



# Town of Barnstable

## Zoning Board of Appeals



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BARNSTABLE  
TOWN CLERK

**Board Members:**

Alex Rodolakis – Chair   David Hirsch – Vice Chair   Herbert Bodensiek – Clerk  
 Jacob Dewey – Regular Member   Paul Pinard – Regular Member  
 Todd Walantis – Associate Member   Mark Hansen – Associate Member   Robert Twiss – Associate Member  
 James Tinsley – 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)  
 Carol Puckett – Administrative Assistant – [carol.puckett@town.barnstable.ma.us](mailto:carol.puckett@town.barnstable.ma.us)

### Minutes

**Wednesday, September 11, 2019**

Hearing Room – 2<sup>nd</sup> Floor – 367 Main Street, Hyannis, MA

**Reminder: David Hirsch, Paul Pinard, Jake Dewey, and Mark Hansen will not be attending.**

Alex Rodolakis - Chair	<b>Present</b>
David Hirsch – Vice Chair	<b>Absent</b>
Herbert Bodensiek – Clerk	<b>Present</b>
Jacob Dewey – Regular Member	<b>Absent</b>
Paul Pinard – Regular Member	<b>Absent</b>
Todd Walantis – Associate Member	<b>Absent</b>
Mark Hansen – Associate Member	<b>Absent</b>
Robert Twiss – Associate Member	<b>Present</b>
Vacant	

**Also present were Anna Brigham – Principal Planner and Carol Puckett – Administrative Assistant**

#### Call to Order

Introduction of Board Members – Member present introduce themselves

Alex reads the following into the record:

#### 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. 2019-038**

**Shoestring Properties**

Stuart Bornstein, Shoestring Properties, has appealed the Building Commissioner's determination that vehicles parked on a vacant lot at 53 South Street are not an allowed use as a matter of right. The Appellant has also requested zoning relief. The subject property is located at 53 South Street, Hyannis, MA as shown on Assessor's Map 326 as Parcel 125. It is located in the Harbor District (HD) Zoning District.

Continued from August 7, 2019. Members assigned: Alex Rodolakis, David Hirsch, Jake Dewey, Herb Bodensiek, Paul Pinard

**Alex makes a motion to continue to October 30, 2019 at 7:00 PM**

**Vote:**

**All in favor**

**7:01 PM**

**Appeal No. 2019-042**

**Fernandes, Trustee**

Hernique A. Fernandes, Trustee, has petitioned for a Variance pursuant to Chapter 240.11 – Principal Permitted Uses. The Petitioner is proposing to construct a one-story 1,440 square foot duplex structure in a zoning district which does not allow for

them as-of-right nor as a conditional use. The subject property is located at 50 Fresh Holes Road, Hyannis, MA as shown on Assessor's Map 292 as Parcel 175. It is located in the Residence B Zoning District.

Continued from August 21, 2019 – No members assigned – No testimony taken. Hearing Due Date: 09-18-19. Decision Due: 10-03-19.

**Alex makes a motion to continue to October 30, 2019 at 7:00 PM**

**Vote:**

**All in favor**

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### **New Business**

**7:02 PM**

**Appeal No. 2019-048**

**Shea/Blake**

Kevin Shea and Kimberly Blake are applying for a Modification of Special Permit 2016-045. The Applicants are requesting to modify Condition No. 1 and Condition No.2 in order to facilitate changes to the original building plans submitted with Appeal No. 2016-045. The Applicants are proposing to downscale the structure as previously approved; remove the proposed dining room and kitchen expansion and in its place extend the covered porch the entire length of the structure and eliminate the small porch on the east facing side of the structure and replace with a small bay window. The subject property is located at 19 Vine Avenue, Centerville, MA as shown on Assessor's Map 226 as Parcel 027. It is located in the Craigville Beach Zoning District and Craigville Village Overlay Zoning District.

**Alex makes a motion to continue to October 30, 2019 at 7:00 PM**

**Vote:**

**All in favor**

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**7:03 PM**

**Appeal No. 2019-049**

**Hilton**

Frederick S. & Judith A. Hilton have applied for a Special Permit pursuant to Section 240-91(H)(3) – Nonconforming Lot. The Applicants are proposing to demolish an existing 1,762 square foot dwelling and construct a new, single-family, four-bedroom dwelling which does not comply with the required fifteen (15) foot rear yard setback requirement. The subject property is located at 114 Harvey Avenue, Barnstable, MA as shown on Assessor's Map 319 as Parcel 103. It is located in the Residence F-1 (RF-1) Zoning District.

**Alex makes a motion to continue to October 30, 2019 at 7:00 PM**

**Vote:**

**All in favor**

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**7:04 PM**

**Appeal No. 2019-051**

**Hyannis Rotary, LLC.**

Hyannis Rotary, LLC., has applied for a Special Permit pursuant to Section 240-34.N – Floodplain District. The Applicant is proposing alterations to a structure listed on the National Register of Historic Places. The alterations to the northerly "Carriage House" shown as the Garage/2 BR Studio will include the removal and replacement of all stucco, replacement of windows, sashes, and other miscellaneous work. A Special Permit under Section 240-34. N. is required for alterations to a structure located in the Velocity Zone on the FEMA Flood Insurance Rate Maps and is also on the National Register of Historic Places. The subject property is located at 10 Hyannis Avenue, Hyannis (Hyannisport), MA as shown on Assessor's Map 287 as Parcel 131. It is located in the Residence F-1 (RF-1) Zoning District.

**Alex makes a motion to continue to October 30, 2019 at 7:00 PM**

**Vote:**

**All in favor**

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**7:05 PM**

**Appeal No. 2019-043 - Amended**

**Fernandes**

Hernique A. Fernandes, Trustee, has petitioned for a Variance pursuant to Chapter 240.11.E – Bulk Regulations. The Petitioner is proposing to construct a one-story 1,440 square foot duplex structure approximately seven (7) feet from the side yard setback where ten (10) feet is required in the zoning district in which it is located. The Petitioner is also asking for relief from the minimum 43,560 square foot lot size requirement. The subject property is located at 50 Fresh Holes Road, Hyannis, MA as shown on Assessor's Map 292 as Parcel 175. It is located in the Residence B Zoning District

**Alex makes a motion to continue to October 30, 2019 at 7:00 PM**

**Vote:**

**All in favor**

### **Correspondence**

- Received 081619 from Housing Assistance Corporation – Invitation for board members to attend this year's Cape Housing Institute workshop on November 15, 2019.
- Received 090319 from Cape Cod Commission – DRI referral from Town of Barnstable's Building Division for Tractor Supply with a proposed location at 1174 Pitcher's Way, Hyannis, MA

**Matters Not Reasonably Anticipated by the Chair**

**Upcoming Meetings**

September 25<sup>th</sup>, October 16<sup>th</sup>, October 30<sup>th</sup>, November 13<sup>th</sup>, December 11, 2019

**Adjournment**

*Motion is made by Herb Bodensiek and seconded by Bob Twiss to adjourn*

*Vote:*

*All in favor*

Approved