



Town of Barnstable Planning Board

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Board Members

Stephen Helman – Chair Raymond Lang – Vice Chair David Munsell – Clerk Paul R. Curley Mark R. Ferro Holly Brockman-Johnson Marry Barry
John Norman – Town Council Liaison

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Town of Barnstable Planning Board Minutes April 11, 2016

Stephen Helman – Chairman	Present
Raymond Lang – Vice Chairman	Present
David Munsell – Clerk	Present
Paul R. Curley	Present
Mark Ferro	Present
Holly Brockman-Johnson	Present
Marry Barry	Absent

Also in attendance were JoAnne Miller Buntich, Director, Anna Brigham, Principal Planner and Stacey Peacock, Administrative Assistant, Growth Management Dept.

Call to Order: Introduction of Board Members and Staff Members

Notice of Recording: This meeting is being recorded and broadcast on Channel 18 and in accordance with MGL Chapter 30A §20. The Chair must inquire whether anyone else is taping this meeting and to please make their presence known.

Meeting was called to order at 7:01 pm.

Approval Not Required Plan - ANR Division – The Bluff LLC

Plan proposes to divide lot 2 into 3 lots (lot 4, 5, 6). Atty. Michael Schulz for the applicants, seeking to divide property into three additional lots. Last here in June 2015. Lot dates to 1912, originally 25.85 acre parcel of land it has stayed in the same family since 1912. Applicant is asking to Divide lot 2 into 3 additional lots. Each lot has the required frontage in the zoning district it more than exceeds the acreage. Respectfully asks that the Planning Board endorse the lot division.

David Munsell: Sees this as a do-able project and should be endorsed as an ANR plan.

Paul Curley makes a motion to endorse land division plan for Barnstable - Cotuit, MA of lots The Bluff LLC, Roger M. Barzun, Charles R. Lowell, Isabel Barzun, Elizabeth Parfit & Emily Parfit dated March 30, 2016, drawn by Cape Surv, and stamped by Richard R. L'Heureux, as an Approval Not Required plan. David Munsell seconds the motion. Vote Aye All - by vote of hands. Vote is Unanimous to endorse the Division of Lot 2 into 3 lots (4,5,6).

Special Permits:

Special Permit Application David Colombo - 159 Ocean Street, Hyannis, Black Cat Harbor Shack Map/Par 326/039 – Proposal for: New roof deck, stairs and vertical lift located within front yard setback and reduction of required parking for an additional 23 seats.

JoAnne Miller Buntich adds the Board received additional submissions from the applicant -I exhibits entered into record – Parking Lease 1 & 2 (Exhibit A and Exhibit B)

Attorney Creedon: We have a parking plan (9 pt. parking plan narrative packet) includes the two secured leases which provide an additional of 70 parking spaces, binder of insurance for 209 Main St. and 30 Pleasant St., Board of Health variance letter (bathrooms), Liability Insurance Binder for the Burke property at 209 Main St and 30 Pleasant St. and an Uber letter. (Exhibit C – Black Cat Harbor Shack - Parking Plan Narrative Description)

Last meeting Mr. Curley asked us to secure 60 spots – we have gone and secured 70 spots. This plan (e provides 30 spots at 175 Ocean St (owned by the Shore Family). To put an attendant on corner of Bond Court Rd. and Ocean St. at all times during the 10 peak weeks. Attendant will greet people coming to the restaurant looking for a parking spot. He will direct cars to the Shore Property at 175 Ocean St, which is 2 doors down. This is a self paid - self park lot (Cord Shore is here tonight). The agreement was executed on Friday, April 8, 2016. Seeking to modify the special permit by 23% - what we would need to add 23 seats is 8 spots. If the 30 spots are full, the attendant will direct them back to Bond Court and back to the attendant on Bond Ct. and Ocean St. - the attendant will then seek out public spaces – if not last resort option is to valet park the vehicles off site at 209 Main St. and 30 Pleasant St. (at the Burke parking lot). Have secured a second parking lease with Renaissance Development Trust, LLC (Joseph Burke, Manager) – for 40 spots (32 patron valet spots & 8 dedicated for employee parking) at 209 Main St. and 30 Pleasant St.

We have reviewed Dean Atsalis' concerns, all were about parking issues, and we have addressed / solved those here. Asks the board to approve this and let it move forward.

Public Comment:

Dimitrius Atsalis: Two properties on Ocean St., 170 Ocean is the one I lease. In July and August you cannot find parking spaces. Are these dedicated spots – is Cord Shore going to keep these 30 spots open 11 am – 11 pm for the Black Cat customers every single day? They are going to hold the \$25 spots for a \$10 valet. Difficult valet parking process of over flow to Main Street and back to Ocean St. was reviewed by Atsalis. Believes at any given time there are 20-30 cars from the black cat and shack that are parked or infringing on my lot. There were some shifts I didn't open because we were full. What happens in 10-15 years when the lease is up? Doesn't think these proposed parking leases solve the problem.

Gary Blanc speaking for Dean (Konstantine) Atsalis, who owns the property known as the Black Cat. The Black Cat is separate from the Out Back Shack. The Path going to the back and some of the seating is on the property of the Black Cat. He has to oppose any excess seating at the business because it has a detrimental effect on the business and completely jams up that lot. Dean wants you to know that 4-5 years ago Colombo asked to put the deck on the Black Cat and the Atsalis family said No – there was not enough parking. This time he came to the town first before he talked to the family. Asks the board to give 3-4 weeks to review the parking leases that were handed out tonight. There hasn't been adequate enforcement of the parking regulations down on Ocean Street. We need to review the parking leases and also asks the board to please deny the application for special permit.

Paul Mazzeo speaks in support of the Black Cat Shack Out Back deck and the lift for handicap citizens. Believes the benefits of providing a handicap lift outweigh the setback requirements. Dimitrius Atsalis leases a lot from his cousin. Dimitrius Atsalis leases 30 spots on the property to Dave Colombo and

leases the property to Dave Colombo. You're going to deny the Black Cat Shack when all that needs to be added is 8 parking spots for these seats? Asks the planning board to approve the special permit with the requirement that Dave Colombo provides 8 extra spots off premises of the Black Cat and that employees park where the town says they should.

Felicia Penn: Who is nearby resident sees the problem as this business has already expanded twice. The problem is in the waiver that already exists regarding parking. There are 1259 licensed permitted commercial parking spaces. Now there are 30 spaces less if they use Shore parking spots. 1287 spaces are needed if ferries are at 80% capacity. In Peak season the need is for 3082 spots a day just for Ferry Parking. What happens if Spanky's asks for a roof deck – if you approve this you are setting a precedent. 30% of the Shore lot (30 of 90 spots) are going to be out of commission to be reserved for restaurant parking? They are going to give up 30% of their business? Asks the board to deny the special permit.

Cord Shore representing the Harbor Parking Systems: We have contracted 30 spaces with Dave Colombo, it will be no strain on my capacity. We do control 4 parking lots down on Ocean Street. We have accommodated Mr. Colombo with ease. There is an issue with saturation during those peak moments of the season. You are impacted on Memorial Day, Labor Day and July 4th otherwise there should be no problem accommodating those 30 spaces. He did state it is impossible to hold these spaces specifically for the Black Cat (see tape).

Paul Curley: As part of your agreement you are going to dedicate those 30 spaces?

Cord Shore: I am held to those spaces guaranteed by Mr. Colombo. It is in fact impossible to hold those 30 spaces specific by virtue of only those spaces right there but we have agreed to provide those spaces and more for Mr. Colombo. There are in fact only a hand full of vehicles trying to park there for the Shack Out Back.

Paul Curley: So you are going to guarantee 30 spaces as part of your agreement?

Cord Shore: Yes, sir - absolutely.

Dean Atsalis: My family owns 130 Ocean St. A few years ago Colombo came to us to ask to add the raw bar but he had to use some of the Black Cat property (pathway and seating and set back requirements to use our space). We agreed but would not have if we knew there would be plans for further expansion. He assured us that he would just be taking the over flow from the Black Cat or to accommodate people while they wait. Now it is a destination place - who wouldn't want to go to a roof deck? If this area wasn't saturated already it wouldn't be an issue.

The seating in front of the Shack Out Back, that is walk on, coming in from the street (for window service) therefore it's not 8 spots that are needed, 13 spots are needed because they are losing the seats below but adding 36 additional up top, not 23 seats. I'd like to see him apply these leases the the parking problem that already exists not add to it. Asks the board for additional time to review the information presented today.

Ray Lang: 2 years ago when we allowed the expansion of the Black Cat Shack it required variances. I wished at that time you had told us you were going to expand. I just would not have seen an expansion plan for what I saw 2 years ago. The Town of Barnstable is not going to assume the responsibility for the parking issues that happen down there. Two people have said they didn't get the leases that we were handed out tonight. I am not sure a year lease will suffice - it would have to be a lot longer than a one year. I think we should take the time to review the leases and get the leases to the attorneys to review.

Mark Ferro: Parking is a permanent problem until it is addressed on a larger scale. The parking problem only gets exacerbated by your expansion. This is a temporary solution to a permanent problem. And states he is against Uber concept.

Paul Curley: Agrees with Ferro and thinks this was an honest attempt, but doesn't think it solves the problem. Asks what the terms of the special permit are.

Jo Anne Miller Buntich: The Planning Board can condition the special permit as it chooses. It can vary in the terms.

Paul Curley: I couldn't consider unless we termed it year to year just like the agreements are. I don't think as a business man you are willing to go there. Was hoping we could come up with something that is a little more innovative. I can't support the special permit because it doesn't solve the problem.

Attorney Creedon: Granting the special permit could be conditioned that the agreements would be extended to the six years, which my client could do. We have addressed concerns. The applicant can exercise the lease options for 6 years. My client is not responsible for solving the parking problem for the town. We found 70 spots that weren't accessible to us before.

Paul Curley: The spots aren't new spots – they were already accessible to the other parkers in the area. You didn't give us any new solutions.

Stephen Helman: You are missing the point. We don't own restaurants on Ocean St., we represent the town. If we make a decision (that may be in the best interest of the business) we have to also determine if it will have an impact on the rest of the town. You solved your problem, but it didn't help us to take care of our issue which is what is in the best interest of the town. Which hasn't taken into consideration.

Attorney Creedon: We have secured 40 spaces off site at Main St. and Pleasant St. (which haven't been available to people before) and 30 Spaces adjacent to the business. People can't believe Mr. Shore would give up these spots, but here is here and guaranteeing these spots. These were on file Friday, we submitted them as soon as we could.

Ray Lang: Sometimes we don't get information until the night of the meeting. I had no idea until 7 pm tonight about the lease agreements.

The Lease agreements (Lease 1 & Lease 2) were emailed to the Planning Board on Friday afternoon.

Stephen Helman reminds the board that we are under no obligation to make a decision tonight.

David Munsell: Received his copy Friday night via email and read it. Asks: These spaces would be available as they were available? Is that part of the agreement?

Cord Shore: Yes, there is a tremendous turn over in that area because there are so many entities (can't determine how long it will take a family of 8-10 to turnover). I guaranteed, through the 4 parking lots we have on Ocean Street, to provide parking spaces for his patrons. And if it gets to the point where he needs more, I should very easily be able to accommodate him. I am in the parking business. The impact is really insignificant. I have a staff of 25 min. sometimes and when we are busy, we have season pass holders and they do have spaces that are held for them via orange cones and designated spots. We will gladly and easily accommodate these few cars.

David Munsell: Does the Lease agreement read 'As Available'?

Cord Shore: I don't believe so

David Colombo: The agreement originally said 'as available' and I went to Mr. Shore and asked for something stronger than that and ask if he could accommodate me and Mr. Shore said he could accommodate me in his lots.

David Munsell: I appreciate your efforts on what you have done.

David Colombo: The town promotes the area. People want to be there. If you want to negate that then don't promote the area and let it run down and tell people they can't go there, that will take care of the problem.

David Munsell asks for clarification on the ownership & lease of the properties in question.

David Colombo: There are so many options that could happen 14 years from now. We could own the property, renew our lease or not renew the lease. We don't know what is going to happen 14 years from now. We can't base this decision on that. Dimitry Atsalis exacerbates this with extremes. There are times we do shut the parking lot sometimes. Atsalis has control over his parking lot so he has ultimate control over what goes on down there. There are times where he closes his own lot – how is he full if we take over all his spots? This is July and August sometimes just for minutes at a time (usually on a Friday or Saturday night) where the lots are full sometimes. I went to the Atsalis' and talked about enclosing the existing deck. It wasn't my property, we didn't talk about traffic and it wasn't my property so I didn't pursue it. But I didn't think I would have to ask if it was on my own lot. I did not mislead him.

David Munsell: Was surprised the Board of Health granted the one year bathroom variance. Expresses concern about engineering/plans.

Dave Colombo: We have sufficient bathrooms for handicap individuals. We have sufficient bathrooms for our clientele – we got a variance for employee bathrooms. That's why they granted the variance for one year. If there are problems we will address it at that time. We didn't mislead (the Atsalis') on the Shack Out Back. I didn't say it was going to be less than it is. It's a compliment to the Black Cat. The harbor is the draw, adding the deck is only going to compliment the harbor. The people are already there. Parking is important – it's the first person person they see when and the last person people see (in their experience at the harbor). I feel that adding 23 seats with the parking we have provided - is going to help the parking situation, not hinder it.

Attorney Creedon asked the board to close the Public Hearing on this.

Jo Anne Miller Buntich advised the board they are not closing the public hearing you are just continuing on with the meeting.

Ray Lang made a motion to continue this Public Hearing, for special permit for the Black Cat Harbor Shack to add a roof deck, stairs and vertical lift, to April 25th at 7:00 pm in order to allow the board sufficient time to review the information that has been presented tonight. The motion was seconded by Paul Curley. All voted Aye by show of hands. Vote was Unanimous.

Stephen Helman: Entered into record Email Correspondence between Planning Board Members regarding Mark Investments. Exhibit Planning Board Email entered into record (Exhibit D).

Motion made by Paul Curley to open this Public Hearing for the Regulatory Agreement for Mark Hyannis, LLC the motion to open Public Hearing for Mark Hyannis LLC was seconded by Ray Lang, so voted unanimously. All Aye.

Regulatory Agreements: Mark Hyannis, LLC – 411 & 417 Barnstable Road and 42 Bearse Rd, Hyannis – Map 311 Parcels 033, 035-001 and 035-002. Proposal to demolish all three existing buildings and re-divide the existing three lots into two lots, and construct a two-story, 6,080 sq. ft. office/bank with a drive-through and an approximately 12,900 sq. ft. retail pharmacy with a drive – through and site improvements.

Jo Anne Miller Buntich explains the applicant's attorneys have offered to fund a Peer Review. The Peer Reviewer has been retained by the town and has begun work as of today. The scope of the Peer Review is the professional standard for peer reviews also will specifically address concerns raised by the board regarding traffic, circulation and safety. The Peer Review will be ready in about three weeks.

Attorney Eliza Cox speaks on behalf of Mark Investments LLC and introduces the team in attendance; David Roche, Vice President of Development for Mark Investments
Josh Swerling, Civil Engineer - Bohler Engineering
Rick Fenuccio, Architect - Brown Lundquist Fenuccio & Raber
Kevin Patton - BKA Architects
Randy Hart - VHB Traffic Engineer. The traffic discussion is postponed until after the completion of the peer review.

Eliza Cox: Power Point Presentation – Development Proposal History
There are site and design benefits with this project. We have made many design revisions. We went through the site plan review process which was approved in March of 2016. One building is slightly over 75 years, and had to go in front of Barnstable Historic, who determined that it was not of historic significance and there would be no adverse impact. The building can be demolished. On March 3, 2016 it was determined we are not required to go in front of the Cape Cod Commission Review.

David Roche: Mark Investment is a Massachusetts based corporation. We have developed over 200 properties mostly in the New England area. This project is located in the Hyannis gateway area. The plans provide significant aesthetic improvement from the current conditions. Environmental improvements and better site organization (landscaping, architecture, signage, promotion of bicycling, storm water drainage, curb cut orientation.)

Josh Swerling – Bohler Engineer: There is little landscape screening or buffering on the existing conditions. Existing conditions reviewed. Improvements reviewed including substantial upgrades to landscaping (where there was almost none previously). Existing has no storm water plans - everything runs off of the site. Proposed plans will keep all storm water on site (bio-retention, rain gardens, underground infiltration system, shared access & drainage). Proposed continuous sidewalks, ample parking, one way flow for the drive-through (for both Citizens and CVS). Consolidated driveways. Making access and circulation, intuitive and controlled.

Kevin Patton: BKA Architect for CVS. Proposed building plans reviewed. Smaller rooms and mezzanine on second floor to provide offices and storage. There are 12,900 sq. feet total. Inside design and materials of the project reviewed.

Rick Fennucio: Architect working on Citizens Bank. Existing bank is 12,736 sq. feet. The new building is 6080 sq ft. large reduction in sq. ft., it is a smaller foot print, 2 story. First story is the retail bank; to include advisory offices, teller space, customer lounge, swing space, staff break room & mortgage office. There will be off hours access to 2nd floor office space and there will be customers on the second floor. Elevator (required). Citizens & CVS came together on the design. Second floor includes open bull pen offices, meeting rooms, server rooms & technical space. Construction materials reviewed. Height is only 28 ft. high. Not a Citizens proto-type design.

Signage:

David Roche: Citizens signage package reviewed. Proposed is a cohesive channel letter package. Individual letters mounted on the building. External lighting in Halo fashion, located behind the letters and lighting the area behind the letters (not the letters themselves). Posters behind the glass are included in the sign sq. footage. Total of 177 sq. ft. signage – 36 sq. ft. are the posters (3 ft. back from the window) which are not permanent signage.

CVS signage: Two main signs on the building and again individual channel lettering externally lit by light on the ground pointing upwards. Additionally it is proposed to have free standing sign, total of 24 sq. ft. 12 ft. in height. Externally lit from the ground upwards.

Mostly internally lit. 108 sq. ft. total of signage. Proposing 24 sq. ft. on the main sign with an additional 18 sq. ft. on the free standing signs. Significant change on the free standing signage reducing it by 78%. Permanent signage 268.75 sq. ft. total.

Recap: Significant site betterments, existing 5% landscaping, will be 30% of landscaping. Proposing LED down lights - they only light what's intended to be lit. Pedestrian access and an intuitive design, there is improvement of storm water containment and we are going from 8 to 4 curb cuts.

Holly Brockman-Johnson: How is the lighting powered? Is it all Electric? Can it be powered by alternatives? Holly asks specifically about solar.

David Roche: Sight lighting is powered by a common power source, it is currently powered by the grid, but your questions have been heard.

Holly Brockman – Johnson inquires about the Posters.

David Roche: The posters are not permanent signage, they can change.

Jo Anne Miller Buntich: There is a window, a 3 ft. space and then the posters are on the wall.

Eliza Cox: We met with the building commissioner and his response was to count the posters as signs.

Mark Ferro: Signage. One of the waivers you were seeking is almost 200 ft. for signage. What are you allowed vs what you are asking for?

Jo Anne Miller Buntich: Asking for 180 for the bank and 116 for the pharmacy. This district only allows for 50 sq. ft. of signage (however because this is a developed property what is there and what is proposed counts in this case). The applicant has submitted the existing condition and the proposed conditions for the property. The finding by the board can be moderated by both.

Mark Ferro: What is allowed is 50 sq. ft. and what is being asked for is almost 200 sq. ft. They are also asking for a variance of the bylaw requiring to be closed between 1-3 am?

Eliza Cox: There is frontage on Rte. 28, Bearse Rd. and Barnstable Rd. so from a design point of view we took into consideration all of the frontage this property has. We are asking for part of the regulatory agreement for the drive-thru to be allowed to be open 24 hrs. The store itself would not be open.

Jo Anne Miller Buntich: It is the case of all current pharmacy drive-thrus in town that are open 24 hrs.

Ray Lang: Asks for clarification - who is the land owner, who are the tenants, who is responsible for

Maintenance, parking, driveway etc.?

David Roche: Currently we, CVS, own the land and Citizens Bank will be lessees. There will be a reciprocal easement agreement between the two that will cover access and maintenance. Trash will be handled individually by the tenants.

Holly Brockman – Johnson: What about landscaping?

David Roche: The Maintenance will be part of the reciprocal agreement and storm water.

Holly Brockman-Johnson: Does the town enforce that the landscaping stays nice? CVS North Street landscaping is referenced as a point of concern.

Jo Anne Miller Buntich: Yes, the short answer is yes. We find in these developments that it is important for the initial installation (landscaping) to happen correctly. Pay attention to the particulars of what the plants are and the size. The board can ask for a landscape maintenance schedule to ensure proper maintenance. It is about maintenance but it is better to make sure it happens from the ground up.

Ray Lang: Asks the applicant provide a plan that shows the current 3 lots and boundaries, color coded, if possible. Are all utilities to be shared between the two buildings?

Josh Swerling: Water, sewer & gas are all independent services to each building. There will be some sharing of the storm water. The plan shows separate utility requests for each building. Electricity will be two distinct services (separate), water & cable, the same thing. There is a common connection to the sewer main but there are two lines that come out of that main. All utilities that are overhead now will be buried. Sewer and water lines explained. Low flow facilities. Sewage goes out Bearse's Rd.

Ray Lang asks who owns the land in between the lots?

Josh Swerling: From the property in it is owned our client. The state or town owns the right of ways. If we do anything on those areas we contact the state or the town. Landscaping is all within the property we control.

The state and town owned property (ownership) reviewed for the board.

Parking:

Ray Lang: How many employee dedicated parking spaces are on the plan?

Josh Swerling: We just have a gross number it doesn't distinguish between employee and customer spaces. 21 proposed for the bank and 61 proposed for CVS – 85 required between the two. We have 82 spots that may be shared between the two businesses.

Ray Lang asked for maximum shift employee numbers and an explanation of the shared parking.

David Roche explains there are no double parking spots counted in the total.

Jo Anne Miller Buntich: The parking was approved in site plan review. We can get the board more information on how this was approved.

Setbacks:

Swerling: frontages on Barnstable Rd., Falmouth Rd., Airport Rotary and Bearse Rd. The setbacks from front and back meet the specifications. The setbacks of the buildings explained per Ray Lang's request

for clarification. Kevin Patton and Eliza Cox reviewed details of setbacks and sidewalks. We are asking for a bit of relief for the Citizen's canopy that encroaches from Citizens onto Bearse Rd. and from landscaping that follows the interior lot line where we have paving from the lot line. Describes work to be done in the right of ways.

Ray Lang questions Cape Cod Commission review.

Jo Anne Miller Buntich: According to the files the setback waiver request is for on the canopy on the side is from 30 ft. to 24.7 ft. This project is in the Growth Incentive Zone (GIZ) and is not subject to Cape Cod Commission (CCC) review. The CCC has been notified of this project. If this project was picked up & put outside the GIZ it would still not require CCC review. Thresholds explained to the Board – this project does not meet the need for review.

Ray Lang: Concerned we are doing something for the first time. Normally we see an Approval Not Required (ANR) and then we see a building or what is going to happen to a building. Encourages the board to consult counsel and their counsel in order to make a decision.

Jo Anne Miller Buntich: This regulatory agreement has been discussed with our legal department. A regulatory agreement encompassing everything that has been requested will be submitted shortly. We imagine that the board would have some findings and conditions about the this request in order to achieve the Approval Not Required (ANR). In my discussion with the legal department it was determined that this could be accomplished through a regulatory agreement and by a regulatory agreement itself.

Munsell stated he has traffic questions. Munsell asked how many daily trips would be going to the Citizens Bank and how many daily trips to the CVS?

The Chair asks the Board to hold traffic questions until the Peer Review is presented at the next meeting.

Mark Ferro inquires about peer review details. It was clarified by Jo Anne Miller Buntich that the Peer Review will take 3 weeks from today (date of execution). Funding for the peer review comes from the applicant. Town chose the Peer.

David Munsell states the Planning Board member should have been in attendance in some of the meetings in August. How many daily trips to CVS and to Citizens Bank? (to be answered in the peer review)

Ray Lang questioned the size of the traffic bumpers.

Kevin Patton explains the size of the bumpers are a CVS requirement.

Stephen Helman then opens the hearing up to Public Comment:

David Lawler on behalf of Botsini-Prime LLC. Asks if public comment will remain open?

Response from the Board: Yes

Lawler states we are in opposition to this project based upon what we've seen to date. This rotary is one of the 3 most important intersection rotaries on Cape Cod, a decision must not be made lightly.

Joseph Laham: We abut this property. We control property that abuts it and own property that abuts it. We reduced curb cuts. We closed the curb cuts. The only issue I have with this is one – the first driveway on the left hand side is very close to Falmouth Rd., which is a bit of an issue. We closed ours there. It's tight on the road. It seems there is a lot of green space on the right there – if you allow them to put parking there, it would eliminate the parking problem. Otherwise, I would like to see this plan approved.

Stephen Helman: The peer review will take 3 weeks, if we were to continue which we are going to, when should we continue this to?

Jo Anne Miller Buntich: You can continue to May 9th. We should have the peer review at that point.

Chair Helman will not be in attendance on May 9th but can participate when returns.

Mark Ferro: Will May 9th be enough time to review this?

Jo Anne Miller Buntich suggests the applicant walk the Board through the peer review first.

Paul Curley makes a motion continue this Public Hearing on Mark Investments to May 9th at 7:00 pm. David Munsell seconds the motion. All others in favor, Aye.

Approval of Minutes: September 28, 2015, January 25, 2016 & February 22, 2016, meeting minutes.

September 28th Paul Curley makes a motion to accept the September 28, 2015 minutes as written, Mark Ferro seconds the motion. Holly Brockman-Johnson abstains. All others in favor, Aye (5-1).

January 25th Paul Curley made a motion to accept the January 25, 2016 minutes as written, Mark Ferro seconds the motion. All in favor, Aye.

February 22nd Ray Lang made a motion to accept the February 22, 2016 minutes as written, Paul Curley seconds the motion. All in Favor, Aye.

Motion to adjourn entertained by Chair, moved by Paul Curley, seconded by Ray Lang, so voted unanimously to adjourn. Meeting was adjourned at 9:38 pm.

Future Meetings: Regularly Scheduled Meetings: April 25th and May 9th, @ 7:00 PM.

Respectfully Submitted


by Stacey Peacock, Administrative Assistant, Growth Management

Approved by vote of the Board on

June 27, 2016

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 - Parking Spot Lease Agreement Ocean Bay One Trust to Olive Oil Trust
- Exhibit B - Parking Spot Lease Agreement Renaissance Development Trust LLC to Olive Oil Trust
- Exhibit C - Black Cat Harbor Shack - Parking Plan Narrative Description
- Exhibit D - Planning Board Email Correspondence dated April 1, 2016
- Exhibit E - Summary Proposed Regulatory Agreement - Barnstable/Bearse Rd Redevelopment