



Town of Barnstable Planning Board



www.town.barnstable.ma.us/PlanningBoard

Board Members

Stephen Robichaud – Chair Robert Twiss – Vice Chair Tim O’Neill - Clerk Mary Barry Michael Mecnas Raymond Sexton Matthew Teague

Felicia Penn – Town Council Liaison

Planning & Development Dept. Staff Support

Elizabeth Jenkins, AICP, Director

James Kupfer, AICP, Assistant Director

Kaitlyn Maldonado, Senior Planner

Karen Pina – Principal Assistant - karen.herrand@town.barnstable.ma.us

Town of Barnstable PLANNING BOARD Minutes February 26, 2024

Stephen Robichaud – Chairman	Present
Robert Twiss, Vice Chairman	Absent
Tim O’Neill – Clerk	Present
Mary Barry	Absent
Michael Mecnas	Present
Raymond Sexton	Absent
Matthew Teague	Present

Also in attendance were Planning & Development Staff; James Kupfer, Assistant Director and Karen Pina, Principal Assistant.

Notice of Recording The meeting will be televised live via Xfinity Channel 8 or high definition Channel 1072. It may also be accessed via the Government Access Channel live stream on the Town of Barnstable’s website: <http://streaming85.townofbarnstable.us/CablecastPublicSite/watch/1?channel=1>

Call to Order Introduction of Board Members

Attendance Roll Call

Stephen Robichaud

Michael Mecnas

Matt Teague

Tim Oneill

Public Comment – General - None

Approval Not Required Plans

Enoch Cobb Trust, Steven Heslinga, Trustee, has submitted an Approval Not Required Plan entitled “Plan of Land at #87 Oakmont Road, Barnstable, MA prepared for Cobb Trust” dated January 17, 2024

This is not a public hearing and does not need to be voted to open/close

Dan Ojala, Downcape Engineering in attendance for the applicant Heslinga, explains Cobb Trust donated land. Wood lots. Would now be able to offer for housing. On a public way. Oakmont taken by the

Town of Barnstable. Adequate frontage. Common drive area. Refers to the plan. Big lots. A little encroachment on one of the lots. Acre upland, each lot meets shape factor.

Chair Stephen Robichaud entertains a motion to endorse/approve, moved by Matt Teague to endorse/approve the plan entitled “Plan of Land at #87 Oakmont Road Barnstable, MA” prepared for Cobb Trust, by Down Cape Engineering, Inc., dated January 17, 2024” as an approval Not Required Plan, seconded by Michael Mecnas,

Roll Call Vote:

Matt Teague - aye

Michael Mecnas - aye

Tim O’Neill - aye

Stephen Robichaud - aye

Susan K. Wheeler and Emily Wheeler have submitted an Approval Not Required Plan entitled “Plan of Land of 150 & 178 Wheeler Road, Marstons Mills, MA, prepared for Barnstable Land Trust” dated January 17, 2024

Dan Ojala, Downcape Engineering in attendance, hired by Barnstable Land Trust (BLT) to do this division. Adjacent to farm. CPA funds to help buy. Barn will be demolished. Will preserve the house. In wellhead zone and three lakes area. Wheeler Way, is a subdivision, has adequate drainage. Three lot division. Water main easement. Adequate frontage, meets shape.

Tim O’Neill, two easements, are they pre existing? 10 ft. drainage easement?

Dan Ojala, yes. Strip conservation restriction on lot 3. Existence of driveway and water. Shown as a reservation.

Chair Stephen Robichaud entertains a motion, moved by Michael Mecnas to endorse the plan entitled “Plan of Land 150 & 178 Wheeler Road, Marstons Mills, MA” prepared for Barnstable Land Trust, prepared by DownCape Engineering, Inc., dated January 17, 2024 as an Approval Not Required Plan, seconded by Matt Teague,

Roll Call Vote:

Michael Mecnas - aye

Matt Teague - aye

Tim O’Neill - aye

Stephen Robichaud - aye

Subdivisions

Preliminary Sub. No. 828. WinnDevelopment Company LP has submitted a preliminary subdivision application for review - 307 Main Street, Hyannis, Map 327 Parcel 103

Jim Kupfer explains the difference between preliminary and a definitive subdivision. Purpose of preliminary is to enable the Board and others - may have to identify any conflicts or concerns. To identify what Board may want clarity for. This is a residential zone. Preliminary needs to come before Definitive done/developed. DPW has submitted a memo today with their comments.

307 Main Street has gone through a process, MGL 40a6, can give property owners the right to maintain. Three processes: getting a building permit, Approval Not Required Plan (ANR), subdivision plan, more robust protection of the existing zoning in place.

Portion read – If a definitive plan, or a preliminary plan followed within seven months by a definitive plan, is submitted to a planning board for approval under the subdivision control law, and written notice of such submission has been given to the city or town clerk before the effective date of ordinance or by-law, the land shown on such plan shall be governed by the applicable provisions of the zoning ordinance

or by-law, if any, in effect at the time of the first such submission while such plan or plans are being processed under the subdivision control law, and, if such definitive plan or an amendment thereof is finally approved, for eight years from the date of the endorsement of such approval.

If property owner proceeds with definitive subdivision plan they maintain their rights that are in place today. Within 8 years – definitive plan could be constructed. Review as such. Preliminary doesn't allow ability to construct, this is a list of items if they come back. Waiver request – from other departments, waiting for a number of other departments. We could request for further input prior to any submission. The Board shall within 45 days from original application submission vote/decide on.

Chair Stephen Robichaud, clarifies that applicant is going through all development options prior to and before pulling a building permit.

Jim Kupfer, this is another avenue prior to pursue prior to obtaining a building permit.

Paula Thompson, Beals & Thomas, Professional Engineer and Project Manager, representing WinnDevelopment in attendance. Seeking tentative approval of this preliminary plan. 1.8 acre site. Plans shown. Proposing 230 ft. minor road, for 5 multi family residential lots, access off of road A. Proposing 24 ft. wide paved road, 90 ft. turn around access, requesting a waiver, extend dead end road, abutting lot has easement. Plan profile sheet. 2 ft. level area from Old Colony Rd. - water and sewer from Main Street. Sub service drainage system/collection

Matt Teague, DPW memo - curb inlet catch basin municipal collection of the south?

Paula Thompson, thinks DPW/they would like an overflow connection into street drainage system.

Chair Stephen Robichaud, keeps with the character of the area.

Tim O'Neill makes a motion to approve preliminary subdivision plan no. 828, WinnDevelopment Company, LP, "307 Main Street Preliminary Plan" dated January 23, 2024, by Beals and Thomas, With the following Findings:

1. **The Application for Tentative Approval of Preliminary Plan (Form B) was submitted by WinnDevelopment Company, LP dated January 23, 2024.**
2. **The Preliminary Subdivision Plan is shown on the plan entitled "307 Main Street Preliminary Plan", dated January 23, 2024, by Beals and Thomas.**
3. **The Applicant has requested a waiver from the Subdivision Rules and Regulations. In accordance with Section 801.5.(A) the Board may waive strict compliance with these requirements when, in its judgment, such action is in the public interest and not inconsistent with the intent or purposes of the Subdivision Control Law. In accordance with Section 801.5.(A) of the Code of the Town of Barnstable, Waiver Criteria, the Planning Board has made the following findings:**
 - a) **Granting of the waivers requested are in the best interest of the citizens of the Town.**
 - b) **The plan is well designed, and in keeping with the general design principles set forth in Article VI of the Subdivision Rules and Regulations.**
 - c) **There is adequate access to the lots for the uses intended thereon.**
 - d) **The plan is in keeping with the character of the surrounding area.**
4. **Incorporate comments from the DPW memorandum, dated February 26, 2024, should be included in the definitive application plan as well as any other Department comments that may be provided before the next application, seconded by Matt Teague,**

Roll Call Vote:

Matt Teague - aye

Michael Mecnas - aye

Tim O’Neill – aye

Stephen Robichaud – aye

Staff Updates

Local Comprehensive Plan

Jim Kupfer, now meeting twice a month. Reviewed natural resources chapter. Facilities and infrastructure. Next meeting is March 14th. Then go to each village in April with the first 4 chapters that are as of today. Will be posting the meetings soon.

Matters Not Reasonably Anticipated by the Chair

Approval of Minutes

February 12, 2024 draft minutes

Chair Stephen Robichaud entertains a motion to approve the draft minutes, moved by Matt Teague, seconded by Michael Mecnas,

Roll Call Vote”

Matt Teague - aye

Michael Mecnas - aye

Tim O’Neill - aye

Stephen Robichaud - aye

Future Meetings: March 11, and March 25, 2024 @ 7:00 p.m.

Matt Teague asks if anything from Town Council, guidance/comments?

Jim Kupfer, not as of yet.

Adjournment

Chair Stephen Robichaud entertains a motion to adjourn, moved by Tim O’Neill, seconded by Michael Mecnas,

Roll Call Vote:

Matt Teague - aye

Michael Mecnas - aye

Tim O’Neill - aye

Stephen Robichaud - aye

The meeting adjourned at 7:32 p.m.

Respectfully Submitted

Karen Pina, Principal

Principal Assistant, Planning & Development

Further detail may be obtained by viewing the video via Channel 18 on demand at <http://www.town.barnstable.ma.us>