

TRURO PLANNING BOARD
Meeting Minutes - Truro Town Hall
January 6, 2015 - 6:00 pm

Members Present: Leo Childs, Bruce Boleyn, Chris Lucy, Michael Roderick, Steve Sollog, William Worthington and Lisa Maria Tobia

Other Present: Charleen Greenhalgh ATA/Planner and Regan McCarthy

Mr. Childs opened the meeting at 6:04pm

2014-004PB Sprint Spectrum, L.P. (CCATT LLC), Special Permit, 344 Route 6

Mr. Childs explained that this was a continuation from the November 18, 2014 and December 17, 2014 meetings. The hearing was continued to this evening; however the applicant has requested a continuance to February 17, 2015. On a motion from Mr. Worthington, seconded by Mr. Boleyn the hearing was unanimously voted to continue the hearing to February 17, 2015.

Continued Planning Board Discussion on Definition of Street and Frontage

Mr. Childs thanked Mr. Worthington for his work on the document and Mrs. Greenhalgh for her work editing the document.

Street

A private or public way by which vehicles and pedestrians can safely gain access to and egress from homes, places of business and other locations For the purposes bylaw, the terms "street", "road" and "way" bear the same meaning.

Section 30.11 Streets, Roads and Frontage

- A. Purpose: It is the intent of this section to provide the minimum requirements for streets in Truro in order to qualify as safe and adequate for the purposes of obtaining a building permit from the Building Commissioner on an existing private road.*
- B. Applicability: Streets are assumed to qualify as safe and adequate and can be developed by right provided it meet the following, it is;*
 - 1. a public way which the Town Clerk certifies are maintained and used as a public way; or,*
 - 2. a way that have been approved, endorsed and constructed in accordance with the subdivision control law; or*
 - 3. a way that was in existence on December 8, 1955 and meets the following minimum criteria:*

<i>Number of lots on Road</i>	<i>1 - 5</i>	<i>6 – 10</i>	<i>11 – 20</i>	<i>21 or more</i>
<i>Minimum Roadway Width</i>	<i>10 feet, plus 2 feet shoulders</i>	<i>14 feet</i>	<i>16 feet</i>	<i>18 feet</i>
<i>Maximum Allowable Grade</i>	<i>12 %</i>	<i>10 %</i>	<i>8 %</i>	<i>8 %</i>

For ways which do not meet these minimum requirements, the Planning Board, after consultation with the Police and Fire Chiefs, shall make a determination as to whether said road provides safe and adequate access.

At Mr. Worthington's suggestion, Mrs. Greenhalgh forwarded the draft to Russ Braun, Building Commissioner, who has provided comments, which were distributed to the Board members. One of the items questioned was the requirement for shoulders. Mr. Lucy suggested that the shoulder issue will be the case for many roads and what is being presented are minimum standards. Mr. Boleyn suggested that the

purpose of the 14' width is for the emergency vehicles. There will be certain instances that cannot be regulated and will have to be reviewed and a determination made by some entity to be determined. Mr. Childs was appreciative of the language in the last paragraph which provided that task to the Planning Board. Mr. Lucy suggested deleting the last portion of the sentence in Section 30.11.A. It was the consensus of the Board to delete this language.

- A. Purpose: It is the intent of this section to provide the minimum requirements for streets in Truro in order to qualify as safe and adequate for the purposes of obtaining a building permit from the Building Commissioner ~~on an existing private road.~~*

There was a discussion about the language under the table regarding 10 feet and the 2 foot shoulders. Why the need for the 2' shoulders? Ms. McCarthy spoke to the 2' shoulders. She suggested simpler language that mirrors the Public Safety Bylaw, which states 8' width with 3 foot clearance on each side. This would avoid the need for the definition of shoulders? She discussed a concern with historic and ancient roads and whether these are covered in the existing subdivision regulations and how these would be addressed. Ms. Tobia asked where the Board stood on the 8' vs. 10'. Mr. Childs explained that these are minimum standards which serve as requirements for determining if a road is safe and adequate for public safety vehicles. The final paragraph provides the Planning Board with the ability to make a determination. Ms. Tobia suggested the 8' with 3 feet clearing on both side. There was consensus of the Board to make this change.

Mr. Lucy had a couple of word-smithing items and suggestions to subsection B. Ms. McCarthy raised concerns about proprietor's roads and where they fit, 1, 2 or 3 under subsection B. She wants to be sure that they are covered. These types of roads would fall under item 3. It was the consensus of the Board that this be forwarded to Town Counsel for review and opinion. The definition of Street is to remain the same, while the proposed Section 30.11 would read as follows:

Section 30.11 Streets and Frontage

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- B. Applicability: A Street is assumed to qualify as safe and adequate and can be developed by right provided the following is met;*
- 1. a public way which the Town Clerk certifies is maintained and used as a public way; or,*
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 - 3. a way that was in existence on December 8, 1955 and meets the following minimum criteria:*

<i>Number of lots on Road</i>	<i>1 - 5</i>	<i>6 – 10</i>	<i>11 – 20</i>	<i>21 or more</i>
<i>Minimum Roadway Width</i>	<i>8 feet, plus 3 feet clearance on both sides</i>	<i>14 feet</i>	<i>16 feet</i>	<i>18 feet</i>
<i>Maximum Allowable Grade</i>	<i>12 %</i>	<i>10 %</i>	<i>8 %</i>	<i>8 %</i>

For ways which do not meet these minimum requirements, the Planning Board, after consultation with the Police and Fire Chiefs, shall make a determination as to whether said road provides safe and adequate access.

This will be discussed further at the Jan. 20th meeting following Town Counsel's Review

Continued Review and Discussion of Agriculture related Definitions and Uses

Mrs. Greenhalgh apologized to the Board. With the holidays she forgot to notify David Dewitt from the Agricultural Commission about tonight's meeting. The discussion will be continued.

Review and Vote on Zoning Amendments to send to Board of Selectmen

Mr. Childs reviewed the minor changes that the Board reviewed back in October. Each item is a house-keeping item. Mr. Worthington moved that the first article be forwarded to the Board of Selectmen to begin the public hearing process. This was seconded by Mr. Boleyn, so voted unanimously 7-0-0.

Mr. Worthington noted that there is a typo in the second article; the Note should be "6", not 4. Mr. Worthington moved that articles 2 and 3 be forwarded to the Board of Selectmen to begin the public hearing processes. This was seconded by Mr. Boleyn, so voted unanimously 7-0-0. The proposed amendments are as follows:

Article ____: To see if the Town will vote to amend the Truro Zoning Bylaw, Section 30.2 Note 4, by deleting the existing language and replacing it with the following:

"4. Uses in this category are further subject to the special regulations set forth in §40.5 and the Planning Board shall serve as the Special Permit granting authority."

Article ____: To see if the Town will vote to amend the Truro Zoning Bylaw, Section 30.2 Note 6, by deleting the last portion of the final sentence:

"6. The Board of Appeals may approve activities which are necessary in connection with scientific research or scientific development or related production, and which are accessory to a permitted use, if the Board finds the proposed accessory use does not substantially derogate from the public good; ~~the proposed accessory use need not be located on the same parcel as the primary use.~~"

Article ____: To see if the Town will vote to amend the Truro Zoning Bylaw by deleting Section 50.1.H:

~~"H. Public accommodations shall not exceed two (2) habitable stories."~~

Ms. McCarthy asked when the Ag related items would be discussed. The Board intends to continue the discussion to January 20th; however if Mr. DeWitt cannot attend, it will not be on the agenda. She also asked if the Board was going to be bringing forth the definitions, etc. relative to industrial uses that was withdrawn at the last town meeting. The Board is working on these, but does not intend to bring anything forward for this next town meeting.

Review and Approve 2014 Annual Report

There were a couple of typos that were corrected. Mr. Boleyn moved to accept the report and to submit it for the annual town report. Seconded by Sollog, so voted unanimously. 7-0-0

Review and Approval of Meeting Minutes:

On a motion from Mr. Worthington, seconded by Mr. Lucy, the Board voted 6-0-1 (Mr. Roderick abstained) to approve the December 17, 2014 meeting minutes as amended.

In the packets was the spreadsheet for what the Board had reviewed this past year. Mrs. Greenhalgh informed the Board that the Board of Selectmen has been talking about a review of all fees. This will be brought back to the Planning Board at some point after the zoning items are done.

Ms. McCarthy spoke briefly to the Sprint Spectrum item. She noted that there was an existing report from the town done by Turning Mill and she thought it would be helpful for the Board to have. She will provide this to Charleen and she will distribute it to the Board members.

Adjourn at 7:00pm

Adjourned at pm

Respectfully Submitted,

Charleen L. Greenhalgh
ATA/Planner