



# Town of Barnstable Zoning Board of Appeals

[www.town.barnstable.ma.us/AccessoryApartment](http://www.town.barnstable.ma.us/AccessoryApartment)

## Accessory Affordable Apartment Program

February 22, 2023 – 6:30 PM

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
<a href="https://townofbarnstable-us.zoom.us/j/82118604971">https://townofbarnstable-us.zoom.us/j/82118604971</a>	US Toll-free 888 475 4499
Meeting ID: 821 1860 4971	Meeting ID: 821 1860 4971

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](mailto: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](mailto:anna.brigham@town.barnstable.ma.us).

### Call to Order

Chair Dewey calls the meeting to order and introduces himself as Chair of the Zoning Board of Appeals and as Hearing Officer.

### 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

None.

### New Business

**6:30 PM**

**Appeal No. 2009-014**

**Bernard**

Lawrence W. Bernard 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. The new owner of the property, Timothy O'Brien, no longer wants to participate in the program and therefore Comprehensive Permit No. 2009-014 must be rescinded. The subject property is addressed as 44 Maple Ave, Hyannis, MA as shown on Assessor's Map 308 as Parcel 169. It is zoned Residence B (RB).

Jacob Dewey makes the following findings and decision:

### Findings of Fact:

1. The applicant, Lawrence W. Bernard, was granted Comprehensive Permit No. 2009-014 for an Accessory Affordable Apartment at 44 Maple Avenue, Hyannis, MA.

2. The applicant, Lawrence W. Bernard, no longer own the property.
3. On January 26, 2023, the Accessory Apartment Program Coordinator took action to rescind Comprehensive Permit No. 2009-014.

**Ordered:**

Comprehensive Permit No. 2009-014 is rescinded.

A written copy of this decision shall be forwarded to the Zoning Board of Appeals 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 at 6:38 PM.

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>