



# Town of Barnstable Planning Board



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### 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

Kaitlyn Maldonado, Assistant Director

James Kupfer, AICP, Senior Planner

Karen Herrand – Principal Assistant - [karen.herrand@town.barnstable.ma.us](mailto:karen.herrand@town.barnstable.ma.us)

## Town of Barnstable PLANNING BOARD Minutes September 11, 2023

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

Also in attendance were Planning & Development Staff; James Kupfer and Karen Herrand, 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>

### Public Comment - None

### Subdivisions

Sub. No. 454 – Whistleberry Form M Certificate of Completion

Jim Kupfer gives an update, history of subdivision and completion.

Jim Kupfer reads Town Attorney Charles McLaughlin’s email letter dated September 11, 2023, into record;

*Dear Members of the Board – with regret and apologies, I will not be attending tonight as I am dealing with long-standing back issues that require me to stay close to home this evening. Attorney Brian Wall will be present to support the request to close out this file with a vote to authorize the execution form M. I enthusiastically join in that request.*

*In support, I submitted the letter of town consultant Roger Parsons, formerly Town Engineer with Barnstable DPW. Roger has been instrumental in identifying the work list necessary to complete the project per Board regulations in effect at the time the original subdivision was approved. Roger was also*

*instrumental in tracking progress, suggesting resolutions to field issues, and most importantly, being a persuasive voice of reason bring a variety of parties with differing views to practical considerations that produced the result we can celebrate tonight.*

*I also want to thank Planning staff who, over the years, worked diligently to find solutions for this subdivision. Our late Town Attorney, Bob Smith, in commenting 30 years ago via a memo to the file, noted the utter lack of consensus necessary to resolve seemingly intractable differences among the parties and he recommended that the file be closed.*

*It through the good judgment and patience of the Planning Board, the confidence of the present president of the Whistleberry Home Owner's Association, and the efforts of Attorneys Brian Wall and Michael Shultz that I am amble to recommend that Form M be signed and that the Town's involvement in this matter be successfully terminated. Respectfully.*

Letter from Roger Parsons, dated September 8, 2023, read into record:

*Dear Mr. Robichaud – Please be advised that all physical construction detailed in the Development Agreement relevant to the above subdivision has been satisfactorily completed. I would therefore recommend that the Form M before you be executed and the file on this matter be closed.*

Matt Teague, commends town staff, a long time coming, he worked on this subdivision when he was on the Planning Board previously.

**Chair Stephen Robichaud entertains a motion, moved by Matt Teague to endorse the Form M Certificate of Completion for definitive subdivision number 454, entitled Whistleberry Definitive Subdivision in Marstons Mills, and to authorize and instruct the Planning Board's agent, Roger Parsons, to certify full performance of all technical construction and repair requirements of the 2019 Settlement Agreement, as amended, seconded by Mary Barry,**

**Roll Call Vote:**

**Matt Teague - aye**

**Mary Barry - aye**

**Bob Twiss - aye**

**Tim O'Neill - aye**

**Stephen Robichaud - aye**

**Chapter 91 Notices**

183 Bay Street, Osterville – Boselli – Expansion of existing float  
Cotuit Bay Maintenance Dredging – DPW

**Staff Updates and Weekly Recap**

Local Comprehensive Plan

Jim Kupfer – next meeting is Oct. 12<sup>th</sup>. Have gotten a grant from the state, Hyannis Harbor master plan. For harbor area. Taking a closer look in coming year with this grant. Form based zoning, had a number of projects start to materialize. Informal Site Plan, now before HHDC, next meeting is next wed for 307 Main and 201 Main is in October.

Mary Barry, master plan for harbor is this internal or consultant?

Jim Kupfer, we will procure, looking for climate resiliency, putting out an RFP.

Jim Kupfer, Design Guidelines – close to getting, but may change with the harbor now, design features. Dramatic transition from Main Street to the Harbor.

**Matters Not Reasonably Anticipated by the Chair**

**Approval of Minutes**

August 28, 2023 draft minutes

**Chair Stephen Robichaud entertains a motion to approve the draft minutes of August 28, 2023, moved by Tim O'Neill, seconded by Mary Barry,**

**Roll Call Vote:**

**Matt Teague - aye**

**Mary Barry - aye**

**Bob Twiss - aye**

**Tim O'Neill - aye**

**Stephen Robichaud - aye**

**Future Meetings:** September 25, 2023, and October 23, @ 7:00 p.m.

**Adjournment**

**Chair Stephen Robichaud entertains a motion to adjourn, moved by Bob Twiss, seconded by Mary Barry,**

**Roll Call Vote:**

**Matt Teague - aye**

**Mary Barry - aye**

**Bob Twiss - aye**

**Tim O'Neill - aye**

**Stephen Robichaud - aye**

The meeting adjourned at 7:12 p.m.

Respectfully Submitted  
Karen Herrand, Principal  
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>