



Town of Barnstable Planning Board



www.town.barnstable.ma.us/PlanningBoard

Board Members

Steven Costello – Chair Jeffrey Swartz – Vice Chair Patrick Foran – Clerk Mary Barry Stephen Robichaud Aimee Guthinger Robert Twiss
 Mathew Levesque – Town Council Liaison
Planning & Development Dept. Staff Support
 Elizabeth Jenkins, AICP, Director
 Kaitlyn Maldonado, Senior Planner
 Karen Herrand – Principal Assistant - karen.herrand@town.barnstable.ma.us

BARNSTABLE TOWN CLERK
2021 FEB 9 AM 12

**Town of Barnstable
PLANNING BOARD
Minutes
January 25, 2021 – 7:30 p.m.**

Steven Costello – Chairman	Present
Jeffrey Swartz – Vice Chairman	Present
Patrick Foran – Clerk	Present
Mary Barry	Absent
Stephen Robichaud	Present
Aimee Guthinger	Present
Robert Twiss	Present

Also in attendance via remote participation were Elizabeth Jenkins, Director, Planning & Development, Kaitlyn Maldonado, Senior Planner, Planning & Development and Karen Herrand, Principal Assistant.

The Planning Board’s Public Hearing will be held at **7:30** p.m. by remote participation methods as a result of the COVID-19 state of emergency in the Commonwealth of Massachusetts.

Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Channel 18 and may be viewed via the Channel 18 website at <http://streaming85.townofbarnstable.us/CablecastPublicSite/>
2. Real-time access to the Planning Board meeting is available utilizing the Zoom link or telephone number and Meeting ID provided below. Public comment can be addressed to the Planning Board by utilizing the Zoom link or telephone number and Meeting ID provided below:

Link: <https://zoom.us/j/91874830700>

Phone: 888 475 4499 US Toll-free Meeting ID: 918 7483 0700

3. Applicants, their representatives and individuals required or entitled to appear before the Planning Board may appear remotely and are not permitted to be physically present at the meeting, and may participate through the link or telephone number provided above. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting so that they may be displayed for remote public access viewing.

Application materials may be accessed by contacting Karen.herrand@town.barnstable.ma.us or calling 508-862-4064.

Call to Order: Introduction of Board Members and Staff Members

Attendance Roll Call:

Chair Steven Costello
Jeff Swartz
Patrick Foran
Stephen Robichaud
Aimee Guthinger
Bob Twiss

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.

Regulatory Agreements

Regulatory Agreement No. 2020-01 – 77 PLEASANT STREET REALTY TRUST
77 Pleasant Street Realty Trust, Wayne Kurker, Trustee seeks to enter into a Regulatory Agreement with the Town of Barnstable to use the property as a private open air parking lot. The proposal is for an 81 space gravel parking lot. The site is developed with a historic residential two-family dwelling. The dwelling is proposed to be preserved and moved within 21 feet of Pleasant Street and to continue as a two-family residential use. The subject property is 77 Pleasant Street, Hyannis, Massachusetts, shown on Assessor's Map 327 as Parcel 118. It is zoned HD Harbor District.

The Regulatory Agreement seeks waivers from the Zoning Ordinance, specifically:
Section 240-24.1.7(A)(1) Principal Permitted uses in the Harbor District – Neither a private open air parking lot nor a two-family dwelling are a permitted use in the District. The applicant also seeks the need for relief under 240-24.1.7(C) Dimensional, bulk, and other requirements to the extent required. *Continued from November 23, 2020, and December 14, 2020.*

Attorney Mike Ford in attendance.
Matt Eddy of Baxter Nye Engineering in attendance.
Wayne Kurker in attendance.

Attorney Ford refers to Planning Board Memo dated Jan. 22, 2021, Exhibit A. Mistake with the Clean Harbor Fund – to be as long as in operation, thinks the Draft Reg. Agreement in good form to be considered. Request if act tonight subject to Town Council reviewing.
Site plan – updated, for landscaping, waivers, handicapped space. Further lighting details asked for, but plan not be required at this stage. This is recommendation stage and Town Manager reviews. Thinks enough direction at present and photometric plan come forward at later stage.
Pedestrian improvements – DPW Memorandum, Exhibit B. Recommendation to have a condition that a rectangular flashing beacon be provided. No need for electrical connection, these are solar. This is already handicap accessible. Rectangular Rapid Flashing Beacon (RRFB) - be installed with pole on either side. Would like to review this request in light of mitigation. Hyannis Main Street Waterfront Historic District Commission (HHDC) has approved this unanimously for historic restoration/reconstruct. He gives an explanation of this meeting and raising of the house/structure. Other improvements to the area. Price to do a RRFB is about \$30,000. If Applicant takes this on provided that there is a cap of what he has to do. Street tree on Pleasant street, possible relocation, has added that to the draft.

Chair Steven Costello states that the harbor clean up project with this/part of this, doesn't want this to become part of this project. Important to improve pedestrian safety/ambiance of. In terms of the cost, may be on the high side, seems like a reasonable thing to do. Does benefit the new residents that will be coming to the area as well as ferry traffic visitors.

Stephen Robichaud so many people walk in that area, great addition for this triangular beacon, cost is a lot. This would be added under Community Benefit. Wanted to see a public benefit. Thinking of everyone in general. Thinks the public benefit outweighs.

Attorney Ford replies \$20,000 cap if done with Applicant's funds. Go in as a requirement but subject to protocol with the DPW, they would have to approve. Then it would become Town property after installed.

Stephen Robichaud asks how quickly move to get this project done?

Wayne Kurker replies that he hasn't spoken with a contractor yet. Doesn't think this spring could be done, may have to do in the fall.

Aimee Guthinger is in favor of \$20,000 cap and the tree.

Jeff Swartz thinks doing a good thing for the Town. Need parking Downtown. What some of the public has missed is that we have gone through and vetted this and it is a pliable project.

Elizabeth Jenkins states that there are some items not incorporated in the draft. Suggests that all have consensus, close public hearing with the idea that closing negotiations and then defer a final vote, so a final draft can be done. Next meeting vote to recommend to Town Council.

Chair Steven Costello directs to Attorney Ford – what are clean harbor thoughts?
Attorney Ford would like this to stay in the proposed Reg. Agreement, would like to get this going and use this as a starting point to do this.

Wayne Kurker, follows a pattern that there was a lump form town ramp to channel. Volunteered to maintain and has been doing for 20 years. Put in the ramp. Want to be part of keeping the harbor clean. DPW need them to lay out specifications. Hoping to get a vote tonight/consider tonight.

Chair Steven Costello replies that we need to add the items discussed for final vote. Next meeting would be a procedural vote. Need a completed document to forward to Town Council.

Elizabeth Jenkins explains that the Planning Board took public comment, at the last meeting the Board decided not to take any more public comment.

Chair Steven Costello entertains a motion to close the public hearing, moved by Jeff Swartz, seconded by Aimee Guthinger,

Roll Call Vote:

Chair Steven Costello - aye

Jeff Swartz - aye

Stephen Robichaud - aye

Patrick Foran - aye

Aimee Guthinger - aye

Bob Twiss - aye

So voted unanimously.

Attorney Ford clarifies that adding additional requirement to install figure up to \$20,000 beacon for DPW and DPW protocol be added to final draft.

Motion made by Jeff Swartz to continue to Feb 8, 2021, meeting, seconded by Stephen Robichaud,

Roll Call Vote:

Chair Steven Costello - aye

Jeff Swartz – aye

Patrick Foran - aye

Stephen Robichaud - aye

Aimee Guthinger - aye
Bob Twiss - aye

Matters Not Reasonably Anticipated by the Chair

Approval of Minutes

January 11, 2021, draft minutes

Chair Steven Costello entertains a motion to approve, moved by Jeff Swartz, seconded by Aimee Guthinger,

Roll Call Vote:

Chair Steven Costello - aye
Stepen Robichaud - aye
Patrick Foran - aye
Jeff Swartz - aye
Aimee Guthinger - aye
Bob Twiss - aye
Approved.

Future Meetings: February 8th and February 22, 2021, @ 7:00 p.m.

Adjournment

Chair Steven Costello entertains a motion to adjourn, moved by Jeff Swartz seconded by Aimee Guthinger,

Roll Call Vote:

Chair Steven Costello - aye
Jeff Swartz - aye
Stephen Robichaud - aye
Patrick Foran - aye
Aimee Guthinger - aye
Bob Twiss - aye

The meeting adjourned at 8:22 p.m.

Respectfully Submitted
Karen Herrand, Principal Assistant, Planning & Development

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 – Reg. Agreement No. 2020-01 – 77 Pleasant Street Realty Trust – Planning Board Memo – Jan. 22, 2021.

Exhibit B - Reg. Agreement No. 2020-01 – 77 Pleasant Street Realty Trust - DPW Memorandum