

**TOWN OF TRURO
ZONING BOARD OF APPEALS**

Meeting Minutes
May 18, 2020 – 5:30 pm
REMOTE MEETING

Present (Quorum): Arthur Hultin (Chair); Fred Todd (Vice Chair); Chris Lucy (Clerk); John Dundas; John Thornley; Darrell Shedd (Alternate); Heidi Townsend (Alternate)

Absent: None

Other Participants: Jeffrey Ribeiro, AICP – Truro Town Planner

Meeting convened at 5:30 pm by Chair Hultin.

Town Planner, Jeffrey Ribeiro, detailed where to watch this meeting, how to access it, and to provide comment during the meeting by calling toll free (877) 309-2073 and entering the access code 802-400-861. The telephone number and access code were repeated, and he noted that a slight delay of 15 to 30 seconds between the meeting and the live stream television broadcast might be experienced. He also noted that if you are calling in to please lower the volume on your computer or television during public comments so you may be heard clearly and to also identify yourself so multiple callers can be managed effectively. Citizens may provide public comment for this meeting by emailing jribeiro@truro-ma.gov with your comments, and he will be checking the emails live during the meeting.

Public Hearing – Continued

2020-001/ZBA – Charles Silva for property located at 379 Shore Road (Atlas Map 10, Parcel 10, Registry of Deeds title reference: Book 24602, Page 48). Applicant seeks a Special Permit under Section 30.7.A of the Truro Zoning Bylaw for the demolition and reconstruction of a pre-existing, non-conforming cottage.

Chair Hultin stated that this is a procedural only motion that will be made to continue to June 22, 2020. Town Planner, Jeffrey Ribeiro, stated that at this time they are just making a motion to continue to the regularly scheduled meeting of June 22. Chair Hultin moved to continue this hearing to the meeting on June 22, 2020 at 5:30 pm, either at Truro Town Hall or online. Member Thornley seconded the motion. Chair Hultin asked if there were any further discussion by any Board Members; there were none. Chair Hultin asked for a roll call vote. Voted all in favor. So voted: 7-0. Motion passes unanimously to continue to the 22nd.

Board Action/Review

Chair Hultin asked Town Planner Ribeiro to explain the provisions for the first Agenda item regarding conducting meetings, hearings, and site visits. Town Planner Ribeiro stated the Governor came out today providing more information. Currently the recommendation from staff and counsel for the Town is still to hold off on conducting virtual hearings for now. Reasons being

that it is not ideal for the general public to participate because of tech issues, connectivity issues in Truro, lack of broadband/internet. Another issue is site visits and ways to do that – small groups, socially distanced, masks, video, individual drive-bys. Chair Hultin suggested waiting for guidance from higher authorities regarding future meetings and public hearings.

Town Planner Ribeiro addressed the next Agenda item: Vote to authorize the Chair to schedule or reschedule public hearings. He stated that the Municipalities Bill that the Legislature passed allows for the Board to authorize the Chair to schedule and reschedule public hearings as needed. Chair Hultin asked Town Planner Ribeiro if this preempts any public notice, is this a complete exemption to that notice, or is there some limitation to that? Town Planner Ribeiro replied that it does require posting on the Town's website ahead of time. His recommendation is to stay with their normal practice, but if needed, Chair Hultin could move a hearing to a later date. Chair Hultin stated that this is for extraordinary circumstances. Chair Hultin asked for a motion. Member Dundas moved to authorize the Chair to schedule or reschedule public hearings in accordance with Chapter 53 of the Acts of 2020, *An Act to Address Challenges Faced by Municipalities and State Authorities Resulting from COVID-19*. Seconded by Member Thornley. Chair Hultin asked if there were any further discussion by any Board Members; there were none. Chair Hultin asked for a roll call vote. Voted all in favor; Chair Hultin abstained. So voted: 6-0, one abstained.

Town Planner Ribeiro addressed the next Agenda item: Cloverleaf project. He stated that they were not going to be able to move forward on the 28th as the applicant's engineer is also working in a limited capacity, and they have not yet received the revised plans. Once received, the plans will need to go to Horsley Witten for the peer review again. They are working on the timeline. The meeting on May 28 will be a continuance.

Approval of Minutes

Chair Hultin reiterated the July 29, 2019 minutes. Hearing no changes offered, Chair Hultin moved to accept the minutes as written. Clerk Lucy seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Member Dundas abstained. So voted: 6-0, one abstained. Motion is approved, and the minutes are accepted.

Chair Hultin stated the August 26, 2019 minutes were from executive session. Hearing no changes offered, Chair Hultin moved to approve the minutes as written. Member Thornley seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Member Lucy abstained. So voted: 6-0, one abstained. Motion is approved, and the minutes are accepted.

Chair Hultin reiterated the December 5, 2019 minutes. Hearing no changes offered, Chair Hultin moved to accept the minutes as written. Vice Chair Todd seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Member Lucy abstained. So voted: 6-0, one abstained. Motion is approved, and the minutes are accepted.

Chair Hultin reiterated the December 12, 2019 minutes. Hearing no changes offered, Chair Hultin moved to approve the minutes as written. Vice Chair Todd seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor. So voted: 7-0. Motion is approved, and the minutes are accepted.

Chair Hultin reiterated the December 19, 2019 minutes. Hearing no changes offered, Chair Hultin moved to accept the minutes as written. Vice Chair Todd seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Member Thornley abstained. So voted: 6-0, one abstained. Motion is approved, and the minutes are accepted.

Chair Hultin reiterated the January 16, 2020 minutes. Hearing no changes offered, Chair Hultin moved to accept the minutes as written. Vice Chair Todd seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Member Thornley abstained. So voted: 6-0, one abstained. Motion is approved, and the minutes are accepted.

Chair Hultin reiterated the January 27, 2020 minutes. Hearing no changes offered, Chair Hultin moved to accept the minutes as written. Member Shedd seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Vice Chair Todd, Clerk Lucy and Members Dundas and Shedd abstained. So voted: 3-0, four abstained. Motion is approved, and the minutes are accepted.

Chair Hultin reiterated the February 24, 2020 minutes. Hearing no changes offered, Chair Hultin moved to accept the minutes as written. Vice Chair Todd seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Member Dundas abstained. So voted: 6-0, one abstained. Motion is approved, and the minutes are accepted.

Chair Hultin reiterated the March 12, 2020 minutes. Hearing no changes offered, Chair Hultin moved to accept the minutes as written. Vice Chair Todd seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Member Dundas abstained. So voted: 7-0. Motion is approved, and the minutes are accepted.

Chair Hultin reiterated the March 23, 2020 minutes and affirmed with Town Planner Ribeiro that they adhered to the special procedures at this meeting. Hearing no changes offered, Chair Hultin moved to accept the minutes as written. Vice Chair Todd seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Clerk Lucy abstained. So voted: 6-0, one abstained. Motion is approved, and the minutes are accepted.

Chair Hultin reiterated the April 2, 2020 minutes. Hearing no changes offered, Chair Hultin moved to accept the minutes as written. Vice Chair Todd seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Clerk Lucy abstained. So voted: 6-0, one abstained. Motion is approved, and the minutes are accepted.

Chair Hultin asked the Board Members if there was any other business that needed to be taken care of right now; there being none, Chair Hultin moved for a motion to adjourn. Clerk Lucy seconded the motion. No further discussion. Chair Hultin asked for a vote. Voted all in favor. So voted: 7-0. Meeting adjourned.

Respectfully submitted,


Elizabeth Sturdy

