

**Truro Board of Selectmen Meeting
Tuesday, February 13, 2018
Selectmen's Chambers, Town Hall**

Members Present: Chair Paul Wisotzky; Maureen Burgess, Janet Worthington

Regrets: Jay Coburn, Robert Weinstein

Present: Town Manager Rae Ann Palmer; Assistant Town Manager Kelly Sullivan-Clark

Chair Paul Wisotzky called the meeting to order and at 5:00 p.m.

PUBLIC HEARINGS

Pamet Harbor Fees

Paul Wisotzky opened the public hearing on proposed changes to the Pamet Harbor Fee Schedule and the proposed addition of a Waterways User Permit Fee. Pamet Harbor Commission Chair Tim Silva, Harbor Master Tony Jacket and Pamet Harbor Commissioner Ricard Wood presented increases for Harbor fees and an additional Waterways User fee. They have been unsuccessful in raising ramp usage fees, which are determined by the state. The new fee proposals, modelled after Chatham's, are meant to reflect the parking, mooring and monitoring provided. The Harbor Master and Commissioners were open to revision of the fee schedule and user fee according to kinds of watercraft and will revise the proposal.

The Selectmen decided to wait for the full complement of members to vote on a revised version of the Pamet Harbor Fee Schedule and the Waterways User Permit Fee.

Aquaculture Grants

Chair Paul Wisotzky introduced the public hearing on applications filed for Shellfish Aquaculture Grants, pursuant to the regulations for Aquaculture Licenses, located in the Aquaculture Development Area. Dana Pazolt, presenting for the two applicants, and Shellfish Constable Tony Jacket explained the request. The plan is compliant with state regulations, Mr. Pazolt said. He explained markings for the grant area. Tony Jacket reported on aquaculture in Truro. He explained that terms will always end with the calendar year.

Maureen Burgess moved to issue Aquaculture Development Area licenses to Stephen Roderick for Grants #21 through #25 and John Burns for Grants #16 through #20 for a term of two (2) growing seasons beginning February 13, 2018 and ending December 31, 2019. Janet Worthington seconded, and the motion carried 3-0.

APPOINTMENTS

The Selectmen interviewed applicant Anne Greenbaum for a position on the Part-Time Residents Advisory Committee. She gave her background and interest in serving on the committee. As a mediator, she has training in conflict resolution. Ms. Greenbaum said she is spending more time in Truro and is becoming more involved in the community. She responded to the Selectmen's concerns on use of a residential tax exemption (RTE) elsewhere, her evaluation of the differing

opinions on the RTE, and transparency. She asked the Selectmen and Town Manager how they would measure the success of the Part-Time Resident Advisory Committee.

Selectmen will make their decision in spring after all applicants have been interviewed.

BOARD OF SELECTMEN ACTION

Recommendations for Cannabis Businesses in Truro - Discussion

Truro Agricultural Commission Chair David Dewitt presented recommendations for Cannabis businesses in Truro. He has been working with Representative Sarah Peake, Senator Julian Cyr and John Lebeaux, the Mass Department of Agricultural Resource Commissioner. They have campaigned to put provisions into regulations for small agricultural farms for marijuana cultivation. Mr. Dewitt has been attending state meetings promoting the industry for small farmers. Currently five Truro farmers and one Wellfleet farmer have been forming a cannabis growers co-op. They are seeking three bylaws to govern cannabis cultivation in Town. The Agricultural Commission is recommending moving forward with bylaws to allow three businesses: growing, processing and testing.

Mr. Dewitt outlined benefits to Truro that include a three percent local sales tax on all cannabis sales, twelve year-round jobs, expanding farms to maintain the agricultural character of the Town, and provided work for additional businesses. The cons regarding cannabis farming, processing and testing include more work for police, fire, health and building departments, the Planning and Zoning Board of Appeals, and Town Counsel. He explained that delivery is allowed by "brick and mortar" licensed businesses, but the state is discouraging delivery only businesses.

David Dewitt said he sees the issue as agricultural although he acknowledges it will always be controversial. He recommends creating rules, allowing only state licensed businesses, adhering to state laws for siting, and putting retail licenses into a moratorium until the 2019 Annual Town Meeting. Ms. Palmer said that a moratorium can only be authorized until December 2018. That would allow Planning Board time to develop cannabis zoning bylaws. A Special Town Meeting in fall would be needed to approve them. The Town Manager said this was too late for the Annual Town Meeting Warrant because of public hearing requirements. She said that the moratorium could go into place. The 3% sales tax Warrant Article is ready for Annual Town Meeting. Planning Board will need to work on zoning bylaws for cannabis, she said.

There would be no direct sales by the growers, David Dewitt said. Cultivators would deliver their product to a dispensary. Licensed processing and strictly monitored testing facilities go hand and hand with the cultivators, Mr. Dewitt said. Zoning bylaws are necessary to accept the tax, allow facilities, and regulate siting. The Agricultural Commission will work with education of townspeople, departments and boards. Maureen Burgess asked about oversight of the proposed industry.

Mr. Dewitt gave the time line for public comment, public hearings for Cannabis Cultivators Commission (CCC), and a deadline of March 15, 2018 for state legislators. The Marijuana Act authorizes and limits the way municipalities can regulate marijuana but allows for the creation of local bylaws to regulate the time, place and manner of marijuana establishments, processing,

testing or other marijuana businesses. Local laws cannot be so difficult to comply with that they would deter a prudent person from establishing a cannabis business. Applicants for a marijuana establishment license must demonstrate that they have provided a public outreach forum so that everyone has a chance to express their concerns and a host community agreement which stipulates the roles of the municipality and the marijuana establishment.

Rae Ann Palmer will consult with Town Counsel for recommendations on how Truro should proceed. Maureen Burgess said she was looking into possible conflicts of growing marijuana within the bounds of the National Seashore.

John Hopkins came forward to advocate for the use of medical marijuana. He gave personal testimony to the success of treating his serious health conditions with legal use of cannabis. Susan Howe added that craft growing was a good direction for industry in Truro.

Social Media Policy

Assistant Town Manager Kelly Clark explained the proposed Social Media Policy. This was one of the Selectmen Goals for 2018. Town Counsel has reviewed the policy, but the unions had not responded.

Janet Worthington moved to accept the proposed Board of Selectmen Policy #62 Social Media Use Policy. Maureen Burgess seconded, and the motion carried 3-0.

Discussion of Open Meeting Law Complaint and Attorney General's Decision

Town Manager Rae Ann Palmer and the Board examined the letter from the Attorney General regarding her decision that there was no violation of Open Meeting Law as charged by the Truro Part-Time Residents Association.

Year-round Condominium Bylaw

Town Manager Rae Ann Palmer presented the proposal for a new zoning bylaw to allow year-round condominiums. Town Counsel had prepared the zoning bylaw, she said. A clearer version was distributed at the meeting. Town Planner Cally Harper had compiled results of the survey on condo conversion. Ms. Palmer gave a summary of the survey results.

Maureen Burgess moved to refer the proposed Year-round Condominium bylaw proposal to the Planning Board for a public hearing in accordance with MGL c.40A, §5. Janet Worthington seconded, and the motion carried 3-0.

Residential District House Size Limit Bylaw & Other Planning Board Articles

Rae Ann Palmer said that the Planning Board had prepared three Warrant Articles for Annual Town Meeting. First were the Zoning Bylaw changes for Residential District House Size Limits. Second were administrative changes to the Zoning Bylaw Section on Signs. The third proposal was for amendments to the *Town of Truro Rules and Regulations Governing the Subdivision of Land*.

Maureen Burgess moved to refer the proposed amendments to the *Town of Truro Zoning Bylaws* and the *Town of Truro Rules and Regulations Governing the Subdivision of Land* to the Planning

Board to begin the necessary public hearing process pursuant to MGL c.40A, §5. Janet Worthington seconded, and the motion carried 3-0.

CONSENT AGENDA

- A. Review/Approve and Authorize Signature: Letter of Support for the FY18 Community Block Grant Proposal and Authorize the Chair to sign
- B. Review and Approve Appointment of Leo Childs to the Agricultural Commission
- C. Review and Approve the 2018 annual Renewal Certification for the Alcohol Beverages Control Commission
- D. Review and Approve Alcoholic Beverages Control Commission 2018 Population Estimate
- E. Review and Approve Board of Selectmen Minutes: January 16, 2018 Work Session, January 22, 2018 Budget Task Force meeting, and January 23, 2018

Maureen Burgess moved to approve the Consent Agenda as presented. Janet Worthington seconded, and the motion carried 3-0.

SELECTMEN REPORTS AND TOWN MANAGER REPORT

Everyone had reports. Paul Wisotzky reported on the last Budget Task Force meeting and thanked everyone for the lean, workable budgets. He gave an update on improvements at Puma Park for safety and maintenance. The park should reopen by summer, he said. Maureen Burgess said she had attended the first meeting of the Recycling Committee. They are seeking volunteers to staff the Swap Shop. She said China is now rejecting recycled materials, something that may affect the Transfer Station. She had attended the Planning Board meeting on house size. Janet Worthington mentioned that a telecommunicator and several officers had visited senior citizens with gift baskets. She noted with sadness the passing of Gail Stevenson, who had been instrumental in instituting Truro Treasures. Town Manager Rae Ann Palmer added that Savory and Sweet Escape had provided items and the gift certificates that were given out to elders and wanted to acknowledge their contribution. She reported on a comparison of seasonal rental registration fees in neighboring communities, and she recommended that Truro's fees not be raised this year. She thanked Senator Cyr for securing funding of \$150,000 for infrastructure for the Cloverleaf property and \$2,000,000 for the Cape Master Plan for Bike and Walkways.

AGENDA FOR NEXT MEETINGS

Town Manager Rae Ann Palmer reviewed agenda items for the next two weeks:

Tuesday February 20, 2018 Work Session – Budget, discussion points for community conversations, and South Hollow Rd. abandonment.

Tuesday, February 27, 2018 Meeting – Barnstable County Human Rights Commissioner's report, formal presentation of FY19 Budget, joining K-P Law's opioid lawsuit, marijuana bylaw discussion, hearing on Captain's Choice, Harbor fees, two curb cut applications, and herbicide use in utilities right of way.

ADJOURNMENT


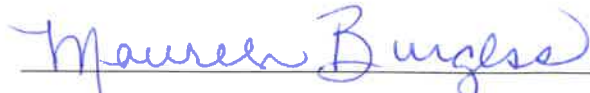



Paul Wisotzky moved to adjourn. Maureen Burgess seconded, and the motion carried 3-0.

The meeting was adjourned at 7:08 p.m.

Respectfully submitted,



Mary Rogers, Secretary


Paul Wisotzky, Chair
Maureen Burgess Vice-Chair
Jay Coburn, (Abstained)
Janet Worthington
Robert Weinstein, Clerk (Abstained)

Public Records Materials of 2/13/18

1. Pamet Harbor Rules & Regulations and Fee Schedules
2. Aquaculture Grant information for Stephen Roderick and John Burns
3. Application papers of Anne Greenbaum for Non-Resident
4. Recommendations for Cannabis businesses in Truro
5. Selectmen's Social Media Policy #62
6. Proposed Zoning Bylaw amendment for Condominium Conversion
7. Proposed Zoning Bylaw amendments for House Size Limits in Residential District
8. Proposed Zoning Bylaw amendments for Section 70 Signs
9. Proposed amendments to *Rules and Regulations Governing the Subdivision of Land*
10. Letter of Support for the FY18 Community Block Grant Proposal
11. Appointment papers for Leo Childs to the Agricultural Commission
12. 2018 Annual Renewal Certification for the Alcohol Beverages Control Commission
13. Alcoholic Beverages Control Commission 2018 Population Estimate