



# Town of Barnstable

# Zoning Board of Appeals



Board Members:

Jacob Dewey – Chair   David Hirsch – Vice Chair   Herbert Bodensiek - Clerk  
Paul Pinard – Regular Member   Mark Hansen – Regular Member  
Todd Walantis – Associate Member   Emanuel Alves – Associate Member   Aaron Webb-Associate Member   Denise Johnson-Associate Member  
David Bogan – 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)  
Rachael Toolas - Administrative Assistant – [rachael.toolas@town.barnstable.ma.us](mailto:rachael.toolas@town.barnstable.ma.us)

## Agenda

**Wednesday, January 12, 2022**

**7:00 PM**

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
<a href="https://zoom.us/j/95287264540">https://zoom.us/j/95287264540</a>	888 475 4499 US Toll-free
Meeting ID: 952 8726 4540	Meeting ID: 952 8726 4540

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](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).

### 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

Amended June 23, 2021

December 8, 2021

December 14, 2021

### Old Business

**7:00 PM**

**Appeal No. 2021-057**

**O'Neill and Dunbar Point LLC**

J. Brian O'Neill, Miriam O'Neill, and Dunbar Point LLC have applied for a Special Permit pursuant to Section 240-91 F Merged Lots. The Applicant seeks to relocate the property line between 689 and 697 Scudder Avenue which would result in the cottage to be part of 689 Scudder Avenue. The subject properties are 689 Scudder Ave and 697 Scudder Ave, Hyannis, MA on Assessors Map 287, Parcels 061 and 062. It is located in the Residence F-1 (RF-1) Zoning District.

Continued from December 8, 2021

**7:01 PM**

**Appeal No. 2021-052**

**Mallegni/Bornbam Assoc. LLC**

Marcello M. Mallegni, Manager of Bornbam Associates, LLC has applied for a Special Permit pursuant to 240-57(C) Circumstances warranting reduction of requirements for off-street parking for characteristics of use invalidating normal methods of calculating parking demand. The Applicant requests relief from the parking requirements, which would require 84 parking spaces for the existing warehouse space, because the use of the property as a warehouse for stone slabs has a minimal number of employees and customers at any one time, and therefore does not require 84 parking spaces. The Applicant is also seeking an additional use of the property as a cafe, primarily for the use of customers of the warehouse. The subject property is located at 80 Airport Road, Hyannis, MA as shown on Assessor's Map 294 Parcel 068. It is located in the Highway Business (HB) and Industrial (IND) Zoning Districts.

Continued from December 14, 2021

### **New Business**

**7:02 PM**

**Appeal No. 2021-064**

**Astrachan, Trustee/Hill Trustee**

Mark S. Astrachan, Trustee and Barbara S. Hill, Trustee seek to modify Variance No. 2015-001 under MGL Ch. 40A §14 to allow for the increase of the total gross square footage of the dwelling. The Applicant's current footprint limit is 2200 sq. ft. and 2200 sq. ft. of living area. They seek to increase the living space by 760 sq.ft. to a total of 2,960 sq. ft. by finishing the basement area. The added square footage is in the existing basement only and the footprint of the structure will not increase. All construction would take place within the existing structure. The subject property is located at 36 Old Colony Rd., Hyannis, MA as shown on Assessor's Map 306 Parcel 117. It is located in the Residence B (RB) Zoning District.

**7:03 PM**

**Appeal No. 2021-065**

**Terry L Simpson Trustee**

Terry L. Simpson, Trustee of the Blumist Trust has applied for a Special Permit pursuant to Section 240-131.4(D) Changes, expansion or alteration of uses or structure, Section 240-131.4 (E) Dimensional Relief, and Section 240-131.7 (D)(6) General Performance Standards. The Applicant seeks to remodel the single family residence and garage with an apartment to include replacing windows and roofing, re-siding shingles, interior work, and increase floor area with covered porches. The subject property is located at 531 South Main St., Centerville, MA as shown on Assessor's Map 206 Parcel 069. It is located in the Craigville Beach District – Craigville Beach (CBD-CB) Zoning District.

**7:04 PM**

**Appeal No. 2021-066**

**Manzi Cotuit Trust**

Jim and Glenda Manzi, Trustee of the Jim Manzi Cotuit Trust and Glenda Manzi Cotuit Trust and Lisa Mingolla, Trustee of Slow Marsh One Nominee Trust have petitioned for a Variance from Section 240-36 D Resource Protection Overlay District. The Petitioners seek to swap equal sized 1,390 sq. ft. parcels of land between the properties 1446 Main St. and 1462 Main St. Cotuit, to eventually build a garage on 1462 Main St, Cotuit, MA, as shown on Assessor's Map 017 as Parcels 013 and 021. The said parcels are preexisting nonconforming with the 87,120 square foot minimum lot area requirement for parcels located within the Resource Protection Overlay District under 240-36D. Both parcels have been improved with a residence and are, thus, protected under 240-91G and 240-91C. Both lots are located in the Residence F (RF) Zoning District and in the Resource Protection Overlay District (RPOD).

### **Correspondence**

Virtual Meeting Notice from the Cape Cod Commission regarding South Cape Village Route 28 in Mashpee will be held Thursday January 13, 2022 at 1:00 pm.

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

### **Upcoming Hearings**

January 26, 2022, February 9, 2022, February 23, 2022

### **Adjournment**