

New Business

7:00 PM

Appeal No. 2024-032

Cardi’s Furniture

Cardi’s Furniture, as tenants, have applied for a Variance pursuant to Section 240-125 B (C) Variances for Signs in the B and HB Districts. The Applicant seeks to install an additional 67.5-square foot building sign facing Iyannough Road and a 6-square foot free standing street sign from Nightingale Lane, both signs exceed the allowable size and number. The subject property is located at 621 Iyannough Road, Hyannis, MA as shown on Assessor’s Map 311 as Parcel 004. It is located in the Highway Business (HB) and Business (B) Zoning Districts.

The Board received a request from Attorney David Lawler to continue this to November 13, 2024. Manny Alves moves to continue the appeal to November 13, 2024. Mark Hansen seconds.

Vote:

Aye: Jake Dewey, Manny Alves, Mark Hansen, Larry Hurwitz

Nay: None

Appeal No. 2024-032 Cardi’s Furniture is continued to November 13, 2024.

7:01 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.

The Board received a request from Moacir Vequetini, the applicant, to continue this to October 23, 2024. Mark Hansen moves to continue the appeal to October 23, 2024. Manny Alves seconds.

Vote:

Aye: Jake Dewey, Manny Alves, Mark Hansen, Larry Hurwitz

Nay: None

Appeal No. 2024-035 Tripp is continued to October 23, 2024.

7:02 PM

Appeal No. 2024-034

Mannheim Realty, LLC

Mannheim Realty, LLC has applied for a Special Permit pursuant to Section 240-91 F Merged Lots. The Applicant seeks to transfer Lot 2B, which is presently part of 17 Hawthorne Avenue (Lots 3 and 2B), to 19 Irving Avenue, which is presently comprised of Lot 1 and Lot 2A. With the requested relief, 19 Irving Avenue would be comprised of Lots 1, 2A, and 2B, and 17 Hawthorne Avenue would be comprised of Lot 3. No additional building lot is being created. The subject property is located at 19 Irving Avenue, Hyannis, MA as shown on Assessor's Map 286 as Parcel 006. It is located in the Residence F-1 (RF-1) Zoning District.

NOTE: *The subject property is 17 Hawthorn Ave (Map 286/Parcel 003) and the property receiving Lot 2B is 19 Irving Ave.

The Board received a request from Attorney Michael Schulz to continue this to October 23, 2024. Mark Hansen moves to continue the appeal to October 23, 2024. Larry Hurwitz seconds.

Vote:

Aye: Jake Dewey, Manny Alves, Mark Hansen, Larry Hurwitz

Nay: None

Appeal No. 2024-034 Mannheim Realty, LLC is continued to October 23, 2024.

Correspondence

Chair Dewey says correspondence was received:

- Local Comprehensive Plan draft future land use map public comment period through October 23, 2024
- From the Cape Cod Commission, Proforma Hearings scheduled:
 - Boxberry Hill Rd, Falmouth 10/4/2024 @ 10:00 a.m.
 - Evergreen Circle Pickleball, Mashpee 10/08/204 @ 10:00 a.m.
 - Long Pond Rd Monopole, Brewster 10/11/2024 @ 10:00 a.m.
- Cape Cod Commission Hearing Notice for Quaker Road Monopole, Falmouth scheduled for October 10, 2024 at 5:00 p.m.

Matters Not Reasonably Anticipated by the Chair

The Chairman inquires whether there has been any word from Town Council Liaison Betty Ludtke about the Board's request to discuss recurring issues before the Board. Anna Brigham says she hasn't heard an update but spoke with Jim Kupfer, Director of Planning & Development, and he plans to take care of it.

Upcoming Hearings

October 23, 2024, November 13, 2024, December 11, 2024

Adjournment

Chair Dewey moves to adjourn. Mark Hansen seconds.

Vote:

Aye: Jake Dewey, Manny Alves, Mark Hansen, Larry Hurwitz

Nay: None

Documents Used at this Meeting

- September 11, 2024 & September 25, 2024 minutes

- Request from Attorney David Lawler to continue Appeal No. 2024-032 Cardí's Furniture
- Request from Moacir Vequetini to continue Appeal No. 2024-035 Tripp
- Request from Attorney Michael Schulz to continue Appeal No. 2024-034 Mannheim Realty, LLC

Respectfully submitted,
Genna Ziino, Administrative Assistant

Further detail may be obtained by viewing the video via Channel 18 on demand at <http://www.town.barnstable.ma.us>

APPROVED