

TRURO PLANNING BOARD

Meeting Minutes

February 21, 2018 – 5:00 p.m.

Truro Town Hall

PLANNING BOARD MEMBERS PRESENT: Bruce Boleyn, Peter Herridge, Paul Kiernan, Jack Riemer, Mike Roderick, Karen Tosh Absent (excused): Steve Sollog

OTHER PARTICIPANTS: David DeWitt, Chair of Agricultural Commission; Rae Ann Palmer, Town Manager; Carl Brotman, Chair Truro Housing Authority; Leedara Zola, Housing Consultant, Kevin Grunwald, Truro Housing Authority; Cally Harper, Town Planner.

Public Comment Period

There was no public comment.

Discussion of Zoning Bylaws related to the Retail and Sale of Cannabis

Rae Ann Palmer came forward and reported on the request from the Board of Selectmen that the Planning Board take up this issue. David DeWitt presented a proposal for the growing and sale of marijuana. He asked if the Planning Board might want to put a moratorium on the subject until December 2018, so that there would be time to work with the Town attorneys, to create a by-law. Ms. Palmer suggested putting together a work group or sub-committee. There may not be time to place a warrant article for April's Town Meeting. Peter Herridge made a motion to create a moratorium, Mr. Riemer seconded the motion. So voted 6-0.

David DeWitt then spoke about the sense of urgency about regulations. He's been working with the Cape Cod Commission for the past few months on this. He has been working with our State representatives, Julian Cyr and Sarah Peake, to create a model for entering the industry. The license will be in three parts. The Governor would like applications to be submitted by April 1st. It will be regulated more extensively than alcohol is. There will be a public hearing for Truro, and abutters of potential farm sites will be notified. The co-op would like the public outreach forum to be scheduled as soon as possible. Then the co-op will create an agreement with the Town, to have the businesses approved. History shows that businesses that get in on the ground floor have the most success.

The way the State law is written, everything has to go through Town Meeting. There will be a 3% tax going into the Town coffers, and there will be job creation and other jobs affected. There can be three licenses, one for cultivation, one for testing and one for processing. The co-op is not asking for a retail license. There will be retail in Provincetown and Wellfleet.

Mr. Kiernan asked Mr. DeWitt to provide the laws to our Town planner. Ms. Harper says she does have some of the regulations. Mr. Riemer asked Mr. DeWitt if he is here to represent the

co-op. Mr. DeWitt said he is representing the town farmers. He himself is not looking to get a license. There are five farmers who are interested, but they don't want to give their names yet. Only a six member co-op allowed. Mr. DeWitt is recommending no retail sales in Truro. Discussion continued about issues of cultivation and extraction.

Mr. Kiernan asked for a timeline. By-laws need to be in place by the end of December. There may be scheduled a Special Town Meeting in the fall. New by-laws will then be submitted to the Attorney General for approval.

Ms. Palmer suggested asking KP Law to do a work session with the Planning Board. It was suggested that a public forum should be arranged with the Board of Selectmen, sooner rather than later. Ms. Palmer said the regulations are not approved yet, and won't be until April 1st. Mr. Riemer asked Mr. DeWitt, as chair of the agricultural commission, how he sees his role. He answered that he is a mediator of any problems. He is a conduit for the farmers to the Town.

Review of new Housing Production Plan for the Town of Truro

The Housing Production Plan was accepted and approved by the Truro Board of Selectmen on October 24, 2017. The Truro Housing Authority is seeking a vote to 'adopt' the document, allowing them to submit to the Department of Housing and Community Development for final approval.

Carl Brotman, Kevin Grunwald and Leedara Zola came forward to present the Truro Housing Production Plan. Other Housing Authority members were introduced. Adrian Cyr was in the audience represented Highland Affordable Housing.

Mr. Brotman spoke about the needs assessments that was done as well as the reports produced for better and more housing in Truro. He spoke about the Housing Authority goals and the unique housing challenges for Truro. Ms. Zola spoke about the plan, which she said was also worked on by Highland Affordable Housing. She reported on the presentation of the plan at the Truro Public Library, which was well attended (about 40 people), last fall. Ms. Zola went over the power point presentation. She explained why Truro isn't threatened by large affordable housing complexes, due to the need for wells and septic systems.

Mr. Herridge said he thought the plan was very impressive. Mr. Kiernan asked about the relationship between the Housing Authority and Highland Affordable Housing. Ms. Zola explained the ways in which they work together. Highland Affordable is a non-profit that owns Affordable rentals and does advocacy work. Mr. Brotman attends their meetings as an ex-officio, and Adrian Cyr is a liaison member. Highland Affordable Housing built the first Habitat home in Truro.

The 2015 housing study is on the website. Ms. Harper will send Board members the link for it. It is what resulted in the housing summit in the fall of 2015. Mr. Kiernan talked about the recent Accessory Dwelling Unit by-law and asked about affordability. Ms. Zola describe the capital "A," and little letter "a" affordable. Mr. Herridge asked about work force housing. Ms. Zola said that the phrase is used loosely. It is often used to describe people who can afford a little more than those who qualify at a percentage of median income. Mr. Kiernan talked about not having a town sewer system and exploring AI septic systems. They can fail when they're not adequately maintained. Could they be used for making our water better? Ms. Zola said she would defer to Board of Health. Ms. Zola explained other communities usage of AI. Mr. Kiernan said the Cape Cod Commission has done some work on this.

Mr. Riemer asked about the many apartments that are used only in the summer. Has there been an effort to reach out to them? Ms. Zola said on the Vineyard, they subsidized converting summer rentals to year round usage. She said this is a possible strategy. She was asked if CDBG grants can be used for upgrading. Ms. Zola said that CDBG monies are highly regulated. Mr. Riemer said that he would like to see us reach out to these owners whose homes are only used seasonally. He asked if there is any way to attach a requirement that a new house being built in Truro be required to include an ADU rented out year round. Ms. Zola said you can't force someone to be a landlord. Further discussion occurred regarding inclusionary zoning, which requires 10% Affordable. It was noted that advocacy and education can be effective.

Discussion followed about open space and researching what is available on the outskirts of open space. Mr. Riemer asked about the effect of year-round condos if they are approved at Town Meeting. Have we explored affordability for year-round condos? What's the benefit to the Town of year-round condos? Ms. Zola suggested that the Town would be getting another year-round family.

Mr. Kiernan said that for 25 years, we have had "habitable studios" on the books. They are everything except a kitchen. Is there money for owners to redo the septic system? Ms. Palmer said that there is sewer betterment money, which is a low interest loan provided by the Town.

Mr. Brotman reminded the Board that they are being asked to adopt the Housing Production Plan. Mr. Kiernan asked if some of the ideas that have been brought up can be included in the Plan. Ms. Palmer said that the Plan has already been adopted by Board of Selectmen. These ideas could be incorporated as an addendum. Mr. Riemer made a motion to table the adoption until the next Planning Board meeting so the full board could vote on it. Mr. Boleyn seconded the motion. Ms. Palmer said there is a time crunch for a grant application. Mr. Riemer said he does not want to rush this. A vote was taken on the motion. Motion failed 3-3. (Mr. Kiernan, Mr. Boleyn and Mr. Riemer voted in favor. Ms. Tosh, Mr. Herridge and Mr. Roderick voted against.) Mr. Kiernan moved and Mr. Roderick seconded the motion to adopt the Truro Housing Production Plan. So voted, 5-1. (Mr. Riemer opposed.)

Open Discussion of Possible Zoning Bylaw Amendments

The Planning Board will consider possible amendments to the zoning bylaw, including, but not limited to, size restrictions for residential structures in all zoning districts. The Board will consider holding public forums and other means of outreach for obtaining citizen input and whether a subcommittee should be formed to review possible zoning amendments.

Ms. Harper said that we cannot deliberate on this possible by-law until March 2. It was noticed in the Cape Cod Times, and will come out in the Banner soon.

Review and Approval of Meeting Minutes

February 7, 2018

Mr. Boleyn moved to approve the minutes as written, Mr. Kiernan seconded. So voted 5-0-1. (Mr. Roderick abstained.)

Reports from Board Members and Staff

Town Planner Report

Ms. Harper spoke about the Q & A, March 5th with Town Counsel. She needs questions from board by February 25. There followed a brief discussion about future agenda items, the White Sands and the Ocean Bluff hearings.

Ms. Harper asked the Board once again to use their Town email addresses. It is a requirement for a regulatory board. Mr. Riemer asked for a new updated contact list.

Mr. Kiernan asked about the by-laws being updated. Ms. Harper said she will check with the Town clerk.

Mr. Kiernan made a motion to adjourn, Mr. Boleyn seconded. So voted, 6-0.

Meeting adjourned at 6:45 pm.

Respectfully submitted,



Katherine Black

