



Town of Barnstable Planning Board



www.town.barnstable.ma.us/PlanningBoard

Board Members

Steven Costello – Chair Jeffrey Swartz – Vice Chair Patrick Foran - Clerk Mary Barry Stephen Robichaud Aimee Guthinger Robert Twiss

Mathew Levesque – Town Council Liaison

Planning & Development Dept. Staff Support

Elizabeth Jenkins, AICP, Director

Kaitlyn Maldonado, Senior Planner

Karen Herrand – Principal Assistant - karen.herrand@town.barnstable.ma.us

BARNSTABLE TOWN CLERK

**Town of Barnstable
PLANNING BOARD
Minutes
February 8, 2021**

2021 APR 13 PM 4:01

Steven Costello – Chairman	Present
Jeffrey Swartz – Vice Chairman	Present
Patrick Foran – Clerk	Absent
Marry Barry	Present
Stephen Robichaud	Present
Aimee Guthinger	Absent
Robert Twiss	Present

Also in attendance via remote participation were Elizabeth Jenkins, Director, Planning & Development, Kaitlyn Maldonado, Senior Planner, Planning & Development, and Karen Herrand, Principal Assistant.

The Planning Board’s Public Hearing will be held at 7:00 p.m. by remote participation methods as a result of the COVID-19 state of emergency in the Commonwealth of Massachusetts.

Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Channel 18 and may be viewed via the Channel 18 website at <http://streaming85.townofbarnstable.us/CablecastPublicSite/>
2. Real-time access to the Planning Board meeting is available utilizing the Zoom link or telephone number and Meeting ID provided below. Public comment can be addressed to the Planning Board by utilizing the Zoom link or telephone number and Meeting ID provided below:

Link: <https://zoom.us/j/92050969757>

Phone: 888 475 4499 US Toll-free

Meeting ID: 920 5096 9757

3. Applicants, their representatives and individuals required or entitled to appear before the Planning Board may appear remotely and are not permitted to be physically present at the meeting, and may participate through the link or telephone number provided above. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting so that they may be displayed for remote public access viewing.

Application materials may be accessed by contacting Karen.herrand@town.barnstable.ma.us or calling 508-862-4064.

Call to Order: Introduction of Board Members and Staff Members

Attendance Roll Call

Bob Twiss

Stephen Robichaud

Mary Barry

Jeff Swartz

Steven Costello

Notice of Recording: This meeting is being recorded and broadcast on Channel 18 and in accordance with MGL Chapter 30A §20. The Chair must inquire whether anyone else is taping this meeting and to please make their presence known.

Subdivisions

Attorney John Kenney has submitted a request for Lot Release for Lots 3, 4 and 5; Subdivision No. 822 - Aberle Way, Plan Book 651, Page 49.

Attorney Kenney in attendance. He gives an explanation for request. In Sept. 2019 lot 6 was released. Lot 1 was not covered under this covenant. Requesting 3, 4 and 5 be released. Lot 2 will remain under covenant.

Stephen Robichaud – when will top coat be done?

Attorney Kenney – one developer for whole subdivision, doesn't want any damage, to be done at end when the last house built.

Gordon Starr in attendance, he asks if there is a time limit to sell lot 2?

Attorney Kenney replies, lot 3 under agreement now and figured they could ask for release for 4 and 5 as well. The delay in finishing is so as not to damage and do top coat last. .

Elizabeth Jenkins in attendance/interjects that it is standard that construction be done within 8 years, there is no timeframe for final completion. She could review the development agreement.

Chair Steven Costello entertains a motion to approve the release from covenant for lots 3, 4 and 5, moved by Jeff Swartz, seconded by Mary Barry,

Roll Call Vote

Chair Steven Costello - aye

Jeff Swartz - aye

Mary Barry - aye

Stephen Robochoaud - aye

Bob Twiss - aye

Regulatory Agreements

Regulatory Agreement No. 2020-01 – 77 PLEASANT STREET REALTY TRUST

77 Pleasant Street Realty Trust, Wayne Kurker, Trustee seeks to enter into a Regulatory Agreement with the Town of Barnstable to use the property as a private open air parking lot. The proposal is for an 81 space gravel parking lot. The site is developed with a historic residential two-family dwelling. The dwelling is proposed to be preserved and moved within 21 feet of Pleasant Street and to continue as a two-family residential use. The subject property is 77 Pleasant Street, Hyannis, Massachusetts, shown on Assessor's Map 327 as Parcel 118. It is zoned HD Harbor District.

The Regulatory Agreement seeks waivers from the Zoning Ordinance, specifically:

Section 240-24.1.7(A)(1) Principal Permitted uses in the Harbor District – Neither a private open air parking lot nor a two-family dwelling are a permitted use in the District. The applicant also seeks the need for relief under 240-24.1.7(C) Dimensional, bulk, and other requirements to the extent required. *Continued from November 23, 2020, December 14, 2020, and January 25, 2021.*

Attorney Michael Ford in attendance. Revisions to the draft regulatory agreement as finalized. Two areas, section 5f, clean harbor fund, applicant clean up trash and debris – \$2,500 annually to Town - will be for as long as parking lot in operation.

Second change, in development at last hearing, paragraph 5g, Applicant to purchase and install rapid flash beacon, South St. from DPW request/memo submitted for. Par 5g, requirement that applicant purchase and install - now placed a cap of no more than \$20,000 for that purchase. Proposed in 5g that if exceeds more than \$20,000 may pay this sum to the Town for this or complete the installation himself.

In accordance with DPW recommendation. Review, that the cost was \$32,000 – there is handicapped at this location. Can be brought in at a lesser figure.

These were the two changes from last meeting.

One scrivener's error, paragraph 11, as a result of renumbering – this is the condition that requires the clean harbor and beacon references – should be 5f and 5g – make this correction, make part of motion, this correction.

Chair Steven Costello entertains a motion to approve the regulatory agreement as revised and restated, moved by Mary Barry to approve with modifications, seconded by Jeff Swartz,

Roll Call Vote

Chair Steven Costello - aye

Jeff Swartz - aye

Mary Barry - aye

Stephen Robochaud - aye

Bob Twiss - aye

Matters Not Reasonably Anticipated by the Chair

Approval of Minutes

January 25, 2021, ADU Community Meeting draft minutes

January 25, 2021, draft minutes

November 23, 2020, draft minutes

March 11, 2019, draft minutes:

Chair Steven Costello entertains a motion to approve January 25, 2021 ADU Community Meeting draft minutes, January 25, 2021, draft minutes, November 23, 2020, draft minutes and March 11, 2019, draft minutes, moved by Mary Barry to approve the draft minutes of January 25, 2021 (ADU) , January 25, 2021, November 23, 2020, and March 11, 2019 (4 sets), seconded by Stephen Robichaud,

Roll Call Vote

Chair Steven Costello - aye

Jeff Swartz - aye

Mary Barry - aye

Stephen Robichaud - aye

Bob Twiss - aye

Future Meetings: February 22, 2021, and March 8th, 2021, @ 7:00 p.m.

Adjournment

Chair Steven Costello entertains a motion to adjourn, moved by Jeff Swartz, seconded by Mary Barry,

Roll Call Vote

Chair Steven Costello - aye

Jeff Swartz - aye

Mary Barry - aye

Stephen Robichaud - aye

Bob Twiss - aye

The meeting adjourned at 7:20 p.m.

Respectfully Submitted

Karen Herrand, Principal Assistant, Planning & Development

Further detail may be obtained by viewing the video via Channel 18 on demand at
<http://www.town.barnstable.ma.us>

APPROVED