

ORLEANS TOWN CLERK  
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## PLANNING BOARD

### October 11, 2011 - Minutes

A meeting of the Orleans Planning Board was called to order at 7:00 p.m. in the Nauset Meeting Room at the Orleans Town Hall. **Present:** **Chairman:** Chet Crabtree; **Vice-Chairman:** Steve Bornemeier; **Clerk:** Charles Bechtold; Kenneth McKusick and John Fallender. **Associate:** Andrea Shaw-Reed. **Planning Department Staff:** George Meserve; and **Secretary:** Karen Sharpless. **Also Present:** **Board of Selectmen Liaison:** Jon Fuller. **Absent:** Paul McNulty (Associate)

### CONSULTATION ON PARKING REQUIREMENTS – Spaulding Rehabilitation Hospital

Planning Board members discussed a consultation request from the Building Commissioner regarding the number of parking spaces proposed for Spaulding Rehabilitation Hospital to be located at 65 Old Colony Way. Planning Board members discussed whether or not this proposal would be considered as a medical use as it does not clearly fall into any existing category in the zoning bylaws. If the proposal is considered to be a medical use, then 3.5 parking spaces would be required per exam room. A letter from Deborah A. Downey, CRC, PTA, (Orleans Site Manager, Spaulding Rehabilitation Hospital) states that the new facility will have nine exam rooms which would require 32 parking spaces. The Site Plan submitted to the town shows 39 on-site parking spaces. Ms. Downey's letter suggests that employees could park on the north side of Old Colony Way near the proposed rehabilitation facility. Planning Board members discussed Ms. Downey's letter and felt that her points were well made and noted that abutter's concerns would be heard at the Special Permit process at the Zoning Board of Appeals meeting.

**CONSENSUS:** There was a unanimous consensus of the Planning Board members that the proposed parking for the Spaulding Rehabilitation Hospital proposed to be located at 65 Old Colony Way is sufficient for the use and for the reasons presented by the applicant.

### VILLAGE CENTER STREETScape PLAN

Planning Board members discussed the Cape Cod Commission draft conceptual plan of the 2011 Orleans Village Center Streetscape Plan Orleans Streetscape dated 9-27-2011. Jim Hadley thanked the Planning Board for their work, gave a review of his credentials and then expressed his concerns about the plans for the downtown. David Lyttle explained his role on the Board of Directors of the Orleans Community Partnership and indicated that they intend to move forward with various ideas and plans for the revitalizing the downtown areas. Planning Board members discussed various aspects of the streetscape plan including maintenance of vegetation, types of benches and bicycle racks, street lighting, and signage. David Lyttle noted that Planning Board assistance will be needed as various aspects of the Village Center planning moves forward. Planning Board members noted that Village Center plans would need to be coordinated with future wastewater planning. Planning Board members suggested options such as sustainability and using materials that are easily maintained and cleaned (i.e. instances such as graffiti). Planning Board members agreed to work with Cape Cod Commission members as the concepts are presented.

## **FORMULA BUSINESS BYLAW**

Planning Board members reviewed past minutes from September 2007 to February 2008 regarding Formula Business Bylaw discussions and decided this issue is not ready to forward for Zoning Bylaw Task Force review.

**Todd Thayer** noted the difficulties of not being able to attract businesses to town and the effect of the resulting empty retail spaces. Thayer noted that there are options to control formula businesses, and stated that they do spend money on infrastructure and beautification.

**Jon Fuller** indicated that he stands by his previous comments at Planning Board meetings about formula businesses. Fuller noted that the Orleans Marketplace is a busy formula business place, but they have altered to fit into the plaza. Fuller noted that the addition of Staples has been good for the town. Fuller reiterated earlier comments that formula businesses have a right to compete in the market, but it would be possible to use zoning to make them fit character of the town.

**Kenneth McKusick** voiced his concerns about homogenization from town to town, and urged the idea of having a set of guidelines to control formula business practices.

**John Fallender** noted that in surveys the town seems to be divided approximately 50/50 on the issue of formula business bylaw.

**Chet Crabtree** expressed his concerns regarding formula businesses and urged Planning Board members to be assertive and protect the character and ambiance of Orleans.

**Kenneth McKusick** questioned how the Special Permit process through the Zoning Board of Appeals works.

## **COMMITTEE UPDATES**

### **Zoning Bylaw Task Force**

Planning Board members reviewed the following list of potential zoning articles for the May 2012 Annual Town Meeting:

1. **Floodplain District** - update and reference new FIRM maps
2. **Formula Business Bylaw** - Planning Board to review this issue further
3. **Outdoor Lighting Bylaw** - Enforcement & fines for non-compliance
4. **Village Center Zoning** - Amendments as recommended in the Market Study.
5. **Customary Home Occupations** - Redefine to include performance standards regarding vehicle trips, number of employees, noise and signs.
6. **Transient Housing** - Need a clear definition and added to the use table
7. **Demolition by Neglect Bylaw** - More research is needed

### Board of Water & Sewer Commissioners

McKusick gave a report on the status of the Water Department and the Board of Water & Sewer Commissioners.

### Orleans Community Partnership

Fallender gave a report on the Orleans Community Partnership and upcoming informational meetings called "Community Conversations".

## NEW BUSINESS

### Planning Board Meeting Cancellation

Planning Board members were informed that due to a local election, the regularly scheduled Planning Board meeting on October 25, 2011 will have to be cancelled.

## CORRESPONDENCE

### Cape Cod Commission Hearing re: Orleans Comprehensive Wastewater Management Plan

Planning Board members were informed of the upcoming Cape Cod Commission Hearing on October 13, 2011 regarding the Orleans Comprehensive Wastewater Management Plan.

## APPROVAL OF MINUTES: September 27, 2011

**MOTION:** On a motion by **John Fallender**, seconded by **Kenneth McKusick**, the Board voted to approve the minutes of September 27, 2011 as amended.

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

## ADJOURNMENT

**MOTION:** On a motion by **Steve Bornemeier**, seconded by **John Fallender**, the Board voted to adjourn at 8:48 p.m.

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

SIGNED: \_\_\_\_\_

(Charles Bechtold, Clerk)

DATE: \_\_\_\_\_

11/9/11

**LIST OF HANDOUTS FOR OCTOBER 11, 2011 PLANNING BOARD MEETING:**

1. *Memorandum from George Meservey entitled, "Request for Advisory Opinion on Parking Requirements", dated October 5, 2011.*
2. *Orleans Planning Board Minutes regarding Proposed Formula Business Bylaw.*
3. *List of Potential 2012 zoning amendments.*
4. *Cape Cod Commission Hearing Notice of Orleans Comprehensive Wastewater Management Plan for to be held on October 13, 2011:*
5. *Planning Board Minutes for September 27, 2011*