



# Town of Barnstable

## Zoning Board of Appeals



### Board Members:

Alex Rodolakis – Chair   David Hirsch – Vice Chair   Herbert Bodensiek - Clerk  
Jacob Dewey – Regular Member   Paul Pinard – Regular Member  
Todd Walantis – Associate Member   Mark Hansen – Associate Member  
James Tinsley – Town Council Liaison

### Staff Support

Elizabeth Jenkins – Director - [elizabeth.jenkins@town.barnstable.ma.us](mailto:elizabeth.jenkins@town.barnstable.ma.us)  
Anna Brigham – Principal Planner - [anna.brigham@town.barnstable.ma.us](mailto:anna.brigham@town.barnstable.ma.us)  
Carol Puckett – Administrative Assistant - [carol.puckett@town.barnstable.ma.us](mailto:carol.puckett@town.barnstable.ma.us)

## Agenda

**Wednesday, May 22, 2019**

Hearing Room – 2<sup>nd</sup> Floor – 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 and in accordance with MGL Chapter 30A §20. I must inquire whether anyone is taping this meeting and to please make their presence known.

### Minutes

March 13, 2019

### Old Business

**7:00 PM                      Appeal No. 2019-025    Riedell**

Sharon E. Riedell, as Trustee, has applied for a Special Permit in accordance with Section 240-93.B – Nonconforming Building or Structures Not Used as Single or Two-Family Residences. The Applicant is proposing to demolish an existing accessory structure (garage) and construct a new, 34'x34' garage approximately 11 feet from the front setback along Tower Hill Road. The subject property is located at 778 Main Street, Osterville, MA as shown on Assessor's Map 117 as parcel 084. It is located in the Business A (BA) Zoning District.

*Continued from May 8, 2019. No members assigned. No testimony taken*

### New Business

**7:00 PM                      Appeal No. 2019-027    Kinlin**

Robert B. and Kate Elizabeth Kinlin, Jr., have applied for a Special Permit in accordance with Section 240-91.H(3) - Nonconforming Lot. The Applicants are proposing to demolish an existing accessory structure (garage) and construct a new, 18'x30' garage in approximately the same location. The subject property is located at 142 Fifth Avenue, Hyannis, MA as shown on Assessor's Map 245 as parcel 113. It is located in the Residence B (RB) Zoning District.

**7:01 PM                      Appeal No. 2019-028    Souza**

Thomas G. & Sylvie G. Souza have applied for a Special Permit in accordance with Section 240-92.B – Nonconforming Structures Used as Single and Two Family Residences. The applicants are proposing to remove and replace the existing deck which encroaches into the side yard setbacks. The current setback requirement for the district in which it is located is ten (10) feet. The property is located at 181 Fifth Avenue, Hyannis, MA as shown on Assessor's Map 245 as Parcel 107. It is located in the Residence B (RB) Zoning District.

**7:02 PM                      Appeal No. 2019-029    ER&C Enterprises, LLC.**

ER&C Enterprises, LLC have applied for a Modification of Special Permit 2016-028 in order to update Condition # 2 "Proposed Site Plan Layout" with the new plan with revision dates; and Condition #7 to address an updated Site Plan letter. In the alternative, the Applicant seeks a Special Permit in accordance with Section 240-25 B. 1 seeking a drive-through window for beverages and food items which is a permitted accessory use subject to the issuance of a Special Permit. The property is located at 577 West Main Street, Hyannis, MA as shown on Assessor's Map 269 as Parcel 003. It is located in the Highway Business (HB), Groundwater Protection Overlay and Wellhead Protection Overlay Zoning Districts.

### Correspondence

Received 05-10-19 from Cape Cod Commission – Development of Regional Impact Decision approval for the Vineyard Wind Connector project.

### Matters Not Reasonably Anticipated by the Chair

### Upcoming Meetings

June 12, 2019, June 26, 2019, July 10, 2019, July 24, 2019

### Adjournment

Please Note: The list of matters are those reasonably anticipated by the chair, which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if so votes, the Board may go into executive session. The Board may also act on items in an order other than they appear on this agenda.

\* Public files are available for viewing during normal business hours at the Zoning Board of Appeals office located at 200 Main Street, Hyannis, MA