

**Zoning Board of Appeals
MINUTES
Wednesday, April 8, 2026
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, April 8, 2026, at the time indicated:

Call to Order

Chair Dewey calls the meeting to order at 7:05 PM with an introduction of Board Members:

| Member | Present | Absent |
|---------------------------------|---------|--------|
| Dewey, Jacob – Chair | X | |
| Bodensiek, Herbert – Vice Chair | X | |
| Pinard, Paul – Clerk | | X |
| Alves, Manny | X | |
| Dworkis, Debra | X | |
| Hurwitz, Larry | | X |
| Webb, Aaron | X | |

Also present is Jim Kupfer, Director – Planning & Development; Anna Brigham, Principal Planner; and Genna Ziino, Administrative Assistant.

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

January 28, 2026; February 11, 2026 – Aaron Webb moves to approve. Manny Alves seconds.

Vote:

Aye: Jake Dewey, Herb Bodensiek, Manny Alves, Debra Dworkis, Aaron Webb

Nay: None

Old Business

7:00 PM Appeal No. 2025-025 **READVERTISED Great Marsh Development LLC**

Great Marsh Development LLC has applied for a Comprehensive Permit pursuant to MGL Ch. 40B Sections 20, 21, 22, and 23 and 760 CMR 56.00 et seq. The Applicant proposes to develop an affordable housing community on 6.764 acres. The Homes at Centerville Cove will consist of 20 detached, 3-bedroom, single-family dwellings. The Residences at Centerville Cove will consist of 36 rental units in one building with a mix of 2- and 3-bedroom apartments. The subject property is located at 39, 51, 61, and 75 Great Marsh Road, 195 Phinney’s Lane, and 40 Richardson Road, Centerville, MA as shown on Assessor’s Map 210 as Parcels 124, 125, 126, 134-003, 134-004, and Map 209 as Parcel 020, respectively. They are located in the Residence C (RC) and the Highway Office (HO) Zoning Districts and the Resource Protection Overlay District (RPOD). Members assigned: Dewey, Bodensiek, Webb, Alves, Dworkis. Continued from January 14, 2026 and February 11, 2026. ***REVISED PLANS SUBMITTED APRIL 1, 2026***

NOTE: This matter was continued from October 22, 2025, after 2025-024 Egan Capital Variance request was withdrawn. Both items were related, so Comprehensive Permit 2025-025 was readvertised to give the public notice of the revised application.

Attorney Andrew Singer is representing and is joined by the applicant, Mike Egan, and Matt Eddy, engineer. Attorney Singer explains that there has been a substantial proposal to revise the application. They met with Planning and are now proposing to build 35 new single-family homes for a total of 36 homes including the existing home at 40 Richardson Road. 25% of 36 (so 9) will be sold at no more than 80% AMI, and their intention is for the remainder (26) to be sold to 100% AMI. The road layout is more elegant without the parking lot, and also helps stormwater management. This improves density compared to the prior proposal.

Matt Eddy walks through the site plan, a 36-lot single-family subdivision. The new plans are more detailed than are normally included for comprehensive permits. Additional engineering details will be created through the review process with the town. They will go back before informal SPR prior to construction for the new plan. The lots range in size from 5,005 sq. ft. to 8,006 sq. ft. There is a 20-foot-wide road with a berm, which is a Minor A road, which helps slow traffic down. They are proposing a 20-foot front setback, 10-foot rear setback, and 7.5-foot side setback for lots. The access proposal hasn't changed; aligning the entrance across from Juniper Road is best practice for engineering. They are proposing to eliminate the emergency access because of reduced density, but if COMM Fire requests it, they can add it back.

Mr. Eddy walks through the landscape plan. They are proposing to ensure there is a tree every 30 feet along Great Marsh Road, and to maintain the existing 8-foot vegetated buffer there. They are requesting a waiver to do one tree every 55 feet internally because the lots are smaller.

Drainage/stormwater management: They removed the requested stormwater management permit process waiver. They are proposing underground system chambers with grass over them, and a small leach pit with catch basins and a filter. The design far exceeds Barnstable and DEP requirements. They are proposing a fence around each forebay.

Utility plan: 8-inch new watermain looped through. There are 3 new fire hydrants proposed, and they will work with COMM. The existing 3 septic systems will be removed and abandoned properly. New electric and communication lines will be underground.

Individual lots: There are two house style options. Each will have a driveway to fit at least 2 cars. There will be some landscaping. Each lot will have a dry well for roof runoff.

Attorney Singer says they provided a reduced waiver list with more details; additional information about affordability; and proposed conditions. They are requesting the Board sign the definitive subdivision plan at the end of this process.

Public comment was left open at the last hearing. Hillary Temple of 67 Brezner Road submits public comment from herself and on behalf of Wequaquet Estates Beach Association. She has concerns about the proposed entrance and traffic. She says there is nothing in the traffic study about the entrance creating impacts to Juniper Road. Ms. Temple shares a petition on behalf of WEBA. 70 signatures with concerns over the proposed entrance, pedestrian safety, and lack of infrastructure for safe travels. She asks the Board to relocate the main egress and relocate emergency access, request a new traffic study during spring or fall, and do comprehensive traffic mitigation measures.

Jeff Temple of 67 Brezner Lane submits a response to the revised project narrative. He has concerns over the tree planting plan, stormwater management plan, sidewalks, maintenance, public safety, the entrance being across from Juniper, and the traffic study not being comprehensive.

Councilor Betty Ludtke of Hyannis asks to focus on furthering using the Commonwealth Builders Program. She requests a bike/walkthrough path on Richardson and sidewalks. She has concerns over traffic, the bus stop, and the roads not being held to the standard of public roads.

Nicola Sidney of 132 Great Marsh Road has concerns over the playground being removed, traffic and using Juniper as a cut-through, the waiver requests, and density.

Bill Friel of 60 Richardson Road has concerns over density, traffic, roadway conditions, and any egress including Richardson Road. He supports the realignment of egress as proposed by neighbors.

Linda Lauzon of Marstons Mills works at the abutting memory facility and has concerns over a Richardson Road egress, construction equipment, and lack of fencing.

Gail Shamsi of 251 Phinneys Lane has concerns over density and lack of vegetation.

Eric Schwaab has concerns over density, lot sizes, sewer connection fee, and effluent processing plan. He feels the DPW letter shows that their plan is inadequate.

Heather Swensen of 110 Nye's Neck Road East would like the homes to be offered to Barnstable residents first. She has concerns over impact on schools and water.

Larry Moore of Cotuit has concerns over whether this is necessary, traffic, safety, and impacts on water.

Jim O'Connor of 117 Great Marsh Road has concerns over traffic safety, bike/pedestrian safety, density, impacts on fire/police, and water impacts.

Nolan Omelia of 18 Gina Court is opposed to any egress on Richardson Road, and has concerns over police/fire impacts, traffic, and pedestrian and public safety.

Chair Dewey says the Board received public comment from Gregory, Lewis, and Badot.

Back to the Board for questions. Manny Alves thinks if they are going through Site Plan Review again, it would be beneficial to the Board to wait until that's done, in order to hear from all town depts. Attorney Singer says they are proposing to do informal SPR before the construction stage, not now. With a 40B, preliminary plans are all they are required to submit. Town departments were sent the update, and it is up to each department to comment as they will. Manny Alves wants to hear from individual depts., and wants to hear the fire dept.'s input on removing emergency access. There are different and distinct issues raised by the new proposal. Matt Eddy says the road layout is almost identical to prior, so from a technical standpoint of review, this is just less impactful than what they reviewed before. He will ask the Fire Chief about secondary emergency access. Many DPW concerns are typical and final-construction-related—details like that come later and that is why it's included in conditions. They are not asking for waivers for any of DPW's concerns.

Herb Bodensiek asks about the relocation of the entrance on Great Marsh Rd. Attorney Singer says it's not that it can't be moved, but rather that they have experts who say it is not generally recommended to offset that way. Randy Hart of VHB reviewed and approved; he explains that when there is the opportunity to align a new intersection, you do it, per best practices. The public's request to move it further down Great Marsh Road would make it closer to Phinneys Lane as well, which is not preferred. Herb Bodensiek asks whether there could be a playground on top of the drainage areas. Matt Eddy will look into it. The group discusses the number and size of the lots. Attorney Singer says that the legal standard is if the project is consistent with local needs.

The group discusses that these are not permanent deed restrictions—there is a 30-year maximum required by Commonwealth Builder. Director of Planning & Development Jim Kupfer says EOHLC prefers deed restrictions in perpetuity, but have accepted in the past restrictions for no less than 30 years. Eventually, if they require deed restrictions, then the 9 units at 80% would have to rule the day. The group discusses whether the applicant received confirmation from the state that the town wouldn't need to contribute more than the previously done sewerage. Attorney Singer says they included it in their application to Commonwealth Builder, who gave an approval letter.

Aaron Webb is concerned over hoping for Commonwealth Builder, and what happens if that is denied. Jim Kupfer says what is before the Board is a comprehensive permit. 25% of the units will be 80% AMI. Anything outside of those 9 units could be market rate. Putting aside Commonwealth Builder, everything else would be market rate. If the applicant had to change the project, it would return to this Board. The group discusses financing options, time-limited deed restrictions, and whether the town could buy back homes/get first right of refusal.

Chair Dewey asks about the waiver about road width and sidewalks. Matt Eddy says it's not a road width waiver, it's for right of way width. Regarding the center line radius waiver, it actually would slow traffic down. The Chairman asks why there are no sidewalks. Matt Eddy says the overall cost was prohibitive and the amount of units made it not necessary. The majority of subdivisions like this don't have sidewalks. The group discusses the hope that the town will maintain the roads eventually, but until then they will be privately maintained. Chair Dewey asks about the 10% inclusionary waiver. Attorney Singer will follow up.

Attorney Singer walks through their requested waivers. Jim Kupfer says Barnstable Historic Commission received this and provided no comment, but staff will follow up about demos.

Regarding the intersection egress, the Board thinks they could ask DPW or ask for an external review. Matt Eddy says that is the best location for it. Randy Hart says the Commission reviewed traffic materials and issued a letter of engineers approval, and didn't have issue with the access. Juniper was considered in the traffic study. Geometry and operations both prove it as the best option.

The group discusses whether 1 tree per 55 feet is sufficient, whether an environmental analysis form is duplicative or necessary, and whether there is value to including a secondary access road.

Attorney Singer asks the Board to close public comment. Manny Alves would like to give town departments more time to comment. Staff will reach back out. Jim Kupfer suggests he and the Town Engineer review with Matt Eddy the new plans. He suggests staff could expand upon the staff report findings and conditions.

They discuss concern over the need for a bus stop or area for kids to congregate. Aaron Webb is concerned over water shortage and effluent.

John Julius of Hyannis speaks with concerns over waivers, water, sidewalks, sewer, and safety.

Jeff Temple requests to be able to respond to the new information through public comment. He's concerned about the traffic study and the proposed intersection.

The Board discusses Richardson Road—there is no legal way to put a road through there. They discuss sidewalk options.

Chair Dewey moves to continue to May 27, 2026. Herb Bodensiek seconds.

Vote:

Aye: Jake Dewey, Herb Bodensiek, Manny Alves, Debra Dworkis, Aaron Webb

Nay: None

Appeal No. 2025-025 Great Marsh Development LLC is continued to May 27, 2026.

Correspondence

- Cape Cod Commission Executive Committee Agenda for Thursday, April 2, 2026 at 2:00 p.m.
- DRI Exemption Decision – Riverview School Hyannis

Matters Not Reasonably Anticipated by the Chair

Upcoming Hearings

April 22, 2026 (remote), May 13, 2026 (in person), May 27, 2026 (remote)

Adjournment

Chair Dewey moves to adjourn. Aaron Webb seconds.

Vote:

Aye: Jake Dewey, Herb Bodensiek, Manny Alves, Debra Dworkis, Aaron Webb

Nay: None

Documents Used at this Meeting

- January 28, 2026 & February 11, 2026 minutes
- Appeal No. 2025-025 Great Marsh Development LLC application materials

Respectfully submitted,
Genna Ziino, Administrative Assistant

Further detail may be obtained by viewing the video via the Barnstable Government Access Channel on demand at town.barnstable.ma.us