

On August 16, 2021, on a motion by Susan Brita, seconded by Tom Roche, the DISUC voted 4-0 to approve the meeting minutes of March 10, 2021 with Tom Roche, Susan Brita, Rich Bilski, and Jim Saben voting in favor.

YARMOUTH TOWN CLERK

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Town of Yarmouth

**MEETING MINUTES OF THE DRIVE-IN SITE UTILIZATION COMMITTEE MEETING OF
March 10, 2021**

The Yarmouth Drive-In Site Utilization Committee (DISUC) held a Business Meeting at **5:00** p.m. on Wednesday, March 10, 2021 via a Virtual Meeting pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law in response to the COVID-19 pandemic.

Committee Members Present: Tom Roche, Rich Bilski, Susan Brita, Jim Saben, David Reid and Jack McCormack

Members Absent: Bud Nugent

Staff: Kathy Williams, Town Planner; and Karen Greene, Director of Community Development

1. **Meeting Opening:** Chairman Jim Saben opened the virtual meeting at 5:04 PM. A roll call was conducted to establish quorum.
2. **Riverwalk Park and Boardwalk Loop Update:**
Kathy Williams, Town Planner, provided an update on the Riverwalk Park and Boardwalk Loop. Ms. Williams explained that the Town is currently working with its consultant to finalize the design contract for the Park. One member asked what the timeline for the process would be. Ms. Williams responded that once the scope of work is confirmed and the contract is finalized, design should take 12-18 months to complete. It is the Town's hope that construction could commence soon after that period. In coordination with the Community & Economic Development Committee, staff is also working on a scope of services for the event space including a sound study.
3. **Article 97 Restriction Updates:**
Karen Greene, Director of Community Development, provided an update to the committee on discussions with Town Counsel regarding the Article 97 restrictions for this property. Ms. Greene reported that Town Counsel opined that type of events this venue has typically seen (concerts, movies, festivals) do not run afoul of any Article 97 restrictions. However going forward, it was stated that the Town could not license the space to an exclusive vendor for an extended period of time, as this would violate Article 97. Essentially Town Counsel's opinion was that sporadic events from multiple parties on the Drive-In site would be permissible, but not a long-term license to a single party.
4. **Draft memo from Interim Town Administrator to Board of Selectmen:**
Committee members discussed a draft memo from the Interim Town Administrator to the Board of Selectmen regarding recommendations on the usage of the site during the summer of 2021, and the potential for the issuance of an RFP to solicit proposals for events. Committee member David Reid stated that a RFP might not be necessary but rather just have the Town announce the availability of the site and encourage proposals.

A lengthy discussion ensued regarding who in Town would review proposals and make determinations on events. The committee agreed to emphasize this issue to the Board of

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Selectmen, as they will need to assign a point person to be the point of contact for this site. Committee members also agreed to re-emphasize the points that were made in their previous memo submitted to the Board of Selectmen (in November 2020). This includes the recommendation from the Committee that it was never their intention to have this site rented long-term for events, and agreed with Town Counsel's opinion that the Town should not pursue any agreements that offer exclusivity to the site. Committee members also stated that the Town needs to be cognizant of the site's impact on the neighbors, and work to arrive at a frequency/type of event that is agreeable to both the town and neighbors.

5. **Minutes:**

VOTE: On a motion by Susan Brita, seconded by David Reid, the DISUC voted 5-0-1 to approve the meeting minutes of November 12, 2020 with David Reid, Susan Brita, Jack McCormack, Tom Roche, and Jim Saben voting in favor, and Rick Bilski abstaining.

6. **Upcoming Meetings:**

The Drive-In Site Committee will be meeting with the Board of Selectmen on March 16, 2021 to present their recommendations.

7. **Adjournment: VOTE: On a motion by Susan Brita, seconded by David Reid, the DISUC voted unanimously (6-0) to adjourn at 6:32 PM.**

ATTACHMENTS

- March 10, 2021 Agenda
- Script outlining Remote Participation
- Draft Memo from Robert Lawton regarding Drive-In Use Options
- November 12, 2020 Memo from Jim Saben to Mark Forest, Board of Selectmen Chair, regarding Drive-In Site Event Space – Future Use
- Draft Minutes of November 12, 2020

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