

**TOWN OF TRURO  
ZONING BOARD OF APPEALS  
Meeting Minutes  
November 7, 2019, 3:00 pm  
Truro Town Hall**

**Board Members Present**

**Chair A. Hultin  
Vice Chair F. Todd  
Clerk C. Lucy  
Member J. Dundas  
Member J. Thornley  
Alternate D. Shedd  
Alternate H. Townsend**

**Other Participants**

**Jeffrey Ribeiro, Truro Town Planner  
Attorney Barbara Carboni, Truro Town Counsel, KP Law  
Jarrod Cabral, Truro Department of Public Works Director  
Jamie Calise, Truro Chief of Police  
Tim Collins, Truro Fire Chief  
Scott Brazil, Truro Building Commissioner**

**Meeting convened at 3:00 pm by Chair Hultin.**

**1. 40B (Cloverleaf) Training Session**

Jeffrey Ribeiro, Town Planner, introduces Attorney Barbara Carboni, Town Counsel, KP Law. She explains that a 40B is different from other applications that come before the Zoning Board because the Board will act to deliberate and reach a conclusion in the stead of Truro's other boards and departments. As such, the ZBA will hear input from others.

Atty Carboni goes over the sort of timeline the Board can expect with the 40B process and recommends that the Chair go over the process with the public when the hearing takes place.

Atty Carboni discusses the process by which Truro could potentially invoke safe harbor and Chair Hultin and Mr. Ribeiro don't believe Truro comes close enough to meeting certain standards involved.

Atty Carboni speaks to the possibility of hiring peer reviewers for additional information at the applicant's expense. Mr. Ribeiro explains how reviewers like engineers could come in as questions arise. Ms. Carboni asks Mr. Ribeiro the process for public comment during the 40B process. He thinks the Board can decide on the process for that with assistance from Ms. Carboni. It is Chair Hultin's understanding that the process would involve contact with the Town Planner and then Mr. Ribeiro's contact with people like department heads.

Alternate Townsend asks if not approving a waiver would throw off the whole development plan in a 40B situation. Atty Carboni and Mr. Ribeiro don't believe so.

Mr. Ribeiro and Atty Carboni discuss with the Board quantifiable reasons a project could be denied.

Chair Hultin asks if there are any things department heads present are looking for in general.

Jarrood Cabral, Truro Department of Public Works Director says that in general nothing has come up.

Jamie Calise, Truro Chief of Police says that a traffic review plan would interest them.

Tim Collins, Truro Fire Chief says that because Fire Code is often aligned with Building Code a lot will be coordinated with the Building Commissioner, Scott Brazil.

Chair Hultin asks Atty Carboni if there is an order to how things should be addressed, and Ms. Carboni says that public safety issues such as site access may be addressed first.

Mr. Ribeiro draws from his experience with the Cape Cod Commission to outline how they go about things and says that they will comment on the plans before the first meeting. He also explains that he'll be providing the appropriate people with the appropriate information and essentially coordinating everybody throughout the process.

Chair Hultin asks if anyone in the audience wants to give a public comment and no one chooses to come forward. Mr. Hultin and Atty Carboni also stress the Board should be aware of Open Meeting Law and not discuss the application publicly or use group emails for discussion.

## **2. Approval of 2020 Meeting Schedule**

**Member Dundas makes a motion to accept the hearing schedule for 2020. Vice Chair Todd seconds. So voted, 7-0-0. Motion carries.**

## **3. Approval of Meeting Minutes**

**June 24, 2019**

**Chair Hultin makes a motion to add a vote 5-0-0 of exiting executive session in the final part of the minutes. Vice Chair Todd seconds. So voted, 7-0-0. Motion carries.**

**Chair Hultin makes a motion to accept the minutes as revised. Member Thornley seconds. So voted, 7-0-0. Motion carries.**

The scheduling of materials to the Board regarding the 40B process is discussed.

**Chair Hultin makes a motion that 40B related materials be submitted to the Board 7 days prior to a meeting. Vice Chair Todd seconds. So voted, 7-0-0. Motion carries.**

**Alternate Shedd makes a motion to adjourn. Chair Hultin seconds. So voted, 7-0-0. Motion carries.**

**Meeting is adjourned at 4:20 pm.**

Respectfully submitted,



Paxton Green

