



Town of Barnstable Zoning Board of Appeals



Board Members:

Jacob Dewey – Chair Herbert Bodensiek – Vice Chair Paul Pinard - Clerk
Aaron Webb – Regular Member Mark Hansen – Regular Member
Vacant – Associate Member Vacant – Associate Member Vacant -Associate Member Denise Johnson-Associate Member
Kristine Clark - Town Council Liaison

Staff Support

Elizabeth Jenkins –Director - elizabeth.jenkins@town.barnstable.ma.us
Anna Brigham – Principal Planner – anna.brigham@town.barnstable.ma.us
Genna Ziino – Administrative Assistant – genevey.ziino@town.barnstable.ma.us

Agenda

Wednesday, May 10, 2023

7:00 PM

James H. Crocker Jr. Hearing Room, 2nd Floor, Town Hall

367 Main Street, Hyannis

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, May 10, 2023, at the time indicated:

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

April 12, 2023 – Click [HERE](#) for materials

April 26, 2023 – Click [HERE](#) for materials

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 and April 26, 2023.**

(Click [HERE](#) for materials)

New Business

7:01 PM

Appeal No. 2023-009

Wilkins

Russell and Carol Wilkins, 1045 Shootflying Hill Road, have filed an appeal of an Administrative Official’s Decision in accordance with M.G.L. Chapter 40A §7 and §15. The Petitioners seek to overturn the Denial of Request for Enforcement from the Building Division, dated March 3, 2023. In the Denial of Request for Enforcement Letter, the Local Inspector stated that under §240-128 and §240-8A(4) Agriculture – agricultural uses under five acres are permitted with some exceptions and after review and inspection found that no zoning violation exists. The subject property is located at 1055 Shootflying Hill Road, Centerville, MA as shown on Assessor’s Map 191 as Parcel 027. It is located in the Residence D-1 (RD-1) and Residence C (RC) Zoning Districts.

(Click [HERE](#) for Materials)

7:02 PM

Appeal No. 2023-010

Arista Hyannis LLC

Arista Hyannis LLC has applied for a Special Permit in accordance with Section 240-25(B)(22) and 240-25(C)(10) Drive-Through for a proposed restaurant. The Applicant proposes to remodel the former bank building and change the use to a food service establishment with a drive-through. The subject property is located at 715 West Main Street, Hyannis, MA as shown on Assessor's Map 249 as Parcel 155. It is located in the Highway Business (HB) District.

(Click [HERE](#) for Materials)

Correspondence

Hearing Notice – Cape Cod Commission for New England Wind Connector 1 on May 11, 2023 at 3:00 pm

(Click [HERE](#) for Materials)

Continued Hearing Notice – Cape Cod Commission for Marthas Vineyard Reliability on May 11, 2023 at 3:00 pm

(Click [HERE](#) for Materials)

Matters Not Reasonably Anticipated by the Chair

Discussion

Board discussion regarding requests for Withdrawals and Continuances

(Click [HERE](#) for Materials)

Upcoming Hearings

May 24, 2023, June 14, 2023, June 28, 2023

Adjournment