



Town of Barnstable

Zoning Board of Appeals



Board Members

Jacob Dewey – Chair Herbert Bodensiek – Vice Chair Paul Pinard – Clerk
 Emanuel Alves – Associate Member Mark Hansen – Regular Member Larry Hurwitz – Associate Member
 Vacant – Associate Member Aaron Webb – Regular Member Vacant – Associate Member
 Betty Ludtke – Town Council Liaison

Staff Support

James Kupfer – Director – James.Kupfer@town.barnstable.ma.us
 Anna Brigham – Principal Planner – anna.brigham@town.barnstable.ma.us
 Genna Ziino – Administrative Assistant – genevey.ziino@town.barnstable.ma.us

<https://www.town.barnstable.ma.us/ZoningBoard>

Agenda

Wednesday, October 23, 2024

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, October 23, 2024, 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/83994909914 | US Toll-free 888 475 4499 |
| Meeting ID: 839 9490 9914 | Meeting ID: 839 9490 9914 |

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

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

October 9, 2024

Old Business

7:00 PM

Appeal No. 2024-034

Mannheim Realty, LLC

Mannheim Realty, LLC has applied for a Special Permit pursuant to Section 240-91 F Merged Lots. The Applicant seeks to transfer Lot 2B, which is presently part of 17 Hawthorne Avenue (Lots 3 and 2B), to 19 Irving Avenue, which is presently comprised of Lot 1 and Lot 2A. With the requested relief, 19 Irving Avenue would be comprised of Lots 1, 2A, and 2B, and 17 Hawthorne Avenue would be comprised of Lot 3. No additional building lot is being created. The subject property is located at 19 Irving Avenue, Hyannis, MA as shown on Assessor's Map 286 as Parcel 006. It is located in the Residence F-1 (RF-1) Zoning District. **Continued from October 9, 2024**

7:01 PM

Appeal No. 2024-035

Tripp

Christopher Tripp has applied for a Variance pursuant to Section 240-14 E Bulk Regulations in the RC-1 and RF Residential Districts. The Applicant seeks a variance to the front yard setback to construct a pool with a 6-foot fence around it. The Applicant proposes to reduce the front yard setback to 58.98 feet where 100 feet is required along Route 28. The subject property is located at 12 Geraldine Road, Cotuit, MA as shown on Assessor's Map 040 as Parcel 009. It is located in the Residence F (RF) Zoning District. **Continued from October 9, 2024**

New Business

7:02 PM

Appeal No. 2024-036

Hyannis Series Four, LLC

Hyannis Series Four, LLC has filed an Appeal of an Administrative Official's Decision in accordance with 240-11(A)(1) Principal Permitted Uses in the RB, RD-1, and RF-2 Residential Districts. The Appellant seeks to overturn the Order to Cease, Desist, and Abate dated August 2, 2024. In the Notice of Zoning Ordinance Violation letter, the Chief Local Inspector stated that they observed a violation of Chapter 240-11(A)(1), namely, an apartment created on the second floor of a building used as a lodging house. The property is not owner-occupied and is not eligible under Chapter 240-47.1 Family Apartments or Chapter 240-47.2 Accessory Dwelling Units for a second unit as of right. The subject property is located at 48 Greenwood Ave, Hyannis, MA as shown on Assessor's Map 289 as Parcel 138. It is located in the Residence B (RB) Zoning District.

Correspondence

Cape Cod Commission Subcommittee meeting for Sandwich Community Health Center to be held on October 29, 2024 at 5:00 pm.

Matters Not Reasonably Anticipated by the Chair

Upcoming Hearings

November 13, 2024 (remote), December 11, 2024 (remote), January 8, 2025 (in person)

Adjournment