



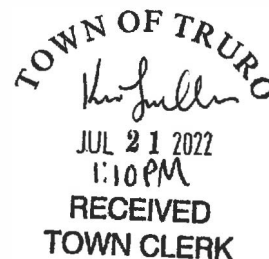
## TOWN OF TRURO

### PLANNING BOARD

Meeting Minutes

May 18, 2022 – 5:00 pm

REMOTE PLANNING BOARD MEETING



**Members Present (Quorum):** Anne Greenbaum (Chair); Rich Roberts (Vice Chair – Elect); Jack Riemer (Clerk); R. Bruce Boleyn; Ellery Althaus; Caitlin Townsend

**Members Absent:** Paul Kiernan

**Other Participants:** Town Planner/Land Use Counsel Barbara Carboni; Planning Department Administrator Liz Sturdy; Select Board Liaison John Dundas; Benoit Allehaut and Elizabeth Allehaut (Applicants); Brad Malo (Coastal Engineering and Representative for Benoit Allehaut and Elizabeth Allehaut); Ben Zehnder (Attorney and Representative for Rachel Kalin); Bryan Weiner (Coastal Engineering and Representative for Rachel Kalin); Jim Cappuccino (Hutker Architects and Representative for Rachel Kalin); Arthur Bosworth and Stephanie Rein (Applicants); Michael Fee (Attorney for Arthur Bosworth and Stephanie Rein); Karen Ruymann (Resident); David Reid (Attorney for Jay, Patty, and David Wilson, Mitchell Glassman, and Arien Mack – Abutters to 21 and 23 Old Bridge Road)

Remote meeting convened at 5:02 pm, Wednesday, May 18, 2022, by Chair Greenbaum who announced that this was a remote public meeting aired live on Truro TV Channel 18 and was being recorded. Town Planner/Land Use Counsel Carboni also provided information as to how the public may call into the meeting or provide written comment. Members introduced themselves to the public.

### **Public Comment Period**

Public comment, for items not on the agenda, was opened by Chair Greenbaum who recognized Ms. Ruymann. Ms. Ruymann requested that the Members, at a future meeting, appoint a representative to shepherd the follow-up of the draft Stormwater Bylaw.

Chair Greenbaum thanked Ms. Ruymann and then closed the public comment period as no other members of the public asked to be recognized.

Chair Greenbaum then reviewed tonight's agenda aloud with the Members and the public.

### **Planner Report**

Town Planner/Land Use Counsel Carboni reported that it is a very bad year for ticks and welcomed Member Townsend to the Planning Board.

## **Chair Report**

Chair Greenbaum reiterated that it was a very bad year for ticks. Chair Greenbaum welcomed Member Townsend and asked her to provide background in terms of her education at Massachusetts Maritime Academy and Member Townsend did. Chair Greenbaum said that at last night's Select Board meeting, she reiterated to the Select Board that she and the PB Members were committed to improving the working relationship with the Select Board.

## **Board Action/Review**

**2022-004 Rel/Cov John B. Rice, 6 Hatch Road, Map SO/Parcel 284, Lot 14.** Discussion and approval of a full covenant release from the Town of Truro "Form F - Certification of Completion & Release of Municipal Interest in Subdivision Performance Security".

Town Planner/Land Use Counsel Carboni who announced that Mr. Donald Poole, representative for the Applicant and scheduled to present tonight, was unable to attend this meeting due to family issues. Town Planner/Land Use Counsel Carboni stated that all the requirements for the covenant release have been met and she did not see any obstacles for the approval of the covenant release.

**Member Boleyn made a motion to approve a full covenant release in this matter.**

**Member Althaus seconded the motion.**

**So voted, 5-0-1, motion carries.**

Chair Greenbaum led the discussion for the election of the following Planning Board officers: Chair, Vice Chair, and Clerk.

**Member Riemer made a motion to nominate Chair Greenbaum to continue as Chair.**

**Member Roberts seconded the motion.**

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

**Member Boleyn made a motion to nominate Member Roberts as Vice Chair.**

**Member Riemer seconded the motion.**

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

**Chair Greenbaum made a motion to nominate Member Riemer to continue as Clerk.**

**Vice Chair Roberts seconded the motion.**

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

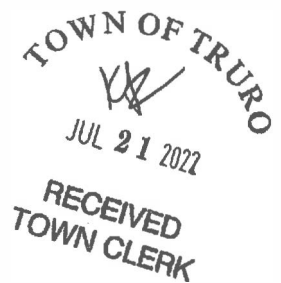
Chair Greenbaum led the discussion of the appointment of a Planning Board representative to the Local Comprehensive Planning Committee (LCPC) and she said that she would be very interested in serving in the role. No other Members expressed interest in this role.

**Chair Greenbaum made a motion to nominate herself as the Planning Board's LCPC representative.**

**Member Althaus seconded the motion.**

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

Chair Greenbaum noted that if Members had any topics which they wanted to discuss at the upcoming Work Session to email those topics to her and Planning Department Administrator Sturdy.





### Minutes

Chair Greenbaum announced that Member Townsend would not vote on any of the minutes as she was not yet on the Planning Board.

Chair Greenbaum led the review of the Planning Board minutes from March 2, 2022, for edits or corrections. Members noted several corrections to be made with Chair Greenbaum.

**Member Riemer made a motion to approve the minutes as amended.**

**Member Boleyn seconded the motion.**

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

Chair Greenbaum led the review of the Planning Board minutes from April 6, 2022, for edits or corrections. No corrections or edits were noted.

**Member Riemer made a motion to approve the minutes as written.**

**Member Boleyn seconded the motion.**

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

Chair Greenbaum led the review of the Planning Board minutes from April 13, 2022, for edits or corrections. No corrections or edits were noted.

**Vice Chair Roberts made a motion to approve the minutes as written.**

**Member Riemer seconded the motion.**

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

Upon the conclusion of the acceptance of the Planning Board minutes, Chair Greenbaum recognized Town Planner/Land Use Counsel Carboni who said that Attorney Ben Zehnder, attorney for the Applicants in the continued public hearings on this evening's agenda, was not yet available to appear. Chair Greenbaum then proceeded to hear the public hearings and postponed the continued public hearings for later this evening when Attorney Zehnder was available.

### Public Hearings

**2022-005/SPR - Arthur Bosworth and Stephanie Rein, Out There Grown, LLC (High Dune Craft Cooperative)** for property located at 21 and 23 Old Bridge Road (Atlas Map 50, Parcel 232, Registry of Deeds title reference: Book 377, Page 44). Applicant seeks a Residential Site Plan Review under §70 and §100 of the Truro Zoning Bylaw for a Recreational Marijuana Establishment (RME).

**2022-006/SPR - Debra Hopkins, Pure Joy Farm, LLC (High Dune Craft Cooperative)** for property located at 21 and 23 Old Bridge Road (Atlas Map 50, Parcel 232, Registry of Deeds title reference: Book 377, Page 44). Applicant seeks a Residential Site Plan Review under §70 and §100 of the Truro Zoning Bylaw for a Recreational Marijuana Establishment (RME).

Chair Greenbaum announced that these hearings would be conducted simultaneously as they both involve the owners of High Dune Craft Cooperative but are separate actions. Chair Greenbaum reviewed the process of this evening's hearings and reiterated that no decision would be made this evening in

accordance with the current Planning Board policy. Chair Greenbaum gave Attorney Fee the opportunity to present on behalf of the Applicants.

Attorney Fee provided background information, reviewed the Site Plan C2.1.1 dated April 15, 2022, and stated the Applicants' views towards adherence to the Town's bylaw. Attorney Fee concluded that he was happy to answer any questions and review the submitted Applicants' checklists with Members. Chair Greenbaum announced the review of the Applicants' checklists would take place prior to hearing from the members of the public in this matter.

Chair Greenbaum, Town Planner/Land Use Counsel Carboni, Members, Attorney Fee, and the members of the public discussed: odor control, hours of operation, status of the security plan with the Truro police chief, road condition, road traffic, the legal allowance (state law and the Truro bylaw) of this enterprise to operate in the residential district, the executed Host Community Agreement, compliance of perimeter lighting (in accordance with the security plan), and hedges along the right of way.

Chair Greenbaum then opened the hearing for members of the public to express their opinions and she recognized Attorney Reid. Attorney Reid cited a letter on behalf of Abutters Wilson, Glassman, and Mack that he sent to the Members dated March 13, 2022, which was circulated by Planning Department Administrator Sturdy. Attorney Reid provided his clients' point of view regarding odor mitigation and other zoning concerns. Attorney Reid asked the Members to disapprove the Applications in this matter.

Chair Greenbaum called upon members of the public who expressed several concerns including safety, odor mitigation, potential of decreased property values, and the overall tranquility of the neighborhood. Members of the public who spoke generally expressed opposition to the Applicants' applications.

Upon the completion of public comments, Chair Greenbaum recognized Town Planner/Land Use Counsel Carboni who read aloud the legal definition of a craft cooperative. Town Planner/Land Use Counsel Carboni stated that the Planning Board only operated under the law and offered to answer any questions from the members of the public regarding zoning issues in this matter. No members of the public nor Members of the Planning Board had any questions.

Chair Greenbaum thanked the members of the public for their thoughtful comments and that the Planning Board will work through the issues raised this evening.

**Member Althaus made a motion to continue these matters to June 8, 2022.**

**Vice Chair Roberts seconded the motion.**

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

Chair Greenbaum recognized Town Planner/Land Use Counsel Carboni who asked if Chair Greenbaum wanted to provide any guidance to the Applicants prior to the next meeting. Chair Greenbaum told Attorney Fee that odor and road conditions would be topics further discussed at the next meeting as well as the marijuana harvesting process. Attorney Fee said that he understood and thanked Chair Greenbaum before leaving the meeting.

Before the continued public hearings on this evening's agenda were heard, Chair Greenbaum asked Town Planner/Land Use Counsel Carboni if there was an update to Attorney Ben Zehnder's attendance for tonight's meeting. Town Planner/Land Use Counsel Carboni replied that he would be available in a

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few minutes. Mr. Cappuccino announced that Attorney Zehnder would not be available this evening and he will represent Attorney Zehnder this evening.

### **Public Hearings (Continued)**

**2022-003/SPR - Benoit Allehaut and Elizabeth Allehaut** for property located at 40 South Pamet Road (Atlas Map 51, Parcel 40, Registry of Deeds title reference: Book 33897, Page 73). Applicant seeks Residential Site Plan Review under §70 of the Truro Zoning Bylaw for a nonconforming (area) lot in the Seashore District. Applicants propose removal of existing additions, construction of new addition, and to relocate and reconstruct an existing shed into a two-story shed with attached carport.

Chair Greenbaum recognized Town Planner/Land Use Counsel Carboni who stated that the Applicants will redesign the project, so it is not elevated, and that the Applicants are seeking a continuance from the Planning Board and ZBA. Town Planner/Land Use Counsel Carboni suggested a continuance to June 8, 2022.

**Member Riemer made a motion to continue these matters to June 8, 2022.**

**Member Althaus seconded the motion.**

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

Prior to the continued hearing for **2022-004/SPR – Outer Shore Nominee Trust, Rachel Kalin**, Chair Greenbaum noted that new Member Townsend had watched the video of the first hearing in this matter and Member Townsend was eligible to hear and vote on this matter.

**2022-004/SPR - Outer Shore Nominee Trust, Rachel Kalin, Trustee** for property located at 17 Coast Guard Road (Atlas Map 34, Parcel 3, Registry of Deeds title reference: Book 34387, Page 1). Applicant seeks Residential Site Plan Review under §70 of the Truro Zoning Bylaw for a lot in the Seashore District. Demolition of 5 of 6 pre-existing, non-conforming cottages (multiple dwellings on a lot) and associated structures; construction of a new one-story single-family dwelling with pool and landscaping; renovation of remaining cottage.

Chair Greenbaum recognized Mr. Cappuccino who said that the supplemental information, requested at the previous meeting, to include dimensioned floor plans, clearly noted unfinished mechanical areas in the basement, and a floor plan for Cabin #6 had been submitted. Vice Chair Roberts inquired about elevations and Mr. Cappuccino replied that information can be provided to the Members.

Attorney Zehnder joined the meeting.

Chair Greenbaum welcomed and recognized Attorney Zehnder who addressed Vice Chair Roberts' concern about the Applicant exceeding the 5,260 square foot limit and Attorney Zehnder said that he would be agreeable to that as a condition for approval of the application.

Chair Greenbaum reviewed the items requested by the Members, so Attorney Zehnder requested a continuance to June 8, 2022, at 5 pm.

**Member Riemer made a motion to continue this matter to June 8, 2022.**

**Member Boleyn seconded the motion.**

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

Chair Greenbaum announced the continuance and Attorney Zehnder thanked the Members before his departure.

Chair Greenbaum asked Members if there was anything to add to the next meeting's agenda or topics for the Work Session. Member Althaus suggested the possibility of amending, or creating a new Special Permit, to address the issue of Applicants submitting projects which reach maximum allowable square footage. Member Althaus stated that the current Bylaw may not achieve the desired purpose or outcome as written. Town Planner/Land Use Counsel Carboni thanked Member Althaus for mentioning this and said that it would be appropriate to have further discussions in the future.

**Member Riemer made a motion to adjourn the meeting at 7:51 pm.**

**Member Boleyn seconded the motion.**

**So voted, 6-0, the motion carries.**

Respectfully submitted,



Alexander O. Powers  
Board/Committee/Commission Support Staff

