



Town of Barnstable Zoning Board of Appeals

www.town.barnstable.ma.us/AccessoryApartment

Accessory Affordable Apartment Program

September 27, 2023 - 6:30 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/82271174607	US Toll-free 888 475 4499
Meeting ID: 822 7117 4607	Meeting ID: 822 7117 4607

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

Chair Jacob Dewey calls the meeting to order at 6:38 PM and introduces himself as Chair of the Zoning Board of Appeals and as Hearing Officer.

Notice of Recording

The Chairman reads: Please note that this meeting is recorded and broadcast on Channel 8 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

June 14, 2023 – Chair Dewey approves the minutes.

New Business

6:30 PM

Appeal No. 2004-024

Brigida

Ann C. Brigida applied for and was granted a Comprehensive Permit under Chapter 40B of the General Laws of the Commonwealth of Massachusetts, and in accordance with Article II of Chapter Nine of the Code of the Town of Barnstable. Ann C. Brigida no longer wishes to participate in the program and therefore Comprehensive Permit No. 2004-024 must be rescinded. The subject property is addressed as 26 Circuit Avenue, Hyannis, MA as shown on Assessor's Map 324 as Parcel 111. It is zoned Residence B (RB).

Comprehensive Permit Number 2004 - 24 was issued to the applicant on February 25, 2004 and a Regulatory Agreement and Declaration of Restricted Covenants were recorded at the Barnstable County Registry of Deeds on May 28, 2004 in Book 18654, Page 101.

The Applicant no longer wants to participate in the Accessory Affordable Apartment Program and therefore the Comprehensive Permit No. 2004-24 must be rescinded.

A public hearing to rescind Comprehensive Permit No. 2004-24 was duly advertised and notice sent to abutters and the property owner all in accordance with MGL Chapter 40A. The hearing was opened on (today) September 27, 2023 at which time the Hearing Officer, Jacob Dewey, made the following findings and decision:

Findings of Fact:

1. The Applicant, Ann C. Brigida, was granted Comprehensive Permit 2004-24 for an Accessory Affordable Apartment at 26 Circuit Ave, Hyannis, MA.
2. The applicant, Ann C. Brigida, no longer wants to participate in the Accessory Affordable Apartment Program.
3. On August 31, 2023, the Accessory Apartment Program Coordinator took action to rescind Comprehensive Permit No. 2004-24.

Ordered:

Comprehensive Permit number 2004-24 is rescinded.

A written copy of this decision shall be forwarded to the Zoning Board of Appeal as required by the Town of Barnstable Administrative Code Chapter 241, section 11. If after fourteen (14) days from that transmittal the Members of the Zoning Board of Appeals takes no action to reverse the decision, this decision shall become final and a copy shall be the filed in the office of the Town Clerk.

Appeals of the final decision, if any, shall be made to the Barnstable Superior Court pursuant to MGL Chapter 40A, Section 17, within twenty (20) days after the date of the filing of this decision in the office of the Town Clerk. The applicant has the right to appeal this decision as outlined in MGL Chapter 40B, Section 22.

Correspondence

None

Matters Not Reasonably Anticipated by the Chair

Upcoming Hearings

None scheduled

Adjournment

Chair Dewey adjourns the meeting.

Respectfully submitted,
Genna Ziino, Administrative Assistant

Further detail may be obtained by viewing the video via Channel 18 on demand at <http://www.town.barnstable.ma.us>