



**Town of Barnstable
Planning Board
Agenda
December 09, 2013**

Barnstable Town Hall, 367 Main Street, Hyannis, MA, Hearing Room, 2nd Floor.
Meeting notice previously filed with Town Clerk - Revised as of; 12-05-2013

Note – Patrick Princi may not be attending

Approval Not Required Plans: *None*

Regulatory Agreement:

7:00 PM Continued Hearing

Regulatory Agreement No. 2013- 03

**Hyannis Harbor Suites Hotel, LLC or Nominee & Harborview Hotel
Investors, LLC**

Regulatory Agreement No. 2013-03 is the application of Hyannis Harbor Suites Hotel, LLC or Nominee & Harborview Hotel Investors, LLC, seeking to enter into an agreement with the Town of Barnstable to construct and operate at 213 Ocean Street, Hyannis, MA a new four (4) story year-round hotel with up to sixty-eight (68) rooms, each room containing its own kitchen facility. This proposed hotel building is in addition to the existing 136 room Hyannis Harbor Hotel situated on the 3.4 acre lot. The subject property is located in the HD-Harbor District of the Hyannis Village Zoning Districts and is shown on Assessor's Map 326, Parcel 035.

The Regulatory Agreement seeks waivers from the Barnstable Zoning Ordinances, specifically:

Section 240-24.1.7.A – Harbor District, Permitted uses to allow hotel rooms with kitchens.

Section 240-24.1.7.C – Harbor District, Dimensional, bulk and other requirements, including maximum building height, to allow 4-stories where only a 2.5 story buildings are permitted, waivers of the 10-foot minimum side and rear setbacks, waiver of the 70% maximum lot coverage and waiver of the 10-foot front yard landscape setback.

Section 240-24.1.10 - Site Development Standards and Section 240-53 – Landscape Requirements for Parking Lots, including waivers from the following; the 6-foot minimum setback for parking lots, 10% interior parking lot landscaping, required minimum number of trees, dumpster setback from lot line and any other necessary relief.

Section 240-56 - Schedule of Off-Street Parking Requirements to allow a reduction in the required on-site parking.

In addition, the Regulatory Agreement seeks relief from the general ordinances of the Town, Chapter 112, Article III, Hyannis Main Street Waterfront Historic District seeking the Planning Board to act on behalf of the Hyannis Main Street Waterfront Historic District Commission.

- *Opened April 8, 2013, continued June 10, 2013, July 22, 2013, August 12, 2013, August 26, 2013, September 23, 2013, October 28, 2013, November 11, 2013, November 25, 2013, and to December 9, 2013 - Continued for; further updates and review of a Draft Regulatory Agreement*
- *Copy of a Draft Regulatory Agreement enclosed*

Subdivision – Definitive Plan Approval:

7:30 PM Continued Hearing

**Definitive Subdivision No. 819 - Maki Hill Lane, West Barnstable
Maki Realty Trust, Susan A Maki Trustee**

This is a continuation of the Public Hearing to consider Definitive Subdivision Plan No. 819 for Maki Realty Trust. The plan is entitled “Definitive Plan of Land in West Barnstable, MA “Maki Hill Lane” prepared for Maki Realty

Trust, dated April 2, 2013. The plan proposes the division of a 6.94-acre parcel, now addressed 0 Oak Street, West Barnstable, MA into 3 developable lots and creation of Maki Hill Lane off Oak Street to serve the new lots. The subject property is shown on Assessors Map 215 as parcel 014-003.

- *Opened September 9, 2013, continued October 28, 201, and to December 9, 2013 - Continued for review of Homeowners Association documents and for rendering of a decision*
- *Updated Decision Notice Draft for 12-09-2013 Hearing enclosed.*
- *Form F Covenant, Form S Road Maintenance & Repair, and Development Agreement previously distributed.*
- *Homeowner's Association Declaration of Trust and Declaration of Protective Covenants/Restrictions enclosed- Also see copy of email from Attorney Kate Mitchell, dated December 5, 2013, enclosed*
- *Application filed August 2, 2013, 90-day Extension filed. Decision filing due January 28, 2014*

Discussion: Continued discussion of the request made by Attorney Albert J. Schulz regarding 21 Indian Trail, Oyster Harbors, Osterville, MA. This is a request presented to the Planning Board to waive a notation made on a 1989 Approval Not Required (ANR) Plan endorsed by the Board on December 4, 1989.

- *First discussed October 28, 2013, continued to allow Attorney Schulz to discuss the matter with the Town Attorney's Office to determine what action and form of action would be appropriate for the Board to take to eliminate the Note contained on the December 4, 1989 ANR Plan endorsed by the Planning Board.*
- *Copy of correspondence and associated exhibit documents previously distributed. Copy of the October 30, 2013, letter to Town Attorney's Office informing her of the Board's concerns enclosed.*

Discussion: Review and discussion of Planning Board's Subdivision Regulations and policies regarding requirement of sidewalks within proposed subdivisions. This discussion is at the request of the Chair.

- *Copy of select sections of the existing Subdivision Regulations as it pertains to sidewalks enclosed.*

Correspondence: None:

Future Meetings: Regularly Scheduled Meetings: January 13 and 27, 2014, @ 7:00 PM.

Please Note: The list of matters are those reasonably anticipated by the chair, which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the Committee may go into executive session. The Committee may also act on items in an order other than they appear on this agenda.

* Public files are available for viewing during normal business hours at the Planning Board, Growth Management Department, 200 Main Street, Hyannis, MA