



# Town of Barnstable Planning Board



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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](mailto:karen.herrand@town.barnstable.ma.us)

**Town of Barnstable  
PLANNING BOARD  
Minutes  
January 23, 2017**

20 AUG -3

BARNSTABLE  
TOWN CLERK

Raymond B. Lang – Chairman	Present	P12
Mary Barry – Vice Chairman	Present	29
David Munsell, Clerk	Present	
Paul Curley	Present	
Stephen Helman	Present	
Mark Ferro	Present	
Steven Costello	Present	

Also in attendance were Elizabeth Jenkins, Regulatory Review Design Planner, Growth Management Dept.

**Call to Order:** Introduction of Board Members and Staff Members

**Notice of Recording:** This meeting is being recorded and broadcast on Channel 18 and in accordance with MGL Chapter 30A §20. The Chair must inquire whether anyone else is taping this meeting and to please make their presence known.

**Subdivisions:** *Continued Business*

**Road Rescission – Sub Nos. 362 & 658                      Offshoot Rd**

Beach Point, LLC has requested to modify Subdivision Nos. 362 & 658. The request is to rescind the southerly end of Offshoot Road and incorporate the road layout into Lot 12 of the subdivision. The plan for this subdivision modification is entitled “Definitive Plan of #127 & #133 Maushop Avenue and Modification of Offshoot Road, Barnstable, MA” prepared for Beach Point, LLC, dated October 23, 2016. The subject properties are shown on Assessors Map 278 as Parcels 046-002 & 046-003. *Continued from January 9, 2017 –Revised plan to be submitted.*

Request to continue submitted by Dan Ojala, to February 13, 2017, Exhibit A.  
Elizabeth Jenkins explains that the Applicant is still working with the Fire Chief, also have had some abutter input.

**Motion made by David Munsell to continue, moved by Stephen Helman to continue to Feb 13, 2017, seconded by Paul Curley, so voted unanimously to continue.**

Stephen Helman suggests/comments if it would be possible maybe send/get one phone call out to let the abutters know if a hearing is continued or not going forward. Sign in sheet - Marcy Dugas will be the contact person.

**Special Permits:**

**Special Permit No. 2017-001**

**Fournier**

Bertrand A. Fournier seeks a Special Permit pursuant to Section 240-24.1.2.F Dimensional Relief to allow the construction of a roof over existing entrance stairs located within the required front yard setback. The subject property is addressed 105 Pleasant Street, Hyannis, MA and is shown on Assessor's Map 326 as Parcel 059. It is in the HD - Harbor District. *Staff Report, Application and associated documents enclosed*

**Chair Raymond Lang entertains a motion to open the public hearing, moved by Stephen Helman, seconded by Paul Curley, so voted unanimously.**

Elizabeth Jenkins gives an explanation regarding the setback reliefs for the front yard set back. The Planning Board as Special Permit Granting Authority (SPGA) has jurisdiction in the Growth Incentive Zone (GIZ) for this. Application for dimensional relief for encroachment.

Scott Cimeno in attendance for the Applicant, Evelyn Reid, Treasurer for the company. Scott gives an explanation of the application. Ice/icicles forming on roof/fascade and liability issues. Insurance Co. contacted the business and wants them to cure the problem. He has some pictures of the bldg. to point out/show where the proposed work will be, see Exhibit B. This is an insurance issue.

Scott Cimeno replies that Hyannis Main Street Waterfront Historic District Commission (HHDC) did approve this on Wed. night. They went over all the materials to be used.

Stephen Helman clarifies that this will be on a section of the bldg. that was built in 1997, confirms that this is not a historical component. Clarifies that HHDC has approved this? He doesn't have any issue with this.

Scott Cimeno clarifies that it is an "A" open structure in order to blend in with the character of the bldg. Exhibit C.

Steven Costello clarifies that the SPGA/Planning Board has to look at the set back, not the bldg. itself. Refers to Staff Report, Exhibit D.

David Munsell refers to Exhibit D, suggests strike out number 2 proposed Finding and leave number 3 in place. Only 2 conditions now.

Paul Curley reads the Special Permit Findings into record:

- "1. The Applicant, Bertrand A. Fournier, is seeking a Special Permit for the construction of a 4 foot by 7 foot open "A" roof over the existing front stairs located within the required front yard setback. The existing front stairs have a setback of 8 feet.*
- 2. After an evaluation of all the evidence presented, the proposal fulfills the spirit and intent of the Zoning Ordinance and would not represent a substantial detriment to the public good or the neighborhood affected. The grant of dimensional relief is in keeping with the intent of the Hyannis Village Zoning Districts as it improves the safety of the pedestrians using the stairs and therefore fulfills the spirit of the Ordinance."*

**Motion made by Stephen Helman to accept the Findings as read, seconded by David Munsell, so voted unanimously.**

Suggested Conditions read into record by Stephen Helman:

- “1. Special Permit No. 2017-001 is granted to Bertrand Fournier for property addressed 105 Pleasant Street, Hyannis, MA. The special permit is granted pursuant to Section 240-24.1.1.F for the construction of a 4 foot by 7 foot open “A” roof over the existing front stairs located within The front yard setback.
2. Improvements to the property shall be substantially in accordance with the sketch plan representing the proposed roof over the existing stairs.
3. All improvement shall conform to all building, health, licensing and fire code requirements and with the Certificate of Appropriates issued by the Hyannis Main Street Waterfront Historic District Commission.”

**Motion made by Stephen Helman to accept the suggested conditions, seconded by Paul Curley, so voted unanimously.**

**Motion made by Paul Curley to close public hearing, so moved by Stephen Helman, so voted unanimously.**

David Munsell asks about letter submitted from Maushop. Follow up to see if letter received – Sub. No. 658 and 362.

David Munsell asks about clarification of Town Council Joint Public Hearings. Why did last zoning amendment come before for a joint public hearing.

Elizabeth Jenkins replies that BEDC has decided to withdraw this zoning amendment and submit to Planning Board at a later date. Sometimes things are time sensitive.

Ray Lang suggests input from the members for input regarding joint public hearings (jph).

Paul Curley states that when a jph comes they notify Planning Board and leave decision up to the Chair.

*Discussion re procedure for joint public hearings amongst members.*

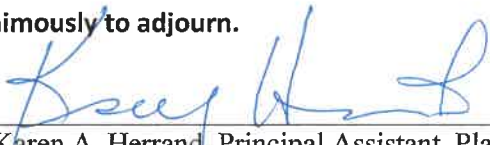
**Matters Not Reasonably Anticipated by the Chair:**

**Correspondence**                    *(Any Member wishing a copy please contact the office)*  
Chapter 91 – 83 Pleasant Pines Ave., Centerville – Wequaquet Lake – seasonal  
Chapter 91 – 803 South Main St., Centerville – Centerville River –  
construct/maintain boardwalk, pier, ramp and float

**Future Meetings:**                    Regularly Scheduled Meetings: February 13 & 27, 2017 @ 7:00 PM.

**Chair Raymond Lang entertains a motion to adjourn, moved by Stephen Helman, seconded by Paul Curley, so voted unanimously to adjourn.**

Respectfully Submitted

  
by Karen A. Herrand, Principal Assistant, Planning Board

Approved by vote of the Board on March 23, 2020

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** - Sub. No. 362 & 658 – Offshoot Rd., Maushop – request to continue to Feb. 13, 2017  
**Exhibit B** – SP No. 2017-01 – Fournier – Picture of house  
**Exhibit C** - SP No. 2017-01 – Fournier – sketch of house  
**Exhibit D** - SP No. 2017-01 – Fournier – Staff Report

APPROVED