



Town of Barnstable Planning Board



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Board Members

Paul Curley – Chair Stephen Helman – Vice Chair Felicia Penn – Clerk Patrick Princi Matthew K. Teague Raymond Lang David Munsell
John Norman – Town Council Liaison

Staff Support

Art Traczyk – Design/Regulatory Review Planner – art.traczyk@town.barnstable.ma.us
Karen Herrand – Principal Assistant - karen.herrand@town.barnstable.ma.us

BARNSTABLE TOWN CLERK

**Town of Barnstable
Planning Board
Minutes
August 25, 2014**

2014 NOV 6 AM 11:50

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

Also in attendance were Art Traczyk, Regulatory/Design Review Planner, Growth Management.

Call to Order: Introduction of Board Members – All members present introduce themselves

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.

Notice to Public: **Regarding Zoning Board of Appeals - Appeal No. 2014-042 – Bogert Referral to the Planning Board for Consent on Material Changes will Not be Held.**

Notices of a public meeting on a Repetitive Petition of William B. & Natalie Bogert for property addressed 160 Tern Lane, Centerville, MA were sent to abutting property owners. The meeting was scheduled pursuant to MGL Chapter 40A Section 16 for consent of the Planning Board to findings of the Zoning Board on specific and material changes to a proposal for demolition and rebuilding of a single family dwelling not in conformity to zoning. However that public meeting will not be held tonight as the Zoning Board has not made its findings and has not yet referred the application to the Planning Board.

The Planning Board notices were sent prior to the scheduled, August 13th Zoning Board hearing to consider the Repetitive Petition to accommodate the application. The application did not go forward at that August meeting of the Zoning Board and was continued to September 10th.

It is anticipated that this Planning Board Public Meeting will be held September 22, 2014, at 7:00 PM.

Approval Not Required Plans:

Barnstable Land Trust - A plan entitled "Plan of land in Barnstable (Cotuit) MA prepared for: Barnstable Land Trust" has been submitted for endorsement as an Approval Not Required Plan. The plan intends to segment part of an existing 19.08-acre parcel into two lots totaling 3.03+/- acres. The segmented 3.03-acres is to be transferred to, and annexed to, land owned by the Town of Barnstable addressed 10 Lowell Avenue, Cotuit, MA (a/k/a Lowell Park). The subject 19.12-acre parcel is addressed 0 Putnam Avenue, Cotuit, MA and is shown on Assessor's Map 036 as parcel 039. The land is situated north westerly of the intersection of Putnam and Lowell Avenues. The subject property is zoned Residential F and in the Resource Protection Overlay District.

Art Traczyk gives a brief explanation of the land to be purchased by the Barnstable Land Trust deed to Town of Barnstable. Parcel 1 is U shaped (for outfield to the town) and parcel 2 is at entrance of park, off of Lowell Ave. Parcel 1 is landlocked but it is to be united with the existing property that is part of the park.

Patrick Princi asks if the land to be conveyed is conservation land?

Art Traczyk replies that the land has not been transferred yet and is owned by a private person. No conservation restriction as of yet. There will be 16 acres that remain and that will go to the Barnstable Land Trust with the conservation restriction as well as wellhead protection restriction.

Ray Lang asks/confirms that parcel 1 is the current field owned by the Town and that the Town will own the expanded ball field now?

Art Traczyk answers, yes.

Motion made by Stephen Helman to approve/endorse this ANR plan, seconded by Felicia Penn, so voted unanimously.

Crockers Corner Realty Trust - A plan entitled "Approval Not Required Subdivision of Land prepared for James H. Crocker., Trustee of Crockers Corner Realty Trust" has been submitted for endorsement as an Approval Not Required Plan. The plan intends to divide an existing 4.8-acre parcel into two lots. The subject property is addressed 3635 Falmouth Road (Route 28), Marstons Mills, MA. It is shown on Assessor's Map 077 as parcel 004 and is zoned Residential F and in the Resource Protection Overlay District.

Art Traczyk makes reference to the withdrawal letter (Exhibit A) dated August 25, 2014, received today from Matthew Eddy for James Crocker. The plan is withdrawn by the Applicant. No need to vote on this. Confirmation that this request was received was sent via email to Matthew Eddy.

Paul Curley reads the request/letter into record.

Motion made by Patrick Princi to accept the request for withdrawal without prejudice, seconded by Ray Lang, so voted unanimously.

McDonald - A plan entitled "Plan of Land in (Cummaquid) Barnstable, MA to be filed in the Land Court prepared for William & Carol McDonald", dated July 1, 2014, has been submitted for endorsement as an Approval Not Required Plan. The plan intends to combine Lot 72 and most of Lot 71 of Land Court Plan 7353R to create a single new lot and transfer and annex 6,486 sq.ft., of land from Lot 71 of Land Court Plan 7353R to and adjoining Lot 23 of Land Court 7353F. The subject property is addressed 215 & 192 Harbor Point Road, Cummaquid, MA and are shown on Assessor's Map 352 as parcels 068 and 006. The subject property is zoned Residential F-1. This plan created no new independently developable lots. All subject lots are owned by William & Carol McDonald.

Dan Ojala in attendance. He refers to the plan rendering (Exhibit B) and gives a brief explanation of the plan.

Motion made by Patrick Princi to endorse/approve this ANR plan, seconded by Ray Lang, so voted unanimously.

Leveroni - A plan entitled "Plan of Land at 845 & 853 Main Street in Barnstable (Cotuit) Mass." prepared for Timothy & Daniel Leveroni dated May 18, 2013, has been submitted for endorsement as an Approval Not Required Plan. The plan intends to reconfigure the existing two lots. The subject property is addressed 845 & 853 Main Street, Cotuit, MA. It is shown on Assessor's Map 035 as parcels 059-001 & 059-002 and is zoned Residential F and in the Resource Protection Overlay District.

Richard L'Heureux of CapeSurv in attendance. He gives a brief explanation of the plan. This will modify the interior lot line to make access and egress easier. Finalized areas will be equal.

Ray Lang asks if the current stone driveway will be removed and replaced?

Richard L'Heureux answers yes, they will be replaced.

Motion made by Stephen Helman to endorse/approve this ANR plan, seconded by Ray Lang, so voted unanimously.

Procedural Matters: Endorsement of Subdivision No. 823 - Hyannis Imported Cars Limited Partnership
Subdivision Modification & Discontinuance of a part of Holmes Lane in Hyannis (Barnstable) MA.

Decision Rendered by the Board June 23, 2014, Notice filed June 30, 2014 – 20 day appeal period has expired and no appeal taken. The Board is clear to endorse the plan.

This plan is endorsed/signed by the Board

Correspondence: *Any Member wishing a full copy of the document please contact the office*

Cape Cod Commission notice July 7, 2014, Amended Chapter A, Enabling Regulations Governing Review of Developments of Regional Impact (DRI)

Cape Cod Commission notice July 18, 2014, minor modification to DRI Decision for ICE/Sprint Tower Barnstable

Approval of Minutes: Approval of July 14, 2014, Board Meeting Minutes

Felicia Penn has requested a small change regarding her quote in these minutes, see pg. 3, 3rd paragraph from the bottom, line 1, to be changed as follows: Felicia Penn comments that on the North side of Main Street, at do to the Sturgis school,...etc (Exhibit C). This is not a material change, just a misquote.

*Minutes approved per this amendment/change.

Motion made by Stephen Helman to accept the minutes, seconded by Ray Lang, so voted unanimously to *approve the minutes of July 14, 2014.

Ray Lang would like Growth Management's staff to obtain a copy of the proposed State Bill 1859, re Planning and Development of Sustainable Communities. He would like to invite Senator Dan Wolf to come before the Planning Board and explain his involvement.

Art Traczyk replies that he is aware of this legislation and he will forward copy.

Paul Curley states that he is in a position where he has to resign from the Community Preservation Committee and will resign from this Committee as of September 1, 2014. He has asked Stephen Helman if he could take on this position as representative for the Planning Board to the Community Preservation Committee and Mr. Helman has agreed.

Motion entertained by Paul Curley to nominate Stephen Helman for this position, moved by Ray Lang, seconded by Felicia Penn, so voted unanimously. This information will be sent to Town Council.

Felicia Penn asks if there has been a date set up for the meeting regarding the parking?

Paul Curley replies they have not as of yet. He would like to have the meeting for this before the Planning Board's next meeting on Sept. 22, 2014.

Art Traczyk replies that he thinks it is all in motion to get it done before this date, it is in the process of being set up with the Town Manager's staff.

Patrick Princi asks about the Peck's windmill installation and is wondering what the update/progress is?

Art Traczyk states that they did obtain a building permit for this about a year ago. He will check on this.

Motion made by Stephen Helman to adjourn, seconded by Ray Lang, so voted unanimously.

The Meeting adjourned at 7:29 p.m.

Future Meetings: Regularly Scheduled Meetings: September 22, 2014 and October 27, 2014 @ 7:00 p.m.

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

Approved by vote of the Board on Oct. 27, 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 – Correspondence dated August 25, 2014, from Matthew Eddy, Baxter Nye Engineering & Surveying to withdraw the application – File ANR (withdrawal) 3635 Falmouth Rd., Crocker Map/Par 077/004

Exhibit B – Plan of Land dated July 1, 2014, for William & Carol McDonald – File ANR 215 & 192 Harbor Point Rd., Cummaquid, Barnstable Map/Par 352/068 & 006

Exhibit C – Draft Planning Board Minutes dated July 14, 2014

APPROVED