



**Town of Barnstable**  
**Zoning Board of Appeals**  
**Minutes**  
**February 24, 2010**

***A regularly scheduled and duly posted Public Hearing for the Town of Barnstable Zoning Board of Appeals was held on Wednesday February 24, 2010 at 7:00 PM at the Town of Barnstable, Town Hall, 367 Main Street, Hyannis, MA. A quorum was met. Also present were Art Traczyk – Principal Planner and Carol Puckett – Administrative Assistant.***

Laura Shufelt	Present
James McGillen	Absent
Michael Hersey	Absent
Craig Larson	Absent
William Newton	Absent
Alex Rodolakis	Absent
Nikolas Atsalis	Absent
Brian Florence	Absent
George Zevitas	Absent

***Laura Shufelt opens the hearing at 7:01 PM. She reads a summary of the appeals being heard tonight. She indicates that the hearings scheduled tonight will be handled administratively. She then calls the Tonsberg appeal.***

**Appeal No. 2009-068 - Continued**

**Tonsberg  
Special Permit Demo/Rebuild on Nonconforming Lots**

Opened, November 18, 2009, continued to February 10, 2009 and moved to February 24, 2010.

The Applicant has requested a continuance of this appeal to April 14, 2010. Decision on this appeal must be filed with the Town Clerk no later than May 27, 2010.

This appeal has been continued in order to allow for processing of a Cape Cod Commission Hardship Exemption from the District of Critical Planning Concern Centerville Beach Nomination. Staff recommends this Appeal be continued to April 14, 2010 as requested by the Applicant.

No Members Assigned, No Testimony Given

Frederick and Roberta Tonsberg have petitioned for a Special Permit pursuant to Section 240-91.H(2), Developed Lot Protection, Demolition and Rebuilding on Nonconforming Lots. The petitioner seeks to demolish the existing dwelling located on the property and reconstruct a new dwelling not in compliance with current setback requirements for the district. The property is addressed as 2 Short Beach Road, Centerville, MA and is shown on Assessor's Map 206 as parcel 044. The property is in a Residence D-1 Zoning District.

***Laura Shufelt indicates that the applicant has requested a continuance to April 14, 2010.***

## **CONTINUED to APRIL 14, 2010 at 7:00 PM**

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***She then reads the Wallace, Lampi, Lampi & Bumpus appeal and indicates that the attorney, J. Alexander Watt, has sent a letter asking to withdraw without prejudice. She reads the letter into the record.***

***Based on that letter she would grant an administrative to withdraw without prejudice.***

**Appeal No. 2009-060- Continued**

**Wallace, Lampi, Lampi & Bumpus  
Bulk Variance, Minimum Lot Frontage**

Opened October 7, 2009, continued October 21, 2009, December 9, 2009, February 10, 2010 and moved to February 24, 2010.

A January 14, 2010 letter from Attorney J. Alexander Watt has been received requesting that this appeal be withdrawn without prejudice. Staff would recommend administrative grant of the request.

Members previously assigned: William H. Newton, Michael P. Hersey, Craig G. Larson, Alex M. Rodolakis Laura F. Shufelt - Associates  
Present: Brian Florence, George T. Zevitas

Joan M. Wallace, Irene Lampi, Derwin Lampi and Gordon Bumpus have applied for relief from Section 240-14.E Bulk Regulations, Minimum Lot Frontage. The applicants are seeking relief from the required 150 feet of frontage. The subject property is a 5.9 acre lot accessed over a 40-foot easement from Wayside Lane. The property is addressed as 0 High Street, West Barnstable, MA and is shown on Assessor's Map 110 as Parcel 007. It is in a Residence F Zoning District and the Resource Protection Overlay District.

## **WITHDRAWN WITHOUT PREJUDICE**

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***She then calls the EAC appeal and that this will be re-noticed due to the closure of town hall. This will be continued to March 24, 2010 at 7:00 PM.***

**Appeal No. 2009-025 – Re-Notice**

**EAC Disposal, Inc.  
Modification of Variance No. 1996-14**

Opened April 1, 2009, continued, May 20, 2009, August 5, 2009, September 23, 2009, November 4, 2009 December 9, 2009, February 10, 2010 and moved to February 24, 2010.

Staff recommends no testimony be taken on this Appeal. It has been re-noticed for the March 24, 2010 meeting of that Board. The Re-notice is recommended due to the interruption caused by the weather closure of Town Hall on the evening of February 10, 2010.

EAC Disposal, Inc., d/b/a Cape Resources Company has applied for a Modification of Variance No. 1996-14. The modification is sought to allow for revisions to the site that include a new wood processor and staging area, alteration to interior site circulation, and additions and alterations to screening berms and landscape. The property is addressed 280 Old Falmouth Road, Marstons Mills, MA as shown on Assessor's Map 100 as parcel 008. The lot is in a Residence F Zoning District

**RE-NOTICED FOR MARCH 24, 2010 AT 7:00 PM**

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***Meeting adjourned at 7:05 PM.***