

**TOWN OF TRURO  
Planning Board  
MEETING MINUTES  
October 9, 2019  
TRURO TOWN HALL**

**Members Present:** Karen Tosh, Jack Riemer, Bruce Boleyn, Anne Greenbaum, Paul Kiernan

**Members Absent:** Chair Steve Sollog, Peter Herridge

**Others Present:** Interim Town Planner-Jessica Bardi, Cheri Mittenthal, Don Poole with Outermost Land Survey

Member Tosh called the meeting to order at 6:00 pm.

**Public Comment Period:** No public comments.

**Public Hearing**

**2019-005/PB Truro Center for the Arts at Castle Hill, Inc. seeks the modification of a Definitive Plan of Land for #3 Edgewood Way, Plan Book 662, Page 87, pursuant to G.L. c. 41, Section 81W and Section 2.5.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at #3 and #6 Edgewood Way, Truro MA, Map 51, Parcels 34 and 88.**

Don Poole and Cheri Mittenthal approached the Board. Mr. Poole reminded the Board that they had come before them approximately one month ago to discuss expunging a portion of a private way at Edgewood Way. There was a site visit yesterday where a Board member brought up if Castle Hill would agree to leave the existing turnarounds (of which there are currently three) unencumbered and Castle Hill does agree to that condition. They did receive a letter from the abutter, Mr. Kreuger, who addressed a concern with the lighting. Mr. Poole added that Castle Hill has downward facing lighting which was approved by the Historic Commission. They are asking that the Planning Board approve the expunging and modification of the way.

Member Tosh then read into the record the letter sent by Mr. Kreuger.

Member Tosh then announced that she would be recusing herself from deliberation, and, seeing as there were no citizens in the audience, also closed the Public Hearing. Member Tosh then left the room. Mr. Poole wanted the Board to know that the Board of Health gave a unanimous approval.

Member Riemer then began the deliberations and asked the Board members if they had any questions. Member Kiernan stated that in his opening statement, Mr. Poole asked that Castle Hill would certify that the existing turnarounds would remain unrestricted. Ms. Mittenthal stated "yes". Member Kiernan then said that if for any reason they should remove all three, there should be a condition that they will create another turnaround within the circle that's designated. He would also like to mention that the road is big enough so that the frontage for lot two remains in place so that it will be a legal building lot for future development. Mr. Poole stated that they do agree to that condition and would like to suggest that at the time of endorsement they submit a statement of condition with Planning Board approval that can be filed with the plan.

Member Riemer brought up an issue with streetlights being installed by Castle Hill be required to be "dark sky" as required by Town Regulations. He feels as if this is an issue in general which is important to members of the Town. He would like to address this to ensure it will be required of Castle Hill or not. Ms. Mittenthal stated the lighting has been installed already. Member Riemer would like this identified

as a potential issue inasmuch they cannot identify the number of lumens. Interim Town Planner Bardi suggests to the applicant that since there are only four voting members on the Board tonight, and they'll need all four members to approve the plan, they may wish to get a sense of their thoughts before the actual vote. Mr. Poole asks if the vote fails, the Planning Board would need to come up with reasons for the disapproval.

Member Kiernan does not see any problems. Member Greenbaum is fine with the proposal. Member Boleyn is okay with the proposal. Member Riemer does not have a problem with the proposal.

Member Greenbaum wished to respond to the concept of approving with the conditions regarding the turnarounds remaining unrestricted. She would vote in favor of that. Both members Kiernan and Boleyn agree. Member Riemer asked for a motion.

**Member Greenbaum made a motion in the matter of 2019-005/PB Truro Center for the Arts at Castle Hill, Inc. to approve with conditions the modification of a Definitive Plan of Land for #3 Edgewood Way pursuant to G.L. c. 41, Section 81W and Section 2.5.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at #3 and #6 Edgewood Way, Truro, MA, Map 51, Parcels 34 and 88. Conditions would be that the three existing turnarounds remain unrestricted.**

**Member Boleyn seconded.**

**So voted; 4-0-0, motion carries.**

Member Tosh rejoined the Board. She noted that the reason for her recusal is that she is a member of the Board at Castle Hill.

#### **Public Hearing**

**2019-006/PB Abigail B. Schirmer, Audrey Schirmer, and Joseph M. Schirmer seek approval of a Preliminary Definitive Subdivision Plan of Land, pursuant to G.L. c.41, Section 81S and Section 2.4 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at Route 6 and Amity Lane, Truro MA, Map 46, Parcel 8.**

Interim Planner Bardi stated that the applicant has asked for a continuance until their November 6<sup>th</sup> meeting. Given that it's a preliminary plan, the Board has a 45-day window to take some preliminary action on the plan. The preliminary plan was submitted to the Planning Board, as well as the Board of Health, and after reviewing the plan Health and Conservation Agent Beebe found that a coastal bank exists on the property. Health and Conservation Agent Beebe relayed her comments to the applicant's engineer who is now looking into this matter and will most likely submit a revised plan with delineated wetlands and will likely change the scope of the project. The applicant's engineer has signed an extension agreement for the Board to extend the time to act until the November 6<sup>th</sup> meeting. Interim Planner Bardi is asking that they sign this extension agreement in place of Chair Sollog.

**Member Greenbaum made a motion to accept the extension agreement and approve Member Tosh to sign.**

**Member Kiernan seconded.**

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

#### **Board Action/Review**

**T-Mobile Northeast LLC and Crown Castle LLC – Pre-application consultation in accordance with Section 40.5 of the Truro Zoning Bylaw for the proposed modification to an existing wireless communication facility located at 344 Route 6 in Truro, Massachusetts (Map 39, Parcel 172.A).**

**Review and vote on Applicants' request for waiver of Commercial Development Site Plan Review in accordance with Section 70.3 and Section 70.9 of the Truro Zoning Bylaw.**

Interim Town Planner Bardi let the Board know that the applicant has asked for a continuance. This wasn't a formal application, so it's not on for a Public Hearing. It was a pre-application requested by the applicant to consult the Board regarding modifications to the cell tower behind the Public Safety Facility. They also sought a waiver of Site Plan Review. Interim Planner Bardi has spoken with the applicant's attorney and was told that the client wanted a continuance. No specific date was given. There are no time deadlines and a vote by the Board is not necessary.

**Update on Past Work Sessions**

Interim Planner Bardi stated that some people have brought to her attention that the work-sessions are not recorded, and they would like to know the content. Member Greenbaum went over her notes of previous sessions;

- The Board has been going over parts of the Zoning Bylaws that need to be updated.
- There are new items which have arisen (definition of food trucks).
- They have been looking at the ADU Bylaw.
- Reviewing major issues to see whether the Planning Board wants to work with the Town to see if they want to act on; (clean fill, lot coverage)

**Update on Planning Board/Select Board ADU Ad Hoc Subcommittee**

Member Greenbaum is a member and gave the Board an update. The ADU Ad Hoc Subcommittee has two Planning Board members, herself and Member Riemer, and two members of the Select Board, Member Burgess and Member Reed. This group is to look at the ADU Bylaw and see if there are ways the bylaw or the process can be improved to work better for the Town as a whole. The first meeting was held last week. Their goal is to bring to both Boards, in December, a sense of how to move forward, if at all. Are there areas that they think the Town should look at changing in the Bylaw? Are there areas they've looked at that should not be changed and whether they should work on something to be brought to Town Meeting.

At their first meeting they discussed what they meant by "improving the Bylaw". Simpler, clearer and still protecting the Town, the environment, and the character and residents of the Town is the working draft definition. They started identifying any issue anyone had heard about the ADU Bylaw, and then prioritized those issues into high, medium, and low priorities to look at them, and get them addressed. High Priority were;

- Making the process easier
- Looking at the issue of Seashore Regulations and Town Regulations seemingly in conflict
- The fact that it's not appealable
- The question of whether or not the Board should be looking at if it conflicts with the homeowner's association covenant

They looked at the five ADU applications that have gone before the Planning Board to see what the process has been like (fast/slow). The most recent application was brought to the Board and approved at the same meeting, because that was the first application received after they decided to do their site visits before the first meeting. Two of the five applications were approved within a month of the first meeting. The two which took much longer were complex applications. One is inside the Seashore and the other involved two other Boards.

**Discussion for setting dates for future Board public workshops**  
A date of October 30, 2019 at 2:30 pm was agreed upon.

**Discussion and vote on 2020 Hearing Schedule**

**Member Tosh made a motion to approve the 2020 Hearing Schedule.**  
**Member Greenbaum seconded.**  
**So voted; 5-0-0, motion carries.**

**Member Greenbaum made a motion to adjourn at 6:33 pm.**  
**Member Kiernan seconded.**  
**So voted; 5-0-0, motion carries.**

**Respectfully Submitted,**  
**Noelle L. Scoullar**

