

**Town of Barnstable**  
**Zoning Board of Appeals**  
**Agenda**  
**February 10, 2010**

All hearings are scheduled for 7:00 P.M.  
Last Revised 01-25-10

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**Appeal No. 2009-068 - Continued**

**Tonsberg**  
**Special Permit Demo/Rebuild on Nonconforming Lots**

Opened, November 18, 2009, continued to February 10, 2009 at request of the Applicant in order to allow for processing of a Cape Cod Commission Hardship Exemption from the District of Critical Planning Concern Centerville Beach Nomination. Decision on this appeal must be filed with the Town Clerk no later than May 27, 2010.

**Update** - According to Kristy Senatori, Chief Regulatory Officer for the Cape Cod Commission, a representative for the Applicant has contacted the Commission on applying for a Hardship Exemption however as of January 25, 2010, no application has been formally submitted to the Commission for an Exemption.

No Members Assigned, No Testimony Given

Frederick and Roberta Tonsberg have petitioned for a Special Permit pursuant to Section 240-91.H(2), Developed Lot Protection, Demolition and Rebuilding on Nonconforming Lots. The petitioner seeks to demolish the existing dwelling located on the property and reconstruct a new dwelling not in compliance with current setback requirements for the district. The property is addressed as 2 Short Beach Road, Centerville, MA and is shown on Assessor's Map 206 as parcel 044. The property is in a Residence D-1 Zoning District.

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**Appeal No. 2009-025 - Continued**

**EAC Disposal, Inc.**  
**Modification of Variance No. 1996-14**

Opened April 1, 2009, continued, May 20, 2009, August 5, 2009, September 23, 2009, November 4, 2009 and to December 9, 2009. This Appeal was continued to allow the Applicant to refine the proposed site plan.

**Update** - Staff Report, updated Site Plan and other materials enclosed.

Members previously assigned: William H. Newton, Michael T. Hersey, Alex Rodolakis, Brian Florence, Laura F. Shufelt - Associates Present: Nikolas J. Atsalis, George T. Zevitas

EAC Disposal, Inc., d/b/a Cape Resources Company has applied for a Modification of Variance No. 1996-14. The modification is sought to allow for revisions to the site that include a new wood processor and staging area, alteration to interior site circulation, and additions and alterations to screening berms and landscape. The property is addressed 280 Old Falmouth Road, Marstons Mills, MA as shown on Assessor's Map 100 as parcel 008. The lot is in a Residence F Zoning District

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**Appeal No. 2009-060- Continued**

**Wallace, Lampi, Lampi & Bumpus**  
**Bulk Variance, Minimum Lot Frontage**

Opened October 7, 2009, continued October 21, 2009, December 9, 2009 and to February 10, 2009.  
Continued to allow for the development of an engineered sit plan showing propose location of the dwelling and access.

**Update** – A January 14, 2010 letter from Attorney J. Alexander Watt has been received requesting that this appeal be withdrawn without prejudice. A copy of the letter is attached.

Members previously assigned: William H. Newton, Michael P. Hersey, Craig G. Larson, Alex M. Rodolakis Laura F. Shufelt - Associates Present: Brian Florence, George T. Zevitas

Joan M. Wallace, Irene Lampi, Derwin Lampi and Gordon Bumpus have applied for relief from Section 240-14.E Bulk Regulations, Minimum Lot Frontage. The applicants are seeking relief from the required 150 feet of frontage. The subject property is a 5.9 acre lot accessed over a 40-foot easement from Wayside Lane. The property is addressed as 0 High Street, West Barnstable, MA and is shown on Assessor's Map 110 as Parcel 007. It is in a Residence F Zoning District and the Resource Protection Overlay District.

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**Open**                    **Chairman's Discussion**

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