

**TOWN OF YARMOUTH  
MINUTES OF THE TOWN COUNCIL MEETING**

Meeting: 10 -20/21  
Date: February 25, 2021  
Time: 7:00 PM  
Place: Video Conference

**\*Coronavirus Note: Meeting was held by audio or video conference**

**1st Order of Business:** Roll Call of Members. All present via video meeting  
Roll Call of Members P = Present A = Absent T= Tardy

P Meghan Casey 1 South Street  
P April Humphrey, 277 East Main St  
P Heather Abbott, c/o 200 Main St  
P Michelle Cromarty 27 Summer Street  
P Timothy Shannon, 47 West Elm St  
P Randall Bates 30 Tannery Lane  
P Robert Waeldner, 141 Oakwood Drive

**2nd Order of Business:** Approved the minutes of Meeting 8-20/21 held January 21, 2021, and Special Meeting 9-20/21 held February 4, 2021.

**Approved by Roll Call: 7-0**

**3rd Order of Business:** Public comment

Leslie Hyde spoke to the need to update the Comprehensive Plan.

Reports of the Council Chair, committees, delegates, liaisons and the Town Manager.

Councilor Humphrey reported on CEES and Green Voices, and Society Meetings.  
Chairman Bates reported on Harbor & Waterfront.

**Item No. 72:** Liquor license and Special Amusement permits to Brickyard Hollow (additional location).

**Be it ordered** that issuance of a full-time malt, spirituous and vinous liquor license and Special Amusement permits to Brickyard Hollow is hereby approved.

**Approved by Roll Call: 7-0**

**Item No. 73:** Authorization to accept a donation for public art pursuant to Title 30-A MRSA Section 5654.

**Be it ordered** that the Town Council hereby authorizes acceptance of a granite sculpture piece entitled "Cloaked Figure" by artist Roy Patterson is hereby approved for installation near the Main Street/Route 1 overpass.

And Be It Resolved that the Town Council hereby expresses its gratitude for arranging this generous gift by the artist, the Yarmouth Arts Alliance and the donor, Ann Waldron formerly of Southwest Harbor, Maine.

**Approved by Roll Call: 7-0**

**Item No. 74:** Endorsement for Latchstring Park improvements concept plan.

**Whereas** the Town Council established a Citizen's Advisory Task Force on Latchstring Park in June 2019 charged to make recommendations to the Town Council on changes and improvements to Latchstring Park intended to improve considerations of safety for pedestrians, bicyclists and park users, for community use, improved aesthetics and impacts on nearby business, community and residential interests, and

**Whereas** the Task Force delivered to the Town Council a set of recommendations to improve Latchstring Park and its environs on February 4, 2021, and

**Whereas** the Task Force recommends that the Task Force continue to exist for the purpose of seeking and securing cash and in-kind donations, grants, pledges, and other resources to be used toward completion of the proposed improvements, and further for organizing efforts for the on-going maintenance work at Latchstring Park following construction, and

**Whereas** the Town Council wishes to provide guidance to the Task Force, to give concept endorsement to the proposed improvements to Latchstring Park, including the raising of funds to be used toward capital construction, as well as annual maintenance and improvements after construction,

**Now Therefore Be It Resolved** by the Yarmouth Town Council in Town Council assembled that the Town Council hereby receives with gratitude the report and recommendations of the Latchstring Park Task Force and grants a concept endorsement of the proposed improvements subject to the following:

- The Latchstring Park Advisory Committee in consultation with Town staff shall finalize all plans and specifications for the construction of the proposed improvements and refinement of the cost estimate therefore, including, but not limited to, final design, engineering, and bid solicitation, and all necessary permitting, earthworks, utilities, and utility coordination, landscaping, hardscaping, construction supervision and inspection, construction period traffic management, and other related project construction costs.
- The Latchstring Park Advisory Committee shall be authorized to seek cash and in-kind donations, grants, pledges, and other resources to be used toward completion of the proposed improvements, which donations and pledges shall be made to and held by the Town of Yarmouth with adequate documentation of source such that any or all can be returned to the donor or provider if unused.
- No construction or improvements shall be made or initiated until final authorization and overall plan approval is granted by the Town Council.

**And Be it Ordered** that if the Task Force deems it necessary in order to carry out the general conceptual plan endorsed herein, the Task Force is authorized to review and develop alternative details for improvements to Latchstring Park for consideration by the Town Council.

**And Be it Further Ordered** the Task Force is hereby authorized to continue its work as described herein for an additional period not to exceed 36 months expiring February 28, 2024.

Main motion made by Councilor Waeldner, 2<sup>nd</sup> Councilor Humphrey

Amendments offered:

1. Councilor Shannon, 2<sup>nd</sup> Chairman Bates; @ paragraph #4  
*Whereas the Town Council wishes ~~to provide guidance to the Task Force~~, to give concept endorsement to the proposed improvements to Latchstring Park, including the raising of funds to be used toward capital construction, as well as annual maintenance and improvements after construction,*
2. Councilor Shannon, 2<sup>nd</sup> Councilor Humphrey; @ first bullet in “Now Therefore..”  
*The Latchstring Park Advisory Committee ~~in consultation with Town staff~~ shall finalize all ~~proposed~~ plans and specifications for the construction of the proposed improvements and refinement of the cost estimate therefore, including, but not limited to.....*
3. Councilor Shannon, 2<sup>nd</sup> Councilor Humphrey; @ last bullet in “Now Therefore..”  
*No construction or improvements shall be made or initiated until final authorization and ~~a overall~~ plan approval is granted by the Town Council.*
4. Councilor Waeldner, 2<sup>nd</sup> Chairman Bates; replacing first bullet in “Now Therefore..”  
*~~The Latchstring Park Advisory Committee in consultation with Town staff shall finalize all plans and specifications for the construction of the proposed improvements and refinement of the cost estimate therefore, including, but not limited to, final design, engineering, and bid solicitation, and all necessary permitting, earthworks, utilities, and utility coordination, landscaping, hardscaping, construction supervision and inspection, construction period traffic management, and other related project construction costs.~~*

The Latchstring Park Advisory Committee shall draft a final proposed plan and specifications for the construction of the proposed improvements and a refined budget therefore, which budget shall include, but not be limited to, construction, final design, engineering, and bid solicitation, and all necessary permitting, earthworks, utilities, and utility coordination, landscaping, hardscaping, construction supervision and inspection, construction period traffic management, and other related project construction costs.

**Motion votes:**

4. Passed by roll call: 7-0
3. Passed by roll call: 7-0
2. Became a moot with approval of Amendment #4 and was withdrawn.
1. Passed by Roll Call: 7-0

Main motion, as amended, passed by roll call vote 5-2 with Councilor Cromarty and Chairman Bates opposed.

**Item No. 75:** To consider amendments to Chapters 701 regarding keeping of live chickens.

**Be it Ordered** that Chapter 701 of the Yarmouth Town Code is hereby amended by adding Article II DD Keeping of Domesticated Chickens as detailed in a memo from Nicholas Ciarimboli to the Town Council dated January 29, 2021, a copy of which to be attached to the minutes of this meeting.

**Consideration of this matter was postponed and referred to the March 11, 2021 Operations Committee for review**

**Item No. 76:** Appropriation of funds from Surplus for wetland delineation and vernal pool survey at Sligo Road.

**Be it Ordered** that a sum of \$7,600 is hereby appropriated from Surplus to conduct a wetland and vernal pool survey and assessment on the town property off Sligo Road.

**Approved by roll call: 7-0**

**Item No. 77:** Executive Session

No Executive Session required. Motion by Councilor Humphrey, 2<sup>nd</sup> Councilor Waeldner to approve the following slate of appointees with terms to be established at a later meeting:

- Gabriella LaPorta to Recycling
- Students Alice Donahue and Laney McDonough to Recycling
- David Hodgdon to Rental Dwelling Committee
- Deborah Keefe, Leigh Kirchner, Jay Waterman, Judith Pollack, Margaret Downing, Cecilia Guercia to Affordable Housing Committee
- Student Anna Siegel to CEES
- Leora Rabin to Pesticides Task Force

**Approved by roll call: 7-0**

Meeting Adjourned at 9:23 PM

Respectfully Submitted,

Nathaniel Tupper, Town Manager

Reference Note: Item 74 As Adopted:

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Whereas the Task Force delivered to the Town Council a set of recommendations to improve Latchstring Park and its environs on February 4, 2021, and

Whereas the Task Force recommends that the Task Force continue to exist for the purpose of seeking and securing cash and in-kind donations, grants, pledges, and other resources to be used toward completion of the proposed improvements, and further for organizing efforts for the on-going maintenance work at Latchstring Park following construction, and

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- No construction or improvements shall be made or initiated until final authorization and a plan approval is granted by the Town Council.

And Be it Ordered that if the Task Force deems it necessary in order to carry out the general conceptual plan endorsed herein, the Task Force is authorized to review and develop alternative details for improvements to Latchstring Park for consideration by the Town Council.

And Be it Further Ordered the Task Force is hereby authorized to continue its work as described herein for an additional period not to exceed 36 months expiring February 28, 2024.