



Town of Barnstable Zoning Board of Appeals



Board Members:

Jacob Dewey – Chair David Hirsch – Vice Chair Herbert Bodensiek - Clerk
Paul Pinard – Regular Member Mark Hansen – Regular Member
Todd Walantis – Associate Member Vacant – Associate Member Aaron Webb-Associate Member Denise Johnson-Associate Member
Vacant – Town Council Liaison

Staff Support

Elizabeth Jenkins –Director - elizabeth.jenkins@town.barnstable.ma.us
Anna Brigham – Principal Planner – anna.brigham@town.barnstable.ma.us

Agenda

Wednesday, July 13, 2022

7:00 PM

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. The meeting will be televised via Channel 18 and may be viewed via the Channel 18 website at <http://streaming85.townofbarnstable.us/CablecastPublicSite/>
2. 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/84208608343	888 475 4499 US Toll-free
Meeting ID: 842 0860 8343	Meeting ID: 842 0860 8343

3. 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.

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

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

None

Executive Session

The Zoning Board of Appeals may vote to enter into an Executive Session under G.L. c. 30A section 21(a)(3), to discuss litigation strategy with respect to threatened litigation by the property owners/applicants O’Neills and Dunbar at 689 and 697 Scudder Avenue, if the Chair declares that an open meeting may have a detrimental effect on the litigating position of the Town.

Old Business

7:00 PM

Appeal No. 2022-029

Leveroni

Maureen Leveroni has applied for a Special Permit pursuant to Section 240.91 (H)(3) Nonconforming Lot and requests a finding under M.G.L. Chapter 40A Section 6 regarding compliance with floor area ratio. The Applicant proposes to demolish two existing single story structures and replace the structures with one, two story structure on the same or smaller footprint. The subject property is located at 14 Beale Way, Barnstable, MA as shown on Assessor's Map 279 Parcel 014. It is located in Residence F-1 (RF-1) Zoning District. **Received request to continue to August 24, 2022**

(Click [HERE](#) for Materials)

7:01 PM

Appeal No. 2021-057

O'Neill and Dunbar Point LLC

J. Brian O'Neill, Miriam O'Neill, and Dunbar Point LLC have applied for a Special Permit pursuant to Section 240-91 F Merged Lots. The Applicant seeks to relocate the property line between 689 and 697 Scudder Avenue which would result in the cottage to be part of 689 Scudder Avenue. The subject properties are 689 Scudder Ave and 697 Scudder Ave, Hyannis, MA on Assessors Map 287, Parcels 061 and 062. It is located in the Residence F-1 (RF-1) Zoning District.

Continued from December 8, 2021 and January 12, 2022, February 23, 2022

(Click [HERE](#) for Materials)

New Business

7:02 PM

Appeal No. 2022-031

auf der Springe/Carty

Amy auf der Springe and Sean Carty have petitioned for a Variance from Section 240-14 B. (2) which references 240-11 B. (2) (e) Accessory Uses in the RF District. The Petitioners are seeking a variance to install a horse paddock fence 2.4 feet from the front yard setback along Christmas Way rather than the required 15 feet. The subject property is located at 56 Christmas Way, West Barnstable, MA as shown on Assessor's Map 127 as Parcel 022. It is located in the Residence F (RF) Zoning District.

(Click [HERE](#) for Materials)

7:03 PM

Appeal No. 2022-032

Todd

Gary Todd has petitioned for a Variance from 240-13 E. Bulk Regulations in the RF-1 Zoning District. The Petitioner is seeking a variance from the minimum rear yard setback to allow the construction of a deck 8 feet 1 inch from the rear property line where 15 feet is required. The subject property is located at 7 Nob Hill Road, Barnstable, MA as shown on Assessor's Map 288 as Parcel 119. It is located in the Residence F-1 (RF-1) Zoning District.

(Click [HERE](#) for Materials)

7:04 PM

Appeal No. 2022-033

Couto's Realty Investment/Dunkin Donuts

Couto's Realty Investment Co., II LLC has petitioned for a Variance from 240-25 D. Bulk Regulations in the HB District. The Petitioner is seeking a variance from the side yard setback for a proposed drive-thru canopy. The proposed setback is 7.2 feet where 10 feet is required. The subject property is located at 751 West Main Street, Hyannis, MA as shown on Assessor's Map 249 as Parcel 163. It is located in the Highway Business (HB) Zoning District. ***Request to continue to July 27th received**

(Click [HERE](#) for Materials)

7:05 PM

Appeal No. 2022-034

Couto's Realty Investment/Dunkin Donuts

Couto's Realty Investment Co., II LLC has applied for a Special Permit pursuant to Section 240-25 C. Conditional Uses in the HB District. The Applicant is seeking to add a drive-thru to the existing Dunkin Donuts. The subject property is located at 751 West Main Street, Hyannis, MA as shown on Assessor's Map 249 as Parcel 163. It is located in the Highway Business (HB) Zoning District. ***To be readvertised for July 27, 2022***

(Click [HERE](#) for Materials)

Correspondence

Cape Cod Commission continued hearing notice to July 14th at 3 PM for the Cape Cod Hospital Cancer & Cardiology Expansion.

Matters Not Reasonably Anticipated by the Chair

Upcoming Hearings

July 27, 2022, August 10, 2022, August 24, 2022

Adjournment