
YARMOUTH PLANNING BOARD MINUTES

January 10, 2024

I. CALL TO ORDER

Chair Holden called the meeting to order at 7:02 PM.

II. ROLL CALL OF MEMBERS

PRESENT ABSENT

Wendi Holden, Chair	X	
Janet Hansen, Vice Chair	X	
Hildy Ginsberg	X	
Mary Lynn Engel	X	
Jerry King	X	
Ian Cromarty	X	
Matt Schumacher	X	

OTHERS

Erin Zwirko, Planning Director
Julie Dubovsky, Assistant Planner

III. APPROVAL OF MINUTES

Upon a motion duly made by Matt Schumacher, seconded by Janet Hansen, and carried by a roll call vote of 7-0, the minutes of the December 13, 2023, meeting were approved.

IV. COMMUNICATION

Erin acknowledged and thanked the Planning Board members for attending the first of the Housing Summits on Monday, January 8, 2024, and noted that the recording will be available shortly online for those who were unable to attend to view.

V. PUBLIC HEARING ITEMS

A. OLD BUSINESS:

None.

B. NEW BUSINESS:

1. Action Item: Substantial Modification of Contributing Structures in the Demolition Delay Overlay Zone and within the Upper Village Historic District, 37 South Street, Map 41 Lot 14; Nicola Manganello, Nicola Inc, Applicant.

The applicant is requesting review of the alterations to the structure that are readily visible from the public street, which are considered a substantial modification. The alterations include expanding the primary structure to connect with the barn that will serve as a garage. Additional changes to the exterior façade of the principal structures include shed roof dormers and egress windows on the third floor, replacement of multiple windows and additional new windows, replacement of the wood siding with new cedar clapboards, a new roof with modifications to slope, and a full reconstruction of the front porch. Modifications to the barn include new doors, a new tip-down (jerkinhead) roof, and a new second floor window.

The applicant, Nicola Manganello, presented changes made to the proposal

following the December meeting of the Historic Preservation Committee (HPC), such as the removal of the rear second floor deck and revisions to the window styles.

The Board did not have any initial questions for the applicant and praised the applicant for their renovations and design changes to accommodate the HPC.

Chair Holden opened to public comment.

Ed Ashley, 20 Spartina Point and HPC Member.

He commended the applicant for working with the HPC and that the revised plans are great, meet the requirements, and satisfied Article IX to retain and respect the significant character defining features of the structures.

Public comment closed.

The following motion was made:

On the basis of the plans presented by the applicant, the testimony and public hearing, and of Planning Memo dated January 10, 2024 regarding the application of Chapter 701 Article IX, Historic Building Alterations and Demolitions, for the substantial modifications to 37 South Street, Map 41 Lot 14, Nicola Manganello/Nicola LLC, Applicant, the Planning Board finds that the proposed design retains and respects the significant character defining features of the building, and therefore waives the delay period, and allows that the substantial modifications proceed subject to Town Planning Authority approval with the following conditions:

1. The application is approved per the changes reflected in revised drawings, dated December 21, 2023, and the conditions of the Historic Preservation Committee below:
 - a. All the existing brackets and returns will remain in place (assuming they are salvageable),
 - b. Double hung windows on the drawings will be 9/6 on the first floor and 6/6 on the second floor,
 - c. The existing front door will be reused if serviceable or replaced with an identical door,
 - d. The existing chimney will be reused, or if replaced, the new chimney will be faced with brick.
2. Prior to the issuance of a building permit, the applicant shall receive written approval from the Yarmouth Water District regarding the property's connection to the municipal water main and determination of water service capacity for a fire sprinkler system, per Chapter 317, Fire Sprinkler Ordinance. Evidence of such approval shall be provided to the Director of Planning & Development, Code Enforcement Officer, and Fire Chief.
3. Prior to the issuance of a building permit, the applicant shall receive a Right of Way Permit from the Yarmouth Department of Public Works. The applicant shall update the Site Plan drawing for the Right of Way permit to reflect that the existing driveway and paved apron to the left of the house will be removed and restored to grass, and clarify the driveway dimensions, materials, and design within the South Street Right of Way for the existing driveway to the right of the house.

4. South Street is under moratorium until 2028. Any paving impacts shall be subject to moratorium restoration standards.
5. Contractor parking is prohibited on South Street, Cumberland Street, and Center Street.

Such motion moved by Hildy Ginsberg, seconded by Matt Schumacher, and voted 7 in favor, 0 opposed.

2. Action Item: Final Ch. 702 Site Plan Review, Bickford-Mahan Collection Building Expansion; Commercial II District; 38 Yarmouth Junction; Map 16 Lot 2; 38 Yarmouth Junction, LLC, Applicant.

The applicant is requesting a final review of a Major Site Plan to expand the existing Bickford-Mahan Collection Truck Storage Building. The 4.08-acre property contains a truck storage barn, a truck restoration shop, and a shed. The project proposes two phases of work: the first is a removal of approximately 2,300 cubic yards of stockpiled material from the site and the second is an expansion to the existing truck storage facility by 22,400 square feet, as the existing facility is at capacity. The northwest corner of the building addition extends into the wetlands by approximately 14 feet but is below the threshold of the DEP Natural Resource Protection Act. Additional site improvements include minor site grading to match the existing gravel parking area.

The applicant's representative, Rick Licht of Licht Environmental Design, LLC, provided an overview of the proposal, the comments and conditions from the Staff Report, and the requested waivers. Since the initial application, they've undertaken additional research into the origins of the 2-inch existing water line from East Elm Street. The building is required to have a sprinkler and the applicant is working with the Yarmouth Water District and sprinkler consultants to review the design and extend a main from East Elm to the property. R. Licht requested to make that a Condition of Approval subject to issuing a Building Permit. They acknowledged that there is small wetland fill proposed and that it should not impact the extensive wetlands between site and the railroad. A requirement of the buildings original review and construction in the 1980s required excavated materials be retained on site, but now they must be removed. R. Licht reviewed the waivers being requested (a full stormwater analysis, a full traffic analysis, a high intensity soil survey, and a photometric survey) and their respective justifications.

M. Schumacher asked about emergency egress at the building. R. Licht pointed out the 18-foot overdoor and that building code require other "people-doors" for egress to meet NFPA and Public Safety codes.

The Chair opened to public comment.

No public comments.

Public comment closed.

The Board discussed the proposed Conditions of Approval and determined to strike Condition 2 referring to vegetative slopes as the applicant preferred to proceed with a riprap installation.

The following motions were made:

Based on the application, plans, reports and other information submitted by the applicant, information from the public hearing, information and the findings and recommendations contained in Planning Board Report dated January 4, 2024, for Major Site Plan, 38 Yarmouth Junction, LLC, Applicant; Bickford/Mahan Collection Building Addition, Map 16 Lot 2, regarding compliance with the applicable regulations and standards of Chapter 702, Site Plan Review, the Planning Board hereby finds and concludes that not requiring a traffic analysis, photometric plan, stormwater analysis, and high intensity soils report is consistent with intent of the Site Plan Review Ordinance and is therefore approved.

Such motion moved by Janet Hansen, seconded by Ian Cromarty, and voted 7 in favor, 0 opposed.

Based on the application, plans, reports and other information submitted by the applicant, information from the public hearing, information and the findings and recommendations contained in Planning Board Report dated January 4, 2024, for Major Site Plan, 38 Yarmouth Junction, LLC, Applicant; Bickford/Mahan Collection Building Addition, Map 16 Lot 2, regarding the compliance with the applicable regulations and standards of Chapter 702, Site Plan, the Planning Board hereby finds and concludes that the Major Site Plan meets the required standards and is therefore approved subject to the following conditions of approval:

1. Prior to the issuance of a building permit, the applicant shall submit written approval from the Water District regarding the public water infrastructure connections, services, and sizes for fire suppression to the Fire Chief, Code Enforcement Officer, and the Director of Planning & Development for review and approval. If there are any pavement impacts to East Elm Street as a result, moratorium restoration standards will apply.
2. Prior to the issuance of a building permit, the applicant shall provide the DPW Director with evidence that a commercial solid waste hauler has been contracted with to remove any solid waste as the facility is not eligible to dispose of waste at the Yarmouth Transfer Station.
3. All erosion and sedimentation controls (ESC) best management practices (BMPs) shall be installed prior to the disturbance of site soils and vegetation including BMPs to prevent track out on East Elm Street. During construction, the applicant and their construction manager/contractor shall perform the required inspections and enforcement of the ESC plan per MDEP requirements, including weekly inspections and documentation of all inspection work. It is also important that the BMP's be inspected before and after each rainstorm per MDEP standards. In addition, the Town will be performing site inspections and will be reviewing the inspection records per the Town's NPDES MS4 General Permit.
4. All storm drain infrastructure shall conform to Yarmouth Town Standards. All connections to Town infrastructure shall be per Town requirements.
5. An irrevocable letter of credit or cash escrow and a non-refundable two percent (2%) inspection fee will be required for the estimated cost of the stormwater BMPs and sediment/erosion control prior to the issuance of the building permit. Also, prior to issuance of building permits or the commencement of work, the applicant and their selected construction contractor shall attend a pre-construction

conference with Town staff at a mutually agreeable date and time. Also, prior to issuance of building permits, the applicant shall satisfy all Town concerns and provide updated drawings as required. All other permit applications and fees will be required prior to the release of a building permit.

Such motion moved by Janet Hansen, seconded by Mary Lynn Engel, and voted 7 in favor, 0 opposed.

3. Action Item: Preliminary Contract Zone Agreement and Minor Subdivision, Chapter 701 Article IV.V, and Chapter 601, Minor Subdivision, 251 West Main Street, Map 46 Lot 86, Julia Libby, Applicant.

The applicant is requesting a preliminary review of a Contract Zone Agreement (CZA) and Minor Subdivision to divide the existing 1.88-acre lot into three lots, not otherwise permitted in the Medium Density Residential (MDR) Zone, which has a 1-acre minimum lot size. The proposal also includes preserving the existing historic house through a Historic Preservation Agreement and the implementation of a Forest Management Plan. The Planning Board will consider recommending the contract zone to the Town Council, and a vote may be taken, but it will not be the final vote. Public comment will be received.

The applicant, Julia Libby, presented changes made to the application since her last appearance before the Planning Board in September 2023. The proposal remains to subdivide into 3 lots, preserve the existing historic home and use a Forest Management Plan at the rear to protect the wooded area. Applicant showed a conceptual rendering to give a sense of scale and revisions to lot orientations and building envelopes in response to HPC suggestions. J. Libby showed some options of what could work under LD 2003, such as demolishing historic house, and building of four new single-family homes. She proposed a new amendment limiting the development potential of the new lots by preventing further subdividing or use of the Residential Density Allowance through LD 2003.

Following the applicant's presentation, the Board assessed whether they felt ready to vote on the item. Three of the members felt it was ready to be voted on with the additional assurance to neighbors of prohibiting any allowances under LD 2003 and shifting of properties towards West Main Street's frontage to maximize conservation of the trees.

The Chair opened to public comment.

Nancy Gorden, 240 W. Main St.

Appreciate the fact LD 2003 was taken off as a possibility. Still think this proposal, which claims "no traffic impact" that there still will be at that location. Specious to say there's no traffic impact at all. Still has concern about stormwater, especially with recent storms and would like to hear more information on that. Still opposed to the cutting down of trees and impact on habitat. Placement of driveways is a traffic issue. Advisory nature of the HPC is problematic. Forest Management Plan is toothless and unclear how that works. Went to the meeting on Monday for Affordable Housing and it was wonderful.

Jim Crofts, 51 Deacon Rd.

LD 2003 still could be AH density bonus or cluster homes. 1 parking spot per unit seems way undersized. Interested in responsible development vs. unconstrained. And ADUs are not mentioned and now could be much bigger than 900 square feet.

Chair Holden asked E. Zwirko to clarify the application of LD 2003. The MDR on a 1 acre lot essentially only allows 1 dwelling unit, and this site doesn't have that 2-acre threshold, so the maximum under existing zoning is a 1 unit. The 2.5 density bonus only applies to the underlying zoning, so they would all have to be Affordable units. Cluster development is a long-standing option in Yarmouth's zoning ordinance that is an alternative to subdivisions.

Ed Ashley, 20 Spartina Pt.

Question: My understanding from the presentation is that what you see is what you get, and that it wouldn't be susceptible because of deed restriction.

Chair Holden asked the applicant to clarify, as this was her understanding as well. Julia Libby clarified that the intention of the deed restriction will only SFH and one ADU, like the rest of the state can do now. Chair Holden affirmed that it would be helpful for the application to affirm the intended building type.

Susan Prescott, 58 Hillside St.

First spoke as a member of the Tree Advisory Committee. Dismayed that the Forest Management Plan has not been presented. Feel strongly the Committee and Tree Warden should see the plan prior to any recommendations to the Council. This Forest Management Plan involves forestation rather than a conservation agreement. Placement of the building envelopes conflicts with where the trees and underground utilities are. Speaking as an individual: feel CZAs are essentially spot-zoning, which are not a proper way to make decisions. Question the public benefit, which is purely for the developer. Also attended Monday's housing meeting; a lot of people in our town devoted a lot of time to that, and these kinds of decisions should wait until that comp plan work is done. Lots of conversations about lot sizes in the MDR and hopeful that part of that process will include a discussion about building envelopes that balance the green and lot coverage. Make thoughtful decisions about our environment and climate issues and preserve trees and thoughtful development forms.

Richard Hubble, 274 W. Main St.

In attendance to learn more about this. Some of the comments made suggest that don't really know what we're going to get. If the CZA is written up, if the parties that buy it can't deliver or sell the lots and meet this, what can they do? Unclear how a Forest Management Plan might affect potential purchasers of the property. Is there a timeframe for how long that would last? After discussion of LD 2003, if a developer came along and bought both lots, could they combine them again and build an Affordable Housing Development.

Chair Holden clarified that as part of the CZA, they couldn't do that. The Planning Board makes a recommendation to the Town Council. If they approve, it comes back to the Planning Board for final approval, in this case subdivision approval. E. Zwirko explained that through the Town Council, if the timeframe expired, the site could be subject to changes in the future via the Town Council.

Hillary Oat-Judge, 209 West Main St.

Just learned of this project on Sunday. Landscape architect with experience in stormwater and native plantings. Two doors down from Chapin property. Submitted public comment and wanted to emphasize as someone who does this professionally, struck by the lack of detail before the PB for a vote. According to the Staff Report, missing 7 key plans, drawings, that would help the board and community understand what's being proposed. Lack of soils report is concerning due to adjacent properties experiencing changes to the water level, flooding, and tree loss due to impact of other subdivisions. No stormwater management plan. No actual Forest Management Plan just a summary. As described, Forest Management Plans gives enormous latitude to the homeowners to deforest lots; details of the plan need to be vastly changed. Concerned that the staff noted a Forest Management Plan may not be enforceable. The Historic Preservation Agreement appears to be essentially toothless because language also gives latitude to the homeowner. Leaves a lot to the goodwill of future prospective property owner. Is this building envelope a recommendation or a requirement for future prospective property owners?

Mary Chapin, 233 B West Main St.

Comments submitted electronically and has concerns that have already been mentioned by people already spoken. Had a surveyor out at 233 W. Main, concerned about boundary being so close and a structure can be built at current setback of 10 feet. Very concerned about the stormwater management plan. Will new homeowners realize the expense such a project incurs. Biggest concern: the public good. Concerned that a future owner trying to get the CZA will subdivide that acre further. Consider getting rid of CZAs a detriment to historic communities. What is the public good? Maintaining the historic structure is a plus but what else is? Who is going to monitor those plans? Require the applicant to submit the missing documentation before going to TC.

Zoe Rockwood, 59 Deacon Rd.

Confused how could be back here a third time with almost nothing has changed. Confused by the last-minute changes made that would not take advantage of one section of LD 2003. Most people don't understand the implications of LD 2003. Important for a CZA to be honest what your plans are and how it all comes together. Lived here 15 years and have never met a single-car household. Live next to Village Run and know how water on property has changed since. Village Run was supposed to be affordable and "net zero" and homes sold for high and re-sell higher. Still have conflicting boundary surveys with the applicant. Want to know exactly how many units would be on it. Water issues need to be addressed. Unfair to the neighbors to pay the price for the lack of transparency.

Susan Gifford, 41 Newell Rd.

Attending past meetings. Approving seems immature with Comp Plan update underway. Concerns that all the neighbors who have spoken and written continue to raise the issues but seems they're continuing ignored. Driveway off of Newell Rd has not been refined. The staff report mentions that the sightlines might be an issue. Huge existing issue because the neighborhood doesn't have sidewalks. Adding a new driveway makes it less safe. No details in Forest Management Plans, no tree inventory done. Questions about why needs to be divided into 3 lots. CZAs are problematic,

pitting neighbors against each other, and no oversight. We are the public, so what's the benefit.

Ed Libby, Applicant.

Was also at the summit on Monday night. It was discussed that night that there are two barriers to the housing situation in Yarmouth: zoning overwhelmingly (with a solution being smaller lots) and the other one is NIMBYism/public education. This meeting is a good opportunity to analyze and educate on what NIMBYism is. Everyone is complaining about missing information. Chapter 701 states that there are several distinct requirements to get a preliminary subdivision approval; the planning report states that those have been met. The requirements that haven't been met yet are for the next stage. In between those stages, a whole other portion is the zoning change request to the Town Council. Ask that the Planning Board do their job and let the Town Council do their job.

Nancy Gordon, 240 West Main St.

NIMBYism. When I was at that Housing Summit the word did come up. I don't think there was anybody there or here who doesn't want someone moving into our part of town or no houses. I think what we're saying is that this small project in this small, microscopic area of Yarmouth is not the right place for this subdivision. As far as zoning is concerned, that was townwide zoning. Look at broader prospect. When I think about the Tree Committee, look at the number of trees to be taken down for those two houses. Third piece of LD 2003, of what it could look like, feels like a scare tactic. Don't think the Forest Management Plan has any teeth to it or Historic Preservation Agreement does either. Can each of those homes have an ADU?

E. Zwirko reaffirmed that any single-family homeowner now could apply for an ADU.

Richard Hubble, 274 W. Main St.

Re: ADUs and the proposal, only one parking space per unit. Does the code require an additional parking space?

E.Zwirko explained that ADUs are not required to have additional parking beyond what is required for the home.

Ed Libby, Applicant

Could you please clarify that the parking is a minimum requirement, not a mandate, and confirm that ADU, a primary dwelling and parking requirements are the same all over town.

E. Zwirko confirmed, and noted it is not clear in the CZA whether it is a minimum or a maximum.

Zoe Rockwood, 59 Deacon Rd.

Would like clarification: Are the applicants proposing exactly how many households could be here? 3 lots and how many households? Would like a number.

Chair Holden reiterated that this question of "what you see is what you get" was raised earlier. As of now, the zoning would allow each Single-Family-Home to have an ADU. The applicant clarified that she is not proposing any houses, only that the intent

is to subdivide to create 3 lots.

Chair Holden closed public comment.

The Planning Board members discussed the public comments heard, the current application, and the merits of moving it forward to a vote.

Some members felt the application was moving towards what the comprehensive plan update is moving to, while others felt it was premature to look at this from a micro-view while the macro was still in debate townwide and a public benefit wasn't evident when written so vaguely presently. The Board discussed how in 2020 the Board determined that 251 West Main St was a Building of Value, so the preservation may have public benefit. The Historic Preservation Committee's recommendations from their December 2023 review must be included in the CZA and should be before it goes to the Town Council. J. Hansen also noted that "Forest Management Plan" is the wrong terminology and that a Forest Stewardship Plan would be more responsive to public concerns. There was some discussion that the safety and traffic impact concerns in the Newell Road subdivision and on West Main Street are independent, and that concerns for "health, safety and wellbeing," while subjective, have not be addressed in the current application.

Chair Holden asked for additional clarification on this application, the impact of LD 2023. LD 2003 approved and why a CZA is being pursued. E. Zwirko clarified that the two don't necessarily relate as there are often many pathways to achieve the same result in zoning. It was an active application prior to LD 2003's adoption and the applicant may choose her path. The applicant could decide to set aside the CZA to pursue development under LD 2003. Nothing in LD 2003 is mandated on any property owner. Noting that the applicant's current proposal removes the allowances of Chapter 701, Article II.EE (LD 2003 dwelling unit allowances). E. Zwirko added that any restrictions need to be printed on the Final Subdivision Plan, per the notes from the Code Enforcement Office included in the Staff Report. If those items are clearly shown it aids the department in ensuring that property owners are adhering to the requirements of the CZA.

Chair Holden summarized the current issues voiced tonight: 1) difficulties with driveway off Newell Rd, 2) number of dwelling units on the properties, 3) the items missing still from the application, and 4) what specific information the Board feels it needs to make that decision. The information people keep asking for is required for final approval, like building envelopes and lot coverage and setbacks. The Board clarified that the lot, forest, and historic home are not "protected" and can be developed under current zoning in other ways that do not require Planning Board review.

E. Zwirko reviewed the list of additional conditions for the motions, and suggested that under motion for preliminary subdivision plan, to add a 9th condition to coordinate with Department of Public Works and the Town Engineer to develop a sidewalk or improvements on Newell Rd, even if it is a short segment due to limited ROW. Under the CZA, she recommended a 4th and 5th condition that states that applicant shall revise Exhibit 1 to note prohibition of any density increases through Chapter 701, Article II.DD and Article II.EE, to prohibit any lot from being subdivided further, and to

prohibit the addition of an ADU. The 6th condition would be that the parking required shall meet the requirements of Chapter 701. The 7th condition would be that the CZA references the preliminary subdivision plan.

E. Zwirko reminded the Board that the Applicant can proceed to the Town Council with a negative recommendation from the Planning Board, but if the preliminary subdivision vote fails, the applicant cannot proceed to the Town Council. The Board discussed tabling the application. E. Zwirko noted that the Board will need the applicant's agreement to table the application. The applicant stated that she would prefer a vote even if negative to the Town Council rather than to table a decision.

Chair Holden re-opened public comment.

Ed Ashley, 20 Spartina Pt.

To confirm, these amendments take LD 2003 off the table?

E. Zwirko indicated that was the case.

Chair Holden closed public comment.

The following motions were made:

On the basis of the application, plans, reports and other information submitted by the applicant, and the findings and recommendations contained in Planning Board Report dated January 4, 2024, for division of the lot at 251 West Main Street into three lots and subsequent residential home construction, Julia Libby, 251 West Main, LLC, applicant, Map 46 Lot 86, the Planning Board finds that the plan is acceptable for preliminary approval, subject to the following conditions of approval:

1. The applicant shall illustrate the required Landscape Standards of Chapter 703, Article 5.N on the final subdivision plan.
2. The applicant shall depict the required sight distances for driveways outlined in Chapter 604, Right of Way, on the final subdivision plan.
3. The applicant shall receive written approval from the Town Engineer regarding the proposed sewer connections prior to the submittal of the final subdivision plan. The proposed sewer connections shall be incorporated into the final subdivision plan.
4. The applicant shall continue to coordinate with the Yarmouth Water District regarding the proposed domestic and sprinkler services prior to the submittal of the final subdivision plan. The proposed water connections shall be incorporated into the final subdivision plan.
5. The applicant shall submit a full stormwater analysis that meets the requirements of the Town Engineer as outlined in his memorandum dated December 18, 2023, including development a strategy to limit impacts for stormwater runoff to the abutting lots to the north.
6. The applicant shall prepare an Erosion and Sedimentation Plan for submittal with the final subdivision plan.
7. The applicant shall submit a high intensity soils report with the final subdivision plan.
8. The applicant shall confirm whether the project is subject to Site Law

requirements as well as the requirements of the Maine Construction General Permit (MCGP) during construction.

9. The applicant shall coordinate with the Department of Public Works and the Town Engineer to develop a plan for a sidewalk segment on Newell Road that meets Town standards.

Such motion moved by Janet Hansen, seconded by Jerry King, and voted 4 in favor, 3 opposed, Hildy Ginsburg, Matt Schumacher and Wendy Holden.

On the basis of the application, plans, reports and other information submitted by the applicant, and the findings and recommendations contained in Planning Board Report dated January 4, 2024 for Contract Zone Agreement pertaining to 251 West Main Street Julia Libby, 251 West Main, LLC, applicant, Map 46 Lot 86, the Planning Board finds that the plan is in conformance with the Yarmouth Comprehensive Plan and advances the public good, and therefore recommends that the Town Council adopt the proposed contract zone amendment, subject to the following conditions of approval:

1. The applicant shall adopt the Historic Preservation Committee's preferred language for Exhibit 2 of the proposed Contract Zone Agreement (CZA).
2. The applicant shall complete Forest Mangement Plan and incorporate it into the Contract Zone Agreement (CZA) following consultation with the Tree Warden, Code Enforcement Officer, and Director of Planning & Development prior to the submittal of the CZA to the Town Council.
3. The applicant shall update Exhibit 1 of the proposed Contract Zone Agreement (CZA) to reference the Landscape Standards of Chapter 703, Article 5.N, as approved or amended by the Final Subdivision Plan.
4. The applicant shall update Exhibit 1 of the proposed CZA to prohibit any density increases under Chapter 701 Article II DD and EE and prohibit further subdiviison.
5. The applicant shall update Exhibit 1 of the proposed CZA to prohibit ADUs on any of the lots.
6. The applicant shall update Exhibit 1 of the proposed CZA to indicate that each lot will comply with the residential parking requirements of Chapter 701.
7. The applicant shall update the proposed CZA to reference the Doughty Woods Subdivision Plan as provided in the application submitted on November 1, 2023 so that the building envelopes are restricted to the areas shown on that plan.

Such motion moved by Janet Hansen, seconded by Ian Cromarty, and voted 4 in favor, 3 opposed, Hildy Ginsburg, Matt Schumacher and Mary Lynn Engel.

VI. OTHER BUSINESS

A. Election of Chair and Vice Chair for 2024

Mary Lynn Engel nominated Wendy Holden for Chair, who accepted. Janet Hansen agreed to stay as Vice Chair and both were approved unanimously.

ADJOURNMENT

Approved: 1/24/2024

With no objection, the meeting adjourned at 10:08 PM

Respectfully submitted:

Julie Dubovsky, Assistant Planner