

# YARMOUTH PLANNING BOARD

---

ORIENTATION AND REFRESHER

FEBRUARY 9, 2022

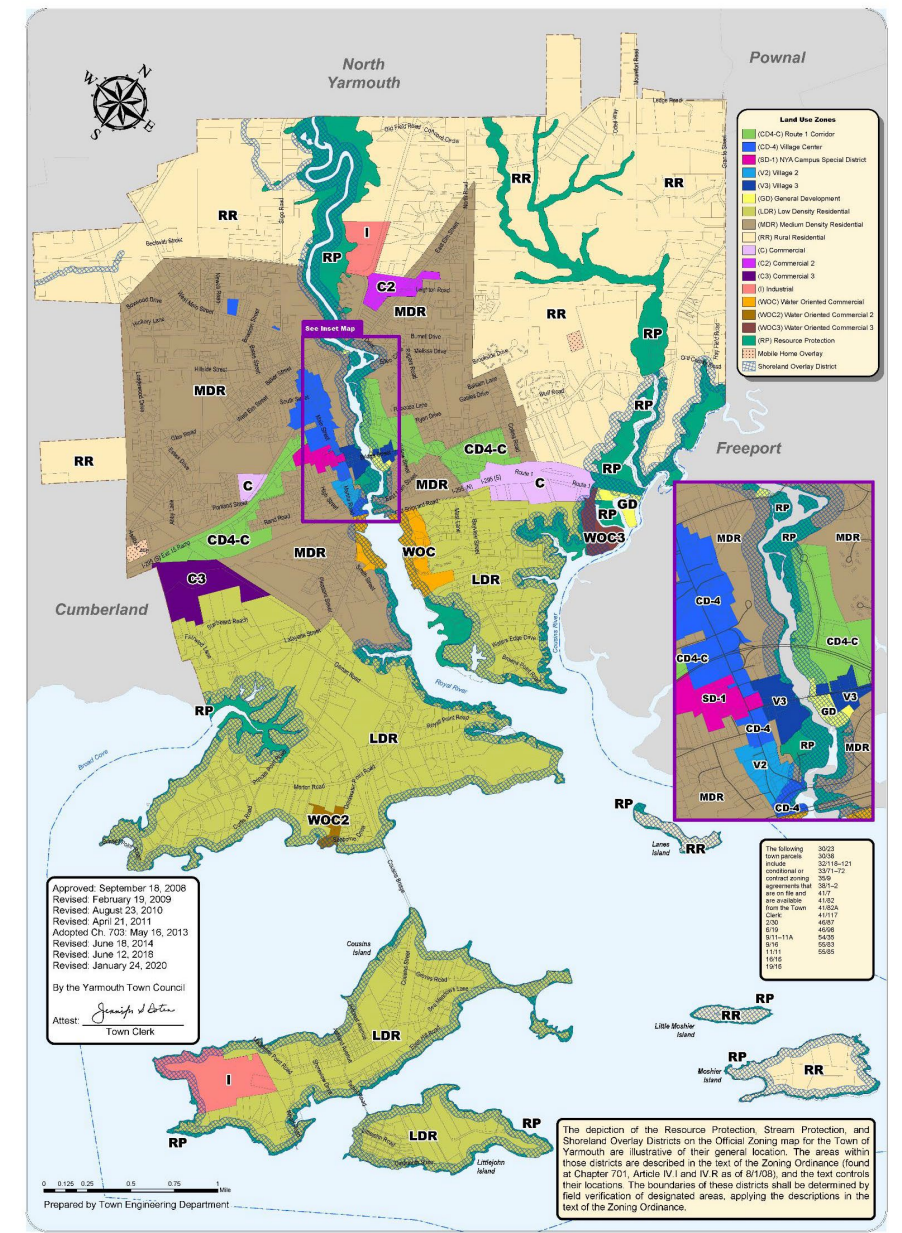


# RELEVANT YARMOUTH ORDINANCES

- Zoning – Chapter 701
- Site Plan – Chapter 702
- Subdivision – Chapter 601
- Character Based Development Code (CDBC) – Chapter 703
- Planning Board Ordinance – Chapter 202
- Planning Board Rules and Regulations

# YARMOUTH ZONING MAP

- Regulations for CD4-C and CD-4 are in Chapter 703
- Remaining Zoning Districts are found in Chapter 701
- Shoreland District and Resource Protection are mandated by the state and are detailed in Chapter 701





# PLANNING BOARD AGENDAS

---

- Meeting in Hybrid or entirely Remote Sessions via Go To Meeting
  - Adopted a Remote Participation Policy in Summer 2021
  - Entirely Remote Sessions require an Emergency Declaration
- Agenda Sequence
  - Roll Call
  - Communications & Reports
  - Old & New Business
  - Action Items & Workshop Items

# PROJECT REVIEW SEQUENCE

---

- Concept (Workshop)
  - Basic information and narrative, site plan, and architectural design
- Preliminary (Workshop for Site Plans, Action to approve Preliminary Subdivision)
  - Requires an application and narrative, site plan package, and architectural drawings
- Final (Vote)
  - Application and narrative, site plan package, and architectural drawings should address all concerns of the Planning Board
  - Typically attach conditions of approval to the vote

# PLANNING BOARD REPORT FORMAT

---

- Introduction, Project Description, Required Reviews
- Review Standards
  - Assessment, Findings, Recommended Conditions of Approval
- Recommendation
- Motions
  - Preamble, Motion Statement, Conditions of Approval, Record of Vote
- Attachments
  - Comment Letters, Supporting Documentation

# WORKSHOP OR ACTION ITEM

---

1. Chair reads the Agenda Item
2. Applicant Presentation
  - Share on Go To Meeting and in Log Cabin
3. Planning Board Questions & Clarifications
4. Public Comment
  - Begin in Room, then Go To Meeting
5. Applicant and/or Staff may respond to public comment questions
6. Planning Board Discussion
7. Motion, if an action item

# MOTIONS

---

- Any member may make a motion, although usually made by the Vice Chair
- Staff Report will include a preamble and motion to approve (usually)
- Staff Report motion is a suggestion only; the Board may change it
  - Motion to table or a motion to deny
- Any motion requires 4 affirmative votes to pass
  - 4 or more negative votes on a motion; motion fails and is effectively a denial
- If Board motions to deny or a motion fails, the Board must state its findings for denial, and written decision is prepared for ratification



# BEYOND PROJECT REVIEWS

---

- Ordinance Amendments
- Comprehensive Planning
- Capital Improvement Plan
- Studies and Recommendations

# LEGAL AWARENESS

---

- Conflict of Interest
  - Members should recuse themselves if member or family member has personal, professional, or financial interest in outcome
  - Recused members must step away from the dias or turn off camera/microphone
  - Disclosure if there might be an appearance of conflict (i.e., past professional relationship)
- Ex Parte Communication
  - Discussion of an item outside a public session involving multiple Board members and/or Board members with application is not allowed
- Email or Other Communication
  - No substantive discussion of an item via email or other communication means is allowed
  - Constitutes a “meeting” if involving 3 or more members
  - Meetings are subject to notice and public access requirements



# QUESTIONS & COMMENTS