



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 Mecenas Raymond Sexton Matthew Teague
 Mathew Levesque – 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.pina@town.barnstable.ma.us

Town of Barnstable
JOINT MEETING
PLANNING BOARD and HYANNIS MAIN SREET WATERFRONT HISTORIC DISTRICT
COMMISSION
Minutes
December 11, 2023

Stephen Robichaud – Chair	Present
Robert Twiss, Vice Chair	Present
Tim O’Neill – Clerk	Present
Mary Barry	Present
Michael Mecenas	Present
Raymond Sexton	Absent
Matthew Teague	Present
Cheryl Powell, Chair	Present
Jack Kay, Vice Chair	Absent
Tom Doherty, Clerk	Present
Laura Cronin	Absent
Matt Clark	Present
Jennifer Hinckley Needham	Absent
Cornelius Cawley	Present
Kevin Matthews	Present

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

Call to Order Introduction of Board Members and Staff Members

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>

Continued Joint Meeting with the Hyannis Main Street Waterfront Historic District Commission

Hyannis Main Street Waterfront Historic District Commission (HHDC) call to order

HHDC Attendance Roll call

Tom Doherty
Corneilis Cawley
Kevin Matthews
Matt Clark
Cheryl Powell

Planning Board Call to order

Planning Board Attendance Roll Call

Matt Teague
Michael Mecnas
Tim O'Neill
Mary Barry
Bob Twiss
Stephen Robichaud

Unified Downtown Hyannis Design Guidelines and Regulations

In accordance with Section 240-24.1.3.B.2.(a) the Planning Board shall review proposed amendments to the Design and Infrastructure Plan – *continued from November 27, 2023*

Jim Kupfer gives an update from last meeting and recap of the process thus far. Updated redlined version Dec. 2023, Exhibit A. Guidelines went out for public comment. Review of the updated redlined document and changes/amendments made. Also Pg. 9 picture originally was during COVID – put a different picture is here now. Pg. 18 – Building Design Regulations and Guidelines. Insert for paragraph A.

HHDC Chair Cheryl Powell – native shade, is there a list?

Jim Kupfer, had some Staff work with him on this list. Can edit over time.

Tom Doherty, building and design regulations, maximum length of the building – separation.

Jim Kupfer, did bring this up, re set back. This is a separate foundation. Not certain how many parcels are of length. Most other lots are small.

Tom Doherty, maybe some type of guideline? Doesn't like a row of buildings. Some separation needed. Administration review, there will be a list of things?

Jim Kupfer, shall review, only maintenance, quotes from the draft - replacement shall be in kind and in size. Zoning reflects to pg. 18 – codified in other ways re the frontage of the property. Trying to mimic the historic pattern of Main Street, Hyannis. Gives opportunity for two structures on one lot, but doesn't require.

Public Comment

Planning Board Chair Stephen Robichaud - this public hearing is not in any reference to any specific property.

Catherine Ledec in attendance. Barnstable resident. Did the Chairs receive comments she submitted? *Chairs confirm that they did.* Recommend be every three to five years reviewed. Feels more work to be done on this document. Document not good to go, has missing information. Public realm. Landscaping

and streetscape. Not much here for public property. Climate change. Urban design guidelines for each village, need unified vision.

Eric Schwaab in attendance. Presentation done, Exhibit B. Design Guideline and Regulation Comparison. Cape Cod Commission (CCC) 1994 Design Guideline, handed out. This document has more detail than the draft unified guidelines being presented here. 2005 DIP, 2012 historic guidelines. All of these documents have more detail. Growth Incentive Zone (GIZ). DIP – Design & Infrastructure Plan. There is no reference to character. No update to four stories. Cape Cod Multifamily Housing. A lot of details missing in the unified guidelines. Character matters. Need an architectural review of these draft guidelines. Ask to defer and create a working group.

William Headley Smith in attendance. Mathematically this doesn't work. What is the vision going to be? This is a historic community.

Chris Kuhn in attendance, Centerville resident. Doesn't see anything historic in the draft guidelines.

Attorney Rob Brennan in attendance. Barnstable resident and property owner in Hyannis. Speaking as a citizen. Regulation does carry a price and has an impact on development. Cost of and benefit. Why have a Hyannis of 1953 when we need to look forward to future. Challenges and housing needs and cost of development. Development in a form based code. Development challenges. Construction costs. Consider all aspects.

Planning Board Chair Stephen Robichaud entertains a motion to close the public hearing, moved by Bob Twiss, seconded by Michael Mecenias,

Roll Call Vote

Matt Teague – aye

Michael Mecenias - aye

Tim O'Neill – aye

Mary Barry – aye

Bob Twiss – aye

Stephen Robichaud - aye

HHDC Chair Cheryl Powell entertains a motion to close the public hearing, moved by Cornelius Cawley, seconded by Tom Doherty,

Roll Call Vote

Tom Doherty – aye

Cornelius Cawley - aye

Kevin Matthews – aye

Matt Clark – aye

Cheryl Powell - aye

Public Hearing is closed.

Tim O'Neill reference to telecommunications on the roof. FCC requirements.

Jim Kupfer, if opportunities to screen should thrive for, but ultimately there are higher levels of regulations that take precedence.

Planning Board Chair Stephen Robichaud – look at document possibly once a year and Local Comprehensive Plan (LCP) will influence the document.

Jim Kupfer, put this at the beginning of the document.

HHDC Chair Cheryl Powell agrees.

Planning Board Chair Stephen Robichaud makes a motion to add to introduction of the Unified Design Regulations and Guidelines that the Hyannis Main Street Waterfront Historic District Commission and the Planning Board convene once per year to discuss his living document, seconded by Bob Twiss,

Roll Call Vote:

Matt Teague – aye

Michael Mecnas – aye

Tim O’Neill – aye

Mary Barry – aye

Bob Twiss – aye

Stephen Robichaud – aye

HHDC Chair Cheryl Powell makes a motion for the Hyannis Main Street Waterfront Historic District Commission meet with the Planning Board annually to discuss this living document for any amendments or changes, seconded by Kevin Matthews,

Roll Call Vote:

Tom Doherty – aye

Cornelius Cawley – aye

Kevin Matthews - aye

Matt Clark – aye

Cheryl Powell - aye

HHDC Chair Cheryl Powell clarifies that historic character will not change per our guidelines.

Kevin Matthews, good to assure a living document. Good to have for each village as well.

Tom Doherty, character – I don’t know if this is the Hyannis we want. Maybe we need more time and check the character of what we are trying to do. Re look at the process. This is going to quickly.

Cornelius Cawley agrees. Is there a way to accommodate part of our mission?

HHDC Chair Cheryl Powell, pg. 13 and 15 - put part of ordinance in. Identified as purpose.

Jim Kupfer, if looking at historic significance, pg. 5, 6, and 8 and 9. Can add under pg.12 under general ordinance citations – jurisdiction –

Jim Kupfer HHDC Chapter 112-24 Purpose– *The purpose of this article is to promote the educational, cultural, economic and general welfare of the inhabitants of the Town of Barnstable and the Town’s unique community character, through the preservation and protection of the distinctive characteristics of buildings, structures, ad places significant in the history and architecture of Barnstable and through the preservation, maintenance and improvement of appropriate settings for such buildings, structures and places and the encouragement of new design which is compatible with the existing historical and community character, and through the benefits resulting to the economy of said Town by preserving and enhancing the amenities and historical aspects of the various villages and areas which make Barnstable a desirable place to live and for tourists to visit.*

Add purpose section to the document. Can add on pg. 12.

Kevin Matthews, seems a lot of the problems are things that we don’t have purview over. This is zoning. There are some things that we can’t change or fix.

Tom Doherty, can change some things, can we have some sections regarding the length of the building. HHDC Chair Cheryl Powell, would definitely like to keep purpose in – strengthen.

HHDC Chair Cheryl Powell makes a motion to add the Purpose, Chapter 112-24 into this document, seconded by Cornelius Cawley,

Roll Call Vote:

Tom Doherty – aye

Cornelis Cawley – aye

Kevin Matthews - aye

Matt Clark - aye

Cheryl Powell - aye

Planning Board Chair Stephen Robichaud makes a motion to amend the document to include section 112-24 ordinance to pg. 12 before section 112-29 is referenced in the document, seconded by Tim O’Neill,

Roll Call Vote:

Matt Teague - aye

Michael Mecnas - aye

Tim O’Neill - aye

Mary Barry - aye

Bob Twiss - aye

Stephen Robichaud - aye

Matt Teague, lengths of parcels/buildings - opportunity for different modules, gables don’t think this is particularly important, as we don’t have vast parcels here in Downtown.

Tim O’Neill, this is mostly for aesthetics not zoning. Enough in the guidelines to set the tone, thinks document covers enough.

Bob Twiss, when look at in entirety proposal out of length that thought to be inappropriate then say no per the guidelines.

HHDC Chair Cheryl Powell 100 ft. – up to. Length.

Kevin Matthews, don’t think need to be codified.

Tom Doherty, too many guidelines and not enough regulations.

Planning Board Chair Stephen Robichaud entertains a motion, moved by Mary Barry to adopt the Unified Downtown Hyannis Design Regulations and Guidelines by repealing Section VII of 2005 Downtown Hyannis Design and Infrastructure Plan and replacing with the Unified Downtown Hyannis Design Regulations and Guidelines as amended, second by Bob Twiss,

Roll Call Vote:

Matt Teague - nay

Michael Mecnas - aye

Tim O’Neill - aye

Mary Barry – aye

Bob Twiss - aye

Stephen Robichaud - aye

HHDC Chair Cheryl Powell makes a motion (recited by Jim Kupfer) to adopt the Downtown Hyannis Unified Design Regulations and Guidelines as amended and replace the existing guidelines, moved by Cheryl Powell, seconded by Kevin Matthews,

Roll Call Vote:

Tom Doherty – nay
Cornelius Cawley – aye
Kevin Matthews – aye
Matt Clark – nay
Cheryl Powell - aye

Jim Kupfer clarifies:

Planning Board has formerly adopted.

HHDC – three to two - will need to come back at a later date – need a majority for it to pass.

Planning Board Chair Stephen Robichaud entertains a motion to adjourn, moved by Matt Teague, seconded by Mary Barry,

Roll Call Vote:

Matt Teague - aye
Michael Mecnas - aye
Tim O’Neill - aye
Mary Barry - aye
Bob Twiss - aye
Stephen Robichaud - aye

HHDC Chair Cheryl Powell entertains a motion to adjourn, moved by Cornelius Cawley, seconded by Neil, second by Kevin Matthews,

Roll Call Vote:

Tom Doherty - aye
Cornelius Cawley - aye
Kevin Matthews - aye
Matt Clark - aye
Cheryl Powell - aye

Adjournment from Joint Meeting with the Hyannis Main Street Waterfront Historic District Commission

Call to Order Standing Meeting of the Planning Board Introduction of Board Members

Attendance Roll Call

Matt Teague - aye
Michael Mecnas - aye
Tim O’Neill - aye
Mary Barry - aye
Bob Twiss - aye
Stephen Robichaud – aye

General Public Comment - None

Approval Not Required Plans

Randal C. Green and Wendy L. Joakim, Trustees of the Alan and Sherry Green Revocable Trust have submitted an Approval Not Required Plan entitled “Plan of Land in Barnstable, MA C.O.M.M. Fire District prepared for Randal C. Green, 101 Center Lane, Map 251 Parcel 220 and Randal C. Green & Wendy L. Joakim, Trustees of the Alan and Sherry Green Revocable Trust – 2012, 99 Center Lane, Map 251 Parcel 16” prepared by Bracken Engineering, Inc. – dated November 9, 2023

Chair Stephen Robichaud – this is not a public hearing.

Attorney Jeffrey Johnson in attendance representing the Applicant. Re drawing of lines creating two lots. Garage and driveway will be 99 Center Lane. 101 gaining small frontage area.

Chair Stephen Robichaud entertains a motion to approve, moved by Mary Barry to endorse the plan entitled “Plan of Land in Barnstable, MA” prepared for Randal C. Green and Wendy L. Joakim, Trustees of the Alan and Sherry Green Revocable Trust, prepared by Bracken Engineering, Inc., dated November 9, 2023, as an Approval Not Required (ANR) plan – Findings - The plan as submitted qualifies as an Approval Not Required plan and it should be endorsed by the Board as: It does not constitute a subdivision because each of the lots have the minimum required frontage on an existing way having suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use and for the installation of municipal services to serve such use; and all materials and conditions of Chapter 801, Article IV Approval Not Required Plans, have been submitted and are in full compliance, seconded by Tim O’Neill,

Roll Call Vote:

Matt Teague - aye

Michael Mecnas - aye

Mary Barry - aye

Bob Twiss – aye

Tim O’Neill - aye

Stephen Robichaud - aye

Special Permit Applications

Louis N. Vinios, Trustee, J&P Hyannis Trust has submitted a special permit application for 378, 380, 382 & 384 Barnstable Road and 425 Iyannough Road, Hyannis, MA - proposed construction for two new buildings for retail and food and beverage use

Chair Stephen Robichaud recuses from this matter – leaving meeting early.

Vice Chair Bob Twiss makes a motion to open the public hearing, seconded by Matt Teague,

Roll Call Vote:

Matt Teague - aye

Michael Mecnas - aye

Mary Barry - aye

Tim O’Neill - aye

Bob Twiss - aye

Attorney John Kenney in attendance. Attorney Pat Nickerson in attendance. Applicant in attendance. Explains the application and four addresses in this, several parcels.

Site Plan review, can tear down several buildings that have gotten approval. They have been removed and have completed landscaping. Buildings on separate parcel. Parking. Lot line between Staples plaza will be eliminated. Unregistered, possibly do an 81X plan to combine the land court parcels. Interior lot line to be eliminated. Use relief in Highway commercial district. New building will be built. 11,059 sq. ft. proposing two buildings.

Matt Eddy, Baxter & Nye Engineering & Surveying. Reference to the plan partial existing conditions plan. Proposing to demolish the remaining two buildings. Over 200 ft. of frontage on Barnstable Rd. Highway commercial zoning Well head Protection (WP) and Groundwater Protection (GP) overlays. Original four footprints. Access has been closed. Connected to public water and public sewer. Site Layout Plan shown, C2.0. retail buildings here. Reduced impervious coverage. Have made it more conforming. Parking 36 required and providing 39. Landscape islands and parking lot trees, street trees added and landscaping along two proposed buildings. Parking setbacks, had some preexisting non conforming that have all been approved. Are removing some spaces for landscaping. Enclosed dumpster area. Stormwater management system already in parking lot. Utilities will be going underground.

Attorney Kenney, section 240 145 – Growth Incentive Zone (GIZ), Planning Board is authorized to grant special permit if falls within the ordinance.

240 24.1 5B give the uses – retail and food and beverage service. GP and are entitled to request special permit. Closed a significant curb cut. A lot of redevelopment in this area. Approvements to aesthetics. Reduction in sq. footage. Presented as gallery frontage type.

Mary Barry – traffic concerns. When accessing where will be the main entrance?

Matt Eddy, yes, the same one that goes into Staples parking lot and as is now. This will be the only way.

Public Comment – None

Vice Chair Bob Twiss entertains a motion to close the public hearing, seconded by Mary Barry,

Roll Call Vote:

Matt Teague - aye

Michael Mecenas - aye

Mary Barry - aye

Tim O’Neill - aye

Bob Twiss - aye

Vice Chair Bob Twiss entertains a motion to approve Special Permit No. 2023-005, 378, 380, 382 & 384 Barnstable Road and 425 Iyannough Road, Hyannis subject to the following Findings;

Draft Findings

1. The property location is 378, 380, 382, and 384 Barnstable Road and 425 Iyannough Road, Hyannis, MA, Hyannis is shown on Assessor’s Map 311 Parcel 026 and Map 328 Parcel 070 in the Highway Commercial Zoning District, Wellhead Protection Overlay District, and Groundwater Protection Overlay District.
2. The Applicant and Owner Louis N. Vinios, Trustee, J&P Hyannis Trust, seeks a Special Permit pursuant to 240-24.1.5.B, Use Provisions and Table 1 of the Barnstable Zoning Code which allows retail use and food and beverage services by Special Permit.
3. The Planning Board finds that the issuance of the Special Permit is consistent with the Design and Infrastructure Plan and that the development meets the following criteria:
 - a. Provide driveway interconnections between adjacent properties where feasible to avoid short trips and conflicts on the main road.
 - b. Provide shared driveways where feasible.

- c. Reduce impervious surface and improve perimeter landscaping and stormwater management.
4. The application falls within a category specifically excepted in the ordinance for a grant of a Special Permit. Section 240-24.1.5.B, Use Provisions and Table 1 allows the Planning Board to grant the use by Special Permit.
5. After an evaluation of all the evidence presented, the proposal fulfills the spirit and intent of the zoning ordinance and would not represent a substantial detriment to the public good or the neighborhood affected.
6. A Site Plan has been reviewed and approved by the Site Plan Review Committee. The conditions of Informal and Formal Site Plan Review shall be incorporated by reference as conditions of this Special Permit.

and 7 Draft Conditions as presented in Staff Report.

Attorney Kenney objects to Condition No. 5 of the Conditions – Strike No. 5 and then renumber. Board is in agreement – strike out Condition No. 5 and renumber;

seconded by Michael Mecnas,

Roll Call Vote:

Matt Teague - aye

Michael Mecnas - aye

Mary Barry - aye

Tim O'Neill - aye

Bob Twiss - aye

Chapter 91 Notices

Notice – 150 Bay Rd, Cotuit – Shoestring Bay – Hahn – pier, ramp and float

Staff Updates

Local Comprehensive Plan (LCPC) meeting this Thursday, discussing Land Use Chapter and intro Housing Chapter and Housing Production Plan.

Jim Kupfer, Wednesday during day Hyannis Harbor Master Plan Stakeholder – first plan of Hyannis from 10 to 11:30 will be discussing strengths and weaknesses and the grant received and climate change and further developments.

Matters Not Reasonably Anticipated by the Chair

Approval of Minutes

November 13, 2023 draft minutes

Vice Chair Bob Twiss entertains a motion to approve, moved by Tim O'Neill, seconded by Michael Mecnas,

Roll Call Vote:

Matt Teague - aye

Michael Mecnas - aye

Mary Barry - aye

Tim O'Neill - aye

Bob Twiss - aye

November 27, 2023, Joint Meeting with HHDC draft minutes

Tim O'Neill makes a motion to approve, moved by Bob Twiss, seconded by Matt Teague,

Roll Call Vote:

Matt Teague - aye

Michael Mecnas - aye

Mary Barry - aye

Tim O'Neill - aye

Bob Twiss - aye

Future Meetings: January 8, 2024, and January 22, 2024 @ 7:00 p.m.

Adjournment

Vice Chair Bob Twiss makes a motion to adjourn, seconded by Mary Barry,

Roll Call Vote:

Matt Teague - aye

Michael Mecnas - aye

Mary Barry – aye

Tim O'Neill - aye

Bob Twiss - aye

The meeting adjourned at 9:19 p.m.

Respectfully Submitted
Karen Pina, 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 - Draft Downtown Unified Design Regulations and Guidelines dated December 2023