



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

**Town of Barnstable
PLANNING BOARD
Minutes
March 27, 2017**

BARNSTABLE TOWN CLERK

12/3/20

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

Also in attendance were Karen Herrand, Principal Assistant, Growth Management Dept.

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, January 23, 2017, February 13, 2017, and February 27, 2017.*

Request to continue received from Andrew Maher.

Chair Ray Lang refers and reads request into record: Letter dated March 27 2017: Exhibit A.

Stephen Helman states that he will not be here due to first day of Passover, April 10th.

Elizabeth Jenkins states that we will need the permission of the Applicant to extend, advises only continue to April 10th for now.

Motion entertained by Chair Ray Lang, moved by Mark Ferro, seconded by David Munsell to continue to April 10th, 2017, Stephen Helman votes no. The motion passes.

David Munsell congratulates Elizabeth Jenkins as the new Director.

Holiday Lane – Sub No. 72 – Request for Certificate of Completion Form M – Joseph Guarino
Subdivision was completed in 2009

Holiday Lane – Sub No. 72 – Request for Release of Covenant Form G – Joseph Guarino

Elizabeth Jenkins explains that these two requests are for completion and release of covenant. Gives an explanation of the subdivision history and the modification of the road design. Two of the lots merged by zoning, all 3 lots in the subdivision are constructed/dwellings, roads are constructed, Engineer confirms completion of the subdivision. All securities have been released.

Chair Ray Lang clarifies that this is finalizing, makes reference to Staff Report, Exhibit B. Stephen Helman reads the Staff Report into record:

Subdivision No. 72 was a four-lot subdivision originally approved by the Board in 1966. The subdivision was modified to allow for a different turnaround configuration in 2004, with a new development agreement and covenant approved and recorded in 2006. All lots in the subdivision have been developed, including Lots 5 & 6 (31 Holiday Lane), which were made developable with the benefit of a variance from the Zoning Board.

In September 2009, the Board voted to release all remaining security for this subdivision on a recommendation from the staff engineer that all work was complete and as-built drawings were on file. There is correspondence in the file regarding release of the lots in question, but it appears the action was never completed.

Motion entertained by Chair Ray Lang, moved by Stephen Helman to issue Certificate of Completion, Form M, seconded by Paul Curley, so voted unanimously.

David Munsell asks about any \$1,000 surety.

Elizabeth Jenkins clarifies that it has been released, was held for grass seeding, shoulder work.

Motion entertained by Chair Ray Lang, moved by Stephen Helman to grant the Covenant Release, seconded by Paul Curley, so voted unanimously.

Zoning Amendments:

AMENDING THE CODE OF THE TOWN OF BARNSTABLE, PART I GENERAL ORDINANCES, CHAPTER 240 ZONING BY ADDING A GATEWAY MEDICAL DISTRICT

The Planning Board of the Town of Barnstable, acting under Chapter 40A, Section 5 of the General Laws of the Commonwealth of Massachusetts, will hold a public hearing on Monday, March 27, 2017, at 7:00 p.m. in the Hearing Room of the Barnstable Town Hall, 367 Main Street, Hyannis, MA. The purpose of this public hearing is to take comment on a proposal to amend the Town of Barnstable zoning ordinance and zoning map by adding the "Gateway Medical District", with the potential to take final action on or after this date.

The proposal would amend Section 240-6, the Zoning Map to rezone a portion of the current Medical Services Overlay District in Hyannis to the "Gateway Medical District"; amend Section 240-5 to establish the Gateway Medical District; and add a new Section 240-24.1.9.1 to establish principal permitted uses, accessory uses, special permit uses, dimensional, bulk and other requirements, and site development standards.

Chair Ray Lang asks for motion to open the public hearing, moved by Paul Curley, seconded by David Munsell, so voted unanimously.

Hank Farnham in attendance. He gives a brief history and the reason for the request for this zoning. They formed the subcommittee for this. The property owners have lost tenants given the current medical restrictions/zoning at present. Refers to the map, Exhibit C, as proposed. Opposed.

Attorney David Lawler in attendance. He comments that this area just needs a little tweaking. The Growth Incentive Zone (GIZ) is great and this is one of the few things that is good to have done.

Brant Tracey in attendance. His family owns properties along this strip. In their situation, it has been difficult to modify. He thinks that this will improve area. Support.

Vincent D'olimpio in attendance. He owns multiple properties in the area. The Cape and Islands Bldg. has been under agreement, leased over a year. Has reached out to sublet. It's been a financial hardship. He would like the amendment for this zoning to go through. It is an important area. Support.

Courtney Mullally in attendance. Her and her sister are also in favor, they are heirs of property in the area. They cannot sell any of the properties, split zoning here, difficult to market. She believes that this area has suffered, it used to be a vibrant area/businesses, a better presence there would be nice. Support.

Mark Ferro comments that he does not see a negative.

Paul Curley supports.

Mary Barry supports.

David Munsell supports. He states that this is the busiest road that comes into Hyannis, there are a lot of businesses that will increase traffic throughout. He has concerns of any bank going in there, and/or an ATM.

Steven Costello supports. Agrees with people needing relief here.

Chair Ray Lang comments that previously they thought medical businesses would take over, but didn't happen that way.

Motion entertained by Chair Ray Lang to close public hearing, moved by Stephen Helman, seconded by Mark Ferro, so voted unanimously.

Motion entertained by Chair Ray Lang, moved by Paul Curley to recommend adoption of this to Town Council, seconded by Mark Ferro, so voted unanimously. Town Council Item No. 2017-100 as presented/proposed.

Amendment of the Zoning Ordinance and Map of the Town of Barnstable to Amend and Expand the Marine Business A-1 District to include Parcels 093024, 093025 and 093028

The Planning Board of the Town of Barnstable, acting under Chapter 40A, Section 5 of the General Laws of the Commonwealth of Massachusetts, will hold a public hearing on Monday, March 27, 2017, at 7:00 p.m. in the Hearing Room of the Barnstable Town Hall, 367 Main Street, Hyannis, MA. The purpose of this hearing is to take comment on the proposed zoning ordinance and map amendment to amend and expand the Marine Business A-1 District in Osterville. The amendment proposes to allow craft boat building in the MB A-1 District as an principal permitted use and to require a 50 foot landscape buffer between residential lot lines and new marine uses. Three parcels will be added to the MB-A1 District with this amendment; those properties are addressed 186, 190 and 214 Bridge Street, Osterville.

Chair Ray Lang entertains a Motion to open the public hearing, moved by David Munsell, seconded by Paul Curley, so voted unanimously.

Attorney David Lawler in attendance, here on behalf of the Crosby Family. Refers to the zoning map, Exhibit D. Gives a history of the properties involved in this proposed zoning parcels. Boat making history. This area should be in for this zoning. Marine zoning should be here.

Mary Barry agrees, she is in support.
David Munsell agrees, he is in support.
Steven Costello agrees, he is in support. This is a suitable use.

Chair Ray Lang asks about a buffer zone.

Elizabeth Jenkins clarifies that a 50 ft. landscape buffer zone will be there from residential lot lines.

Motion entertained by Chair Ray Lang, moved by Paul Curley , seconded by Stephen Helman to close public hearing, so voted unanimously.

Motion entertained by Chair Ray Lang, moved by Stephen Helman, to recommend this Town Council Item 2017-102 to Town Council, seconded by Mark Ferro, so voted unanimously.

Matters Not Reasonably Anticipated by the Chair:

Approval of Minutes May 23, 2016, March 13, 2017, February 27, 2017, minutes

Motion made by Mary Barry to approve the minutes of Feb. 27, 2017, moved by Stephen Helman, so voted unanimously.

Motion made by Mary Barry to approve the minutes of March 13, 2017, moved Stephen Helman, so voted unanimously.

Motion made by Mary Barry to approve the minutes of May 23, 2016, so voted unanimously.

Correspondence (Any Member wishing a copy please contact the office)

Future Meetings: Regularly Scheduled Meetings: April 10 and April 24, 2017, @ 7:00 PM.

David Munsell asks about a subdivision that needs to be rescinded – High River Rd.

Ray Lang comments that there is a proposed developer. Possible meeting to attend.

David Munsell comments about “Sea Captains Row” and the Planning Board being involved.

Chair Ray Lang states that on June 1, 2017, that he will not renew.

Mark Ferro has given his letter of resignation

Motion to adjourn entertained by Chair Ray Lang, moved by David Munsell, seconded by Mark Ferro, so voted unanimously.

The meeting adjourned at 8:01 p.m.

Respectfully Submitted
Karen A. Herrand
Principal Assistant, Planning Board

Approved by vote of the Board on November 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., Request to continue

Exhibit B – Sub. No. 72 Holiday Lane, Staff Report

Exhibit C – ZA map – Gateway Medical District

Exhibit D – ZA map – Expand Marine Business - Crosby

APPROVED