

**MINUTES  
TOWN OF BARNSTABLE  
PLANNING BOARD  
September 22, 2008**

A regularly scheduled and duly posted meeting of the Barnstable Planning Board was held on September 22, 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)  
Paul Curley (Present)  
Marlene Weir (Present)  
Dave Munsell (Absent)

**STAFF (present)**

Jo Anne Buntich – Asst Director, GMD  
Ellen Swiniarski – Recording Secretary

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

**APPROVAL NOT REQUIRED PLANS**

**HIRSCH**

“Plan of Land, prepared for 131 Oceanview Avenue Realty Trust in Cotuit, MA” dated July 11, 2008, scale 1”=40’; prepared by Falmouth Engineering, Falmouth, MA, Assessor’s Map 033, Parcels 015 and 30, Assessor’s Map 34, Parcel 060. Zoning RF. Received September 3, 2008 + 21 days = September 24, 2008.

Represented by Attorney Kevin Kirrane

Attorney Kirrane explained to the Board that they are combining three existing lots into two lots where existing single family homes exists. The three lots are owned by the Hirsch family and the vacant lot will be added to each of the existing lots. They have gone before ZBA for a Variance for square footage and have been approved.

**Motion duly made by Felicia Penn, seconded by Ray Lang to endorse as an Approval Not Required.**

**VOTE: So Voted Unanimously**

**SECURITY AND LOT RELEASE REQUESTS**

**Subdivision #634 - Paderborn (DeDecko)** (Continued from 08/25/08 and 09/08/08)

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

Staff Report indicates that certified letters were sent to the Applicant; however, no response has been received. Additional information from Steve Seymour indicates that the cost to complete the subdivision would be approximately \$21,000-\$25,000.

**Motion duly made by Felicia Penn, seconded by Ray Lang to instruct the Town to take the \$21,450.00 (plus the interest in this account) that has been placed in Escrow so that the DPW may contract for the work to be completed on this Subdivision.**

**VOTE: So Voted Unanimously**

**Lot Release - Lot #30 Subdivision #72-M Holiday Lane**

Letter requesting release of Lot #30 in Subdivision #72-M Holiday Lane and Form G Release of Lot Under Covenant has been received September 17, 2008.

A memo from Steve Seymour has been received regarding the release of the covenant and Mr. Seymour has no objection, however, there needs to be a security posted in the amount of \$4650 for a lack of planting of established grass.

**Motion duly made by Felicia Penn, seconded by Ray Lang to Release Lot #30 from Covenant upon the posting of \$4650 as security for 72 Holiday Lane.**

**VOTE: So Voted Unanimously**

**PUBLIC HEARING Regulatory Agreement 2008-02 Greenery Development (Continued from 6/9/08, 6/23/08, 7/14/08, 7/28/08, 8/11/08 and 8/25/08)** Request for continuance to 11/10/08 has been received.

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

Continued 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.

A request for continuance to November 10, 2008 has been received by representative Attorney David Lawler.

**Motion duly made by Felicia Penn, seconded by Ray Lang to Continue the Public Hearing to November 10, 2008 at 7:00pm.**

**VOTE: So Voted Unanimously**

**OTHER BUSINESS**

Acceptance of Planning Board meeting minutes from March 10, 2008.

**Motion duly made by Felicia Penn, seconded by Ray Lang to Accept the Minutes of March 10, 2008 as Submitted.**

**VOTE: So Voted Unanimously**

**COMMITTEE REPORTS**

Miscellaneous reports from various on-going subcommittees.

Felicia Penn reported on a joint subcommittee meeting held with the Economic Development Committee regarding Impact Fees, formula Businesses and Corporate Branding

Ray Lang reported on the Planning Board Subcommittee on Zoning's recent meeting with Town Manager, John Klimm and thanked him for his time and comments.

Marlene Weir commented on the LCP and how this Board will be involved in the Implementation Plan

**CORRESPONDENCE RECEIVED**

Chapter 91 License Application has been received to construct and maintain a boardwalk and seasonal pier for recreational boating needs at the residence addressed 122 Starboard Lane, Osterville, MA on Bumps River.

Jo Anne Miller submitted handouts of the GIZ Tracking & Conditions and explained that this spreadsheet is for the compliance of the status of the conditions, thresholds, units created and remaining square footage available for this tracking period.

**Having no further business before this Board, a motion was duly made by Felicia Penn, seconded by Ray Lang to adjourn the meeting at 8:00pm**

**VOTE: So Voted Unanimously**

Respectfully submitted,

Ellen Swiniarski, Recording Secretary  
Edited by Marylou Fair