



**Town of Barnstable  
Planning Board  
Minutes  
April 9, 2012**

Matthew Teague – Chairman	Present
Paul Curley – Vice Chairman	Present
Patrick Princi - Clerk	Not Present
Felicia Penn	Present
Raymond Lang	Present
David Munsell	Present

Also present were Art Traczyk, Regulatory/Design Review Planner.

A quorum being met, Chairman called the meeting to order at 7:05 PM.

**Approval Not Required Plans:**

**Hallett** - A plan entitled “Plan of Land showing Subdivision of Lot 5 ~ L.C.P. #35548-C Prepared for William C. Hallett” dated 03-06-12 as prepared by Weller & Associates, has been submitted for endorsement as an Approval Not Required Plan. This ANR plan is developed for the purposes of defining the division of land courted property and for recording with the Land Court to assure that a clear title for each of the 4 subdivision lots can issue. There are no new developable lots being created by this plan.

Chris Weller of Weller & Associates was present and applicant Mr. Hallett present as well. He explained the reason for the creation of the four new lots in land court and the relation to the 50 ft. strip of registered land relating to this ANR.

Felicia Penn moved to endorse this ANR, seconded by Paul Curley, so voted unanimously.

**Egan & Egan** - A plan titled “Approval Not required Plan” prepared for John R. and Pamela C Egan, Trustees Cotuit Realty Trust Pamela C. Egan, Trustee Pamela C. Egan Realty Trust, by Baxter Nye Engineering & Surveying, has been submitted for endorsement as an Approval Not Required Plan. The plan proposes to adjust the boundary lines between two existing lots addressed 28 Bluff Point Drive and 39 Ocean View Avenue in Cotuit, MA.

Attorney Eliza Cox of Nutter, McClennen & Fish present for the applicant. She explained that this is a land swap/reconfiguration of land and that they have obtained a variance regarding the minimum lot size requirements.

Paul Curley moved to endorse this ANR, seconded by Raymond Lang, so voted unanimously.

**7:00 pm      Public Hearing                      Continuation Special Permit Application No. 2012-02  
Parking Facilities 659 Main Street Hyannis**

Continuation of Public Hearing to consider Special Permit Application No. 2012-02. The petitioner, the 659 Main Street Realty Trust as future purchaser of the property, is seeking a special permit pursuant to Section 240-24.1.3.B (1), Parking Facilities. The petition seeks to demolish the existing structure located at 659 Main Street, Hyannis, MA and develop the lot for a 12 vehicle surface parking lot. The petition includes a request for relief from Section 240-24.1.3.C (8)(b) to allow a 22-foot wide curb-cut for the parking lot's driveway when zoning would limit the curb-cut to a maximum of 17 feet.

The property is addressed 659 Main Street, Hyannis, MA and is shown on Assessor's Map 308 as parcel 136. The property is zoned HVB - Hyannis Village Business Zoning District.

This hearing was opened January 23, 2012, continued to February 13, 2012, and to April 9, 2012. The hearing was continued to provide:

- An 'Operational Plan' that explains how the parking lot is to be operated, assures it does not become restricted and includes consideration for the enforceability aspect. Proposed hours of operation and seasonal peak usage demand verses winter demands should be included in this operational plan. Business model of how it will work and not become accessory parking.
- Detailed Signage Plan.
- Lighting Plan refined and include detail elevation showing proposed light standers and fixtures to be installed, ground illumination, light source shielding and proposed cut-off/reduced-light hours.
- Refinement of Plans including proposed location of a trash receptacle, bench size and type, improved landscape plan including increased plant diversity for year-round show & screening and include specific plant location, size, quantity and root condition at installation.

Matt Teague stated he received email correspondence from the Applicant's attorney, David Lawler stating "On behalf of the Applicant, please withdraw the application for the Special Permit without prejudice".

Felicia Penn moved that the Special Permit application 2012-02 be withdrawn without prejudice, seconded by Raymond Lang, so voted unanimously.

**Approval of Minutes:**                      Approval of March 26, 2012, Board Meeting Minutes. Approval of February 23<sup>rd</sup> and April 27, 2009, Board Meeting Minutes.

Raymond Lang just received his minutes, and abstained from approving any of them.

Felicia Penn moved to accept/approve the minutes as presented for March 26, 2012, seconded by David Munsell, Paul Curley abstained as he was not present.

Felicia Penn moved to accept/approve the minutes of April 27, 2009, noting that these minutes were transcribed and submitted by Marjorie Watson and if public would like more detailed minutes please refer to Channel 18, seconded by Paul Curley.

Paul Curley moved to accept/approve the minutes of February 23, 2009, as presented, seconded by Felicia Penn, so voted.

**Executive Minutes:** Possible Report of the Chair on review of past Executive Session Minutes.

Matt Teague stated that there have been no additional minutes released as of this date.

**Correspondence:** The following correspondence and items were received at the Planning Board's Office.

A March 26, 2012, Notice of a Chapter 91 Waterway License Application for an existing pier created by a January of 2001 building permit. The plan submitted cited a proposed ramp and floats. As this location is within Dock and Pier Overlay District established in February of 2001. Staff's communicated a concern to the Building Commissioner and the sign-off cited that Section 240-37.F does not permit existing docks/piers to be expanded.

A March 28, 2012, Notice of a Chapter 91 Waterway License Application to re-align an existing float at 83 Oyster Way, Osterville in the waters of West Bay.

Received on April 3, 2012, Notice of Chapter 91 Waterways License Application to construct and maintain a pier at 160 Peppercorn Lane, Barnstable. Notification Date April 13, 2012.


Any member wishing a full copy of the document please contact the office.

**Future Meetings:**

Regularly Scheduled Planning Board Meetings: April 23, 2012 and May 14, 2012 @ 7:00 p.m.

Motion to adjourn made by Felicia Penn, seconded by Paul Curley, so voted unanimously.

The meeting adjourned at 7:09 p.m.

Respectfully Submitted   
by Karen A. Herrand, Principal Assistant, Planning Board

Approved by vote of the Board on April 23, 2012

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