

**MINUTES
TOWN OF BARNSTABLE
PLANNING BOARD
October 27, 2008**

A regularly scheduled and duly posted meeting of the Barnstable Planning Board was held on October 27, 2008 at 7:00 p.m. at the Town Hall, second floor Hearing Room, 367 Main Street, Hyannis, MA.

Members

Patrick Princi, Chair (Present)
Felicia Penn (Absent)
Ray Lang (Present)
Dave Munsell (Present)
Paul Curley (Present)
Marlene Weir (Present)

STAFF (present)

Jo Anne Buntich – Interim Director, GMD
Ellen Swiniarski – Recording Secretary

Chairman Princi called the Meeting to Order at 7:00pm

SUBDIVISIONS AND SECURITY/LOT RELEASE

Subdivision #767 - Bonnie Hinckley

Vote to enter into Development Agreement and Covenant for Hinckley Modification of Subdivision #767.

Motion duly made by Ray Lang, seconded by Dave Munsell to sign a Development Agreement and Covenant for Hinckley Modification of Subdivision #767.

VOTE: So Voted Unanimously

Subdivision #802 - Samantha Drive

Request for release of \$12,225 security was received September 30, 2008.

Motion duly made by Ray Lang, seconded by Dave Munsell to release the security of \$12,225 subject to the conditions outlined in Steve Seymour's memo dated October 27, 2008.

VOTE: So Voted Unanimously

INFORMAL DISCUSSION

Modification of covenant discussion for Cape Cod Hospital - Diagnostic Pavilion at Wilkens Ambulatory Medical Complex at Hadaway Park off Gonsalves Road/Attucks Lane, Hyannis.

Attorneys Patrick Butler and Eliza Cox were present to represent Applicant

Attorney Butler reviewed for the Board a historical background of the Development Agreement, Subdivision, and Covenants over the past years and the recent zoning change that allows for Medical Services in this area. Over time, Cape Cod Hospital acquired Lots A, C & #4 and pointed out that Lot C was acquired for traffic mitigation and will be donated to either the Land Trust or to the Town of Barnstable. Attorney Butler further explained that this development will be done in three phases and reviewed the design guidelines. They are proposing a partial construction of Gonsalves Road necessary to obtain access to Phase I and will complete additional sections of roadway in as each phase is constructed. Eliza Cox has been in contact with the Fire Department and a secondary access may be needed for emergency purposes. The Members discussed their concern for appropriate access in an emergency situation and urged applicant to have discussions with Mr. Bornstein regarding his new office building proposed for the other side of Gonsalves Road. Attorney Butler indicated that they intend to do so. Mr. Butler also reiterated that this facility is for ambulatory patients only. They will return to the Planning Board after the report from the Cape Cod Commission should a modification to the covenant be needed.

CORRESPONDENCE RECEIVED

Notice of M.G.L. Chapter 91 License Application for Cape Wind Associates, for locations in Yarmouth and Barnstable from the Department of Environmental Protection, Waterways Regulation Program Commonwealth of Massachusetts, Executive Office of Energy and Environmental Affairs to construct and maintain two submarine electric transmission cables and fiber optic cables within the municipalities of Barnstable and Yarmouth in flowed tidelands of Lewis Bay and Nantucket Sound. License application is associated with the Cape Wind Energy Project wind farm. Waterways Regulation Program will conduct a public hearing for this license application on November 5, 2008 at 6:30 p.m. at the Mattacheese Middle School, 400 Higgins Crowell Road, West Yarmouth. The purpose of the public hearing is to receive information to be used in its decision on whether to grant a Waterways License pursuant to M.G.L. Chapter 91. The Department of Environmental Protection Waterways Program will consider written comments from the public regarding this Waterways application that are received by November 24, 2008.

Staff recommended that this Board direct comments to the Legal Department who will respond for all boards and departments that have been notified. The Planning Board does not have to hold their own Public Meeting.

Having no further business before this Board, a motion was duly made by Dave Munsell, seconded by Ray Lag to adjourn the meeting at 8:45pm

VOTE: So Voted Unanimously

Respectfully submitted,

Ellen Swiniarski, Recording Secretary
Edited by Marylou Fair