



Town of Barnstable

Zoning Board of Appeals



Board Members

Jacob Dewey – Chair Herbert Bodensiek – Vice Chair Paul Pinard – Clerk
 Emanuel Alves – Associate Member Mark Hansen – Regular Member Larry Hurwitz – Associate Member
 Denise Johnson – Associate Member Aaron Webb – Regular Member Vacant – Associate Member
 Betty Ludtke – 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, May 22, 2024

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, May 22, 2024, 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/86374225553 | US Toll-free 888 475 4499 |
| Meeting ID: 863 7422 5553 | Meeting ID: 863 7422 5553 |

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

March 27, 2024 ([click here](#)) & April 10, 2024 ([click here](#))

Old Business

7:00 PM

Appeal No. 2023-042

Baker & Moir, as Appellants

Patricia Baker and David D. Moir, as Appellants, are appealing the issuance of Building Permit BLDR-23-780 issued on November 1, 2023 to EJ Jaxtimer for the construction of a 3,100 sq. ft., 3-bedroom home for Janet Holian, Trustee of Holian Family Realty Tr. The subject property is located at 240 Windswept Way, Osterville, MA and 250 Windswept Way, Osterville, MA as shown on Assessor's Map 051 as Parcel 012-001 and 012-000, respectively. It is located in the Residence F-1 (RF-1) and the Resource Protection Overlay District (RPOD). **Continued from January 24, 2024, February 28, 2024, March 27, 2024.**

(Click [HERE](#) for materials)

7:01 PM

Appeal No. 2024-009

Bunn & Creedon

Brian M. Bunn and Jennifer A. Creedon have petitioned for a Variance pursuant to Section 240-14 E. Bulk Regulations in the RC-1 and RF Residential Districts, and Section 240-126 Variance Provisions. The Petitioners seek a variance to the front and side yard setback requirement to build an accessory structure (pool house) in the northwest corner of their lot adjacent to their existing inground pool and existing walkway and hardscape patio areas and retaining walls. The Petitioners propose to reduce the front yard setback to 12.8 feet where 30 feet is required, and the side yard setback to 7.7 feet where 15 feet is required. The subject property is located at 157 Poponessett Road, Cotuit, MA as shown on Assessor's Map 019 as Parcel 079. It is located in the Residence F (RF) Zoning District. **Continued from April 10, 2024.**

(Click [HERE](#) for materials)

7:02 PM

Appeal No. 2024-011

773 South Main Street LLC

773 South Main Street LLC has applied to modify Condition No. 4 of Appeal No. 2019-005 to allow an additional accessory structure on the property, and also applied for a Special Permit in accordance with 240-125 Zoning Board of Appeals. The Applicant proposes to construct an approximately 12 foot by 20.5 foot in-ground pool approximately 3 feet from the westerly property line where 15 feet is required. The subject property is located at 773 South Main Street, Centerville, MA as shown on Assessor's Map 185 as Parcel 013. It is located in the Craigville Beach District (CBD) and the Centerville River North Bank (CRNB) Neighborhood Overlay Zoning District. **Continued from April 10, 2024.**

(Click [HERE](#) for materials)

New Business

7:03 PM

Appeal No. 2024-016

James

Jay and Betsy James have applied for a Special Permit pursuant to Section 240-91 H. (3) Nonconforming lot. The Applicant proposes to demolish the existing single family dwelling, raise the foundation elevation, and construct a new single family dwelling. The new dwelling will be detached from the garage, leaving the existing nonconforming garage in place. No construction will occur within the setbacks. The subject property is located at 642 South Main Street, Centerville, MA as shown on Assessor's Map 186 as Parcel 041. It is located in the Residence D-1 (RD-1) Zoning District.

(Click [HERE](#) for materials)

Correspondence

Matters Not Reasonably Anticipated by the Chair

Upcoming Hearings

June 12, 2024, June 26, 2024, July 10, 2024

Adjournment