

***On September 8, 2020, on a motion by David Reid, seconded by Jack McCormack, the DISUC Committee voted 4-0 to approve the minutes of August 4, 2020.***

YARMOUTH TOWN CLERK

Town of Yarmouth

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**MEETING MINUTES OF THE DRIVE-IN SITE UTILIZATION COMMITTEE MEETING OF  
August 4, 2020**

The Yarmouth **Drive-In Site Utilization Committee (DISUC)** held a Business Meeting at **4:00** p.m. on **Tuesday, August 4, 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.

**Committee Members Present:** Tom Roche, Jack McCormack, Bud Nugent, and David Reid

**Members Absent:** Jim Saben, Peter Slovak and Rich Bilski

**Staff:** Kathy Williams, Town Planner; and Karen Greene, Director of Community Development

1. **Meeting Opening:** Vice Chairman Tom Roche opened the virtual meeting at 4:01 PM. A roll call was conducted to establish quorum.
2. **Discussion on Reconsideration of a Marina at the Drive-In Property:** To follow up on comments made by Board of Selectmen members at their July 14<sup>th</sup>, 2020 meeting, the Town Administrator suggested that the Drive-In Site Utilization Committee (DISUC) re-evaluate the concept of a marina on the former drive-in property. The DISUC reviewed the attached July 30, 2020 Memo from Kathy Williams, Town Planner, that provided an overview of the feasibility analysis completed in 2013 including the full Marina Economic Analysis and other issues as outlined below:
  - **High Cost of Construction With No Return on Investment:** The Marina Economic Analysis completed in 2013 by Applied Technology & Management (ATM) provided estimated construction costs of \$10.34 Million for the preferred Base Case, and \$9.8 Million for a two-phase Modified Case designed to reduce costs and maximize revenue. Both scenarios projected estimated annual deficits, with over \$500,000 per year in the Base Case and a minimum of \$100,000 per year in the Modified Case. Construction costs would be further increased to include state wage rates and account for annual construction inflation. Even if demand for a Marina has increased, the revenues would need to have increased substantially to recoup these additional costs and generate a profit.
  - **Configuration of the River:** The volume of boat traffic from an existing marina, in conjunction with the shallow depth and narrow pinch points along the River, do not provide an ideal conduit to Nantucket Sound. Dredging of the River was recommended by ATM which was not included in the construction estimates, further adding to the costs for a Marina.
  - **Difficulty of Obtaining Environmental Permitting:** The environmental permitting required for a Marina was considerable and challenging with staff estimating a 50-60% chance of obtaining all the permits required for the project. The legislative relief provided for the project for saltmarsh impacts was important, but limited, leaving many critical evaluation criteria remaining.
  - **Progress on the Riverwalk Park, Boardwalk and Event Space proposal:** The DISUC has worked with Staff for over five years to identify uses, develop and vet design concepts, garner public input and support, and secure \$3.2 Million in funding for the

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Riverwalk Park, Boardwalk and Event Space concept. Any diversion of the Town's attention toward a Marina concept, at this late date, would negatively impact the project schedule and the commitment of the Town to the currently approved projects.

After a brief discussion noting the items above, the DISUC voted as follows:

**VOTE: On a motion by Bud Nugent, and seconded by Jack McCormack, the DISUC voted unanimously (4-0) to not recommend pursuing a Marina and to move forward with the existing plan for a Riverwalk Park, Boardwalk and Event Space with Tom Roche, Bud Nugent, Jack McCormack and David Reid voting in favor.**

3. **Innovation Arts & Entertainment (iAE) Amended Proposal for the Drive-In Site:** The DISUC briefly discuss the attached application materials for proposed amendments to the current use of the Drive-In Site by iAE to extend into the fall season and to allow for sale of alcohol on certain days. The Committee noted that fewer movies were being shown than originally anticipated, with more concerts and comedy shows. The DISUC decided to not provide any comments for consideration by the Board of Selectmen for the August 11<sup>th</sup> Hearing.
4. **Meeting Minutes:**
  - a. **June 16, 2020:** On a motion by David Reid, and seconded by Jack McCormack, the DISUC voted (4-0) to approve the meeting minutes of June 16, 2020 with Tom Roche, Bud Nugent, Jack McCormack and David Reid voting in favor.
5. **Adjournment:** VOTE: On a motion by Jack McCormack, seconded by David Reid, the DISUC voted unanimously (4-0) to adjourn at 4:27 PM.

**ATTACHMENTS:**

- 08/04/20 DISUC Agenda
- July 30, 2020 Memo from Kathy Williams, Town Planner regarding re-evaluation of a Marina at the Drive-In Property with the following attachments:
  - October 3, 2013 Memo from Peter Johnson-Staub, former Assistant Town Administrator
  - ATM Marina Economic Analysis, October 2013
  - Proposed Marina Plan
  - October 8, 2013 Board of Selectmen Workshop Minutes
  - September 17, 2015 e-mail from Karl von Hone, Director of Natural Resources
  - August 3, 2020 e-mail from Heather McElroy, Natural Resources Manager at the Cape Cod Commission
- Special Entertainment Amendment and Special Alcohol License Hearing materials for iAE (Yarmouth Events LLC) at the drive-in property, including a July 28, 2020 e-mail from Bruce Murphy, Health Director.
- Draft Minutes: June 16, 2020

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