



## TOWN OF TRURO

### PLANNING BOARD

#### Meeting Minutes

November 17, 2021 – 5:00 pm

#### REMOTE PLANNING BOARD MEETING

TOWN OF TRURO  
12:56 pm

MAR 24 2022

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**Members Present (Quorum):** Anne Greenbaum (Chair); Steve Sollog (Vice Chair); Jack Riemer (Clerk); Ellery Althaus, Paul Kiernan; R. Bruce Boleyn; Rich Roberts

**Members Absent:**

**Other Participants:** Barbara Carboni – Town Planner/Land Use Counsel; Donald Poole – Surveyor at Outermost Land Survey for V. Henry Rothschild III et al (Applicant); Sally Madsen; Peter Madsen

Remote meeting convened at 5:00 pm, Wednesday, November 17, 2021, by Chair Greenbaum who announced that this was a remote meeting which is being broadcast live on Truro TV Channel 18 and is being recorded. Town Planner and Counsel Carboni also provided information as to how the public may call into the meeting or provide written comment. Board Members introduced themselves.

**Public Comment Period**

Public comment, for things not on the agenda, was opened by Chair Greenbaum. There were no members of the public to offer comment.

**Temporary Sign Permit Application**

Chair Greenbaum opened the discussion of **Andrew Locke – Hillside Farm's** requesting one (1) sign, 4' x 6', to be located at 300 Route 6, Truro, MA. The sign will be installed on November 5<sup>th</sup> and removed November 25<sup>th</sup>. Town Planner/Land Use Counsel Carboni announced that the Applicant was given incorrect information by a staff member at Town Hall, so the Applicant is not present tonight and his application was incomplete at no fault of the Applicant. Town Planner/Land Use Counsel Carboni presented the application which was a temporary sign for a holiday market but didn't include a picture or design of the temporary sign. Town Planner/Land Use Counsel Carboni stated that she didn't want to disadvantage the applicant she gave permission for the sign to go up. Member Kiernan didn't object to the temporary sign, but he wanted it to conform to the Bylaw it couldn't exceed 20' square feet. Member Riemer then asked if the sign was one-sided or two-sided as if it were two-sided, it could double the limit and Town Planner/Land Use Counsel Carboni opined that she did not agree with that interpretation. Member Roberts commented that the Board should not approve for a sign that was not seen by the Board. Member Riemer read the Bylaw and Town Planner/Land Use Counsel Carboni reiterated that she didn't interpret the Bylaw as applicable for a temporary sign. Member Althaus commented that he agreed with Town Planner/Land Use Counsel Carboni. Member Riemer asked if Members should consider if the sign posed a safety issue for the public and Town Planner/Land Use Counsel Carboni responded that if it was a safety issue the Board, or she, would have received a notification from either the Truro police chief or fire chief. Member Riemer suggested that perhaps a

police officer or fireman drive by and determine if it is a safety issue. Chair Greenbaum was not in favor of this suggestion and Member Althaus commented that he drove by the location earlier today and it didn't appear to be more disruptive than the other signage in the area. Member Kiernan added that this situation should be avoided in the future so the Town Hall staff should know the correct procedure. Member Kiernan further stated that any safety issues should be raised before an application for a temporary sign is considered by the Board.

**Member Kiernan made a motion to approve the temporary sign located at 300 Route 6, Truro, MA. Member Boleyn seconded the motion.  
So voted, 5-1-1 motion carries.**

### **Public Hearing**

**2021-006/PB – V. Henry Rothschild III et al** seek approval of Form A – Application for Determination that Plan Does Not Require Approval (ANR) pursuant to Section 2.2 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at 105 Castle Road, Truro, MA, Map 46/Parcel 1, Land Court Certificate of Title No. 196125 registered in Barnstable County. When asked if any member of the public would like to comment on this matter, Ms. Sally Madsen identified herself and said she wanted to hear the hearing but had no comment. Mr. Peter Madsen identified himself as Ms. Madsen's father and offered no other comment. Chair Greenbaum gave Mr. Poole the opportunity to present on behalf of the Applicant. Mr. Poole said that the four lots in this matter are conforming and have sufficient frontage along Castle Road. Mr. Poole noted that the structure on Lot #25 was the 1893 South Pamet Lifesaving station and the Applicant's grandmother moved this structure to the property in 1935. It is the family's desire to preserve the structure and maybe sell a lot or two according to Mr. Poole who then asked the ZBA to endorse the ANR.

Chair Greenbaum asked Town Planner/Land Use Counsel Carboni if she had any questions, and she did not. Member Kiernan said that he went to the property earlier today and saw Mr. Poole at the property. Member Kiernan asked what the structure was on Lot #27 and Mr. Poole said that it was dilapidated shed and would be removed. Member Kiernan noted that there was another dilapidated building on Lot #26 that was falling in. Member Riemer noted that he reviewed Section 2.2's checklist submitted by the Applicant noted that the checklist was partially completed. Mr. Riemer asked Mr. Poole why the checklist was incomplete naming the owner of the way nor the condition of the way. Mr. Poole replied that it was a town road and didn't think it applied. Chair Greenbaum responded that the checklist came from the Bylaw and the information was required to make the application complete. Town Planner/Land Use Counsel Carboni opined that she was comfortable with absence of the listed owner of the way or the condition of the way. Member Roberts commented that the Locus Plan should include the five ways which are in the area to give a more complete picture of the neighborhood. Member Kiernan commented that he agreed with Member Riemer and that Mr. Poole should be able to adhere to the requirements of the Bylaw. Member Althaus commented that it is a simple Bylaw to follow and because Castle Road is a town road, he didn't feel it was necessary for the Applicant to return to the Planning Board a second time. Chair Greenbaum asked if conditions could be established for approval and Town Planner/Land Use Counsel Carboni said that they could. Chair Greenbaum noted that Members would like for the Applicant to provide the information for the setbacks to all lot lines for the buildings remaining on Lot #25, the requested information for the very dilapidated shed on Lot #27 to be removed, listing the requested information on the street listed in D(6) of the application. Member Riemer then asked if a concrete tennis court with a 10' chain link fence is considered a structure. Town Planner/Land Use Counsel Carboni didn't want to opine without consultation with Building

Commissioner Rich Stevens. Mr. Poole said that he would reach out to the Applicant's attorney and note the tennis court appropriately and he felt that it would likely be removed from the property. Member Riemer asked about the timeline and the enforcement of the removal of structures and Town Planner/Land Use Counsel Carboni said that the Planning Board does not have the compliance enforcement authority to determine enforcement for an ANR Plan, but it does for a Site Plan. Chair Greenbaum asked if Members wanted the setbacks for structures to be removed to be included in the application. Member Roberts said that was not necessary and Vice Chair Sollog concurred.

**Member Kiernan made a motion to approve the ANR in the matter of 2021-06/PB with the following conditions: the name of the way and owner of the way to include condition, surface, and dimensions of the way, list the setbacks to the lot lines for all remaining structures identified not to be demolished, and identify the third structure on Lot #27 to be removed.**

**Member Roberts seconded the motion.**

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

Chair Greenbaum announced the approval of the ANR, and Mr. Poole thanked the Members before he departed the hearing.

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

Chair Greenbaum then asked for a brief Planner Report from Town Planner/Land Use Counsel Carboni.

Town Planner/Land Use Counsel Carboni announced that a Member told her that the Town of Brewster had passed at town meeting a set of storm water regulations. Town Planner/Land Use Counsel Carboni noted that this was a topic of interest to the Planning Board so she printed out a copy of the Brewster town warrant and can distribute to Members along with a related newspaper article. Chair Greenbaum asked her to send the information to Member Kiernan.

Town Planner/Land Use Counsel Carboni said that the Applicant in the Horton's ANR has filed with the Cape Cod Commission (CCC) an application for an exemption from DRI review. Town Planner/Land Use Counsel Carboni cited the process for this consideration to include a 14-day review by the CCC to determine the completeness of the application followed by a 45-day period to schedule a hearing from the day that the application was deemed complete. Chair Greenbaum noted that that this process would likely take until mid-January 2022. Member Kiernan asked if the Planning Board would be notified, and Town Planner/Land Use Counsel Carboni replied in the affirmative.

Member Riemer commented that to be in synch with Truro's 2022 Objectives adopted by the Select Board, the Select Board's Vice Chair had identified a site, "C5", as a potential public water supply location at the most recent Select Board meeting. Member Riemer noted that the Planning Board would need this information moving forward and asked Town Planner/Land Use Counsel Carboni to obtain the specific location.

Member Riemer then noted that under Truro's 2022 Objective #20, the relocation of the Department of Public Works (DPW), that the town had spent \$50,000 so far on the project and it would be helpful for an update.

Member Riemer then said that Objective #21 of the Town's 2022 Objectives was to create a Cultural District in Truro and he would like to know what it is and how the Planning Board could support it.

Chair Greenbaum thanked Member Riemer for his comments and noted that the time was now 6 PM so there may be an adjustment of the agenda.

Chair Greenbaum then led the discussion on potential bylaws for the Annual Town Meeting (ATM) for 2022. Chair Greenbaum asked Members Kiernan and Althaus if there was any progress with the definition of "**lot coverage**". Member Kiernan reported that there had been an exchange as recently as today and that they do have some ideas. Chair Greenbaum noted that at the next meeting the Members will discuss the definition of a "**street**" and she will add the discussion of lot coverage on the agenda as well.

Chair Greenbaum opened the discussion on the draft Planning Board perspective for the LCPC. Town Planner/Land Use Counsel Carboni stated that the next meeting for the LCPC was scheduled for this Monday. Town Planner/Land Use Counsel Carboni commented that the next meeting would be a month away. Chair Greenbaum asked Members if they had received and reviewed the 11/14/21 draft perspective from Truro Office Assistant Sturdy and there were no replies so Chair Greenbaum stated that any feedback is due to her by Thanksgiving so the Members may vote on it at the December 1, 2021 Planning Board meeting.

Chair Greenbaum opened the discussion on Planning Board minutes. Chair Greenbaum commented that Vice Chair Sollog's minutes for the LCPC were the standard to emulate. Town Planner/Land Use Counsel Carboni emphasized the importance of adherence to Massachusetts' Open Meeting Law. Town Planner/Land Use Counsel Carboni added that the Attorney General of Massachusetts has opined that the responsibility of Board meeting minutes falls upon the Members and a Town's staffing shortage is not a sufficient excuse. Town Planner/Land Use Counsel Carboni further stated that minutes should be succinct and timely. Chair Greenbaum will email two meetings for which there are no minutes to each Member to write and submit for approval over the next couple of weeks. Town Planner/Land Use Counsel Carboni added that minutes can be approved in a separate meeting with only a quorum of Members present.

Chair Greenbaum announced that the next meeting would be Wednesday, December 1, 2021.

**Member Boleyn made a motion to adjourn at 6:27 pm.**

**Vice Chair Sollog seconded the motion.**

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

Respectfully submitted,



Alexander O. Powers  
Board/Committee/Commission Support Staff



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