



**Town of Barnstable
Planning Board
Agenda
November 25, 2013**

Barnstable Town Hall, 367 Main Street, Hyannis, MA, Hearing Room, 2nd Floor.

Meeting notice previously filed with Town Clerk - Revised as of: 11-19-2013
Paul Curley will not be in attendance for this meeting

Workshop: Medical Marijuana Treatment Center Workshop

- *Copy of Town's Medical Marijuana Moratorium Study being sent via separate cover*

Approval Not Required Plans: Lynch - A plan entitled: "Plan of Land at Little River Road" prepared for Christopher M. Lynch", dated April 30, 2013, revised November 12, 2013, as drawn by BSS Design Engineering and Surveying has been submitted for endorsement as an Approval Not Required Plan. The subject property is addressed as 218 and 234 Little River Road, Cotuit, MA as shown on Assessor's Map 054 as Parcels 006/004 and 006/005. The Plan proposes an equal exchange of lot area between two developed lots and is subject to Variance No. 2013-036 granted by the Zoning Board of Appeals. The property is in the Residence F Zoning District and the Resource Protection Overlay District.

- *Staff Report, copy of Application, Plan and associated documents enclosed*

Subdivision Completion: Subdivision No. 305, Rue Michelle – Update on Completion and Surety

- *Staff Report Update, copies of Report from Stephen Seymour, Form S-Road Maintenance, Form M-Certificate of Completion and As-Built Plan enclosed*

Special Permit:

7:00 PM Continued

**Modification PIAHD Special Permit Schooner Village
Subdivision No. 813 - Jacques N. Morin, Trustee**

This Public Hearing is to consider the application of Jacques N. Morin, Trustee of Schooner Village Realty Trust for a Modification for the Private Initiated Affordable Housing Development (PIAHD) Special Permit issued for Schooner Village - Subdivision No. 813. The Petitioner is seeking to allow a new house plan "The Belmont", a one-story, three-bedroom single-family dwelling of 1,709 sq.ft., with an attached two-car garage to be built at 49 Schooner Lane, Hyannis, MA.

The PIAHD locus is 8.58 acres in area, consisting of 29 lots identified as; Assessor's Map 273, Parcel 204 and Parcels 204-001 through 204-017, and Map 272 Parcel 056-006 and Parcels 203 through 211. The property is addressed 5 through 150 Schooner Lane Hyannis, MA. The property is in a Residential C-1 Zoning District.

- *Opened September 23, 2013, continued to November 25, 2013 - Continued to allow time for applicant to address concerns expressed by the subdivision residents and homeowners. Staff Report and Application Materials previously sent.*
- *Email correspondence from Jacques Morin, dated November 18, 2013, attaching letters as sent to homeowners*

7:30 PM Continued

**Modification of PIAHD Special Permit Settler's Landing II
Subdivision No. 812 - Martha M. Morin, Trustee of Settlers Landing
Realty Trust II**

This Public Hearing is to consider the second part of an application of Martha M. Morin, Trustee of Settlers Landing Realty Trust II, seeking a Modification for the Private Initiated Affordable Housing Development (PIAHD) Special Permit issued for Settlers Landing II - Subdivision No. 812. This part of the petitioner is seeking:

- To allow for up to five of the 29 dwellings to be built as four-bedroom homes provided the fourth bedroom is created within an approved house design plan.

The locus is the southern 7.75 acres of the subdivision commonly known as Settler's Landing located off Castlewood Circle in Hyannis, MA. The 29 parcels are shown on Assessor's Map 273 as Parcel 122, Lots 013 through 027 and Assessor's Map 272 as Parcels 212 to 225. The lots are addressed from 75 to 174 Settler's Landing, Hyannis, MA. The locus is Zoned Residential C-1.

- *This hearing was opened May 13, 2013, at which time the Board decided to bifurcate the application into Part 1 and Part 2. Part 1- allowing the introduction of a twelfth and thirteenth house plan was granted.*
- *Part 2 was continued; June 24, 2013, August 12, 2013 and to September 9, 2013 to allow for Review and Opinion of the Town Attorney Office. Opinion was issued August 8, 2013.*
- *At the June 24th meeting, the Board voted a continuance with the requirement that all back taxes owed on the subdivision lots would be paid in full and verification from the Tax Collector's Office that all taxes on the Applicant's lots are current.*
- *A November 5, 2013, email from the Applicant, Jacques Morin, requesting a continuance to January of 2014 (copy enclosed)*

Regulatory Agreement:

7:45 PM Continued Hearing

Regulatory Agreement No. 2013- 03

Hyannis Harbor Suites Hotel, LLC or Nominee & Harborview Hotel Investors, LLC

Regulatory Agreement No. 2013-03 is the application of Hyannis Harbor Suites Hotel, LLC or Nominee & Harborview Hotel Investors, LLC, seeking to enter into an agreement with the Town of Barnstable to construct and operate at 213 Ocean Street, Hyannis, MA a new four (4) story year-round hotel with up to sixty-eight (68) rooms, each room containing its own kitchen facility. This proposed hotel building is in addition to the existing 136 room Hyannis Harbor Hotel situated on the 3.4 acre lot. The subject property is located in the HD-Harbor District of the Hyannis Village Zoning Districts and is shown on Assessor's Map 326, Parcel 035.

The Regulatory Agreement seeks waivers from the Barnstable Zoning Ordinances, specifically:

Section 240-24.1.7.A – Harbor District, Permitted uses to allow hotel rooms with kitchens.

Section 240-24.1.7.C – Harbor District, Dimensional, bulk and other requirements, including maximum building height, to allow 4-stories where only a 2.5 story buildings are permitted, waivers of the 10-foot minimum side and rear setbacks, waiver of the 70% maximum lot coverage and waiver of the 10-foot front yard landscape setback.

Section 240-24.1.10 - Site Development Standards and Section 240-53 – Landscape Requirements for Parking Lots, including waivers from the following; the 6-foot minimum setback for parking lots, 10% interior parking lot landscaping, required minimum number of trees, dumpster setback from lot line and any other necessary relief.

Section 240-56 - Schedule of Off-Street Parking Requirements to allow a reduction in the required on-site parking.

In addition, the Regulatory Agreement seeks relief from the general ordinances of the Town, Chapter 112, Article III, Hyannis Main Street Waterfront Historic District seeking the Planning Board to act on behalf of the Hyannis Main Street Waterfront Historic District Commission.

- *Opened April 8, 2013, continued June 10, 2013, July 22, 2013, August 12, 2013, August 26, 2013, September 23, 2013, October 28, 2013 and to November 11, 2013 - Continued for; further updates and resolution of parking concerns. Possible review of a Draft Regulatory Agreement*
- *Copy of proposed plan for additional parking enclosed*

Discussion: **Subdivision No. 454 – Whistleberry – Update**

Correspondence: Cape Cod Commission notice dated November 7, 2013, Minor Modification Type 1 for Cape Cod Hospital Emergency Center Expansion for DRI Project of Community Benefit Hardship Exemption Decision regarding off site parking

Cape Cod Commission notice dated November 8, 2013, Minor Modification Type 1 to the DRI for the Whole Foods, Southwind Plaza occupancy project

Approval of Minutes: Approval of Board Meeting Minutes for; September 9, 2013, September 23, 2013, September 19, 2013, (Joint Public Hearing with Town Council and Planning Board) and October 28, 2013 - *Copy of Minutes enclosed*

Future Meetings: Regularly Scheduled Meetings: December 09, 2013 and January 13, 2014 @ 7:00 PM.

Please Note: The list of matters are those reasonably anticipated by the chair, which may be discussed at the meeting. Not all items listed may be discussed and other items not listed may also be brought up for discussion to the extent permitted by law. It is possible that if it so votes, the Committee may go into executive session. The Committee may also act on items in an order other than they appear on this agenda.

* Public files are available for viewing during normal business hours at the Planning Board, Growth Management Department, 200 Main Street, Hyannis, MA