

Zoning Board of Appeals MINUTES Wednesday, June 28, 2023 at 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, June 28, 2023, 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 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 Option	Telephone Number Option
https://townofbarnstable-us.zoom.us/j/82175761961	US Toll-free 888 475 4499
Meeting ID: 821 7576 1961	Meeting ID: 821 7576 1961

3. 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

Chair Jacob Dewey calls the meeting to order at 7:02 PM with an introduction of Board Members:

Member	Present	Absent
Dewey, Jacob	X	
Bodensiek, Herbert	X	
Pinard, Paul	X	
Hansen, Mark	X	
Johnson, Denise	X (phone only)	
Webb, Aaron	X	

Also in attendance is Anna Brigham, Principal Planner and Genna Ziino, Administrative Assistant.

Notice of Recording

The Chairman reads: 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

June 14, 2023– Mark Hansen makes a motion to approve. Paul Pinard seconds.

Vote:

Aye: Mark Hansen, Paul Pinard, Herb Bodensiek, Aaron Webb, Denise Johnson, Jake Dewey

Nay: None

Old Business

7:00 PM

Appeal No. 2023-006

Andersen

Denise M. Andersen, Trustee of the Andersen 77 Parker Road Nominee Trust, has petitioned for two Variances from Section 240-13 E. Residence C (RC) District, Bulk Regulations, and 240-36 Resource Protection Overlay District (RPOD). The Petitioner seeks two variances to unmerge Lot 1 (40,075 sq. ft.) from Lot 2, a developed lot containing 43,915 sq. ft., pursuant to the plan prepared by Sullivan Engineering and Consulting, Inc. The subject property is located at 77 Parker Rd, Osterville, MA as shown on Assessor's Map 117 as Parcel 135. It is located in the Residence C (RC) Zoning District. Continued from March 22, 2023, April 12, 2023, April 26, 2023, May 10, 2023, May 24, 2023, and June 14, 2023. Pinard recused.

Attorney Schulz has requested to withdraw this appeal without prejudice. Mark Hansen makes a motion to withdrawal Appeal No. 2023-006 without prejudice. Denise Johnson seconds.

Vote:

Aye: Mark Hansen, Herb Bodensiek, Aaron Webb, Denise Johnson, Jake Dewey

Nay: None

Abstain: Paul Pinard

Appeal No. 2023-006 Andersen is withdrawn without prejudice.

Correspondence

None.

Matters Not Reasonably Anticipated by the Chair

The Board discusses the draft of proposed rules, regulations, and practices for withdrawals and continuances. They discuss whether the changes are necessary and what impact they would have on different parties. Paul Pinard adds that the Board can at any time deny a request for continuance, and it was suggested to him by CPTC that the Board leave it at that. For next steps, the Board wants to run it by the Legal Department first and go from there. Anna Brigham will send it to Legal.

Chair Dewey announces that there is a new member approved by the Town Council: Larry Hurwitz.

The Board requests to know their conflict of interest training expiration dates. Genna Ziino will send the dates out.

Upcoming Hearings

July 12, 2023, July 26, 2023, August 9, 2023

Adjournment

Paul Pinard makes a motion to adjourn. Mark Hansen seconds.

Vote:

Aye: Mark Hansen, Paul Pinard, Herb Bodensiek, Aaron Webb, Denise Johnson, Jake Dewey

Nay:

Respectfully submitted,
Genna Ziino, Administrative Assistant

Further detail may be obtained by viewing the video via Channel 18 on demand at <http://www.town.barnstable.ma.us>