**MINUTES OF MEETING OF WAREHAM PLANNING BOARD**

**Date of Meeting: October 11, 2016**

1. **CALL MEETING TO ORDER**

The meeting was called to order at 7:00 P.M.

1. **ROLL CALL**

Members present: George Barrett, Chair

Mike Fitzgerald

John Cronan

Bob Reed

 Alan Slavin, bos liaison

Also present: Ken Buckland, Town Planner

1. **PRELIMINARY BUSINESS**
2. **Approval of meeting minutes: September 26, 2016, September 28, 2015**

**MOTION: Mr. Reed moves to approve the minutes of September 28, 2015 as written. Mr. Fitzgerald seconds.**

**VOTE: (3-0-1)**

**MOTION: Mr. Cronan moves to approve the minutes of September 26, 2016. Mr. Fitzgerald seconds.**

**VOTE: (4-0-0)**

1. **Street Acceptance Referral – Brittany Drive**

The Board discusses accepting the road without accepting the septic pipes underneath the road. No motion is made at this time.

1. **Site Plan Review Application – Charlotte Furnace Road – Bayside Agricultural (set hearing date)**

Present before the Board: Brian Grady, G.A.F. Engineering, Inc.

The Board asks brief questions about the project and sets the public hearing date.

**MOTION: Mr. Cronan moves to set the public hearing date for December 28, 2016. Mr. Fitzgerald seconds.**

**VOTE: (4-0-0)**

1. **Site Plan Review Application – 2707 Cranberry Highway – Fadi Zaknoun (set hearing date)**

**MOTION: Mr. Cronan moves to set the public hearing date for December 14, 2016. Mr. Fitzgerald seconds.**

**VOTE: (4-0-0)**

1. **PUBLIC HEARINGS**
2. **Zoning Articles for Town Meeting:**

Discussion to amend, removed, add, or alter the following items of the Zoning By-Law:

* Commercial Use Table

To amend the existing Commercial Use Table to prohibit motor vehicle service and motor vehicle sales in the R-130 district. Discussion ensued.

**MOTION: Mr. Cronan moves for Article 3 Section 321 to be presented for change at Town Meeting. Mr. Fitzgerald seconds.**

**VOTE: (4-0-0)**

* Storage containers

To amend Article 3 Section 354 by adding storage container for construction and storage container accessory to distinguish storage containers for construction and storage containers for accessory use. A building permit would allow a storage container no more than 40’ for 6 months. An accessory container would be no more than 20’ and would have to be screened. Mr. Fitzgerald states that he would only like to allow storage containers as an accessory use in the R-130 district. The Board moved to say no to storage containers in Wareham Village, Village 2, Onset Village, and Onset Village 2. The Board feels that Special Permit Zoning should be required in all other districts. The Board also would like to clarify the accessory storage container as a moveable, metal storage container. Discussion ensued.

**MOTION: Mr. Reed moves to recommend for Article 3 Section 354 to require a Special Permit for accessory containers in the R-130 and R-60 zones, and all other residential areas are not allowed. Mr. Fitzgerald seconds.**

**VOTE: (4-0-0)**

* Use Table

To amend Article 3 Section 340 by adding lines in the Use Table to match the new definition of use table. Discussion ensued.

**MOTION: The Board moves and seconds to recommend as amended.**

**VOTE: (4-0-0)**

* Industrial storage structure

Currently Article 3 Section 358 states that storage structures are not allowed in any district; the language that identifies a storage container needs revision as well as revising structure to container. After discussion the Board agrees that this Article requires further study.

**MOTION: Mr. Reed moves to request further study of this article. Mr. Fitzgerald seconds.**

**VOTE: (4-0-0)**

* Definition of “guest house”, “lodging”

Article 3 Section 356 to replace the current definition of guest house or boarding house with transient guest lodging or boarding house. Discussion ensued.

**MOTION: Mr. Reed moves for further study. Mr. Cronan seconds.**

**VOTE: (4-0-0)**

* Transient and guest lodging

Article 3 Section 390 definition of transient and guest lodging requires further study.

**MOTION: Mr. Cronan moves for further study. Mr. Fitzgerald seconds.**

**VOTE: (4-0-0)**

* Accessory building setback

Article 3 Section 625, to revise to state that accessory setback lines may be the same as the principal structure or further back. Discussion ensued.

**MOTION: Mr. Reed moves to recommend for Town Meeting the proposed amendment for Article 3 Section 625. Mr. Cronan seconds.**

**VOTE: (4-0-0)**

* Definition of building area

Article 16 to amend the definition of building area to read aggregate of the maximum horizontal footing of all buildings on the lot to outer walls including porches, enclosed porches, enclosed stairs, decks, bay windows and balconies. Discussion ensued.

**MOTION: Mr. Reed moves to recommend the amendment for Town Meeting. Mr. Cronan seconds.**

**VOTE: (4-0-0)**

* Definition of building height.

Article 16 to amend the definition of how to measure a buildings height to fall in line with Massachusetts building code.

**MOTION: Motion made and seconded to recommend the definition amendment for Town Meeting.**

**VOTE: (4-0-0)**

* Junk on open lots

Article 3 Section 380 that open junk shall be prohibited in all districts. It is proposed to amend the definition of junk. Discussion ensued.

**MOTION: Mr. Cronan moved to recommend for Town Meeting. Mr. Fitzgerald seconds.**

**VOTE: (4-0-0)**

1. **CONTINUED PUBLIC HEARINGS**
2. **REFERRALS**
3. **ANY OTHER BUSINESS/DISCUSSION**
4. **Upcoming Hearings**

|  |  |  |  |
| --- | --- | --- | --- |
| **November 14, 2016** | **Site Plan Review** | **Water Wizz of Cape Cod** | **3031 Cranberry Highway** |
| **November 14, 2016** | **Covenant Extension** | **Melvin Gauley** | **9 Cahoon Street** |

1. **NEW BUSINESS** (This time is reserved for topics that the Chairman did not reasonably anticipate would be discussed)
2. **CORRESPONDENCE**
3. **See correspondence in packets.**
4. **Staff Report**
5. **EXECUTIVE SESSION**
6. Bay Pointe

**MOTION: Mr. Cronan moved to close the public hearing and enter into Executive Session for the purpose of discussing Bay Pointe mediation proceedings and to not return to regular session. Mr. Fitzgerald seconded.**

**Roll Call Vote: Mike Fitzgerald - Yes**

 **John Cronan –Yes**

 **George Barrett - Yes**

 **Bob Reed - Yes**

**VOTE: Unanimous (4-0-0)**

1. **ADJOURNMENT**

**MOTION: Motion made and seconded to adjourn.**

**Roll Call Vote: Mike Fitzgerald - Yes**

 **John Cronan –Yes**

 **George Barrett - Yes**

 **Bob Reed - Yes**

**VOTE: Unanimous (4-0-0)**

1. **DOCUMENTS**

**Date signed: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

**Attest: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**

 **George Barrett, Chairman**

 **WAREHAM PLANNING BOARD**

**Date copy sent to Town Clerk: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_**