

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

The Yarmouth Planning Board held a Hybrid in-person/remote access Business Meeting at **5:30** p.m. on Wednesday **March 16, 2022** in the Hearing Room at the Yarmouth Town Offices located at 1146 Route 28, South Yarmouth, MA.

Planning Board Present: Brad Goodwin, Chris Vincent, Susan Brita, and Joanne Crowley

Planning Board Absent: Liz Hartsgrove and Will Rubenstein

Staff Present: Kathy Williams, Town Planner; Mark Grylls, Building Commissioner, Kevin Hook, Housing Inspector; and Bruce Murphy, Health Director

Guests: See attached sign-in sheet and list of remote participants

1. **Meeting Opening:** Chair Joanne Crowley opened the hybrid meeting at 5:42 by reading the attached statement. All Planning Board members were in-person. All votes were roll call votes.
2. **PUBLIC HEARING – Zoning Articles for 2022 Annual Town Meeting (ATM):**
 - a. **Hearing Opening:** Joanne Crowley, Planning Board Chair, opened the public hearing at 5:45 PM. She encouraged people to sign the sign-in sheet.
 - b. **Public Hearing Notice:** The attached public hearing notice was published in the Cape Cod Times on February 28, 2022 and March 7, 2022 and was read into the record.
 - c. **Meeting Format:** Joanne Crowley gave an overview of how the meeting will be run. She noted each zoning article would be reviewed separately, with public comment (in person and written) being taken after a brief presentation of each Article. The Planning Board received copies of all written comments prior to the meeting. After public comment has been received on all the Articles, the Planning Board will close the hearing. The deliberation and vote regarding recommendation of the Articles will occur at the Planning Board meeting scheduled for 3/23/22 at 5:30 PM when more Planning Board members can be present. Planning Board members not present at this Hearing will be required to watch the video of the Hearing prior to voting.
 - d. **Presentation on Zoning Article 1: Short-Term Rentals (STR):** Kathy Williams gave the attached PowerPoint Presentation on the STR amendments related to the renting of rooms, apartments or houses for less than 31 days (excludes motels/hotels, bed & breakfast and lodging houses). She reviewed general background information including legislation and case law, excise tax revenue, existing regulations through the Health Dept, and the lack of specific regulation in the zoning bylaw. She noted the need to address STRs in our zoning bylaw to avoid problems with upcoming summer vacation rentals and preserve the excise tax revenues for wastewater, while setting general provisions to regulate STRs and protect the residential character of the neighborhoods. She gave an overview of the proposed regulations including ineligible units, continued Health Dept requirements for registration and inspections, and general provisions related to trash removal, parking, duration, pet control, and types of rentals which are limited to residential uses only and exclude any large scale events, amplified music or tents. Lastly, she reviewed the sunset clause which was added to promote passage of this amendment in a timely fashion to preserve excise tax revenue, but understanding the community may want to review this issue in more detail. The provisions of this amendment would expire on 11/13/24, unless amended at a future town meeting.

Public Comments: All oral comments were given in person.

- Christine Greeley, Glenwood Street: Ms. Greeley felt this is an important topic to be addressed and liked the sunset clause to allow for further review. She was also in favor of increased inspections and more responsiveness to complaints that impact safety and quality of life. She inquired about the difference between seasonal and STRs and whether there is a differentiation on the registration application. Kathy Williams clarified that a STR is defined as a rental for 1-31 days at one time, if rented for more than 31 days, it is a seasonal or annual rental. Mark Grylls, Building Commission, noted that the new on-line permitting program now has three options, seasonal, STR less than 31 days, and annual.
- David Bernstein, Wisteria Road: Mr. Bernstein inquired as to whether someone who rents for more than 31 days is required to pay the excise tax? Kathy Williams indicated that the STR tax does not apply to someone who rents for more than 31 days at one time (i.e. a 32 day rental does not pay excise tax). Mr. Bernstein wanted to see more publicity and outreach to let people know about the excise tax obligation.
- Barb Fitzpatrick, Berry Ave: Ms. Fitzpatrick asked about the legal responsibility of the Realtors who rent out STRs. Mr. Grylls noted that it is ultimately the property owner's responsibility as any fines would go to the homeowner.
- Susan Kinnear, Salt Marsh Lane: Ms. Kinnear rents multiple properties in town, and noted that if she rents for less than 5 weeks, she has a contract with a Realtor which includes the Realtor collecting the rental income and paying the excise tax.

Written Comments: Kathy Williams summarized written comments as follows:

- 3/16/22 e-mail from David Bernstein, Wisteria Road: Mr. Bernstein preferred to offer his comments orally and his written comments were not summarized.
- 3/14/22 e-mail from Kathy DiTrapano, Lewis Road: In favor of any provisions that will address neighborhood impacts.
- 3/16/22 e-mail from Angela Carbone, Wisteria Road: In favor of the Article as we need to protect the resident character of our neighborhoods and ensure STR owners pay the rental tax to support services and wastewater issues to maintain our water resources and beaches. Town should ensure taxes are paid and inspections undertaken. Glad to see sunset clause so that refinements can be made.

- e. **Presentation on Zoning Article 2: Seasonal Employee Housing at Motels/Hotels:** Kathy Williams gave the attached PowerPoint Presentation on the Seasonal Employee Housing at Motels/Hotels developed in collaboration with the Yarmouth Community Partnership (a sub-committee of the Chamber of Commerce) to expand housing opportunities for temporary seasonal workers. She reviewed general background information including anticipated shortage of seasonal workers, reliance on J1 student and H-2B visa workers, impacts to businesses due to staffing issues, and the stiff competition for limited seasonal housing. She reviewed the existing bylaw which allows for up to 15% of motel/hotel rooms to be used for the seasonal employees of the motel owner/tenant from April 1st to October 31st, with provisions for cooking facilities, on-site proctor and annual permit.

She reviewed the proposed amendment which would expand this opportunity to other Yarmouth business owners with the same provisions, adding that temporary employees must be 18 or older, and employed in Yarmouth for more than 24 hours/week. It is anticipated that local businesses would contract with interested local motels/hotels to develop a housing/employment package which they would use to attract seasonal workers. She noted the many built-in oversight provisions, including an annual permit process through the Building Department, requirement for an on-site proctor, self-policing by hotel/motel owners who don't want paying guests disturbed, and the motivation for seasonal employees to behave so as

not to lose their housing and employment. Any zoning violations by the motel/hotel owner would be subject to enforcement/fines through the Building Department and potential denial of a future annual permit.

Based on written inquiries from the comments received, Ms. Williams also explained why a sunset clause was not included in this Article. Sunset clauses are atypical and only used in special circumstances. The sunset clause for the STRs was done as there is a financial component that the Town would be at risk of losing for the upcoming summer season. Amendments to the zoning bylaw can be made by the Planning Board or through Petition at future town meetings. There are many examples of the bylaw being tweaked over the years based on issues and concerns that have arisen. Sunsetting all proposed zoning amendments see how each one goes would be untenable. The Planning Board will continue to monitor this amendment (and the STR amendment) through a fall stakeholder summit that will include Police, Fire, Health and Building Departments to identify who used this provision, was it successful, what were the issues and what, if any, amendments need to be made to make at a future town meeting.

Public Comments: All oral comments were given in person.

- David Bernstein, Wisteria Road: Mr. Bernstein noted that many of his written questions were answered in the presentation, although he was still in favor of a sunset clause. He inquired as to the number of hotel rooms in Town, with Kathy Williams indicated about 3,500. He expressed concerns about noise control and who oversees whether the employees work in Yarmouth. Kathy Williams noted this is envisioned as a business to business connection with Yarmouth businesses contracting with Yarmouth motel/hotel owners to provide housing for their employees, which would only be valid while they are an employee. Mr. Bernstein asked about what are other Towns were doing for seasonal employee housing. Kathy Williams noted that the Pelham House in Dennis was able to purchase a motel and, through a liberate definition of Lodging House, was able to turn that into housing for their seasonal employees. Something similar was done in Harwich through a Variance, and there are dormitories proposed in Provincetown. Mr. Bernstein asked about how we define working in Yarmouth, is it an employee of a business located in Yarmouth, or does the employee need to physically work in Yarmouth? Kathy Williams noted that the definition says employed within the borders of Yarmouth. Chris Vincent noted that this was a good point and the Board may want to look into this further.
- Vida Morris, Shaker House Road: Ms. Morris also wanted to have a sunset clause. She also inquired whether you can come back to town meeting prior to the expiration of a sunset clause. Kathy Williams indicated that the intent would be to address prior to expiration.
- Christine Greeley, Glenwood Street: Ms. Greeley indicated she would like to have a sunset clause. She inquired as to how many motel rooms have been used by seasonal employees in the past. Mr. Grylls indicated that less than a dozen motels have used the existing provision, involving possibly 100 rooms. Ms. Greeley noted that with 15% of 3,500 rooms, will 500 rooms be used for this, and will a property become solely used for seasonal employee housing? Mr. Goodwin noted that many hotels will not be interested in taking advantage of this provision, with maybe a handful of properties interested, so although it's possible, it's unlikely. Mr. Vincent noted that only 15% of rooms are allowed. She noted that Mr. Bernstein raised a good point about ensuring the housing is for seasonal employees of Yarmouth businesses.
- Jamie Veara, VP, COS Davenport Companies and Chair of Yarmouth Community Partnership: Mr. Veara noted the difficulties with seasonal employees including availability of workers, wage inflation and housing. This amendment would address

housing using existing infrastructure (motels), and an existing bylaw that allows 15% of motel rooms to be used for seasonal employees. He felt it should not matter who the seasonal employee works for and this was not a big change. There is built in oversight and worked closely with the Police Chief to develop the provisions in the amendment. Other towns are doing larger changes such as dormitories and 100% of motels. Mr. Veara was not in support of a sunset clause, noting that this is not typical. If something doesn't work, you review it and bring it back to town meeting to amend or repeal. If something is working, he did not feel it was fair to have an applicant have to get it approved twice. He requested that the article move forward to town meeting.

- Tom Nickinello, Village of Bass River: Mr. Nickinello inquired as to how long the provision for 15% of motel rooms has been in place. Kathy Williams indicated possibly 2016, but started as a Special Permit requirement, then went to annual permit by Building Commissioner (*actual dates were 4/1/13 for the original provision with Special Permit and 5/1/15 for modification to annual permit*). Mr. Nickinello noted that as a business owner, he had to modify his hours and work longer hours because he had difficulty finding workers due to the cost of housing. This provision has been in place for over 5 years with no problems. This is a minor tweak and feels it should be adopted.

Written Comments: Kathy Williams summarized written comments as follows:

- 3/14/22 e-mail from Kathy DiTrapano, 143 Lewis Road: Not in favor of this Article. Inquired as to how employees housed at motels/hotels will be monitored, is it available to any person working in any town, are Yarmouth business owners supporting this article, is this an identified problem, and why no sunset clause. Felt it was a dangerous precedent to set as we are still fine tuning Yarmouth's long term plan and have the wastewater project coming up.
- 3/15/22 e-mail from Kathy Campbell, Wimbledon Drive: Not in favor of this Article noting that issues with housing summer help is not new and believe the private companies should work to provide their own housing for their own workers.
- 3/16/22 e-mail from David Bernstein, 2 Wisteria Road: Mr. Bernstein preferred to offer his comments orally and his written comments were not summarized.
- 3/16/22 e-mail from Angela Carbone, 2 Wisteria Road: Does not support the Article, noting:
 - There should be a sunset clause on this process in order to evaluate how well or how poorly it works.
 - How will the town determine that those renting do indeed work in Yarmouth. And what about employees who work a few hours here and many others in various other communities? It seems like Yarmouth is generally asked to pick up the slack for working people in more affluent communities.
 - The article should include fees from the motel/hotel for the inspections that will need to ensure that the people who rent have the facilities mentioned in the article.
- 3/16/22 e-mail from Joan Carr, no address given: Make sure any changes in zoning for the proposed seasonal employees are deemed to be only temporary for the hotel owners to see how this works before we have any unintended consequences to deal with during these changing times.

- f. **Presentation on CITIZEN PETITION Zoning Article – Rezoning of 17 Berry Avenue from Residential to Commercial:** Kathy Williams gave a brief overview of petitioned zoning articles. She noted that the Planning Board had looked at potentially rezoning 17 Berry Avenue from residential to commercial last fall, but after receiving public input, the parcel was removed from the article and was not voted upon at the fall 2021 Special Town Meeting.

Subsequently, a Citizens Petition was submitted to place the rezoning of this parcel on the 2022 Annual Town Meeting (ATM) (requires 10 signatures of registered voters). The Planning Board is required to hold a public hearing on all zoning amendments, including petitioned articles. The Board will vote to recommend, not recommend, or may offer no recommendation at their meeting on 3/23. Regardless of the Planning Board's vote, the Article will be on the ATM Warrant. The Planning Board will present their recommendation to the Board of Selectmen at their 3/29/22 meeting and the ATM is scheduled for the evening of April 26th at Mattacheese Middle School.

Robert Ciavarra, representing the petitioners, attended the March 16th Public Hearing and presented the Article. Mr. Ciavarra indicated this change would fix an old mistake by squaring off the corner to encourage the redevelopment of a great corner lot at a major intersection which will bring in more commercial tax revenue, reducing the burden on residential properties. He responded to some of the written comments noting that cost of construction and lack of wastewater impacts ability to rent in Yarmouth, and he does not believe there will be residential traffic impact to a corner lot business, with other towns impacting Route 28 with through traffic. He noted the need for new users tying into the wastewater system for financial viability. He indicated the rezoning will help to make two lots viable for redevelopment which will benefit the entire town and only encompasses 1 acre of land. Brad Goodwin inquired as to whether the property owner is in support. Kathy Williams indicated she spoke to the son of the elderly owner last fall who was in support of rezoning.

Public Comments:

- John Delisio, Bay Road: He noted that rezoning to benefit one owner financially is unfair to all the other affected parties and those who bought their properties because of the residential neighborhood.
- Attorney Peter Freeman, representing Nancy McPhee, Berry Ave: Attorney Freeman indicated he felt this was spot zoning as it only benefits one owner, not part of a planning process and the Planning Board did not move forward with the rezoning previously. This is not a corner lot, a commercial entity will create more traffic than a single family home, access could be on Berry Avenue, too small to allow for a better business design, rents for new construction would high, would creep the zoning district incrementally impacting residential, noise increases, lighting from cars/building, and need a rational basis for the evaluate detriments and benefits. Attorney Freeman felt the petitioned article should have included the address in addition of assessor map, and none of the signers of the petition live in the neighborhood. Respectfully request that the Planning Board vote to not recommend.
- Meg McNamara, Mass Ave: Ms. McNamara does not feel that one property is impacting business, rather abandoned buildings are hurting the tax base. Value of the neighborhood is equally important and does not want to see another piece of West Yarmouth become commercial.
- Jim Saben, Nottingham Drive: Mr. Saben is opposed to this change. The petitioner said there would be an increase in commercial tax revenue, but the abutting residential properties will most likely reduce their property values. Mr. Saben is an advocate for economic development, but not at the expense of people's personal quality of life. He feels this is spot zoning, and if construction costs are so high, it won't be built upon. Request that the Planning Board not recommend this Article.
- Vida Morris, Shaker House Road: Ms. Morris questioned the marketing of the property as commercial prior to the article being approved at ATM. Ms. Crowley requested that her comments be restricted to comments on the rezoning of 17 Berry Avenue.

- Tom Sullivan, Bunting Lane: Mr. Sullivan inquired as to why the assessed value of the property has gone down. He indicated a curb cut on Route 28 would be difficult and likely be located on Berry Avenue. He also wanted to know what the property would be used for if the two lots were combined. Mr. Ciavarra indicated a national coffee chain wanted to develop the corner lot, but had some difficulties with fitting in all the components and combining with the adjacent lot might make it more viable. Mr. Ciavarra further stated that the property is not being marketed commercially rather it is being marketed residentially noting the upcoming vote at ATM. He also indicated that he has an attorney who says this is spot zoning and this is a case of NIMBYism as only the abutters are complaining. Mr. Sullivan noted that the petitioner is on the Finance Committee and that the moderator signed the petition. Ms. Crowley noted that this is an administrative issue that is being addressed.
- Barb Fitzpatrick, Berry Ave: Ms. Fitzpatrick noted that when she purchased her property there was no gas station or 99 Restaurant, and she does not like the idea of one more thing being a detriment to her property. She suggested the Town could make a park on the corner lot.
- Joe Gedraitis, Berry Ave: Mr. Gedraitis suggested that the lots are vacant because either the owner does not want to develop it or his price is too high. It is in the ROAD overlay district to account for lots like that to ease their problems and may need to be changed. The 17 Berry Ave lot is vacant for the same reasons or because it abuts business property. Can reduce the price and sell it and someone will build a house. If because it is abutting a business property, you are passing the problem on to new abutters.
- Christine Greeley, Glenwood St: Ms. Greeley objected to the use of the word NIMBY and feels we should listen to the people who are the most impacted as they are most knowledgeable of their area. She noted the number of vacant, abandoned or for sale properties which have a much better potential for development, but has not happened due to costs to buy, redevelopment and the current business climate. She noted concerns with dealing with a curb cut on Berry Avenue would be a bad idea. A petitioned article at the end of ATM is a disaster for this spot rezoning.
- Jean Mickle, Thomas Path (Remote): Mr. Mickle noted that 17 Berry Ave did have a home on it at one time, but it was demolished. She expressed concerns with traffic backing up into Route 28 if the corner lot is a coffee shop, which happens now at Dunkin Donuts. She also noted that her income from her summer rental will diminish because people don't want to be behind a business.
- Joyce Cullen, West Road: Ms. Cullen felt it was common sense to leave this rezoning until all the planning and wastewater is completed.
- Barb Fitzpatrick, Berry Ave: Ms. Fitzpatrick asked if she needed to return next Wednesday. Ms. Crowley indicated we are taking public comment and will close the public hearing tonight. Those members not present will watch the video. The Board will review comments, and deliberate, discuss and vote to recommend, not recommend the Articles, or vote to amend the two Planning Board Articles. Ms. Fitzpatrick inquired about the state rules regarding Route 28 curb cuts so close to the intersection. Kathy William indicated that MassDOT would need to issue a highway access permit, but don't like curb cuts off of stacking lanes. To ensure all the turning movements, there would need to be a curb cut on Berry Avenue. Ms. Fitzpatrick indicated she was concerned about the impacts of a curb cut on Berry Avenue.
- Steve Collins, Berry Ave: Mr. Collins noted the heavy traffic on Berry Ave and another commercial curb cut will encourage driving through neighborhoods in order to get out.
- Judy & Arthur Warren, Shore Road (Remote): Ms. Judy Warren noted the potential commercial creep into the residential areas if the next lot owner wants to rezone their

property, and then the next and next. She also noted the term NIMBY is a badge of honor to be worn and is proud of neighbors for joining the meeting and expressing their concerns. Mr. Arthur Warren stated that as an attorney, that the Planning Board and Town of Yarmouth will face legal action by approving this particular attempt of rezoning using a citizen petition. He also noted the significant traffic problems with the commercial encroachment of the 99 Restaurant. He requested the Board not approve.

- Joe Gedraitis, Berry Ave: Mr. Gedraitis also thought this was spot zoning and did Town Counsel weigh in on this issue. Kathy Williams noted that for petitioned articles are not reviewed by Town Counsel, although they look at the form of the article, and then goes to the Attorney General's office for approval. Chris Vincent indicated it was taken off the warrant so not reviewed by town counsel prior to being removed.
- Tom Nickinello: Mr. Nickinello noted the Town Visioning process where the town wanted a great place to Live, Work, Play and Learn, with three villages. He noted that the intersection of Route 28/Berry Ave/Higgins Crowell is the center of West Yarmouth.

Written Comments: Kathy Williams summarized written comments as follows:

- 3/10/22 e-mail from Jean Mickle & Laurie Whitcomb, 17 Thomas Path: Written comments in opposition to the rezoning. Jean Mickle gave oral comments at the meeting.
- 9/13/21 e-mail from Chris Adams, 14 Thomas Path: Opposes the rezoning. New comments were summarizing including questioning the applicability of comments made last fall about the residential abutters to the 99 Restaurant originally opposed, but now enjoy it. Thought the houses were built after the restaurant so buyers knew they were buying next to a parking lot. He also provided his comments from last fall noting that he spoke with neighbors who were against the rezoning, the area is dominated by single family homes, lots of existing commercial in the area that could be utilized, sufficient commercial land elsewhere, not welcoming to vacationers, impact seasonal rentals, concerns with traffic, noise, wildlife impacts and property values. Land should be sold for a residential single family house.
- 3/12/22 e-mail from Bud & Carol MacInnis, 26 Thomas Path: Opposes the zoning noting the property zoned residential for years, someone wanting to line their pockets for profit at the expense of others is wrong, a hotel/ motel would not fit here, property values most likely decrease for both seasonal and year round home owners, focus should be placed on unoccupied commercial properties, petition included no abutter signatures, and let the voices of those opposed be heard and keep W. Yarmouth a town and not a city.
- 3/14/22 Letter from Freeman Law Group representing Nancy MacPhee, 25 Berry Ave: Oral comments provided at the meeting.
- 3/14/22 e-mail from Kathy DiTrapano, 143 Lewis Road: She is not in favor of this Article. Need to wait for any zoning status changes until we have a plan for Route 28 in conjunction with WW and our vision moving forward.
- 3/15/22 e-mail from Kathy Campbell, Wimbledon Drive: Opposed to the zoning changes as the town should take into consideration the objections of tax paying neighbors and the effect on their neighborhood. Also there are plenty of blighted properties along Route 28 for commercial development.
- 3/15/22 e-mail from Judith and Beverly Parker, 22 Thomas Path: Opposed to the rezoning noting may existing pieces of property in the area of Berry Avenue already zoned commercial; impact to wildlife, noise from tree removal, lighting, traffic and quality of life, and unfair to the residents that purchased their homes in this area knowing that the property at 17 Berry Avenue is zoned residential property.
- 3/16/22 e-mail from David Bernstein, 2 Wisteria Road: Opposed to the rezoning.

- 3/16/22 e-mail from Marcie & Joan Gauntlett: Opposed to the rezoning noting there are many existing parcels in the area that are already zoned as commercial properties, concerns about wildlife, noise quality of life and unfair to residents.
 - 3/16/22 e-mail from Angela Carbone, 2 Wisteria Road: Planning Board should not support this rezoning which allows business zoning to creep into an essentially residential area. Being pushed by those who stand to profit and by the Chamber of Commerce and is not in the best interest of the town. There are many closed businesses along Route 28 with redevelopment of the business corridor preferable to encroachment into residential areas. She supports the neighbors who bought their properties under the current zoning and are opposed to the change.
- g. **Hearing Closed**: Chair Joanne Crowley thanked everyone for attending the meeting and providing their comments and reiterated that the Board will be making recommendations at their meeting on 3/23.
- VOTE: On a motion by Chris Vincent, and seconded by Brad Goodwin, the Planning Board voted (4-0) to close the Public Hearing at 7:32 PM, with Brad Goodwin, Chris Vincent, Susan Brita, and Joanne Crowley voting in favor.**
3. **Discussion on Public Hearing on Zoning Articles, Vote on Recommendations, and Review Draft Memo to Board of Selectmen**: Deferred until the Planning Board meeting on 3/23 at 5:30 PM when more members of the Planning Board will be in attendance.
 4. **Notice of Project Change (NPC) – Comprehensive Wastewater Management Plan**: The Planning Board reviewed the attached draft letter of support for the NPC and agreed to submit it without amendment.
 5. **Meeting Minutes**:
 - a. February 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.**
 6. **Board of Appeals Agenda & Decisions**: The attached ZBA Agenda and Decisions were sent to the Planning Board via e-mail.
 7. **Committee Updates from Board Members**:
 - a. **Water Resources Advisory Committee (WRAC)**: Joanne Crowley noted that the WRAC met on 2/28 to discuss the NPC with consultant CDM-Smith and to review the Town Meeting Articles which set up the stacking of various funding sources to pay for wastewater. The Committee will be expanding their mission and starting discussions on fresh water ponds and drinking water on future agendas.
 8. **Board Member Items**: None.
 9. **Correspondence**: The attached correspondence was sent to the Planning Board via e-mail.
 10. **Staff Updates**: Kathy Williams noted the Virtual Public Meeting being held by the Cape Cod Commission for the Route 28 East Hyannis Corridor Study scheduled for 3/23 at 6 PM.
 11. **Upcoming Meetings**:
 - a. March 23, 2022 – Zoning Amendment Deliberations & Vote
 - b. March 29, 2022 – Board of Selectmen - Zoning

12. **Adjournment: VOTE:** On a motion by Brad Goodwin, seconded by Chris Vincent, the Planning Board voted unanimously (4-0) to adjourn at 7:40 PM.

ATTACHMENTS:

- **March 16, 2022 Agenda**
- **Hybrid Meeting Script**
- **Sign-In Sheet and List of Remote Participants**
- **Zoning Article Public Hearing:** Hearing Notice; PowerPoint Presentation; Written Comments; Meeting Handout (Summary of Zoning Amendments; STR Article Draft #3, dated 2/17/22, Seasonal Employee Housing Article Draft #2, dated 2/17/22 with Redline Draft #4, dated 2/3/22, and Petitioned Article with Map); Draft Memo from Joanne Crowley to the Board of Selectmen (BOS) with Zoning Articles; and Draft Planning Board Recommendation Letter
- **Comprehensive Wastewater Management Plan Notice of Project Change:** Draft support Memo
- **Draft Minutes:** February 16, 2022
- **Miscellaneous Correspondence:**
 - 2/25/22 e-mail to Planning Board from Town Planner on miscellaneous topics
 - 2/24/22 Memo from Planning Board Chair to Board of Selectmen in support of an additional housing inspector
 - 2/22/22 e-mail to CEDC from Robert Ciavarra and map of 17 Berry Avenue
 - 2/18/22 Memorandum to the CEDC from the Assistant Town Administrator regarding detailed scope of work for economic studies.
 - Conservation Commission Agendas for 3/3/22 and 3/17/22
 - ZBA Agenda for 3/10/22
 - ZBA Decisions 4925, 4936, 4938, and 4939
 - Invitation to Cape Housing Institute
 - Barnstable Hearing Notice for 3/28/22 for Citizen Petition on ground mounted solar
 - Dennis Hearing Notice for 4/4/22 for Zoning Amendments for ADUs

Approved on March 23, 2022:

On a motion by Brad Goodwin, and seconded by Chris Vincent, the Planning Board voted (4-0-1) to approve the meeting minutes of March 16, 2022, with Brad Goodwin, Susan Brita, Joanne Crowley, and Chris Vincent voting in favor, and Will Rubenstein abstaining.