



Town of Mashpee

16 Great Neck Road North
Mashpee, MA 02649

AGENDA MASHPEE ZONING BOARD OF APPEALS WEDNESDAY, JANUARY 10, 2024

The Mashpee Zoning Board of Appeals will hold Public Hearings on
Wednesday, January 10, 2024, at 6:00 p.m. Waquoit Meeting Room
Mashpee Town Hall,

16 Great Neck Road North, Mashpee, MA

Broadcast Live on Local Cable Channel 8

Streamed Live on the Town of Mashpee Website: <https://www.mashpee.ma.gov/channel-8>

PLEDGE OF ALLEGIANCE

CONTINUED HEARINGS

31 Birch Way: Owners, Gary J. and Denise M. Nagle, request a Written Finding under §174-17 of the Zoning Bylaws to allow for reconstruction of an existing garage, and porch addition to a pre-existing, nonconforming structure on property located in an R-5 Zoning District, Map 27 Parcel 86, Mashpee, MA. *(Continued from December 13, 2023 hearings at the request of the Board).*

33 Sunset Circle: Owners, Kevin and Suzanne C. Mulgrew, Trustees of the 33 Sunset Circle Realty Trust request a Written Finding under §174-17 of the Zoning Bylaws to allow for reconstruction and extension of an existing deck to a pre-existing, nonconforming structure on property located in an R-5 Zoning District, Map 64 Parcel 28, Mashpee, MA. *(Continued from December 13, 2023 hearings at the request of the Board).*

NEW HEARINGS

18 Neshobe Road: Owner, Illy I. Ilin requests a Written Finding under §174-17 of the Zoning Bylaws to allow for a 360 sq. ft. addition to a pre-existing, nonconforming structure on property located in an R-3 Zoning District, Map 125, Parcel 105, Mashpee, MA. The subject property has the following nonconformities: minimum lot size and setback to water and wetlands. The lot totals 11,550 sq. ft. (inclusive of water and wetlands), where 40,000 sq. ft. is required. A portion of the existing deck located in the southeast corner is within the 50 ft. setback from water and wetlands. The Board will determine if the proposed addition is or is not substantially more detrimental to the neighborhood than the existing structure.

279 Monomoscov Road: Owners, Patrick J. Dale and Rickart A. Connole, Trustees of the 366 CS Realty Trust request a Special Permit under §174-17.1 of the Zoning Bylaws to raze and replace a pre-existing, nonconforming three bedroom dwelling, and replace it with a new three bedroom dwelling with a detached garage on property located in an R-3 Zoning District, Map 120, Parcel 37, Mashpee, MA. The existing property has the following pre-existing nonconformities: lot area, setback to water and wetlands, lot coverage and minimum side yard setback (southwesterly). The entirety of the subject lot is located in the flood zone.

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The subject lot size is 15,982 sq. ft. (inclusive of water and wetlands) where 40,000 sq. ft. is required. The existing structure is within the 50 ft. setback to water and wetlands noting approximately 26.2 ft. to the coastal bank. The lot currently consists of structures totaling 1,587.4 sq. ft., covering 9.9% of the lot when including water and wetlands. The applicant proposes replacement structures totaling 2,933 sq. ft., and 18.4% proposed lot coverage (inclusive of water and wetlands). The Board will determine whether or not the proposed replacement dwelling and garage has adequate parking, and that any nonconforming aspects of the replacement dwelling are not substantially more detrimental to the neighborhood, and that there are no new nonconformities being created.

14 Ashumet Avenue: Owner, Joseph T. Marino requests a Written Finding under §174-17 of the Zoning Bylaws to allow for construction of a dormer over an existing garage, and a deck addition to a pre-existing nonconforming structure on property located in an R-5 Zoning District, Map 49, Parcel 104, Mashpee, MA. The Board issued an 8.6 ft. Variance in 2003 from the side lot line for the existing 24 ft. by 34 ft. garage. The subject lot is pre-existing, nonconforming consisting of 11,250 sq. ft. of land where 80,000 sq. ft. is required. The Board will determine if the proposed deck addition, and dormer alteration on the northwest corner of the existing garage will be substantially more detrimental than the existing nonconforming structure or use to the neighborhood, and that there is adequate land area to provide sufficient parking as may be required.

5 Sheffield Place: Owners, Christopher P. Funk and Donna M. Funk request a Variance under §174-31 of the Zoning Bylaws to allow for construction of a 200 sq. ft. shed on property located in an R-5 Zoning District, Map 29, Parcel 150, Mashpee, MA. The shed in question is unlawfully pre-existing and is 11' from the property line where 15' is required. The Board will determine if there is a hardship resultant from a unique lot shape, topographical, or soil condition that justifies the requested relief pursuant to MGL 40A Section 10.

OTHER BUSINESS

- Approve Meeting Minutes dated December 13, 2023.
- ZBA Criteria Checklist Review.

ADDITIONAL TOPICS

(This space is reserved for topics that the Chairman did not reasonably anticipate would be discussed.)

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