

**TRURO PLANNING BOARD
MEETING MINUTES
October 10, 2018
Truro Town Hall**

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

OTHER PARTICIPANTS: Interim Town Planner-Jessica Bardi,

Chair Sollog called the meeting to order at 6:05pm.

Public Comment Period

Mr. Riemer wished to bring up a topic to be placed on an upcoming Planning Board agenda. Applications have been received in the past to upgrade the cellular towers in Town and he would like to ask the appropriate Board to pursue additional cell phone service in areas that are weak in service or have no service. He feels cell phone service needs to be improved. Chair Sollog appreciates Mr. Riemer bringing the subject up, however he is uncertain how to get the attention of the Boards who could make it happen. He believes the Board of Selectmen would be the Board who would pursue better cell service. He thinks that reaching out to their Liaison, Ms. Burgess, would help.

Chair Sollog mentioned that the Board also needed to discuss Mr. Herridge's decision to step down as Vice Chair of the Planning Board.

Mr. Kiernan made a motion to nominate Ms. Tosh as Vice-Chair of the Planning Board.

Mr. Boleyn seconded the motion.

So Voted; 6-0-1 (Ms. Tosh abstained), motion carries.

Temporary Sign Permit-Erik Spencer seeks approval of an application for a Temporary Sign Permit pursuant to §11 of the Truro Sign Code for one sign 36" x 24" to be placed at the east side of Route 6, south of Union Field Rd. for the First Parish Thanksgiving morning service. The sign will be installed on October 22, 2018 and removed on November 23, 2018.

Chair Sollog asked Interim Planner Bardi if the Board had the discretion to waive the permit fee. Mr. Kiernan offered that they might want to run that by Town Manager Palmer, which Interim Planner Bardi stated she would do.

Ms. Tosh made a motion to approve the Temporary Sign Permit for the First Parish Church.

Mr. Boleyn seconded the motion.

So Voted; 7-0-0, motion carries.

Temporary Sign Permit-Eric Spencer seeks approval of an application for a Temporary Sign Permit pursuant to §11 of the Truro Sign Code for one sign 36" x 24" to be placed at the east side of Route 6, south of Union Field Rd. for the First Parish Christmas Eve service. The sign will be installed on November 23, 2018 and removed on December 25, 2018.

Chair Sollog made a motion to approve the Temporary Sign Permit for the First Parish Church.

Mr. Boleyn seconded the motion.

So Voted; 7-0-0, motion carries.

Discussion by Planning Board – Report of Recommendations to Town Meeting-The Planning Board will review and approve a report of recommendations to Special Town Meeting for the residential building size bylaw and the marijuana bylaw and will vote to submit the approved reports to the Special Town Meeting on November 13, 2018.

Interim Town Planner Bardi stated that if the Board had anything they wished to add or remove from either report they could discuss it now. She submitted a more procedural report to Town Manager Palmer for the Board of Selectmen along with the recommended house size and marijuana bylaws. The Board of Selectmen decided to hold off on recommending the bylaws to Town Meeting. They will be reviewing the bylaws in greater detail at a work session scheduled for this upcoming Tuesday.

Chair Sollog moved the meeting along by reading the report of recommendations by Interim Planner Bardi for the house size bylaw. This report will be in the Board of Selectmen packet and per Interim Planner Bardi, will be read at the Special Town Meeting. Chair Sollog is concerned with the wording in one of the paragraphs pertaining to the discussion on removing the special permit provision. The Board agreed to remove the entire paragraph.

Ms. Tosh read the report regarding the marijuana bylaw. Grammatical items were corrected. Interim Planner Bardi pointed out the new section (100.10) regarding appeal of the Site Plan Review. Chair Sollog read that section aloud. The Board was fine with the wording on that section.

Mr. Riemer pointed out that the marijuana bylaw lacked a Planning Board comments section. He asked if the Board planned to not include a comments section. Interim Planner Bardi stated that they never discussed a comments section. Chair Sollog appreciates the point Mr. Riemer is making, however he is not sure the Board has any comments to add. Mr. Riemer does not have anything prepared, yet one comment he would like to add is the following;

This bylaw represents the work identified by this Board to assess the impacts on everyone in the Town and it's designed to fairly treat everyone's interests.

Chair Sollog polled the Board to see if they would like a comments section. Mr. Herridge had no comment. Mr. Kiernan thinks it makes sense to add a comments section. Ms. Tosh thinks the comment Mr. Riemer mentioned would be okay to add. She thought they could add something which says the Board gave more than due consideration to the needs of the growers in drafting this bylaw. Mr. Boleyn likes Mr. Riemer's idea, as does Mr. Roderick. As an alternative, Interim Planner Bardi suggested the Board could add these comments into the report. Mr. Kiernan asked if additional comments could be emailed to Interim Planner Bardi, which was confirmed if they were received by that Tuesday, she would bring them to the Board of Selectmen work-session.

Meeting Minutes

Interim Planner Bardi had three sets of minutes for review; June 20th, 2018, August 8th, 2018, and September 24th, 2018. The Board reviewed the June 20, 2018 minutes first. Mr. Riemer had a question regarding a section of the minutes where he had asked for Town Counsel's guidance for if there were an approved Site Plan review with conditions and the conditions were inadequately addressed could the Planning Board rescind the Site Plan approval? He pointed out that the Board had not heard an answer in response to that question. Interim Planner Bardi stated that the question had been submitted and she'd sent the Board an opinion from Town Counsel back a while ago. She will re-forward that opinion to the Board. The Planning Board cannot rescind the Site Plan approval, but they can request that the Zoning Enforcement Officer take action. Mr. Riemer is concerned that there is nothing to follow in writing. Chair Sollog stated that the Planning Board can notify the Zoning Enforcement Officer that conditions of the Site Plan review have not been met.

Mr. Kiernan made a motion to approve the minutes of June 20, 2018.

Mr. Boleyn seconded the motion.

So voted; 6-0-1 (Chair Sollog abstained), motion carries.

The Board then reviewed the minutes of August 8, 2018. Mr. Riemer wished to add into the minutes that when three members recused themselves at a point in this meeting, they also left the room.

Mr. Kiernan made a motion to approve the minutes as amended of August 8, 2018.

Mr. Boleyn seconded the motion.

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

The Board then reviewed the minutes of September 24, 2018. Mr. Kiernan asked that the absent Planning Board members be added into the minutes.

Ms. Tosh made a motion to approve the minutes as amended of September 24, 2018.

Chair Sollog seconded the motion.

So voted; 4-0-3 (Mr. Kiernan, Mr. Roderick, and Mr. Herridge abstained), motion carries.

Mr. Herridge mentioned that he joined the Water Resource Oversight Committee (as the Planning Board member). That board held their first meeting and the members gave Mr. Herridge an assignment. He would like some help with it as he is unsure how to gather the information. The Water Resource Oversight Committee would like to know;

- For every lot on Beach Point, the lot size, whether it's commercial or residential, the number of bedrooms, and the seating number if there is food service.

The purpose of gathering this information is to provide it to engineering firms to get estimates on sewer on Beach Point. Their next meeting is next week, and Mr. Herridge would like to report back to them at that time. Chair Sollog will assist Mr. Kiernan in gathering the information.

Chair Sollog wished to review some fact sheets on marijuana, which he had asked to be drawn up. These fact sheets were to be posted on the Town of Truro website, and they have not been. Chair Sollog considers this an issue. He wants the Board to consider the simpler fact sheet (out of the two) and the possibility of adding two more pictures from the other fact sheet. Chair Sollog would like the Board to look over the sheet and note whether any of the information on it is misleading or incorrect. He would also like to request that this sheet be posted on the town's website, along with the proposed marijuana bylaw.

Mr. Kiernan has noted that there are several places in the draft marijuana bylaw where it lists the Zoning Board of Appeals and the Planning Board respectively conducting Special Permit and Site Plan Review determinations. He is requesting that the Planning Board, and Site Plan Review, always come before the Zoning Board of Appeals and the Special Permit, within the bylaw. His reasoning is that the Planning Board should conduct the Site Plan Review first, and then send the applicant with all the Planning Board findings along to the Zoning Board of Appeals for their Special Permit. He would like this to be consistent throughout the bylaw. Mr. Boleyn likes the idea for continuity. Ms. Tosh stated that the bylaw could not be amended now but added that in Section 100.4 the bylaw stated that the applicant would first be required to obtain Site Plan approval, followed by a Special Permit. Interim Planner Bardi stated that this was not a substantive change and she would check to see if it could be done.

Mr. Kiernan brought the discussion back to the fact sheet and asked that the corrections be made so it's clear that the Planning Board/Site Plan approval comes first, and the Zoning Board of Appeals/Special Permit comes second.

The Board then reviewed the photographs on the fact sheet. Mr. Boleyn feels that dimensions of these buildings are essential. They chose photographs to include. Interim Planner Bardi said she would ensure the fact sheet was posted on the town website with the additional three photographs the Board wanted added (and some changes to wording).

The Planning Board went on to review the larger of the two fact sheets. Chair Sollog stated that nowhere on the sheet did it list who created it. Interim Planner Bardi offered two suggestions;

- Mail it out and place the Planning Board on the return address
- Mail it out with the Select Board on the return address

Chair Sollog let the Board know that the fact sheet had already been printed out and was in envelopes ready for mailing. Mr. Kiernan wished to know who compiled the fact sheet. Chair Sollog stated it was a "group" that was concerned about the bylaw, providing a fact sheet, and had noticed that the Chair had requested such a fact sheet at many Planning Board meetings. Interim Planner Bardi said that the fact sheet had been reviewed and edited by Town Counsel. Chair Sollog appreciates the help given by the group, but he does feel that some of the information in the fact sheet is problematic and some of the information is too dense. It was produced before the Planning Board completed their marijuana bylaw. Mr. Kiernan asked the Chair to point out the items he found to be problematic.

- The statement that the bylaw can limit size of marijuana establishments locations and that the Planning Board would review for the Special Permit and Site Plan Approval. The Zoning Board of Appeals is not mentioned.
- The minimum lot size is printed as 1.5 or 2 acres, which he feels isn't very specific.

Ms. Tosh does not think people with study the fact sheet in depth. The benefit of it is that it raises consciousness that there is a potential to regulate marijuana establishments. She thinks it serves the purpose of piquing interest. She states that the benefit of mailing it overrides the small things that are wrong with it. Mr. Riemer is worried that the summary fact sheet only addresses commercial growers and does not inform the citizen growing 6 or 10 plants. Ms. Tosh suggested adding the wording "commercial" in areas that mention growing and cultivation to clarify. After some discussion, Chair Sollog determined through consensus that the Board was in favor of mailing out the fact sheet.

Interim Planner Bardi began the next portion of the meeting by stating that the Planning Board's next scheduled meeting was set for October 24, 2018 at 6:00pm. At that meeting, they will be discussing the White Sands application which she handed out to the Board tonight. The applicant's engineer stated that if they have any questions ahead of time they can present them to the applicant and perhaps she'll be able to answer them before the public hearing.

Interim Planner Bardi also handed out two special petitioned articles from registered voter of Truro;

- A zoning amendment to regulate marijuana
- A zoning amendment for the right to farm

Since they are proposed amendments to the Town's zoning bylaw, under Chapter 40A, the Planning Board must hold a public hearing for the two proposed bylaws. She is hoping that the Board will agree to hold a special public hearing for the two articles. Mr. Kiernan asked if the petitioners of these articles be at the public hearing to explain things to the public. Interim Planner Bardi will reach out to them and let them know that the Planning Board is holding a public hearing. Mr. Kiernan asked if they (the Board) would be able to ask the petitioners about the proposed article. Interim Planner Bardi believes the Planning Board can ask questions. At the end of their Public Hearing, the Board will want to issue a

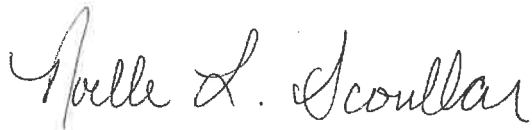
report for the Special Town Meeting to state whether they recommend approval or not recommend approval. Interim Town Planner asks the Board if they would be available for the Public Hearing on October 30, 2018. The Board is polled, and they are available for the Public Hearing for October 30, 2018. Chair Sollog reminded the Board that their meetings in the winter would be moved from 6:00pm to 5:00pm.

Mr. Riemer would like to include a discussion on the differences between the citizen petitioned articles and the Board's proposed bylaws, on the next agenda.

Mr. Boleyn made a motion to adjourn the meeting at 7:48pm.

Mr. Kiernan seconded the motion.

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



Respectfully submitted, Noelle L. Scoullar

