

**MINUTES  
TOWN OF BARNSTABLE  
PLANNING BOARD  
October 26, 2009**

A regularly scheduled and duly posted meeting of the Barnstable Planning Board was held on October 26, 2009 at 7:00 p.m. at the New Town Hall, second floor Hearing Room, 367 Main Street, Hyannis, MA.

The meeting was called to order at 7:00 p.m. with the following Members/Staff present:

**PLANNING BOARD MEMBERS**

Felicia Penn ,Chairman  
Matthew Teague, Clerk  
Marlene Weir  
Paul Curley

**STAFF**

Ellen Swiniarski - Recording Secretary  
Jackie Etsten - Principal Planner - GMD

**APPROVAL NOT REQUIRED PLANS**

**REED** *The following was read into the record by Matthew Teague, Clerk:*

“Division Plan of Land for 159 & 171 Donegal Circle, Centerville, MA”, prepared for Melvin K. Reed, dated August 10, 2009, scale 1”=20’; prepared by Yankee Land Survey Co., Inc., Marstons Mills, MA, Map 169, Parcel 035; Zoning: Residence C and RPOD.

Jackie Etsten stated that the plan represented the division of land of 2 existing lots which meet access and frontage requirements. Compliance for bulks under zoning are not met.

**Motion was duly made by Paul Curley and seconded by Matthew Teague to endorse the plan as an ANR plan. So voted unanimously.**

**KRAMER ESTATE** *The following was read into the record by Matthew Teague, Clerk:*

“Plan of Land Located in Barnstable, MA” prepared for Estate of Kenneth D. Kramer, dated September 15, 2009, scale 1” = 60’; prepared by Cape & Islands Engineering, Mashpee, MA, Map 300, Parcel 046. Zoning: RF-1.

John Slavinski of Cape and Islands Engineering, Mashpee, MA addressed the Board and stated that the ANR contains property that the Kramer Estate has left to the Barnstable Land Trust. Abutting properties are owned by the Town of Barnstable and Mass. Audubon Society.

**Motion was duly made by Marlene Weir and seconded by Paul Curley to endorse the plan as an ANR plan. So voted unanimously.**

**HAZZARD** - *The following was read into the record by Matthew Teague, Clerk:*

Attorney Stuart Rapp and Richard L’Heureux of CapeSurv Osterville represented the applicant and stated that the ANR is per ZBA variances that were granted. Jackie Etsten stated that the ANR is the redivision of 3 exiting lots to show 2 instead.

**Motion was duly made by Marlene Weir and seconded by Paul Curley to endorse the plan as an ANR plan. So voted unanimously.**

**OTHER BUSINESS**

Attorney Jansson, represented Lyndon Lorusso Charitable Foundation and Lyndon Village Partners, LLC in their request for extension of time for filing Special Permit application for the Village at Barnstable Communications Way, Hyannis, MA. He stated that due to regulation changes addition MEPA review

will be required. In order to allow sufficient time, a one-year extension of time file the special permit application under the SCCRCOD to February 28, 2011 was requested.

**Motion was duly made by Paul Curley and seconded by Marlene Weir to grant a one-year extension of time to file the special permit application under the SCCRCOD to February 28, 2011. So voted unanimously.**

#### **SUBDIVISIONS**

##### **Rue Michele - Subdivision #305**

Jackie Etsen addressed the Board regarding the modification of the existing development agreement and extension of timeframes to complete the road. She stated that the road needs the top coat & bounds. Lots have been sold, however only one structure is being built at this time. According to Steve Seymour's report, the existing amount of the bond will be sufficient for one more year.

**Motion was duly made by Paul Curley and seconded by Marlene Weir to modify the development agreement and allow an extension to November 9, 2010, with a completion date of November 2, 2010 and also provide notification to the bond company of same. So voted unanimously.**

#### **Cape Cod Hospital/Wilkens Ambulatory Medical Campus Modification of Development Agreement and Covenant.**

Letter from Attorney Cox of Nutter, McClennen and Fish requesting continuance to the November 23, 2009 Planning Board meeting was received and granted.

#### **OTHER BUSINESS**

**Motion was duly made by Marlene Weir and seconded by Paul Curley to accept the minutes of the Planning Board meetings August 4, 24 & 25 and September 29, 2009. So voted unanimously.**

**Motion was duly made by Paul Curley and seconded by Marlene Weir to adjourn. So voted unanimously.**

Respectfully submitted,

Ellen Swiniarski, Recording Secretary  
Regulatory Review Coordinator - GMD