

Zoning Board of Appeals
MINUTES
Wednesday, January 28, 2026
7:00 PM

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, January 28, 2026, at the time indicated:

The Zoning Board of Appeals Public Hearing will be held by remote participation methods. Public access to this meeting shall be provided in the following manner:

1. The meeting will be televised live via Xfinity Channel 18 or high definition Channel 1072. It may also be accessed via the Government Access Channel live stream on the Town of Barnstable’s website:
<https://barnstable.cablecast.tv/internetchannel/watch-now>
2. Real-time access to the Zoning Board of Appeals meeting is available utilizing the Zoom link or telephone number and Meeting ID provided below. Public comment can be addressed to the Zoning Board of Appeals by utilizing the Zoom link or telephone number and Meeting ID provided below:

Join Zoom Meeting Option	Telephone Number Option
https://townofbarnstable-us.zoom.us/j/81707197773	US Toll-free: 888 475 4499
Meeting ID: 817 0719 7773	Meeting ID: 817 0719 7773

Applicants, their representatives and individuals required or entitled to appear before the Zoning Board of Appeals may appear remotely, and may participate through accessing the link or telephone number provided above. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting to anna.brigham@barnstable.gov so that they may be displayed for remote public access viewing.

Copies of the applications are available for review by calling (508) 862-4682 or emailing anna.brigham@barnstable.gov.

Call to Order

Acting Chair Herb Bodensiek calls the meeting to order at 7:05 PM with an introduction of Board Members:

Member	Present	Absent
Dewey, Jacob – Chair		X
Bodensiek, Herbert – Vice Chair	X	
Pinard, Paul – Clerk	X	
Alves, Manny	X	
Dworkis, Debra	X	
Hurwitz, Larry		X
Webb, Aaron	X	

Also present is Anna Brigham, Principal Planner and Genna Ziino, Administrative Assistant.

Notice of Recording

This meeting of the Zoning Board of Appeals is being recorded and broadcast on the Town of Barnstable’s Government Access Channel. In accordance with MGL Chapter 30A §20, I must inquire whether anyone is recording this meeting and if so, to please make their presence known.

Minutes

November 12, 2025 – Manny Alves moves to approve. Aaron Webb seconds.

Vote:

Aye: Herb Bodensiek, Manny Alves, Debra Dworkis, Aaron Webb

Nay: None

Abstain: Paul Pinard

Old Business

7:00 PM

Appeal No. 2025-035

Ashley Manor LLC

Ashley Manor LLC has applied for a Special Permit pursuant to Section 240-11 C. (6) Condition Uses in the RB, RD-1, and RF-2 Districts – Bed and Breakfast. The Applicant is seeking to change the use from group home to owner-occupied bed and breakfast. The subject property is located at 3660 Main Street, Barnstable, MA as shown on Assessor's Map 317 as Parcel 021-001. It is located in the Residence F-2 (RF-2) Zoning District. Continued from December 10, 2025 and January 14, 2026. Members assigned: Dewey, Bodensiek, Pinard, Webb, Alves.

Acting Chair Bodensiek notes that Jake Dewey is an assigned member but is not present, so he assigns Debra Dworkis instead, who was present at both previous meetings. The Chairman reads Appeals No. 2025-041, -042, and -043 for Ashley Manor into the record as well.

Attorney Patrick Nickerson is representing the applicant and is joined by Dan Ojala, engineer, and owners Virginia Donovan, Philippe Pieri, and Kai Cole. Attorney Nickerson explains that in 1998 the original special permit and variance were granted allowing 6 bedrooms and 12 lodgers onsite. That was the historical use from 1985 until 2023, where the property was briefly used as a group home. Now, the applicants are seeking to reopen as a B&B. The owners are Barnstable High School graduates and have experience managing properties, including historic ones, in Barnstable. This is part of their retirement plan. The main house is 5,400 sq. ft. and dates back to at least 1720. There are resources needed to preserve it, and the income from the B&B is necessary for that. They are proposing 5 guest bedrooms in the main house and 1 in the cottage. No cooking facilities are proposed in any. The remaining requirements of 11 C.(6) are met.

For the special permit modification (2025-41), Attorney Nickerson says the issuance of the existing special permit satisfies the prongs—there are no proposed site changes or exterior changes. The proposal does not derogate, because this has been in practice for 40+ years.

For the variance (2025-042) Attorney Nickerson explains that the proposal is to modify the original variance, to transfer it to the new owners and to allow 6 bedrooms as proposed. The Board previously found that sufficient variance conditions existed to grant approval, and he relies on those findings and add that the cottage itself has unique features in shape and location.

Back to the Board for questions. Paul Pinard asks Attorney Nickerson to clarify the specific requests. Attorney Nickerson explains that he filed in such a way to cover all their bases: two modifications were filed, and then also, an application for a new special permit and a new variance were filed, almost ignoring the previous decisions altogether given the brief use as a group home. Chair Bodensiek asks how many bedrooms were used during the use as a group home. Attorney Nickerson says they enlisted the Dover Amendment, so that use didn't require a decision from this Board, but the cottage was used as quarters and all bedrooms were used. Kai Cole says it's always been all the bedrooms used for the B&B.

Dan Ojala, surveyor and engineer, walks through the site plan. There are 12 parking spaces where 10 are required, and room to expand. There is a low-impact, native-type design, and the site is well drained. The septic was adequate, healthy capacity.

The Board discusses whether they need to be concerned over the cottage becoming rentable, where it wasn't in the past. The group discusses whether they need to approve the two modifications if the Board approves the new applications. Attorney Nickerson says no, except that would nullify all the conditions from the existing decisions. Manny Alves asks what has changed since the decision that explicitly stated the cottage not be rented. Attorney Nickerson says what has changed generally would be the local appetite for accessory structures. They looked into using it as an ADU, but it's not a dwelling and doesn't have cooking facilities (which are prohibited in B&B regs), and it also can't be utilized because of the commercial use of the main house. The cottage was constructed in 1935 and has been used as an accessory bedroom for 40+ years, and can't be converted to an ADU without conflicting with the ADU bylaws. As it sits, it has no way to generate income, despite that it's essentially exempt under 40A Section 6 and 7, through no fault of the applicant who purchased the property thinking they could rent it. He submits the Board could modify the condition to allow use of the one bedroom cottage. The Board discusses the reasoning behind the old ZBA calling out specifically that the cottage should not be included in the rentals. The Board discusses whether the rooms in the main house could be reconfigured to make the existing count work. The applicant says they cannot because of privacy concerns, so they are unable to meet the allowed 6 bedrooms in the main house that the original variance decision allowed. The Board discusses whether they should proceed with modifying the variance and then withdraw the two extraneous applications after.

Attorney Nickerson asks the Board to grant 2025-041 to transfer it to the name of Ashley Manor LLC; to grant 2025-042 to transfer it to the name of Ashley Manor LLC and make an additional modification to condition 2 to read, "the renting of up to 6 bedrooms for

B&B use is allowed in the main house and cottage without new construction. The cottage may be used as part of B&B operation for rental to lodgers as a separate single bedroom for lodging purposes.”

Chair Bodensiek opens for public comment. There is none. The Chairman moves to close public comment. Aaron Webb seconds.

Vote:

Aye: Herb Bodensiek, Manny Alves, Paul Pinard, Debra Dworkis, Aaron Webb

Nay: None

Chair Bodensiek moves to close the public hearing. Aaron Webb seconds.

Vote:

Aye: Herb Bodensiek, Manny Alves, Paul Pinard, Debra Dworkis, Aaron Webb

Nay: None

Attorney Nickerson requests to withdraw Appeals No. 2025-035 and 2025-043 without prejudice. Manny Alves moves to approve the request. Aaron Webb seconds.

Vote:

Aye: Herb Bodensiek, Manny Alves, Paul Pinard, Debra Dworkis, Aaron Webb

Nay: None

Appeals No. 2025-035 and 2025-043 Ashley Manor LLC are withdrawn without prejudice.

New Business

7:00 PM

Appeal No. 2025-039

High Point Treatment Centers, Inc

High Point Treatment Centers, Inc has applied for a Modification Permit in connection with the proposed educational use, protected under G.L. c. 40A, Section 3. The Applicant seeks to authorize an approximately 539 sq. ft. addition for a new, handicapped accessible elevator and entrance at the southwest corner of the building. The proposal will not alter the existing impervious coverage at the site nor the buffer areas, but it will create a new front yard setback nonconformity and intensify the preexisting nonconforming side yard setback. The subject property is located at 60 Perseverance Way, Hyannis, MA as shown on Assessor’s Map 295 as Parcel 008. It is located in the Industrial (IND) Zoning District.

Attorney Liza Cox is representing the applicant and is joined by Daniel Mumbauer; Dan Ojala, engineer; and Dan Lewis, the project architect.

Attorney Cox walks through existing conditions: the property is 2.07 acres in the IND and multiple overlay districts. It is developed with an existing 2-story commercial building constructed in 1975. It’s 17,185 sq. ft. for a total gross floor area of 33,591 sq. ft. Some parking spaces extend past the property line and as part of this, they are proposing to bring those back on this property. It is lawfully nonconforming to impervious coverage. There are portions currently leased to a state agency, and the remaining portion is vacant but was used by the MA Dept. of Revenue. The 2nd floor is vacant but used to be office space and beds for the MA Dept. of Health.

The proposed project is a nonprofit charity whose mission is to prevent and treat substance abuse and mental health disorders. They are proposing to renovate the west side of the first floor and the entire second floor to operate an inpatient and outpatient counseling, rehab, and education center. The first floor is outpatient counseling and educational programs for children and adults. The second floor is 64 treatment beds for detox, rehab, and educational programs for inpatient adults. 10 hours a day there are educational activities.

The proposed use qualifies under the Dover Amendment and there is lots of case law to support that proposition. Exempt uses must comply with reasonable bulk requirements. Towns cannot require variance relief from reasonable dimensional requirements. The project complies or is preexisting nonconforming except for two setbacks associated with a proposed accessible entrance/elevator. The town created a modification permit different from a special permit for this purpose. They have 46.9 ft. where 60 ft. is required. The side yard setback is going from 25.1 ft. to 18.7 ft. They are proposing an additional separate entrance for youth outpatient counseling from adult outpatient counseling and adult inpatient.

Attorney Cox suggests that a modification permit is warranted. She submits that strict application of dimensional requirements would substantially detract from the usefulness of the site. For the wellbeing of the patients, the applicant wants to create separation. There are no public safety hazards or nuisances.

The Chair assigns himself, Paul Pinard, Aaron Webb, Manny Alves, and Debra Dworkis.

Back to the Board for questions. Aaron Webb asks if they could create a new entryway for the adult portion to the addition and leave the youth entrance. Dan Lewis says they looked at a number of options. He explains that the proposal is not only the intake area for inpatients, but also a way to move them upstairs to their final location. If they brought patients in the side entrance, they would have to go through half the building and combine with the adolescents, so functionally it doesn't work. Mr. Mumbauer says the second elevator is also good in case they need to repair the first elevator—it increases accessibility. The group discusses the nonprofits.

Dan Ojala says there was a typo on the site plan: the side yard setback should be 18.4 not 18.7 ft.

Chair Bodensiek opens public comment. Town Councilor Betty Ludtke asks if patients are inside the whole time; what brought High Point here; is this their first location on Cape Cod; and how they chose Barnstable. Mr. Mumbauer says there is a grassy area with picnic tables where people can sit, but patients stay on the property. The kids' clinic is age 3 and up. They have never worked on cape before. The reason is because there is a pending reduction of beds available on cape because the state is moving the only location in Falmouth across the bridge. There are about 1,000 admissions a year from the cape. Plymouth is the closest hub to the cape. The cape location is the smallest of the 4 hubs. They chose the location in Hyannis to serve anyone on cape because it's centrally located and it's right off the highway. Councilor Ludtke asks if they're working with an existing network of sober houses and whether they've done analysis that we can handle what they're doing. Mr. Mumbauer says they work with sober houses and halfway houses throughout the commonwealth. The Falmouth location was leased, and their lease is ending. Unfortunately, there are never enough beds. Councilor Ludtke asks if they foresee coming back if they find another building. Mr. Mumbauer says it's a decent-sized facility with 64 beds. They have 1,400 employees and it takes over 100 people to run this facility so it's a balance. They unfortunately couldn't find enough clinical staff to expand. Manny Alves asks in terms of licensing, are they subject to any in the town. Mr. Mumbauer says yes, a part of the plan is a commercial kitchen, for which they are working with the Dept. of Health.

Aaron Webb moves to close public comment. Paul Pinard seconds.

Vote:

Aye: Herb Bodensiek, Manny Alves, Paul Pinard, Debra Dworkis, Aaron Webb

Nay: None

Aaron Webb moves to close the public hearing. Paul Pinard seconds.

Vote:

Aye: Herb Bodensiek, Manny Alves, Paul Pinard, Debra Dworkis, Aaron Webb

Nay: None

Aaron Webb makes findings:

1. The application falls within a category specifically excepted in the ordinance for a grant of a modification permit. This is protected under G.L. c. 40A, Section 3.
2. Site Plan Review Committee found the project approvable subject to zoning relief in a letter dated December 19, 2025.
3. After an evaluation of all the evidence presented, the proposal fulfills the spirit and intent of the Zoning Ordinance and would not represent a substantial detriment to the public good or the neighborhood affected. He finds that separating adult and adolescent uses is an improvement.

Manny Alves adds findings under Section 240-8:

4. The above regulations would substantially diminish or detract from the usefulness of the proposed development or impair the character of the development so as to affect its intended use. Allowing this will not create a public safety hazard along the adjacent roadways or create a nuisance to the surrounding properties such that it would impair the use of these properties.

Paul Pinard seconds.

Vote:

Aye: Herb Bodensiek, Manny Alves, Paul Pinard, Debra Dworkis, Aaron Webb

Nay: None

Attorney Cox asks to remove the proposed condition no. 3 because it's only held to reasonable dimensional.

Manny Alves makes a motion to grant the special permit based on findings, with conditions from the Staff Report dated January 15, 2026, removing condition no. 3. Paul Pinard seconds.

Vote:

Aye: Herb Bodensiek, Manny Alves, Paul Pinard, Debra Dworkis, Aaron Webb

Nay: None

Herb Bodensiek votes to grant the modification permit with conditions. Paul Pinard seconds.

Vote:

Aye: Herb Bodensiek, Manny Alves, Paul Pinard, Debra Dworkis, Aaron Webb

Nay: None

Modification No. 2025-039 High Point Treatment Centers, Inc is granted with conditions.

7:01 PM

Appeal No. 2025-041

Ashley Manor LLC

Ashley Manor LLC has applied for a Modification of Special Permit No. 1998-61B to allow the continued operation of a 6-bedroom bed and breakfast with a maximum of 12 lodgers under new ownership. The relief was originally granted in 1998, and the special permit has been previously modified in 2001, 2004, and 2019 to transfer it to each successive owner. The subject property is located at 3660 Main Street, Barnstable, MA as shown on Assessor's Map 317 as Parcel 021-001. It is located in the Residence F-2 (RF-2) Zoning District.

Note: This was discussed in concert with Appeal No. 2025-035. The summary of dialogue can be found under that appeal number.

Aaron Webb makes findings:

1. The application falls within a category specifically excepted in the ordinance for a grant of a special permit. Section 240-11 C. (6) allows B&B's with a Special Permit.
2. After an evaluation of all the evidence presented, the proposal fulfills the spirit and intent of the Zoning Ordinance and would not represent a substantial detriment to the public good or the neighborhood affected. He finds that the history of the property and its use proves that 6 bedrooms and 12 lodgers is not more detrimental.
3. A Site Plan has been reviewed and found approvable with conditions. Site Plan Review has issued a No Detriment letter dated December 3, 2025.

Paul Pinard seconds.

Vote:

Aye: Herb Bodensiek, Paul Pinard, Manny Alves, Aaron Webb, Debra Dworkis

Nay: None

Aaron Webb makes a motion to grant Special Permit No. 2025-041 based on findings, with conditions 1-4 from the Staff Report dated January 15, 2026. Manny Alves thinks the Board needs to include the conditions from prior decisions. Attorney Nickerson finds that acceptable. They decide to add a condition no. 5:

5. Conditions outlined in Special Permit No. 1998-61B are incorporated herein.

Chair Bodensiek moves to accept the conditions. Paul Pinard seconds.

Vote:

Aye: Herb Bodensiek, Paul Pinard, Manny Alves, Aaron Webb, Debra Dworkis

Nay: None

Manny Alves moves to vote in favor of granting the special permit with conditions as discussed. Paul Pinard seconds.

Vote:

Aye: Herb Bodensiek, Paul Pinard, Manny Alves, Aaron Webb, Debra Dworkis

Nay: None

Special Permit No. 2025-041 Ashley Manor LLC is granted with conditions.

7:02 PM

Appeal No. 2025-042

Ashley Manor LLC

Ashley Manor LLC has petitioned for a Modification of Variance No. 1998-62B to allow the continued operation of a 6-bedroom bed and breakfast with a maximum of 12 lodgers under new ownership. This relief was originally granted in 1998, and the variance has been previously modified in 2001, 2004, and 2019 to transfer it to each successive owner. The subject property is located at 3660 Main Street, Barnstable, MA as shown on Assessor's Map 317 as Parcel 021-001. It is located in the Residence F-2 (RF-2) Zoning District.

Note: This was discussed in concert with Appeal No. 2025-035. The summary of dialogue can be found under that appeal number.

Paul Pinard makes findings:

1. Variance No. 2025-042 is seeking to modify Variance No. 1998-62B to allow the continued operation of a 6-bedroom bed and breakfast with a maximum of 12 lodgers under new ownership. This relief was originally granted in 1998, and the variance has been previously modified in 2001, 2004, and 2019 to transfer it to each successive owner. The subject property is located at 3660 Main Street, Barnstable, MA. All other conditions are in effect except the modification of Condition No. 2.
2. The renting of up to 6 bedrooms for a B&B use is allowed in the main house and the cottage. The cottage may be used as part of the operations for rental to lodgers or as a separate one bedroom for renting purposes.

Aaron Webb seconds.

Vote:

Aye: Herb Bodensiek, Paul Pinard, Manny Alves, Aaron Webb, Debra Dworkis

Nay: None

Paul Pinard makes a motion to grant Variance No. 2025-042 based on findings, with conditions 1-4 from the Staff Report dated January 15, 2026.

Vote:

Aye: Herb Bodensiek, Paul Pinard, Manny Alves, Aaron Webb, Debra Dworkis

Nay: None

Paul Pinard moves to grant the variance. Herb Bodensiek seconds.

Vote:

Aye: Herb Bodensiek, Paul Pinard, Manny Alves, Aaron Webb, Debra Dworkis

Nay: None

Variance No. 2025-042 is granted with conditions.

7:03 PM

Appeal No. 2025-043

Ashley Manor LLC

Ashley Manor LLC has petitioned for a Variance pursuant to Section 240-11 C. (6) (b) [2] Conditional Uses, Bed and Breakfasts. The Petitioner seeks relief for the maximum number of bedrooms and the maximum number of lodgers permitted in a bed and breakfast. The Petitioner proposes to operate a 6-bedroom bed and breakfast with a maximum of 12 lodgers where 3 bedrooms and 6 lodgers are allowed. The relief was originally granted in 1998 and is requested in the alternative to the Petitioner's request for modification of the 1998 variance. The subject property is located at 3660 Main Street, Barnstable, MA as shown on Assessor's Map 317 as Parcel 021-001. It is located in the Residence F-2 (RF-2) Zoning District.

Note: This was discussed in concert with Appeal No. 2025-035. The summary of dialogue can be found under that appeal number.

Appeal No. 2025-043 is withdrawn without prejudice.

7:04 PM

Appeal No. 2025-040

WS Landing at Hyannis LLC

WS Landing at Hyannis LLC has petitioned for a Modification of Variance No. 2023-022, which adopted site-wide criteria governing signage for The Landing at Hyannis. The proposed modification seeks the addition of one additional 35 sq. ft. free-standing sign without any increase to the total sign area approved for the site. The subject property is located at 790 Iyannough Road, Hyannis, MA as shown on Assessor's Map 311 as Parcel 092. It is located in the Highway Business (HB) and Business (B) Zoning Districts.

Chair Bodensiek assigns himself, Paul Pinard, Aaron Webb, Manny Alves, and Debra Dworkis.

Attorney Eliza Cox is representing the applicant and is joined by Katie Champion of WS Development and Ronald Hart representing Panera. Attorney Cox explains that they were previously before the Board in November seeking a new variance to enable the construction of a drive through menu sign for Panera's approved drive through. After hearing the Board's concerns about granting that, they withdrew the application and met with town officials regarding the best approach to bring this forward, recognizing that adequate signage is a critical factor for the drive through the Board approved. The consensus was to seek an amendment of the existing sign variance decision that this Board granted, and to do it so that it does not increase the authorized amount of signage area on the property.

Attorney Cox walks through the site plan. It is 27 acres with multiple frontages. The Board previously issued an allowance for drive throughs. The existing variance from 2023 included broad recognition of variance conditions on the site, and the benefits of the signage package. The modification request is proposing the addition of one freestanding sign, which they suggest is necessary to promote public safety and the safe operations of the drive through. The modification does not increase total allowable sign area that's been authorized. What's proposed is that a portion of the previously approved signage will be removed from a freestanding pylon to a new freestanding sign. There will be 4 freestanding signs proposed in total, AKA 1 per 6.75 acres, which is not an increase.

The site contains unique circumstances, and the Board has already found that there is substantial hardship of literal enforcement. It jeopardizes the lease, and the functionality and safety of the drive through the Board already approved. It is not a substantial detriment or derogation. It's not a new variance; they are staying within the parameters of approved signage area; there is no increase in signage area, only reallocating; there's a reduction in total number of freestanding signs; the orientation of this sign is interior and set back 90 feet from Route 132. The applicant would agree to a condition that both Ella's and Tiki Port would be removed contemporaneously so there's no new increase in signage.

Back to the Board for questions. The Board discusses whether they think the drive-through sign location makes sense. Manny Alves has a problem with the ordinance rather than this appeal. The Board approved LED-lit signs in a prior variance. The Board discusses the issue of this being already approved. It is a unique lot.

Attorney Cox would recommend modifying the conditions of the prior variance by substituting the revised documentation they've submitted. She requests to remove or revise condition no. 3 from the Staff Report, because there are directional signs from the Building Commissioner. They could revise it to say further addition is prohibited without prior approval from Board. Ms. Champion says one concern is that there will be tenants changing signage. The group discusses directional signage, which is not included in the overall scope. Attorney Cox says the original variance limits tenants to certain signage based on their location on the site, including directional signage. The Board discusses whether they can limit what they approve today to this tenant, so if it changes, the sign has to come back to the Board. Manny Alves says it's more complicated than that because of the original decision, which separated the lot into locations. Manny Alves says they are only asking to change the pylon signs, not all signs. Attorney Cox thinks her requested changes cover these issues. It will only change the numbers for pylon signs, and limit it to the exact image of the Panera sign. The group discusses whether that is enough. Aaron Webb is concerned that the applicant will be back before the Board again, continually shuffling the deck of signage. Manny Alves says that is the bed the Board made by granting the original variance.

The group discusses how to phrase findings and whether the approval should be assigned to the building rather than the tenant.

Chair Bodensiek opens public comment. There is none. Aaron Webb moves to close public comment. Paul Pinard seconds.

Vote:

Aye: Herb Bodensiek, Paul Pinard, Aaron Webb, Manny Alves, Debra Dworkis

Nay: None

Aaron Webb moves to close the public hearing. Paul Pinard seconds.

Vote:

Aye: Herb Bodensiek, Paul Pinard, Aaron Webb, Manny Alves, Debra Dworkis

Nay: None

Paul Pinard makes findings:

1. Variance No. 2025-040 is seeking to modify only the addition of one (1) single free-standing sign within the approximately 27-acre parcel, which is necessary to promote public safety. It will not increase the total allowable signage area for the site. All other conditions are in effect.

Aaron Webb seconds.

Vote:

Aye: Herb Bodensiek, Paul Pinard, Aaron Webb, Manny Alves, Debra Dworkis

Nay: None

The Board discusses the necessary changes to conditions.

Aaron Webb move to grant Variance No. 2025-040 subject to the following conditions:

1. WS Landing at Hyannis LLC has petitioned for a Modification of Variance No. 2023-022, which adopted site-wide criteria governing signage for The Landing at Hyannis. The proposed modification seeks the addition of one additional 35 sq. ft. free-standing sign without any increase to the total sign area approved for the site. The subject property is located at 790 Iyannough Road, Hyannis, MA.
2. The site development shall be constructed in substantial conformance with the plan entitled "The Landing at Hyannis" Barnstable, MA – proposed pylon & Freestanding signs" dated December 17, 2025.
3. The proposed development shall represent full build-out of the lot signage of Variance No. 2023-022 as modified by this Variance. Further addition of freestanding or pylon signage is prohibited without prior approval from the Board.
4. The decision shall be recorded at the Barnstable County Registry of Deeds and copies of the recorded decision shall be submitted to the Zoning Board of Appeals Office and the Building Division prior to the issuance of a building permit. The rights authorized by this variance must be exercised within one year, unless extended.
5. Condition 2 of the original variance shall be modified to substitute the revised application materials: "The Landing at Hyannis Barnstable, MA – Proposed Pylon & Freestanding Signs, dated 12/17/25," consisting of 13 pages."
6. Remove Tiki Port and Ella's bakery signs contemporaneous with the construction.

Manny Alves seconds.

Vote:

Aye: Herb Bodensiek, Paul Pinard, Aaron Webb, Manny Alves, Debra Dworkis

Nay: None

Aaron Webb moves to grant with conditions. Paul Pinard seconds.

Vote:

Aye: Herb Bodensiek, Paul Pinard, Aaron Webb, Manny Alves, Debra Dworkis

Nay: None

Variance No. 2025-040 is granted with conditions.

Correspondence

- Cape Cod Commission hearing notice for Great Neck Road North WCT February 2, 2026 at 5:00 pm
- Cape Cod Commission Meeting Agenda for January 22, 2026 at 3:00 pm
- 1/27/26 Wychmere Subcommittee meeting agenda

Matters Not Reasonably Anticipated by the Chair

Upcoming Hearings

February 11, 2026 (in person), February 25, 2026 (remote), March 11, 2026 (in person)

Paul Pinard won't be present at the February 11 meeting. Manny Alves might not be able to attend February 11. Aaron Webb would like staff to notify other applications on the 40B hearing date that it will be a long meeting.

Adjournment

Aaron Webb moves to adjourn. Herb Bodensiek seconds.

Vote:

Aye: Herb Bodensiek, Paul Pinard, Manny Alves, Debra Dworkis, Aaron Webb

Nay: None

Documents Used at this Meeting

- November 12, 2025 minutes
- Application materials for Appeal No. 2025-035 Ashley Manor LLC
- Application materials for Appeal No. 2025-041 Ashley Manor LLC
- Staff Report dated January 15, 2026 for 2025-041
- Application materials for Appeal No. 2025-042 Ashley Manor LLC
- Staff Report dated January 15, 2026 for 2025-042
- Application materials for Appeal No. 2025-039 High Point Treatment Centers, Inc
- Staff Report dated January 15, 2026 for 2025-039
- Application materials for Appeal No. 2025-040 WS Landing at Hyannis LLC
- Staff Report dated January 15, 2026 for 2025-040

Respectfully submitted,
Genna Ziino, Administrative Assistant

Further detail may be obtained by viewing the video via the Barnstable Government Access Channel on demand at town.barnstable.ma.us