



Town of Barnstable

Zoning Board of Appeals



www.town.barnstable.ma.us/ZoningBoard

Board Members:

Craig Larson – Chair Brian Florence – Vice Chair Alex Rodolakis – Clerk George Zevitas - Member
David A. Hirsch – Associate Member Herbert Bodensiek – Associate Member
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Staff Support

Elizabeth Jenkins – Principal Planner - elizabeth.jenkins@town.barnstable.ma.us
Carol Puckett – Administrative Assistant – carol.puckett@town.barnstable.ma.us

Agenda - Revised

as of 2014-09-05

Wednesday, October 22, 2014

2nd 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 August 13, 2014 and September 10, 2014

Old Business

7:00 PM Appeal No. 2014-042

Bogert

William B. & Natalie Bogert have petitioned for a Special Permit pursuant to §240-91.H(3) Developed Lot Protection; Demolition and Rebuilding on Nonconforming Lot by Special Permit. The petitioners are proposing to demolish an existing one-story, 2,404 gross sq. ft. single-family dwelling and construct a new two-story, 4,035 gross sq. ft. single-family dwelling. The proposed new structure will not comply with the 35-foot and 50-foot setbacks to wetlands and great ponds required by §240-7(G), but will be more conforming than the existing structure. The property is located at 160 Tern Lane, Centerville, MA as shown on Assessor's Map 212 as Parcel 015. It is in a Residence D-1 Zoning District

Opened August 13, 2014, continued from September 10, 2014 and October 8, 2014. No members assigned.

7:02 PM Appeal No. 2014-046

Ryder

Linda L. Ryder has petitioned for a Conditional Use Special Permit pursuant to Section 240-14.C(4) to allow for the stabling and maintaining of horses in excess of the density provisions of Section 240-11.B(2)(b). The petitioner seeks to construct a two stall horse stable and coral for personal use on a lot that is less than 21,780 square feet in area. The subject property is located at 57 Cinderella Terrace, Marstons Mills, MA and is shown on Assessor's Map 047 as parcel 100. It is in the Residential F (RF) Zoning District.

Continued from October 8, 2014. No members assigned.

New Business

7:00 PM Comprehensive Permit No. 2005-100

Cotuit Center Residences

A request has been received to transfer Comprehensive Permit No. 2005-100, issued for the development of the Cotuit Center Residences, from Bay Point, LLC to PLM Buzzy, LLC.

The proposed development consists of 8-age restricted units, including two affordable units. The property is subject to Comprehensive Permit No. 2005-100 – Cotuit Center Residences (Book 27606 Page 3), an Endorsed Disposition and Settlement

Agreement (Book 27606 Page 32) and two Memorandums of Understanding (Book 27606 Page 58, Book 27606, Page 61). The property is located at 671 Main Street, Cotuit, MA as shown on Assessor's Map 036 as Parcel 015. It is in the Residence F Zoning District.

Staff will also provide a status update on the project at this meeting.

7:00 PM Appeal No. 2014-047

Mangan

James F. and Deborah Mangan have petitioned for a Special Permit pursuant to Section 240-47.1.A(1) Family Apartments. The petitioners are proposing to construct an attached family apartment of approximately 1196 square feet. A Special Permit is required as the apartment will exceed 800 square feet. The property is located at 28 Sturgis Lane, Barnstable, MA as shown on Assessor's Map 278 as parcel 037. It is in the Residence G zoning district.

Continued Business

7:00 PM Appeal No. 2014-015

Whole Foods Markets Group, Inc

Whole Foods Markets Group, Inc, as lessee, is petitioning to modify Special Permit No. 2013-055 to permit the addition and operation of two mobile food venues on the site. The property is located at 990 Iyannough Road and 65 Independence Drive, Hyannis, MA as shown on Assessor's Map 295 as Parcel 015-X02 and Map 294 as Parcel 004. They are in the Highway Business, Business, and Industrial Zoning Districts.

Continued from April 23, 2014 and October 8, 2014. **Applicant's representative has requested continuance to November 12, 2014.**

Members Assigned April 23, 2014: Craig Larson, Brian Florence, Alex Rodolakis, George Zevitas, Herbert Bodensiek

7:00 PM Appeal No. 2014-043

K&E Plus Three Enterprises, LLC.

K&E Plus Three Enterprises, LLC, has petitioned for a Conditional Use Special Permit pursuant to Section 240-93.B to allow for retail sales and a drive-through pick-up window in the Highway Business District. The petitioner seeks to eliminate the carwash use and construct a 940 square feet addition to the westerly side of the existing gas station/carwash including installation of a drive-up window. The total area of the expanded building is to be used for a convenience store for the retail sales of groceries and sundries including coffee sales via a drive-through. The subject property is located at 577 West Main Street, Hyannis, MA and is shown on Assessor's Map 269 as parcel 003. It is in the Highway Business (HB) Zoning District and a Groundwater Protection (GP) Overlay District.

Continued from October 8, 2014. **Applicant's representative has requested continuance to November 12, 2014.**

7:01 PM Appeal No. 2014-044

K&E Plus Three Enterprises, LLC.

In the alternative to Appeal 2014-043 above, the petitioner, K&E Plus Three Enterprises, LLC, has petitioned for a Special Permit pursuant to Section 240-94.A, Change of a Nonconforming Use to another Nonconforming Use and 240-94.B, Expansion of Nonconforming Use Section. In this Appeal, the petitioner seeks to construct a 940 square feet addition to the westerly side of the existing building and to change the use of the service station and carwash to that of a convenience store for the retail sales of groceries and sundries including coffee sales via a drive-through. The subject property is located at 577 West Main Street, Hyannis, MA and is shown on Assessor's Map 269 as parcel 003. It is in the Highway Business (HB) Zoning District and a Groundwater Protection (GP) Overlay District.

Continued from October 8, 2014. **Applicant's representative has requested continuance to November 12, 2014.**

7:02 PM Appeal No. 2014-045

K&E Plus Three Enterprises, LLC.

K&E Plus Three Enterprises, LLC, has petitioned for a Special Permit pursuant to Section 240-93.B Alteration Expansion of a Pre-Existing Non-Conforming Building. In this Appeal, the petitioner seeks the Permit, if necessary, to provide for the 940 square feet addition to the westerly side of the existing building as that building does not conform to the required 60-foot front yard setback required on Old Craigville Road. The subject property is located at 577 West Main Street, Hyannis, MA and is shown on Assessor's Map 269 as parcel 003. It is in the Highway Business (HB) Zoning District and a Groundwater Protection (GP) Overlay District.

Continued from October 8, 2014. **Applicant's representative has requested continuance to November 12, 2014.**

Other Business

Next Regularly Scheduled Hearings: November 12 & December 10, 2014. January 14 & 28, 2015

Adjourn