



Truro Planning Board Agenda

Remote Meeting

Wednesday, January 5, 2022 – 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 **1-866-899-4679** and entering the access code **592-166-653#** 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 Barbara Carboni, Town Planner and Land Use Counsel, at bcarboni@truro-ma.gov.

Meeting link: <https://global.gotomeeting.com/join/592166653>

Public Comment Period

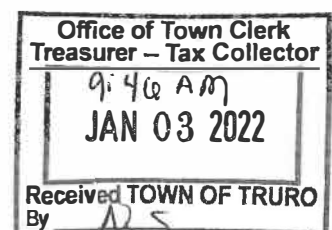
The Commonwealth's Open Meeting Law limits any discussion by members of the Board of an issue raised to whether that issue should be placed on a future agenda. Speakers are limited to no more than 5 minutes.

1. Planner Report
2. Chair Report
3. Hybrid Meeting Policy [Policy attached]
4. Potential Bylaws for 2022 ATM [Potential Articles for ATM 2022 attached]
 - ♦ Street Definition
 - ♦ Housing
 - ♦ Mean Ground Level; Fill
 - ♦ Lot Coverage/Carbon Sequestration
 - ♦ Other
5. Review of Cannabis Application Process [Applications attached]
6. Minutes [Minutes attached]
 - ♦ March 24, 2021
 - ♦ June 9, 2021
 - ♦ December 15, 2021

Next Work Session – Wednesday, January 12, 2022 at 5:00 pm

Next Meeting – Wednesday, January 19, 2022 at 5:00 pm

Adjourn





TOWN OF TRURO

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POLICY MEMORANDUM #65

Adopted: December 14, 2021

Subject: Hybrid Meeting Policy

This policy applies to all Truro boards/committees/commissions and their members. It aims to guide town resources in a deliberate manner and ensure public health is at the forefront of compliance with the state Open Meeting Law.

I. BACKGROUND

Meetings prior to Covid-19 were held with the quorum guidance of both the Truro Charter and the state Open Meeting Law, which required that the majority of the body be physically present at the meeting location. Since the March 12, 2020 executive order from Governor Baker, meetings have been facilitated remotely or in a hybrid model.

Remote regulatory board/committee/commission meetings are held using an audio- and video-conferencing tool to both live-stream and record. Remote non-regulatory boards/committees/commissions are held using the same audio- and video-conferencing tool and the video recordings are later posted on TruroTV.

With Town Manager authorization, some non-regulatory boards/committees/commissions have had in-person meetings open to the public without live-streaming/recording. These meetings are held in ADA-compliant locations and minutes are taken for subsequent approval.

Support for hybrid meetings requires substantial economic commitment due to the need for a videographer with technical expertise necessary to live-stream and record the meetings and to troubleshoot problems. Videographer availability is limited. Other town staffers who help facilitate remote meetings have limited ability to be redirected toward supporting hybrid meetings.

II. POLICY

For the purposes of this policy, the following definitions apply:

In-person meeting: All members of the public body and the public participate in person.

Remote meeting: All members of the public body and the public participate remotely, using

Web-based video/audio-conferencing software. These meetings are posted on TruroTV. Regulatory board meetings are also live-streamed.

Hybrid Meeting: A combination of in-person and remote participation by members of the board and the public. These meetings, held in properly equipped town meeting rooms, are recorded and, if possible, are live-streamed.

The town manager has the discretion to approve a hybrid meeting or to determine that a specific meeting should be remote or in-person. The Town Manager will consider public health and safety protocols, available staffing and the financial cost in making this determination.

III. CONDITIONS

1. Priority for hybrid meetings will be given to regulatory/high-engagement multi-member bodies. (Listed in Section VI)
2. The Town Manager may approve a hybrid meeting for non-regulatory and advisory boards and committees that request it for special circumstances. Staffing and available time slots will be considered in making this decision.
3. Public bodies that request a hybrid meeting must do so at least two weeks in advance to allow for staff and video scheduling.
4. Boards/committees/commissions may request which meetings will be hybrid, in-person or remote. A minimum of the board/committee/commission quorum must attend in person for any hybrid meeting. If a quorum does not commit to in-person attendance, the meeting shall be remote.
5. The inability to achieve an in-person quorum for a scheduled hybrid meeting for three consecutive meetings will require town manager approval to schedule future hybrid meetings.
6. All boards/committees/commissions shall create and maintain accurate minutes of all meetings, including executive sessions, setting forth the date, time and place, the members present or absent, a summary of the discussions on each subject, and the decisions made and the actions taken at each meeting, including the record of all votes. Minutes must include a list of documents and other exhibits used at the meeting. Audio and video recordings of meetings are not acceptable as meeting minutes.
7. Minutes of all open and executive sessions shall be created and approved in a timely manner, typically within the next three public body meetings or within 30 days, whichever is later, unless the public body can show good cause for further delay.
8. All boards/committees/commissions not up to date with minutes and approvals shall be required to hold remote meetings that are recorded and accessible to the public.

IV. MEETING NOTICE

1. All public meeting agendas must be posted at least 48 hours prior to the meeting, excluding Saturdays, Sundays and legal holidays.

2. Remote meetings must be scheduled at least three days prior to the meeting, excluding weekends and holidays, using the town's virtual ID to host and record/stream the meeting.
3. Hybrid meetings must be scheduled at least two weeks in advance and will be assigned a meeting ID/link at least 48 hours in advance for those who participate remotely.

V. REGULATORY/HIGH ENGAGEMENT MULTI-MEMBER BODIES

1. Select Board
2. Planning Board
3. Zoning Board of Appeals
4. Conservation Commission
5. Board of Health
6. Local Comprehensive Planning Committee
7. Walsh Property Community Planning Committee
8. Finance Committee
9. Budget Task Force



Robert Weinstein, Chair



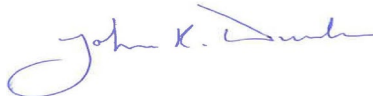
Kristen Reed, Vice-Chair



Susan Areson, Clerk



Stephanie Rein



John Dundas

Select Board
Town of Truro

POTENTIAL ARTICLES for ATM 2022
PLANNING BOARD PACKET
December 30, 2022

I. Housing

- 1. Condo Conversion/Inclusionary Zoning - Draft**
- 2. Two Family Homes**
- 3. Apartment Building**
- 4. Definition(s) - Apartment &/or Apartment Building-**
 - Data – Type of Housing by Neighborhood**
 - Duplex Bylaw 40.1**

II. Protecting Environment/Responding to Climate Change

- 5. Lot Coverage/Carbon Sequestration**
- 6. Mean Ground Level**
- 7. Flood Plain – adaptation of Barnstable County Model Bylaw to Truro**

III. Street Definition

- 8. Street Definition - Draft Proposal**
 - Notes from Public Discussion**
 - Definitions from Other Towns**

Misc.

- Timeline for Bringing Articles to Town Meeting**

HOUSING WORK GROUP - Potential Articles for ATM 2022

For Discussion at 1/5/22 Planning Board Meeting

These 3 suggestions provide a variety of ways to increase & diversify housing in Truro. The guiding question in this work continues to be: *“How do we create a more diverse housing stock in Truro that includes a range of year-round housing options for populations including seniors, young families, members of the local workforce while protecting our water & environment?”*

- 1) New Condo Conversion Projects –
 - a) Any new projects converting motels/cottage colonies to condo must include a percentage of units at significantly less than market rate
 - i) Inclusionary Zoning Clause - suggested ratio 1:6
 - b) An option that we recommend is to include Cash Out Option with money going to the Year-Round Rental Housing Trust (which is for all types of housing, not limited to Affordable Housing, & is able to purchase property)
 - c) Questions
 - i) How to frame cost of lower than market rate units?
 - ii) How many properties are potential conversions?
 - iii) What if Year-Round Rental Housing Trust Home Rule Petition does not get approved
- 2) Two Family Residences
 - a) Eliminate existing Duplex Bylaw § 40.1 (attached)
 - b) Allow 2 family buildings by right (need to add to use table)
 - i) Not in Beach Point or Seashore District
 - c) Minimum Lot size 1 acre
 - d) Building size conforms to House size bylaw numbers (not double for the 2 residences)
 - i) Can ask ZBA for up to additional 1,000 sq. ft. total
 - e) No maximum size for a unit
 - f) Year- round residency requirement
 - g) No owner occupancy requirement
 - h) Questions
 - i) Should there be a minimum size?
 - ii) Year round residency requirement for 1 unit or both?
 - iii) Should there be an Affordability requirement?
 - iv) Should we include language similar to that in ADU bylaw prohibiting conversion to condo style of ownership

- 3) 4-8 Unit Building
 - a) 1 permit per year
 - b) Not Beach Point or Seashore District
 - c) Either set minimum lot size or set of design standards
 - d) Questions
 - i) What are levels that trigger specific waste water requirements
- 4) We also need to address request of Health Agent for definition of apartment/apartment building

QUESTIONS/INFO TO GET

- How many properties are potential conversions to condos
 - Motels
 - Cottage Colonies
- Which of these proposals would qualify under Housing Choice Legislation to pass with 50% rather than 2/3 for other Zoning Bylaws
 - Probably only multi unit building

SUMMARY DATA RESIDENTIAL TYPES FROM ASSESSORS DATA AS OF FEB 2021								
	Single Family	Condo	2 Family	3 Family	Mult Houses	4-8 units	> 8 units	Multi Use Res
LBBeach		327	2	2	7			
Residential		77	47	1	204	4	9	
LB Rt 6A & L 6A (LB 6A)		87	4	1	2	8	5	
Seashore			1		73			
GB Truro Center			2		4			
GTC		9						
GB Rt 6		56			6			
LB Truro Center			1		2			
LTC		1						
		557	57	4	298	12	14	

§ 40.1 Duplex Houses and Apartments

- A. Purpose. For the purpose of promoting the more efficient use of land, in keeping with the protection of the quality of life and ecology, and at the same time giving relief to those with problems of obtaining adequate housing, the Board of Appeals may approve a special permit authorizing the new construction of duplex houses or the conversion of single family dwellings to apartments, consistent with the following conditions.
- B. New Construction. lots of one acre or more are required for new construction; the duplex shall not exceed 3,000 sq. ft.; the requirements of paragraph D shall be met.
- C. Conversion. Conversion of single family dwellings in any zoning district except the Seashore District and the Water Resource Protection District may be approved by special permit from the Board of Appeals. Lots shall meet current minimum lot area requirements; no more than one apartment in addition to the primary dwelling unit may be created from any one single family dwelling; the floor area of the secondary dwelling unit shall not exceed 50% of that of the primary dwelling unit; the floor area of the secondary dwelling unit shall not exceed 600 sq. ft.
- D. Requirements. All new construction or conversions shall comply with the following.
 - 1. All applicable provisions of the building, health and safety codes, as determined by the Building Commissioner and Board of Health shall be met.
 - 2. One unit shall be owner occupied.
 - 3. The applicant shall demonstrate that the new construction or conversion is essential to provide needed housing.
 - 4. The new construction or conversion is compatible with and will not derogate from or be detrimental to the neighborhood.
 - 5. Section 50, Area and Height regulations of this bylaw.
 - 6. The use is in harmony with the general purpose and intent of the bylaw.

Lot Coverage worksheet 10 20 2021

(additions in **red bold underlined**)

All Numbers are OPEN to debate (both depth numbers and percentage numbers).

Truro Bylaws

Zoning Bylaw

§ 10.2 Purpose (current with additions)

The purpose of this bylaw is to:

promote the health, safety, convenience and welfare of the inhabitants of Truro,
prevent the overcrowding of land,
conserve the value of land and buildings,
enable the protection of clean and adequate water supply,
conserve natural resources,
prevent blight of the environment,
encourage the most appropriate use of land in Truro,

protect and maintain the scenic rural character, ambiance and aesthetics of Truro,
promote carbon sequestration by natural means,

protect native soils from unnecessary removal or disturbance, and

to promote the implementation of the goals and policies of the Truro Local Comprehensive Plan.

§ 10.4 Definitions

Building. (Truro. Current)

The word building shall be any three-dimensional enclosure, portable or fixed, temporary or permanent, which is composed of building materials and which encloses any space for use or occupancy; building shall include "structure" unless the context unequivocally indicates otherwise; and with the exception of fences, field or garden walls, cold frames, stairways for beach access, and embankment retaining walls, building shall include foundations in the ground and any part of any kind of structure above ground.

Lot. (Truro. Current)

A parcel of land, undivided by a street, with definite boundaries, title to which is held in undivided ownership.

Lot Area. (Truro. Current)

The area of a lot when used for building purposes shall not be less than the minimum required by this bylaw for the district in which it is located. Such an area shall not be interpreted to include any portion of a lot below mean water level on fresh water, below mean high water on tidal water or within the limits of any defined way, exclusive of driveways serving only the lot itself. No less than 100% of the minimum lot area required shall consist of contiguous upland exclusive of marsh, bog, swamp, beach, dune or wet meadow. This definition shall apply only to lots created after April 30, 1987.

Lot Coverage. (Truro. Current)

The portion of a lot which is covered by impervious structures and improvements. Impervious structures and improvements shall include but not be limited to paved

driveways and parking areas, principal and accessory structures, swimming pools and other on-site amenities which render any portion of the lot impervious.

*** Lot Coverage: (Wellfleet. amended)**

No more than **XX percent (xx%)** of the total area of any lot shall be [(rendered impervious) / (covered)] by the installation of buildings, structures, **patios, decks** and paved surfaces (**including permeable and impermeable pavements**).

No more than **XX percent (xx%)** of the total upland area of any lot shall be [(rendered impervious) / (covered)] by the installation of buildings, structures, and paved surfaces.

*** Site Clearing (Eastham. amended)**

A minimum of **XX percent (xx%)** of the total upland area of any lot shall be retained in its natural state. This shall not prevent the removal of dead, diseased or damaged trees.

*** Site Clearing (new)**

The side and rear lot setbacks to their greatest extent shall remain in their natural state.

*** Impervious Covered Surface: (Wellfleet. amended)**

Pavement, pavers or structure(s) on, above, or below the ground that [(inhibit) / (do not allow)] precipitation or surface water runoff **from penetrating** into the soil. **For the purposes of this lot coverage bylaw, pervious paved surfaces shall be included in the computation of covered lot area.**

Lot Frontage. (Truro. Current)

That portion of a lot fronting upon and having access to a street. Lot frontage shall be measured continuously along the front lot line along one street between side lot lines or, in the case of corner lots, between one side lot line and the mid-point of the corner radius. (4/05)

*** Open Space: (Eastham)**

An unoccupied space, open to the sky, free of all structures, parking, pavement and other impervious surfaces; consisting of lands used for agricultural or forest uses; and any land area that would, if preserved and continued in its present use:

1. Conserve and enhance natural or scenic resources;
2. Protect air or streams or water supply;
3. Promote conservation of soils, wetlands, beaches or tidal marshes, and
4. Enhance the value to the public of abutting or neighboring parks, forests, wildlife preserves, nature reservations or sanctuaries or other open space.

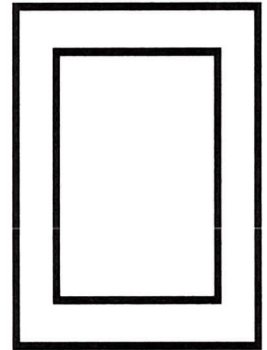
*** Tree Retention. (new)**

To the fullest extent possible, existing trees shall be preserved. When clearing beneath and/or between trees occurs, a good quality loam shall be applied and rolled to a minimum depth of **X inches (x")**. Thereafter, a good quality ground cover shall be planted.

Lot Coverage worksheet 10 20 2021

Minimum Legal Lot Size

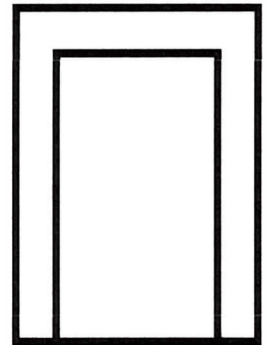
Approx. size	Sq.Ft. (Minimum legal Lot Size)	Setback front	Setback side	Setback rear
150' x 200'	33,750.00	25'	25'	25'



(front+rear+ 2 sides)

% of Minimum Legal Lot Size translated into square feet

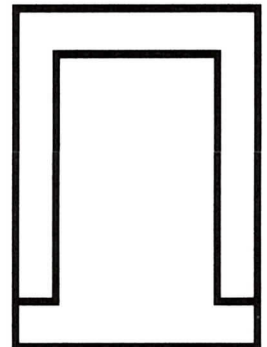
Lot %	sq. ft.	Lot %	sq. ft.
10%	3,375	45%	15,188
15%	5,063	50%	16,875
20%	6,750	55%	18,563
25%	8,438	60%	20,250
30%	10,125	65%	21,938
33%	11,138	70%	23,625
35%	11,813	75%	25,313
40%	13,500		



(rear+all of 2 sides)

Area encompassed by each setback:

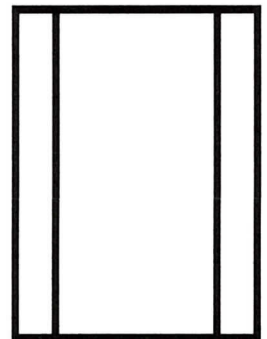
		sq. ft.	lot %
front	150' x 25'	3,750	11.11%
side	200' x 25'	5,000	14.81%
side less front	175' x 25'	4,375	12.96%
rear	150' x 25'	3,750	11.11%



(rear+ 2 sides less
all of front)

Combination of different setbacks:

	sq. ft.	lot %
(front + rear + 2 sides)	15,000	44.44%
(rear + all of 2 sides)	11,250	33.33%
(rear + 2 sides less all of front)	3,750	11.11%
(all of 2 sides)	10,000	29.63%



(all of 2 sides)

Currently allowed Building Size (on one floor)

sq. ft.	lot %
3600	10.67%

Currently allowed Building Size with ZBA Special Permit (max)

4600	13.63%
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DRAFT 12-3-21 Rev 1

Existing Bylaw Definition (§10.4 Definitions)

Mean Ground Level: Where the finished ground level varies in elevation on different sides of a building, the average of the various elevations at the centers of the four main sides. In the case where fill has been used to raise the finished ground level on a side(s) of the building to an elevation higher than the preconstruction ground level, on those sides the measurement shall be taken from center of that side ten (10) feet out from the side of the building. Further, the finished grade of the fill, within one hundred (100) feet of the building shall not have a grade steeper than ten per cent (10%) (one foot of drop for every ten-foot run).

Intent:

This definition is pertinent to building heights and building pad fill sections in all zoning districts. The original intent of this definition as written above (as related by Planning Board members serving at the time it was adopted) was to limit the amount of fill used to level or raise a building pad above the existing grade elevation. Raises in the building pad elevation were reportedly being used as a means of enhancing views. Often this resulted in a raise in the grade of the land around the downhill side of the house, resulting in modification of large areas of the landscape, burial of existing naturally vegetated areas, and importation of large quantities of fills. See accompanying sketch SK1.

Problems with the existing definition:

1. Last sentence (beginning “Further...”) serves to control fill quantities and preclude the creation of steep fill slopes *in certain instances*, while in other instances this sentence may require much more fill than would otherwise be needed.

An example of the latter case would involve siting a house on a naturally graded, bowl-shaped lot (i.e., valley-shaped; in hilly terrain). If the house is sited at or near a high point on the property, then the current “10%” grade steepness limit would require filling the valley out to a distance of 100 feet away from the downhill side of the house in order to meet this requirement as written. If the natural grade is descending at greater than 10%, then this sentence could result in extensive reworking of the landscape and the need for large quantities of imported fill (i.e., filling of the valley).

If the entire lot is naturally steeply sloped (i.e., hillside), compliance could be impossible since a fill section compliant with this last sentence could conceivably extend across more than the full width of the lot (this may occur where the natural descending grade was steeper than 10%).

2. The last sentence (“Further...”) is misplaced in the bylaw in that it is not a part of the definition of the term “Mean Ground Level” but rather is a regulation. The regulating limits pertaining to Mean Ground Level should appear elsewhere in the Bylaw, in this case, in Section 50.

Objective of this Proposed Change

Discourage extensive alteration of the existing landscape and topography, limit the construction of unnecessarily high raised building pads and the importation of off-site fill materials by rewriting this definition and adopting a new regulation that would be facilitate these goals in all cases, yet be readily and universally interpretable.

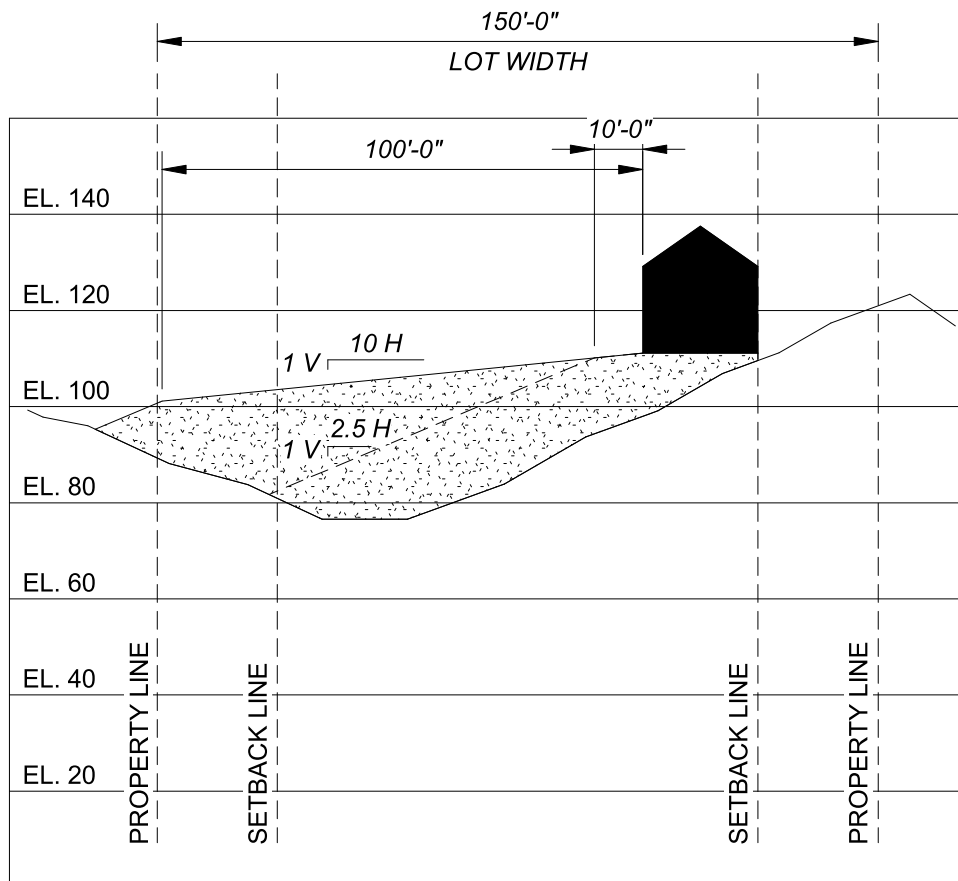
Proposed New Definition: (Essentially, the change amounts to elimination of the last sentence) -

Mean Ground Level: Where the finished ground level varies in elevation on different sides of a proposed building footprint, the average of the various elevations at the centers of the four main sides. In the case where fill has been used to raise the finished ground level on a side(s) of the building to an elevation higher than the preconstruction ground level, on those sides the measurement shall be taken from center of that side ten (10) feet out from the side of the building.

Proposed New Regulation, Section 50, Area and Height Regulations

§50.1.I Building Pad Height and Sloped Site Limitations

1. The finished grade elevation as measured at the center of the highest of the four main sides of the building shall not be more than **18 inches** above the existing grade elevation at that same point.
2. Fill sections on the downhill sides of the building shall be minimized insofar as possible with respect to both the lateral extents and the amount of fill. The grade of the ground surface in filled areas downhill of the building shall not exceed the following maximum grades:
 - a. Within 10 feet of the building: **10% grade (1V:10H)**.
 - b. Beyond 10 feet from the building (Sloped sites): **40% grade (1V:2.5H)**. This limitation applies to slopes to be stabilized by vegetation. Slopes steeper than 40% grade are permissible only in those instances where selected engineered fill materials, armored slopes, reinforced earth or retaining structures are provided to allow for steeper conditions. In all instances where this slope exceeds a 40% grade, the details, type and height of the stabilized slope section (and/or retention structures) shall be described on the site plan or on the building permit application.



Study

Truro, MA

Site Grading Illustration

Scale 1" = 40'-0"

Date:12/03/21

Designed:RER Checked:RER

Drawing Number

SK1

IX. STREET DEFINITION BYLAW PROPOSAL

Proposal for Discussion

This is an attempt to correct the elimination of the design standards from the Subdivision Regulations referenced in the Zoning Bylaw, address a fairness issue AND maintain the rural nature of Truro.

1. Insert the referenced Town of Truro Subdivision Regulations, Section IV, Design Standards, (b), (c), & (d) as they existed on January 1, 1989 into the Bylaw Definition
2. Add an exemption for streets on approved subdivision plans

The following definition of Street is from the Truro Zoning Bylaw, §10.4. Definitions

Street. A public or private way which affords access to abutting property. For the purposes of this bylaw, the terms "street", "road", "way", and "road right-of-way" bear the same meaning. When a street(s) is to be used for lot frontage, the street(s) shall conform to the *following* requirements:

- 1) The minimum width of street right-of-ways shall be 40 feet.*
- 2) Property lines at street intersections shall be rounded to provide for a curb radius of not less than 20 feet.*
- 3) Dead-end streets shall be provided at the closed end with a turnaround having a property line diameter of at least 80 feet. When ways requiring turnarounds may be extended in future subdivisions, the Board may require only an area equal to the above requirement to be shown and marked "Reserved for Turning". Upon extension of the way through this turning area, the portions not included in the way shall revert to their respective lots.*

~~of the Town of Truro Subdivision Regulations, Section IV, Design Standards (b), (c), and (d) as they existed on January 1, 1989.~~

Street(s) shall have a center line length in excess of 100 feet. For dead-end street(s), this distance shall be measured from the sideline of the layout of the road to be intersected to the opposite end of the layout of the turnaround cul-de-sac. Town of Truro paved street(s) that:

- (1) have a minimum layout width of 20 feet, (2) were created prior to January 1, 1989, ~~and~~ (3) were accepted by Truro Town Meeting, *and (4) streets forming part of a subdivision plan approved by the Planning Board* are exempt from the width requirements of the Town of Truro Subdivision Regulations, Section IV, Design Standards. These accepted public paved ways shall be deemed adequate as lot frontage for the issuance of building permits. The list of accepted Truro public paved ways is available from the Town of Truro Town Clerk upon request.

STREET DEFINITION COMMUNITY DISCUSSION 12.1.21

Notes from the discussion

Why should there be changes to the definition? What problems does it cause?

A. Unclear & Confusing leading to uneven application

1. Should be clear and easy to understand and that in itself is reason to revisit
2. Confusing, hard to understand for all – applicants, Building Inspectors, lawyers
3. Unevenly applied by different Building Inspectors –
4. Different BC and others have had different interpretation & given permits on different basis.
 - a. Russ B 2014-18 Building Commissioner (BC)
 - i. They are confusing
 - ii. Earlier BC – told Russ couldn't make heads or tails so if have way with proper frontage he issued building permit – did so on streets /ways of varying quality. Including Kline House
 - iii. Reported that Judge in Kline case called definition of street into question
 - iv. Russ as BC – if permit application did not meet very strict definition of street (from list held by clerk) he sent to ZBA, created headache for ZBA and extensive litigation
 - b. Community member talked about properties on her street, which doesn't meet definition,
 - i. Some allowed to move forward,
 - ii. some sent to ZBA & approved,
 - iii. some denied by ZBA
5. Uneven application compromises rights of citizens

B. Causes referrals to ZBA and increased potential for litigation

6. Lots of referrals to ZBA
 - a. More work for ZBA
 - b. result for applicant even if approved is costly in terms of time, money
 - c. Also, neighbors can appeal ZBA decision, with potential for significantly more cost and delay
7. Creates high potential for Litigation because it's unclear
8. Part of def talks about Frontage Issue:
 - a. If road does not have 40 foot right of way, it is not a conforming road
 - b. If not a conforming road then doesn't provide frontage
 - c. Potentially any work requiring a building permit will require ZBA action
9. Lack of clarity, uneven application of bylaw, creates issues for abutters and relationships among abutters. "How come they could But I can't?" Again , increases potential for litigation

C. Inconsistent with other Town action or regulations

10. There are lots in Truro created by Planning Board action since 1989, that don't meet the conditions of the bylaw but since created after 1989 are NOT pre-existing, non-conforming
 - a. This has resulted in some lots in legally created subdivisions being not buildable only because of this definition
11. Current structure mixes subdivision regulations and zoning bylaws
 - a. Subdivision regulations can be waived by Planning Board
 - b. Only ZBA can waive Zoning Bylaws

OTHER

12. Need for clarification especially old roads,
13. Property on 230+ roads that don't conform to definition & where this makes it hard to build, etc.
14. Issue is more on existing properties old ways, not new subdivisions

Why make no changes? What problems could that cause?

1. Safety
2. Has functioned to help preserve the Rural Character of Truro
 - a. Prevented ancient ways from being developed that shouldn't be developed
 - b. Has saved Truro from overdevelopment
 - c. Concern that changing definition might undermine Truro's rural character
3. Fear change would undermine future of Truro's rural character. The issue of how much development should take place is highly controversial and has divided the community
4. 40 ft right of way – for all widths of road – like an easement to for utilities etc.
 - a. 20 ft from center of road – in most of Truro have building setbacks 25 ft from road, in Seashore district 50 ft. so not really issue
 - b. Required by state – not limiting or hurting people
5. Simplification always good objective. Important to know how many new building lots could/would be created

What are potential changes that could address the problems identified?

1. In order to improve definition don't need to eliminate 40 ft. Right of Way
2. Existing definition has protected rural character, need to continue to do that
3. Change can both clarify/simplify AND protect rural character of Truro
 - a. Maintain rural character and have definition that is easy to understand
 - b. Protect rural character of Truro AND have clear definition with little/no ambiguity for Building Commissioner, fewer referrals to ZBA
 - c. Clear, no ambiguity for BC, that prevent so many referrals to ZBA but at same time primary qualification is to protect rural character of Truro
4. Go back to MGL –
5. Changing exemptions could be way to protect rural character while evening out things

6. TPRTA suggestions – letter 11/28/21

For this reason, we ask the PB to consider **adding needed exemptions to Zoning Bylaw (Section 10.4)** to be harmonized with related design requirements. These exemptions could cover various "road" scenarios including exempting ways that **meet the General Bylaw requirement of Section 1-9-13** for the "14-foot box" on the ground and that, for example,

- a. are contained in an approved subdivision plan; and/or
- b. are on any ancient way never discontinued by the Town; and/or
- c. existed on the ground prior to 2021 {or xx date}; and/or
- d. are ways on which two or more residential or commercial structures are taxed; and/or
- e. are the frontage and access for two or more prior approval(s) of building permits for any property along said way.

Questions/Info Requests

- 1. Need to know how many lots impacted before bringing any suggestion to voters
 - a. Town Planner working on buildout number – changing this definition would change that number.
- 2. How many lots are in subdivisions created since 1989 that are not buildable due to the definition?
- 3. Request from Board for specific examples (addresses) where there are problems

Additional Issues for Further Discussion

- 1. Subdivision Regulations address different issues than Zoning Bylaws – Town Planner
 - a. Follow-up – explanation & potential impact

STREET DEFINITIONS - OTHER CAPE TOWNS

WELLFLEET- ZBL

A street or way, other than a private way, which meets the minimum requirements of the Planning Board as established in accordance with the provisions of Section 81L of Chapter 41 (subdivision) of the General Law.

Wellfleets Subdivision Rules & Regulation:

4.01 ROADS

4.01.a Right-of-way width shall be not less than forty feet. All roadways shall be paved to a width of twenty (20) feet, which shall include a paved berm. Said berm shall be a minimum of eighteen (18) inches on roads with grades in excess of 3%, and in other locations as deemed necessary by the Planning Board.

4.01.b All roads shall be designed so that they will provide safe vehicular travel. Due consideration shall be given by the Applicant to the attractiveness of the street layout.

4.01.c Provision shall be made for the proper projection of roads, or for access to adjoining property which is not yet subdivided. Reserve strips prohibiting access to roads or adjoining property shall not be permitted, except where, in the opinion of the Planning Board, such strips are in the public interest.

4.01.d Street jogs with centerline offsets of less than 125 feet should be avoided. The minimum centerline radii of curved streets shall be 125 feet. Greater radii may be required for principal streets.

4.01.e There shall be access to all lots via streets and portions of streets no part of which shall be less than ten feet elevation.

4.01.f Centerline grades of streets shall be not less than 0.5%. Centerline grades shall not be more than 10.0% for principal streets.

4.01.g No street shall intersect any other street at less than 60 degrees.

4.01.h Property lines at street intersections shall be rounded with a radius of not less than 20 feet.

4.01.i Changes in grading exceeding (0.5) of one percent shall be connected by vertical curves of sufficient length.

4.01.j Sight distances for Subdivision roads intersecting other roads may not be less than 300 feet.

4.02 DEAD-END STREETS

4.02.a Dead-end streets shall not be longer than one thousand (1,000) feet unless, in the opinion of

the Board, a greater length is necessitated by topography or other local conditions.

4.02.b The road layout on dead-end streets shall be provided at the closed end with a turnaround having an exterior layout radius of at least forty-five (45) feet. The roadway shall have an exterior radius of at least thirty-five (35) feet. An island suitably landscaped with grass, ground cover, trees, natural rock and/or elements blending with the surroundings, shall be provided in the center of the turnaround with a radius of at least fifteen (15) feet.

An island shall not be required in a temporary turnaround; however, the turnaround shall be paved. When the dead-end street is extended, the turnaround easement shall terminate and the Applicant shall be required to remove, re-grade and restore the turnaround area to the satisfaction of the Planning Board.

EASTHAM

DRAFT TIMELINE FOR TOWN WARRANT ARTICLES

ATM

- Town Meeting will be held the last Tuesday of April (2-1-2)
- Warrant opened 90 days before Annual Town Meeting (Truro Town Charter Chapter 2 Section 1: 2-3-4)
- Warrant closed after 30 days (Charter 2-3-4)
- Warrant articles from Town Boards can be added after that date

SPECIAL TOWN MEETING

- Select Board determines dates warrant opens/closes (Charter 2-3-4)

2022 DATES

- Tuesday April 26, 2022 – Annual Town Meeting
- Wednesday January 26, 2022 – Warrant Opens
- Friday February 25, 2022 – Warrant Closes
- January 3 – February 16, 2022 - Window for final Public Hearing

GENERAL INFORMATION AND SUGGESTIONS FOR TIMING

- Notice for Public Hearing of Potential Bylaw Change must be advertised in newspaper for 2 successive weeks prior to meeting. In effect, Public Hearing must be scheduled at least 3 weeks in advance.
- Best not to hold public hearing in between mid-December & first Monday in January (after January 1) due to vacations & holidays.
- Planning Board can solicit community input through community forums etc. that don't require same advance notice as public hearing but must also hold public hearing prior to voting on potential warrant article.



Town of Truro
P.O. Box 2030, Truro, MA 02666

**APPLICATION PACKET FOR
ADULT USE RECREATIONAL MARIJUANA ESTABLISHMENTS (RME)
AND MEDICAL MARIJUANA TREATMENT CENTERS (MMTC)**

A. OVERVIEW OF STEPS IN THE STATE AND TRURO APPLICATION PROCESS

1. Signed Host Community Agreement with Town of Truro, then
2. Provisional License or Provisional Certificate of Registration from the State of Massachusetts, then

**BOTH HOST COMMUNITY AGREEMENT AND PROVISIONAL LICENSE OR
PROVISIONAL CERTIFICATE ARE REQUIRED BEFORE SUBMITTING THIS
APPLICATION PACKET TO THE TOWN OF TRURO**

3. Application for Adult Use Marijuana Establishments (RME) and Medical Marijuana Treatment Centers (MMTC) to the Town of Truro – Application Packet contains 3 sections:
 - a. General Application
 - i. Application Form
 - ii. General Checklist
 - b. Application for Site Plan Review from the Planning Board
 - i. Site Plan Review Application Form
 - ii. Required Plans and Other Information including Checklist
 - iii. Criteria Review
 - iv. Certified Abutters List
 - v. Filing Fee

Once Site Plan Review has been approved:

- c. Application for Special Permit from the Zoning Board of Appeals (ZBA)
 - i. Special Permit Application Form
 - ii. Required Plans and Other Information
 - iii. Certified Abutters List
 - iv. Filing Fee

B. TRURO PROCESS AFTER RECEIVING PROVISIONAL LICENSE/CERTIFICATE

This process requires applicants receive approvals from both the Planning Board and the Zoning Board of Appeals (ZBA). The order is Planning Board first for Residential Site Plan Review and then ZBA for a Special Permit. This packet includes information and forms for both processes.

1. If the applicant is a Craft Marijuana Cooperative (CMC) the requirements are:
 - a. An approved parcel-specific Site Plan for each parcel
 - i. *§100.3 ELIGIBILITY – The total number of parcels allowed to be utilized per Craft Marijuana Cultivator Cooperative licensee for Marijuana, and*
 - b. One (1) Special Permit for the CMC
2. The following marijuana establishment specific items specified in §100.7 A, B, C and D must be included with this application in addition to the material required for Site Plan Review and Special Permit Applications:
 - a. Security Plan (*process being determined with Police Chief*)
 - b. Resource Plan (Marijuana Cultivators and Marijuana Product Manufacturers)
 - c. Traffic Study and Circulation Plan
 - d. Copy of Provisional License or Provisional Certificate of Registration from the State of Massachusetts
 - e. Executed Host Community Agreement
 - f. Site Plan
 - g. Elevations of any proposed new construction for indoor growing and/or processing
 - h. Plan of any new signage
 - i. Narrative describing management and general operation of the facility
 - j. Fire Protection Plan (if applicable)
 - k. Table showing use and square footage of all proposed buildings



Town of Truro
P.O. Box 2030, Truro, MA 02666

APPLICATION FOR MARIJUANA ESTABLISHMENT APPROVAL

To the Town Clerk, the Planning Board and the Zoning Board of Appeals of the Town of Truro, MA

Date _____

The undersigned hereby files an application for a:

- ☐ Recreational Marijuana Establishment (RME)
☐ Medical Marijuana Treatment Center (MMTC)

Is the applicant either a Marijuana Craft Cooperative (MCC) or member of an MCC? _____

1. General Information

Applicant's Name _____

Applicant's Legal Mailing Address _____

Applicant's Phone(s), Fax and Email _____

Applicant is one of the following: *(please check appropriate box)*

**Written Permission of the owner is required for submittal of this application.*

- ☐ Owner ☐ Operator* ☐ Lessee ☐ Other*

Owner's Name and Address _____

Physical Address of Parcel _____

Size of Parcel (in square feet) _____

2. Marijuana Craft Cooperative (MCC) Information (if applicable)

Name of MCC _____

MCC Member Information:

Name _____

Mailing Address _____

Physical Address of Marijuana Establishment _____

Size of Parcel (in square feet) _____

Name _____

Mailing Address _____

Physical Address of Marijuana Establishment _____

Size of Parcel (in square feet) _____

Name _____

Mailing Address _____

Physical Address of Marijuana Establishment _____

Size of Parcel (in square feet) _____

Name _____

Mailing Address _____

Physical Address of Marijuana Establishment _____

Size of Parcel (in square feet) _____

Name _____

Mailing Address _____

Physical Address of Marijuana Establishment _____

Size of Parcel (in square feet) _____

Signature(s)

Applicant(s)/Representative *Printed* Name(s)

Owner(s) *Printed* Name(s) or written permission

Applicant(s)/Representative *Signature(s)*

Owner(s) *Signature(s)* or written permission

100 - MARIJUANA ESTABLISHMENT GENERAL CHECKLIST

Address: _____		Applicant Name: _____		Date: _____	
No.	Requirement	Met	Not Met	Explanation, if needed	
<u>100.5 Applicability of Regulations</u>					
A	The use of land for cultivation, production, processing, manufacturing, assembly, packaging, retail or wholesale sale, trade, distribution or dispensing of marijuana for commercial purposes is prohibited unless licensed by all applicable Massachusetts licensing authorities and permitted as an RME or MMTC under this section.				
B	The number of RMEs and MMTCs permitted in Truro shall be in accordance with the Use Table set out in §100.3, <i>supra</i> .				
C	Hours of operation for Recreational Marijuana Retailers and Medical Marijuana Treatment Centers shall not exceed the Alcoholic Beverages Control Commission (ABCC) maximum hours of operation for liquor licenses not to be drunk on premises pursuant to M.G.L. c. 138 §15, but may be limited by conditions of the Special Permit.				
D	Marijuana Retailers shall be located in structures without residences.				

100 - MARIJUANA ESTABLISHMENT GENERAL CHECKLIST

Address: _____		Applicant Name: _____		Date: _____	
No.	Requirement	Met	Not Met	Explanation, if needed	
100.6 General Requirements					
A	No RME or MMTC shall be located within 500 feet, as measured from each lot line of the subject lot, of the following pre-existing uses: Public or private schools providing education in grades K-12.				
B	The 500-foot buffer distance under this section shall be measured in a straight line from the nearest point of the property line in question to the nearest point of the property line where the RME or MMTC will be located.				
C	Applicants for an RME or MMTC shall provide the security plan approved by the Commission to the Police Chief, Fire Chief, Health Agent and Building Commissioner prior to the granting of a Special Permit.				
D	An executed Host Community Agreement shall be required prior to the granting of a Special Permit and Site Plan Approval for an RME or MMTC.				
E	No odor from marijuana cultivation, processing, manufacturing or retail may be noxious or cause a nuisance or danger to public health or impair public comfort and convenience. Marijuana establishments shall incorporate odor control technology and safeguards to ensure that emissions do not violate Board of Health regulations adopted pursuant to M.G.L.c. 111, §31C, including but not limited to those specified for odors.				
F	All business signage, marketing, advertising and branding shall be subject to the requirements promulgated by the Commission and the requirements of the Truro Zoning Bylaw and Sign Code. In the case of a conflict, the more restrictive requirement shall apply.				
G	The hours of operation of the RME and MMTC shall be set by the Zoning Board of Appeals as a condition of the Special Permit.				

100 - MARIJUANA ESTABLISHMENT GENERAL CHECKLIST

Address: _____		Applicant Name: _____		Date: _____	
No.	Requirement	Met	Not Met	Explanation, if needed	
100.6 General Requirements					
H	No RME or MMTC shall be located inside a mobile vehicle such as a trailer, van, or truck, unless operating as a licensed Marijuana Transporter. Craft Marijuana Cultivator Cooperatives, Marijuana Cultivators, MMTCs and Microbusinesses shall be allowed to utilize movable structures, except that natural screening, or other approved screening, shall be required as a condition of Site Plan Review, as necessary, to render such structures less visible from public or private ways or abutting properties. The number of movable structures shall be limited to no more than 2 per parcel unless additional containers are approved by the Planning Board in connection with Site Plan Review.				
I	No RME or MMTC shall be located inside a building containing transient housing such as motels or hotels.				
J	<p>To ensure compatibility with the residential character of Truro, the use of greenhouses, defined to have walls and roofs constructed predominantly of glass or other transparent or translucent materials, are to be encouraged in lieu of other types of enclosed buildings for marijuana cultivation.</p> <p>- The total aggregate floor area of all enclosed buildings used by an RME or MMTC within the Residential and NT6A Districts shall not exceed a floor area, as measured from the exterior faces of exterior walls, of 5,000 sq. ft. on a 2-acre lot, plus 500 sq. ft. for each additional contiguous acre of land, or minus 500 sq. ft. for each contiguous acre of land less than two acres, or as the case may be, where the square footage per acre specified above is pro-rated for a portion of an acre. Greenhouses and Gross Floor Area of any Dwelling Units shall be excluded from this floor area calculation.</p> <p>- Building lot coverage for marijuana cultivation, including greenhouses and other similar structures, in the Residential and NT6A Districts shall not exceed 25% of the parcel's total gross square footage.</p>				

100 - MARIJUANA ESTABLISHMENT GENERAL CHECKLIST

Address: _____		Applicant Name: _____		Date: _____	
No.	Requirement	Included	Not Included	Explanation, if needed	
100.7 Application Requirements					
A	Security Plan				
1	The applicant shall submit a copy of its security plan, approved by the Commission as part of the issuance of a Provisional License, to the Police and Fire Departments for their review and approval prior to the issuance of Site Plan Approval.				
2	The security plan shall be updated on an annual basis and any changes shall be reported to the Police and Fire Departments.				
3	The security plan shall meet all security requirements of 935 CMR 500.110.				
B	Resource Plan				
1	All Marijuana Cultivators, including but not limited to Craft Marijuana Cooperatives and Microbusinesses, MMTCCPs, and Marijuana Product Manufacturers shall submit a resource use plan to the Planning Board outlining planned practices for use of:				
	energy				
	water				
	waste disposal				
	and other common resources and to ensure there will be no undue damage to the natural environment.				
2	The Resource Plan, if applicable, shall include:				
	electrical system overview				
	proposed energy demand				
	proposed electrical demand off-sets				
	ventilation system and air quality				
	proposed water system utility demand				
	The Planning Board may waive this requirement if it is determined that the scale and scope of the use does not require such review.				

100 - MARIJUANA ESTABLISHMENT GENERAL CHECKLIST

Address: _____		Applicant Name: _____		Date: _____	
No.	Requirement	Included	Not Included	Explanation, if needed	
100.7 Application Requirements					
C	Traffic Study and Circulation Plan				
1	The applicant shall submit a traffic circulation plan for the site to ensure the safe movement of pedestrian and/or vehicular traffic on site.				
2	A traffic impact and access study shall be required for all Marijuana Retailers and MMTCDRs. The study shall be based on standard traffic engineering guidelines developed by the Massachusetts Environmental Protection Act (MEPA). The Planning Board may waive the requirement of a traffic impact study if, in the opinion of the Planning Board, a traffic impact study is not necessary to ensure safe movement of pedestrian or vehicular traffic on site.				
D	In addition to the requirements of §70.4C and §30.8 all Site Plan Review applications and Special Permit applications shall include the following:				
1	A copy of a Provisional License or Provisional Certificate of Registration from the State of Massachusetts as an RME under 935 CMR 500.00 or a MMTC under 935 CMR 501.00;				
2	An executed Host Community Agreement;				
3	A site plan showing existing conditions on the site and the boundaries of any proposed outdoor growing area;				
4	Elevations of any proposed new construction for indoor growing and/or processing;				
5	A plan of any new signage;				
6	A narrative describing the management and general operation of the facility;				
7	A security plan;				
8	A fire protection plan (if applicable);				
9	A table showing the use and square footage of all proposed buildings; and				
10	A completed Special Permit or Site Plan Review application form.				



Town of Truro Planning Board

P.O. Box 2030, Truro, MA 02666

PROCEDURE FOR SUBMITTING SITE PLAN REVIEW APPLICATION FOR ADULT USE RECREATIONAL MARIJUANA ESTABLISHMENTS (RME) AND MEDICAL MARIJUANA TREATMENTS CENTERS (MMTC)

A completed application consisting of each of the requirements of §70 and §100 will be filed as follows:

- fifteen (15) packets to be filed with the Town Clerk; AND
- a complete copy, including all plans and attachments, submitted electronically to the Town Planner at planner1@truro-ma.gov.

Additional material, *electronic and paper*, for a hearing shall be received no later than **Tuesday 4:00 pm** of the **prior** week.

The following information and requirements must be filed with all applications for Site Plan Review consistent with the Rules, Regulations and Fee Schedule of the Truro Planning Board.

☐ **1 – Official Application Form – Original and Fourteen (14) Copies**

Every application for action by the Board shall be made on an official form. Any communications purporting to be an application shall be treated as mere notice of intention until such time as it is made on an official application form accompanied by all requisite supporting data.

☐ **2 – Required Plan(s) and Other Information including Checklist (Fifteen (15) Copies)**

Every application and petition to the Board shall be accompanied by all the plans and other information required in the Zoning Bylaw. The application shall include each of the requirements of §70 and §100 as listed in the attached Checklist which is to be submitted as part of the official application. These items include:

- Copy of Provisional License or Provisional Certificate of Registration from the State of Massachusetts
- Executed Host Community Agreement
- Site Plan(s) as appropriate
- Elevations of any proposed new construction for indoor growing and/or processing
- Plan of any new signage
- Narrative describing management and general operation of the facility
- Security Plan
- Fire Protection Plan (if applicable)
- Table showing use and square footage of all proposed buildings

☐ **3 – Criteria Review**

Applicant will briefly state how they meet each of the review criteria in §70 and §100 using the format provided in this packet.

☐ **4 – Certified Abutters List – Original and Fourteen (14) Copies**

A Certified Abutters List shall be obtained by the Applicant from the Truro Assessors Office and filed as part of the complete application. A copy of the “Certified Abutters List Request Form” is included in this packet.

☐ **5 – Filing Fee**

All applications shall be filed with the Town Clerk and shall be accompanied by a check payable to the Town of Truro in the amount of **\$250.00** for Site Plan Review. The filing fee is non-refundable.

Note: *Please familiarize yourself with Truro Zoning Bylaws including bylaws specifically addressing property in your Truro Zoning District. It may also be helpful to review other potentially applicable Town regulations such as Board of Health and Conservation Commission regulations and regulations of other jurisdictions as applicable such as The Cape Cod National Seashore or a homeowner’s association.*

ONCE A COMPLETED APPLICATION HAS BEEN RECEIVED

- Town Planner will determine if an Application is complete. Upon determination an Application is complete, the Planning Board will then proceed to post notice of a public hearing in accordance with Section 11 of Chapter 40A of the General Laws of Massachusetts.
- Either you or your agent/representative shall appear before the Board at the scheduled hearing. If you need to reschedule, you must submit a request in writing for a continuance, using Town of Truro Continuance Request Form.
- Additional material, *electronic and paper*, for a hearing shall be received no later than **Tuesday 4:00 pm** of the **prior** week. Late submittals will not be reviewed at that meeting and may result in a continuance of the hearing. Additional information for a scheduled public hearing may be submitted provided it is received within the timeframe above so that it can be included in the packet for Board Members to read and review. Submit fifteen (15) paper copies, including full-size plans, to the Town Clerk for filing **AND** an electronic copy to the Town Planner (at planner1@truro-ma.gov).

Please do not include a copy of these instructions with the application



Town of Truro Planning Board

P.O. Box 2030, Truro, MA 02666

APPLICATION FOR MARIJUANA SITE PLAN REVIEW

To the Town Clerk and the Planning Board of the Town of Truro, MA Date _____

The undersigned hereby files an application with the Truro Planning Board for the following:

☐ **Site Plan Review** pursuant to §70 and §100 of the Truro Zoning Bylaw

General Information

Business Type: RME or MMTC _____

Is applicant a Marijuana Craft Cooperative (MCC)? _____ If yes, a separate Site Plan Review packet must be submitted for each parcel

Description of Property and Proposed Project _____

Property Address _____ Map(s) and Parcel(s) _____

Registry of Deeds title reference: Book _____, Page _____, or Certificate of Title
Number _____ and Land Ct. Lot # _____ and Plan # _____

Applicant's Name _____

Applicant's Legal Mailing Address _____

Applicant's Phone(s), Fax and Email _____

Applicant is one of the following: (please check appropriate box)

*Written Permission of the owner is required for submittal of this application.

☐ Owner ☐ Operator* ☐ Lessee ☐ Other*

Owner's Name and Address _____

Representative's Name and Address _____

Representative's Phone(s), Fax and Email _____

-
- The applicant is **advised** to consult with the Building Commissioner, Planning Department, Conservation Department, and/or Health Department prior to submitting this application.
-

Signature(s)

Applicant(s)/Representative Printed Name(s)

Owner(s) Printed Name(s) or written permission

Applicant(s)/Representative Signature(s)

Owner(s) Signature(s) or written permission

Your signature on this application authorizes the Members of the Planning Board and town staff to visit and enter upon the subject property

100 - REGULATION OF MARIJUANA REVIEW CHECKLIST - Applicant

Address: _____		Applicant Name: _____		Date: _____	
No.	Requirement	Included	Not Included	Explanation, if needed	
70.4(C) Site Plan Procedures and Plan Requirements					
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.	Applicable filing fee				
	Site Plans				
2a.	Site Plans shall be prepared, stamped and signed 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				
3	Site Plan shall include the following:				
3a. 1	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 conditions. This information shall be placed in a table format which must list all setbacks; percent of lot coverage, broken out between building, pavement, landscape coverage, etc.; number of buildings; total amount of square feet; and any other applicable zoning information necessary for the proper review of the site plan.				
	<u>Existing:</u>				
	All setbacks				
	Percent (%) of lot coverage broken out between building, pavement, landscape coverage, etc.;				
	Number of buildings				
	Total number of square feet				
	Any other applicable zoning information necessary for the proper review of the site plan				

100 - REGULATION OF MARIJUANA REVIEW CHECKLIST - Applicant

Address: _____		Applicant Name: _____		Date: _____	
No.	Requirement	Included	Not Included	Explanation, if needed	
70.4(C) Site Plan Procedures and Plan Requirements					
	Proposed:				
	All setbacks				
	Percent (%) of lot coverage broken out between building, pavement, landscape coverage, etc.;				
	Number of buildings				
	Total number of square feet				
	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); and				
	date of the preparation of the plan(s) and subsequent revision dates				
3a. 6	Legend of All Symbols				
3a. 7	Property boundaries, dimensions and lot area				
3a. 8	Topography and grading plan				
3a. 9	Location, including setbacks of all existing and proposed buildings and additions				
3a. 10	Septic system location				
3a. 11	Location of (as applicable):				
	wetlands				
	the National Flood Insurance Program flood hazard elevation, and				
	Massachusetts Natural Heritage Endangered Species Act jurisdiction				
3a. 12	Driveway(s) and driveway opening(s)				
3a. 13	Existing and proposed lighting				
3a. 14	Existing landscape features both vegetative and structural				

100 - REGULATION OF MARIJUANA REVIEW CHECKLIST - Applicant

Address: _____		Applicant Name: _____		Date: _____	
No.	Requirement	Included	Not Included	Explanation, if needed	
70.4(C) Site Plan Procedures and Plan Requirements					
3a. 15	Limit of work area (area to be disturbed during construction, including parking and storage of vehicles and equipment) and work staging area(s)				
	Architectural Plans				
3b.	Architectural plans with all dimensions at a scale of no less than 1/8" = 1'-0", including:				
	elevations				
	floor plans				
3c.	Lighting specification, including style and wattage(s)				
	Neighborhood Context:				
3d.	Photographs or other readily available data concerning the location and size of buildings on lots adjacent to or visible from the lot under consideration in order to provide a neighborhood context for the property under consideration				
3e.	Re-vegetation/Landscaping plan , including both vegetative and structural features				

100 - REGULATION OF MARIJUANA REVIEW CHECKLIST - Applicant

Address: _____		Applicant Name: _____		Date: _____	
No.	Requirement	Included	Not Included	Explanation, if needed	
100.8 Additional Provisions Regarding Cultivation					
A	When indoor cultivation is proposed, existing buildings, barns, greenhouses, and containers shall be reused wherever possible. Any new construction that requires a building permit shall harmonize with nearby architectural styles to the greatest possible extent. The use of metal buildings or containers shall not be prohibited, however, reasonable natural screening, or other approved screening, may be required as a condition of the Special Permit or Site Plan Approval so as to render such structure less visible from adjacent public and private ways, and abutting properties.				
B	Security fencing, as required by the Commission, shall be as inconspicuous as possible and compatible with the surrounding neighborhood. In no case shall barbed wire topped fence or a similar style be permitted.				
C	All lighting shall comply with all Truro Bylaws and be shielded so as not to shed light onto adjacent properties. The Planning Board may require any artificial lighting system to employ appropriate components, including but not limited to LED components, equipped with deflectors in order to mitigate potential light pollution.				
D	The Planning Board shall include in its Site Plan Approval a mandatory condition of any cultivation activities, that sales, gifts or delivery of Marijuana or Marijuana products directly to the public shall be prohibited.				

100 - REGULATION OF MARIJUANA REVIEW CHECKLIST - Applicant

Address: _____		Applicant Name: _____		Date: _____	
No.	Requirement	Included	Not Included	Explanation, if needed	
100.8 Additional Provisions Regarding Cultivation					
E	<p>In the case of Marijuana Cultivators, Craft Marijuana Cooperatives, or MMTCCPs, located in districts other than the Residential District, the Special Permit application shall specify the amount of canopy proposed to be cultivated on each parcel utilized by the applicant, and a limit on the amount of cultivation canopy may be imposed as a condition of the Special Permit. Any material change in the amount of cultivation canopy at each parcel shall be reported to the Zoning Enforcement Officer, the Planning Board and the Zoning Board of Appeals. For the purposes of this section, the term “material” shall mean an increase in canopy utilization of greater than fifty percent (50%) in a calendar year. In the event such change in canopy, in the determination of the Zoning Board of Appeals constitutes a change in the intensity of use authorized under the terms of the Special Permit, the Zoning Board of Appeals may require a modification of the Special Permit and the applicant shall be required to obtain a modification of the Site Plan Approval.</p>				

ADDRESSING THE REVIEW CRITERIA

§100.1 PURPOSE

The purpose of the marijuana bylaw is to provide for the regulation of Adult Use Recreational Marijuana Establishments (“RME”) and Medical Marijuana Treatment Centers (“MMTC”) in accordance with An Act To Ensure Safe Access to Marijuana, Chapter 55 of the Acts of 2017 (the “Act”), and all regulations which have or may be issued by the Cannabis Control Commission, including, but not limited to 935 CMR 500.00 and 935 CMR 501.00, in locations suitable for such uses, which will minimize adverse impacts of RMEs and MMTCs on adjacent properties, residential neighborhoods, schools and other sensitive locations by regulating the siting, design, placement and security of such uses.

Instructions: Please provide the Planning Board with a short explanation of how your application meets each of the review criteria of §70.4D, 100.6E and H, and §100.9 of the Truro Zoning Bylaw. If you require extra space for your answers, please attach the additional information to your application in no more than four (4) pages. This is to provide the Planning Board with an overview of your rationale prior to the meeting.

§70.4D – REVIEW CRITERIA

The Planning Board shall review Site Plans and their supporting information. It is the intent of Site Plan Review that all new construction shall be sited and implemented in a manner that is in keeping with the scale of other buildings and structures in its immediate vicinity in order to preserve the characteristics of existing neighborhoods. Such an evaluation shall be based on the following standards and criteria:

1. Relation of Buildings and Structures to the Environment. Proposed development relates to the existing terrain and lot and provides for solar and wind orientation which encourages energy conservation because:

2. Building Design and Landscaping. Proposed development is consistent with the prevailing character and scale of the buildings and structures in the neighborhood through the use of appropriate scale, massing, building materials, screening, lighting and other architectural techniques because:

3. Preservation of Landscape. The landscape will be preserved in its natural state insofar as practicable by minimizing any grade changes and removal of vegetation and soil because:

4. Circulation. Curb cuts and driveways will be safe and convenient and will be consistent with Chapter I, Section 9 of the General Bylaws of the Town of Truro because:

5. Lighting. Lighting will be consistent with Chapter IV, Section 6 of the General Bylaws of the Town of Truro. There will be protection of adjacent properties and the night sky from intrusive lighting because:

§100.6 – GENERAL REQUIREMENTS (all in Checklist)

- E.** No odor from marijuana cultivation, processing, manufacturing or retail may be noxious or cause a nuisance or danger to public health or impair public comfort and convenience. Marijuana establishments shall incorporate odor control technology and safeguards to ensure that emissions do not violate Board of Health regulations adopted pursuant to M. G. L. c 111 §31C, including but not limited to those specific for odors. *Briefly explain how you are addressing this:*

- H.** Craft Marijuana Cultivator Cooperatives, Marijuana Cultivators, MMTCCPs and Microbusinesses shall be allowed to utilize movable structures, except that natural screening, or other approved screening, shall be required as a condition of Site Plan Review, as necessary, to render such structures less visible from public or private ways or abutting parcels. *Briefly explain how you are addressing this:*

§100.9 – SITE PLAN REVIEW AND SPECIAL PERMIT CRITERIA

- A.** In addition to the Site Plan Review under §70 et. seq., and the Special Permit criteria under §30.8 the Planning Board and Zoning Board of Appeals, respectively, shall conduct all Site Plan Review and Special Permit determinations on a case-by-case basis, taking into consideration:

1. The particular form of Marijuana activity proposed:

2. The site location (including proximity of abutters, schools, or sensitive natural habitat) or historic properties identified in the Town's inventory of historic resources:

3. The traditional uses of the site and their similarity to or difference from the proposed activities:

4. The intensity of the proposed activities, including impacts on neighbors and the environment:

B. In addition to the Site Plan review criteria set forth in §70.4(D), the following shall additionally apply to the Planning Board’s review of any RME and MMTC:

1. The proposal shall provide for the protection of abutting properties and the surrounding area from detrimental site characteristics and from adverse impact from excess noise, dust, smoke, or vibration higher than levels previously experienced from permitted uses:

2. The proposal shall provide for structural and/or landscaped screening or buffers for storage areas, loading docks, dumpsters, rooftop or other exposed equipment, parking areas, utility buildings and similar features viewed from street frontages and residentially used or zoned premises:



TOWN OF TRURO

ASSESSORS OFFICE

CERTIFIED ABUTTERS LIST REQUEST FORM

APPLICATION FOR ADULT USE RECREATIONAL MARIJUANA ESTABLISHMENTS (RME) AND MEDICAL MARIJUANA TREATMENT CENTERS (MMTC)

DATE: _____

NAME OF APPLICANT: _____

NAME OF AGENT (if any): _____

MAILING ADDRESS: _____

CONTACT: HOME/CELL _____ EMAIL _____

PROPERTY LOCATION: _____
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP _____ PARCEL _____ EXT. _____
(if condominium)

ABUTTERS LIST NEEDED FOR:

_____ Planning Board Site Plan Review _____ Zoning Board of Appeals Special Permit

FEE: \$15.00 per checked item (Fee must accompany the application unless other arrangements are made)

Note: Per M.G.L., processing may take up to 10 calendar days. Please plan accordingly.

THIS SECTION FOR ASSESSORS OFFICE USE ONLY

Date request received by Assessors: _____ Date completed: _____

List completed by: _____ Date paid: _____ Cash/Check _____

Abutters List for: Abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line as well as any other property owners within 300 feet of the property line.



Town of Truro Zoning Board of Appeals

P.O. Box 2030, Truro, MA 02666

PROCEDURE FOR SUBMITTING APPLICATION FOR SPECIAL PERMIT

ADULT USE RECREATIONAL MARIJUANA ESTABLISHMENTS (RME) AND MEDICAL MARIJUANA TREATMENTS CENTERS (MMTC)

A completed application consisting of each of the requirements of §30.8 and §100 will be filed as follows:

- ten (10) packets to be filed with the Town Clerk; AND
- a complete copy, including all plans and attachments, submitted electronically to the Town Planner at planner1@truro-ma.gov.

Additional material, *electronic and paper*, for a hearing shall be received no less than **ten (10) days** prior to the scheduled public hearing or the continuation of the public hearing.

The following information and requirements must be filed with all applications for Special Permit consistent with the Rules, Regulations and Fee Schedule of the Truro Zoning Board of Appeals.

☐ **1 – Official Application Form – Original and Nine (9) Copies**

Every application for action by the Board shall be made on an official form. Any communications purporting to be an application shall be treated as mere notice of intention until such time as it is made on an official application form accompanied by all requisite supporting data.

☐ **2 – Required Plan(s) and Other Information including Checklist (Ten (10) Copies)**

Every application and petition to the Board shall be accompanied by all the plans and other information required in the Zoning Bylaw for the type of Special Permit requested (including but not limited to §40.4 Wind Generators, and §40.5 Communication Structures, Buildings and Appurtenances). The application shall include each of the requirements of §30.8 and §100 as listed in the attached Checklist which is to be submitted as part of the official application. These items include:

- Copy of Provisional License or Provisional Certificate of Registration from the State of Massachusetts
- Executed Host Community Agreement
- Site Plan(s) as appropriate
- Elevations of any proposed new construction for indoor growing and/or processing

- Plan of any new signage
- Narrative describing management and general operation of the facility
- Security Plan
- Fire Protection Plan (if applicable)
- Table showing use and square footage of all proposed buildings

☐ **3 – Certified Abutters List – Original and Nine (9) Copies**

A Certified Abutters List shall be obtained by the Applicant from the Truro Assessors Office and filed as part of the complete application. A copy of the “Certified Abutters List Request Form” is included in this packet.

☐ **4 – Filing Fee**

All applications shall be filed with the Town Clerk and shall be accompanied by a check payable to the Town of Truro in the amount of **\$50.00**. The filing fee is non-refundable.

Note: *Please familiarize yourself with Truro Zoning Bylaws including bylaws specifically addressing property in your Truro Zoning District. It may also be helpful to review other potentially applicable Town regulations such as Board of Health and Conservation Commission regulations and regulations of other jurisdictions as applicable such as The Cape Cod National Seashore or a homeowner’s association.*

ONCE A COMPLETED APPLICATION HAS BEEN RECEIVED

- Town Planner will determine if an Application is complete. Upon determination an Application is complete, the Zoning Board of Appeals will then proceed to post notice of a public hearing in accordance with Section 11 of Chapter 40A of the General Laws of Massachusetts.
- Either you or your agent/representative shall appear before the Board at the scheduled hearing. If you need to reschedule, you must submit a request in writing for a continuance, using Town of Truro Continuance Request Form.
- Additional information may be submitted prior to the scheduled public hearing provided it is received no less than **ten (10) days** prior to the hearing so that it can be included in the packet for Board Members to read and review. Submit ten (10) paper copies **AND** an electronic copy to the Town Planner (at planner1@truro-ma.gov). Plans must be submitted to the Town Clerk for filing. Information received less than **ten (10) days** before the scheduled hearing may result in a continuance of the hearing. New material brought to the meeting, that has not previously been filed/submitted, will not be reviewed at that meeting.

Please do not include a copy of these instructions with the application



Town of Truro Zoning Board of Appeals

P.O. Box 2030, Truro, MA 02666

APPLICATION FOR SPECIAL PERMIT

To the Town Clerk and the Zoning Board of Appeals of the Town of Truro, MA Date _____

The undersigned hereby files with specific grounds for this application:

1. General Information

Applicant seeks approval and authorization of uses under Section _____ of the Truro Zoning Bylaw concerning (describe): _____

Business Type: RME or MMTC _____

Is applicant a Marijuana Craft Cooperative (MCC)? _____ If yes, a separate Site Plan Review must be submitted for each parcel prior to appearing before the ZBA

Description of Property and Proposed Project _____

Property Address _____ Map(s) and Parcel(s) _____

Registry of Deeds title reference: Book _____, Page _____, or Certificate of Title
Number _____ and Land Ct. Lot # _____ and Plan # _____

Applicant's Name _____

Applicant's Legal Mailing Address _____

Applicant's Phone(s), Fax and Email _____

Applicant is one of the following: (please check appropriate box)

*Written Permission of the owner is required for submittal of this application.

☐ Owner ☐ Prospective Buyer* ☐ Other*

Owner's Name _____

Owner's Address _____

Owner's Phone(s), Fax and Email _____

Representative's Name _____

Representative's Address _____

Representative's Phone(s), Fax and Email _____

2. The initial special permit shall limit the amount of total canopy to a Tier 3 production level under 935 CMR 500.05 (20,000 sq. ft. or less) in the Residential District. Every year thereafter, the Craft Marijuana Cultivator Cooperative, MMTCCP or Marijuana Cultivator may apply to the Zoning Board of Appeals to modify the special permit to increase production levels one Tier per year to a maximum of Tier 8 production levels as established under 935 CMR 500.05 (70,000 sq. ft. or less) provided however (i) each licensee seeking to increase production levels must undergo additional Site Plan Review; and (ii) in no instance shall the Craft Marijuana Cultivator Cooperative, MMTCCP, or Marijuana Cultivator exceed the lot coverage and canopy limitations set forth elsewhere in this Bylaw. Cultivation in the Residential District is limited to parcels of 1.5 acres or more.

- The applicant is ***advised*** to consult with the Building Commissioner, Planning Department, Conservation Department, and/or Health Department prior to submitting this application.
-

Signature(s)

Applicant(s)/Representative *Printed* Name(s)

Owner(s) *Printed* Name(s) or written permission

Applicant(s)/Representative *Signature(s)*

Owner(s) *Signature(s)* or written permission

Your signature on this application authorizes the Members of the Zoning Board of Appeals and town staff to visit and enter upon the subject property



TOWN OF TRURO

ASSESSORS OFFICE

CERTIFIED ABUTTERS LIST

REQUEST FORM

APPLICATION FOR ADULT USE

RECREATIONAL MARIJUANA ESTABLISHMENTS (RME) AND

MEDICAL MARIJUANA TREATMENT CENTERS (MMTC)

DATE: _____

NAME OF APPLICANT: _____

NAME OF AGENT (if any): _____

MAILING ADDRESS: _____

CONTACT: HOME/CELL _____ EMAIL _____

PROPERTY LOCATION: _____
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP _____ PARCEL _____ EXT. _____
(if condominium)

ABUTTERS LIST NEEDED FOR:

_____ Planning Board Site Plan Review _____ Zoning Board of Appeals Special Permit

FEE: \$15.00 per checked item (Fee must accompany the application unless other arrangements are made)

Note: Per M.G.L., processing may take up to 10 calendar days. Please plan accordingly.

THIS SECTION FOR ASSESSORS OFFICE USE ONLY

Date request received by Assessors: _____ Date completed: _____

List completed by: _____ Date paid: _____ Cash/Check _____

Abutters List for: Abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line as well as any other property owners within 300 feet of the property line.

TOWN OF TRURO
PLANNING BOARD
Meeting Minutes
March 24, 2021 - 5:00 pm
REMOTE MEETING

Members Present: Anne Greenbaum (Chair); Steve Sollog (Vice Chair); Jack Riemer (Clerk); R. Bruce Boleyn; Rich Roberts; Paul Kiernan; Peter Herridge

Other Participants: Barbara Carboni -Truro Town Planner/Land Use Counsel; Liz Sturdy – Planning Board Facilitator; John Congard; Gary Hanna; Chris Lucy (arrived late)

Remote meeting convened at 5:08 pm by Chair Greenbaum. Chair Greenbaum and Town Planner Carboni read the detailed instructions for citizens interested in watching or joining this meeting; Board Members introduced themselves.

Public Comment Period: No public comment.

Board Action/Review:

Public Hearing – Continued

2020-006/SPR - Anne Labouisse Peretz; William T. Burdick & Richard C. Vanison, Trustees, Dune House Nom. Tr. for property located at 112 North Pamet Road (Atlas Map 48, Parcel 1).

B. Zehnder asked for continuance to April 7, 2021. Member Kiernan reminded the Board that this date already had Warrant article hearings on our agenda. Member Kiernan asked that we inform Mr. Zehnder his hearing will follow the already scheduled hearings. Planner Carboni suggested that the motion to continue the hearing be to April 7, 2021. Member Kiernan made a motion to grant the extension to April 7, 2021, seconded by Member Boleyn.

The Board voted, 6-0-1, to grant the extension to April 7, 2021.

(Member Herridge recused)

Planning Board pre-application Consultation with Gary C. Hanna -DUNES 102 FM/GCIH, Inc.

Mr. Hanna explained they were only asking for a change of ownership without any alteration to the existing equipment. Planner Carboni offered to simplify the change of ownership process. Member Sollog asked if a public a public hearing was necessary. Planner Carboni recommended the board hold a public hearing to announce the baseline findings of fact and to facilitate the permit extension process. Mr. Hanna assented to the process.

Board Articles for Annual Town Meeting

Food Truck definition

Food Truck inserted into Use Table (with 2 parking spaces required)

Off Street Parking (allows Planning Board to reduce required Number of parking spaces)

ADU Procedural changes lowering submittal requirements, changing the sequence of multiple board reviews, removal scrivener's errors and obsolete definitions

ADU Bylaw changes including the removal of an illegal section that mandates no judicial review, removes scrivener's error and obsolete definition,

Site Plan Review Waiver clarification

Growth Management Bylaw

Petitioned Article

'By-Right' ADU Bylaw.

Chris Lucy, petitioner, declined to speak.

House Size Bylaw Report – 2019 Town Meeting mandate – vote to accept report as amended, motion made by Member Boleyn with a second by Member Herridge. No further discussion. Chair Greenbaum asked for a vote. Voted (7-0-0) to accept report.

Planner Report – As of April 1, 2021, Ms. Carboni will become our full-time Planner.

Discussion - with Highland Affordable Housing scheduled for next meeting.

Discussion – possibility of obtaining outside input and points of view concerning Truro's various housing needs.

Next Meeting- Wednesday, April 7, 2021 at 5:00 p.m. – hearing for Truro ATM Warrant articles.

Chair Greenbaum asked the procedure for moving into Executive Session. Ms. Carboni recommended the Board vote to exit the public meeting and enter into Executive Session, thereafter, to close the Executive Session and adjourn.

Chair Greenbaum asked for a motion to move to Executive Session. Motion made by Member Sollog with a second by Member Herridge. No further discussion. Chair Greenbaum asked for a vote. Voted (7-0-0) to move to Executive Session.

Meeting adjourned.

Respectfully submitted,

Paul Kiernan

Planning Board Minutes

Wednesday, June 9, 2021

Attending: Anne Greenbaum (chair); Steven Sollog (vice chair); John Riemer (clerk); Bruce Boleyn; Paul Kiernan; Rich Roberts; Barbara Carboni – Town Planner/Land Use Counsel; Erik Spencer; Francie Randolph; Attorney Lester J. Murphy; Emily Beebe; Michael MacIntyre

Anne Greenbaum opened the meeting at 5:03PM

Public Comment: no public comment

Item 1: Temporary Sign Permit Applications represented by Erik Spencer- First Parish Church of Truro, Virtual Church Sundays 10:00 am, for three (3) signs, 36" x 24", to be located on the southeast corner of Route 6 and Union Field Road. The signs will be installed on June 15th and removed September 15th for Sunday Worship. Continued from 5/19/2021

Motion to approve sign permit by Steve Sollog

Second by Paul Kiernan

Voted 6-0-0 Approved

Item 2: Sustainable CAPE: Truro Farmers Market, requesting four (4) 36" x 72" banners (three on Route 6 and one at Veteran's Memorial Field). The banners will be installed on Friday afternoons and removed Monday afternoons beginning June 14th and ending September 13th. Francie Randolph represented Farmers Market.

Motion to approve sign permit by Steve Sollog

Second by Bruce Boleyn

Voted 6-0-0 Approved

Item 3: Continued 2021-002/PB - Michael MacIntyre, Trustee of the Michael MacIntyre Living Trust for property located at 16 Sawyer Grove Road (Atlas Map 39, Parcel 294). Applicant seeks an Accessory Dwelling Unit (ADU) Permit under Section 40.2 of the Truro Zoning Bylaw for renovations to create an ADU containing 1,000 sq. ft. of habitable area in an existing detached garage building.

Attorney Lester J Murphy presented the new material to the Planning Board.

Emily Beebe stated the septic system was fully adequate for the proposal.

After discussion the parking was shown to be adequate for the site.

The Board voted to close the public hearing 6-0-0

Motion to grant the ADU and approve the decision as amended at the public hearing by Bruce Boleyn

Second by Rich Roberts

Voted 6-0-0 approved

Item 4: Preparation for Town Meeting. The board discussed strategy for presenting Planning Board Zoning Articles.

Item 5: Planner Report

Planner Barbara Carboni discussed new state legislation which may bring in- person meetings back and progress on the Local Comprehensive Plan.

Item 6: Report from the Chair Anne Greenbaum remarked on Mr Roberts fine presentation at pre town meeting.

She asked the board to review the proposed Planning Board articles.

Mr Riemer discussed vulnerability and sustainability. Chair Greenbaum asked Mr. Riemer to provide the documents. The board discussed potential climate hazards.

Chair Greenbaum discussed future Planning Board agendas.

Motion to Adjourn: Bruce Boleyn

Second: Steve Sollog

Voted 6-0-0

Respectfully Submitted

Steve Sollog

**TOWN OF TRURO
PLANNING BOARD**
Meeting Minutes
December 15, 2021 – 5:00 pm
REMOTE MEETING

Members Present: Steve Sollog (Vice Chair); Jack Riemer (Clerk); Ellery Althaus; R. Bruce Boleyn; Paul Kiernan; Rich Roberts

Members Absent: Anne Greenbaum (Chair)

Other Participants: Barbara Carboni – Truro Town Planner/Land Use Counsel

Remote meeting convened at 5:00 pm by Vice Chair Sollog. Vice Chair Sollog and Town Planner Carboni read the detailed instructions for citizens interested in watching or joining this meeting. Board Members introduced themselves.

Approval of Minutes (Vice Chair Sollog)

- ◆ January 6, 2021 Meeting – Members Althaus and Roberts not eligible to vote on these Minutes as they were not on the Board at that time. Motion to Approve as Written made by Member Kiernan, seconded by Member Boleyn; no further discussion. Vice Chair Sollog asked for a roll-call vote; Voted all in favor, Members Althaus and Roberts abstained. So voted: 4-0-2.
- ◆ January 13, 2021 Work Session – Corrections discussed. Members Althaus and Roberts not eligible to vote on these Minutes as they were not on the Board at that time. Motion to Approve as Amended made by Clerk Riemer, seconded by Member Boleyn; no further discussion. Vice Chair Sollog asked for a roll-call vote; Voted all in favor, Members Althaus and Roberts abstained. So voted: 4-0-2.
- ◆ January 20, 2021 Meeting – Members Althaus and Roberts not eligible to vote on these Minutes as they were not on the Board at that time. Motion to Approve as Written made by Member Boleyn, seconded by Member Kiernan; no further discussion. Vice Chair Sollog asked for a roll-call vote; Voted all in favor, Members Althaus and Roberts abstained. So voted: 4-0-2.
- ◆ January 27, 2021 Work Session – Member Althaus not eligible to vote on these Minutes as he was not on the Board at that time. Motion to Approve as Written made by Clerk Riemer, seconded by Member Kiernan; no further discussion. Vice Chair Sollog asked for a roll-call vote; Voted all in favor, Member Althaus abstained. So voted: 5-0-1.
- ◆ February 3, 2021 Meeting – No vote. Need to be further amended.
- ◆ February 10, 2021 Work Session – Corrections discussed. Member Althaus not eligible to vote on these Minutes as he was not on the Board at that time. Motion to Approve as Amended made by Clerk Riemer, seconded by Member Boleyn; no further discussion. Vice Chair Sollog asked for a roll-call vote; Voted all in favor, Member Althaus abstained. So voted: 5-0-1.

- ◆ February 17, 2021 Meeting – Corrections discussed. Member Althaus not eligible to vote on these Minutes as he was not on the Board at that time. Motion to Approve as Amended made by Clerk Riemer, seconded by Member Roberts; no further discussion. Vice Chair Sollog asked for a roll-call vote; Voted all in favor, Member Althaus abstained. So voted: 5-0-1.
- ◆ April 21, 2021 Meeting – Member Althaus not eligible to vote on these Minutes as he was not on the Board at that time. Motion to Approve as Written made by Member Boleyn, seconded by Clerk Riemer; no further discussion. Vice Chair Sollog asked for a roll-call vote; Voted all in favor, Member Althaus abstained. So voted: 5-0-1.
- ◆ May 5, 2021 Meeting – Corrections discussed. Member Althaus not eligible to vote on these Minutes as he was not on the Board at that time. Motion to Approve as Amended made by Member Roberts, seconded by Clerk Riemer; no further discussion. Vice Chair Sollog asked for a roll-call vote; Voted all in favor, Members Althaus and Kiernan abstained. So voted: 4-0-2.
- ◆ May 12, 2021 Work Session – Corrections discussed. Member Althaus not eligible to vote on these Minutes as he was not on the Board at that time. Motion to Approve as Amended made by Member Roberts, seconded by Clerk Riemer; no further discussion. Vice Chair Sollog asked for a roll-call vote; Voted all in favor, Members Althaus and Kiernan abstained. So voted: 4-0-2.
- ◆ May 19, 2021 Meeting – Member Althaus not eligible to vote on these Minutes as he was not on the Board at that time. Motion to Approve as Written made by Member Roberts, seconded by Member Boleyn; no further discussion. Vice Chair Sollog asked for a roll-call vote; Voted all in favor, Member Althaus abstained. So voted: 5-0-1.
- ◆ July 7, 2021 Meeting – Motion to Approve as Written made by Member Althaus, seconded by Clerk Riemer; no further discussion. Vice Chair Sollog asked for a roll-call vote; Voted all in favor. So voted: 6-0.
- ◆ July 14, 2021 Work Session – Corrections discussed. Motion to Approve as Amended made by Member Althaus, seconded by Member Kiernan; no further discussion. Vice Chair Sollog asked for a roll-call vote; Voted all in favor. So voted: 6-0.
- ◆ July 21, 2021 Meeting – Motion to Approve as Written made by Vice Chair Sollog, seconded by Clerk Riemer; no further discussion. Vice Chair Sollog asked for a roll-call vote; Voted all in favor. So voted: 6-0.
- ◆ September 22, 2021 Meeting – Member Althaus not eligible to vote on these Minutes as he was not present at this meeting. Motion to Approve as Written made by Member Kiernan, seconded by Member Boleyn; no further discussion. Vice Chair Sollog asked for a roll-call vote; Voted all in favor. So voted: 5-0-1.
- ◆ September 29, 2021 Work Session – Member Boleyn not eligible to vote on these Minutes as he was not present at this meeting. Motion to Approve as Written made by Member Althaus, seconded by Member Kiernan; no further discussion. Vice Chair Sollog asked for a roll-call vote; Voted all in favor. So voted: 5-0-1.
- ◆ October 13, 2021 Work Session – Member Boleyn not eligible to vote on these Minutes as he was not present at this meeting. Motion to Approve as Written made by Member

Kiernan, seconded by Member Roberts; no further discussion. Vice Chair Sollog asked for a roll-call vote; Voted all in favor. So voted: 5-0-1.

- ◆ October 20, 2021 Meeting – Motion to Approve as Written made by Member Althaus, seconded by Member Kiernan; no further discussion. Vice Chair Sollog asked for a roll-call vote; Voted all in favor. So voted: 6-0.
- Vice Chair Sollog asked Board Members to please add page numbers and their name to their minutes.
- Planner reviewed action items for future meeting.

Vice Chair Sollog asked for a motion to adjourn. Motion made by Member Althaus with a second by Clerk Riemer. No further discussion. Vice Chair Sollog asked for a roll-call vote. Voted all in favor. So voted: 6-0.

Meeting adjourned.

Respectfully submitted,

Elizabeth Sturdy