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**YARMOUTH PLANNING BOARD MINUTES**

January 26, 2022

**I. CALL TO ORDER**

Wendi Holden called the meeting to order at 7:00 PM.

**II. ROLL CALL OF MEMBERS**

|                          | <b>PRESENT</b> | <b>ABSENT</b> |
|--------------------------|----------------|---------------|
| Wendi Holden, Chair      | X              |               |
| Janet Hansen, Vice Chair | X              |               |
| Andrew Bertocci          | X              |               |
| Hildy Ginsberg           |                | X             |
| Mary Lynn Engel          | X              |               |
| Jerry King               | X              |               |
| Tony Cowles              | X              |               |

**OTHERS**

Erin Zwirko, Director of Planning & Development  
 Nicholas Ciarimboli, Code Enforcement Officer

**III. APPROVAL OF MINUTES**

Upon a motion duly made by Mary Lynn Engel, seconded by Jerry King and carried by a roll call vote of 4-0 the minutes of the January 12, 2022 meeting were approved. Hansen, absent, Cowles abstained.

**IV. COMMUNICATION**

E. Zwirko gave an update:

- The Planning Board welcomes Tony Cowles as its newest member.
- There are two training opportunities. One from the Maine Municipal Association, which is a detailed review of Planning Board and Zoning Board member responsibilities. Alternatively, Erin can host a refresher on the Planning Board's role and responsibilities. She will circulate an email to determine attendance at either opportunity.
- The Town Council will be hearing from the Affordable Housing Committee on Thursday January 27 if anyone would like to attend.

**V. PUBLIC HEARING ITEMS**

**A. OLD BUSINESS:**

None

**B. NEW BUSINESS:**

**1. Workshop Item: Stormwater Training**

The Planning Board will meet with Yarmouth Town Engineer, Steve Johnson, for a stormwater training on the General Permit for the Discharge of Stormwater from

Small Municipal Separate Storm Sewer Systems (MS4). The new 2022 MS4 Permit sets certain obligations of municipalities effective July 1, 2022, and the Town Engineer will report on those obligations and how the Planning Board may be involved. Additional information will be provided regarding future ordinance amendments required to meet these obligations.

Steve Johnson presented the Town's discharge of stormwater responsibilities and requirements per State of Maine regulations. Storm water is precipitation and snow melt that flows over the land and picks up things along the way and carries it directly into receiving waters. Everything from sediment and sand to pesticides, fertilizer, and pet waste. Yarmouth must have a permit to direct stormwater runoff to water bodies in their communities while minimizing pollutants. This is known as MS4 (Municipal Separate Storm Sewer Systems). It has a 5 year permit cycle and was first issued in 2003. This permit is implemented by the DEP. There are roughly 40 permits in the State of Maine including larger, urban municipalities, colleges and DOT. As years have gone by the regulations and requirements have become stricter.

Yarmouth works with 14 other communities to help maintain compliance and institute programs to maintain State compliance. There are 6 minimum control measures: 1. Public Education and Outreach, 2. Public Participation, 3. Illicit Discharge Detection and Elimination, 4. Construction Site Runoff Control, 5. Stormwater Management after Construction and 6. Good Housekeeping & Pollution Prevention.

Various town ordinances will need to be assessed and potentially updated based on the change in requirements. A regional effort is underway to develop model ordinances. In some cases, the ordinance amendment will come to the Planning Board for review and recommendation to Town Council. Updated ordinances need to be in place by July 1, 2024.

The Board discussed who would be eligible to inspect stormwater management systems. Mr. Johnson indicated that an eligible person who be someone with a certification or license in a field related to stormwater. The Board also discussed the differences between structural/proprietary systems and LID and green infrastructure.

Mr. Johnson also provided an overview of a new Town ordinance prohibiting the use of Coal Tar that was recently adopted by Town Council. Coal Tar is used as sealant on pavement, is terrible for the environment and ends up in the receiving waters.

## **2. Action Item: Consideration of Declaring a Limited Local Emergency.**

In order to continue to meet remotely due to increasing prevalence of COVID-19 and its variants, the Planning Board will consider declaring that a limited

emergency exists in Yarmouth and the surrounding region. Although a Remote Participation Policy was adopted by the Board, being physically present for meetings is not practical and therefore, the Board will consider to require meetings to be conducted by remote technology and methods only until the limited emergency is terminated. Public comment will be received and a vote will be taken.

The Town Council has decided to meet remotely in January and February. The proposed declaration will be retroactive to the January 12, 2022 meeting and can be revisited at the February 23, 2022 meeting.

Chair Holden opened to public comments

No Comments

Public comment closed

A motion was made by Janet Hansen to approve the declaration as presented, seconded by Mary Lynn Engel, and voted 6 in favor, 0 opposed, Hildy Ginsberg absent.

## **ADJOURNMENT**

With no objection, the meeting adjourned at 8:05 PM.

Respectfully submitted:

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Wendy Simmons, Administrative Assistant, Recording Secretary