

**Zoning Board of Appeals
MINUTES
Wednesday, April 22, 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 22, 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/89099773220	US Toll-free: 888 475 4499
Meeting ID: 890 9977 3220	Meeting ID: 890 9977 3220

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

Chair Dewey calls the meeting to order at 7:03 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 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

March 11, 2026, March 25, 2026 – Chair Dewey moves to approve the March 11, 2026 minutes.

Vote:

Aye: Jake Dewey, Herb Bodensiek, Debra Dworkis

Nay: None

Abstain: Paul Pinard, Manny Alves, Aaron Webb

The minutes are not approved because three members is not sufficient. Chair Dewey moves to approve the March 25, 2026 minutes. Manny Alves seconds.

Vote:

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

Nay: None

Old Business

7:00 PM

Appeal No. 2025-038

Speedway LLC/Dunkin

Speedway LLC has applied for a Variance pursuant to Section 240-24.1.5 4.(a) signs in the HC District. The Applicant is seeking to replace the existing 20.66 sq. ft. internally illuminated "Dunkin Donuts" wall sign with a new 12.12 sq. ft. internally illuminated "Dunkin" wall sign. The area of the façade is 971.1 sq. ft., therefore, 97.1 sq. ft. of signage is allowed. The existing Speedway sign is 18 sq. ft., making the proposed total for both signs 30.12 sq. ft. The subject property is located at 156 Iyannough Road, Hyannis, MA as shown on Assessor's Map 328 as Parcel 151. It is located in the Highway Commercial (HC) Zoning District. Members assigned: Dewey, Bodensiek, Webb, Pittenger, Alves. Continued from January 14, 2026 and February 11, 2026.

Attorney Patrick Nickerson is representing the applicant and requests to withdraw.

Chair Dewey moves to withdraw. Manny Alves seconds.

Vote:

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

Nay: None

Variance No. 2025-038 Speedway LLC/Dunkin is withdrawn.

New Business

7:01 PM

Appeal No. 2026-006

Speedway LLC/Dunkin

Speedway LLC has applied for a Special Permit pursuant to Section 240-93 B. Nonconforming Buildings or Structures Not Used as Single- or Two-Family Dwellings. The Applicant seeks to alter and/or expand a preexisting nonconforming internally illuminated "Dunkin Donuts" building sign having approximately 20.66 sq. ft. of sign area. The proposed "Dunkin" sign would be internally illuminated having 12.12 sq. ft. of sign area. The subject property is located at 156 Iyannough Road, Hyannis, MA as shown on Assessor's Map 328 as Parcel 151. It is located in the Highway Commercial (HC) Zoning District.

Chair Dewey assigns himself, Herb Bodensiek, Aaron Webb, Manny Alves, and Debra Dworkis.

Attorney Patrick Nickerson is representing the applicant and is joined by Jason Perillo and Keith Dubois from Viewpoint Signs. Attorney Nickerson explains that the site is .82 acres, improved with a gas station, Dunkin, and convenience store. They are proposing to change the existing sign, which holds preexisting nonconforming status, because Dunkin Donuts recently rebranded to Dunkin, so franchisees are required to update signage. The preexisting nonconforming status is achieved in 2 separate ways: only 50 sq. ft. of sign area is allowed, and the signs exceed that amount. Also, internally illuminated signs are not allowed, so now it is nonconforming in that way. So even though the sign is getting smaller and more conforming, it is still prohibited because it is internally illuminated. He believes the proposal is not more detrimental, but rather is a net improvement for the public good and would increase the property value of the building.

Back to the Board for questions. Manny Alves asks if it's the same level of brightness proposed. Keith DuBois of Viewpoint Signs says it will be the same level, which is standard, but they can use a dimmer if needed.

Chair Dewey opens for public comment. There is none. The Chairman moves to close public comment. Aaron Webb seconds.

Vote:

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

Nay: None

Chair Dewey moves to close the public hearing. Aaron Webb seconds.

Vote:

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

Nay: None

Aaron Webb makes findings:

1. The application falls within a category specifically excepted in the ordinance for a grant of a special permit. Section 240-93 B. Allows the alteration and/or expansion of a preexisting nonconforming building or structure.
2. After an evaluation of all the evidence presented, the proposal fulfills the spirit and intent of the Zoning Ordinance and would not represent a substantial detriment to the public good or the neighborhood affected. He finds that the sign will not be any brighter and is not a detriment.
3. A Site Plan has been reviewed and found approvable with conditions. Site Plan Review was not required.

Herb Bodensiek seconds.

Vote:

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

Nay: None

Aaron Webb makes a motion to grant Special Permit No.2026-006 subject to the following conditions:

1. Special Permit No. 2026-006 is granted to Speedway LLC to alter and/or expand a preexisting nonconforming internally illuminated "Dunkin Donuts" building sign having approximately 20.66 sq. ft. of sign area. The proposed "Dunkin" sign would be internally illuminated having 12.12 sq. ft. of sign area. The subject property is located at 156 Lyannough Road, Hyannis, MA
2. The proposed sign shall be in substantial conformance with the plan entitled "Dunkin" by Viewpoint Sign & Awning, dated March 25, 2025.
3. This decision shall be recorded at the Barnstable County Registry of Deeds and copies of the recorded decision shall be submitted to the Zoning Board of Appeals Office and the Building Division prior to issuance of a building permit. The rights authorized by this Special Permit must be exercised within two years, unless extended.

Manny Alves seconds.

Vote:

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

Nay: None

Note: The Chairman accidentally forgets to include himself in the vote.

Aaron Webb makes a motion to grant the special permit. Manny Alves seconds.

Vote:

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

Nay: None

Special Permit No. 2026-006 Speedway LLC/Dunkin is granted with conditions.

Correspondence

- Cape Cod Commission Nominating Committee Meeting, Monday, April 13, 2026 at 4:00 p.m.
- Cape Cod Commission Meeting, Thursday, April 16, 2026 at 3:00 p.m.
- Cape Cod Commission revised agenda for meeting on Thursday, April 16, 2026 at 3:00 p.m.
- Notification Transmittals for 6 Preliminary Subdivisions before Planning Board on April 27, 2026 at 7:00 p.m.

Matters Not Reasonably Anticipated by the Chair

Chair Dewey says there are two openings on the Board.

Upcoming Hearings

May 13, 2026 (in person): Chair Dewey says he may not be available for this meeting.

May 27, 2026 (remote): Chair Dewey says he received a request to make this meeting in person. The group discusses preferences. The Chairman thinks it is important to offer both in person and online options for bigger appeals like the 40B. Members would like an in-person conclusion to the 40B. They discuss that hybrid would be best and would like to know why they can't do hybrid. Anna Brigham will ask.

June 10, 2026 (in person)

Adjournment

Chair Dewey moves to adjourn. Aaron Webb seconds.

Vote:

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

Nay: None

Meeting adjourned 7:34 PM.

Documents Used at this Meeting

- March 11, 2026 & March 25, 2026 minutes
- Appeal No. 2026-006 Speedway LLC/Dunkin application materials
- Staff Report dated April 9, 2026 for 2026-006

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