

TOWN OF BARNSTABLE -7 PM 1:25

NOTICE OF MEETINGS OF TOWN DEPARTMENT AND ALL TOWN BOARDS
As Required by Chapter 28 of the Acts of 2009 which amends MGL Chapter 30 A

PLANNING BOARD

DATE OF MEETING: December 12, 2011

Check below which one applies

This meeting has been previously posted X

This is a special meeting which has not been posted _____

TIME: 7:00 P.M.

PLACE: Town Hall, 367 Main Street, Hearing Room, 2nd Floor

TOPICS TO BE DISCUSSED:

Approval Not Required Plans: - None at this time.

Security and Lot Release Requests: - None at this time.

Subdivisions: - None at this time.

7:00 PM Regulatory Agreement 2011- 03 - Beech Tree Alley, LLC

Filed June 23, 2011 - (180 Day Extension) – 1st Hearing July 11, 2011 - continued to August 8, 2011, October 24, 2011, and to December 12, 2011, Decision Due February 17, 2012.

Members: Paul R. Curley, Patrick Princi, Felicia R. Penn, Cheryl A. Bartlet, Raymond B. Lang, and Matthew K. Teague

This was to be the second public hearing on this Regulatory Agreement however, the Applicants Representative, Attorney Steven J. Pizzuti has requested that the Application be withdrawn. Staff recommends that the Board grant the request.

Beech Tree Alley, LLC is seeking a Regulatory Agreement to develop the properties located at 434 and 438 South Street, Hyannis MA as a parking lot to be used as an accessory parking for the development at 599 Main Street, Hyannis MA. Included in the proposal is a pedestrian walkway connecting South Street with 599 Main Street. The 434 and 438 South Street lots are the lots to be regulated through this proposed Agreement. Those lots are located in the SF - Single Family Residential District of the Hyannis Village Zoning District and are shown on Assessor's Map 308 as parcels 280 and 123. The 599 Main Street lot is commonly known as the Beech Tree and is shown on Assessor's Map 308 as parcel 118 and is zoned Hyannis Village Business.

The Regulatory Agreement seeks waivers from numerous sections of the Barnstable Zoning Ordinances.

7:00 PM Special Permit Application 2011-07 - David L. Colombo, Trustee of Olive Oil Trust

To all persons deemed interested in the Planning Board acting under Chapter 40A, Section 9, and all amendments thereto of the General Laws of the Commonwealth of Massachusetts and the Town of Barnstable Zoning Ordinances, Section 240-24.1 Hyannis Village Zoning Districts and Section 240-125.C Special Permits, you are hereby notified of a Public Hearing to be held on Monday, December 12, 2011, at 7:00 PM in the Hearing Room of the Barnstable Town Hall, 367 Main Street, Hyannis, MA to consider Special Permit Application 2011-07. The Application seeks a special permit pursuant to Section 240-24.1.10.A(4)(a)[4], Circumstances Warranting a Reduction of Required Parking. The petitioner seeks to further improve and expand the restaurant use at 159 Ocean Street, Hyannis, MA with an expanded outdoor seating area service bar that will increase the total number of seats from 50 to 96. The special permit is requested to allow for the expanded seating without providing any additional on-site parking. The applicant is David L. Colombo, Trustee of Olive Oil Trust and the property is located at 159 Ocean Street, Hyannis, MA and is shown on Assessor's Map 326 as Parcel 039. The property is in the Hyannis Village Zoning Districts and is zoned HD, Harbor District.

Approval of Minutes: Approval of October 24, 2011, and November 14, 2011, Board Meeting minutes.

Approval of past minutes covering 9 Board Meetings held in February, May, June, August, September, November and December of 2010.

Executive Minutes: Possible Report of the Chair on review of past Executive Session Minutes

Discussion: Renewal of Location Hardship Sign Special Permits

Future Meetings: Regularly Scheduled Planning Board Meetings – January 9th and 23rd @ 7:00 p.m.

PERSONS INTERESTED ARE ADVISED THAT, IN THE EVENT ANY MATTER TAKEN UP AT THE MEETING REMAINS UNFINISHED AT THE CLOSE OF THE MEETING, IT MAY BE PUT OFF TO A CONTINUED SESSION OF THIS MEETING, WITHOUT FURTHER NOTICE.

For your information the section of the M.G.L. that pertains to postings of meetings is as follows: Except in an emergency, in addition to any notice otherwise required by law, a public body shall post notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays and legal holidays. In an emergency, a public body shall post notice as soon as reasonably possible prior to such meeting. Notice shall be printed in a legible, easily understandable format and shall contain: the date, time and place of such meeting and a listing of topics that the chair reasonably anticipates will be discussed at the meeting. For meetings of a local public body, notice shall be filed with the municipal clerk and posted in a manner conspicuously visible to the public at all hours in or on the municipal building in which the clerk's office is located.