



Town of Barnstable
Zoning Board of Appeals
Agenda
October 12, 2011

The following hearing will be held at Barnstable Town Hall, 367 Main Street, Hyannis, MA, Hearing Room, 2nd Floor.
Meeting notice previously filed with Town Clerk

Introduction of Board Members

Approval of notes from September 28, 2011

7:00 PM Appeal No. 2011-041 - Continued

Sullivan
Modification of Variance 2010-024

John D. & Kathleen Sullivan have applied for a modification of Variance 2010-024 pursuant to Section 240-91.H.1(b)[1] Developed Lot Protection; demolition and rebuilding on non-conforming lots. The applicants are proposing to construct a sundeck and stairway on the rear portion of the dwelling which exceeds the lot coverage as previously granted. The property is addressed 564 Old Craigville Road, Centerville, MA as shown on Assessor's Map 226 as Parcel 177. It is in a Residence B zoning district.

Opened August 10, 2011, continued to September 28, 2011 and October 12, 2011

7:00 PM Appeal No. 2011-025 – Continued

Ray D. Leoni Nominee Trust – Ray D. Leoni,
Trustee
Appeal of Building Commissioner

Ray D. Leoni, Trustee of the Ray D. Leoni Nominee Trust has appealed the Building Commissioner's decision to deny the issuance of a building permit for the alteration of an existing pier in accordance with Section 240-131.4(D)(1) *Craigville Beach District Use Regulations - Change, Expansion or Alteration of Uses and Structures As of Right*. The appellant sought to alter an existing pier as-of-right on an accessory lot located opposite and across the road from the principal lot on which the single-family dwelling is located. The principal lot is addressed 22 Coddington Road, Centerville, MA as shown on Assessor's Map 186 as Parcel 052 and the accessory lot is addressed 47 Ladd Road, Centerville MA as shown on Assessor's Map 206 as Parcel 059-001. They are in the Craigville Beach (CRD) zoning district and the Centerville River North Bank Neighborhood overlay district.

Opened June 22, 2011, Continued to July 27, 2011, August 24, 2011 and October 12, 2011. No members assigned. No testimony taken. Agreement to extend time limits signed. New Decision Due Date = October 03, 2011. Second Agreement to extend time limits signed. New Decision Due = November 2, 2011.

7:00 PM Appeal No. 2011-026 – Continued

Ray D. Leoni Nominee Trust – Ray D. Leoni
Trustee
Special Permit

Ray D. Leoni, Trustee of the Ray D. Leoni Nominee Trust has petitioned for a Special Permit pursuant to Section 240-131.4(D)(2) *Craigville Beach District Use Regulations - Change, Expansion or Alteration of Uses and Structures by Special Permit* or, in the alternative, a Special Permit pursuant to Section 240-44(A) *Accessory Uses Permitted with Special Permits*. The petitioner is seeking to alter an existing pier on an accessory lot located opposite and across the road from the principal lot on which the single-family dwelling is located. The principal lot is addressed 22 Coddington Road, Centerville, MA as shown on Assessor's Map 186 as Parcel 052 and the accessory lot is addressed 47 Ladd Road, Centerville MA as shown on Assessor's Map 206 as

Parcel 059-001. They are in the Craigville Beach (CRD) zoning district and the Centerville River North Bank Neighborhood overlay district.

Opened June 22, 2011, Continued to July 27, 2011, August 24, 2011 and October 12, 2011. No members assigned. No testimony taken. Agreement to extend time limits signed. New Decision Due Date = November 19, 2011. Second Agreement to extend time limits signed. New Decision Due = December 19, 2011.

7:00 PM Appeal No. 2011-027 – Continued

Ray D. Leoni Nominee Trust – Ray D. Leoni Trustee Variance

Ray D. Leoni, Trustee of the Ray D. Leoni Nominee Trust has applied for a variance to Section 240-43 *Incidental and Subordinate Nature of Accessory Uses*. The applicant is seeking to alter an existing pier on an accessory lot located opposite and across the road from the principal lot on which the single-family dwelling is located. The principal lot is addressed 22 Coddington Road, Centerville, MA as shown on Assessor’s Map 186 as Parcel 052 and the accessory lot is addressed 47 Ladd Road, Centerville MA as shown on Assessor’s Map 206 as Parcel 059-001. They are in the Craigville Beach (CRD) zoning district and the Centerville River North Bank overlay district.

Opened June 22, 2011, Continued to July 27, 2011, August 24, 2011 and October 12, 2011. No members assigned. No testimony taken. Agreement to extend time limits signed. New Decision Due Date = October 03, 2011. Second Agreement to extend time limits signed. New Decision Due = November 2, 2011.

7:05 PM Appeal No. 2011-043 - New

Sarty

Howard L. Sarty, II has petitioned for a Special Permit in accordance with Section 240-92 B – Buildings or Structures used as Single or Two Family Residences. The petitioner is proposing to construct a garage addition within the required 10 foot side yard setback. The Petitioner also requests to add a second story with a gross floor area of 1,944 square feet to the main dwelling, which does not currently comply with side yard setback requirements. The property is located at 22 Studley Road, Hyannis, MA as shown on Assessor’s Map 306 as parcel 019. It is in a Residence B zoning district.

Decision Due: January 10, 2012.

7:20 PM Appeal No. 2011-045 - Continued

John F. Cardarelli as Trustee for 626 West Main Street Realty Trust Variance

John F. Cardarelli as Trustee for 626 West Main Street Realty Trust has applied for a Variance to Section 240-25(E) *HB Business District*, specifically the 60 foot minimum front yard setback requirement. The applicant is seeking to demolish an existing gas station building and replace it with a new, larger building for the operation of a retail and wholesale fish market with related offices. The new building is proposed to be located 31.2 feet from Dunn’s Pond Road. The subject property is addressed 626 West Main Street, Hyannis, MA and shown on Assessor’s Map 249 as Parcel 133. It is in the HB Business and Residence B Zoning Districts.

Opened October 5, 2011. Continued to October 12, 2011. No board members assigned. No testimony taken.

Decision Due: December 11, 2011

7:20 PM Appeal No. 2011-046 - Continued

John F. Cardarelli as Trustee for 644 West Main Street Realty Trust Variance

John F. Cardarelli as Trustee for 644 West Main Street Realty Trust has applied for a Variance to Section 240-25(E) *HB Business District*, specifically the 60 foot minimum front yard setback requirement. The applicant is seeking a Variance to maintain the structure’s existing 53.7 foot setback from West Main Street on a new reconfigured lot. The lot was reconfigured by an ANR Plan, recorded at the Barnstable County Registry of Deeds in Plan Book 630 Page 18, to bring it into conformity with the

minimum lot area requirements of the district. The subject property is addressed 644 West Main Street, Hyannis, MA and shown on Assessor's Map 249 as Parcel 095. It is in the HB Business and Residence B Zoning Districts.

Opened October 5, 2011. Continued to October 12, 2011. No board members assigned. No testimony taken.

Decision Due: December 11, 2011

Open - Chair's Discussion

Upcoming Meetings:

October	26
November	9
December	14