



**TOWN COUNCIL**  
**Committee to Review Zoning and Permitting Regulations**  
**Selectmen's Conference Room**  
Thursday May 17, 2018 – 6:00pm

Councilors:  
Vice-President James Crocker, Precinct 5 (CHAIR)  
Councilor Jessica Rapp Grasseti, Precinct 7  
Councilor Paula K. Schnepf, Precinct 12  
Councilor Matthew Levesque, Precinct 10  
Councilor Deborah Dagwan, Precinct 8  
Member at large Hank Farnham

**MEETING MINUTES**

**PRESENT:** Chair of Committee, Vice-President James Crocker Jr.; Councilor Jessica Rapp Grasseti;  
**ALSO IN ATTENDANCE:** Councilor Paul Neary; Elizabeth Jenkins, Planning and Development Director; Brian Florence, Building Commissioner; Steven Helman, Planning Board; Jeffrey Swartz, Planning Board; **ABSENT:** Councilor Paula Schnepf; Councilor Matthew Levesque; Hank Farnham, Member at large; Councilor Debra Dagwan

Chair opened the meeting as a workshop due to a quorum issue. Elizabeth Jenkins, Director Planning and Development introduced the following document with the changes made as the Committee suggested at our last meeting.

**HIGHWAY BUSINESS ORDINANCE USE MATRIX**  
Key: P = Permitted //PA = Permitted Accessory // S = Special Use

USE	HB	District Definition Notes
Art galleries	P	
Artisans, craftspeople and makers	P	Artisan, Craftsperson and Makers — A small-scale use employing people who practice manual skills to produce ornamental or functional works in limited quantities. A key feature of works produced by artisans, craftspeople or makers is the high degree of manual or specialized technical expertise involved. Examples include artists or makers in a variety of mediums, designers, and art conservation.
Artist's lofts	P	Artist's Loft — A place designed to be used as both a dwelling and a place of work by an artist, artisan, or craftsperson, including persons engaged in the application, teaching, or performance of fine arts, such as drawing, vocal or instrumental music, painting, sculpture, photography, graphics, media arts, and writing. The work activities shall not adversely impact the public health, safety, and welfare, or the livability, functioning, and appearance of adjacent property.

			Notes
Auto service and repair shops	S	A facility for the general repair and maintenance of motor vehicles, including motor vehicle inspections and car washes. This definition	
shall exclude vehicle dismantling or salvage.			1
Banks	P		3
Bed-and-breakfast	P	*Subject to the provisions of § 240-11C (6) *	
Building, sale, rental, storage and repair of boats	S		1
Business support services	P	Business Support Services — Establishments engaged in the sale, rental, or repair of office equipment, supplies, and materials, or the provision of services used by office, professional, and service establishments. Typical uses include office equipment and supply firms, small business machine or computer repair shops, convenience printing and copying establishments, publishing and printing of information as a retail service use, or hotel equipment and supply firms.	
Car rental services	S		1
Contractor service establishments	P	Contractor Service Establishments - Wholesale sales and distribution of building materials including plumbing, carpentry, lumber, electrical, heating and air conditioning, and other similar service or repair businesses; associated showrooms and sales/display space customarily accessory to such uses.	1, 2
Contractors' yards	S	Contractors' Yards: Landscaping, construction and site preparation, and other similar service businesses, provided that all outdoor storage of building materials, trucks and landscaping equipment and materials, are screened from view from public ways.	1, 2
Dwelling - Single-family residential	P		
Dwelling - Two-family	P		
Dwellings - Multifamily	P	*Subject to the provisions of § 240-21(A)(9) *	
Educational institutions	P	Educational Institutions: A public or private facility that offers in-classroom instruction at the K-12 or post-secondary levels. The institution	

may also have research facilities and/or professional schools that grant master and doctoral degrees. Educational

Institutions also include facilities that offer in-classroom vocational instruction in industrial, clerical, computer, managerial, automotive, repair (electrical, plumbing, carpentry, etc.), or commercial skills, or a business conducted as a commercial enterprise, such as a school for general educational development or driving school.

Fraternal or social organizations	P	Fraternal or Social Organization Lodge — A building or land used for the activities of an association of persons for the promotion of some nonprofit common objective, such as literature, science, politics, and good fellowship (not accessory to, or operated as, or in connection with a tavern, eating place, or other place open to the public), which meets periodically and may be limited to members.	
Funeral Home or Mortuary	S	Funeral Home or Mortuary: An establishment providing services such as preparing the human dead for burial and arranging and managing funerals, and may include limited caretaker facilities. This classification excludes cemeteries, crematoriums, and columbarium.	1
Gasoline and oil filling stations and service garages	S		1
Health club	P	Health Club: A facility for the purpose of physical exercise or wellness open only to members and guests or open to the public for a fee. It shall include health and fitness clubs, and specialty fitness uses, such as yoga studios or cross-fit facilities and may include customary accessory uses.	
Hotel & Motel	S	* subject to special provisions in 240-22(F)	1,*
Manufacturing, light and industrial	S		1, 2
Mixed use development	P	Mixed Use Development — Development including at least one residential unit and at least one nonresidential use on a single lot or several nonresidential uses on a single lot.	
Movie Theater	P		
Museums	P	Museums — A public or private facility, including an aquarium, established for preserving and exhibiting artistic, historical, scientific, natural or man-made objects of interest, designed to be used by members of the public for viewing,	

with or without an admission charge. Such activity may include, as an accessory use, the sale of memorabilia, crafts work and artwork, and the holding of meetings and social events.

Office - Business and Professional	P	
Office - Dental or Medical	P	Office, Dental or Medical — A building or portion of a building in which the primary use is the provision of health-care services to patients or clients by an appointment only. Such services may include the following: medical, dental, psychiatric, psychological, chiropractic, dialysis, acupuncture, reflexology, mental health professional, physical and/or occupational therapy, related medical services, or a laboratory which provides bacteriological, biological, medical, x-ray, pathological and similar analytical or diagnostic services to doctors or dentists.
Performing arts facilities	P	Performing Arts Facility — an enclosed space suitable for a variety of cultural arts performances, permanently available for the primary principal use of public performing arts presentations, such as plays, dances, and concerts, although incidental use for private meetings, exhibits and presentations shall be permitted. Such space may also include studios, classrooms, and galleries.
Personal service establishment	P	Personal Service Establishment — An establishment engaged in the provision of frequent or recurrent needed services of a personal nature. Typical uses include, but are not limited to, barbershop, beauty shop, dry cleaner, tailor, or other similar services.
Recreational Establishment	P	Recreational Establishment — An establishment engaged in the provision of public recreational services, including bowling and billiards.
Research and development, technological and computer research, software development and data processing including computer operations services	P	
Restaurant and other food establishment.	P	

Retail and wholesale	P	*Drive-through windows shall be permitted accessory to pharmacy uses only.	3,*
Retail, gasoline and/or diesel	P	A facility where gasoline, diesel or any other automotive engine fuel is stored only in underground tanks and offered for sale directly to the public on the premises. *Retail, gasoline and/or diesel shall be subject to the requirements of Section 240-35 Groundwater Protection Overlay Districts.	1
Self-storage facility	P	Self-Storage Facility: A facility for the storage of personal property where individual renters control and access individual storage spaces. Ancillary retail sales of related items, such as moving supplies, and facility offices may also be included.	1
Senior Living, Asst. Living	P	Assisted Living: A combination of housing, ancillary support services and personalized care that is designed to respond in a homelike setting to the individual needs of adults requiring help with activities of daily living, but who do not require the skilled medical care provided in a nursing home.	
Senior Living, Nursing Homes	P	Nursing Homes: A facility, including for the aged or chronically ill, providing bed-care and in-patient services for persons requiring regular medical attention, but excluding a facility providing surgical or emergency medical services.	
Warehouse and Distribution	S		1, 2
Veterinary Hospital/Clinic	P	Veterinary Hospital/Clinic: A facility maintained by or for the use of a licensed veterinarian in the diagnosis, treatment, or prevention of animal diseases and injuries. Use as a kennel shall be limited to short-term boarding and shall be only incidental to such hospital use.	1
Windmills	SA		

### **District-Wide Performance Standards**

1. All site development shall comply with Section 240-54. Location of parking lot in relation to buildings. Parking lots shall be located to the rear or side of a building unless such location would have an adverse environmental impact or is infeasible due to configuration of the site.
2. Building and site design shall, in so far as practical, conform to officially published, local and regional design guidelines applicable to Cape Cod.
3. Driveways on Route 28, Route 132 and West Main Street shall be minimized. All driveways and changes to driveways shall:
  - a. Provide the minimum number of driveways for the size and type of land use proposed;
  - b. Provide shared access with adjacent development where feasible
  - c. Provide a driveway interconnection between adjacent parcels to avoid short trips and conflicts on the main road.

### Use-Specific Performance Standards

FOOTNOTE 1: The landscape setback from all residential property lines shall be 15 feet. Within the landscape buffer, existing mature trees shall be retained and shall be supplemented with plantings that will provide dense year-round screening, or a solid fence with landscape plantings on the residential side

FOOTNOTE 2: Parking areas for commercial vehicles and any exterior areas used for loading or storage shall be screened from view from the public way

FOOTNOTE 3: Drive-Through Aisles.

The minimum standards for drive-through aisles/drive-up windows (hereinafter “drivethroughs”) are as follows:

1. Drive-throughs shall not be located on properties with residential land uses.
2. Stacking. Drive-throughs shall provide a minimum 180 feet of stacking space, as measured from the service window to the entry point into a drive-up lane. Non-food or beverage establishments may reduce the stacking length to a minimum of 120 feet.
3. Site Ingress/Egress. On properties containing drive-throughs, all direct-access driveways must be constructed so that the point of tangency of the curb return radius closest to a signalized or stop sign-controlled intersection is at least 120 feet from the curb face of the intersecting street.
4. A drive-through entrance/exit shall be at least 50 feet from each right-of-way, measured at the closest intersecting curbs.
5. Circulation. Each drive-through aisle shall be separated from the circulation routes necessary for ingress or egress from the property, or access to a parking space.
6. Hours of Operation. When located on a site abutting a residential property, hours of operation for the drive-up/drive-through service shall be limited from 7:00 a.m. to 10:00 p.m. daily. If the use is
7. Landscaping. Landscaping shall be provided to screen drive-through aisles from the right-of-way and shall be designed to prevent vehicle headlights from the drive-through lane to be visible from abutting rights-of-way.
8. Pedestrian Access and Crossings. Pedestrian access shall be provided from each abutting street to the primary entrance with a continuous four (4' 0") foot-wide sidewalk or delineated walkway. Pedestrian walkways should not intersect the drive-through drive aisles, but where they do the walkways shall have clear visibility and shall be delineated by textured and colored paving.

Zoning District	Minimum Lot Area	Minimum Lot Frontage	Minimum Lot Width
HB	40,000 sq.ft	20 ft.	160 ft.

Front Setback	Side Setback	Rear Setback	Maximum Building Height
<del>60 ft</del> 20 ft <sup>1, 2</sup>	30 ft <sup>3</sup>	20 ft	30 ft <sup>4</sup>

Maximum Lot (Building) Coverage as a % of Lot Area  
30%

<sup>1</sup> Forty feet along Route 28 and Route 132

<sup>2</sup> The front yard setback shall be a landscape setback in which existing trees and shrubs shall be retained within and supplemented with other landscape materials in accordance with accepted landscape practices. Where natural vegetation cannot be retained, the front yard landscape setback shall be landscaped with a combination of grasses, trees and shrubs commonly found on Cape Cod. A minimum of one street tree with a minimum caliper of three inches shall be provided per 30 feet of road frontage and distributed throughout the front yard landscape setback area. No plantings shall obscure site entrance and exit drives and/or road intersections. All landscape areas shall be continuously maintained substantially in accordance with Article IX herein.

<sup>3</sup> The minimum total side yard setback shall be 30 feet, provided that no allocation of such total results in a setback of less than 10 feet, except abutting a residential district, where a minimum of 20 feet is required.

<sup>4</sup> Or two **and a half** stories, whichever is lesser.

**NEXT MEETING: June 07, 2018 6pm**

**ADJOURNMENT: 6:56pm**