



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
Todd Walantis – Associate Member Vacant – 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

Amended Agenda

Wednesday, November 9, 2022

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 November 9, 2022, 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 via Channel 18 and may be viewed via the Channel 18 website at <http://streaming85.townofbarnstable.us/CablecastPublicSite/>
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/89620263548	US Toll-free 888 475 4499
Meeting ID: 896 2026 3548	Meeting ID: 896 2026 3548

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

Please note that this meeting is recorded and broadcast on Channel 18 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

September 28, 2022 – Click [HERE](#) for Materials

October 12, 2022 – Click [HERE](#) for Materials

Executive Session

G.B. BLAUVELT, ET AL v. TOWN OF BARNSTABLE ZONING BOARD OF APPEALS

571 Old Post Road, Cotuit/Marstons Mills

DOCKET # 1872cv00431

The Board shall enter into executive session for the purpose of discussing litigation strategy with respect to this case because the Chair has determined that a discussion in public session could be detrimental to the Board's position.

Old Business

7:00 PM

Appeal No. 2022-033

Couto's Realty Investment/Dunkin Donuts

Couto's Realty Investment Co., II LLC has petitioned for a Variance from 240-25 D. Bulk Regulations in the HB District. The Petitioner is seeking a variance from the side yard setback for a proposed drive-thru canopy. The proposed setback is 7.2 feet where 10 feet is required. The subject property is located at 751 West Main Street, Hyannis, MA as shown on Assessor's Map 249 as Parcel 163. It is located in the Highway Business (HB) Zoning District. **Continued from July 13, 2022, July 27, September 14, 2022. Request to withdraw received September 28, 2022.**

(Click [HERE](#) for Materials)

7:01 PM

Appeal No. 2022-034 READVERTISED

Couto's Realty Investment/Dunkin Donuts

Couto's Realty Investment Co., II LLC has applied for a Special Permit pursuant to Section 240-25 C. Conditional Uses in the HB District and Section 240-93 B. Alterations and expansions of a nonconforming structure not used as single or two family residences by Special Permit. The Applicant is seeking to add a drive-thru to the existing Dunkin Donuts. The subject property is located at 751 West Main Street, Hyannis, MA as shown on Assessor's Map 249 as Parcel 163. It is located in the Highway Business (HB) Zoning District. **Continued from July 27, 2022, September 14, 2022. Request to withdraw received September 28, 2022.**

(Click [HERE](#) for Materials)

7:02 PM

Appeal No. 2022-039 READVERTISED

157 Thornton Drive LLC

157 Thornton Drive LLC has applied for a Special Permit pursuant to Section 240-93 B. Expansion of a preexisting nonconforming structure and to Section 240-57 Reduction in Parking. The Applicant seeks to construct an approximately 2,002 square foot storage addition to the southern end of the existing building. The existing structure is nonconforming to numerous dimensional, parking, and screening requirements and the proposed expansion will also be nonconforming to dimensional, parking, and screening requirements. The subject property is located at 157 Thornton Drive, Hyannis, MA as shown on Assessor's Map 296 as Parcel 019. It is located in the Industrial (IND) Zoning District. **Continued from September 14, 2022 and October 12, 2022**

(Click [HERE](#) for Materials)

7:03 PM

Appeal No. 2022-040 READVERTISED

157 Thornton Drive LLC

157 Thornton Drive LLC has petitioned for a Variance from Section 240-33 E. Rear yard setback, Lot coverage, and Section 240-33 F. Special Screening, Section 240-56 Parking Schedule, and Section 240-57 Reduction of parking. The Applicant seeks to construct an approximately 2,002 square foot storage addition to the southern end of the existing building which will intensify existing nonconforming setback, lot coverage, screening and parking demand. The subject property is located at 157 Thornton Drive, Hyannis, MA as shown on Assessor's Map 296 as Parcel 019. It is located in the Industrial (IND) Zoning District. **Continued from September 14, 2022 and October 12, 2022**

(Click [HERE](#) for Materials)

New Business

None

Correspondence

Matters Not Reasonably Anticipated by the Chair

Upcoming Hearings

December 7, 2022, January 11, 2023, January 25, 2023

Adjournment