

Town of Yarmouth

MINUTES OF THE PLANNING BOARD MEETING OF
April 22, 2015

The Yarmouth Planning Board held a Business Meeting at 5:30 p.m. on Wednesday April 22, 2015 in the Hearing Room at the Yarmouth Town Offices located at 1146 Route 28, South Yarmouth, MA.

Board Members Present: Norman Weare, Brad Goodwin, Tom Roche, and Ken Driscoll.

Board Members Absent: Angela Philbrook, Chris Vincent and Anthony Panebianco

Others Present: Kathy Williams, Town Planner and Austin Cahill, Economic Development Planner.

Planning Board Chairman Norman Weare opened the meeting at 5:30 PM.

1. **Zoning Articles and Explanations for 2015 Annual Town Meeting (ATM):**

- a. **Article 26 – Section 404:** The Planning Board reviewed the attached proposed changes to the Motion and Explanation for Article 26 – Section 404, Motels. The proposed Amendment from the floor would remove Item 17 which included changes to the Use Table for the HMOD1 and HMOD2 zoning districts. Kathy Williams, Town Planner, noted the proposed changes were based upon further discussion with the Building Commissioner regarding underlying zoning and overlay districts. The Planner and the Board were of the thinking that a developer had the option of developing either under the underlying zoning or the overlay district. The Building Commissioner indicated this was true for design standards, but did not apply to Uses. To ensure that Article 26 does not complicate development, the proposed Amendment would eliminate the changes to the Use Table included in Item 17. Further discussion on this issue with the Building Commissioner will be necessary after Annual Town Meeting.

VOTE: On a motion by Brad Goodwin, seconded by Tom Roche, the Planning Board voted (4-0) unanimously to approve the proposed Amendment to Article 26 – Section 404, to remove Item 17, changes to the Use Regulation Table, with Norman Weare, Brad Goodwin, Tom Roche, and Ken Driscoll voting in favor.

- b. **Article 30 – Miscellaneous Amendments:** The Planning Board reviewed the attached changes to the Motion and Explanation for Article 30 – Miscellaneous Amendments. The proposed Amendment from the floor would change the use for L2-Commercial Parking lots from a “no” in the HMOD1 zoning district, to a “BA”, meaning Special Permit from the Zoning Board of Appeals, to match the underlying B2 zoning.

VOTE: On a motion by Brad Goodwin, seconded by Ken Driscoll, the Planning Board voted (4-0) unanimously to approve the proposed Amendment to Article 30 – Miscellaneous Amendments, to modify Item 3, changes to the Use Regulation

Table, and to spell out Board of Appeals, with Norman Weare, Brad Goodwin, Tom Roche, and Ken Driscoll voting in favor.

2. **Design Review Committee:** The Planning Board discussed the recommendation of a Planning Board member to the Design Review Committee. It was noted all design review committee members need to be reappointed. The Board was in agreement that Planning Board member Chris Vincent would be a strong candidate for the position and Planning Board Chairman Norman Weare indicated he will be in contact with Chris Vincent to discuss the matter.
3. **Meeting Minutes:**
 - a. **April 15, 2015:** **VOTE:** On a motion by Brad Goodwin, seconded by Tom Roche, the Planning Board voted (4-0) to approve the minutes of April 15, 2015 with Norman Weare, Brad Goodwin, Tom Roche and Ken Driscoll voting in favor.
4. **Board of Appeals Agenda & Decisions:** None
5. **Board Member Items:** None
6. **Correspondence:** None
7. **Staff Updates:** Town Staff went before Community Preservation Committee (CPC) to request \$800,000 for the Parkers Rivers Tidal Restoration Project. This project will widen the Parkers River Bridge from 17 feet to 30 feet to improve tidal flushing. It was noted that the request was favorably reviewed by the CPC and the request will be discussed at the next CPC meeting in May.
8. **Upcoming Meetings:**
 - a. May 2, 2015 – Annual Town Meeting
 - b. May 6, 2015
9. **Adjournment:** **VOTE:** On a motion by Brad Goodwin, seconded by Ken Driscoll the Committee voted to adjourn the meeting at 5:48 PM with Norman Weare, Brad Goodwin, Tom Roche and Ken Driscoll voting in favor.

ATTACHMENTS:

- **Agenda April 22, 2015**
- **Zoning Articles and Explanations for 2015 Annual Town Meeting (ATM)**
 - April 17, 2015 e-mail from Attorney Bruce Gilmore
 - Article 26 – Section 404 – Motel Amendments: Revised Motion & Explanation and Article 26 as published in the warrant
 - Article 30 – Miscellaneous Amendments: Revised Motion & Explanation & Article 30 as published in the warrant
- **Meeting Minutes**
 - April 15, 2015

Approved on May 6, 2015:

On a motion by Brad Goodwin, seconded by Tom Roche, the Planning Board voted (4-0-2) to approve the minutes of April 22, 2015 with Norman Weare, Brad Goodwin, Tom Roche, and Ken Driscoll voting in favor, and Chris Vincent and Angela Philbrook abstaining.