



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
Vacant – Associate Member Aaron Webb – Regular Member Vacant – Associate Member
Betty Ludtke – Town Council Liaison

Staff Support

James Kupfer – Interim 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

Agenda

Wednesday, July 24, 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, July 24, 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. The meeting will be televised live via Xfinity Channel 8 or high definition Channel 1072. It may also be accessed via the Government Access Channel live stream on the Town of Barnstable's website:
<http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>
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/81692916753	US Toll-free 888 475 4499
Meeting ID: 816 9291 6753	Meeting ID: 816 9291 6753

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.

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

June 12, 2024 – Click [HERE](#) for materials

Old Business

7:00 PM

Appeal No. 2023-042

Baker & Moir, as Appellants

Patricia Baker and David D. Moir, as Appellants, are appealing the issuance of Building Permit BLDR-23-780 issued on November 1, 2023 to EJ Jaxtimer for the construction of a 3,100 sq. ft., 3-bedroom home for Janet Holian, Trustee of Holian Family Realty Tr. The subject property is located at 240 Windswept Way, Osterville, MA and 250 Windswept Way, Osterville, MA as shown on Assessor's Map 051 as Parcel 012-001 and 012-000, respectively. It is located in the Residence F-1 (RF-1) and the Resource Protection Overlay District (RPOD). **Continued from January 24, 2024, February 28, 2024, March 27, 2024, May 22, 2024. Members assigned: Jake Dewey, Herb Bodensiek, Aaron Webb, Larry Hurwitz, Manny Alves**

(Click [HERE](#) for materials)

7:01 PM

Appeal No. 2024-020

New Cingular Wireless PCS, LLC

New Cingular Wireless PCS, LLC has applied for a Special Permit pursuant to Section 240-108 Antennas Permitted by Special Permit in All Zoning Districts and 240-125 Zoning Board of Appeals. The Applicant is proposing to extend the existing cell tower by 15 feet and collocate its wireless facility at the site pursuant to the Federal Spectrum Act and the Town of Barnstable Zoning Ordinance. The subject property is located at 830 Wakeby Road, Marstons Mills, MA as shown on Assessor's Map 013 003. It is located in the Residence F (RF) Zoning District. **Continued from June 26, 2024. Members assigned: Jake Dewey, Herb Bodensiek, Paul Pinard, Aaron Webb, and Manny Alves.**

(Click [HERE](#) for materials)

New Business

7:02 PM

Appeal No. 2024-027

Poyant Signs/Cape Cod 5

Poyant Signs/Cape Cod 5 have applied for a Variance pursuant to 240-65 Signs in B, UB, HB, HO, and SD-1 Districts. The Petitioner seeks to install an additional wall sign for a total of 3 wall signs where 2 are allowed, and to install an oversized directional sign. The subject property is located at 1620 Falmouth Road, Centerville, MA as shown on Assessor's Map 209 as Parcel 013. It is located in the Residence C (RC) and the Highway Business (HB) Zoning Districts.

(Click [HERE](#) for materials)

7:03 PM

Appeal No. 2024-028

McGill

Scott and Melinda McGill have applied for a Special Permit pursuant to Section 240-91 H. (3) Nonconforming Lot. The Applicants propose to demolish the existing dwelling and construct a new single-family dwelling. The proposed dwelling will comply with all setbacks, but exceeds the allowed by-right lot coverage and floor area ratio. The existing Lot Coverage is 17.6% and the proposed Lot Coverage is 30.4% where 20% is allowed, and the existing Floor Area Ratio is 21.4% and the proposed Floor Area Ratio is 45.0% where 30% is allowed. The subject property is located at 394 Strawberry Hill Road, Centerville, MA as shown on Assessor's Map 248 as Parcel 228. It is located in the Residence B (RB) Zoning District.

(Click [HERE](#) for materials)

7:04 PM

Appeal No. 2024-029

Woodwell

Richard and Linda Woodwell have applied for a Special Permit pursuant to Section 240-91 H. Developed Lot Protection. The Applicants propose to partially demolish, reconstruct, and expand the main house, and to relocate the tower dwelling and place it on a new foundation. The existing Gross Floor Area is 2,428 square feet (22.5%) and the proposed Gross Floor Area is 3,205 square feet (29.7%) where 30% is allowed. The subject property is located at 9 Lafayette Ave, Hyannis, MA as shown on Assessor's Map 287 as Parcel 043. It is located in the Residence F-1 (RF-1) Zoning District.

(Click [HERE](#) for materials)

Correspondence

Matters Not Reasonably Anticipated by the Chair

Upcoming Hearings

August 14, 2024, August 28, 2024, September 11, 2024

Adjournment