



Town of Barnstable Zoning Board of Appeals

Agenda

March 9, 2011

The following hearing will be held at Barnstable Town Hall, 367 Main Street, Hyannis, MA, Hearing Room, 2nd Floor.
Meeting notice previously filed with Town Clerk

Election of Officers Meeting Notice

In accordance with MGL Chapter 40A Section 12, Section 240-125 of the Zoning Ordinance and the Zoning Board of Appeals, Rules and Regulations, notice is hereby given that the Zoning Board will hold its annual election from its membership for Chairman, Vice-Chairman and Clerk.

Note: Voting on the positions is limited to the members only unless associates are needed to make a full complement of 5 members. A simple majority of 3 votes carries.

Approval of Minutes from February 2, 2011

7:00 PM Appeal No. 2009-025 – Continued EAC Disposal, Inc. Modification of Variance No. 1996-14

Opened April 1, 2009, continued, May 20, 2009, August 5, 2009, September 23, 2009, November 4, 2009 December 9, 2009, February 10, 2010, moved to February 24, 2010, April 14, 2010, May 26, 2010, July 14, 2010, August 11, 2010, September 15, 2010, October 27, 2010, December 1, 2010 and February 2, 2011..

Continued for an update on Consulting Services.

Board Members Assigned: William H. Newton, George T. Zevitas, Brian Florence, Alex M. Rodolakis, Laura F. Shufelt

Decision Due: June 18, 2011

EAC Disposal, Inc., d/b/a Cape Resources Company has applied for a Modification of Variance No. 1996-14. The modification is sought to allow for revisions to the site that include a new wood processor and staging area, alteration to interior site circulation, and additions and alterations to screening berms and landscape. The property is addressed 280 Old Falmouth Road, Marstons Mills, MA as shown on Assessor's Map 100 as parcel 008. The lot is in a Residence F Zoning District

7:05 PM Comp Permit 2003-090 – Cont'd JDJ Housing Development LLC, - Dakota Partners, Inc - The Village Green

JDJ Housing Development, LLC and Dakota Partners, Inc., have requested a modification of Comprehensive Permit 2003-090 issued for the development of the Village Green, a 148 unit rental apartment development with 37 units committed to affordable housing on 14.32 acres. The Applicant seeks to change the total number of units from 148 to 120 units and to change the number of affordable units from 37 units committed to low and moderate-income households to 30 units committed to low and moderate-income households and to change units committed to workforce housing from 14 units to 8

units to be committed to households earning between 81% and 120% of the area's median income. The proposal will decrease the number of apartment buildings from five to four and a separate building for management and common space, decrease the number of units and increase the size of the living area within all of the units which thus increases the size of the building footprints and gross building area. The property is addressed 0 Independence Drive, formerly 770 Independence Drive, Barnstable, MA, as shown on Assessor's Map 332 as Parcel 010-001, located in the Industrial Zoning District, and Wellhead and Groundwater Protection Districts.

Board Members Assigned: Michael Hersey, Craig Larson, Alex Rodolakis, Brian Florence, Laura Shufelt.

Opened February 2, 2011, Continued to February 16, 2011. Hearing closed February 16, 2011.

Note: Continuation of Comprehensive Permit 2003-090 - Vote on Consolidated Decision

This item is a follow-up to the Board's February 16, 2011 vote to approve a modification to Comprehensive Permit 2003-090, issued to JDJ Housing Development, LLC and Dakota Partners, Inc. for the development of the Village Green Apartments. A Consolidated Decision, integrating the original permit with all modifications to date, has been prepared for approval by the Board

7:10 PM Appeal No. 2011-004 - New Botsini-Prime, LLC

Botsini-Prime, LLC., has appealed the December 30, 2010 decision of the Building Commissioner. Botsini-Prime, LLC., in a letter to the Building Commissioner received December 17, 2010, had requested that the Building Commissioner revoke building permits issued to the Barnstable Municipal Airport Commission authorizing construction to begin on the Airport Expansion Project and refusing to enforce the Cape Cod Commission's Enabling Regulations and issuing permits in violation thereof. The property is located at 480 Barnstable Road, Hyannis, MA as shown on Assessor's Map 329 as parcel 003. It is in the Industrial (IND), Business (B), Highway Business (HB), and Hyannis Gateway (HG), zoning districts.

7:20 PM Appeal No. 2011-005 - New Mulhern d/b/a The Teen Exchange

Pamela R. Mulhern, Manager, d/b/a Teen Exchange, LLC., has petitioned for a Conditional Use Special Permit in the Highway Business (HB) zoning district. The petitioner, as lessee of Unit #5 of 1661 Falmouth Road owned by Brian Dacey as Trustee of Centerville Plaza Trust, is requesting a Conditional Use Special Permit pursuant to Section 240-25 C.(1). of the zoning ordinance to allow a consignment shop whereas a professional office use had previously existed. The property is located at 1661 Falmouth Road, Unit #5, Centerville, MA as shown on Assessor's Map 209 as parcel 087-10E. It is in a Highway Business zoning district.

Correspondence:

Letter from Cummaquid Heights Association, Inc., regarding Village Green

Open:

Chair's Discussion

Future Meetings:

Regularly scheduled Zoning Board of Appeals meetings, 7:00 PM, March 23, 2011, April 13th and April 27, 2011
