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## **ORLEANS PLANNING BOARD**

**FEBRUARY 8, 2022 - Minutes**

A meeting of the Orleans Planning Board was called to order at 4:00 p.m. remotely via Zoom from Town Hall. **Present: Chairman:** Chet Crabtree; **Vice-Chairman:** Debra Oakes; **Clerk:** Alice Thomason Van Oot. **Regular Members:** Charles Bechtold and Richard Hartmann. **Associates:** Joy Cuming and John Ostman. **Planning Department Staff:** George Meservey and **Secretary:** Karen Sharpless. **Also Present: Board of Selectmen Liaison:** Mefford Runyon.

### **PUBLIC COMMENT**

There were no public comments at this point in the meeting.

### **PROPOSED ZONING AMENDMENTS**

#### **AMEND ZONING BYLAWS SECTION 164-19. FLOODPLAIN DISTRICT F.**

Meservey noted that the Planning Board held a public hearing on January 25, 2022 and there were no public comments on this proposed zoning bylaw. Meservey explained that the Floodplain Districts are shown on the Barnstable County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. Meservey described the required public hearing process and noted that the program is coordinated with the Building Commissioner. Meservey noted that homeowners with a mortgage in the Floodplain Districts are required to obtain flood insurance. Meservey referred to the following purposes of the required Floodplain District designation:

1. Ensure public safety through reducing the threats to life and personal injury;
2. Eliminate new hazards to emergency response officials;
3. Prevent the occurrence of public emergencies resulting from water quality contamination, and pollution due to flooding;
4. Avoid the loss of utility services which, if damaged by flooding would disrupt or shutdown the utility network and impact regions of the community beyond the site of flooding;
5. Eliminate costs associated with the response and cleanup of flooding conditions;
6. Reduce damage to public and private property resulting from flooding waters.

**MOTION:** On a motion by **Charles Bechtold**, seconded by **Alice Thomason Van Oot**, the Board voted to forward the proposed zoning bylaw §164-19. Floodplain District F. to the Select Board with a recommendation for inclusion on the Annual Town Meeting warrant in May 2022.

**VOTE:** 5-0-0 The motion passed unanimously.

**AMEND ZONING BYLAWS SECTION 164-13. SCHEDULE OF USE REGULATIONS - COMMERCIAL RETAIL**

Planning Board members discussed a proposed zoning bylaw amendment to the Table of Use Regulations §164-13 that would permit retail establishments limited to 1,500 square feet in the Rural Business Districts in East and South Orleans without the need for a Special Permit from the Zoning Board of Appeals.

**MOTION:** On a motion by **John Ostman**, seconded by **Alice Thomason Van Oot**, the Board voted to forward the proposed zoning bylaw §164-13. Schedule of Use Regulations - Commercial Retail to the Select Board with a recommendation for inclusion on the Annual Town Meeting warrant in May 2022.

**VOTE: 5-0-0** The motion passed unanimously.

**AMEND ZONING BYLAWS SECTION 164-13. SCHEDULE OF USE REGULATIONS – SELF-STORAGE, MINI-STORAGE**

Planning Board members discussed the idea of allowing self-storage and mini-storage businesses in the Industrial District which could require fencing and security lighting through the required Special Permit process from the Zoning Board of Appeals.

Van Oot expressed the following concerns regarding the Schedule of Use Regulations - Storage and Warehouse:

1. The proposal to allow self-storage, mini storage appears inconsistent with the intended purpose of the Industrial District as noted in The Orleans Comprehensive Plan which references this area as containing “the greatest potential for increasing nonresidential land uses that contribute to the tax base and provide employment opportunities”. The Plan even advises that the town consider "designating the Industrial District as an Economic Opportunity Area" in order to provide business development incentives and job growth.
2. There is a scarcity of property in the Industrial District that can be used to support jobs so it seems short sighted to allow passive use such as a storage facility, not connected to a business that employs people (such as a business warehouse), as an allowable use. This takes land out of our limited inventory.
3. We have hired a consultant to advise the town on economic planning and opportunities for job growth. We should at minimum let that work unfold before we approve zoning changes that could tie our hands.

Meservey expressed concern with the idea that there is “no need” for self-storage since it is used by both residents and businesses. Ostman stated his agreement with Van Oot’s comments that the issue should be delayed until the Economic Development Plan is completed. Ostman stated that the Industrial District zone is located in that area because there is nowhere else in town for it. In answer to Van Oot’s concerns on storage, Meservey stated there are three storage businesses that have been locally permitted in the past 20 years and one went through the Development of Regional Impact process due to its size. Meservey said they all went through the Special Permit process through the Zoning Board of Appeals. Planning Board members agreed to postpone the issue of storage, except for boat storage which can be an unsightly blight in residential areas.

**MOTION TO POSTPONE:**

**MOTION:** On a motion by **Alice Thomason Van Oot**, seconded by **Debra Oakes**, the Board voted to postpone the proposed zoning bylaw §164-13. Schedule of Use Regulations – Self-Storage, Mini-Storage in order to allow time for more research and discussion.

**VOTE: 5-0-0 The motion passed unanimously.**

**AMEND ZONING BYLAWS SECTION 164-13. SCHEDULE OF USE REGULATIONS – WAREHOUSE, STORAGE; WAREHOUSE, DISTRIBUTION; WAREHOUSE, RETAIL**

Planning Board members discussed the issue of warehouses in the Industrial District. Meservey pointed out that a legal re-advertisement would be required if the warehouses would be allowed in any other district. Planning Board members agreed that this issue requires more research on Economic Development before a decision can be made. Van Oot said we should be aware that there has been expressed concern about storage capacity at the Beth Bishop property, as an example, as we contemplate Bylaw changes related to warehouses.

**MOTION TO POSTPONE:**

**MOTION:** On a motion by **Alice Thomason Van Oot**, seconded by **Charles Bechtold**, the Board voted to postpone the proposed zoning bylaw §164-13. Schedule of Use Regulations - Warehouse, Storage; Warehouse, Distribution; & Warehouse, Retail in order to allow time for more research and discussion.

**VOTE: 5-0-0 The motion passed unanimously.**

**ECONOMIC DEVELOPMENT PLAN WORKSHOP FOLLOW-UP**

- E-mail from Stephen W. Smith, dated January 26, 2022
- E-mail from Judith Bruce, dated January 26, 2022
- E-mail from Charles Wibel, dated January 28, 2022
- E-mail from David Light, dated February 2, 2022

Planning Board members acknowledged the correspondence listed above and noted that the comments will be forwarded to the consultant for review. In response to some of the comments, Hartmann acknowledged the town's awareness that we are a waterfront community and will do all possible to preserve our ecology. Bechtold suggested that more time is needed for the consultant to finish their report and the Planning Board to review it. Van Oot stated her opinion that even though some important points were made, some of the public comments were contrary to the Orleans Comprehensive Plan. Van Oot noted the need for someone to shepherd changes and want concrete recommendations on strategies going forward.

**GOVERNOR PRENCE DISCUSSION**

Oakes reported on progress by the Governor Prence Planning Committee and consultant to identify various wants and needs of sectors of the community with regard to the use of the former Governor Prence property. Oakes noted the need for all community groups, including town boards and committees, to coordinate on future uses for the property.

## **SEASONAL HOUSING/DORMITORY DISCUSSION**

Planning Board members discussed the results of the Seasonal Housing Needs Survey and noted that the results are underwhelming and do not seem to suggest the need for further review. Planning Board members discussed the important need for workforce housing.

*There was a consensus of Planning Board members to indefinitely table the topic.*

## **COMMITTEE REPORTS**

### **Board of Water & Sewer Commissioners (Richard Hartmann)**

Hartmann reported that sewer work in town is progressing well and some of it will be completed in the near future.

### **Community Preservation Committee (Chet Crabtree)**

Crabtree reported that the Community Preservation Committee is in the middle of reviewing funding request presentations. Crabtree noted that a current issue under discussion is long-term bond funding.

### **Governor Prence Planning Committee (Debra Oakes)**

Oakes updated Planning Board members on the progress of the Governor Prence Planning Committee as noted earlier in the minutes.

### **Community Center Feasibility Task Force (Alice Thomason Van Oot)**

Van Oot gave an update on progress by members of the Community Center Feasibility Task Force to meet with community facilities and programs and gather input on challenges they face.

## **APPROVAL OF MINUTES**

**MOTION:** On a motion by **Debra Oakes**, seconded by **Richard Hartmann**, the Board voted to approve the Planning Board minutes for January 25, 2022.

**VOTE:** 5-0-0 The motion passed unanimously.

## **FUTURE AGENDA ITEMS**

- **Temporary signs** - Waiting to hear from Town Counsel.
- **Wayfinding Plan** - There will be an upcoming meeting with a Design Professional.
- **Housing 101 Conference** - Approximately 80 people attended the meeting. The Affordable Housing Committee may want to meet with Planning Board.
- **Accessory Dwelling Bylaw** – Sewers may allow the Town to relax housing limitations on certain roads.

**ADJOURNMENT**

**MOTION:** On a motion by **Richard Hartmann**, seconded by **Charles Bechtold**, the Board voted to adjourn the Planning Board meeting at **5:20 p.m.**

**VOTE:** 5-0-0 The motion passed unanimously.

**SIGNED:**   
(Alice Thomason Van Oot, Clerk)

**DATE:** March 7, 2022

**LIST OF HANDOUTS:**

**PROPOSED ZONING BYLAW AMENDMENTS**

- Copy of January 25, 2022 Public Hearing Notice
- Storage & Warehouse Broken into Separate Articles

**ECONOMIC DEVELOPMENT PLAN WORKSHOP FOLLOW-UP**

- E-mail from Stephen W. Smith, dated January 26, 2022
- E-mail from Judith Bruce, dated January 26, 2022
- E-mail from Charles Wibel, dated January 28, 2022
- E-mail from David Light, dated February 2, 2022

**SEASONAL HOUSING/DORMITORY DISCUSSION**

- Seasonal Housing Needs Survey
- Memorandum from George Meservey entitled, "Dormitory Housing Considerations", dated February 3, 2022

**APPROVAL OF MINUTES**

- Planning Board minutes for January 25, 2022