



# Town of Barnstable Planning Board



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

## Board Members

Paul R. Curley, Chair   Stephen Helman, Vice Chair   Felicia R. Penn, Clerk   Patrick Princi   Matthew Teague   Raymond B. Lang   David P. Munsell  
Town Council Liaison – John T. Norman

## Growth Management Department Staff Support

Art Traczyk, Design/Regulatory Review Planner - [art.traczyk@town.barnstable.ma.us](mailto:art.traczyk@town.barnstable.ma.us)  
Karen Herrand, Principal Assistant - [karen.herrand@town.barnstable.ma.us](mailto:karen.herrand@town.barnstable.ma.us)

## AGENDA

### October 27, 2014

Barnstable Town Hall, 367 Main Street, Hyannis, MA, Hearing Room, 2<sup>nd</sup> Floor.  
Meeting notice previously filed with Town Clerk - Revised as of; 10-22-2014

**Call to Order:** Introduction of Board Members – All members present introduce themselves

**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.

### **Approval Not Required Plans:**

**Crockers Corner Realty Trust** - A plan entitled “Approval Not Required Subdivision of Land prepared for James H. Crocker., Trustee of Crockers Corner Realty Trust” has been submitted for endorsement as an Approval Not Required Plan. The plan intends to divide an existing 4.8-acre parcel into two lots. The subject property is addressed 3635 Falmouth Road (Route 28), Marstons Mills, MA. It is shown on Assessor’s Map 077 as parcel 004 and is zoned Residential F and RPOD - Resource Protection Overlay District. *Staff Report, Application and Copy of Plan enclosed*

### **Repetitive Petition Notice:**

**ZBA Appeal No. 2014-042 - Bogert**

**Referral to the Planning Board for Consent on Material Changes**

The public meeting to consider a Repetitive Petition Review of William B. & Natalie Bogert for a reapplication to the Zoning Board of Appeals for a Special Permit pursuant to §240-91.H(3) Developed Lot Protection; Demolition and Rebuilding on Nonconforming Lot for property addressed 160 Tern Lane, Centerville, MA (Assessor’s Map 212, parcel 015).

*This public meeting was noticed for the August 25, 2014 Planning Board meeting and moved forward from that date to September 22, 2014 and to October 27, 2014. This meeting is awaiting action by the Zoning Board of Appeals as a Repetitive Petition and the transmittal of findings related to material changes in the proposal. Upon transmittal of the Zoning Board findings, the Planning Board may act to affirming the Zoning Board findings and consenting to the reapplication for it to proceed. For this part of the repetitive petition process, a positive vote of all but 1 of the 7 member planning board is required. As of the draft date of this Agenda, no action has been taken by the Zoning Board and no transmittal made.*

### **Discussions:**

**Whistleberry Subdivision No. 454**

This discussion and potential vote concerns review of the scope of work necessary to complete the subdivision in accordance with the current development agreement. The discussion is a continuance of the Board’s discussion of June 23, 2014. At the conclusion of that discussion, the Board granted time for the Developer to respond to lists generated.

*Materials for this discussion were previously distributed to the Board on September 15, 2014. A second copy is enclosed.*

### **New Petitions:**

**Petitions No. 2014-01 – Baxter - Pleasant Street Realty Trust**

**7:00 PM**

**Special Permit - Section 240-24.1.7.B(2), Multifamily Use**

Special Permit Petitions No. 2014-01 is that of Hudson H. Baxter, Trustee, Pleasant Street Realty Trust seeking a Special Permit pursuant to Section 240-24.1.7.B(2), Multifamily Use in the Harbor District to allow for the existing dwelling and lot to be used as a



three-family dwelling. The subject property is addressed 149 Pleasant Street, Hyannis, MA and is shown on Assessor's Map 326 as parcel 053. It is in the HD - Harbor District of the Hyannis Village Zoning Districts.

7:00 PM

**Petitions No. 2014-02 – Baxter - Pleasant Street Realty Trust  
Special Permit - Section 240-24.1.2.F, Dimensional Relief**

Special Permit Petitions No. 2014-02 is that of Hudson H. Baxter, Trustee, Pleasant Street Realty Trust seeking a Special Permit pursuant to Section 240-24.1.2.F, Dimensional Relief to allow the existing 17,171 sq.ft., lot to be used for a three-family dwelling when Section 240-1.7.B(2) limits the number of dwelling units to a maximum of 7 units per acre or 18,669 sq.ft. for 3 units. The property is short 1,498 sq.ft., from that dimensional requirement. The subject property is addressed 149 Pleasant Street, Hyannis, MA and is shown on Assessor's Map 326 as parcel 053. It is in the HD - Harbor District of the Hyannis Village Zoning Districts.

*Staff Report and Applications enclosed*

**Scenic Road Public Hearing:**

7:00 PM

**Planning Board and Tree Warden - Scenic Road Public Hearing  
Tree Removal, Main Street, Cotuit – Between 1524 Main St. and Pinquickset  
Cove Circle)**

To all persons deemed interested in or affected by the actions of the Planning Board and the Tree Warden of the Town of Barnstable, a combined public hearing, in accordance with MGL Ch. 40, Section 15C, Designation and Improvement of Scenic Roads and Chapter 180, of the General Ordinances of the Code of the Town of Barnstable, Scenic Roads, will be held regarding a proposal to remove a total of 67 trees within the layout of Main Street from Pinquickset Cove Circle to House No. 1524 Main Street, Cotuit, Massachusetts. The proposed tree removal is submitted as a part of a minor roadway widening to achieve a uniform pavement width of 20 feet, and a 3-foot wide gravel shoulder along both sides of the roadway. Included is the installation of a new culvert, re-paving of the roadway surface, wetland replication, traffic signs and pavement markings. The Town of Barnstable's Highway Division is the Applicant.

*Staff Report and Application enclosed*

**Correspondence:**

*Any Member wishing a full copy of the document please contact the office*

Cape Cod Commission Hearing Notice (Revised) September 10 & 23, 2014, Area Wide Water Quality Management Plan

Cape Cod Commission Hearing Notice October 2, 2014, Proposed Amendments to Cape Cod Commission Regulations

DEP correspondence dated September 26, 2014; Sanitary Survey Report for Great Marsh Health Service, 1049 Route 6A, West Barnstable was received. The Survey is for a private supply well serving a population of 25 persons. No violations were reported. A deficiency was identified in the wellhead as it is subject to flooding and ordered the wellhead be extended.

Notification Town Council re proposed Amendment to the General Ordinances New Chapter 78 on Fertilizer pursuant to Regulation of Fertilizer Management District of Critical Planning Concern (DCPC).  
*copy enclosed*

**Letter issued on behalf of the Board**

September 24, 2014 - Consulting Services, Request for Qualifications and Cost of Service Quotes for Inspectional Service related to Barrel Hill Trail Subdivision (No. 818) issued by Growth Management per Section 3 – Hiring of Outside Consultants.

October 16, 2014 – Notice to Andrew Maher, Beach Point LLC, of selected Consultant and requested funding.

**Approval of Minutes:** Approval of August 25, 2014, and September 22, 2014, Board Meeting Minutes – *copies enclosed*

**Future Meetings:** Regularly Scheduled Meetings: November 10 and 24, 2014 @ 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 Board may go into executive session. The Board 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