



Board of Selectmen Public Meeting Minutes May 2, 2017

The regular meeting was called to order at approximately 6:00 p.m. in the Town Hall Hearing Room by Chairman Jim Quirk. Selectmen present: Tracy Post, Mike Stone, and Norm Holcomb. Also attending: Town Administrator Dan Knapik and Interim Assistant Town Administrator, Robert Lawton.

1. Public Announcements & Comments

a. Vida Morris suggested that the Board of Selectmen should put requests to the D-Y School Committee in writing and not rely solely on the School Committee liaison. Board members stated that the School Committee has received its requests on the record and in writing on several occasions.

b. Donna Porter Howard and Megan Homer submitted their resignations from the Cemetery Committee, citing their disappointment with the nominating and appointment process, particularly with regard to Laurie Snowden. Mr. Stone recalled the genesis of the Cemetery Committee and thanked Ms. Howard and Ms. Homer for stepping forward in a difficult situation. Although not a resident, Ms. Snowden has strong ties to, and a long history in, Yarmouth. Mr. Stone praised all three volunteers and asked Ms. Howard and Ms. Homer to reconsider their resignations in the event that Ms. Snowden can be appointed. Chairman Quirk asked them to wait until the matter could be reconsidered by the Board. Ms. Howard and Ms. Homer agreed to postpone their resignations until they hear back from Chairman Quirk or the Town Administrator.

c. Patricia Martin of Buck Island Road and a business owner spoke in opposition to EverSource spraying along the power lines citing the safety of water supply.

d. Jim Wolf of Gooseneck Road also spoke in opposition to EverSource's rate hikes and its spraying practices; he asked the Board to actively oppose it as well.

2. Public Hearing

a. Change of Manager Application, Irish Village Restaurant & Resort. Licensing Chair Mike Stone opened the hearing. Tommy McCormick, owner and applicant, was present and responded to questions from the Board.

MOTION: To move that the Board of Selectmen approve the Change in Manager application as presented.

Motion by: Tracy Post

Seconded by: Jim Quirk

Yea 4 Nay 0

b. Alteration of Premise Application for The Loft Restaurant at The Cove Resort. Kathy Gianni and Kevin Richards, co-owners and applicants, were present. Licensing Chair Mike Stone read the legal notice into the record. The owners reported that The Loft Restaurant had a successful first season and now seek to expand the existing pool bar area. Construction began April 1 and they hope to open by June 15.

Mr. Stone asked for public comment. Michael Edwards, Property Manager for The Cove Resort, spoke in support of the project and noted that there is demand for the proposed alterations. Mr. Stone read portions of the Design Review Committee comments into the record. Chairman Quirk noted that the existing license covers the entire property and the restaurant/bar area will be fully fenced; therefore no action by the Board may be required. There was discussion as to whether the increase in total seating required action. The new total will be 254 including the upstairs restaurant (194) and the pool restaurant (60). Ms. Post reminded the owners of their responsibilities under the liquor license. Mr. Richards clarified the resort ownership and restaurant lease conditions. The Green Cards were submitted to the Town Administrator.

MOTION: To move that the Board of Selectmen close the public hearing.

Motion by: Tracy Post

Seconded by: Jim Quirk

Yea 4

Nay 0

MOTION: To move that the Board of Selectmen approve the application as presented.

Motion by: Jim Quirk

Seconded by: Tracy Post

Yea 4

Nay 0

3. Protect Nantucket Sound Presentation

Wayne Kurker, founder of the Alliance to Protect Nantucket Sound, introduced Audra Parker, President of the Alliance. Ms. Parker updated the Board on the Cape Wind off-shore wind farm proposal. The Alliance is opposed to the project based on navigational safety, environmental impacts, and increased electrical costs. She read portions of a 2009 memo from the Town of Yarmouth opposing the wind farm and asked for the Town's support again to deny the permit. Ms. Parker explained that although there have been setbacks at the State level, Cape Wind still holds a federal lease valid through 2041 which can be built upon or leased to another entity. Public comment period on the draft Environmental Impact Statement runs through May 15, 2017. The Alliance is asking for the Town of Yarmouth's support in revoking the lease.

Ms. Post and Mr. Stone were in favor of sending a letter in opposition to the project. Ms. Parker reviewed the Town of Yarmouth's agreement with Cape Wind for a transmission line landing spot, which stated that the Town had the option to terminate the agreement if the project had not entered commercial operation by December 31, 2013. The Board may need to clarify the status of that option and determine if action is necessary to officially end the agreement.

MOTION: To move that the Board of Selectmen submit a letter of opposition to the project and recommending termination of the lease.

Discussion: Mr. Holcomb suggested including information on rates and a copy of the Town's 2009 letter. Ms. Post also recommended follow-up on the Town's agreement with Cape Wind.

Motion by: Tracy Post

Seconded by: Mike Stone

Yea 4

Nay

4. Celebrate Yarmouth Committee Presentation of Summer Celebration Kick-Off

Linda Jean, Chair of the Celebrate Yarmouth Committee, updated the Board on the Summer Celebration events taking place June 24 through June 28. She also reviewed the marketing plan. The Sand Sculpture Trail will be ongoing throughout the summer, and this year's Trail is the longest yet, with 42 sculptures. There is also a photo contest which encourages people to find all the sculptures. The Board thanked Ms. Jean for her hard work. They are still seeking volunteers: yarmouthsummercelebration.com or celebrateyarmouthinc@gmail.com.

MOTION: To move that the Board of Selectmen appoint Daniel Knapik to be the Town's alternate representative to the Governing Board of the Cape Light Compact Joint Powers Entity, effective immediately, through and including December 31, 2017 and renewable annually.

Motion by: Norm Holcomb Seconded by: Mike Stone Yea 4 Nay 0

MOTION: To move that the Town Administrator send written confirmation to the Cape Light Compact Joint Powers Entity, notifying them of the name of the representative and alternate to attend the Governing Board Meeting of the Cape Light Compact Joint Powers Entity.

Motion by: Mike Stone Seconded by: Norm Holcomb Yea 4 Nay 0

7. Board of Selectmen Items

a. Board and Committee Appointments:

MOTION: To move that the Board of Selectmen accept the resignation of Mike Nardone from the Community Housing Committee with thanks.

Motion by: Tracy Post Seconded by: Mike Stone Yea 4 Nay 0

MOTION: To move that the Board of Selectmen appoint Megan Schlessinger to the Yarmouth Conservation Commission for a three-year term to run through June, 2020.

Motion by: Jim Quirk Seconded by: Mike Stone Yea 4 Nay 0

b. Upcoming Agenda Review: The Board agreed to hold a Board of Selectmen meeting prior to Annual Town Meeting.

c. Individual Items: Mr. Holcomb, Mr. Stone, and Ms. Post thanked Mr. Quirk for his service.

8. Town Administrator's Items

a. Consent Agenda: Application for a Special Entertainment License from the Skipper Restaurant dated April 21, 2017.

MOTION: To move that the Board of Selectmen approve the consent agenda.

Motion by: Tracy Post Seconded by: Norm Holcomb Yea 4 Nay 0

b. Town Administrator Updates: Mr. Knapik congratulated Mr. Quirk on his retirement from the Board. He also thanked the 100-plus volunteers who participated in Yarmouth Pride Clean-Up Day.

The final three architect consultants for the Mattacheese Middle School will be announced at tomorrow night's Building Committee meeting. Interviews will begin the week of May 16th. Ms. Post asked for a meeting with the Town of Dennis as the agenda allows in June in order to discuss the regional agreement.

Chairman Quirk also asked that David Young appear before the Board again.

9. Adjourn

MOTION: To move that the Board of Selectmen adjourn the meeting.

Motion by: Tracy Post Seconded by: Norm Holcomb Yea 4 Nay 0

Meeting adjourned at approximately 8:25 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Linda Dennehy". The signature is written in a cursive style with a long, sweeping tail on the final letter.

Linda Dennehy

DISTRIBUTED MATERIAL AGENDA PACKET

- Application for Change of Manager from Irish Village Restaurant & Resort
- Application for an Extension of Premise from Rourke's Top of the Cove
- Email and letter from the Alliance to Protect Nantucket Sound dated April 25, 2017 re: New Draft Environmental Impact Statement
- Letter to BOS from Celebrate Yarmouth, Inc., undated, re: 7th Annual Summer Celebration Kick-Off
- Email to BOS from Protect Our Cape Cod Aquifer (POCCA) dated April 6, 2017
- Cape Light Compact Joint Powers Entity Contract, Proposed Motions, and Town Counsel Opinion
- Email to Community Development Department from Mike Nardone dated April 26, 2017 re: Resignation from the Community Housing Committee
- Memo from Appointments Chairman to BOS dated April 25, 2017 re: Conservation Commission Appointment
- 2017 BOS Upcoming Agenda Item Review
- Application for Special Entertainment License from Skipper Restaurant dated April 21, 2017
- Board of Health Meeting Agenda for April 24, 2017
- Taylor-Bray Farm Preservation Association Flyer for 16th Annual Sheep Festival
- Email to BOS from Girardi's Cafe dated April 20, 2017 re: Request to Close