



Town of Barnstable Zoning Board of Appeals

www.town.barnstable.ma.us/AccessoryApartment

Accessory Affordable Apartment Program

May 28, 2025 - 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, May 28, 2025, 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/81908331919	US Toll-free 888 475 4499
Meeting ID: 819 0833 1919	Meeting ID: 819 0833 1919

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 Jake Dewey calls the meeting to order at 6:33 PM.

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

May 14, 2025 – Chair Dewey moves to approve the minutes and votes in favor of the motion.

New Business

6:30 PM

Appeal No. 2018-002

Cabral

Catherine E. Cabral 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. Catherine E. Cabral no longer wants to participate in the Program so therefore Comprehensive Permit No. 2018-002 must be rescinded. The subject property is addressed as 92 Maushop Avenue, Barnstable, MA as shown on Assessor's Map 299 as Parcel 080. It is zoned Residence G (RG).

Comprehensive Permit Number 2018-002 was issued to the applicant on January 10, 2018 and a Regulatory Agreement and Declaration of Restricted Covenants were recorded at the Barnstable Registry of Deeds on February 23, 2018.

Procedural & Hearing Summary:

A public hearing to rescind Comprehensive Permit No. 2018-002 was duly advertised and notice sent to abutters and the property owner all in accordance with MGL Chapter 40A. The hearing was opened on May 28, 2025 at which time the Hearing Officer, Jacob Dewey, made the following findings and decision:

Findings of Fact:

1. The Applicant, Catherine E. Cabral, was granted a Comprehensive Permit 2018-002 for an Accessory Affordable Apartment at 92 Maushop Avenue, Barnstable, MA on January 10, 2018.
2. Catherine E. Cabral does not wish to participate in the program.
3. On May 1, 2025, the Accessory Apartment Program Coordinator took action to rescind Comprehensive Permit No. 2018-002.

Ordered:

Comprehensive Permit number 2018-002 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 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.

Chair Dewey orders it rescinded. He asks the applicant if it's going to become an ADU. Ms. Cabral confirms.

Councilor Betty Ludtke asks about the applicant's thought process for this choice. Ms. Cabral says they were restricted with the rent through this program and this way they can do an ADU at market value with more flexibility.

Correspondence

None

Matters Not Reasonably Anticipated by the Chair**Upcoming Hearings****Adjournment**

Chair Dewey moves to adjourn.

Respectfully submitted,
Genna Ziino, Administrative Assistant

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