



**Town of Barnstable
Planning Board
Minutes
July 25, 2011**

Matthew Teague – Chairman	Present
Paul Curley – Vice Chairman	Present
Patrick Princi - Clerk	Present
Felicia Penn	Present
Raymond Lang	Present
Cheryl Bartlett	Present

Also present were JoAnne Miller Buntich - Director, Growth Management, Art Traczyk – Regulatory Review Planner and Ellen Swiniarski- Regulatory Review Coordinator. A quorum being met, Chairman Matthew Teague opened the meeting at 7:00 PM.

Approval Not Required Plans - None received.

Security and Lot Release Requests

Subdivision #65 Salt Meadow Hills – A June 29, 2011 letter from William Greer had been received requesting release of \$2,000.00 in security posted by Mr. Greer for Subdivision 65, Saltmeadow Lane, West Barnstable MA. The security was posted by Mr. Greer for a period of 1-year as surety against defects in roadway improvements made to create a turnaround T for emergency vehicles.

A July 6, 2011 Letter from Stephen Seymour was read into the file indicating that he has no objection to release of the security being held.

Motion was duly made by Felicia Penn and seconded by Raymond Lang to release \$2,000.00 security held for Subdivision No. 65, Saltmeadow Lane, West Barnstable, MA and for staff to follow through regarding this release of security to Mr. Greer. So voted unanimously.

Subdivision #813 Schooner Village – A July 12, 2011 e-mail had been received requesting the release of road bond security held for the development of Schooner Village. The security being held is an Irrevocable Standby Letter of Credit in the amount of \$97,800.00 drawn on Sovereign Bank and being held by the Treasure’s Office.

A memo dated July 25, 2011 from Stephen Seymour was read into the file indicating that he has no objection to release of the security being held.

Motion to Release the Irrevocable Standby Letter of Credit being held as security for Subdivision No. 813 and for staff to follow through regarding this release of security was made by Raymond Lang and seconded by Paul Curley. So voted unanimously.

Subdivisions

Rescission of Subdivision #470 - Plan Endorsement

Plan Endorsement for Rescission of Subdivision #470 – On June 27, 2011, the Board voted to rescind Subdivision #470. The 20 day appeal period has elapsed with no appeal being taken of the Board’s decision and the plan was endorsed by the Board for filing with the Land Court.

7:00 PM – Clarification & Modification of PIAHD Special Permit - Schooner Village - Subdivision 813

Jacques N. Morin, Trustee of Schooner Village Realty Trust, has requested a clarification and a modification of the Private-Initiated Affordable Housing Development (PIAHD) Special Permit issued for the development of Schooner Village (Subdivision No. 813). The requested clarification is for Condition No. 11 to reflect the renumbering of the lots within the subdivision as record on the revised May 4, 2006 subdivision plan. The modification being requested is to allow for the change in the location of one of the required affordable units. The subject property of the special permit is Subdivision No. 813 as shown on Assessor’s Map 273 parcel 204; Map 273 parcels 204-001 through 204-017; Map 273 parcels 272-202 through 272-211; and Map 272, parcel 056-006.

The subject properties are addressed 5, 9, 19, 20, 29, 30, 39, 40, 49, 50, 59, 60, 69, 70, 79, 80, 89, 90, 99, 100, 109, 110, 119, 120, 129, 130, 140, 141 and 150 Schooner Lane, Hyannis, MA in a Residential C-1 Zoning District.

Mr. Morin and Mr. Musselman were present at the continued public hearing.

A letter dated July 20th was received from the applicant requesting withdrawal without prejudice the modification of the Special Permit issued for Schooner to relocate one of the affordable lots.

Motion was duly made by Felicia Penn and seconded by Raymond Lang to grant withdrawal without prejudice the request for modification of the PIAHAD Special Permit to relocate one of the affordable lots. So voted unanimously.

It was noted that the clarification portion of this application is still before the Board and should be acted upon.

- Chairman acknowledged a letter from Hyannis Fire Department regarding the blockage of the road in this development.
- Jacques Morin stated that the road block has been removed and will remain removed.

Public comment regarding clarification of the renumbering and the safety issue of the road block was requested and no one from the public came forward.

Motion was duly made, seconded and voted unanimously to close the public hearing.

Motion was duly made by Patrick Princi and seconded by Felicia Penn that Condition No. 11 of the 2006 Schooner Village Private-Initiated Affordable Housing Development (PIAHD) Special Permit-Subdivision #813 be changed to correct an error in the citation of the developer's lot numbers upon which the affordable dwellings are to be located. The correct affordable lot numbers should have been lots numbered 3, 6, 15, 17, 20, and 29, and to reaffirm Section 240-17.1(E)(7) that requires the last affordable unit shall be built and an occupancy permit issued prior to the last group of market rate units receiving building and occupancy permits.

Therefore, Condition No. 11 of the 2006 Special Permit is corrected to now read:

"Of the six (6) affordable units, three (3) shall be of the Nantucket I plan – 2-story, 1,665 sq.ft. three-bedroom single-family dwelling and three (3) of the Vineyard (aka Chelmsford) plan - one-story, 1,248 sq.ft., three-bedroom, single-family dwelling. The affordable units shall be located on Lot Numbers 3, 6, 15, 17, 20, and 29 as labeled on the subdivision plan endorsed by the Board and entitled "Schooner Village (subdivision #818) Definitive Plan Subdivision of Land in Barnstable (Hyannis), MA prepared for /Applicant Schooner Village Realty Trust" dated August 18, 2005 revised May 4, 2006 and consisting of two sheets. Additionally, the Board reaffirms Section 240-17.1(E)(7) that requires the last affordable unit shall be built and an occupancy permit issued prior to the last group of market rate units receiving building and occupancy permits.

So voted unanimously.

Other Business:

Acceptance of Planning Board minutes from June 13, 2011 meeting.

Motion was duly made, seconded and voted unanimously to accept the Planning Board minutes of the June 13, 2011 meeting.

Motion was duly made and seconded, and unanimously voted to adjourn.

Respectfully submitted,

Ellen M. Swiniarski

Regulatory Review Coordinator

APPROVED