



# Town of Barnstable

# Zoning Board of Appeals



Board Members:

Jacob Dewey – Chair    Vacant – Vice Chair    Herbert Bodensiek - Clerk  
 Paul Pinard – Regular Member    Mark Hansen – Regular Member  
 Todd Walantis – Associate Member    Vacant – Associate Member    Aaron Webb-Associate Member    Denise Johnson-Associate Member  
 Kristine Clark – Town Council Liaison

Staff Support

Elizabeth Jenkins –Director - [elizabeth.jenkins@town.barnstable.ma.us](mailto:elizabeth.jenkins@town.barnstable.ma.us)  
 Anna Brigham – Principal Planner – [anna.brigham@town.barnstable.ma.us](mailto:anna.brigham@town.barnstable.ma.us)  
 Genna Ziino – Adinistrative Assistant – [genevey.ziino@town.barnstable.ma.us](mailto:genevey.ziino@town.barnstable.ma.us)

## Agenda

**Wednesday, October 26, 2022**

**7:00 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 October 26, 2022, 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. 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
<a href="https://townofbarnstable-us.zoom.us/j/87035338923">https://townofbarnstable-us.zoom.us/j/87035338923</a>	888 475 4499 US Toll-free
Meeting ID: 870 3533 8923	Meeting ID: 870 3533 8923

3. 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](mailto: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](mailto: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

### Discussion and vote

#### 7:00 PM - Request for Minor Modification Cotuit Residences – Comprehensive Permit No. 2005-100

In 2007, Comprehensive Permit No. 2005-100 was granted for Five (5) units of multi-family housing on 2.38 acres. In a letter dated August 26, 2022, Attorney Patrick Nickerson, representing the Condo Association, requested a minor modification of Comprehensive Permit # 2005-100 so that the responsibility for maintenance of the existing landscaping is transferred from the Town to the Trust, and so that the Trust may make changes and improvements to the landscaping and its aesthetics

By permitting this minor modification to the Comprehensive Permit, the Trust will be empowered to make changes, improvements, and maintenance to the landscaping and aesthetics. The Town will also be relieved of its obligation to maintain the existing landscaping. **Continued from September 28, 2022.**

(Click [HERE](#) for Materials)

### New Business

7:01 PM

Appeal 2022-049

Sundelin et al

Richard Sundelin, Samantha Gray, and Damion Murray have filed an appeal of an Administrative Official's Decision in accordance with Section 240-125B(1)(a). The Building Commissioner issued a Notice of Zoning Violation and Order to Cease & Desist on August 25, 2022 which stated that a pre-existing, nonconforming auto body shop has expanded in scope, size and volume in violation of Section 240-94 B.; there has been an expansion of a pre-existing business and parking area without Site Plan approval; and the results of the expansion necessitated the re-design and reconfiguration of the pre-existing parking lot and was accomplished without Site Plan Review approval in violation of 240-100 C. & D. The subject property is located at 970/972 Main Street, West Barnstable, MA as shown on Assessors Map 156 as Parcel 026. It is located in the WBVBD Zoning District.

(Click [HERE](#) for Materials)

7:02 PM

Appeal 2022-051

Schulz, Trustee of Race Mill Realty Trust

Michael F. Schulz, Trustee of Race Mill Realty Trust, has petitioned for a Variance pursuant to Section 240-14E – Bulk Regulations footnote 2. The Petitioner proposes a subdivision of land where a parcel has a proposed lot area of 72,600 square feet where 87,120 square feet is required. The subject properties are addressed as 7 Millrace Rd, 1479 Race Ln, 1465 Race Ln, 1451 Race Ln, 1437 Race Ln, 12 Old Mill Rd, 6 Elmwood Dr, 20 Elmwood Dr, 34 Elmwood Dr, 27 Camelback Rd, 11 Camelback Rd, as shown on Assessor's Map 064 as Parcels 071, 072, 073, 074, 075, 076, 077, 094, 095, 096, and 097. The lots are located in the Residential F (RF) Zoning District.

(Click [HERE](#) for Materials)

### Correspondence

### Matters Not Reasonably Anticipated by the Chair

### Board Election

Vice Chair

Link to instructions:

<https://tobshare.town.barnstable.ma.us/link/kdbISv1lbcJnA6rVQcl0Bh>

### Upcoming Hearings

November 9, 2022, December 7, 2022

### Adjournment