



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
Larry Hurwitz – Associate Member Emanuel Alves – 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

Agenda

Wednesday, October 11, 2023

7:00 PM

James H. Crocker Jr. Hearing Room, 2nd Floor, Town Hall

367 Main Street, Hyannis

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, October 11, 2023, at the time indicated.

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>

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

None

Old Business

7:00 PM

Appeal No. 2023-010

Arista Hyannis LLC

Arista Hyannis LLC has applied for a Special Permit in accordance with Section 240-25(B)(22) and 240-25(C)(10) Drive-Through for a proposed restaurant. The Applicant proposes to remodel the former bank building and change the use to a food service establishment with a drive-through. The subject property is located at 715 West Main Street, Hyannis, MA as shown on Assessor’s Map 249 as Parcel 155. It is located in the Highway Business (HB) District. **Continued from May 10, 2023 and July 26, 2023 and September 13, 2023. Members assigned: Jacob Dewey, Paul Pinard, Mark Hansen, Aaron Webb, and Herb Bodensiek.**

(Click [HERE](#) for Materials)

New Business

7:00 PM

Appeal No. 2023-025

Ventura

Richard and Catherine Ventura, Trustees of the Ventura Family Trust, have applied to modify Special Permit No. 2014-017 to allow for site alterations. The Applicant proposes to construct a 22 by 22 foot attached garage, relocate the gravel driveway, and remove plantings as needed. The proposed maximum lot coverage ratio would be 24.1% and the proposed gross floor area ratio would be

25%. The subject property is located at 64 Commerce Road, Barnstable, MA as shown on Assessor's Map 301 as Parcel 051. It is located in the Residence B (RB) and the Residence F-1 (RF-1) Zoning District.

(Click [HERE](#) for Materials)

7:01 PM

Appeal No. 2023-026

Ventura

Richard and Catherine Ventura, Trustees of the Ventura Family Trust, have petitioned for a Variance pursuant to Section 240-91 H. Nonconforming Lot. The Petitioner seeks a variance from the 20% maximum lot coverage requirement to build a 22 by 22 foot attached garage, which would result in a maximum lot coverage ratio of 24.1%. The Petitioner proposes to remove the existing gravel driveway and construct a new gravel driveway to provide vehicular access to the garage. The subject property is located at 64 Commerce Road, Barnstable, MA as shown on Assessor's Map 301 as Parcel 051. It is located in the Residence B (RB) and the Residence F-1 (RF-1) Zoning District.

(Click [HERE](#) for Materials)

7:02 PM

Appeal No. 2023-027

LaFrance

Ann LaFrance has applied for a Special Permit pursuant to Section 240-91 H. (3) Developed lot protection; demolition and rebuilding on nonconforming lots. The Applicant seeks to demolish the existing dwelling and construct a 3-bedroom, single-family dwelling. The proposed project will result in a reduction in the existing lot coverage (from 2,665 square feet to 2,659 square feet) and will have a gross floor area of 2,875 square feet where 2,995 square feet (30%) is the maximum. The subject property is located at 170 Fifth Ave, Hyannis, MA as shown on Assessor's Map 245 as Parcel 115. It is located in the Residence B (RB) Zoning District.

(Click [HERE](#) for Materials)

7:03 PM

Appeal No. 2023-028

132 Bay Shore Road, LLC

132 Bay Shore Road, LLC has applied to modify Special Permit No. 2002-095 to allow the Applicant to alter and expand the second floor living area. There will be no increase in footprint other than the extension of a covered stoop at the front entrance to the dwelling. The existing floor area is 2,125 square feet (plus 765 square feet of unfinished space) and the proposed floor area is 3,401 square feet. The subject property is located at 132 Bay Shore Road, Hyannis, MA as shown on Assessor's Map 325 as Parcel 080. It is located in the Residence B (RB) Zoning District.

(Click [HERE](#) for Materials)

7:04 PM

Appeal No. 2023-029

E.M. Crosby Boatworks, Inc.

E.M. Crosby Boatworks, Inc. has applied for a Special Permit pursuant to Section 240-94 A and 240-94 B Change or Expansion of a Preexisting Nonconforming Use. The Applicant seeks to change the use from a landscaping business to a boat storage business. The Applicant proposes to store up to 75 boats on the property. The Applicant also seeks to construct an approximately 30 ft. by 80 ft. structure covered with a clear membrane to be utilized for the storage of wooden sailboats. The subject property is located at 140 Osterville West Barnstable Road, Osterville, MA as shown on Assessor's Map 120 as Parcel 051-002. It is located in the Residence C (RC) Zoning District and the Wellhead Protection (WP) Overlay District.

(Click [HERE](#) for Materials)

Correspondence

Matters Not Reasonably Anticipated by the Chair

Discussion

Board discussion about proposed 2024 meeting schedule. (Click [HERE](#) for Materials)

Upcoming Hearings

October 25, 2023, November 8, 2023, December 6, 2023

Adjournment