



**Town of Barnstable
Planning Board
Agenda
July 22, 2013**

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

Meeting notice previously filed with Town Clerk - Revised as of; 07-16-2013

Approval Not Required Plans: – *None*

Repetitive Petition:

7:00 PM

**ZBA Appeal No. 2013-035 - Ruggiero - Repetitive Petitions
Referred to the Planning Board for Consents on Material Changes**

In accordance with MGL Chapter 40A, Section 16 - Repetitive Petitions - the Planning Board will hold a public meeting to consider the findings made by the Zoning Board of Appeals regarding Appeal No. 2013-035. Appeal No. 2013-035 is a reapplication of Daniel and Mindi Ruggiero to demolition and rebuild a new single-family dwelling on a lot of less than 10,000 sq.ft., at 93 Circuit Avenue, Hyannis, MA.

It is a repetitive petition as an earlier petition (Appeal No. 2012-049), was not favorably acted upon and on March 8, 2013 the Zoning Board filed its decision to not grant the petition. As two years have not expired since the Zoning Board's unfavorable decision, this reapplication must be processed as a Repetitive Petition. Chapter 40A, Section 16 requires the Zoning Board make findings that specific and material changes in the conditions upon which the previous unfavorable action was based and that all but one of the Planning Board members consents to the findings made by the Zoning Board of Appeals on specific and material changes.

The subject property is located at 93 Circuit Avenue, Hyannis, MA as shown on Assessor's Map 324 as Parcel 052. It is in the Residence B Zoning District.

- *Staff Report and associated materials attached*

Subdivisions:

7:00 PM

New

**Proposed Definitive Subdivision No. 822
Aberle Way – 2519 Main Street Barnstable - William A. Riley**

To all persons deemed interested in the Planning Board acting under the General Laws of the Commonwealth of Massachusetts, Chapter 41, Sections 81A, through 81GG, Subdivision Control and all amendments thereto and the Town of Barnstable Chapter 801, Subdivision Regulations of the Code of the Town of Barnstable you are hereby notified of a Public Hearing to be held to consider Subdivision No. 822. The plan for this subdivision is entitled "Definitive Plan of Land in Barnstable, MA #2519 Main Street - Riley Subdivision" prepared for William A. Riley. The plan proposes the division of a 9.24-acre lot addressed 2519 Main Street, Barnstable, MA into six developable lots and creation of Aberle Way off Main Street (a/k/a Route 6A) to serve the new lots. The subject property is shown on Assessor's Map 257 as Parcel 010.

- *Staff Report, application & plans attached*

Regulatory Agreement:

7:00PM 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 as 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, and to July 22, 2013- continued for further review and finalizing of a Regulatory Agreement.*

Nomination and Election of Officers

In accordance with MGL Chapter 41 Section 81A, Municipal Planning and Subdivision Legislation, Planning Board and MGL 40A Section 9, The Zoning Act, Special Permits, Special Permit Granting Authority, notice is hereby given that the Planning Board will consider nominations and election of officers for Chairman, Vice-Chairman and Clerk from its membership

- *Copy of Notice enclosed*

Correspondence:

Cape Cod Commission notice of Amended Chapter A, Enabling Regulations Governing Review of Developments of Regional Impact (DRI), July 2, 2013

Cape Cod Commission Decision Barnstable Municipal Airport Modification of Development of Regional Impact, July 9, 2013

FEMA notification of revised report material re Flood Insurance Rate Map and Flood Insurance Study report for Barnstable, July 5, 2013

Approval of Minutes: Approval of March 11, 2013, Board Meeting Minutes

Future Meetings: Regularly Scheduled Board Meetings: August 12, 2013 and August 26, 2013, @ 7:00 PM.

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 Growth Management Department, 200 Main Street, Hyannis, MA