

**Truro Planning Board
Minutes from June 20, 2018 Meeting
24 Town Hall Road**

Planning Board Members Present: Vice-Chair, Peter Herridge, Clerk-Jack Riemer, Mike Roderick, Bruce Boleyn, Karen Tosh, Paul Kiernan (arrived at 5:41pm)

Others present: Town Planner-Cally Harper, Interim Town Planner-Jessica Bardi, Donald Nagle, Mellisa McCarthy (KPLaw), Shawn Harris, Chis Lucy, Chuck Steinman, David Drinkwater, Ann Greenbaum

Vice-Chair Herridge called the meeting to order at 5:00pm.

Public Comment Period

Michael Fee, 15 Francis Farm Road-he is a lawyer who is advising High Dune Craft Cooperative. High Dune Craft Cooperative is a co-op of farmers (four of whom live in Truro and one lives in Wellfleet) who have organized together to form a craft cooperative marijuana cultivators license from the Cannabis Control Commission. Mr. Fee sent some comments regarding the draft marijuana bylaw to Chair Sollog as well as some proposed revisions. He would like to suggest having a dialogue with the Planning Board about the proposed bylaw. Vice Chair Herridge stated that they would certainly review their suggestions. Planner Harper stated that the Public Hearing is scheduled for July 25, 2018 at which time there will be discussion regarding the draft marijuana bylaw. She did receive a paper copy of the letter from Mr. Fee with the edits, which will become part of the record. Mr. Fee would like to schedule something, either formal or informal, to discuss the by-law before the hearing. Planner Harper is not entirely sure they can legally meet to discuss the draft by-law before the public hearing, however she will check into the request and be in touch.

Temporary Sign Permit-Genevieve Morin, Truro Yoga

Ms. Morin is seeking approval of 1 temporary sign to be placed in front of Snows Park on a sandwich board. Sign will be installed on Fridays and removed on Sundays from July 1, 2018 to July 31, 2018.

Mr. Boleyn made a motion to approve the temporary sign.

Mr. Roderick seconded the motion.

So voted, 5-0, motion carries.

Temporary Sign Permit-Genevieve Morin, Truro Yoga

Ms. Morin is seeking approval of 1 temporary sign to be placed in front of Snows Park on a sandwich board. Sign will be installed on Fridays and removed on Sundays from August 1, 2018 to August 31, 2018.

Mr. Boleyn made a motion to approve the temporary sign.

Mr. Riemer seconded the motion.

So voted, 5-0, motion carries.

Subdivision Pre-Submission Review

Adventure Bound Camping Resorts is requesting a subdivision pre-submission review meeting with the Planning Board for property located at 67 South Highland Road, Truro. Donald Nagle, representative of

Adventure Bound Campgrounds, and Kevin Aguiar from BETA Group, Inc. approached the Board. He has two proposals to seek informal input from the Planning Board.

- #1 is a standard subdivision plan
- #2 is a 40B alternative

Mr. Aguiar explained that they are looking at two concepts for potential redevelopment of Horton's Campground. The first is a subdivision with eleven three-acre parcels on the site. The second concept is more of a multi-family (56 duplexes) which could possibly fall under an affordable housing project. They are looking for feedback as to concerns from the town, design requirements, setbacks, etc. From a septic standpoint, either each lot would have its own sewer and water (if concept #1), there is an approved septic system from the campground which could be modified (if concept #2).

Mr. Roderick stated that he's in favor of affordable housing, but prefers concept #1 because it is less dense. Ms. Tosh believes this matter needs a referral to the Cape Cod Commission and she is choosing to wait to ask any questions until that occurs. Town Planner Harper stated that the 30 acres is a trigger for Cape Cod Commission review. Vice-Chair Herridge asked to confirm that the total acreage to be developed is 31.5 acres. Mr. Aguiar confirmed that was correct. Mr. Aguiar had a counter question which was if a portion of the property is undevelopable because of the Natural Heritage and Endangered Species Program, and the amount developable is under 30 acres would they still need to refer the plan to the Cape Cod Commission? Town Planner Harper stated that would be a question for the Cape Cod Commission's Chief Regulatory Officer. Ms. Tosh asked if any thought had been given to having both single family and affordable housing in the same project. Mr. Nagle stated that he'd be happy to entertain ideas, but that they just wanted to get these two concepts out there.

A discussion ensued regarding a letter received by the Planning Board from Brian Carlstrom, Superintendent of the National Park Service. Mr. Carlstrom is concerned with the storage of the trailers, and has asked the Planning Board about zoning applicability. The zoning rules have been checked and the trailers cannot be stored there. Secondly, the drawing shows existing underlying campground loop roads and property bounds and it is evident that there is encroachment from the private property of some roads and structures onto National Park Service owned property. Vice-Chair Herridge has asked Mr. Nagle to rectify these issues.

Mr. Riemer asked Mr. Nagle if there was a pending site plan review which had been continued numerous times. Mr. Nagle stated that the site plan review was stayed, pending litigation. Mellisa McCarthy, from KPLaw, is not sure any action was taken by the Planning Board to continue the matter. It was not completed and there was a request to not proceed by the applicant.

Public Hearing-2018-002 SPR Christopher Bellonci and Edouard Fontenot

Applicants are seeking approval to construct a two bedroom, 1700 square foot single family home located at 186 Old County Road, Truro. Shawn Harris approached the Board, he is representing the applicants. All zoning requirements have been met. Vice-Chair Herridge asked that a site visit be set up asap.

Member Paul Kiernan arrived at 5:41pm.

A date of Monday, June 25th at 2:00pm was set for the site visit.

Mr. Boleyn made a motion to continue the public hearing to the July 11, 2018 Planning Board Meeting.

Mr. Roderick seconded the motion.

So moved, 6-0, motion carries.

Non-Regulatory, Administrative Meeting for 2017-001 SPR Winkler Route 6 Trust

The Planning Board is holding a non-regulatory, administrating meeting with Michael Winkler, Trustee, to review noise conditions on the property and to review compliance with conditions of the decision granted on March 7, 2017. Property is located at 1 Noons Heights Road. Town Planner Harper let the Board know that she received a request from the applicant (who is unable to attend) to reschedule the administrative meeting to another date. Ms. Bardi will reach out to the applicant to see if the July 11th, 2018 meeting will work for him. Mr. Riemer would like to ask Town Counsel if non-compliance of a site plan review can result in a rescission of site plan review approval. Town Planner Harper stated that she would need an actual question to forward.

Mr. Riemer made a motion to ask Town Counsel the following question; "If there is an approved Site Plan Review, with conditions, and the conditions are inadequately addressed can the Planning Board rescind the Site Plan Review approval."

Mr. Boleyn seconded the motion.

So voted, 6-0, motion carries.

Approve the Draft and Schedule a Public Hearing for Proposed Amendments to the Zoning Bylaw:

The Planning Board will review and vote on the draft bylaw and vote on a date to hold a public hearing on proposed amendments to the Town of Truro Zoning Bylaw which would add a new definition of Total Gross Floor Area in section 10.4, Definitions and add a new Section 50.2, Area and Height Regulations in all Districts except the Seashore District to Determine Maximum Building Size in Truro. These amendments would change the maximum size of residential buildings on lots within the Town of Truro by establishing a relationship between building volume, bulk and size that is consistent with Truro's historical development and character.

Vice-Chair Herridge made a motion to amend section B "Applicability and Exceptions", Section 1 "Gross Floor Area Allowed by Right", Section 2 "What's Allowed with a Special Permit" to add to Section 2 as "B" *plus a Planning Board approved Accessory Dwelling Unit of up to 1000 square feet.*"

Chris Lucy came up to speak to the Board. Mr. Lucy has looked through past packets and has not come across any new information which the public can come and look at to decide whether this is a good idea or not. He asked what changes, in the past twelve weeks, made the Planning Board present this article once again. Vice-Chair Herridge stated that the Planning Board needs to hear from voters what they want. The Planning Board has spent time at the Transfer Station and Farmer's Market, asking for suggestions. Mr. Lucy's concern is that if a Public Hearing date is set and advertised, that will officially stop all building of structures which could possibly be in violation of the bylaw. The normal process is that the Planning Board would vote to accept the draft, it gets sent to the Board of Selectmen for their next meeting, and then it's sent back to the Planning Board to set the Public Hearing. Town Planner Harper believes the most prudent course is to get an official ruling from Town Counsel.

Mr. Lucy continued speaking to address other concerns regarding house size/lot size. Chuck Steinman got up to state that he does not want Chris Lucy to come to Town Meeting with an alternative, or speaking against this. They want to come up with a joint proposal which would be acceptable at Town Meeting.

Mr. Drinkwater approached the Board. He has attended the last few meetings of the Planning Board regarding the house size bylaw. He states the last meeting he attended, the Planning Board agreed to table the issue with the idea of reaching out to a larger portion of constituents to get input on what was important to them. He did not appreciate the way the Planning Board's survey was constructed. He does not believe that this draft bylaw reflects what the majority of people living in Truro want.

Ann Greenbaum approached the Board to address the process and timing issues which was mentioned at the March forum by Mr. Drinkwater. As she understands, the timing of the Public Hearing toward the end of July was to maximize the ability of as many people that live in Truro year-round, part-time, and people who own property here. In order to do that, the Planning Board needs to "back up" to determine when they need a draft and when the Board of Selectmen receive it. She believes the process is working.

Town Planner Harper confirmed that she needs to check on the process. She saw some similarities in the comments from Mr. Lucy and Mr. Drinkwater, namely the "formula" to arrive at house size. It's important for the Planning Board to consider this feedback which they have received.

Mr. Boleyn made a motion to continue the approval of the draft of proposed amendments to the Zoning Bylaw to the next Planning Board meeting.

Mr. Kiernan seconded the motion.

So voted, 5-0-1 (Ms. Tosh abstained), motion carries.

Mr. Steinman asked if there were a way to set a date for a public forum.

Mr. Kiernan asked that some items be considered. Number one- that affordable housing be exempt from the limits, as designated by the Truro Housing Authority. Number two- that they ask for the Zoning Board of Appeals comments in writing, since the ZBA will be the ones issuing the Special Permits. Town Planner Harper stated that if the Planning Board deems it appropriate, they can continue to the next Planning Board meeting and hopefully they will receive a response from Town Counsel about the process. At that next meeting they can discuss the process and schedule some forums.

Review and Approval of Meeting Minutes

Mr. Boleyn pointed out a grammatical error.

Mr. Boleyn made a motion to approve the amended minutes of June 6, 2018.

Mr. Tosh seconded the motion.

So moved, 6-0, motion carries.

Reports from Board Members and Staff

Town Planner Harper incorporated the changes to the subdivision rules and regulations and distributed that amended copy to the Planning Board. She has the decision on the Special Permit for the telecommunications tower for the Vice-Chair to sign. She also contacted Ed Patten, Maria Kuliopolus, and Stacey Kunega for White Sands Beach Club to let them know that even though the hearing was continued until July 11th at 5pm, the new time for Planning Board meetings is 6pm and she received an "ok" from the attorney.

Mr. Riemer asked if the Board would entertain asking their liaison to the Board of Selectmen to consider an RFP to the individual cell companies to explore the use of Town Hall as a remote site to improve the reception in the Pamet River Valley area. Town Planner Harper stated she could convey the message to liaison Maureen Burgess. Vice-Chair Herridge volunteered to reach out to select person Burgess.

Mr. Boleyn made a motion to adjourn at 6:55pm.

Mr. Roderick seconded the motion.

So voted, 6-0, motion carries.

Respectfully Submitted, Noelle Scoullar

Noelle L. Scoullar

