

TRURO PLANNING BOARD

Meeting Minutes

June 7, 2016—6:00 pm

Truro Town Hall

Planning Board Members Present: Bruce Boleyn; Peter Herridge; John Hopkins; Jack Riemer; Michael Roderick; Steve Sollog; Lisa Maria Tobia

Other Participants: Christopher Snow, attorney; Jay Coburn, Board of Selectman & Community Partnership Development Director; Carole Ridley, Planning Consultant

Ms. Tobia opened the meeting at 6:00 pm in the ground level conference room.

Mr. Reimer stated that the first item on agenda should be the election of Board officers, which was agreed upon. Mr. Riemer nominated Mr. Sollog as Chair. Mr. Sollog declined the nomination. Mr. Riemer withdrew his nomination. Mr. Sollog nominated Ms. Tobia to continue as Chair. Mr. Hopkins seconded. So voted 4-3-0. Mr. Herridge nominated Mr. Sollog to continue as Vice-Chair. Mr. Roderick seconded. So voted 7-0. Mr. Riemer nominated Mr. Herridge to continue as Clerk. Mr. Sollog seconded. So voted 7-0.

Public Comment Period

No public comment.

Temporary Sign Permits

Payment Performing Art Center: There was discussion about the by-law requiring the Planning Board to consider temporary sign permits. Ms. Ridley reminded the Board that they had addressed this several months ago and decided to leave the by-law as it was. There was discussion about the location of the Payment signs regarding line of site at Noons Heights Road. It was agreed that a clear line of site for traffic coming out of Noons Heights Road would be a condition of the first Payment sign request. Mr. Herridge moved that the Payment sign (Route 6 at Noons Heights Road and Route 6 at South Highland Road) be approved with the line of site condition. Mr. Boleyn seconded. So voted, 7-0. Mr. Herridge moved that the 2nd sign request (So. Highland and Old Dewline Road) be approved. Mr. Boleyn seconded. So voted, 7-0.

Town Concert Committee: Mr. Sollog moved to approve the first application. Mr. Boleyn seconded. So voted, 7-0. Mr. Herridge moved to approve the second application, Mr. Boleyn seconded. So voted, 7-0. Mr. Herridge moved to approve the third application, Mr. Hopkins seconded. So voted, 7-0.

Friends of Truro Meeting House: Mr. Herridge moved to approve the application, Mr. Boleyn seconded. So voted, 7-0.

Meeting was moved to the upstairs meeting room. Audio/Video recording commenced.

Approval Not Required. Attorney Christopher Snow spoke, representing the applicant. He explained that Marilyn Cubberly is deceased and Dorothy Nearen is infirm, residing at Seashore Point. This application is basically identical in form to a Planning Board ANR approved plan from many years ago, which was never recorded. The home encroached on the boundary line of adjoining lot. Applicant is asking to ratify the previous Board's decision. The encroachment occurred unintentionally and needs to be eliminated. Applicant is asking the Board to endorse the new ANR plan. Mr. Snow said they are simply moving the property line farther south which will also accommodate a driveway. Discussion followed regarding lot numbers. Mr. Snow stated that there is no change regarding the placement of the driveway.

Mr. Riemer asked Mr. Snow to show him where the front lot line is on the plan along Rt. 6A for all the lots. (Mr. Snow pointed it out on the plan.) He also asked about the set back for the dwelling. Mr. Snow stated that it met the setback requirements at the time. The dwelling has its mature building permit.

Mr. Snow stated that the applicant is creating a bigger lot to accommodate a dwelling that was in advertently built over the boundary line between the two lots.

Ms. Ridley read a statement that is required on all ANR plans that indicates that Board approval of an ANR only means that the plan is not a subdivision and does not indicate that a lot meets zoning or Board of Health requirements.

Mr. Riemer referenced the ANR regulation, 2.2.2B (2) which states that all land concerning the plan and abutting the land be on the plan. This is not the case. He also mentioned numbers (8) and (9) which cover set backs and wetlands issues. Mr. Riemer stated that the plan is incomplete.

Mr. Hopkins pointed out what appears to be cottages on the property, according to Google maps. Mr. Snow replied that there are no cottages, just sheds and a connected garage. There is simply a single-family residence for two women.

Ms. Ridley discussed the Board's need to be satisfied that this is an ANR plan. She referred to the ANR handbook, list of 4 questions. She noted that the Board needed to be satisfied that the four questions are met. With respect to the items not shown on the plan, the Board also needs to be satisfied that they have the information they need to be satisfied that the questions can be answered.

Mr. Roderick asked what would happen if the Board takes no action? Ms. Ridley said there is a requirement to take action by 21 days, which is today. Further discussion resulted in consideration of an extension in order for the applicant to respond. Attorney Snow signed an extension to June 21, 2016 to allow time to amend the plan to address the following:

- Provide the following Town of Truro Regulations Governing the Subdivision of Land, 2.2.2 Submission Requirements for Approval Not Required Plans.
 - b.2 The date of the plan, scale, north arrow and assessor's map and parcel number of all land shown on the plan and directly abutting the land shown on the plan.
 - b.8 The location, including setbacks to all lot lines, of all buildings and other structures on the proposed ANR lots shown on the plan.
 - b.9 The location of any wetland on the land shown on the plan or within 100 feet of its boundaries
- Clarify the numbering of lots: Show lot 1; Distinguish Lots 2 & 3
- Show the NW portion of the lot, and any structures on it, so that the entire ANR lots and abutting lots are shown.

Mr. Sollog moved to reconvene on June 21 and accept the exception granted by Mr. Snow. Mr. Herridge seconded. So voted, 7-0.

Comprehensive permit

Ms. Ridley provided the Board with information regarding an upcoming Zoning Board of Appeals (ZBA) hearing for Habitat for Humanity's project at 181 Route 6. A Comprehensive Permit for the project granted to Habitat for Humanity by the ZBA was appealed by an abutter. The court remanded the case to the ZBA with respect to two items— one waiver had to do with drainage, and the other had to do with mean grade level. For one unit there is a slight height excess above grade level, by two tenths of a foot. Zoning Board of Appeals will hold this public hearing on June 27th. Focus of hearing is on these two waivers. Essentially, Habitat for Humanity is no longer requesting a waiver on drainage issues because they feel they've taken care of the issue by providing additional draining information. They are still requesting waiver on the mean grade level for one unit. Local Boards are being notified of the public hearing in case they would like to comment to the ZBA as they reconsider the drainage and mean grade level waivers.

Mr Riemer said that one of the important issues the Planning Board deals with is safety. He asked how this proposed housing project will access Rt 6. Ms. Ridley said that this issue would not be part of this public hearing. Access safety, along with many other issues, was part of the Comprehensive Permit process. She will send the entire packet electronically to all Planning Board members.

Mr. Riemer has an alternate cluster plan that he would like to submit to Habitat for Humanity. It reduces the disturbance to the topography and reduces number of trees to be cut down. It might

ameliorate concerns of abutters. He asked if we could forward the plan to ZBA or Habitat for Humanity.

Mr. Coburn addressed the Board, noting that he was not speaking as a member of the Select Board, and explained that these issues were addressed at a prior Zoning Board Meeting three years ago. If you look at the site plan, the units are clustered, leaving half of property undisturbed. Secondly, in building small affordable units, HFH reduces cost to the \$110-130,000 range.

Mr. Hopkins made a motion to express support for the project going forward. Mr. Herridge seconded.

Mr. Riemer asked to add a friendly amendment to the motion to include the design information. Mr. Hopkins declined to add the amendment to the motion, as it did not clarify the motion, and should be considered a separate motion.

Mr. Riemer asked if the plan could still be submitted to HFH. Ms. Ridley noted that other members of the Board had not seen the plans and that copies of the plans could be distributed to the Board and they could be sent to Habitat for Humanity under separate correspondence to consider for a future project.

After discussion, the amendment was not voted on, but the main motion by Mr. Hopkins was voted on. So voted, 5-2 (Mr Sollog and Mr Riemer voting against).

Review and approval of meeting minutes.

A correction made by Mr. Boleyn on the minutes of the Planning Board Workshop on the spelling of workshop. Mr. Herridge moved to approve, Mr. Boleyn seconded, so voted 6-0-1. Mr. Boleyn moved to approve the meeting minutes of May 25, Mr. Herridge seconded. Mr. Riemer asked if a draft letter was sent to Attorney Nagel. Ms. Ridley affirmed it had been sent and that the Board could see the letter. Motion to approve was voted on, 6-0-1.

Reports from Board Members and Staff

Each Board member listed their top priorities from among the goals previously discussed. The top items appeared to be Undertake Community visioning/comprehensive planning, Review/revise Affordable Accessory Dwelling Unit, Seashore district zoning bylaw/community conversation, Review/revise Duplex, Apartments, Affordable Rental Housing Overlay District.

Additional topics:

- Amend water resources district
- Address/clarify street definition
- Review/revise OSRD (aka cluster zoning)
- Assess infrastructure in light of future growth
- Evaluate cottage colony conversion for year-round use

- Route 6 scenic character/sign code
- Setbacks and buffers
- Building in low lying areas/flood plain
- Evaluate measures to address “change of use” during enforcement

Mr. Coburn suggested that following the Public Hearing on June 28th, the Board of Selectman and Planning Board might meet to discuss their priorities.

Discussion was held about the informal community sessions. Mr. Hopkins brought up the issue that BOS is negotiating regarding the Kline property, which will affect what Planning Board does in the future. Ms. Ridley said that this hasn’t been advertised as a topic of discussion, and should be placed on a future agenda.

Ms. Ridley will send out a Doodle poll to select a date for the site visit to 5 Great Hollow Road. This is a commercial site plan review to demolish one structure and add another at the Whitman House property.

Mr. Boleyn moved to adjourn, Mr. Herridge seconded. So voted, 7-0. Meeting adjourned, 7:55 pm.

Respectfully submitted,



Katherine Black
Recording Secretary

