

# Town of Barnstable

# **Zoning Board of Appeals**

# Agenda August 25, 2010

The following hearings will be held at Barnstable Town Hall, 367 Main Street, Hyannis, MA, Hearing Room, 2<sup>nd</sup> Floor.

Meeting notice previously filed with Town Clerk

Revised as of 08-18-10

7:00 PM Appeal No. 2010-024 - Continued

Sullivan
Variance to Developed Lot Protection

Opened, August 11, 2010 continued to August 25, 2010.

No Members assigned. No testimony taken.

Staff Report and Application Materials previously distributed to the Board.

Hard copy of Exhibit 4, Proposed House Plans enclosed.

Decision Due: October 1, 2010

John D. & Kathleen R. Sullivan have applied for a Variance to Section 240-91.H (1)(b [1] Developed Lot Protection or in the alternative, a Variance to Section 240-11.E – Bulk Regulations – Minimum Lot Area. The applicants are proposing to demolish and construct a new, three bedroom single-family dwelling which exceeds the 20% lot coverage permitted when demolishing and rebuilding on an undersized residential lot. The property is addressed 564 Old Craigville Road, Centerville, MA and is shown on Assessor's Map 226 as parcel 177. It is in a Residence B Zoning District.

#### 7:00 PM Appeal No. 2010-003 - Continued

Gregory
Expand Nonconforming and/or Accessory Use

Opened January 27, 2010, continued; March 10, 2010, April 14, 2010, May 12, 2010, June 9, 2010, July 14, 2010 and to August 25, 2010.

Continued to allow for the Board's review of information submitted and for alternative relief of a variance to be filed and noticed (see Appeal No. 2010-028 below).

Members Assigned: William H. Newton, Brian Florence, Alex M. Rodolakis, James F. McGillen, Laura F. Shufelt - Associate Present: George T. Zevitas

Decision Due: September 20, 2010

Nathaniel A. Gregory has petitioned for a Special Permit pursuant to Section 240-93 B – Alteration or Expansion of a Pre-existing Nonconforming Structure and a Special Permit pursuant to Section 240-44 A – Accessory Uses. According to the application submitted, the petitioner seeks the "construction of a pier to replace a prior pier" on an accessory lot located across the road from the principal lot on which the single-family dwelling it serves is located. The principal residential lot is addressed 428 Wianno Avenue, Osterville, MA and is shown on Assessor's Map 163 as Parcel 024. The accessory lot is addressed 320 East Bay Road, Osterville, MA and is shown on Assessor's Map 163 as Parcel 020. Both lots are in a Residential F-1 Zoning District.

7:00 P.M. Appeal No. 2010-028 - New

Gregory
Variance for an Accessory Uses

Staff Report and Application Materials enclosed.

Nathaniel A. Gregory has applied for a Variance to Section 240-44.A, Accessory Uses. The applicant seeks the use of a lot addressed 320 East Bay Road, Osterville, MA for the construction of a pier to be accessory to the principal single-family use of a lot addressed 428 Wianno Avenue, Osterville, MA. The principal residential lot, addressed 428 Wianno Avenue, Osterville, MA, is shown on Assessor's Map 163 as Parcel 024 and the accessory lot, addressed 320 East Bay Road, Osterville, MA, is shown on Assessor's Map 163 as Parcel 020. Both lots are in a Residential F-1 Zoning District.

# 7:10 P.M. Appeal No. 2010-027 - New

Madaus
Special Permit to Demolish and Rebuild

Staff Report and Application Materials enclosed.

Susan C. Madaus has applied for a Special Permit pursuant to Section 240-91.H (3) Developed Lot Protection. The applicant is proposing to demolish and reconstruct a larger, four-bedroom single-family dwelling on the undersized 7,500 sq.ft. residential lot. The property is addressed 97 Breakwater Shores Drive, Hyannis, MA and is shown on Assessor's Map 306 as parcel 157. It is in a Residence B Zoning District.

## 7:15 PM Appeal No. 2010-018 – Continued

Vinagre Variance for a Detached Family Apartment

Opened, May 12, 2010, continued; June 9, 2010, July 14, 2010 August 11, 2010 and to August 25, 2010.

No Members assigned. No testimony taken.

Staff Report and Application Materials previously distributed to the Board.

Decision Due: October 7, 2010

Norberto H. Vinagre has applied for a Variance to Section 240-47.1. Family Apartments. The applicant seeks a variance to allow for an existing apartment unit that is located in a detached structure to be utilized as a family apartment. The subject property is shown on Assessor's Map 209 as Parcel 071 and addressed 122 Old Stage Road, Centerville, MA. It is in a Residential D-1 and a Residential C Zoning Districts.

### 7:30 P.M. Comprehensive Permit No. 2003-90

JDJ Housing Development, LLC
The Village Green - Modification Request

Opened, August 11, 2010 continued to August 25, 2010.

No Members assigned. No testimony taken.

Staff Report and Application Materials previously distributed to the Board.

Hard copy of; Planning Board's Comments, Bud Bergstrom Letter and Robert Berry Letter enclosed.

Decision Due: February 18, 2011

JDJ Housing Development, LLC and Dakota Partners, Inc., have requested a modification of Comprehensive Permit No. 2003-090 as previously modified for the development of The Village Green. The modification request seeks to make changes to the approved plans for the development including: changes in the unit types and area, increase in building footprints and gross building area, interior layout and exterior changes in the proposed structures, integration of the community club house into one of the apartment buildings, adjustments to the site plan to accommodate the building changes, and to modify the distribution of affordable units and workforce housing units amongst the buildings and also to allow the option to change the subsidy program to include the state and federal Low Income Housing Tax Credit Program. The subject property is addressed 0 Independence Drive, Barnstable, MA, and is shown on Assessor's Map 332 as parcel 010-001. The property is zoned IND - Industrial and GP - Groundwater Protection Overlay Zoning Districts.

### Open Chairman's Discussion