



# Town of Barnstable

# Zoning Board of Appeals



Board Members:

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

Staff Support

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 Genna Ziino – Administrative Assistant – [genevey.ziino@town.barnstable.ma.us](mailto:genevey.ziino@town.barnstable.ma.us)

## Agenda

**Wednesday, February 8, 2023**

**7:00 PM**

**James H. Crocker Jr. Hearing Room, 2<sup>nd</sup> Floor, Town Hall**

**367 Main Street, Hyannis**

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 8, 2023, at the time indicated:

### 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.

### Time Extension Request

**7:00 PM**

**Appeal No. 2021-066**

**Manzi**

Request by Attorney Jennifer E. Carey, on behalf of Manzi Cotuit Trust and Slow Marsh One Nominee Trust, for a six (6) month extension of time in which to exercise Appeal No. 2021-066 granted for a Variance. The Variance was granted in order to allow an adjustment to lot lines between two lots and is currently scheduled to lapse on February 14, 2023. The subject property is located at 1446 and 1462 Main Street, Cotuit, MA as shown on Assessor’s Map 017 as Parcels 013 and 021. It is located in the Residence F (RF) Zoning District.

(Click [HERE](#) for Materials)

### Minutes

January 25, 2023 – Click [HERE](#) for Materials

July 27, 2022 – Click [HERE](#) for Materials

### Old Business

**7:01 PM**

**Appeal No. 2022-021**

**Vuilleumier**

Louis Vuilleumier has filed an appeal of an Administrative Official’s Decision in accordance with Section 240-88 Appeals. The Building Commissioner issued a Notice of Zoning Violation and Order to Cease & Desist on March 3, 2022 which stated that the total number of dwelling units are four: three units in the main dwelling and one in the detached barn/workshop are a zoning violation under Chapter 240-11 A. (1) in the RF-2 Residence F-2 Zoning District. The subject property is located at 4380 Main Street, Barnstable, MA as shown on Assessors Map 351 as Parcel 042. It is located in the Residence F-2 (RF-2) Zoning District.

(Click [HERE](#) for Materials) **Continued from December 7, 2022. Members assigned were Dewey, Bodensiek, Hansen, Pinard, Webb.**

**7:02 PM**

**Appeal No. 2022-054**

**Vilsaint**

Kevin Y. Vilsaint and Corrie L. Vilsaint have applied for a Special Permit pursuant to 240-47.1.B. (4) Family Apartments. The Applicants are seeking to demolish an existing 1,384 square foot accessory structure and construct a new 1,384 square foot

detached family apartment. The subject property is addressed as 358 Flint Street, Marstons Mills, MA as shown on Assessor's Map 101 as Parcel 121. It is located in the Residential F (RF) Zoning District. **Continued from January 11, 2023**  
(Click [HERE](#) for Materials)

#### New Business

7:03 PM

**Appeal No. 2022-055**

**Ciluzzi**

John E. Ciluzzi, Trustee of Woods Beech Leaf Island Trust, has filed an appeal of an Administrative Official's Decision in accordance with M.G.L 40A §15 and Barnstable Zoning Ordinance Sections 240-88, 240-90 and 240-91 Appeals. The Petitioner seeks to overturn the Building Permit Denial Letter of the Building Commissioner dated November 4, 2022. In the Building Permit Denial Letter, the Building Commissioner stated the Petitioner did not demonstrate conformance with the Zoning Ordinance §240-11 and that the lot does not have the required land area and that the application lacked evidence that would show that it benefits from the single-lot exemption under M.G.L. 40A §6. The subject property is located at 149 Beech Leaf Island Road, Centerville, MA as shown on Assessors Map 187 as Parcel 063-005. It is located in the Residence D-1 (RD-1) Zoning District.

(Click [HERE](#) for Materials)

7:04 PM

**Appeal No. 2023-001**

**Centerville Gardens II, LLC**

Centerville Gardens II, LLC has petitioned for a Variance pursuant to Section 240-125 B. (1)(c) and (e) Variances; 240-107 Wireless Requirements; Article IX Site Plan Review; and MGL Ch. 40A. The Petitioner seeks to construct a 110 foot above-ground level (AGL) monopole-style tower with the capacity for at least four wireless communication services providers, together with related amplifiers, cables, fiber, and other associated antenna equipment, to replace the existing tower at 1047 Falmouth Road where 30 feet is the maximum height. The subject properties are located at 36 Wequaquet Lane, Centerville, and 1060 Falmouth Road, Hyannis, as shown on Assessor's Map 250 as Parcels 023-T00 and 023-H00, respectively. The parcels are located in the Residence D-1 (RD-1) and Highway Business (HB) Zoning Districts, respectively.

(Click [HERE](#) for Materials)

7:05 PM

**Appeal No. 2023-002**

**Centerville Gardens II, LLC**

Centerville Gardens II, LLC has applied for a modification of Special Permit 2012-007 Condition No. 5, pursuant to Section 240-125 C. and MGL Ch. 40A. The Applicant seeks to allow commercial activity and associated site improvements within the portion of the site located within the RD-1 Zoning District. The subject properties are located at 36 Wequaquet Lane, Centerville, and 1060 Falmouth Road, Hyannis, as shown on Assessor's Map 250 as Parcels 023-T00 and 023-H00, respectively. The parcels are located in the Residence D-1 (RD-1) and Highway Business (HB) Zoning Districts, respectively.

(Click [HERE](#) for Materials)

7:06 PM

**Appeal No. 2023-003**

**Hilary M. Stone, Trustee of the Malpass Trust**

Hilary M. Stone, Trustee of the Malpass Trust, has applied for a Special Permit pursuant to Section 240-44 A. Accessory Uses Permitted with a Special Permit. The Applicant seeks to construct an accessory structure (boat barn/garage/greenhouse) on a lot immediately opposite and across the road from the lot on which the principal use it serves is located, with both lots being held in identical ownership. The subject property is located at 94 Indian Trail, Barnstable, MA as shown on Assessors Map 336 as parcel 015. It is located in the Residence F-1 (RF-1) Zoning District.

(Click [HERE](#) for Materials)

#### Correspondence

None

#### Matters Not Reasonably Anticipated by the Chair

#### Upcoming Hearings

February 22, 2023, March 8, 2023, March 22, 2023

#### Adjournment