

Town of Yarmouth

MINUTES OF THE PLANNING BOARD MEETING OF
June 3, 2020

The Yarmouth Planning Board held a Business Meeting at 5:30 p.m. on Wednesday June 3, 2020 via a Virtual Meeting pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law in response to the COVID-19 pandemic.

Planning Board Present: Brad Goodwin, Tom Roche, Liz Hartsgrove, Lee Rowley, Joanne Crowley, and Tom Baron.

Planning Board Absent: Chris Vincent

Staff Present: Kathy Williams, Town Planner

Guests: Dan Ojala, Down Cape Engineering and Joan Gonsalves

YARMOUTH TOWN CLERK
'20JUL6PM1:51 REC

1. **Meeting Opening:** Chairman Tom Roche opened the virtual meeting at 5:31 PM and took a roll call to establish quorum. Kathy Williams, Town Planner, served as the Moderator for the virtual meeting and read the attached statement regarding the reason for the virtual meeting and provided an overview on how remote participation works. All votes were taken by roll call and the meeting was livestreamed to the Town of Yarmouth YouTube Channel.
2. **Approval Not Required ANR Plan #1142F:** Joan Gonsalves, 15 Oak Hill Lane, South Yarmouth, MA, Assessor Map 119, Parcel 8, R40 zoning district. The ANR Plan divides the existing lot into two lots.

Dan Ojala of Down Cape Engineer represented the owner and gave a brief overview of the ANR Plan creating the two lots which were designed to conform with zoning and has adequate access off Oak Hill Lane. The plan includes a defined driveway/utility easement across Lot B to serve Lot A which has an existing house. Mr. Ojala noted changes were made to the plan per the request of the Town Planner prior to submission to the Planning Board. The Planning Board and Town Planner had no comments.

VOTE: On a motion by Brad Goodwin, seconded by Tom Baron, the Planning Board voted unanimously (6-0) to endorse ANR Plan #1142F, dated May 14, 2020, with Brad Goodwin, Tom Roche, Liz Hartsgrove, Lee Rowley, Joanne Crowley and Tom Baron voting in favor.

3. **Meeting Minutes:**
 - a. **May 20, 2020:** On a motion by Liz Hartsgrove, and seconded by Lee Rowley, the Planning Board voted (5-0-1) to approve the meeting minutes of May 20, 2020 with Tom Roche, Liz Hartsgrove, Lee Rowley, Joanne Crowley and Tom Baron voting in favor, and Brad Goodwin abstaining.
4. **Board of Appeals Agenda & Decisions:** Attached May 28, 2020 ZBA Agenda was sent to the Planning Board via e-mail. Kathy Williams noted that the ZBA heard the Variance relief request for the Wise Living Retirement Community at 822 & 834 Route 28 at their May 28th meeting. The applicant withdrew without prejudice the requested relief for the building modulations, but did receive relief for the sidewalk easement, second sign and in-lot trees. The Planning Board may see this project again if changes are made to come into full compliance and an Amended VCOD SPR is required. The Board had a general discussion on the VCOD bylaw and whether modifications may be warranted in the future.

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

- a. **Community Housing Committee (CHC):** Although the committee has not met, Tom Baron offered some updates on housing issues from Mary Waygan, Housing Administrator.
- The Town has hired a website consultant to work on updating the Community Housing webpage.
 - Yarmouth Commons is 100% occupied and is investigating establishing an on-site smoking area.
 - Yarmouth Gardens is now owned by Commonwealth Community Developers who is coordinating gas shut off prior to demolishing the buildings. New construction is anticipated to start in August.
 - The Yarmouth Buy Down Program is active with 3 qualified income eligible households selected by lottery. The buy down averages \$120,000 per home and must be deed restricted affordable in perpetuity.
- b. **Capital Budget Committee (CBC):** Joanne Crowley noted that the Board of Selectmen (BOS) held their Public Hearing on the Operating and Capital Budgets at their June 2nd meeting. Due to the COVID-19 crisis all Capital Plan, Roadway and Stormwater funding was eliminated. The BOS will revisit in the fall to see if revenues would allow for addition of some of these expenses back into the budget. Chapter 90 funds still remain available for road work.
- c. **Water Resources Advisory Committee (WRAC):** Lee Rowley noted that the Warrant includes approximately \$5 Million to fund design, engineering, permitting and limited sewer construction related to MassDOT construction projects. The DHY Partnership question has been delayed until the Fall warrant due to COVID-19.

6. **Board Member Items:** None.

7. **Correspondence:** Attachments noted below were sent to the Planning Board via e-mail.

8. **Staff Updates:** Kathy Williams informed the Board that the Warrant was approved and the ATM is scheduled for June 22, 2020 at 6 PM at Mattacheese Middle School. Town Hall is not anticipated to open to the public until after July 1st. Kathy Williams gave an overview of the Governor's June 1, 2020 Covid-19 Order #35 as it relates to outdoor dining and alcohol service at restaurants. The Order allows for issuance of administrative zoning relief for outdoor seating and local approval of alcohol alteration of premises licenses with notification only to the Alcoholic Beverages Control Commission (ABCCC) and no advertisement or abutter notifications required. Town Staff is actively working on developing the process and application form for presentation to the BOS at their June 9th meeting.

9. **Upcoming Meetings:**

- a. June 17, 2020
- b. July 1, 2020

10. **Adjournment: VOTE:** On a motion by Brad Goodwin, seconded by Liz Hartsgrove, the Planning Board voted unanimously (6-0) to adjourn at 6:13 PM.

ATTACHMENTS:

- **June 3, 2020 Agenda**
- **Script - Explaining Remote Access Planning Board Meeting**
- **ANR Plan #1142F:** May 29, 2020 Planner Memo with Form A and ANR Plan 1142F
- **Draft Meeting Minutes:** May 20, 2020

- **Miscellaneous Correspondence:**
 - ZBA Agenda for May 28, 2020.
 - Barnstable Planning Board Decision Notifications
 - Cape Cod Commission Reporter - May 2020

Approved on July 1, 2020:

On a motion by Liz Hartsgrove, and seconded by Joanne Crowley, the Planning Board voted (5-0-1) to approve the meeting minutes of June 3, 2020 with Tom Roche, Liz Hartsgrove, Lee Rowley, Joanne Crowley and Tom Baron voting in favor, and Chris Vincent abstaining.