

## Town of Yarmouth

### MINUTES OF THE PLANNING BOARD MEETING OF November 2, 2011

The Yarmouth Planning Board held a business and workshop meeting at 5:30 p.m. on Wednesday, **November 2, 2011** in the Hearing Room at the Yarmouth Town Offices located at 1146 Route 28, South Yarmouth, MA.

**Planning Board Present:** Norm Weare, Ken Driscoll, Brad Goodwin, John Shea and Tom Roche

**Planning Board Absent:** Chris Vincent and Tom DiPersio

**Others Present:** Karen Greene, Director of Community Development; Attorney Paul Tardif representing Bass River Sports World and Ryan Family Amusements; Frank Mastromauro, Lighthouse Landing; Ron Boffoli, Cape Cod Vacuum; Paul Rumul, Davenport Companies; Sandra DiGiovanni, Skippy's Pier I; Lou Nickinello, Bass River Sports World; Deborah Stanley, Pine Knot Motel; Dan Christopoulos, Dairy Queen; Bob Love, Pariate's Cove; Peter Smith, CEDC; Rob Nichols, Ryan Family Amusements; Marshall Farley; Peter Kenney

Planning Board Chairman Tom Roche opened the meeting at 5:30 p.m. with the Pledge of Allegiance.

#### 1. **Business Items:**

- a. **ANR 2719A:** Town of Yarmouth - Continued to a future date.

**Business meeting closed. Workshop meeting opened.**

#### 2. **Central District Discussion:**

- Tom Roche gave an overview of the Central Zoning District and thanked the stakeholders in attendance.
- Karen Greene distributed Draft #2 of the "Entertainment Bylaw Article," the Use Table, and the draft "Planning Board Vision Statement for Recreation Activity Center," which was read aloud by Brad Goodwin.
- Attorney Paul Tardif explained that the purpose of the bylaw is to encourage investment and activities in the new Family Recreation & Entertainment Overlay Zoning District (FREZ) (Shown as "AC" on the Draft Use Table.)
  - There will be different rules for the north and south sides of Rt. 28 in order to respect and protect the residential zones that currently exist south of Rt. 28.
  - The Planning Board is working to streamline and simplify Site Plan Review and Design Review for this zone.
  - Parking – centralized, shared, garages, underground to create a one-stop, pedestrian-friendly destination. Possibility of pedestrian bridges and/or tunnels to cross Rt. 28 safely.
  - Housing - some top-of-shop, but not the primary purpose of the bylaw.
  - Scale – up to 84 feet in height for a large hotel, convention center, or indoor waterpark to accommodate year-round visitors.
  - Village feel with minimal setbacks
  - Public/private wastewater treatment facility
  - Shuttles to beaches
- Tom Roche asked for public comment
- Peter Kenney, Vice Chairman of the Wastewater Implementation Committee, commented:

- Private/public wastewater treatment plant in this zone will remove a substantial amount of flow from a potential municipal sewer system, making it more difficult and expensive to implement one.
- 84-foot height allowance would be detrimental to property owners on the other side of Swan Pond, who would see a building as large as the new building at Cape Cod Hospital. No “compelling public interest” to support 84’.
- More traffic planning is needed; Rt. 28 is a state road, which will complicate things.
- Paul Rumul of Davenport Companies commented:
  - It’s early in the process, but great to see the effort and vision going on.
  - A pre-existing auto dealer in the zone would require a special permit under the new Use Table. Tom Roche will bring it up for discussion at a future meeting.
- Lou Nickinello of Bass River Sportsworld commented:
  - Congratulating the Planning Board on its vision.
  - Economic development will broaden the tax base and help the residents.
  - Infrastructure issues such as wastewater treatment, cogeneration, and transportation will be addressed, but zoning has to happen first.
  - Zoning by right is necessary because businesses cannot gamble on getting a special permit. Property owners should be encouraged to invest in their properties and businesses so that commercial tax base reaches 20 to 30%.
  - Does not want an amusement park; wants “healthy recreation for families” and a longer season.
- Tom Roche commented that the Planning Board is hoping to have the bylaw ready for April Town Meeting, but will need input and support.
- Brad Goodwin asked several questions of Paul Rumul from the Davenport Companies about their experience building the waterpark at Red Jacket in North Conway, NH.
- Ken Driscoll would like to hear from more stakeholders.
- Karen Greene will write up summary materials and distribute them to tonight’s attendees, and a memo for the Board of Selectmen.
- General discussions followed, regarding building height, wastewater treatment, parking, “fixing Rt. 28,” and the need for more public input.

3. **Board Items:** None

4. **Next Meetings:**

- a. November 9, 2011 (Workshop – Central District zoning with stakeholders)
- b. November 16, 2011 (Business)
- c. November 23, 2011 CANCELLED

5. **Adjournment:** VOTE: On a motion by Norm Weare, seconded by Brad Goodwin, the board voted (5-0) unanimously to adjourn at 7:00 p.m.

**ATTACHMENTS:**

- PB Agenda 11/02/2011
- Draft zoning for Central District
- ANR 2719A Application Package

***Approved on September 21, 2016:***

**On a motion by Tom Roche, seconded by Joanne Crowley, the Planning Board voted (5-0) to approve the meeting minutes of November 2, 2011, out of necessity, with Brad Goodwin, Tom Roche, Norman Weare, Joanne Crowley and Tom Baron voting in favor.**