



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 Robert Twiss – Associate Member
David Bogan – Town Council Liaison

Staff Support

Elizabeth Jenkins – Director - elizabeth.jenkins@town.barnstable.ma.us
Anna Brigham – Principal Planner – anna.brigham@town.barnstable.ma.us
Carol Puckett – Administrative Assistant – carol.puckett@town.barnstable.ma.us

Minutes

Wednesday, March 25, 2020

Process is being done remotely.

Call to Order

Call to order at 7:02 pm

Alex does a roll call attendance by voice:

Alex Rodolakis	Present
David Hirsch	Present
Herb Bodensiek	Present
Jake Dewey	Present
Paul Pinard	Present
Mark Hansen	Present
Todd Walantis	Present
Bob Twiss	Present
Also present were Staff Members:	
Paul Wackrow – Senior Planner	Present
Anna Brigham – Principal Planner	Present
Carol Puckett – Administrative Assistant	Present

20 AUG 13 AM 1:08

BARNSTABLE
TOWN CLERK

Alex reads the following with no response:

Notice of Recording

This meeting is being recorded and broadcast on Channel 18 and public participation is available through this link:

<https://zoom.us/j/943204788>

and this telephone number: 888 475-4499 US Toll Free, Meeting ID: 943 204 788

In accordance with MGL Chapter 30A Section 20, the Chair must inquire whether anyone else is taping this meeting and to please make their presence known.

Alex notes that all the appeals scheduled for tonight are being continued and that after adjournment, the board members will be going into executive session and not returning in open session.

Alex reads the following into the record:

Old Business

7:00 PM Appeal No. 2020-013

Goff, as Trustee

Jennifer M. Goff, Trustee of Jennifer M. Goff 2010 Revocable Trust, has applied for a Special Permit in accordance with Section 240-92 Nonconforming building or structures used as single and two family residences. The Applicant is requesting to demolish an existing accessory structure and construct a one-bedroom accessory cottage. The subject property is located at 511 Wianno Avenue, Osterville, MA as shown on Assessors Map 162 as Parcel 004. It is located in the Residence F-1 (RF-1) Zoning District.
Continued from March 11, 2020. No members assigned, no testimony taken.

Motion is made by David Hirsch and seconded by Paul Pinard to continue this matter to April 8, 2020 at 7:00 PM.

Staff clarifies that it will be held in the James F. Crocker Hearing Room, or if remote participation is required, that method will be posted with the Town Clerk.

Roll Call Vote:

Board Member	AYE	NAY	ABSTAIN
Alex Rodolakis	✓		
David Hirsch	✓		
Herb Bodensiek	✓		
Jake Dewey	✓		
Paul Pinard	✓		
Mark Hansen	✓		
Todd Walantis	✓		
Bob Twiss	✓		

CONTINUED TO APRIL 8, 2020 AT 7:00 PM

New Business

7:01 PM Appeal No. 2020-016

McCarthy

Thomas J. and Nancy J. McCarthy have applied for a Special Permit pursuant to Section 240.47.1.B (4) – Family Apartments. The Applicants are proposing to remove an existing three-car detached garage down to the foundation and re-construct the 1,498 square foot detached garage with deck. A family apartment is to be located on the second floor of the proposed garage and consist of 683 square feet. The subject property is located at 8 Marchant’s Mill Road, Hyannis (Hyannisport), MA as shown on Assessor’s Map 266 as Parcel 029. It is located in the Residence F-1 (RF-1) Zoning District.

Alex notes that the Applicant has agreed to extend the time limits for the Zoning Board of Appeals to hold a public hearing and make a determination on this item.

Paul Pinard moves to continue the application for Special Permit No. 2020-016 for a detached Family Apartment at 8 Marchant’s Mill Road, Hyannis, MA to 7:00 pm April 8, 2020, in the James H. Crocker Jr. Hearing Room at 367 Main Street, Hyannis or through remote participation means to be posted with the Town Clerk.

Seconded by David Hirsch

	AYE	NAY	ABSTAIN
Alex Rodolakis	✓		
David Hirsch	✓		
Herb Bodensiek	✓		
Jake Dewey	✓		
Paul Pinard	✓		
Mark Hansen	✓		
Todd Walantis	✓		
Bob Twiss	✓		

CONTINUED TO APRIL 8, 2020 AT 7:00 PM

Alex reads the following into the record:

7:02 PM Appeal No. 2020-017

Windmill Square, LLC

Windmill Square, LLC., has petitioned for a Variance in accordance with Section 240-35.F - GP Groundwater Protection Overlay District Regulations, 240-53 – Landscape Requirements for Parking Lots, and Section 240-56 – Schedule of Off Street Parking Requirements. The Petitioner is seeking to construct a 19,072 square foot retail operation with approximately 14,020 square feet of outdoor customer pick up/storage fenced in area. The subject property is located at 1174 Pitcher’s Way, Hyannis, MA as shown on Assessor’s Map 273 as Parcel 123. This project previously received Development of Regional Impact approval from the Cape Cod Commission, and the project has been found approvable by the Town of Barnstable’s Site Plan Review Committee subject to conditions that include relief necessary from the Zoning Board of Appeals. It is located in the Business (B) and Groundwater Protection (GP) Overlay Zoning Districts, and an Economic Center subject to a Chapter H Decision from the Cape Cod Commission.

Alex notes that the Development of Regional Impact (DRI) approval Decision was appealed on March 10, 2020. All local permitting is paused. All have agreed to continue this matter to April 8, 2020 at 7:00 PM.

Motion to continue to April 8, 2020 at 7:00 PM is made by Paul Pinard and seconded by David Hirsh

Roll Call Vote:

Board Member	AYE	NAY	ABSTAIN
Alex Rodolakis	✓		
David Hirsch	✓		
Herb Bodensiek	✓		
Jake Dewey	✓		
Paul Pinard	✓		
Mark Hansen	✓		
Todd Walantis	✓		
Bob Twiss	✓		

CONTINUED TO APRIL 8, 2020 AT 7:00 PM

Correspondence

None

Matters Not Reasonably Anticipated by the Chair

None

Upcoming Hearings

April 8, April 22, May 13, May 27

Executive Session

The Zoning Board of Appeals may vote to go into Executive Session under G.L. c. 30A §21(a)(3), if the chair declares that an open meeting may have a detrimental effect on the litigating position of the Board with regard to the following pending case:

- **Blauvelt v. Barnstable Zoning Board of Appeals., Barnstable Superior Court Docket No. 18CV431**

If so voted, the Executive Session will be held through remote participation and will not reconvene in open session.

Roll Call Vote to go into Executive Session and not reconvene in open public hearing:

Board Member	AYE	NAY	ABSTAIN
Alex Rodolakis	✓		
David Hirsch	✓		
Herb Bodensiek	✓		
Jake Dewey	✓		
Paul Pinard	✓		
Mark Hansen	✓		
Todd Walantis	✓		
Bob Twiss	✓		

Adjournment

**Motion is made by Paul Pinard and seconded by Bob Twiss to adjourn the regular ZBA hearing.
Vote as follows:**

	AYE	NAY	ABSTAIN
Alex Rodolakis	✓		
David Hirsch	✓		
Herb Bodensiek	✓		
Jake Dewey	✓		
Paul Pinard	✓		
Mark Hansen	✓		
Todd Walantis	✓		
Bob Twiss	✓		

Approved