

## **TRURO PLANNING BOARD**

### **Meeting Minutes**

**October 6, 2015 - 6:00 pm**

**Truro Town Hall**

**Planning Board Members Present:** Lisa Maria Tobia; Steve Sollog; Bruce Boleyn; John Riemer; and William Worthington

**Members Absent:** Michael Roderick (excused)

**Others Present:** Richard J. Waldo, P.E.; Christopher J. Snow, Esq.; Charleen Greenhalgh, ATA/Town Planner; Shawn Grunwald

Ms. Tobia opened the meeting at 6:04 p.m.

### **Public Comment Period:**

No one from the public came forward to comment.

### **Site Plan Review – Public Hearing Continuance**

**2015-005SPR Terrace Dunes Realty Trust, c/o Richard J. Waldo, P.E.,** seeks approval of an Commercial Development Application for Site Plan Review pursuant to §70.3 of the Truro Zoning By-law for the construction of an accessory building to house a manager's unit and a storage garage. The manager's unit would be relocated from the existing building. The property is located at 179 Shore Road, Atlas Map 21 Parcel 2. Continued from August 4, 2015 and September 8, 2015.

**Representative: Richard J. Waldo**

Mr. Waldo requested a continuance to November 4, 2015. On a motion by Mr. Sollog and seconded by Mr. Worthington, a continuance was granted until November 4, 2015, so voted 5-0-0.

### **Temporary Sign Permits**

**Payomet Performing Arts Center,** seeks approval for an Application for Temporary Sign Permit pursuant to §11 of the Truro Sign Code two (2) Temporary Signs (Oct 15 – Nov 14) for various events in two locations (Route 6 at Noons Heights Rd and Route 6 at South Highland Rd) and for one (1) Temporary Directional Sign (Oct 15 – Nov 14) to be located at South Highland Rd at Old Dewline Rd.

Mr. Sollog disclosed that he works for Payomet Performing Arts Center but sees no conflict with this issue.

On a motion by Mr. Worthington and seconded by Mr. Boleyn, the application for temporary sign permit was granted, so voted 5-0-0.

### **Schedule Annual On-Site for Provincetown Knowles Heights Crossing**

The consensus among Planning Board members was to conduct the annual on-site for Provincetown Knowles Heights Crossing for Friday October 16, 2015 at 10:00 a.m. Mrs. Greenhalgh will post this with the Town Clerk's Office.

### **Seashore Related Zoning Discussion**

Mr. Worthington reviewed the purpose and intent of the proposed draft changes. Clarification was made for the next steps in the process. Ms. Tobia invited the public attending the meeting to comment. No one came forward to comment.

On a motion by Mr. Sollog and seconded by Mr. Worthington, the proposed draft changes as presented in the packet will be sent to Town Counsel for review, so voted 5-0-0.

### **Continued Discussion of MGL c.44, §53G as it Relates to MGL c.40A, §9, MGL c.41, §81Q**

Mrs. Greenhalgh referred the Board to the information provided in their packets concerning how other towns in the Commonwealth who have adopted this provision handle the fee structure. Towns who have adopted this handle the fees on a case by case basis depending on what is needed. Some towns will open the public hearing before determining if any expertise is needed and then in other cases the Town Planner will determine what is needed. The consensus of the Board is to move forward.

### **Review and Approval of Meeting Minutes:** September 22, 2015; revisit minutes of September 8, 2015

On a motion by Mr. Boleyn and seconded by Mr. Worthington, the minutes of the September 22, 2015 meeting were approved, so voted 5-0-0.

The revisit of the September 8, 2015 minutes will be addressed at the next Planning Board meeting. Ms. Tobia will provide Mrs. Greenhalgh with additional information.

### **Reports from Board Members and Staff**

Mrs. Greenhalgh reported that in reviewing the question raised by a Board member regarding the filling of a vacant Board seat, Town Counsel John Gorgio rendered the opinion that the Planning Board cannot fill the vacancy, as it is covered under Massachusetts General Law.

Ms. Tobia proposed Tuesday October 27, 2015 at 5:00 p.m. to hold a joint meeting with the Board of Selectmen. The consensus of the Board is to confirm that date with the Board of Selectmen.

### **Definitive Subdivision**

**2015-007PB** – Fisher Road Realty Trust, Willie J. Cater and Gloria J. Cater, Trustees have filed an application for approval of a Definitive Plan with the Clerk of the Town of Truro pursuant to MGL c.40A, Section 81T and Section 2.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to their property known and numbered 9B Benson Road, Truro and shown as Parcel 50 on Truro Assessor's Map, Sheet 53. The Application seeks approval of a single lot subdivision access to and egress from which will be served by a driveway located over a right of way as meeting the specifications set forth in a Judgment entered in the Commonwealth of Massachusetts Land Court.

**Representative: Christopher J. Snow**

At the request of Mr. Snow, this item was moved on the agenda, as one of the representatives was delayed in getting to the hearing. Mr. Snow provided the return receipts for the abutters and Mrs. Greenhalgh distributed additional correspondence that had arrived late in the afternoon.

Mr. Snow commented that the application is almost identical to the application submitted approximately one year ago. Several of the members of the current Planning Board were members when the original application was filed and Mr. Snow stated that he believes the concern over the slope of the road has been addressed. The application has then been refiled. Mr. Snow clarified that he has succeeded Attorney Bruce Edmunds solely for practical travel matters and that he does remain involved.

Mr. Worthington filed a disclosure of appearance of conflict of interest as required by G.L. c.268A § 23(b) (3).  
Ms. Tobia filed a disclosure of appearance of conflict of interest as required by G.L. c.268A § 23(b) (3).  
Mr. Riemer filed disclosure of appearance of conflict of interest as required by G.L. c.268A § 23(b) (3). He also noted that there is a vacancy on the Board and one member is serving with an excused absence.  
Mr. Boleyn filed disclosure of appearance of conflict of interest as required by G.L. c.268A § 23(b) (3).

Mr. Snow stated that he was unaware of several of the disclosures and asked for a recess to confer with the applicants. A recess was granted at 6:40 p.m.

The public hearing was resumed at 6:58 p.m. Mr. Snow requested a continuance to November 18, 2015, given the new information concerning the conflicts. He expressed his disappointment that they were not notified of the conflicts sooner.

On a motion by Mr. Worthington and seconded by Mr. Boleyn, the public hearing on the Definitive Plan is continued to Wednesday November 18, 2015 at 6:00 p.m., so voted 5-0-0.

**Board Member Report:**

Ms. Tobia apologized to Mr. Richard Fishman for her erroneous statement concerning his attendance record for the recycling and garbage committee. Because Mr. Fishman had indicated involvement with a private committee for affordable housing on his application, there was some confusion about which committee the attendance record was being addressed.

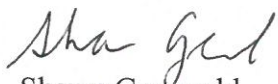
Ms. Tobia suggested that the proposed Seashore District zoning changes and affordable housing per the suggestion of Mr. Sollog be put on the agenda for the joint meeting with the Board of Selectmen.

Mrs. Greenhalgh informed Board members of an Affordable Housing Forum on October 24, 2015.

Planning Board members thanked Mrs. Greenhalgh for her dedication and years of service.

On a motion by Mr. Boleyn and seconded by Mr. Sollog, the meeting was adjourned.

Respectfully Submitted,

  
Shawn Grunwald  
Recording Secretary

