

Town of Yarmouth
MINUTES OF THE PLANNING BOARD MEETING OF
February 16, 2022

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The Yarmouth Planning Board held a Hybrid in-person/remote access Business Meeting at **5:30** p.m. on Wednesday **February 16, 2022** 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; and Bruce Murphy, Health Director

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 Brad Goodwin, Liz Hartsgrove and Will Rubenstein who were remote. All votes were roll call votes.
2. **Discussion on Zoning Amendments:**
 - a. **Short-Term Rentals:** Kathy Williams reviewed the redline edits in the attached Draft #7, noting changes based on input from the Board of Selectmen, Chris Vincent and Town Counsel; as well as reviewing the attached Zoning Article 1 – STR, Draft #2, dated February 10, 2022, including the Explanation. After a brief discussion, the Planning Board accepted the redline edits and Explanation as presented. Bruce Murphy indicated he had no comments.
 - b. **Temporary Seasonal Employee Housing:** Kathy Williams reviewed the attached Zoning Article 2 – Seasonal Employee Housing at motels/hotels, Draft #1, dated February 3, 2022, including the Explanation. After a brief discussion, the Planning Board requested modifications to the Explanation to provide some type of brief description for J1 and H-2B workers.
 - c. **Petitioned Article to rezone 17 Berry Avenue:** Kathy Williams reviewed the attached certified Petitioned Article and the referral of the petition by the Town Administrator to the Planning Board to conduct the Public Hearing. She indicated Robert Ciavarra had been notified of the Public Hearing and he will be available on March 16th to present this petition. She will also send out notification of the Public Hearing to abutters within 300’.
 - d. **Schedule:** The Board discussed the upcoming schedule with the Public Hearing set for March 16th, and going before the Board of Selectmen with final Articles and recommendations on March 29th. The Planning Board also confirmed returning to hybrid meetings now that the COVID numbers were down.
 - e. **Staffing:** The Planning Board had previously expressed interest in writing a letter of support to the Board of Selectmen for the additional housing inspector position. The Board had a brief discussion on points to emphasize in the letter and that the Chair will work with Town Staff to prepare and send a support letter.
3. **Local Comprehensive Plan (LCP):** To begin the LCP process, Kathy Williams gave an overview of the attached Local Comprehensive Plan Guidance prepared by the Cape Cod Commission (CCC). She gave an overview of what is required in an LCP including a Vision Statement (completed), Existing Conditions, Goals and Action Items, Capital Facilities Plan, and a Housing Plan (updated Housing Production Plan). She noted the need to be consistent with the CCC Regional Policy Plan (RPP) with the goals for Natural Systems, Built Systems, and Community Systems, and tailoring goals to specific Placetypes as appropriate. She gave a brief

overview of the 8 Placetypes which have their own strategies. Lastly, she reviewed the LCP Template.

Planning Board members briefly discussed the \$100k request for funding for the 2022 ATM, the 18-24 month anticipated schedule, the process compared to previous LCPs, and the need for Board participation in the update to the Open Space & Recreation Plan ,in addition to the Housing Production Plan.

4. **Meeting Minutes:**

- a. **February 2, 2022:** On a motion by Susan Brita, and seconded by Will Rubenstein, the Planning Board voted (5-0) to approve the meeting minutes of February 2, 2022, with Brad Goodwin, Susan Brita, Joanne Crowley, Liz Hartsgrove and Will Rubenstein voting in favor.
- b. **February 8, 2022 with Board of Selectmen (NO QUORUM):** On a motion by Liz Hartsgrove, and seconded by Will Rubenstein, the Planning Board voted (2-0-3) to approve the meeting minutes of February 8, 2022, with Liz Hartsgrove and Joanne Crowley voting in favor, and Brad Goodwin, Susan Brita, and Will Rubenstein abstaining.

5. **Board of Appeals Agenda & Decisions:** The attached ZBA Agenda and Decisions were sent to the Planning Board via e-mail.

6. **Committee Updates from Board Members:**

- a. **Affordable Housing Trust (AHT):** Brad Goodwin indicated the AHT met and discussed the Town owned land at 58 Mattachee which will be going before the Land Disposition Committee. The AHT expressed interest in the property for veterans housing. He also mentioned some successful top of shop housing projects in Barnstable. Lastly, Brad mentioned the February 3rd Virtual Housing Summit which had about 35-40 people. Susan Brita mentioned the recent Cape Cod Commission New Homeowner Survey, noting most were older and wealthier individuals interested in access to the environment, outdoor recreation; and less interested in schools. Most were working in professional/financial services and healthcare.
- b. **Capital Budget Committee (CBC) & Library Planning Committee (LPC) & Schools:** Will Rubenstein indicated the CBC was meeting on February 17th and that the LPC was moving forward. He also mentioned that the middle school construction will be completed by mid-October with the students moving in by January 2023, and the school committee will be meeting on 2/16 at 6:30 to talk about mask rules.
- c. **Community & Economic Development Committee (CEDC):** Joanne Crowley indicated that CEDC had two recent meetings to discuss a variety of topics including the Marketing RFP, an Article for the TRPF for the ATM breaking down the total amount into different functional areas, and a presentation by the Town Planner on the Riverwalk Park and zoning. She also highlighted a new CEDC member, Maria Marasco.
- d. **Drive-In Site Utilization Committee (DISUC):** Susan Brita noted that the DISUC met on 2/15 to discuss traffic patterns, bathrooms and other design items, with the next big issue being the design of the support system for the Boardwalk.

7. **Board Member Items:** Joanne Crowley mentioned the e-mail sent out regarding acknowledgement of receipt of the Conflict of Interest Law. Liz Hartsgrove stated she would not be available on Tuesdays through mid-May and would not be able to attend ATM.

8. **Correspondence:** The attached correspondence was sent to the Planning Board via e-mail.

9. **Staff Updates:** None.

10. Upcoming Meetings:

- a. March 2, 2022
- b. March 16, 2022 – Zoning Amendment Public Hearing
- c. March 29, 2022 – Board of Selectmen - Zoning

11. Adjournment: VOTE: On a motion by Susan Brita, seconded by Brad Goodwin, the Planning Board voted unanimously (5-0) to adjourn at 6:31 PM.

ATTACHMENTS:

- **February 16, 2022 Agenda**
- **Hybrid Meeting Script**
- **Short Term Rentals (STR):** Redline edits to Short-Term Rental Provisions, Draft #7, dated February 11, 2022; Zoning Article 1 – STR, Draft #2, dated February 10, 2022, a 2/2/22 e-mail from Chris Vincent and 2/8/22 e-mail correspondence from Scott Lajoie, Cape Cod & Islands Association of Realtors
- **Temporary Seasonal Employee Housing:** Zoning Article 2 – Seasonal Employee Housing at motels/hotels, Draft #1, dated February 3, 2022, and Redline Section 404.5 edits, Draft #4, dated February 3, 2021
- **Petitioned Article to Rezone 17 Berry Ave:** February 9, 2022 Letter from Town Administrator referring the petitioned article to the Planning Board for a Public Hearing and the Certified Petition
- **Local Comprehensive Plan:** Cape Cod Commission Local Comprehensive Plan Guidance document.
- **Draft Minutes:** February 2, 2022 and February 8, 2022 (with BOS – no quorum)
- **Miscellaneous Correspondence:**
 - ZBA Agenda for February 24, 2022
 - ZBA Decisions 4929 and 4235
 - Conservation Commission Agenda for February 17, 2022
 - Short-Term Rental enforcement example from Building Commissioner

Approved on March 16, 2022:

On a motion by Brad Goodwin, and seconded by Chris Vincent, the Planning Board voted (4-0) to approve the meeting minutes of February 16, 2022, with Brad Goodwin, Chris Vincent, Susan Brita, and Joanne Crowley voting in favor.