MINUTES
February 4, 2020

7:01 p.m.
Sand Hill Community Center
16 Dewey Avenue

Present: Robert King, Chair; Matthew Cubetus, Vice Chair; James Kalweit; Sarah Regan, David Darling and Jennifer Reisig
Absent: Jeff Picard
Also Present: Ralph Vitacco, Director, Planning & Development; Leanne Drake, Assistant Town Planner; and Maureen McCabe, Sr. Administrative Assistant

Mr. King opens the meeting with the reading of the Opening Statement. He points out that after the meeting packet was distributed letters were received by Stefanie Coxe and Kevin Skrickis.

Approval of Minutes

Ms. Reisig motions to accept the minutes from the meeting held January 21, 2020, as written. Mr. Darling seconds. The vote is unanimous.

Submission of New Plans

There are no new plans submitted.

Old Business

There is no old business to discuss.

New Business

There is no new business to discuss.

Board Discussion

- Zoning Amendment Considerations

Mr. Vitacco explains that the goal is to have the first Public Hearing on March 17. There will be no meeting on March 3, because it is Primary Day. He goes on to say an excellent discussion took place at the Board's last meeting. It provided staff an opportunity to take another look at the ADU By-Law and capture the Board's sentiments, making sure you are comfortable with the language. Mr.
Vitacco tells the Board he has the sense that they are comfortable with the other proposed zoning amendment language.

- **Table of Contents Amendments – Sections 3490, 4131, 4132, 4133, 4134, 4135, 4136, 4360, 4370, 4457, 4500, 4501, 4502, 4503, 4504, 4505**

  Mr. King outlines the proposed changes to the Table of Contents.

- **Section 1260 – Performance Bond**

  The word “shall” has been replaced with the word “may.”

- **Section 1330 – Special Permits**

  The Board of Appeals has asked if we can align our Special Permit zoning with 40A. If this passes, Special Permits will be in effect for three years.

- **Section 2220 – Guest House**

  The words “Guest House” will be stricken.

- **Section 2420 – Change, Extension or Alteration**

  Ms. Regan asks who determines whether it increases or decreases the non-conformity. Ms. Drake explains that it is the Building Commissioner. The Building Commissioner is also the Town’s enforcement officer.

- **Section 2540c – Affordable Housing**

  Ms. Drake explains that Section 4138 is part of the Accessory Dwelling Unit By-Law. If the ADU By-Law passes, the reference to this section will no longer be applicable. The Sandwich Housing Authority and Planning office have met to discuss this change. Sandwich Housing Authority has agreed to monitor the property.

- **Section 4115 – By-Right Accessory Apartment**

  Mr. King states that the words, “unless authorized by the Director of Public Works or the Town Engineer” have been added.

- **Section 4130 – Accessory Dwelling Units**

  The Board has a comprehensive discussion on this topic. Discussion points include: Adding language to clarify what is meant by conforming. Mr. Vitacco says section 2600 will always define what a conforming lot is. The minimum lot size for a detached ADU is 20,000 square feet and will require a Special Permit. An in-law apartment inside your existing home on a lot that is 10,000 square feet is allowed. The Board discusses the concept of “functional” families or “functional” relationships, how they are defined and what the term means. After talking it through, Board members decide not to consider this classification. Only one ADU can be added to a person’s property and it can
be no larger than two bedrooms. Rental conditions require a minimum of one year’s lease, no subletting, and short-term rentals are prohibited. One of the units must be owner-occupied. Stronger enforcement language, to include finite dates, will be included. The Board talks about density and decides the limit is no more than two people per bedroom. Septic will restrict the number of bedrooms per unit. The conversation turns to amnesty. Existing, unlawful ADUs must be in compliance by December 31, 2020. Transfer of ownership is considered. This language will be included in Section 4134 – Monitoring.

- **Cottage Colony Conversion, Section 4740 – Cottage Colony Conversion Procedures**

  Board members recall cottage colony conversions which have taken place over the past 20 years as well as the recent discussions regarding the conversion at 20 Route 6A.

Mr. Vitacco says Ms. Drake will make the changes and distribute them. He asks the Board if they would like to meet on February 18, to review and discuss them one more time before the Public Hearing. Ms. Regan requests a "clean" copy of the proposed changes. Individual comments should be sent to staff; no group messages.

Mr. King sums up the ADU By-Law changes which were discussed tonight:

- No more than two people to a bedroom
- Enforcement language
- Amnesty dates
- Change and/or transfer of any type of ownership

Mr. Vitacco says that unless an ANR is filed, or if a Board member feels compelled to discuss the proposed zoning language one more time, the Public Hearing will take place on Tuesday, March 17. The proposed zoning amendment language will be sent to Town Counsel for their review.

- **Local Comprehensive Plan Steering Committee – Update**

  Mr. Vitacco provides an update. The “Enterprise” will be doing an article; information is on the Town’s website and Facebook page. Mr. Vitacco will be speaking with Historic and Conservation tomorrow. The LCP requires an 18 month commitment. The schedule will be determined by the Committee. Meetings are open to the public and the agendas will be posted. The Town of Bourne has a template schedule available. Mr. Darling says that he has read through Bourne’s LCP. He believes it is interesting and very comparable to what ours will look like. David and Jeff are interested in becoming the Planning Board’s representatives.

**Deliberations**

There are no matters to deliberate.
Other Matters Not Reasonably Anticipated

There are no other matters to discuss.

Adjournment

Ms. Regan motions to adjourn. Mr. Kalweit seconds. The vote is unanimous. The meeting adjourns at 8:24 p.m.

Respectfully submitted,

[Signature]

Maureen McCabe

Supporting Documents:

1. Redline of Proposed Zoning Amendments (11 pages)
2. Letter to Robert King, Chair from Stefanie Coxe, Consultant, Smarter Cape Partnership re: proposed Accessory Dwelling Unit (ADU) bylaw change, dated February 3, 2020 (2 pages)
3. Letter to Planning Board from Kevin Skrickis re: Support for Accessory Dwelling Units, dated February 4, 2020 (1 page)