

**Joint Meeting of Regulatory Boards (Health, Conservation, Planning, ZBA) and Special Zoning Task Force. Earle Mountain Room/Zoom hybrid, June 21, 2022**

**Meeting called to order at 5:03, Art Autorino, Moderator**

Attendance roll call for Board members.

**Board of Health:** Joanna Buffington, Chair (in person), Hope Plavin (in person), Francie Williamson (in person) - quorum. Jane Crowley, Health Agent (ZOOM)

**Conservation Commission:** Sheila Filipowski, Chair (in person), Karen Strauss (Zoom), Janet Benjamin (Zoom) - no quorum. Keith Johnson, Conservation Agent (in person).

**Zoning Board of Appeals:** Joanne Verlinden, Chair (in person), Bob Bruns, Vice Chair (in person) - no quorum. Paul Lagg, staff (in person)

**Planning Board:** Dan Coppelman, Chair (in person) - no quorum. Rachel Butler (in-person) housing coordinator, staff (in person)

**Zoning Task Force:** Mary Nee, Chair (in person), Carolyn McPherson (in person), Bob Bruns (in person)

**Introduction (AA)** - overview of the agenda, Strategic Plan and goals for the meeting.

Board presentations made (see slides for mission, jurisdiction), with primary areas of concern highlighted below.

**BOH (JB presenting)** - water protection/wastewater continued threats with increasing size of renovations and accessory structures despite bedroom count limitation; rental certificate program can begin to address occupancy concerns, but pro-active prevention of overuse is not realistic.

**ZBA (JV, RB presenting)** - what is “detrimental” to neighborhood - a subjective term; divergent decisions/rulings among the different Boards; enforcement of existing Zoning/Building regulations; challenge of reaching 10% of housing stock being “affordable”

**CC (SF presenting)** - water, resource area protection, environmental considerations outside of Cons Comm 100 foot buffer – ex. Natural Heritage biomap overlays should be considered in any development and this is not consistent or thorough; overall environmental impact considerations/climate change; coastal erosion with continued and increasing revetments and construction. Should size and coverage be more restrictive in resource areas? Enforcement of existing regulations - more education is needed for those seeking development or other work in these sensitive resource areas.

**PB (DC presenting)** - wastewater; groundwater protection district; state category of “approval not required” (ANR); rental overuse; DC shared that his preference is that if other regulatory boards are to review, those occur before a project goes before the PB.

**SZTF (MN presenting)** - density of development, with wastewater and environment a critical factor in determination.

Beginnings of discussion and direction including RB's question "Is there a tipping point on water quality that will require ... (specific control measures)" and working with Orleans on water quality issues. Health Agent Crowley shared the collaborations on pond, beach and estuary water testing, with closures of public beaches if needed, and EPA mandate/lawsuit to clean up impaired waterways (e.g., Town Cove) to comply with the Clean Water Act. The Board of Health and Conservation Commission are the primary regulatory agents for water quality and the environment, but they do not have jurisdiction over the much broader environmental issues that are negatively impacting our water/air/land outside of Title V/Septic regulations and 100' buffer areas.

**Some steps to consider:**

Can the criteria of land within the BioMap Natural Heritage Endangered Species be included on the initial paperwork required for a building permit - so need for state MEP review be clear before Building Permit issued, or PB or other board review required?

Can all the regulatory boards include "environmental" issues and impact in reviewing cases? Enforcement of building/zoning/health/conservation – increase education for owners. Can the initial doorway for any development permit include the overlapping concern areas - water protection/environmental issues that should be recognized outside of just the Cons. Comm official jurisdiction?

Can Eastham hire an intern to review on-line rental ads for review of rental certificate status and advertising over the likely allowed occupancy limit. Problem is then how to follow up.... What do we then do with the data?

Can a Board that may approve an applicant's plans relay any remaining concerns to another Board? These discussions often occur among the staff, but could this be a more formal process without jeopardizing the legal authority and autonomy of a regulatory board?

What items on the Phase II list of priority targets identified by the STF should rise to the top? These 4 were all touched on by the Boards: Density Bonuses (OSR Bylaw); Short term rentals - commercial use in residential areas; Development limits; PB/ZBA Review Criteria; Residential Review Waiver Procedure.

**Next Steps:**

- AA to present summary/findings to Select Board;
- Board Chairs to report back to members who did not attend - to gather questions/suggestions for a future meeting.
- Consider topics for next meeting: upcoming bylaw changes? Other suggestions?

Meeting adjourned 7:00 pm