

TRURO PLANNING BOARD

Meeting Minutes

January 3, 2017, 6:00 pm

Truro Town Hall

Planning Board Members present: Bruce Boleyn, Peter Herridge, Paul Kiernan, Jack Riemer, Mike Roderick, Steve Sollog

Other participants: Kristen Roberts, Stuart Parson, Maureen Burgess, Doug Cox, Jim Summers, Carole Ridley, Planning Consultant.

Steve Sollog opened the meeting at 6:00 pm.

Public Comment Period

No public comment.

Pre-application Consultation

Roberts Family Property LLC seeks a consultation concerning an application for modification of an existing site plan to increase on-site parking for property located at 11 Shore Road, Truro Vineyards, Map 39 Parcels 131, 137 and 158.

Kristen Roberts, owner, and Stuart Parson, architect, spoke about their parking expansion plan, which will require Commercial Site Plan Review. They distributed a drawing of the parking proposal. There are thirty new spaces added which will bring the new total to 69. Mr. Boleyn asked about handicapped parking. Two spaces are marked for handicapped parking which meets the requirement. Mr. Riemer asked about bus parking. Ms. Roberts said buses are only allowed during the shoulder season. If there are more than two buses at a time, they are required to park elsewhere off the property. Mr. Riemer also asked about the food truck. Ms. Roberts pointed out on the drawing where the buses and the food truck park. Mr. Riemer asked if any of the spaces are within 10 feet of the property line. None of the new spaces are within 10 feet. Then he asked if circulation of traffic has been considered. Ms. Roberts said it is not any different than before. She also explained that they rent two units at Tradesman Park, which come with two parking spaces each, for their company vehicles. Mr. Riemer asked about the wheel chair access. Ms. Roberts asked about the procedure from here. Ms. Ridley explained that they will need to fill out an application for the Site Plan Review. There is a list of requirements stated in the bylaw. Any waivers of requirements, if any, would need to be requested in writing.

Gerard Kinnehan, an abutter, spoke about parking around the Truro Vineyard's property. Parking on the street during the summer has become unbearable and very disruptive. He thinks that all the parking should be contained on the property. It has become unsafe. Mr. Kinnehan and his neighbors have gotten together to try to see what they can do about it. He asked if parking on the roadside is legal. Ms. Ridley said that it is not legal, but many organizations sponsor events that

generate onstreet parking. There is a Town policy that if a special event expects a lot of people, a parking plan must be submitted to the Police Department for approval.

Ms. Roberts responded with what they have been doing to respond to the neighbors' concerns. She offered to put up a sign "Lot Full" when there is no more parking. She supports enforcement of the onstreet parking ban.

There was discussion about how to find out what is on the agenda of a Planning Board meeting. Maureen Burgess stated that anyone can receive the agenda sent to them by email if they sign-up online on the town website.

Doug Cox stated that adding 20 to 30 spaces is probably not enough. He asked the Planning Board to please approve the site plan when it is presented. If they can add more spaces, please encourage them to do so.

Possible discussion on Zoning Bylaws

Section 30.3 Seashore District

Mr. Herridge spoke about scheduling a question and answer period at the library as well as a public hearing.

Maureen Burgess spoke about the proposed amendment, thanking the Board and the committee. The Superintendent of the National Seashore is retiring this year. She thinks a new Truro bylaw would be a nice retirement present.

Mr. Herridge asked how we would set up question and answer sessions. Ms. Ridley suggested some dates. The Warrant closes on March 14, so a proposal would have to be ready prior to that. January 19 and January 31 are possibilities for a question and answer period. For the public hearing, possibly February 7, 21 or March 7. It was decided that the informational meeting will be on January 19th at 6 pm and the public hearing on February 21. Mr. Riemer brought up the issue of showing the movie, "This Large House." Mr. Sollog said he didn't think there was time to set this up. The DVD could be loaned for individual viewing.

Mr. Kiernan suggested that if we might leave the numbers open and ask people to make suggestions. Jim Summers said he thinks there should be a starting point. Otherwise there would be a lot of confusion. The intent of the Seashore should be included.

Ms. Ridley reported on the notice requirements for the bylaw amendment. She asked if the current (Dec 10, 2016) draft is the one the Board would like posted on the website. The answer was yes, but without the yellow highlighting.

Mr. Summers said that citizens study the Warrant and pay attention to whether the Board and the Selectmen have voted on it, so it will be important for these boards to make their votes known.

Section 40.2 Affordable Accessory Dwelling Unit

Ms. Ridley passed out a new draft of the AADU Bylaw. The revision is intended to simplify the process and reassure the public about design standards and adherence to year round rental. This would be a non-discretionary permit; it is currently a special permit governed by Massachusetts general law. If the applicant meets the standards and conditions, they would be granted the permit from the Planning Board by right. If any of those conditions are not adhered to in the use of the permit, the permit could be revoked.

Ms. Ridley then discussed the changes that the revision makes to the bylaw. There would be a change to the definition. The Board agreed to take out the affordability requirement. The draft underscores that an ADU is a year-round dwelling unit, and it has certain components to it and it is limited in size.

The next change is to the use table. Currently, AADU's are allowed by special permit in all districts but the Seashore District. However, in the body of the bylaw it states that the AADU is permitted in all districts, which is a contradiction. So this revision says that it is allowed in all districts, subject to special regulations in 40.2. It is permitted but you have to get the permit, and the Planning Board shall serve as the permitting authority.

In 40.2 itself, the main change is that it is a discretionary permit, requirements for design, a clearer application procedure, more language to underscore (#7) that an ADU may be rented for no shorter than 12 months. There is much stronger language prohibiting seasonal rentals. There is a requirement of annual monitoring by the Health Agent and the Building Commissioner. The best defense in terms of monitoring is probably going to be neighbors complaining.

Mr. Herridge asked what the consequences would be if the permit is revoked. Mr. Kiernan asked if there is an accessory dwelling unit bylaw in another town on Cape Cod that removed the affordability requirement or would this be the first.

The Cape Cod Commission recently reviewed bylaws in all towns and recommended removing the deed restrictions as onerous to the home owner. The limit on the size of the dwelling will market-limit the rental rates.

Ms. Ridley stated that one piece she hasn't addressed yet is the tax exemption and the deed restriction. It will be treated separately.

Mr. Sollog spoke of his approval of the current version. He would like this bylaw revision to be treated with the importance that the Seashore bylaw has been treated.

Mr. Herridge asked if we could hold a workshop on this. Mr. Sollog said that we will keep this on the agenda for future meetings.

Ms. Ridley asked if you want to have an information session for this bylaw revision. She also mentioned that there is verbiage that addresses preventing this bylaw from allowing duplexes. Mr. Sollog asked that this new version be available on the website.

Mr. Riemer asked how these units affect our growth management bylaw and how do they affect subsidized housing inventory requirement. Ms. Ridley said that they would count as part of the 40 dwelling unit growth management limit, but they would not count as subsidized housing because of the lack of deed restriction.

Mr. Riemer asked if gross floor area is defined in the bylaw measured by exterior walls. Ms. Ridley will check on this.

Mr. Riemer asked about an amnesty provision. Ms. Ridley said that if they had already built the space, they could come in for a permit. Mr. Sollog said he would like to capture some of the existing accessory units. Mr. Riemer brought up non-conforming lots. Ms. Ridley replied that the applicant would need to apply for zoning relief. Mr. Riemer asked for a definition of condominium. "Ownership could not be conveyed as a condominium."

Mr. Sollog asked if the Board would like to discuss this further, or is it ready to be aired to the public. Mr. Boleyn thinks it is too soon. The consensus of the Board is that it is not ready for the public. Mr. Sollog says he thinks this subject needs its own special meeting. He would like other boards to weigh in on this. He would like BOS and ZBA to look at this, as well as the building commissioner.

Ms. Burgess brought up the septic issue, and that the Board of the Health should be included as well. Mr. Herridge agrees that it would be too much to combine the two subjects (the Seashore District and the AADU) into one information meeting. Ms. Ridley said she would send the draft to the other Town boards, as well as the building commissioner for their feedback, in time for the February 7 meeting.

Review and Approval of Meeting Minutes

December 21, 2016 Planning Board Meeting

Mr. Kiernan made the motion to approve the minutes as amended (Add a space between information and requested in the Adventure Bound Camping Resort section.) Mr. Boleyn seconded, so voted, 6-0.

Reports from Board Members and Staff

December building permits report was distributed.

Meeting Dates and Other Important Dates

January 17, 2017 (Tues.) - Regular Meeting

February 7, 2016 (Tues.) - Regular Meeting

Mr. Riemer asked about what will be on the agenda for January 17. Ms. Ridley said there are three public hearings: White Sands, Horton's Campgrounds, and a Seashore residential site plan application. It was agreed that we have site visits for all three. Possibly Tuesday the 10th or Thursday the 12th. She will let everyone know.

Mr. Sollog made a motion to adjourn, Mr. Boleyn seconded. So voted, 6-0.
Meeting adjourned at 7:40 pm.

Respectfully submitted,



Katherine Black

