

Town of Yarmouth
MINUTES OF THE PLANNING BOARD MEETING OF
October 18, 2023

The Yarmouth Planning Board held a Hybrid in-person/remote access Business Meeting at **5:30** p.m. on Wednesday **October 18, 2023** in the Hearing Room at the Yarmouth Town Offices located at 1146 Route 28, South Yarmouth, MA.

Planning Board Present: Jim Saben, Chris Vincent, Will Rubenstein, and Joanne Crowley

Planning Board Absent: Susan Brita, Peter Slovak, and Ken Smith

Staff Present: Kathy Williams, Town Planner

1. **Meeting Opening:** Chair Joanne Crowley opened the hybrid meeting at 5:34. All Planning Board members were in-person, except for Will Rubenstein and Chris Vincent. All votes were roll call votes.
2. **PUBLIC HEARING ON ZONING ARTICLE:** Article to amend various sections of the Zoning Bylaw to change the word "Selectmen" to "Select Board" and change the words "Board of Selectmen" to "Select Board".
 - a. **Hearing Opening:** Joanne Crowley, Planning Board Chair, opened the public hearing at 5:35 PM.
 - b. **Public Hearing Notice:** The attached public hearing notice was published in the Cape Cod Times on October 3, 2023 and October 10, 2023 and was read into the record.
 - c. **Presentation:** Kathy Williams gave the attached PowerPoint Presentation, noting that Article 16, along with Article #15, changes the name of the Board of Selectmen in the Town's bylaws and Zoning Bylaw to the more gender-neutral term Select Board.
 - d. **Planning Board Questions/Comments:** None.
 - e. **Written Comments:** None.
 - f. **Public Comments:** None. No members of the public attended the Public Hearing, either in person or remotely.
 - g. **Hearing Closed:**

VOTE: On a motion by Jim Saben, and seconded by Will Rubenstein, the Planning Board voted (4-0) to close the Public Hearing at 5:38 PM, with Jim Saben, Chris Vincent, Joanne Crowley, and Will Rubenstein voting in favor.
3. **Discussion on Public Hearing on Zoning Article to Change Board of Selectmen Name and Vote on Recommendation:**

Without any discussion, the Planning Board voted as follows:

VOTE: On a motion by Will Rubenstein, and seconded by Chris Vincent, the Planning Board voted (4-0) to recommend Article 16 to amend various sections of the Yarmouth Zoning Bylaw to replace the word "Selectmen" with "Select Board" and replace the words "Board of Selectmen" with "Select Board", with Jim Saben, Chris Vincent, Joanne Crowley, and Will Rubenstein voting in favor.

4. **Meeting Minutes:**
 - a. **October 4, 2023:** VOTE: On a motion by Jim Saben, and seconded by Will Rubenstein, the Planning Board voted (4-0) to approve the meeting minutes of October 4, 2023, with Jim Saben, Chris Vincent, Joanne Crowley, and Will Rubenstein voting in favor.
5. **Board of Appeals Agenda & Decisions:** The attached ZBA Decisions were sent to the Planning Board via e-mail.
6. **Committee Updates from Board Members:**
 - a. **Water Resources Advisory Committee (WRAC):** Will Rubenstein attended his first WRAC meeting as the Planning Board representative on October 16th. He indicated there were still some concerns regarding the groundwater Discharge Permit. The Town Administrator and DPW Director are working to fix the situation and they are hopeful of some progress soon.
7. **Board Member Items:** None.
8. **Correspondence:** The attached correspondence was sent to the Planning Board via e-mail.
9. **Staff Updates:** None.
10. **Upcoming Meetings:**
 - a. **November 1, 2023:** With no business items and the STM the next week, the Planning Board member present agreed to cancel the November 1st meeting. Staff will coordinate the STM presentation on Accessory Apartments with the Chair and Jim Saben who will be moving this Article.
 - b. **November 7, 2023:** Special Town Meeting (STM)
11. **Adjournment:** VOTE: On a motion by Jim Saben and seconded by Joanne Crowley, the Planning Board voted unanimously (4-0) to adjourn at 5:38 PM.

ATTACHMENTS:

- **October 18, 2023 Agenda**
- **Board of Selectmen Name Change Zoning Amendment:** Public Hearing Notice; Updated PowerPoint Presentation; Updated Draft Articles; and Draft Memo to the Town Moderator and Town Administrator.
- **Miscellaneous Correspondence:**
 - Conservation Commission Agenda for 10/19/23
 - ZBA Decisions 5031, 5050, 5052, and 5053
 - Town of Barnstable Special Permit Hearing Notice October 23, 2023

Approved on November 1, 2023:

On a motion by Will Rubenstein, and seconded by Ken Smith, the Planning Board voted (5-0) to approve the meeting minutes of October 18, 2023, as amended to denote the vote for adjournment, with Jim Saben, Susan Brita, Peter Slovak, Ken Smith, and Will Rubenstein voting in favor.