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Injunction Issued Against Lighthouse Lane Homeowner

By MICHAEL J. RAUSCH 9 hrs ago

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Neighbors and town officials continue to wrangle over events being hosted at the Wings Neck Lighthouse property in Pocasset.

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Another legal ruling has been issued to prohibit a Wing's Neck homeowner from allowing renters to use her property for special events.

A Barnstable Superior Court judge has issued a preliminary injunction against Christina Stevens of Lighthouse Lane. The injunction, dated Wednesday, June 12, denies Ms. Stevens the right to allow renters of her property to hold events, such as weddings and receptions.

The preliminary injunction was sought by Bourne resident James F. Molloy.

In issuing the preliminary injunction, Barnstable Superior Court Judge Beverly J. Cannone ruled that Ms. Stevens was prohibited from “allowing weddings or wedding receptions or similar events” at her Lighthouse Lane home “until final judgment is entered in this case.”

Ms. Stevens has filed her own appeal against a judge’s ruling from last December that came down on the side of the Bourne Zoning Board of Appeals. The zoning board’s decision resulted in Ms. Stevens’ being prohibited from allowing people renting her property to hold special events.

In a nine-page ruling dated November 28, 2018, Superior Court Judge Kenneth J. Fishman sided with the zoning board’s decision. Judge Fishman concurred with the zoning board that holding the events at the home did not constitute “an accessory use of the property,” which is allowed in residential districts under Bourne zoning bylaws.

In September, 2016, the board of appeals rescinded a deal the Bourne Board of Selectmen struck with Ms. Stevens that allowed her to hold a limited number of events at her Lighthouse Lane home.

The deal granted Ms. Stevens the right to hold no more than four functions on her property throughout the months of May, June, August and September.

The agreement also had placed numerous restrictions on how the events could be conducted, including the number of guests, hours of operation and a police detail requirement, depending on the number of attendees.

The board of appeals overturned the deal, stating they felt that the board of selectmen had overstepped its authority in the matter by not supporting the zoning board and Bourne Building Inspector Roger M. Laporte.

Ms. Stevens’ appeal is still being adjudicated. The injunction prohibits the holding of any events at her home until a final decision has been rendered.