



BARNSTABLE  
TOWN CLERK

# Town of Barnstable

'09 JUL 22 P5:07

## Zoning Board of Appeals Notice of 6-Month Extension of Variance

### Extension of Variance No. 2008-046

**Summary:** Extension Granted to January 22, 2010  
**Petitioner:** Mark C. & Jennifer A. Curley  
**Property Address:** 40 Woodland Avenue  
**Assessor's Map/Parcel:** Map 140, Parcel 136  
**Variance Recorded:** Book 23139 Page 331  
**Deed Reference:** Book 23752 page 276

#### Background and Procedural:

By letter dated and received June 29, 2009, Attorney Albert J. Schulz, on behalf of Mark C. and Jennifer A. Curley, as new owners of the property, requested a 6-month extension of Variance No. 2008-046. That variance was originally issued July 23, 2008 to Steven M. and Nancy M. Costello for property addressed 40 Woodland Avenue, Osterville, MA. For standing, a copy of a recorded deed to the property transferring it to the Curley's was submitted to the file. That deed is recorded in Book 23752 Page 276 at the Barnstable Registry of Deeds.

The variance was to Section 240-11.E of the Barnstable Zoning Ordinance, Bulk Regulations, Minimum Lot Area to the undersized lot of 21,000 sq.ft., for it to be developable. The variance was recorded at the Barnstable Registry of Deeds in 23139 Page 331.

MGL Chapter 40A, Section 10 authorizes the Zoning Board of Appeals, to grant one extension to a variance of up to 6 months without public notice or a public hearing. The request was presented to the Zoning Board of Appeals at the July 8, 2009 regularly scheduled meeting of the Board. At that meeting, Board Chair, Laura F. Shufelt, read the letter requesting the extension.

#### Motion:

At the regularly scheduled meeting of the Zoning Board of Appeals on July 8, 2009, a motion was duly made and seconded to grant a six month extension of Variance No. 2008-046. This extension takes effect July 22, 2009 and shall extend the variance for 6-months to January 22, 2010.

The vote was as follows:

AYE: James F. McGillen, William H. Newton, Craig G. Larson, Alex M. Rodolakis, Laura F. Shufelt  
 NAY: None

#### Ordered:

Variance No. 2008-046 has been granted an extension of six (6) month to expire January 22, 2010. This extension must be recorded at the Registry of Deeds for it to be in effect.

Laura F. Shufelt  
 Laura F. Shufelt, Chair

7/22/09  
 Date Signed

I, Linda Hutchenrider, Clerk of the Town of Barnstable, Barnstable County, Massachusetts, hereby certify the filing of this extension in the office of the Town Clerk.

Signed and sealed this \_\_\_\_\_ day of \_\_\_\_\_ under the pains and penalties of perjury.

\_\_\_\_\_  
 Linda Hutchenrider - Town Clerk