



# Truro Planning Board Agenda

Wednesday, November 6, 2019 – 5:00 p.m.

Truro Select Board Meeting Room

Truro Town Hall

24 Town Hall Road, Truro, MA 02666

## Open Meeting

## 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. Speakers are limited to no more than 5 minutes.

## Public Hearing – Continued

2019-006/PB Abigail B. Schirmer, Audrey Schirmer, and Joseph M. Schirmer seek approval of a Preliminary Definitive Subdivision Plan of Land, pursuant to G.L. c. 41, §81S and §2.4 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at Route 6 and Amity Lane, Truro, MA, Map 46, Parcel 8. REQUEST TO CONTINUE TO 12/4

## Board Action/Review

Update on past Work Sessions.

Update on Planning Board/Select Board ADU Ad Hoc Subcommittee Work Sessions.

Discussion – Request from the Charter Review Committee for consultation with the Planning Board and potential recommendations on charter revisions. (Emails attached.)

Discussion and approval of Commercial Site Plan Review packet.

Discussion for setting dates for future Board public workshops.

## Approval of Minutes

June 19, 2019

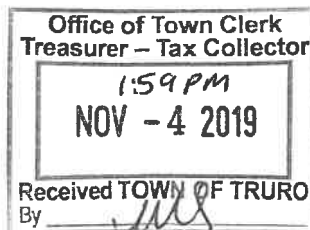
October 8, 2019 – 3 Edgewood Way (Castle Hill) Site Visit Minutes

October 23, 2019

## Next Meeting

Wednesday, December 4, 2019, at 5:00 p.m.; *please note time change*

## Adjourn



### 70.3 - COMMERCIAL SITE PLAN REVIEW CHECKLIST - Applicant

<b>Address:</b> _____		<b>Applicant Name:</b> _____		<b>Date:</b> _____	
No.	Requirement	Included	Not Included	Explanation, if needed	
<b><u>D. Procedures and Plan Requirements</u></b>					
1a.	An original and 14 copies of the Application for Site Plan Review				
1b.	15 copies of the required plans and other required information including this Checklist				
1c.	Completed Criteria Review				
1d.	Certified copy of the abutters list obtained from the Truro Assessors Office				
1e.	3 copies of drainage calculations stamped by a Professional Engineer				
1f.	Applicable filing fee				
1g.	Any other information that may be applicable or required by the Planning Board				
	<b>Site Plans</b>				
2a.	Site Plans shall be prepared, signed and stamped by a Registered Land Surveyor and Professional Engineer				
2b.	Site Plans shall be prepared at a scale of one inch equals forty feet (1"=40') or larger				
3a.	General - Submitted plans shall contain the following:				
3a. 1	North Arrow/Location Map: A north arrow and a locus plan containing sufficient information to locate the subject property, such as streets bounding or providing access to the property.				
3a. 2	Zoning Information: All applicable Zoning Bylaw information regarding the site's development, both existing and proposed. This information shall be placed in a table format which must list all parking; setbacks; percent of lot coverage, broken down by parking, walkways, building(s), etc.; number of dwelling units; total amount of square feet; size of signs, and any other applicable zoning information necessary for the proper review of the site plan.				
	<u>Existing:</u>				
	All parking				
	All setbacks				
	Percent (%) of lot coverage broken down by parking, walkways, building(s), etc.				
	Number of dwelling units				

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No.	Requirement	Included	Not Included	Explanation, if needed	
	Total amount of square feet				
	Size of signs				
	Any other applicable zoning information necessary for the proper review of the site plan				
	Proposed:				
	All parking				
	All setbacks				
	Percent (%) of lot coverage broken down by parking, walkways, building(s), etc.				
	Number of dwelling units				
	Total amount of square feet				
	Size of signs				
	Any other applicable zoning information necessary for the proper review of the site plan				
3a. 3	Assessor and Deed Information: The Truro Assessors Atlas Map(s) and Parcel(s) numbers and all plan and deed references.				
3a. 4	Graphic Scale				
3a. 5	Title Block - Including:				
	Name and description of the project				
	Address of the property				
	Names of the record owner(s) and the applicant(s)				
	Date of the preparation of the plan(s) and subsequent revision dates				
3a. 6	Legend of all symbols				
3b.	Existing Conditions Plan - showing the following:				
3b. 1	Total area and dimensions of the lot shown on a surveyed plan conforming to the requirements of the Barnstable County Registry of Deeds.				
3b. 2	Location of existing buildings (including the number of stories, overall height in feet, and gross floor area in square feet of all existing buildings), parking, drives, walks, lighting service areas, all utilities, drainage facilities, easements, and other appurtenances, including setbacks from property lines.				

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No.	Requirement	Included	Not Included	Explanation, if needed	
	Location of existing buildings				
	Number of stories				
	Overall height in feet				
	Gross floor area in square feet				
	Parking				
	Drives				
	Walks				
	Lighting service areas				
	All utilities				
	Draining facilities				
	Easements				
	Other appurtenances				
	Setback from property lines				
3b. 3	Existing contours based on two foot (2') contour intervals.				
3b. 4	General location of trees having a caliper of ten (10) inches or more diameter at breast height (DBH), all resource areas as defined in M.G.L. Chapter 131, Section 40, landscaping and other significant natural features.				
3b. 5	Respective floor areas and/or square footage of existing uses of buildings and/or the property.				
3b. 6	Existing location(s) of any freestanding sign(s).				
3b. 7	National Flood Insurance Program flood hazard elevation.				
3b. 8	Massachusetts Natural Heritage Endangered Species Act jurisdiction.				
3c.	Proposed Conditions Plan - showing the following:				
3c. 1	Building Location: Identification of all building(s) to be located on the site. The number of stories, overall height in feet and gross floor area in square feet of all buildings shall be indicated.				
3c. 2	Building Elevation: A drawing(s) of the exterior of all building(s), as viewed from all sides, including dimensions, at a scale of no smaller than 1/8" = 1' -0". This drawing must be at least 8" x 11" in size.				

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Address: _____		Applicant Name: _____		Date: _____	
No.	Requirement	Included	Not Included	Explanation, if needed	
3c. 3	Location of Parking/Walkways: Identification of the location of all parking and walkways, including curb cuts that will be used for site access from adjacent roadways or access points. Parking shall be consistent with the requirements outlined in §30.9.				
3c. 4	Easements/Legal Conditions: Identification of legal encumbrances(s), including easements, that are related to the site's physical development, and a listing of any condition(s) placed upon the site by the Board of Appeals, Planning Board, Conservation Commission, Board of Health or any other public body or agency with the authority to place conditions on the site's development.				
3c. 5	Stormwater Drainage: All storm water drainage facilities utilized by the site shall be shown on the site plan. Storm water drainage calculations, which support the design of the control facilities shown on the plan, shall be calculated using a 2, 10, and 50-year storm events.				
3c. 6	Grades: Topography and a grading plan of the site.				
3c. 7	Location of Walls: Identification of the location, height and materials to be used for all retaining walls to be located on the site.				
3c. 8	Signs: Identification of the location, height and materials to be used for all signs to be located on the site. Signs will be reviewed using the Town of Truro Sign Code section of the zoning bylaw.				
3c. 9	Location of Streets/Drives: Identification of all streets and driveways including the type and dimensions of curbs and gutters. Distances to all the nearest streets and/or curb cuts shall be shown for both sides of any street which is adjacent to the site.				
3c. 10	Outdoor Storage/Display Areas: Identification of the location and type of outdoor storage and display areas on the site.				
3c. 11	Refuse Areas: Identification of the location of each outdoor refuse storage area, including the method of storage and screening. All refuse areas must be fully enclosed.				

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No.	Requirement	Included	Not Included	Explanation, if needed	
3c. 12	Lighting Facilities: Identification of all illumination, <b>including numbers and locations</b> , indicating the direction and the degree of illumination offered by the lighting facilities and including specifications of the light fixture(s) to be used. <b>(Also see General Bylaws Ch. IV §6.)</b>				
3c. 13	Location of Wetlands <del>Notice of Intent</del> and <b>Other Resource Areas</b> : All resource areas as defined in M.G.L. Chapter 131, Section 40. <b>(If applicable, the applicant shall file a Notice of Intent with the Truro Conservation Commission concurrently with the application to the Planning Board for Site Plan Review.)</b>				
3c. 14	Location and Description of Utilities. Identification of all utilities, including sewer line locations and profiles and storm drainage systems.				
3c. 15	Parking and Driveway Cross Section: a cross section identifying the proposed construction of driveways and parking areas on the site.				
3c. 16	Limit of work area (area to be disturbed during construction, including parking and storage of vehicles and equipment) and work staging area(s).				
3d.	Proposed <del>Landscaping Plan</del> <b>landscape schedule for, and identification of, the location of all perimeter and interior landscaping</b> – showing the following:				
	<del>A landscape schedule for, and identification of, the location of all perimeter and interior landscaping, including but not limited to, proposed paving materials for walkways; fences; stonewalls; and all planting materials to be placed on the site. In addition, all existing trees over 10 inches diameter at breast height (DBH) to be saved or removed shall be shown on the site plan.</del>				
	Proposed paving materials for walkways				
	Fences				
	Stonewalls				
	All planting materials to be placed on the site				
	All existing trees over 10 inches diameter at breast height (DBH) to be saved or removed shall be shown on the site plan				
3e.	Building Plans – at a scale of no less than 1/8" = 1'-0" showing the following:				

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No.	Requirement	Included	Not Included	Explanation, if needed	
3e. 1	Elevations showing exterior materials and features including but not limited to doors, windows, trim, roof, lighting and including the height of the building(s).				
3e. 2	Floor plans with dimensions.				
3f.	Project Estimate:				
	<del>The estimated date of initiation and the time required to complete the proposed project and any and all phases thereof; together with a written cost estimate with a breakdown of the building(s) and all site improvements.</del>				
	Estimated date of initiation				
	<del>Estimated</del> Time required to complete the proposed project and any and all phases thereof				
	Written cost estimate with a breakdown of the building(s) and all site improvements				

**TOWN OF TRURO  
PLANNING BOARD  
Meeting Minutes  
June 19, 2019, 6:00 PM  
Truro Town Hall**

**Board Members Present**

**Chair S. Sollog  
Vice Chair K. Tosh  
Member B. Boleyn  
Member A. Greenbaum  
Member P. Herridge**

**Board Members Absent**

**Clerk J. Riemer  
Member P. Kiernan**

**Other Participants**

**Katie Lockman, Town Counsel  
Chris Lucy, Truro resident  
Ben Zehnder, attorney  
Bill Rogers, site engineer  
Gerard Kinahan, 26 Shore Road, Truro  
Pat, 6 Bridge Lane, Truro  
Richard Roberts, 14 First Light Lane, Truro  
John Antonuzzo, 12 First Light Lane, Truro**

**Meeting convened at 6:00 PM by Chair Sollog.**

**Public Comment Period**

Chris Lucy, Truro resident, comes forward to give public comment. He would like the Board to schedule a site visit to his property between June 24<sup>th</sup> and July 24<sup>th</sup>.

**1. Temporary Sign Permit Applications**

***Truro Concert Committee, Patricia Wheeler, for one (1) banner (21" x 96") located at the town frame Route 6 and Route 6A island. The banner will be installed on June 27<sup>th</sup> and removed August 31<sup>st</sup> for events on Thursdays in July and August 2019.***

**Member Herridge makes a motion to approve the application. Member Boleyn seconds. So voted, 5-0-0. Motion carries.**

***Truro Concert Committee, Patricia Wheeler, for four (4) metal framed (3' x 2') located at Snows Park, Route 6 & Standish Way, Route 6 – North Pamet Rd, and the front of the Town Recreational Building. The metal frames will be installed on June 27<sup>th</sup> and removed July 25<sup>th</sup> for events on July 11, 18, and 25.***



**Member Greenbaum makes a motion to approve the application. Member Herridge seconds. So voted, 5-0-0. Motion carries.**

*Truro Concert Committee, Patricia Wheeler, for four (4) metal frames (3' x 2') located at Snows Park, Route 6 & Standish Way, Route 6 – North Pamet Rd, and the front of the Town Recreational Building. The metal frames will be installed on July 25<sup>th</sup> and removed August 30<sup>th</sup> for events on August 1, 8, 15, 22, and 29.*

**Member Herridge makes a motion to approve the application. Member Greenbaum seconds. So voted, 5-0-0. Motion carries.**

*Friends of the Truro Meeting House, for three (3) temporary signs (36" x 24"), one to be located at 3 First Parish Lane at the corner of Town Hall Rd and two to be located at 11 Town Center Rd in front of 3 Harbors Realty Office. The temporary signs will be installed on July 8, 16 and 23 and removed July 16, 23 and 30, respectively, for events on July 15, 22, 27 and 29.*

**Member Herridge makes a motion to approve the application. Member Boleyn seconds. So voted, 5-0-0. Motion carries.**

*Friends of the Truro Meeting House, for three (3) temporary signs (36" x 24"), one to be located at 3 First Parish Lane at the corner of Town Hall Rd. and two to be located at 11 Town Center Rd in front of 3 Harbors Realty Office. The temporary signs will be installed on August 3, 13 and 19 and removed August 13, 19, and 27, respectively, for events on August 12, 18, 24 and 26.*

**Member Herridge makes a motion to approve the application. Member Greenbaum seconds. So voted, 5-0-0. Motion carries.**

*Genevieve Morin, for one (1) sign (3' x 2') located at Snows Park across from Jams. The temporary sign will be installed on preceding Fridays and removed on Sundays for events held on July 7, July 14, July 21 and July 28.*

**Member Herridge makes a motion to approve the application. Member Greenbaum seconds. So voted, 5-0-0. Motion carries.**

*Genevieve Morin, for one (1) sign (3' x 2') located at Snows Park across from Jams. The temporary sign will be installed on preceding Fridays and removed on Sundays for events held on August 4, August 11, August 18 and August 25.*

**Member Herridge makes a motion to approve the application. Member Greenbaum seconds. So voted, 5-0-0. Motion carries.**

*Marian Averbach, for (2) signs (2' x 8'), one to be located below highway sign at Route 6 and Standish Way, and one to be located at the intersection of Route 6 and 6A. The temporary signs will be installed on July 2 for Art Show event at the Library July 2 through July 31.*

**Member Herridge makes a motion to approve the application. Member Boleyn seconds. So voted, 5-0-0. Motion carries.**

## **2. Public Hearing**

**2019-007 SPR Peter Clemons and Marianne Benson, for property located at 40 Cliff Road, Truro (Atlas Map 32, Parcel 19A).**

***Applicants seek approval under Section 70.4 of the Truro Zoning Bylaw, for the construction of a single-family dwelling on a 7,616 s.f. parcel of vacant land in the Seashore District.***

Attorney Ben Zehnder and Bill Rogers, site engineer, come forward. Atty Zehnder provides a procedural history since it is unusual for new construction within the National Seashore. He explains the neighboring land as being protected from the introduction of additional nitrates as well as the deprivation of its ability to maintain its current levels.

Chair Sollog reads a letter dated June 19<sup>th</sup> from the United States Department of the Interior, National Park Service. They received abutters notices of the property in question as well as obtained a site plan. They claim that if the lot is buildable, there is not enough square footage on the land to entertain the number of bedrooms on the plan. The Seashore District also requires a 3-acre minimum lot size. The letter continues and requests that the owner provide sufficient deed research for the lot to prove that it is buildable.

Atty Zehnder says that the building in question is a one-bedroom dwelling, though he had explained it could be two later on. He also says that the building is two stories with a third floor storage lot that even if counted as a story keeps the property well within site coverage. Mr. Zehnder does agree with the statement that the lot is under-developed and undersized. He has brought title research with him. He provides the Board with copies of a permit denial memo that says the applicant has provided information that the lot was not held in common ownership and that the information has been independently verified.

Atty Zehnder goes over the surrounding unbuildable lots.

Member Greenbaum is concerned of setting a precedent of small lots in the Seashore becoming buildable through the use of innovative technology. Atty Zehnder says it is not a matter of technology but rather the existing square footage and the allowance to claim adjacent lots as credit land, something that he says can be done all throughout Truro.

Gerard Kinahan, Truro resident, comes forward in support of the project. He'd like to see the dwelling built to provide another home in Truro.

Pat (inaudible), Truro resident, comes forward in support of the project. He would also like to see the dwelling built to provide another residence.

Chair Sollog says he would like to visit the site.

Vice Chair Tosh says that she did her own research on the ownership and was satisfied that requirements were met. She also believed the house to be modest and in good character for the area. Ms. Tosh is in favor of the project.

Chair Sollog confirms with the Board that they would like a site visit before a decision is made.

**Chair Sollog makes a motion to approve a site visit for June 28<sup>th</sup> at 3:00 pm. (No second) So voted,**

**5-0-0. Motion carries.**

**Vice Chair Tosh makes a motion to continue the public hearing to July 24, 2019 at 6:00 pm. Member Herridge seconds. So voted, 5-0-0.**

**3. Board Action**

***Discussion and approval of a full release from the Town of Truro “Form F – Certification of Completion & Release of Municipal Interest in Subdivision Performance Security” for Ladoyt K. Teubner, et als, First Light Lane, Plan Book 573 Page 53, Covenant Book 15141 Page 179. The original Lot 1 (Plan Book 429 Page 56) has been subdivided into six (6) lots. Lots 4 and 5 conform to requisite frontage on Castle Road and therefore are not part of the Covenant. Lots 2, 3, and 6 have already been released in previous years by the Truro Planning Board. The original plan and subdivided plan are provided as reference.***

Richard Roberts and John Antonuzzo, abutters, come forward. It is Mr. Robert’s understanding that Lot 1 has been sold and is currently being developed.

Katie Lockman, Town Counsel, believes that the release of the covenant cannot occur until the Planning Board has signed off on the roadway and has seen that the installation of utilities is sufficient to service the lot.

Mr. Antonuzzo confirms with the Board that the town would have the records of the work his family did to the road. Attorney Lockman suggests that any information the family has pertaining to that would be useful to know that a covenant was maintained in respect to one lot. Chair Sollog adds that the Building Inspector will be able to obtain all relevant records.

Mr. Antonuzzo asks if the buyer could be potentially held up until Board approval and Chair Sollog says that is a possibility and apologizes.

**Member Herridge makes a motion to schedule a site visit for Friday, June 28<sup>th</sup> at 2:00 pm. Member Boleyn seconds. So voted, 5-0-0. Motion carries.**

***Discussion and approval of Board policy with regard to scheduling regular site visits prior to public hearings on applications before the Board.***

Chair Sollog describes how the Board usually approaches scheduling a site visit. Usually the packet of information for a meeting comes out on a Friday, and he asks the Board what day of the week prior would be good for a site visit. Chair Sollog thinks it should be communicated to applicants that a site visit will be conducted on the Tuesday before a Planning Board meeting.

After some discussion about putting forward a motion it is decided to push this item to the next meeting and outline the discussion a little more clearly on the next agenda.

***Discussion and vote on reappointment of Peter Herridge to the Community Preservation Committee.***

**Chair Sollog makes a motion to reappoint Peter Herridge to the Community Preservation Committee. So voted, 4-0-1. Motion carries.**

***Discussion of letter regarding policy #54 ethical behavior at May 1<sup>st</sup> PB meeting.***

Chair Sollog reads a letter written by himself to Rae Ann Palmer, Town Administrator, dated June 13, 2019. It states that an expectation of conduct is set for all Boards that Select Board member Bob Weinstein ignored by being disrespectful towards the Planning Board as well as by unduly criticizing a Planning Board member. Mr. Weinstein claimed the Board has not reviewed material before them without supporting his claim. Mr. Sollog's letter states that such behavior erodes the public's trust in town government. The letter goes on to address additional behavior such as the use of another Board member's microphone. Mr. Sollog wishes for the Select Board to view the publicly available recording of the meeting and hold Mr. Weinstein accountable for his actions.

**Member Herridge makes a motion to submit Chair Sollog's letter as a complaint. Member Boleyn seconds. So voted, 5-0-0. Motion carries.**

**4. Approval of Board Meeting Minutes:**

***April 3, 2019***

**Member Boleyn makes a motion to approve the minutes as written. Member Herridge seconds. So voted, 4-0-1. Motion carries.**

***April 17, 2019***

**Vice Chair Tosh makes a motion to approve the minutes with a correction adding the 6:00 pm time to several dates mentioned. Member Herridge seconds. So voted, 4-0-1. Motion carries.**

**Member Herridge makes a motion to adjourn. Vice Chair Tosh seconds. So voted, 5-0-0. Motion carries.**

Respectfully submitted,

Paxton Green