

TRURO PLANNING BOARD

Meeting Minutes

June 21, 2016— 6:00 pm

Truro Town Hall

Planning Board Members Present: Bruce Boleyn, Peter Herridge, Jack Riemer, Steve Sollog.
Lisa Maria Tobia Absent (excused): John Hopkins, Michael Roderick

Other participants: Lauren Green, Truro Group; Eric Mitchell; Elena Rice; Chet Lay; Claire Perry; Carole Ridley, Planning Consultant.

Ms. Tobia opened the meeting at 6 pm.

There was no public comment.

Temporary Sign Permits

Mr. Herridge moved to approve the temporary sign permit application by the Friends of the Truro Meeting House for two signs at various locations and dates as indicated on the application on file, to publicize events on the following dates: July 24, August 3, 11, and 28, 2016. Mr. Boleyn seconded. So voted, 5-0.

Mr. Herridge moved to approve the temporary sign permit application by Truro Yoga/Genevieve Moran for one sign at Pamet Park in Truro Center, Saturday mornings through Sunday afternoons, July 3, 10, 17, 24, 31 and August 7, 14, 21 and 28, 2016. Mr. Boleyn seconded. So voted, 5-0.

Mr. Herridge moved to approve the temporary sign permit application by Marian Averback for two signs, one below the Highway sign at Route 6 and Standish Way and the other located on the existing wood frame at the split at Route 6 and Route 6A, July 8—July 29, 2016. Mr. Boleyn seconded. So voted, 5-0.

Mr. Herridge moved to approve the first temporary sign permit application by Payomet Performing Arts Center, with condition regarding line of site for traffic entering Route 6 at Noons Heights Road. Mr. Boleyn seconded. So voted, 5-0. Mr. Herridge moved to approve the second temporary sign permit application by Payomet Performing Arts Center at So. Highland and Old Dewline Roads. (Both signs, August 16—September 15, 2016.) Mr. Boleyn seconded. So voted 5-0.

Approval Not Required - Continuance

Mr. Boleyn made a motion to continue to July 19, 2016 the discussion of the ANR application by Dorothy M. Nearen and Marilyn B. Cubberly by request of the applicant. Mr. Herridge seconded, so voted, 5-0.

Public Hearing - Commercial Site Plan Review

Eric Mitchell, representing Robert and Elena Rice, spoke on behalf of the application for commercial site plan review. The applicant seeks to demolish one of four cottages on the property and construct an addition on to another cottage. The Board of Health has approved a variance required for the septic system. The change will result in the same number of bedrooms on the property. Elena Rice explained that the project was intended to allow their growing family to have more living space, to allow them to remain living in Truro. A modification to a Special Permit is needed to reflect the new plan, and the applicant has requested a public hearing for a special permit modification from the Zoning Board of Appeals hearing on July 18, 2016. The site plan would serve as the basis for the modified special permit.

Ms. Ridley explained that the applicant has made a good faith effort to respond to the requirements of site plan review given the scope of the project. Some items are not reflected on the plan. Some items are not waivable, such as a zoning table which is needed to demonstrate compliance with zoning. Provision of the table would need to be a condition if the Board is ready to vote. However other items are waivable if the Board feels this information is not needed for their decision. The applicant submitted a number of written waiver requests.

Mr. Boleyn mentioned a conflict on the plans, dated March 2016. There is a typo saying that 2 bedrooms relocated. It should read "removed." Mr. Mitchell agreed it should be amended on the map.

Mr. Riemer asked if the cottage that is being removed will be reused. Ms. Rice stated that she has submitted a demolition application that will be considered once the site plan is approved.

Mr. Riemer asked about the request for waiver regarding drainage calculations. He stated that there was no indication of how the runoff will be contained on the southeast corner.

Mr. Mitchell stated that there would not be any changes in how the run off occurs presently. There could be a condition added to this waiver that there be a catch basin located on the applicant's property to contain runoff before it reaches Great Hollow Road. Ms Rice said she thought that there was a catch basin at that location on Great Hollow Road.

Ms. Tobia introduced a discussion of the findings of the Planning Board so far. Ms. Ridley talked about the items that aren't waivable. One is the zoning table, which is not so much a question of compliance with zoning, but one of putting the table on the plan. This could be a condition. Ms. Tobia read the following conditions:

1. The proposal is in conformity with all applicable provisions of the Zoning Bylaw.
The Board finds that two conditions must be met to demonstrate consistency with zoning:
 - Plan must show zoning table that demonstrates zoning compliance with lot area, building dimensions, and parking
 - Applicant must receive modified special permit from ZBA

2. The proposal provides for the protection of abutting properties and the surrounding area from detrimental site characteristics and from adverse impact from excessive noise, dust, smoke, or vibration higher than levels previously experienced from permitted uses.

The Board finds that the existing hedge along Great Hollow Road will remain undisturbed and provide adequate buffer.

3. The proposal provides for the protection of adjacent properties and the night sky from intrusive lighting, including parking lot and building exterior lighting. Lighting must be consistent with Chapter IV, Section 6 of the General Bylaws of the Town of Truro.

The Board finds that any exterior lighting must be dark sky compliant and consistent with the Town of Truro General Bylaws Chapter IV Section 6 Outdoor Lighting. The applicant shall provide a listing of such features prior to Board endorsement of the site plan.

The proposal provides for the protection of significant or important natural, historic, or scenic features.

The Board finds, based on email confirmation from NHESP provided by the applicant, that the property is exempt from NHESP review.

4. The building sites shall minimize obstruction of scenic views from publicly accessible locations; minimize tree, vegetation, and soil removal and grade changes; and maximize open space retention.

The Board finds that the hedge along Great Hollow Road will be maintained and Public views will not be changed.

5. The proposal adequately provides for refuse disposal.

The Board finds that the proposal will not alter refuse disposal

6. The proposed sewage disposal and water supply systems within and adjacent to the site shall be adequate to serve the proposed use.

The Board finds that project has obtained a variance from the Board of Health for Minimum Setback Distance from the building foundation to the existing pump chamber. The existing tank will be removed and a new tank installed adjacent to the pump chamber. There will be no change in the number of bedrooms on the property.

7. The proposed drainage system within the site shall be adequate to handle the runoff resulting from the development. Drainage run-off from the project shall not: damage any existing wellfield(s) or public water supply; damage adjoining property; overload, silt up or contaminate any marsh, swamp, bog, pond, stream, or other body of water; or interfere with the functioning of any vernal pool.

The Board finds there are no wetland resources on the site. The Board discussed drainage on the site and required an additional catch basin in the driveway leading to Great Hollow Road as a condition.

8. A soil erosion plan shall adequately protect all steep slopes within the site and control runoff to adjacent properties and streets both during and after construction.

The Board finds that proposed construction does not involve an area of steep slopes and does not appear to create any problems with run-off. A condition to ensure compliance with this criterion any disturbed areas will be landscaped and maintained after construction.

9. 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.

The Board finds that there is no change to the number, size or location of dumpsters, exposed equipment, utility buildings or parking, and that adequate screening of the project is provided.

10. Buildings and structures within the subject site shall relate harmoniously to each other in architectural style, site location, and building exits and entrances. Building scale, massing, materials, and detailing should be compatible with the surrounding area.

The Board finds that the proposed building plans relate harmoniously in architectural style with other buildings on the property and are compatible with the surrounding area.

11. Electric, telephone, cable, and other such utility lines and equipment shall be placed underground

The Board finds that all utilities serving the modified unit would be underground.

12. The project shall not place excessive demands on Town services.

The Board finds that the demolition of one cottage and the construction of an addition to another cottage resulting in the same number of bedrooms on the property will not place excessive demands on Town services.

13. The location and number of curb cuts shall be minimized to reduce turning movements and hazardous exits and entrances. Where appropriate and allowable, access to adjoining properties shall be provided. Joint access driveways between adjoining properties shall be encouraged.

The Board finds that there is no change in parking, access or curb cuts on the property as a result of the project.

14. Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent and other ways serving the project shall be maximized. Traffic patterns for vehicles and pedestrians must show safe and adequate circulation within and access to and from the site.

Possible finding

The Board finds that there is no change in vehicular or pedestrian access parking, access on the property as a result of the project, and there are no unsafe conditions that require remediation.

15. A bicycle rack(s) shall be provided on the site and shall be located near the entrance to the building(s).

The Board finds that this criterion is not applicable to the project as a private residence.

The Board then considered the following waivers to the existing conditions plan:

70.3.D.3.d - Proposed landscaping plan. Mr. Herridge moved to approve, Mr. Boleyn seconded. So voted, 5-0.

70.3.D.1.e - 3 copies of drainage calculations. Mr. Herridge moved to approve, Mr. Boleyn seconded. So voted, 5-0.

Waivers requested from requirements of 70.3.D.3.b – Existing Conditions Plan

70.3.D.3.b.1. Total lot area. 70.3.D.3.b.2. Height, stories, gross floor area of all existing buildings, lighting service areas, utilities, drainage.

Mr. Boleyn moved granting the waiver, Mr. Herridge seconded. Mr. Riemer asked to include existing conditions of the entire site on the new site plan. After discussion it was agreed to include existing information of all buildings on the existing conditions plan. The motion failed 5-0-0 This waiver was not granted.

Mr. Herridge moved that this information be included in the zoning table on the plan. Mr. Boleyn seconded. So voted, 5-0.

70.3.D.3.b.4. General location of trees having a caliper of 10 inches or more diameter at DBH, landscaping features.

Mr. Herridge moved to approve the waiver, Mr. Boleyn seconded. So voted, 5-0.

70.3.D.3.b 5. Respective floor areas and/or sf of existing uses of buildings and/or the property.

Mr. Herridge moved to approve the waiver, Mr. Boleyn, seconded. Mr. Riemer asked for the floor areas of the other buildings on the property to be documented on the plan. Waiver failed, 1-4 (Mr. Boleyn in favor).

70.3.D.3.b 7. National Flood Insurance Program Flood Hazard Elevation. Mr. Herridge moved to approve the waiver, Mr. Sollog seconded. So voted, 5-0.

70.3.D.3.b 8. MA Natural Heritage Endangered Species Act jurisdiction. Mr. Herridge moved to approve the waiver, Mr. Boleyn seconded. So voted, 5-0.

Waivers requested from requirements of 70.3.D.3.c – Proposed Conditions Plan 70.3.D.3.c 1.
Number of stories, height in feet, gross floor area of all buildings. Mr. Riemer moved to deny this waiver, Mr. Herridge seconded. So voted to deny, 5-0.

70.3.D.3.c 5. Stormwater drainage. Mr. Herridge made a motion to approve the waiver with the condition of a catch basin. Mr. Boleyn seconded. So voted, 5-0.

70.3.D.3.c 7. Location of walls. Mr. Herridge moved to approve the waiver, Mr. Boleyn seconded. So voted, 5-0.

70.3.D.3.c 9. Location of streets and drives including the type and dimensions of curbs and gutters, distance to nearest streets and curb cuts. Mr. Herridge moved to approve the waiver, Mr. Boleyn seconded. So voted, 5-0.

70.3.D.3.c 10. Outdoor storage/display areas. Mr. Herridge moved to approve the waiver, Mr. Boleyn seconded. So voted, 5-0.

70.3.D.3.c 11. Refuse areas. Mr. Boleyn moved to approve the waiver, Mr. Herridge seconded. So voted, 5-0.

70.3.D.3.c 12. Lighting facilities, direction and degree of illumination, specifications for lighting fixtures.

70.3.D.3c 14. Location and description of all utilities— not requested, but needed if not shown on revised plan. Mr. Riemer made a motion to deny. Mr. Herridge seconded. There was discussion. Motion failed, 5-0. Mr. Herridge made a new motion with condition that any new utilities serving the property for the new addition would be underground. Mr. Boleyn seconded. So voted, 5-0.

70.3.D.3.c 15. Parking and driveway cross section. Mr. Herridge moved to approve the waiver, Mr. Boleyn seconded. So voted, 5-0.

70.3.D.3.c 16. Limit of work, work staging areas. Mr. Herridge moved to approve the waiver, Mr. Boleyn seconded. So voted, 5-0.

Mr. Herridge moved to approve site plan with conditions as noted and with waivers granted as noted, and the waivers not granted as noted

Following consideration of the waivers, Mr. Herridge moved to approve with the following conditions the Application for Commercial Development Site Plan Review for 2016-006SPR Robert and Elena Rice to demolish one unit and construct an addition to another unit of a condominium converted cottage colony, pursuant to section 70.3 of the Town of Truro Zoning

Bylaw. The property is located at 5 Great Hollow Road, Map 42 Parcel 237

1. Prior to the Board's endorsement of the plan, the applicant shall:
 - a) Add a zoning table to both the existing conditions and proposed plans per 70.3.D.3.a.2
 - b) Obtain a modified Special Permit from the Zoning Board of Appeals
 - c) Provide the following information on the existing conditions plan:
 - a. 70.3.D.3.b.1 Total lot area
 - b. 70.3.D.3.b.2 Height, stories, gross floor area of all existing buildings
 - c. 70.3.D.3.b.5 Respective floor areas and/or sf of existing uses of buildings and/or property
 - d) Provide the following information on the proposed conditions plan:
 - a. 70.3.D.3.c.1 Number of stories, height in feet, gross floor area of all buildings
 - e) Provide a catch basin on the applicant's property at the southwest corner to collect storm run-off prior to reaching Great Hollow Road
 - f) All utilities serving unit #4 shall be underground
 - g) Applicant shall provide the Planning Board with information demonstrating that any new outdoor lighting will be dark sky compliant consistent with Truro General Bylaws Chapter IV Section 6 Outdoor Lighting

This is based on the fact that with the imposed conditions, the review criteria/design guidelines in §70.3.F have been satisfied.

Mr. Boleyn seconded Mr. Herridge's motion and it was so voted, 5-0.

Preliminary Plan - Claire A. Perry

No Public Comment.

Mr. Lay described the Preliminary Plan, which seeks to accomplish two things: Create one new buildable lot, and maintain sufficient (5,000) square footage in one parcel for Ch 61 tax exempt status as agricultural land.

Perry Road exists and the applicant would request permission for a T turn-around. The Fire chief has driven a truck down the road, and there are no issues with clearance because of lack of trees and vegetation.

Discussion occurred regarding how many lots will have access to this private way and the legal frontage requirement. It was agreed that there is a need to set up a site visit, at the definitive plan stage. Mr. Riemer brought up the issue of the flood zone and discussion ensued. Also discussed, a circular turn-around at the end of Perry's Road and the width of Perry's Road.

Ms. Tobia discussed listed questions that the Board would like to see addressed in a definitive plan:

- Assessment of whether improvements to the private portion of Perry Road would be necessary
- Determination from Natural Heritage and Endangered Species Program
- What is the septic system planned to serve the new lot? Is the existing shared system to remain in effect?
- What measures could be proposed to address drainage into adjacent marsh?
- What measures are proposed to limit storm damage or flooding, given that the property is in the AE zone.

Ms. Ridley commented that in granting waivers on the road design, the Board would have an opportunity to limit access to the road for residential lots.

Preliminary approval is requested. Motion to approve preliminary plan with conditions and questions made by Mr. Herridge, Mr. Boleyn seconded. So voted, 4-0-1 (Mr. Riemer abstained).

Review and Approval of Meeting Minutes

Mr. Herridge made a motion to approve the June 3 meeting minutes. Mr. Riemer asked that the spelling of his name be corrected in two places. Mr. Herridge moved to approve the minutes with corrections, Mr. Sollog seconded. So voted, 5-0.

Reports from Board Members and Staff

FY 17 Goals/ Priorities, decided at previous Board meeting:

1. Undertake Community visioning/comprehensive planning
2. Review/revise Affordable Accessory Dwelling Unit By-Law
3. Seashore district zoning bylaw/community conversation
4. Review/revise Duplex, Apartments, Affordable Rental Housing Overlay District (including year-round housing).

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

The Planning Board will meet with the Board of Selectman to discuss goals on June 28.

Ms. Ridley made an observation about the need to review the Water Resource Protection District By-law. The Board might want to elevate this, because it is an important issue to many of the applications before the Board and it has been in progress since last year.

BOS office hours: Selectmen have invited Planning Board members to sit with them during listening sessions. Dates, times and locations are available. Mr. Boleyn signed up for the Farmers Market, July 11. Mr. Herridge signed up for June 29. Ms. Tobia signed up for June 23.

Workshop on Board meeting protocol/ policies: The Town Manager is planning a training for all Boards. She is asking for input on dates and times. Ms. Tobia suggested late afternoon as opposed to in the evening, for instance 3:00 to 5:00 pm. Board members agreed that they prefer the training to be on the same day as the regular Planning Board meeting.

Ms. Ridley spoke about Zoning Board of Appeals issues. On July 18th there will be a variance request application for 9B Benson Road. Also an appeal to the Building Commissioner's 'cease and desist' order regarding Horton's Park. Ms. Ridley will email those applications to the Board.

Mr. Herridge moved to adjourn, Mr. Boleyn seconded. So voted, 5-0. Meeting adjourned at 7:38 pm.

Respectfully submitted,



Katherine Black

