

Town of Barnstable

Town Clerk Time Stamp Date:

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

Zoning Board of Appeals

Name of Public Body: Committee, Board, or Commission

Wednesday, August 12, 2020

7:00 PM

Date of Meeting:

Time:

Special Instructions Below

Place: Meeting Room; Meeting Room Location

20 AUG -7 7:01:42

BARNSTABLE
TOWN CLERK

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/97300117079>

Meeting ID: 973 0011 7079

888 475 4499 US Toll-free

Meeting ID: 973 0011 7079

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.

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

February 26, 2020, March 27, 2020, April 8, 2020, May 27, 2020, June 10, 2020, June 24, 2020, July 8, 2020

Persons interested are advised that, in the event any matter taken up at the meeting remains unfinished at the close of the meeting, it may be put off to a continued session of this meeting without further notice.

Old Business**7:00 PM****Appeal No. 2019-050****1000 Main, LLC.**

1000 Main LLC., has applied for a Special Permit pursuant to Section 240-20.B – West Barnstable Village Business District. The Applicant is seeking relief in order to store small traditional sailboats and to continue the pre-existing use of three residential units in the dwelling. The subject property is located at 1000 Main Street, West Barnstable, MA as shown on Assessor's Map 179 as Parcel 002. It is located in the West Barnstable Village Business District (WBVBBD) and the Residence F (RF) Zoning Districts.

Continued from September 25, 2019. Members assigned: Alex Rodolakis, Herbert Bodensiek, Paul Pinard, Todd Walantis and Bob Twiss.

Time Extension Signed and Time Stamped – Decision due January 3, 2020. Continued from December 11, 2019. Time Extension signed – Decision Due: 04-27-20

Continued from April 8, 2020 – Time Extension Continued to June 24, 2020 – Members assigned: Alex Rodolakis, Herb Bodensiek, Paul Pinard, Bob Twiss, Mark Hansen. Continued to August 12, 2020.

New Business**7:01 PM****Appeal No. 2020-025****Cape Resources**

EAC Organics, Inc, d/b/a Cape Resources have petitioned for a Modification to Variance No. 2009-025 pursuant to M.G.L. Chapter 40A Section 14 in order to enter into a long term lease with a solar company. The Petitioner seeks to modify the existing Variance to maintain two principal uses on site (the solar photovoltaic system and the wood waste recycling business, at 280 Old Falmouth Road, as well as enable the Petitioner to locate the proposed solar photovoltaic system at "0" Old Falmouth Road. The Petitioner seeks to reduce the area of the wood waste re-cycling operation. The subject properties are located at 280 Old Falmouth Road and "0" Old Falmouth Road, Marstons Mills, MA as shown on Assessors Map 100 as Parcel 008 and Map 100 as Parcel 007. Both lots are located in the Residence F (RF) Zoning District, Groundwater Protection (GP) and the Ground-Mounted Solar Photovoltaic Overlay Districts.

7:02 PM**Appeal No. 2020-004****West Re-Notice**

Maryanne West, as Appellant is appealing the Building Commissioner's issuance of a demolition permit. The subject property is 125 Wianno Circle Osterville, as shown on Assessors Map 140 Parcel 091. Ms. West had notified the Building Department of her objections to this demolition permit prior to its issuance and has submitted this appeal to contest the demolition of dwelling.

7:03 PM**Appeal No. 2020-024****Elefante/Gardiner as Trustees Re-Notice**

Mark B. Elefante, Trustee of 25 East Avenue Realty Trust and Nancy B. Gardiner, Trustee of 45 East Avenue Realty Trust are appealing the decision of the Building Commissioner for denying their request for enforcement in suspending construction of the structure (foundation) extending from the dwelling into East Avenue and removal of said foundation as it exceeds the scope of the building permit, which permit was premised upon Special Permit 2017-071. The subject property is located at 8 East Avenue, Osterville, MA as shown on Assessor's Map 139 as Parcel 075. It is located in the Residence F-1 (RF-1) Zoning District.

Correspondence

August 3, 2020 Notice from Town Council, proposed Zoning Amendment Item No. 2020-193 to add provisions for short term rentals scheduled for Thursday August 20, 2020 at 7:00 PM.

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

August 26, 2020, September 9, 2020, September 23, 2020

Adjournment

Persons interested are advised that, in the event any matter taken up at the meeting remains unfinished at the close of the meeting, it may be put off to a continued session of this meeting without further notice.