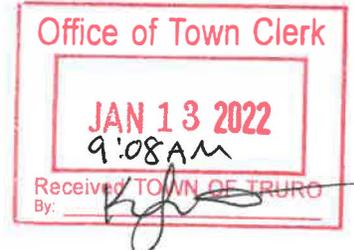




Truro Planning Board Agenda Remote Public Meeting – Work Session

Wednesday, January 18, 2023 – 4:00 pm

www.truro-ma.gov



Open Meeting

Remote Meeting Access Instructions: Citizens can join the meeting to listen 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](tel:1-866-899-4679) and entering the access code [443-169-7333](tel:443-169-7333) when prompted. Citizens will be muted upon entering the meeting.

Meeting link: <https://meet.goto.com/443169733>

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.

Minutes:

- ◆ Assignment of Today's Minutes
- ◆ Approval of Minutes: None
- ◆ Outstanding Minutes: None

Planner Report

Chair Report

Potential Warrant Article Discussion *{Public Comment Welcome}*

- ◆ Street Definition

Next Work Session: Wednesday, February 1, 2023 at 4:00 pm

Next Meeting: Wednesday, January 25, 2023 at 5:00 pm

Adjourn

Truro Article draft – Street Definition – V5A, 12-15-2022

This version has two means by which a way can qualify as a Street (Quantitative and Qualitative).

10.4 Definitions

Street: A private or public way by which vehicles and pedestrians can safely gain access to and egress from homes, places of business and other locations. For the purposes of this bylaw, the terms “street” and “road” bear the same meaning. The term “way” as used in Section 30.11 refers to a travelway not yet determined to be classifiable as a “Street” by one of the means outlined therein.

New Section 30.11 Streets and Frontage

A. Purpose:

1. It is the intent of this section to provide the minimum requirements for streets in Truro in order to qualify as safe and adequate for the purposes of obtaining a building permit from the Building Commissioner on an existing private way.
2. All ways submitted to the Town for qualification as “Streets” must satisfy the requirements enumerated in paragraph C below, except as otherwise noted. In addition, submitted ways applying for status as “Streets” must be qualified in accordance with either paragraph D or E below.

B. Ways Previously qualified as “Streets”:

1. A paved public way with a 20' minimum Right of Way width , created prior to January 1989, which has been accepted by the Town at ATM and which the Town Clerk certifies is maintained and used as a public way; or,
2. A way that has been approved, endorsed, recorded and constructed in accordance with a subdivision plan and associated covenants approved by the Planning Board and conforming to the subdivision control laws in effect at the time of approval.

C. General Qualifications: these criteria are required of all ways applying for status as Streets:

1. Roads shall have a smooth graded or paved surface free of ruts, potholes or other impediments to vehicular travel to the extent that a passenger car can negotiate the road safely at a continuous speed of at least 10 mph.
2. Public Safety Clearances: In order to provide safe passage for safety and emergency vehicles ways submitted for approval as “streets” must satisfy the following minimum clearance requirements:
 - a. The traveled way of any street shall be no less than eight (8) feet wide.
 - b. The combined traveled way and clearance of any obstacles including vegetation shall be no less than fourteen (14) feet.
 - c. Height clearance shall be no less than fourteen (14) feet from the road surface.

3. All ways submitted for approval as Streets via paragraphs D and E below shall have fully defined right-of-way boundaries capable of being fully established and identified in the field by survey. Field survey of the right-of-way shall be conducted at the applicant's expense and a survey plan stamped by a licensed Land Surveyor shall be submitted with the application requesting that the way be granted Street status.

4. Right-of-way width and ownership:

- a. Right-of-ways with no contained land area: Ways that have their right-of-ways defined as a single line between adjacent lots, or ways that have their right-of-ways defined as a single line crossing one lot, are not acceptable for classification as "Streets".
- b. Land area that is included within the boundaries of adjacent lots shall not be utilized as all or part of an accepted Right-of-Way.
- c. Utility Panels: The minimum right-of-way width shall be the width of the clear travelway (for paved roads, this dimension to be taken as outside of curb to outside of curb) plus a five (5) foot wide utility panel outboard of the travelway on each side of the travelway. Where site conditions preclude a utility panel on one side of the road, the application may include an appeal to the Planning Board for acceptance of a utility panel on only one side of the travelway.
- d. Utility Panels at Street Intersections: A minimum 5' utility panel width shall be maintained, contained within the right-of-way, located outboard of the curb radius at street intersections. Relief from this requirement may be granted by the Planning Board upon appeal.

5. Applications for the granting of Street status shall include a letter of petition signed by all parties who have a share of ownership in the Right-of-Way or frontage thereon.

6. Streets must be connected to previously approved streets (that is, newly approved Streets cannot be isolated from other Streets and accessible only by ways that do not have Street status). Streets may be approved for only a portion of their full length provided they satisfy this continuity requirement.

D. Approval by Geometric (Quantitative) Means: A "way" may qualify as a "Street" provided that the following criteria are satisfied:

1. A way that was in existence on December 8, 1955 and which currently (that is, at present) meet the following minimum criteria, per a.) thru d.) below:

a. Parameters relating to number of lots on the road (table below):

Number of Lots on Road*	1-5	6-10	11-20	21 or more
Minimum Roadway Width	8 feet, plus 3 feet clearance on both sides	14 feet	16 feet	18 feet
Maximum Allowable Grade	12%	10%	8%	8%

*Undeveloped parcels with more than 300 feet of frontage on candidate streets shall be counted as multiple lots by dividing the lot frontage by 150 feet and rounding the result to the next lowest whole integer.

Commented [RR1]: Review of C.5. by BC

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 - d. Utility Panels at Street Intersections: A minimum 5' utility panel width shall be maintained, contained within the right-of-way, located outboard of the curb radius at street intersections. Relief from this requirement may be granted by the Planning Board upon appeal.
 5. Applications for the granting of Street status shall include a letter of petition signed by all parties who have a share of ownership in the Right-of-Way or frontage thereon.
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Maximum Allowable Grade	12%	10%	8%	8%

*Undeveloped parcels with more than 300 feet of frontage on candidate streets shall be counted as multiple lots by dividing the lot frontage by 150 feet and rounding the result to the next lowest whole integer.

- b. Minimum Compliant Roadway Length: One hundred feet (100') as measured from the points where the roadway centerlines intersect (for through streets) or as measured from the roadway centerlines intersection to the end of the turnaround (for dead-end streets).
- c. Minimum Property Line Diameter at closed end of dead-end streets: 80 feet.
- d. ROW Property Lines at Street Intersections shall have sufficient width to allow for a minimum 20' curb radius on both edges of the travelway plus a minimum 5' wide shoulder / utility panel outboard of the travelway. The utility panels must be wholly within the ROW.

E. Approval by Qualitative Means: For ways that do not meet the above Geometric requirements of paragraph D, the Planning Board may make a qualitative determination of the adequacy of a street using the procedure outlined below:

1. The request can be for a determination of the entire length of street or a determination of the street up to and including a lot located on said street.
2. Upon the filing of a request by the applicant and prior to the public hearing said request shall be transmitted to the Police and Fire Departments and the Department of Public Works. Each department noted above shall conduct an on-site review of existing conditions and shall submit written notice of any public safety concerns. These departments will have a period of 14 days from the date of the request to submit their comments regarding the proposed acceptance of the way as a street to the Planning Board.
3. Public Hearing – The Planning Board shall hold a duly noticed public hearing within forty-five (45) days of receipt of the request for determination. Notice shall be made no less than fourteen (14) days prior to the scheduled public hearing via regular first class mail to all the owners of properties along said street.
4. Requirements – The applicant shall show to the satisfaction of the Planning Board that the street has sufficient width, suitable grades and adequate construction to provide access for emergency vehicles as well as safe travel and adequate circulation. The Planning Board may optionally refer to and may utilize existing road standards as outlined in the Town of Truro Rules and Regulations Governing the Subdivision of Land (as amended) and the Town of Truro General Bylaws (as amended) as guidelines.
5. The Planning Board's Decision on the determination of adequacy of the street shall be filed with the Town Clerk. Any appeal from that decision must be commenced within sixty (60) days from the date of filing with the Town Clerk under the provisions of Massachusetts General Laws Chapter 249, Section 4.

F. Recording:

1. Applications for Street status shall include the following:
 - a. A petition signed by all parties with ownership or frontage on the proposed Street.
 - b. Notification of all abutters by certified letter.

- c. Petitions for Street status shall identify the individuals or entities responsible for future maintenance of the street and the parties financially responsible for that street maintenance.
 - d. Identification of the extents of the street (if a partial length of the way is submitted for acceptance).
 - e. A survey plan of the right-of-way stamped by a licensed Land Surveyor.
- 2. The Town Clerk shall keep and maintain a list of all ways previously qualified as Streets by any of the means described in paragraphs B through E above.
- 3. The length of a partially approved street shall be recorded by reference to street address of adjacent lots or to Town Assessor's office tax map parcel number(s).

Truro Article draft – Street Definition – V5B Qualitative Only, 12-15-2022

This version has only one means (PB approval) by which a way can qualify as a Street . (The Quantitative approach described in V5A has been removed from this draft).

10.4 Definitions

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New Section 30.11 Streets and Frontage

A. Purpose:

1. It is the intent of this section to provide the minimum requirements for streets in Truro in order to qualify as safe and adequate for the purposes of obtaining a building permit from the Building Commissioner on an existing private way.
2. All ways submitted to the Town for qualification as “Streets” must satisfy the requirements and application process enumerated in paragraphs C and D below, except as otherwise noted.

B. Ways Previously qualified as “Streets”:

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2. A way that has been approved, endorsed, recorded and constructed in accordance with a subdivision plan and associated covenants and that has been approved by the Planning Board. All such ways must conform to the subdivision control laws in effect at the time of approval.
3. **Recission of Street status: Ways which were originally compliant with paragraph B.2. at the time of construction but which are presently in a deteriorated condition due to a lack of maintenance may be disqualified as Streets by the Planning Board.**

C. Prerequisite Qualifications: these criteria are required of all ways applying for status as Streets:

1. Roads shall have a smooth graded or paved surface free of ruts, potholes or other impediments to vehicular travel to the extent that a passenger car can negotiate the road safely at a continuous speed of at least 10 mph.

2. Public Safety Clearances: In order to provide safe passage for safety and emergency vehicles ways submitted for approval as "Streets" must satisfy the following minimum clearance requirements:
 - a. The traveled way of any street shall be no less than eight (8) feet wide.
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5. Applications for the granting of Street status shall include a letter of petition signed by all parties who have a share of ownership in the Right-of-Way or frontage thereon.
6. Streets must be connected to previously approved streets (that is, newly approved Streets cannot be isolated from other Streets and accessible only by ways that do not have Street status). Streets may be approved for only a portion of their full length provided they satisfy this continuity requirement.

Commented [RR1]: Review of C.5. by BC

- D. Approval Process: Upon receipt of an application to grant Street status to an existing way the Planning Board shall make a determination of the adequacy of a street using the procedure outlined below:
1. The request can be for a determination of the entire length of street or a determination of the street up to and including a lot located on said street.
 2. Upon the filing of a request by the applicant and prior to the public hearing said request shall be transmitted to the Police and Fire Departments and the Department of Public Works. Each department noted above shall conduct an on-site review of existing conditions and shall submit written notice of any public safety concerns. These departments will have a period of 14 days from the date of the request to submit their

comments regarding the proposed acceptance of the way as a street to the Planning Board.

3. Public Hearing – The Planning Board shall hold a duly noticed public hearing within forty-five (45) days of receipt of the request for determination. Notice shall be made no less than fourteen (14) days prior to the scheduled public hearing via regular first class mail to all the owners of properties along said street.
4. Requirements – The applicant shall show to the satisfaction of the Planning Board that the street has sufficient width, suitable grades, **geometry and construction and is in serviceable condition** to provide access for emergency vehicles as well as safe travel and adequate circulation. The Planning Board may optionally refer to and may utilize existing road standards as outlined in the Town of Truro Rules and Regulations Governing the Subdivision of Land (as amended) and the Town of Truro General Bylaws (as amended) as guidelines.
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E. Recording:

1. Applications for Street status shall include the following:
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Commented [RR2]: Covenants??

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