



**Town of Barnstable
Planning Board
Agenda
September 9, 2013**

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

Meeting notice previously filed with Town Clerk - Revised as of: 09-04-2013

Note – Stephen Helman & David P. Munsell will not be attending

Approval Not Required Plans:

Doe - 3611 Main Street – A plan entitled “Plan of Land in Barnstable, MA #3611 Main Street (Rt. 6A) prepared for William H. Doe”, dated July 29, 2013 as prepared by Down Cape Engineering, Inc., has been submitted for endorsement as an Approval Not Required Plan. The subject property is addressed 3611 Main Street (Rt. 6A), Barnstable, MA (Assessor’s Map 317, Parcel 043). The plan proposes to divide the lot to create a new developable Lot 2 of 1.34-acres fronting on Main Street. The locus is zoned RF-2.

- *Staff Report Application, plan and associated documents enclosed*

Bow Lane Realty Trust – A plan entitled “Plan of Land in Barnstable, MA being a Division of Parcel A as shown on LCC #15234A and consolidating of Lots B2 LCC #16447A and Lot 2 as shown on LCC #16477B”, dated March 18, 2013 as prepared by Eagle Surveying, Inc., has been submitted for endorsement as an Approval Not Required Plan. The subject property is addressed 46 Bow Lane and 1758 Hyannis Road, Barnstable, MA (Assessor’s Map 299, Parcels 049 & 053). The plan proposes to recombine the lots and adjust lot lines of property shown on three Land Court Plans into two new lots. The proposed new lots are numbered on the plan as Lot 3 LCC #16447 and Lot 3 LCC #15234. Lot 3 of LCC #16447 is shown as a 2.15-acre lot fronting on Hyannis Road and encompassing the existing dwelling addressed 46 Bow Lane. Lot 3 of LCC #15234 is shown as a 1.99-acre vacant lot fronting on Bow Lane. Both new Lots have been granted a variance from the Zoning Board of Appeal.

- *Staff Report Application, plan and associated documents enclosed*

Subdivisions:

7:00 PM Continued

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 Assessors Map 257 as Parcel 010.

- *Opened July 22, 2013, continued August 26, 2013 and to September 9, 2013- Continued for rendering of a decision*

- *Outstanding needs; final revised plans, final plan review by Board's Engineer, applicant name change to Billken LLC, Homeowners Association Documents*
- *Documents Entered to File (copies enclosed) Billken LLC Certificate of Organization,*
- *Application submitted June 20, 2013. No Extension of Time. Filing of Decision due September 20, 2013*

7:00 PM	New	Definitive Subdivision No. 819 - Maki Hill Lane, West Barnstable Maki Realty Trust, Susan A Maki Trustee
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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 Definitive Subdivision No. 819. The plan for this subdivision 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.

- *Staff Report Application, plan and associated documents enclosed*
- *Report from Stephen Seymour, dated September 4, 2013, enclosed*

Special Permit:

7:30 PM	Continued	Modification of PIAHD Special Permit Settler's Landing II Subdivision No. 812 - Martha M. Morin, Trustee of Settlers Landing Realty Trust II
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The Planning Board acting under the General Laws of the Commonwealth of Massachusetts, Chapter 40A, Section 9, and all amendments thereto and the Town of Barnstable Zoning Ordinances will open a Public Hearing to consider an application for a fourth Modification for the Private Initiated Affordable Housing Development (PIAHD) Special Permit issued for Settlers Landing II - Subdivision No. 812. The Petitioner, Martha M. Morin, Trustee of Settlers Landing Realty Trust II, is seeking:

- To add two new house plans, identified as the “Dover Plan” containing approximately 2,051 square feet of living area and the “Chatham Plan” containing approximately 1,736 square feet of living area to the list of the 11 approved house design plans for the development and,
- To allow for up to five of the 29 dwellings to be built as four-bedroom homes provided the fourth bedroom is created within an approved house design plan.

The locus is the southern 7.75 acres of the subdivision commonly known as Settler's Landing located off Castlewood Circle in Hyannis, MA. The 29 parcels are shown on Assessor's Map 273 as Parcel 122, Lots 013 through 027 and Assessor's Map 272 as Parcels 212 to 225. The lots are addressed from 75 to 174 Settler's Landing, Hyannis, MA. The locus is Zoned Residential C-1.

- *This hearing was opened May 13, 2013, at which time the Board decided to bifurcate the application into Part 1 and Part 2. Part 1 covered the request to allow two new house style plans to be introduced and Part 2 covered the request to allow up to 5 of the homes to be built as four bedroom single family dwellings. At the May 13th hearing, the Board granted Part 1 allowing for a twelfth and thirteenth house plan to be used.*
- *Part 2 was continued to June 24, 2013, August 12, 2013 and to September 9, 2013 to allow for Review and Opinion of the Town Attorney Office. Opinion was issued August 8, 2013*

- *At the June 24th meeting, the Board voted a continuance with the requirement that all back taxes owed on the subdivision lots would be paid in full and verification from the Tax Collector's Office that all taxes on the Applicant's lots are current.*

Correspondence: FEMA notice dated August 26, 2013, Flood Insurance Rate Map (FIRM) Dataset information for Town

Cape Cod Commission Notice of Modification of DRI Decision for expansion of existing Cotuit Landing Shopping Plaza, approved with conditions, August 28, 2013

Approval of Minutes: Approval of April 22, 2013, Board Meeting Minutes – *Copy of Minutes enclosed*

Future Meetings:

Joint Public Hearing with the Town Council: September 19, 2013, at 7:00 P.M.

- *This Hearing is to consider a Town Council Item No. 2014-013 - a Proposed Zoning Amendment to Extend the Temporary Moratorium on the Establishment and Permitting of Medical Marijuana Treatment Centers and Associated Activities*

Regularly Scheduled Meetings: September 23, 2013 and October 28, 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 Planning Board, Growth Management Department, 200 Main Street, Hyannis, MA