



# The Town of Barnstable Growth Management Department

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Jo Anne Miller Buntich, Interim Director



Minutes of Planning Board - Approved  
Tuesday, March 03, 2009  
Selectmen's Conference Room  
367 Main Street  
Hyannis, MA

Committee Members Present:

Ray Lang, Subcommittee Chair  
David Munsell

Staff:

Jo Anne Miller Buntich, Growth Management

Also present: Ann Canedy, Town Council Liaison  
Edward Maroney, Barnstable Patriot  
Patrick Dacey, Barnstable Enterprise  
Stuart Bornstein, Deirdre Kyle, Holly Management  
Dan Ojala, Down Cape Engineering  
John Doherty, 17 Brookshire Rd., Hyannis

Meeting called to order at 4:30 pm.

Zoning Discussion Restaurant Ordinance Amendments – Councilor Canedy

Councilor Canedy explained that this issue arose as they found there is no definition for the term restaurant in the Barnstable Village District. The only definition for Restaurant appears in the GIZ and Canedy does not feel it goes far enough as to include establishments that sell wrapped food prepared elsewhere and sold on premise. In the past, establishments such as these have been able to apply as Retail Use which is allowed by right and there is no public discussion regarding parking, seating etc. She wishes to establish clearer definitions along with a clear process.

- Dave Munsell questioned if this should address each of the Villages (Marstons Mills, Barnstable and Osterville) or to apply it to all zoning districts
- Councilor Canedy stated she is there for Barnstable Village, but could reach out to the other Villages
- Ray Lang favored establishing a definition that would work in each of the Villages
- Jo Anne Buntich suggested she go through the zoning ordinance and discover where Restaurants are now and if the definition for the GIZ would work in all villages. She asked the members to decide if they wanted it to be for all district or if you want to make this unique to Barnstable Village. If they wish to include other villages, they would need to reach out to the public and determine if they indeed want it. Jo Anne will research Restaurants and return to the subcommittee for further discussion.

Hilton Garden Regulatory Agreement Discussion

Dan Ojala reviewed two new documents prepared, a "Distance Sketch Plan" as there was concern that they should be closer to downtown and a "Before and Proposed Image Sketch" – a side-by-side comparison plan of the site before and after redevelopment that includes new details such as footage from abutter's property (175 feet) and curb cuts.

- Ray Lang questioned figures outlined in the set back relief request –wants clarification as to if these figures relate to what is there now or what is required of in the new zoning set backs. Wants to be clear when they talk about waivers that the numbers are correctly applied
- Ray Lang addressed the Water Report(s)
  - There was a second report in response to concerns from the Hyannis Water Board and the Fire Department if there should be multiple fires or other catastrophic events in other areas of Barnstable and if there would adequate water flow
  - Stuart Bornstein responded that the second report did not address the sprinkler system that they propose as they would have water available within their own system, plus they plan to build the hotel as a Class I which will not require as much water. He also stated that if they need to put their own water pipe on site they will do so.
- Ray Lang requested clarification of the Off Site Parking Proposal which said off site parking on Ridgewood Avenue would be provided and that part of the wording said it would be an agreement between developer and Building Commissioner as to when that lot would be built
  - Deirdre Kyle explained that this was put in as a negotiating factor should it be determined that additional parking is needed. Overflow parking is available now at the Radisson and applicant questioned the report written by Site Plan Review in 1995 which stated the hotel's parking space requirement is approx. 281 spaces.

It was determined that the following three items are to be reviewed, and if all can be addressed, they may be able to close the Public Hearing at the next scheduled Planning Board Meeting.

- Items to be Review:
  - Traffic Study (Awaiting Report)
  - Water Report
  - Parking

It was suggested by Jo Anne Buntich that the Board consider having the two companies which wrote the water reports and the applicants attend a meeting of the full board.

Respectfully submitted,

Marylou Fair  
Recording Secretary  
Growth Management Department