



Town of Barnstable
Planning Board
Agenda
January 24, 2011

The following hearings will be held at Barnstable Town Hall, 367 Main Street, Hyannis, MA, Hearing Room, 2nd Floor.

Meeting notice previously filed with Town Clerk

Revised as of 01-14-11

Approval Not Required Plans - None received.

Security and Lot Release Requests - None received.

Subdivisions - None received.

7:00 pm Special Permit Application No. 2011-01 Lyndon Paul Lorusso Charitable Foundation

The Village at Barnstable Continuing Care Retirement Community

Filed: November 24, 2010 (No Extension) Opened: January 10, 2011, continued at the request of the Applicant to January 24, 2011 for a Public Hearing Decision Due: April 8, 2011

The Lyndon Paul Lorusso Charitable Foundation of 2002 has filed Special Permit Application No. 2011-01 pursuant to Section 240-29 SCCRCOD Senior Continuing Care Retirement Community Overlay District. Applicant seeks to develop "The Village at Barnstable" a continuing care retirement community situated on 25.9 acres adjacent to Communications Way, Barnstable, consisting of 340 units of independent and assisted living; and a 60-bed skilled nursing facility together with a Commons (amenities) Building for a total of 6 buildings. The inclusionary affordable component is to be constructed off-site (see Special Permit 2011-02 notice below). The property is commonly addressed 265, 226, 200, 191, 175, 180, 160, 145, 125, and 0 Communication Way, Barnstable, MA, and is located as shown on Assessor's Map 314 as parcels 044, 045, 038, 046, 047, 037, 036, 048, 049, and Map 315, Parcel 042. The subject property is zoned IND – Industrial Zoning District/SCCRCOD and WP Overlay Districts.

7:00 pm Special Permit Application No. 2011-02 Lyndon Paul Lorusso Charitable Foundation

Lyndon Court Multifamily Affordable Housing

Filed: November 24, 2010 (No Extension) Opened: January 10, 2011, continued at the request of the Applicant to January 24, 2011 for a Public Hearing Decision Due: April 8, 2011

The Lyndon Paul Lorusso Charitable Foundation of 2002 has filed Special Permit Application No. 2011-02 pursuant to Section 240-16.1 Multifamily Affordable Housing (MAH) Residential District as the affordable component for the continuing care retirement community "Village at Barnstable" (see Special Permit

2011-01 notice above). The Applicant seeks to redevelop and convert the former Whitehall Manor Nursing Home to 21 one-bedroom affordable units and 21 two-bedroom affordable units for a total of 42 multifamily affordable units. The property is commonly addressed 850 Falmouth Road (Route 28), Hyannis, MA, and is located as shown on Assessor's Map 250, as Parcel 036. The subject property is zoned MAH Residential and GP Overlay District.

**7:00 pm
Trustee**

Regulatory Agreement No. 2010-01

HSR Realty Trust, Wayne Kurker,

Reuse of 90 High School Road Extension & 67 Winter Street, Hyannis, MA

First Public Hearing: November 22, 2010 (Application Addendum November 23, 2010)

Second Public Hearing: December 13, 2010 Public Hearing Closed

Continued January 10, 2011, and to January 24, 2011 for review and finalizing of Draft Agreement

HSR Realty Trust, Wayne Kurker, Trustee has applied for a Regulatory Agreement under Chapter 168, for property located at 90 High School Road Extension and 67 Winter Street, Hyannis, MA, consisting of approximately 3.79 acres, shown on Town of Barnstable Assessors Map 309 as Parcels 265 and 215. The Regulatory Agreement seeks to permit uses to be conducted at the existing premises which are not authorized under the Table of Use Regulations, Section 240-24.1.6 in an OM Office Multi-Family Residential Zoning District. Those uses include automobile dealership with sales and service/repairs, private educational facility, indoor storage and service of boats, retail and mixed use of retail/office, and food retail sales with delivery including, without limitation, a farm market or other type of supermarket. No construction is proposed on site, other than interior renovations to the existing approximately 51,000 square foot building in order to accommodate the new use of the building.

7:00 pm

Regulatory Agreement No. 2011-01

89 Lewis Bay, LLC

Amend Existing Regulatory Agreement issued to "Greenery Development LLC"

First Public Hearing: January 10, 2011

Continued to January 24, 2011 for Second Public Hearing

89 Lewis Bay, LLC has applied for an Amendment of Regulatory Agreement 2007-02 issued to "Greenery Development LLC". The applicant seeks to modify the existing Regulatory Agreement authorizing rehabilitation and expansion of an existing structure at 89 Lewis Bay Road with related parking at 42 South Street, Hyannis. The existing regulatory agreement sets forth development density, parking, setbacks, building height and lot coverage regulations for +/-60,000 sq. ft. of the building as 42 residential units and +/-20,000 square feet to be used as medical offices and all other allowed uses within the Medical Services District. Applicant seeks to retain all of the approved uses under the existing regulatory agreement and to modify that existing regulatory agreement by adding education (culinary arts), as an additional use, for approximately 8,000 square feet on the first floor. The 8000 sq.ft. was subsequently changed to 10,000 sq.ft. at the first public hearing.

Additionally, the applicant seeks to amend the existing regulatory agreement to eliminate mitigation contained in Paragraph #4 of the agreement, specifically: \$250,000.00 for improvement within the

layout of South Street; \$150,000.00 for public works improvement; and, \$34,421.00 toward South Street layout. Amending of Paragraph #5 of the regulatory agreement is also requested to provide an extension of time for construction through December 31, 2011. Relief for the modification is requested pursuant to Section 240-24.1.4(A) principal permitted uses in the Medical Services District to allow an educational use; as well as Section 240-24.1.10 Site Development Standards and Section 240-56 Schedule of Off-Street Parking Requirements for additional parking required for an educational use. The applicant is 89 Lewis Bay, LLC. Properties are addressed 89 Lewis Bay Road, Hyannis located in the Hyannis Village Medical Services District and 42 South Street, Hyannis, located in the Hyannis Village Harbor District and shown on Assessor's Map 327 as Parcel 223 and Map 327 as Parcel 241, respectively.

7:15 pm Special Permit Application No. 2011-003 Ed Leslie, Trustee of the Saturn Realty Trust

Expansion/alteration of existing non-conforming auto dealership

Filed: January 7, 2011 (No Extension) To Open: January 24, 2011 Decision Due: April 22, 2011

Ed Leslie, Trustee of the Saturn Realty Trust has filed a Special Permit Application No. 2011-03 pursuant to Section 240-94(B) Expansion of Pre-Existing, Non-Conforming Use; Section 240-93(B) Expansion of Pre-existing, Non-Conforming Structure; and Section 240-24.1.10.A.4(a)[1]&[4], Reduction of Parking Requirements by Special Permit, being the identical relief previously granted by Special Permit No. 2007-06. The Applicant proposes to expand the existing non-conforming structure and use by constructing an addition consisting of 4,414 sq.ft. to be utilized for 8 service and 2 wash bays. The 3 existing service bays are to be converted to associated storage and ancillary use. Enhanced landscaping, reduction of impervious coverage and other site improvements in connection with the redevelopment are proposed. The property location is addressed 141, 145 & 151 Stevens Street and 91 Bassett Lane, Hyannis, MA, and shown respectively on Assessor's Map 309 as Parcels 237, 238, 239; and on Map 308 as Parcel 042 in the Hyannis Village Office/Multifamily Residential Zoning District.

Correspondence

Chapter 91 License has been received to amend license 9948 to modify float and permit maintenance dredging and eliminate a condition which restricts use of the pier to non-motorized vessels. Location is 75 Bayberry Way, Osterville, MA.

Chapter 91 License has been received to construct a private pier accessory to a single family residence and replacement of a seawall. Location is 90 Short Beach Road, Centerville, MA

Chairman's Discussion

Future Meetings

Regularly scheduled Planning Board meetings 7:00 p.m.: February 14 & 28 and March 14 & 28, 2011.