



The Town of Barnstable

Planning and Development

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Elizabeth Jenkins, Director

TOWN OF BARNSTABLE ACCESSORY AFFORDABLE APARTMENT PROGRAM

MINUTES

May 12, 2021 – 6:30 pm Zoom

Present: Alex Rodolakis, Hearing Officer - ZBA, Anna Brigham, Principal Planner – Planning & Development. Also present were Ranu Mehta and Mike Collopy.

The Chair read:

The Zoning Board of Appeals Public Hearing will be held by remote participation methods as a result of the COVID-19 state of emergency in the Commonwealth of Massachusetts.

Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Channel 18 and may be viewed via the Channel 18 website at <http://streaming85.townofbarnstable.us/CablecastPublicSite/>
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

<https://zoom.us/j/96966176189>

Meeting ID: 969 6617 6189

US Toll-free 888 475 4499

3. Applicants, their representatives and individuals required or entitled to appear before the Zoning Board of Appeals may appear remotely and are not permitted to be physically present at the meeting, 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.

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

Notice of Recording

Please note that this meeting is recorded and broadcast on Channel 18 and in accordance with MGL Chapter 30A §20. I must inquire whether anyone is taping this meeting and to please make their presence known.

Minutes

February 10, 2021 were approved.

New Business

6:30 PM Appeal No. 2021-021

Mehta

Raghib Mehta has applied for a Comprehensive Permit to legalize an existing 500 square foot one-bedroom apartment attached to the principal dwelling to an accessory affordable apartment. The subject property is addressed 221 Sea Street, Hyannis, MA as shown on Assessor's Map 307 as Parcel 025. It is zoned Residence B (RB).

Ranu Mehta, representing his father Raghib Mehta, presented the application. Mr. Mehta described the site and that there are multiple units at 221 Sea Street. The Chair reviewed the restrictions and asked if the applicant lived on site. Mr. Mehta responded that neither he nor his father lived on site. The Chair stated that the request must be as a multiple unit dwelling as opposed to a single family dwelling where the owner lives on site. He requested that the matter be continued to May 26, 2021 at 6:30 for Staff to review and decide whether the matter must be readvertised or can continue as is with revised documentation.

6:31 PM Appeal No. 2008-046

Blaisdell

Mr. Collopy, as new owner of the property, was present.

The Chair read: Stephanie A., John and Amanda Blaisdell applied for and were granted a Comprehensive Permit under Chapter 40B of the General Laws of the Commonwealth of Massachusetts, and in accordance with Article II of Chapter Nine of the Code of the Town of Barnstable. Michael and Kelly Ann Collopy, as new owners, have requested a rescission of Comprehensive Permit No. 2008-046 as evidenced in a letter dated January 22, 2021 from their legal representative. The subject property is addressed as 63 Knotty Pine Lane, Centerville, Hyannis MA and shown on Assessor's Map 191 as Parcel 075. It is zoned Residence RC.

John Blaisdell, Amanda Blaisdell and Stephanie A. Blaisdell applied to the Town of Barnstable for a comprehensive permit under the Affordable Accessory Apartment Program, pursuant to Article II of Chapter Nine of Part I, General Ordinances of the Code of the Town of Barnstable on July 9, 2008. The applicants were seeking to permit an accessory apartment unit within the lower level of the single family dwelling. Comprehensive Permit Number 2008-046 was issued to the applicants on October 29, 2008. A duly executed Regulatory Agreement and Declaration of Restrictive Covenants, along with the Comprehensive Permit were recorded at Barnstable County Registry of Deeds on January 16, 2009 as Doc. # 1,104,705 and #1,104,706.

The Housing Coordinator for the Town of Barnstable received a letter dated January 22, 2021 from Attorney John Kenney, representing the new owners of 63 Knotty Pine Lane, Centerville, requesting a rescission of Comprehensive Permit No. 2008-046. As Comprehensive Permit No. 2008-046 was issued to John Blaisdell, Amanda Blaisdell and Stephanie A. Blaisdell on October 29, 2008, and they no longer own the property, the Comprehensive Permit must be rescinded.

A public hearing to rescind Comprehensive Permit No. 2008-046 was duly advertised and notice sent to abutting property owners all in accordance with MGL Chapter 40A. The notice was published in the Barnstable Patriot on April 23, 2021 and April 30, 2021. The Public Hearing to rescind the Permit was opened on May 12, 2021 at which time the Hearing Officer ruled to rescind Comprehensive Permit No. 2008-046.

Findings of Fact:

At the hearing on May 12, 2021, the Zoning Board of Appeals Hearing Officer made the following findings of fact:

1. The applicants, John Blaisdell, Amanda Blaisdell and Stephanie A. Blaisdell, were granted Comprehensive Permit No. 2008-046 for an Accessory Affordable Apartment at 63 Knotty Pine Lane, Centerville, MA.
2. The applicants, John Blaisdell, Amanda Blaisdell and Stephanie A. Blaisdell, no longer own the property.
3. On January 22, 2021, the Accessory Apartment Program Coordinator took action to rescind Comprehensive Permit No. 2008-046.

Ruling:

Based upon the findings the Hearing Officer ruled that Comprehensive Permit No. 2008-046 issued to John Blaisdell, Amanda Blaisdell and Stephanie A. Blaisdell is rescinded and the Permit no longer valid.

Ordered:

Comprehensive Permit number 2008-046 is rescinded.

A written copy of this decision shall be forwarded to the Zoning Board of Appeal as required by the Town of Barnstable Administrative Code Chapter 241, section 11. If after fourteen (14) days from that transmittal the Members of the Zoning Board of Appeals takes no action to reverse the decision, this decision shall become final and a copy shall be the filed in the office of the Town Clerk.

Appeals of the final decision, if any, shall be made to the Barnstable Superior Court pursuant to MGL Chapter 40A, Section 17, within twenty (20) days after the date of the filing of this decision in the office of the Town Clerk. The applicant has the right to appeal this decision as outlined in MGL Chapter 40B, Section 22.

Correspondence

None

Matters Not Reasonably Anticipated by the Chair**Upcoming Hearings**

May 26, 2021

Adjournment

6:49 pm.