



# Town of Barnstable

# Zoning Board of Appeals



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Board Members:

Craig Larson – Chair Brian Florence – Vice Chair Alex Rodolakis – Clerk George Zevitas - Member David A. Hirsch – Associate Member  
Herbert Bodensiek – Associate Member  
James Tinsley – Town Council Liaison

Staff Support

Elizabeth Jenkins – Principal Planner - [elizabeth.jenkins@town.barnstable.ma.us](mailto:elizabeth.jenkins@town.barnstable.ma.us)  
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## Updated Agenda

**Wednesday, June 11, 2014**

2<sup>nd</sup> Floor Hearing Room – 367 Main Street, Hyannis, MA

### Call to Order

Introduction of Board Members

### Notice of Recording

Please note that this meeting is recorded and broadcast on Channel 18 in accordance with MGL Chapter 30A §20. I must inquire whether anyone is taping this meeting and to please make their presence known.

### New Business – Comprehensive Permits

**7:00 PM Comprehensive Permit No. 2005-082 Cotuit Meadows**

Cotuit Equitable Housing, LLC has requested a minor modification of Comprehensive Permit 2005-082 to relocate certain lots designated for construction of affordable single-family dwelling units in “Phase III” (and one lot in “Phase II”) of the Cotuit Meadows subdivision. Presently, twelve lots in Phase III are designated affordable lots (Lots 9, 16, 20, 80 81, 82, 84, 86, 96, 97, 98, 102); the applicants wish to change the designation of the affordable lots within Phase III and add an additional affordable lot to Phase II (Lots 2, 9, 13, 16, 18, 20, 22, 81, 84, 86, and 102).

Comprehensive Permit No. 2005-082, issued on May 2, 2006 and subsequently modified, allows for the development of 124 single-family residential units, including 31 units dedicated in perpetuity as affordable. Lots in Phase III of the subdivision are located on Pleasant Hill Circle and Spring Brook Lane. The affected lots are shown on Assessor’s Map 002 as Parcels 002/009 – 002/023 and Parcels 002/075 – 002/103.

### Old Business

**7:00 PM Appeal No. 2014-018 Pacheco/Lucien**

Wayne J. Pacheco and Nancy J. Lucien have petitioned for a Special Permit pursuant to §240-94 – Expansion of a preexisting nonconforming use. The petitioners seek expansion of a preexisting nonconforming use as a lodging house to allow at least seven, up to eight lodgers. The premises have been used as a lodging house for six lodgers since 1985. The property is located at 791 Pitcher’s Way, Hyannis, MA as shown on Assessor’s Map 271 as Parcel 159. It is located in the Residence C-1 Zoning District.

Continued from April 23, 2014 & May 14, 2014, May 28, 2014

Members assigned 04-23-14: Brian Florence, Alex Rodolakis, George Zevitas, David Hirsch, Craig Larson

Members assigned 05-28-14: Craig Larson, Alex Rodolakis, George Zevitas, Herbert Bodensiek

**7:00 PM Appeal No. 2014-020 Leveroni**

Timothy and Daniel Leveroni, Trustees of the JTD Harborview Realty Trust and Peter Leveroni, Trustee of the Leveroni Family Trust have applied for modification of Variance No. 1988-050, which granted relief from lot frontage and lot shape requirements to create two buildable lots. Additionally, or in the alternative, the Applicants seek a new variance to the two-acre minimum lot area requirements of the Resource Protection Overlay District. The Applicants are proposing to reconfigure a shared lot line and modify the shape of each lot through an even exchange of lot area. The properties are located at 845 & 853 Main Street, Cotuit, MA as shown on Assessor’s Map 035 as Parcels 059-001 and 059-002. They are located in the Residence F and Resource Protection Overlay Zoning Districts.

Continued from May 14, 2014. No members assigned.

## **New Business**

**7:00 PM**

**Appeal No. 2014-026**

**Metlow**

Deborah and Peter Metlow, as prospective lessees, have petitioned for a Conditional Use Special Permit in accordance with Section 240-25(C)(1) HB Business District. The petitioners are seeking to operate a personal service or parapsychology business which will include palm readings and tarot card readings. The property is located at 120 West Main Street, Hyannis, MA as shown on Assessor's Map 290 as Parcel 161. It is in the Highway Business (HB) zoning district.

**7:01 PM**

**Appeal No. 2014-027**

**700 South Main, LLC**

700 South Main, LLC has applied for a variance from the minimum lot area requirements of Section 240-11.E RD-1 District and 240-36.D Resource Protection Overlay District. The locus contains approximately 3.45 acres of land and is developed with two single-family dwellings which pre-date the Town's adoption of the Subdivision Control Law. The applicant seeks to divide the land into two lots – one lot for each dwelling. Relief is required from minimum lot size requirements to create two lots consisting of 66,500 and 36,100 square feet of upland, respectively. The property is located at 700 Main Street, Centerville, MA as shown on Assessor's Map 186 as Parcel 037. It is located in the Residence D-1 and Resource Protection Overlay Districts.

**7:02 PM**

**Appeal No. 2014-028**

**DeMelo Brothers, Inc**

DeMelo Brothers, Inc is appealing a determination of the Building Commissioner that the Appellant's landscape business, which has operated out of the 91 Flint Street property for 33 years, is not in conformity with the Zoning Ordinance. The property is located at 91 Flint Street, Marstons Mills, MA as shown on Assessor's Map 123 as Parcel 028-002. It is in the Residence F Zoning District and Groundwater Protection Overlay District.

**7:03 PM**

**Appeal No. 2014-029**

**DeMelo Brothers, Inc**

DeMelo Brothers, Inc is seeking a variance from §240-14 RF Residential District – Principal Permitted Uses. The applicant seeks a use variance to allow for the continued operation of a landscape business in the RF District. The company has been operating from this location for 33 years. The property is located at 91 Flint Street, Marstons Mills, MA as shown on Assessor's Map 123 as Parcel 028-002. It is in the Residence F Zoning District and Groundwater Protection Overlay District.

**7:04 PM**

**Appeal No. 2014-030**

**DeMelo Brothers, Inc**

DeMelo Brothers, Inc is seeking a variance from §240-14 RF Residential District – Principal Permitted Uses. The applicant seeks a Use Variance to allow for the storage of 68 boats in the RF District. The property is located at 91 Flint Street, Marstons Mills, MA as shown on Assessor's Map 123 as Parcel 028-002. It is in the Residence F Zoning District and Groundwater Protection Overlay District.

## **Correspondence**

Letter received 05-30-14 anonymously asking for enforcement action on a family apartment.

## **Other Business**

Next Regularly Scheduled Hearings: June 25, July 9, August 13, September 10

## **Adjourn**