



Town of Barnstable Planning Board



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Mary Barry – Chair Stephen Helman – Vice Chair Steven Costello - Clerk Paul R. Curley David Munsell Fred LaSelva
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Elizabeth Jenkins, AICP, Director
Anna Brigham, Principal Planner
Karen Herrand – Principal Assistant - karen.herrand@town.barnstable.ma.us

**Town of Barnstable
PLANNING BOARD
Minutes
September 25, 2017**

20 JUL 27

BARNSTABLE
TOWN CLERK

Mary Barry – Chairman	Present	P12-28
Stephen Helman – Vice Chairman	Present	
Steven Costello - Clerk	Present	
Paul Curley	Present	
David Munsell	Present	
Fred LaSelva	Present	
Jeffrey Swartz	Present	

Also in attendance were Elizabeth Jenkins, Director and Karen Herrand, Principal Assistant, Planning & Development 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.

Lot Releases:

Subdivision No. 657. Request to release covenant for lots, 6, 7, 8 and 9.
Address: 90, 110, & 130 Merchants Way and 20 Business Lane, Barnstable.

Attorney Eliza Cox in attendance. She gives an explanation of the request. Before site plan and Cape Cod Commission and has been approved. She refers to the DPW Memorandum , Exhibit A. They are in agreement with the recommendations that the town has

Motion made by Stephen Helman, seconded by Paul Curley, so voted unanimously to release from covenant.

Regulatory Agreements:

Capebuilt Pleasant Street, LLC seeks to enter into a Regulatory Agreement with the Town of Barnstable to redevelop nine parcels with seven new multi-family residential structures containing sixty (60) total units with a total floor area of 22,252 square feet. The properties are located at 24, 28, 43, 44, 53, 56, 64 and 66 Pleasant Street and 86 South Street, Hyannis as shown on Assessor’s Map 327 as Parcels 131,

245, 122, 133, 121, 143, 268, 135 and 137. The properties are zoned Harbor District and Hyannis Village Business District.

The Applicant proposes to construct seven, three-story multi-family residential buildings, one three-story building with two townhouses, and one building to be renovated into a community gathering space with two studio apartments above and an outdoor patio area. Six existing dilapidated structures will be demolished. Paved parking areas with new stormwater management systems, lighting and landscaping will be installed. *Continued from September 11, 2017*

Stephen Helman moves to reopen the public hearing, seconded by Paul Curley, so voted unanimously.

Attorney David Lawler in attendance. He gives a Power Point Presentation of the existing structures and how they are beyond redevelopment – present condition as is.

He gives a description of the photos and describes how the homeless go there. Smells four, dilapidated. Black mold and infestation of the buildings and how much of a bad state they are in, columns, lead paint, . These are beyond any rational or reasonable approach to restore.

He wanted to show this in the first presentation. There have been some concepts of what can/suggestions for what could be done, but no one has stepped up to finance any such saving/renovations/restoring for these bldg's.

Long term rentals – proposing this to be 60 rental units, however would like the flexibility of having 14 of the units, possibly if needed that these could be condominium. Need some type of flexibility for the project – 14 units for capital.

Rob Brennan in attendance. President of Capebuilt. Time spent with community reviewing the project. Power Point information re the team/people involved with the project. Review of the concept for the project. Neighborhood creation, walkable, local. Sponsor of Hyannis Open Streets.

Existing structure pictures. Show rot of structural beams, evidence of homeless residency. Toxic situation. He went in today to view/pictures of again. Demolition will be hazard mat type. Maritime Museum will work with MaryAnn Agresti to preserve if any possibilities of historic preservation.

Letter from the Historic Board, HHDC. They wanted to show these pictures to them re their questions about preservation. This wasn't a formal vote, but he thinks that for the most part was positive regarding this project.

Market rate rental units. Lenders are looking for flexibility in our proposal as well. Preserving this and having this provision

GIZ – lacking in meeting the projected housing needs. Monthly median incomes: some examples of the market prices.

\$1,600 AMI (Area Median Income). They think good fit, this is what market is asking for. Review of AMI incomes and 1/3 rate of rental and income.

Review of materials to be used. Dog friendly. Storage lockers in basement.

Mentions Town employees salaries that are public knowledge, re Salaries for being able to afford these rents.

Re: Address Paul Curley's comments:

Stephen Helman's written comments?? NOTE do I HAVE THESE?????

Meeting with Town manager/EJ, designate two affordable units in the Patriot Press Bldg. Two residential units above and open community space below.

New proposal: Two restricted units to be at 50% of AMI. This would be about \$29,750 salary.

Also, one unit as a cultural unit, the resident would be someone engaged in Maritime history /Maritime Arts.

One cultural unit designated for marine history/arts.

One cultural unit designated for creative arts.

Each cultural unit with designated workshop in Patriot Press Bldg.

Local artist i.e., could rent one of these units (rope work).

Recap with Site Plan.

Two designated cultural

44 inperpetuity

Phase I would be core bldg's western and southern.

14 units to give some flexibility.

Chair Mary Barry asks if any public comment.

Taryn Thoman, resident of Town and Vice Chair of HHDC in attendance. She is here to give her own view as a taxpayer, resident. Asks if they received a letter from the HHDC Board. Asks that they disregard anything that she has or has been quoted as saying in this letter. Sympathizes with the predicament, however these bldg's are very historic, and have been on the National Register, Preservation MA included this as an endangered area "Sea Captains Row". Preservation Mass has offered to assist with and help with revising preserving these bldg's.

This project would

Maritime Museum Director quote – It is not the job of the Developer to preserve this.

It is the Town that should restore/keep these bldg's by eminent domain. Urges the Planning Board to have extreme caution in approving to demolish these structures. She refers to a CC Times article that stated the rents would be \$1,100.00, although we did get a review tonight.

Anything can be repaired, saved. Properties not on an endangered list? She spent 3 hours on Pleasant Street yesterday, a lot of trucks. Suggests a traffic study be done. Parking and traffic are problems now, no waiver for a parking should be granted. Need an independent engineer experienced in restoration of historic houses.

Has a mitigation fee been established in an attempt to compensate destruction of our own history. The Planning Board has a responsibility here that is very important.

Mary-Ann Agresti, Architect, in attendance.

She has volunteered a significant amount of time for this She gives a Power Point presentation.

Pictures of the existing structures as they are in their present condition. She saw this morning, as an architect she expected to see evidence of crafts and some evidence of the historic lifestyle. The damage and mold everywhere, any rehabilitation would have to rid the entire structure, just the chemical nature to do this is an incredible challenge. She was shocked to see the stairs, evidence of sub floors, fake paneling, add hot kitchens. A lot of additions that don't have any historic value at all. There used to be some things of value, the window and to delead would be a significant undertaking.

Timothy Ferreira in attendance, resident of Barnstable, HHDC member. He comments that he is worried/concerned about parking and traffic in this area/downtown area. He walked there yesterday and the off street parking does not seem feasible here. His comment about the existing conditions is not.....

Attorney David Lawler replies to Tim Ferreira, who lives on Old Colony this would not effect him. There is parking all over here for Steamship Authority now, by the McEvoy Family. The trucks come when Steamship Authority loading and unloading. These bldg's are not able to be repaired.

Rob Brennan comments that if there were a lot of options, he would still offer that our project is the most thorough, most qualified for Hyannis.

Re: traffic – offstreet. We are cutting the spaces back onto land , relocating the sidewalks into the land that is already on the lots. To bring the spaces off of the street.

They have been working on counts, who's parking here, records and aerials, over 200 cars all of which are tied to the ferry schedules/ferry parking. Residential trip generation is the lowest of all classes here. The live, work, play would have more pedestrian population. He hopes that those issues re traffic/trucks are being looked at.

David Colombo, resident, business owner, HHDC Commiission member. He is in support of the project and he states that when he was before the HHDC, 3 out of the 5 were in support of the project/in favor of the project.

Also, stated - only 1 bldg. is on the national register, the other bldg's are not, the area is.

EJ interjects/clarifies that the structures in question are in an area, 35, give or take, bldg's that are designated as a group. Including the Patriot Press Bldg., 34, 44, are contributing, one much later 1978 that does not make a contribution, 86 South St has been, although some confusion.

Elizabeth Wurfbain in attendance, BID. She states that this project is so important for the vitality of Hyannis Downtown. We need diversification ..walkability. By changing out the parking lots where people can walk to jobs etc. It's new, but this is exactly what we are trying to do around the country to resurrect the urban environment.

Rob DeMello, DeMello Brothers, Inc., landscape instructor in attendance. Power Point presentation. His overall goal is to make a self sustaining site, limited chemicals. Bring back street tree plantings. 3 large trees to create a large canopy. Making walking more pleasant, flowering trees. A lot that we don't see anymore we would like to incorporate. Public garden trees. Two significant, one transplant, Japanese....flowering, evergreen shrubs.

Street tree plantings are important to him, he grew up here. Dumpster areas.

MaryAnn Agresti speaks on the public spaces..trees. A green space that represents the foundation of one of the structures does exist..would like to recreate with granite blocks that are already on the site. Re purpose ideas. It makes an opportunity for people to interact with history. At end of site, maybe a water feature, to bring back the maritime/water feeling. Opportunities on the site

Chair Mary Barry, ent a motion to close the PH, moved by.....so voted unanimously

Stephen Helman appreciates the affordable housing aspect. Will the 14 units be available to sell/clarifies. Remaining units will be rentals.

Atty Lawler replies until the Reg. Agrmnt ends, only way to re appear and present reasons why could no longer be designated as rental units.

Rob, the 14 units will be: 2 bldgs' on the West side and 5 on the East and the one bldg. on South Street.

Paul Curley confirms the affordable units in the Patriot Press Bldg. Is it 10%.

EJ, yes, she clarifies that it would be 6 for rentals.
And higher for owner units. We can negotiate with this.

The Applicant is correct that this could be modified in the future.

Paul Curley asks how is Town protected re the 14 units, Housing Association Documents/process.

Rob Brennan replies that all the approvals would remain and would still apply. The look would all be identical people couldn't tell rentals from owners.

Paul Curley asks about the parking waiver.
Rob Brennan states two spaces.

Paul Curley asks about sewer and water. Impact fees on the increase in density. Traffic concerns. He is concerned about the degradation of the intersections. Should have a professional review and come back and tell us what the traffic issues would be. He would like a professional to confirm.

Matt Eddy, Baxter Nye, in attendance. He explains that the sewer/DPW – treatment plant has sufficient capacity. Bringing tying into an existing main on South St., After SPR, met with DPW. Met with Water and Town Manager,
Rob has agreed that the existing water main on Pleasant St is in need of upgrade. Town Manager proposed that funds be used for the upgrade of water main on Pleasant St. last week this was discussed. Details to be specifically determined.
Sewer connection on South St.

David Munsell states that the Steam Ship Authority traffic will bottle neck this area. Like to keep the trucks off this road.
AMI – how is this determined, laborers are not making this kind of money. How many commuters are involved in this that go to Boston to work. Clarifies electrical to be underground. Thinks a good project overall. Would like to see some detail at a future meeting.

Attorney Lawler answers that these market rate units will free up other housing for people that cannot afford a market rate.
This project is intended for working professionals.

Rob Brennan comments that there is a workforce housing..up to 120% of AMI, they are considering this need. There were subsidies available, encouraging developers. When they came they found out the program was oversubscribed. The two market and workforce are synonymous.

Chair Mary Barry clarifies that there have been some comments submitted other than Fred LaSelva's that they will make public.

Fred LaSelva likes the project, but is concerned about traffic. He doesn't think the materials reflect the area. The Patriot Press Bldg. is next to a clubhouse, why a common area, when could be devoted to additional housing that could be used for subsidized. Why stay in the project after done?

Rob Brennan answers that he thinks important to have common spaces for any neighborhood. This area provides the flex space. Space where a history/workshop type area for all to enjoy. To incorporate security as well. These spaces won't be open to homeless.
The market/there is a demand here. Understand the workforce need. Rental is a reality. Not easy to sell right away, but demand for rentals. With the demand known for the rentals we can accomplish soon rather than waiting to sell.

Jeff Swartz states that he understands the flexibility and the need, his concern about the 14 units is that at that point in time not to have them end of as air B and B's. that would hurt the hotels. When owned they can put out in the market, that would then concern him with traffic.

Rob Brennan answers that there would be an absolute prohibition to this happening and would apply to the rentals as well and any condominiums down the road.

EJ interjects that there is a form that can prevent this and it can be put into the Reg. Agrmnt.

David Munsell stated that he would like to see maybe some plaques in the area, maybe small community bus stop in the area may be good. Any chance of getting the Steamship Authority property. Bicycles racks? Great project in Dennis.

Rob Brennan replies, he agrees with the plaques, Mary Ann will be working on the history aspect. He doesn't believe that the site plan accommodates a bus stop, but they could work with transportation re this.

Actually Hy Line owns that bldg. and they have met with them, and the Scudder's have a present need for the bldg. talk that they will look to see if they could re locate. We have hope that they may ..Bicycles sheds will be here, that will secure and protect their bikes. Lots of ideas with bike sharing etc. electric bikes.

Chair Mary Barry asks for Public comment. Hoping to get a draft reg. agrmnt on October 13th, hopefully. So that we can have for the October 23rd meeting.

Motion made by SH to continue to Oct. 23, moved by Paul C., so voted unanimously to continue to Oct. 23.

Adam Weiner/Guaranteed Fresh Produce or nominee seeks to enter into a Regulatory Agreement with the Town of Barnstable to expand an existing building housing a wholesale and retail produce/grocery establishment at 35 Iyannough Road and for accessory parking at 30 Iyannough Road. The properties are shown on Assessor's Map 343 as Parcels 003 and 015. They are in the GM Gateway Medical and Wellhead Protection Overlay Districts. The Applicant proposes to expand the existing building at 35 Iyannough Road by 3,832 sq.ft for the purpose of additional warehouse space for refrigerated storage and improved truck access. Additionally, the Applicant proposes to utilize 30 Iyannough Road for truck parking accessory to the business at 35 Iyannough Road.

Attorney David Lawler in attendance for the applicant. He gives an explanation of the project. Fire suppression. This would be to add accessory parking from the lot across on Rte 28, no additions to the existing building. Intended to park trucks. Traffic component is on off hours. Business is off of Rte 28.

Chair Mary Barry asks what the use of the lot is now?

Atty Lawler replies, reference to C2.0 plan, Exhibit B.,vacant, used to be a restaurant, the side closest to the Yarmouth line is the other lot, but they are only refereing to and the use of the lot closer to Rte 28.

David Munsell mentions the high water table. Max trucks can be parked here?

Matt Eddy replies that the lot, where trucks park is paved as well. They will resurface clean up pavement, it is withing 30 ft. of the wetland, putting in retaining stonewater management area..conservation is very pleased with it. Re vegetated. Max trucdks 33.

Chair Mary Barry asks for public comment.

Donna Wright, she represents the Boright Company, 21 Medeiros Way the business has been there. It has been difficult for them to continue with their business due to trucks being here and blocking access to meters, can't get mail delivery, she has photos throughout history of them blocking them. The property can't handle an expansion. They are using this area now for their trucks, no room for emergency vehicles to get in here. The access to their bldg. has been blocked a lot.

Stephen Helman asks/directs to her about parking across the street. How will PB approving this make this situation any worse.

Donna replies that Medeiros Way is a street, they are now using it all the time and across the street parking already being in use.

Attorney Lawler clarifies that this will make the area less congested with this. He states that he will speak to his client about this problem, he is unaware of this situation. This may alleviate some of these problems and he will address Donna Wright's concerns about their business.

Fred LaSelva asks about delaying a decision until this company issues are resolved. This company could use a permanent resolution to this. Maybe come up with something that can be worked out with this company. This may need to be continued.

Atty Lawler states that his client has a purchase and sale date for the property that is time sensitive by October 30th.

Donna Wright states she has spoken to the owner about this and has not gotten any relief.

Paul Curley comments that if voted tonight do you need a majority,

EJ confirms that they do need an affirmative vote to recommend this to Town Council....Oct. 19th would go to Town Council.

David Munsell clarifies that the P & S just on this lot, this should be big enough.

EJ clarifies that the plan of record will have to be changed/revised to be confined only to the parcel 315 015 for max of 23 parking spaces

Chair Mary Barry ent a motion, moved by Stephen Helman to recommend to Town Council to approve the Reg. Agrmnt with the understanding that they take the opportunity to address the neighboring businesses issues, seconded by David Munsell, so voted unanimously.

Approval of Minutes: August 28, 2017, Draft Minutes

Chair ent a motion, moved by S Helman, seconded byh Paul C, so voted unanimously to approve.

**Discussion regarding CPC representative from the Planning Board
Fred LaSelva volunteers to be the rep for CPC.**

EJ states that they will be putting together GIZ stakeholder group – need someone from Planning Board. A representative to be included.

Mary asks for the dates to be sent to the Board.

Correspondence:

Chapter 91 – 68 Little River Road, Cotuit Bay – maintain seasonal pier – Entwistle
Chapter 91 – Dredge notification 275 Millway Rd., Barnstable Harbor

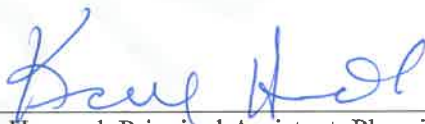
Matters Not Reasonably Anticipated by the Chair:

Future Meetings: Regularly Scheduled Meetings: October 23, and November 13, 2017, @ 7:00 PM.

Chair ent a motion to adjourn, moved by seconded by David Munsell.

The meeting adjourned at 9:41 p.m.

Respectfully Submitted


By Karen Herrand, Principal Assistant, Planning Board

Approved by vote of the Board on

April 13, 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 –