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CAPE COD
COMMISSION

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DECISION OF THE CAPE COD COMMISSION

Date: September 14, 2017

Re: Town of Yarmouth
Rte. 28 Corridor Growth Incentive Zone (CCC File No. 07010)
Extension of Designation Period
Yarmouth GIZ Decision recorded in BCRD Book 22401 Page 245

SUMMARY

The Cape Cod Commission approves the Town of Yarmouth's request to extend the duration of the Yarmouth Rte. 28 Corridor Growth Incentive Zone designation period for an additional four years to October 22, 2021, pursuant to Section 10 of the Growth Incentive Zone Regulations, Chapter G of the Code of Cape Cod Commission Regulations.

FINDINGS

The Cape Cod Commission (Commission) hereby finds and determines as follows:

F1. The Commission approved the Yarmouth Rte. 28 Corridor Growth Incentive Zone designation ("Yarmouth GIZ") by written decision dated July 30, 2007. The corresponding, revised Development of Regional Impact (DRI) thresholds were approved by County Ordinance 07-08 on October 23, 2007. Accordingly, the 10 year, effective period of the Yarmouth GIZ designation and corresponding revised DRI thresholds is set to expire in October 2017.

F2. The Yarmouth GIZ has not been amended or modified since approved.

F3. The Yarmouth Selectboard and Planning Board each voted to request extension to the Yarmouth GIZ designation period for an additional period of four years to October 22, 2021 and through the Yarmouth Community Development Director Karen Greene, applied to the Commission for such extension by letter dated August 24, 2017.

F4. A duly noticed public hearing was conducted by the Commission on September 14, 2017 to consider the extension request.

F5. Extension of the designation period is consistent with Sections 2, 8 and 10 of the Growth Incentive Zone Regulations, and with the goals of the 2009 Barnstable County Regional Policy Plan (RPP), as amended August 17, 2012, now in effect.

F6. Extension of the designation period is consistent with and furthers the purposes of the Yarmouth GIZ as articulated in the Yarmouth GIZ decision, which, in the short term, are to facilitate redevelopment of existing hotel and motel properties, improve the hotel and motel stock, and create new housing and mixed use development in the Rte. 28 corridor.

F7. There are several proposed projects within the Yarmouth GIZ in the permitting and development queue. Many projects were delayed because of the real estate recession between 2008 and 2012. Such projects (hotel and motel redevelopments and multi-unit residential projects) were planned under the premises and assumptions of the existing Yarmouth GIZ, and further the purposes of the Yarmouth GIZ. Among other things, extension will allow these projects to proceed according to the permitting assumptions under which they were planned.

F8. The Town of Yarmouth has satisfied relevant Conditions in the Yarmouth GIZ decision, namely:

- The Town has tracked and provided to the Commission the amount of development and permitting for development within the GIZ, and their corresponding wastewater and traffic flows;
- The Town has amended zoning and adopted a stormwater management regulations to further the purposes of the GIZ. Among other things, the amended zoning includes standards for lighting, landscaping and architectural and site design to improve character and protect resources along the Rte. 28 corridor.

CONCLUSION

Based on the above Findings, the Commission hereby grants the Town of Yarmouth's request to extend the designation period of the Yarmouth Rte. 28 Corridor Growth Incentive Zone for an additional four years to October 22, 2021, subject to the terms and conditions expressed in the Yarmouth GIZ decision, with the exception of duration herein revised.

(Signature page follows)

SIGNATURE(S)

Executed this 14th day of Sept. 2017.

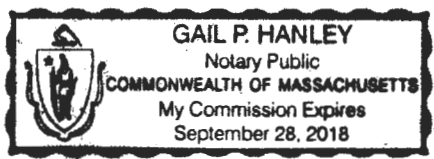
Harold W Mitchell
Signature

Harold W Mitchell
Print Name and Title

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss _____ September 14, 2017

Before me, the undersigned notary public, personally appeared Harold W. Mitchell, in his/her capacity as Chairman of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that he/she signed such document voluntarily for its stated purpose. The identity of such person was proved to me through satisfactory evidence of identification, which was [] photographic identification with signature issued by a federal or state governmental agency, [] oath or affirmation of a credible witness, or [] personal knowledge of the undersigned.



SEAL

Gail P. Hanley
Notary Public
My Commission Expires: 9-28-18