



**Town of Barnstable  
Planning Board  
Revised Agenda  
November 26, 2012**

The following hearings will be held at Barnstable Town Hall, 367 Main Street, Hyannis, MA, Hearing Room, 2<sup>nd</sup> Floor.  
Meeting notice previously filed with Town Clerk - Revised as of; 11-20-2012

**Approval Not Required Plans:**

**Stephen A. & Alicia Nye Crowell Furrer and James L. Pontifex Jr.** - Plan entitled "Approval Not Required Plan of Land in Barnstable (Cotuit), MA located at: 694 & 666 Santuit Road, Prepared for Stephen A. & Alicia Nye Crowell Furrer" dated March 9, 2012, revised October 25, 2012, as drawn by MacDougall Surveying & Associates, has been submitted for endorsement as an Approval Not Required Plan. The plan submitted proposes a reconfiguration of the lot lines between two existing lots addressed 666 and 694 Santuit Road, Cotuit. (Precinct 7)

- *Staff Report, Application, Plan and copy of ZBA Decision enclosed*

**Lot Releases:**

**Subdivision No. 395**

**Release of Lot Under Covenant – 64 Plant Road  
L. Paul Lorusso and Lila Lee Lorusso**

A letter dated October 11, 2012, from Paul J. Attea, Esq. requesting a partial release of Lot 9 from the covenant executed by L. Paul Lorusso and Lila Lee Lorusso, recorded October 13, 1977, in Book 2606, Page 220. (Precinct 1)

- *Staff report, Request letter dated October 11, 2012, and Draft Lot Release Request enclosed*
- *Lot Release Request Report from Steve Seymour, dated September 19, 2012, enclosed*

**Public Hearings:**

**7:15 pm Public Hearing- Continued**

**Special Permit Application No. 2012-03  
Cotuit Solar/Peck Wind Energy Conversion  
Facilities**

The petitioners, Cotuit Solar LLC, and John T. Peck, are seeking a special permit pursuant to Section 240-44.1 Land Based Wind Energy Conversion Facilities. The petitioners seek to reuse the existing 100-foot mono-pole and reinstall a new wind turbine upon it to generate electrical power for use on the property. The subject property is addressed 3800 Falmouth Road (Route 28), Marstons Mills, MA and commonly known as "Peck's Boatyard". The property is shown on Assessor's Map 058 as parcel 001 and is zoned SD-1 Service and Distribution Zoning District. (Precinct 7, 12 & 5)

- *Opened April 23, 2012, continued, May 14, July 23, August 13, September 10, 2012, and to October 22, 2012, and to November 26, 2012 – continued for further review. Staff Report, Application and relevant materials previously distributed.*
- *November 16, 2012, request to continue Public Hearing to January 28, 2013, received from Attorney Caroline Schmittiel for Cotuit Solar*

**7:15 pm      Public Hearing**

**Third Modification to Regulatory Agreement 2007-02,  
89 Lewis Bay LLC - Property at 89 Lewis Bay Road and  
42 South St., Hyannis**

89 Lewis Bay, LLC has filed an application to modify and amend the existing Regulatory Agreement No. 2007-02, as modified. The applicant seeks to modify and amend the existing Regulatory Agreement authorizing the rehabilitation and expansion of a structure at 89 Lewis Bay Road with related parking at 42 South Street, Hyannis. The existing Regulatory Agreement granted relief from density, parking, setbacks, building height and lot coverage requirements to allow 42 residential units in ±60,000 sq.ft and ±20,000 sq.ft of ground floor space for medical offices and all other uses permitted in the Medical Services District. A modification of the Regulatory Agreement was granted to allow educational uses, including culinary arts, in 8,000 sq.ft of ground floor space. The Applicant presently seeks to modify the Agreement to construct an accessory one-story 12-bay detached garage of ±2,960 sq.ft. The accessory garage is proposed to be located at the rear west end of the parking lot on 42 South Street. The subject properties are addressed 89 Lewis Bay Road and 42 South Street, Hyannis, MA as shown on Assessor's Map 327 as Parcels 223 and 241. The property is zoned Hyannis Village Medical Services District and Harbor District. (Precinct 9)

- *Staff Report, Application, Plan and Plan materials, copy of original Regulatory Agreement, letter of review from Site Plan Review Committee, enclosed.*

**Correspondence:** Cape Cod Commission Hearing Notice for Intent to File a Development Agreement for Barnstable Municipal Airport, November 29, 2012, for proposed Master Plan improvements.

**Approval of Minutes:** Approval of October 22, 2012, Board Meeting Minutes – *Copy of minutes attached.*

**Future Meetings:** Regularly Scheduled Board Meetings: December 10<sup>th</sup> 2012, and January 14<sup>th</sup>, 2013 @ 7:00 p.m.