



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

### Staff Support

Elizabeth Jenkins – Director – [elizabeth.jenkins@town.barnstable.ma.us](mailto:elizabeth.jenkins@town.barnstable.ma.us)  
Anna Brigham – Principal Planner – [anna.brigham@town.barnstable.ma.us](mailto:anna.brigham@town.barnstable.ma.us)  
Genna Ziino – Administrative Assistant – [genevey.ziino@town.barnstable.ma.us](mailto:genevey.ziino@town.barnstable.ma.us)

## Agenda

**Wednesday, June 12, 2024**

**7:00 PM**

**James H. Crocker Jr. Hearing Room, 2<sup>nd</sup> Floor, Town Hall  
367 Main Street, Hyannis**

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, June 12, 2024, at the time indicated:

### 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

April 24, 2024 – Click [HERE](#) for Materials

### Old Business

None

### New Business

**7:00 PM**

**Appeal No. 2024-017**

**518-556 Yarmouth Road LLC**

518-556 Yarmouth Road LLC has petitioned for a Variance pursuant to Section 240-61 (C) Prohibited Signs. Recent building construction includes a functioning lighting provision serving to outline portions of the building, which was deemed a violation by the Building Commissioner. The Petitioner seeks to allow the previously installed lighting to remain. The subject property is located at 556 Yarmouth Road, Hyannis, MA as shown on Assessor's Map 344 as Parcel 076-001. It is located in the Business (B) Zoning District.

(Click [HERE](#) for Materials)

**7:01 PM**

**Appeal No. 2024-018**

**Constantino**

Stephen J. Constantino, Trustee of the Clifton-Constantino Living Trust, has petitioned for a Lot Area Variance pursuant to Section 240-11 RB, RD-1 and RF-2 Residential Districts and Section 240-125 Zoning Board of Appeals. The proposed subdivision will reestablish the same lot lines as prior to the 1985 merger and will be legitimized with an Approval Not Required (ANR) plan if approved by this Board. The subject property is located at 37 Goodview Way, Barnstable, MA as shown on Assessor's Map 319 as Parcel 080. It is located in the Residence B (RB) Zoning District.

(Click [HERE](#) for Materials)

**7:02 PM**

**Appeal No. 2024-019**

**Murphy & Senoski**

Susan E. Murphy & Richard Senoski have petitioned for a Lot Area Variance pursuant to Section 240-11 RB, RD-1 and RF-2 Residential Districts and Section 240-125 Zoning Board of Appeals. The proposed subdivision will reestablish the same lot lines as prior to the 1985 merger and will be legitimized with an Approval Not Required (ANR) plan if approved by this Board. The subject property is located at 57 Goodview Way, Barnstable, MA as shown on Assessor's Map 319 as Parcel 081. It is located in the Residence B (RB) Zoning District.

(Click [HERE](#) for Materials)

**7:03 PM**

**Appeal No. 2024-021**

**525 South Street Community LLC**

Susan Battista has petitioned for a Variance pursuant to Section 240-85A Permit Required, Section 240-85B Illegal Signs, Section 240-71 Signs in DMS, Section 240-65A Number of Signs Per Business, Section 240-65C Total Square Footage of All Signs, and Section 240-42 Hyannis Main Street Waterfront Historic District Commission B)(2) Approval Required. The Petitioner seeks relief from square footage and total number of signs. The Petitioner seeks to have 3 signs where 2 are allowed and seeks to have 87 sq. ft. of signage where 50 sq. ft. is allowed. The subject property is located at 525 South Street, Hyannis, MA as shown on Assessor's Map 308 as Parcel 162. It is located in the Downtown Main Street (DMS) Zoning District.

(Click [HERE](#) for Materials)

**7:04 PM**

**Appeal No. 2024-025**

**Luongo Real Estate LLC**

Luongo Real Estate LLC has applied for a Special Permit pursuant to Section 240-91H(3) Developed Lot Protection; Demolition and Rebuilding on Nonconforming Lots. The Applicant proposes to demolish the existing single family dwelling and construct a new single-family dwelling with detached garage. The existing dwelling has nonconforming front yard setbacks on Fifth Avenue (16.6 ft.) and Birch Drive (11 ft.) where 20 feet is required. The proposed front yard setback on Fifth Ave is 20.5 ft., which complies with zoning requirements, and the proposed front yard setback on Birch Drive is 18.1, which does not comply with zoning requirements but is less nonconforming. The subject property is located at 222 Fifth Ave, Hyannis, MA as shown on Assessor's Map 245 as Parcel 133. It is located in the Residence B (RB) Zoning District.

(Click [HERE](#) for Materials)

#### **Correspondence**

Housing Assistance Corp Affordable Unit Monitoring Report dated May 30, 2024 (Click [HERE](#) for Materials)

Cape Cod Commission Upper Cape YMCA Meeting Notice for June 12, 2024 (Click [HERE](#) for Materials)

Park City Wind LLC Notice of Filing, Request for Comments, and Public Comment Hearing for June 18, 2024 (Click [HERE](#) for Materials)

#### **Matters Not Reasonably Anticipated by the Chair**

#### **Upcoming Hearings**

June 26, 2024, July 10, 2024, July 24, 2024

#### **Adjournment**