



# Town of Barnstable Planning Board



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### Board Members

Stephen Robichaud – Chair    Robert Twiss – Vice Chair    Tim O’Neill - Clerk    Mary Barry    Michael Mecenas    Raymond Sexton    Matthew Teague

Felicia Penn – Town Council Liaison

### Planning & Development Dept. Staff Support

Elizabeth Jenkins, AICP, Director

James Kupfer, AICP, Assistant Director

Kaitlyn Maldonado, Senior Planner

Karen Pina – Principal Assistant - [karen.herrand@town.barnstable.ma.us](mailto:karen.herrand@town.barnstable.ma.us)

## Town of Barnstable PLANNING BOARD Minutes June 24, 2024

Stephen Robichaud – Chairman	Present
Robert Twiss, Vice Chairman	Present
Tim O’Neill – Clerk	Present
Mary Barry	Absent
Michael Mecenas	Present
Raymond Sexton	Present
Matthew Teague	Present

*Also in attendance were Planning & Development Staff: James Kupfer, Assistant Director and Karen Pina, Principal Assistant.*

**Notice of Recording**    The meeting will be televised live via Xfinity Channel 8 or high definition Channel 1072. It may also be accessed via the Government Access Channel live stream on the Town of Barnstable’s website: <http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>

**Call to Order**    Introduction of Board Members

**Public Comment** - None

### Housing Production Plan Public Meeting Presentation

Chair Stephen Robichaud states that this will be on the July 8<sup>th</sup> Planning Board meeting Agenda as well.

Elizabeth Jenkins in attendance. Housing Production Plan (HPP) – presentation done. See Exhibit A. Data review. HPP to Date. Online survey, over 80 participants. Back to community for feedback. Main Themes – Focus Groups. Demographics: 2010-2020. Demographic Profile. Housing Profile 26% for rental. Housing Affordability. Average rents. Cost Burden: 30% or more of monthly income on Housing. Cost burdened. Zoning – tool to implement policy objectives. Location, rate, character of new development. Barrier to development. (ADU) Accessory Dwelling Units. Downtown Hyannis Zoning Initiative. Growth Incentive Zone. Subsidy and Incentives. 4.5 million in Community Preservation Committee (CPC) and funding available. Affordable. Municipal Land. Defrays cost of development. Contribution that makes project financially feasible. Municipal Land – House on the Hill, Barnstable Adult Community Center. Goals – Seniors, Families, Rental, Affordable and Year Round, Ownership, special needs. Seasonal and year round housing options for employees. 6.78% of housing stock on Subsidized Housing Inventory. Local Comprehensive Plan (LCP).

Assist in stabilizing housing and provide. Enhance local capacity to implement housing initiatives and strengthen working partnerships.

Strategies – a lot of pieces on local and state. Tax exemptions for year round. Affordable Apartment Program could be used. Year Round deed restrictions. Would like to put in the bond bill. Restricting units by year round occupancy. Planning, policy and zoning strategies. Availability. Coordinate housing and wastewater. Small scale starter homes. No reasonable anywhere. MGL Chapter 40Y. Inclusionary ordinance. 10% of units at 65% AMI. Look at strengthening this ordinance. Alternative options for compliance. Target underutilized properties. Incentives for underutilized. Short Term Rentals, use data to understand the challenge. Look for opportunities to generate revenue. Need to regulate distinctively and taxes, if allowed at least tax them. Direct assistance for housing rehab. Programs to help with financial support and counselling. Capacity, coordination, research education. Regional Housing services office. Towns should be working together on this. Pilot program. Promote and educate on programs. Diversity funding to Housing Trust. Local option real estate transfer fee.

Continuing to take public comment.

Summary for Housing Committee.

On website – main page.

Process/Next Steps. Planning Board must approve and adopted by Town Council as well.

Chair Stephen Robichaud confirms mandated by the State?

Elizabeth Jenkins, yes. Incentives to do.

Chair Stephen Robichaud - Town Manager reports to Executive Office of Housing and Livable Communities.

Matt Teague, proud that we are addressing this issue. Infrastructure and water. Water mains. Energy code. Must not consider code, highest base code in the nation. Fed's may not issue and may be devastating for this country. Merger by zoning as part of the bond bill, could free up square footage. A lot of good lots that should be used.

Tim O'Neill, agrees with Matt Teague, as it relates to the Bldg. code. Base code. Should do homework and spend time on this. A lot of thought and effort has been done.

Bob Twiss – would like to see on webpage.

Chair Stephen Robichaud, would like to learn more about seasonal population and Bond Bill.

Ray Sexton – infrastructure and policy. Town Council allocate funds?

Elizabeth Jenkins, investment, biggest challenges we have, expanded sewer and wastewater management – provides limited opportunity to meet needs. Sewer is only one piece, it's housing and public transportation, need all aspects implemented, as well as mindful policy.

Ray Sexton, is House on the Hill a good model?

Elizabeth Jenkins, it was, spent a lot of time and good model. More communities are acquiring properties and putting out an RFP. Other towns purchasing.

Ray Sexton, Cotuit Elementary School is one of these properties. Town can develop for housing.

Elizabeth Jenkins, a lot of developers coming and seeing the need and the demand here. Have to balance with what is much more accepted. Big challenge.

Chair Stephen Robichaud, good to see everything all in one place. Blown away by the prices for homes and rentals. A lot of projects in the process. 6.2 % what might be up to?

Elizabeth Jenkins, staff person working on subsidized and have pending projects – guess is that most overall hit the 10% mark, need to do more and possibly hit 25%. Mixed income projects.

Chair Stephen Robichaud, form based code. Workforce housing. If not fitting into this bracket, workforce. Affordability standards, set by State? Tweaking that? A lot of people in that category that can't afford anything, but can't apply for affordable.

Elizabeth Jenkins, those numbers are set by Federal government and State. A lot of the problem is more at 30% AMI and working class that are over the 80%. Brewster increased to 120% and talk about increasing. Deed restrictive process.

Chair Stephen Robichaud, concept of 40Y. There are a lot of parking lots, can be used for housing and some are on sewer. Maybe focus just on housing.

Elizabeth Jenkins, yes and focus on livability as well. Accessibility and amenities for multi family housing. Like to see priority on that.

Chair Stephen Robichaud, housing trust. Want to come before the CPC, would like to know how money being used and what they are doing?

Elizabeth Jenkins, will be at CPC meeting.

Tim O'Neill, 40B's are there a lot?

Elizabeth Jenkins, not a lot of 40B in Barnstable. A lot of support for zoning for housing. Hasn't been a strong push for. Falmouth is not engaging with this process and have unfriendly 40B's. Haven't seen an unfriendly 40B here in Barnstable. If zoning implemented and proactive will meet the market needs.

**Chair Stephen Robichaud asks for any public comment. None.**

**Chair Stephen Robichaud makes a motion to continue the review of the 2024 Housing Production Plan draft to July 8<sup>th</sup>, 2024, at 7:00 p.m., seconded by Ray Sexton,**

**Vote:**

**Matt Teague - aye**

**Michael Mecnas - aye**

**Tim O'Neill - aye**

**Bob Twiss - aye**

**Ray Sexton - aye**

**Stephen Robichaud - aye**

### **Approval Not Required Plans**

Larry Nickulas has submitted an application for an Approval Not Required Plan for Old Stage Rd. and Parker Lane, West Barnstable, Ma, Assessors Map 152 Parcels 110 & 006

Jim Kupfer gives an explanation – this layout is for the Definitive subdivision. Eagan, lot 3A and 2A on this plan proposed a definitive subdivision to lay out the way to serve two lots and drainage easement. Approved by Planning Board. This plan is abutting property just south – the Board did see a preliminary subdivision of this site. 2 lot subdivision and existing structure on lot 1. This would add lot 2. Concerns about adequate frontage. Access easement, not adequate frontage. Has reviewed with the Applicant as well.

Attorney Jeffrey Johnson in attendance. Larry Nickulas in attendance.

Mr. Eagan proposed and got subdivision with physical access from the Service Rd. Mr. Nickulas proposing to create one new lot, large lot and existing dwelling takes frontage on Old Stage Rd. Moving Parker Rd. to the west. Frontage, have 67 plus ft. on Parker to the northeast. Technical frontage, is over 177 ft. we believe that this plan would satisfy. Access, been determined from Mr. Eagan's plan that would be adequate access. Would like to avoid a speed through way in a subdivision. Don't see need to create an additional lot and/or a

subdivision. Have a pending subdivision which would withdraw if this ANR approved. Don't see the need to do a major subdivision.

Chair Stephen Robichaud clarifies the dotted lines on the plan, historic way?

Attorney Johnson, yes, road depicted on the walling map. Has a certain status being a private recognized ancient way. Have the right to move within our boundaries. Move dotted line out of back yard. Dotted line connects up to Mr. Eagans line. Passable now. Proposing to straighten it out. Access would be off the Service Rd. Physical access would be from the easement.

Jim Kupfer, clarifies that we are talking about moving something out of way, if they have frontage, Town Attorney as well states does not have adequate frontage. Unless new frontage, does not meet an ANR plan criteria.

Chair Stephen Robichaud, we will need to continue in order to submit in a proper manner.

Attorney Johnson, continuance might be in order, but wanted to discuss.

**Chair Stephen Robichaud entertains a motion to continue ANR for Old Stage Road and Parker Lane in Barnstable, Ma, relocation of Parker Lane on proposed Lots 1 & 2, moved by Matt Teague to continue to July 8<sup>th</sup>, 2024, at 7 p.m., seconded by Ray Sexton,**

**Roll Call Vote:**

**Matt Teague - aye**

**Michael Mecenias - aye**

**Tim O'Neill - aye**

**Bob Twiss – aye**

**Ray Sexton - aye**

**Stephen Robichaud - aye**

**Move out of order:**

**Subdivision No. 829** – Larry Nickulas has submitted an application for a Definitive Subdivision for Old Stage Rd. and Parker Lane, West Barnstable, Ma, Assessor's Map 152 Parcels 110 & 006 *continued from June 10, 2024*

**Chair Stephen Robichaud entertains a motion to open the public hearing, moved by Tim O'Neill, seconded by Bob Twiss**

**Roll Call Vote:**

**Matt Teague - aye**

**Michael Mecenias – aye**

**Bob Twiss - aye**

**Tim O'Neill - aye**

**Ray Sexton - aye**

**Stephen Robichaud - aye**

**Chair Stephen Robichaud moves to continue the hearing for Definitive Subdivision 829 at Old Stage Rd. and Parker Lane, West Barnstable to July 8, 2024 at 7pm., seconded by Tim O'Neill,**

**Roll Call Vote:**

**Matt Teague - aye**

**Michael Mecenias - aye**

**Tim O'Neill - aye**

**Bob Twiss - aye**

**Ray Sexton - aye**

**Stephen Robichaud - aye**

**Subdivisions**

Subdivision No. 828 -WinnDevelopment Company, LP has submitted an application for a Definitive Subdivision for 307 Main Street, Hyannis, Ma, Assessors Map 327 Parcel 103 *continued from May 13, 2024 and June 10, 2024*

Jim Kupfer, gives an update, receipt of comments and DPW satisfied with the proposal. New materials and good/accepted.

Paula Thompson, Beals & Thomas in attendance. Gives review of the Definitive Subdivision Plan. Fire hydrant and cul de sac. Have satisfied comments with regard to storm water design. Old Colony Rd., and sidewalk to Main Street all the way through the cul de sac. Lot 5. Waivers: through streets, abutting property has access connection through an existing easement, Location of borings – Don't have at every location, we provided a geo technical report, asking for waiver for those locations.

Bob Twiss, cars coming from Old Colony?

Paula Thompson, they will not be entering off of Main Street.

Bob Twiss, easement location? Roadway there?

Paula Thompson, on the edge of lot 3, goes out to Main Street. West of lot 3.

Bob Twiss, clarifies where onto Main Street.

**Chair Stephen Robichaud asks for any public comment. None.**

**Chair Stephen Robichaud asks for a motion to close the public hearing, moved by Ray Sexton, seconded by Matt Teague,**

**Roll Call Vote:**

**Matt Teague - aye**

**Michael Mecenias - aye**

**Tim O'Neill - aye**

**Bob Twiss - aye**

**Ray Sexton - aye**

**Stephen Robichaud - aye**

**Motion made by Tim O'Neill to approve Definitive Subdivision at 307 Main Street, Hyannis, MA, Subdivision No. 828, dated April 11, 2024, by Beals and Thomas, Inc. with the following findings found in Staff Report dated May 9, 2024;**

- 1. The Application has been submitted for Approval of Definitive Subdivision Plan (Form C) by WinnDevelopment Company, LP dated April 11, 2024.**
- 2. The Definitive Subdivision Plan is shown on the plan entitled "307 Main Street Definitive Subdivision Plan in Hyannis, Massachusetts, Subdivision Number 828", dated April 11, 2024, by Beals and Thomas.**
- 3. The Applicant has requested a waiver from the Subdivision Rules and Regulations. In accordance with Section 801.5.(A) the Board may waive strict compliance with these requirements when, in its judgment, such action is in the public interest and not inconsistent with the intent or purposes of the Subdivision Control Law. In accordance with Section 801.5.(A) of the Code of the Town of Barnstable, Waiver Criteria, the Planning Board has made the following findings:**
  - a) Granting of the waivers requested are in the best interest of the citizens of the Town.**
  - b) The plan is well designed, and in keeping with the general design principles set forth in Article VI of the Subdivision Rules and Regulations.**
  - c) There is adequate access to the lots for the uses intended thereon.**

d) The plan is in keeping with the character of the surrounding area.

Approved with the following waivers and conditions found in Staff Report dated May 9, 2024

Seconded by Ray Sexton,

Roll Call Vote:

Matt Teague - aye

Tim O'Neill - aye

Michael Mecnas - aye

Bob Twiss - aye

Ray Sexton - aye

Stephen Robichaud - aye

Request for Road Name Change

Tigran Gichunts of 108 Field Road, Marstons Mills has submitted a request for a road name change

Chair Stephen Robichaud entertains a motion to open the public hearing, moved by Bob Twiss, seconded by Ray Sexton,

Roll Call Vote:

Matt Teague – aye

Michael Mecnas - aye

Tim O'Neill - aye

Bob Twiss - aye

Ray Sexton - aye

Stephen Robichaud - aye

Jim Kupfer explains the proposal. Road name change. 1965, Subdivision 058. Reviewed by COMM Fire Dept., finding permissible, no conflicts of existing roadways or duplicate names. Portion of. This is the only parcel that fronts on this way. One on Tree Top Circle, end of way is open space and is deed restricted in perpetuity. Attachment three reflects Google, extent of the way.

Tigran Gichunts in attendance. Owner of 108 Field Rd. He explains that he has done a lot of work to the property, over 2 million dollars worth. He wants to change name of road. Just this small portion to Armenian Way.

Chair Stephen Robichaud asks for any public comment – None.

Chair Stephen Robichaud entertains a motion to close the public hearing, seconded by Bob Twiss,

Roll Call Vote:

Matt Teague – aye

Michael Mecnas – aye

Tim O'Neill – aye

Bob Twiss – aye

Ray Sexton – aye

Stephen Robichaud - aye

Chair Stephen Robichaud entertains a motion to approve, moved by Matt Teague to grant the applicant's request to change the road name of a portion of "Field Road" to "Ancient Armenian Way" as identified in the submission to the Planning Board, seconded by Michael Mecnas,

Roll Call Vote:

Matt Teague - aye

Michael Mecnas – aye

Tim O'Neill - aye

Bob Twiss - aye

Ray Sexton - aye

Stephen Robichaud - aye

### **General Correspondence**

Chapter 91 Notice – 174 Starboard Lane, Osterville – Wroe – maintain existing pile

### **Staff Updates**

Jim Kupfer, gives update for Hya Harbor Master Plan . Recommendations about to be posted. Story map. Four Point Associates. Climate resiliency focus. Consider in the futer some of the recommendations.

### **Weekly Recap**

Two way Main Street, 6 points intersection. Entry to the Harbor District. Ongoing discussion. LCP Committee, meeting bumped to July 25<sup>th</sup>, working on final draft chapters.

### **Matters Not Reasonably Anticipated by the Chair**

Nomination for officers for July 8<sup>th</sup> 2024, meeting at 7 p.m.  
Stephen Robichaud would like to continue as Chair.

### **Approval of Minutes**

May 13, 2024 Draft Minutes

**Chair Stephen Robichaud entertains a motion to approve, moved by Bob Twiss, seconded by Ray Sexton,**

#### **Roll Call Vote:**

**Matt Teague - aye**

**Michael Mecnas - aye**

**Tim O’Neill - aye**

**Bob Twiss - aye**

**Ray Sexton - aye**

**Stephen Robichaud - aye**

**Future Meetings:** July 8<sup>th</sup> and July 22, 2024 @ 7:00 p.m.

### **Adjournment**

**Chair Stephen Robichaud entertainments a motion to adjourn, moved by Matt Teague, seconded by**

**Michael Mecnas,**

#### **Roll Call Vote:**

**Matt Teague - aye**

**Tim O’Neill - aye**

**Michael Mecnas - aye**

**Bob Twiss - aye**

**Ray Sexton - aye**

**Stephen Robichaud - aye**

The meeting adjourned at 8:29 p.m.

Respectfully Submitted

Karen Pina, 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>

### **List of Exhibit Documents**

**Exhibit A – HPP handout and presentation by Elizabeth Jenkins**