

Town of Yarmouth

**MINUTES OF THE PLANNING BOARD MEETING OF
March 3, 2021**

The Yarmouth Planning Board held a Business Meeting at **5:30** p.m. on Wednesday **March 3, 2021** via a Virtual Meeting pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law in response to the COVID-19 pandemic.

Planning Board Present: Brad Goodwin, Liz Hartsgrove, Joanne Crowley, Tom Baron, Susan Brita and Will Rubenstein

Planning Board Absent: Chris Vincent

Staff Present: Kathy Williams, Town Planner

1. **Meeting Opening:** Chair Joanne Crowley opened the virtual meeting at 5:31 PM and took a roll call to establish quorum. Kathy Williams, Town Planner, served as the Moderator for the virtual meeting and read the attached statement regarding the reason for the virtual meeting and provided an overview on how remote participation works. All votes were taken by roll call.
2. **Community Visioning Update:** Kathy Williams noted the attached insert that will go in the water bills for March, April and May letting people know what is happening with Visioning and noting the future Workshops/Survey. Direct mailings will go out to the Cummaquid residents not on Yarmouth water. Horsley Witten is working on summarizing the public data along with a presentation for the March 17th Planning Board meeting.
3. **Growth Incentive Zone (GIZ) Extension:** Kathy Williams reviewed the attached February 26th Memo outlining information on the current Yarmouth GIZ which expires in October 2021, and provided a brief overview of the benefits of a GIZ which modifies the thresholds for projects requiring Development of Regional Impact (DRI) review by the Cape Cod Commission (CCC). The 2018 GIZ Regulations allow for an existing GIZ to be extended without an expiration date as a Minor Modification. Any more substantial changes would be a Major Modification which requires a certified Local Comprehensive Plan (LCP). The extension is being requested to retain the existing benefits to developers provided by the GIZ while we work towards a certified LCP for a more significant modification to the GIZ. The visioning process and LCP will provide valuable insights on future GIZ amendments. The Board discussed at length whether the GIZ should be extended without an expiration date, or whether a time frame should be specified and what length would be appropriate.

VOTE: On a motion by Tom Baron, and seconded by Susan Brita, the Planning Board voted (5-0-1) to recommend a request to extend the Yarmouth Growth Incentive Zone (GIZ) for an additional ten (10) years, with Joanne Crowley, Liz Hartsgrove, Susan Brita, Will Rubenstein, and Tom Baron voting in favor, and Brad Goodwin abstaining.

4. **MassDOT Project 608264 - Route 28 Barnstable Town Line/Parkers River:** After reviewing the attached comment request letter from GPI and the attached draft letter prepared by staff, the Board determined that although they were in support of improvements along Route 28, there was insufficient information to provide specific comments. The Board decided to have the Chair send a letter expressing their support for improving Route 28, but that the Board was reserving their comments until more information is available.
5. **Meeting Minutes:**
 - a. **January 6, 2021:** On a motion by Liz Hartsgrove, and seconded by Will Rubenstein, the Planning Board voted (5-0-1) to approve the meeting minutes of January 6, 2021,

with Joanne Crowley, Liz Hartsgrove, Brad Goodwin, Will Rubenstein, and Tom Baron voting in favor, and Susan Brita abstaining.

6. **Board of Appeals Agenda & Decisions:** Attached ZBA Agendas were sent to the Planning Board via e-mail.
7. **Committee Updates from Board Members:**
 - a. **Community Preservation Committee (CPA):** Liz Hartsgrove noted the CPA has been meeting weekly getting ready for the annual town meeting warrant.
 - b. **Drive-In Site Utilization Committee (DISUC):** Susan Brita noted that the DISUC had not met recently, but that it was on the Board of Selectmen (BOS) agenda recently. Brad Goodwin noted that he thought it was related to an offer by Adam Epstein to coordinate a vaccination site at the former drive-in property.
 - c. **Land Disposition Committee (LDC):** Tom Baron noted the next meeting is March 9th and there are three town properties being prepared by the committee for BOS review for disposal.
 - d. **Community Housing Committee (CHC):** Brad Goodwin noted that the CHC is going to be working on an update to the Housing Production Plan. He noted the difficulties in finding land for 60 units of affordable housing each year due to limited available open land and the concerns about reusing more motels for housing.
 - e. **Community & Economic Development Committee (CEDC):** Joanne Crowley noted that the CEDC retained the services of the Yarmouth Chamber of Commerce for another 18 months to market Yarmouth as a tourist destination. She also noted that the Recreation Department and Community Visions were looking for Tourism Revenue Preservation Funds (TRPF) for a portable synthetic skating rink which can be used all year round, is portable and can be located in various places around town.
 - f. **Capital Budget Committee (CBC):** Will Rubenstein noted that the CBC just gave a presentation of their recommendations to the Board of Selectmen and noted their thorough review process where difficult decisions were made to prioritize capital requests.
8. **Board Member Items:**
 - a. Joanne Crowley reminded people of the Open Meeting law requirements and cautioned people from using "reply all" on e-mails or to a quorum of planning board members.
 - b. Tom Baron inquired about the proposed 120' communication tower proposed for Our Lady of the Highway at 1040 Route 28. Kathy Williams indicated that the Building Commission submitted the required Mandatory Referral as a Development of Regional Impact (DRI) to the Cape Cod Commission today. It is a DRI due to the proposed height. Mr. Baron also commented on the Notice of Intent for the Higgins Crowell Shared Use Path before the Conservation Commission on 3/4/21. He noted the plans were well developed and the project is long overdue. Mr. Baron also expressed concerns about the delays in construction of the improvements on Bayview Street.
9. **Correspondence:** Attachments noted below were sent to the Planning Board via e-mail since the last Planning Board Meeting.
10. **Staff Updates:** Kathy Williams provided an update on the following:
 - a. **Town Administrator:** The new Town Administer, Robert Whritenour Jr, is anticipated to start in early April with some overlap with Bob Lawton, the Interim Town Administrator.
 - b. **Annual Town Meeting:** The Board of Selectmen (BOS) will be discussing the possibility of modifying the date for the annual town meeting at their 3/9/21 meeting.
 - c. **Business View Magazine:** An article on Yarmouth will be published in the March issue of Business View Magazine. A copy/link will be circulated to the Board.

- d. Draft Stormwater Regulations: Proposed revisions to the Stormwater Regulations will be discussed at the 3/4/21 Conservation Commission meeting to address MS4 municipal stormwater permit requirements.
- e. Barnstable Airport Master Plan Public Meeting: A public meeting has been scheduled for March 22, 2021 at 6PM. A link to the meeting will be circulated to the Board.

11. **Upcoming Meetings**:

- a. March 17, 2021
- b. April 7, 2021

12. **Adjournment**: VOTE: On a motion by Liz Hartsgrove, seconded by Will Rubenstein, the Planning Board voted unanimously (6-0) to adjourn at 6:52 PM.

ATTACHMENTS:

- **March 3, 2021 Agenda**
- **Script - Explaining Remote Access Planning Board Meeting**
- **Community Visioning**: Water bill insert
- **GIZ Extension**: February 26, 2021 Memo from Town Planner with attached Narrative, Reporting spreadsheet, 2007 GIZ Ordinance and Map, and the Cape Cod Commission (CCC) 2018 Growth Incentive Zone Regulations
- **MassDOT Route 28 Project 608264**: February 2, 2021 from GPI and draft letter from staff
- **Draft Meeting Minutes**: January 6, 2021
- **Miscellaneous Correspondence since last Planning Board Meeting**:
 - ZBA Agendas for 1/14/21, 1/28/21, 2/11/21, and 2/25/21
 - Conservation Commission Agendas for 1/21/21, 2/4/21, 2/18/21 and 3/4/21
 - CCC Hearing Notice on RPP Amendments 1/19/21; January 11, 2021 e-mail from Town Planner with draft RPP amendments
 - Barnstable Changes to Hearing Date for Zoning Changes related to affordable housing - Town Council on February 4, 2021
 - Barnstable Changes to Hearing Date for Zoning Changes related to amending the Zoning Map - Town Council on February 4, 2021
 - Cape Cod Commission 2020 Year in Review and CCC Reporter – January 2021
 - January 13, 2021 e-mail from Town Planner with excerpts on the CCC Route 28 Corridor Study 9/2020
 - Dennis ZBA Legal Notices for 1/25/21
 - Town of Yarmouth COVID Relief Program Flyer
 - Visioning Flyer
 - Visioning Post Card
 - Visioning Article Link in the Register Newspaper 1/14/21
 - Visioning information to boards/committees, civic/neighborhood groups and schools and on social media
 - Town Administrator Interview Information Flyer
 - January 29, 2021 Letter from the Conservation Commission regarding Nitrogen Pollution
 - Mass Audubon Value of Nature fact sheets

Approved on March 17, 2021:

On a motion by Brad Goodwin, and seconded by Will Rubenstein, the Planning Board voted (6-0-1) to approve the meeting minutes of March 3, 2021, with Joanne Crowley, Liz Hartsgrove, Brad Goodwin, Will Rubenstein, Susan Brita and Tom Baron voting in favor, and Chris Vincent abstaining.