



Town of Barnstable

Planning Board Regulatory Agreement Subcommittee



www.town.barnstable.ma.us/PlanningBoard

Board Members

Stephen Robichaud Steven Costello Jen Cullum Paula Schnepf Hilda Haye

Planning & Development Dept. Staff Support

Elizabeth Jenkins, AICP, Director
 Kaitlyn Maldonado, Assistant Director
 James Kupfer, AICP, Senior Planner
 Karen Herrand – Principal Assistant - karen.herrand@town.barnstable.ma.us

Town of Barnstable PLANNING BOARD REGULATORY AGREEMENT SUBCOMMITTEE Minutes October 3, 2022

Also in attendance via remote participation were Planning & Development Staff; Elizabeth Jenkins, Director, James Kupfer, Senior Planner and Karen Herrand, Principal Assistant.

Barnstable Town Hall, 367 Main Street, Hyannis, MA, James H. Crocker, Jr., Hearing Room, 2nd Floor at 8:30 a.m. Meeting notice previously filed with Town Clerk

Call to Order: Introduction of Subcommittee Members

Roll Call Attendance:

Steven Costello
Jen Cullum
Paula Schnepf
Hilda Haye
Stephen Robichaud

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.

Application materials may be accessed by contacting Karen.herrand@town.barnstable.ma.us or calling 508-862-4064.

Attendance:

Stuart Bornstein in attendance.
 Attorney John Kenney in attendance.
 Dan Ojala, Downcape Engineering, in attendance.

Regulatory Agreements: Dockside Condominiums

Shoestring Properties, LLC seeks to enter into a Regulatory Agreement with the Town of Barnstable to construct thirty-four (34) condominium units in two (2) buildings with associated improvements at 110 School Street and 115 School Street, Hyannis. The Applicant seeks waivers from dimensional bulk requirements including building height and stories, setbacks, and lot coverage standards as well as

waivers associated with density, parking design standards and dimensions, lighting and landscape improvements.

Not a public hearing.

Jim Kupfer gives a review of subcommittee formation. Planning Board is lead negotiator for these types of projects. Chapter 168, section 5. Planning Board can seek assistance from other representatives to seek negotiation. Planning Board thought that a subcommittee would be a good first step. Town Council involved. Intent to fully digest the project itself and draft, provide some recommendation for the Planning Board. Agreement – provide findings and if appropriate recommendation back to Planning Board. This may involve the process once it gets to Town Council.

How to get the documents on Town website – online procedure reviewed for access and Laserfiche link access for materials. Project has gone through Site Plan review process.

Chair Stephen Robichaud, appropriate to hear from all. Public comment is available to be made at Planning Board full meeting.

Attorney John Kenney in attendance, representing Shoestring Properties and Stuart Bornstein. School Street property. Review of Layout Site Plan.

Dan Ojala, Downcape Engineering in attendance, representing Shoestring Properties. Gives a history of the property and businesses in the area. 115 School St., used to be a double stack motel. Heavily developed in the past. East parcel paved parking, connected to town sewer. Working to upgrade the water line. Easements north and south. Valuable waterfront property – would put parking underground. Almost all parking will be out of site. Bldg. at 110 School St. is technically one building. School St. is a dead end road. Creating a sidewalk with different color for pedestrian path, 5 ft. wide both sides of street. Conservation Commission has reviewed, we will do an improved buffer. Hyannis Main Street Waterfront Historic District Commission (HHDC) are on the east end of this District. Height is like that of the Greenery. HHDC did agree, but had an Appeal, it was upheld to be approved. Semi private fenced in pool. Concrete decks. Lighted rail along walkways. Elevators. Access with key code. Cameras. ADA ramps. Storm water handled on site.

Architectural rendering shown of proposed units. Different shades of grey. Review of the buildings. Condominium units. Utilities underground. Will replace with compliant sidewalks. Give easement to the Town for and allowing public use. New water main. School St. paved over, crosswalks. Improved landscaping. Street lighting along School Street. New street drains. Electric plug in stations. One underutilized lot would be put towards Town's housing needed.

Chair Stephen Robichaud asks for existing zoning update.

Jim Kupfer, E-code review, Harbor District, bulk regulations. The site plan has the required. This is a Regulatory Agreement, in list of waivers applicant has cited all the zoning codes that it does not meet.

As is review of Chapter 240-24 1.7 Harbor District current zoning and review of the proposed zoning. HHDC, was approved, 4 to 1 vote.

Paula Schnepf asks if setbacks are for School and South Streets?

Jim Kupfer, yes, this would apply to both, waivers are proposed for both. Dan Ojala confirms.

Paula Schnepf, is Harbor District included with proposed zoning changes?

Elizabeth Jenkins in attendance. Harbor District is included in comprehensive re zoning, however the review is mainly Barnstable and Main Street area. Didn't feel appropriate to do in the Harbor District. Will maintain the 2.5 stories, height will remain the same.

Chair Stephen Robichaud, under section 23 of the Draft Regulatory Agreement, significant project and key site. Coastal bank, parking, density and height these are his key concerns.

Steven Costello, has seen this project a few times before. The concept and look/feel is excellent, his concerns are height. He feels that having this subcommittee provides a better service to all. Site Plan, parking at south end of project, is this part of additional parking or adjacent landowners parking, **Exhibit A**.

Dan Ojala, this is Steamship Authority. Mainly employee parking area, not heavily utilized. Main foot traffic not in this area, not part of this project.

Steven Costello, parking overflow concerns. Summertime will need more spaces/additional parking needs. Congestion in the area? The elevation from street – How are stories depicted?

Dan Ojala replies, first layer, visible, but not counted as a story, just count above, so 5 and then the attic area. Height does vary, west bldg. from finish grade, 71.7 ft., 68.5, east bldg. a little lower.

Jen Cullum, likes the colors, better than a few years ago. It's enormous, really high. Hopefully can get in the middle somewhere. Concerns about the height and the parking. Parking spaces underground. Landscaping needs more. Future precedent with a building this high.

Jim Kupfer, other buildings that have height in the area. Height comparison, **Exhibit B**.

Dan Ojala, The Greenery to the east is 93.5 above sea level, so this would be 6 ft. more. The Cape Cod Hospital Bldg. about 127 ft. above sea level, 27 more than our project. Hospital is set back. View from Lewis Bay to show not huge from the skyline. Communications tower. Lewis Bay Court. Skyline comparison shown.

Jen Cullum, would like to see what the tax contribution would be moving forward. Possible covenant to disallow short term rentals in the area. Parking, how many underground? How to get all underground.

Attorney Kenney we meet current zoning code for parking. New downtown zoning moving to less parking.

Dan Ojala, on 115 West, 16 units, 1.5 per unit plus one visitor space. Review of parking spaces. East 18 units, 30 required, 41 are provided, 33 under this bldg. loading area. Some are double parked. 33 East.

Jen Cullum, little more for the neighborhood and the Precinct. Something given back to the community. Thinks landscaping lacking. **Exhibit C**, Landscape Site Plan.

Paula Schnepf, density and height is of concern. Regulatory agreement would open up for others to come into the area moving forward. Community benefits. Housing for all in community. Would like to know more on the economics. How does the whole community benefit? Affordable units need to happen, and if offsite. Inclusionary zoning.

Jen Cullum, thinks good move for luxury housing, thinks will benefit in Hyannis. Can't keep saying no to everything. Keep all open for possibilities. This may elevate Hyannis.

Hilda Haye, concern for regular people will not be able to afford this type of housing. Would someone from the Town be able to afford? The residents, where are they being pushed to, this is non affordable for residents. Low income, will be on this property and where will affordable's be located and what will the cost be when finished? Sidewalk parking, public be able to use? What would be real reason for moving affordables off site?

Attorney Kenney replies, economics will show cannot put affordables here. His client is willing to put multi million dollar investment in the Town. Multiple projects have not been finished. How many have been built? We don't have a redevelopment policy. Buildings will have to go up. Need market rate housing in the area. People with money will put money into workers who are in the area. Expensive to build, underground parking. This end of town needs investment. Buildings have to go higher/up.

Hilda Haye, likes the project, no problem with density and height. Her concern is for the lower cost and affordability for people.

Attorney Kenny, 310 Barnstable Road, the intent is to put housing here.

Hilda Haye, what would the size of these units be?

Stuart Bornstein in attendance. Gives an overview of the rents for his apartments. 310 Barnstable Road is proposing 30 units, 3 affordable units, plus 3 more for the Dockside. 1,300 and 1,500 for the affordable units. Construction costs review. Tax revenue review. Parking – 319 Main Street. Have not been using all the spaces. Doesn't think will have parking problem. 8 elevators. Has tried to do this 3 times. This is a legacy project.

Steven Costello, there is a reason for a regulatory agreement and for having this discussion. Perceptions are different for all. Can't not look at the height of this. Cost and if it makes sense.

Chair Stephen Robichaud has to be some compromise.

Jen Cullum, we have other market rate projects. Has to be a dialogue and compromise.

Chair Stephen Robichaud, affordable housing, this needs to exceed 10% significantly. Coastal bank, plan question.

Dan Ojala, highly developed area, bulkhead extends to south Governor has to sign a license, coastal bank. Approved a low building touching the coastal bank. Slope, where flood zone is. There is a break, flat shelf here. Do have a view easement for this area. Water dependent use. Setbacks from coastal bank – state coastal bank, going down 200 sq. ft. between 50 and 100. Native mitigation that creates a better buffer. Sheet 3, of plan – shows the east parcel seaward. **Exhibit D** – Existing Conditions/Demolition.

Chair Stephen Robichaud, refers to plan elevation from South Street, east and west parcel 1. Why not defined as a full story, only half/loft?

Dan Ojala, less than 50% below.

Chair Stephen Robichaud, does Lewis Bay Court have a covenant for short term rentals?
Jim Kupfer, he will get this information.

Chair Stephen Robichaud – has questions for Fire, DPW, Conservation.

Hilda Haye, re the project at 310 Barnstable , what is the timeline on that project.

Stuart Bornstein is ready to go with this project, would be done before the Dockside project. By March/April – 6 affordable units.

Point of order Jen Cullum – not discussing 310 Barnstable at this meeting.

Paula Schnepf asks if Planning Board will still be reviewing?

Chair Stephen Robichaud, yes. Try to coordinate with Fire and Conservation and DPW to attend next meeting.

Paula Schnepf, follow up on date and time for next meeting.

Jen Cullum, asks for recommendation of the HHDC with the next meeting. Have a member attend.

Adjournment

Chair Stephen Robichaud entertains a motion to adjourn, moved by Paula Schnepf, seconded by Jen Cullum,

Roll Call Vote:

Steven Costello – aye

Jen Cullum – aye

Paula Schnepf – aye

Hilda Haye – aye

Stephen Robichaud - aye

Future Meetings: TBD

The meeting adjourned at 10:03 a.m.

Respectfully Submitted

Karen Herrand, 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>

List of Exhibit Documents

Exhibit A – Site Plan, parking at south end of project

Exhibit B – Height comparison - plan

Exhibit C – Landscape Site Plan

Exhibit D - Sheet 3, of plan – shows the east parcel seaward – Existing Conditions/Demolition.