

YARMOUTH PLANNING BOARD MINUTES

February 23, 2022

I. CALL TO ORDER

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

II. ROLL CALL OF MEMBERS

	PRESENT	ABSENT
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
- Julie Dubovsky, Assistant Planner
- Wendy Simmons, Administrative Assistant, Recording Secretary

III. APPROVAL OF MINUTES

Upon a motion duly made by Mary Lynn Engel, seconded by Tony Cowles and carried by a roll call vote of 5-0 the minutes of the February 9, 2022 meeting were approved.

IV. COMMUNICATION

E. Zwirko reviewed her memo to the Board regarding the upcoming Railroad Square Master Plan hearing scheduled for the 3/9/22 meeting.

V. PUBLIC HEARING ITEMS

A. OLD BUSINESS:

None

B. NEW BUSINESS:

1. Action Item: Building Demolition/Substantial Alteration, Chapter 701 Article IX; Review of proposed Substantial Modification; Vicinity of 115 Portland St., Map 32 Lot 92, Ronald Tustin, Applicant.

The applicant is requesting review of proposed changes to an existing historic building. If it is a Building of Value under Chapter 701, Article IX, defined as a “building that has architectural, cultural, historical, or archaeological significance, contribution to an overall setting or streetscape, or otherwise of a character defining a particular area, neighborhood or streetscape”, the proposed improvements to the front façade that would constitute “substantial alteration” under the Building Demolition ordinance. The applicant is seeking

approval of the overall concept for renovation of the building and is seeking approval of the first phase of the project, which include façade renovations to the barn. If the Board determines it is a Building of Value other provisions of Article IX will apply, including a demolition delay period which may be waived by the Board. If it is not a Building of Value, demolition may proceed after a 30-day appeal period. The Board may vote on this item after public comment is received.

Ronald Tustin, Owner/Applicant summarized the application. He has retained a new architect, Bruce Butler to assist in the current design work. The property has been an apartment building for over 100 years and he's owned the building for 12 years. He proposes exterior renovations in keeping with the time period of the construction of the main building. The building grew organically with the main building first, followed by the middle building, barn and finally the barn attachment. He requests eliminating the chimneys because they are deteriorating allowing water to come in during storms and rebuilding them would be difficult and costly. He researched the option of making a fully accessible unit. There is only one unit to consider & changing the floor plan would be difficult.

Chair Holden opened to public comment.

Ed Ashley, 20 Spartina Point

The simpler design presented tonight is an improvement over the previous one. The main building is classic for its time period and should be preserved as is. The chimneys are a classic defining feature of the Federalist style. The Gnome estimate did not diagnose the problems with the chimneys; it only offers repair and removal costs.

Jeanne Rapone, 250 Hillside St.

Supports the renovation proposal. Water and mold are concerning as well as energy loss. Old houses are costly to renovate and if the Town is going to impose restrictions on work, owners will stop doing renovations resulting in their deterioration.

Public comment closed.

The Board questioned why only one estimate for chimney work was included and if the removal of the chimneys would impact how the units are heated? They requested more information on remediation of the chimneys and other alternatives such as capping them, insulating, etc.

R. Tustin - The chimneys are not used for heating purposes and removal would have no impact on heating. Gnome recommends their removal due to disrepair and energy loss. Only one estimate was obtained because other companies were not available due to their schedules.

The Board generally agreed the proposed alterations to the barn were acceptable and struggled with the value of the chimneys. The Board discussed the significance and contribution to the Town of this historic home and if the removal of the chimneys would have an impact. Planning Board members were split on whether the chimneys are a character defining element of the structure. They discussed the Historic Preservation Ordinance and the role it plays in this application. The intent of the Historic Preservation Ordinance was to be advisory. There was concern about setting precedent on chimney removal if this were approved.

The applicant reported that he would not proceed with the project if he could not remove the chimneys. The applicant requested that the Board vote.

The following motion was made:

On the basis of the plans presented by the applicant, the testimony and public hearing, and the findings of Planning Memo dated February 17, 2022 regarding the application of Chapter 701 Article IX, Historic Building Alterations and Demolitions, for the overall concept and the Phase 1 project for the barn at 115 Portland Street, Map 32 Lot 92, Ronald Tustin, Applicant, the Planning Board finds that the building is a Building of Value and that the proposed design retains and respects the significant character defining features of the building, and therefore waives the delay period, and allows that the substantial modifications proceed subject to Town Planning Authority approval and permit issuance of the redevelopment plan, subject to the following conditions:

1. The barn doors and barn person door shall be a dark stain or paint color.
2. The overhang above the barn person door shall be eliminated.
3. The applicant shall return to the Planning Board for review and approval of the middle section and the main building.

Such motion moved by Andrew Bertocci, seconded by Mary Lynn Engel, and voted 3 in favor, 2 opposed, Hildy Ginsberg and Wendi Holden opposed; Jerry King and Janet Hansen absent. The motion failed.

2. Workshop Item: Preliminary Ch. 702 Site Plan Review and Ch. 703 Building & Lot Plan, Renovation and Expansion of Travis Roy Arena; SD-1, NYA Campus Special District; Vicinity of 497 Route One; Map 32 Lot 125; North Yarmouth Academy, Applicant.

The applicant seeks approval of a renovation and expansion of the existing Travis Roy Arena located at North Yarmouth Academy in the vicinity of 497 Route One. The expansion totals approximately 2,741 square feet. Associated façade improvements, utility, landscaping, stormwater, accessibility, and

other site improvements will also be completed. This project is scheduled for preliminary review and a vote will not be taken. Public comment will be received.

Tim Hebert, Will Haskell and Austin Smith applicant representatives updated the Board on changes since the last meeting. The renovation is scheduled to begin in April and completed by hockey season. Improvements include the sidewalk by the tennis courts and in front of the building and parking improvements with additional crosswalks and restriping. They're requesting waivers on a traffic study and parking space size and number. There is sufficient shared parking with other businesses, school parking lots on campus and street parking. Fire access improvements were made per the Fire Chief's comments. Additional bike racks are proposed. They are proposing stormwater management improvements and additional landscaping. Renovations include adding a new more prominent entrance to the building, 4 locker rooms, additional seating on the second floor, a fitness room and general renovations. They are proposing masonry & metal siding on the exterior. The mechanicals will be masked on the roof & not visible from the street.

Chair Holden opened to public comment.

No public comment.

Public comment closed.

The Board questioned if the shared parking relationship with Clayton's would continue now that the business has been sold? Questioned if there was a way to deemphasize the tennis courts? They approved of the new entry way and improved lighting. Questioned if EV chargers would be installed? Suggested running the electrical wires for future EV chargers.

3. Action Item: Consideration of Continuing a Limited Local Emergency.

The Limited Local Emergency Declaration adopted by the Planning Board on January 26, 2022, requires the Board to revisit the Declaration on February 23, 2022. The Board will determine whether a limited emergency continues to exist in Yarmouth and the surrounding region, and either rescind the declaration or extend the limited local emergency. Public comment will be received and a vote will be taken.

The Board discussed the Limited Local Emergency.

The motion was made to continue with all remote meetings and discuss it again at the 3/23/22 meeting.

Approved: 3/9/2022

Motion made by Tony Cowles, seconded by Mary Lynn Engel and voted 5 in favor 0 opposed, Jerry King and Janet Hansen absent.

ADJOURNMENT

With no objection, the meeting adjourned at 9:10 PM.

Respectfully submitted:

Wendy Simmons, Administrative Assistant, Recording Secretary