

YARMOUTH TOWN CLERK  
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# Town of Yarmouth

## MINUTES OF THE PLANNING BOARD MEETING ON February 4, 2014

The Yarmouth Planning Board met in quorum at the Board of Selectmen Meeting at 7:00 p.m. on Tuesday, February 4, 2014 in the Hearing Room at the Yarmouth Town Offices located at 1146 Route 28, South Yarmouth, MA.

**Planning Board Present:** Norm Weare, Tom Roche, Ken Driscoll and Anthony Panebianco.

**Planning Board Absent:** Chris Vincent and Brad Goodwin

**Others Present specifically for Planning Board Business:** Kathy Williams, Town Planner.

**1. 2014 ATM Zoning Articles:** Norm Weare presented the attached PowerPoint presentation outlining the six proposed Zoning Articles for the 2014 Annual Town Meeting. This is the initial meeting between the Planning Board and the Board of Selectmen (BOS) and is prior to the formal Public Hearing scheduled for February 5, 2014. The following is a brief summary of the main comments made by the BOS. Refer to the BOS meeting minutes for additional information.

- a. Registered Marijuana Dispensaries (RMDs) Bylaw: Concerns were expressed regarding:
  - 1) Whether the Use Regulation Table 202.5 should show a BA (Board of Appeals Special Permit required) in the Aquifer Protection District (APD zoning district) as the RMD Overlay District does not include all of the APD zoning district.
  - 2) Section 415.6.5 should be clarified if the intent is for a RMD to be reviewed by the ZBA annually for the life of the Special Permit.
  - 3) The Marijuana Definition is confusing and may need to be simplified if possible.
- b. Extension of Temporary Moratorium on RMDs (if RMD Bylaw does not pass): No comments from the BOS.
- c. Adoption of FEMA Flood Insurance Rate Maps (FIRMs): The BOS expressed concerns and apprehension about the impacts of adopting the FIRM maps if they are based on faulty science.
- d. Temporary Commercial Outdoor Display: Concerns were expressed regarding:
  - 1) The number of businesses who might take advantage of this bylaw and what Route 28 might look like if a large number of businesses had tent sales every weekend during the summer.
  - 2) Need to define what is considered "adequate" parking.
- e. Zoning Map Housekeeping item to amend the Revitalization Overlay Architectural District (ROAD) limits: No comments from the BOS.
- f. Modifications to Section 104.3.2(4) to require Design Review and Site Plan Review: No Comments from the BOS.

The Planning Board are scheduled to come back before the BOS on February 25, 2014 with final edits based on the BOS comments, stakeholder input and public comments from the Public Hearing.

**2. Adjournment: VOTE: On a motion by Tom Roche, seconded by Ken Driscoll, the board voted (4-0) unanimously to adjourn at 8:20 p.m.**

### ATTACHMENTS:

- Agenda 02/4/14 – Planning Board at Board of Selectmen Meeting.
- PowerPoint Presentation dated February 4, 2014.
- January 29, 2014 memo from Chris Vincent, Planning Board Chairman, to Erik Tolley, Board of Selectmen Chairman with RMD Bylaw Draft #2 and RMD Overlay District Map, both dated

January 16, 2014; RMD Moratorium Extension Draft #1 dated January 13, 2014; FEMA FIRM Maps Draft #2, dated January 16, 2014; Temp Commercial Outdoor Display Draft #3, dated January 16, 2014; ROAD Zoning Map Housekeeping Draft #2, dated January 16, 2014; Modifications to Section 104.3.2(4) Draft #2, dated January 16, 2014; and redline amendments to Section 104.3.2(4).

***Approved on April 16, 2014:***

**On a motion by Norm Weare and seconded by Anthony Panebianco, the Planning Board voted (4-0-2) to approve the Planning Board meeting minutes of February 4, 2014; with Anthony Panebianco, Ken Driscoll, Norm Weare, and Tom Roche voting in favor; and Chris Vincent and Brad Goodwin abstaining.**