



Town of Barnstable

Zoning Board of Appeals



www.town.barnstable.ma.us/ZoningBoard

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Staff Support

Elizabeth Jenkins – Regulatory / Design Review Planner - elizabeth.jenkins@town.barnstable.ma.us
Anna Brigham – Principal Planner – anna.brigham@town.barnstable.ma.us
Carol Puckett – Administrative Assistant – carol.puckett@town.barnstable.ma.us

Agenda

Wednesday, September 28, 2016

Hearing Room – 2nd Floor – 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.

Election of Officers

Comprehensive Permit Modification Request

7:00 PM Comprehensive Permit No. 2005-013 - Modification No. 2016-036

Osterville Landing/KTW Group, LLC

KTW Group, LLC has requested a modification of Comprehensive Permit No. 2005-013 Osterville Landing, as modified. The Applicant is requesting to modify conditions numbered 2 and 3(e) to waive the requirement that a sidewalk be constructed along Darby Way. Comprehensive Permit No. 2005-013, as modified, allows for the development of 11 single-family dwellings, including three dedicated in perpetuity as affordable units. The subject properties are 4-48 Darby Way, Osterville (formerly 449-459 Old Mill Road) as shown on Assessor's Map 166 as Parcels 001/000-006 and Map 143 as Parcels 040/000-005.

Old Business

7:00 PM Appeal No. 2016-028

E R & C Enterprises, Inc.

E R & C Enterprises, LLC has petitioned for a Special Permit in accordance with Section 240-25(C)(1) – Conditional Uses in the Highway Business District for a retail convenience store and food establishment with drive-through. The Applicant, who currently operates a pre-existing nonconforming gas station with car wash and retail, intends to remove the existing drive-through car wash, including all equipment and underground tanks, and construct a 980 square foot addition with a relocated drive-through at the rear of building. The drive-through would be converted to a takeout beverage and food lane. The retail sale of gasoline, a pre-existing nonconforming use, is proposed to continue. The property is located at 577 West Main Street, Hyannis, MA as shown on Assessor's Map 269 as Parcel 003. It is located in the Highway Business (HB) Zoning District and the Wellhead and Groundwater Protection Overlay Districts.

Opened August 24, 2016 – no members assigned – public comment taken, continued to September 14, 2018, continued to September 28, 2016.

New Business

7:00 PM Appeal No. 2016-032

48 Magnolia Avenue, LLC

48 Magnolia Avenue, LLC. has applied for a modification of Special Permit No. 2016-020 pursuant to Section 240-91.H(3) Developed Lot Protection. The applicant is proposing to modify Special Permit No. 2016-020 to allow the construction of an 18 foot by 36 foot pool and a 6 foot by 6 foot deck expansion. The proposed pool and deck will increase lot coverage from 5,078 square feet (13.5%) approved in Special permit No. 2016-020 to 5,695 square feet (15.1%). The property is located at 48 Magnolia Avenue (formerly 32 and 34 Magnolia Avenue), Centerville, MA as shown on Assessor's Map 225 as Parcels 011 and 035. It is located in the Residence D-1 Zoning District.

Correspondence

Chapter 91 Application – William and Barbara Walsh, 111 Pondview Drive, Centerville, Map 229 Parcel 26 – License and maintain a permanent Dock for private boating access.

Other Business

Comprehensive Permit No. 2016-025 – Habitat for Humanity of Cape Cod, Inc.

Copies of Declaration of Trust Establishing the Habitat Barnstable Homeowners Association and Declaration of Easements, Restrictions, Rights and Reservations for Habitat Barnstable for Board review per condition No. 12 of the Decision.

Form F – Covenant for signature and notary

Matters Not Reasonably Anticipated by the Chair

Upcoming Meetings

October 12, 2016; October 26, 2016; November 9, 2016; December 14, 2016

Adjournment

Please Note: The list of matters are those reasonably anticipated by the chair, which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the Board may go into executive session. The Board may also act on items in an order other than they appear on this agenda.

* Public files are available for viewing during normal business hours at the Zoning Board of Appeals office located at 200 Main Street, Hyannis, MA