

Town of Yarmouth

**MINUTES OF THE PLANNING BOARD MEETING OF
January 6, 2016**

The Yarmouth Planning Board held a Business Meeting at 5:30 p.m. on Wednesday **January 6, 2016** in the Hearing Room at the Yarmouth Town Offices located at 1146 Route 28, South Yarmouth, MA.

Planning Board Present: Tom Roche, Chris Vincent, Norman Weare and Ken Driscoll.

Planning Board Absent: Brad Goodwin and Angela Philbrook.

Others Present: Kathy Williams, Town Planner.

Chairman Norman Weare opened the meeting at 5:32 PM.

1. **Discussion on Potential Zoning Amendments for 2016 Annual Town Meeting:** The Board reviewed the potential zoning amendments and articles outlined in the attached January 4, 2015 Memo from the Town Planner.
 - a. **Zoning Article #1 - HMOD Uses and Intent:** Kathy Williams outlined the addition of a reference in HMOD to the existing light standards in section 301, summarized the excerpts from the Growth Incentive Zone (GIZ) which emphasized mixed-uses requiring 40% residential; and reviewed the NAICS Codes for walk-in clinics, and Transportation. After discussion, the Board agreed to the additional reference to the existing parking lot light standards, eliminated the language in 404.1.10 referencing motel use and creation of housing; and agreed to the Use Table edits per the attached Draft #3, except F2 – Local & Commuter Passenger Transportation Terminal and N11 – Other Miscellaneous Amusement & Recreation Services should be a No in HMOD1. It was felt these types of uses are adequately addressed in the underlying zoning where the Special Permit Granting Authority is the ZBA. The Board agreed to move forward with this Article at Annual Town Meeting (ATM).
 - b. **Zoning Article #2 - Employee Housing at non Motels/Hotels:** The Board briefly reviewed the attached Draft #2 without comment and agreed to move forward with this Article at ATM.
 - c. **Zoning Article #3 – Miscellaneous Amendments:** These amendments are either clarifications or relatively minor in nature. As such, the Board agreed to include these as a single Article and move forward with the following amendments:
 - i. **Maximum Building Height Illustrative Figures:** The Board reviewed the attached Draft #1 edits to the Building Height section along with the Illustrations and agreed to move forward with formalizing the graphic.
 - ii. **Perimeter Plans:** Town Counsel indicated there should be no issue with this language to allow for Perimeter Plans without requiring a Special Permit.
 - iii. **Home Office Definition:** Town Counsel did not feel there was strong Case Law to allow Home Offices, but felt it could be made a by-right use in all underlying zoning districts.
 - iv. **Two Family Dwelling:** Clarify that the Lot Area for Two-Family Dwelling in Section 202.5 – Use Table needs to meet the minimum lot size outlined in Section 203.5 – Table of Dimensional Requirements (twice the minimum lot size).
 - v. **Motor Vehicle Fuel & Service Special Permit:** Change a Gas Station use in Section 202.5 – Use Table from Yes to Board of Appeals Special Permit to facilitate control over access management and aesthetics.

- vi. **Corner Lot**: Include a Definition of how Frontage is measured for corner Lots (i.e. to the middle of the curve of the intersecting Streets).
- d. **Zoning Article #4 – Changes to the Zoning Map**: Rezone the Septage Treatment Plant Property (Assessor Map 97.6) from a mixture of B1/B3 to all B3; and the former Zooquarium property (Map 32.92) from a mixture of B2/R25 to all B2. The Board was in agreement with moving forward with this Article.

2. **Meeting Minutes**:

- a. **October 7, 2015**: On a motion by Tom Roche, seconded by Ken Driscoll, the Planning Board voted (3-0-1) to approve the meeting minutes of October 7, 2015 with Tom Roche, Norman Weare and Ken Driscoll voting in favor, and Chris Vincent abstaining.
- b. **December 16, 2015**: On a motion by Chris Vincent, seconded by Tom Roche, the Planning Board voted (4-0) to approve the meeting minutes of December 16, 2015 with Tom Roche, Chris Vincent, Norman Weare and Ken Driscoll voting in favor.

3. **Board of Appeals Agenda & Decisions**: None.

4. **Board Member Items**: Chris Vincent indicated he will be teaching a class on Wednesday nights which may impact his ability to attend meetings beyond 6PM through May. The group discussed the potential of starting the Planning Board meetings at 5PM. Kathy Williams indicated she would check with Planning Board Rules & Regulations. Tom Roche indicated he would not present for the January 20th Planning Board meeting. Norm Weare noted that the February 3, 2016 meeting will include a Public Hearing and presentation on the Housing Production Plan.

5. **Correspondence**: None.

6. **Staff Updates**: Kathy Williams emphasized the need for a quorum at the February 3, 2016 Public Hearing for the Tree Hearing and the Public Hearing on the Housing Production Plan.

7. **Upcoming Meetings**:

- a. **January 20, 2016**

8. **Adjournment**: VOTE: On a motion by Chris Vincent, seconded by Tom Roche, the Planning Board voted unanimously (4-0) to adjourn at 6:09 PM.

ATTACHMENTS:

- **January 6, 2016 Agenda**
- **2015 ATM Potential Zoning Amendments**:
 - January 4, 2016 Memo from Town Planner
 - Excerpt from GIZ
 - Section 404 – Draft #3, December 31, 2015
 - Section 202.5 – Use Table with Footnotes – Draft 3, December 31, 2015
 - Employee Housing at non Motels/Hotels – Draft #2 – December 31, 2015
 - Section 203.4 – Building Height – Draft #1 – January 4, 2016
- **Draft Meeting Minutes**: October 7, 2015 and December 6, 2015

Approved on January 20, 2016:

On a motion by Chris Vincent, seconded by Ken Driscoll, the Planning Board voted (3-0-1) to approve the meeting minutes of January 6, 2016 with Chris Vincent, Norman Weare and Ken Driscoll voting in favor, and Brad Goodwin abstaining.