

**Town of Yarmouth**  
**MINUTES OF THE PLANNING BOARD MEETING OF**  
**August 3, 2022**

The Yarmouth Planning Board held a Hybrid in-person/remote access Business Meeting at **5:30** p.m. on Wednesday **August 3, 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, Jim Saben, Joanne Crowley, and Will Rubenstein

**Planning Board Absent:** Chris Vincent

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

**Applicant Representatives:** Attorney Paul Tardif

1. **Meeting Opening:** Chair Joanne Crowley opened the hybrid meeting at 5:35. Planning Board members were in-person, except Brad Goodwin, Jim Saben and Will Rubenstein who were remote. 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 August 3, 2022 to September 7, 2022 to allow more time for their team to continue vetting another alternative to access the property further to the east along Route 6a, which would not require a waiver from the requirement for a 400' separation between roads. Attorney Tardif noted they are making progress and anticipate this being their last extension request and they will likely withdraw the current proposal without prejudice at the September 7<sup>th</sup> meeting and restart the process with a preliminary subdivision application for the new subdivision layout.

**VOTE:** 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.

3. **Meeting Minutes:**
  - a. **July 6, 2022:** On a motion by Susan Brita, and seconded by Will Rubenstein, the Planning Board voted (5-0) to approve the meeting minutes of July 6, 2022, with Brad Goodwin, Jim Saben, Susan Brita, Joanne Crowley, and Will Rubenstein voting in favor.
4. **Board of Appeals Agenda & Decisions:** The attached ZBA Agenda and Decisions were sent to the Planning Board via e-mail.

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

- a. **Community Housing Committee(CHC)/Affordable Housing Trust (AHT):** Brad Goodwin noted that the CHC/AHT are reviewing two responses to an RFP, one for 1121 Rte. 28 and one for 91 Rte. 28 adjacent to the Hampton Inn.
- b. **Community Preservation Committee (CPC):** Joanne Crowley noted the CPC met on 7/13 to appoint a representative to the AHT, and review extensions for 281 Route 28 and for an affordable housing feasibility study.
- c. **Water Resources Advisory Committee (WRAC):** Joanne Crowley indicated the WRAC met on 7/18 and received an update from CDM Smith on the wastewater project and from Rick Bishop from the Friends of Bass River on the water sampling by the Cape Cod Rail Trail bridge and recent algae outbreak. She also noted five members of the WRAC attended a site visit to look at two treatment facilities (Cohasset and Kingston). She attended these site visits and noted that odors were practically non-existent. The WRAC also decided to formally call the Yarmouth treatment facility the Water Resource Reclamation Facility.
- d. **Design Review Committee (DRC):** Kathy Williams noted that the DRC met recently to review an 11-bay contractor building off Mid-Tech Drive.
- e. **Drive-In Site Utilization Committee (DISUC):** Kathy Williams noted that the DISUC recently met to make a decision regarding the boardwalk foundation support system (see Staff Updates below).

6. **Board Member Items:** Will Rubenstein inquired about the status of getting a 7<sup>th</sup> member. Kathy Williams indicated she would reach out to the Town Administrator's office for an update.

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

8. **Staff Updates:**

- a. Kathy Williams gave an overview of the attached PowerPoint presentations recently given to the Board of Selectmen on two Town projects:
  - 1) **Park Restoration Project (261-281 Route 28):** The project includes the restoration of two existing parks (Chase Brook Park and Mill Creek Park) and the creation of a new park in between these properties at the former Yankee Village Motel. The goal of this project is to combine the three properties to create a single waterfront park that will remove invasive species/non-native plantings, maximize native vegetation, be low maintenance, improve accessibility and resiliency, and preserve the scenic vista of Mill Creek. The project also includes a pedestrian bridge over Chase Brook Creek to better connect Chase Brook Park to the rest of the parcels. Project permitting, budget and schedule were also reviewed.
  - 2) **Riverwalk Park, Boardwalk & Event Space (669 Rte. 28):** The project includes many amenities to create a park along the river including a new entrance, restrooms, parking, walkways, artist shanty village, natural play area, kayak launch, landscape restoration, interpretive signage, an open area for intermittent special events, and a boardwalk loop along the marsh to the south. The Drive-In Site Utilization Committee recently made the determination on the preferred boardwalk support system, opting to go with the recommendation of our consultant BETA on helical anchors with extra thick galvanized coating. Project permitting, budget and schedule were also reviewed.
- b. Kathy Williams also noted that the date for Special Town Meeting (STM) has been set for November 15, 2022. Joanne Crowley mentioned the STM Calendar which noted a date for zoning article submissions. At the direction of the Board, Kathy Williams will notify the Board of Selectmen that the Planning Board has no zoning amendments for the fall STM.

**9. Upcoming Meetings:**

- a. August 17, 2022: Currently no business items for this meeting
- b. September 7, 2022: Continued Public Hearing for Def Subdivision/Special Permit

**10. Adjournment: VOTE: On a motion by Susan Brita, seconded by Will Rubenstein, the Planning Board voted unanimously (5-0) to adjourn at 6:16 PM.**

**ATTACHMENTS:**

- **August 3, 2022 Agenda**
- **Public Hearing Continuation - Def Subdivision No. 2936A and Special Permit #116:** July 28, 2022 Letter from Attorney Paul Tardif requesting an extension and executed Agreement for Extension
- **Draft Minutes:** July 6, 2022
- **Staff Update:** PowerPoint presentations on the Riverwalk Park Project at 669 Rte. 28 and Park Restoration Project at 261-281 Rte. 28
- **Miscellaneous Correspondence:**
  - ZBA Agenda 7/28/22
  - ZBA Decisions 4915, 4928, 4937, 4946, 4957, 4958, 4959, 4961, & 4969
  - Conservation Commission Agendas for 7/21/22 & 8/4/22
  - Special Town Meeting Calendar – 11/15/22 STM
  - Cape Cod Commission Update – Yarmouth, July 2022
  - Cape Cod Commission Reporter – July 2022
  - July 26, 2022 e-mail from Donald Almonte regarding Crow Street
  - May 24, 2022 Memo from Town Staff to the Board of Selectmen regarding Recommendations for Possible Action Steps for Route 6a Village
  - Barnstable Planning Board Public Hearing notices 8/8/22 & 8/22/22.

**Approved on August 17, 2022:**

**On a motion by Susan Brita, and seconded by Jim Saben, the Planning Board voted (4-0-1) to approve the meeting minutes of August 3, 2022, with Jim Saben, Susan Brita, Joanne Crowley, and Will Rubenstein voting in favor, and Chris Vincent abstaining.**