



Town of Barnstable

Zoning Board of Appeals



Board Members

Jacob Dewey – Chair Herbert Bodensiek – Vice Chair Paul Pinard – Clerk
Emanuel Alves – Associate Member Mark Hansen – Regular Member Larry Hurwitz – Associate Member
Rodney Tavano – Associate Member Aaron Webb – Regular Member Vacant – Associate Member
Betty Ludtke – Town Council Liaison

Staff Support

James Kupfer – Director – James.Kupfer@town.barnstable.ma.us
Anna Brigham – Principal Planner – anna.brigham@town.barnstable.ma.us
Genna Ziino – Administrative Assistant – genevey.ziino@town.barnstable.ma.us

<https://www.town.barnstable.ma.us/ZoningBoard>

Agenda

Wednesday, November 13, 2024

7:00 PM

To all persons interested in or affected by the actions of the Zoning Board of Appeals, you are hereby notified, pursuant to Section 11 of Chapter 40A of the General Laws of the Commonwealth of Massachusetts, and all amendments thereto, that a public hearing on the following appeals will be held on Wednesday, November 13, 2024, at the time indicated:

The Zoning Board of Appeals Public Hearing will be held by remote participation methods. Public access to this meeting shall be provided in the following manner:

1. Real-time access to the Zoning Board of Appeals meeting is available utilizing the Zoom link or telephone number and Meeting ID provided below. Public comment can be addressed to the Zoning Board of Appeals by utilizing the Zoom link or telephone number and Meeting ID provided below:

Join Zoom Meeting Option	Telephone Number Option
https://townofbarnstable-us.zoom.us/j/84463368626	US Toll-free: 888 475 4499
Meeting ID: 844 6336 8626	Meeting ID: 844 6336 8626

2. Applicants, their representatives and individuals required or entitled to appear before the Zoning Board of Appeals may appear remotely, and may participate through accessing the link or telephone number provided above. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to anna.brigham@town.barnstable.ma.us so that they may be displayed for remote public access viewing.
3. The meeting will be replayed via Xfinity Channel 8 or high definition Channel 1072. It may also be accessed via the Government Access Channel video on demand archives on the Town of Barnstable’s website:
<http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>

Copies of the applications are available for review by calling (508) 862-4682 or emailing anna.brigham@town.barnstable.ma.us.

Call to Order

Introduction of Board Members

Notice of Recording

This meeting of the Zoning Board of Appeals is being recorded and broadcast on the Town of Barnstable’s Government Access Channel. In accordance with MGL Chapter 30A §20, I must inquire whether anyone is recording this meeting and if so, to please make their presence known.

Minutes

Old Business

7:00 PM

Appeal No. 2024-032

Cardi's Furniture

Cardi's Furniture, as tenants, have applied for a Variance pursuant to Section 240-125 B (C) Variances for Signs in the B and HB Districts. The Applicant seeks to install an additional 67.5-square foot building sign facing Iyannough Road and a 6-square foot free standing street sign from Nightingale Lane, both signs exceed the allowable size and number. The subject property is located at 621 Iyannough Road, Hyannis, MA as shown on Assessor's Map 311 as Parcel 004. It is located in the Highway Business (HB) and Business (B) Zoning Districts. **Continued from October 9, 2024**

New Business

7:01 PM

Appeal No. 2024-037

Cape Club Canine, Inc.

Cape Club Canine, Inc., as tenant, has filed for a Special Permit pursuant to Section 240-33 C (1) – Conditional Uses in the IND Industrial District. The Applicant requests to modify Conditional Use Special Permit No. 2008-062 to allow kenneling of dogs during the day and overnight. Specifically, the Applicant requests to delete Condition No. 4 of Special Permit No. 2008-062 pursuant to Section 240-33 C (1) and, by reference, Section 240-27 C (2), and, by further reference, Section 240-125 C. The subject property is located at 30 Perseverance Way, Unit 7, Hyannis, MA as shown on Assessor's Map 295 as Parcel 007-00G. It is located in the Industrial (IND) Zoning District.

7:02 PM

Appeal No. 2024-038

Cape Club Canine, Inc.

Cape Club Canine, Inc., as tenant, has filed for a Special Permit pursuant to Section 240-33 C (1) – Conditional Uses in the IND Industrial District. The Applicant seeks a Conditional Use Special Permit to allow kenneling of dogs during the day and overnight pursuant to Section 240-33 C. (1), and by reference, Section 240-27 C. (2), and by further reference, Section 240-125 C. The subject property is located at 30 Perseverance Way, Unit 7, Hyannis, MA as shown on Assessor's Map 295 as Parcel 007-00G. It is located in the Industrial (IND) Zoning District.

7:03 PM

Appeal No. 2024-039

25 Falmouth Rd, LLC

25 Falmouth Road LLC has filed an Appeal of an Administrative Official's Decision in accordance with M.G.L. Chapter 40A Sections 7, 8, and 15 and Section 240-88 of the Barnstable Zoning Ordinance. The Appellant is appealing the Decision of the Building Commissioner in issuing Building Permit BLDC 22-227, dated September 17, 2024. The permit was initially denied pending the receipt of a narrative to explain the expansion of the mechanical bays on the property. The Appellant's position is that the permit fails to take into account evidence and documentation from the town records and files, which conflict with the determination to issue the Building Permit. The subject property is located at 95 Falmouth Road, Hyannis, MA as shown on Assessor's Map 311 as Parcel 073. It is located in the Highway Business (HB) and Residence B (RB) Zoning Districts.

7:04 PM

Appeal No. 2024-040

25 Falmouth Rd, LLC

25 Falmouth Road LLC has filed an Appeal of an Administrative Official's Decision in accordance with M.G.L. Chapter 40A Sections 7, 8, and 15 and Section 240-88 of the Barnstable Zoning Ordinance. The Appellant is appealing the Decision of the Building Commissioner in a letter dated September 4, 2024. The Appellant believes that the determination fails to take into account evidence and documentation from the town records and files, which conflict with the determination and do not address the concerns raised as set forth in the Appellant's enforcement letters and correspondence. The subject property is located at 95 Falmouth Road and 123 Falmouth Road, Hyannis, MA as shown on Assessor's Map 311, Parcels 073 and 078. Lots are located in the Highway Business (HB) and Residence B (RB) Zoning Districts.

Correspondence

Cape Cod Commission Subcommittee Hearing Notice on Quaker Road Monopole scheduled for Monday October 28, 2024

Cape Cod Commission Hearing Notice on Quaker Road Monopole scheduled for Thursday, October 31, 2024.

Cape Cod Commission Committee on Planning and Regulations Hearing Notice for Thursday, October 31, 2024 at 1:00 p.m.

Cape Cod Commission Meeting Notice for Thursday, October 31, 2024 at 3:00 p.m.

Cape Cod Commission Hearing Notice for the Long Pond Rd Monopole project for Tuesday, November 12, 2024 at 5:00 p.m.

Cape Cod Commission Hearing Notice for Sandwich Community Health Center for Thursday November 21, 2024 at 5:00 p.m.

Cape Cod Commission Hearing Notice for Evergreen Pickleball on Monday December 2, 2024 at 5:00 p.m.

Matters Not Reasonably Anticipated by the Chair

Upcoming Hearings

December 11, 2024 (remote), January 8, 2025 (In person), January 22, 2025 (remote)

Adjournment