

**Town of Yarmouth**  
**MINUTES OF THE PLANNING BOARD MEETING OF**  
**July 6, 2022**

'22AUGBANS:08 REC

The Yarmouth Planning Board held a Hybrid in-person/remote access Business Meeting at **5:30** p.m. on Wednesday **July 6, 2022** in the Hearing Room at the Yarmouth Town Offices located at 1146 Route 28, South Yarmouth, MA.

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

**Planning Board Absent:** Jim Saben (Liz Hartsgrove resigned effective 6/30/22)

**Staff Present:** Kathy Williams, Town Planner

**Applicant Representatives:** Attorney Paul Tardif

1. **Meeting Opening:** Chair Joanne Crowley opened the hybrid meeting at 5:31. All Planning Board members were in-person, except Brad Goodwin and Will Rubenstein who were remote and all votes were roll call votes.
2. **PUBLIC HEARING - CONTINUED: Definitive Subdivision No. 2936A and Special Permit #116:** **Owner:** The Roman Catholic Bishop of Fall River, 450 Highland Ave, Fall River, MA 02720-3701. **Applicant:** The Davenport Companies, 20 Main Street, South Yarmouth, MA 02664. **Property Location: Unnumbered lot on the south side of Route 6A, between Kencomsett Circle and Outward Reach and across the street from Hockanom Road; Assessor's Map 125, Parcel 39; 15.3 acre lot; Zoning District R40 Residential.** The Applicant is seeking approval for a 14-lot single-family cluster Definitive Subdivision Plan entitled "Definitive Subdivision Plan of Land of the proposed Single-Family Cluster Development at Lot 2, Route 6A, Yarmouth Port, MA for The Davenport Companies" with waivers; and a Special Permit for a 14-lot single-family cluster subdivision under the provisions of Yarmouth Zoning Bylaw Section 402.

Attorney Paul Tardif gave a brief overview of the attached request to continue the Public Hearing from July 6, 2022 to August 3, 2022 to allow more time for their team to continue investigating and vetting another alternative. This alternative would access the subdivision further to the east along Route 6a and would not require a waiver from the requirement for a 400' separation between roads. Should they propose a change to the access and layout for the subdivision, they would need to restart the process with a preliminary subdivision application.

**VOTE: On a motion by Susan Brita, and seconded by Chris Vincent, the Planning Board voted (5-0) to continue the Public Hearing for Definitive Subdivision No. 2936A and Special Permit #116 to the regularly scheduled Planning Board meeting on August 3, 2022 at 5:30 PM, with Brad Goodwin, Chris Vincent, Susan Brita, Joanne Crowley, and Will Rubenstein voting in favor.**

3. **Committee Assignments:**

- a. **Community Preservation Committee (CPA):** The Board briefly discussed short-term representation on the CPA through the summer as Liz Hartsgrove has resigned and the Planning Board makes their annual committee assignments in September.

**VOTE: On a motion by Brad Goodwin, and seconded by Will Rubenstein, the Planning Board voted (5-0) to nominate Joanne Crowley as the Planning Board representative to the Community Preservation Committee to fill the open seat until otherwise filled,**

with Brad Goodwin, Chris Vincent, Susan Brita, Joanne Crowley, and Will Rubenstein voting in favor.

4. **Meeting Minutes:**

- a. **June 1, 2022:** On a motion by Brad Goodwin, and seconded by Will Rubenstein, the Planning Board voted (5-0) to approve the meeting minutes of June 1, 2022, with Brad Goodwin, Chris Vincent, Susan Brita, Joanne Crowley, and Will Rubenstein voting in favor.
- b. **June 15, 2022:** On a motion by Susan Brita, and seconded by Will Rubenstein, the Planning Board voted (5-0) to approve the meeting minutes of June 15, 2022, with Brad Goodwin, Chris Vincent, Susan Brita, Joanne Crowley, and Will Rubenstein voting in favor.

5. **Board of Appeals Agenda & Decisions:** None.

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

- a. **Water Resources Advisory Committee (WRAC):** Joanne Crowley noted the MassDEP presentation to the WRAC at their June 27<sup>th</sup> meeting to discuss proposed changes to Title 5 septic system regulations. Kathy Williams noted the regulations are proposed to be promulgated this fall and would require in the next five (5) years all existing and new septic systems to upgrade to an I/A system, OR for the Town to develop 20-year watershed permits.
- b. **Community and Economic Development Committee (CEDC):** Joanne Crowley indicated that the CEDC funded banners for the Parkers River Bridge and in the Village Center along Route 6a and thanked the Chamber of Commerce for their help. Ms. Crowley also noted the wayfinding signage grant for \$45k that the Town recently received, along with the vote of the CEDC to provide the matching funds of \$45k using the Tourism Revenue Preservation Funds (TRPF).

7. **Board Member Items:** Will Rubenstein asked a procedural question regarding the number of positive votes to approve a Special Permit (5 members) noting that we are currently down one member. Mr. Rubenstein also inquired as to whether the Route 6a meeting held at the Yarmouth Port Fire Station was recorded. Kathy Williams indicated the meeting was not recorded as the meeting had originally been intended as an informal meeting with the village business owners, but ended up being a larger gathering. (Information from this meeting was presented to the Board of Selectmen at their May 24, 2022 meeting.) Joanne Crowley also requested an update on the proposed cell tower at 1044 Route 28. Kathy Williams indicated the applicant had gone through Design Review where they asked for additional information on the site alternatives and a different design of the tower. In a subsequent meeting, the Applicant proposed a clock tower. Kathy Williams indicated that unless the clock tower is detailed/designed appropriately, it may be more of a distraction that a monopole tower which people have become somewhat used to seeing.

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

9. **Staff Updates:** None.

10. **Upcoming Meetings:**

- a. July 20, 2022: Board discussed canceling this meeting due to lack of business items
- b. August 3, 2022: Continued Public Hearing for Def Subdivision/Special Permit

11. **Adjournment: VOTE:** On a motion by Susan Brita, seconded by Chris Vincent, the Planning Board voted unanimously (5-0) to adjourn at 5:53 PM.

**ATTACHMENTS:**

- **July 6, 2022 Agenda**
- **Public Hearing Continuation - Def Subdivision No. 2936A and Special Permit #116:**  
June 30, 2022 Letter from Attorney Paul Tardif requesting an extension and executed Agreement for Extension
- **Draft Minutes:** June 1 and June 15, 2022
- **Miscellaneous Correspondence:**
  - Conservation Commission Agenda for 7/7/22
  - June 17, 2022 e-mail to the Town Administrator with list of Planning Board top priorities for the Board of Selectmen.

**Approved on August 3, 2022:**

**On a motion by Susan Brita, and seconded by Will Rubenstein, the Planning Board voted (5-0) to continue the Public Hearing for Definitive Subdivision No. 2936A and Special Permit #116 to the regularly scheduled Planning Board meeting on September 7, 2022 at 5:30 PM, with Brad Goodwin, Jim Saben, Susan Brita, Joanne Crowley, and Will Rubenstein voting in favor.**