TRURO PLANNING BOARD AGENDA
TUESDAY, August 4, 2015 - 6:00 pm
Truro Town Hall, 24 Town Hall Road, Truro

Site Plan Review – Public Hearing

6:00 pm 2015-005SPR Terrace Dunes Realty Trust, c/o Richard J. Waldo, P.E., seeks approval of an Commercial Development Application for Site Plan Review pursuant to §70.3 of the Truro Zoning By-law for the construction of an accessory building to house a manager's unit and a storage garage. The manager's unit would be relocated from the existing building. The property is located at 179 Shore Road, Atlas Map 21 Parcel 2.

Preliminary Subdivision

2015-005PB Nancy A. Dyer, seeks approval of a 1 Lot (including reconfiguration of the road) preliminary subdivision pursuant to MGL c.41, Section 81-S and Section 2.4 of the Town of Truro Rules and Regulations Governing the Subdivision of Land for property located at 4 Sam's Way, Assessors Map 24, Parcel 13. This is a continuation from July 21, 2015.

Interview of Applicants for Vacant Planning Board Member and Vote to Recommend

Richard Fishman

Temporary Sign Permits

Payomet Performing Arts Center, seek approval for two (2) Temporary Signs (May 15 – October 15) for various events in two locations (Route 6 at Noons Heights Road and Route 6 at South Highland Road) and for one (1) Temporary Directional Sign (Aug. 15 – Sept. 14) to be located at South Highland Road at Old Dewline Road.

Subdivision Plan Review and Discussion

Meldahl Realty Trust, Edgewood Road, request to discuss road access and adequacy of road construction.

Review and Discussion on Proposed Zoning Reform

Review, discussion and vote on whether to support Senate Bill No. 122 "An Act promoting the planning and development of sustainable communities" (aka Zoning Reform) and to send correspondence confirming said support. This is a continuation from July 21, 2015

Public Comment Period

The Commonwealth's Open Meeting Law limits any discussion by members of the Board of an issue raised to whether that issue should be placed on a future agenda.

Review and Approval of Meeting Minutes: July 21, 2015

Review and Approve 2016 Hearing/Meeting Schedule

Planning Board Members reports
ATA/Planner report
Next Agenda Items

Meeting Dates and *Other Important Dates*:

- August 18, 2015 – Regular Meeting
- September 8, 2015 – Regular Meeting
- September 22, 2015 – Regular Meeting
- October , 2015 – Regular Meeting

Adjourn

TOWN OF TRURO

Charleen L. Greenhalgh, ATA/Planner
P.O. Box 2030, Truro, MA 02666
Tel: (508) 349-7004, Ext. 27 Fax: (508) 349-5505
assttownadm@truro-ma.gov

To: Planning Board
From: Charleen Greenhalgh, ATA/Planner CLG
Date: July 28, 2015
Re: Commercial Development Site Plan Review - 2015-005SPR

Terrace Dunes Realty Trust, c/o Richard J. Waldo, P.E., seeks approval of an Commercial Development Application for Site Plan Review pursuant to §70.3 of the Truro Zoning By-law for the construction of an accessory building to house a manager's unit and a storage garage. The manager's unit would be relocated from the existing building. The property is located at 179 Shore Road, Atlas Map 21 Parcel 2.

The Planning Board will hold a public hearing on this matter on Tuesday, August 4, 2015 at 6:00 pm.

Description

The applicant seeks to relocate an existing manager's unit into a new accessory building that would also house a storage garage. The application and plans were filed on July 1, 2015. On July 10, 2015 I reviewed the application and plans and submitted a letter of review to Richard Waldo. Additional information, including a new set of plans, was filed on July 24, 2015. The information provided includes the following:

1. Application dated June 30, 2015 (received by the Town Clerk on July 1, 2015.)
2. Letter dated July 1, 2015 from Richard Rodricks, Trustee of Terrace Dunes Realty Trust.
3. Letter dated June 30, 2015 from Richard J. Waldo, P.E., Re: Waiver from Landscaping Plan.
4. Letter dated July 18, 2015 from Richard J. Waldo, P.E., Re: Site Plan Review Waivers.
5. Certified Plot Plan, Location: 179 Shore Rd., Truro, MA, prepared for Terrace Dunes Resort Condominium, Scale 1" = 50', Date May 1, 2015, stamped by Philip O. Scholomiti, Ryder & Wilcox.
6. Existing Site Plan, Located at 179 Shore Road, North Truro, MA, as prepared for Terrace Dunes Realty Trust, Scale 1" = 40', dated February, 2015, stamped by Richard J. Waldo, P.E. dated July 18, 2015, Sheet 1.
7. Proposed Site Plan, Located at 179 Shore Road, North Truro, MA, as prepared for Terrace Dunes Realty Trust, Scale 1" = 40', dated February, 2015, stamped by Richard J. Waldo, P.E. dated July 18, 2015, Sheet 2.
8. Managers Unit, 179 Shore Road, North Truro, MA, TMS Design, Scale ⅛"=1'-0", Dated April 15, 2015, Ground Floor (Garage) and Second Floor Plan, Sheet A1.
9. Managers Unit, 179 Shore Road, North Truro, MA, TMS Design, Scale ⅛"=1'-0", Dated April 15, 2015, North Elevation, East Elevation, South Elevation and West Elevation, Sheet A2.

Waivers: The following waivers have been requested, per the application. The explanations for the each request can be found on the July 18, 2015 letter from Mr. Waldo:

1) §70.3.b – Existing Condition Plan
2) §70.3.c.3 – Parking, Consistent with §30.9.
3) §70.3.c.12 – Lighting Degree of Illumination
4) §70.3.c.15 – Parking and Driveway Cross-sections
5) §70.3.f – Project Estimate
6) §70.3.F.9 – Soil Erosion Plan

Completeness of Application

There are a few minor items. Please see Additional Staff Comments below.

Comments from Other Boards/Committees/Departments

Health/Conservation: Please see attached memo from the Health/Conservation Agent, Patricia Pajaron dated July 23, 2015.

Building: Please see attached email from the Building Commissioner, Russ Braun dated 07/09/2015. In addition to this email, Mr. Braun also noted that "there are not two means of egress from the dwelling. In addition the one egress that you do have dumps into the garage. Might want to rethink this."

Police: Please note that on July 8, 2015, Chief Kyle Takakjian had no comments.

Additional Planning Staff Comments

1) This was advertised in the *Banner* on July 17, 2015 and July 24, 2015 and abutters were notified via regular mail on July 17, 2015.
2) On July 10, 2015, I reviewed the plans and application. At that time I forwarded a copy of my review to Mr. Waldo. Many of my questions/comments were addressed; however, several were not addressed and I share them with the Board as follows:
   a. §70.3.c.1 – Requires the identification of each building and its use(s). The new structure is labeled "Proposed Garage (1 Unit – 2 BR)." It should be labeled as "Proposed Garage/Manager's Unit (1 Unit – 2 BR)." In addition, nowhere on the plans or the application does it indicate what "use" will take the place of the existing manager's unit in the existing building.
   b. §70.3.c.3 – A waiver has been requested from the parking requirements. As far as I can tell, no waiver is needed as there is more than the required number of spaces shown for the existing and proposed uses. The parking as shown would be grandfathered.
   c. A detail for a wheel stop is shown on Sheet C2.4.2; however, it is not clear if these are intended for all parking spaces or just the HC spaces.
   d. §70.3.c.9 – Distances to nearest curb cuts (both side of the road) have not been provided.
   e. §70.3.c.12 – A waiver has been requested from the "Lighting Degree of Illumination." On the plan there is a note indicating three (3) street lamps; however, I can only locate two (2).
3) The Board should review §70.3.F – Review Criteria/Design Guidelines and §70.3.G Finding of the Planning Board, which are noted below.
4) Should the Board approve this request, it should be conditioned to the necessary relief being obtained from the Zoning Board of Appeals and items outlined in Ms. Pajaron's memo dated July 23, 2015.

Board Action

§70.3 Commercial Development (Subsections A, F and G are provided below):

A. Commercial Site Plan Review is required for:

1. *Any construction, alteration, expansion, or modification of any properties, structures, and uses other than that of single or two family residences and their accessory uses and structures.*
2. *All other projects specifically requiring site plan approval or review as stated in other sections of this Zoning Bylaw.*

F. Review Criteria/ Design Guidelines
The Planning Board will review applications and their supporting information based on the following:

1. *The proposal is in conformity with all applicable provisions of the Zoning Bylaw.*

2. *The proposal provides for the protection of abutting properties and the surrounding area from detrimental site characteristics and from adverse impact from excessive noise, dust, smoke, or vibration higher than levels previously experienced from permitted uses.*

3. *The proposal provides for the protection of adjacent properties and the night sky from intrusive lighting, including parking lot and building exterior lighting. Lighting must be consistent with Chapter IV, Section 6 of the General Bylaws of the Town of Truro.*

4. *The proposal provides for the protection of significant or important natural, historic, or scenic features.*

5. *The building sites shall minimize obstruction of scenic views from publicly accessible locations; minimize tree, vegetation, and soil removal and grade changes; and maximize open space retention.*

6. *The proposal adequately provides for refuse disposal.*

7. *The proposed sewage disposal and water supply systems within and adjacent to the site shall be adequate to serve the proposed use.*

8. *The proposed drainage system within the site shall be adequate to handle the runoff resulting from the development. Drainage run-off from the project shall not: damage any existing wellfield(s) or public water supply; damage adjoining property; overload, silt up or contaminate any marsh, swamp, bog, pond, stream, or other body of water; or interfere with the functioning of any vernal pool.*

9. *A soil erosion plan shall adequately protect all steep slopes within the site and control runoff to adjacent properties and streets both during and after construction.*

10. *The proposal shall provide for structural and/ or landscaped screening or buffers for storage areas, loading docks, dumpsters, rooftop or other exposed equipment, parking areas, utility buildings and similar features viewed from street frontages and residentially used or zoned premises.*

11. *Buildings and structures within the subject site shall relate harmoniously to each other in architectural style, site location, and building exits and entrances. Building scale, massing, materials, and detailing should be compatible with the surrounding area.*

12. *Electric, telephone, cable, and other such utility lines and equipment shall be placed underground.*

13. *The project shall not place excessive demands on Town services.*

14. *The location and number of curb cuts shall be minimized to reduce turning movements and hazardous exits and entrances. Where appropriate and allowable, access to adjoining properties shall be provided. Joint access driveways between adjoining properties shall be encouraged.*

15. *Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent and other ways serving the project shall be maximized. Traffic patterns for vehicles and pedestrians must show safe and adequate circulation within and access to and from the site.*

16. *A bicycle rack(s) shall be provided on the site and shall be located near the entrance to the building(s).*

G. Findings of the Planning Board
The concurring vote of four members of the Planning Board shall approve a Commercial Site Plan in the form submitted or with reasonable conditions, unless it finds that (a) the application for site plan approval is incomplete, or (b) the imposition of reasonable conditions will not ensure that the project will conform to the standards and criteria described herein, or (c) the project does not comply with the requirements of the Zoning By-law.

Board Vote Options

1. Move to approve the Application for Commercial Development Site Plan Review for **Terrace Dunes Realty Trust, c/o Richard J. Waldo, P.E.**, (Case #2015-005SPR) pursuant to §70.3 of the Truro Zoning By-law for the construction of an accessory building to house a manager's unit and a storage garage. The manager's unit would be relocated from the existing building. The property is located at 179 Shore Road, Atlas Map 21 Parcel 2. This is based on the fact that the review criteria/design guidelines in §70.3.F have been satisfied.

2. Approve the Application for Commercial Development Site Plan Review for **Terrace Dunes Realty Trust, c/o Richard J. Waldo, P.E.**, (Case #2015-005SPR) with conditions *(need to specify **reasonable** conditions)* pursuant to §70.3 of the Truro Zoning By-law for the construction of an accessory building to house a manager's unit and a storage garage. The manager's unit would be relocated from the existing building. The property is located at 179 Shore Road, Atlas Map 21 Parcel 2. This is based on the fact that with the imposed conditions, the review criteria/design guidelines in §70.3.F have been satisfied.

3. Move to not approve the Application for Commercial Development Site Plan Review for **Terrace Dunes Realty Trust, c/o Richard J. Waldo, P.E.**, (Case #2015-005SPR) pursuant to §70.3 (previously §70.2) of the Truro Zoning By- for the construction of an accessory building to house a manager's unit and a storage garage. The manager's unit would be relocated from the existing building. The property is located at 179 Shore Road, Atlas Map 21 Parcel 2. Based on the finding that *(need to choose one of more of the following)* (a) the application for site plan approval is incomplete, or (b) the imposition of reasonable conditions will not ensure that the project will conform to the standards and criteria described herein, or (c) the project does not comply with the requirements of the Zoning By-law.

Health/Conservation Agent
Town of Truro
Phone: (508) 349-7004 ext. 32
Fax: (508) 349-5850

MEMO

RECEIVED
JUL 23 2015
BY: CHG

To: ATA/Planner Charleen Greenhalgh
From: Patricia Pajaron
CC:
Date: July 23, 2015
Re: Development Application Referral, Terrace Dunes Realty Trust, 179 Shore Rd

I have reviewed the Development Application Referral packet for a proposed accessory building containing a storage garage and manager's unit for Terrace Dunes, 179 Shore Road and offer the following comments:

CONSERVATION

I reviewed the OLIVER: MassGIS's Online Mapping Tool on MassDEP's website regarding the location of the property and mapped wetlands. The map did not show any wetlands on or abutting this property. The applicant can submit a request for determination filing with the Commission for a final determination whether the work proposed or area is subject to the Wetlands Protection Act. A portion of the NHESP mapped priority and estimated habitat may lie within the property rear building setback line.

HEALTH

This is an existing 30 unit 30 bedroom motel served by Town Water and a septic system installed in 1984 for a design flow of 3,444gpd. Submitted with the packet is a proposed site plan prepared by Richard Waldo, P.E., dated 7/18/15 showing a proposed garage/ 2 bedroom unit and the existing motel building with a proposed reduction in units and bedrooms from 30 to 29. A proposed septic system is shown to serve the new garage/manager's unit. The northeast corner of this lot abuts the Truro/Provincetown Water Supply Area.

Because there is an increase in the design flow (30 to 31 bedrooms) above the existing approved capacity, the requirements for new construction* per Title 5 would apply. Title 5 defines approved capacity as "*the capacity of a 1978 Code system reflected by the sewage flow as shown on the Disposal Works Construction Permit Application or as shown on the Certificate of Compliance, whichever is less for that system and not the*

calculated capacity based on 1978 Code loading rates which may account for overdesign or safety factors. For a system designed in accordance with 310 CMR 15.000, the approved calculated capacity is based on the loading rates found at 310 CMR 15.242." The design flow figure has been left blank on Disposal Works Construction Permit #85-85. When the design flow figure is missing or there is an error on the DWCP for a system installed under the 1978 Code, I refer to Truro BOH Regulation Section VI, Article 9 -**Existing Systems Serving New Construction**

In accordance with the policy established by the Massachusetts Department of Environmental Protection, for systems designed and approved prior to March 31, 1995, the Truro Board of Health shall determine the "approved capacity" of a system, as that term is used in 310 C.M.R. 15.352 and elsewhere in Title 5, by reviewing only the Design Flow figure shown on the face of the Disposal Works Construction Permit issued at the time of original approval of said system. The Design Flow for said systems shall not be determined by reviewing the size of the system actually installed on the property, or by looking at the plans that were approved as part of the original permit. Rather, the only proper determination of "approved capacity" shall be made by reading the Design Flow figure shown on the face of the approved permit.

If the original permit cannot be located, or if it is determined by the Board of Health that there is an error in the Design Flow figure shown on the original permit, the "approved capacity" of said system may be determined by a review of the existing use of the facility (i.e., existing bedroom count; existing restaurant seats; existing retail space, etc.), as determined by the Truro Health Agent. If the applicant is aggrieved by said determination of the Health Agent, the determination may be appealed to the Board of Health for further review and determination.

The aggregate flow for this facility exceeds 2000gpd, therefore all subsurface sewage treatment and disposal systems will have to employ pressure distribution.
A proposed floor plan prepared by Thomas Simkins, TMS Design shows a master bedroom and office (considered a bedroom) on the second floor of the garage. A floor plan of the existing motel should be submitted showing how the manager's unit will be eliminated.

The new water service serving the proposed garage/manager's unit will require review and approval through the Truro BOH and BOS and the Provincetown Water and Sewer Board.

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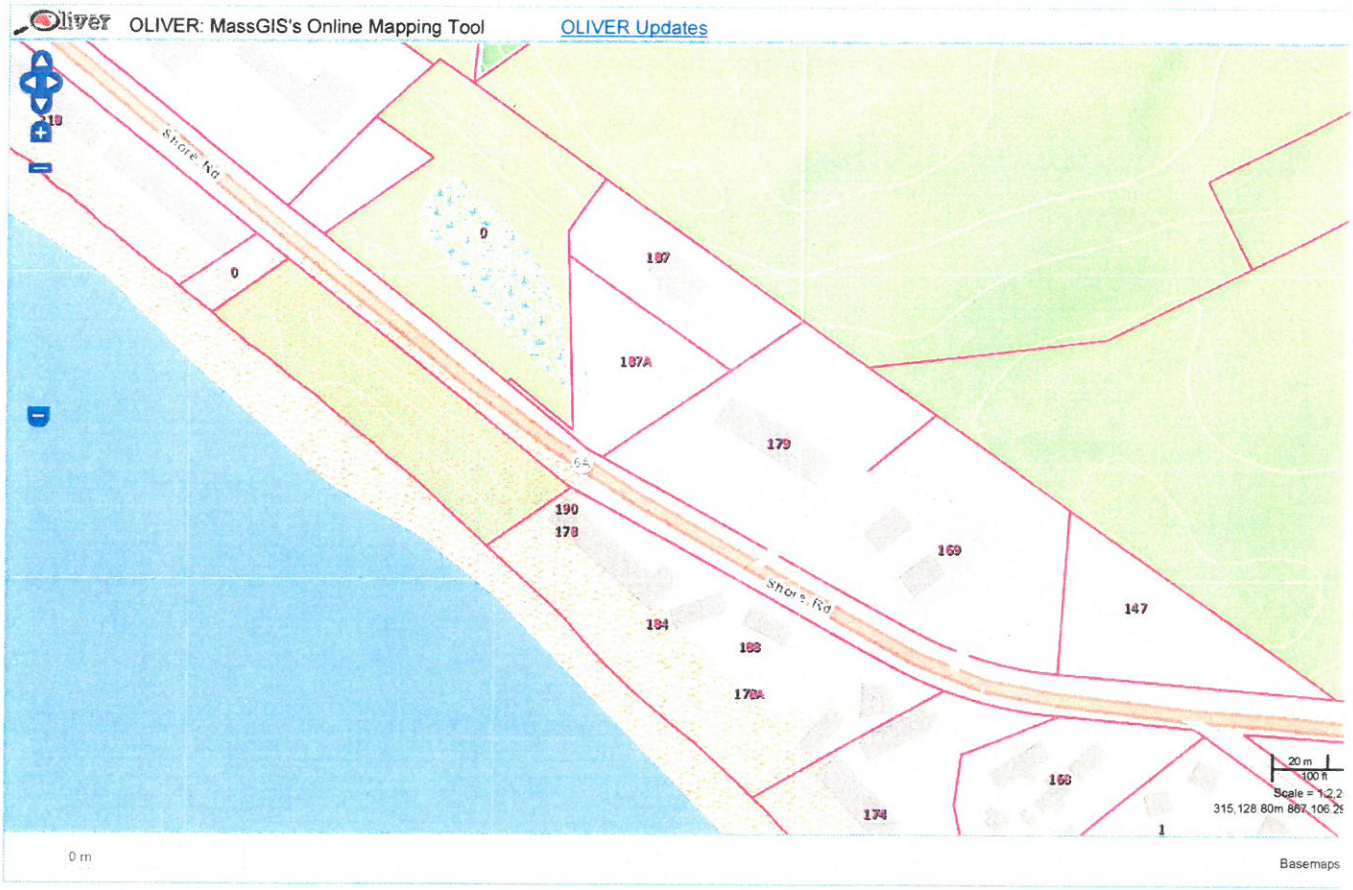

OLIVER: MassGIS's Online Mapping Tool
OLIVER Updates
Shore Rd
0
0
187
187A
179
190
178
169
147
184
183
178A
168
174
1
Shore Rd
20 m
100 ft
0 m
Basemaps

From: Russ Braun <rbraun@truro-ma.gov>
To: Charleen Greenhalgh <assttown@truro-ma.gov>
Date: 07/09/2015 10:04 AM
Subject: 179 Shore Rd.

Charleen

I cannot find in our files the special permit (if there was one) for the condo conversion. It is conceivable that it was done prior to the bylaw enactment. It appears to be one of the originals. Also, regardless of the fact that it appears that the number of units is not increasing, it is an extension of the preexisting nonconforming use(density) so zoning relief will be required. The question is whether or not it needs to happen prior to, after, concurrent with site plan review.

Russell Braun
Building Commissioner
Town of Truro

Office of Town Clerk
Treasurer – Tax Collector
2015-005 SPR
JUL 24 2015
Addendum
Received TOWN OF TRURO
By Molly Steeves

July 18, 2015

Charleen L. Greenhalgh
Assistant Town Administrator & Town Planner
Town of Truro

Re: Site Plan Review Waivers

Dear Ms. Greenhalgh:

Pursuant to the requirements of §70.3.E I am requesting the following waivers from site plan review requirements for the proposed project at the Terrace Dunes Resort, 179 Shore Road:

§70.3.b. – Existing Conditions Plan
Applicant seeks waiver from existing floor plans of the manager's unit as no significant change will occur to the existing condition.

§70.3.c.3. – Parking, Consistent with §30.9
Applicant seeks waiver from parking requirements as they are pre-existing non-conforming and there is no proposal to increase number of units.

§70.3.c.12. – Lighting Degree of Illumination
Existing lighting is to remain unchanged with the exception of an entry light at the proposed Manager's Unit.

§70.3.c.15. – Parking and Driveway Cross-sections
No change is proposed to the driveway or parking area.

§70.3.f. – Project Estimate
Structural Plans have not been developed to determine an accurate project estimate.

§70.3.F.9 – Soil Erosion Plan
Minimal change to existing topography and will not result any erosion.

Respectfully submitted,

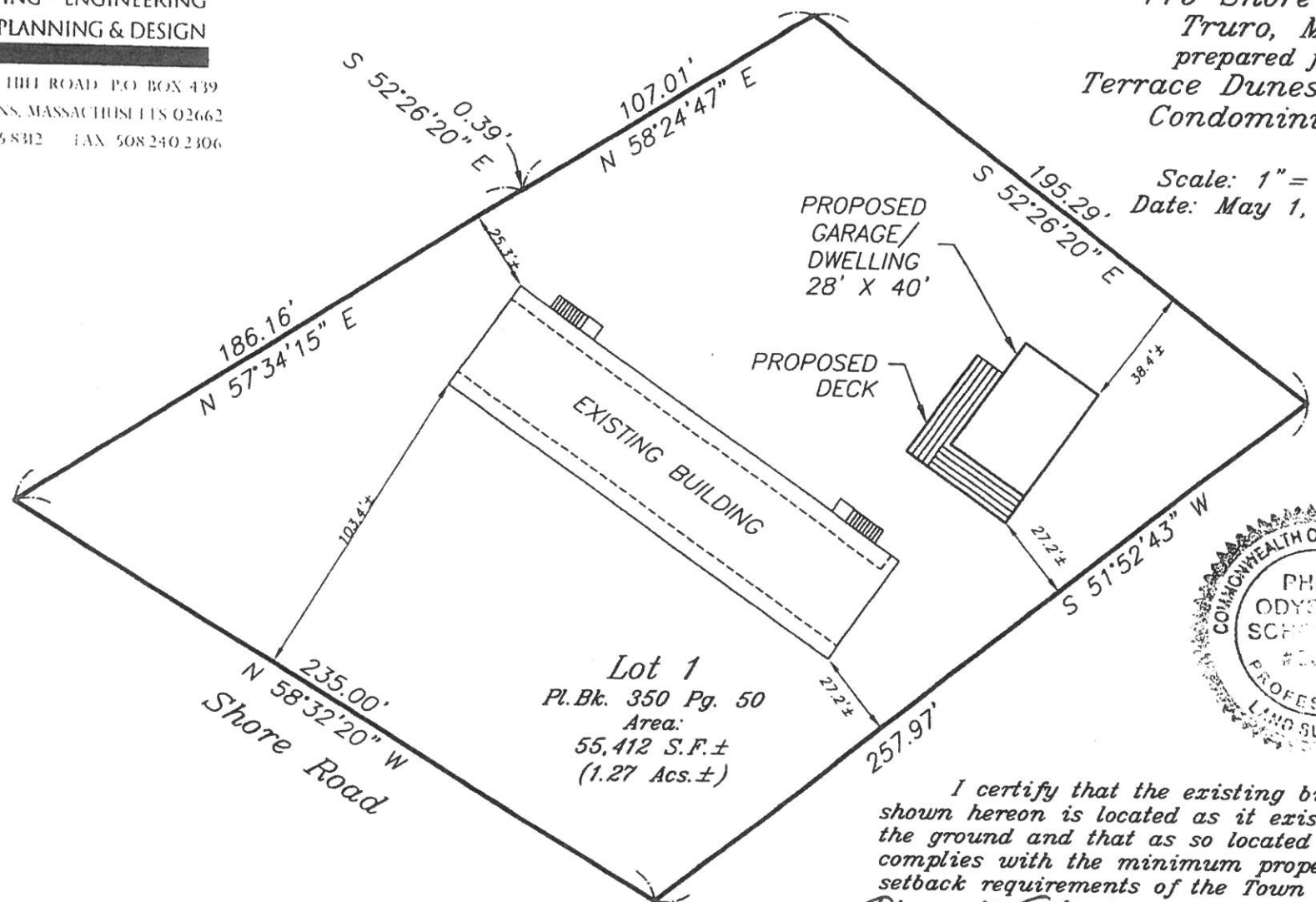
Richard J. Waldo, P.E.

Ryder & Wilcox
SURVEYING · ENGINEERING
HOME PLANNING & DESIGN
3 GIDDIAH HILL ROAD P.O. BOX 439
SO. ORLEANS, MASSACHUSETTS 02662
TEL 508 255 8312 FAX 508 240 2306

Certified Plot Plan

Location:
179 Shore Rd.
Truro, MA
prepared for
Terrace Dunes Resort
Condominium

Scale: 1" = 50'
Date: May 1, 2015



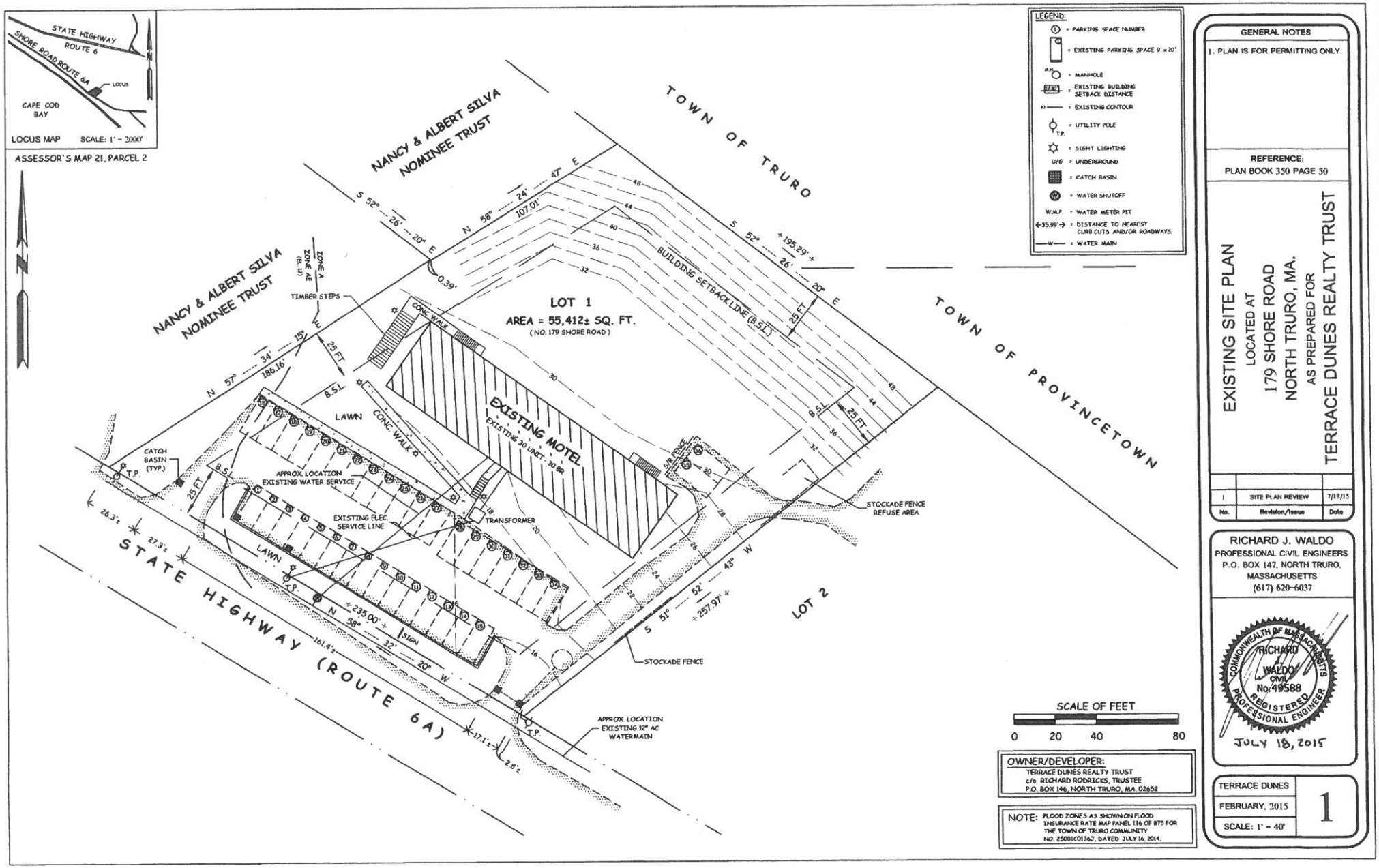
COMMONWEALTH OF MASSACHUSETTS
PHILIP
ODYSSEUS
SCHOLOMITI
PROFESSIONAL
LAND SURVEYOR

I certify that the existing building shown hereon is located as it exists on the ground and that as so located it complies with the minimum property line setback requirements of the Town of Truro.

Philip O. Scholomiti Date: 5/1/15
Professional Land Surveyor

Reference:
Assr's. map 21 Pcl. 2-0

Job No. 11492



GENERAL NOTES

1. PLAN IS FOR PERMITTING ONLY.

REFERENCE:
PLAN BOOK 350 PAGE 50

EXISTING SITE PLAN
LOCATED AT
179 SHORE ROAD
NORTH TRURO, MA.
AS PREPARED FOR
TERRACE DUNES REALTY TRUST

No.	Revision/Issue	Date
1	SITE PLAN REVIEW	7/18/15

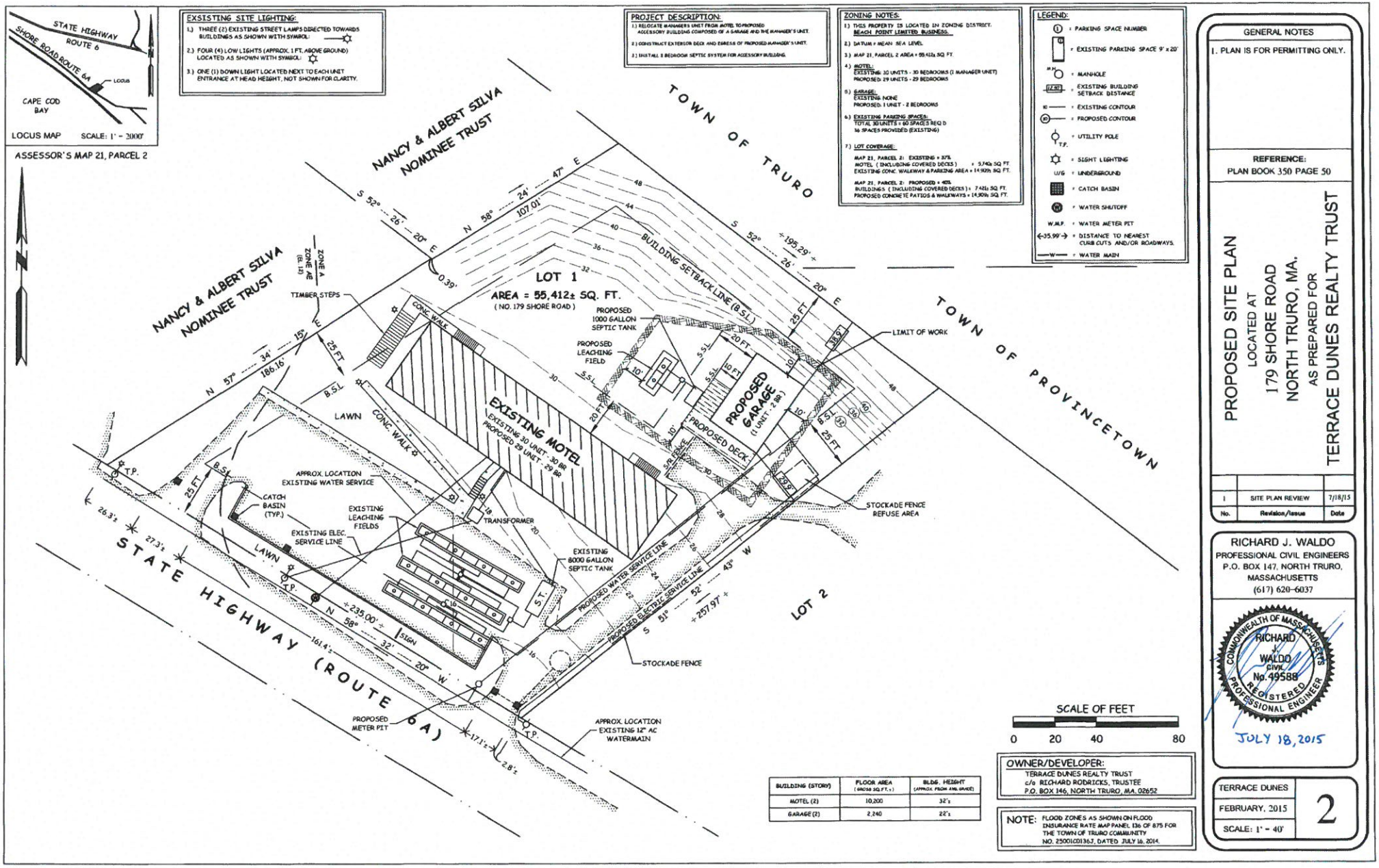
RICHARD J. WALDO
PROFESSIONAL CIVIL ENGINEERS
P.O. BOX 147, NORTH TRURO, MASSACHUSETTS
(617) 620-6037

COMMONWEALTH OF MASSACHUSETTS
RICHARD WALDO
CIVIL
No. 49588
REGISTERED PROFESSIONAL ENGINEER
JULY 18, 2015

OWNER/DEVELOPER:
TERRACE DUNES REALTY TRUST
c/o RICHARD RODRICKS, TRUSTEE
P.O. BOX 146, NORTH TRURO, MA. 02652

NOTE: FLOOD ZONES AS SHOWN ON FLOOD INSURANCE RATE MAP PANEL 136 OF 875 FOR THE TOWN OF TRURO COMMUNITY NO. 250010136J, DATED JULY 16, 2014.

TERRACE DUNES	1
FEBRUARY, 2015	
SCALE: 1" = 40'	



BUILDING (STORY)	FLOOR AREA (GROSS SQ.FT.±)	BLDG. HEIGHT (APPROX. FROM AVG. GRADE)
MOTEL (2)	10,200	32'±
GARAGE (2)	2,240	22'±

OWNER/DEVELOPER:
TERRACE DUNES REALTY TRUST
c/o RICHARD RODRICKS, TRUSTEE
P.O. BOX 146, NORTH TRURO, MA. 02652

NOTE: FLOOD ZONES AS SHOWN ON FLOOD INSURANCE RATE MAP PANEL 136 OF 875 FOR THE TOWN OF TRURO COMMUNITY NO. 250010D136J, DATED JULY 16, 2014.

GENERAL NOTES

1. PLAN IS FOR PERMITTING ONLY.

REFERENCE:
PLAN BOOK 350 PAGE 50

PROPOSED SITE PLAN

LOCATED AT
179 SHORE ROAD
NORTH TRURO, MA.
AS PREPARED FOR
TERRACE DUNES REALTY TRUST

No.	Revision/Issue	Date
1	SITE PLAN REVIEW	7/18/15

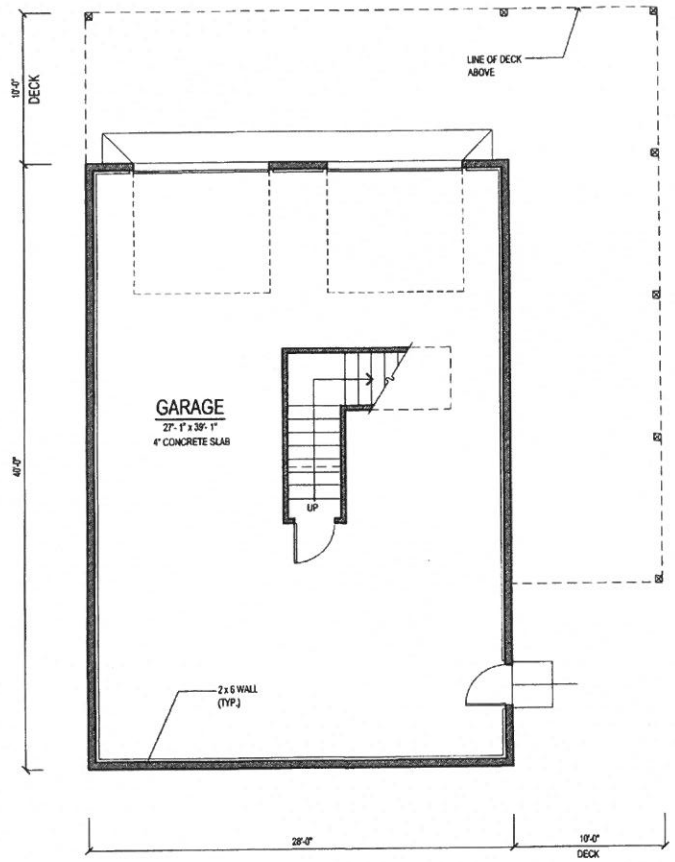
RICHARD J. WALDO
PROFESSIONAL CIVIL ENGINEERS
P.O. BOX 147, NORTH TRURO, MASSACHUSETTS
(617) 620-6037

COMMONWEALTH OF MASSACHUSETTS
RICHARD J. WALDO
CIVIL
No. 49588
REGISTERED PROFESSIONAL ENGINEER

JULY 18, 2015

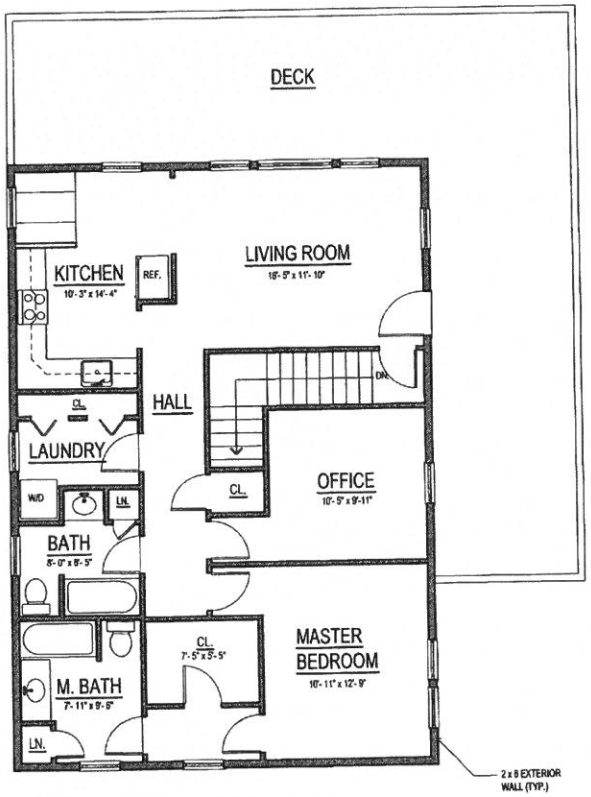
TERRACE DUNES
FEBRUARY, 2015
SCALE: 1" = 40'

2



GROUND FLOOR (GARAGE)

SCALE: 1/8"=1'-0"



SECOND FLOOR PLAN

SCALE: 1/8"=1'-0"

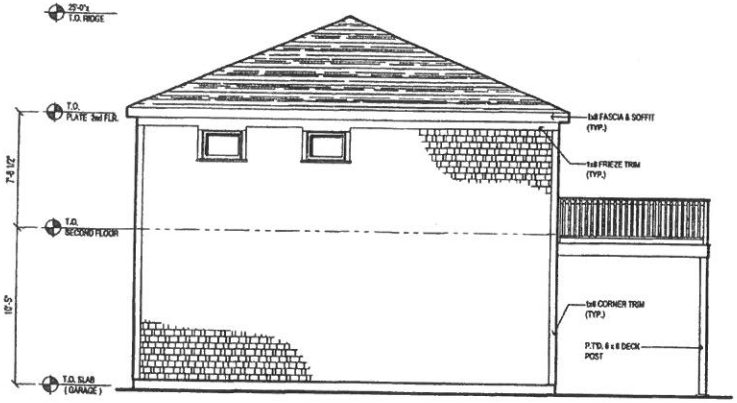
MANAGERS UNIT
179 SHORE ROAD
NORTH TRURO, MA

TMS DESIGN

THOMAS M. SIMKINS
10 CRANHAVEN CIR.
HARWICH, MA 02645
(774)209-0911
thomas_simkins@msn.com

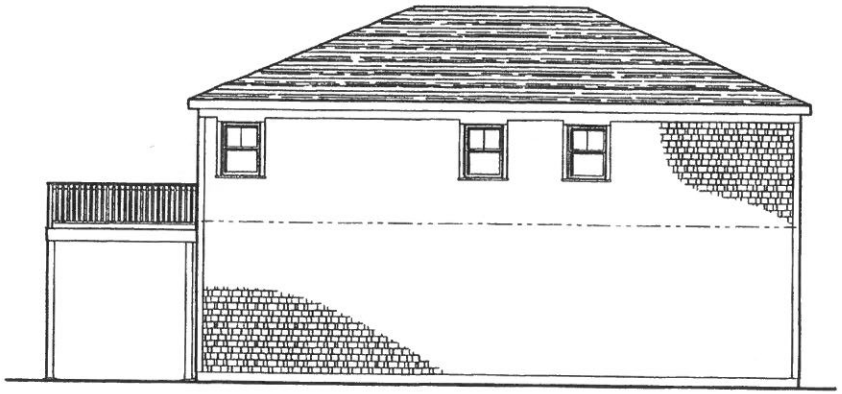
DATE:	APRIL 15, 2015

A1



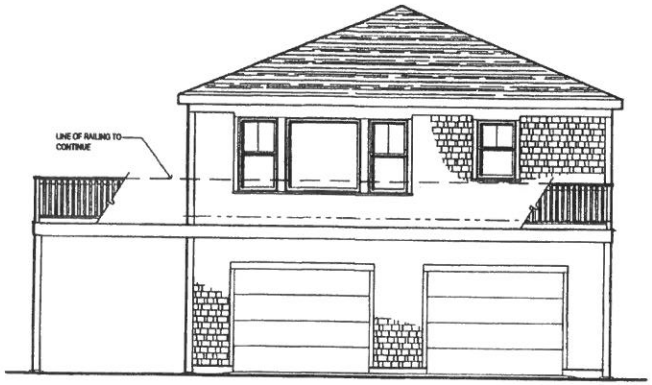
NORTH ELEVATION

SCALE: 1/8"=1'-0"



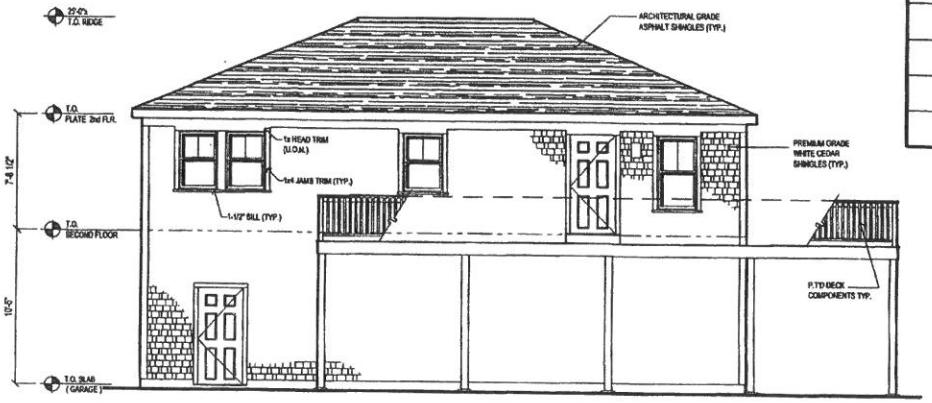
EAST ELEVATION

SCALE: 1/8"=1'-0"



SOUTH ELEVATION

SCALE: 1/8"=1'-0"



WEST ELEVATION

SCALE: 1/8"=1'-0"

MANAGERS UNIT
179 SHORE ROAD
NORTH TRURO, MA

TMS DESIGN

THOMAS M. SIMKINS
10 CRANHAVEN CIR.
HARWICH, MA 02645
(774)209-0911
thomas_simkins@msn.com

DATE:	APRIL 15, 2015

A2

TOWN OF TRURO

Charleen L. Greenhalgh, ATA/Planner
P.O. Box 2030, Truro, MA 02666
Tel: (508) 349-7004, Ext. 27 Fax: (508) 349-5505
assttownadm@truro-ma.gov

To: Planning Board
From: Charleen Greenhalgh, ATA/Planner
Date: July 28, 2015
Re: Preliminary Subdivision Staff Report #2

2015-005PB Nancy A. Dyer, seeks approval of a 1 Lot (including reconfiguration of the road) preliminary subdivision pursuant to MGL c.41, Section 81-S and Section 2.4 of the Town of Truro Rules and Regulations Governing the Subdivision of Land for property located at 4 Sam's Way, Assessors Map 24, Parcel 13., 1 Lot Preliminary Subdivision for property located at 4 Sam's Way, Atlas Map 24, Parcel 13.

The Planning Board will continue its discussion on this matter on Tuesday, August 4, 2015 at 6:00 pm. This is a continuation from July 21, 2015.

Description

The applicant seeks approval of a 1-Lot Preliminary Subdivision Plan. The property was originally approved as a Definitive Subdivision in 1993 and the Plan was endorsed on January 5, 1994. The 1994 plan was a two lot subdivision; however only one lot contained frontage on Sam's Way, which has a 30' right-of-way for approximately 75' and it then expands to a 40' right-of-way. At this time the applicant seeks to shorten the length of Sam's Way from approximately 216' down to 145 feet, thereby increasing the size of Lot A1 from 43,390 s.f. (including beach area) to 49,952 s.f. (including beach area) and leaving only a 30' right-of-way. Currently this lot is vacant. This is shown on the following plan submitted to the Town Clerk on June 17, 2015 as follows:

Subdivision Plan of Land in Truro Showing a Subdivision of Lot A as Shown on a Plan Recorder (sic) in Plan Book 503, Page 18, made for Nancy A. Dyer, dated May 27, 2015, Scale 1" = 40', by Slade Associates, Inc. (Plan #2015-41)

Plans and correspondence from the Health/Conservation Agent were include with the July 13, 2015 Staff Report.

At the July 21, 2015 meeting, Chester Lay, R.L.S. and Attorney L. Jay Murphy presented a revised sketch plan showing a 10 foot easement on the Samuel Dyer property, thus allowing for a 40 foot road right-of-way. The 30 foot right-of-way was a concern raised in the initial July 13, 2015 Staff Report. Please refer to the draft minutes of July 21, 2015 for additional comments .

Attached you will find a letter, dated July 22, 15, from Attorney Murphy to Russell Braun, the Building Commissioner. Please also find Mr. Braun's email response dated 7/23/2015.

A letter was received from E. Otis Dyer, an abutter to the property. A copy of his letter, without attachments, is enclosed.

Completeness of Application
At this time it appears that the filing requirements per §2.4 of the Town of Truro Rules and Regulations Governing the Subdivision of Land have not been met. Please refer to the "Additional Planning Staff Comments" below.

Waivers
At this time there have been no requests for waivers; however, at the July 21, 2015, several waivers were discussed with the Board.

Fee: A filing fee of $275.00 was paid on June 17, 2015.

Additional Planning Staff Comments

1. Abutters were notified via regular mail on July 9, 2013.
2. An Extension Agreement was approved on July 21, 2015 and executed and filed with the Town Clerk on July 22, 2015. The Board now has until August 18, 2015 to act on this application and file a decision with the Town Clerk.
3. At this time, it would appear that the issue of the 40' right-of-way has been resolved.
4. For the next filing, it would be my suggestion that this come back to the Planning Board as a Modification of Definitive Plan pursuant to M.G.L. Ch. 41, §81W and §2.5.5 of the Rules and Regs.
5. If the original covenant from the 1994 approval has not been released by the Planning Board, this would need to happen at the time of the endorsement of the Definitive Plan or the Modification of Definitive Plan and a new covenant would need to be executed.
6. A reminder to the Board that M.G.L. Ch. 41, §81L specifically states that a Planning Board cannot require an applicant to submit more information than what is contained in the definition of "Preliminary Plan", as defined in M.G.L. Ch. 41, §81L.
7. The Board is not bound by any approvals or other discussion made at the review of the preliminary plan.

Board Options
Pursuant to MGL c.41, §81-S and §2.4.4 of the Rules and Regs, the Planning Board must, within 45-days of submission of a Preliminary Plan, notify the applicant and the Town Clerk of its action. As an Extension Agreement was executed and filed with the Town Clerk, the Board has until **August 18, 2015** to render a decision and file it with the Town Clerk. The Board's choices are either to approve the plan; approve the plan with modifications suggested by the board or agreed upon by the person submitting the plan, or to disapprove the plan. In the case of disapproval, the Board must state its reasons for such disapproval.

Based on the above, the Board has the following options:

1. To approve the Preliminary Plan for Nancy A. Dyer, as submitted, pursuant to MGL c.41, §81-S and Section 2.4 of the Town of Truro Rules and Regulations Governing the Subdivision of Land.

2. To approve the Preliminary Plan for Nancy A. Dyer, pursuant to MGL c.41, §81-S and Section 2.4 of the Town of Truro Rules and Regulations Governing the Subdivision of Land, with the following conditions and/or modifications: *(Note: need to state the conditions/modifications)*

3. To disapprove the Preliminary Plan for Nancy A. Dyer, as submitted, pursuant to MGL c.41, §81-S and Section 2.4 of the Town of Truro Rules and Regulations Governing the Subdivision of Land (September 13, 2011), based on the following findings: *(Note: need to state reasons for disapproval)*

4. To continue the review of the Preliminary Plan to a date and time certain. If additional information is required, the Board will need to note these items. Also, a mutually agreed upon extension of the time in which the Board has to act and file its decision would need to be executed and filed with the Town Clerk.

LESTER J. MURPHY, JR.
ATTORNEY AT LAW

P.O. BOX 1388
TELEPHONE (508) 385-8313
FAX (508) 385-7033
EMAIL ljmurphy@cape.com

1380 ROUTE 134
EAST DENNIS, MA 02641
REFER TO FILE NO.

July 22, 2015

Russell Braun
Truro Building Commissioner
24 Town Hall Road
Truro, MA 02666

re: Zoning determination request for property on Sam's Way, North Truro

Dear Mr. Braun,

Please be advised that I am writing to you on behalf of Stephen Chapman who is the purchaser under a Purchase and Sale Agreement for property located on Sam's Way in North Truro. Recently a preliminary subdivision plan was filed by Slade Associates, Inc. with the Truro Planning Board seeking to reconfigure the Sam's Way cul-de-sac and shorten the road length. As part of your review of this preliminary plan you raised the issue of the fact that the initial section of Sam's Way running off of Knowles Heights Road is only 30 feet in width and as a result it fails to comply with the definition of street setforth in the Zoning By-laws sufficient to make the same proper for access to a buildable Lot.

Since receiving that information we have contacted representatives of the Samuel Dyer, Jr. property located adjacent to the right of way on Knowles Heights Road which is Parcel 11 on Map 24 of the Truro Assessors Maps. The owners of that property have indicated a possible willingness to consider the grant of an easement 10 feet in width along the common boundary line that would be used for purposes of laying out a way 40 feet in width. I have enclosed with this correspondence a proposed plan showing the 10 foot wide easement as well as an enhanced blow up which is easier to read showing the proposed 10 foot wide easement running along the northerly line of the Samuel Dyer, Jr. property.

As part of the ultimate subdivision or modification plan approval we will be requesting from the Planning Board a waiver of the construction requirements for the road so as to allow the same simply to be constructed as a driveway providing access to the One (1) lot that is serviced by the road. No portion of the driveway itself would be located within the 10 foot easement area.

In reviewing the status of the Samuel Dyer, Jr. lot, it has been determined that the existing structure is located approximately 27 feet away from the northerly lot line which exceeds the 25 foot setback required by the Zoning By-laws. However, were the easement to be granted the structure would be located approximately 17 feet away from the southerly line of the

easement.

I am requesting a determination from you as the Building Commissioner as to whether the grants of this easement for purposes of laying out a 40 foot wide way that would not be constructed will create a zoning non-conformancy as to the setback of the existing structure on the Samuel Dyer, Jr. property. Obviously, the primary issue is whether the setback for this structure would continue to be measured from the actual Lot line or from the southerly line of the easement area.

Once you have had a chance to review the enclosed materials I would be happy to answer any further questions you may have. Chet Lay and myself would certainly try to provide you any further documentation or information that would be necessary in order to make this determination.

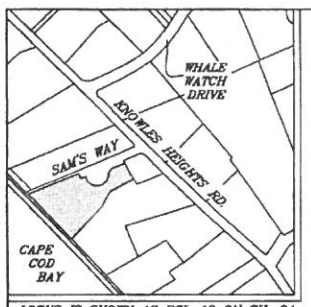
Very truly yours,

Lester J. Murphy, Jr.

LJM/ks

enclosures

cc: Chet Lay, Paula Lyons, Stephen Chapman



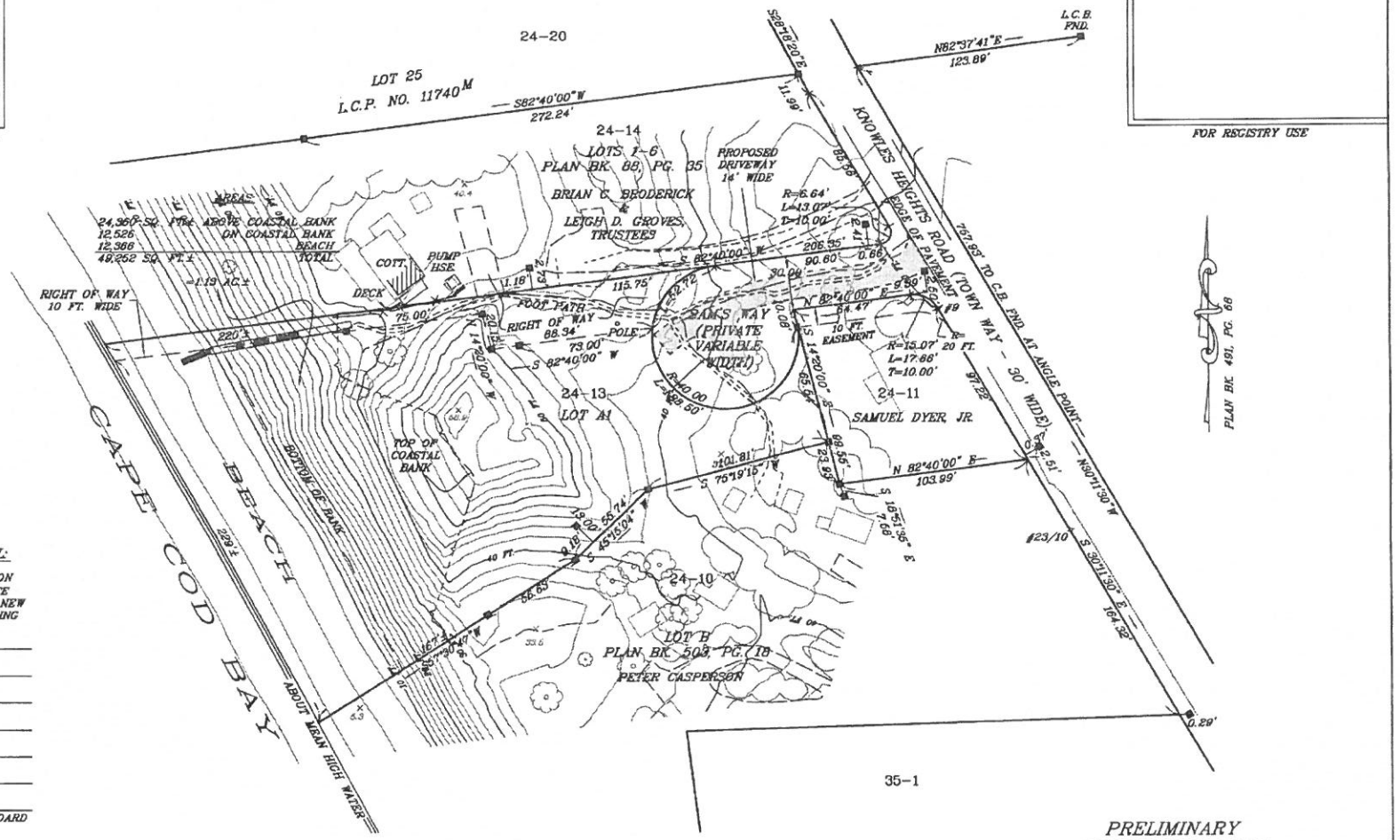
LOCUS IS SHOWN AS PCL. 13 ON SH. 24 OF THE TRURO ASSESSORS' ATLAS.

I HEREBY CERTIFY THAT I HAVE CONFORMED WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS IN PREPARING THIS PLAN.

DATE:

REGISTERED LAND SURVEYOR

FOR REGISTRY USE



PLAN BK. 491, PG. 68

CONDITIONAL APPROVAL:

APPROVED WITH THE CONDITION THAT SAM'S WAY IS ADEQUATE ACCESS FOR LOT A1 ONLY. NO NEW LOTS MAY BE CREATED UTILIZING THIS WAY FOR FRONTAGE.

FOR THE TRURO PLANNING BOARD

DATE:

SEE COVENANT TO BE RECORDED HEREWITH

I, CYNTHIA SLADE, CLERK OF THE TOWN OF TRURO, HEREBY CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE TRURO PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO APPEAL WAS RECEIVED DURING THE TWENTY DAYS AFTER SUCH RECEIPT AND RECORDING OF SUCH NOTICE.

DATE:

TOWN CLERK

OWNER & APPLICANT:

NANCY A. DYER, TRUSTEE OF THE DYER REALTY TRUST

GRAPHIC SCALE

40 0 20 40 80 160

(IN FEET)

1 inch = 40 ft.

CONTOURS ARE FROM THE TRURO GIS. DATUM IS NAVD88

LEGEND:

BUILDING PER TRURO GIS

■ DENOTES DRILL HOLE IN CONCRETE MONUMENT FOUND UNLESS OTHERWISE INDICATED.

PRELIMINARY SUBDIVISION PLAN

OF LAND IN

TRURO

SHOWING A SUBDIVISION OF LOT A AS SHOWN ON A PLAN RECORDED IN PLAN BOOK 503, PAGE 18.

MADE FOR

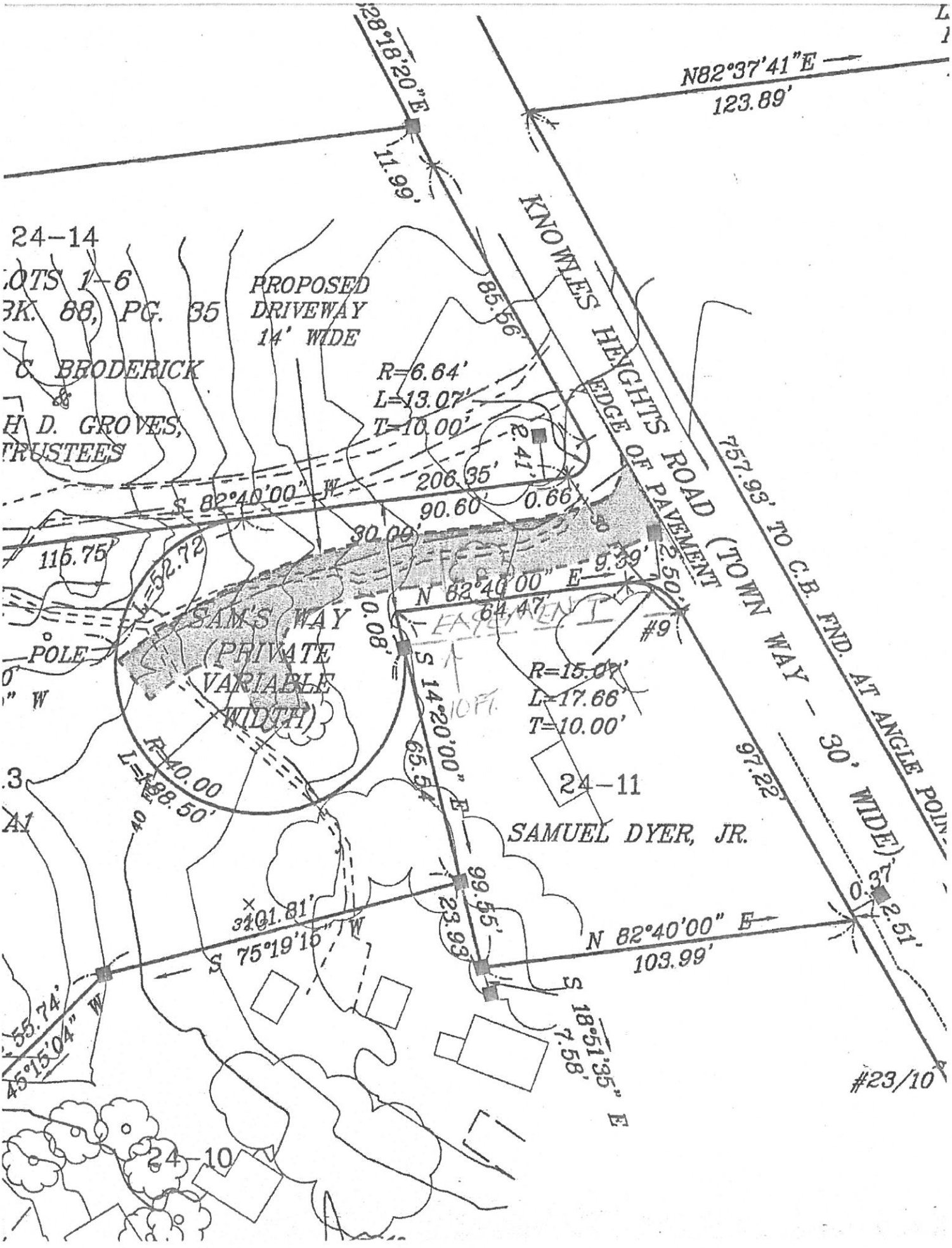
NANCY A. DYER

SCALE: 1"=40' MAY 27, 2015*

SLADE ASSOCIATES, INC., REGISTERED LAND SURVEYORS
10 PINE POINT ROAD, WELLFLEET, MA 02667
508-349-3110

*REVISED 07/22/15

PLAN #2015-41


N82°37'41"E
123.89'
28°18'20"E
11.99'
KNOWLES HEIGHTS ROAD (TOWN WAY - 30' WIDE)
EDGE OF PAVEMENT
757.93' TO C.B. FND. AT ANGLE POIN
24-14
LOTS 1-6
BK. 68, PG. 35
C. BRODERICK
&
H D. GROVES,
TRUSTEES
PROPOSED
DRIVEWAY
14' WIDE
85.56'
R=6.64'
L=13.07'
T=10.00'
2.41'
206.35'
S 82°40'00" W
90.60'
0.66'
30.00'
115.75'
52.72'
9.39'
2.50'
N 82°40'00" E
64.47'
EASEMENT
#9
SAM'S WAY
(PRIVATE
VARIABLE
WIDTH)
POLE
10.08'
S 14°20'00" E
65.54'
R=15.00'
L=17.66'
T=10.00'
10Ft.
R=40.00
L=38.50'
24-11
SAMUEL DYER, JR.
97.22'
99.55'
23.93'
401.81'
S 75°19'15" W
N 82°40'00" E
103.99'
2.51'
S 18°51'35" E
7.58'
#23/10
24-10

From: Russ Braun <rbraun@truro-ma.gov>
To: L.J.Murphy Law <ckurra@cape.com> **Cc:** Charleen Greenhalgh <assttown@truro-ma.gov>
Date: 07/23/2015 09:26 AM
Subject: Re: Sam's Way, Truro- Zoning determination request

Jay

The definition of "street" in the Truro Zoning Bylaw makes reference to Town of Truro Subdivision Regulations, Section IV, Design Standards (b), (c), & (d) as they existing on January 1, 1989. Specifically, standard (b) states that "... minimum width of street right-of-ways shall be 40 feet". There are no specifics regarding how the right-of-way is to be constituted, only that it have a 40' layout. So, in your case, the fact that some of the layout is an easement and not fee ownership does not violate the definition, in my opinion.

As to the second question, again, our zoning bylaw only makes reference to setbacks as a dimension from a lot line.

I hope this is helpful.

Russell Braun
Building Commissioner
Town of Truro

Great Meadow Hill Farm
E. Otis Dyer
371 Fairview Avenue PO Box 5
Rehoboth, MA. 02769

Telephone 508-252-4363
Fax 1-508-252-5449
Established in 1746 and farmed by the same family for 200 years

July 17, 2015

Charleen L. Greenhalgh,
Truro Town Planner
PO Box 2030
Truro, MA 02666

Re: Assessment of land and cottage owned by Otis Dyer et ali on 29 Knowles Heights Road, North Truro, Assessor map 36 Lot 7

Dear Ms. Greenhalgh,

Thank you for sending me the proposed subdivision of the lot owned by my brother's widow and sons on Sams Way. Our branch of the family has no objections to the changes to Sams Way's, but what we have been concerned about for some time is the high valuation the Truro Assessors have put on our land and cottage at 29 Knowles Heights road.

Our cottage is a typical old style beach house, not "winterized," and only useable for about four months of the year. It has a "grandfathered" cesspool rather than a Title V septic system and unimproved landscaping – no one would mistaken it for one of the mansions that have grown up around it.

Our lot has 2/3rds of an acre, 1/4 of which is not useable because it contains a steep eroded banking and the beach to the mean high tide, and no frontage on Knowles Height Road. Instead, the access and utility services to our property cross our neighbor David Walsh's land; but that is not what concerns are the most.

The cottage is presently assessed for $88,000, which in my opinion is high and the lot is assessed is for $1,400,000, which seems to me to be twice the value of what similar properties along this section of beach are selling for. For example my brother's family lot on Sams Way, containing one acre, is valued by the assessors for $1,300,000, but is under an agreement to be sold for $850,000, and the three new lots at Seascape, map 23 lot 2, are being advertised for $750,00 each and that includes an approved Title V septic system and well. I am enclosing a few "lot for sale" ads from the P-town paper, which I think are comparable to our lot.

I would appreciate it if you could tell me why there is such a large difference between what the properties fronting on the beach on Knowles Heights Road are presently selling for vs their assessed values, or ask someone in the assessors office to explain it.

I will appreciate any help you can give me in this matter.

Very truly yours,

Otis Dyer

RECEIVED
SELECTMENS OFFICE
JUL 23 2015
TOWN OF TRURO
MASSACHUSETTS

Memorandum

Charleen L. Greenhalgh, ATA/Planner
Town of Truro

July 28, 2015

To: Planning Board
From: Charleen Greenhalgh, ATA/ Planner
Re: Interviews

At the last Planning Board meeting the Board interviewed Paul Kiernan for the opening on the Planning Board. On Tuesday, August 4, 2015, the Board will be interviewing Richard Fishman. For the Boards convenience, I have included each of their Applications to Serve.

At this time, I am not sure if there will be a joint meeting between the Planning Board and the Board of Selectmen for the appointment of a new member to serve until the next election (May 2016.) I hope to be able to provide you with this information at the meeting on August 4th.

TOWN OF TRURO

P.O. Box 2030, Truro MA 02666
Tel: (508) 349-7004 Fax: (508) 349-5505

APPLICATION TO SERVE ON AN APPOINTED MULTI-MEMBER BODY

NAME: RICHARD FISHMAN HOME TELEPHONE: [redacted]

ADDRESS: [redacted] WORK PHONE: [redacted]

MAILING ADDRESS: [redacted] E-MAIL: [redacted]

FAX: — MULTI-MEMBER BODY ON WHICH I WISH TO SERVE: PLANNING BOARD

APPOINTMENT UNTIL ELECTION AT WHICH POINT I WOULD RUN FOR THE SEAT

SPECIAL QUALIFICATIONS OR INTEREST: BACKGROUND IN ARCHITECTURE; DEEP INTEREST IN TOWN AND ITS CHARACTER; ABILITY TO WORK ON BOARDS, EXPERIENCE ON TOWN AND NON-TOWN, NON PROFIT BOARDS TOTALLING ABOUT 15 YEARS; DESIRE TO SEE P.B. SERVE NEEDS OF ALL TOWNSPEOPLE

COMMENTS: I HAVE OWNED PROPERTY OR LIVED IN TRURO FOR 7.5 YEARS AND HAVE BEEN COMING TO TRURO SINCE I WAS TEN OR ELEVEN. I WOULD LIKE TO SERVE THE TOWN IN THIS CAPACITY AND I WOULD LIKE TO SEE THE PLANNING RETURN TO A PLACE OF HIGHER RELEVANCE AND RESPONSIVENESS TO NEEDS OF →

SIGNATURE: [signature] DATE: 13 JULY 2015

****

COMMENT/RECOMENDATION OF CHAIRPERSON OF MULTI-MEMBER BODY (OPTIONAL)

SIGNATURE: DATE:

INTERVIEW DATE: APPOINTMENT DATE (IF APPLICABLE):

RECEIVED
SELECTMENS OFFICE
JUL 13 2015
TOWN OF TRURO
MASSACHUSETTS

RESIDENTS AND OWNERS, POOR AND WEALTHY ALIKE.
I AM CONCERNED ABOUT THE PERCEPTION OF A LACK OF
BALANCE AND FAIRNESS; AN IMPRESSION THAT THE P.B.
IS TILTING TOWARD DEVELOPERS' INTERESTS. I AM ALSO
ACTIVE IN LOW-COST HOUSING ISSUES. I HAVE BUILT ONE
HOUSE IN TRURO FROM SCRATCH AND AM CURRENTLY RENOVATING
MY CURRENT RESIDENCE. I AM FAIR, A GOOD LISTENER,
RESPECTFUL, INTELLIGENT AND CARING.
THANK YOU FOR YOUR CONSIDERATION

TOWN OF TRURO

P.O. Box 2030, Truro MA 02666
Tel: (508) 349-7004 Fax: (508) 349-5505

APPLICATION TO SERVE ON AN APPOINTED MULTI-MEMBER BODY

NAME: PAUL KIERNAN HOME TELEPHONE: [redacted]

ADDRESS: [redacted] WORK PHONE: [redacted]

MAILING ADDRESS: [redacted] E-MAIL: [redacted]

FAX: [redacted] MULTI-MEMBER BODY ON WHICH I WISH TO SERVE:

PLANNING BOARD

SPECIAL QUALIFICATIONS OR INTEREST: I HAVE A BACKGROUND IN ENGINEERING AND ECONOMICS. WAS TWICE ELECTED TO PLANNING BOARD AND SERVED AS SECRETARY, VICE-CHAIR & CHAIR. I AM FAMILIAR WITH STATE & LOCAL ZONING LAW.

COMMENTS:

SIGNATURE: DATE:

****

COMMENT/RECOMENDATION OF CHAIRPERSON OF MULTI-MEMBER BODY (OPTIONAL)

SIGNATURE: DATE:

INTERVIEW DATE: APPOINTMENT DATE (IF APPLICABLE):

RECEIVED
SELECTMENS OFFICE
JUN 09 2015
TOWN OF TRURO
MASSACHUSETTS

TOWN OF TRURO

Charleen L. Greenhalgh, ATA/Planner
P.O. Box 2030, Truro, MA 02666
Tel: (508) 349-7004, Ext. 27 Fax: (508) 349-5505
assttownadm@truro-ma.gov

July 27, 2015

To: Planning Board
From: Charleen Greenhalgh
Re: Temporary Sign Request – Payomet Performing Arts Center – Aug. 15 – Sept. 14

The Board has received a request for temporary signs pursuant to Section 11 of the Truro Sign Code. The new Section 11 approved at the April Annual Town Meeting states:

> The Planning Board may issue permits for temporary signs. Any such permit shall be limited to holiday or special events, and shall be limited to a period of fifteen (15) days, for events lasting one day or two days. For said events having multiple dates such permits shall be limited to a period of thirty (30) days. Not more than four (4) signs shall be erected with respect to any such event. Any such sign shall be firmly attached to a supporting device and shall not present a hazard to the public. Posters intended for window display are exempt from this provision.

Request #1 - Payomet is requesting two double faced signs, each measuring 48" high by 36" wide. One sign to be located on Route 6 at Noons Height Road and the other on Route 6 at South Highland Road. The signs would be in place from Aug. 15 – Sept. 14.

Request #2 – Payomet is requesting a double spaced 39" wide by 9" high (on a post for a total height of 48") directional sign. The sign is to be located at the South Highland Road and Old Dewline Road intersection. The sign would be in place from Aug. 15 – Sept. 14.

TOWN OF TRURO PLANNING BOARD

PAYOMET

Application for Temporary Sign Permit

Pursuant to Section 11 of the Truro Sign Code

Fee: $25.00

RECEIVED
JUL 21 2015
BY: CSR

Applicant Name: PAYOMET PERFORMING ARTS CENTER, TRURO **Date:** 7/24/15

Applicant Contact Information: (KEVIN RICE) P.O. 1202, Truro, MA 02666
Mailing Address

508-349-2929 Phone kevin@payomet.org Email

Number of Signs Requested: 1 (48" ABOVE GRADE)

Temporary Sign Dimensions: Height 9" Width 39" **Please attach a "to scale" copy of the proposed sign(s).**

Location(s) of Proposed Temporary Sign(s): intersection of So. Highland and Old Dewline Rds

Map(s): 37 **Parcel(s):** 18 **Please use additional sheet(s) for multiple locations**

Date(s) of the Event in Which the Sign is Intended: June – Oct. (season)

Date When Sign(s) will be: Installed: 8/15/15 Removed: 9/14/15

Name and Address of Property Owner(s) Where Temporary Sign(s) to be located:

National Park Service 99 Marconi Station Wellfleet, MA 02667
Name Mailing Address

Phone Email

Applicant Signature 7/24/15 Date

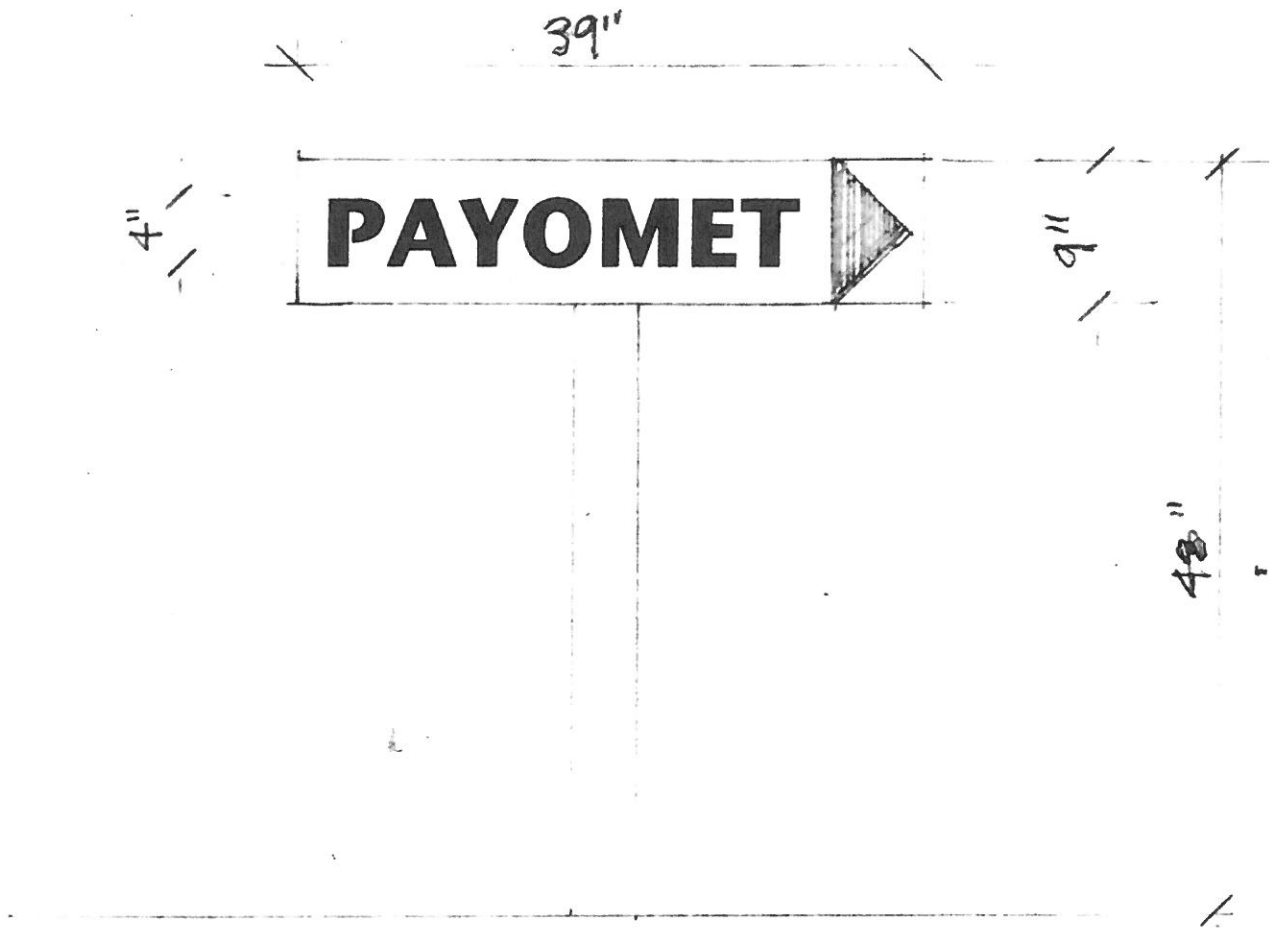
Owner Signature (which also authorizes the use of the property) Date

Planning Board Action: **Approved** ____ **Approved w/Conditions** ____ **Denied** ____

Conditions: ____

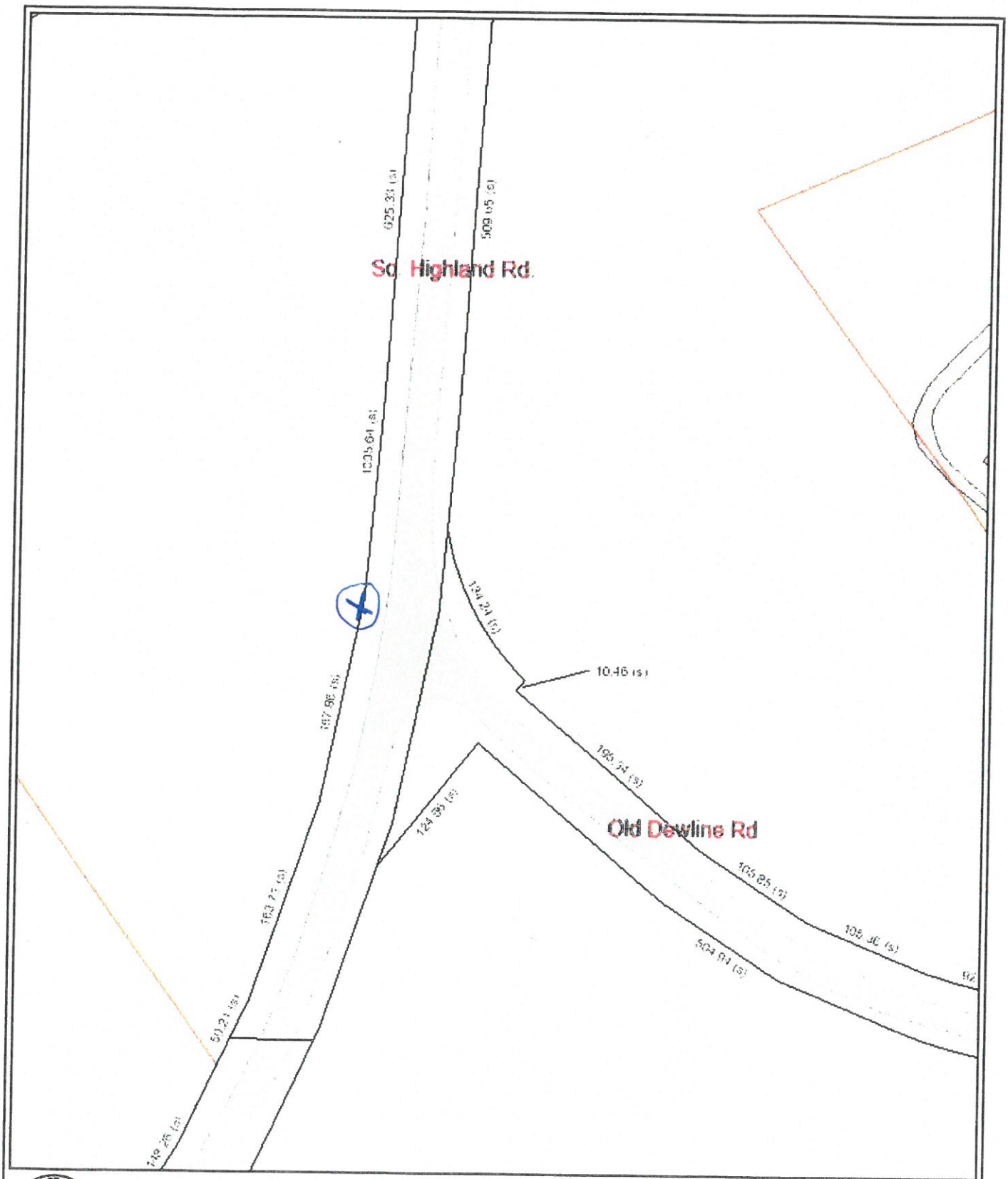
Board Signature: ____ Date: ____
Title

CC: Building Commissioner, Board of Selectmen



Two-sided sign with directional arrow.
One location.
Scale 1" = 1' - 0"

Payomet Performing Arts Center, Truro



South Highland Rd & Old Dewline Rd
Truro, MA
1 Inch = 104 Feet
April 27, 2015

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

www.cai-tech.com

TOWN OF TRURO PLANNING BOARD

RECEIVED
JUL 21 2015
BY: CJH

Application for Temporary Sign Permit

Pursuant to Section 11 of the Truro Sign Code

Fee: $25.00

Applicant Name: PAYOMET PERFORMING ARTS CENTER, TRURO **Date:** 7/24/15

Applicant Contact Information: (KEVIN RICE) P.O. 1202 TRURO, MA 02666
Mailing Address

508-349-2929 kevin@payomet.org
Phone Email

Number of Signs Requested: 2

Temporary Sign Dimensions: Height 48" Width 36" **Please attach a "to scale" copy of the proposed sign(s).**

Location(s) of Proposed Temporary Sign(s): RT. 6, North of Noon's Rd and Rt. 6, South of So. Highland Rd.

Map(s): 39 **Parcel(s):** 166 **Please use additional sheet(s) for multiple locations**

Date(s) of the Event in Which the Sign is Intended: season (June – October)

Date When Sign(s) will be: Installed: 8/15/15 Removed: 9/14/15

Name and Address of Property Owner(s) Where Temporary Sign(s) to be located:

Michael Winkler; PO 1110 Truro, MA 02666
Name Mailing Address

Mass State ROW
Phone Email

Applicant Signature Date 7/24/15

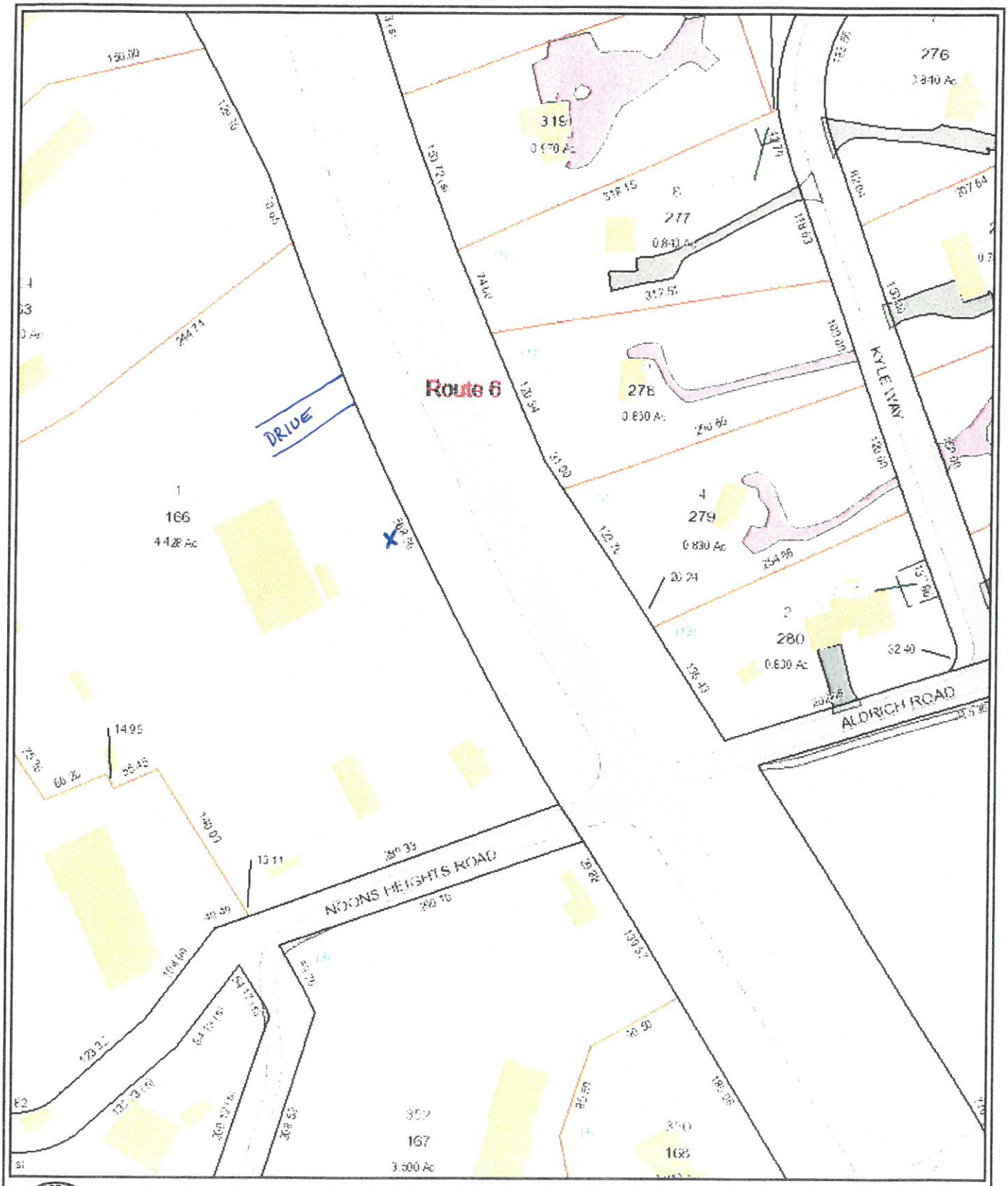
Owner Signature (which also authorizes the use of the property) Date

Planning Board Action: **Approved** ____ **Approved w/Conditions** ____ **Denied** ____

Conditions: ____

Board Signature: ____ Date: ____
Title

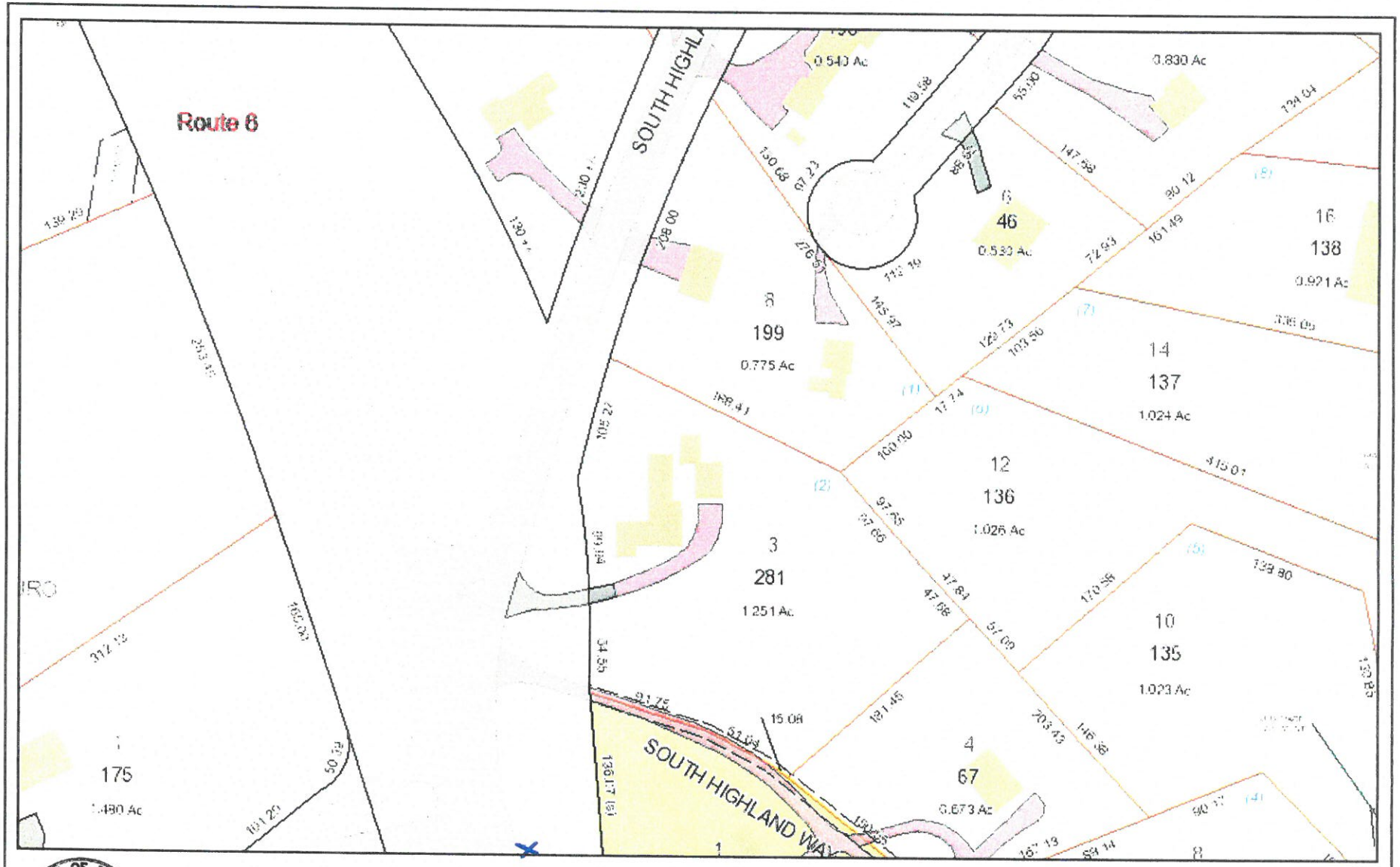
CC: Building Commissioner, Board of Selectmen



Route 6 & Noons Heights Road
Truro, MA
1 Inch = 123 Feet
April 27, 2015

Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

www.cai-tech.com



Route 6 & South Highland Road
Truro, MA

1 Inch = 104 Feet
April 27, 2015

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CAI Technologies

www.cai-tech.com

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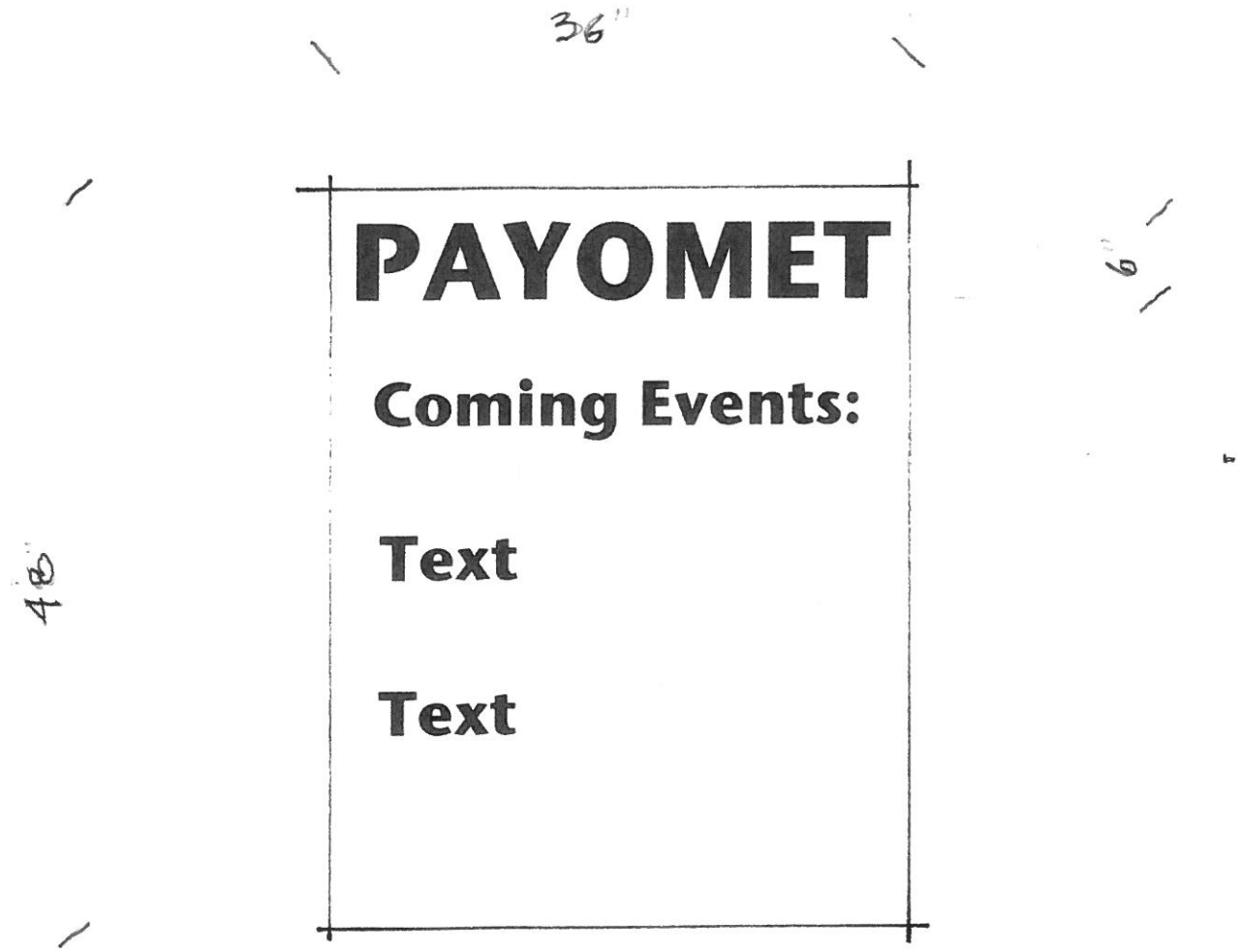


Two-sided signs
Two locations
Scale: 1" = 1' - 0"

Payomet Performing Arts Center, Truro

Memorandum

Charleen L. Greenhalgh, ATA/Planner
Town of Truro

July 27, 2015

To: Planning Board
From: Charleen Greenhalgh, ATA/Planner
Re: Meldahl Subdivision – Edgewood Way

An on-site is scheduled for Tuesday, August 4, 4015 at 10:30 am:

TRURO PLANNING BOARD ON-SITE
TUESDAY, August 4, 2015 – 10:30 am
Edgewood Way, Truro

The Planning Board will conduct an on-site review and inspection of the Meldahl Realty Trust, Edgewood Way subdivision road relative to adequacy of access and adequacy of road construction. No determinations, discussions or votes will be taken at the on-site on this matter. The Board will be meeting at 6:00pm at the Truro Town Hall to discuss this matter.

As noted, this matter will also be on the Board's regular meeting agenda August 4th. Chet Lay, Slade Associates, Inc. has requested an audience with the Board. In the packet of information, please find the following:

1. Email dated July 22, 2015 from Chester Lay.
2. Reduced copy of the originally endorsed subdivision plan from 2001 identifying Town owned property, as well as two (2) parcels to be conveyed and two lots have been highlighted.
3. Letter dated January 20, 2015 from Fire Chief Brian G. Davis
4. Copy of the Planning Board Covenant, Bk 14422, Pg 8, 11-08-2001.
5. Two (2) photograph
6. Copy of the approved plan and profile for the construction of "Edgewood Way" dated August 2, 2001.
7. Full size copy of the "Subdivision Plan of Land in Truro Made for the Meldahl Realty Trust, scale: 1" = 60', dated June 4, 2001", Book 569, Page 44.

According to Mr. Lay's email, "Malcolm Meldahl would like to have the present road specs changed to allow the present surface to suffice and for a waiver of the construction of the new way past the present terminus of the travelled portion of the way. Access to Lots 3 and 4 would only be over Lot 5- that would be a condition of the sale to the Trust. Since the time the plan was approved, Malcolm has installed a concrete surface, 12 feet wide, for about half the length of the road. "

Mr. Lay also states that "[P]resently, the Castle Hill Center for the Arts is under agreement to

purchase the homestead (Lot 1) and Lot 2. If this becomes reality, Lots 3 and 4 will then be conveyed to the Truro Conservation Trust. This will leave only two lots that will need access over Edgewood Way."

There are several things that the Board should consider and be aware of:

A. If Castle Hill does not end up purchasing Lots 1 and 2 and the Truro Conservation Trust "TCT" also does not purchase Lots 3 and 4, then the road construction as presented in Item 6 above should be adhered to.
B. It is not clear how access for Lots 3 and 4 can be "only over Lot 5" when this is Town owned property purchase with Land Bank funds (pre-Community Preservation Act funds.) Vehicular access would be prohibited.
C. Castle Hill appears to generate a bit of traffic at times, is the road as currently constructed adequate for this type of use?
D. An As-built plan would be helpful to know exactly what exists as far as the over-all length of the existing improved road, the construction (cross-section), etc.
E. The Board should be sure to read *Section 4: Specifications for Construction of Roads* with the *Town of Truro Rules and Regulations Governing the Subdivision of Land* ("Rules and Regs"), prior to the meeting.
F. At present this road does not meet the minimum standards under the Rules and Regs. The subdivision was approved more than 8-years ago; therefore the protection for construction has lapsed. The road would now have to be constructed under the current Rules and Regs; specifically, if it is altered from the approved plan noted in Item 6 above.
G. I do believe the construction of the way, if not going to be constructed per the requirements of the existing Rules and Reg., would need to come back to the Planning Board for review and approval through a Modification of Subdivision. I would note that Mr. Meldahl was before the Planning Board on November 6, 2013, here are the minutes from that portion of the meeting:

Meldahl Realty Trust, Edgewood Road Subdivision, Discussion Regarding Access and Construction
Representative: Malcolm Meldahl

Mr. Meldahl introduced himself stating that he is the executor and a trustee of Edgewood Farm. Mr. Pendleton and Mr. Worthington announced that they are members of the Truro Conservation Trust, which is interested in the potential purchase of lots within the subdivision, and since there will be no personal gain by this action, there is no reason to recuse themselves. Mr. Meldahl explained the action requested. He is negotiating with the Truro Conservation Trust and with Castle Hill Truro Center for the Arts about a possible purchase of the land. There is a covenant attached to the land which requires improvements before a sale can be executed. Mr. Meldahl requested that if the sale goes through then he would like the ability to waive the requirements for the road improvements. Mrs. Greenhalgh stated that the lots 3 and 4 are being considered by the Truro Conservation Trust and there would be no building on those lots. A modification of the plan would need to be drawn where the Meldahl Realty Trust would not have to construct the full road shown on the plan. The new plan would have to provide a legitimate turn around within the subdivision, perhaps at or within Lot #2; at that point

Mr. Meldahl could ask for a waiver for the rest of the road construction. Ms. Snow stated that this would be an appropriate change to the plan. Mrs. Greenhalgh stated that there would also need to be a change in the covenant to allow for the construction of the road and to insure the road was constructed. Ms. Snow stated that the covenant would stipulate that the sale of lots 3 and 4 would depend on there being no development on them. Mrs. Greenhalgh stated that if there were a sale of the land in the future the language would state that, that could only occur if the land reverted back to the original order of conditions.

H. I do believe if the Board is comfortable with the original plan and profile for the road construction and it is to be constructed per that 2001 plan, no further review from the Board would need to take place; however, changes would need to then follow the comments in Item G above.
I. Following the completion of the road construction, as as-built plan would need to be filed along with a letter from the engineer attesting to the construction of the road, and the covenant would need to be released in accordance with the Rules and Regs.

Chester Lay

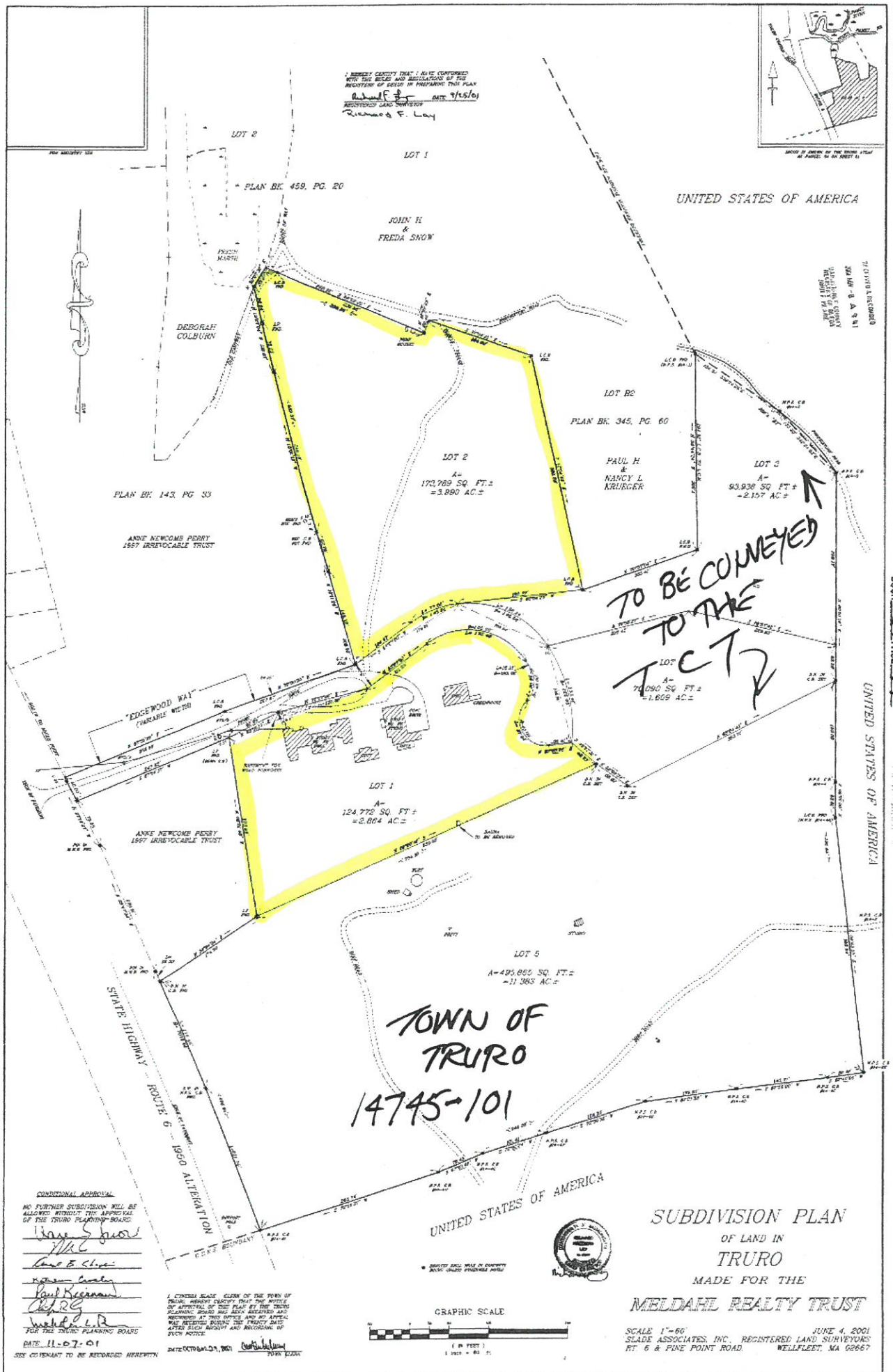
From:	Chester Lay <chet.lay@slade-associates.com>
Sent:	Wednesday, July 22, 2015 9:45 AM
To:	Charleen Greenhalgh (assttown@truro-ma.gov)
Subject:	Meldahl
Attachments:	Meldahl.jpg

RECEIVED
JUL 22 2015
BY: CGL

Good morning- We would like to be added to the August 4th agenda to discuss Edgewood Farm (Meldahl). You may be aware already as to what is in the pipeline: since the plan was approved in 2001, the Town has acquired Lot 5. Presently, the Castle Hill Center for the Arts is under agreement to purchase the homestead (Lot 1) and Lot 2. If this becomes reality, Lots 3 and 4 will then be conveyed to the Truro Conservation Trust. This will leave only two lots that will need access over Edgewood Way. Malcolm Meldahl would like to have the present road specs changed to allow the present surface to suffice and for a waiver of the construction of the new way past the present terminus of the travelled portion of the way. Access to Lots 3 and 4 would only be over Lot 5- that would be a condition of the sale to the Trust. Since the time the plan was approved, Malcolm has installed a concrete surface, 12 feet wide, for about half the length of the road. Would it be possible to schedule a site visit on the morning of the 4th so that the Board would have a better understanding of what is being requested? I will drop off, probably this afternoon, all the supporting information for you and the Board. Many thanks.

Chet

(508) 349-3110



BOOK 569 PAGE 44

569-44

TRURO FIRE RESCUE
344 ROUTE SIX, P.O. BOX 2013
TRURO, MASSACHUSETTS 02666

Brian G. Davis
Chief

Telephone (508)487-7548
Facsimile (508) 487-6708

January 20, 2015

To Whom It May Concern:

I am writing to certify that the clearance for the access and turning of emergency fire and ambulance vehicles at Edgewood Farm, 3 Edgewood Way (147 Rt. 6), Truro, MA 02666 is sufficient.

If you have any further questions regarding this matter please contact me.

Sincerely,

Chief Brian G. Davis

Bk 14422 Pg8 #83858
11-08-2001 @ 09:46a

FORM D COVENANT

The undersigned Malcolm Edward Meldahl, Trustee of the Meldahl Realty Trust of P.O. Box 34, Truro, Barnstable County, Massachusetts, hereafter called the "Covenantor", having submitted to the Truro Planning Board, a definitive plan of a subdivision, entitled Subdivision Plan of Land in Truro Made For the Meldahl Realty Trust dated June 4, 2001 made by Slade Associates, Inc. does hereby covenant and agree with said Planning Board and the successors of office of Said Board, pursuant to G.L., C.41, Sec. 81U, as amended, that:

1. The Covenantor is the owner of record of the premises, shown on said plan;
2. This covenant shall run with the land and be binding upon the executors, administrators, heirs, assigns of the Covenantor, and their successors in title to the premises shown on said plan;
3. The construction of ways and the installation of municipal services shall be provided to serve any lot in accordance with the applicable Rules and Regulations of said Board before such lot may be built upon or conveyed, other than by mortgage deed; provided that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of the mortgaged premises or part thereof may sell any such lot, subject only to the portion of this Covenant which provides that no such lot so sold shall be built upon until such ways and services have been provided to serve such lot;
4. Nothing herein shall be deemed to prohibit a conveyance subject to this covenant by a single deed of the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board without first providing such ways and services;
5. This covenant shall take effect upon the approval of said plan;
6. Reference to this covenant shall be entered upon said plan and this covenant shall be recorded when said plan is recorded.

Plan BOOK 569 PAGE 44

Street Address: 147 Route 6
Truro

The undersigned _____ wife, husband, of the Covenantor hereby agree that such interest as I, we, may have in said premises shall be subject to the provisions of this covenant and insofar as is necessary release all rights of tenancy by the courtesy, dower and other interest therein.

EXECUTED as a sealed instrument this 30th day of October 2001

Malcolm Edward Meldahl _____

_____ _____

_____ _____

COMMONWEALTH OF MASSACHUSETTS

Barnstable ss October 30 2001

Then personally appeared Malcolm Meldahl and acknowledged the foregoing instrument to be his free act and deed, before me

Ruth M. Marriott
Notary Public

March 14, 2007
My Commission Expires

RUTH M. MARRIOTT NOTARY PUBLIC COMMONWEALTH OF MASSACHUSETTS

7. Attachment to Meldahl Realty Trust Covenant

We, the undersigned, being a majority of the members of the Truro Planning Board present at a meeting held on October 3, 2001, hereby agree to waive certain provisions as detailed in Section IV, Design Standards of our regulations and allow instead the following:

1. The width of the right-of-way for Edgewood Way may be twenty-nine (29.00) feet where it passes the northwest corner of the dwelling on Lot 1 on the condition that an easement be granted as an appurtenant right to Lots 2, 3 and 4 over that portion of Lot 1 denoted on said plan as "easement for road purposes";

2. The pavement width for Edgewood Way shall be fourteen feet, inclusive of berms. Four paved turnouts shall be constructed. All requisite improvements are shown on a plan entitled "Edgewood Way, Plan & Profile, made for Malcolm Meldahl" dated August 2, 2001 on file with the Truro Planning Board;

3. Utilities shall be underground where they leave utility pole No. 73/B at the northwest corner of Lot 1;

4. Lot 5, having sufficient frontage on Route 6, shall not be subject to the terms of this covenant; and

5. No further subdivision will be allowed without the approval of the Truro Planning Board.

Truro Planning Board

Date: 11-07-01

COMMONWEALTH OF MASSACHUSETTS

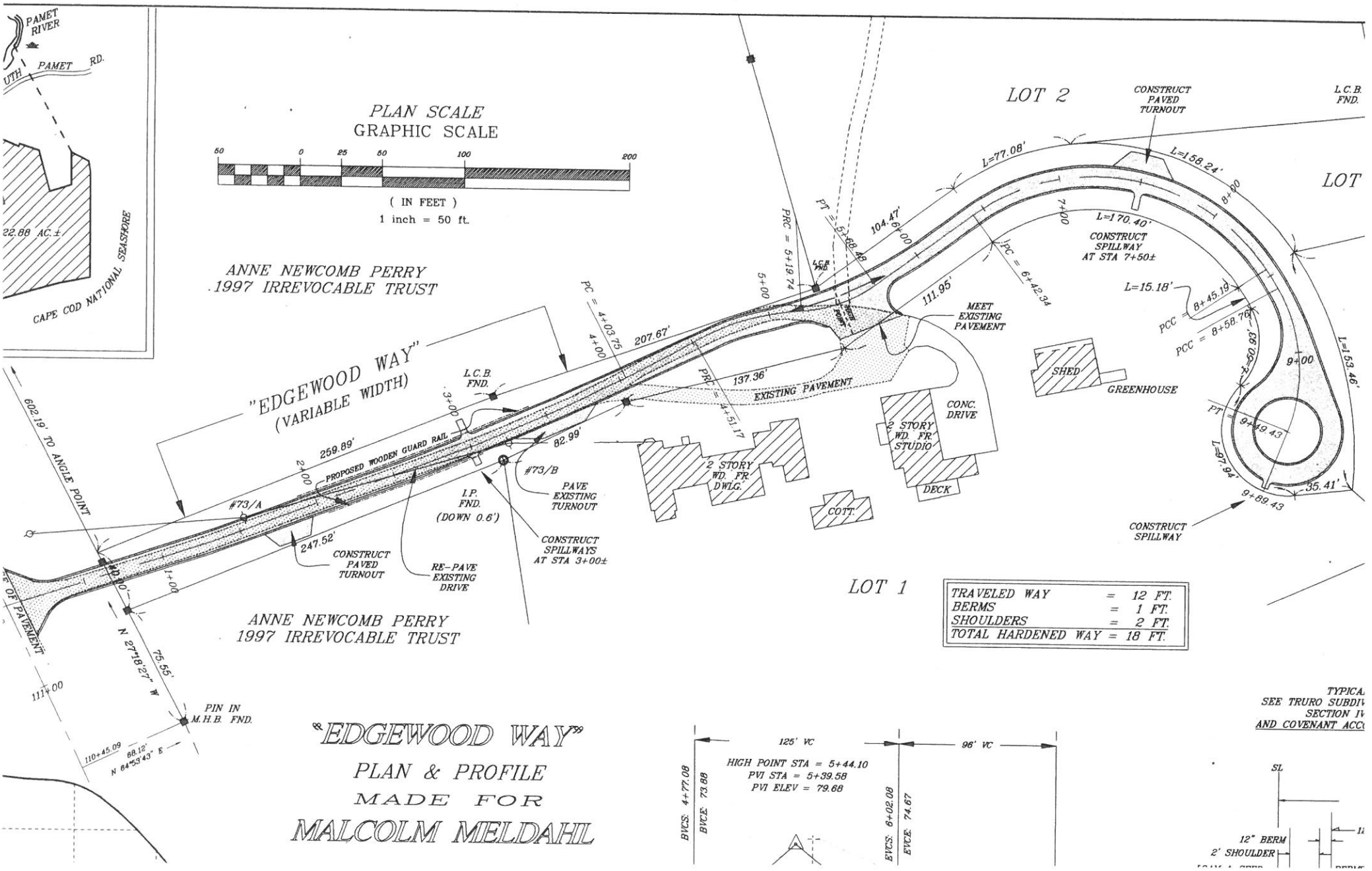
Barnstable ss: NOVEMBER 7 2001

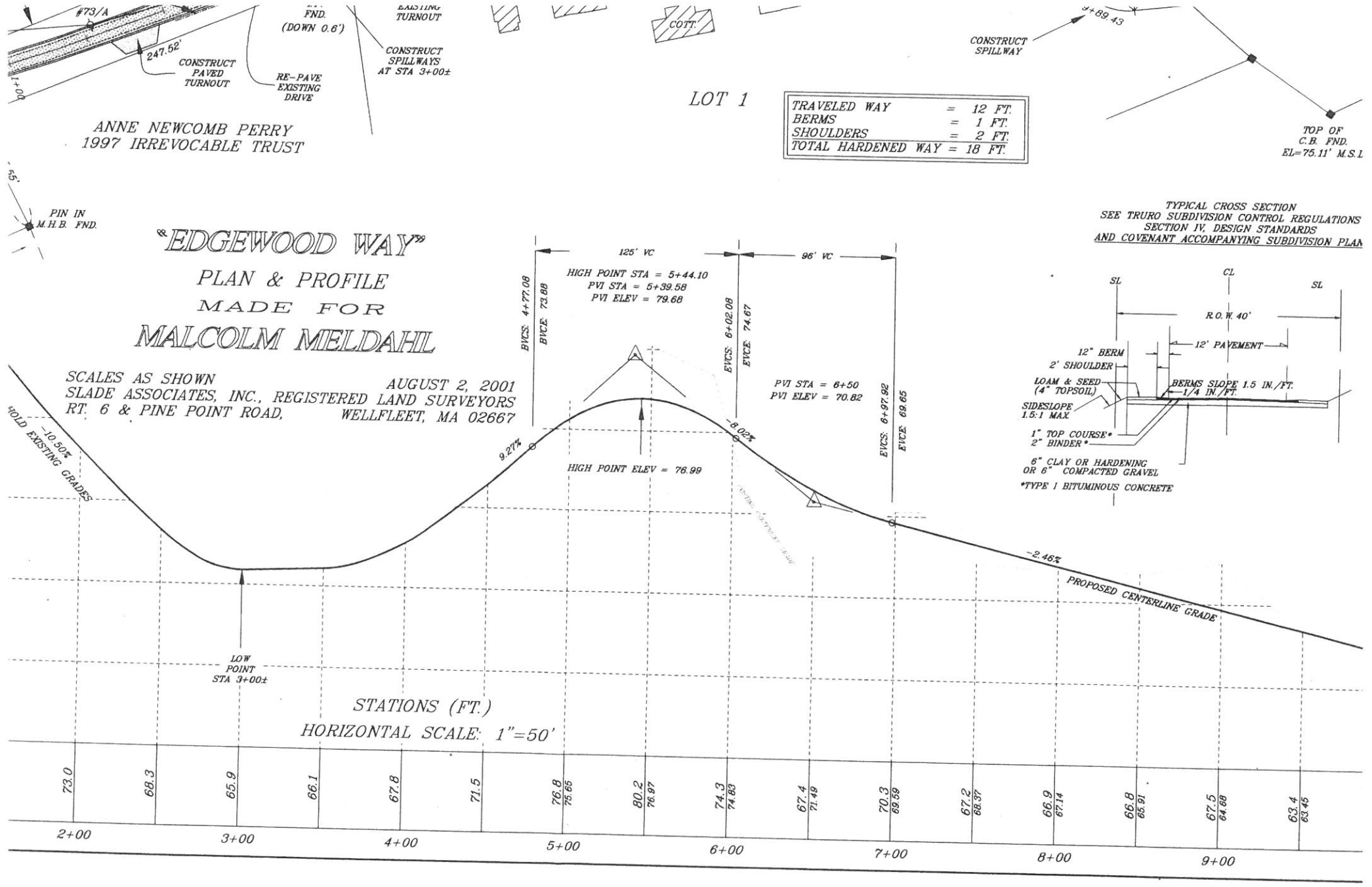
Then personally appeared THE ABOVE ~~one of the aforesigned~~ members of the Truro Planning Board, and acknowledged the foregoing instrument to be THEIR free act and deed, before me.

Notary Public
JOAN C. MORIARTY

My Commission expires JULY 31, 2003

BARNSTABLE REGISTRY OF DEEDS


PAMET RIVER
PAMET RD.
22.88 AC.±
CAPE COD NATIONAL SEASHORE
PLAN SCALE
GRAPHIC SCALE
50 0 25 50 100 200
(IN FEET)
1 inch = 50 ft.
ANNE NEWCOMB PERRY
1997 IRREVOCABLE TRUST
"EDGEWOOD WAY"
(VARIABLE WIDTH)
602.19' TO ANGLE POINT
259.89'
PROPOSED WOODEN GUARD RAIL
L.C.B. FND.
3+00
2+00
1+00
#73/A
#73/B
247.52'
82.99'
I.P. FND. (DOWN 0.6')
PAVE EXISTING TURNOUT
CONSTRUCT PAVED TURNOUT
RE-PAVE EXISTING DRIVE
CONSTRUCT SPILLWAYS AT STA 3+00±
N 27°18'27" W
75.55'
PIN IN M.H.B. FND.
110+45.09
68.12'
N 64°53'43" E
111+00
OF PAVEMENT
ANNE NEWCOMB PERRY
1997 IRREVOCABLE TRUST
PC = 4+03.75
4+00
207.67'
PRC = 4+51.17
137.36'
EXISTING PAVEMENT
PRC = 5+19.74
5+00
PT = 5+68.48
104.47'
6+00
L=77.08'
LOT 2
CONSTRUCT PAVED TURNOUT
L=158.24'
7+00
L=170.40'
CONSTRUCT SPILLWAY AT STA 7+50±
PCC = 8+42.34
111.95'
MEET EXISTING PAVEMENT
L=15.18'
PCC = 8+45.19
PCC = 8+58.76
L=50.93'
9+00
L=153.46'
PT
9+49.43
L=97.94'
35.41'
9+89.43
CONSTRUCT SPILLWAY
L.C.B. FND.
LOT
SHED
GREENHOUSE
CONC. DRIVE
2 STORY WD. FR. STUDIO
DECK
2 STORY WD. FR. DWLG.
COTT.
LOT 1
TRAVELED WAY = 12 FT.
BERMS = 1 FT.
SHOULDERS = 2 FT.
TOTAL HARDENED WAY = 18 FT.
"EDGEWOOD WAY"
PLAN & PROFILE
MADE FOR
MALCOLM MELDAHL
125' VC
96' VC
HIGH POINT STA = 5+44.10
PVI STA = 5+39.58
PVI ELEV = 79.68
BVCS: 4+77.08
BVCE: 73.88
EVCS: 6+02.08
EVCE: 74.67
TYPICA
SEE TRURO SUBDIV
SECTION IV
AND COVENANT ACC
SL
12" BERM
2' SHOULDER


#73/A
247.52'
CONSTRUCT PAVED TURNOUT
RE-PAVE EXISTING DRIVE
FND. (DOWN 0.6')
EXISTING TURNOUT
CONSTRUCT SPILLWAYS AT STA 3+00±
COTT.
CONSTRUCT SPILLWAY
3+89.43
TOP OF C.B. FND. EL=75.11' M.S.L.
ANNE NEWCOMB PERRY
1997 IRREVOCABLE TRUST
LOT 1
TRAVELED WAY = 12 FT.
BERMS = 1 FT.
SHOULDERS = 2 FT.
TOTAL HARDENED WAY = 18 FT.
PIN IN M.H.B. FND.
"EDGEWOOD WAY"
PLAN & PROFILE
MADE FOR
MALCOLM MELDAHL
SCALES AS SHOWN
AUGUST 2, 2001
SLADE ASSOCIATES, INC., REGISTERED LAND SURVEYORS
RT. 6 & PINE POINT ROAD, WELLFLEET, MA 02667
125' VC
96' VC
HIGH POINT STA = 5+44.10
PVI STA = 5+39.58
PVI ELEV = 79.68
BVCS: 4+77.08
BVCE: 73.88
EVCS: 6+02.08
EVCE: 74.67
PVI STA = 6+50
PVI ELEV = 70.82
EVCS: 6+97.92
EVCE: 69.65
HIGH POINT ELEV = 76.99
-10.50%
HOLD EXISTING GRADES
9.27%
-8.02%
-2.46%
PROPOSED CENTERLINE GRADE
LOW POINT STA 3+00±
TYPICAL CROSS SECTION
SEE TRURO SUBDIVISION CONTROL REGULATIONS
SECTION IV, DESIGN STANDARDS
AND COVENANT ACCOMPANYING SUBDIVISION PLAN
SL
CL
SL
R.O.W. 40'
12' PAVEMENT
12" BERM
2' SHOULDER
LOAM & SEED (4" TOPSOIL)
BERMS SLOPE 1.5 IN./FT. 1/4 IN./FT.
SIDESLOPE 1.5:1 MAX.
1" TOP COURSE*
2" BINDER*
6" CLAY OR HARDENING OR 6" COMPACTED GRAVEL
*TYPE I BITUMINOUS CONCRETE
STATIONS (FT.)
HORIZONTAL SCALE: 1"=50'
73.0
68.3
65.9
66.1
67.8
71.5
76.8 75.65
80.2 76.97
74.3 74.83
67.4 71.49
70.3 69.59
67.2 68.37
66.9 67.14
66.8 65.91
67.5 64.68
63.4 63.45
2+00
3+00
4+00
5+00
6+00
7+00
8+00
9+00

Memorandum

Charleen L. Greenhalgh, ATA/Planner
Town of Truro

July 28, 2015

To: Planning Board
From: Charleen Greenhalgh, ATA/ Planner
Re: Zoning Reform

Board Members, please refer to the information provided in the July 21, 2015 meeting packet.

For those looking for information on line, please go to the News and Announcements on the Planning Board page of the Town Website for a link to the Zoning Reform materials. http://www.truro-ma.gov/planning-board/news/planning-board-will-discuss-zoning-reform-aug-4-2015

TRURO PLANNING BOARD **DRAFT**
Meeting Minutes
July 21, 2015 – 6:00 pm
Truro Town Hall, Truro, MA

Planning Board Members Present: Lisa Maria Tobia, Steve Sollog, Bruce Boleyn, William Worthington; and John Riemer;
Member Absent: Michael Roderick (excused)
Others Present: Chester Lay, Slade Associates; Lester J. Murphy, Attorney; Peter Casperson; William Fitzgerald; Paul Kiernan; John Martsberry; Charleen Greenhalgh, Town Planner and ATA and Shawn Grunwald

Ms. Tobia opened the meeting at 6:00 pm.

2015-005PB Nancy A. Dyer, Preliminary Subdivision, 4 Sam's Way
Representatives: Chester Lay; Lester J. Murphy

The applicant seeks approval of a 1 Lot (including reconfiguration of the road) preliminary subdivision pursuant to MGL c.41, Section 81-S and Section 2.4 of the Town of Truro Rules and Regulations Governing the Subdivision of Land for property located at 4 Sam's Way, Assessors Map 24, Parcel 13.

Mr. Lay distributed a plan of the property that had been approved in 1994. He stated that the purpose of the preliminary subdivision request was to create more buildable upland within the existing parcel by shortening the subdivision road.

Mr. Lay wanted to specifically address the item in the staff report dated July 13, 2015 from Charleen Greenhalgh to the Planning Board members that questioned whether the new proposed layout would meet the definition of street in the Truro Zoning Bylaws. Mr. Lay distributed a plan that was approved by the Planning Board in 2001 for Malcolm Meldahl. He noted that Lot 1, containing the homestead, up by Edgewood Way the road actually constricts to 29 feet to allow for a proper setback to the home. What they did was widen the road with an easement to 40 feet. There is a letter from Town Counsel at that time that stated this was acceptable. Mr. Lay did not have the letter with him but is willing to provide a copy to the Board. Based on this past practice they are proposing to do something identical; although it is not shown on the Preliminary Plan. They propose to widen the road to 40 feet through an easement on the northerly side of the Samual Dyer parcel, owner of the lot on Knowles Heights Road. This would allow the 40 foot and resolve the issue. Mr. Murphy stated that this is primarily academic as they will be looking for waivers to road construction as this would be a driveway to serve one lot. The one issue Mr. Murphy sees, and plans to research, is to address the setback of the current structure on the Samuel Dyer lot, which current sits 27 feet from the road. With the easement this would reduce by ten feet, thus the setback would be 17 feet. Mr. Murphy stated that his belief is that the setback is from the property line and not the easement line.

Mr. Sollog asked if the rural road alternative would be available and Mr. Lay responded that they will be seeking that waiver. Mrs. Greenhalgh clarified that the Board can approve the preliminary plan either through having a 40 foot road through an easement or for the applicant to seek relief through the Zoning Board of Appeals, which would need to be done before they file a final plan.

Mr. Lay agreed to a turning radius on the easement where it would meet Knowles Heights Road following Mr. Riemer's request. Mr. Lay clarified that there are no setbacks for easements, just for property lines. Mr. Murphy further clarified that the footpath, walking paths, beach access and rights of way will be retained. This reassurance has been given to the abutters. The abutters have all been notified.

Mr. Riemer stated he is not comfortable until he sees the letter with the Town Counsel opinion regarding the width of the road. Ms. Tobia expressed her concern about drainage and Mr. Lay replied they will be asking for a waiver of construction, one of several waivers they will be seeking. Ms. Tobia also identified that on the actual plan, it does not state that it is a preliminary plan. This will be rectified by Mr. Lay.

Ms. Tobia identified some of the comments made by the Building Inspector and the Health/Conservation Agent. Mr. Lay and Mr. Murphy acknowledged that they are aware of these issues and will address them in their waiver requests, particularly around the nitrogen load concern, which would go before the Board of Health. Mr. Murphy explained that they need to provide an identified lot before they can move forward on the waivers.

Mr. Riemer questioned the amount of beach that would be under water. Mr. Lay stated that it would be rare to have it under water. Ms. Tobia asked if there were any abutters who wanted to speak on this matter. Peter Casperson (lot 25) stated that he has no objection to the preliminary plan. William Fitzgerald, who owns the property across the road, stated his only concern is if they will have access to the easement while the road is being constructed. Mr. Lay addressed this concern saying that he foresees no problem with maintaining access and is willing to have that be one of the conditions.

Mr. Murphy is willing to have the matter extended to the next meeting. Mrs. Greenhalgh stated that they would need an additional 14 days from the next meeting to allow for all the paperwork to be completed and filed with the Town Clerk.

On a motion by Mr. Sollog and seconded by Mr. Worthington, the Planning Board agreed to extend the time they have to act until August 18, 2015 and to continue this matter to August 4, 2015, so voted 5-0-0.

Review and Discussion on Proposed Zoning Reform

The purpose of this item was to review, discuss and possibly vote on whether to support Senate Bill No. 122 "An Act promoting the planning and development of sustainable communities" (aka Zoning Reform) and to send a letter confirming said support.

This bill is sponsored by Senator Daniel Wolf and has the support of many organizations, including MMA and Massachusetts Planners. Mrs. Greenhalgh will be supporting this bill as the Town Planner. The highlights, summary of the bill as well as the entire bill has been made available to Planning Board members.

This bill has been amended from previous versions, which Mrs. Greenhalgh believes better supports small towns such as Truro. Mr. Riemer questioned one aspect of the bill which will allow changes in zoning bylaws to move from a two-thirds super-majority to a simple majority, as he feels that may not

accurately reflect the true will of the voters. Mr. Worthington stated that he is in favor of this change, as that is how other major elections are decided, such as Presidential elections. Ms. Tobia would like to see some citizen input before the Planning Board endorses this bill or not. Mrs. Greenhalgh will put the link on the Town website. The Joint Committee on Community Development and Small Businesses will hear the zoning reform bill on September 15; so the Board has some time. The discussion will continue on August 4, 2015.

Discussion on Planning Board Goals/Topics for FY 2016 and Next Steps (Continued)

Ms. Tobia pointed out that the goals have now been group into categories and that was part of the packet.

Mr. Sollog commented that the goals/topics represent a very ambitious list. He further stated that he would like to see public comment at the beginning of the meeting.

In response to Ms. Tobia's inquiry if anything should be removed from the list, Mrs. Greenhalgh stated that the Waste Water Management committee will be gathering a lot of potential helpful information for the Planning Board in terms of the sustainable growth goal. Further, she inquired if she could start a conversation with the Provincetown Water Department as they have the technology to draw the map needed to include the Zone of Contribution for the North Union Wellfield. The consensus of the Planning Board members was that she should proceed.

Ms. Tobia suggested a format change from bullets to a numbering system for ease of identification of a particular topic when this is brought forward for public comment. In addition, she would request that the community engagement goal/topic be the first on the list.

Following discussion, it was decided by consensus for the Board to do a presentation of the topics/goals to the public at the August 18, 2015 meeting.

On a motion by Mr. Boleyn and seconded by Mr. Worthington, the board voted to accept the list of topics/goals with the modifications discussed above by a vote of 5-0-0.

Interview of Applicants for Vacant Planning Board Member

Ms. Tobia explained that the Planning Board received two (2) applications for the vacancy: Paul Kiernan and Richard Fishman. Mr. Fishman was unable to attend tonight's meeting but will be present for the August 4 meeting.

Mr. Kiernan was invited to discuss his interest and qualifications for the position. He stated that he was a former Planning Board member, having served from 1992-2002, at which time he resigned because he was involved with a law suit. His background is in engineering and economics and he believes that not only from his education but also personal experience representing himself in land court, he has many skills to offer the Board. He further stated that he values community service and is willing to speak up but also listen when needed. The floor was then opened to members for questions for the candidate.

Mr. Worthington acknowledged working with Mr. Kiernan on past Planning Boards and questioned if Mr. Kiernan would hold the floor extensively when speaking on a subject. Mr. Kiernan stated that he

operates by providing original source information so that Board members can understand his logic for his position and they can fact-check for themselves.

Mr. Riemer urged the Board to support Mr. Kiernan's application as he applied in June and the Board has been operating short-handed for almost two months. Mr. Boleyn agreed that Mr. Kiernan's application should be supported by the Board.

Mr. Worthington stated that he feels all the applicants should be given the opportunity to come before the Board, especially as there is not a timeframe for filling the vacancy.

Ms. Tobia stated that she has some concerns about how Mr. Kiernan has conducted himself in the past, particularly with personal attacks to individual board members. Ms. Tobia believes that all candidates should have the opportunity to discuss their credentials before a decision gets made.

Mr. Sollog stated that all members need to have the opportunity to speak while on the Board and feel their statements are equally valued. He acknowledged Mr. Kiernan's long history with the Town and his past service on the Planning Board. Mr. Kiernan suggested that the Planning Board packets should be made available to the public on line, not just the agenda.

Mr. Worthington commented that when he joined the Planning Board, Mr. Kiernan was the Chair and that it was a well-run Board. Mr. Kiernan complemented Ms. Tobia on her skills as the recently appointed Chair of the Board. Mr. Riemer stated that a team approach to matters is sometimes enhanced by someone on the team taking an adversarial or aggressive stance.

John Martsberry came forward to support the application of Mr. Fishman.

Discussion of November 17, 2015 Meeting Date

The Board of Selectmen has changed one of its meeting dates to November 17, 2015. The Planning Board was scheduled to meet that evening and now needs to vote to change the meeting schedule if deemed necessary. A suggestion was made to move the meeting to Wednesday November 18, 2015 to allow for a video recording. The consensus was to move the meeting date to November 18.

Mrs. Greenhalgh reminded the members that public hearings cannot be held on any election days, whether town, state or federal elections.

Review and Approval of Meeting Minutes: July 7, 2015

Mr. Worthington requested a modification of the phrasing of his comment in the Planning Board Goals/Topics section. On a motion by Mr. Worthington and seconded by Mr. Boleyn, the minutes as modified were approved by a vote of 5-0-0.

Mrs. Greenhalgh expressed her thanks to Carole Ridley for her work during her absence as well as Ms. Grunwald.

Adjourn 7:36 pm

Respectfully Submitted,

Shawn Grunwald

TOWN OF TRURO

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July 27, 2015

To: Planning Board

From: Charleen Greenhalgh, ATA/Planner

Re: Draft Schedule for 2016

Attached please find the draft Hearing/Meeting Schedule for the Planning Board for 2016. There are a couple of items that I wanted to point out.

1. The filing deadline has been move to Mondays (unless otherwise noted.) The *Banner* is now being used for the legal advertising and the deadline for publication is early than it was with the *Cape Codder*. The extra 2-days will assist staff with making sure that notices can be prepared and submitted on time.
2. In April there is only one meeting, on the second Tuesday (April 12th). Town Meeting is Tuesday, April 26th and the Selectmen are scheduled to meet on the first and third Tuesdays. The Planning Board may wish to add a meeting on another day.
3. The November 1st meeting date is shown in Gray. The Selectmen have voted to meet on November 8 and November 15; however November 8 is the National Election, so the Selectmen may wish to revisit their schedule.
4. The second meeting in December is also in Gray. The Board of Selectmen will be holding back to back meetings on December 13th and December 20th. I was not sure if the Board wanted to meet on December 27th.

Truro Planning Board Hearing/Meeting Schedule* - 2016

HEARING/MEETING (Tues, unless otherwise noted)	FILING DEADLINE (Monday at Noon unless otherwise noted)
January 5	November 30
January 19	December 14
February 2	December 28
February 16	January 11
March 15	February 8
March 29	February 22
April 12	March 7
May 3	March 28
May 17	April 11
June 7	May 2
June 21	May 16
July 5	May 31 (Tuesday)
July 19	June 13
August 2	June 27
August 16	July 11
September 6	August 1
September 20	August 15
October 4	August 29
October 18	September 12
November 1	September 26
November 16 (Wed)	October 11 (Wed)
December 6	October 31
December	November

*Applications requiring public hearings are subject to this schedule and include **Site Plans** and **Special Permits**; and **Definitive Plans**

All other applications (**not** requiring a **public hearing**) are not subject to this filing deadline schedule; HOWEVER, **they must be filed no less than 10-days prior to a scheduled meeting.** Applications will be scheduled accordingly and include **Preliminary Plans** (decision must be rendered within 45 days of filing), **Approval Not Required Plans** (decision rendered within 21 days of filing) and **Waiver from Site Plan Requests**.

Regular meeting/hearings for the Truro Planning Board begin at **6:00 pm**.

All requests must be in writing or on the appropriate application form(s).

MEETING DATES AND TIMES ARE SUBJECT TO CHANGE

Please check the Town Website www.truro-ma.gov for any changes in the schedule.