Town of Barnstable
Zoning Board of Appeals

www.barnstable.gov/ZoningBoard

Agenda

Notice of Meeting as Required by Chapter 28 of the Acts of 2009, amending MGL Chapter 30A

DATE	October 28, 2026
TIME	7:00 p.m.

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, October 28, 2026, 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. The meeting will be televised live via Xfinity Channel 18 or high definition Channel 1072. It may also be accessed via the Government Access Channel live stream on the Town of Barnstable's website: https://barnstable.cablecast.tv/internetchannel/watch-now
2. 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/83647873991	US Toll-free: 888 475 4499
Meeting ID: 836 4787 3991	Meeting ID: 836 4787 3991

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@barnstable.gov so that they may be displayed for remote public access viewing.

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

CALL TO ORDER AND INTRODUCTION OF MEMBERS

Jacob Dewey, Chair – *Regular Member*	
Aaron Webb, Vice Chair – *Regular Member*	
Paul Pinard, Clerk – *Regular Member*	
Emanuel Alves – *Regular Member*	
John Carey – *Associate Member*	
Debra Dworkis – *Associate Member*	
Larry Hurwitz – *Associate Member*	
Vacant	
Vacant	

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.

APPROVAL OF MINUTES

None

OLD BUSINESS

7:00 PM **Appeal No. 2026-028** **CR Southwind, LLC**

CR Southwind, LLC has applied for a Special Permit and a Modification of Special Permit No. 2013-055 pursuant to Section 240-93 B. Nonconforming Buildings or Structures Not Used as Single- or Two-Family Dwellings. The Applicant seeks a Special Permit to allow an expansion of the preexisting nonconforming lot coverage from 62% to 64.20% for the entire Southwind Plaza Shopping Center parcel. The Applicant further requests that Condition No. 3 of Special Permit No. 2013-055 be modified to reflect the increase in lot coverage. The subject property is located at 65 Independence Drive and 990 Iyannough Road, Hyannis, MA, as shown on Assessor's Map 295 Parcels 015 X01, 015 X02, and Assessors Map 294 as Parcel 004, respectively. It is located in the Highway Business (HB), Business (B), and Industrial (IND) Zoning Districts. **Continued from September 9, 2026.**

7:01 PM **Appeal No. 2026-029** **CR Southwind, LLC**

CR Southwind, LLC has applied for a Variance pursuant to Section 240-35 F. (3) Groundwater Protection Overlay District Lot Coverage. The Applicant seeks a Variance to allow lot coverage to be increased from 62% to 64.20% for the entire Southwind Plaza Shopping Center parcel. The subject property is located at 65 Independence Drive and 990 Iyannough Road, Hyannis, MA, as shown on Assessor's Map 295 as Parcels 015 X01, 015 X02, and Assessors Map 294 as Parcel 004, respectively. It is located in the Highway Business (HB), Business (B), and Industrial (IND) Zoning Districts. **Continued from September 9, 2026.**

7:02 PM **Appeal No. 2026-030** **CR Southwind, LLC**

CR Southwind, LLC has applied for a Variance pursuant to Section 240-56 Schedule of Off-Street Parking Requirements. The Applicant filed an Approval Not Required (ANR) plan dividing the single lot into 6 separate lots. No changes are proposed to the existing plaza, but the separation of the single lot into 6 new lots created nonconformities for which relief is being requested. The Applicant seeks a Variance to allow 1,084 parking spaces where 1,105 are required. The subject property is located at 65 Independence Drive and 990 Iyannough Road, Hyannis, MA, as shown on Assessor's Map 295 Parcels 015 X01, 015 X02, and Assessors Map 294 as Parcel 004, respectively. It is located in the Highway Business (HB), Business (B), and Industrial (IND) Zoning Districts. **Continued from September 9, 2026.**

7:03 PM **Appeal No. 2026-031** **CR Southwind, LLC**

CR Southwind, LLC has applied for a Variance pursuant to Section 240-56 Schedule of Off-Street Parking Requirements. The Applicant filed an Approval Not Required (ANR) plan dividing the single lot into 6 separate lots. No changes are proposed to the existing plaza, but the separation of the single lot into 6 new lots created nonconformities for which relief is being requested. The Applicant seeks a Variance to allow 431 parking spaces in Lot 1, the present location of Home Depot, where 550 parking spaces are required. The subject property is located at 65 Independence Drive and 990 Iyannough Road, Hyannis, MA, as shown on Assessor's Map 295 as Parcels 015 X01, 015 X02, and Assessors Map 294 as Parcel 004, respectively. It is located in the Highway Business (HB), Business (B), and Industrial (IND) Zoning Districts. **Continued from September 9, 2026.**

7:04 PM **Appeal No. 2026-032** **CR Southwind, LLC**

CR Southwind, LLC has applied for a Variance pursuant to Section 240-35 F. (3) Groundwater Protection Overlay District Lot Coverage. The Applicant filed an Approval Not Required (ANR) plan dividing the single lot into 6 separate lots. No changes are proposed to the existing plaza, but the separation of the single lot into 6 new lots created nonconformities for which relief is being requested. The Applicant seeks a Variance to allow lot coverage to be increased to 74.89% on Lot 1, the present location of the Home Depot. The subject property is located at 65 Independence Drive and 990 Iyannough Road, Hyannis, MA, as shown on Assessor's Map 295 as Parcels 015 X01, 015 X02, and Assessors Map 294 as Parcel 004, respectively. It is located in the Highway Business (HB), Business (B), and Industrial (IND) Zoning Districts. **Continued from September 9, 2026.**

7:05 PM **Appeal No. 2026-033** **CR Southwind, LLC**

CR Southwind, LLC has applied for a Variance pursuant to Section 240-56 Schedule of Off-Street Parking Requirements. The Applicant filed an Approval Not Required (ANR) plan dividing the single lot into 6 separate lots. No changes are proposed to the existing plaza,

but the separation of the single lot into 6 new lots created nonconformities for which relief is being requested. The Applicant seeks a Variance to allow 127 parking spaces where 168 are required on Lot 2. The subject property is located at 65 Independence Drive and 990 Iyannough Road, Hyannis, MA, as shown on Assessor's Map 295 as Parcels 015 X01, 015 X02, and Assessors Map 294 as Parcel 004, respectively. It is located in the Highway Business (HB), Business (B), and Industrial (IND) Zoning Districts. **Continued from September 9, 2026.**

7:06 PM **Appeal No. 2026-034** **CR Southwind, LLC**

CR Southwind, LLC has applied for a Variance pursuant to Section 240-35 F. (3) Groundwater Protection Overlay District Lot Coverage. The Applicant filed an Approval Not Required (ANR) plan dividing the single lot into 6 separate lots. No changes are proposed to the existing plaza, but the separation of the single lot into 6 new lots created nonconformities for which relief is being requested. The Applicant seeks a Variance to allow lot coverage to be increased to 66.67% on Lot 2, a presently vacant location. The subject property is located at 65 Independence Drive and 990 Iyannough Road, Hyannis, MA, as shown on Assessor's Map 295 as Parcels 015 X01, 015 X02, and Assessors Map 294 as Parcel 004, respectively. It is located in the Highway Business (HB), Business (B), and Industrial (IND) Zoning Districts. **Continued from September 9, 2026.**

7:07 PM **Appeal No. 2026-035** **CR Southwind, LLC**

CR Southwind, LLC has applied for a Variance pursuant to Section 240-33 E. Industrial District Bulk Regulations. The Applicant filed an Approval Not Required (ANR) plan dividing the single lot into 6 separate lots. No changes are proposed to the existing plaza, but the separation of the single lot into 6 new lots created nonconformities for which relief is being requested. A small piece of the building on Lot 2 is located in the Industrial Zone, where a 30-foot side yard setback is required. The Applicant seeks a Variance to allow a side yard setback of 0 feet. The subject property is located at 65 Independence Drive and 990 Iyannough Road, Hyannis, MA, as shown on Assessor's Map 295 as Parcels 015 X01, 015 X02, and Assessors Map 294 as Parcel 004, respectively. It is located in the Highway Business (HB), Business (B), and Industrial (IND) Zoning Districts. **Continued from September 9, 2026.**

7:08 PM **Appeal No. 2026-036** **CR Southwind, LLC**

CR Southwind, LLC has applied for a Variance pursuant to Section 240-33 F. and 240-32 F. Special Screening Standards. The Applicant filed an Approval Not Required (ANR) plan dividing the single lot into 6 separate lots. No changes are proposed to the existing plaza, but the separation of the single lot into 6 new lots created nonconformities for which relief is being requested. The Applicant seeks a Variance to allow side buffer strip of 0 feet where 30 feet is required on Lot 2. The subject property is located at 65 Independence Drive and 990 Iyannough Road, Hyannis, MA, as shown on Assessor's Map 295 as Parcels 015 X01, 015 X02, and Assessors Map 294 as Parcel 004, respectively. It is located in the Highway Business (HB), Business (B), and Industrial (IND) Zoning Districts. **Continued from September 9, 2026.**

7:09 PM **Appeal No. 2026-037** **CR Southwind, LLC**

CR Southwind, LLC has applied for a Variance pursuant to Section 240-33 E. Industrial District Bulk Regulations. The Applicant filed an Approval Not Required (ANR) plan dividing the single lot into 6 separate lots. No changes are proposed to the existing plaza, but the separation of the single lot into 6 new lots created nonconformities for which relief is being requested. Lot 3 presently is the location of Kohl's. A portion of a party wall located in the Industrial Zone abuts the side yard lot line. The Applicant is requesting a Variance to reduce the required 30-foot side yard setback to 0 feet. The subject property is located at 65 Independence Drive and 990 Iyannough Road, Hyannis, MA, as shown on Assessor's Map 295 as Parcels 015 X01, 015 X02, and Assessors Map 294 as Parcel 004, respectively. It is located in the Highway Business (HB), Business (B), and Industrial (IND) Zoning Districts. **Continued from September 9, 2026.**

7:10 PM **Appeal No. 2026-038** **CR Southwind, LLC**

CR Southwind, LLC has applied for a Variance pursuant to Section 240-33 F. and 240-32 F. Special Screening Standards. The Applicant filed an Approval Not Required (ANR) plan dividing the single lot into 6 separate lots. No changes are proposed to the existing plaza, but the separation of the single lot into 6 new lots created nonconformities for which relief is being requested. Lot 3 is presently the location of Kohl's. The Applicant seeks a Variance to allow a side buffer strip of 0 feet where 30 feet is required. The subject property is located at 65 Independence Drive and 990 Iyannough Road, Hyannis, MA, as shown on Assessor's Map 295 as Parcels 015 X01, 015 X02, and Assessors Map 294 as Parcel 004, respectively. It is located in the Highway Business (HB), Business (B), and Industrial (IND) Zoning Districts. **Continued from September 9, 2026.**

7:11 PM **Appeal No. 2026-039** **CR Southwind, LLC**

CR Southwind, LLC has applied for a Variance pursuant to Section 240-33 F. and 240-32 F. Special Screening Standards. The Applicant filed an Approval Not Required (ANR) plan dividing the single lot into 6 separate lots. No changes are proposed to the existing plaza, but the separation of the single lot into 6 new lots created nonconformities for which relief is being requested. Lot 4 is the former

location of Whole Foods. The Applicant seeks a Variance to allow a rear buffer strip of 10 feet where 30 feet is required. The subject property is located at 65 Independence Drive and 990 Iyannough Road, Hyannis, MA, as shown on Assessor's Map 295 as Parcels 015 X01, 015 X02, and Assessors Map 294 as Parcel 004, respectively. It is located in the Highway Business (HB), Business (B), and Industrial (IND) Zoning Districts. **Continued from September 9, 2026.**

7:12 PM **Appeal No. 2026-040** **CR Southwind, LLC**

CR Southwind, LLC has applied for a Variance pursuant to Section 240-25 D. Highway Business District Bulk Regulations. The Applicant filed an Approval Not Required (ANR) plan dividing the single lot into 6 separate lots. No changes are proposed to the existing plaza, but the separation of the single lot into 6 new lots created nonconformities for which relief is being requested. Lot 4 is the former location of Whole Foods. The Applicant seeks a Variance to allow a 5-foot side yard setback where a 10-foot side yard setback is required. The subject property is located at 65 Independence Drive and 990 Iyannough Road, Hyannis, MA, as shown on Assessor's Map 295 as Parcels 015 X01, 015 X02, and Assessors Map 294 as Parcel 004, respectively. It is located in the Highway Business (HB), Business (B), and Industrial (IND) Zoning Districts. **Continued from September 9, 2026.**

7:13 PM **Appeal No. 2026-041** **CR Southwind, LLC**

CR Southwind, LLC has applied for a Variance pursuant to Section 240-33 E. Industrial District Bulk Regulations. The Applicant filed an Approval Not Required (ANR) plan dividing the single lot into 6 separate lots. No changes are proposed to the existing plaza, but the separation of the single lot into 6 new lots created nonconformities for which relief is being requested. Lot 4 is the former location of Whole Foods. The Applicant seeks a Variance to allow a 10-foot rear yard setback where a 30-foot rear yard setback is required. The subject property is located at 65 Independence Drive and 990 Iyannough Road, Hyannis, MA, as shown on Assessor's Map 295 as Parcels 015 X01, 015 X02, and Assessors Map 294 as Parcel 004, respectively. It is located in the Highway Business (HB), Business (B), and Industrial (IND) Zoning Districts. **Continued from September 9, 2026.**

7:14 PM **Appeal No. 2026-042** **CR Southwind, LLC**

CR Southwind, LLC has applied for a Variance pursuant to Section 240-25 D. Highway Business District Bulk Regulations. The Applicant filed an Approval Not Required (ANR) plan dividing the single lot into 6 separate lots. No changes are proposed to the existing plaza, but the separation of the single lot into 6 new lots created nonconformities for which relief is being requested. Lot 5 is presently the location of Ethan Allen. The Applicant seeks a Variance to allow a 5-foot side yard setback where a 10-foot side yard setback is required. The subject property is located at 65 Independence Drive and 990 Iyannough Road, Hyannis, MA, as shown on Assessor's Map 295 as Parcels 015 X01, 015 X02, and Assessors Map 294 as Parcel 004, respectively. It is located in the Highway Business (HB), Business (B), and Industrial (IND) Zoning Districts. **Continued from September 9, 2026.**

7:15 PM **Appeal No. 2026-043** **CR Southwind, LLC**

CR Southwind, LLC has applied for a Variance pursuant to Section 240-33 F. and 240-32 F. Special Screening Standards. The Applicant filed an Approval Not Required (ANR) plan dividing the single lot into 6 separate lots. No changes are proposed to the existing plaza, but the separation of the single lot into 6 new lots created nonconformities for which relief is being requested. Lot 5 is presently the location of Ethan Allen. Section 240-33 F of the Zoning Ordinance provides that the special screening requirements set forth in Section 240-32 F of the Zoning Ordinance apply to retail uses in the Industrial Zoning District. To the extent that the provisions of Section 240-33F and 240-32F apply, the Petitioner requests a variance. The subject property is located at 65 Independence Drive and 990 Iyannough Road, Hyannis, MA, as shown on Assessor's Map 295 as Parcels 015 X01, 015 X02, and Assessors Map 294 as Parcel 004, respectively. It is located in the Highway Business (HB), Business (B), and Industrial (IND) Zoning Districts. **Continued from September 9, 2026.**

DISCUSSION

2027 proposed hearing schedule

CORRESPONDENCE

MATTERS NOT REASONABLY ANTICIPATED BY THE CHAIR

UPCOMING HEARINGS

ADJOURNMENT

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.

If any member of the public wishing to attend this meeting seeks special accommodations in accordance with the American with Disabilities Act or state law, please contact Tammy Cunningham, Deputy Director of Human Resources, at 508-862-4692, or at tammy.cunningham@barnstable.gov.