



**Town of Barnstable
Planning Board
Agenda
October 28, 2013**

Barnstable Town Hall, 367 Main Street, Hyannis, MA, Hearing Room, 2nd Floor.

Meeting notice previously filed with Town Clerk - Revised as of; 10-23-2013

Note – Felicia R. Penn will not be attending

Approval Not Required Plans: None

Subdivisions - Surety:

Subdivision #305, Rue Michelle – Update on Subdivision Completion, Subdivision Bond Surety of \$34,687.50 expires November 15, 2013.

- *Staff Report enclosed, Engineers Report is anticipated*

Subdivisions – Definitive Plan Approval:

**7:00 PM Continued Hearing Definitive Subdivision No. 819 - Maki Hill Lane, West Barnstable
Maki Realty Trust, Susan A Maki Trustee**

This is a continuation of the Public Hearing to consider Definitive Subdivision Plan No. 819 for Maki Realty Trust. The plan is entitled “Definitive Plan of Land in West Barnstable, MA “Maki Hill Lane” prepared for Maki Realty Trust, dated April 2, 2013. The plan proposes the division of a 6.94-acre parcel, now addressed 0 Oak Street, West Barnstable, MA into 3 developable lots and creation of Maki Hill Lane off Oak Street to serve the new lots. The subject property is shown on Assessors Map 215 as parcel 014-003.

- *Opened September 9, 2013, continued to October 28, 2013- Continued for rendering of a decision*
- *Enclosed Staff Drafts of: Decision Notice, Form F Covenant, Form S Road Maintenance & Repair, Development Agreement*
Homeowner’s Association Declaration of Trust, Proposed Association Rules & Regulations forthcoming.
- *Application filed August 2, 2013. No Extension of Time. Filing of Decision due October 31, 2013*

Regulatory Agreement:

**7:30 PM Continued Hearing Regulatory Agreement No. 2013- 03
Hyannis Harbor Suites Hotel, LLC or Nominee & Harborview Hotel
Investors, LLC**

Regulatory Agreement No. 2013-03 is the application of Hyannis Harbor Suites Hotel, LLC or Nominee & Harborview Hotel Investors, LLC, seeking to enter into an agreement with the Town of Barnstable to construct and operate at 213 Ocean Street, Hyannis, MA a new four (4) story year-round hotel with up to sixty-eight (68) rooms, each room containing its own kitchen facility. This proposed hotel building is in addition to the existing 136 room Hyannis Harbor Hotel situated on the 3.4 acre lot. The subject property is located in the HD-Harbor District of the Hyannis Village Zoning Districts and is shown on Assessor’s Map 326, Parcel 035.

The Regulatory Agreement seeks waivers from the Barnstable Zoning Ordinances, specifically:

Section 240-24.1.7.A – Harbor District, Permitted uses to allow hotel rooms with kitchens.

Section 240-24.1.7.C – Harbor District, Dimensional, bulk and other requirements, including maximum building height, to allow 4-stories where only a 2.5 story buildings are permitted, waivers of the 10-foot minimum side and rear setbacks, waiver of the 70% maximum lot coverage and waiver of the 10-foot front yard landscape setback.

Section 240-24.1.10 - Site Development Standards and Section 240-53 – Landscape Requirements for Parking Lots, including waivers from the following; the 6-foot minimum setback for parking lots, 10% interior parking lot landscaping, required minimum number of trees, dumpster setback from lot line and any other necessary relief.

Section 240-56 - Schedule of Off-Street Parking Requirements to allow a reduction in the required on-site parking.

In addition, the Regulatory Agreement seeks relief from the general ordinances of the Town, Chapter 112, Article III, Hyannis Main Street Waterfront Historic District seeking the Planning Board to act on behalf of the Hyannis Main Street Waterfront Historic District Commission.

- *Opened April 8, 2013, continued June 10, 2013, July 22, 2013, August 12, 2013, August 26, 2013, September 23, 2013 and to October 28, 2013 - continued for; further updates, and possible review of a Draft Regulatory Agreement*
- *It is Staff's understanding that a request for a continuance will be made.*

Subdivision No. 822 – Plan Endorsement:

Aberle Way – William A. Riley et al.

On September 9, 2013, the Board voted to approve Subdivision No. 822, 2519 Main St., Barnstable, Aberle Way, for William A. Riley et al. That plan involved the development of a 6 lot subdivision on a 9.24-acre parcel. The decision was signed and filed with the Town Clerk's Office on September 18, 2013, and the 20 day appeal period has elapsed. The Town Clerk has certified the decision and plan and the Board may now endorse the plan for recording.

- *Copy of plan to be endorsed by Board enclosed*

Discussion:

Correspondence from Attorney Schulz received October 18, 2013, regarding 21 Indian Trail, Oyster Harbors, Osterville. This is a request presented to the Planning Board to waive a notation made on a 1989 Approval Not Required (ANR) Plan endorsed by the Board on November 16, 1989.

- *Copy of correspondence and associated exhibit documents enclosed*

Correspondence: The following Cape Cod Commission Notices have been received:

Minor Modification to the DRI Decision for Cape Cod Hospital Emergency Center Expansion, September 11, 2013

Minor Modification to the DRI Decision for the NSTAR Transmission Line Project, October 2, 2013

October 8, 2013, Notice of Barnstable County Ordinance 13-07, establishing a Cape-Wide Fertilizer Management District of Critical Planning Concern

Approval of Minutes: Approval of June 10, June 24, July 22, August 12, and August 26, 2013, Board Meeting Minutes – *Copy of Minutes enclosed*

Future Meetings: Regularly Scheduled Meetings: November 25, 2013 and December 09, 2013, @ 7:00 PM.
Discussion to consider cancellation of December 23rd Meeting
Proposed 2014 Planning Board Meeting Schedule (copy attached)

Please Note: The list of matters are those reasonably anticipated by the chair, which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the Committee may go into executive session. The Committee may also act on items in an order other than they appear on this agenda.

* Public files are available for viewing during normal business hours at the Planning Board, Growth Management Department, 200 Main Street, Hyannis, MA