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CHAPTER 5
INTERGOVERNMENTAL COORDINATION

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TOWN OF YARMOUTH INTERGOVERNMENTAL COORDINATION

COORDINATION WITH OTHER PLANNING EFFORTS

This chapter details the need for cooperation and coordination between local, county, and state agencies and committees in the areas of planning, public safety and health related issues. The possibility of Memoranda Of Understanding (MOU) between local and other inter-municipal and county planning committees is introduced as a means of coordinating the various regional programs now operational or proposed in the future. The possibility of a major change in "County Government" is also anticipated.

LISTING OF RESOURCES OF INTER-MUNICIPAL IMPORTANCE

Numerous resources of inter-municipal importance are inventoried and mapped. These include water bodies, wetlands, coastal resources and open spaces. Physical resources of concern are listed such as hospital, airport and highway transportation. The significant inter-municipal agreements concerning solid waste, septage and schools are highlighted for their impact on Yarmouth.

LOCAL AND INTER-MUNICIPAL COORDINATION

Enumerated are examples of shared concerns with the neighboring towns of Barnstable and Dennis, that reinforce the need to continue and expand shared planning information and certain other types of information. A suggestion is made that an MOU would be helpful as a vehicle to formalize communication through regular scheduled meetings and materials. It is expected that this chapter will be updated at the end of the Comprehensive Planning Program as more experience is gained about coordination and communication needs.

BACKGROUND

The Cape Cod Commission Act requires that their Regional Policy Plan identify Barnstable County's critical resources and management needs. At the town level, the same effort is being undertaken for local resources and management needs and will be incorporated into the Yarmouth Comprehensive Plan.

These critical resources include natural, coastal, historic, recreational, cultural, architectural, aesthetic and economic resources. Also included are ground water and surface water supplies, available open space and areas available for developmental activities.

"Regional Resources" addressed by the Yarmouth Comprehensive Plan are considered to be those resources which are significant to more than one town, or which cross jurisdictional boundaries. They include both natural and man-made resources. They are areas that have public value and that may be vulnerable to damage from uncontrolled or inappropriate development.

Key regional resources in Yarmouth are not limited to those listed in the local plan and may include others covered by adjoining local plans.

COORDINATION WITH LOCAL AGENCIES

The Cape Cod Commission Act provides for establishment of a Local Planning Committee to develop Local Comprehensive Plans for each town in cooperation with the Cape Cod Commission. Each community on the Cape has established such a committee and these committees have been meeting regularly. In some towns, the Planning Board was appointed as the Local Planning Committee. In other towns, a separate committee was created comprised of representatives of various town boards within the community. These include Conservation Commissions, Boards of Health and Historic Commissions. In Yarmouth, the Planning Board was named and has been working in close cooperation with the Growth Policy Advisory Council.

Regardless of the formal composition of the Local Planning Committees, it is clear that preparation of Local Comprehensive Plans requires the participation of all relevant town boards. The Local Planning Committee is encouraging the broadest possible input from within the community to develop the Comprehensive Plan. The Commission has provided substantial financial and technical assistance to the Town to help them develop the Local Comprehensive Plan. In addition, the Commission has worked directly with the Local Planning Committee and staff to help develop portions of the Comprehensive Plan and assist local planning efforts. The local boards include at least eleven (11) lead agencies and staff members.

In addition to the planning efforts of Local Planning Committees, the Commission has been coordinating with local boards on reviews of Developments of Regional Impact (DRI). Commission decisions should be consistent with local bylaws and regulations as required by the Cape Cod Commission Act. However, the Commission may impose more stringent conditions on development than would be required by local review. In certain cases, the Commission may recommend, during its review of a project, that a town consider waiving one or more local standards in the interest of attaining the intent of the Cape Cod Commission Act. Such waivers are not mandatory, but they can be considered by the town during its local review process. The Commission staff has recently assisted local boards with a limited discretionary referral of a DRI for the proposed expansion of a gas station at a sensitive location on Route 28.

THE DEVELOPMENT AND PROCESS OF PREPARING THE YARMOUTH COMPREHENSIVE PLAN

In the period between September of 1989 and July 1991, some basic work on a Yarmouth Master Plan had been done by the Planning Staff. Outlines and a sketch plan were prepared and a questionnaire sent to all departments. When the Cape Cod Commission came into being in April 1990, that agency's staff started work on guidelines for Local Comprehensive Plans. By July of that year contacts between towns and the Cape Cod Commission and the suggested plan outline had progressed far enough so that several towns were interested in undertaking the program. Yarmouth adjusted its Master Plan work outline to match the Commissions and a preliminary proposal was prepared.

There followed a long period of negotiation over the extent, detail, timing and financial support for the Comprehensive Plan Program. This situation was exacerbated by the absence of the Town Planner due to illness.

It was subsequently decided to divide the work program into two 2-year phases using the standard guidelines of the Cape Cod Commission. The Commission provided standard formula amount of \$66,212 for financial assistance for the first phase. The Memorandum of Agreement was signed by the Yarmouth Board of Selectmen on October 20, 1992. At approximately the same time, Yarmouth was named a "pilot community" as representative of a particular size and character of community on the Cape. The Board of Selectmen, by formal vote, advocated support for the program and named the Planning Board as the official "Local Planning Committee".

Our program was unusual in that a large portion of the first phase was to be prepared by the existing planning staff with consulting services for outreach, coastal resources, recreation and transportation planning. The first new staff member, a contractual planning aide, was hired on December 8, 1992.

CRITICAL NEED FOR GOOD COMMUNICATIONS AND PUBLIC RELATIONS

In 1965 the Planning Board had undertaken a master plan program under the old Urban Planning Assistance Program (701). A consultant prepared the plan and, although the usual process would have been to have the Planning Board hold a hearing and adopt the plan as an "advisory" document, it was nonetheless presented to the Town Meeting for their endorsement. The result was an overwhelming rejection and the resignation of the Planning Board on the stage of the Dennis-Yarmouth Regional High School!

This has impressed upon us that a complex program such as the Comprehensive Plan requires a very good communications and public relations process. Now we must present the final plan documents to Town Meeting for approval. We have instituted an active outreach program using an outreach consultant. We have used radio, television, handouts, summary reports and numerous graphics and cartography to make the public as much of the plan process as possible. The presentation program will be described in the following paragraphs.

REGIONAL COORDINATION

I. LISTING OF RESOURCES OF REGIONAL AND INTER-MUNICIPAL IMPORTANCE

Regional and inter-municipal resources located in Yarmouth for this plan are considered to be those resources which are significant to more than one town or which cross jurisdictional boundaries. They include both natural and man-made resources. They are areas that have public value and that may be vulnerable to damage from uncontrolled and inappropriate development

This chapter of the Comprehensive Plan - Phase I, is designed to identify Yarmouth's critical resources, management needs including economic resources, recreational and conservation uses, coastal areas, wetland and water resources and agricultural locations (cranberry bogs).

Regional and inter-municipal resources in Yarmouth include, but are not limited to those listed below. Most of these areas have been or will be mapped by the Town.

A. INTER-MUNICIPAL RESOURCES OF SIGNIFICANCE - (see Map 5-1)

1. Re-charge Areas to Existing and Future Public Water Supply Wells -
(see Map 5-1) - See IEP Study - 1987-88 (Zone 1 & Zones of Contribution)
2. Re-Charge Areas - to Coastal Embayments and Inland Ponds (see Map 5-1)
Note IEP and Cape Cod Commission Studies
3. Inland Wetlands
Covered in Part B - (Cranberry Bogs.)
4. Coastal Wetlands - Salt Marshes
Northside Areas (see Map 5-1)
Chase Garden Creek
Parkers River - Southside
5. Inland Lakes and Ponds - (see Map 5-1)
Long Pond
Swan Pond

6. Coastal Embayments
 - Cape Cod Bay
 - Lewis Bay
 - Nantucket Sound
 - Bass River
7. Nearshore Marine Fisheries and Their Habitat
 - Includes shellfish areas (see Map 5-1)
8. Private: Open Space
 - Kings's Way Golf Course
 - Blue Rock Gold Course
 - Camp Greenough - Boy Scouts
 - Camp Wingate
9. Public: Open Space
 - Bayberry Hills Golf Course (TOY)
 - Bass River Golf Course (TOY)
 - TOY Beaches - Open to Public
 - Flax Pond/Sandy Pond Recreation Area - Open to Public
 - Conservation Trails - Open to Public

B. ECONOMIC, HISTORIC, AND CULTURAL RESOURCE

1. Properties listed/eligible for listing on National or State Register of Historic Spaces - Including sites on Route 6A; Sites in Bass River; Baxter Mill.)
2. Historic village centers: Hallet's Store Area (YarmouthPort)
3. Sub-Regional business district - Station Ave. A&P-area; Route 28 Corridor; Route 6A- (Peterson's Market Area).
4. Scenic Landscapes - Bass Hole - Old Main Street, Bass River - Scenic Vistas from Bass River Golf Course, Bayberry Golf Course, and German Hill; (see Coastal Resources Chapter for list of abundant coastal area vistas). - Route 6A, as a scenic route.
5. Archeological resource areas - Sites of historical significance - Vikings' Landing - Early Indian tribes.

C. KEY REGIONAL FACILITIES

1. Regional transportation corridors - U.S. Route 6 (limited access), Bay Colony Railroad, State Route 6A, Route 28 Corridor, and Great Western Roads, Buck Island Road (cross town routes).
2. Major Airports - Edge of Barnstable Municipal Airport
3. Barnstable/Yarmouth Transfer Station, Dennis/Yarmouth Septic Treatment Plant.
4. Regional health care facilities - edge of Cape Cod Hospital/Yarmouth Medical Center in South Yarmouth.
5. Regional School Buildings - Dennis/Yarmouth Regional High School, Mattacheese Middle School, Laurence C. MacArthur School Elementary School, Marguerite E. Small

Elementary School, John Simpkins Elementary School, Station Avenue Elementary School.

II. COORDINATION OF POLICIES AND PROGRAMS AFFECTING RESOURCES AND PLANS.

A review of the goals and policies and local actions section of each chapter in the Yarmouth Local Comprehensive Plan makes it clear that a variety of coordinating efforts will be required. These efforts, both formal and informal, will be required to carry out the various purposes of the plan. Many of these activities are already underway or planned through public and private sector programs, or by Yarmouth's planning efforts. Yarmouth's planning efforts should not duplicate these efforts but rather complement them where possible. Staff assistance could be provided when appropriate.

The contents of this Coordination Chapter 5 are continuing to evolve as various drafts of chapters are prepared and discussed with local agencies, staffs and individuals. A revised coordination section almost certainly will be prepared at the end of the program. During this interim period, the Local Planning Committee, the Planning Board and the Growth Policy Advisory Council will incorporate, into each Plan Chapter, a discussion of the coordinating efforts required to reach the goals, policies and objectives of that chapter.

The Comprehensive Plan is not a static document. Cooperation at all levels of government and with the private sector will be a significant factor in the Town's planning and permitting program, and in the future refinement and implementation of the Plan.

A. REGIONAL COORDINATION OF PROGRAMS WITH SUGGESTED IMPLEMENTATION ACTIONS

All planning chapters have suggested local actions. Each action must be coordinated not only at the local level but at the inter-municipal level as well. Actions at the next higher level of government, the County, will also require coordination. These coordination efforts will be described in the following paragraphs.

In 1988, Barnstable County adopted a home rule charter that established an executive branch and a legislative branch. No longer was the county an administrative extension of State Government but it had an Assembly of Delegates with taxing power. It is a true "government" in that sense. However, other than its Memorandum of Understanding with the Cape Cod Commission, Yarmouth does not have a formal working agreement with any other County department. As the regional portion of the planning program unfolds, it may be possible to develop these sort of agreements with other County agencies.

Except for the elective officials of state and federal government that represent this area, there is no existing coordination mechanism for planning at those levels. Therefore, the use of regular, informal, local staff and political contacts has been required. In this case as well, more formal agreements might be useful. The coordination role of the Cape Cod Commission will also be important.

B. ESTABLISHMENT OF A LOCAL PLANNING COMMITTEE USING PLANNING BOARD AND GROWTH POLICY ADVISORY COUNCIL

The Cape Cod Commission Act provides for the establishment of "local planning committees" to oversee the development of comprehensive plans in the towns of Barnstable County. Yarmouth established its seven member planning board as such a committee in April 1991. In November of 1994, the Growth Policy Advisory Council was added to that function via a memo to the Board of Selectmen. Yarmouth is the only town on the Cape with such an organization. The working agreement has proved effective regarding preparation of such documents as the "VISION" statement and in undertaking the outreach process.

To further enhance activity and review coordination, the town and the Cape Cod Commission signed a Memorandum of Understanding in November 1995. That document provides for coordinated and cooperative processing of DRI's. Other cooperative actions include submission of DRI's through the Planning Division Staff as a "conduit", provision for notices to local boards as to pending projects, receipt of local technical assistance from the Commission Staff and other coordination items. To date, this has worked well.

III. REVIEW OF LOCAL AND REGIONAL PLANS - WITH CCC STAFF FOR CONSISTENCY WITH THE REGIONAL POLICY PLAN

As mentioned, there is an MOU between the Town and the Cape Cod Commission which was signed in November 1995. It deals with such items as discretionary referrals, DRI reviews, referral of historic structures, identification of activity centers, changes in DRI thresholds, screening of industrial areas, revitalization of the Route 28 Corridor and requests for technical assistance. In addition, there are Commission Staff contact persons for DRI'S and for the Comprehensive Plan. These working relationships have been successfully established.

You have already been informed that as part of the Comprehensive Planning program (Phase 1) "long summary drafts" are being prepared for each of the Plan Elements. These are designed to provide information to the general public and will be reviewed with CCC Staff as part of the plan preparation/presentation process.

The overall plan format has been adjusted to match the Commission's guidelines. Since there is an inherent diversity in Cape communities, Yarmouth may vary considerably from the Cape Cod Regional Policy Plan in its goals, policies, minimum

performance standards and local actions. Yarmouth will strive to underscore any matters at issue with the CCC position and demonstrate the unique and/or special local situation that prevents use and attainment of such items.

IV. FORMALIZATION OF STAFF ROLES IN REGULAR CONTACTS BETWEEN TOWN AND COUNTY

As noted, the staff roles between Town and County are defined only in the MOU with the Cape Cod Commission. Other County agencies where similar agreements might prove useful include the County Health Department, Social Services, Sheriff Services, Fire Services and any policy making service. MOU's with these agencies might well be appropriate. Agreements with associated Federal and State agencies would also be a distinct possibility. These might include the Extension Service of the Department of Agriculture, the Massachusetts Coastal Zone Management Program and the Massachusetts Bays Program.

The effects of the proposed take-over by the State of the thirteen (13) counties in the Commonwealth are not clear at this time. Perhaps Barnstable would be exempt, perhaps not. In the latter case, agreements with County agencies could be critical for day to day operating questions.

V. UPDATING OF 'VISION', GOALS AND POLICIES OF THE LOCAL PLAN WITH EACH PHASE OF THE LONG RANGE PROCESS

As noted previously, there was a series of nine public meetings on the outreach process and the "vision" statement in 1993. In the fall of 1994, four more sessions were held to discuss the various "measures" of progress the community was making toward its established goals. Those sessions prompted GPAC to prepare proposed measurable items to assess the progress of the Plan. These items are still in preliminary form at this time.

It is the intent of the Local Planning Committee to prepare goals, policies, minimum performance standards and development review policies for each of the Plans's elements. In addition to these preparations, which are already underway, the Committee is establishing measurable objectives and needed local actions.

It is also the intent of the Local Planning Committee to update the overall "Vision" statement at least every time there is a major plan update. It is not expected that the first adopted "Vision" statement will be a static document, but will be revised, expanded and clarified as needed. In theory, this will take place every five years. In practice, the situation in this community, given its extensive committee structure, staffing and funding circumstances, will be such that revisions and updates are likely to take place at 7 to 8 year intervals.

VI. LOCAL AND INTER-MUNICIPAL COORDINATION

A. LIAISON WITH BARNSTABLE AND DENNIS LPC'S AND SCHEDULING REGULAR MEETINGS

Our neighboring towns of Barnstable and Dennis share concerns arising from common geographic features, common transportation systems, and shared public facilities and services. By sharing information about such concerns during the development of our local comprehensive plans, our towns can better coordinate their efforts and can better develop the regional coordination programs required by the Cape Cod Commission Act. Perhaps MOU's with them would be helpful also.

At present the planning staffs of the three towns are in active consultation on a variety of matters, such as transportation, refuse, septage, coastal embayments and school facilities. This contact provides a continuity of professional familiarity with jointly held concerns in the Mid-Cape towns.

B. REGULAR MEETING WITH BARNSTABLE AND DENNIS LPC'S

During the planning process and beyond, the local planning committees of the three towns should meet regularly to identify issues of common concern and mechanisms for coordination. The Yarmouth Local Planning Committee (Planning Board) and the Growth Policy Advisory Council have met several times with the Barnstable and Dennis LPC's during the course of the program. Possibly a Memorandum of Agreement would be appropriate to schedule these meetings on a regular basis.

(This section will be expanded after practical experience is gained in presenting the Comprehensive Plan chapters).

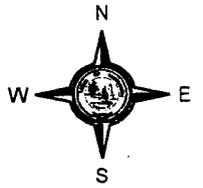
C. REVIEW OF LOCAL PLANS FOR CONSISTENCY AND COORDINATION WITH THE TWO ADJOINING TOWNS.

Part of any Memorandum of Agreement with the adjoining towns would be a mechanism providing for the review of local plans for consistency and coordination. In part, through the steering committee of the Barnstable/Yarmouth Transportation Study, this type of review already exists on transportation matters. A more formal process could be useful, leading to a method whereby differences of opinion could be resolved.

The above mentioned MOA might also provide the structure for regular meetings of other like town agencies such as Health, Conservation, DPW and Recreation.

(This section will be expanded after practical experience is gained in presenting the Plan's chapters).

Cape Cod Bay

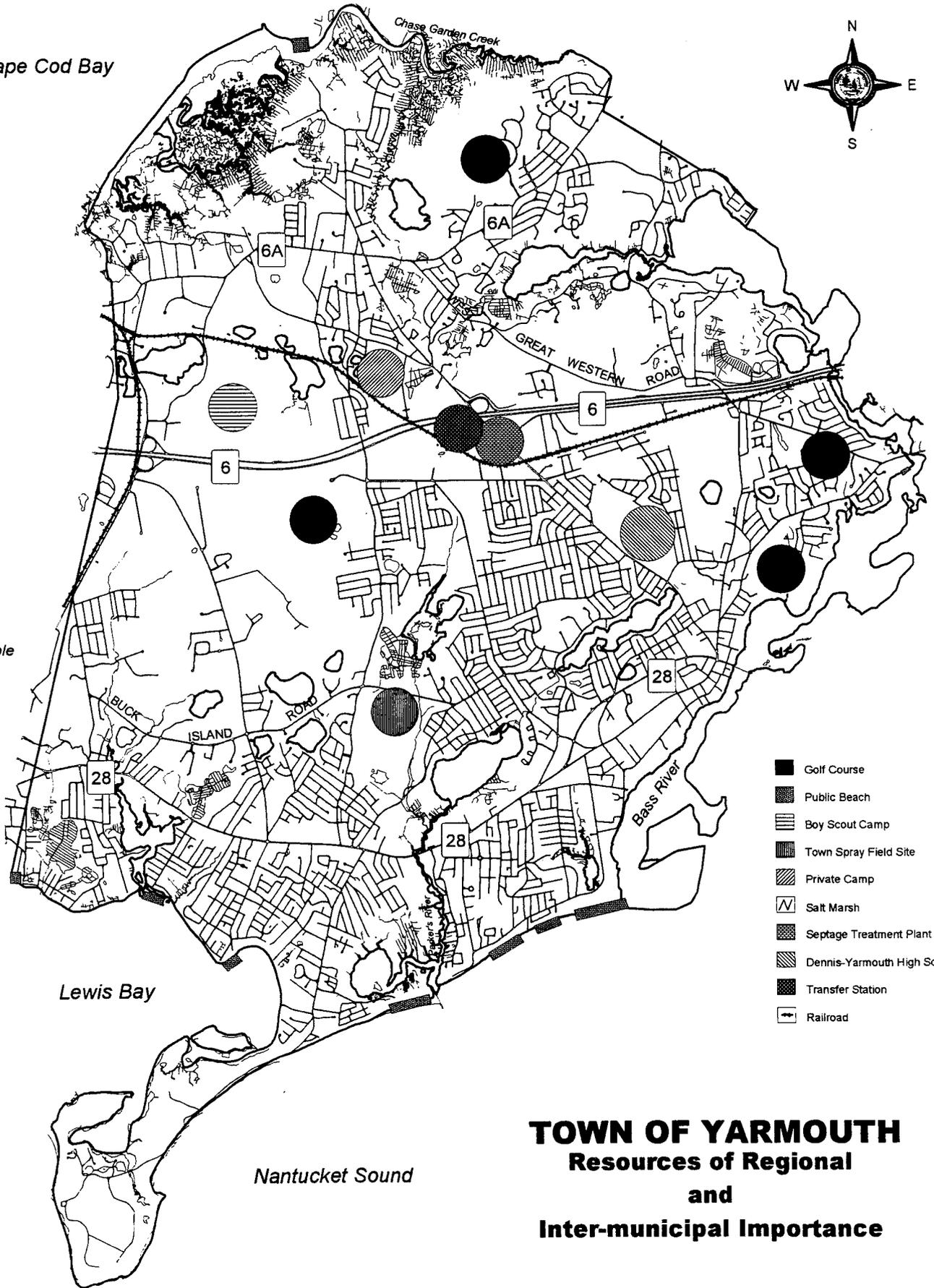


Barnstable Airport

Cape Cod Hospital

Lewis Bay

Nantucket Sound



TOWN OF YARMOUTH
Resources of Regional
and
Inter-municipal Importance

