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CAPE COD  
COMMISSION

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## DECISION

Date: April 22, 2021

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

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## FINDINGS

The Cape Cod Commission's ("Commission") Committee on Planning and Regulation ("CPR") hereby finds and determines as follows:

F1. The Commission approved the Yarmouth Rte. 28 Corridor Growth Incentive Zone designation ("Yarmouth GIZ") for a ten-year period by written decision dated July 30, 2007. Corresponding, revised Development of Regional Impact ("DRI") thresholds were approved by County Ordinance 07-08 on October 23, 2007.

F2. Subsequently, under the Chapter G of the Commission's Code of Regulations: Growth Incentive Zone Regulations ("GIZ Regulations") then in effect, the Commission granted an extension to the Yarmouth GIZ for four years to October 22, 2021 under a written decision dated September 14, 2017, as requested by the Town of Yarmouth.

F3. The Yarmouth Selectboard and Planning Board have now jointly requested, through a written submission dated April 12, 2021, a further ten-year extension to the Yarmouth GIZ by way of a GIZ "Minor Modification."

F4. As described in the request and consistent with the purposes set out in the Yarmouth GIZ decision, the extension will allow the Town to retain redevelopment opportunities in the Yarmouth GIZ, allow planned or current redevelopment projects in progress to continue through to completion, and allow the Town time to complete its Local Comprehensive Plan (LCP) and work with the Commission on LCP certification and a more comprehensive GIZ modification and update informed by the LCP.

F5. As authorized under Section 6 of the current GIZ Regulations, which were substantially amended in 2018, the CPR is authorized, without the need for a public hearing, to extend the term of an existing GIZ by way of a Minor Modification, including in perpetuity.

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, among other things, 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. In its current request, the Town has provided updates on infrastructure improvements and regulatory changes in furtherance of the Yarmouth GIZ, in addition to a report on redevelopment activities within the Yarmouth GIZ.

F8. The CPR considered the Town's extension request at its meeting on April 22, 2021.

#### CONCLUSION

Based on the above Findings, the Committee on Planning and Regulation hereby approves by Minor Modification the further ten-year extension to the Yarmouth Rte. 28 Corridor Growth Incentive Zone designation to October 24, 2031, as requested by the Town of Yarmouth, subject to the terms and conditions set out in the Yarmouth GIZ decision, with the exception of the GIZ duration herein amended.

**(Signature page follows)**

**SIGNATURE(S)**

Executed this \_\_\_\_\_ day of \_\_\_\_\_ 2021.

For the Cape Cod Commission’s Committee on Planning and Regulation by:

\_\_\_\_\_  
Signature  
Title

**COMMONWEALTH OF MASSACHUSETTS**

Barnstable, ss \_\_\_\_\_, 2021

Before me, the undersigned notary public, personally appeared \_\_\_\_\_, in his/her capacity as \_\_\_\_\_ 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 on behalf of the Cape Cod Commission. 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 [ X ] personal knowledge of the undersigned.

SEAL

\_\_\_\_\_  
Notary Public  
My Commission Expires: