



Town of Barnstable Zoning Board of Appeals



Board Members:

Jacob Dewey – Chair Herbert Bodensiek – Vice Chair Paul Pinard – Clerk
Aaron Webb – Regular Member Mark Hansen – Regular Member
Larry Hurwitz – Associate Member Emanuel Alves – Associate Member Vacant – Associate Member Denise Johnson – Associate Member
Kristine Clark – Town Council Liaison

Staff Support

Elizabeth Jenkins – Director – elizabeth.jenkins@town.barnstable.ma.us
Anna Brigham – Principal Planner – anna.brigham@town.barnstable.ma.us
Genna Ziino – Administrative Assistant – genevey.ziino@town.barnstable.ma.us

Agenda

Wednesday, September 27, 2023

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, September 27, 2023, 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 live via Xfinity Channel 8 or high definition Channel 1072. It may also be accessed via the Government Access Channel live stream on the Town of Barnstable’s website:
<http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>
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 |
|---|---------------------------|
| https://townofbarnstable-us.zoom.us/j/82435230061 | US Toll-free 888 475 4499 |
| Meeting ID: 824 3523 0061 | Meeting ID: 824 3523 0061 |

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 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.

Call to Order

Introduction of Board Members

Notice of Recording

This meeting of the Zoning Board of Appeals is being recorded and broadcast on the Town of Barnstable’s Government Access Channel. In accordance with MGL Chapter 30A §20, I must inquire whether anyone is recording this meeting and if so, to please make their presence known.

Minutes

August 23, 2023 and September 13, 2023

Old Business

7:01 PM

Appeal No. 2023-019

Vilsaint

Kevin Y. and Corrie L. Vilsaint have applied for a Special Permit in accordance with Section 240-47.2 Accessory Dwelling Units (ADUs). The Applicants seek to remove and replace an existing accessory structure with a new accessory dwelling unit (ADU). The Applicants also seek to modify Special Permit No. 2020-038 to allow further build out of the property for the accessory dwelling unit and additions to the principal dwelling. The subject property is located at 358 Flint Street, Marstons Mills, MA as shown on Assessor's Map 101 as Parcel 121. It is located in the Residence F (RF) Zoning District. **Members assigned: Dewey, Webb, Bodensiek, Pinard and Johnson. Continued from August 23, 2023.**

(Click [HERE](#) for Materials)

7:02 PM

Appeal No. 2023-021

Capetown Plaza LLC

Capetown Plaza LLC has applied for a Special Permit pursuant to Section 240-57 A. and C. Circumstances Warranting Reduction of Requirements. The Applicant seeks to establish an overall shopping center ratio for the property of 3.5 parking spaces per 1,000 square feet of shopping center gross floor area. The subject property is located at 790 Iyannough Road, Hyannis, MA, as shown on Assessor's Map 311 as Parcel 092. It is located in the Business (B) and Highway Business (HB) Zoning Districts. **Continued from September 13, 2023.**

(Click [HERE](#) for Materials)

7:03 PM

Appeal No. 2023-022

Capetown Plaza LLC

Capetown Plaza LLC has petitioned for a Variance pursuant to Section 240-65 A. through E. and H. Signs in B, UB, HB, HO, S&D, and SD-1 Districts. The Petitioner seeks to establish a comprehensive site-wide tenant building and pylon signage criteria to regulate total allowable signage area, location, and illumination for "The Landing at Hyannis". The subject property is located at 790 Iyannough Road, Hyannis, MA as shown on Assessor's Map 311 as Parcel 092. It is located in the Business (B) and Highway Business (HB) Zoning Districts. **Continued from September 13, 2023.**

(Click [HERE](#) for Materials)

New Business

7:04 PM

Appeal No. 2023-023

Doud

Michael and Florence Doud have applied for a Special Permit in accordance with Section 240-92 B., Nonconforming buildings or structures used as single- and two-family residences. The Applicants seek to renovate the preexisting nonconforming structure by adding 1,940 sq. ft. for a total proposed gross floor area of 4,435 sq. ft. The lot contains 9,600 square feet where 1 acre is required. The existing structure is nonconforming to setback requirements with 12.4 feet front setback where 30 feet is required, 0 feet side and 0 rear setbacks where 15 feet is required, and the proposed expansion will maintain the existing nonconforming setbacks. The subject property is located at 29 Lafayette Ave, Hyannis, MA as shown on Assessor's Map 287 as Parcel 045. It is located in the Residence F-1 (RF-1) Zoning District.

(Click [HERE](#) for Materials)

7:05PM

Appeal No. 2023-024

Sawyer Realty Holdings, LLC

Sawyer Realty Holdings, LLC has petitioned for a Variance pursuant to Section 240-24.1.4 B (1)(K) Nonconforming Use and 240-24.1.7.D.(1)(C) Multi-Unit Dwelling. The Petitioner seeks to convert 20 existing motel rooms into 20 studio apartments. The requested use and use density is not permitted in the DN District. The subject property is located at 473 Main Street, Hyannis, MA as shown on Assessor's Map 308 as parcel 084. The parcel is located in the Downtown Main Street (DMS) and the Downtown Neighborhood (DN) Zoning Districts. The existing structure seeking relief is in the Downtown Neighborhood (DN) Zoning District.

(Click [HERE](#) for Materials)

Correspondence

Matters Not Reasonably Anticipated by the Chair

Upcoming Hearings

October 11, 2023, October 25, 2023, November 8, 2023

Adjournment