

**TOWN OF TRURO
PLANNING BOARD**
Meeting Minutes
May 20, 2020 – 6:00 pm
REMOTE MEETING

Members Present (Quorum): Anne Greenbaum (Chair); Karen Tosh (Vice Chair); Jack Riemer (Clerk); R. Bruce Boleyn; Peter Herridge; Paul Kiernan; Steve Sollog

Members Absent: None

Other Participants: Jeffrey Ribeiro, AICP – Truro Town Planner

Remote meeting convened at 6:00 pm, Wednesday, May 20, 2020 by Chair Greenbaum. Town Planner, Jeffrey Ribeiro, reiterated that this is a remote meeting which is being broadcast live on Truro TV Channel 18 and is being recorded. He gave the details of where to watch this meeting, how to access it, and to provide comment during the meeting by calling toll free (877) 309-2073 and entering the access code 843-216-029. The telephone number and access code were repeated, and he noted that a slight delay of 15 to 30 seconds between the meeting and the live stream television broadcast might be experienced. He also noted that if you are calling in to please lower the volume on your computer or television during public comments so they may be heard clearly and to also identify yourself so multiple calls can be managed effectively. Citizens may provide public comment for this meeting by emailing jribeiro@truro-ma.gov with your comments. The emails are being checked live during the meeting, so this is another way to contact us.

Chair Greenbaum took a roll call of members.

Public Comment Period

Public comment, for things not on the Agenda, the callers on the line stated no.

Public Hearing – Continued

Chair Greenbaum read case **2019-006/PB – Abigail B. Schirmer, Audrey Schirmer, and Joseph M. Schirmer** seek approval of a Preliminary Subdivision Plan of Land, pursuant to G.L. c. 41, §81S and §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. Chair Greenbaum stated that this is procedural only and is being continued to June 3. Member Kiernan moved to continue this hearing to June 3, 2020. Member Herridge seconded. Chair Greenbaum asked if there was any discussion; there was none. Voted all in favor by roll call vote, Member Boleyn absent for the vote. So voted: 6-0-1.

Chair Greenbaum read case **2020-001/PB – Nathan A. Nickerson III** seeks approval of a Definitive Subdivision Plan of Land, pursuant to G.L. c. 41, §81T and §2.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at 4-H Bay View Road and 3 Laura's Way, Truro, MA, Map 39, Parcels 77 and 325. Chair Greenbaum stated that this is procedural only and asked for a motion to continue to June 3. Member Kiernan moved to continue this hearing to June 3, 2020. Member Herridge seconded. Chair Greenbaum asked if there was any discussion; there was none. Voted all in favor by roll call vote, Member Boleyn absent for the vote. So voted: 6-0-1.

Board Action/Review

Temporary Sign Permit – Sustainable Cape. Chair Greenbaum read the details on the application and asked Caller #1, Francie Randolph, how the Farmer's Market was going to be handled this year. Ms. Randolph stated that they had been on weekly calls with the Commissioner of Agriculture for the State of Massachusetts, as well as others, to determine the safest way to handle farmer's markets. They have new software that will enable people to pre-order for pick up. Social distancing will be enforced, there will be a separate entrance and exit, and perimeter adherence to State regulations for social gatherings will be clear. Parking issues have been brought to her attention which will be addressed as that may impact the location of the Farmer's Market. Ms. Randolph believes, as the only place in the Town of Truro accepting SNAP (food stamp cards), that it is vitally important that the market be held. Chair Greenbaum asked if the Board had any questions. Member Kiernan asked if masks would be required and if there would be a food truck. Ms. Randolph replied that masks would be required, but at this time it is unknown if food trucks would be at, or near, the market. If so, they would only be allowed to provide boxed food to go. There will be no consuming of food or drink on the field and no lingering permitted. Chair Greenbaum asked for a motion. Member Kiernan moved to approve the sign. Member Herridge seconded. Chair Greenbaum asked if there was any further discussion; there was none. Voted all in favor by roll call vote. So voted: 7-0-0.

Temporary Sign Permits – Graduation Banner. Chair Greenbaum asked if the Board had any questions of Caller #2, Margaret Neylon; there were none. Chair Greenbaum asked for a motion. Member Kiernan brought up a prior comment from Member Tosh regarding possibly refunding the cost of the permit as this graduating class has gone through enough, which other Members agreed with. Town Planner Ribeiro stated he would look into that. Member Kiernan moved to approve the sign. Member Boleyn seconded. Voted all in favor by roll call vote. So voted: 7-0-0.

The next Agenda item, revised forms, was updated by Town Planner Ribeiro. He stated that all the forms are being reviewed to incorporate prior comments from the Board, in particular the form language pertaining to the ability to rescind Decisions that aren't properly executed. These forms should be ready by next meeting.

Regarding Tradesmen's Park South project, Town Planner Ribeiro stated he did a site visit and that the project is largely completed with the exception of the second building. The project has been completed closely to plan; the first phase of the project has been completed. In consultation with the Building Commissioner, they are set to receive an Occupancy Permit for that first building and they plan to move forward with the second building at the beginning of the Fall. Chair

Greenbaum reiterated that there is no action required of the Board, that this is just an update for them. Member Kiernan asked Town Planner Ribeiro if this was done with one or two building permits. Town Planner Ribeiro believes this was done with two separate building permits. The monitoring well was brought up at the last meeting, and this has been installed. Member Kiernan stated he did his own site visit, and noticed a few minor differences, but he fully endorses what is being done.

Chair Greenbaum asked Town Planner Ribeiro for an update on the Cloverleaf. As stated last time, we are still waiting for new plans from the applicant. We are going to be continuing the next hearing; we are continually reassessing moving this hearing forward. Chair Greenbaum asked, for clarification, if the response waiting for from the developer is for the revised I/A system because of the peer review to which Town Planner Ribeiro replied yes. There are a couple of other things, and they are modifying the plans to accommodate those concerns. Member Kiernan thanked Town Planner Ribeiro for getting the Board a copy of the feasibility report as that information clears up a lot of things; Member Herridge agreed.

The next Agenda item was discussion of potential changes to the Zoning Bylaws and definition of “street”. Town Planner Ribeiro included in the Board’s packet a copy of Truro’s, and a few other towns, definition of street. Town Planner Ribeiro stated that these documents were meant to just start the conversation. He does not believe it is clear what qualifies as a street. Chair Greenbaum stated that the Board should schedule a work session since Town Meeting is postponed until the Fall and asked for concepts on addressing this. Member Tosh believes the definition of street is one of the only things that keeps Truro from being overrun with growth and would not support the concept that it needs to be relaxed or vague; she does not support changing it. Member Herridge and Member Sollog also agreed. Member Kiernan gave a history of proposed street definition changes going to Town Meeting. Member Herridge pointed out possible litigation issues and also powerful and aggressive special interests that will be behind a change. Town Planner Ribeiro commented that there are also other tools to be used and language in the Zoning Bylaws that could be effectively used. Member Sollog suggested this conversation be continued at a work session so things can be clearly discussed. Chair Greenbaum suggested Town Planner Ribeiro research and gather other tools that can be used. Town Planner Ribeiro will put together a matrix that can be used as a starting point for what they want to see in Truro and, at the request of Chair Greenbaum, also include more clarification on the issues using the current language. Member Herridge suggested grandfathering rather than changing requirements going forward.

Chair Greenbaum noted that the next Agenda item was an update on the postponement of Town elections and Town/staff/Board operations. Town Planner Ribeiro included in the Board’s packet an update and opinion from KP Law regarding elections. Town Planner Ribeiro summarized the content. One Board concern was the ability of members who are up for reelection to continue to serve – it is very clear that they will continue to be an active member of the Board. KP Law will be providing some guidance in reference to the reopening Plan from the Governor, and Town Hall has been planning as well. Virtual formats moving forward and continuing to reassess. Chair Greenbaum stated that the election is scheduled for June 30 with early voting.

Discussion of setting a work session date – the week of June 8. Wednesday morning, June 10, at 10:30 am was decided.

Approval of Minutes

November 6, 2019 – Chair Greenbaum asked if anyone had any corrections to these minutes. Hearing no changes offered, Chair Greenbaum stated that she had a correction on page 4: replace heading language “Discussion for setting dates for future Board public workshops” with “Discussion of Cloverleaf”. Chair Greenbaum asked for a motion to accept the minutes with that change. Member Sollog moved to approved as amended. Member Boleyn seconded. No further discussion. Chair Greenbaum asked for a roll call vote. Voted all in favor. So voted: 7-0-0.

December 4, 2019 – Chair Greenbaum asked if anyone had any corrections to these minutes. Member Herridge stated that, in the Cloverleaf criteria for eligibility discussion, he was misquoted in a few places where reference to \$30,000 was made incorrectly. It should be 30% of median county income or less, not \$30,000. Member Kiernan asked Chair Greenbaum if these minutes could be moved to another meeting. Member Riemer stated that a correction was needed on page 4: replace language “40B2” with “40B”. Member Kiernan stated that on page 5 where he was quoted regarding rental income is unclear. Chair Greenbaum asked Member Kiernan to review the video for clarification, and he agreed. Chair Greenbaum stated that these minutes would be deferred until next time. Town Planner Ribeiro stated that these corrections would be reviewed.

December 18, 2019 – Chair Greenbaum asked if anyone had any corrections to these minutes. Member Riemer stated that a correction was needed on page 3: replace language “well water separators” with “oil water separators”. Member Kiernan stated that corrections were needed on pages 2 and 3: replace spelling “Stow” with “Stowe”. Member Kiernan moved to approved as amended. Member Herridge seconded. No further discussion. Chair Greenbaum asked for a roll call vote. Voted all in favor. So voted: 7-0-0.

January 8, 2020 – Chair Greenbaum asked if anyone had any corrections to these minutes. Member Riemer stated that corrections were needed on pages 2 and 3: replace spelling “Reimer” with “Riemer”. Member Boleyn moved to approved as amended. Member Herridge seconded. No further discussion. Chair Greenbaum asked for a roll call vote. Voted all in favor; Member Kiernan abstained. So voted: 6-0-1.

January 22, 2020 – Chair Greenbaum asked if anyone had any corrections to these minutes. Hearing no changes offered, Chair Greenbaum stated that she had a correction on page 8: replace language “ensure the Planning Board is always last” with “ensure the Planning Board is not always last”. Chair Greenbaum asked for a motion to accept the minutes with that change. Member Boleyn moved to approved as amended. Member Herridge seconded. No further discussion. Chair Greenbaum asked for a roll call vote. Voted all in favor. So voted: 7-0-0.

Chair Greenbaum stated that the next Board meeting is June 3, 2020. Town Planner Ribeiro suggested the Board choose minutes for review at that meeting. Chosen were: December 4, 2019 (per above deferral); July 11, 2018; February 5, 2020; February 12, 2020; February 19, 2020; February 26, 2020; March 4, 2020.

Chair Greenbaum then asked Town Planner Ribeiro what else could they expect on the next agenda, June 3. The forms can be reviewed then. There is a chance an administrative action for a Site Plan Review Waiver Request (does not require a public hearing) from the Avenue D wine bar

might be reviewed, if received. Member Kiernan asked what the waiver was for and if abutters would be notified. Town Planner Ribeiro stated that it might be to use the back deck, which was limited in the last Planning Board review, but because of COVID the idea of outdoor seating might be safer. However, outdoor seating might be more impactful than indoor seating, so a thorough discussion should take place and include whether this request should be a Site Plan Review which would notify abutters. The expectation is that the Nickerson and Schirmer applications will be continued as well.

Chair Greenbaum asked if there were any other items for discussion but there were none. Chair Greenbaum then asked if she could have a motion to adjourn. Motion made by Member Boleyn with a second by Member Riemer. No further discussion. Chair Greenbaum asked for a roll call vote. Voted all in favor; Members Sollog and Herridge absent for the vote. So voted: 5-0-2.

Meeting adjourned.

Respectfully submitted,



Elizabeth Sturdy

