



Town of Barnstable

Zoning Board of Appeals



www.town.barnstable.ma.us/ZoningBoard

Board Members:

Craig Larson – Chair Brian Florence – Vice Chair Alex Rodolakis – Clerk George Zevitas - Member
David A. Hirsch – Associate Member Herbert Bodensiek – Associate Member
James Tinsley – Town Council Liaison

Staff Support

Elizabeth Jenkins – Principal Planner - elizabeth.jenkins@town.barnstable.ma.us
Carol Puckett – Administrative Assistant – carol.puckett@town.barnstable.ma.us

Agenda

Wednesday, December 10, 2014

2nd Floor Hearing Room – 367 Main Street, Hyannis, MA

Call to Order

Introduction of Board Members

Notice of Recording

Please note that this meeting is recorded and broadcast on Channel 18 in accordance with MGL Chapter 30A §20. I must inquire whether anyone is taping this meeting and to please make their presence known.

Approval of Minutes

Minutes from October 22, 2014

Comprehensive Permits

7:00 PM Comprehensive Permit No. 2005-082

Cotuit Meadows

Cotuit Equitable Housing, LLC has requested a minor modification of Comprehensive Permit 2005-082 to relocate certain lots designated for construction of affordable single-family dwelling units in the Cotuit Meadows subdivision. The request is to change the designation of Lots 13, 16 and 22 from affordable to market value and the designation of Lots 12, 17 and 23 from market value to affordable.

Comprehensive Permit No. 2005-082, issued on May 2, 2006 and subsequently modified, allows for the development of 124 single-family residential units, including 31 units dedicated in perpetuity as affordable. The subject lots are addressed as 122,130, 150, 164, 216 & 206 Pheasant Hill Circle, as shown on Assessor's Map 002 as Parcels 002/012, 002/013, 002/016, 002/017, 002/022 & 002/023.

Old Business

7:00 PM Appeal No. 2014-050

Berkery

Andrew M. and Joan W. Berkery have petitioned for a Special Permit pursuant to Section 240-92.B - Nonconforming buildings or structures used as single- and two-family residences. The petitioners are proposing to expand, alter and renovate the existing principal single-family dwelling and accessory cottage. The principal dwelling is to expand from 1,440 sq.ft., to 2,648 sq.ft. and the cottage is to expand from 493 sq.ft. to 829 sq.ft. Additions to the principal dwelling are located based upon existing nonconforming front- and side-yard setbacks. The property is located at 49 Lafayette Avenue, Hyannisport, MA as shown on Assessor's Map 287 as Parcel 047. It is in the Residence F-1 zoning district.

Continued from November 12, 2014. Members assigned: George Zevitas, Brian Florence, Craig Larson, Herbert Bodensiek

7:00 PM Appeal No. 2014-043

K&E Plus Three Enterprises, LLC.

K&E Plus Three Enterprises, LLC, has petitioned for a Conditional Use Special Permit pursuant to Section 240-93.B to allow for retail sales and a drive-through pick-up window in the Highway Business District. The petitioner seeks to eliminate the carwash

use and construct a 940 square feet addition to the westerly side of the existing gas station/carwash including installation of a drive-up window. The total area of the expanded building is to be used for a convenience store for the retail sales of groceries and sundries including coffee sales via a drive-through. The subject property is located at 577 West Main Street, Hyannis, MA and is shown on Assessor's Map 269 as parcel 003. It is in the Highway Business (HB) Zoning District and a Groundwater Protection (GP) Overlay District.

Continued from October 8, 2014 and November 12, 2014. No members assigned.

7:01 PM Appeal No. 2014-044

K&E Plus Three Enterprises, LLC.

In the alternative to Appeal 2014-043 above, the petitioner, K&E Plus Three Enterprises, LLC, has petitioned for a Special Permit pursuant to Section 240-94.A, Change of a Nonconforming Use to another Nonconforming Use and 240-94.B, Expansion of Nonconforming Use Section. In this Appeal, the petitioner seeks to construct a 940 square feet addition to the westerly side of the existing building and to change the use of the service station and carwash to that of a convenience store for the retail sales of groceries and sundries including coffee sales via a drive-through. The subject property is located at 577 West Main Street, Hyannis, MA and is shown on Assessor's Map 269 as parcel 003. It is in the Highway Business (HB) Zoning District and a Groundwater Protection (GP) Overlay District.

Continued from October 8, 2014 and November 12, 2014. No members assigned.

7:02 PM Appeal No. 2014-045

K&E Plus Three Enterprises, LLC.

K&E Plus Three Enterprises, LLC, has petitioned for a Special Permit pursuant to Section 240-93.B Alteration Expansion of a Pre-Existing Non-Conforming Building. In this Appeal, the petitioner seeks the Permit, if necessary, to provide for the 940 square feet addition to the westerly side of the existing building as that building does not conform to the required 60-foot front yard setback required on Old Craigville Road. The subject property is located at 577 West Main Street, Hyannis, MA and is shown on Assessor's Map 269 as parcel 003. It is in the Highway Business (HB) Zoning District and a Groundwater Protection (GP) Overlay District.

Continued from October 8, 2014 and November 12, 2014. No members assigned.

New Business

7:00 PM Appeal No. 2014-052

Pinard

Karen M. Pinard, Trustee of the Karen M. Pinard 2010 Trust, has applied to amend Variance No. 1996-054 to construct a 3-season room over a portion of an existing patio. Condition No. 7 of the existing variance limits expansion of the units without prior permission from the Zoning Board of Appeals. The property is located at 215 Pine Lane Extension, Unit B, Osterville, MA as shown on Assessor's Map 117 as Parcel 064-03B. It is in the Business A (BA) Zoning District.

7:01 PM Appeal No. 2014-054

Feldman

Robert N. Feldman has petitioned for a Special Permit pursuant to Section 240-91(H)(3) Developed Lot Protection. The petitioner seeks to raze the existing single-family home and replace it with a new single-family dwelling including an attached screen porch and deck. A special permit is required as the lot area is less than 10,000 square feet. The property is located at 223 Fifth Avenue, West Hyannisport, MA as shown on Assessor's Map 245 as Parcel 041. It is located in the Residence B Zoning District.

7:02 PM Appeal No. 2014-055

McCarthy

Arthur S. and Patricia J. McCarthy have petitioned for a Special Permit pursuant to Section 240-44, Accessory Uses. The applicants seek to construct a pier, ramp and float for non-motorized vessels on an accessory lot located on the other side of the street and slightly to the north of the lot developed with the principal single-family dwelling. The principal residential lot is located at 410 Wianno Avenue, Osterville, MA as shown on Assessor's Map 163 as Parcel 023 and the accessory lot is located at 322 East Bay Road, Osterville, MA, as shown on Assessor's Map 163 as Parcel 021. Both lots are in a Residence F-1 Zoning District.

7:03 PM Appeal No. 2014-056

McCarthy

Arthur S. and Patricia J. McCarthy have applied for a variance from Section 240-44, Accessory Uses. The applicants seek to construct a pier, ramp and float for non-motorized vessels on an accessory lot located on the other side of the street and slightly to the north of the lot developed with the principal single-family dwelling. The principal residential lot is located at 410 Wianno Avenue, Osterville, MA as shown on Assessor's Map 163 as Parcel 023 and the accessory lot is located at 322 East Bay Road, Osterville, MA, as shown on Assessor's Map 163 as Parcel 021. Both lots are in a Residence F-1 Zoning District.

Correspondence

Other Business

Next Regularly Scheduled Hearing January 14, January 28, February 11, February 25

Adjourn