

Town of Yarmouth

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**MINUTES OF THE PLANNING BOARD MEETING OF
September 2, 2020**

The Yarmouth Planning Board held a Business Meeting at **5:30** p.m. on Wednesday **September 2, 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, Liz Hartsgrove, Joanne Crowley, Tom Baron, Susan Brita, and Will Rubenstein

Planning Board Absent: Chris Vincent

Staff Present: Kathy Williams, Town Planner

Guests: John O'Reilly, J.M. O'Reilly & Associates, Inc.; Mark Robinson, The Compact of Cape Cod Conservation Trusts, Inc.; and Tom Nickinello

1. **Meeting Opening:** Vice Chairman Joanne Crowley opened the virtual meeting at 5:32 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 #2935:** Jacqueline Rivero, 555 Route 6A, Yarmouth Port, MA, Assessor Map 124, Parcel 111.1, R40 Zoning District with the majority of parcel also in the Aquifer Protection District (APD). The ANR Plan divides the existing lot into four lots.

John O'Reilly of J.M. O'Reilly & Associates, Inc. gave an overview of the creation of the 4 lots, with 3 being unbuildable. The 3 unbuildable lots are planned to be conservation donations to the Native Land Conservancy over several years to take advantage of state income tax credits. Parcel A is to be donated this fall and will also include a conservation restriction. The Board had limited discussion regarding obligations for the Town and whether there are any maintenance obligations. Mark Robinson of The Compact of Cape Cod Conservation Trusts Inc., who is working with the property owners, indicated the Town would not be responsible for maintenance of the property.

VOTE: On a motion by Liz Hartsgrove, seconded by Brad Goodwin, the Planning Board voted unanimously (6-0) to endorse ANR Plan #2935, dated August 14, 2020, with Brad Goodwin, Liz Hartsgrove, Will Rubenstein, Susan Brita, Joanne Crowley and Tom Baron voting in favor.

3. **Community Visioning during COVID-19 Update:** Joanne Crowley gave an overview of the August 25th meeting with the Board of Selectmen who were in favor of the Planning Board moving forward with the revised visioning plan. Kathy Williams, Town Planner, gave an overview of updates to the Town website with the latest information on the revised process including the Public Participation Schedule and highlights provided by Liz Hartsgrove. This information was sent out via e-mail to those signed up through the Town Website. Modified flyers were sent out to the Yarmouth Cummaquid residents (currently 36) who do not get their water through the Town of Yarmouth. Brad Goodwin noted that he thought Cummaquid residents also did not receive our local Channel 18. Kathy Williams noted that staff would be implementing a "Sign-Up" campaign to get the word out about signing up through the Town Website. Liz Hartsgrove and Will Rubenstein volunteered to get more contact information from the Schools. The Board briefly reviewed the revised scope of services from Horsley Witten

which reflects the virtual workshops. Staff hopes to execute this contract quickly. Kathy Williams also noted that drafts of the data sheets have been distributed to staff for review and comment and hope to have them for the September 15th Planning Board meeting.

4. **Meeting Minutes:**
 - a. **August 19, 2020:** On a motion by Liz Hartsgrove, and seconded by Tom Baron, the Planning Board voted (6-0) to approve the meeting minutes of August 19, 2020 with Brad Goodwin, Liz Hartsgrove, Joanne Crowley, Susan Brita, Will Rubenstein, and Tom Baron voting in favor.
5. **Board of Appeals Agenda & Decisions:** The Great Island Plaza project was reviewed by the ZBA on August 27, 2020 and approved with conditions. The Planning Board had a brief discussion on issues related to phased development.
6. **Committee Updates from Board Members:** None
7. **Board Member Items:**
 - a. Tom Baron noted that the sheeting put in place to reconstruct the Parkers River Bridge has resulted in higher velocities under the road causing some scouring.
 - b. Susan Brita inquired about the Drive-In Site. Kathy Williams gave a brief overview of how the site is being utilized for drive-in movies and live performances through a license agreement with Innovation Arts & Entertainment (IAE). IAE recently came before the Board of Selectmen (BOS) to request an extension of the license through October 31st which was granted, and for a special alcohol license which was denied. The BOS requested input from the Drive-In Site Utilization Committee (DISUC) on future use of the site. The DISUC recently held a site visit and are meeting again to prepare for a presentation to the BOS on September 15th.
 - c. Will Rubenstein indicated that the school building committee will be submitting the 60% construction plans soon, followed with 90% plans in 60 days with the hopes of going out to bid this winter.
8. **Correspondence:** Attachments noted below were sent to the Planning Board via e-mail.
9. **Staff Updates:** None.
10. **Upcoming Meetings:** Due to the upcoming visioning process, there may be the need for supplemental meetings. The following meetings are currently scheduled:
 - a. September 16, 2020
 - b. October 7, 2020
11. **Adjournment: VOTE:** On a motion by Tom Baron, seconded by Liz Hartsgrove, the Planning Board voted unanimously (6-0) to adjourn at 6:38 PM.

ATTACHMENTS:

- **September 2, 2020 Agenda**
- **Script - Explaining Remote Access Planning Board Meeting**
- **ANR Plan #2935:** August 28, 2020 Planner Memo with Form A and ANR Plan 2935
- **Visioning Update:**
 - Website Text Update, August 28, 2020
 - What is Community Visioning? text
 - Public Participation Schedule, August 28, 2020
 - Visioning Process Outline, August 26, 2020
 - Implementation Schedule, August 25, 2020

- Public Participation/Engagement Plan, August 20, 2020
- Horsley Witten Group – Revised Scope of Work
- **Draft Meeting Minutes:** August 19, 2020
- **Miscellaneous Correspondence:**
 - Conservation Commission Agenda for September 3, 2020
 - Barnstable Zoning Amendment Short Term Rentals Town Council Notice 9/17/20 and Planning Board Notice 9/14/20

Approved on September 16, 2020:

On a motion by Tom Baron, and seconded by Liz Hartsgrove, the Planning Board voted (6-0-1) to approve the meeting minutes of September 2, 2020 with Brad Goodwin, Liz Hartsgrove, Joanne Crowley, Susan Brita, Will Rubenstein, and Tom Baron voting in favor and Chris Vincent abstaining.