

Town of Yarmouth

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**MINUTES OF THE PLANNING BOARD MEETING OF
December 2, 2015**

The Yarmouth Planning Board held a Business Meeting at 5:30 p.m. on Wednesday **December 2, 2015** in the Hearing Room at the Yarmouth Town Offices located at 1146 Route 28, South Yarmouth, MA.

Planning Board Present: Brad Goodwin, Tom Roche, Norman Weare and Ken Driscoll.

Planning Board Absent: Chris Vincent and Angela Philbrook.

Others Present: Kathy Williams, Town Planner; Ron Cadillac, and Stephen & Christine Arden.

Chairman Norman Weare opened the meeting at 5:30 PM. At the request of the Chairman, Brad Goodwin, Vice Chairman, took over conducting the meeting as Norm Weare was having difficulty speaking due to illness.

1. **ANR Plan 2050B:** Stephen & Christine Arden, 61 Winter Street, Yarmouth Port, Assessor's Map 132, Parcel 74. The ANR Plan creates two lots.

Ron Cadillac, PLS, gave a brief presentation on the proposed ANR that created two lots, which shows adequate frontage. Kathy Williams referenced the attached Town Planner Memo which suggested that the applicant get a confirmation of the wetland delineation from the Conservation Commission as the shown 40,025+/- of upland is very close to the minimum 40,000 sf of upland required by the Zoning Bylaw. Kathy Williams also indicated that the Surveyor had added the requested information on the minimum frontage to a revised ANR Plan which was submitted that night to the Planning Board. After very little discussion by the Board, the following vote was taken, with the signed mylar given to Ron Cadillac at the meeting:

VOTE: On a motion by Norm Weare, seconded by Ken Driscoll, the Planning Board voted unanimously (4-0) to endorse ANR Plan 2050B, dated October 28, 2015 as amended, with Brad Goodwin, Tom Roche, Norm Weare, and Ken Driscoll voting in favor.

2. **Lot Re-Release for Definitive Subdivision Plan 2046D, Topsail Village Subdivision.**
Request for Re-release of Lot 20 (11 Helmsman Drive).

A request was made by Attorney Rebecca Moore to re-release Lot 20 (11 Helmsman Drive) from Subdivision 2046D. Refer to the attached Town Planner Memo. No one was present at the Planning Board meeting to represent the applicant. Lot 20, along with lots 2, 3, 19 and 21 were previously released in 1982, but apparently the Release was never properly recorded at the registry of deeds. To avoid this happening on the other lots mentioned above, the re-release should include all the lots specified in the original release.

VOTE: On a motion by Tom Roche, seconded by Norm Weare, the Planning Board voted unanimously (4-0) to endorse re-release Lots 2, 3, 19, 20 and 21 from the Covenant for Subdivision Plan 2046D, with Brad Goodwin, Tom Roche, Norm Weare, and Ken Driscoll voting in favor.

3. **Discussion on Potential Zoning Amendments for 2016 Annual Town Meeting**

Kathy Williams, Town Planner, reviewed the attached November 30, 2015 Memo. Based on input from previous meetings, the Planning Board has shown interest in the following minor Zoning amendments.

- a. Maximum Building Height Illustrative Figures.
- b. Clarifying Lot Area for Two Family Dwelling.
- c. Including a Definition for Home Offices.
- d. Rezoning the Septage Treatment Facility parcel to all B3 and the former Zooquarium parcel to all B2.
- e. Eliminating the need for a Special Permit to combine two non-conforming lots in a Perimeter Plan.
- f. Changing Gas Stations from a by-right use in B2 to a ZBA Special Permit to facilitate control over access management and aesthetics.
- g. Including a definition of frontage for corner lots.
- h. Amending the sign section to allow for banners on light posts and utility poles as part of a Town sponsored beautification program promoted by the Chamber of Commerce. Additional discussions are required on this issue with the Chamber and the Planning Board.

The Planning Board spent the majority of the time discussing the following two potential Zoning Amendment Items:

- a. **HMOD Uses and Intent:** The Board expressed interest in going through the use table to determine the uses that they would like to see developed under Section 404, and clarifying the SPGA. Refer to the attached proposed revisions to the allowed uses in the HMOD1 and HMOD2. The Board also discussed the original intent of HMOD1, whether it was for housing, motels, and mixed use, or whether a project could be all commercial. The general thinking was that the HMOD1 was intended for housing with a small amount of commercial. As motels are being redeveloped into housing, it may not be practical to continue with an emphasis on only housing, but demand for retail appears to be low at this time. The general consensus was that mixed use was the way to go.
 - b. **Employee Housing at non Motels/Hotels:** The Board discussed the potential need to define density and minimum unit sizes for Employee Housing. Although a more long term discussion on Seasonal Employee Housing is necessary, this cannot be conducted prior to the 2016 Annual Town Meeting. Staff will work on developing language to include density and unit size requirements.
2. **Meeting Minutes:**
- a. **November 4, 2015:** On a motion by Tom Roche, seconded by Ken Driscoll, the Planning Board voted (3-0-1) to approve the meeting minutes of November 4, 2015 with Tom Roche, Norman Weare and Ken Driscoll voting in favor and Brad Goodwin abstaining.
3. **Board of Appeals Agenda & Decisions:** ZBA Agenda distributed via e-mail.
4. **Board Member Items:** Brad Goodwin inquired about a seventh Planning Board member and inquired about when members would be taking any vacation. Tom Roche indicated he would be gone for the meeting on January 20, 2016.

5. **Correspondence:** None.
6. **Staff Updates:** Expanded Environmental Notification Form (ENF) was submitted for the gas main replacement project in Yarmouth, Dennis and Harwich for public comment.
7. **Upcoming Meetings:**
 - a. December 16, 2015
8. **Adjournment: VOTE:** On a motion by Brad Goodwin, seconded by Tom Roche, the Planning Board voted unanimously (4-0) to adjourn at 6:30 PM.

ATTACHMENTS:

- **December 2, 2015 Agenda**
- **ANR Plan 2050B:** November 30, 2015 Memo from Town Planner with attached Form A, ANR Plan 2050B and November 19, 2015 e-mail from Town Planner to Ron Cadillac, PLS, and modified ANR Plan 2050B submitted at Planning Board meeting.
- **Re-release of Lot 20 Subdivision 2046D:** November 30, 2015 Memo from Town Planner with attached 11/20/15 Letter from Attorney Rebecca Moore, Covenant, Agreement, Original Partial Release of Planning Board dated September 22, 1982, and Land Court Plan 36472B, sheet 2.
- **2015 ATM Potential Zoning Amendments:**
 - November 30, 2015 Memo from Town Planner
 - Highlighted Excerpts of Section 404 – Motel Bylaw
 - Draft edits to Section 202.5 – Use Regulation Table
- Draft Meeting Minutes for November 4, 2015.

Approved on December 16, 2015:

On a motion by Brad Goodwin, seconded by Tom Roche, the Planning Board voted (4-0-1) to approve the meeting minutes of December 2, 2015 with Brad Goodwin, Tom Roche, Norman Weare and Ken Driscoll voting in favor, and Chris Vincent abstaining.