

## Town of Barnstabl

# Planning



#### www.town.barnstable.ma.us/PlanningBoard

**Board Members** 

Mary Barry - Chair Stephen Helman - Vice Chair Steven Costello - Clerk Paul R. Curley Fred LaSelva

John Norman - Town Council Liaison

Jeffrey Swartz

Patrick Foran

Planning & Development Dept. Staff Support

Elizabeth Jenkins, AICP, Director Paul Wackrow, Principal Planner

Karen Herrand – Principal Assistant - karen.herrand@town.barnstable.ma.us

## Town of Barnstable PLANNING BOARD Minutes June 11, 2018

Mary Barry – Chairman	Present
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.

### **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>, April 9, 2018, and May 14, 2018.

David Maxson, Isotrope LLC, Peer Review Consultant in attendance. He gives a review of what has transpired/submission of questions and some minor adjustments to the report. Zoning language for expansion for non conforming use, ZBA, Chptr 240, section 93 and 94, these call for determinations if detrimental than the current non conforming use/structure. The Planning Board may not even need to concern themselves with this and the claimed need for the facility. Evidence would be needed if proposed expansion done. The major concern is the visual impact, re the report – expansion of study done by the applicant, suggests a visual impact study, and submit evidence for what view would be in the general area when expansion done. Height, change character of view, visual things if visual impact study done. Balance out of the detriment and the need.

Chair Mary Barry clarifies Planning Board's role per the zoning ordinance that was explained.

Stephen Helman would like to hear the complete package and all components of information.

Fred LaSelva states that he would like to hear the need and why conflicting information from the applicant and the impact on the whole aspect.

Jeff Swartz states that he would like to hear all and give the people of Nantucket that courtesy/convenience.

David Maxson replies - He sees a radio link between here and Nantucket and it is not performing as well as the Applicant would like in order to remain competitive in the market place. Also public safety is an issue. They are proposing better performance, no question, improvement, substantial in reliability, but no documentation as to what the reliability is today so as to do a comparison. They have designed a system that will work better. It is now a 1950 type system. There may also be a more organic reason to improve the link. More performance is being expected out of networks. Telephone companies upgrade to keep up with the times. In order to remain competitive and viable they need to improve this link. This is not a cell tower application, this is a trunk, 911 calls going to dispatch, this is not a primary function of this link. Explanation re radio waves over the water/reflections. No evidence for lower frequency link, no FCC records for this, no reliability studies, evidence that supports the claim. Although, it will be an improvement from what is there today. Explanation of alternatives.

Jeff Swartz clarifies the higher frequency and any health risks?

David Maxson replies that the emissions are well regulated by the Commonwealth and the FCC. The antennas are highly focused. This is in full compliance.

Fred LaSelva refers to pg. 7, 8 of the report, it has missing proof of due diligence, see Exhibit A. He verifies that Nantucket was the first to use local 911 calls?

David Maxson explains that when a licensee with the FCC when build or expand a tower you have to comply with guidelines for national environmental policy act/historic review and/or tribal review. Didn't see anything re these notifications.

Attorney Michael Ford in attendance, representing the applicant Verizon. Ellen Cummings, from Verizon also in attendance.

He wants to review the process and the report. He informs that he will be seeking a continuance/request for extension of time so as not to get a constructive grant and to reply to questions that were submitted.

Peer review was made part of the Site Plan Review and the Planning Board - RFP. The town was looking for 3 things:

- 1) Review/Assess: Will it work
- 2) Assessment that proposed improvements would work/solve issue(s)
- 3) Assessment of any available alternatives

This was the scope of the work.

These were the deliverables:

A draft report by the Staff and the Applicant and then final report submitted. Isotrope working on project - Verizon submitted initial answers to the questions submitted by Isotrope, then additional questions from Isotrope, without any notice filed report, came in on Friday, June 1<sup>st</sup>. It was sent to him by Staff on June 2<sup>nd</sup>. No time for his client to respond. Hence the short addendum, per Verizon answering questions, most of the report is a zoning analysis/zoning bylaw. Zoning is not for Planning Board to review.

Refers to Exhibit A, Isotrope report. Also, the 911 explanation that David Maxson gave is not correct, he would like/and asks for Ellen Cummings, of Verizon to explain.

Ellen Cummings, Regional Director of External and State Government Affairs for Verizon for the Cape and Central/ Western Massachusetts. There are 4 select router locations that only handle E 911 calls, when a call is made from Nantucket it has to leave the Island to go to one of the tandems, these are on the main land. The Tandem is the brain. Then it goes back onto the Island then goes into the PSAL (Piece app), then decided where to route. Even wireless has to go to a dedicated tandem. The calls do have to leave the Island.

Attorney Ford clarifies that the calls have to get off Island, every call has to go to its designated switch, Hyannis, which the first one is Hyannis, hence this application. It seems that there is a fundamental misunderstanding of how this works. They will submit something in writing. He's confident that they can work these things out. Verizon is not giving you misinformation.

Stephen Helman asks if cell phone user calls, do these have to come to Hyannis?

Ellen Cummings replies, yes, has to go to mainland, handled by a switch.

Jeff Swartz asks for clarification about the RFP and the information.

Attorney Ford, replies that this goes far beyond the scope and the exchange of information has not been finalized.

Jeff Swartz directs to Paul Wackrow, asks his opinion re zoning analysis being submitted by the RFP, is this beyond the scope?

Paul Wackrow replies that not his interpretation when they received/reviewed the report.

Fred LaSelva asks if the Planning Board have purview to look at how zoning is impacted/laws are read and reviewed for the Town? Asks if the scope of the RFP was too limited/should it have been expanded?

Elizabeth Jenkins interjects that in this case the Planning Board is asked to make findings, it is the task of Planning Board to review all/and associated materials and try to find the detriments vs. benefits, the scope to understand the objectives, tasked to evaluate.

Motion made by Paul Curley to approve/grant this special permit, no second on this motion.

Stephen Helman states that he thinks a little premature, he would like to see a visual impact report, this would help him to move forward, like to see this matter continued.

Attorney Ford clarifies that they have more information.

Steven Costello asks if the visual impact study something that is seen/done/expected? He felt the report not complete. He agrees that visual impact study would be good.

Attorney Ford replies that this is usually done if no tower existing or here yet.

David Maxson responds, yes, he did not have all 911 information. He has to review in light of the town's zoning ordinance. He supports the Applicant's interpretation that there is value and need for the expansion of the facility in terms of the performance.

#### Chair Mary Barry asks for Public Comment - None.

David Maxson states that he can work with the Applicant re visual impact study and revise report.

Fred LaSelva refers to GIZ 3i-1, DRI for any extensions for this type of project, will the Town ask for a DRI per the visual impact?

Elizabeth Jenkins answers that the Applicant has asked the Cape Cod Commission about jurisdiction/jurisdictional determination stated that this would follow the local review process.

Jeff Swartz asks about written questions being submitted.

Attorney Ford replies yes, will be given to Staff. Asks for clarification of what Planning Board is looking for re the visual impact study.

Chair Mary Barry clarifies visual impact study to include, what it would look like constructed, what people would see and views from.

Elizabeth Jenkins suggests that the Planning Board ask the consultant re views for visual impact and information

David Maxson states that the increase is nearly 50%, it will potentially be visible where it is not now. Suggested to use techniques/balloon to the proposed height/survey done with photo simulations.

Elizabeth Jenkins clarifies that the cost has not exceeded, this will be done per the Applicant, there may have to be amended funding, it did take time to get payment initially. Also confirms that we did get opinion from Cape Cod Commission indicating that this application did not require mandatory DRI approval.

Motion made by Stephen Helman to extend time limit and continue to July 23, 2018, a visual impact study be done and an updated addended report, seconded by Steven Costello, so voted unanimously.

**Special Permit No. 2018-06** – 529 Main St., Hyannis – Sturgis School has submitted an application for a modification permit address parking requirements associated with the accessory use of the property for assembly and to address the conditions of Special Permit Nos. 2007-13, 14, 15,, that limit food service and entertainment.

Chair Mary Barry opens the Public Hearing, seconded by Stephen Helman, so voted unanimously.

Brian Yergatian, P.E., BSC Group in attendance, representing William Sturgis Friends of Education Foundation. They are seeking a modification to a special permit, pursuant to Section 240-8.A3 of the Barnstable Zoning Ordinance. 529 Main St., Hyannis. This was originally permitted as retail. The Sturgis School would like to use as a testing center. They are seeking relief as follows:

- 1 They would like to remove ban on live entertainment
- 2 parking requirements the intended use would be educational, also a secondary use, the ability to lease bldg. in summer for retail/and/or assembly use, occupancy for 500 people, which requires parking of 160 spaces, there are currently 16 spaces on site. Sturgis would advertise that parking/shuttle available from their west campus and parking at east campus where people could walk
- 3 the first 6 ft. to display artwork, instead of first 30 ft.

Paul Curley asks if Sturgis pays a pilot instead of taxes, i.e., non profit institutions don't pay taxes, but pilot is in lieu of taxes.

James Albrecht in attendance. They do not pay taxes in any of their current bldg's in Hyannis, they do plow their own lots, they do not have any assistance from Town in maintaining their properties. The tax basis for this property at 529 Main has not been worked out yet.

Paul Curley asks if they would be willing to pay taxes?

Jim Albrecht answers that it depends on the use, if mainly for education purposes, no, but possibly for off season use.

Fred LaSelva asks how much time would this be used for education and how much for rental and what the anticipated revenue would be?

Jim Albrecht replies most likely, 90% for educational purposes, try to put in an arts program, the retail is just something we'd like to have possibly, ultimate goal is to service the community. There will not be a Sturgis sign on this bldg., just a 529 Main Street sign.

Stephen Helman asks for clarification of what kind of testing? Only for students enrolled in your school? How many days of testing?

Jim Albrecht replies that this would be for advanced placement, some senior/juniors have to test 3 to 4 months, also for MCAS testing, SAT and PSAT, right now they are using church halls and basements. This would be done during the school day. Four weeks in May, and April, 2 months of the year for testing. Students enrolled in their school. They have no auditorium or gymnasium at their current locations.

Patrick Foran asks about how the inside of the bldg. will be set up, there seems to be a lot going on.

Jim Albrecht replies only additional bathrooms will be put into the bldg. not changing/removing any of the structure outside.

Jeff Swartz ask if any rendering available for us to view? Concerns with traffic problems with shuttle service/drop offs.

Brian Yergatian confirms that it will look like it is now/no changes. Shuttle service is one drop and pick up.

Steven Costello asks if the mixed use would be temporary? Will there be change of the use whenever for whatever the event etc. may be?

Jim Albrecht replies that per the event, they would serve prepared food/microwave/fridge/ not banquet style.

Chair Mary Barry asks for clarification per the amount of retail use for the bldg. Busing/shuttle scheduling off season as well? Long term schooling here?

Jim Albrecht replies that the retail use is a backup, there first priority/choice would be for educational use. Not a swap shop type situation, it depends on what the need is. No long term schooling for this bldg., just testing. Shuttle service would be the same for use on and off season.

Fred LaSelva clarifies times for testing. Doesn't think shuttle service is good idea/how many, sports banquets require catering/food. Off the tax roles. Confused and skeptical of use.

Steven Costello asks if entertainment for students, concerts and musical events?

Jim Albrecht replies that people bring in food, and yes, entertainment for students.

#### Chair Mary Barry asks for any Public comment. None.

Elizabeth Jenkins clarifies that this is clearly an educational use. Not uncommon for them to have use on an accessory basis/outside use. Primarily for educational services/principal use. There is a lot of rental use by schools to private entities. Modification of the parking is the matter at hand.

Jeff Swartz states that the accessory use needs more clarification/confirmation.

Fred LaSelva states the only way he'll support this is with an annual/full pilot program in lieu of taxes, to be paid for this building.

Paul Curley agrees. This building is being taken off the tax role.

Elizabeth Jenkins clarifies the regulation that the Planning Board has to be concerned with is, reference to Staff Report, Pg. 2, Section 240-8.A(3) states the modification permits shall be issued "...where such regulation would substantially diminish or detract from the usefulness of a proposed development, or impair the character of the development so as to affect its intended use, provided that the modification of the bulk regulations and/or parking requirements will not create a public safety hazard along the adjacent roadways and will not create a nuisance to other, surrounding properties such that it will impair the use of these properties. Exhibit B.

We are held to much stricter standards of Nexxus and the type of conditions we can impose.

Steven Costello agrees with Elizabeth Jenkins and asks what percentage of students come from outside of Barnstable to go to Sturgis. What is the rank, seems to him that Sturgis brings a gold star and a significant positive to Hyannis.

Jim Albrecht answers at least 50%, from 18 different towns on Cape Cod, Wareham, Buzzards Bay. Sturgis ranks in the top 5, they have gold ranking.

Discussion regarding taxes being outside of the Planning Board's purview.

Fred LaSelva clarifies that this has everything to do with the tax base in the Town of Barnstable. Sturgis is a good school, 500 people attending this bldg. will create a significant issue, safety, fire etc.

Stephen Helman states that the point is that they are seeking relief, do they qualify for this relief per their application. We are not here to discuss taxes.

Jeff Swartz reads the Suggested Special Permit Findings into record: Exhibit B.

#### Suggested Special Permit Findings

1. William Sturgis Friends of Education Foundation, Inc. is seeking a Modification Permit for 529 Main Street, Hyannis Map 308, Parcel 269 under Section 240-8.A(3) to address parking requirements associated with the accessory use of the property for assembly and to address the conditions of Special Permit Nos. 2007-13, - 14, -15, that limit food service and live entertainment.

- 2. The application falls within a category specifically excepted in the ordinance for grant of a modification permit as the Applicant seeks a modification permit under Section 240-8.A(3) The use of land or structures exempt from the provisions of this chapter pursuant to MGC Ch. 40A Sec. 3, and any other statute. William Sturgis Friends of Education Foundation, Inc. is an exempt use under M.G.L. 40A Section 3. The Applicants seek to use the property for a testing center for students from the East and West Sturgis campuses as well as for student assemblies. In addition, the Applicants seek accessory use of the property for seasonal retail and public assembly.
- 3. The site is developed with an existing 7,485 gross square foot building, previously associated with The Wings Group, LLC.
- 4. The subject lot is located in Hyannis Village Business District and Single Family Residential District.
- 5. The Board finds that 167 parking spaces are required for the proposed accessory assembly use, and 16 parking spaces are provided. Consideration is also given to the use's accessory nature, the location of the use in a walkable downtown setting with ample available public parking and the plan for shuttle service provided.
- 6. The plan has been found approvable in accordance with Section 240-98 through Section 240-105, Site Plan Review, by the Site Plan Review Committee under an approval dated March 2, 2018, subject to various conditions.
- 7. The bulk regulations of the Hyannis Village Business District and Single Family Residential District and the parking requirements of Article VI, Off-Street Parking Regulations, would substantially diminish or detract from the usefulness of the proposed development, or impair the character of the development so as to affect its intended use.
- 8. The Board finds that modifying bulk regulations and parking requirements will not create a public safety hazard along adjacent roadways.
- 9. The proposal will not create a nuisance to other, surrounding properties such that it will impair the use of these properties.

Motion made by Stephen Helman to close the Public Hearing, seconded by Jeff Swartz, so voted unanimously.

Fred LaSelva comments that he thinks this is a terrible proposal for the Town, he disagrees that 500 people in this area would not be a nuisance factor. We should modify so that it be strictly for educational purposes.

Chair Mary Barry entertains a motion to approve the Findings, moved by Stephen Helman, seconded by Steven Costello,

Yes – 5, Mary Barry, Stephen Helman, Steven Costello, Jeff Swartz and Patrick Foran. No – 2, Paul Curley and Fred LaSelva. The Motion passes.

Motion made by Vice Chair Stephen Helman to approve the modification permit subject to the Conditions as presented on the Staff Report, seconded by Steven Costello, Yes – 5, Mary Barry, Stephen Helman, Steven Costello, Jeff Swartz and Patrick Foran. No – 2, Paul Curley and Fred LaSelva. The Motion passes.

#### 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, and May 14, 2018.* 

Chair Mary Barry states that Big Pink, LP submitted some recent information, also may need to review and get Legal Dept. input and extend to another meeting.

Robert Jones in attendance, member of the Federated Church. He requests to keep the Public Hearing open.

Chair Mary Barry entertains a motion to continue to June 25, 2018, seconded by Seconded by Stephen Helman, so voted unanimously.

Seashore Homes, Inc. seeks to 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. Continued from May 14, 2018.

Dan Ojala, P.E., of Downcape Engineering, in attendance, the Mason's, the Applicant's and Attorney Phil Boudrea in attendance as well. He gives a recap of the previous hearing. Refers to the site plan, Exhibit C. Fully compliant with zoning now per the parking, 13 parking spaces are provided and handicapped. They did get rid of this waiver. Sideline setbacks, rotated, no relief required now. Traffic did come up, but this type of traffic, for this type of housing does not generate as many trips. One unit will be designated as affordable.

Elizabeth Jenkins clarifies the affordable housing criteria/percent.

Fred LaSelva is in support of this project/clarifies that he personally knows Attorney Phil Boudreau for the record.

Chair Mary Barry asks for any Public Comment. None.

Stephen Helman appreciates the addition of the affordable housing unit being implemented.

Chair Mary Barry entertains a motion to close the Public Hearing, moved by Stephen Helman, seconded by Jeff Swartz, so voted unanimously.

Elizabeth Jenkins confirms and informs the Planning Board that this is in our Legal Dept. right now, and has not had a full review, memorandum of understanding and changes into the Draft Regulatory Agreement for this.

Chair Mary Barry entertains a motion to continue to June 25, 2018, moved by Stephen Helman, seconded by Paul Curley, so voted unanimously.

#### **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, April 30, 2018, and May 14, 2018.* 

Chair Mary Barry clarifies that we are waiting on the Legal Dept. for a legal opinion re condition, no. 5, responsibility of the maintenance.

Chair Mary Barry entertains a motion to open the Public Hearing, moved by Paul Curley, seconded by Jeff Swartz, so voted unanimously.

Attorney Eliza Cox in attendance, representing the Applicant. Bill and MaryBeth Eddy the Applicant's/owners, also in attendance. Coastal Engineering representatives also in attendance.

She gives an explanation of the modification being requested. Refers to the original subdivision plan, 2006, Exhibit D, and the outlined plan, Exhibit E. The lots meet zoning, consistent with what is in the surrounding area. Changes include: road to a gravel base, widen the traveled Lane, fire hydrant for the end of Daffodil lane, 8 inch water main, stormwater updated, and greener. They have had many discussions/reviews with DPW. Reference to March 21<sup>st</sup> letter from BOH, recommending, May 10<sup>th</sup>, from Barn Fire Dept., May 30<sup>th</sup> from DPW, she refers to these, see Exhibit F, G, H (letters)

Mary Beth Eddy in attendance. She hands out letter dated June 11, 2018, to Board. See Exhibit I, which consists of family history of the properties, since 2001. There goal is to build small homes for their children. The homes are set back, not visible. Easement is part of their deed. No intentions of removing the easement, their primary access.

Jeff Swartz asks about conservation and one lot abuts the wetlands, looking for clarification.

Attorney Cox replies that an Order of Conditions was granted in 2006, any new work done within 100 ft. will require filing and a hearing with Conservation Commission.

Fred LaSelva asks if this road will be owned by the Town, deed restriction, clarification of road width.

Attorney Cox replies not town owned, the owners own by a trust, this will be the sole owner and will be responsible for maintenance/provisions. Unlikely that the Town will take the road. Road width originally 12 ft. so this would be to 16 ft.

Chair Mary Barry asks how does the road maintenance get enforced?

Attorney Cox replies that they would be amending the trust agreement, attach the O & M (Operations and Management) plan that would work like a HOA (home owners association) would require them to maintain. We would need to incorporate this language. She makes reference to draft condition 5 in Staff Report, See Exhibit J.

#### Chair Mary Barry asks if any Public Comment - None.

Elizabeth Jenkins interjects this is a little bit different with the O & M plan, typically an HOA has always been the way owners have to be responsible and eliminate the burden on the Town. Recommends that maintenance of the road need to be addressed through creation of an HOA – this is Staff recommendation.

Paul Wackrow states that condition number 5 is what is proposed, and any revisions will be to this.

Chair Mary Barry reads Draft Condition No. 5 into record: Prior to the endorsement of the subdivision plan, the Applicant shall complete and endorse The Declaration of Trust creating a Homeowners Association for the 3-lots and entrusting it with the continued maintenance of the common areas, easements and enforce the covenants imposed. See Exhibit K

Attorney Cox is comfortable with this draft condition.

Chair Mary Barry entertains a Motion to close the Public Hearing, so voted unanimously.

Attorney Cox states that Condition 11 and 12 will need to be re worded.

Patrick Foran reads the Suggested Findings into record, Exhibit J.

- In accordance with Section 801-5.B.(1) of the Code of the Town of Barnstable, Waivers from construction standards to maintain rural character, the Planning Board makes the following findings:
  - a) Granting of the waiver is in the best interest of the citizens of the Town.
  - b) The plan is well designed, and in keeping with the general design principles set forth in Article VI of the Subdivision Rules and Regulations.
  - c) There is adequate access to the lots for the uses intended thereon.
  - d) The plan is in keeping with the character of the surrounding area.
- 2) The proposed gravel road will require additional maintenance compared to the subdivision regulation requirement of a bituminous concrete road.
- 3) The proposed road is within the Conservation Commission's jurisdiction and will be subject to modifications during that review process.

Chair Mary Barry entertains a motion to accept the Suggested Findings as read, moved by Stephen Helman, seconded by Steven Costello, so voted unanimously.

Chair Mary Barry entertains a motion to approve the subdivision proposal subject to the suggested conditions with the modifications to condition numbers 5, 11 and 12, moved by Jeff Swartz, seconded by Steven Costello, so voted unanimously.

#### Correspondence:

Chapter 91 Notification – 50 Fox Island Rd., Marstons Mills – O'Brien, Trs., reconstruct/maintain pier Environmental Notification Form – MEPA – Little Parkers Pond Salt Pond Restoration, Osterville

## Matters Not Reasonably Anticipated by the Chair:

Stephen Helman, speaks for the Nominating Committee, recommends that the current state of officers be continued for another year; Chair Mary Barry, Vice Chair Stephen Helman, and Clerk Steven Costello. To be voted upon at the next Planning Board meeting on June 25, 2018.

Chair Mary Barry entertains a motion to adjourn, moved by Stephen Helman, so voted unanimously.

Future Meetings: Regularly Scheduled Meetings: June 25 and July 9, 2018, @ 7:00 PM.

Respectfully Submitted

By Karen Herrand, Principal Assistant, Planning Board

Approved by vote of the Board on 000. 22 2018

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 – 49 Ocean St., Hy – Report, pg. 7 & 8.

Exhibit B – Special Permit No. No. 2018-06 – 529 Main St., Hy – Staff Report

Exhibit C - Regulatory Agreement No. 2018-002 - Site plan

Exhibit D - Sub. No. 809 - original plan with outline

Exhibit E - Sub. No. 809 orig. plan no outline

Exhibit F - Sub. No. 809 - Board of Health Letter dated 3/21/2018

Exhibit G – Sub. No. 809 – Barnstable Fire Dept. Letter dated 5/30/2018.

Exhibit H – Sub. No. 809 – DPW Letter dated 5/30/2018.

Exhibit I – Sub. No. 809 – Ms. Eddy's letter dated 6/11/2018

Exhibit J – Sub. No. 809 – Staff Report dated 6/7/2018

Exhibit K - Sub No. 809 - Draft Condition No. 5