

Town of Barnstable
Planning Board
Minutes
Monday, June 26, 2023 at 7:00 PM

Call to Order

Chair Stephen Robichaud calls the meeting to order at 7:00 PM with an introduction of Board Members:

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

Also in attendance is Planning & Development staff: Jim Kupfer, Senior Planner and Genna Ziino, Administrative Assistant.

Notice of Recording

The Chairman reads: Please note that this meeting is recorded and broadcast on Channel 18 and in accordance with MGL Chapter 30A §20. I must inquire whether anyone is taping this meeting and to please make their presence known.

Public Comment

Chair Robichaud asks for any general public comment. There is none.

Approval Not Required Plans

FBO Construction, Inc. has submitted an Approval Not Required Plan entitled “120 Dunns Pond Road, Hyannis, Massachusetts, prepared for FBO Construction, Inc. Febricio Oliveira Vieira, 505 Old Stage Road, Centerville, MA 02632” dated May 30, 2023.

Mark Dibb, a Civil Engineer with Cape and Islands Engineering addresses the Board representing the applicant. He explains that the proposal is straightforward: they would like to combine two lots into one lot by removing the property line that is currently down the middle of the lots. The plan is stamped and suitable for recording.

Chair Robichaud brings it back to the Board for questions. There are none. Jim Kupfer informs the Board that the site is accessed by an existing paved way.

Tim O’Neill makes a motion to endorse the plan entitled “120 Dunns Pond Road, Hyannis, Massachusetts, prepared for FBO Construction, Inc. Febricio Oliveira Vieira, 505 Old Stage Road, Centerville, MA 02632” dated May 30, 2023, as an Approval Not Required (ANR) plan. Michael Mecnas seconds.

Vote:

Aye: Matthew Teague, Mary Barry, Raymond Sexton, Robert Twiss, Tim O’Neill, Michael Mecnas, Stephen Robichaud

Nay: None

The matter passes.

Subdivisions

Subdivision No. 820 Covenant Release Request – Syon Builders, LLC has requested a release of Covenant for Lot 1 and Lot 2 Wayside Land extension.

Quram Mohammed addresses the Board representing Syon Builders. Jim Kupfer provides some background on the request. This subdivision was originally approved in 2013 and received an extension about a year ago. Since the extension, the applicant has made progress on the infrastructure and at this time is seeking to secure the balance of the infrastructure in order to release the two lots.

Mr. Kupfer explains the process: the first step is approval of plans; then infrastructure begins; once the infrastructure is to a certain point, the developer can secure the balance; only once the balance is secured can the Board grant a release of the covenant of the lots; then the Building Department can issue a building permit; then the developer can begin to construct foundation and the building itself. What's being requested of the Board is to recommend execution of the security agreement and once that's executed, the release of the two covenants so the developer can begin construction of the buildings themselves.

Mr. Mohammed adds that everything is done except paving the roads and connecting the utilities.

Chair Robichaud asks for confirmation that the bond amount is \$82,601.56 and if it's held in escrow with the town until release. Jim Kupfer confirms the amount and explains that because this is a tripartite agreement, it's held between the town, the developer, and the bank. When a request is made to reduce the security agreement, the town would inspect before agreeing to reduce. If for some reason the applicant didn't finish the project, the town would need to seek a request from the bank to pull the funds. The agreement was reviewed by the Town Attorney and is typical for this type of development. Matthew Teague asks for confirmation that this extension will be considered a public way. Mr. Mohammed confirms.

Matthew Teague makes a motion to release Lot 1 and Lot 2 and secondarily a motion to recommend acceptance of the security agreement in the form of a tripartite agreement as presented this evening. Mary Barry seconds.

Vote:

Aye: Matthew Teague, Mary Barry, Raymond Sexton, Robert Twiss, Tim O'Neill, Michael Mecenas, Stephen Robichaud

Nay: None

The matter passes.

Staff Updates

Local Comprehensive Plan: Jim Kupfer relays that the Local Comprehensive Planning Committee has wrapped up Phase I with a final vision statement and a final existing conditions chapter. Both will be presented to Town Council and posted online. Staff is putting out an RFP for consulting services for the drafting of Phase II, with the thought of beginning Phase II in September.

Annual Elections: Mary Barry explains that Annual Elections shall be held in July of each year, or as near after appointment of new members by the Town Council. The Council, earlier this month, confirmed all new or reappointed members to the Planning Board. She leads the Board through the election process.

Mary Barry makes a motion for Stephen Robichaud to serve as Chair for one more year, in accordance with the Town Charter. Raymond Sexton seconds.

Vote:

Aye: Matthew Teague, Mary Barry, Raymond Sexton, Robert Twiss, Tim O'Neill, Michael Mecenas, Stephen Robichaud

Nay: None

Mary Barry makes a motion for Bob Twiss to serve as Vice Chair for one more year, in accordance with the Town Charter. Matthew Teague seconds.

Vote:

Aye: Matthew Teague, Mary Barry, Raymond Sexton, Robert Twiss, Tim O'Neill, Michael Mecenas, Stephen Robichaud

Nay: None

Mary Barry makes a motion for Tim O'Neill to serve at Clerk for one more year, in accordance with the Town Charter. Raymond Sexton seconds.

Vote:

Aye: Matthew Teague, Mary Barry, Raymond Sexton, Robert Twiss, Tim O'Neill, Michael Mecenas, Stephen Robichaud

Nay: None

Correspondence

None.

Matters Not Reasonably Anticipated by the Chair

None.

Minutes

June 12, 2023 – Tim O’Neill makes a motion to approve. Michael Mecnas seconds.

Vote:

Aye: Matthew Teague, Mary Barry, Raymond Sexton, Robert Twiss, Tim O’Neill, Michael Mecnas, Stephen Robichaud

Nay: None

Future Meetings

July 10, 2023 and July 24, 2023 at 7 PM. There will be a special remote meeting July 31, 2023.

Staff will send a reminder of the time for the special remote meeting. Mary Barry won’t be able to attend the July 24 meeting. The Board discusses potentially either consolidating meetings or moving a meeting to Zoom. No one is opposed.

Adjournment

Robert Twiss makes a motion to adjourn. Mary Barry seconds.

Vote:

Aye: Matthew Teague, Mary Barry, Raymond Sexton, Robert Twiss, Tim O’Neill, Michael Mecnas, Stephen Robichaud

Nay: None

Respectfully submitted,
Genna Ziino, Administrative Assistant

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