



Town of Barnstable
Zoning Board of Appeals
Agenda
July 14, 2010

The following hearings will be held at Barnstable Town Hall, 367 Main Street, Hyannis, MA, Hearing Room, 2nd Floor.

Meeting notice previously filed with Town Clerk

Revised as of 06-29-10

7:00PM Appeal No. 2009-025 – Continued EAC Disposal, Inc.
Modification of Variance No. 1996-14

Opened April 1, 2009, continued, May 20, 2009, August 5, 2009, September 23, 2009, November 4, 2009 December 9, 2009, February 10, 2010, moved to February 24, 2010, April 14, 2010, May 26, 2010, and continued to July 14, 2010.

Continued for an update on Outside Consultant for the Board.

Board Members Assigned: William H. Newton, George T. Zevitas, Brian Florence, Alex M. Rodolakis, Laura F. Shufelt

Decision Due: June 18, 2011

EAC Disposal, Inc., d/b/a Cape Resources Company has applied for a Modification of Variance No. 1996-14. The modification is sought to allow for revisions to the site that include a new wood processor and staging area, alteration to interior site circulation, and additions and alterations to screening berms and landscape. The property is addressed 280 Old Falmouth Road, Marstons Mills, MA as shown on Assessor's Map 100 as parcel 008. The lot is in a Residence F Zoning District

7:10 PM Appeal No. 2010-009 – Continued Reed
Appeal of the Building Commissioner

Opened April 28, 2009, continued to July 14, 2010.

Continued for review and input of the Town Attorney's Office.

Board Members Assigned: William H. Newton, James F. McGillen, Michael P. Hersey, Craig G. Larson, Laura F. Shufelt - Associates Present: George T. Zevitas, Alex M. Rodolakis

Decision Due: September 30, 2010

Carol Anne Reed has appealed the Building Commissioner's February 12, 2010 denial of a building permit to construct a single family dwelling on a lot addressed as 1175 Shootflying Hill Road, Centerville, MA. The appeal is being made pursuant to Section 8 of MGL Chapter 40A and is requesting that the Board overrule the Commissioner and find that the lot is a legally-created, pre-existing undersized nonconforming lot that is independently buildable. The subject property is shown on Map 190 as parcel

218, and addressed 1175 Shootflying Hill Road, Centerville, MA. The lot is in a Residence D-1 and Residence C Zoning District and in the Resource Protection Overlay District.

7:20 PM Appeal No. 2010-003 - Continued Gregory
Expand Nonconforming Structure & Accessory Use

Opened January 27, 2010, continued to March 10, 2010, April 14, 2010, May 12, 2010, June 9, 2010 and to July 14, 2010.

Continued to allow for the Board’s review of information submitted.

Members Assigned: William H. Newton, Brian Florence, Alex M. Rodolakis, James F. McGillen, Laura F. Shufelt - Associate Present: George T. Zevitas

Decision Due: September 20, 2010

Nathaniel A. Gregory has petitioned for a Special Permit pursuant to Section 240-93 B – Alteration or Expansion of a Pre-existing Nonconforming Structure and a Special Permit pursuant to Section 240-44 A – Accessory Uses. According to the application submitted, the petitioner seeks the “construction of a pier to replace a prior pier” on an accessory lot located across the road from the principal lot on which the single-family dwelling it serves is located. The principal residential lot is addressed 428 Wianno Avenue, Osterville, MA and is shown on Assessor’s Map 163 as Parcel 024. The accessory lot is addressed 320 East Bay Road, Osterville, MA and is shown on Assessor’s Map 163 as Parcel 020. Both lots are in a Residential F-1 Zoning District.

7:30 PM Appeal No. 2010-018 – Continued Vinagre
Variance for a Detached Family Apartment

Opened, May 12, 2010, continued June 9, 2010, and to July 14, 2010 at request of the applicant.

No Members Assigned, No Testimony Given

Staff Report and Application Materials previously distributed to the Board.

Decision Due: October 7, 2010

Norberto H. Vinagre has applied for a Variance to Section 240-47.1. Family Apartments. The applicant seeks a variance to allow for an existing apartment unit that is located in a detached structure to be utilized as a family apartment. The subject property is shown on Assessor’s Map 209 as Parcel 071 and addressed 122 Old Stage Road, Centerville, MA. It is in a Residential D-1 and a Residential C Zoning Districts.

Open Chairman’s Discussion
