

# 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

BARNSTABLE  
TOWN CLERK

20 SEP -3 11:05:2

## Zoning Board of Appeals

Name of Public Body: Committee, Board, or Commission

**Wednesday, September 09, 2020**

**7:00 PM**

Date of Meeting:

Time:

## Special Instructions Below

Place:

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/93240840468>

Meeting ID: 932 4084 0468

888 475 4499 US Toll-free

Meeting ID: 932 4084 0468

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](mailto: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](mailto: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.

#### 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 (WBVBVD) 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 – Members assigned: Herb Bodensiek, Jake Dewey, Todd Walantis, Mark Hansen, Robert Twiss. Continued to September 9, 2020.

**7:01 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. *Opened August 12, 2020. No members assigned. No testimony taken. Continued to September 9, 2020.*

**7:02 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.

*Opened August 12, 2020 and continued to August 26, 2020. No members assigned.. Opened August 26, 2020. Members assigned: Alex Rodolakis, Herb Bodensiek, Jake Dewey, Paul Pianrd, Mark Hansen. No other members present. Public comment closed.*

**New Business****7:03 PM Appeal No. 2020-029****Cape Cod Five Cents Savings Bank**

The Cape Cod Five Cents Savings Bank has petitioned for relief in accordance to Section 125 and Section 240-126 of the Zoning Ordinance and M.G.L. Chapter 40A Section 10 from the following provisions: 240-65 (A) Number of Signs, 240-65 (C) Additional Square Footage, 240-65 (D) (G) Number of Signs, 240-75 (A) (B) Allowance/approval of (4) larger Directional Signs. The Petitioner is seeking additional signage at the Cape Cod Five Cents Savings Bank Headquarters. The subject property is located at 1500 Iyannough Road, Hyannis MA as shown on Assessors Map 253 as Parcels 020-B00 and 020-T00. It is located in the Highway Business (HB) Zoning District.

**7:04 PM Appeal No. 2020-030****Cape Cod Five Cents Savings Bank**

The Cape Cod Five Cents Savings Bank has petitioned for relief in accordance to Section 125 and Section 240-126 of the Zoning Ordinance and M.G.L. Chapter 40A Section 10 from the following provisions: 240-65 (A) Number of Signs, 240-65 (C) Additional Square Footage, 240-65 (D) (G) Number of Signs, 240-75 (A) (B) Allowance/approval of (4) larger Directional Signs. The Petitioner is seeking additional signage at the Cape Cod Five Cents Savings Bank Headquarters. The subject property is located at 1550 Iyannough Road, Hyannis MA as shown on Assessors Map 254 as Parcel 014. It is located in the Highway Business (HB) Zoning District.

**7:05PM Appeal No. 2020-031****Garvey**

Joshua Garvey has have applied for a Special Permit in accordance with Section 240-91.H – Nonconforming Lot. The Applicant is proposing to demolish an existing single-family dwelling and construct a new, 2,503 square foot, single-family dwelling on a lot consisting of 8,392 square feet, less than the required 10,000 square feet. The subject property is located at 111 George Street, Barnstable, MA as shown on Assessor's Map 319 as Parcel 052. It is located in the Residence B (RB) Zoning District.

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

September 23, 2020 and October 14, 2020

**Adjournment**