

Town of Yarmouth

Per M.G.L.: All town and school boards, committees, commissions, and authorities shall post a notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays, and legal holidays. Notice shall contain a listing of topics/agenda that the chair reasonably anticipates will be discussed at the meeting.

Notice of Meetings

Name of committee, board, etc:	Planning Board
Date of Meeting:	January 19, 2022
Time:	5:30 p.m.
Place:	Zoom Link: https://us02web.zoom.us/j/89836415124 Phone: +1 301 715 8592 and enter webinar ID: 898 3641 5124

This is to formally advise that, as required by G.L. Chapter 30A, §§ 18-25, and pursuant to Chapter 20 of the Acts of 2021, *An Act Relative to Extending Certain COVID-19 Measures Adopted During the State of Emergency*, signed into law on June 16, 2021, the Yarmouth Planning Board will hold a public meeting at the date and time noted above **via remote participation only**.

Agenda (Topics to be discussed):

1. **Discussion on Potential Zoning Amendments:**
 - a. Temporary Seasonal Employee Housing
 - b. Short-Term Rentals
2. Meeting Minutes
3. Board of Appeals Agenda & Decisions
4. Committee Updates from Board Members
5. Board Member Items
6. Correspondence
7. Staff Updates
8. Upcoming Meetings:
 - a. February 2, 2022
 - b. February 19, 2022
9. Adjournment

Attachments: All exhibits are available for public review in the Planning Department, Yarmouth Town Offices, 1146 Route 28, South Yarmouth, MA, during normal business hours, are attached to this agenda (available at <http://www.yarmouth.ma.us/AgendaCenter>).

Posted By (Name):	Kathleen D. Williams
Signature:	<i>Kathy Williams</i>

Town of Yarmouth

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YARMOUTH TOWN CLERK

'22JAN14AM9:52 REC

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Posted By (Name):	Kathleen D. Williams
Signature:	<i>Kathy Williams</i>

Williams, Kathleen

From: Williams, Kathleen
Sent: Friday, January 14, 2022 10:24 AM
To: Frederickson, Frank
Cc: 'E. James Veara'; Lennon, Kevin; Bryant, Michael; 'Director' (Director@YARMOUTHCAPECOD.COM); Grylls, Mark
Subject: Proposed Zoning Amendment for Seasonal Employees at Motels/Hotels - Planning Board Meeting 1/19/22
Attachments: Seasonal Employee Housing_Draft 2 121421.docx; 011922 PB Agenda with Hyperlinks.pdf

Hi Frank,

In preparation for the Planning Board meeting on Wednesday January 19th at 5:30, please find attached the Agenda with the hyperlink access information. Also attached are proposed changes to the Draft Zoning Amendment provided by Jamie Veara in response to your e-mail below (changes to the draft are highlighted in yellow). I have also gone through your questions and provided some further information for our discussions on Wednesday.

Thank you so much for your input and willingness to meet with the Planning Board to discuss this topic further.

Thanks,
Kathy

Kathy Williams, PE
Yarmouth Town Planner
1146 Route 28
South Yarmouth, MA 02664-4492
(508) 398-2231 Ext 1276
kwilliams@yarmouth.ma.us

From: Frederickson, Frank
Sent: Thursday, January 6, 2022 2:29 PM
To: Williams, Kathleen <kwilliams@yarmouth.ma.us>
Cc: 'E. James Veara' <jveara@thedavenportcompanies.com>; Lennon, Kevin <KLennon@yarmouth.ma.us>; Bryant, Michael <MBryant@yarmouth.ma.us>; 'Director' (Director@YARMOUTHCAPECOD.COM) <Director@YARMOUTHCAPECOD.COM>
Subject: RE: Proposed Zoning Amendment for Seasonal Employees at Motels/Hotels

Good afternoon. I have reviewed the suggested changes. I certainly understand the need for housing summertime employees. I get particularly concerned when the solution is to use current hotel/motel rooms. In the past multiple hotel/motel owners used aging hotel/motel rooms as housing contrary to state law, bylaws and licenses. This led to the degradation of the quality of life for Yarmouth residents and sites of drug dealing, prostitution and other negative activities. It took significant efforts to get this under control.

Several years ago a bylaw 404.5 Seasonal Employee Housing at Motels/Hotels was established. Although not perfect, it helped a few businesses but was not without complications to the point where detail Officers were hired to control noise and gatherings after work. It is understandable and hard to expect 20 somethings to stay in their rooms at 10 at night. I think these changes need to be looked at cautiously. What you change today can have some

unintended consequences and will take a lot of effort to correct. Although I understand the intent of the proposal, I think it needs better definition. Here are some questions/suggestions:

1. Is there a limit on how many in a room? I think it should be no more than two per room and should be spelled out.
The number allowed per room is determined by the Health Department (404.5.3.4), but a maximum number of two per room could be included.
2. Must be over 18? Should be spelled out.
The attached draft amendment from Jamie Veara modifies the Definition so that employees/staff need to 18 years or older.
3. No children under 18 allowed. Should be spelled out.
Only seasonal employees are allowed to stay in the room and shall not include any family members or other non-employees (Section 404.5.3.6).
4. Remove the word “principally” from the definition section. This un-necessarily opens interpretation when the reason for this this bylaw is to help **Yarmouth** Businesses. I would be comfortable to exchange that word with “employed seasonally” .
The attached draft amendment from Jamie Veara modifies the Definition to denote “seasonally employed”.
5. Be cautious of allowing local persons who are employed year round to take part in this. The motel owners could have problems with eviction issues.
Agreed. Seasonal employee housing is limited to April 1st through October 31st (Section 404.5.3.1) and employees need to demonstrate they maintain a principal place of residence elsewhere (Section 404.5.3.9).
6. This bylaw should not include timeshares properties.
The attached amended draft from Jamie Veara excludes timeshares.
7. The bylaw changes should have a one year shelf life that will be re-voted or adjusted the following town meeting.
This is something that can be further investigated. There is an existing stopgap in that the Building Commissioner is required to issue an annual permit for this use and could withhold it if a property is not adhering to the requirements of this section.
8. Perhaps dedicating one willing location as a “Seasonal Employment Housing “ would be a thought for the future. I really don’t see many of the eligible hotels wanting to have 15% of the hotel dedicated to (30-60) seasonal workers and mixed with their guests.
This option will certainly not be used by all motel/hotel owners, but there may be some who are willing to do so as the length of time goes into the shoulder seasons when bookings are lighter. We have to be careful with spot zoning if only one location can take advantage of a specific use in the bylaw.
9. Do the rented rooms pay room tax?
As Mark Grylls noted, when discussing with the proponents, they indicated that the room tax would still be paid.

If you would like to discuss this, my cell is [REDACTED].

Thanks,

Frank

From: Williams, Kathleen
Sent: Thursday, January 6, 2022 10:29 AM
To: Frederickson, Frank <FFrederickson@yarmouth.ma.us>
Cc: 'E. James Veara' <jveara@thedavenportcompanies.com>
Subject: Proposed Zoning Amendment for Seasonal Employees at Motels/Hotels

Hi Frank,

The Planning Board met last night to discuss the attached zoning amendment proposed by the Yarmouth Community Partnership to allow for more opportunities for temporary seasonal employee housing, mostly J1 and H2B. The Partnership is estimating a shortage in housing for these employees in excess of 150 individuals during the 2022 season.

Currently, our Zoning Bylaw Section 404.5 allows for a motels/hotels to use up to 15% of their rooms to house their own employees (April 1st thru October 31st), along with a list of provisions they need to meet including having an on-site proctor, access to cooking facilities, and an annual permit from the Building Commissioner. I believe Joe Marrama of the Cape Cod Inflatable Park is exercising this option.

The Partnership is proposing to amend this section slightly to allow for the 15% to be used by any employees or staff who are principally employed in Yarmouth. So this would allow for other business owners such as restaurants & retailers in Yarmouth to also house their employees at hotels/motels under the restrictions of Section 404.5. The likely scenario is that the Yarmouth business would secure housing in a hotel/motel and then include this in the package to attract employees. The motels/hotels have a natural incentive to ensure good behavior as 85% of their rooms will be let to paying customers who they want to keep happy and they have to secure an annual permit from the Building Commissioner. The employees have an incentive so they don't lose their housing and possibly their job/visa.

Knowing of some past problems with illegal housing at motels, the Planning Board wanted me to get your input on this new proposal. They will be meeting again on January 19th to continue their discussions.

I would be happy to discuss this with you further. I have also included Jamie Veara, Chair of the Yarmouth Community Partnership, in case you have any questions for him directly.

Thanks and Happy New Year!
Kathy

Kathy Williams, PE
Yarmouth Town Planner
1146 Route 28
South Yarmouth, MA 02664-4492
(508) 398-2231 Ext 1276
kwilliams@yarmouth.ma.us

POTENTIAL EDITS RELATED TO SEASONAL EMPLOYEES AT MOTELS/HOTELS

404.5 Seasonal Employee Housing at Motels/Hotels

404.5.1 Purpose: The purpose of this bylaw is to provide standards to ensure safe and adequate housing for temporary seasonal employees at motels/hotels.

404.5.2 Applicability: The Building Commissioner may approve, through annual application and permit, Seasonal Employee Housing units at currently licensed motels/hotels in accordance with the provisions outlined herein. If an Applicant cannot meet all the provisions outlined herein as determined by the Building Commissioner, a Special Permit from the Zoning Board of Appeals is required.

404.5.3 Operational Standards for Seasonal Employee Housing at Motel/Hotels: Accommodations for Seasonal Employee Housing at Motels/Hotels shall have the following features:

1. Seasonal employee housing shall be for no more than seven months between April 1st and October 31st annually.
2. Seasonal employees shall be housed in motel/hotel rooms only. Seasonal employees may not be housed in camp sites, tents, RVs, mobile homes or campers located on the motel/hotel property or timeshare units.
3. Seasonal employee housing shall meet all the Board of Health and State of Massachusetts regulations regarding building and fire codes, health codes, water supply and wastewater disposal.
4. Maximum occupancy rate of each unit to be determined per the Health Codes.
5. Seasonal Employee housing shall be used solely by employees and shall not include family members of employees, or other non-employees.
6. The employer property owner or manager shall designate an on-site proctor for each property utilized as employee housing. The on-site proctor shall ensure that all seasonal employees are apprised of the rules and code of behavior prior to occupancy. The name and contact information for the on-site proctor shall be submitted to the Yarmouth Police Department and Building Commissioner.
7. All employees shall have access to cooking facilities, which shall include at a minimum a microwave, sink, cooktop and refrigerator /freezer.
8. No more than 15% of any hotel or motel rooms at a single parcel may be used for employee housing (fractions shall be rounded to the nearest whole number). Each room used for employee housing shall be identified on a locus map of the site and submitted to the Building Commissioner, Board of Health and Yarmouth Police Department.
9. All employees must be able to demonstrate that they maintain a principal place of residence elsewhere.
10. The property owner or manager shall keep records of all employees utilizing employee housing, including name, permanent address, ~~and~~ length of stay, and place(s) of employment with contact information. All documentation to be provided upon request.
11. The permit issued by the Building Commissioner shall be valid for one year only.

DEFINITIONS:

SEASONAL EMPLOYEE HOUSING at Motels/Hotels – A currently licensed motel or hotel property ~~owned by an employer, a portion of~~ which is utilized to provide temporary seasonal housing for ~~his or her~~ employees or staff, 18 years or older, who are principally ~~seasonally~~ employed in Yarmouth (employed within the borders of Yarmouth for more than 24 hours per week). All Seasonal Employee Housing at Motels/Hotels shall be conducted in accordance with the requirements and provisions of Section 404.5 – Seasonal Employee Housing at Motels/Hotels. ~~or employees or staff of tenants of the property owner. The employer shall designate an on-site proctor for each property so utilized. Seasonal employee housing shall be for no more than seven months between April 1st and October 31st annually.~~

SECTION 418 – SHORT-TERM RENTALS

4.18.1 Purpose:

To provide for the orderly operation of short-term rentals for residential properties that balance private, neighborhood and public interests, and will:

1. Protect and maintain the residential character of existing neighborhoods.
2. Protect public health and safety.
3. Enable residents to better afford to live here, maintain their properties and contribute to the community.
4. Ensure the continued revenues to the Town from the short-term rental excise tax.

418.2 Definitions:

~~Applicability: These provisions apply to Short Term Rentals (STR)~~ **SHORT-TERM RENTALS** - defined as owner-occupied, tenant-occupied or non-owner occupied property including, but not limited to, an apartment, house, cottage, condominium or a furnished accommodation that is not a hotel, motel, boarding or lodging house, or guesthouse, inn or bed and breakfast establishment, where at least one room or unit is rented to an occupant or occupants for 1-31 consecutive days at a time; and all accommodations are reserved in advance. All STRs shall be transient in nature and not rented to the same occupant month to month.

418.3 Ineligible Units: The following are not eligible to be rented as STRs.

1. Dwellings designated as income restricted or are subject to affordability covenants.
2. Family related or affordable accessory apartments.
3. Dwellings subject to any outstanding building, sanitary, zoning or fire code violations.

418.4 Registration & Inspections:

1. All short-term rentals shall be registered through the Yarmouth Health Department in accordance with General Bylaw Chapter 108 – Occupancy of Buildings, and shall adhere to all their health and safety requirements, including inspections and occupancy limitations.
2. Rental certificates shall be displayed on the property in a prominent location where it can be viewed from the exterior of the home and shall include 24-hour local contact information.
3. The Town reserves the right to post rental locations and contact information on the Town Website per MGL Ch. 65G, Section 14.

418.5 General Provisions:

1. **Trash Removal:** All household trash shall be removed from the premises immediately after occupancy is concluded, and at a minimum once per week.
2. **Parking:** Adequate on-site parking shall be provided, with a minimum of one space/bedroom. There shall be no parking on lawns, no overnight street parking, and no street parking that impedes traffic or traffic safety at any time.
3. **Duration:** Renting for less than 24 consecutive hours is prohibited.
4. **Type of Rentals:**
 - a. No events including but not limited to weddings, corporate events, class/family reunions, and photo shoots.
 - b. No events that include tents or amplified music.
 - c. Shall not adversely affect the residential character of the neighborhood and shall not generate excessive noise, vibration, odors or other effects that interfere with any reasonable person's enjoyment of their residence.
5. **Pets:** Adherence to any and all state and local regulations regarding pets.

418.6 Sunset Clause: ~~Unless otherwise extended or modified and extended,~~ Section ~~??418~~ – Short Term Rentals, shall expire, and its terms shall no longer remain in effect as of ~~11:59 PM~~~~midnight~~, November 13, 2024. During this time period, the Town will undertake a more detailed planning process related to Short-Term Rentals.

PROPOSED EDITS RELATED TO SHORT TERM RENTALS

202.5 Use Regulation Table	Res.	RS-40	B1 ²¹	B2 ²¹	B3 ²¹	RMDOD ⁴⁴	MU	APD	AED	MOD	HMOD1	HMOD2	VC1	VC2	VC3	VC4
A. RESIDENTIAL																
<u>A13 Short-Term Rentals⁵⁴</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>yes</u>	<u>no</u>	<u>no</u>	<u>yes</u>	<u>yes</u>	<u>no</u>	<u>yes</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>no</u>	<u>no</u>

Note:

54. Short-Term Rentals may be allowed by-right if they meet the criteria outlined in Section 418.

Town of Yarmouth
MINUTES OF THE PLANNING BOARD MEETING OF
December 29, 2021

The Yarmouth Planning Board held a Hybrid in-person/remote access Business Meeting at **5:30** p.m. on Wednesday **December 29, 2021** in the Hearing Room at the Yarmouth Town Offices located at 1146 Route 28, South Yarmouth, MA.

Planning Board Present: Brad Goodwin, Liz Hartsgrove, Susan Brita, Joanne Crowley, and Will Rubenstein

Planning Board Absent: Chris Vincent

Staff Present: Kathy Williams, Town Planner; Mark Grylls, Building Commissioner; Bruce Murphy, Health Director; and Mary Waygan, Affordable Housing.

1. **Meeting Opening:** Chair Joanne Crowley opened the hybrid meeting at 5:32 by reading the attached statement. All Planning Board members were in-person, except for Liz Hartsgrove and Will Rubenstein who were remote. All votes were roll call votes.
2. **Potential Zoning Amendments:** Discussion on Short-Term Rentals and consideration for zoning amendments for the 2022 Annual Town Meeting.

Joanne Crowley introduced the topic of Short Term Rentals (STR) noting the results of recent court cases, the shift in type of STR, reported issues with noise, parking and overcrowding, and the importance of considering adopting clear and explicit zoning regulations to ensure that our STR policies are effective.

Kathy Williams, Town Planner, gave an overview of the attached December 20, 2021 briefing memo with background materials on STRs. She reviewed the Styler vs ZBA of Lynnfield court case, the existing Yarmouth Regulations including registration and inspection requirements; number of STR registered with the Dept of Revenue (889); overview of Mass General Law 64G which allows Town's to regulate STRs; and revenues from STRs earmarked for our wastewater initiative (\$1.34M in FY 21 with an FY 22 budget estimate of \$1M). She also reviewed potential Provisions for STRs to clearly allow them in the Zoning Bylaw but provide for some type of regulation regarding applicability, ineligible units, need for registration and general provisions on trash removal, parking, duration and types of rentals. She also noted that additional inquiries have been made to Town Counsel related to a potential sunset clause, and mechanism to set a limit on the number of STRs.

Susan Brita inquired about what was included in the total number of rentals identified as 2,500-3,000. Mark Grylls indicated this is an estimate of the total for room rentals, short term, seasonal and year round rentals in Yarmouth (excluding hotels/motels), but the actual number could be more.

Joanne Crowley asked Mark Grylls, Building Commissioner, for his input and experiences. He noted previous problems with weddings held in STRs, people parking in the road or on the lawn, backing into mailboxes, and overcrowding of the houses for parties. It is important to have a 24-hour local contact number posted at the door to address the problems. The Board had a discussion on the frequency of the issues, who gets contacted for complaints, coordination between departments, and the violation process and time involved.

Bruce Murphy, Health Director, indicated he felt the rentals were closer to 4,000, with people going on and off the registration list, and approximately 300 annual complaints including follow ups and letters, which is time consuming. He noted complaints related to trash, parking, people using town parking for their rentals, overcrowding, noise, and illegal bedrooms. Most

complaints come from the neighbors. Posting of information needs to be readily accessible (perhaps on town website). The Health Dept has difficulty following up on unregistered units and keeping up with the inspections with the current staff levels. They typically like to do an initial inspection, then one every 2 years, but do not have the staff currently to do so, with inspections being more like every 3-4 years. Mr. Murphy noted he has put in a budget request for a second full time housing inspector for the past three years.

Mark Grylls noted that less than 30 days is considered a transient use (like a hotel) and STRs fall into this transient use definition so they need to be addressed in the by-law in a simple manner. The current on-line permitting/registration program does not readily track the type of rental, but the new program should be able to so. Some modifications to the Health Dept forms/on-line application appear warranted to better define the type of rental and capture the local contact information.

Mary Waygan, Affordable Housing specialist, liked the idea of a quick fix with a sunset clause to retain the tax revenue. She wanted to be sure the bylaw would not allow for someone to essentially rent a STR month to month to live in year round, as these renters would not be protected as well as with annual leases. She noted the need for additional Health Dept staff as dealing with housing issues can be time consuming and may involve other issues.

Liz Hartsgrove expressed concerns about the increased workload associated with more STRs and potential liability of issuing certificates without annual inspections. She also felt the language on 1-31 consecutive days need to be clarified as it implies that this is the maximum per calendar year; more clarity is needed on the acceptable locations for parking; the use of the word "unreasonably" is too subject to interpretation; consider addressing pets; the local contact number should be listed in database; and she is against quotas as it places a higher value on the property.

Will Rubenstein had concerns about enforcement and follow through based on current town staffing levels, and felt there should be internal coordination to discuss this issue. He also felt we should have the ability to sunset to study the issue and come back.

Mark Grylls noted that STRs exist now and we need to allowed or not allowed in the Zoning Bylaw and best to keep it simple. There is already coordination with the Police and enforcement under Health Dept. Mark noted that a simple fix for parking could be to not allow any parking on lawns.

Kathy Williams noted that the Planning Board could offer their support to the Health Dept for a second housing inspector. Susan Brita felt it should be stronger and if the Planning Board is to move forward and support the STR, then need the funding for the enforcement. She also inquired about proof of trash pick-up (request for name of firm is on the existing application), and being sure RVs are not being used to live in (already in the bylaw).

Joanne Crowley noted that these modifications are codifying something that is already in existence and will help to protect a critical revenue stream for the Town. She asked if anyone had any further specific comments on changes to the draft provisions.

- Brad Goodwin: He was in support of allowing the STRs as so many rely on the income and liked the idea of a sunset clause. He recommended not allowing parking on lawns, having trash once/week at a minimum, and questioned prohibition of commercial ventures as the STR rental itself could be considered commercial. Mark Grylls suggested eliminating the reference to "no commercial ventures" as we are already prohibiting certain types of events.
- Liz Hartsgrove: She inquired as to whether Town Administrator's office or the Board of Selectmen want this. Kathy Williams did note that the Town Administrator was in support

of the zoning amendments and the Planning Board could always go to the Board of Selectmen earlier in the process to garner their input.

- Susan Brita: She asked about the definition of sub-occupant, noting it should either be defined or eliminated. She inquired as to the means for making reservations in advance, and how far in advance. She felt that parking on the lawn should not be allowed and liked the sunset clause to allow for more time to look at data and hit the reset button if needed.
- Joanne Crowley: She also liked the sunset clauses as it provides immediate relief to retain the taxes, but also gives time to figure out what works and identify things that are wrong.

Staff will incorporate these comments into the provisions for the next meeting and follow up with Town Counsel.

3. **Committee Assignments**: Discussion on assigning representation to the Water Resources Advisory Committee (WRAC) and the Land Disposition Committee (LDC). After a limited discussion, the Board voted as follows:

- a. **Land Disposition Committee (LDC)**: Susan Brita agreed to be on the LDC on an interim basis until a new Planning Board member is appointed.

VOTE: On a motion by Joanne Crowley, and seconded by Will Rubenstein, the Planning Board voted (5-0) to appoint Susan Brita to the Land Disposition Committee, with Joanne Crowley, Susan Brita, Brad Goodwin, Liz Hartsgrove and Will Rubenstein voting in favor.

- b. **Water Resources Advisory Committee (WRAC)**:

VOTE: On a motion by Brad Goodwin, and seconded by Susan Brita, the Planning Board voted (5-0) to appoint Joanne Crowley to the Water Resources Advisory Committee, with Joanne Crowley, Susan Brita, Brad Goodwin, Liz Hartsgrove and Will Rubenstein voting in favor.

4. **VISION PLAN**: Review and discussion on final edits and draft transmittal letter prior to incorporating into the Vision Plan.

Mary Waygan noted that the reference to affordable and workforce housing had been struck from the latest plan, and requested that the word “affordable” be included in the Vision Plan. After discussion, the Board agreed to modify the second provide bullet to include “More affordable housing that is dispersed...” The Board briefly discussed the attached draft cover memo presented at the meeting, and modified the memo to emphasize the request for LCP funding by including it in its own paragraph. The Board was comfortable with the \$150k referenced request.

5. **Cape Cod Commission (CCC) Development of Regional Impact (DRI) Resubmission Review**: Continued discussion on the resubmitted DRI application for Blue Sky Towers III, LLC, for a monopole wireless communication tower and ground equipment to be located at 1044 Route 28, South Yarmouth, Assessor Map 50, Parcel 189.1.

The continued Hearing for the DRI is scheduled for 1/3/22 where the sub-committee will be reviewing and likely voting on the attached Draft DRI Decision approving the DRI with limited conditions. Joanne Crowley noted some concerns she had regarding the draft related to the open space, community design and the conclusions, and indicated she would be attending the 1/3 Hearing to note these and reiterate the Board’s concerns. Brad Goodwin also noted his individual comment letter to the Commission regarding the need for height to provide the needed coverage, and indicated he would be attending.

6. **Meeting Minutes:**
 - a. **December 15, 2021:** On a motion by Susan Brita, and seconded by Will Rubenstein, the Planning Board voted (4-0-1) to approve the meeting minutes of December 15, 2021, with Susan Brita, Joanne Crowley, Liz Hartsgrove and Will Rubenstein voting in favor, and Brad Goodwin abstaining.
7. **Board of Appeals Agenda & Decisions:** The attached ZBA Decision was sent to the Planning Board via e-mail.
8. **Committee Updates from Board Members:**
 - a. **Affordable Housing Trust (AHT):** Brad Goodwin indicated the Trust is working on various housing opportunities.
 - b. **Capital Budget Committee (CBC):** Will Rubenstein noted that the CBC will have 1-2 more meetings to discuss the school's capital budget.
9. **Board Member Items:** Board members noted the MassDOT Virtual Hearing scheduled for 1/13/22 at 6 PM for the Bass River Bridge and 4-corners project.
10. **Correspondence:** The attached correspondence was sent to the Planning Board via e-mail.
11. **Staff Updates:** Kathy Williams indicated a new Cape Cod Commission Representative, Dennis Prebensen, will be recommended for appointment at the next BOS meeting. She has also requested advertising for a new Planning Board member, and noted the Housing Summit scheduled for January 11th at 5 pm at the Senior Center. Lastly, she discussed the attached proposal from Assistant Town Administrator, Bill Scott regarding Programming the Possibilities for a Diverse Economy – Request for Funding December 2021. This document was presented to the Community & Economic Development Committee (CEDC) to fund a marketing study on the types of uses we want in Yarmouth as we move forward with wastewater. Input from the Planning Board on desired uses will be sought as part of this study.
12. **Upcoming Meetings:**
 - a. January 5, 2022: Discussion on temporary seasonal housing, continued discussion on Short Term Rentals and review of Planning Board 2021 Annual Report narrative
 - b. January 19, 2022
13. **Adjournment: VOTE:** On a motion by Liz Hartsgrove, seconded by Will Rubenstein, the Planning Board voted unanimously (4-0) to adjourn at 7:30 PM.

ATTACHMENTS:

- **December 29, 2021 Agenda**
- **Hybrid Meeting Script**
- **Short Term Rentals:** December 20, 2021 Town Planner Memo with the following attachments:
 - Map of General Locations of 2021 STRs
 - Draft Short-Term Rental Provisions
 - KP Law e-Updates:
 - SJC Decides Use of Single-Family Home for Short-Term Rentals Not Permissible Under Local Zoning Bylaw
 - Short-Term Rental Law – Key Provisions, January 2019
 - New Law Taxing and Regulating Short-Term Rentals, January 2019
 - Town of Yarmouth Rental Registration Information
 - Rental/Lease Registration
 - Yarmouth Rental FAQs

- General Bylaw Chapter 108 – Occupancy of Buildings
 - General Bylaw Chapter 104 - Noise
 - Census Data Summary pages (3) – Donahue Institute
 - MGL Ch. 64 G, Section 14
- **Community Visioning:** December 29, 2021, draft Memo from Planning Board Chair to transmit Vision Plan to Board of Selectmen, and redline edits to Vision/Goals, dated December 16, 2021
- **Blue Sky Tower DRI Submission:**
 - Draft DRI Decision from CCC Staff
 - December 27, 2021 Letter from Brad Goodwin to Cape Cod Commission (CCC)
 - December 16, 2021 Letter from Joanne Crowley to CCC
 - December 16, 2021 e-mail from Kathy Williams to CCC
- **Draft Meeting Minutes:** December 15, 2021
- **Miscellaneous Correspondence:**
 - Housing summit Flyer – 1/11/22
 - Programming the Possibilities for a Diverse Economy – Request for Funding December 2021, from Bill Scott, Assistant Town Administrator
 - ZBA Decision 4926

Approved on _____:

On a motion by _____, and seconded by _____, the Planning Board voted (x-x-x) to approve the meeting minutes of December 29, 2021.