



Town of Barnstable
Zoning Board of Appeals
Agenda
November 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

Introduction of Board Members

7:00 PM Appeal No. 2009-025 - Continued

**EAC Disposal, Inc. d/b/a
Cape Resources Company
Modification of Variance No. 1996-14**

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. Appeal No. 2009-025 has been amended to include a request that Condition Number 28 in Variance No. 1996-14, requiring that the variance expire on December 31, 2015, be deleted. The Applicant requests the modification of such other conditions and terms contained within Variance No. 1996-14 as may be required to effectuate the intent of the new proposed plan submitted with the application and the terms of any decision to be rendered by the Zoning Board of Appeals. The subject 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.

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, February 2, 2011., March 9, 2011, April 13, 2011, May 11, 2011, June 8, 2011, June 22, 2011, July 27, 2011, September 14, 2011 and November 9, 2011

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

Decision Due: September 15, 2011 With Extension: **November 14, 2011**

7:00 PM Appeal No. 2011-044 - Continued

**262 Bridge Street Realty Trust
MBRIDGE 274 LLC**

262 Bridge Street Realty Trust and MBRIDGE 274 LLC have applied for a Variance to Section 240-36(D) *Resource Protection Overlay District* (RPOD) to modify the shape of Lot 1B as shown on the plan recorded in Plan Book 546 Page 26 and Lots 2 and 3 as shown on Plan Book 546 Page 25. Relief is required as the lots do not conform to the two-acre minimum lot area requirement of the RPOD. The Applicants seek to modify the shape of the lots, but the area of each lot will not change. Further, the Applicants seek relief from Section 240-36(D) to demolish and rebuild the single-family dwelling currently located on Lot 1B. As a result of the recombination of the lots proposed above, the dwelling to be rebuilt will no longer be located on the same lot that existed prior to the adoption of the RPOD. Relief is requested for the reconstruction of the dwelling on a newly created lot less than two acres in area. The subject properties are addressed 274 Bridge Street and 262 Bridge Street, Osterville, MA and shown on Assessor's Map 093 as Parcels 021-001 and 021-002. These addresses encompass all lots that are the subject of the

application, but note that all lots are not currently assigned individual addresses. All lots are in a Residential F-1 Zoning District.

Opened October 5, 2011. Continued to November 9, 2011. No board members assigned. No testimony taken.

Decision Due: December 11, 2011

7:05 PM Appeal No. 2011-043 - Continued

Sarty

Howard L. Sarty, II has petitioned for a Special Permit in accordance with Section 240-92 B – Buildings or Structures used as Single or Two Family Residences. The petitioner is proposing to construct a garage addition within the required 10 foot side yard setback. The Petitioner also requests to add a second story with a gross floor area of 1,944 square feet to the main dwelling, which does not currently comply with side yard setback requirements. The property is located at 22 Studley Road, Hyannis, MA as shown on Assessor’s Map 306 as parcel 019. It is in a Residence B zoning district.

Opened October 12, 2011, Continued to November 9, 2011

Decision Due: January 10, 2012

Members assigned: Alex Rodolakis, George Zevitas, William Newton, Laura Shufelt

7:00 PM Appeal No. 2011-051 - New

The Tarkinow Group LTD., as managers for First Hyannis Realty LLC.

The Tarkinow Group Limited, as managers for First Hyannis Realty, LLC., have petitioned for a Special Permit pursuant to §240-56 *Schedule of Off-Street Parking Requirements* and §240-57 *Circumstances Warranting Reduction of Requirements*. The Petitioner proposes to build an approximately 19,438 square foot addition to the existing 67,179 square foot BJ’s Wholesale Club in Hyannis. Prior to the addition, the Zoning Ordinance required 346 parking spaces; 351 are currently provided. With the addition, the Zoning Ordinance requires 444 parking spaces and the Petitioner is proposing to keep the number of parking spaces provided at 351. The property is addressed 420 Attucks Lane, Hyannis, MA, as shown on Assessor’s Map 274 as Parcel 040-001. It is in the B Business, Residence G, and Industrial District.

Decision Due: February 7, 2011

7:00 PM Appeal No. 2011-052 - New

Michael W. Thomas

Michael W. Thomas has petitioned for a Special Permit pursuant to Section 240-47.1(A)(3) *Family Apartments* for a family apartment greater than 800 square feet. The Petitioner has obtained permits to construct a 710 square foot family apartment attached to the primary dwelling. The Petitioner seeks to finish a 487 square foot basement area for use in conjunction with the apartment. The resulting apartment will have a total finished area of 1,197 square feet. The subject property is located at 12 Duncan Lane, Centerville, MA, 02632, as shown on Assessor’s Map 147 as Parcel 025. It is in the Residence C Zoning District.

Decision Due: February 7, 2012

Open Chair’s Discussion

Upcoming Meetings:

December 14