

Town of Yarmouth
MINUTES OF THE PLANNING BOARD MEETING OF
May 4, 2022

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The Yarmouth Planning Board held a Hybrid in-person/remote access Business Meeting at **5:30** p.m. on Wednesday **May 4, 2022** in the Hearing Room at the Yarmouth Town Offices located at 1146 Route 28, South Yarmouth, MA.

Planning Board Present: Brad Goodwin, Susan Brita, Joanne Crowley, and Will Rubenstein

Planning Board Absent: Liz Hartsgrove, Chris Vincent and Jim Saben

Staff Present: Kathy Williams, Town Planner

1. **Meeting Opening:** Chair Joanne Crowley opened the hybrid meeting at 5:32. All Planning Board members were in-person, and all votes were roll call votes.
2. **Zoning Amendments:** Joanne Crowley briefly noted the approval of the two Planning Board Zoning Articles at the Annual Town Meeting (ATM), Article 27 on Short-Term Rentals and Article 28 on Seasonal Employee Housing at Motels/Hotels. She also noted that the citizen petition Article 31 to rezone 17 Berry Avenue failed. She expressed her appreciation to the various Town Departments, the Yarmouth Community Partnership and the Chamber of Commerce, and noted the fall summit to check in on how well these amendments worked for the season.
3. **Planning Board Goals Discussion:** Joanne Crowley noted the attached 9/16/21 Memo to the Board of Selectmen identifying the Planning Board goals for the coming year. She noted that we had met many of them including completion of the Vision Plan, securing \$100k for the Local Comprehensive Plan (LCP) at ATM, and passage of zoning Article 28 to expand opportunities for seasonal housing. Ms. Crowley noted her interest in starting the goal process early and inquired of the Town Planner upcoming issues and initial ideas. Kathy Williams noted the following:
 - a. **Local Comprehensive Plan (LCP):** The main emphasis for the next year will be the LCP. It is a 3-4 month process to solicit a consultant through a Request for Proposal (RFP) process, evaluate the proposals, conduct interviews and recommend a consultant for approval by the Town Administrator. The overall LCP could take 18-24 months and would need to be approved as a whole at a town meeting before going to the Cape Cod Commission for certification.
 - b. **Updating the Housing Production Plan (HPP) Update:** The Planning Board will also be participating in the update of the HPP and will need to formally approve the HPP.
 - c. **Open Space & Recreation Plan (OSRP) Update:** Some participation from the Planning Board on the OSRP Update will be needed to help inform the LCP and may possibly include a Planning Board representative on an ad-hoc committee.
 - d. **Fall Summit:** The Planning Board is planning on having a summit in the fall on seasonal rentals and employee housing to get a better handle on how the recently passed zoning amendments are working.
 - e. **Zoning Amendments:** No zoning amendments are anticipated for this fall, but any proposed zoning amendments for the 2023 ATM would need to be limited to allow time for the LCP and other plans.

The Board had a general discussion on the purpose and details to be included in the LCP; the benefits of a Cape Cod Commission certified LCP (modifications to our Growth Incentive Zone (GIZ)); how existing or future zoning uses, amendments, and design standards will impact the types of redevelopment along the Route 28 corridor which is especially important as we expand

opportunities with wastewater; and growth management through sewer flow Land Use Control regulations.

Ms. Crowley asked the Board members to start thinking of anything else the Board would like to consider a priority and noted that this topic will be discussed further at a future planning board meeting.

4. **Committee Assignments**: The Board had a brief discussion on Committee Assignments noting that Susan Brita had only temporarily taken on the Land Disposition Committee (LDC) duties until a 7th Planning Board member was appointed. However, Jim Saben is already on the LDC as an at-large member. As Mr. Saben was not present at the meeting, this will be discussed at the next Planning Board meeting. Kathy Williams also noted there may be an opportunity for a Planning Board member on a temporary ad-hoc committee for updating the Open Space & Recreation Plan. Will Rubenstein noted that he would be interested in this position. Mr. Rubenstein also noted that perhaps Mr. Saben would be interested in Capital Budget Committee.
5. **Definitive Subdivision No. 2427B – Easy Street, Yarmouth Port (located off Summer Street)**: Request to return security bond for completion of work on the Easy Street Subdivision.

Kathy Williams reviewed the attached May 3, 2022 Planner Memo noting the site inspection, status of the drainage on Lot 2 (24 Easy Street), and recommendation to approve the release of the performance security.

VOTE: On a motion by Susan Brita, and seconded by Will Rubenstein, the Planning Board voted (4-0) to approve the release of the \$15,000 performance security for Definitive Subdivision Plan No. 2427B – Easy Street, with Brad Goodwin, Susan Brita, Joanne Crowley, and Will Rubenstein voting in favor.

6. **Meeting Minutes**:
 - a. **March 23, 2022**: On a motion by Brad Goodwin, and seconded by Will Rubenstein, the Planning Board voted (4-0) to approve the meeting minutes of March 23, 2022, with Brad Goodwin, Susan Brita, Joanne Crowley, and Will Rubenstein voting in favor.
7. **Board of Appeals Agenda & Decisions**: See the attached ZBA Agendas and Decisions sent to the Planning Board via e-mail. Joanne Crowley inquired about the recent ZBA decision for the Parkers River Resort. Kathy Williams noted that the ZBA authorized for one year the use of the 24-room motel for 100% seasonal employee housing for Red Jacket employees. Ms. Crowley also inquired about the status of the Blue Sky cell tower proposed for 1044 Route 28. Kathy Williams indicated they had gone through the Design Review Committee (DRC) who had strong concerns about the aesthetics of the tower and the location. The applicant indicated they were willing to look at some additional designs and come back to the DRC. Ms. Crowley noted that she would like to be kept informed of the project with the Planning Board considering writing a letter to the ZBA.
8. **Committee Updates from Board Members**:
 - a. **Drive-In Site Utilization Committee (DISUC)**: Susan Brita noted the DISUC will be meeting on 5/16 and providing an update to the Board of Selectmen on 5/24/22. She noted the environmental considerations, new information and design options which takes times to resolve.
 - b. **Community Housing Committee (CHC) & Affordable Housing Trust (AHT)**: Brad Goodwin noted the next meeting for the CHC will be on 5/9/22 and the AHT will be meeting on 5/16/22.
 - c. **Water Resources Advisory Committee (WRAC)**: Joanne Crowley noted the WRAC met on 4/11/22 which included a review of wastewater related articles on the Annual Town Meeting

- (ATM) Warrant and preview of wastewater webpages being developed. She also noted a sub-committee formed for formal public outreach.
- d. **Library Planning Committee (LPC) & School Building Committee (SBC)**: Will Rubenstein noted the LPC met on 5/3/22 and are ready to move forward with the feasibility study funded through \$50,000 approved at the ATM. The SBC will meet on 5/5/22 and are on schedule to occupy the middle school building in January 2023.
 - e. **Community & Economic Development Committee (CEDC)**: Joanne Crowley noted that the CEDC met on 4/12 with guest Tracy Post, who shared her long experience with the Town of Yarmouth on many different Boards and Committees. She also noted the CEDC is working to extend the successful utility box wrapping project to other locations.
9. **Board Member Items**: Susan Brita inquired about the status of the Great Island Plaza and noting its close proximity to the Riverwalk Park. Kathy Williams indicated she had no further information or update.
10. **Correspondence**: See attached correspondence sent to the Planning Board via e-mail.
11. **Staff Updates**: Kathy Williams reminded the Planning Board that the meeting on May 18, 2022 will be the opening of the Public Hearing for the Route 6A Cluster Subdivision. Board members may visit the site individually but should not engage with any abutters. Questions/comments may be given at the public hearing and/or directed to the Town Planner.
12. **Upcoming Meetings**:
- a. May 18, 2022 – Public Hearing
 - b. June 1, 2022
13. **Adjournment: VOTE**: On a motion by Susan Brita, seconded by Will Rubenstein, the Planning Board voted unanimously (4-0) to adjourn at 6:35 PM.

ATTACHMENTS:

- **May 4, 2022 Agenda**
- **Planning Board Goals**: September 16, 2021 Annual Update Memo to Board of Selectmen
- **Committee Assignments, updated 12/29/21**
- **Easy Street Subdivision**: Planner Memo dated 5/3/22
- **Draft Minutes**: March 23, 2022
- **Miscellaneous Correspondence**:
 - ZBA Agendas for 4/14/22 & 4/28/22
 - ZBA Decisions 4934, 4940, 4942, & 4944
 - Conservation Commission Agendas for 4/7/22, 4/21/22 & 5/5/22
 - 4/27/22 Town Planner e-mail on Cape Cod Hospital Cancer & Cardiology Expansion DRI
 - APCC Article from Andrew Gottlieb
 - Barnstable Planning Board Hearing Notices – Subdivision Modification and Modification of Regulatory Agreement - 4/25/22
 - Barnstable Zoning Amendment Hearing Notice on Marijuana, Signs & Village Zoning Districts - 4/11/22
 - Notice of Constructive Approval for ZBA Petition 4934 from Moriarty Troyer & Malloy – 4/6/22

Approved on May 18, 2022:

On a motion by Susan Brita, and seconded by Will Rubenstein, the Planning Board voted (5-0-1) to approve the meeting minutes of May 4, 2022, with Brad Goodwin, Chris Vincent, Joanne Crowley, Susan Brita and Will Rubenstein voting in favor, and Jim Saben abstaining.