

**MINUTES - PLANNING BOARD**  
**August 19, 2013**  
**Large Hearing Room – 6:30 p.m.**

Present: Mezzadri, (Chair), DiManno (Vice-Chair), Nashawaty, (Clerk), Eldredge, Farmer, Patterson, Clancy (Alternate)  
 Zoning ByLaw: White, Kelley, McPhee  
 Absent: Malzone  
 Staff: Fortier, Gregory

<b>JOINT MEETING: 6:30 PM</b>
<b>Item #1:</b> Drive-Thru discussion
<b>Discussion:</b> Mr. Fortier raised the question to the Board as to whether non-food service/non-bank drive thru windows should require special permit review. In particular, dry-cleaners and drug stores have started to make use of these facilities, and they do not always require five or more additional parking spaces; therefore, they bypass the need for Zoning Board approval. Mr. Fortier noted that a poorly constructed drive thru has potential adverse effects on traffic flow, air quality, and parking, which is why some type of review process is prudent. He has reviewed how other districts handle this issue and after a brief discussion, the Members agreed that Mr. Fortier should continue to research this matter and share his recommendations at the next meeting.
<b>Item #2: Kennel Discussion Continued</b>
<b>Discussion:</b> As Mr. Kelly and Mr. McPhee were absent from the last meeting, Mr. Fortier gave a review of the prior discussion regarding the need for amending the zoning bylaw as well as the suggested definition changes made. There was also discussion regarding the appropriate distance of a kennel from a property boundary and whether setbacks need to be added to zoning. In the interest of time, it was decided that this topic will be continued to the next meeting.
<b>PLANNING BOARD: 7:15 PM</b>
<b>Item #1: ANRS's if any. None</b>
<b>Item #2: Dennisport Partners, LLC, 19/21 Elkannah Howland Road, South Dennis</b> requests a minor modification to access. The property is located in the R-40 District at 19 and 21 Elkannah Howland Road, South Dennis (Assessor's Map 129-63).
<b>Discussion:</b> Attorney David Reid submitted a letter dated August 12, 2013 on behalf of the applicant requesting this item be removed from the agenda as they have decided not to proceed with the proposed modification. The letter also noted that the clearing of the land between the Dennisport Partners property and the paved portion of Millers Road was the result of a misunderstanding by the contractor. They have erected a Jersey barrier to prevent vehicles from entering at Millers Road. Mr. Mezzadri noted that originally a wood chip foot path had been approved but not a total clearing of the land. He also noted that the Jersey barrier was inappropriate. Mr. Fortier stated that he notified Mr. Reid of the need for a different type of barrier to be erected. Ultimately the status of Elkannah Howland Road will be determined in court.

<p><b>Item #3: Barry and Stephen Foss, 9 Country Lane, Dennisport, MA</b> are seeking to develop a four-unit residential complex with one deed restricted affordable housing unit under section 4.9 of the Dennis Zoning Bylaw. The property is located in the DPVC (B) District at 9 Country Lane, Dennisport, MA (Assessor’s Map 89, Parcel 20).</p>
<p><b>Discussion:</b> An email was submitted by Ray Catarino on behalf of the applicant to withdraw this project without prejudice.</p>
<p><b>VOTE: A Motion was made by Ms. Farmer and seconded by Ms. DiManno to accept the Withdrawal without prejudice. VOTE: 7-0-0: WITHDRAWN.</b></p>
<p><b>Item #4: TOWN OF DENNIS</b> is holding a Public Hearing on scenic roads for removal of eight trees at 60 Fisk Street, West Dennis, (Assessor Map 46-35); two trees at 4 Pleasant Street, West Dennis, (Assessor Map 29-3); one tree at 144 Fisk Street, West Dennis, (Assessor Map 29-28); one tree at 390 Main Street, South Dennis (Assessor Map 128, Parcel 8); one tree at 81 Hope Lane, Dennis (Assessor Map 350, Parcel 9); two trees at 77 Hope Lane, Dennis (Assessor Map 350, Parcel 27); two trees at 10 Old Bass River Road, South Dennis (Assessor Map 150, Parcel 19); one tree at 33 South Street, East Dennis (Assessor Map 397, Parcel 22). All trees have been flagged.</p>
<p><b>Discussion:</b> David Johansen, Director of Public Works and Tree Warden, reviewed each request for tree removal citing the various reasons, which included dead leads, safety/site line issues, proximity to utility lines and property owner’s requests. On a number of trees property owners have offered to foot the cost of removal. Henry Kelley supported the removal of the South Street tree but asked that the one living trunk out of the four be preserved, if possible. However, Mr. Fortier noted this was not feasible. A scenic road map and list is available for viewing online.</p>
<p><b>VOTE:</b> A Motion was made by Ms. Nashawaty and seconded by Mr. Eldredge to approve the removal of the trees as noted above. <b>VOTE: 6-0-0: APPROVED.</b></p>
<p><b>Additional Business:</b></p> <ol style="list-style-type: none"> <li>1. Planning Board Member Committee reports: Ms. DiManno noted that the Community Preservation Committee is in the process of awarding funding for affordable housing. Mr. Fortier noted that the next Lowes meeting will take place at Dennis-Yarmouth High School on 8/22/13.</li> <li>2. Review the Minutes of August 5, 2013. The Board unanimously approved these with edits.</li> </ol>
<p><b>The meeting adjourned at 8:00 PM</b></p>
<p><b>The Board unanimously approved these minutes on October 7, 2013.</b></p>