

Town of Yarmouth

**MINUTES OF THE PLANNING BOARD MEETING OF
November 9, 2016**

The Yarmouth Planning Board held a Workshop Meeting at **5:15** p.m. on Wednesday **November 9, 2016** in the Hearing Room at the Yarmouth Town Offices located at 1146 Route 28, South Yarmouth, MA.

Planning Board Present: Brad Goodwin, Tom Roche, Chris Vincent, Norm Weare, Ken Driscoll, Joanne Crowley and Tom Baron.

Planning Board Absent: None.

Town Staff Present: Kathy Williams, Town Planner; Mark Grylls, Building Commissioner; and Karen Greene, Director of Community Development.

CEDC Members Present: Mary Vilbon, Ken Smith, John Barker, Jack McCormack and Peter Smith. Ken Driscoll also serves on the CEDC at the Planning Board representative.

Guests: See attached sign-in sheet.

Chairman Norman Weare opened the meeting at 5:15 PM.

1. **Planning Board Workshop:** Norm Weare began the meeting by stating that the purpose of the Workshop was for the Planning Board to listen to input from residents, interested parties and business owners about ways to promote and incentivize commercial development through the Zoning Bylaw while maintaining community character. Tom Baron noted that he made a personal effort to reach out to the businesses in the VCOD to invite them to the November 9, 2016 Workshop Meeting. Norm Weare opened up the meeting to public comment.
 - a. **Jim Saben, Chamber of Commerce President:** Mr. Saben started the meeting by stating his pleasure at the invitation from the Planning Board to meet with residents.
 - b. **Brian Braginton-Smith:** Mr. Braginton-Smith indicated that although some visionary work has been done along Route 28 with the VCOD, we still need to look at a vision of where we want to go. He distributed the attached Technology and Future Cities cover sheet and Table to the Planning Board members which identified various infrastructure technologies needed in future cities. He indicated this was a new model for village development that we should embrace to get activity going. Mr. Braginton-Smith also indicated that density was a barrier and that we need to look at the community as a whole system and not individual areas. Need to diversify housing to meet various needs in more areas.
 - c. **Jim Saben:** Mr. Saben indicated that workforce housing is a major issue and that the Planning Board should investigate bylaw amendments for workforce housing for seasonal workers.
 - d. **Robert Ciavarra:** Mr. Ciavarra stated that we should be cautious about too much housing on Route 28 and we need to protect our commercial area for future growth, especially with wastewater coming in the future. We need larger parcels of land to draw in larger users and don't want to lose them to housing.

- e. Mary Vilbon: Ms. Vilbon inquired as to how commercial development has been incentivized in the past.

Chris Vincent indicated that the VCOD village center passed in 2012 included incentives such as increased density and shared parking opportunities. He also indicated that wastewater is a huge part of revitalizing Route 28 and that extra density is needed to make projects financially feasible.

Brad Goodwin noted the Revitalization Overlay Architectural District (ROAD) which allows for flexibility in zoning. He also told a story of how the Town of Yarmouth is working more closely with property owners to help them get their projects done and have an attractive town. He also concurred that we need wastewater to get the necessary density and attract developers.

Tom Roche spoke briefly of the two projects the Affordable Housing Trust is working on: 69 units of workforce housing at the former Cavalier and one in West Yarmouth at the Yarmouth Gardens of approximately 35 units. There is also the Buy Down program, which is having difficulties now that the real estate market has stabilized and housing prices are up. He indicated it was a good point not to use up all our large lots. He also noted the difficulty that Charles White Management had in obtaining commercial tenants for their proposed project, and ultimately went with a duplex rather than a mixed use building with commercial on the bottom and two units on top. He also mentioned how long it took to rent out the new commercial development along Route 28 in Dennis. Our seasonal economy makes it hard for businesses. We did have some hope with the Medical Overlay District, but nothing has come of it so far.

- f. Unknown Audience Member: An audience member inquired about how development will impact traffic along Route 28 which is bad now.

Tom Roche indicated that the VCOD included reducing curb cuts and looking to combine parking areas in the rear to reduce the number of trips onto Route 28.

Brad Goodwin noted that there are a number of ways traffic improvements get made. He noted that the lights at Exit 7 were partially paid for through traffic mitigation funds from the Cape Cod Commission associated with the BJs in Hyannis. The traffic lights at the Shaws were paid for by the developer.

Chris Vincent also noted that large scale development will be responsible for traffic mitigation and that public transportation needs to play a bigger role.

- g. Jim Saben: Mr. Saben expressed concerns about the loss of the retail component in the Cavalier project, which is now all housing. He noted that there is money to incentivize affordable housing, but no money to incentivize businesses, and we need to look into tax incentives.
- h. Kevin Callaghan: Mr. Callaghan noted that the side roads are beautiful and the main roads aren't yet, but that they are improving, which is important to attract developers. We also need to preserve the beauty of the Cape and Yarmouth and don't want 2 and 3 story buildings like Hyannis. He noted that traffic is worse but not impossible, but also don't want to over-build. Need to improve the waterways, such as Bass River, which makes the Cape.
- i. Robert Ciavarra: Mr. Ciavarra noted that significantly more tax revenue is generated from commercial than from housing, which include school costs. We need commercial to offset

the residential tax burden. Larger retailers expect and need wastewater, and a certain number of vehicles trips.

- j. Mary Vilbon, Chamber Director: Ms. Vilbon noted that Route 28 aesthetics are negatively impacted by vacant properties where the weeds are growing and the buildings are in disrepair. She inquired as to whether there could be some penalty for businesses to ensure they maintain their property. CEDC is also taking another look at the entertainment licensing. The Board of Selectmen indicated the policy may be too strict.
- k. Tom Nickinello: Mr. Nickinello expressed his pleasure at the large turn-out at the meeting. He also noted some on-going projects including the Packet Landing Pavilion & Restrooms which should be constructed this time next year; the recent vista pruning at the Baxter Grist Mill; and the feasibility study for a riverwalk park and boardwalk at the former Drive-In Site. He noted that businesses will come when the people come. He also stated that we need to take care of wastewater so people will continue to come to our beaches.
- l. Diane Pratt: Ms. Pratt has been in Yarmouth 52 years and we have been talking about wastewater for almost as long. We need to do it as it will only become more expensive later.
- m. Linda Callahan: Ms. Callahan commented on the light along Route 28 at the Bass River and how this is such a bottle neck. Kathy Williams noted that MassDOT will be conducting a Road Safety Audit of this intersection. Any changes to geometry would be difficult due to the context of the area and the businesses close to the road. Jack McCormack discussed the process to get a project funded through the Transportation Improvement Program (TIP). This can take a while, but projects that are “shovel” ready may be able to be slipped into the schedule if another project is delayed to avoid losing the TIP funding.
- n. Liz Persampieri: Ms. Persampieri inquired about the Cavalier project and widening of Route 28 and why money was being spent on housing when we need wastewater more. Kathy Williams noted that the buildings were 26’ back from the property line allowing for future expansion of the roadway. She also noted that the funds being used for affordable housing came from the Community Preservation Act (CPA) funds which can only be used for affordable housing, recreation, open space and historic. CPA funds cannot be used for wastewater. Brad Goodwin noted that when the former Cavalier was an eyesore used for transient housing with lots of police calls, the neighbors came to the Planning Board looking for a solution. Now that there is a good investor, people don’t want it. It can be difficult to site affordable housing.
- o. Miscellaneous: During the discussions, Kathy Williams, Town Planner, gave an update on the status of various projects including:
 - Wastewater: The consultant is working with the town to evaluate regionalization options with Dennis and Harwich, and looking into effluent discharge locations, prior to moving forward with public input. Route 28 is the first phase and is anticipated for construction in the next 5-10 years.
 - Route 28 Road Improvements: Town Staff and the Chamber met with MassDOT to discuss the need for maintenance on Route 28 and they have started with some vegetation removal and repairs to the pavement. Line striping is anticipated for the next maintenance contact in the spring.
 - Winslow Gray/Route 28/South Sea Intersection: The Town continues to be interested in purchasing the Great Island Plaza.
 - Parkers River Bridge: This project is moving through design and permitting and construction is anticipated to start in the fall of 2017.

2. **Community & Economic Development Committee (CEDC)**: The Planning Board met with the CEDC to get input on ideas to incentivize redevelopment of Route 28 and other parts of Town. Peter Smith gave a brief presentation highlighting the following:

- a. **Tourism Revenue Preservation Funds**: The CEDC has allocated some of the Tourism Revenue Preservation Funds (TRPF) towards physical improvements such as the Packet Landing Pavilion & Restrooms, Welcome to Yarmouth signage at Exit 7 & 8; kiosks at the beaches and seasonal decorations. The CEDC would welcome any suggestions from the Planning Board for physical improvements.

Tourism funding has also been used to fund Special Events to promote tourism and to market Yarmouth through a contract with the Chamber of Commerce. CEDC is also looking into using these funds for pruning and cleanup of Route 28 pocket parks and for civic banners.

Jim Saben inquired as to whether these funds could be used to incentivize businesses. Karen Greene, Director of Community Development, indicated that a TIF, or Tax Increment Financing, may be a possibility. This has been used on a few businesses in the past and was recently looked at again for an extended stay hotel. Jim Saben also brought up the possibility of using these funds to improve the Drive-In Site to allow for interim uses, such as concerts and festivals that promote tourism.

- b. **Outdoor Entertainment**: CEDC also expressed an interest in expanding opportunities for outdoor entertainment to bring more fun and encourage young people to come to Yarmouth.
- c. **Fiber Optic Cable**: CEDC also noted the need for infrastructure, such as fiber optic cable, to encourage clean businesses to come to town.
- d. **Redevelopment Authority**: Jack McCormack mentioned Ken Driscoll's idea of a Redevelopment Authority. These can be complex and there are many different models and additional investigation would be required to determine if it would be suitable for Yarmouth.
- e. **Public Comment**:
- Chuck Carey indicated that wastewater was a major impediment to commercial redevelopment. He also noted that residents in Town have been given significant power to impact development through opposition such as the Cavalier project and the 2011 attempt to bring sewers to Town.
 - Tom Nickinello noted that there have been significant improvements in the Building Department and hopes that developers understand that things have changed.
 - Jim Saben suggested that the CEDC meet with the ZBA to share their community vision so we are moving in the same direction. He has heard frustrations from the business community about getting through the ZBA process.

3. **Discussion on Potential Zoning Amendments for 2017 Annual Town Meeting**: Discussion on Zoning Amendments was deferred to the next meeting.

4. **Meeting Minutes**:

- a. **November 2, 2016**: Kathy Williams noted that the Draft Minutes should reflect that the Chairman started the meeting at 5:15, not 5:30.

VOTE: On a motion by Tom Roche, and seconded by Tom Baron, the Planning Board voted (5-0-2) to approve the Planning Board Meeting Minutes of November 2, 2016, as amended, with Tom Roche, Chris Vincent, Norm Weare, Joanne Crowley and Tom Baron voting in favor, and Brad Goodwin and Ken Driscoll abstaining.

5. **ZBA Agenda and Decisions:** November 10, 2016 ZBA Agenda sent via e-mail
6. **Board Member Items:** None
7. **Correspondence:** None
8. **Staff Updates:** None
9. **Upcoming Meetings:** November 16, 2016 at 5:15 PM
10. **Adjournment:** **VOTE: On a motion by Brad Goodwin, and seconded by Tom Roche, the Planning Board voted (7-0) to adjourn at 6:48 PM.**

ATTACHMENTS

- **CEDC Charge & Work Plan**
- **Technology and the Future Cities:** Information provided to the Planning Board by Brian Braginton-Smith at the meeting
- **Draft Minutes:** November 2, 2016.
- **ZBA Agenda:** November 10, 2016

Approved on December 7, 2016:

On a motion by Brad Goodwin, and seconded by Joanne Crowley the Planning Board voted (5-0) to approve the Planning Board Meeting Minutes of November 9, 2016, as amended, with Brad Goodwin, Tom Roche, Norm Weare, Joanne Crowley and Tom Baron voting in favor.