



Town of Barnstable Planning Board

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Jo Anne Miller Buntich, Director
Jacqueline Etsten, AICP, Principal Planner
Elizabeth Jenkins, Principal Planner
Ellen Swiniarski, Regulatory Review Coordinator

PLANNING BOARD AGENDA FOR JANUARY 10, 2011

7:00 PM Call Meeting to Order - Hearing Room, 2nd Floor, 367 Main Street, Hyannis

APPROVAL NOT REQUIRED PLANS - None received.

SECURITY AND LOT RELEASE REQUESTS - None received.

SUBDIVISIONS

Subdivision # 753 - Cape Cod Healthcare - Modification of Development Agreement - Gonsalves Road Paving

7:00 p.m. Regulatory Agreement 2010-01 HSR Realty Trust, Wayne Kurker, Trustee

Public Hearing Closed - Draft Decision Review

Regulatory Agreement Application 2010-01 with addendum under Chapter 168, Regulatory Agreement for property located at 90 High School Road Extension and 67 Winter Street, Hyannis, MA, consisting of approximately 3.79 acres, shown on Town of Barnstable Assessors Map 309 as Parcels 265 and 215. The Applicant is HSR Realty Trust, Wayne Kurker, Trustee. The Regulatory Agreement seeks relief required to permit uses to be conducted at the existing premises which are not authorized under the Table of Use Regulations, Section 240-24.1.6 in an OM Office Multi-Family Residential Zoning District. Those uses include automobile dealership with sales and service/repairs, private educational facility, indoor storage and service of boats, retail and mixed use of retail/office, and food retail sales with delivery including, without limitation, a farm market or other type of supermarket. No construction is proposed on site, other than interior renovations to the existing approximately 51,000 square foot building in order to accommodate the new use of the building.

7:00 p.m. Regulatory Agreement 2011-01 89 Lewis Bay, LLC

Application 2011-01 has been filed to modify the existing Regulatory Agreement 2007-02. The applicant seeks to modify existing Regulatory Agreement authorizing the rehabilitation and expansion of an existing structure at 89 Lewis Bay Road with related parking at 42 South Street, Hyannis. Relief was granted under the existing regulatory agreement for density, parking, setbacks, building height and lot coverage and to provide for the use of +/-60,000 sq. ft. of the building as 42 residential units and +/-20,000 square feet to be used as medical offices and all other allowed uses within the Medical Services District. Applicant seeks to retain all of the approved uses under the existing regulatory agreement and to modify that existing regulatory agreement by adding education (culinary arts), as an additional use, for approximately 8,000 square feet on the first floor.

Additionally, the applicant seeks to amend the existing regulatory agreement to eliminate mitigation contained in Paragraph #4 of the agreement, specifically: \$250,000.00 for improvement within the layout of South Street; \$150,000.00 for public works improvement; and, \$34,421.00 toward South Street layout. Amending of Paragraph #5 of the regulatory

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agreement is also requested to provide an extension of time for construction through December 31, 2011. Relief for the modification is requested pursuant to Section 240-24.1.4(A) principal permitted uses in the Medical Services District to allow an educational use; as well as Section 240-24.1.10 Site Development Standards and Section 240-56 Schedule of Off-Street Parking Requirements for additional parking required for an educational use. The applicant is 89 Lewis Bay, LLC. Properties are addressed 89 Lewis Bay Road, Hyannis located in the Hyannis Village Medical Services District and 42 South Street, Hyannis, located in the Hyannis Village Harbor District and shown on Assessor's Map 327 as Parcel 223 and Map 327 as Parcel 241, respectively.

7:10 p.m. Special Permit 2011-01 Lyndon Paul Lorusso Charitable Foundation of 2002

Continuance to 7:00 p.m. January 24, 2011 is anticipated.

The Village at Barnstable

Special Permit 2011-01 has been filed pursuant to Section 240-29 SCCRCOD Senior Continuing Care Retirement Community Overlay District. Applicant seeks to develop "The Village at Barnstable" a continuing care retirement community situated on 25.9 acres adjacent to Communications Way, Barnstable, consisting of 340 units of independent and assisted living; and a 60-bed skilled nursing facility together with a Commons (amenities) Building for a total of 6 buildings. The inclusionary affordable component is to be constructed off-site (see Special Permit 2011-02 notice below). The property is commonly addressed 265, 226, 200, 191, 175, 180, 160, 145, 125, and 0 Communication Way, Barnstable, MA, and is located as shown on Assessor's Map 314 as parcels 044, 045, 038, 046, 047, 037, 036, 048, 049, and Map 315, Parcel 042. The subject property is zoned IND – Industrial Zoning District/SCCRCOD and WP Overlay Districts.

7:15 p.m. Special Permit 2011-02 Lyndon Paul Lorusso Charitable Foundation of 2002

Continuance to 7:00 p.m. January 24, 2011 is anticipated.

Lyndon Court

Special Permit 2011-02 has been filed pursuant to Section 240-16.1 Multifamily Affordable Housing (MAH) Residential District as the affordable component for the continuing care retirement community "Village at Barnstable" (see Special Permit 2011-01 notice above). The Applicant seeks to redevelop and convert the former Whitehall Manor Nursing Home to 21 one-bedroom affordable units and 21 two-bedroom affordable units for a total of 42 multifamily affordable units. The property is commonly addressed 850 Falmouth Road (Route 28), Hyannis, MA, and is located as shown on Assessor's Map 250, as Parcel 036. The subject property is zoned MAH Residential and GP Overlay District.

OTHER BUSINESS

- Acceptance of draft Planning Board minutes.
- Discussion - Zoning Ordinance Amendments - Sign Regulations

CORRESPONDENCE RECEIVED

Chapter 91 License and 401 Water Quality Certification Applications have been received for maintenance dredging located at Town Piers and Docks at 37 Oyster Place Road, Cotuit with sands to be placed on Dead Neck Beach, Sampson's Island, Barnstable for beach nourishment.

Notice of determination of final flood elevations (FEMA Flood Maps) for the Town of Barnstable from Federal Emergency Management Agency, Washington, D.C.

Notice received from Town Council of reappointment of David Munsell, Planning Board member and appointment of new Planning Board member, Cheryl A. Bartlett, both with terms expiring 6/30/2012.

FUTURE MEETINGS

Regularly scheduled Planning Board meetings 7:00 p.m.: January 24, February 14 & 28, 2011.

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