



Truro Planning Board Agenda

Remote Meeting

Wednesday, August 9, 2023 – 5:00 pm

www.truro-ma.gov

Open Meeting

This will be a remote public meeting. Citizens can view the meeting on Channel 18 in Truro and on the web on the "Truro TV Channel 18" button under "Helpful Links" on the homepage of the Town of Truro website (www.truro-ma.gov). Click on the green "Watch" button in the upper right corner of the page. Please note that there may be a slight delay (approx. 15-30 seconds) between the meeting and the television broadcast/live stream.

Citizens can join the meeting to listen and provide public comment by entering the meeting link; clicking on the Agenda's highlighted link; clicking on the meeting date in the Event Calendar; or by calling in toll free at [1-877-309-2073](tel:1-877-309-2073) and entering the access code [836-246-7333](tel:836-246-7333) when prompted. Citizens will be muted upon entering the meeting until the public comment portion of the hearing. If you are joining the meeting while watching the television broadcast/live stream, please lower or mute the volume on your computer or television during public comment so that you may be heard clearly. Citizens may also provide written comment via postal mail or by emailing Liz Sturdy, Planning Department Administrator, at esturdy@truro-ma.gov.

Meeting link: <https://meet.goto.com/836246733>

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.

1. Planner Report
2. Chair Report
3. Minutes – June 28, 2023; and July 5, 2023

Temporary Sign Permit Application

Jennifer Pierce – Truro Chamber of Commerce/Truro Treasures, requesting one (1) sign, 3' x 8', to be located at the intersection of 6 and 6A. The sign will be installed on September 1st and removed September 18th.



Public Hearings – Continued

2023-001/SPR – Ebb Tide on the Bay Condominiums, for property located at 538 Shore Road (Atlas Map 7, Parcel 7, Registry of Deeds Book 5671 and Page 232). Applicants seek Commercial Site Plan approval for project involving move of three buildings shoreward; relocation of septic system; and related modifications to site; on property located in the Beach Point Limited Business District. **[Material in 2/8/2023, 2/22/2023, 4/26/2023, 5/10/2023 and 6/28/2023 packets] {New material included in this packet}**

2023-002/SPR Robert J. Martin for property located at 100 Rt 6 (Atlas Map 55, Parcel 12). Applicant seeks Commercial Site Plan approval (selling firewood and other materials); on property located in the Seashore District. **[Material in 4/12/2023 and 4/26/2023 packets]**

- ◆ Request to Continue to August 23, 2023

Discussion of Warrant Articles

Next Meeting: Wednesday, August 23, 2023 at 5:00 pm

Work Session: TBD

Adjourn





TOWN OF TRURO

PLANNING BOARD

Meeting Minutes

June 28, 2023 – 5:00 pm

REMOTE PLANNING BOARD MEETING – WORK SESSION

Members Present (Quorum): Anne Greenbaum (Chair); Rich Roberts (Vice Chair); Jack Riemer (Clerk); Paul Kiernan; Ellery Althaus; Caitlin Townsend; Virginia Frazier

Members Absent:

Other Participants: Town Planner/Land Use Counsel Barbara Carboni; John Dundas (Select Board Liaison); Christopher J. Snow (Attorney and Applicant); Ben Zehnder (Attorney for the Abutter); Marie Belding (Abutter); Pat Callinan (Abutter); William Rogers (Engineer/Surveyor for the Applicant); Gary Locke (Project Engineer for the Applicant); Marshall Puffer (Structural Engineer for the Applicant); Darrell Shedd (Truro Voter, ZBA Member, and House Size Bylaw Petitioner); Chuck Steinman (Truro Voter and Historical Commission Member)

Remote meeting convened at 5:04 pm, Wednesday, June 28, 2023, by Chair Greenbaum who announced that this was a remote public meeting aired live on Truro TV Channel 18 and was being recorded. Town Planner/Land Use Counsel Carboni provided information as to how the public may call into the meeting or provide written comment. Members introduced themselves to the public.

Public Comment Period

Public comment, for items not on the agenda, was opened by Chair Greenbaum and there were none.

Planner Report

Town Planner/Land Use Counsel Carboni reported that the Select Board held its annual meeting last night to review last and this year's goals and objectives. Town Planner/Land Use Counsel Carboni encouraged members of the public who missed the meeting to view that discussion.

Chair Report

Chair Greenbaum reported that she attended last night's Select Board meeting and that a letter from the Select Board will send a letter to the Planning Board by the end of December indicating the topics on which they would like the Members to focus. Chair Greenbaum noted that she had not yet contacted Board of Health Chair Tracey Rose to coordinate the collaboration on the Stormwater Bylaw. When asked by Chair Greenbaum for an update from Health & Conservation Agent Emily Beebe, Town Planner Land Use Counsel Carboni said that there was no update but she will contact Health & Conservation Agent Beebe.

Public Hearings (Continued)

2023-001/SPR - Ebb Tide on the Bay Condominiums, for property located at 538 Shore Road (Atlas Map 7, Parcel 7, Registry of Deeds Book 5671 and Page 232). Applicants seek Commercial Site Plan approval for a project involving move of three buildings shoreward; relocation of septic system; and related modifications to site; on property located in the Beach Point Limited Business District.

Chair Greenbaum reviewed a summary of this matter to include the issues raised previously regarding this project by the Members and the conditions proposed by the Applicant.

A discussion ensued among Members, Attorney Snow, Attorney Zehnder, Mr. Puffer, and Mr. Locke on the highlighted topics: helical screws, revised engineer study, impact to environment, setback, parking, and safety.

Chair Greenbaum then read aloud the list of draft conditions as written in Town Planner/Land Use Counsel Carboni's staff memorandum with draft conditions, dated May 9, 2023, in advance of the Planning Board's May 10, 2023, meeting. Chair Greenbaum then asked Attorney Snow and Attorney Zehnder for comments which they did followed by comments from the Members. Afterwards, additional draft conditions were proposed by the Members and would be included in the draft decision for next week's Planning Board meeting.

Chair Greenbaum recognized Ms. Belding and Ms. Callinan who commented on this matter.

Chair Greenbaum confirmed with Attorney Snow and Attorney Zehnder that they were available to attend the next meeting on July 5, 2023. Attorney Zehnder requested that Town Planner/Land Use Counsel Carboni share a copy of the draft conditions with him and Attorney Snow. Town Planner/Land Use Counsel Carboni agreed to do so and there were no objections from the Members.

Member Kiernan made a motion to continue this matter to July 5, 2023, to review the draft conditions and the potential vote on the Site Plan Review.

Member Althaus seconded the motion.

Roll Call Vote:

Chair Greenbaum – Aye

Member Townsend - Aye

Member Althaus – Aye

Member Frazier – Aye

Member Riemer – Aye

Member Kiernan – Aye

Vice Chair Roberts - Aye

So voted, 7-0-0, motion carries.

Town Planner/Land Use Counsel Carboni departed the meeting to attend the Walsh Property Community Planning Committee meeting that was already in session.

Potential Warrant Articles Discussion

Chair Greenbaum led the Members in the discussion regarding the House Size Bylaw and the Duplex Bylaw.

Chair Greenbaum recognized Mr. Shedd who provided background information and the purpose of his petition to change the House Size Bylaw by removing the “*Special Permit*” language in the Bylaw.

Chair Greenbaum recognized Mr. Steinman who explained why the extra space was included in the House Size Bylaw that was based upon the Chilmark Bylaw.

Chair Greenbaum then reviewed the three Variance Requirements contained within the House Size Bylaw with the Members. Chair Greenbaum noted that the Board must make an affirmative finding on all three requirements to grant a variance. A discussion ensued among the Members, Mr. Shedd, and Mr. Steinman regarding this topic and a suggestion that in any matter where extra space be granted by a Variance it must be proportional to lot size.

Mr. Steinman said that he would be available to work on the language for an amended House Size Bylaw with Town Planner/Land Use Counsel Carboni and Mr. Shedd. Chair Greenbaum thanked Mr. Shedd and Mr. Steinman for their participation this evening and for their interest.

Discussion/Potential Feedback

Prior to accepting a motion to adjourn, Chair Greenbaum reviewed the agenda items for the next Planning Board meeting on Wednesday, July 5, 2023. Chair Greenbaum emphasized that the Members would review and vote on the Housing Production Plan (HPP) at that meeting and to review the HPP prior to the meeting.

Member Riemer made a motion to adjourn the meeting at 6:51 pm.

Member Frazier seconded the motion.

Roll Call Vote:

Chair Greenbaum – Aye

Member Townsend - Aye

Member Althaus – Aye

Member Frazier – Aye

Member Riemer – Aye

Member Kiernan – Aye

Vice Chair Roberts - Aye

So voted, 7-0-0, motion carries.

Respectfully submitted,



Alexander O. Powers

Board/Committee/Commission Support Staff



TOWN OF TRURO

PLANNING BOARD

Meeting Minutes

July 5, 2023 – 5:00 pm

REMOTE PLANNING BOARD MEETING

Members Present (Quorum): Anne Greenbaum (Chair); Rich Roberts (Vice Chair); Jack Riemer (Clerk); Paul Kiernan; Ellery Althaus; Caitlin Townsend; Virginia Frazier

Members Absent:

Other Participants: Town Planner/Land Use Counsel Barbara Carboni; Christopher J. Snow (Attorney and Applicant); Ben Zehnder (Attorney for the Abutters); Marie Belding (Abutter); Pat Callinan (Abutter); William Rogers (Engineer/Surveyor for Christopher J. Snow-Applicant); Gary Locke (Project Engineer for Christopher J. Snow-Applicant); Chuck Steinman (Applicant and Vice Chair of the Truro Historical Commission); Ben Zehnder (Attorney for Bruce A. Jacobson, Trustee-Applicant); Bruce Jacobson (Trustee-Applicant); Katherine Jacobson; William Rogers (Engineer/Surveyor for Bruce A. Jacobson, Trustee-Applicant); Gary Locke (Project Engineer for Bruce A. Jacobson, Trustee-Applicant); Darrell Shedd (Member of the Truro ZBA and Petitioner); Kevin Grunwald (Chair of the Truro Housing Authority); Elizabeth Gallo (Vice Chair of the Truro Housing Authority); Regan McCarthy (Truro Resident); Michael Forgione (Truro Resident); Michael Flannery (Truro Resident)

Remote meeting convened at 5:03 pm, Wednesday, July 5, 2023, by Chair Greenbaum who announced that this was a remote public meeting aired live on Truro TV Channel 18 and was being recorded. Town Planner/Land Use Counsel Carboni provided information as to how the public may call into the meeting or provide written comment. Members introduced themselves to the public.

Public Comment Period

Public comment, for items not on the agenda, was opened by Chair Greenbaum who recognized Member Kiernan. Member Kiernan asked the Planning Board to add a Street Survey Review (that he completed on all 350 roads in Truro) to a future Planning Board meeting agenda. This would be reviewed prior to a presentation to the Town. There were no objections.

Chair Greenbaum recognized Ms. McCarthy who commented on whether the Planning Board was reconsidering the Street Definition Bylaw as she would like to participate in that discussion. Chair Greenbaum replied that this would not be reconsidered prior to the spring of 2024 and welcomed Ms. McCarthy's interest.

Planner Report

Town Planner/Land Use Counsel Carboni reported that Walsh Property Community Planning Committee will host a community forum on Wednesday, July 26, 2023, from 6 pm – 8 pm, at the Community Center to gather public input on proposed uses. More information will be available soon.

Chair Report – Chair Greenbaum said that she had nothing to report this evening.

Minutes

Chair Greenbaum led the review of the minutes from April 26, 2023, for corrections or edits and Vice Chair Roberts requested to replace the word “moving” with “reconstruction” under the hearing for the matter of **2023-001/SPR**. There were no objections.

Member Frazier made a motion to approve the minutes from April 26, 2023, as amended.

Member Althaus seconded the motion.

Roll Call Vote:

Chair Greenbaum – Aye

Member Townsend - Aye

Member Althaus – Aye

Member Frazier – Aye

Member Riemer – Aye

Member Kiernan – Aye

Vice Chair Roberts - Aye

So voted, 7-0-0, motion carries.

Chair Greenbaum led the review of the minutes from May 10, 2023, for corrections or edits and there were none. Chair Greenbaum abstained from the vote on these minutes as she was not present at this meeting.

Member Townsend made a motion to approve the minutes from May 10, 2023, as submitted.

Member Frazier seconded the motion.

Roll Call Vote:

Chair Greenbaum – Abstained

Member Townsend - Aye

Member Althaus – Aye

Member Frazier – Aye

Member Riemer – Aye

Member Kiernan – Aye

Vice Chair Roberts - Aye

So voted, 6-0-1, motion carries.

Chair Greenbaum led the review of the minutes from May 24, 2023, for corrections or edits and Member Riemer noted that he was incorrectly listed as present and absent at the meeting when he was indeed absent. Member Riemer and Vice Chair Roberts abstained from voting on the minutes as they were not present during this meeting.

Member Althaus made a motion to approve the minutes from May 24, 2023, as amended.

Member Frazier seconded the motion.

Roll Call Vote:

Chair Greenbaum – Aye

Member Townsend – Aye

Member Althaus – Aye

Member Frazier – Aye

Member Riemer – Abstained

Member Kiernan – Aye

Vice Chair Roberts - Abstained

So voted, 5-0-2, motion carries.

Chair Greenbaum led the review of the minutes from June 7, 2023, for corrections or edits and there were none. Member Townsend abstained from voting on the minutes as she was not present during this meeting.

Member Althaus made a motion to approve the minutes from June 7, 2023, as submitted.

Member Frazier seconded the motion.

Roll Call Vote:

Chair Greenbaum – Aye

Member Townsend - Abstained

Member Althaus – Aye

Member Frazier – Aye

Member Riemer – Aye

Member Kiernan – Aye

Vice Chair Roberts - Aye

So voted, 6-0-1, motion carries.

Temporary Sign Permit Applications

Chuck Steinman - Friends of the Truro Meeting House, requesting one (1) sign, 3' x 10', to be located at 3 First Parish Lane and Town Hall Road. The sign will be installed on July 6, 2023, and removed August 30, 2023.

Chair Greenbaum recognized Mr. Steinman who stated that the sign was the same type of sign as the two previous signs. There were no questions or concerns.

Member Riemer made a motion to approve the temporary sign for the Applicant.

Member Townsend seconded the motion.

Roll Call Vote:

Chair Greenbaum – Aye

Member Townsend - Aye

Member Althaus – Aye

Member Frazier – Aye

Member Riemer – Aye

Member Kiernan – Aye

Vice Chair Roberts - Aye

So voted, 7-0-0, motion carries.

Board Action

Chair Greenbaum recognized Chair Grunwald and Vice Chair Gallo of the Truro Housing Authority who provided a brief explanation of the need for the Housing Needs Assessment and Production Plan (HPP), the process for approval through the Planning Board and Select Board, and what is the outcome of the HPP.

Chair Greenbaum led the review of the HPP with the Members, Chair Grunwald, and Vice Chair Gallo. A discussion ensued regarding the following highlighted topics: a numerical goal for annual housing production, the housing needs analysis lacks details and data, the projection of looking forward 12 years instead of 5 years to maintain consistency for the referenced timeframes, the impact of COVID-19 on housing production, the HPP is a living and breathing document so changes should be expected to occur, the projected need for the construction of 260 housing units by 2035, the median price for a home in

Truro is \$1.4M which required an annual income of \$375,000 to afford a home, the median Truro household income is \$69,000, and 67% of Truro is in the National Seashore District.

After the review, Chair Greenbaum announced that there would not be a vote tonight by the Members of the HPP and she will work with Chair Grunwald and Vice Chair Gallo to bring the HPP back to the Planning Board for a vote at a future meeting.

Chair Greenbaum recognized Mr. Forgione who said that he would email his concerns on the HPP to Chair Greenbaum, Chair Grunwald, and Vice Chair Gallo as he had technical issues with his internet connection.

Public Hearings (Continued)

2023-001/SPR - Ebb Tide on the Bay Condominiums, for property located at 538 Shore Road (Atlas Map 7, Parcel 7, Registry of Deeds Book 5671 and Page 232). Applicants seek Commercial Site Plan approval for a project involving move of three buildings shoreward; relocation of septic system; and related modifications to site; on property located in the Beach Point Limited Business District.

Chair Greenbaum recognized Attorney Snow who said that he had not yet received a copy of the proposed conditions which were sent to the Members. Town Planner/Land Use Counsel Carboni apologized and offered to review them during this meeting.

Chair Greenbaum then recognized Attorney Zehnder who said that he had not received a copy of the proposed conditions either but he would be happy to review them during this meeting.

Chair Greenbaum stated that the Members and Town Planner/Land Use Counsel Carboni will review the proposed conditions this evening. Attorney Snow and Attorney Zehnder can coordinate times with Town Planner/Land Use Counsel Carboni to discuss their concerns and that there will be a vote on this matter at the next scheduled hearing.

Chair Greenbaum read aloud each of the proposed conditions and discussed them with the Members, Town Planner/Land Use Counsel Carboni, Attorney Snow, Attorney Zehnder, Mr. Rogers, and Mr. Locke. Highlighted and related topics discussed included: obtaining necessary permits and other approvals from the Board of Health and the Conservation Commission, public safety concerns, and whether the Applicant's A/C units should face away from the Abutters.

Chair Greenbaum recognized Ms. Callinan and Ms. Belding who commented on this matter and Attorney Snow responded to their comments.

Chair Greenbaum recognized Mr. Flannery who commented on this matter and Mr. Locke replied to his comment.

Chair Greenbaum confirmed with Attorney Snow and Attorney Zehnder that they were available to attend the next meeting on August 9, 2023, after the two attorneys could discuss this matter further.

Member Kiernan made a motion to continue this matter to August 9, 2023.

Member Frazier seconded the motion.

Roll Call Vote:

Chair Greenbaum – Aye

Member Townsend - Aye
Member Althaus – Aye
Member Frazier – Aye
Member Riemer – Aye
Member Kiernan – Aye
Vice Chair Roberts - Aye
So voted, 7-0-0, motion carries.

After the vote, Town Planner/Land Use Counsel Carboni stated that she was forwarding a copy of the in-meeting edits regarding the draft conditions to Attorney Snow and Attorney Zehnder. Both attorneys thanked her and Attorney Zehnder said that he would call Attorney Snow tomorrow.

2023-003/SPR Truro Atlantic View Realty Trust, Bruce A. Jacobson, Trustee for property located at 12 Ocean Bluff Lane (Atlas Map 37, Parcel 6). The Applicant seeks Residential Site Plan approval of construction unauthorized by building permit and for further expansion of dwelling in Seashore District.

Chair Greenbaum recognized Attorney Zehnder who introduced Mr. and Mrs. Jacobson and then provided a summary of the project.

A discussion ensued between the Members and Attorney Zehnder. Highlighted topics discussed included: the difference between the two stamped plans (different configuration of the road), the actual driveway situation with the National Seashore, the National Seashore's email from National Seashore Planner, Lauren McKean, (received at 4:30 pm today) with an allegation that title ownership related to this matter is in question, and the current owner's Certificate of Occupancy.

Prior to a motion being made, several Members expressed concern about moving forward to vote on this matter without giving the National Seashore the opportunity to present its evidence regarding the issue of ownership. Other Members expressed support for the Applicant and noted that the National Seashore was not in attendance at this meeting and had waited until the last minute to state its objection.

Town Planner/Land Use Counsel Carboni opined that there was no obstacle for the Planning Board to vote on this plan and cautioned that not voting on this plan would be indefensible.

Town Planner/Land Use Counsel Carboni reviewed the proposed conditions with the Members regarding this matter. Once the review was completed, Chair Greenbaum then read aloud the proposed conditions.

Member Townsend made a motion to approve 2023-003/SPR with the reviewed conditions.

Member Althaus seconded the motion.

Roll Call Vote:

Chair Greenbaum – Aye
Member Townsend - Aye
Member Althaus – Aye
Member Frazier – Aye
Member Riemer – Nay
Member Kiernan – Nay
Vice Chair Roberts - Nay
So voted, 4-3-0, motion carries.

Potential Warrant Articles Discussion

Chair Greenbaum led the Members in the discussion regarding the House Size Bylaw and the Duplex Bylaw.

Chair Greenbaum recognized Mr. Shedd who provided background information and the purpose of his petition to change the House Size Bylaw by removing the “*Special Permit*” language in the Bylaw.

Chair Greenbaum recognized Mr. Steinman who explained why the extra space was included in the House Size Bylaw that was based upon the Chilmark Bylaw.

Chair Greenbaum then reviewed the three Variance Requirements contained within the House Size Bylaw with the Members. Chair Greenbaum noted that the Board must make an affirmative finding on all three requirements to grant a variance. A discussion ensued among the Members, Mr. Shedd, and Mr. Steinman regarding this topic and a suggestion that in any matter where extra space be granted by a Variance it must be proportional to lot size.

Mr. Steinman said that he would be available to work on the language for an amended House Size Bylaw with Town Planner/Land Use Counsel Carboni and Mr. Shedd. Chair Greenbaum thanked Mr. Shedd and Mr. Steinman for their participation this evening and for their interest.

Discussion/Potential Feedback

Prior to accepting a motion to adjourn, Chair Greenbaum reviewed the agenda items for the next Planning Board meeting on Wednesday, July 5, 2023. Chair Greenbaum emphasized that the Members would review and vote on the Housing Production Plan (HPP) at that meeting and to review the HPP prior to the meeting.

Member Althaus made a motion to adjourn the meeting at 8:29 pm.

Member Frazier seconded the motion.

Roll Call Vote:

Chair Greenbaum – Aye

Member Townsend - Aye

Member Althaus – Aye

Member Frazier – Aye

Member Riemer – Aye

Member Kiernan – Aye

Vice Chair Roberts - Aye

So voted, 7-0-0, motion carries.

Respectfully submitted,



Alexander O. Powers

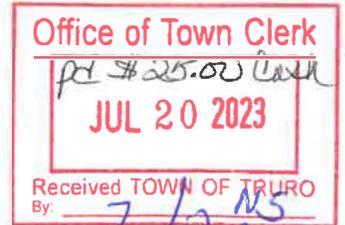
Board/Committee/Commission Support Staff

TOWN OF TRURO



PLANNING BOARD

Application for Temporary Sign Permit
Pursuant to Section 11 of the Truro Sign Code
Fee: \$25.00 (for each 30-day period)



Applicant Name: Truro Chamber / Truro Treasurers Date: 7/20

Applicant Contact Information: Jennifer Pierce PO Box 26 Truro, MA
508 487-1288 info@trurochamberofcommerce.com

Number of Signs Requested: 1
Temporary Sign Dimensions: (1) Height 3 Width 8

Location(s) of Proposed Temporary Sign(s): Town of Truro Property The split photo attached

Date(s) of the Event in Which the Sign is Intended: Sep 15-17

Date When Sign(s) will be Installed: Sep 1, 2023 Removed: Sep 18, 2023

Applicant Signature: Jennifer M. Pierce Date: 7/20/23

If sign(s) to be placed on private property, please have Owner print and sign name below:
Owner Signature (which also authorizes the use of the property)
Owner Printed Name

Planning Board Action: Approved Approved w/Conditions Denied

Conditions:

Board Signature: Chair, Planning Board Date:



BIKE LANE

6A Shore Rd
North Truro
Beach Point

THE WARD LAWRY
ART SHOW
This Month At The Truro Art Center

BOVA
PUSMITE
2023

JULIA
MORRIS
2023

ELU
WEBBUIR
2023

CHRISTINA
OK. SILAW 2
2023

AMIN
REUTERS
2023

WILSON
WADY
2023

JOJO
BASSARD
2023

DIANE
SILVER
2023

JOJO
2023



From: [Tim Collins](#)
To: [office.snowandsnowlaw.com](#); [Jamie Calise](#)
Cc: [Barbara Carboni](#); [Elizabeth Sturdy](#); [smcswee1@twcny.rr.com](#); [billsier@verizon.net](#)
Subject: RE: Ebb Tide By The Bay Condominiums
Date: Thursday, August 3, 2023 11:48:38 AM
Attachments: [image001.png](#)
[image002.png](#)

After speaking with Attorney Snow I went out to the property and have no issue with the sign.

From: office.snowandsnowlaw.com <office@snowandsnowlaw.com>
Sent: Wednesday, August 2, 2023 5:10 PM
To: Jamie Calise <JCalise@truro-ma.gov>; Tim Collins <TCollins@truro-ma.gov>
Cc: Barbara Carboni <bcarboni@truro-ma.gov>; Elizabeth Sturdy <Esturdy@truro-ma.gov>;
smcswee1@twcny.rr.com; billsier@verizon.net; office.snowandsnowlaw.com
<office@snowandsnowlaw.com>
Subject: RE: Ebb Tide By The Bay Condominiums

Thank you Chief ! hopefully this can get into record for next week's hearing with another from Chief Collins to follow consistent with my interview with him last week .

Best,

Chris

Christopher J. Snow, Esq.
Law Offices of Snow and Snow
90 Harry Kemp Way
Post Office Box 291
Provincetown, MA 02657
(508) 487-1160
Fax (508) 487-2694
office@snowandsnowlaw.com
snowandsnowlaw.com

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From: Jamie Calise <JCalise@truro-ma.gov>

Sent: Wednesday, August 2, 2023 4:55 PM

To: office snowandsnowlaw.com <office@snowandsnowlaw.com>; Tim Collins <TCollins@truro-ma.gov>

Cc: Barbara Carboni <bcarboni@truro-ma.gov>; Elizabeth Sturdy <ESTurdy@truro-ma.gov>

Subject: RE: Ebb Tide By The Bay Condominiums

Good afternoon, Attorney Snow,

Per your request, I have reviewed the available traffic crash data for the area of the signage located at 538 Shore Rd. This review encompassed the prior ten-year period (August 2013 – present).

During this period, there was one traffic crash in the general area of 538 Shore Rd. The accompanying report noted that the crash was a rear-end collision attributed to the front vehicle making a turn and the rear vehicle having insufficient time to brake.

I also extended the search to include the roadway leading up to the sign from both directions. None of the documented crash reports identified the sign as a causal factor.

As a result, based on the historical data of that area, the sign does not appear to represent a traffic obstruction.

Sincerely,

Jamie M. Calise

Chief of Police

Truro Police Department

344 Route 6

Post Office Box 995

Truro, Massachusetts 02666

508.487.8730

jcalise@truro-ma.gov



From: office snowandsnowlaw.com <office@snowandsnowlaw.com>

Sent: Wednesday, August 2, 2023 2:21 PM

To: Jamie Calise <JCalise@truro-ma.gov>; Tim Collins <TCollins@truro-ma.gov>

Cc: Barbara Carboni <bcarboni@truro-ma.gov>; Elizabeth Sturdy <ESTurdy@truro-ma.gov>; office snowandsnowlaw.com <office@snowandsnowlaw.com>

Subject: FW: Ebb Tide By The Bay Condominiums

Dear Chiefs Calise and Collins;

I am forwarding to you my below emails. Chief Collins indicated you both would be conferring on a joint response. It is hoped that a collective joint opinion on the sign could be rendered in time for the Planning Board hearing which is to be held Wednesday, August 9, 2023 at 5:30 PM.

There is a deadline for filing with the Planning Board today so it will be greatly appreciated if you could respond today if at all possible.

Thank you for your consideration of this time sensitive request.

Best,

Chris

Christopher J. Snow, Esq.
Law Offices of Snow and Snow
90 Harry Kemp Way
Post Office Box 291
Provincetown, MA 02657
(508) 487-1160
Fax (508) 487-2694
office@snowandsnowlaw.com
snowandsnowlaw.com

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From: office snowandsnowlaw.com <office@snowandsnowlaw.com>

Sent: Thursday, July 20, 2023 2:38 PM

To: tcollins@truro-ma.gov; jcalise@truro-ma.gov

Cc: office snowandsnowlaw.com <office@snowandsnowlaw.com>; Barbara Carboni <bcarboni@truro-ma.gov>; smcswee1@twcny.rr.com; 'Billy Rogers' <billsier@verizon.net>

Subject: FW: Ebb Tide By The Bay Condominiums

Dear Chiefs Calise and Collins:

In furtherance of my voicemails left with your answering services yesterday , I am attaching correspondence to and from Building Commissioner Rich Stevens together with photos taken of sight lines on July 5, 2023 which serves to summarize the issue that one or two Truro Planning Board members requested be addressed as to continued maintenance of the decades long preexisting Ebb Tide Condominiums sign and that Truro public safety staff render its respective opinions as to public safety perspectives on continuing maintenance of the sign in its present historic location.

Your opinions would be greatly appreciated as I am informed there have been no accidents reported in this area , ever , I would ask for your respective assessment to share with the Board. Thank you in advance for anticipated reply .

Respectfully,

Christopher J. Snow, Esq.

Christopher J. Snow, Esq.
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From: office snowandsnowlaw.com

Sent: Monday, July 17, 2023 1:24 PM

To: rstevens@truro-ma.gov

Cc: office snowandsnowlaw.com <office@snowandsnowlaw.com>; smcswee1@twcny.rr.com; 'Billy

Rogers' <billsier@verizon.net>; Barbara Carboni <bcarboni@truro-ma.gov>

Subject: FW: Ebb Tide By The Bay Condominiums

Good Afternoon , Rich:

This email follows my voicemail message to you today on our representation of the Ebb Tide permitting pending with the Planning Board and serves to share the photos I took at mid-day, July 5, 2023 demonstrating more than adequate sight lines and no particular traffic hazard of the decades long maintained preexisting sign slightly over the State road overlay but far less intruding than most other signs along this area of the Beach Point corridor, including the fully permitted and relatively recently replaced sign of abutting property, A' Lure' N .. There have to my knowledge been any accidents in accessing or exiting this property during the decades of this sign's existence and maintenance at its present location..

The Planning Board at its July 5, 2023 meeting gave deference to one member's, Paul Kiernan's, question and has asked that you register an opinion as to the propriety of maintaining this sign as is which we frankly view as de minimus to the overall benefits benefits of the project which is entirely responsive to the larger picture of moving septic and structures out of harm's way of the sea and avoiding a potentially catastrophic environmental event if not moved as proposed. .

It would be greatly appreciated if you could weigh in on the sign at your earliest convenience. Thank you, in advance.

Respectfully,

Chris

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From: office snowandsnowlaw.com

Sent: Wednesday, July 5, 2023 3:37 PM

To: Elizabeth Sturdy <ESTurdy@truro-ma.gov>

Cc: Barbara Carboni <bcarboni@truro-ma.gov>; smcswee1@twcny.rr.com; 'Billy Rogers' <billsier@verizon.net>; office snowandsnowlaw.com <office@snowandsnowlaw.com>

Subject: Ebb Tide By The Bay Condominiums

Elizabeth:

As signage and site-lines were introduced at the last meeting, I am attaching photographs taken today, July 5th, midday, evidencing unobstructed site-lines from both sides of the property which may assist the Planning Board to better assess this issue.

Chris Snow

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A'Lure'N
Welcome



From: [Bill Henchy](#)
To: [Elizabeth Sturdy](#)
Cc: [Barbara Carboni](#); [Bobby Martin](#)
Subject: 100 Route 6--Plannign Board Site Plan review
Date: Wednesday, August 2, 2023 12:37:39 PM

Dear Ms. Sturdy—

I am writing to request that the Planning Board continue without discussion the application for Commercial Site Plan Review for 100 Route 6 to a date following the ZBA's hearing on the matter, which is currently scheduled for August 21, 2023.

Thank you,

Bill Henchy

William C. Henchy
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508-255-1325—fax
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