

**TOWN OF TRURO
PLANNING BOARD
Meeting Minutes
March 20, 2019, 5:00 pm
Truro Town Hall**

Board Members Present:

**Chair S. Sollog
Vice Chair K. Tosh
Member B. Boleyn
Member P. Herridge
Member P. Kiernan
Member J. Riemer
Member M. Roderick**

Other Participants:

**Town Planner Steve Parker
Atty Andrew Singer
Dan Silva, Truro resident
Erin Silva, Truro Resident
Tim Brady, builder
Kristen Roberts, owner 9 Shore Rd.
Stewart Parsons, architect
Chris Lucy, Truro resident
Bob Higgins, Whitmanville Rd.
Richard Wood, 19 Andrew Way
Eric Parker, 2 Waterview Hgts Rd
Susan Howe, 12 Houser Way
Clint Kershaw, 9 Highland Rd
Art Hultin, Lawrence Way
Will Golden, Blueberry Ln
Joan Holt, Truro Resident
Deborah (last name inaudible), 19 Stephens Way
Deborah Best-Parker, 2 Waterview Hgts Rd**

Meeting convened at 5:05 pm by Chair Sollog.

Public Comment Period

Chair Sollog asks if anyone would like to come forward to comment on an item outside of the agenda. No one comes forward.

5. Continued Public Hearing

2018-003 SPR Maria Kuliopolus, White Sands Beach Club, Inc.

Applicant seeks approval of a Commercial Development Site Plan pursuant to Section 70.3 of the Truro Zoning Bylaw to maintain existing uses and structures, reduce the number of units to forty-four (44) and construct a replacement structure. The Property is located at 706 Shore Road, Map 1, Parcel 5. John O'Reilly will be present to discuss his engineering review of the plan submission.

Chair Sollog has the Board take this agenda item out of order as John O'Reilly is not present to give his engineering review and the item will be continued.

Vice Chair Tosh makes a motion to continue 2018-003 SPR Maria Kuliopolus, White Sands Beach Club, Inc. to April 3, 2019. Member Herridge seconds. So voted, 7-0-0. Motion carries.

1. Public Hearing

2019-003/SPR, Tradesmen's Park South, 298 Route 6

Applicant seeks approval for Commercial Site Plan Review pursuant to Section 70.3 of the Truro Zoning Bylaw for the development of two steel framed buildings. Building one will have 7,200 square feet and contain seven (7) contractor bays on the main level and sixty-four (64) climate controlled self-storage units on the lower level. Building two will have 5,400 square feet and contain five (5) contractor bays on the main level and forty-six (46) climate controlled self-storage units on the second level. The property is located at 298 Route 6, Atlas Map 43, Parcel 57.

Andrew Singer, Attorney on behalf of the applicants and Dan Silva come forward. Also here tonight are Erin Silva and Tim Brady, a project proponent.

Atty Singer says that he and the applicants will be happy to save the presentation of testimony for the next Planning Board meeting on April 3rd, as he knows the Board will be continuing the issue to visit the site before deciding. Chair Sollog agrees with that but would like anyone who is present at this meeting and unable to attend the next with something to say about the project to come forward. No one does.

The Board and the applicants schedule a site visit for March 26th at 2:00 pm.

Mr. Silva says that he would be available in Truro any time for anyone who's curious about the site plans.

Member Kiernan asks if the lower level storage areas are at a dead end; they are. Mr. Kiernan asks if it would be possible to eliminate the need for an emergency vehicle to do a k-turn. Mr. Silva says it could be possible but would eliminate some screening from an existing structure. The applicants and the Board discuss safety turnarounds.

Vice Chair Tosh makes a motion to continue 2019-003/SPR, Tradesmen's Park South, 298 Route 6 to April 3rd with a site visit March 26th at 2:00 pm. Member Herridge seconds. So voted, 7-0-0. Motion carries.

2. Continued Public Hearing

SPR Kristen Roberts for Roberts Family Property LLC

Applicant seeks approval of a Commercial Development Site Plan pursuant to Section 70.3 of the Truro Zoning Bylaw to construct a new storage building of 3,712 square feet on existing raw land parcel of 40,135 square feet and agricultural planting of farm winery business. The property is located at 9 Shore Road, Atlas Map 39, Parcel 137.

Kristen Roberts, owner of 9 Shore Road and Stewart Parsons, architect come forward. Ms. Roberts gives a brief history of working with the Board.

Member Riemer points out that the proposed structure is 3,712 square feet within a residential zone and the Town currently has a limit of 1 acre on 3,660 square feet residential structures. The parcel is listed at less than 1 acre and Mr. Riemer wishes to note the size and bulk of the structure in question. He also sees that it would be important to include in any conditions that the building remains unoccupied, something that Ms. Roberts agrees with.

Chair Sollog appreciates the bringing of the size of the structure up and says that the intended use of the structure on the farm will take it out of a lot of the bylaws regarding residential zones. Ms. Roberts states that she's always willing to work with neighbors and residents on any concerns especially involving size.

Member Kiernan wishes to see the conditions set forth by the Cape Cod Commission to be extended across the street, especially if planting is to be done there. He would also like a condition that the public shall not park in the spots designated as employee parking in the intended overflow spots to be added with the new structure.

Member Riemer gives a quick review of the findings of the Cape Cod Commission. He also asks about fire suppression on the site and Mr. Parsons explains.

The Board and applicant discuss trees to be planted along Shore Rd to hide the structure from view.

Chair Sollog asks if anyone in the audience has anything to add about this particular project. No one comes forward.

The Board discusses irrigation. Ms. Roberts says they can use Town water. The Board thinks working on the timeline for planting next would be helpful and Ms. Roberts agrees.

The Board wishes to review conditions. Town Planner Steve Parker says DPW has endorsed the drainage as submitted.

Mr. Parker reads out the conditions. The first is that the building remain unoccupied. The second is the testing of the water yearly. The third is that the Cape Cod Commission findings be incorporated into this decision. The fourth is no public parking on the site. The fifth is the Leyland cypress buffer along Shore Rd.

Member Kiernan would like to add prior to any expansion or change of use or prior to new construction on the site that the applicants return to the Planning Board for a modification of the site plan review. Mr. Parker says that could be added and it is already standard in Truro's bylaw.

Member Kiernan makes a motion to accept the conditions and waivers. Member Herridge seconds, So voted, 7-0-0. Motion carries.

Member Kiernan makes a motion to approve the site plan with conditions. Member Boleyn seconds. So voted, 7-0-0. Motion carries.

3. Public Hearing

Pursuant to G.L. c.40A, to consider an amendment to the Zoning Bylaws, Section 40.2. The proposed changes include removing the Planning Board as the Permit Granting Authority.

Chris Lucy, Truro resident and member of the Zoning Board comes forward. He explains that the proposed changes would expedite the process for somebody to approach the Building Inspector with plans and obtain the permit directly from the Building Inspector if they deemed the plans satisfactory. Mr. Lucy wishes for an expedited process to also assist in more housing being developed in Truro. He says that he has not seen any letters come in in favor of this change, but that those in opposition have a lot of misinformation.

Chair Sollog thinks Mr. Lucy's argument has a lot of merit and in discussion with select Board Members has seen a desire to improve the ADU process. Mr. Sollog asks if anyone in the audience wishes to speak on the matter.

Bob Higgins of Whitmanville Rd comes forward. He's unclear as to why Mr. Lucy would like to see the Planning Board removed from the process.

Mr. Lucy reiterates that it is to expedite the process. He thinks that it's long and drawn out and if it is all taken care of in-house after going to the building inspector, it may encourage more people to go forward with the ADU process.

Richard Wood of 19 Andrew Way comes forward. He draws from his personal experience in business to make a case for eliminating repetition in a process to increase efficiency, as it relates to the ADU process.

Eric Parker of 2 Waterview Heights Rd comes forward. He references language in the proposed change that would seemingly ignore the opinions of abutters on ADU projects and he believes neighbors should always be considered in the process.

Vice Chair Tosh objects to Mr. Lucy being given time to respond as it is not the nature of the process and will turn the hearing into more of a debate.

Chair Sollog reads a letter of opposition to the proposed change. The author of the letter believes the changes are unnecessary and remove important protections for abutters. They believe the few ADUs that have come before the Board have been handled expeditiously.

Chair Sollog believes that other members of the Board and himself see areas where the ADU bylaw is lacking.

Susan Howe of 12 Houser Way comes forward. She has been attending Planning Board meetings for a while and been impressed with the way the Board has handled things. She believes it's also important that the Board be involved with the process to look at the ADU and improve it if possible. She also stresses the importance of what the neighbors think in the development of an ADU.

Clint Kershaw of 9 Highland Rd comes forward in support of the proposed changes. He says that there is a misconception that all of the regulations are removed if the Planning Board is removed from the process. He explains that there are already protections built into the codes to regulate construction of something like an ADU and that if all requirements are met, no input is needed from abutters. He believes that coming before the Planning Board is a long, expensive and frustrating process, simply by nature and not because of any members of the Board.

Art Hultin of Lawrence Way comes forward. He reads language from the bylaw that the permit decision is not appealable, which he doesn't believe is enforceable or makes sense. He cites this as an example of language that could be changed to improve the bylaw.

Will Golden of Blueberry Ln comes forward. He believes that the Board was appointed to do just this job and they should remain as part of the process.

Chair Sollog reads a letter from Cheryl Best of 13 Tryworks Rd. She believes upon reading the proposed changes that they eviscerate protections for neighbors and the environment, as well as cut the importance of Planning Board review out of the picture and concentrate approval of plans on one person. She believes that the petitioners do not want neighbors involved in decisions regarding new housing. Her letter states the importance of the Board in working with abutters. She also states the bylaw has only been in effect for 2 years which is not enough time to test its value or reasonableness.

Joan Holt comes forward. She's unhappy with the desire to speed up the process before the bylaw has tried to be constructively approved. She talks about how most people cannot afford to have a second residence built on their property and most people cannot afford to live here and work here. She thinks the proposed changes should be tabled because the ADU bylaw needs to be looked at first anyway and doesn't believe we should go speeding up the process to put more housing in Truro as we'll end up with more empty homes.

Deborah (last name inaudible) of 19 Stephens Way comes forward. She says she voted for the ADU because she understood the role of the Boards in Truro and thought some may come before the Planning Board because they might have been non-conforming and need their special situations to be understood.

Deborah Best-Parker of 2 Waterview Hgts. Rd comes forward. She says that for example if too many apartments were being built, the Board couldn't just "take it back" as had been suggested by Mr. Lucy. She is concerned about getting rid of the abutter's rights to voice concern about aesthetics. She believes the ADU bylaw may not be perfect, but at least addresses the needs of the community.

Chair Sollog reads a letter from Anne Greenbaum, Truro Resident. The letter from Ms. Greenbaum reads that ADUs had always been controversial because of the possibility of abuse; the current ADU process is transparent and public, allowing for more to be examined. The letter would prefer allowing the Planning Board to work out any problems in the current ADU bylaw, rather than remove them from the process.

Chair Sollog states that all letters submitted, regardless of if they were read tonight, will be submitted into the public record for review. The Board must provide a recommendation, but it will not do so this evening. It is likely the recommendations will be provided next meeting.

Member Herridge makes a motion to close the public hearing. Member Riemer seconds. So voted, 7-0-0. Motion carries.

4. Public Hearing

Pursuant to G.L. c.40A, to consider an amendment to the Zoning Bylaws, Section 30.8 C, Special Permits. The proposed amendment seeks to add language addressing the required findings of the Special Permit Granting Authority.

Vice Chair Tosh reads the proposed amendment to the bylaws.

Chair Sollog reads an explanation from the petitioners. The proposed changes intend to add rigorous structure to the system by which the Zoning Board of Appeals grants relief from existing bylaws. This is because the petitioners wish the ZBA to consider that bylaws are passed in the town with 2/3rds majority and residents expect them to be often enforced.

Chair Sollog reads a letter from Dan Holt, Truro resident. He is in support of the proposed changes as it would benefit applicants, abutters, and the town as a whole. Applicants would know precisely which objective standards their applications must meet. Abutters with legitimate concerns about construction projects on their neighbor's lots would benefit from knowing that the Board would give special and adequate attention to their concerns. Mr. Holt believes the proposed changes would change the perception of the approval process for the better and make it more transparent. Boards would also benefit from the concrete guidelines that could serve as a checklist during the process.

Susan Howe comes forward in favor of the proposed changes. She believes that these changes really take into account the interests of the abutters and neighbors. Ms. Howe thinks the bylaw would help the entire community as well as the Zoning Board of Appeals.

Deborah Best-Parker comes forward. She too is in favor of the amendment, believing that as people live closer together in Truro, the needs of abutters become more important.

Joan Holt comes forward in favor of the amended bylaw. She draws from her personal history in consulting her own neighbors and in dealing with the Zoning Board to show support for the importance of abutter's concerns about increasing non-conformity. Ms. Holt speaks to how the current Zoning Board often does not acknowledge the concerns of abutters.

Member Kiernan asks the Town Planner if the proposed change to the bylaw will require a 2/3rds vote. Mr. Parker says he believes so.

Chair Sollog says that several letters were received in response to these proposed changes and they too will all become part of the public record. Mr. Sollog reads a letter from Lucy Clark, town resident. She supports the proposed amendment. She says that final written decisions by the Zoning Board are often unclear. Ms. Clark references supporting Dan Holt's letter before closing.

Member Kiernan makes a motion to close the public hearing. Member Herridge seconds. So voted, 7-0-0. Motion carries.

The Board and the Town Planner discuss the scheduling of the next meeting. It is set for April 17th at 5:00 pm.

Member Boleyn makes a motion to end the meeting. Member Herridge seconds. So voted, 7-0-0. Motion carries

Respectfully submitted,



Paxton Green

