



Town of Barnstable Planning Board



www.town.barnstable.ma.us/PlanningBoard

Board Members

Steven Costello – Chair Stephen Robichaud – Vice Chair Mary Barry - Clerk Robert Twiss Michael Mecenas Raymond Sexton Tim O’Neill

Mathew Levesque – Town Council Liaison

Planning & Development Dept. Staff Support

Elizabeth Jenkins, AICP, Director

Kaitlyn Maldonado, Assistant Director

James Kupfer, AICP, Senior Planner

Karen Herrand – Principal Assistant - karen.herrand@town.barnstable.ma.us

Town of Barnstable PLANNING BOARD Minutes February 28, 2022

Steven Costello – Chairman	Absent
Stephen Robichaud – Vice Chairman	Present
Mary Barry – Clerk	Present
Robert Twiss	Present
Michael Mecenas	Present
Raymond Sexton	Present
Tim O’Neill	Present

Also in attendance via remote participation were Planning & Development Staff; Elizabeth Jenkins, Director, Kaitlyn Maldonado, Assistant Director, James Kupfer, Senior Planner, and Karen Herrand, Principal Assistant.

The Planning Board’s Public Hearing will be held at 7:00 p.m. by remote participation methods. Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Channel 18 and may be viewed via the Channel 18 website at <http://streaming85.townofbarnstable.us/CablecastPublicSite/>
2. Real-time access to the Planning Board meeting is available utilizing the Zoom link or telephone number and Meeting ID provided below. Public comment can be addressed to the Planning Board by utilizing the Zoom link or telephone number and Meeting ID provided below:

Link: <https://zoom.us/j/96760387979>

Phone: 888 475 4499 US Toll-free

Meeting ID: 967 6038 7979

3. Applicants, their representatives and individuals required or entitled to appear before the Planning Board may appear remotely and may participate through the link or telephone number provided above. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting so that they may be displayed for remote public access viewing.

Application materials may be accessed by contacting Karen.herrand@town.barnstable.ma.us or calling 508-862-4064.

Call to Order

Introduction of Board Members and Staff Members

Vice Chair Stephen Robichaud will be acting Chair for this meeting, as Chair Steven Costello is out.

Attendance Roll Call

Stephen Robichaud

Mary Barry

Bob Twiss

Michael Mecnas

Ray Sexton

Tim O'Neill

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.

Public Comment

Vice Chair Stephen Robichaud opens up for any general public comment - None.

Approval Not Required:

Holian Family Realty Trust have submitted an Approval Not Required plan entitled: "Plan Showing Lot Division at 250 Windswept Way Barnstable (Oyster Harbors) MA" dated January 12, 2022, prepared and stamped by Richard R. L'Heureux of CapeSurv. *Continued from February 14, 2022*
(Majority of Full Board)

Richard L'Heureux of CapeSurv in attendance. He gives an explanation, 4 acres into 2. Lots meet shape factor requirements and frontage.

Vice Chair Stephen Robichaud entertains a motion to approve, moved by Ray Sexton to endorse the plan entitled "Plan Showing Lot Division at 250 Windswept Way, Barnstable (Oyster Harbors) MA" prepared for Holian Family Realty Trust, drawn and stamped by Richard R. L'Heureux, P.L.S. of CapeSurv dated January 12, 2022, as an Approval Not Required Plan, seconded by Mary Barry,

Roll Call Vote:

Mary Barry - aye

Bob Twiss - aye

Michael Mecnas - aye

Ray Sexton - aye

Tim O'Neill - aye

Stephen Robichaud - aye

Kevin Hollian thanks the Board.

Zoning Amendments:

Zoning Amendment TC Item No. 2022-034 - Proposal to amend the Town of Barnstable Zoning Ordinance by amending the code of the Town of Barnstable, Part I, General Ordinances, Chapter 240 Zoning by expanding the Ground-Mounted Solar Photovoltaic Overlay District to include the property located at 810 Wakeby Road, Marstons Mills (Assessors' Map 013 Parcels 004, 005, 052) and by requiring a Special Permit for large-scale ground-mounted solar photovoltaic installations located within any residential district located within the overlay district. – *continued from November 8, 2021, December 13, 2021, January 10, 2022, and February 14, 2022*
(Public Hearing) (Majority of members present and voting for recommendation to Town Council)

Vice Chair Stephen Robichaud suggests continue to next meeting, not a full Board tonight.

Jim Kupfer gives an update – seek peer review engineer specific for battery storage. Staff did reach out to a number of groups around the state and other municipalities, Medway Mass has similar issues, has provided a lot of insight. They are reviewing their ordinance as well. Best practices, attended one of their workshops at Medway’s Planning Board. Engineering service how to assist us. They are currently drafting up a scope that may be available at the next meeting. No updates to the ordinance itself at present.

Vice Chair Stephen Robichaud asks about Town Council and approval process. Also, would like to learn more on battery issues.

Jim Kupfer replies, depends on how the research and guidance will be, about a 6 month process with the entity we have been dealing with, his guess is probably a bit more.

Mary Barry asks about and with regards to the review going forward to Town Council.

Elizabeth Jenkins replies the issue trying to moderate is if we are going to obtain outside counsel at this point. Would need a funding source and appropriation, would need at this point and absorb this cost. We would be looking for a special appropriation – could start through Town Council with Liaison Matt Levesque.

Vice Chair Stephen Robichaud asks for any public comment. None.

Ray Sexton, thanks Anne Salas for all the information she has sent to the Board. To clarify to consider a proposed amendment to our zoning ordinance, developing, guidelines?

Elizabeth Jenkins, developing the guidelines, we have on the books a zoning ordinance to regulate large scale solar. Done work updating in response to Cape Cod Commission (CCC) ordinance and other documents, guiding. Looking nationwide, we are looking to develop guidelines on battery storage and relationship to public safety and environmental resources.

Ray Sexton, a dual effort under one. Forging ahead to address both. Will deal as one package. Just to clarify as one mind, have the ordinance, but do something different for Wakeby Road.

Tim O’Neill, has a lot of concerns revolving around the battery issues. Expertise of outside will be very beneficial to the Board to understand how it will effect this or any other solar array in the town. Hard to look at Wakeby Road and differentiate with the ordinance also at hand. A lot of unique and specific concerns with this property. Need to discuss and open to pass what we have here without the battery storage.

Vice Chair Stephen Robichaud – not really convinced. Understands state has requirements for battery storage, doesn’t think should influence this ordinance. Battery is uncharted territory for the Town. Would like to go through the process – not comfortable in a residential zone. Within the past decade 20 to 25 projects that have been done, Provincetown project, solar array projects are viable without battery storage. Thinks 810 Wakeby Road should be included so long as battery storage is prohibited.

Jim Kupfer if continue to next meeting, he is happy to sit down and go over the ordinance with him/talk it through with any Board member.

Vice Chair Stephen Robichaud entertains a motion to continue, moved by Bob Twiss to continue Zoning Amendment TC Item No. 2022-034 to March 14, 2022, Planning Board meeting at 7:00 p.m., seconded by Mary Barry,

Roll Call Vote:

Mary Barry - aye

Bob Twiss - aye

Michael Mecnas - aye

Ray Sexton - aye

Tim O'Neill - aye

Stephen Robichaud - aye

Staff Updates

Local Comprehensive Plan

Elizabeth Jenkins informs – application date closes tomorrow, March 1, 2022. Can be found online at Planning & Development website, return to LCP or in person to Town Manager's office. Will have reviewed and will provide additional information in the coming days.

Vice Chair Stephen Robichaud asks if it follows the same procedure as a Board?

Elizabeth Jenkins replies, not a full Committee that is reviewing so we will follow the process that was transmitted to Town Council. To make videos publicized and available. Appointments Committee will be talking about some questions at their upcoming meeting. Staff is working through the logistics and will provide updates.

Matters Not Reasonably Anticipated by the Chair

Correspondence

Chapter 91 Notice – Ahern – 421 Main St., Osterville - float

Approval of Minutes

February 14, 2022, draft minutes

Vice Chair Stephen Robichaud entertains a motion to approve the draft minutes of Feb. 14, 2022, moved by Mary Barry, seconded by Ray Sexton,

Roll Call Vote:

Mary Barry - aye

Bob Twiss - aye

Michael Mecnas - aye

Ray Sexton - aye

Tim O'Neill - aye

Stephen Robichaud - aye

Future Meetings: March 14th, and March 28, 2022, @ 7:00 p.m.

Adjournment

Vice Chair Stephen Robichaud entertains a motion to adjourn, moved by Mary Barry, seconded by Ray Sexton,

Roll call Vote:

Mary Barry - aye

Bob Twiss - aye

Michael Mecnas - aye

Ray Sexton - aye
Tim O'Neill - aye
Stephen Robichaud - aye

The meeting adjourned at 7:36 p.m.

Respectfully Submitted
Karen Herrand, Principal Assistant, Planning & Development

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

APPROVED