



# 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](mailto:elizabeth.jenkins@town.barnstable.ma.us)  
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 Carol Puckett – Administrative Assistant – [carol.puckett@town.barnstable.ma.us](mailto:carol.puckett@town.barnstable.ma.us)

## Agenda

**June 23, 2021**

**James H. Crocker Jr. Hearing Room – 2<sup>nd</sup> Floor – 367 Main Street, Hyannis, MA**

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 23, 2021, at the time indicated:

### 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.

### Board Elections

Chair, Vice Chair, Clerk

### Minutes

None

### Old 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. **Continued from June 9, 2021.**

**7:01 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. **Continued from June 9, 2021.**

### New Business

**7:02 PM**

**Appeal No. 2021-031**

**Group 1 Realty Inc.**

Group 1 Realty Inc a.k.a Hyannis Toyota has petitioned for a Variance from Section 240-65(C) – Signs in B, UB, HB, HO, S&D, SD-A and GM Districts to allow the Petitioner to have more than 10% of the area of the building façade or 100 square feet, whichever is lesser. The proposed sign is a 2 foot 10 7/16 inches by 1 foot 6 inches addition of “IRA” to be placed above “HYANNIS” on the building façade. The subject property is located at 1020 Iyannough Road, Hyannis, MA as shown on Assessor’s Map 294 as Parcel 003. It is located in the Industrial (HB) Zoning District.

**7:03 PM                      Appeal No. 2021-032    Schultz**

John and Michelle Schultz have petitioned for a Variance from Section 240-14.E – Bulk Regulations. The Petitioners propose to construct a 14 foot by 22 foot 2-car garage 14 feet from the front setback (road) where 30 feet is required. The subject property is located at 12 Fulling Mill Lane, Marstons Mills, MA as shown on Assessor’s Map 078 as Parcel 006. It is located in the Residence F (RF) Zoning District. **This matter will be re-noticed for July 14, 2021.**

**7:04 PM                      Appeal No. 2021-033    Stone**

Frank Stone has petitioned for a Variance from Section 240-14.E – Bulk Regulations in the Residence F Zoning District. The Petitioner is seeking continued use of a hoop tent used for storage of vehicles located 7.57 feet and 14.31 feet from the side setback where 15 feet is required. The subject property is located at 23 Hamblin’s Hayway, Marstons Mills, MA as shown on Assessor’s Map 030 as Parcel 032. It is located in the Residence F (RF) Zoning District.

**Correspondence**

**Vineyard Wind 1 LLC (“Vineyard Wind 1”), submitted a copy of the Department of Public Utilities’ Final Order** issued on May 28, 2021 in D.P.U. 21-08 approving a petition by Vineyard Wind 1 for individual and comprehensive zoning exemptions for a 2.2-acre expansion to the footprint of Vineyard Wind’s proposed onshore substation. The Energy Facilities Siting Board previously approved Vineyard Wind’s original substation site and design on May 10, 2019 as part of the Vineyard Wind Connector 1 project. *Vineyard Wind LLC*, EFSB 17-05/D.P.U. 18-18/18-19 (2019). The Siting Board approved the 2.2-acre expansion on November 3, 2020.

**Notice of Public Hearing for July 1, 2021 7:00 PM**, Town Council No. 2021-174 to amend Article XIV Chapter 240 Section 128 to add a definition for Accessory Dwelling Unit (ADU) and Dwelling Units and revise definition of Dwelling, Single Family and add Article V Chapter 240 Section 47.2 Accessory Dwelling Units to the Zoning Ordinance.

**Notice of Public Hearing for July 1, 2021 7:00 PM**, Town Council No. 2021-175 to amend Article XIV Chapter 240 Section 128 of the Ordinance to revise the definition of Accessory Dwelling Unit and amend Article V Chapter 240 Section 47.2 (C) (4) to allow ADU’s with greater than 900 Square Feet by Special Permit from the Zoning Board of Appeals.

**Matters Not Reasonably Anticipated by the Chair**

**Upcoming Hearings**

July 28, 2021, August 11, 2021, August 25, 2021

**Adjournment**