



Town of Barnstable Planning Board

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Jo Anne Miller Buntich, Director
Jacqueline Etsten, AICP, Principal Planner
Ellen Swiniarski, Regulatory Review Coordinator

PLANNING BOARD AGENDA FOR NOVEMBER 8, 2010

7:00 PM Call Meeting to Order - Hearing Room, 2nd Floor, 367 Main Street, Hyannis

APPROVAL NOT REQUIRED PLANS

OLD POST ROAD LLC *Withdrawal and resubmission of plan anticipated.*

"Subdivision Plan of Land, Lots 1A & 1B, Parcels A & B, Cotuit, MA", prepared for Old Post Road, LLC, dated August 23, 2010, scale 1"=50 ft; prepared by Field Resources, Inc. Needham, MA, Map 054, Parcels 016 & 017. Zoning: RF, Received October 19, 2010 + 21 days = November 8, 2010.

SECURITY AND LOT RELEASE REQUESTS - None received.

SUBDIVISIONS - None received.

7:00 p.m. PUBLIC HEARING - Zoning Amendment - Non-Conforming Lots, Lot Area Exchange

This proposal is to amend Chapter 240, Article VIII of the Zoning Ordinance by adding a new Subsection I to Section 240-91 Non-conforming Lots as follows:

I. Lot Area Exchange by Lot Line Change

(1) Lot Area Equal Exchange As-of Right. The lot area of a legally non-conforming lot may be changed as of right by a lot line change provided that: (a) the exchange of lot area between abutting lots is an equal exchange; (b) existing non-conformities are not increased; (c) new non-conformities are not created; and (d) no new lots are created by the lot area exchange by lot line change.

(2) Lot Area Exchange by Special Permit. If the proposed lot area exchange by lot line change does not meet the requirements of Section 240-91.I(1) above, the Zoning Board of Appeals may allow the lot area exchange through the issuance of a special permit subject to the provisions of Section 240-125 C herein and provided that the Board finds all the following criteria are met: (a) the proposed lot area exchange will not result in any violation or increase any existing non-conformities of state and/or local environmental codes; (b) other than a change in lot area, the proposed lot area exchange does

not create any new non-conformities or increase or intensify any existing non-conformities;
and (c) no new lots are created by the lot area exchange by lot line change.

INFORMAL DISCUSSION

Informal discussion with Attorney Ford and property owner regarding a Regulatory Agreement for 90 High School Road and 67 Winter Street, Hyannis (former Puritan Pontiac site).

OTHER BUSINESS

- Acceptance of draft Planning Board minutes from October 25, 2010 meeting.

CORRESPONDENCE RECEIVED

Chapter 91 License Application has been received for maintenance dredging at the 1916 Channel and beach nourishment in the municipalities of Mashpee and Barnstable in and over flowed tidelands of Popponesset Bay.

Chapter 91 License Application has been received from Hyannisport Yacht Club, Inc. to perform maintenance dredging and maintain existing fill, sluice and culvert within Marchant's Mill Road and Mill Creek, Barnstable in and over flowed tidelands of Marchant's Mill Pond.

FUTURE MEETINGS

Regularly scheduled meetings of the Planning Board for the remainder of 2010 are: November 22, and December 13, 2010.