



# Town of Barnstable

## Zoning Board of Appeals

### Agenda

**Wednesday, August 28, 2013**

2<sup>nd</sup> Floor Hearing Room – 367 Main Street, Hyannis, MA

#### **Call to Order**

Introduction of Board Members

#### **Notice of Recording**

Please note that this meeting is recorded and broadcast on Channel 18 in accordance with MGL Chapter 30A §20. I must inquire whether anyone is taping this meeting and to please make their presence known.

#### **Approval of Minutes**

Minutes from June 26, 2013

#### **Old Business**

##### **7:00 PM Appeal No. 2013-039**

**Swann**

Dr. Marcus Swann, as lessee, has applied for modification of Special Permit No. 2007-070-A to allow one of the four professional office suites to be utilized as a dental office. Condition No. 3 of the permit currently prohibits use of the building for medical or dental offices. Special Permit 2007-070 modified Permit Nos. 1984-92 and 1980-35 and allows for pre-existing nonconforming use of a pre-existing nonconforming structure. The property is located at 2957 Falmouth Road (Route 28), Marstons Mills, MA as shown on Assessor's Map 121 as Parcel 009. It is in a Residence F zoning district and the Groundwater Protection Overlay District.

Opened: July 24, 2013. No members assigned. No testimony taken.

##### **7:00 PM Appeal No. 2013-002**

**AT&T Mobility**

AT&T Mobility, as Lessee, has petitioned for a modification of Special Permit No. 1998-043 to add two panel antennas, four remote radio heads, and two surge arrestors within the petitioner's 80 foot lease area on the tower and add one panel antenna, two remote radio heads and one surge arrestor within the 66 foot lease area on the tower. The subject property is located at 49 Ocean Street, Hyannis, MA as shown on Assessor's Map 326 as Parcel 025. It is located in the Hyannis Village Business Zoning District.

Opened: February 13, 2013, continued to March 27, 2013, June 12, 2013, August 14, 2013, August 28, 2013

Members assigned on February 13, 2013: Craig Larson, Alex Rodolakis, Brian Florence, George Zevitas, William Newton

**Email received 08-20-13 from Gerry Squires requesting a continuance to September 11, 2013.**

##### **7:00 PM Appeal No. 2013-035**

**Ruggiero**

Daniel and Mindi Ruggiero have petitioned for a Special Permit pursuant to Section 240-91(H)(3) Demolition and Rebuilding on Nonconforming Lots. The Petitioners are proposing to raze an existing dwelling on a 7,500 square foot lot and rebuild a new two-story dwelling of approximately 2,100 gross square feet. The subject property is located at 93 Circuit Avenue, Hyannis, MA as shown on Assessor's Map 324 as Parcel 052. It is in the Residence B Zoning District.

Opened: June 26, 2013. Continued to August 14, 2013, continued to August 28, 2013.  
Members Deciding Repetitive Petition: Craig Larson, Brian Florence, Alex Rodolakis, William Newton, Laura Shufelt  
Also present, George Zevitas, David Hirsch

**7:00 PM      Appeal No. 2013-017**

**Gingras**

Diane R. Gingras has applied for a variance to Section 240-46(C)(2) Home Occupation by Special Permit. The Applicant seeks to install a two sq.ft freestanding sign in the front yard of her home to advertise her dog washing business. The ordinance allows one non-illuminated wall sign not to exceed two sq.ft and only listing the occupant's name and occupation. The property is located at 3111 Falmouth Road/Route 28, Marstons Mills, MA as shown on Assessor's Map 098 as parcel 008-005. It is in a Residence F zoning district.

Opened June 12, 2013, Continued to June 26, 2013, Continued to August 14, 2013.  
Members assigned June 12, 2013: Alex Rodolakis, George Zevitas, Brian Florence, William Newton, Laura Shufelt. David Hirsch has submitted a Mullin Form and can sit on the appeal.

**7:00 PM      Appeal No. 2013-018**

**Gingras**

Diane R. Gingras has petitioned to modify Condition No. 8 of Special Permit No. 2005-102, which prohibits freestanding signage in conjunction with her permitted dog washing home occupation. The Petitioner seeks to install a two sq.ft freestanding sign in the front yard of her home. The property is located at 3111 Falmouth Road/Route 28, Marstons Mills, MA as shown on Assessor's Map 098 as parcel 008-005. It is in a Residence F zoning district

Opened June 12, 2013, Continued to June 26, 2013, Continued to August 14, 2013.  
Members assigned June 12, 2013: Alex Rodolakis, George Zevitas, Brian Florence, William Newton, Laura Shufelt. David Hirsch has submitted a Mullin Form and can sit on the appeal.

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**Correspondence**

Hearing Notice from Cape Cod Commission for August 29, 2013 regarding proposed amendment to Chapter H, municipal application for revisions on DRI thresholds.

**Upcoming Meetings**

September	11 & 25
October	9 & 23
November	13
December	11

**Other Business**