

Town of Yarmouth

Per M.G.L.: All town and school boards, committees, commissions, and authorities shall post a notice of every meeting at least 48 hours prior to such meeting, excluding Saturdays, Sundays, and legal holidays. Notice shall contain a listing of topics/agenda that the chair reasonably anticipates will be discussed at the meeting.

Notice of Meeting

Name of committee, board, etc:	Community & Economic Development Committee (CEDC)
Date of Meeting:	October 10, 2019
Time:	4:30 p.m.
Place:	Room A Yarmouth Town Hall 1146 Route 28 South Yarmouth, MA 02664

Agenda

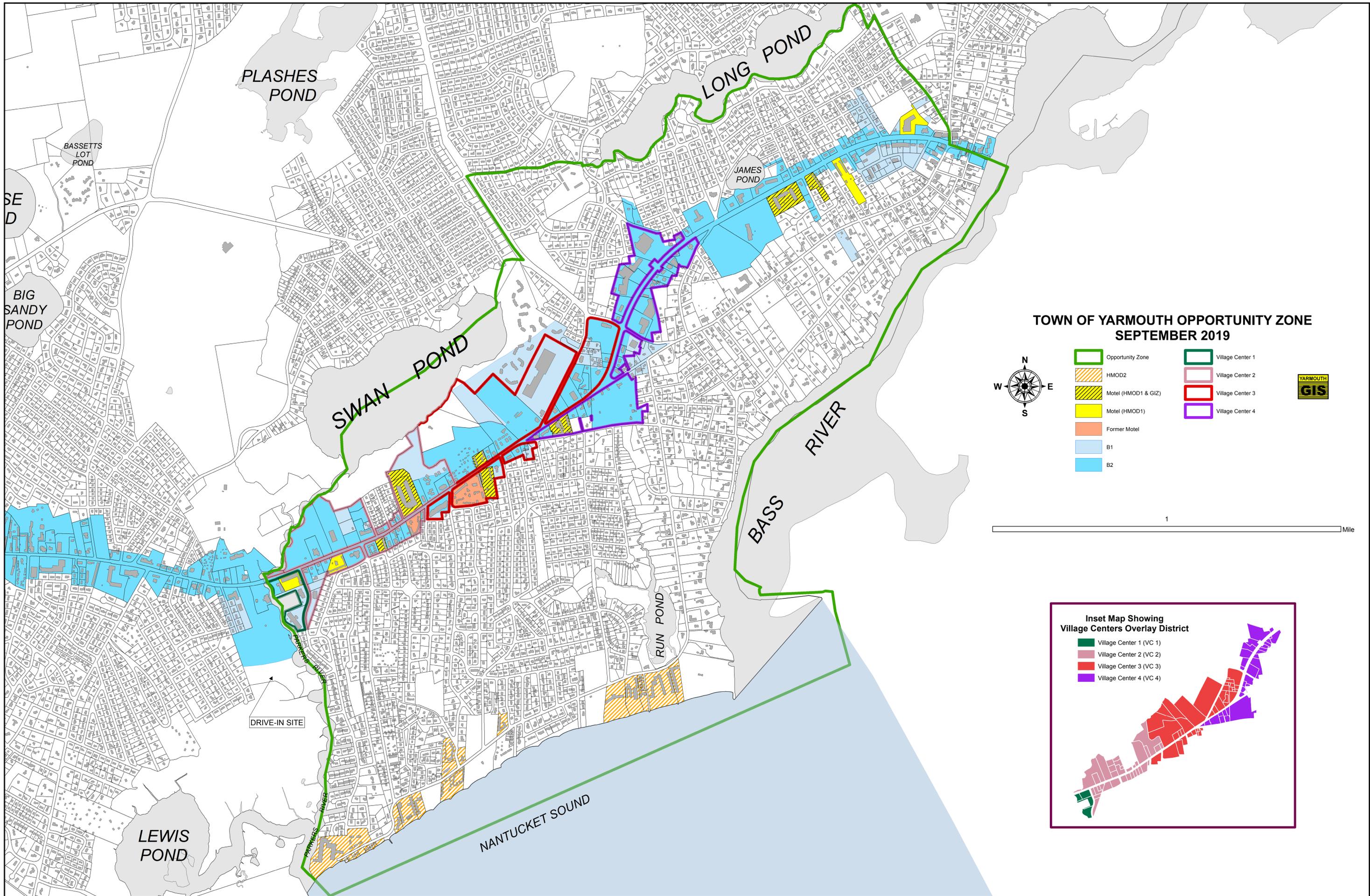
1. Opportunity Zone Visioning Workshop Review
 - o Opportunity Zone Discussion with Michael Kelly
 - What Can the Town Do to Promote Yarmouth's OZ?
 - o DIF Proposal Discussion
 - o Opportunity Zone Stakeholder Workshop Discussion (10/15)
2. Committee Member Updates
3. Staff Updates
4. Minutes for Review
 - o October 7, 2019
5. Upcoming Meetings
 - o October 21, 2019?
 - o November 4, 2019?
6. Adjourn

YARMOUTH TOWN CLERK

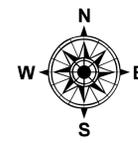
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Posted By (Name):	Kyle Pedicini
Signature:	<i>Kyle Pedicini</i>

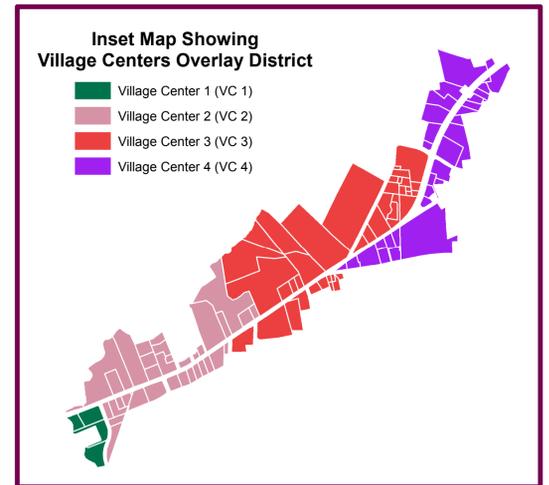
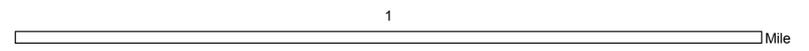
Copies of documents and other exhibits listed here may be found in the Department of Community Development at Yarmouth Town Hall.



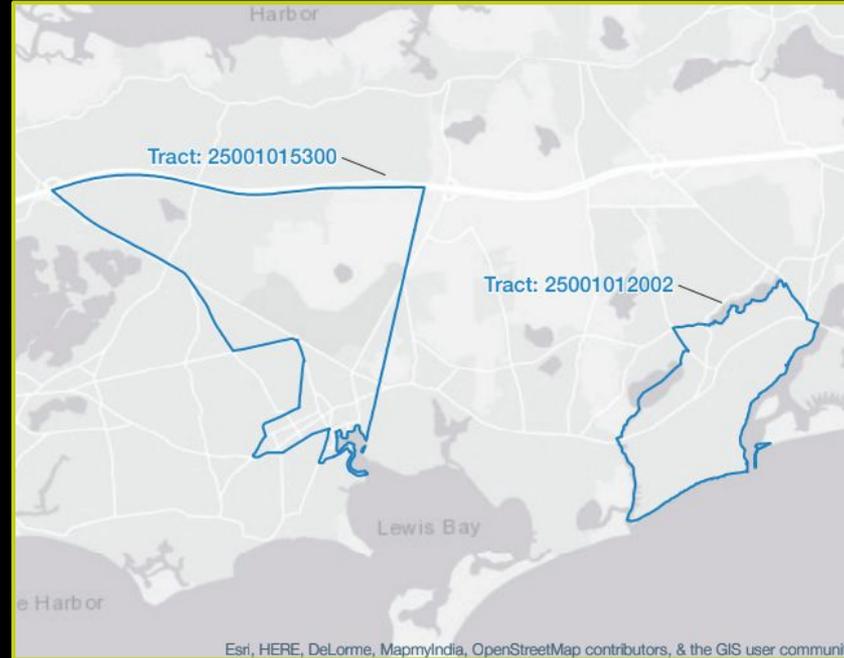
**TOWN OF YARMOUTH OPPORTUNITY ZONE
SEPTEMBER 2019**



- | | |
|---|--|
|  Opportunity Zone |  Village Center 1 |
|  HMOD2 |  Village Center 2 |
|  Motel (HMOD1 & GIZ) |  Village Center 3 |
|  Motel (HMOD1) |  Village Center 4 |
|  Former Motel | |
|  B1 | |
|  B2 | |



2019 Massachusetts Opportunity Zones Academy



Yarmouth Opportunity Zone Visioning Workshop

September 11, 2019

Welcome and Introductions

Who We Are



Smart Growth America
Improving lives by improving communities



LOCUS

Local Leaders Council



GOVERNORS'
INSTITUTE
on community design

FBCI Form-Based
Codes Institute

LOCUS



A national coalition of private real estate developers and investors working to meet the country's pent-up demand for **sustainable, equitable, walkable urban places** by advocating for local, state, and federal **policy change**.

Form-Based Codes Institute



The **Form-Based Codes Institute** is a professional organization dedicated to advancing the **understanding and use of form-based codes**. FBCI pursues this objective through three main areas of action: (1) developing standards for form-based codes, (2) providing education, and (3) creating a forum for discussion and advancement of form-based codes.

Agenda

1. What are **Opportunity Zones** and why is the 2019 Massachusetts Opportunity Zones Academy important?
2. Goals for the Visioning Session
3. **Catalytic Development Project** Description
4. **Visioning Session**
5. Break
6. **Recap** of the Visioning Session
7. **Obstacles, Strengths, and Resources** to Achieving the Vision
8. Opportunity Zone Project **Priorities and Next Steps**

What is the 2019 Massachusetts Opportunity Zone Academy?



Opportunity Zones

A new federal economic development program aimed at encouraging long term **private capital investment** in America's low-income urban and rural communities.



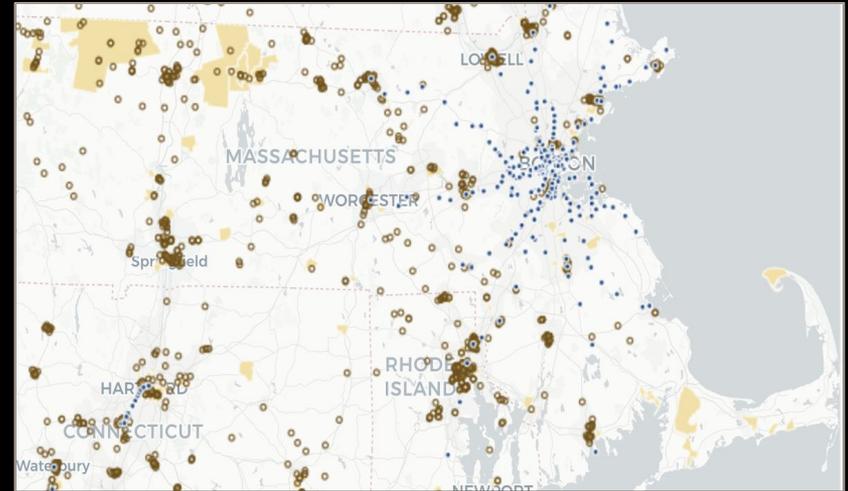
At a glance, the nation's Opportunity Zones:

- Account for nearly 12 percent of America's land mass.
- Are home to over 30 million Americans, **56 percent** of which are demographic **minorities**.
- Have an average **30 percent poverty rate** and house residents earning, on average, **59 percent of AMI** (Area Median Income).
- Employ 73% of residents in commercial jobs and 27% in industrial ones.
- Only **9%** of already-designated Opportunity Zones **have at least one transit station**.
- 42 percent are located in rural census tracts, 35 percent in urban, and 23 percent in suburban.
- On average, residents spend 53.2 percent of their income on housing and transportation in these zones.

Massachusetts has 138 Opportunity Zones

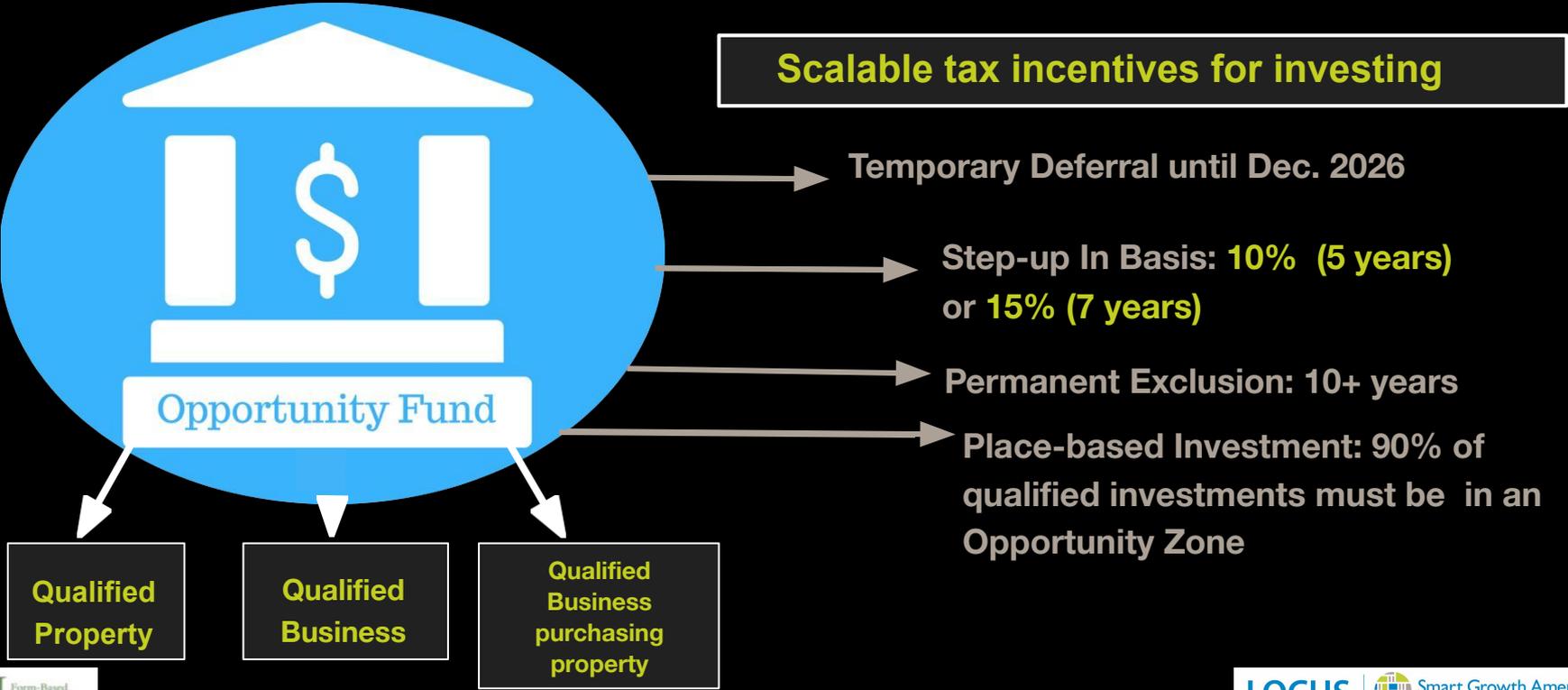
Together, they:

- Account for 6 percent of Massachusetts' land area.
- Are home to 8 percent of its population.
- Have a **22 percent poverty rate** and median household income of \$43,232.71.
- Have an average annual household **housing and transportation (H+T) cost of 44 percent.**
- Only 15 percent have **at least one transit station.**



How does the Opportunity Zones program work?

Uses private investment vehicles to funnel up to **\$8 trillion** in public and privately held **capital gains** towards economic development activities in our nation's most distressed census tracts.



What can Opportunity Zones do?



Affordable Housing
Infrastructure
Commercial Development



Build and invest in...



TOD
Master-Planned Development
Small Business Retention



Timeline

December 31, 2019 Last day to invest in a QOF to be eligible to receive all potential tax benefits.

December 31, 2021: Last day to invest in a QOF to be eligible to receive 10% basis increase on deferred gain.

Year 10+: All capital gains taxes eliminated on potential Opportunity Fund profits

December 31, 2028: Federal Opportunity Zone designations expire.

Year 1: Gains must be rolled into an Opportunity Fund within 180 days of sale in order to be eligible for QOF tax benefit.

Year 5: 10% basis increase on deferred gain.

Year 7: 10% basis increase on deferred gain. (15% total reduction).

December 31, 2026: Deferred tax on original gain is due. Investors pay tax on 85% of original capital gains.

December 31, 2047: Eligibility to hold interest in a QOZ ends.

Communities have the opportunity to...



- Attract billions of dollars of **mission-oriented capital**
- Redevelop and **revitalize** their properties, businesses, and infrastructure
- Ensure investment results in **equitable development** outcomes
- Protect local businesses and residents from **displacement**

The **private sector** has a unique opportunity to:

- ★ Unlock and leverage **patient capital to deliver innovative projects**
- ★ Earn **long-term tax** benefits while **accelerating equitable** neighborhood redevelopment
- ★ Create new **partnerships with local like-minded** organizations to maximize economic and social impact

However, there are still **concerns** about the Opportunity Zones tax incentive.

- ★ **Lack of local capacity** to support the Opportunity Zones program and projects
- ★ Uncertainty from the U.S. Treasury and the terms of “**substantial improvement**”
- ★ Lack of a **reporting and tracking** mechanism
- ★ December 31, 2026 (**taxable year**)

IRS Proposed Guidelines

- The U.S. Treasury and IRS have released **two rounds of proposed Opportunity Zone guidance and regulations**, one in October 2018 and the other in April 2019.
- The first round addressed the type of gains that may be deferred by investors, the time by which corresponding amounts must be invested in QOFs, and the manner in which investors may elect to defer specified gains.
- The IRS also provided clarification on the substantial improvement of existing buildings purchased by QOFs.
- The second round addressed timing flexibility at the QOF level, the Gross Income Test, interim gains, the substantial improvement test for Operating Businesses, the working capital safe harbor, original use of vacant property, the terms of “substantially all,” and leaving/winding down QOFs
- A third round of proposed regulations is expected later this year.

What are other communities and states doing about Opportunity Zones?

- **Brockton, MA**
 - Matchmaking efforts with developers and an investment prospectus.
 - Zoning code permitting high commercial and residential density in core areas, including downtown and near transit.
 - Vision and a plan that is publicly curated and bought into.
- **Pine Bluff, AR**
 - Formed a task force so that a diverse group of stakeholders can coordinate their efforts to reinvest in the community.
 - Group will create a website and prospectus to showcase projects in Pine Bluff's Opportunity Zones and engage the community with educational workshops.
- **Newark, NJ**
 - Selected tracts where economic development could occur, including industrial tracts and residential and commercial ones.
 - Encouraging locally-grown Opportunity Funds, including one in partnership with the City of Newark, Rockefeller Foundation, and State of New Jersey to begin Opportunity Zone investment.
 - Compiled all development projects in Opportunity Zones into a central database that is publicly available.
 - Inclusionary zoning ordinance and affordable land trust in place.
 - Partnering existing financial programs and incentives with Opportunity Zones
 - Created teams of planners, project managers, and developers who are taking inventory of Opportunity Zones as they currently are.

Massachusetts Opportunity Zones Academy

Aims to provide Massachusetts communities with **a place-based technical assistance program** that prepares them to make the most of the federal **Opportunity Zones** tax incentive.

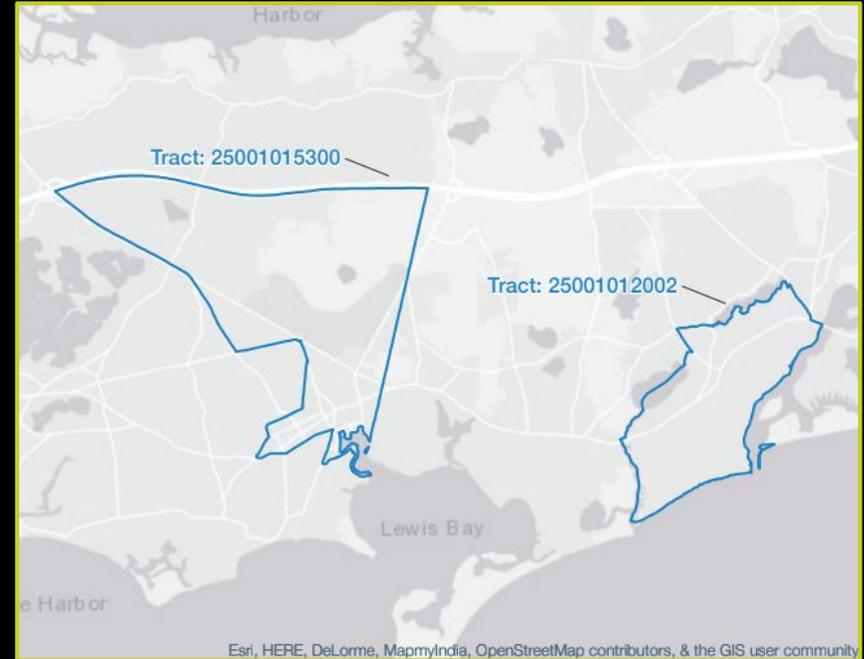


What do communities receive?

- 5 month project,
- Engage local leaders, business owners, and the real estate community,
- Address major Opportunity Zone and economic challenges,
- Team site visit and workshop,
- Equitable development trainings,
- Custom action plan to support your Opportunity Zone work,
- 2 Opportunity Zone Academy convenings (June and November).

Today's Objectives

- Understand the mechanics of the Opportunity Zones tax incentive,
- Understand the community and its goals
- Identify and describe a potential catalytic development project
- Brainstorm/confirm a vision for the catalytic project and surrounding area
- Brainstorm obstacles, strengths, and resources to achieving the vision
- Identify opportunity zone priorities and next steps



Yarmouth Catalytic Development Project



Visioning Session

Obstacles

Strengths

Resources

Resources



x

Next Steps

LOCUS



Smart Growth America
Improving lives by improving communities

Thank you!

Questions? Contact:

Marta Goldsmith at mgoldsmith@smartgrowthamerica.org

Tola Myczkowska at tmyczkowska@locusdevelopers.org

FBCI Form-Based
Codes Institute

ARTICLE #8: To see if the Town will vote to adopt the following as a general by-law and to insert it into the Code of the Town of Yarmouth, Massachusetts as Chapter 135, § 135-1:

The purchase by the Town of Yarmouth of either water or any other beverage in single-use plastic bottles of any size is prohibited and the sale of water or any beverage in single-use plastic containers is prohibited on town property.

Any Town department when engaged in public health and safety operations shall be exempt from this By-law.

Effective date: As soon as practicable but no later than September 1, 2020.

In the event of a declaration (by Emergency Management Director, or other duly-authorized Town, Commonwealth, or United States official) of an emergency affecting the availability and/or quality of drinking water for Yarmouth residents the Town shall be exempt from this By-law until seven (7) calendar days after such declaration has ended.

Selectmen Will Recommend from the Floor
Finance Committee Will Recommend from the Floor (Board of Selectmen)

ARTICLE #9: To see if the Town will vote, in accordance with the provisions of G.L. c.40Q to create a District Improvement Financing (DIF) development district within the Town to be designated and known as the “Route 28 Wastewater Development District,” as shown on a plan of the same name dated September 12, 2019, on file in the office of the Town Clerk, as a first step in creating a so-called DIF, a district improvement financing program, which program, to be voted at a future Town Meeting, would include using a portion of the District’s “new growth” tax revenues for design, construction and maintenance of certain wastewater and other infrastructure improvements in the district, for the purpose of improving the quality of life, physical facilities and structures, within the district; provided, however, that such DIF shall be presented to Town Meeting for action only after analysis of fiscal and other potential impacts, including but not limited to holding of public meetings to seek feedback from and engage with the community, property owners, and other stakeholders to guide prioritization of infrastructure improvements; and, further, to authorize the Board of Selectmen to take such additional action as it deems necessary or appropriate to present a proposed DIF to a future Town Meeting, or take any other action relative thereto.

Selectmen Will Recommend from the Floor
Finance Committee Will Recommend from the Floor (Board of Selectmen)



SOUTH
YARMOU

28

Skull Island at Bass
River Sports World

BASS RIVER

Whydah Pirate Museum

WEST
YARMOU

West Dennis Beach

Parker River Beach

Proposed DIF District

Seagull Beach



1152 15th St. NW, Suite 450
 Washington, DC 20005
 202-207-3355

Making the Most of Yarmouth's Opportunity Zones through Code Changes and other Smart Growth Strategies

October 15, 2019 | 12:30pm-3:00pm
Yarmouth Town Hall Hearing Room
1146 Route 28 South Yarmouth, MA

Smart Growth America (SGA) will present the findings of its zoning scan in Barnstable and Yarmouth's Opportunity Zones and pre-identified catalytic development sites during two stakeholder meetings. The results of each zoning scan will identify the regulatory barriers facing each community's Opportunity Zone vision and recommend zoning code adjustments that would encourage equitable development and Opportunity Zone investment. The meetings will also include a facilitated discussion of the next steps for making Yarmouth's Opportunity Zone projects a reality.

Meeting Agenda

- 12:00pm - 12:30pm **Lunch**

- 12:30pm - 12:45pm **Welcome and Introductions**
The SGA team will introduce the organization, LOCUS, the Form-Based-Codes Institute, and the 2019 Massachusetts Opportunity Zones Academy. Participants will also be asked to introduce themselves.

- 12:45pm - 1:00pm **Recap: Yarmouth's Opportunity Zones Vision**
SGA will provide a brief summary of September's visioning session. This will include an overview of the community's catalytic Opportunity Zone project site, as well as a summary of the participants' reactions and ideas.

- 1:00pm - 1:15pm **Presentation of SGA/FBCI's Zoning Scan**
SGA will present the results of the community's zoning scan. The zoning scan is a response to questions formulated by the community cohort in order to better understand the barriers to smart growth development in the Opportunity Zone and, particularly on the catalytic project development site; it will include recommendations for zoning changes and other non-regulatory development adjustments.

- 1:15pm - 1:30pm **Discussion: What do the results of the zoning scan mean for Yarmouth?**
Participants will discuss their reactions to the results of SGA/FBCI's zoning scan and how these findings can be used to encourage equitable development and Opportunity Zone investment in the community long-term.

- 1:30pm - 1:45pm **Break**

- 1:45pm - 2:15pm **Presentation and Discussion: Options on Wastewater Treatment Options in Yarmouth**
A primary obstacles to development and redevelopment in Yarmouth is wastewater treatment capacity. In this session, local leaders will update participants on the progress of



1152 15th St. NW, Suite 450
Washington, DC 20005
202-207-3355

options to address this hurdle, including the creation of a District Improvement Fund (DIF) and the plan for a tri-town solution with nearby communities.

2:15pm - 2:45pm **Discussion: Using Opportunity Zones to achieve equitable development outcomes**
Participants will discuss other strategies that Yarmouth can use to leverage Opportunity Zones to attract investment. Options may include identifying and marketing key catalytic sites, public realm improvements, creative parking/TDM solutions, and leveraging state programs.

2:45pm - 3:00pm **Next Steps for Development in Yarmouth's Opportunity Zone**
The conversation will focus on the most important next steps for Town staff and community leaders can take to leverage Opportunity Zones to make walkable development projects a reality.

3:00pm **Adjourn**

On xx, on a motion by xx, seconded by xx, the committee voted xx to approve these minutes.

Town of Yarmouth

MINUTES OF THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE MEETING OF October 7, 2019

The Yarmouth Community & Economic Development Committee held a Business Meeting at 4:30 p.m. on Monday, October 7, 2019 at the Cape Light Compact Conference Room, located at 261 White's Path, South Yarmouth, MA.

Committee Members Present: Jack McCormack, Ken Smith, Stephen O'Neil

Staff: Kyle Pedicini, Economic Development Coordinator; Dan Knapik, Town Administrator

Guests: Tom Nickinello, Yarmouth Chamber of Commerce; Maggie Downey, Cape Light Compact; David Talbot, CTC Technology

The meeting was opened by Ken Smith at 4:35 pm

1. Yarmouth Businesses Broadband Needs Project Update

David Talbot, CTC Technology, presented a report analyzing the potential demand of Yarmouth businesses for broadband services. Mr. Talbot stated that the report concluded that the majority of Yarmouth's businesses would be unlikely to be interested in broadband services due to the small employee size and telecommunications budget for typical Yarmouth businesses. Mr. Talbot noted that he heard comments from the Yarmouth Chamber of Commerce that there were some network issues for some existing Yarmouth businesses. He suggested that the Town conduct a survey in the future to see if Yarmouth's businesses are indeed experiencing network issues, and how much they might be willing to pay to rectify these problems.

Dan Knapik, Town Administrator, updated the committee on his recent conversations with OpenCape. He stated that he has been in contact with Angela Hurwitz of OpenCape to discuss a potential Route 28 broadband project that would connect businesses in Yarmouth along 28 to OpenCape's fiber network. It was indicated that the project would likely need some sort of funding from the CEDC to make it economically feasible for the businesses connecting, and CEDC members expressed their support for the project. Mr. Knapik was appreciative of the support and stated that he would return to the committee with a proposal after discussing further with OpenCape.

2. Tourism Revenue Preservation Fund

Kyle Pedicini, Economic Development Coordinator, presented the Tourism Revenue Preservation Fund budget to the committee. It was explained that CEDC currently has

On xx, on a motion by xx, seconded by xx, the committee voted xx to approve these minutes.

\$131,013.33 available in unallocated funding and \$93,480.45 available in physical improvement funding. It was noted by Chairman Smith that the \$27,675.00 for gateway signage will likely not be used and can be returned to the account. Mr. Smith also suggested that the committee write a thank you note to the DPW for their beautification team efforts.

3. Committee Member Updates

Jack McCormack updated the Committee on recent Cape Cod Commission business. He explained that the Commission is currently reviewing Harwich's application for a District of Critical Planning.

Mary Vilbon entered the meeting at 5:25pm

4. Staff Updates

Kyle Pedicini updated the Committee on various ongoing projects. He stated that the community information board has yet to be installed, but will be installed by the end of the month. He also stated that the fencing project around the Route 6A Common has been completed. Mr. Pedicini also updated the committee on various grant applications the Town has recently submitted that would support economic development efforts.

5. Minutes for Review

The Committee reviewed draft minutes from their meeting on August 12, 2019.

Vote: On a motion from Stephen O'Neil, seconded by Jack McCormack, the Committee approved the minutes for August 12, 2019 by a vote of 4-0.

6. Upcoming Meetings

The next CEDC meeting will take place on Thursday, October 10th, and the committee will be discussing Yarmouth's Opportunity Zone.

7. Adjourn

On a motion from Jack McCormack, seconded by Stephen O'Neil, the Committee voted 4-0 to adjourn at 6:04 pm.

8. Documents provided:

- a. Agenda for the meeting
- b. TRPF Budget Update
- c. *Analysis of Business Data* – Report from CTC Technology
- d. Draft Minutes from CEDC meeting on August 12, 2019

Respectfully Submitted,
Kyle Pedicini, Community Development Office