Present:  Pat Kerfoot, Chairman, Charlotte Harris, Vice Chairman, John Druley, Pamela Harting-Barrat, Jim Fox 
Also Present: Tom Bott, Town Planner, Michaela Shoemaker, Assistant Town Planner 
Absent: Robert Leary, Paul Dreyer 

Chairwoman Pat Kerfoot called the meeting to order at 6:32 PM. 

MINUTES: June 25, 2019 

MOTION by C.Harris/J.Fox to table the minutes of June 25, 2019. 
Voted 5-0-0 

PUBLIC COMMENT 
None. 

APPROVAL NOT REQUIRED PLANS: received between June 19, 2019 and July 9, 2019 

Applicant: Susan M. Moran, Trustee – Plan of Land to divide one lot into two lots located at 402 Wild Harbor Road 
Attorney Bob Ament - This is approximately a 3 ½ acre parcel off Wild Harbor Road with 240 feet of frontage. The proposal is to create a new 40,400 square foot lot shown as Lot C4. The rest of the property would become Lot C3 with an existing house on it. Each lot has the requisite frontage, width and area of at least 45,000 square feet.

T.Bott - I had a conversation with Jack Landers-Cauley about adding some bounds and the property access. There may need to be an easement.

B.Ament - I believe the plan meets all the requirements and does not show a subdivision and there i no requirements for bounds for lots that are created by ANR. This is not Land Court property. The family may change the property lines again. I would ask that you not make the bounds a requirement.

MOTION by C.Harris/P.Harting-Barrat that the Planning Board vote to endorse “Approval under the Subdivision Control Law not required”. The plan does not depict a subdivision by definition. This endorsement is without regard to zoning or buildability and should not be construed as an approval that the lots shown are entitled to a building permit. 

Voted 5-0-0 

Applicant: Falmouth Housing Trust, Inc. - Plan of Land to widen road in front of property at Lot 002C, Lewis Neck Road 
Letter of Withdrawal from applicant. 

MOTION by P.Harting-Barrat/C.Harris to accept the withdrawal.
PUBLIC HEARINGS:

Changes to the Falmouth Subdivision Regulations

T.Bott - Our draft subdivision regulations are on the Town website, in the Clerk’s office and in the Planning Office. There is nothing pressing to vote on this evening but we wanted to open the conversation.

James McLaughlin, Town Engineer - We’ve been looking at issues that have come up. There are a few things in our regulations that have inconsistencies. There seems to be confusion regarding our expectations and when things should be done regarding paving roads. Our regulations refer to the State’s DOT requirements. Our old code book has a cross-section of a typical roadway. That doesn’t show on the website now. That cross-section should be uniform. Curbing; the cape cod berm should go on the binder. A lot of those things just need to be spelled out in a simple schedule.

P.Kerfoot - Is there any reason not to be specific?

J.McLaughlin - There is not. It should be spelled out as well as the extent of the testing. Barnstable has one that is very comprehensive you can look at. Most communities have a detailed set of requirements.

J.Druly - Is the 95 per cent compaction their highway regulation?

J.McLaughlin - That’s for the highway. For buildings it’s generally 98 per cent. It gives them assurance that it won’t fail two years from now and that it was done right. It’s also the regulation for many communities.

J.Druly - Granite curbing?

J.McLaughlin - A lot of times it has to do with the roadway and what kind of traffic there will be. Certainly not in a residential subdivision.

C.Harris - Is there anyway you could show what is old and what is new?

J.McLaughlin - I thought we were just throwing out suggestions, not rewriting the regulations.

J.Druly - Where would the average person find the inspection regulations?

J.McLaughlin - In the Planning Board regulations. There are a few that are spelled out, some that require notice. What seems to be happening is people circumventing Planning’s involvement. The regulation now says a 24-hour notice.

MOTION by C.Harris/P.Harting-Barrat to continue to August 13, 2019.

Voted 5-0-0

Creation of Design Standards in conjunction with the Falmouth Zoning Bylaw

T.Bott - I recommend we hold off on any discussion on these draft contextual design guidelines until next meeting.

J.Fox - I’ve read them and I think they’re perfect. We are not looking at single-family homes, only commercial.

C.Harris - I second that.

J.Fox - I think you should change the heading to “Proposed changes in Falmouth”.

MOTION by C.Harris/P.Harting-Barrat to continue to July 23, 2019.
Voted 5-0-0

PUBLIC DISCUSSION:

Applicant: Nason Swain – Site Plan Review application to construct an addition to the garage for an accessory apartment at 26 Viber Lane

Nason Swain - We have decided not to add on to the existing garage and to convert it to one bedroom. I measured the floor plans of the existing structure, outside of the foundation and calculated.

J.Fox - The assessor’s card says different.

C.Harris – If we take the numbers off the drawing and give credit for half of the second floor, we come up with 40 per cent is 582. His accessory apartment is 583 square feet. We could give them a foot.

T.Bott - There is one amendment they need to make on the site plan; the previously proposed addition needs to be removed.

MOTION by P.Harting-Barrat/C.Harris to take the Energy Committee out of order.

Voted 5-0-0

Presentation Energy Committee priorities

Energy Committee Chair Megan Amsler - Solar sites identified throughout the Town on municipal properties and their prioritization; and the passing of the Stretch Code. The entire slide deck is on our website.

MOTION by C.Harris/P.Harting-Barrat to return to the regular agenda.

Voted 5-0-0

Applicant: 797 Main Street, LLC – Site Plan Review application to construct a mixed-use structure with a 2,700 ± s.f. restaurant on first floor and 3 residential units above located at 797 Main Street

T.Bott - We received revised plans making the restaurant smaller and the number of tables available less. The building size has not changed. Showing three two-bedroom apartments above and 32 indoor seats and 12 outdoor seasonal seats. The booths were replaced with two-tops. They hope that the site plan can be approved. I conveyed that it might be unlikely because the approval rests on the number of parking spaces. We still do not know where all the parking spaces are. We have an extension to the end of July. They do have a hearing with the Zoning Board August 1st.

C.Harris - I think the design of the building will be an improvement.

J.Fox - Connecting to the sewer will cap the number of their seats.

P.Kerfoot - They have to come back to us with the reciprocal easement agreement.

Cape Club Estates Lot Release update
T.Bott - We do not have a new bond estimate yet, then they will be able to move forward with those five lots.

**PLANNING BOARD DECISION:**

*689 Gifford Street Site Plan Review Release*

We are meeting with the applicant and are working through the particulars.

**PLANNING BOARD DISCUSSION:**

*September Joint meeting with the Board of Selectmen*

C.Harris - We should update them on the recodification project and our new design review regulations.

P.Harter-Barrat - Affordable Housing

J.Fox - A discussion on housing density

C.Harris - 40R for Davis Straits; a review if the provisions of 40R

P.Kerfoot - Sewer Capacity

J.Druley – I am sure that Paul would want to add Coastal Resiliency

**Update on Administrative Approvals for 587 Main Street**

T.Bott - The Zoning Board had a hearing on July 11th. The Board opted to allow the changes administratively. We asked for a plan showing the changes and what was built. They will need a current as-built plan. There are questions on the sheds. The required curb work is not allowed after Labor Day. There are concerns about ADA accessibility and compliance. Reducing the patio size may be necessary. We are still gathering information from the applicant.

**Policies and Procedures Manual**

P.Kerfoot - We will be working on this over the summer; needs to be reviewed.

**ANNOUNCEMENTS:**

None.

**GENERAL CORRESPONDENCE:** June 26, 2019 thru July 9, 2019

Notice of LCP Regulations Plans.

Board signatures to send to the registry.

**FUTURE AGENDA ITEMS:**

J.Fox - Cape Cod Commission and Davis Straits update

**NEXT MEETING:** July 23, 2019

Meeting adjourned at 9:12 pm.

Respectfully Submitted,
Paul Dreyer, Clerk/Secretary
Sheri Theroux, Recording Secretary