

**Town of Yarmouth
MINUTES OF THE PLANNING BOARD MEETING ON**

September 21, 2021

The Yarmouth Planning Board met in quorum at the Board of Selectmen Meeting at 6:00 p.m. on Tuesday, **September 21, 2021** in the Hearing Room at the Yarmouth Town Offices located at 1146 Route 28, South Yarmouth, MA.

Planning Board Present: Brad Goodwin, Susan Brita, Joanne Crowley, Liz Hartsgrove, and Will Rubenstein

Planning Board Absent: Chris Vincent, and Tom Baron

Staff Present for Planning Board Business: Kathy Williams, Town Planner.

- 1. Planning Board Annual Update with the Board of Selectmen (BOS):** Joanne Crowley, Planning Board Chair gave the attached PowerPoint presentation summarizing the September 16, 2021 Memo outlining the Planning Board's duties; membership; other committee assignments; and past year accomplishments on Community Visioning, Extension of the Growth Incentive Zone (GIZ), comments on the Blue Sky Tower Development of Regional Impact (DRI), and seven (7) zoning amendments for fall Special Town Meeting (STM). Also reviewed were goals for the coming year including completion of the Vision Plan and start of the Local Comprehensive Plan (LCP), including a request for BOS support and advocacy for a Free Cash Grant or other funding for the LCP. Lastly, the Planning Board requested some early direction from the BOS on ways to address the issue of workforce and seasonal housing.

The BOS members discussed the update and goals for the coming year, noting:

- The Board's interest in the completion of the Vision Plan and moving forward with the LCP, which has been a long-time BOS goal.
- The Board recognizes the issue with employee housing and mentioned dormitories and Accessory Dwelling Units (ADUs) as possible things to consider. However, the BOS were looking for some type of needs analysis for employee housing, partnering with the Chamber and business community, before looking at options to address the need. Also discussed the upcoming update to the Housing Production Plan (HPP) and bringing together various committees/boards to look at housing goals and objectives. Once there is a better understanding of the needs, this topic can be discussed further at future BOS meetings.
- The need to manage growth and safeguard the vision for Route 28 through Zoning and other regulations once wastewater is available.
- The need to work with MassDOT on the resurfacing project (Barnstable line to Parkers River) on a vision for streetscape improvements along Route 28, including improving walkability/bikeability which are important for economic revitalization.

2. Zoning Articles for 2021 Special Town Meeting (STM) with Board of Selectmen (BOS):

Joanne Crowley, Planning Board Chair gave a brief introduction of the proposed zoning articles and Kathy Williams, Town Planner, gave the attached PowerPoint presentation outlining the 7 zoning articles, including input from the September 15th Public Hearing and revisions made resulting from the Hearing.

Outlined below is a summary of the Articles, BOS discussion and recommendations:

- a. Zoning Article 1 (Warrant Article 11) - National Flood Insurance Program (NFIP) Provisions: These amendments relate to development within Flood Zones and are necessary to maintain the Town's eligibility in the NFIP. Although not new regulations they are required to be incorporated into local regulations. One change of note is the need to permit, or have a review process, related to fence installations in flood zones.

After limited comment and discussion, the BOS voted unanimously to recommend this Article.

- b. Zoning Article 2 (Warrant Article 12) - Zoning District Boundaries: This amendment corrects inconsistencies between the zoning boundaries shown on the Zoning Map and the written word within the Zoning Bylaw for the rear boundary limits of the B1 and B2 zoning districts, and outlines rules to follow should there be any questions related to boundary limits.

After limited discussion, the BOS voted unanimously to recommend this Article.

- c. Zoning Article 3 (Warrant Article 13) – Brewpubs: This amendment allows Brewpubs to be located within our B1/B2 commercial areas, as long as the product is manufactured for consumption and retail sale on the property, and not part of a larger manufacturing endeavor for off-site distribution.

After some discussion related to licensing of brewpubs, the BOS voted unanimously to recommend this Article.

- d. Zoning Article 4 (Warrant Article 14) - Mobile Food Vendors: This amendment would allow Mobile Food Vendors (i.e. food trucks) on town-owned land if approved by the Board of Selectmen through the Use of Town-Owned Property Application process.

After limited discussion, the BOS voted unanimously to recommend this Article.

- e. Zoning Article 5 (Warrant Article 15) – Signs: This amendment clarifies that all business center signs shall have a maximum height of 12', and simplifies the language for issuing Special Permit relief to make it less subjective.

After limited discussion, the BOS voted unanimously to recommend this Article.

- f. Zoning Article 6 (Warrant Article 16) - Rezone Parcel: The Article as presented to the BOS proposed to rezone the property located behind 125 Route 6a from R40 residential to B1 business. The Article presented at the zoning Public Hearing also included rezoning of 17 Berry Ave from residential to commercial. However, after public comments received at the hearing and a robust discussion, the Planning Board voted to eliminate the rezoning of 17 Berry Ave and move forward with rezoning of the parcel behind 125 Route 6a only.

The BOS had the most discussion on this Article with varying opinions, with Peter Smith recusing himself due to a conflict. After discussion, the Board voted 2-2-1, leaving the article without a vote of recommendation.

- g. Zoning Article 7 (Warrant Article 17) - Body Art Establishments: This Article would allow Body Art Establishments that provide tattooing and cosmetic tattooing to be located within the commercial corridor along Route 28.

After a brief discussion, noting the correspondence sent directly to the BOS on this topic, the BOS voted unanimously to recommend this Article.

3. **Adjournment**: Planning Board adjourned at 8:10 PM.

ATTACHMENTS:

- **Planning Board Agenda – September 21, 2021**: Planning Board at Board of Selectmen Meeting
- **Board of Selectmen Agenda – September 21, 2021**
- **Planning Board Update to Board of Selectmen**: September 16, 2021 Memo from Joanne Crowley and PowerPoint presentation
- **Zoning Amendments**: September 16, 2021 Memo from Joanne Crowley, Zoning Articles 1-7, September 16, 2021 Memo to Robert Whritenour from Kathy Williams on Planning Board recommendations, and PowerPoint presentation

Approved on October 6, 2021:

On a motion by Tom Baron, and seconded by Will Rubenstein, the Planning Board voted (3-0-2) to approve the meeting minutes of September 21, 2021, with Susan Brita, Joanne Crowley, and Will Rubenstein voting in favor, and Chris Vincent and Tom Baron abstaining.