



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 Robert Twiss – Associate Member
James Tinsley – Town Council Liaison

Staff Support

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

Agenda

Wednesday, October 16, 2019

Hearing Room – 2nd 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.

Old Business

7:00 PM

Appeal No. 2019-042

Fernandes, Trustee

Hernique A. Fernandes, Trustee, has petitioned for a Variance pursuant to Chapter 240.11 – Principal Permitted Uses. The Petitioner is proposing to construct a one-story 1,440 square foot duplex structure in a zoning district which does not allow for them as-of-right nor as a conditional use. The subject property is located at 50 Fresh Holes Road, Hyannis, MA as shown on Assessor's Map 292 as Parcel 175. It is located in the Residence B Zoning District.

Continued from August 21, 2019 – No members assigned – No testimony taken. Continued from September 11, 2019 – No members assigned, no testimony taken.

7:01 PM

Appeal No. 2019-043 - Amended

Fernandes

Hernique A. Fernandes, Trustee, has petitioned for a Variance pursuant to Chapter 240.11.E – Bulk Regulations. The Petitioner is proposing to construct a one-story 1,440 square foot duplex structure approximately seven (7) feet from the side yard setback where ten (10) feet is required in the zoning district in which it is located. The Petitioner is also asking for relief from the minimum 43,560 square foot lot size requirement. The subject property is located at 50 Fresh Holes Road, Hyannis, MA as shown on Assessor's Map 292 as Parcel 175. It is located in the Residence B Zoning District.

Continued from September 11, 2019. No members assigned, no testimony taken.

New Business

7:00 PM Appeal No. 2019-054

Gallagher/Potteiger

Jason Priest Potteiger et al, Faith Priest Potteiger Trust, and Ann Marie Gallagher are petitioning for a Variance pursuant to Section 240-13.E – Bulk Regulations in the Residence C (RC) Zoning District and Section 240-36.D – Resource Protection Overlay District – Minimum Lot Area Requirement. The Petitioners are proposing to reconfigure the lot lines and allocate a portion of 0 Tower Hill Road to 240 Tower Hill Road; allocate a portion of 240 Tower Hill Road to 256 Tower Hill Road in order to provide 256 Tower Hill Road greater access than the present ten foot easement, and better parking space and access of emergency vehicles. The subject properties are located at 0 Tower Hill Road, 240 Tower Hill Road, and 256 Tower Hill Road, Osterville, MA as shown on Assessor's Map 142 as Parcels 161, 044-002, and 047 respectively. They are located in the Residence C (RC) and the Resource Protection Overlay District (RPOD).

7:01 PM Appeal No. 2019-055

Still, et al

John D. Still, Sr., as part owner of James S. Still et al, has applied for a Special Permit in accordance with Section 240-92.B – Nonconforming Buildings or Structures Used as a Single and Two-Family Residences. The Applicant is proposing to convert the existing patio area into a 24 X 12 square foot addition for a kitchen. The addition will be constructed 10.6 feet from the rear yard setback where a 15 foot setback is required. The Applicant is also requesting relief from the bulk regulations in order to add an 8 X 12.7 square foot, three-season room to the westerly side of the existing structure 11.4 feet from the side yard setback where a 15 foot side yard setback is required. The subject property is located at 104 Harvey Avenue, Barnstable, MA as shown on Assessor's Map 319 as Parcel 104. It is located in the Residence F-1 (RF-1) Zoning District.

7:02 PM Appeal No. 2019-056

Cellco Partnership d/b/a Verizon Wireless

Cellco Partnership, d/b/a Verizon Wireless, is applying for a Special Permit in accordance with Section 240-108 – Antennas permitted by Special Permit in all Zoning Districts. The Applicant is proposing to install small wireless equipment on the replaced utility pole located within the layout of the State Highway on Route 6A. The utility pole is Pole #54S located in the layout of State Highway on Route 6A (adjacent to 2514 Main Street) Barnstable, MA.

7:03 PM Appeal No. 2019-057

Harris

Robert J. and Cindy Ann Louise Harris have applied for a Special Permit in accordance with Section 240-47.1.B – Family Apartments. The Applicants are proposing to construct a detached garage with a one-bedroom family apartment above. The subject property is located at 90 Nye Road, Centerville, MA as shown on Assessor’s Map 170 as Parcel 001-003. It is located in the Residence C (RC) Zoning District.

Correspondence

Received 09-23-19 from Cape Cod Commission – Acceptance of a referral for a Development of Regional Impact project from Barnstable Historical Commission for the demolition of the Marchant House located at 2 Irving Avenue (Hyannisport Club), Hyannis Port, MA

Received 09-24-19 from Cape Cod Commission – Acceptance of a referral for a Development of Regional Impact project for a new tower addition at the Cape Cod Hospital at 27 Park Street, Hyannis, MA

Received 10-08-19 from the Cape Cod Commission – DRI Public Hearing Notice for Tractor Supply for Wednesday October 23, 2019 at 5:30 PM in the East Wing Conference Room, Barnstable County Complex, 3195 Main Street, Barnstable, MA

Matters Not Reasonably Anticipated by the Chair

Upcoming Meetings

October 30th, November 13th, December 11, 2019

Adjournment