



BARNSTABLE
TOWN CLERK

APR 10 P1:58

**Town of Barnstable
Planning Board
Minutes
January 28, 2013**

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

Also present were JoAnne Buntich, Director Growth Management, and Art Traczyk, Regulatory Review Planner.

A quorum being met, the Vice Chair, Paul Curley, who is sitting in for the Chair, Matt Teague, calls the meeting to order at 7:00 p.m.

Subdivisions:

Preliminary Subdivision No. 822

Plan Prepared for William Riley

Property at 2519 Main Street (Route 6A), Barnstable

Review of Preliminary Plan for Subdivision No. 822 entitled; "Preliminary Subdivision Plan of Land in Barnstable, MA, 2519 Main Street (Route 6A), Prepared for William Riley". An Application for Tentative Approval of a Preliminary Plan to divide a 9.25 acres parcel into 6 lots has been submitted for consideration to the Planning Board. The subject property is located south of Route 6A just west of the railroad overpass in Barnstable Village. The property is shown on Assessors Map 257 as Parcel 010. The property is zoned Residential F-1 for the first 500 feet fronting Main Street (Route 6A) and the remainder of the lot is Zoned Residence G. (Precinct 1)

- *This preliminary plan was presented to the Board for consideration at the December 10, 2012, meeting and was continued January 14, 2013 and to January 28, 2013. Continued for further review.*

Dan Ojala of Down Cape Engineering, Inc. in attendance. He gives a history of what transpired at the last hearing. The proposal is to divide into five house lots (total of 6). The site distance requires that some trees to be removed (two). He has requested a waiver for this. They have extended the road. Remaining waiver is to maintain the rural character of the road by reducing the pavement width to 22 ft of hard pack gravel underneath and then reduce to 18, 16 plus a foot berm on either side for overall width of pavement. The only addition is that they may move the hydrant up to the end of the road.

David Munsell states that he is very familiar with this subdivision and has a great concern as to the site distance, clearing of trees won't be a problem. There is a lot of speeding through these areas on Rte 6A. Concerned with safety issues. There is a school in the area as well.

Pits for the drainage have a lot of clay in the area. Lot No. 2 has tremendous drainage issues. Drainage concerns retention pond, he is concerned with the underpass and flooding in the area. This area becomes impassable. The State did some repair for damage in this area. Would like to see a retention pond in this area. He would like to reject/deny this until some more work/planning can be put into this. Main concerns in this area with site distance and speeding.

Patrick Princi directs to David Munsell and questions where the school is and the safety issue. Is this a public safety issue?

David Munsell answers that it's a school zone here, school busses going through here constantly. This is a very busy area. Pulling out onto Rte 6A here is dangerous.

Felicia Penn comments and makes reference to the Preliminary Plan Draft Decision (Exhibit A). Some of the language should be changed, i.e., Item No. 2 quotes "based on concerns regarding adequate provision of emergency access and long-term maintenance of roads and drives serving all lots, the Board supports the 633 foot private drive terminating in a cul-de-sac. The Board supports extending the roadway to serve all lots in the subdivision, as opposed to the provision access to the southern most lots by a shared private drive. The proposed right-of-way is 40 feet in width. The traveled way is 18 feet in width, including 1 foot Cape Cod berms. The shoulders will be H-25 graded and compacted to provide a minimum 22 feet for emergency access". She thinks it should have more simplified language, i.e., There shall be or the Plan shows a 633 ft. private access terminating in a cul-de-sac, this access shall serve all lots and subdivisions. The proposed right-of-way is 40 feet in width. The traveled way is 18 feet in width, including 1 foot Cape Cod berms etc.

Item No. 4 (Exhibit A). She thinks there should be a sentence in this that states should approval of tree removal not be obtained, applicant must return to Planning Board etc.

JoAnne Buntich interjects that in a Preliminary Plan the Planning Board has three options, to deny, approve with conditions or approve. With a denial the applicant can also come forward with a definitive plan later. The actual condition language can be reserved for the definitive plan, the preliminary is to look at the issues presented.

Felicia Penn replies that the Norway Maples must be removed if we are to approve site distance as a safety factor. Also, this may be something to incorporate that MASS DOT put up temporary signage to alert a new road in this location.

JoAnne Buntich suggests language to be added after Item No. 4 that states explore with Mass Dot signage to alert traveling public of the new roadway and subdivision.

Dan Ojala asks/points out that there has been an existing/functioning driveway there for many years, but the site that they have chosen is far superior. From this location it is a far safer exit. Trading of curb cuts here as well.

Felicia Penn states that the language is a little weak in Item No. 14 (Exhibit A) Maybe some language regarding relocate or rebuild, and keeping the same character.

Ray Lang confirms the road width that Dan Ojala quoted of 22 ft. in total with the berm. There is a total of 40 ft. right of way? With the utilities being off the road is there a way to put in sidewalks?

Dan Ojala responds that the sewer is individual on-site. There are only 6 houses on the road. They were hoping to save the cost of the pavement and maintain a greener look and the rural character of the road by not putting in sidewalks.

Ray Lang asks if the trees are on town land or private?

Dan Ojala replies they are in the State layout of the road.

Ray Lang confirms that the removal of the trees would require a hearing and suggests that new trees go up if old ones come down.

Dan Ojala answers that they would be happy to add new trees.

JoAnne Buntich replies that any tree hearing would be held by Old King's Highway District Committee.

Ray Lang asks if the 6 drainage tanks would be enough for all of the drainage?

Dan Ojala states yes, they may even need less. The drainage is piped to the back. There is also a natural drainage area.

Ray Lang asks if there is drainage from the railroad track area?

Dan Ojala answers that the State highway has a problem with the underpass and the drainage. They will be donating a very large area whereby they could infiltrate through there.

Ray Lang asks if it was indicated where the test holes were dug?

Dan Ojala answers yes, D2 and D3.

Ray Lang asks if they have met with DPW?

Dan Ojala states no, just Steve Seymour and Growth Management.

Joanne Buntich states that this would happen if it was a definitive plan submitted.

Ray Lang asks if they have spoken to the town regarding the possibility of a land swap? The conservation land is owned by the town.

Dan Ojala states no, some of the land is owned in a trust. The original owners may have, he's not sure.

Ray Lang confirms, that conservation was not notified and did not make an offer for this land.

David Munsell would like clarification, does this have the proper site distance here, based on what?

Dan Ojala states yes, with the removal of the two trees, based on a thirty mile an hour speed limit. The curb cut on the property that has functioned well, which has been maintained historically. To go to the right you have a full view of 355 ft. to the east. The concrete pylons here slow people down. To the west you can see 355 ft., the 3 foot tree to the east has to be removed. It's a hazard/safety matter.

Paul Curley makes comment that Lots 5 & 6 need to show building envelopes, make sure within 350 ft. of the hydrant, and asks if the shared driveway has been abandoned?

Dan Ojala answers yes and that they have abandoned the shared driveway, less complicated.

JoAnne Buntich explains/confirms the staff recommendations to approve with conditions as follows:

Item/Condition No.2 (Exhibit A) to be amended to read, based on concerns regarding adequate provision of emergency access and long-term maintenance of roads and drives serving all lots, the plan shows a 633 foot private drive terminating in a cul-de-sac. The plan shows the roadway extended to serve all lots in the subdivision....(remaining paragraph to remain as is).

Item/Condition No. 4 (Exhibit A) to be amended to read: The removal of a minimum of two Norway Maples in the layout will also need review and approval as they affect site distance. To explore with MassDOT installing signage on Route 6A to alert the traveling public about the new roadway and subdivision, signage shall be visible in both directions.

Item/Condition No. 14 (Exhibit A) to be amended to read: Existing stone walls located on the property shall not be disturbed.

David Munsell asks if the proposed drainage for the State can be added?

JoAnne Buntich refers to Condition/Item No. 8 (Exhibit A) to be amended to read, A drainage easement is proposed on Lot 2 to allow MassDOT to make future improvements that may be necessary to correct drainage problems on Route 6A at the railroad overpass.

Felicia Penn moves to approve with conditions this preliminary subdivision plan as written and as amended, seconded by Paul Curley, David Munsell votes NAY, Ray Lang votes NAY, Patrick Princi votes AYE. The motion did not move. It did not pass approval for a preliminary subdivision.

Public Hearings:

7:00 pm Public Hearing- Continued

Special Permit Application No. 2012-03 Cotuit Solar/Peck Wind Energy Conversion Facilities

The petitioners, Cotuit Solar LLC, and John T. Peck, are seeking a special permit pursuant to Section 240-44.1 Land Based Wind Energy Conversion Facilities. The petitioners seek to reuse the existing 100-foot mono-pole and reinstall a new wind turbine upon it to generate electrical power for use on the property. The subject property is addressed 3800 Falmouth Road (Route 28), Marstons Mills, MA and commonly known as "Peck's Boatyard". The property is shown on Assessor's Map 058 as parcel 001 and is zoned SD-1 Service and Distribution Zoning District. (Precinct 7, 12 & 5)

- *Opened April 23, 2012, continued, May 14, July 23, August 13, September 10, October 22, November 26, and January 28, 2013 – continued for further review.*
- *Continued for peer review report from Paul A. Bergman, PE, Bergman & Associates Inc.*

Attorney Caroline Schmittiel in attendance. She states that since there would be only five Board Members in attendance tonight they would like to continue the public hearing to April 8, 2013, when all board members will be in attendance.

Motion made by David Munsell to continue the public hearing, seconded by Felicia Penn. Patrick Princi opposed the continuance. The public hearing was continued to April 8, 2013, at 7:00 p.m.

7:15 pm Public Hearing – Continued

**Third Modification to Regulatory Agreement 2007-02,
89 Lewis Bay LLC - Property at 89 Lewis Bay Road and 42
South St., Hyannis**

89 Lewis Bay, LLC has filed an application to modify and amend the existing Regulatory Agreement No. 2007-02, as modified. The applicant seeks to modify and amend the existing Regulatory Agreement authorizing the rehabilitation and expansion of a structure at 89 Lewis Bay Road with related parking at 42 South Street, Hyannis. The existing Regulatory Agreement granted relief from density, parking, setbacks, building height and lot coverage requirements to allow 42 residential units in ±60,000 sq.ft and ±20,000 sq.ft of ground floor space for medical offices and all other uses permitted in the Medical Services District. A modification of the Regulatory Agreement was granted to allow educational uses, including culinary arts, in 8,000 sq.ft of ground floor space. The Applicant presently seeks to modify the Agreement to construct an accessory one-story 12-bay detached garage of ±2,960 sq.ft. The accessory garage is proposed to be located at the rear west end of the parking lot on 42 South Street. The subject properties are addressed 89 Lewis Bay Road and 42 South Street, Hyannis, MA as shown on Assessor's Map 327 as Parcels 223 and 241. The property is zoned Hyannis Village Medical Services District and Harbor District. (Precinct 9)

- *Opened November 26, 2012, continued January 14, 2013, and to January 28, 2013. Staff Report, Application, and relevant materials previously distributed.*
- *Continued for Second Public Hearing and further review.*

JoAnne Buntich states that the Planning Board has received correspondence from the Applicant requesting a continuance to February 11, 2013.

Felicia Penn moves to continue this matter to the next meeting of February 11, 2013, at 7:15 p.m., seconded by Ray Lang, so voted unanimously.

7:30 pm Public Hearing - Continued

**Zoning Amendment 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 hold a public 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 Definitions to add definitions pursuant to the Medical Marijuana Treatment Center Overlay District.

- *This hearing was opened on January 14, 2013 and continued to January 28, 2013 so that it can be heard concurrent with the public hearing on TC Item No. 2013-065 Medical Marijuana Treatment Temporary Moratorium.*

7:30 pm Public Hearing

Zoning Amendment 2013-065

Medical Marijuana Treatment Centers Moratorium

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 to take comment upon a proposed amendment to the Code of the Town of Barnstable, Chapter 240, the Zoning Ordinance to place a temporary moratorium on Medical Marijuana Treatment Centers and related activities. The proposed moratorium is to be effective through and including January 1, 2014 or until ninety (90) days after the effective date of the final regulations relating to Ballot Question 3, promulgated by the State Department of Public Health, whichever occurs first.

- *This hearing should be opened and heard concurrent with TC Item No. 2013-055 Medical Marijuana Treatment Centers.*

Motion to open both of the public hearings made by Ray Lang, seconded by David Munsell, so voted unanimously.

Paul Curley states that this hearing will be limited to these two issues only.

Joanne Buntich gives a background of the zoning ordinance and the process and procedure for the Planning Board. This item(s) has been brought forward by the passage of the Ballot Question No. 3 in the previous election. Town Council will make final decision.

Ray Lang asks staff if they participated at the meeting/seminar held by the State Board of Health? He makes reference to Ann Canedy's letter, received by the Planning Board, January 28, 2013, (Exhibit B) and the bulleted information listed.

Joanne Buntich answers that the Town Attorney did attend this event held by The Mass Municipal Association. The Dept. of Public Health will be visiting and doing listening tours in the communities throughout the Commonwealth in relation to the passage of this ballot question. There has been no written guidance as of yet.

Ray Lang asks through the Chair if Town Attorney Ruth Weil could give a briefing of this meeting?

Town Attorney Ruth Weil in attendance. She states that everybody is waiting for the Dept. of Public Health to promulgate the regulations/process. They will be conducting listening tours in three locations in April 2013. This is being anticipated as a fairly lengthy process.

Ray Lang asks if there was any discussion regarding the possibility of some special zoning?

Ruth Weil answered yes. There was discussion of designating an overlay district. Some communities are considering temporary moratoriums as well.

Ray Lang asks if there was comment regarding the possibility of communities voting not to have these districts?

Ruth Weil answered yes. The Health Director that represents Reading, Melrose and Wakefield were in attendance and these three communities have voted a ban. There were written materials distributed that indicate there is some

risk regarding a total ban. The Attorney General is reviewing the by laws for these towns. It could be subject to a court challenge.

David Munsell asks do you think the moratorium would be in the best interest? There were a lot of unanswered questions.

Paul Curley opens the floor for public comment

Linda Volager, resident of Hyannis Park in West Yarmouth, which abuts the proposed medical marijuana district. She states that there are 17 other states that have this law already in place. She doesn't think there is enough due diligence. Three major hazards are, public safety, the opportunity for fraud, and finally the opportunity for abuse. The area proposed has overwhelming traffic issues. She is concerned with crime. Data needs to be examined by the other states that have the law currently. She would like to see a moratorium instituted. This may lead to an increase in treatment facilities as well.

Christine Greely resident of West Yarmouth. Member of the Hyannis Park Civic Association. She has brought a copy of and makes reference to correspondence from the Hyannis Park Civic Association, Policy Statement (Exhibit C), and correspondence dated January 24, 2013, from Town of Yarmouth Board of Selectmen Erik Tolley (Exhibit D). She states that medical marijuana does not need to be in a medical overlay district. She refers and makes reference to Wall Street Journal article dated January 23, 2013, entitled "Court Backs DEA Stance on Banning Marijuana" (Exhibit E). Medical marijuana is a questionable subject. Three points are: the traffic issue, the impact on residential areas, including bus stops, and the impact on the property values. Reference is made to the Proposed Overlay District Zoning Map (Exhibit F) and suggests that the adult entertainment zone be considered for use. She would like yes on the moratorium and vote no for the area around the hospital. She mentions a survey from California which informs that less than 3% of the use is for glaucoma.

Anita Dashanes, of 214 Pitchers Way, Hyannis in attendance. She questioning why Barnstable was chosen? There are similar existing facilities in Yarmouth and another area of the Cape.

Patrick Princi suggests that we may be going off track with discussion about the pros and cons of marijuana. He understands the abutters' concerns, however the town has to follow through with State laws.

JoAnne interjects that the speaker is suggesting that the location be near a methadone clinic or something of that nature. We are just here to listen to what the public has to say tonight.

Rick Bishop from Yarmouthport, 68 Center St. and Hyannis Park. He would like to voice a yes vote to a moratorium and a no vote to the location. There are many travel issues in this area that now exist.

Mike Scott, Esq., of Nutter, McClennen and Fish, on behalf of Cape Cod Healthcare, whom owns 50% of the land in the overlay district. They are in support of the moratorium. Cape Cod Hospital looks forward to being able to participate with the planning process and they think it's premature to adopt the overlay district.

Paul Curley asks Ruth Weil when can we expect some input from the State?

Ruth Weil answers that the Dept of Public Health has until May 1, 2013, to promulgate regulations.

JoAnne Buntich states that both of these issues will move forward to the Town Council for public hearing as well.

Ray Lang states that the public has to talk about this issue. West Yarmouth will be affected as well. He would like to get notification of the meetings/information from the State/Region when it is available.

Patrick Princi directs to Ruth Weil, as far as zoning amendment 2013-055 he would move not to recommend to Town Council, but support the moratorium, would this put the town in a predicament in regards to a designated area as far as waiting for the Dept. of Public Health's information?

Ruth Weil replies in terms of the timing, it is 65 days from the referral from Town Council for the Planning Board to close their public hearing and provide comment. The Town Council can adhere to the recommendation or not. It's helpful for the Planning Board to provide it's reasoning to Town Council.

JoAnne Buntich states that the board doesn't have to finalize the recommendation tonight.

Ray Lang asks Ruth Weil, in terms of the proposal 2013-055 can the Planning Board go to Town Council and state that we have tabled this article since it is premature and lacking in information from the State in order to consider a zoning change?

Ruth Weil answers that both could go in harmony to Town Council and adopted and that would be to amend the overlay district, to have it become effective 90 days after the Dept. of Public Health regulations go into effect. If what is proposed in 2013-055 needs some further revision that could be done. They can both go forward with similar language. The Planning Board provides a recommendation to Town Council, it doesn't stop the process.

David Munsell comments that the Planning Board did not have any input regarding the proposed overlay district.

Felicia Penn appreciates the public being here tonight. She would like to continue this to Feb. 25th, she lives in the area and knows the traffic issues here. She would like to see some other ideas from the public regarding the good of the community. We need to do more due diligence.

Patrick Princi moves to close the public hearing on Zoning Amendment 2013-065, the moratorium, seconded by Ray Lang, so voted unanimously.

Paul Curley states that the board will be taking a five minute recess.
The Board reconvenes.

Felicia Penn moves to continue the public hearing on 2013-055, zoning, to February 25, 2013, at 7:30, seconded by Patrick Princi, so voted unanimously.

Discussion is made about procedure for recommendation to Town Council for the 2013-065, moratorium.

Ruth Weil comments that a provision of Chpt. 40A, section 5, states that if no recommendation comes from the Planning Board within 21 days of the public hearing, then the Town Council can move forward regardless.

Motion made by Ray Lang to recommend adoption of the moratorium 2013-065 to Town Council, seconded by Paul Curley, so voted unanimously.

Discussions:

Cape Cod Distillery LLC – Attorney Michael D. Ford, on behalf of Cape Cod Distillery LLC has requested an informal discussion with the Board regarding a proposed Regulatory Agreement between the Town and Cape Cod Distillery LLC, for the reuse of an existing buildings and site for a small scale distillery and accessory retail sales at 411 Barnstable Road, Hyannis, MA (Assessor's Map 311, Parcel 033). The subject property is a 0.53 acre parcel developed with a one-story, 11,972 sq.ft. commercial building and associated parking for 25 vehicles. The property is presently vacant.

Attorney Michael Ford in attendance, representing Cape Cod Distillery LLC. He explains that they are proposing a regulatory agreement for a distillery.

Attendees are: John O'Dea of Sullivan Engineering. Rick Fenuccio of Brown, Lindquist, Fenuccio, Raber. Skip and Rick Wrightson's, the Principals.

A history of the vacant site is given. They would like to convert use of the building to the use of manufacturing on site, malt (scotch). The Zoning ordinance does not have a use close enough for this. They will be going to Site Plan Review. There are no additions or alterations proposed. Some parking spaces to be eliminated.

In addition to manufacturing and distilling, there would be storage and aging of the product as well. At least two types of malt, one without aging, selling as Massachusetts Moonshine, and one that would be aged, selling as Old Barnstable Malt. Equipment is now being manufactured overseas.

Rick Fenuccio in attendance. He explains improvements to be made to the exterior and the façade of the building and the addition of large copper stills. It is early on in the design. They are waiting for equipment layouts from Scotland, it may change the design.

Attorney Michael Ford states that there is a provision in MGL, Chapter 138, section 19E, which allows the Alcoholic Beverage Control Commission to license as a Farmer Distiller. This will be the state licensing authority that needs to be complied with. There may be some setback requirements that they may need relief from.

He makes reference and hands out to the board a letter from Mr. Cox, the President of Cape Cod Community College, dated January 28, 2013 (Exhibit G). They are interested in this in relation to their hospitality and chemistry programs for educational purposes.

Felicia Penn mentions the median strip at the rotary may be an issue. Asks about the delivery frequency? Will there be a smell in the area? What kind of retail will be there/events etc.?

Attorney Ford answers the frequency of deliveries hasn't been established as of yet, no refrigeration is needed. They will look into the smell, not sure if this will be an issue. There will be a small retail shop and they are allowed to have small tasting events and can sell single bottles of what is manufactured at the site and souvenir items.

Ray Lang asks how much of the building will be dedicated to manufacturing? How much to retail?

Rick Fenuccio answers, 1200 sq. ft. for the still house/production. The barrel storage is 3400 sq. ft., long term storage, triple decked and a material storage area, a reception area. This is a very early design.

Ray Lang asks where are the borders in relation to the lot? Where will the curb cuts be?

Attorney Ford answers there is no space.

John O'Dea explains there will be two curb cuts, the proposal is to shift the entrance and extend the island 42 ft. They will be making the island larger.

Patrick Princi states that he looks forward to the full application. Asks how many jobs this may create?

Attorney Ford answers, initially, probably 2 to 4. It will be a family operation.

Paul Curley asks about wastewater from the manufacturing process, is it significant?

Rick Fenuccio answers that the bi product is essentially wastewater, not contaminated, it would connect to the sewer.

Felicia Penn states the neighbor is Luke's Liquor's. Is there a natural connection, like an interconnect?

John O'Dea answers yes, there is an existing connector from Luke's.

Hyannis Harbor Hotel – Attorney Michael D. Ford, on behalf of the Harborview Hotel Investors, LLC, has requested an informal discussion with the Board regarding a possible Regulatory Agreement. The proposal is to build a detached 4-story, 68-room addition to the existing Hyannis Harbor Hotel at 213 Ocean Street, Hyannis.

Attorney Micheal Ford in attendance.

Douglas Cohen in attendance.

Attorney Jeff Ford in attendance.

Attorney Ford gives the history from last discussion/meeting. They have been to Site Plan, and are still in process.

Doug Cohen explains the façad, rear and side elevation views/modifications that they have made to the bldg. design, an addition of an elevator tower that goes to the roof from the perspectives presented. They are considering putting solar panels on the roof. The lobby, will be approximately 1000 sq. ft. All rooms will have sliders. There will be 88 guestrooms. High end rooms and a brand new contemporary building.

Patrick Princi asks about parking?

Attorney Ford and Doug Cohen explain that they have developed and submitted a valet plan whereby they could get up to 205 spaces. They would stack the cars on site. Almost 4 acres of land.

Attorney Ford states the four stories proposed do require relief and there are some setback/parking issues that have to be addressed in the development agreement.

Ray Lang asks if there is any further creativity in landscaping? What color will the building be?

Michael Ford states yes, much more detailed landscaping plan now.

Doug Cohen answers the color of the bldg. would be in the medium beige family with white trim.

Felicia Penn suggests that the schematic drawing be more realistic when they return.

Correspondence:

Cape Cod Commission notice for Minor Modification Type 1 to the Development of Regional Impact Decision for the Cape Cod Mall Renovation and Expansion project approved on January 15, 2013. *(Any member wishing a full copy of the document please contact the office)*

Future Meetings: Regularly Scheduled Board Meetings: February 11, 2013, and February 25, 2013,
@ 7:00 p.m.

Paul Curley entertains a motion to adjourn, moved by Ray Lang, so voted unanimously.

The meeting adjourned at 9:11 p.m.

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

Approved by vote of the Board on April 8, 2013
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

- A. Draft Preliminary Subdivision Decision
- B. Correspondence received January 28, 2013, from Ann Canedy
- C. Correspondence from Hyannis Park Civic Association dated January 6, 2013
- D. Correspondence from Erik Tolley, Chairman of Yarmouth Board of Selectmen, dated January 24, 2013
- E. Wall Street Journal Article "Court Backs DEA Stance on Banning Marijuana" dated January 23, 2013
- F. Proposed Amendment to the Hyannis Zoning Map creating the Medical Marijuana Treatment Center Overlay District
- G. Correspondence from John L. Cox, President of Cape Cod Community College, dated January 28, 2013