



**Town of Barnstable
Planning Board
Minutes
May 14, 2012**

Matthew Teague – Chairman	Present
Paul Curley – Vice Chairman	Present
Patrick Princi - Clerk	Present
Felicia Penn	Present
Raymond Lang	Present
David Munsell	Present

Also present were Growth Management staff Art Traczyk, Regulatory/Design Review Planner and Marjorie Watson, Administrative Assistant. A quorum being met, Chairman Teague opened the meeting at 7:00 PM.

Approval Not Required Plans

Coombs – A plan titled “Plan of Land in Barnstable, MA (Osterville) prepared for Candace Coombs dated March 6, 2012 and prepared by Down Cape Engineering, Inc. has been submitted for endorsement as an Approval Not Required Plan. The plan proposes to divide an 8.85 acre lot addressed as 595 Old Mill Road into three new lots fronting on Old Mill Way.”

Dan Ojala of Down Cape Engineering was present on behalf of the applicant.

Motion was made by Felicia Penn, seconded by Paul Curley, to endorse the ANR. So voted unanimously to approve.

Lahey and Lahey – A plan titled “ANR Plan of Land at 151 and 153 Ocean Avenue in Craigville Beach, MA Prepared for Francis Lahey and Sheila R. Lahey” and prepared by JC Engineering, Inc., dated March 5, 2012 has been submitted for endorsement as an Approval Not Required Plan.

A request to withdraw was received from JC Engineering, Inc.

Miceli – A plan titled “Plan of Land Located in Cotuit, Mass”, prepared for Robert J. and Jane K. Miceli, 38 Sandalwood Drive, Cotuit, MA 02635 dated January 10, 2006, as prepared by Cape & Islands Engineering, has been submitted for endorsement as an Approval Not Required Plan. The plan proposes to divide an 8.03-acre parcel fronting on both Sandalwood and Falmouth Road (Route 28) into two lots.

A request to withdraw without prejudice was received from applicants’ attorney Michael Ford.

Continuation of Public Hearing from April 23, 2012 – Special Permit Application No. 2012-03 – John T. Peck Wind Energy Conversion Facilities

Petition is to seek a special permit pursuant to Section 240-44.1 Land Based Wind Energy Conversion Facilities 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 Boats".

Present on behalf of the applicant were Conrad Geysler of Cotuit Solar, owner and developer of the wind turbine on behalf of John Peck; Gary Harcourt, turbine installer; Caroline Schmittiel, attorney; Doug Neal, consultant.

Mr. Geysler provided the history regarding the prior turbine that had experienced a catastrophic failure, after properly functioning for one year, where two of its blades broke off about 1/3 of the way down. For the past two years applicants have been working to find a machine that would satisfy safety and noise concerns. The replacement turbine being proposed is an Endurance turbine with a track record of no catastrophic failures and a high up time. Mr. Geysler also explained the differences between the previous turbine and the one currently being proposed.

Testimony was then heard from Attorney Schmittiel, representing Cotuit Solar LLC who will be the owner of the proposed turbine, regarding the zoning bylaw and liability insurance; and Gary Harcourt who spoke to the safety, quietness and performance history of the proposed turbine. Questions from board members regarding these issues were addressed.

Chairman Teague requested clarification on the insurance liability and asked for a Massachusetts licensed engineer to put his professional engineering stamp on the load imposing turbine assembly on the mono-pole and on the physical characteristics of the unit.

Mr. Neal responded that the company that sells the tower did the engineering analysis for the turbine on top of the tower; they reviewed thrust and torque as well as standing load on the tower.

Chairman Teague then asked for input from the public, most of whom were concerned about safety.

Michael Ford, attorney for abutter Robert Hayden on Industry Road, asked how the turbine could be considered as an accessory to Peck's Boatyard if it is owned by Cotuit Solar and if it complies with the requirements of the ordinance.

A motion was then made by Ray Lang for the Town to hire an outside consultant as described in paragraph 3.2, with timely notice of this decision to be provided to the developer, to provide an analysis on the stability of the mechanism and review the assembly and mono-pole as presented by the applicant. Motion was seconded by Paul Curley and unanimously voted to approve.

A motion was then made by Ray Lang, seconded by Paul Curley, to continue the public hearing to July 23, 2012 at 7 pm. So voted unanimously.

Public Hearing – Modification of PIAHD Special Permit Settler's Landing II – Subdivision 812 – Public hearing to be held to consider an application to Modification of the Private Initiated Affordable Housing Development Special Permit issued for Settler's Landing II – Subdivision 812. The petitioner is Martha M. Morin, Trustee of Settlers Landing Realty Trust II, seeking a

modification of the house design plan for the subdivision. The application is proposing to add two new housing designs to the existing 9 house plans approved for the dwelling to be built on the 29 PIAHD designated lots in the subdivision. The lots are addressed from 75 to 174 Settler's Landing, Hyannis MA.

A motion was made by Matthew Teague, seconded by Felicia Penn, to open the public hearing and subsequently continue to June 11, 2012 at 7:15 pm.

Meeting adjourned at 8:35 pm.

Respectfully submitted,

Marjorie Watson
Administrative Assistant
Growth Management Department

Approved by vote of the Board on June 11, 2012

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