



Town of Barnstable Zoning Board of Appeals

www.town.barnstable.ma.us/AccessoryApartment

Accessory Affordable Apartment Program

February 7, 2024 - 6:30 PM

To all persons interested in or affected by the actions of the Zoning Board of Appeals, you are hereby notified, pursuant to Section 11 of Chapter 40A of the General Laws of the Commonwealth of Massachusetts, and all amendments thereto, that a public hearing on the following appeals will be held on Wednesday, February 7, 2024, at the time indicated:

The Zoning Board of Appeals Public Hearing will be held by remote participation methods. Public access to this meeting shall be provided in the following manner:

1. Real-time access to the Zoning Board of Appeals meeting is available utilizing the Zoom link or telephone number and Meeting ID provided below. Public comment can be addressed to the Zoning Board of Appeals by utilizing the Zoom link or telephone number and Meeting ID provided below:

Join Zoom Meeting Option	Telephone Number Option
https://townofbarnstable-us.zoom.us/j/82639848484	US Toll-free 888 475 4499
Meeting ID: 826 3984 8484	Meeting ID: 826 3984 8484

2. Applicants, their representatives and individuals required or entitled to appear before the Zoning Board of Appeals may appear remotely, and may participate through accessing the link or telephone number provided above. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to anna.brigham@town.barnstable.ma.us so that they may be displayed for remote public access viewing.
3. This meeting will be replayed via Xfinity Channel 8 or high definition Channel 1072. It may also be accessed via the Government Access Channel video on demand archives on the Town of Barnstable's website: <https://streaming85.townofbarnstable.us/CablecastPublicSite/?channel=1>

Copies of the applications are available for review by calling (508) 862-4682 or emailing anna.brigham@town.barnstable.ma.us.

Call to Order

Chair Jacob Dewey calls the meeting to order at 6:36 PM and introduces himself as the Chair of the Zoning Board of Appeals and as Hearing Officer.

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

September 27, 2023 – The Chairman mistakenly did not receive the minutes so he skips this item.

New Business

6:30 PM

Appeal No. 2008-016

Scandurra

Patricia M. Scandurra applied for and was granted a Comprehensive Permit under Chapter 40B of the General Laws of the Commonwealth of Massachusetts, and in accordance with Article II of Chapter Nine of the Code of the Town of Barnstable. Patricia M. Scandurra no longer owns the property and the new owners do not wish to participate in the Program so therefore Comprehensive Permit No. 2008-016 must be rescinded. The subject property is addressed as 415 Cedar St, West Barnstable, MA as shown on Assessor's Map 108 as Parcel 007-002. It is zoned Residence F (RF).

Comprehensive Permit Number 2008-016 was issued to the applicant on February 27, 2008 and a Regulatory Agreement and Declaration of Restricted Covenants were recorded at the Barnstable Registry of Deeds May 6, 2008.

Procedural & Hearing Summary:

A public hearing to rescind Comprehensive Permit No. 2008-016 was duly advertised and notice sent to abutters and the property owner all in accordance with MGL Chapter 40A. The hearing was opened on February 7, 2024 at which time the Hearing Officer, Jacob Dewey, made the following findings and decision:

Findings of Fact:

1. The applicant, Patricia M. Scandurra, was granted a Comprehensive Permit 2008-016 for an accessory affordable apartment at 415 Cedar Street, West Barnstable, MA on February 27, 2008.
2. The new owners of the property do not wish to participate in the program.
3. On December 28, 2023, the Accessory Apartment Program Coordinator took action to rescind Comprehensive Permit No.2008-016.

Ordered:

Comprehensive Permit number 2008-016 is rescinded.

A written copy of this decision shall be forwarded to the Zoning Board of Appeal as required by the Town of Barnstable Administrative Code Chapter 241, section 11. If after fourteen (14) days from that transmittal the Members of the Zoning Board of Appeals takes no action to reverse the decision, this decision shall become final and a copy shall be the filed in the office of the Town Clerk.

Appeals of the final decision, if any, shall be made to the Barnstable Superior Court pursuant to MGL Chapter 40A, Section 17, within twenty (20) days after the date of the filing of this decision in the office of the Town Clerk. The applicant has the right to appeal this decision as outlined in MGL Chapter 40B, Section 22.

Correspondence

None

Matters Not Reasonably Anticipated by the Chair

Upcoming Hearings

None scheduled

Adjournment

The Chairman adjourns the meeting.

Respectfully submitted,
Genna Ziino, Administrative Assistant

Further detail may be obtained by viewing the video via Channel 18 on demand at <http://www.town.barnstable.ma.us>