



Town of Barnstable  
Planning Board  
Minutes  
March 14, 2011

Raymond Lang – Chair	Present
Matthew Teague – Vice Chair	Present
Cheryl Bartlett	Present
Patrick Princi	Present
Felicia Penn	Present

Also present were Growth Management staff Jo Anne Miller Buntich, Director; Steve Seymour, Special Projects Manager/Traffic Engineer, and Ellen Swiniarski, Regulatory Review Coordinator. A quorum being met, Chairman Lang opened the meeting at 7:00 PM.

**Public Hearing Regulatory Agreement 2011-02 (Second Part) 89 Lewis Bay, LLC  
Amend Existing Regulatory Agreement issued to "Greenery Development LLC"  
Public hearing January 10, 2011, January 24, 2011 and continued to March 14, 2011**

Read into record by Matthew Teague.

The first part of this Amendment was bifurcated by the applicant and Board at the January 24<sup>th</sup> hearing. Part one allowed for a 10,000 sq. ft. education use on the first floor of the building. That amendment was approved and referred to Town Council. Part two of the Amendment requests that the Board eliminate the mitigation fees contained in Paragraph 4 and to request an extension of time for construction through December 31, 2011.

Applicant Chad Doe and his attorney, David Lawler, were present and provided the basis for the amendment.

Chair Lang read into record a letter from the Greater Hyannis Civic Association, dated March 10, 2011, that supports the original contract and opposes the elimination of the development fee of \$435,000.

**Motion duly made by Matthew Teague, seconded by Cheryl Bartlett, to close the public hearing. So voted unanimously.**

**Motion duly made by Felicia Penn, seconded by Patrick Princi to recommend to Town Council that they accept Amendment #2 to the regulatory agreement of 89 Lewis Bay Road, Hyannis and 42 South Street, Hyannis with appropriate dates included and remainder as written. 4 in favor; 1 opposed.**

---

**Subdivision – Whistleberry #454** - Developer was unable to attend due to a mix-up on the meeting date. Attorney McLaughlin recommends that the matter be continued to the next meeting.

---

**Public Hearing – Regulatory Agreement No. 2011-02 – Hyannis Harbor Suites Hotel, LLC or Nominee & Harborview Hotel Investors, LLC** – Art Traczyk read into record a letter from the applicant's attorney, Michael Ford, Esq, requesting the application to be withdrawn without prejudice.

**Motion duly made by Felicia Penn, seconded by Matthew Teague, to open the public hearing. So voted unanimously.**

**Motion duly made by Matthew Teague, seconded by Cheryl Bartlett, to accept applicant's request to accept letter of withdrawal. So voted unanimously.**

Closed Public Hearing - Special Permit 2011-04 Decision – David Colombo, Trustee, Olive Oil Trust – Special Permit – Dimensional Relief Front Yard Setback and Reduction of Required Parking – Attorney Creedon, applicant's attorney has reviewed the draft decision and has no issues with it. Matthew Teague read draft findings of fact into record; Cheryl Bartlett read conditions for granting of Special Permit into record.

Motion duly made by Matthew Teague, seconded by Cheryl Bartlett, to approve findings of fact as written and corrected. So voted unanimously.

Motion duly made by Felicia Penn, seconded by Cheryl Bartlett, to grant special permit with conditions as corrected and read. So voted unanimously.

---

Motion was duly made and seconded, and unanimously voted to adjourn.

Transcribed and submitted,

Marjorie Watson  
Administrative Assistant  
Growth Management Department

Next Meeting: March 28, 2011, 7 pm, Town Hall Hearing Room

Further detail may be obtained by viewing the video via Channel 18 on demand at  
<http://www.town.barnstable.ma.us>