

**TRURO PLANNING BOARD  
MEETING MINUTES**

**August 15, 2018 – 6:00 p.m.  
Truro Community Center**

**PLANNING BOARD MEMBERS PRESENT:** Chair-Steve Sollog, Vice-Chair Peter Herridge, Clerk-Jack Riemer, Karen Tosh, Bruce Boleyn, Paul Kiernan, Mike Roderick

**OTHER PARTICIPANTS:** Interim Town Planner-Jessica Bardi, Lisa Colley, Joan Holt, Kathleen Hull, Chuck Steinman, Bertram Perkel, Richard Hill, Ann Greenbaum, Maureen Cronin, Chris Lucy, John Marksbury, Daniel Holt, Etta Rosen, Sam Boleyn

Chair Sollog called the meeting to order at 6:10pm.

**Public Comment Period**  
No public comment.

**Approve the Draft and Schedule a Public Hearing for Proposed Amendments to the Zoning Bylaw**  
Chair Sollog stated that he would begin by reviewing the draft bylaw to be sure everyone understands what it says. At the 2017 Annual Town Meeting, voters set limits for future house sizes in the Cape Cod National Seashore. There was strong support for setting house size limits in other areas of Truro. Current regulations were reviewed along with the draft regulations. Town Counsel will be given the draft language for review. The question and answer period was opened.

- Lisa Colley-She asked if this bylaw takes into account the height restriction which is in place right now. Chair Sollog answered that the height restriction that exists now, continues to exist. The height restriction will not change by this bylaw.
- Georgia Neil-Are there guidelines for the Zoning Board of Appeals on what would qualify as an exception? Chair Sollog clarified that her question referred to granting the extra 1000 square feet. He stated that the Zoning Board of Appeals has criteria to help them make their decisions.
- Joan Holt-Her problem with the proposed bylaw is she feels there needs to be more explicit wording. She believes the Zoning Board is not applying some of the conditions for a Special Permit. She does not understand why an exception needs to be made available to even larger houses than what is in the chart. She does not feel there should be an allowance for a Special Permit with the Zoning Board.
- Kathleen Hull-She feels there is something about this bylaw that is too little too late. So much of the "explosion" of large houses has already happened. She thinks it's interesting that this is being brought to the bylaw now. She asked, is the rural quality of the community the size of house or density of building on lots? Ms. Hull is also concerned with the intersection of this bylaw with the marijuana bylaw. She is not sure that as an abutter to a marijuana grower that you will get to object if a steel structure is going to be abutting your property. She would like the Board to consider both the house size bylaw and the marijuana bylaw at the same time and map out, in their minds, how the neighbors will look (with house sizes/sizes of steel structures/sizes of marijuana growing).

Chair Sollog attended the last co-op meeting, where they illustrated where the farms would be located. These are farms which are not new. The farms have been in the town for a long time. He feels it is important to consider preserving Truro's farmland, as well as our open space and the rural nature that Truro has now.

- Chuck Steinman-He wished to answer Ms. Hull's question. There is a parallel between both bylaws. The Planning Board has been working with the co-op to establish a maximum building size for the non-residential buildings. In terms of the question that Ms. Holt raised, 1000 square feet was to give some flexibility to a person who might want a little more space; when they worked on the Seashore bylaw, Zoning Board Chair Perkel recommended not listing a bunch of criteria, because they already have their criteria. The same thinking was following in this bylaw.
- Bertram Perkel-This issue to him is that this is a complicated set of criteria. He is urging the Planning Board to go for simplicity, pick a number (5,000 or 4,000 square feet), and do not have a Special Permit. He does not feel this will pass Town Meeting due to its complexity.
- Richard Hill-He supports the sentiments of Mr. Perkel and Ms. Holt. He feels they have not presented any rationale in the document for allowing an exception. He is asking for the Board to explain the rationale for why the Town needs an exception to the 4000+ square foot rule. Chair Sollog stated that the simplest way to explain it would be someone who has an extremely large family. He cannot determine who needs to have what. That would be something the Zoning Board of Appeals could determine.
- Ann Greenbaum-She wanted to address the "why now" question. She feels that every month that this is not addressed is an opportunity for more large houses. In terms of people thinking the bylaw is too complex she does not agree. A lot of work was done on the Seashore bylaw to ensure it was understandable. The Town needed something simple, understandable, and defensible. Town Counsel was clear that a hard limit on house size was not defensible.
- Maureen Cronin-She conveyed what she learned back in the 1990's, when she lived in Ohio. All the farmland was bought up. The houses which were built were on ten- acre lots and averaged 8,000-15,000 square feet mostly stand empty. She feels that is the issue everywhere. She thanked the Board and states that she thinks their house size figures are right on target.
- Chris Lucy-He feels the proposed bylaw is being rushed. He would like Chair Sollog to explain zones in the Town which are or are not included. Chair Sollog re-iterated what he said; "the bylaw will only apply to homes in the residential district." Mr. Lucy stated that you can build a home in every zone in the Town, so therefore every zone is residential. He also pointed out that a very large home can be built with the lot sizes listed. He is suggested a cap of 5,000 square feet. Mr. Lucy also asked about the people who own smaller sized lots (half an acre). According to the draft proposed bylaw a 3,600 square foot home can be built on a three-quarter acre lot, and a 3,525 square foot home on a half-acre lot. Mr. Lucy asked why condominiums were not being included under this bylaw and Chair Sollog stated that to include condominiums would be extremely confusing. Mr. Lucy asked if there was anything stopping a person from purchasing multiple lots in a subdivision and then building a large house. Mr. Sollog ventured that the cost of purchasing multiple lots would be prohibitive.
- Ann Greenbaum got up to explain the residential district. She also made a correction that the bylaw does set limits, which are dependent on house size.
- Chuck Steinman added that the residential district does not include the limited business district in North Truro.
- John Marksbury wanted to say that the charge that the proposed bylaw was confusing and over-complicated is not true.

Chair Sollog noted that this bylaw will need 2/3 vote to pass. It is not the answer to every problem in Truro. There is a trend that there are more new houses that will be large. The Planning Board is trying to establish a guideline to stop the over-building of Truro.

- Daniel Holt-He wished to make one correction in the section discussing when special permits may be granted, paragraph D. He would like a list of the intention and purpose of the bylaws incorporated into this section.

The Board continued to review wording (section 10.4 definitions) within the bylaw.

**Mr. Herridge made a motion to specify an unfinished basement is not included in total gross floor area and to note that it is permanent deed-restricted affordable housing (not temporary) which is specifically excluded from the section.**

**Mr. Kiernan seconded.**

**Chair Sollog stated this vote would specifically address adding the word “unfinished”.**

**So voted; 5-2-0, motion carries.**

Chair Sollog explained that he had not wanted to vote on the addition of the word “permanently” due to the language already being examined for possible change. He placed the motion before the Board to vote.

**So voted; 6-1-0, motion carries.**

Review of the bylaw continued.

- Section 50.2 Building Gross Floor Area for the Residential District. Chair Sollog stated that some people questioned using the Truro Local Comprehensive Plan. Ms. Tosh suggested placing something in this section which reflects the date of the Local Comprehensive Plan (2005) in case it is updated in the future.
- Etta Rosen-Asked for some clarification. If a homeowner finishes an attic or basement, it would not change the volume, bulk or size. Chair Sollog stated that it would add living space. Size is not computed unless you can live in it. If you cannot live in it, it would not be computed. Ms. Rosen countered with another question. If someone has storage in their attic, are the closets included in the livable space. Chair Sollog stated that they would not be included. If an attic is finished with a bedroom, then it is included as livable space. Ms. Rosen then asked about a study. Chair Sollog stated that they don’t want to include more language which would then add more confusion.
- Daniel Holt-Wanted to speak to this item. He believes this bylaw applies at which point a building permit is requested. If it is a change to what you are doing with your attic or basement, that you need a building permit for, then it would be subject to this calculation.

**Mr. Boleyn made a motion to strike Section 50.2 item A and replace it with wording from Truro’s Local Comprehensive Plan, Chapter 1: “A Vision for Truro”.**

**Mr. Roderick seconded the motion.**

**So voted; 7-0-0, motion carries.**

Review continued onto B. Applicability and Exceptions. Discussion was had regarding understanding the “minus 300 sq. ft. for each contiguous acre of land less than one acre...” Section C. Procedures for Special Permit Application Review and Approval were reviewed as well.

- Chuck Steinman came up to discuss format. He suggested that the next version of the bylaw not have the red-lined items, but rather just the agreed upon wording. Chair Sollog explained that the bylaw needs to be vetted, therefore the red-lining.

**Mr. Herridge made a motion to completely eliminate the Special Permit provision from this bylaw.  
Mr. Riemer seconded the motion.**

**So voted; 2-5-0, motion does not carry (Mr. Herridge and Mr. Roderick-for/Mr. Kiernan, Ms. Tosh, Chair Sollog, Mr. Boleyn, Mr. Riemer-against)**

**Mr. Herridge made a motion to add the wording (in section D) which Mr. Holt suggested.  
Ms. Tosh seconded the motion.**

Section D was discussed. Removal of "a preponderance of the" and replaced with "clear and convincing". Wording was inserted further down in Section D which mimics Section 10.2 of the Zoning Bylaw.

**So voted; 7-0-0, motion carries.**

Section E was reviewed and all Planning Board members agreed to the wording.

All Planning Board members agreed to wording for Section F.

**Mr. Kiernan made a motion to approve the Draft House Size Bylaw dated July 2, 2018 as amended, and to submit this Bylaw, with a report of recommendations, for review by Town Counsel and to the Board of Selectmen for the upcoming Truro Fall Town Meeting.**

**Mr. Herridge seconded the motion.**

**So voted; 7-0-0, motion carries.**

**Mr. Kiernan made a motion to recommend the Draft House Size Bylaw to the Town Meeting with a written report of recommendations.**

**Mr. Herridge seconded the motion.**

**So voted; 7-0-0, motion carries.**

Chair Sollog started the discussion on the Draft Marijuana Bylaw. Ms. Tosh praised Chair Sollog on how the Draft House Size Bylaw public hearing was held, and recommended the same format for handling the Draft Marijuana Bylaw. Mr. Herridge was hoping a video explaining the purpose of the law could be shown. He is willing to pay for a quarter page ad in the Banner. Chair Sollog feels an ad would be appropriate. Mr. Kiernan stated he attended a meeting with the ad-hoc committee regarding the Draft Marijuana Bylaw at which he presented some problems which were within the original draft. There was some confusion on which draft of the bylaw they would be working off of. Chair Sollog clarified that they are to look at the original, which is what is on the agenda. Ms. Tosh asked if the public hearing could be continued, as it was already 10:00pm.

**Mr. Herridge made a motion to adjourn the meeting at 10:00pm.**

**Mr. Boleyn seconded the motion.**

**So voted; 7-0-0, motion carries.**

Respectfully submitted, Noelle L. Scoullar

