

**MINUTES  
TOWN OF BARNSTABLE  
PLANNING BOARD  
August 25, 2008**

A regularly scheduled and duly posted meeting of the Barnstable Planning Board was held on August 25, 2008 at 7:00 p.m. at the Town Hall, second floor Hearing Room, 367 Main Street, Hyannis, MA.

**Members**

Patrick Princi, Chair (Present)  
Felicia Penn (Present)  
Ray Lang (Present)  
Dave Munsell (Present)  
Paul Curley (Present)  
Marlene Weir (Present)

**STAFF (present)**

Jo Anne Buntich – Asst Director, GMD  
Ellen Swiniarski – Recording Secretary  
Jackie Etsten – Principal Planner

**Chairman Princi called the Meeting to Order at 7:00pm**

**PUBLIC HEARING Special Permit 2008-02 - Park Square Professional Building, LLC -(Continued from 8/11/08)**

R. Lang, D. Munsell, F. Penn, F. Weir, P. Princi, Paul Curley

(The following was read into the record by Patrick Princi)

Continued Public Hearing for Special Permit Application 2008-02 for a nonresidential development greater than 10,000 s.f./mixed use development pursuant to Section 240-24.1.4.B Special Permits; Dimensional, Bulk and other requirements pursuant to Section 240-24.1.4C; and for Site Development Standards pursuant to Section 240-24.1.10. Applicant is Park Square Professional Building, LLC and the property location is addressed 94 Main Street and 26 Camp Street, Hyannis, MA and shown on Assessor's Map 327 as Parcels 192 & 195 in the Hyannis Medical Services District.

Represented by Roy Catignani, ConServ Group

Mr. Catignani addressed the questions that arose from the previous meeting in that they have received the formal letter from Site Plan Review and intend to adhere to all items addressed. Also to clarify, 26 Camp Street is to be a single family residence and as far as usage for 94 Main, at the present time they are looking for medial space with diagnostic services, lab services and medical billing consulting. Steve Seymour's comments were minor with regards to site egress and ingress for Camp and Cedar, planting specifications have been added and the northern portion along the fence was clarified. Chairman Princi asked for and received no Public Comment.

**Motion duly made by Felicia Penn, seconded by Ray Lang to Close the Public Hearing for Special Permit 2008-02 and to instruct staff to prepare Agreement addressing all relief sought, landscaping and retainage for landscaping that will be anticipated.**

**VOTE: So Voted Unanimously**

**SECURITY AND LOT RELEASE REQUESTS**

**Subdivision # 305 - Rue Michelle**

Request to extend time frame for completion of subdivision from Nov. 9, 2008 to Nov. 9, 2011

Review Security issue for completion of subdivision, dollar amount, and bond expiration date.

Jackie Etsten reviewed the history of the property and informed the Members that this subdivision was originally approved in 1973 and was partially completed, but not according to plans. It sat for many years until Ms. Marcia Elliot purchased it and in 2005 a new modified plan was approved with a revised construction plan due to wetlands in the area. When the modification was approved, a 3-year time limit was put on for construction. Ms. Elliot referred to correspondence received from the Bond Issuer and noted that this type of Bond obligation is continuous in nature and the only way it can be cancelled is with a written release by the Town of Barnstable. Ms. Elliot is asking for the extension for the completion of the roadway to Town specifications. NStar is currently upgrading the lines underground and it is possible Verizon and Comcast may be upgrading as well. She would like to wait until this work is done before completing the top coat of the roadway. Jackie Etsten advised the Members to look for a recommendation from Steve Seymour and to authorize staff to contact Legal to advise the Bond Company of the extension of time limit as it is required.

**Felicia Penn recommended and Board Members agreed to delay matter to the next Meeting of September 8, 2008 pending receipt of report from Steve Seymour.**

**Subdivision #410 - J.K.S. Trust**

Request for release of lot under covenant has been received for property located at 319 Ames Way, Centerville, Builder's Lot 31. Staff Report was received and reviewed. Jackie Etsten reported that the lot in question, #31, was not released from the Covenant and has been sold a couple of times. She recommends that they release just this lot.

**Motion duly made by Dave Munsell, seconded by Felicia Penn to release lot 31 only.**

**VOTE:**

**AYE: Princi, Penn, Weir, Curley, Munsell**

**ABSTAINED: Lang**

**Subdivision #634 - DeDecko**

Letter dated August 15, 2008 requesting completion of subdivision road and lighting.

Jackie Etsten reported that this is an old subdivision that has changed hands. The bounds are not set, the topcoat has not been completed and the bottom coat is breaking up because of the length of time it has sat. The Town is holding security in the amount of \$22,000 in cash held in escrow and Ms. Etsten would recommend that this Board send a certified letter to the owner to appear before this Board with a plan for completion or the Town will have to take the money. She advised that they are working closely with the Legal Department on this.

**Motion duly made by Felicia Penn, seconded by Dave Munsell to send a certified letter to the owner.**

**VOTE: So Voted Unanimously**

**Request made by Ray Lang, stating that there are two applications that the Board is seeking Steve Seymour's advice, that Mr. Seymour be asked to attend the next Public Hearing of the Planning Board.**

**PUBLIC HEARING– Definitive Subdivision # 817 – Off Parker Road (Continued from 9/24/07, 10/22/07, 11/26/07, 12/10/07, 01/14/08, 2/25/08, 3/24/08, 4/10/08, 4/28/08, 6/9/08, 6/23/08, 7/14/08 and 7/28/08**

***Request for continuance to September 8, 2008 has been received.***

R. Lang, D. Munsell, F. Penn, M. Weir, P. Princi

Continued Public Hearing for Subdivision plan, entitled "Definitive Subdivision Plan Located in West Barnstable, MA", Subdivision # 817 for property shown on Assessor's Map 176, Parcel 021, located off Parker Road, West Barnstable, Massachusetts.

A Letter from the Applicant has been received requesting a continuance to September 8, 2008.

**Motion duly made by Dave Munsell, seconded by Felicia Penn to continued Public Hearing to September 8, 2008 at 7:00pm.**

**VOTE: So Voted Unanimously**

**OTHER BUSINESS**

**Peck's Boats WECF Special Permit 2007-11 Remanded by Order of Stipulation.**

Public Hearing Closed. Deliberations for draft decision. R. Lang, D. Munsell, F. Penn, M. Weir, P. Princi

Represented by Attorney Stuart Rapp

**Motion duly made by Felicia Penn, seconded by Ray Lang that Special Permit 2007-011 is granted with conditions.**

**VOTE: So Voted Unanimously**

**Having no further business before this Board, a motion was duly made by Ray Lang, seconded by Dave Munsell to adjourn the meeting at 8:45pm**

**VOTE: So Voted Unanimously**

Respectfully submitted,

Ellen Swiniarski, Recording Secretary

Edited by Marylou Fair