



**Town of Barnstable  
Planning Board  
Minutes  
January 24, 2011**

Raymond Lang – Chair	Present
Matthew Teague – Vice Chair	Present
Cheryl Bartlett	Present
Paul Curley	Present
David Munsell	Present
Felicia Penn	Present

Also present were Growth Management staff Jo Anne Miller Buntich, Director; Arthur Traczyk, Design/Regulatory Review Planner; Elizabeth Jenkins, Principal Planner; and Ellen Swinarski, Regulatory Review Coordinator. A quorum being met, Chairman Lang opened the meeting at 7:00 PM.

**Special Permit Application No. 2011-02 – Lyndon Paul Lorusso Charitable Foundation – Lyndon Court Multifamily Affordable Housing** – Motion duly made by Matthew Teague, seconded by Paul Curley, to open the public hearing. So voted unanimously. No testimony taken.

Motion duly made by David Munsell, seconded by Felicia Penn, to continue the public hearing to February 14, 2011, 7 pm. So voted unanimously.

**Special Permit Application No. 2011-01 – Lyndon Paul Lorusso Charitable Foundation – The Village at Barnstable Continuing Care Retirement Community** – Read into record by Paul Curley.

Motion duly made by Paul Curley, seconded by Matthew Teague, to open the public hearing. So voted unanimously.

Town Attorney Ruth Weil addressed the board in regard to the Planning Board's role as special permit granting authority as it pertains to the open meeting law.

Andrea Adams, Senior Regulatory Planner, Cape Cod Commission, was present as the Commission staff project manager for the Village at Barnstable as it went through the Commission review to completion as a development agreement. Andrea presented a summary of the development agreement to the board members and was present to answer questions.

Attorney for the applicant, Ron Jansson, presented an overview of the project. A video from New England Abundant Life was shown that talked about other continuing care retirement communities.

Ed Pesce of Pesce Engineering, project manger for the Village at Barnstable, provided additional information to the board. Development team member Ron Davis presented the economic impacts of the project.

Matter was opened to the board for questions and discussion.

Motion duly made by Felicia Penn, seconded by David Munsell, to continue the public hearing to February 14, 2011 at 7 pm. So voted unanimously.

**Regulatory Agreement No. 2010 – 01 – HSR Realty Trust, Wayne Kurker, Reuse of 90 High School Road Extension and 67 Winter Street, Hyannis, MA** – This matter was continued from January 10, 2011 to January 24, 2011 for review and finalizing of the draft agreement. A summary that explains revisions to the draft agreement was submitted by Elizabeth Jenkins.

Michael Ford, attorney for the applicant, summarized the work done, in conjunction with town staff, since the last meeting. Elizabeth Jenkins summarized the revisions for the board; board members asked questions and provided commentary and input to the agreement.

Motion was duly made by Felicia Penn, seconded by Paul Curley, to accept the draft regulatory agreement with the proposed changes and forward recommendation of the regulatory agreement, with the changes, to the Town Council for their further action. 5 in favor; 1 opposed.

**Regulatory Agreement No. 2011-01 – 89 Lewis Bay LLC – Amend existing Regulatory Agreement issued to “Greenery Development LLC”** – Attorney for the applicant, David Lawler, presented an update for the board. Also present was Keiran Healy of BSC Engineering. Attorney Lawler stated that it was suggested to bifurcate the agreement into two matters; i.e., the culinary school and mitigation. Two drafts were submitted for review and discussion by the Board—one addressing the use only, and the other addressing both the use and proposed mitigation.

Motion duly made by Paul Curley, seconded by Cheryl Bartlett, to approve Amendment #1 to the regulatory agreement as submitted by staff, with the exception that paragraph 2 (now paragraph 3) be deleted. So voted unanimously.

Motion duly made by Matthew Teague, seconded by Paul Curley, that the board agrees that the applicant has not completed all action on this subject and the discussion of mitigation be deferred until March 14, 2011. So voted unanimously.

**Special Permit Application No. 2011-003 – Ed Leslie Trustee of the Saturn Realty expansion/alteration of existing non-conforming auto dealership** – Motion duly made by Felicia Penn, seconded by Cheryl Bartlett, to open the public hearing. So voted unanimously.

Attorney David Lawler presented on behalf of the applicant.

No public comment received.

Motion duly made by Felicia Penn, seconded by Cheryl Bartlett, to close the public hearing. So voted unanimously.

Motion duly made by Matthew Teague, seconded by Paul Curley, to approve Special Permit Application No. 2011-003 with findings and conditions as presented in the staff report. So voted unanimously.

Motion was duly made and seconded, and unanimously voted to adjourn.

Transcribed and submitted,

Marjorie Watson  
Administrative Assistant  
Growth Management Department

**Next Meeting:** February 14, 2011 7 pm, Town Hall Hearing Room

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