

**MINUTES
TOWN OF BARNSTABLE
PLANNING BOARD
JULY 28, 2008**

A regularly scheduled and duly posted meeting of the Barnstable Planning Board was held on July 28, 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)

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

APPROVAL NOT REQUIRED PLANS

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

BRUNCARDI/MAROONEY & SAMPLE

“40 and 50 Quail Lane, Hyannis Port, MA”, prepared for David Bruncardi & Caryn Marooney dated March 21, 2008, scale 1”= 40’; prepared by Baxter Nye Engineering & Surveying, Hyannis, MA, Assessor’s Map 287, Parcel 109-001 and Map 288, Parcel 219. Zoning: Residence RF-1, RPOD. Clocked with the Clerk July 21, 2008 + 21 days = 8/11/08.

Represented by John Ellis, Baxter Nye Engineering & Surveying

Quail Lane is a private way and he has brought 2 mylar plans for the Board’s signature if approved. 40 Quail Lane is an unregistered lot and he is requesting an ANR; 50 Quail Lane is registered in Land Court. Both of these ANR’s deal with transfer of parcels of land to provide driveway access for the Bruncardi & Maroney property. The property at 40 Quail Lane was subdivided in 1998 and although it had the appropriate road frontage it was inaccessible due to the topography and surrounding property. Over the years easements were acquired for a driveway from the Samples. The intent of this plan is to create a parcel of land that will allow the Bruncardi & Marooney’s to get to their house. Bruncardi & Marooney will, in turn, transfer Parcel A to Charles Sample. Jackie Etsten responded that this is basically a land swap between both agreeable parties who have sign appropriate agreements.

Motion duly made by Felicia Penn, seconded by Dave Munsell to approve the ANR located at 40 & 50 Quail Lane as presented.

VOTE: So Voted Unanimously

INFORMAL DISCUSSIONS

Stuart Bornstein - Construction requirements for portion of Gonsalves Road and Concept Plan Attacks Way, Hyannis, MA

Represented by Stuart Bornstein and Dan Ojala, Down Cape Engineering

Mr. Ojala explained that the meet with Growth Management who advised them to come before the Planning Board to present concept plan for Attacks Lane (formerly Hadaway) and Gonsalves Road. The principle access would be through Perseverance and are looking to construct a small portion of Gonsalves Road which would be an extension under the covenant. Jo Anne Buntich explained that this development is before the Cape Cod Commission to determine the process necessary and are not ready to report at this time, however, they wanted the Planning Board’s approval for the way the road is being done.

Bruce Sprinkle - 199 Barnstable Road, Hyannis - Mixed Use Development

Represented by Attorney John Kenney

Attorney Keeney indicated that they wish to propose removing the Sprinkle Home Improvement building, along with a couple of other smaller buildings and add 10 three story two bedroom townhouses, 5 two story two bedroom units and 1 mixed use three storied building which would consist of first floor commercial retail space of 2,000 sf and the 2nd and 3rd floors would be four 2 bedroom units resulting in 19 residential units and 2,000 sf retail space. The will meet the minimum lot area for frontage, but will need relief for front and side. Multi family use is allowed if a special permit is received from the Planning Board. Access for the Commercial Retail building would be off Barnstable Road and residence access off of Grove Street. A benefit to the town would be the closing off of a substantial curb cut. Two units will be inclusionary or affordable and 3 would be workforce.

PUBLIC HEARING (Continued from 7/14/08) Special Permit 2007-11 Peck's Boats By Stipulation of Remand *Continuance to August 11, 2008 is anticipated.*

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

Continued Public Hearing for Special Permit 2007-11 pursuant to Sections 240-44.1 Wind Energy Conversion Facilities, remanded to the Planning Board by an order of Stipulation of Remand to reconsider the relocation and height of the monopole wind turbine. Applicant is John Peck of Peck's Boats and the property location is addressed 3800 Falmouth Road, Marstons Mills, MA and shown on Assessor's Map 058 as Parcel 001 in the Service and Distribution -1 Zoning District.

Motion duly made by Felicia Penn, seconded by Ray Lang to Continue the Public Hearing to August 11, 2008 at 7:00pm

VOTE: So Voted Unanimously

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 and 7/14/08 -

Reconstitution of Board *Continuance to August 25, 2008 is anticipated.*

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.

Motion duly made by Felicia Penn, seconded by Ray Lang to Continue the Public Hearing to August 25, 2008 at 7:00pm

VOTE: So Voted Unanimously

PUBLIC HEARING Regulatory Agreement 2008-02 Greenery Development (Continued from 6/9/08, 6/23/08 and 7/14/08) *Continuance to August 11, 2008 is anticipated.*

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

Public Hearing for Regulatory Agreement Application 2008-02 which is a Modification of Regulatory Agreement 2007-02 previously approved for the Greenery Development, LLC. The properties are addressed 42A and 42B South Street, and 89 Lewis Bay Road, Hyannis, MA located in the Hyannis Village Medical Services District and shown on Assessor's Map 327 as Parcels 241 and 223, respectively.

Motion duly made by Felicia Penn, seconded by Ray Lang to accept Agreement to Extend Time Limit for 60 days until September 26, 2008.

VOTE: So Voted Unanimously

Motion duly made by Felicia Penn, seconded by Dave Munsell to Continue the Public Hearing to August 11, 2008 at 7:00pm

VOTE: So Voted Unanimously

Having no further business before this Board, a motion was duly made by Dave Munsell, seconded by Felicia Penn to adjourn the meeting at 7:45pm.

VOTE: So Voted Unanimously

Respectfully submitted,
Ellen Swinarski, Recording Secretary
Edited by Marylou Fair