



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 Aaron Webb-Associate Member
 David Bogan – 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

June 9, 2021

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, June 9, 2021, at the time indicated:

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/98935476587	888 475 4499 US Toll-free
Meeting ID: 989 3547 6587	Meeting ID: 989 3547 6587

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

April 14, 2021, April 28, 2021

New Business

7:00 PM

Appeal No. 2021-022

MPG Corporation

MPG Corporation, 1617 Falmouth Road Series of PB&C LLC, have appealed a Cease and Desist Order issued for a violation of Section 240-61(B) Prohibited Signs. The Appellant received a Cease & Desist Order dated March 4, 2021 from the Sign Enforcement Officer which states the Appellants are in violation of the Sign Code because the displayed gas price signage was using intermittent LED lighting. The subject property is located at 1617 Falmouth Road, Centerville, MA as shown on Assessor's Map 209 as Parcel 085. It is located in the Highway Office (HO) and Residence C (RC) Zoning Districts. **Request to Continue to June 23, 2021.**

7:01 PM

Appeal No. 2021-027

Brooksbank/Howard

Barbara M. Brooksbank and Donna Howard have petitioned for a Variance in accordance with Section 240-11E RD-1 Residential District Bulk Regulations Minimum Lot Area. The Petitioners seek a variance to re-establish the lots as legal nonconforming lots as approved in a 1958 conveyance. The subject property is located at 56 & 60 Harrison Road, Centerville MA as shown on Assessor's Map 229 as Parcels 075 and 076. They are located in the Residence D-1 (RD-1) Zoning District and Resource Protection Overlay District (RPOD).

7:02 PM

Appeal No. 2021-028

Fitzpatrick

Elaine Fitzpatrick, Wayne Fitzpatrick, and Shirley Ann Fitzpatrick, Trustee has petitioned for a Variance from Section 240-13 RF-1 Residential District Bulk Regulations Minimum Lot Area. The Petitioners seek a variance from the minimum lot area requirements in the RF-1 District to make 48 Ocean Avenue a separate building lot and to combine the buildable lot addressed as 60 Ocean Avenue with developed lot addressed as 70 Ocean Avenue. The subject properties are located at 48 Ocean Avenue, 60 Ocean Avenue, and 70 Ocean Avenue, Hyannis MA as shown on Assessor's Map 288 as Parcels 182-003, 182-004, and 182-005. They are located in the Residence F-1 (RF-1) Zoning District.

7:03 PM

Appeal No. 2021-029

MacKinnon / MacKinnon

Matthew J. MacKinnon, Trustee of 33 Oyster Place Realty Trust, and Donald J. MacKinnon, Trustee of MCCM Realty Trust have petitioned for a variance in accordance with Section 240-14 (E) minimum lot area, minimum frontage, minimum front and side setbacks in the RF District, and Section 240-36 (D) minimum lot area in the RPOD. The Petitioners are proposing improvements and additions to the single family dwellings on the subject properties, including removing the cottage and additions to the principal dwelling at 33 Oyster Place, upgrading both septic systems, as well as proposing to adjust lot lines between two nonconforming lots. Since the proposed reconfigured lots will not meet the requirements of the Zoning Ordinance, a Variance is required. The subject properties are located at 33 Oyster Place Road and 910 Main Street, Cotuit, MA as shown on Assessor's Map 035 as Parcels 90 and 101. They are located in the Residence F (RF), Resource Protection Overlay (RPOD), and Dock and Pier Overlay Zoning Districts.

7:04 PM

Appeal No. 2021-030

Balsamo

Anthony and Mary Balsamo, Trustees of the 1204 Craigville Beach Road Realty Trust have applied for a Special Permit in accordance with Section 240-131.4 Craigville Beach District Use Regulations Coverage Limitations. A Special Permit is required under Section 240-131.4 as existing lot coverage exceeds the 10 % maximum lot coverage allowed for a lot greater than 45,000 square feet under Section 240-131.6. The Applicants are seeking to remove a tennis court and construct a pool resulting in decrease of impervious coverage. The property is located at 1204 Craigville Beach Road, Centerville, MA as shown on Assessor's Map 206 as parcel 085-001. It is located in the Craigville Beach District Centerville River North Bank (CBDCRNB) District of Critical Planning Concern (DCPC).

Correspondence

None

Matters Not Reasonably Anticipated by the Chair

Upcoming Hearings

June 23, 2021, July 14, 2021, July 28, 2021

Adjournment