



## Long Range Planning Advisory Committee (LPAC)

### Tuesday, September 16, 2014 Minutes

#### Attendance:

Name	Present	Name	Present	Name	Present
Paul Bergkamp	√	Kurt Klebe	√	Jim Thibodeau	√
Sam Rudman	√	Sandra Lipsey	-	Erin Mancini	√
Bill Benzing	-				

#### Council Liaison:

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#### Staff present:

Theo Holtwijk

#### Others present:

Judy Colby-George

The meeting was called to order by Sam at 6:03 PM.

#### 1. Review of Draft Minutes

The draft minutes of the August 14, 2014 meeting were approved as written.

#### 2. Neighborhood Mapping Analysis

The committee reviewed various options for changing the minimum lot size in The Flats to get an idea how that affected the level of non-conformity of that area relative to lot size. Judy did some computer mapping work to show what that might look like. With the current minimum lot size of 20,000 sf, approximately 85% of the lots are non-conforming. This could go to 76% with 15,000 sf lot size, 69% with 10,000 sf lot size, 38% with 9,000 sf lot size, and 26% with 7,500 sf lot size.

The committee felt that aiming for 75% conformity in established neighborhoods was a good goal to aim for.

The committee then discussed to what extent building setbacks could be reduced to create more conformity. In The Flats currently 92% of all buildings are non-conforming due to one or more setback violations.

Jim suggested that perhaps there could be two standards, one for already built lots (with reduced setbacks) and one for vacant lots (with larger setbacks). That might create an inequity between neighboring properties. The committee discussed the purpose behind building setbacks and saw them largely as maintaining privacy between neighbors and fire safety.

Kurt suggested that an approach be taken to allow improvements that are unrelated to a specific setback violation to be reviewed and approved by the CEO instead of Board of Zoning Appeals. For example, if someone had a front setback violation, but wanted to build a dormer on the rear of a house, such an application could go to CEO.

Jim felt that if proposals do not make a property more non-conforming, then it should be OK to approve such projects. Theo commented that such a rule is already on the books and that in no case may a non-conformity be increased.

The committee discussed that there could be a different setback for outbuildings versus main dwellings as outbuildings are typically placed closer to the property line.

The committee thought that aiming for a 75% conformity goal in each of the sample neighborhoods was good as the dimensions may differ in each area. Judy will work on that analysis, and will also investigate minimum lot sizes in the sample areas with the 75% goal.

Jim suggested that there should be absolute minimum setbacks in the R-A district. He suggested the following:

	<u>Current</u>	<u>Absolute minimum</u>
Rear	40 feet	20 feet
Front	25 feet	15 feet
Side - dwelling	20 feet	5 feet
Side – Outbuilding	20 feet	3 feet

The committee also wanted to get an idea how much potential future building capacity would be created by reducing the dimensional standards. The committee was interested to find out for the sample areas how much land there was available on built lots that were three times greater than the proposed new lot size minimum. For example, if the new lot size was 7,500 sf, then the acreage of all lots greater than 22,500 sf would be identified. Vacant lots that are five times greater than the new minimum lot size would also be identified for future building potential.

Kurt suggested that a combined side setback was another way to relieve non-conformity of side setbacks. For example, a house may be close to one side and be nonconforming, but may have a lot of room on the other side. If the average of both setbacks was conforming, then such a building could be considered conforming.

The committee liked the approach of setting some different dimensional standards (such as for lot sizes) and drafting some language concepts that would address setback non-conformities that did not seem to matter as much as others.

Theo will check with the Fire Chief if there are standards regarding separation between single family dwellings.

Judy noted that the Yarmouth Board of Zoning Appeals hardly has any cases. Theo will take a look at the Yarmouth ordinance to see how non-conformities are dealt with and what the requirements are for built-up areas.

Besides the sample areas in the R-A district, Judy will also do similar work on the R-B district. The committee did not think that any work on the R-C district was needed.

The committee thanked Judy for her work and for coming to the meeting.

### **3. Accessory Dwelling Unit Discussion**

Theo reviewed the Accessory Dwelling Concepts memo, dated September 4<sup>th</sup>. Seven steps had been laid out to address Accessory Dwelling Units (ADU's).

Step 1 is in process with the work by Judy Colby-George.

Step 2: The committee liked option 1 with Kurt's suggestion to send projects that are unrelated to a specific non-conformity to the CEO.

Step 3: The committee agreed that the standards for apartments and cottages should be identical, that a formula should be as simple as possible, and that accessory units should be subordinate in scale to the main dwelling.

Jim suggested that ADU's could be as large as 75% of the floor area. Sam asked what the relationship was with the ADU case on Town Landing Road. Theo will look into that.

The committee felt that a maximum of 50% may be more appropriate. Sam was interested to find what ADU standards other communities have.

Jim suggested an alternative approach: have an absolute limit of 75% of the main dwelling size and have the CEO approve all ADU's that are less than 1250 sf, and have the BZA approve any ones that are more than 1250 sf.

Step 4: Kurt suggested that the current compatibility language may be too vague. Theo will provide that language to the committee, so it can determine if language changes may be in order. The committee was not looking to create new architectural standards for ADU's.

Step 5: Kurt suggested that at a minimum a long-term lease on either the main dwelling or the ADU may be appropriate. The committee was not sure how that could be overseen by the Town. Sam suggested that an owner residency requirement should be considered for ADUs. Jim made a case why an owner residency requirement may not be appropriate. The committee agreed that issue of weekly rentals is unrelated to ADU's.

Step 6: The committee agreed to add a reasonable off-street parking requirement for ADU's. Theo will make a suggestion at the next meeting. Sam asked if garage space for an ADU is currently counted to the ADU size. Theo will look into that.

Step 7: The committee agreed that the current submission requirements could stay as is.

#### **4. Next Steps**

The next steps will be:

- Judy to do the data preparations regarding non-conformities in the Growth Area in the sample neighborhoods.
- Theo to prepare an updated approach to address ADU's.

#### **5. Next Meeting**

No date was set for the next review of the Growth Area work, pending the receipt of a work schedule from Judy Colby-George.

The committee will meet with CDC on October 9 at 6:00 PM to do an outreach meeting with other Town board and committee members.

The meeting was adjourned around 8:30 PM.

Draft minutes prepared by Theo Holtwijk, September 18, 2014