

Town of Yarmouth

**MINUTES OF THE PLANNING BOARD MEETING OF
February 1, 2017**

The Yarmouth Planning Board held a Business Meeting at **5:30** p.m. on Wednesday **February 1, 2017** in the Hearing Room at the Yarmouth Town Offices located at 1146 Route 28, South Yarmouth, MA.

Planning Board Present: Tom Roche, Chris Vincent, Norm Weare, Ken Driscoll, Joanne Crowley and Tom Baron.

Planning Board Absent: Brad Goodwin

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

Guests: Jim Saben, Mary Vilbon and Attorney Matthew Fitzsimmons.

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

1. **Discussion on Potential Zoning Articles for 2017 Annual Town Meeting:** The Planning Board discussed the attached draft Memo to the BOS dated January 30, 2017 and the six draft Zoning Articles, along with the attached edits based on input from Town Counsel:

- a. **Zoning Article 1 – Home Occupation (Draft #2 - January 17, 2017 with January 31, 2017 edits from Town Counsel):** Jim Saben inquired as to the reasoning behind the 250 square foot restriction and why it wasn't a percentage. The Board indicated that the overall square footage of residential buildings have been increasing and that Home Occupations are meant to be incidental to the primary residential use. He also inquired as to why woodworking was restricted, if there was already a noise restriction. After discussion, the Planning Board was in consensus with the changes made by Town Counsel to this Article as shown in the attached draft.
- b. **Zoning Article 2 – Civic Banners (Draft #2 - January 13, 2017 with January 31, 2017 edits from Town Counsel) & BOS Civic Banner Sign Policy (Draft #3-January 13, 2017):** Kathy Williams outlined some concerns from Town Counsel regarding posting signs in a public way, issues related to freedom of speech, and with allowing one group to post and prohibiting another. There was a general discussion on trying to make the process simple while protecting the Town and possibly eliminating the need for a BOS sign policy. Ultimately, it was determined that input from the Board of Selectmen on February 14th was needed prior to moving forward with any further revisions.
- c. **Zoning Article 3 – Signs (Draft #3 - January 30, 2017) & Redline Edits to Section 303 (Draft #4 - January 30, 2017):** Kathy Williams reviewed the minor edit to the Signs Article to accurately reflect a change shown in the Redlines Edits regarding Commercial Real Estate Signs. The Board was in consensus with the revision.
- d. **Zoning Article 4 – Temporary Moratorium on Recreational Marijuana (Draft #2 - January 17, 2017 with January 31, 2017 edits from Town Counsel):** Kathy Williams reviewed the proposed edits by Town Counsel which clarified and simplified the Article without any substantive changes. The Board was in consensus with the revisions made by Town Counsel.

- e. **Zoning Article 5 – Miscellaneous Amendments (Draft #3 - January 30, 2017 with January 31, 2017 edits from Town Counsel)**: Kathy Williams outlined the small change to accessory structures suggested by Town Counsel. The Board was in consensus with the revision proposed.
 - f. **Zoning Article 6 – Farmers Market Definition (Draft #1 – January 27, 2017 with January 31, 2017 edits from Town Counsel)**: Attorney Matthew Fitzsimmons, President of the Bass River Farmers Market, discussed the proposed edits to the Farmers Market Definition to include Artisans as the number of farm related vendors at the Market has decreased over the years. The desire is to increase foot traffic to the market to help the farm vendors. There was a general discussion regarding limiting the number of artisan vendors, but the Board did not choose to add a percentage at this time. There was also a discussion about adding caught or harvested seafood or shellfish and eliminating the reference to imports. The Board was in agreement with these changes.
2. **Meeting Minutes:**
- a. **January 18, 2017:** On a motion by Chris Vincent, and seconded by Tom Baron, the Planning Board voted (5-0-1) to approve the Planning Board Meeting Minutes of January 18, 2017, with Chris Vincent, Norm Weare, Ken Driscoll, Joanne Crowley and Tom Baron voting in favor, and Tom Roche abstaining.
3. **ZBA Agenda and Decisions:** See the attached ZBA Decisions - #4674 & 4679 distributed via e-mail.
4. **Committee Updates from Board Members:**
- a. **Community Housing Committee (CHC):** Norm Weare noted that the applicant for 77 Route 28 motel conversion met on January 30th with the CHC. There were further questions by the CHC and the project was continued until at least February 13th, with the final date to be confirmed.
 - b. **Community Preservation Committee (CPC) and Affordable Housing Trust (AHT):** Tom Roche noted that the CPC applications were reviewed and the CPC has voted on their recommendations. CPC is going before the BOS on February 7th. The AHT is working on creating homes through the Buy-down program and are looking at Veteran's housing.
5. **Board Member Items:** Chris Vincent inquired about the status of the Parkers River Bridge. Kathy Williams noted that it is still anticipated to start construction in the fall of 2017.
6. **Correspondence:** None.
7. **Staff Updates:** None.
8. **Upcoming Meetings:** February 14, 2017 with the Board of Selectmen and February 15, 2017 for the Zoning Amendment Public Hearing.
9. **Adjournment: VOTE:** On a motion by Chris Vincent, and seconded by Ken Driscoll, the Planning Board voted (6-0) to adjourn at 6:58 PM.

ATTACHMENTS

- **February 1, 2017 Agenda:**
- **BOS Draft Memo for February 14, 2017 meeting between the Boards, dated January 30, 2017 with following attachments:**
 - Article 1 – Home Occupations (draft #2, dated January 17, 2017)
 - Article 2 – Civic Banners (draft #2, dated January 13, 2017) & Civic Banner Sign Policy (draft #3, dated January 13, 2017)
 - Article 3 – Signs (Draft #3, dated January 30, 2017) & Redline of Sign Bylaw (Draft #4, dated January 30, 2017)
 - Article 4 – Temporary Moratorium on Recreational Marijuana Establishments and Retailers (Draft #2, dated January 17, 2017)
 - Article 5 – Miscellaneous (Draft #3, January 30, 2017)
 - Article 6 – Definition of Farmers Market (Draft #1, dated January 27, 2017) and list of 2016 Vendors
- **Revisions to Articles based on input from Town Counsel:**
 - Article 1 – Home Occupations
 - Article 2 – Civic Banners
 - Article 4 – Temporary Moratorium on Medical Marijuana
 - Article 5 – Miscellaneous Amendments
 - Article 6 – Farmer’s Market Definition
- **Draft Meeting Minutes:** January 18, 2017
- **Miscellaneous Correspondence:**
 - ZBA Decisions - #4674 & 4679

Approved on March 1, 2017:

On a motion by Tom Roche, seconded by Joanne Crowley, the Planning Board voted (5-0-1) to approve the meeting minutes of February 1, 2017 with Tom Roche, Norman Weare, Ken Driscoll, Joanne Crowley and Tom Baron voting in favor, and Brad Goodwin abstaining.