



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 Emanuel Alves – Associate Member
David Bogan – Town Council Liaison

Staff Support

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Agenda

Wednesday, January 27, 2021

The Zoning Board of Appeals Public Hearing will be held by remote participation methods as a result of the COVID-19 state of emergency in the Commonwealth of Massachusetts.

Alternative 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://zoom.us/j/93652779183	888 475 4499 US Toll-free
Meeting ID: 936 5277 9183	Meeting ID: 936 5277 9183

3. Applicants, their representatives and individuals required or entitled to appear before the Zoning Board of Appeals may appear remotely and are not permitted to be physically present at the meeting, 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

Old Business

7:00 PM

Appeal No. 2020-040

Beauregard, as Appellant

Todd Beauregard, as Appellant, is appealing the issuance of Building Permit #20-2073 issued on October 2, 2020 to David Parella for the construction of a new home at 101 Warren Street, Osterville, MA . The Appellant is claiming that 101 Warren Street,

Osterville, MA, formerly 162 Washington Avenue, and 176 Washington Avenue, Osterville, MA, have merged and therefore are unbuildable as two distinct lots. The subject properties are located at 101 Warren Street (formally 162 Washington Avenue) and 176 Washington Avenue, Osterville, MA as shown on Assessor's Map 139 as Parcel 086 and 085. It is located in the Residence R-1 (RF-1). Todd Beauregard, as Appellant, is appealing the issuance of Building Permit #20-2073 issued on October 2, 2020 to David Parella for the construction of a new home at 101 Warren Street, Osterville, MA. The Appellant is claiming that 101 Warren Street, Osterville, MA, formerly 162 Washington Avenue, and 176 Washington Avenue, Osterville, MA, have merged and therefore are unbuildable as two distinct lots. **Continued from January 13, 2021.**

7:01 PM Appeal No. 2020-042-Renoticed MacKinnon

Matthew J. MacKinnon, Trustee of 33 Oyster Place Realty Trust, is applying for a Special Permit in accordance with Section 240-93(B) – Nonconforming Buildings or structures not used as Single or Two-Family Dwellings. The Applicant is proposing to alter the pre-existing, nonconforming pier by removing approximately 3,000 square feet of the solid fill pier and constructing an elevated wooden pier with associated ramps and floats for shared use with the Cotuit Fire District and the Barnstable Clean Water Coalition. The subject property is located at 33 Oyster Place Road, Cotuit, MA as shown on Assessor's Map 035 as Parcel 101. It is located in the Residence F (RF) and Dock and Pier Overlay Zoning Districts. **Continued from January 13, 2021. (Requests to be last on the agenda due to scheduling issues)**

New Business

7:02 PM Appeal No. 2021-001 Cook

Jeffrey and Irene Cook have applied for a Special Permit pursuant to Section 240-92 Nonconforming Building or Structures used as Single Family or two-family residences, Section 240-91 H. (3) Nonconforming Lot, and Section 240-47.1 Family Apartments. The Applicants are seeking to demolish the existing nonconforming detached garage and construct a new garage in the same location. The Family Apartment will be located on the second floor of the proposed garage. The subject property is located at 60 First Way, Barnstable, MA as shown on Assessors Map 301 as Parcel 045. It is located in the Residence B (RB) Zoning District.

7:03 PM Appeal No. 2021-002 Wallin, Co-Trustees of Wallin Family Trust

W. Bruce Wallin and Lynn P. Wallin, Co-Trustees of the Wallin Family Trust, have petitioned for a Variance in accordance with Section 240-14.E – Bulk Regulations. The Petitioners are proposing to construct a 9.5' X 11' addition that will encroach into the front yard setback by approximately 6 feet. The subject property is located at 562 Poponessett Road, Cotuit, MA as shown on Assessor's Map 007 as Parcel 004-001. It is located in the Residence F (RF) Zoning District.

7:04 PM Appeal No. 2021-003 Fitzgerald

Michael and Betsey Fitzgerald have applied for a Special Permit in accordance with Section 240-131.4 Craigville Beach District Use Regulations. The Applicants are seeking to construct a 2-story 12.7 foot by 12.2 foot storage, bonus room addition and garage extension. The property is located at 90 Short Beach Road, Centerville (Craigville), MA as shown on Assessors Map 206 as parcel 123. It is located in the Craigville Beach District Long Beach/Short Beach (CBDLBSB) District of Critical Planning Concern (DCPC).

7:05 PM Appeal No. 2021-004 Mason

Christopher S. Mason and Lynne F. Mason have applied for a Special Permit in accordance with Section 240-47.1 B. (4) Family Apartments. The Applicants are proposing to create a Family apartment on the second floor of an existing detached 2-car garage. The property is located at 2005 Main Street, West Barnstable, MA as shown on Assessors Map 216 as Parcel 078. It is located in the Residence F (RF) Zoning District.

Correspondence

Public Hearing Notice – TC Item No. 2021-058 Amending the zoning map to expand the MultifamilyAffordable Housing District to include map/parcel 250/160 at 3 Whitehall Way, Hyannis. Hearing scheduled for February 4, 2021 at 7:00 PM (Hearing date changed).

Public Hearing Notice - TC Item No. 2021-059 Amending Article III Chapter 240 Section 16.1 to modify the required percentage of affordable units and revise the definition of Affordable Unit, and amend Article XI Chapter 240 Section 116 to exempt development permitted under the Multifamily Affordable Housing District from Growth Management. Hearing scheduled for February 4, 2021 at 7:00 PM (Hearing date changed)

Matters Not Reasonably Anticipated by the Chair

Upcoming Hearings

February 10, 2021, February 24, 2021, March 10, 2021

Adjournment