

Town of Barnstable

Town Clerk Time Stamp Date:

TOWN CLERK

48 Hour Notice of Meetings of Town Departments and all Town Boards
As required by Chapter 28 of the Acts of 2009 which amends MGL
Chapter 30A

20 FEB 20 P 3 :48

Zoning Board of Appeals

Name of Public Body: Committee, Board, or Commission

Wednesday, February 26, 2020

7:00 PM

Date of Meeting:

Time:

James H. Crocker, Jr. Hearing Room - 2nd Floor - 367 Main Street, Hyannis, MA

Place: Meeting Room; Meeting Room Location

Topics to be discussed:

Call to Order

Introduction of Board Members

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

October 16, 2019

Old Business

7:00 PM Appeal No. 2020-004

West

Maryanne West, as Appellant, is appealing the Building Commissioner's issuance of a demolition permit. The Appellant is claiming that her family owns the dwelling and the demolition will cause undo harm to her family. The Assessor's Office lists the ownership as Sharon and Richard Briansky who purchased it on July 25, 2019. The subject property is 125 Wianno Circle, Osterville, MA as shown on Assessors Map 140 as Parcel 091. It is located in the Residence C (RC) Zoning District.

Continued from January 8, 2020. No members assigned, no testimony taken.

7:00 PM Appeal No. 2020-008

Borror

Ursula K.H. Borror has petitioned for a Variance pursuant to Section 240-7.C – Lot Size Requirements; 240-7.E – Contiguous Upland Requirement; and 240-14.E – RF Residential District Bulk Regulations and Section 240-36 D. Resource Protection Overlay District. The Petitioner is requesting relief to divide one lot into two lots which will result in one undersized developed lot and one undersized vacant lot. The Petitioner is also requesting relief to allow the undersized vacant lot to become buildable. The subject property is addressed as 724 (a.k.a 744) Old Falmouth Road, Marstons Mills, MA as shown on Assessor's Map 124 as Parcel 016-001. It is located in the Residential F (RF) and the Resource Protection Overlay District (RPOD) Zoning Districts.

Continued from February 12, 2020. No members assigned, no testimony taken.

New Business

7:00 PM Appeal No. 2020-009

VWM Associates, LLC.

VWM Associates, LLC. has applied for a Special Permit for the alteration of preexisting nonconforming site dimensions and alteration of nonconforming landscape buffers for parking lots per 240-93 and for the reduction of landscape requirements for parking lots and off-street parking requirements per 240-57. Special Permits are sought to alter existing nonconformities regarding impervious area (altering the impervious area from 72.2% to 63.9% of the lot), for the alteration of existing landscape buffer nonconformities between the surfaced area of a parking lot and side and rear lot lines, the reduction of parking lot interior landscape requirements, and the reduction of off-street parking requirements. The Applicant is proposing to demolish the existing structure and construct a new retail/office building of approximately 9,203 square feet with associated site improvements. The subject property is located at 326 West Main Street, Hyannis, MA as shown on Assessor's Map 269 as Parcel 159. It is located in the Highway Business (HB), Residence B (RB) and Wellhead Protection (WP) Overlay Zoning Districts.

7:01 PM Appeal No. 2020-010

VWM Associates, LLC.

VWM Associates, LLC., has petitioned for a Variance, in the alternative to the Special Permit request, pursuant to Section 240-56 – Schedule of Off-Street Parking Requirements. The Petitioner is proposing to demolish the existing structure and construct a new retail/office building of approximately 9,203 square feet with associated site improvements. The Petitioner is requesting relief by a Special Permit. However, should the Special Permit relief requested not be sufficient, the Petitioner is requesting relief by Variance in the alternative. The subject property is located at 326 West Main Street, Hyannis, MA as shown on Assessor's Map 269 as Parcel 159. It is located in the Highway Business (HB), Residence B (RB) and Wellhead Protection (WP) Overlay Zoning Districts.

7:02 PM Appeal No. 2020-011**Weinstein**

Michael and Jennifer Weinstein have applied for a Special Permit in accordance with Section 240-91.H(3) – Developed Lot Protection. The Applicants are proposing to demolish an existing single-family dwelling and construct a one-story, three-bedroom, single-family dwelling on a lot that contains less than the minimum lot requirement of 10,000 square feet of upland. The subject property is located at 127 Fifth Avenue, Hyannis (Hyannisport), MA as shown on Assessor’s Map 245 as Parcel 090. It is located in the Residence B (RB) Zoning District.

7:03 PM Appeal No. 2020-012**Forte Fitness Center, LLC.**

Forte Fitness Center, LLC., has petitioned for a Variance from Section 240-65(A) – Signs in B, UB, HB, HO, S&D, SD-A and GM Districts to allow the Petitioner to have a total of three signs for its business. The proposed third sign is a freestanding sign that will be approximately six (6) feet tall, at Petitioner’s entrance on Attucks Lane. The subject property is located at 865 Attucks Lane, Hyannis, MA as shown on Assessor’s Map 294 as Parcel 079. It is located in the Industrial (IND) Zoning District.

Correspondence

Received February 10, 2020 from Cape Cod Commission (CCC) to Attorney David Lawler in reference to 90 Wachusett Avenue, Demolition. CCC has informed Attorney Lawler that this project has been referred to the CCC as a mandatory Development of Regional Impact (DRI) under Section 3 of Chapter A, Code of Cape Cod Commission Regulations, Enabling Regulations Governing Review of Development of Regional Impact.

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

March 11, 2020, March 25, 2020, April 8, 2020

Adjournment