



**Town of Barnstable
Planning Board
Minutes
February 24, 2014**

2014 MAR 25 PM 2:39

BARNSTABLE TOWN CLERK

Matthew Teague – Chairman	Present
Paul Curley – Vice Chairman	Not Present
Stephen Helman - Clerk	Not Present
Felicia Penn	Present
Raymond Lang	Present
David Munsell	Present
Patrick Princi	Present

Also in attendance were JoAnne Miller Buntich, Director, Growth Management.

Approval Not Required Plans: A plan entitled “Plan of Land in Centerville, MA prepared for Kevles/Barnfield, dated April 1, 2013 Revised January 27, 2014 (ADD ZBA NOTE)” Prepared by Down Cape Engineering, Inc., has been submitted for endorsement as an Approval Not Required Plan. The properties are addressed as 215 and 233 Bay Lane, Centerville. The purpose of this plan is to divide Lot B into Lot B1 and Parcel B2. Parcel B2 is for conveyance purposes only and is to be combined with Lot A. The subject property is in the RD-1 Zoning District.

Dan Ojala in attendance. He gives a brief explanation/history. They had been here previously for this ANR, however zoning relief was necessary.

Ray Lang asks about wetlands, any relevance to the new flood plane zoning? Will these boundary lines change?

Dan Ojala answers no. Owner wants to put in a new septic system.

Matt Teague entertains a motion to endorse and approve this approval not required plan, moved by Felicia Penn, seconded by David Munsell, so voted unanimously to endorse the plan.

Zoning Amendments:

7:00 P.M. Public Hearing - Continued

**Zoning Amendment - TC Item No. 2013-055
Medical Marijuana Treatment Centers**

The Planning Board of the Town of Barnstable, acting under Chapter 40A, Section 5 of the General Laws of the Commonwealth of Massachusetts, will continue the public hearing to take comment upon the following proposed amendment to the Code of the Town of Barnstable, Chapter 240, the Zoning Ordinance. Amendments to Chapter 240 include: Section 240-6 Zoning Map to include a Medical Marijuana Treatment Centers Overlay District; adding to reserved Section 240-30 Medical Marijuana Treatment Centers Overlay District Special Permit; and Section 240-128 Definition to add definitions pursuant to the Medical Marijuana Treatment Center Overlay District.

- *This hearing opened January 14, 2013, continued January 28, 2013, February 25, 2013, May 13, 2013, September 23, 2013, and to February 24, 2014 for further review and update.*
- *The Board and Town Council held a joint public hearing on Extension of the Temporary Moratorium on Establishing and Permitting of Medical Marijuana Treatment Centers and Associated Activities.*

Matt Teague explains that this is just a formality to close the initial public hearing.

JoAnne Buntich confirms.

Ray Lang moves to close the public hearing for this zoning amendment, seconded by Patrick Princi, so voted unanimously.

7:00 P.M. Public Hearing

Zoning Amendment – TC Item No. 2014-047 Amendment to Clarify Language in Sign Code

The Planning Board of the Town of Barnstable, acting under Chapter 40A, Section 5 of the General Laws of the Commonwealth of Massachusetts, will hold a public hearing on Monday, February 24, 2014, at 7:00 p.m. in the Hearing Room of the Barnstable Town Hall, 367 Main Street, Hyannis, MA. The purpose of this hearing is to take comment on a proposed zoning amendment to clarify how the total sign area is calculated.

The amendment proposed is to replace in its entirety Section 240-65.C that now reads:

- C. The total square footage for all signs of each business shall not exceed 10% of the area of the building wall facing a public way or 100 square feet, whichever is the lesser amount.

With the following:

- C. The area of all signs for each individual business establishment shall not exceed 10% of the area of the building facade associated with the business establishment that contains the establishment's primary customer entrance or 100 square feet, whichever is the lesser amount. In instances where multiple business establishments share a customer entrance on the same facade, the total square footage for all signs of all business establishments attached to each facade shall not exceed 10% of the total area of the facade associated with the business establishments that contains the establishments' shared customer entrance or 100 square feet, whichever is the lesser amount.

This amendment was referred to the Board for a public hearing by Town Council Item No. 2014-047.

JoAnne Buntich explains. Total square footage has always been meant to be shared with signage. There is some clarification that may be needed for interpretation of how property owners interpret this.

Matt Teague states that the only issue he would have is regarding the equity of business owners.

JoAnne Buntich explains that the two sets of language doesn't change the overall application of the sign code. This Amendment would be to make the language more clear.

Matt Teague makes reference to Item No. 2014-047 Amendment to Zoning Ordinance Chapter 240, Article VII, Sign Regulations by Striking and Replacing Paragraph 240-65C, line 5; (Exhibit A)

-the total square footage for all signs of all business establishments attached to each façade shall not exceed 10% of the total area of the façade associated with the business establishments that contains the establishments' shared customer entrance or 100 square feet, whichever is the lesser amount.-"

Matt Teague states this is a very off/unique condition, why do we need to divulge this?

JoAnne Buntich yes, we do not have to change, but this is applicable in some buildings.

Felicia Penn asks if there has been any other discussion in opposition or concerns from anyone?

Matt Teague entertains a motion to continue this public hearing to March 10th, 2014, at 7:00 p.m., moved by Patrick Princi, seconded by Felicia Penn, so voted unanimously.

Approval of Minutes: Approval of January 13, 2014, and January 27, 2014, Board Meeting Minutes

Patrick Princi moves to approve the minutes of January 13th and January 27th, 2014, as presented, seconded by Ray Lang, so voted unanimously.

Future Meetings: Regularly Scheduled Meetings: March 10th and March 24th, 2014, @ 7:00 PM.

Matt Teague entertains a motion to adjourn, moved by Ray Lang, seconded by David Munsell, so voted unanimously.

Meeting adjourned at 7:17 p.m.

Respectfully Submitted Karen A. Herrand
by Karen A. Herrand, Principal Assistant, Planning Board

Approved by vote of the Board on March 24, 2014
Further detail may be obtained by viewing the video via Channel 18 on demand at
<http://www.town.barnstable.ma.us>

List of Exhibit Documents

Exhibit A – Barnstable Town Council Item No. 2014-047, dated January 2, 2014 Amendment to Zoning Ordinance Chapter 240, Article VII, Sign Regulations by Striking and Replacing Paragraph 240-65C – File Zoning Amendment No. 2014-050

APPROVED