



# Town of Barnstable Planning Board

[www.town.barnstable.ma.us/PlanningBoard](http://www.town.barnstable.ma.us/PlanningBoard)



## Board Members

Mary Barry – Chair    Stephen Helman – Vice Chair    Steven Costello – Clerk    Paul R. Curley    Fred LaSelva    Jeffrey Swartz

John Norman – Town Council Liaison

## Planning & Development Dept. Staff Support

Elizabeth Jenkins, AICP, Director

Paul Wackrow, Principal Planner

Karen Herrand – Principal Assistant - [karen.herrand@town.barnstable.ma.us](mailto:karen.herrand@town.barnstable.ma.us)

## Town of Barnstable PLANNING BOARD Minutes May 14, 2018

Mary Barry – Chairman	Absent
Stephen Helman – Vice Chairman	Present
Steven Costello – Clerk	Present
Paul Curley	Present
Fred LaSelva	Present
Jeffrey Swartz	Present
Patrick Foran	Present

Also in attendance were Elizabeth Jenkins, Director, Paul Wackrow, Principal Planner and Karen Herrand, Principal Assistant, Planning & Development Dept.

**Notice of Recording:** This meeting is being recorded and broadcast on Channel 18 and in accordance with MGL Chapter 30A §20. The Chair must inquire whether anyone else is taping this meeting and to please make their presence known.

**Stephen Helman, Vice Chair/Acting Chair tonight.**

## Special Permits:

**Special Permit No. 2018-03** – 49 Ocean St., Hyannis - Verizon New England, Inc. has submitted an application to reinforce and extend the existing tower – modification to ZBA Special Permit No. 2013-002. *Continued from March 26<sup>th</sup>, and April 9, 2018.*

Acting Chair Stephen Helman, refers to the letter re request to continue, Exhibit A.

**Motion entertained by Acting Chair Stephen Helman to continue, moved by Paul Curley, seconded by Fred LaSelva, so voted unanimously to continue to June 11<sup>th</sup> at 7 p.m.**

## Regulatory Agreements:

**Big Pink, LP** seeks to enter into a Regulatory Agreement with the Town of Barnstable – to create a 5 unit apartment building and request zoning relief for density and parking. The subject property is addressed 49 Elm Avenue, Hyannis, MA and is shown on Assessor's Map 327 Parcel 075. The Property is located in the HVB District - Hyannis Village Business District. *Continued from April 30, 2018.*

**Acting Chair Stephen Helman entertains a motion to open the public hearing, moved by Jeff Swartz, so voted unanimously.**

Attorney Anthony Mazzeo in attendance. Jeff Lyon, from Big Pink, Partnership in attendance.

Attorney Mazzeo gives history; the bottom of this bldg. is commercial space not being used and would like to convert to housing/apartments. The roof has been re done. Property is good for workforce housing, good walkability. The abutter, the church, has some concerns and they are going through some rehab themselves in the area. The parking is somewhat of an issue. Put up a fence re overflow parking, maybe after the church work is done, open to that issue.

Parking concerns – the appeal would be for walkable persons to live here. Offsite lease spaces as well.

Jeff Swartz clarifies this will be workforce housing, what are the projected rents going to be? Refers to the abutter information, Exhibit B, letter from the Federated Church, has some parking concerns. How many parking spaces for property currently?

Attorney Mazzeo answers rent will be about 1,100 including utilities. Parking is currently 5 that can fit, 3 set up 2 blocks away to lease for tenants.

Paul Curley asks what are the waivers? Increase for parking, 4 or 5. How many required by the code? Confirms offsite is two blocks away. Thinks the parking is being stretched in his opinion.

Steven Costello asks how many total bedrooms? Asks about designating workforce, no affordable, strictly market -confirms all. Asks about putting up a fence.

Attorney Mazzeo replies 6 bedrooms total.

Patrick Foran asks if Barnstable residents will be given priority for workforce housing?

Elizabeth Jenkins clarifies the difference between workforce and affordable housing/ordinance defines by area median income. There hasn't been a request to restrict. It would be difficult to institute due to lawful fair housing.

Discussion re who pays for parking spaces/leasing of/distance.

Paul Wackrow clarifies: 6 required by ordinance, so requesting a waiver of 3 spaces. Not more than 12, design criteria, buffer considerations that would be waived.

Fred LaSelva asks for clarification of property ownership. What is the condition of the building now.

Mr. Lyons replies that they purchased from Will Smith, whom owned it for 60 years. They would like to move it forward/recently purchased.

Steve Costello asks about having a sign for parking.

Mr. Lyons replies they haven't thought it though, but probably a sign.

Abutter, Pamela Brown from the Federated Church in attendance. Funding just became available from Community Preservation Committee (CPC). Parking is their main concern. Deed restriction on 92 Barnstable Rd., the parking not adequate. They are putting fencing around the cemetery to protect the stones in the graveyard. There is an area, set back from Elm Street that would not be fenced.



Deed restriction and they would want a fence to separate this area.

Robert Jones, Federated Church in attendance. Not opposed to this type of workforce housing. Not concerned about the density. The Church front doors are open, but they do have a problem with the parking. We will work with a fencing possibility. Would like something in the conditions of the agreement that will address the perpetuity of what they will have for the parking. There isn't enough space on the lot. Dumpster there recently, no one asked us about putting it there.

Jeff Swartz comments that housing is needed, however he can't see voting for this in the current condition re the lease and the parking spaces not being adequate. Possible lease spaces from the church, but now this proposal is too far away because of the parking.

Fred LaSelva, he is also concerned with the distance re the parking and the leasing. Maybe work with church to buy some parking or an alternative. Guest parking hasn't even been discussed, this will make it more congested. Vehicles are the problem, hard to support.

Paul Curley states to many waivers and to many negatives at this point, maybe sell as dedicated workforce housing. He cannot support this.

Steven Costello comments that the parking is clearly a problem, maybe work out some other closer option, church, research and come back.

Mr. Lyons states that the former church leader was willing to possibly lease or easement. They have talked to surrounding neighbors over past year and a half. Bldg. has a hardship, sitting on small lot, it would benefit the town if could do workforce housing.

Patrick Foran comments that there is a need for the housing, he is concerned with the leased parking and he does not see any handicapped parking designated either.

Fred LaSelva suggests if possible to rent 3 without vehicles and restrict, maybe explore with Town Manager and have a deed restriction, need handicapped as well.

Attorney Mazzeo asks for a continuance to come back with some of these ideas and present.

Stephen Helman states that density does equal parking. Trying to envision people on inclement weather walking from and to premise parking. With the church, even an agreement would be a lease, whomever you make agreement with may not follow.

**Acting Chair Stephen Helman entertains a motion to continue to June 11<sup>th</sup>, at 7 p.m., moved by Steven Costello, seconded by Fred LaSelva, so voted unanimously.**

**Seashore Homes, Inc.** seeks to enter into a Regulatory Agreement with the Town of Barnstable to construct two residential structures with a total of eight units with a total floor area of 6,448 square feet at 185 Ridgewood Avenue, Hyannis. The property is zoned SF – Single Family District and WP - Well Protection Overlay District and is shown on Assessor's Map 328 as Parcel 226. The application requests zoning relief for use and density, setbacks, parking, and landscaping. The application also seeks lot size and lot coverage relief specifically related to the abutting lot at 195 Ridgewood Ave, shown on Assessor's Map 328 as Parcel 073, if required due to a merger with 185 Ridgewood. 195 Ridgewood is zoned HG – Hyannis Gateway District and WP - Well Protection Overlay District.

**Acting Chair Stephen Helman opens the public hearing.**



Debra Mason and Dennis Mason of Seashore Homes in attendance. Eight market rate residential units.

Dennis Mason explains the project, eight market rate residential units. Will be management intensive for this project/property. Traditional design, mixed grey, main body Cape Cod grey with white trim, similar to the office bldg's in the area. Transition piece. Create a neighborhood area, courtyard look. Market rate, 1,600 per month. Storage area, stockade fencing, crawl area, tank less hot water. Energy code. There's a vacant lot there as well, this will clean up the area.

Craig Ferrari, from Downcape Engineering in attendance. They will connect to town sewer, proposing extensive sewer improvements. Currently Ridgewood Ave does not have the capacity for sewer, drainage for parking and roof run off, portion of parking will be impervious pavers, landscaping and screening. Waivers have been proposed. Does meet 1.5 parking, seeking relief on the visitor spaces. They are seeking waiver on this parking, dumpster location, will be fenced, but on the lot line now, office side of the project. Density waiver, having 2 bldg's on 1 lot, right now only 1 per lot is allowed - Would like this re the courtyard effect. Yard setbacks, most of the bldg. will meet setback, will provide a fence, 15 ft from the property line, to create buffer.

Sam Striver, architect, from Chatham in attendance. Planning to put 4 units together. The 4 units and other bldg. 4 units will create a pocket neighborhood. First floor plan layout, he refers to the plan, Exhibit C.

Jeff Swartz comments that traffic in this area is a concern. A lot of projects there now.

Paul Curley comments that the parking seems reasonably acceptable, however going from 10 ft. to 10 inches for landscape set back is alot. One bldg. per lot – wouldn't it be better to put all in one bldg. as opposed to two? Dumpster not screened. It doesn't seem that there is enough incentive to approve this many waivers for market rate housing.

Steve Costello comments the being in the GIZ, it's important, ultimately this is an improvement. It seems like an attractive layout.

Patrick Foran agrees, he like the layout, his concern is guest parking, restriction per unit/vehicle.

Discuss re setback waivers.

Fred LaSelva states 24 people, potential living here, seems high at 1,600 for rent. Traffic mitigation will up the level. Good project, but lack of parking for guests and handicapped spaces, and the cost to live.

Dennis Mason responds that the parking was originally one for each unit. It will be assigned through the lease. The commercial space near here, there is overflow parking that they may use, they have spoken with the owners at Honey Dew.

Stephen Helman asks if any units will be set aside for affordable housing?

Dennis Mason, no they are not, market rate only.

Gary Hoxley, abutter to the property. He doesn't see this size lot with 2 buildings on it, traffic problems there. The past owner tore down house to create a buffer. He states that there is a lot of traffic now, this will definitely create additional traffic. A lot of traffic up and down Ridgewood, transportation Center creates a lot of traffic.

John Doherty, of Brookshire Rd. Shouldn't you have traffic concerns done professionally, a traffic study?

He is in opposition, the GIZ was invented to protect livability, with regulatory agreements the amount of relief is absurd. Town Council has to give 2/3 vote. Could be a traffic concern, infrastructure being insufficient, again. This project needs to be vetted out further. This is in a Wellhead protection area. The lot coverage is not adequate. Off street parking, landscape requirements, dumpster, 8 families, without a buffer very loud. Every one of the waivers being requested is absurd, maybe a duplex, but 8 units is too many.

Jeff Swartz comments /asks was any thought given to working out with neighbors? Doesn't seem like a lot done prior re abutter contact.

Dennis Mason states that he did try to speak with neighbor behind, but to no avail. They figured only immediate abutters.

Jeff Swartz has no issue with the density, but this is a cut through, Ridgewood Ave. Adding 8 families, he would need a lot more convincing to approve this.

Steven Costello states that the Town is growing and the need is there for the housing, you can never make all happy. The need sometimes outweighs.

Patrick Foran agrees with Steve Costello, a development like this is something to seriously consider.

Fred LaSelva states that because 57 Ridgewood approved, HAC project. But the need in the Town is greater, thinks project well done. The objections outweigh the negatives.

Stephen Helman comments that he thinks that this is more than he is comfortable supporting.

**Motion made by Fred LaSelva to continue to the next meeting, June 11, 2018, at 7 p.m., seconded by Paul Curley, so voted unanimously.**

Paul Curley states that they should try to make this project more appealing, think about the possibility of putting some of the units as workforce housing, maybe reduce waivers.

#### **Subdivisions:**

**Modification to Subdivision No. 809** – Daffodil Lane, Barnstable – Eddy - Extension of Development Agreement and modification of plan- 2 lots into 3. *Continued from March 26, April 9, and April 30, 2018.*

There has been a request from the applicant to continue, Exhibit D.

**Acting Chair Stephen Helman entertains a motion to continue to June 11, 2018, moved by Paul Curley, seconded by Jeff Swartz, so voted unanimously.**

**Acting Chair Stephen Helman entertains a motion to adjourn, moved by Paul Curley, seconded by Jeff Swartz, so voted unanimously to adjourn.**

#### **Correspondence:**

Chapter 91 Notice – 11 Heath Row, Mystic Lake, Barnstable – construct/maintain pier – Gravina  
Chapter 91 Notice – 245 Ocean View Ave., Cotuit – relocate/maintain existing pier - Bendetson

#### **Matters Not Reasonably Anticipated by the Chair:**



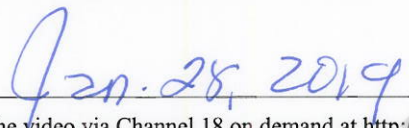
**Future Meetings:** Regularly Scheduled Meetings: June 11 and 25, 2018, @ 7:00 PM.

The meeting adjourned at 8:22 p.m.

Respectfully Submitted

  
By Karen Herrand, Principal Assistant, Planning Board

Approved by vote of the Board on

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

**LIST OF EXHIBIT DOCUMENTS**

**Exhibit A** – Special Permit No. 2018-03 – Verizon Letter dated May 11, 2018, requesting continuance.

**Exhibit B** – Reg. Agreement No. 2017-06 - Big Pink LP, Letter from Committee members of the Federated Church

**Exhibit C** – Reg. Agreement No. 2018-02 – Seashore Homes, Inc. floor plan layout

**Exhibit D** - Sub. No. 809 – Eddy/Audubon Acres – Lt. request to continue from Attorney Eliza Cox