



# Town of Barnstable

# Zoning Board of Appeals



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

#### Board Members:

Brian Florence – Chair Alex Rodolakis – Vice Chair  
David A. Hirsch – Regular Member Herbert Bodensiek – Regular Member Robin Young – Associate Member Matthew Levesque – Associate Member  
Spencer Aaltonen – Associate Member Jacob Dewey – Associate Member  
James Tinsley – Town Council Liaison

#### Staff Support

Elizabeth Jenkins – Interim Director - [elizabeth.jenkins@town.barnstable.ma.us](mailto:elizabeth.jenkins@town.barnstable.ma.us)  
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Carol Puckett – Administrative Assistant – [carol.puckett@town.barnstable.ma.us](mailto:carol.puckett@town.barnstable.ma.us)

## Agenda

**Wednesday, February 8, 2017**

Hearing Room – 2<sup>nd</sup> 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.

### Minutes

Approval of minutes from October 26, 2016 and November 9, 2016

### Old Business

#### **7:00 PM Appeal No. 2017-001**

#### **Beauregard**

Todd and Anne Beauregard are appealing the decision of the Building Commissioner to issue a building permit (B-16-2228) for the construction of a single-family home with deck, portico and attached garage on property located at 45 East Avenue, Osterville, MA. The appellants claim the lot on which the single-family dwelling is to be constructed has merged with an abutting lot at 25 East Avenue and is therefore not entitled to the “grandfather” protection provided by §240-90 and M.G.L Chapter 40A §6. The subject property are located at 45 East Avenue, Osterville, MA as shown on Assessor’s Map 139 as Parcel 079. It is located in the Residence F-1 (RF-1) and Resource Protection Overlay Zoning Districts.  
[Continued from January 11, 2017.](#)

[Members assigned 01-11-17: Brian Florence, David Hirsch, Herbert Bodensiek, Spencer Aaltonen, Jacob Dewey. No testimony taken.](#)

#### **7:01 PM Appeal No. 2017-002**

#### **Beauregard**

Todd and Anne Beauregard are appealing the decision of the Building Commissioner to issue a building permit (B-16-2229) for the construction of a single-family home with deck, portico and attached garage on property located at 25 East Avenue, Osterville, MA. The appellants claim the lot on which the single-family dwelling is to be constructed has merged with an abutting lot at 45 East Avenue and is therefore not entitled to the “grandfather” protection provided by §240-90 and M.G.L Chapter 40A §6. The subject property is located at 25 East Avenue, Osterville, MA as shown on Assessor’s Map 139 as Parcel 080. They are located in the Residence F-1 (RF-1) and Resource Protection Overlay Zoning Districts.  
[Continued from January 11, 2017.](#)

[Members assigned 01-11-17: Brian Florence, David Hirsch, Herbert Bodensiek, Spencer Aaltonen, Jacob Dewey. No testimony taken.](#)

#### **7:00 PM Appeal No. 2017-007**

#### **Hot Water II Realty Trust**

James B. Godwin, Trustee of the Hot Water II Realty Trust has applied for Special Permits pursuant to Sections 240-93 and 240-94, expansion of a preexisting nonconforming use and building. The Applicant seeks to expand its automobile body and repair facility. The property is located at 1364 Phinney’s Lane, Hyannis, MA as shown on Assessor’s Map 274 as Parcel 019. It is located in the Residence G, Residence F-1 and Business Districts and the Groundwater Protection Overlay District.

[Continued from January 25, 2017. No members assigned. No testimony taken.](#)

### Correspondence

Received 01-18-17 – Hearing Notice from Cape Cod Commission regarding Cape Club Redevelopment #TR-16017 for proposed location: 125 Falmouth Woods Road, East Falmouth, MA

Received 01-12-17 – Waterways License Application # W16-4818, Fowler, request to construct and maintain a seasonal dock and ramp at 346 Holly Point Road, Wequaquet Lake, Centerville MA.

**Matters Not Reasonably Anticipated by the Chair**

**Upcoming Meetings**

February 22, 2017, March 8, 2017, March 22, 2017, April 12, 2017

**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