



Town of Barnstable Planning Board



www.town.barnstable.ma.us/PlanningBoard

Board Members

Raymond B. Lang – Chair Mary Barry – Vice Chair David Munsell - Clerk Paul R. Curley Stephen Helman Mark R. Ferro Steven Costello
John Norman – Town Council Liaison

Staff Support

Elizabeth Jenkins, Regulatory Review/Design Planner
Anna Brigham, Principal Planner
Karen Herrand – Principal Assistant - karen.herrand@town.barnstable.ma.us

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BARNSTABLE
TOWN CLERK

Town of Barnstable PLANNING BOARD Minutes November 28, 2016

Raymond B. Lang – Chairman	Present
Mary Barry – Vice Chairman	Present
David Munsell, Clerk	Present
Paul Curley	Present
Stephen Helman	Absent
Mark Ferro	Absent
Steven Costello	Present

Also in attendance were Anna Brigham, Principal Planner, Growth Management Dept.

Subdivisions:

Lot Releases

Subdivision 367 – 53, 71, 87, and 99 Hi River Road, Marstons Mills – Map 060 Parcels 033, 034, 035, 036 - Request from Attorney Mark Boudreau received for release of covenant for Lots 5, 6, 7 and 8, on a plan recorded at Book 305 Page 79-81

Attorney Mark Boudreau in attendance. Here on behalf of Johnson Tree Farm. 1975 Subdivision. Would like to continue the tree farm business, only structure 390 sq. ft. bldg to house a well. This will be used for the removal and planting of specimen trees. Lots 5, 7 and 8 removed from the covenant.

Paul Curley asks if the subdivision is still valid.

Attorney Boudreau states two lots at the end. The Pina family thought lots would be sold. Nothing has happened with the family. No houses built.

Paul Curley replies that he has concerns that it will be used for a house.

Attorney Boudreau replies they would have to put in a road, drainage, etc. It would not be to the advantage.

David Munsell states that he had the same concern, is the covenant completely taken away or is it excluded?

Attorney Boudreau states that the Bldg. Commissioner /owner would need relief for the road/drainage. They would have to come back and be subject to much stricter standards. Believes that the Bldg. Commissioner still has jurisdiction over the access to the lots.

Steven Costello asks if the lots will be combined? Attorney Boudreau answers, 8 acres that they will combine for zoning.

Chair Ray Lang asks about the plan, Exhibit A, asks if these were under covenant at that time.

Attorney Boudreau replies yes. These were bought 99 years ago.

Chair Ray Lang entertains a motion to release lots, moved by Paul Curley, seconded by David Munsell, so voted unanimously. - Lots 5, 6, 7 and 8.

Special Permits:

Special Permit No. 2016-003 - R.F. & R.M., LLP

Application No. 2016-003 has been submitted by R.F. & R.M., LLP for "O" Engine House Road, Hyannis Map 328, Parcel 241, under Section 240-24.1.9.B. (1) for a pay to park parking lot with 117 parking spaces which includes grading of existing pervious parking area, placement of parking kiosk machine, protective bollards, curb stops, signage, and landscape buffer. The subject lot is 58,569 square feet in area and is located in the Transportation Hub District (TD) and Wellhead Protection Overlay District (WP). *Continued from August 22, September 12, October 24, November 14, 2016. and November 28, 2016. Members hearing this application are Raymond Lang, Mary Barry, Paul Curley, Stephen Helman, David Munsell, and Mark Ferro.*

Attorney Dan Creedon's email is read into record, Exhibit B. For continuation to December 12, 2016.

Chair Ray Lang entertains a motion to continue, moved by David Munsell, seconded by Paul Curley, so voted unanimously to continue to December 12, 2016.

Special Permit No. 2016-004 - Dunrovin, LLC

The applicant is Dunrovin, LLC. The subject property is addressed 27-31 Crocker Street, Hyannis, MA and is shown on Assessor's Map 327 as Parcel 188. It is in the Medical Services (MS) Zoning District. The applicant seeks a Special Permit pursuant to Section 240-24.1.4.B(2) and also seeks to modify Special Permit No. 1988-28. The proposal is to divide the existing front four-bedroom dwelling into two, two-bedroom apartments designated as workforce housing units. The four existing units in the rear are proposed to be rented without income restrictions. Accordingly, the applicant seeks to modify Special Permit No. 1988-28; specifically, conditions No. 4 & 5 which limited the front building to single-family use and required the applicant work to provide all units as affordable housing units. *Continued from November 14, 2016. Members hearing this application are Raymond Lang, Mary Barry, Paul Curley, Stephen Helman, David Munsell and Steven Costello.*

Attorney Anthony Mazzeo in attendance and the Applicant Mark Hanson, owner of property. Attorney Mazzeo gives an explanation of the request and a history of the application from the last public hearing. Five units. He refers to the letter from the Housing Coordinator, Arden Cadrin, Exhibit C. He makes reference to the pictures, submitted at the meeting, Exhibit D. They will be putting in two front two bedroom units for workforce housing.

Mark Hanson explains the parking aisles and the spaces, he refers to Arden's memo, Exhibit C. He looks forward to continuation of working with Housing Assistance Corp. (HAC) in order to offer housing.

Steven Costello asks if they have to limit to the front unit for workforce.

Mark Hanson replies that they need to comply with a percent.

Steven Costello refers to the Findings, Exhibit E.

Mark Hanson yes, he would work with the Town.

David Munsell comments that he visited the property and does not see a problem. We need more housing like this.

Mary Barry refers to Exhibit C, she agrees with the two units to be workforce development.

Chair Ray Lang confirms that the 4 units in the back are the same and not restricted.

Paul Curley is in full support of this. The Housing Coordinator did a good job explaining this, Exhibit C.

Mark Hanson says it has been a learning curve for him as well.

The conditions are read into record – Suggested Conditions 1 through 11, Exhibit E:

1. Special Permit No. 2015-04 is granted to Dunrovin, LLC ("Applicant") for the addition of a sixth multi-family unit at 27-31 Crocker Road, Hyannis ("Property"). This permit authorizes the conversion of the existing single-family dwelling into two, two-bedroom units.
2. This permit shall modify the conditions of Special Permit No. 1988-28 to allow the conversion of the existing single-family dwelling into two units and to remove any obligation the Applicant may have to rent the units at affordable rates.
3. In accordance with the requirements of 240-24.1.4.B(2), two units shall be dedicated as workforce housing units as defined by Section 240-24.1.12 as:
 - a. Residential dwelling units, offered for sale or rent, affordable to families earning between 81% and 120% of the area median income, as defined by the U.S. Department of Housing and Urban Development, and provided within a multifamily structure. Such residential dwelling units shall remain affordable in perpetuity and shall provide a deed restriction, regulatory agreement and monitoring agreement and similar documentation as may be required by and approved by the Barnstable Town Attorney.
4. The Applicant shall record a deed restriction, in form and content approved by the Town Attorney, assuring that the workforce units will remain dedicated as such in perpetuity and that they are protected in the event of a foreclosure from loss of their workforce housing status.
5. The Applicant shall prepare a Regulatory Agreement and Monitoring Services Agreement in a form and content as approved by the Town Attorney. Said Agreements shall be recorded at the Barnstable County Registry of Deeds prior to the issuance of any building permits.
6. The Applicant shall retain a monitoring agent for this development.
 - a. The monitoring agent shall provide an annual report to the Planning Board demonstrating the development is in compliance with the workforce housing restrictions of this decision.

b. All costs associated with monitoring for consistency with the Regulatory Agreement shall be borne by the Applicant.

7. The rental units on the property shall be registered with the Building and Health Divisions as required.
8. There shall be no on-street parking on Crocker Road.
9. The property shall be in full compliance with the conditions of the Site Plan Review approval dated October 19, 2016; those conditions are hereby incorporated as conditions of this Special Permit.
10. This permit shall not be transferable to another person or entity without the prior written approval of the Board.
11. This permit must be exercised within 2-years from the date it is filed with the Town Clerks Office. The permit when finalized and signed by the Town Clerk must be recorded at the Barnstable County Registry of Deeds. A copy of the recorded decision shall be submitted to the Building Division and the Planning Board prior to the issuance of any building permit.

Chair Ray Lang entertains a motion to approve the Suggested Conditions, moved by Mary Barry, seconded by David Munsell, so voted unanimously.

Chair Ray Lang entertains a motion to adjourn, moved by Paul C, seconded by David M, so voted unanimously.

The meeting adjourned at 7:40 p.m.

Matters Not Reasonably Anticipated by the Chair:

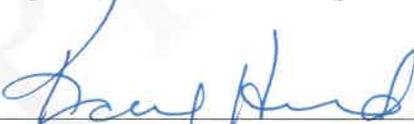
Approval of Minutes

Correspondence

(Any Member wishing a copy please contact the office)

Future Meetings: Regularly Scheduled Meetings: December 12, 2016 @ 7:00 PM.

Respectfully Submitted



by Karen A. Herrand, Principal Assistant, Planning Board

Approved by vote of the Board on

Sept. 9, 2019

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

List of Exhibit Documents

- Exhibit A** – Plan - Lot Release – Sub. No. 367 – lots 53, 71, 87 and 99. Map/Par 033,034,035,036
- Exhibit B** – SP No. 2016-003 – R.F. & R.M., LLP – email dated Nov. 28, 2016, Attorney Creedon
- Exhibit C** – SP No. 2016-004 – Dunrovin, LLC – Memorandum from A. Cadrin dated Nov. 22, 2016
- Exhibit D** – SP No. 2016-004 – Dunrovin, LLC – pictures of existing housing and parking lot/spaces
- Exhibit E** – SP No. 2016-004 – Dunrovin, LLC – Staff Report