

YARMOUTH TOWN CLERK
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Town of Yarmouth

**MINUTES OF THE PLANNING BOARD MEETING OF
September 21, 2016**

The Yarmouth Planning Board held a Business Meeting at **5:30** p.m. on Wednesday **September 21, 2016** in the Hearing Room at the Yarmouth Town Offices located at 1146 Route 28, South Yarmouth, MA.

Planning Board Present: Brad Goodwin, Tom Roche, Norman Weare, Joanne Crowley and Tom Baron.

Planning Board Absent: Chris Vincent and Ken Driscoll.

Town Staff Present: Kathy Williams, Town Planner; and Mark Grylls, Building Commissioner.

Zoning Board Members Present: Steve DeYoung, Sean Igoe, Gerry Garnick, Bob Palmer and Dick Martin.

Guests: Tom Nickinello, Chamber of Commerce.

Chairman Norman Weare opened the meeting at 5:31 PM.

1. **Workshop Meeting:** Workshop meeting with the Zoning Board of Appeals to discuss the Zoning Bylaw.

Zoning Board members Steve DeYoung, Sean Igoe, Gerry Garnick, Bob Palmer and Dick Martin met with the Planning Board to provide input and suggestions for possible 2017 Zoning Amendments.

- a) **Correspondence:** The attached August 4, 2016 e-mail from Dick Neitz was read into the record. Mr. Neitz expressed concerns about loss of a viable commercial district along Route 28 due to the poor condition of the road, increased number of non-profit organizations and proposed affordable housing along the Town's main commercial Route. Many of the other ZBA members concurred with Mr. Neitz's comments.
- b) **Other ZBA Members:** Other comments expressed by the various ZBA members included the following:
 - Concerns with converting a large number of motels into affordable housing and how this impacts our commercial business district.
 - Concerns about the level of residential density allowed and what Route 28 would look like if all motels took advantage of this.
 - The Bylaw may be too liberal regarding residential density.
 - Mixed use developments with a mixture of commercial and residential would be better than all housing.
 - Need to incentivize commercial development more and housing less.
 - Obtain funding to market the Town and bring in larger businesses.
 - Lack of infrastructure is impact development.
 - Noted the difficulties brick and mortar businesses face with so much business on the internet. This is a Cape wide issue.
 - Suggested spreading affordable housing throughout the Town.
 - Questioned the need to require a Special Permit in the Aquifer Protection District (APD), when the Board of Health does such a good job outlining conditions and

restrictions to protect the aquifer. This just adds additional time and expense for developers and the ZBA relies on the conditions outlined by the BOH.

- Restrict installation of rooftop solar panels on street side of buildings due to aesthetic impacts. Consider limiting solar panels similar to that required by Old Kings Highway. Flat roof solar panels may be able to be screened.
- Size of signs in traffic islands for those maintaining the islands are too large and many of the islands are not being properly maintained.
- Quill signs should not be allowed.
- Need to be sure developers comply with all the requirements of a Special Permit or construct all elements shown on the plans, including irrigation.
- Concerns about the physical condition of Route 28 and how this may be negatively impacting commercial development. May not be able to wait until sewers are installed along Route 28 to make improvements.
- Drive-in property offers a wonderful opportunity once wastewater becomes available.

c) Mark Grylls - Building Commissioner:

- Consider modifying tree size and spacing in front of new buildings that we work hard to make attractive. May want to lessen this requirement for trees and consider other types of landscaping, similar to in front of Captain Parkers.
- Need to include a time limitation on when campaign signs can be placed prior to an election, in addition to the existing time limitations requiring them to be removed after the election.
- May be good to look at Special Permit in the APD, but the BOH is not in charge of use, that is in the Zoning bylaw.

d) Tom Nickinello:

- Noted the successful ground breaking ceremony today for the Maplewood at Mayflower Place at the old Mill Hill Club.
- Noted lack of wastewater as an impediment to investment in Yarmouth as it makes projects financially infeasible.
- Many lots along Route 28 area small and need to be combined for larger developments.
- Condition of Route 28 also impacts investment.
- Chamber of Commerce may be able to obtain grants. Chamber working on easy permitting guide.
- The Chamber wants to include home occupations in the bylaw.

e) Planning Board: Comments expressed by various Planning Board members include the following:

- Developers have expressed difficulties with finding commercial tenants, which leads them toward housing.
- Affordable housing is workforce housing for those in the year round service industries and for young families who can't afford to stay on the Cape.
- Affordable Housing Trust (AHT) working on two affordable housing projects, one in West Yarmouth and one in South Yarmouth.
- Conducting a feasibility study for a Riverwalk/boardwalk at the former Drive-In site, but this still leave a 10 acre parcel for potential commercial development.
- Planning Board developed the Medical Overlay District (MOD) in hopes of spurring development around the hospital.
- Use of Chapter 40B for affordable housing projects allows for bypassing the zoning bylaw.

- Same problems have been around for many years. Need to incentivize to make a Village Center work, improve the road appearance and address wastewater.
- Brainstorming amongst the business community might result in good ideas.
- Village Centers promote mixed use with walking tourism. The VCOD added value to land owners that helps them market their properties.

2. **Officer Elections and Committee Assignments**

a. **Officer Elections:**

- **Chairman:** On a motion by Brad Goodwin and seconded by Tom Roche, the Planning Board voted (4-0-1) to elect Norm Weare as Chairman, with Brad Goodwin, Tom Roche, Joanne Crowley and Tom Baron voting in favor, and Norm Weare abstaining.
- **Vice Chairman:** On a motion by Tom Roche and seconded by Joanne Crowley, the Planning Board voted (4-0-1) to elect Brad Goodwin as Vice Chairman, with Tom Roche, Norm Weare, Joanne Crowley and Tom Baron voting in favor, and Brad Goodwin abstaining.
- **Clerk:** On a motion by Brad Goodwin and seconded by Tom Roche, the Planning Board voted (5-0) to elect Ken Driscoll as Clerk, with Brad Goodwin, Tom Roche, Norm Weare, Joanne Crowley and Tom Baron voting in favor.

b. **Endorsement & Certification under the Subdivision Control Law:**

On a motion by Tom Roche and seconded by Brad Goodwin, the Planning Board voted (5-0) to authorize the Chairman, Vice Chairman and Clerk, individually, to endorse on a plan or make any other certification under the Subdivision Control Law, with Brad Goodwin, Tom Roche, Norm Weare, Joanne Crowley and Tom Baron voting in favor.

c. **Capital Budget Committee:** With the resignation of Angela Philbrook, there is a vacancy of a Planning Board representative to Capital Budget.

On a motion by Tom Baron and seconded by Tom Roche, the Planning Board voted (5-0) unanimously to appoint Joanne Crowley to the Capital Budget Committee, with Brad Goodwin, Tom Roche, Norm Weare, Joanne Crowley and Tom Baron voting in favor.

d. **Other Committee Assignments:**

On a motion by Brad Goodwin and seconded by Joanne Crowley, the Planning Board voted (5-0) unanimously to retain the same committee assignments for Ken Driscoll, Norm Weare, Tom Roche, Chris Vincent and Brad Goodwin, with Brad Goodwin, Tom Roche, Norm Weare, Joanne Crowley and Tom Baron voting in favor.

3. **Older Meeting Minutes:** Planning Board reviewed older minutes from 2011 when the Town was without a Town Planner and were voted together out of necessity as follows:

- a. **November 2, 2011; November 9, 2011; November 16, 2011; November 30, 2011; December 7, 2011; December 14, 2011; and December 21, 2011:** On a motion by Tom Roche, seconded by Joanne Crowley, the Planning Board voted (5-0) to approve the meeting minutes of November 2, 2011; November 9, 2011; November 16, 2011; November 30, 2011; December 7, 2011; December 14, 2011; and December 21, 2011 out of necessity, with Brad Goodwin, Tom Roche, Norman Weare, Joanne Crowley and Tom Baron voting in favor.

4. **Board of Appeals Agenda & Decisions:** ZBA Agenda for September 22, 2016; and ZBA Decisions 4659 and 4661 were distributed via e-mail.
5. **Board Member Items:**
 - a. Brad Goodwin noted he will not be at the October 19, 2016 Planning Board meeting.
 - b. Tom Baron inquired about mapping for Historic Districts south of Route 6. Kathy Williams to send out to the Planning Board.
6. **Correspondence:** Town Meeting Schedule from the Board of Selectmen packet was sent via e-mail.
7. **Staff Updates:** Kathy Williams noted the following:
 - a. **Packet Landing:** Packet Landing Pavilion project will be going before the ZBA on September 22, 2016 at 6 PM.
 - b. **Community Preservation Committee (CPC) Public Hearing:** The CPC will be having their annual Public Hearing on September 22, 2016 at 6 PM at the First Congregational Church on Route 6A.
8. **Upcoming Meetings:** October 5, 2016.
9. **Adjournment: VOTE:** On a motion by Tom Roche, seconded by Tom Baron, the Planning Board voted unanimously (5-0) to adjourn at 7:11 PM.

ATTACHMENTS:

- **September 21, 2016 Agenda**
- **Officer Elections and Committee Assignments:** September 2, 2016 Memo from Kathy Williams, Town planner.
- **Draft Old 2011 Minutes:** November 2nd, November 9th, November 16th, November 30th, December 7th, December 14th and December 21st.
- **Correspondence:**
 - August 4, 2016 e-mail from Richard Neitz, ZBA Member
 - ZBA Agenda September 22, 2016
 - ZBA Decisions 4659 and 4661
 - Annual Town Meeting Schedule

Approved on October 5, 2016:

On a motion by Brad Goodwin, seconded by Tom Baron, the Planning Board voted (5-0-1) to approve the meeting minutes of September 21, 2016 with Brad Goodwin, Tom Roche, Norm Weare, Joanne Crowley and Tom Baron voting in favor, and Ken Driscoll abstaining.