



Stephen Robichaud, Chair Tim O'Neill, **Vice Chair** Matthew Teague, Clerk Mary Barry Michael Mecnas Raymond Sexton Catherine Finkenstaedt

Planning & Development Dept. Staff Support

Kyle Pedicini, Assistant Director - kyle.pedicini@barnstable.gov

Karen Pina – Principal Assistant - karen.pina@barnstable.gov

Stephen Robichaud – Chairman	Absent
Tim O’Neill – Vice Chair	Present
Matthew Teague – Clerk	Present
Mary Barry	Present
Michael Mecenas	Present
Raymond Sexton	Present
Catherine Finkenstaedt	Present

The Planning Board's Public Hearing will be held at 7:00 p.m. by remote participation methods due to the Town Hall's elevator repair and in compliance per the American Disabilities Act in the Commonwealth of Massachusetts. Alternative public access to this meeting shall be provided in the following manner:

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:

Phone: 888 475 4499 US Toll-free

<https://townofbarnstable-us.zoom.us/join/86079399421?signature=Z4Jttx1THxm9KibsdEfuNzwy59Z9mDN6FN1Mlphbuu0>

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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.

Vice Chair Tim O'Neill Chairs the meeting

Call to Order Introduction of Board Members

Attendance Roll Call

Ray Sexton
Catherine Finkenstaedt
Mary Barry
Michael Mecnas
Tim O'Neill
Matt Teague

Planning Board Chair Public Comment Statement

General Public Comment - None

Special Permit *(public hearing)*

Louis N. Vinios, Trustee, J & P Hyannis Trust has submitted a request for a special permit for the address located at 378 & 384 Barnstable Road and 425 Iyannough Road, Hyannis – Map 311 Parcel 026 & Map 328 Parcel 070 –
continued from August 24, 2026

Ray Sexton moves to open the public hearing, seconded by Mary Barry,

Roll Call Vote:

Tim O'Neill - aye
Ray Sexton - aye
Mary Barry - aye
Matt Teague - aye
Catherine Finkenstaedt - aye
Michael Mecnas - aye

Kyle Pedicini – clarifies no new information since the last Staff Report issued for this item.

Attorney John Kenney in attendance. representing Louis Vinios. Gives a background/history, 2021 Site Plan Review process, removed some of the buildings and replace with a building and curb cut closed. 2023 came back to put two new buildings. Each 4035 sq. ft. condition to remove the lot line – 425 was separate from the other two, internal lot line. Had to go to Land Court. Completed deed process and now seeking approval for the non conformities and the ANR after this. Talked with Bldg. Commissioner of how to proceed . Agreed would be through zoning ordinance – non conforming, didn't meet that criteria. Review of the plan – for the non conformities. Plan shown. Staff Report listed the non conformities. Shows the lots. 3.7 ft. setback. Lot coverage. Parking lot buffer landscape, shows current/existing layout plan. Review of the buffer and trees for each lot. Parking spaces. Plaza here been in existence since late 60's or early 70's . Points out the non conformities. By adding in other buildings would be making the area more consistent. Bringing the lots into compliance – this has had a significant improvement.

Kyle Pedicini confirms that this will need 5 votes for this to pass.

Vice Chair Tim O'Neill asks the Board for any questions?

Matt Teague, why not do ANR first?

Attorney Kenney, would be creating a new lot and would destroy the non conforming status.

Ray Sexton, what mitigation has taken place? Curb cut. Is there any intent to address any of the non conformities?

Attorney Kenney no change on 425 Iyannough. Did make significant upgrades to Barnstable Rd., and removed dilapidated buildings. The ANR will remove the internal lot line.

Ray Sexton, any public safety issues having the parking lot up against the building, in terms of access or egress? Backing out to Barnstable Rd.? Anything else to be addressed?

Attorney Kenney not aware of any safety issues here. Don't think can take a left out of parking lot at Barnstable Rd.

Vice Chair Tim O'Neill, unique circumstance here – this makes sense.

Vice Chair Tim O'Neill asks for any public comment. None.

**Motion made by Mary Barry to close the public hearing, seconded by Matt Teague,
Roll Call Vote:**

Tim O'Neill - aye

Mary Barry - aye

Ray Sexton - aye

Michael Mecnas - aye

Catherine Finkenstaedt - aye

Matt Teague - aye

Matt Teague makes a motion to approve Special Permit SP 2026-003 - 378 & 384 Barnstable Road and 425 Iyannough Road, Hyannis with the following findings;

Draft Findings

1. The property location is 378 and 384 Barnstable Road & 425 Iyannough Road, Hyannis, Hyannis is shown on Assessor's Map 311 Parcel 26 and Map 328 Parcel 70 in the Highway Commercial (HC) district.
2. The applicant, J&P Realty Trust, seeks a Special Permit pursuant to M.G.L. Chapter 40A, Section 6, and sections 240-90 and 240-24.1.3 of the town's zoning ordinance. The applicant seeks to protect the legal pre-existing nonconforming status on the parcel located at 425 Iyannough Road.
3. The plan entitled "Existing Conditions Special Permit Plan", prepared for JPA Management, LLC, prepared by Baxter Nye Engineering & Surveying, dated June 4, 2026, identifies the following pre-existing nonconformities on the site:
 - a. Secondary front setback: 16.1 feet where 20 is required (Kings Way)
 - b. Side setback: 3.7 feet where 10 is required
 - c. Lot coverage: 91.1% where 50% is maximum
 - d. Natural state: 0% where 30% is required
 - e. Parking lot front landscape buffer: 9.8 feet where 10 feet is required
 - f. Parking lot side landscape buffer: 0 feet where 6 feet is required
 - g. Parking lot interior landscaping: 1.8% where 10% is required
 - h. Parking lot trees: 4 trees where 82 trees are required
 - i. Parking lot front buffer trees: 4 trees along Barnstable-Hyannis Road where 13 trees are required and 1 tree along Iyannough Road where 4 trees are required
 - j. Parking lot understory requirement: No understory or shrubbery where one understory tree is required
 - k. Parking lot setback to building: 0 feet where 10 feet is required
 - l. Parking lot interior landscape island width: 0 feet where 6 or 8 feet is required
 - m. Curb cut width: 46 feet where 24 feet is maximum
 - n. Parking requirements: 412 spaces where 464 is required

- o. Parking space size: 9.1' x 16.8' where 9' x 20' is required and 8.7' x 21.8' for parallel spaces where 9' x 23' is required
4. The Planning Board finds that the issuance of the Special Permit is consistent with the Design and Infrastructure Plan and that the development meets the following criteria:
 - a. Support economic activities that create livable-wage jobs.
5. The application falls within a category specifically excepted in the ordinance for a grant of a Special Permit. Section 240-90 state: It is the intent of this section to protect property rights of owners of preexisting legally created nonconforming lots, uses and buildings or structures and to provide regulation of changes or expansion of preexisting nonconforming structures, building and uses. Section 240-24.1.3.B states that the Planning Board is the Special Permit Granting Authority (SPGA) for all development within the Downtown Hyannis Zoning Districts.
6. 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.
7. Site plan review is not required for this project.
8. The proposed repairs, alterations and/or expansion are not substantially more detrimental to the surrounding neighborhood, as referenced with the Conditions 1 through 6, Seconded by Ray Sexton,

Roll Call Vote:

Tim O'Neill - aye
Mary Barry - aye
Matt Teague - aye
Ray Sexton - aye
Catherine Finkenstaedt - aye
Michael Mecenas - aye

Approval Not Required Plans *(not a public hearing)*

Louis N. Vinios, Trustee, J & P Hyannis Trust has submitted an Approval Not Required plan entitled "Approval Not Required Plan, ANR 1.0" prepared for JPA Management, LLC, dated October 28, 2025 - *continued from August 24, 2026*

Attorney Kenney in attendance, representing Louis Vinios, Trustee, J & P Hyannis Trust. Explains that there were four buildings there previously. Land Court parcels. Combining all into one lot.

Vice Chair Tim O'Neill asks for any public comment. None.

Vice Chair Tim O'Neill entertains a Motion, moved by Mary Barry to endorse *the plan "Approval Not Required Plan, Sheet ANR 1.0" prepared for JPA management, LLC, prepared by Baxter Nye Engineering & Surveying, dated October 28, 2025, as an Approval Not Required Plan with the following Findings;*

The plan as submitted qualifies as an Approval Not Required plan and it should be endorsed by the Board as:

- It does not constitute a subdivision because each of the lots have the minimum required frontage on an existing way having suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use and for the installation of municipal services to serve such use or has been labeled as "not buildable"; and
- All materials and conditions of Chapter 801, Article IV Approval Not Required Plans, have been submitted and are in full compliance, seconded by Catherine Finkenstaedt,

Roll Call Vote:

Tim O'Neill – aye

Catherine Finkenstaedt - aye
Mary Barry - aye
Michael Mecnas - aye
Matt Teague - aye
Ray Sexton - aye

General Correspondence

Chapter 91 Notice – 213 Lakeside Dr., W. Centerville – Dock – J. Jones
Chapter 91 Notice – 150 Carriage Rd., Barnstable – pier and platform and rack – McParland

Staff Updates

Kyle Pedicini, Town Council meeting – will be giving update regarding small businesses in town, that support the community.

Matters Not Reasonably Anticipated by the Chair

Approval of Minutes

August 10, 2026 Draft Minutes

Vice Chair Tim O'Neill entertains a motion to approve, moved by Matt Teague, seconded by Mary Barry,

Roll Call Vote:

Tim O'Neill - aye
Mary Barry - aye
Matt Teague - aye
Ray Sexton - aye
Catherine Finkenstaedt - aye
Michael Mecnas - aye

Future Meetings: September 28th and October 26, 2026 (*remote meetings*)

Adjournment

Vice Chair Tim O'Neill entertains a motion to adjourn, moved by Ray Sexton, seconded by Catherine Finkenstaedt,

Roll Call Vote:

Tim O'Neill - aye
Matt Teague - aye
Mary Barry - aye
Michael Mecnas - aye
Ray Sexton - aye
Catherine Finkenstaedt - aye

The meeting adjourned at 7:43 p.m.

Respectfully Submitted,
Karen Pina, Principal Assistant, Planning & Development

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