



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 Steven Costello Michael Mecenas Raymond Sexton

Mathew Levesque – Town Council Liaison

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 Minutes February 27, 2023

Stephen Robichaud – Chairman	Present
Robert Twiss, Vice Chairman	Absent
Tim O’Neill – Clerk	Present
Mary Barry	Present
Steven Costello	Absent
Michael Mecenas	Present
Raymond Sexton	Absent

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

The Planning Board’s Public Hearing will be held at 7:00 p.m. by remote participation methods. Alternative public access to this meeting shall be provided in the following manner:

1. The meeting will be televised via Channel 18 and may be viewed via the Channel 18 website at <http://streaming85.townofbarnstable.us/CablecastPublicSite/>
2. Real-time access to the Planning Board meeting is available utilizing the Zoom link or telephone number and Meeting ID provided below. Public comment can be addressed to the Planning Board by utilizing the Zoom link or telephone number and Meeting ID provided below:

Link: <https://townofbarnstable-us.zoom.us/j/82259689484>

Phone: 888 475 4499 US Toll-free

Meeting ID: 822 5968 9484

Applicants, their representatives and individuals required or entitled to appear before the Planning Board may appear remotely and may participate through the link or telephone number provided above. Documentary exhibits and/or visual presentations should be submitted in advance of the meeting so that they may be displayed for remote public access viewing.

Application materials may be accessed by contacting [Karen.herrand@town.barnstable.ma.us](mailto:karen.herrand@town.barnstable.ma.us) or calling 508-862-4064.

Call to Order

Introduction of Board Members and Staff Members

Attendance Roll Call:

Mary Barry
Tim O’Neill
Michael Mecenas

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.

Public Comment: No general public comment

Subdivisions:

William Eagan has submitted an application for a Definitive Subdivision at Old Stage Road and Parker Lane, West Barnstable, MA, Subdivision No. 827. The plan for this subdivision is entitled “Definitive Subdivision Plan of Land on Old Stage Road and Parker Lane in Barnstable, MA”, prepared for William Eagan, prepared by Gallagher Engineering dated October 26, 2022. The subject properties are shown on Assessors Map 152 Parcel 005 and Map 152 Parcel 009 continued from February 13, 2023 (Click [HERE](#) for materials)

Bill Eagan in attendance.
Design Engineer, Frank Gallagher in attendance.
Attorney Ted Schilling in attendance.

Frank Gallagher explains, 2 lot subdivision. Two rod road, 33 ft. wide. Proposing improvements to Parker Lane for adequate access to both lots. From Service road down Parker Lane – adequate for frontage, 2A and 3A. 18 ft. wide gravel roadway is being proposed. Drainage which has a swale one side of road. Drainage mitigations. Catch basins in drainage swale. Have met with Town Engineer. Did some more soil testing, and revisions to drainage. In RPOverlay district. No town water. No town sewer. Roadway is real issue. Waivers. Did an ANR previously, fronts on Old Stage Rd.

Chair Stephen Robichaud confirms this section of Parker Lane is wooded area?

Frank Gallagher, existing cart path now.

Mary Barry, good to see country road style, who will maintain this?

Frank Gallagher, the two homeowners will have an agreement and maintain the roadway, will not be responsibility of the Town. Will have an operation of maintenance plan.

Tim O’Neill – thinks this is in line.

Michael Mecenas, thanks all for good work.

Chair Stephen Robichaud asks for any public comment. None.

Chair Stephen Robichaud asks for motion to close the Public Hearing, moved by Mary Barry, seconded by Tim O’Neill,

Roll Call Vote:

**Mary Barry - aye
Tim O’Neill - aye**

Michael Mecnas - aye
Stephen Robichaud - aye
Public hearing closed

Chair Stephen Robichaud instructs to read in the Findings – and reference the Conditions;

Jim Kupfer, referencing that all waivers requested per the application and as conditions drafted in Staff Report.

Motion made by Tim O’Neill to approve with conditions the Definitive Subdivision Plan of Land on Old Stage Road and Parker Lane in Barnstable, MA, last revised February 25, 2023, by Gallagher Engineering with the following findings:

- 1. The Application has been submitted for Approval of Definitive Subdivision Plan (Form C) by William Eagan, Trustee, Old Stage Road Realty Trust on December 12, 2022.**
- 2. The Definitive Subdivision Plan is shown on, “Definitive Subdivision Plan of Land on Old Stage Road and Parker Lane in Barnstable, MA”, dated October 26, 2022, by Gallagher Engineering.**
- 3. The Applicant has submitted a preliminary subdivision plan to the Planning Board.**
- 4. The Applicant has requested certain waivers in order to maintain the rural character of the area. In accordance with Section 801-5.B.(1) of the Code of the Town of Barnstable, waivers from construction standards to maintain rural character, 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;**

and approve with conditions and grant of waivers as written in the staff report dated February 24, 2023, updated February 27, 2023, seconded by Mary, Barry,

Roll Call Vote:

Mary Barry - aye
Tim O’Neill - aye
Michael Mecnas - aye
Stephen Robichaud - aye

General Business

Discussion and Vote concerning recommendation to Town Council concerning abandonment of Mother’s Park Road, Centerville (majority vote of those present)

Town Attorney Charles McLaughlin in attendance. He gives an explanation. A portion of Mother’s Park Road is good spot for sewerage pump station. Plan shown on screen. Exhibit A, plan. Proposing to abandon Mother’s Park Road. Was a county road. County Commissioners voted to abandon it. Reverts to the Town of Barnstable now. Town Council (TC) vote possible on March 16th. Phinney’s Lane views. Vehicle routes. DPW has had a lot of indication that public would like to see this area made safer. DPW would lop off about 3,000 sq. ft. turn North Main Street to the right. Gravity flow sewer collection point and a pump system that would pump to Hyannis. Public now supports this, and make intersection safer. Underground system and a two vehicle parking area. Sidewalk along North Main Street. Article 97 – if public park dedicated to public access and Town money on it, must be accessible to the public. No net loss policy. Recommendation by the Planning Board would go to TC and would vote. Town would make improvements. Four property owners/abutters would be involved. Their properties have been appraised. If affirmative vote by TC, wait 30 days and then go and record the order of taking and Town would own all. Range of about 3,300 ft. close to this figure. Total area will more than double and add

back into the park. Town has to go to Environment and Energy Agency (EEA) to convince with appraisals and utility assessment, EEA go to legislature and then vote to approve the transfer. Add to size of park, safer intersection. Looking for plan endorsement, to have of record and recorded.

Chair Stephen Robichaud , gravel driveway, will that have access to Phinneys Lane?
Attorney McLaughlin, still ongoing discussion – property owner has no legal rights to this roadway, Town willing to leave in place and show that Town will allow them to use.

Chair Stephen Robichaud, good to have a green real estate upgrade.

Mary Barry, North Main Street – will this come to a T at Phinney’s Lane, slight turn, confirmed cutting off a small portion.

Attorney McLaughlin, to create the sidewalk and enter at 90 degree angle.

Tim O’Neill, great for Town and to improve and make safe the intersection and good for sewer needs.

Attorney Charles McLaughlin, would appreciate motion and having the Chair authorized to sign letter for the Board.

Chair Stephen Robichaud entertains a motion to recommend to Town Council abandonment of Mother’s Park Road as identified on “Roadway Discontinuance Plan, Mother’s Park Road, Village of Centerville, Barnstable, by Town of Barnstable, dated February 22, 2023, seconded by Tim O’Neill, Roll Call Vote:

**Mary Barry - aye
Tim O’Neill - aye
Michael Mecenias - aye
Stephen Robichaud - aye**

Chair Stephen Robichaud moves to recommend endorsement of the plan entitled “Roadway Discontinuance Plan, Mother’s Park Road, Village of Centerville, Barnstable, Massachusetts”, by Town of Barnstable, dated February 22, 2023, seconded by Michael Mecenias,

**Roll Call Vote:
Mary Barry - aye
Tim O’Neill - aye
Michael Mecenias - aye
Stephen Robichaud - aye**

Chair Stephen Robichaud moves to allow Chair to draft letter to Town Council regarding this item, seconded by Mary Barry,

**Roll Call Vote:
Mary Barry - aye
Tim O’Neill - aye**

Michael Mecnas - aye
Stephen Robichaud - aye

Staff Updates

Local Comprehensive Plan

Jim Kupfer gives update. Bring it together workshop, Tuesday at noon via Zoom, tomorrow. Then a second in person meeting on Wednesday, March 1st, 5 to 7 at Adult Community Center. Additional activities, will have pizza and free child care and a movie.

Correspondence

Chptr 91 – 24 Flume Ave, Marstons Mills – Matskevich/Pier – continued from February 13, 2023 for review – request to withdraw received

Chair Stephen Robichaud, 24 Flume Ave, option for Chapter 91 for referral for Planning Board to public hearing, however this item has been withdrawn.

Chair Stephen Robichaud moved to accept withdrawal as submitted, seconded by Michael Mecnas, Roll Call Vote:

Mary Barry - aye
Tim O’Neill - aye
Michael Mecnas - aye
Stephen Robichaud - aye

Chptr 91 Notice – 332 Wheeler Rd. – pier – Judith G. Allen
Chptr 91 Notice – 180 Ocean St. – Bismore Park Marina – maintenance dredging

Matters Not Reasonably Anticipated by the Chair

Approval of Minutes

February 13, 2023, draft minutes

Motion made by Tim O’Neill to continue these draft minutes to next meeting seconded by Mary Barry,

Roll Call Vote:

Mary Barry - aye
Tim O’Neill - aye
Michael Mecnas - aye
Stephen Robichaud - aye

Chair Stephen Robichaud will not be present on March 27th – Also, all meetings will be in person after March 13th 2023.

Future Meetings: March 13, and March 27, 2023, @ 7:00 p.m.

Adjournment

Chair Stephen Robichaud entertains a motion to adjourn, moved by Mary Barry, seconded by Michael Mecnas,

Roll Call Vote:

Mary Barry - aye
Tim O’Neill - aye
Michael Mecnas - aye

Stephen Robichaud - aye

The meeting adjourned at 7:57 p.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 - Plan - Mother's Park Road, Centerville

APPROVED