



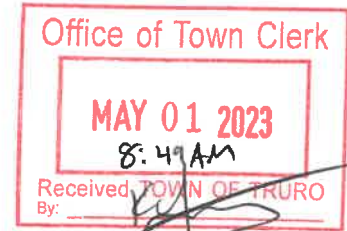
TOWN OF TRURO

PLANNING BOARD

Meeting Minutes

February 8, 2023 – 5:00 pm

REMOTE PLANNING BOARD MEETING



Members Present (Quorum): Anne Greenbaum (Chair); Rich Roberts (Vice Chair); Jack Riemer (Clerk); Paul Kiernan; Ellery Althaus; Caitlin Townsend; Virginia Frazier

Members Absent:

Other Participants: Town Planner/Land Use Counsel Barbara Carboni; Health and Conservation Agent Emily Beebe; Select Board Liaison John Dundas; Christopher J. Snow (Attorney and Applicant); Sally McSween (Representative for the Condominium Association); Ben Zehnder (Attorney for the Abutters: Marie Belding and Pat Callinan); William Rogers (Engineer/Surveyor for the Applicant); Gary Locke (Project Engineer for the Applicant); Michael Flannery (Owner at Ebb Tide)

Remote meeting convened at 5:00 pm, Wednesday, February 8, 2023, by Vice Chair Roberts who announced that this was a remote public meeting aired live on Truro TV Channel 18 and was being recorded. Vice Chair Roberts 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 Vice Chair Roberts and there were none.

Planner Report

Town Planner/Land Use Counsel Carboni reported that there was nothing new to report.

Chair Report

Chair Greenbaum reported that she was aware of Members interested in the Mill Pond Road process and that there will be a public forum on March 8, 2023, at 5 pm. Chair Greenbaum asked Members if they were in favor of cancelling the Planning Board meeting scheduled for March 8, 2023, at 5 pm so they could attend the public forum. Members unanimously agreed to cancel the Planning Board's meeting on March 8, 2023.

Minutes

Chair Greenbaum led the review of the minutes of December 7, 2022, for comments, corrections or edits. None were made.

Vice Chair Roberts made a motion to approve the minutes from December 7, 2022, as submitted.

Member Riemer seconded the motion.

Roll Call Vote:

Chair Greenbaum – Aye

Member Townsend – Aye

Member Althaus - Aye

Member Frazier – Aye

Member Riemer – Aye

Member Kiernan - Aye

Vice Chair Roberts - Aye

So voted, 7-0, motion carries.



Public Hearing

2023-001/SPR - Ebb Tide on the Bay Condominiums, for property located at 538 Shore Road (Atlas Map 7, Parcel 7, Registry of Deeds Book 5671 and Page 232). Applicants seek Commercial Site Plan approval for a project involving reconstruction of three buildings shoreward; relocation of septic system; and related modifications to site; on property located in the Beach Point Limited Business District.

Chair Greenbaum recognized Attorney Snow who introduced the Applicant's representatives. Attorney Snow then presented background and additional information on this project.

Chair Greenbaum then recognized Health and Conservation Agent Beebe who provided background on this project and desired outcomes once the project is completed from the Conservation Commission's perspective.

Members and Health and Conservation Agent Beebe discussed the following highlighted topics: confirmation that the Applicant has the support of the Conservation Commission and the Board of Health; and confirmation that an AI system will be installed; project includes reconstruction and not relocation; dune restoration plan; compliance with Flood Zone requirements; the effect of shifting ground water from high tide water elevation; the Dune Restoration Plan.

Chair Greenbaum recognized Mr. Flannery who had a question about the owners at Ebb Tide incurring the expense of the dune restoration when it benefitted the Town. Since this was not in the scope of tonight's hearing, Health and Conservation Agent Beebe will discuss this question directly with Mr. Flannery outside of the hearing setting.

Chair Greenbaum recognized Attorney Zehnder who stated that he represented the Abutters of this project.

Chair Greenbaum then asked Members if there were any questions or statements which required additional information by using the Planning Board checklist. Members requested additional information on stormwater drainage; location and description of utilities (will be added to the revised plan); project cost; and the time estimate of the project.

Chair Greenbaum recognized Attorney Zehnder who discussed with the Applicant's representatives the following highlighted topics: the proposed gross floor areas are measure within the parameters of the Bylaw; locations of the 9 parking spaces; lifting the structures and the addition of another floor; and the methodology of this project to ensure there is no damage to the Abutters' property.

Attorney Snow clarified that the proposed additional floor is a ½ story only.

Chair Greenbaum asked Members if they had additional questions and Members discussed the following topics with Town staff and the Applicant's representatives: request for the fire chief to provide a written review the application about the height of the proposed building and fire safety; copy of the original parking plan; the original ZBA conditions on the condominium conversion; and the project is designed for year-round use.

Member Riemer made a motion to continue this matter to February 22, 2023, at 5 pm.

Member Kiernan seconded the motion.

Roll Call Vote:

Chair Greenbaum – Aye

Member Townsend – Aye

Member Althaus - Aye

Member Frazier – Aye

Member Riemer – Aye

Member Kiernan - Aye

Vice Chair Roberts - Aye

So voted, 7-0, motion carries.



After the vote, Town Planner/Land Use Counsel Carboni commented that it is her departmental goal to digitize Planning Department records to include decisions so anyone could access information online from a single source repository which would be a much more efficient way to conduct business.

Warrant Article Discussion on "Street" Definition

Vice Chair Roberts noted that tonight the Members will review the last two paragraphs of the proposed Warrant article. Vice Chair Roberts added that the most recent draft was forwarded to the police chief, fire chief, DPW director, Building Commissioner, Select Board Member John Dundas and ZBA Vice Chair Chris Lucy for comments. Vice Chair Roberts noted that he had received some comments but they have not yet been added to the current draft.

Members reviewed the new Section 30.11 Streets and Frontage.

Highlights of the topics discussed by Members and Town Planner/Land Use Counsel Carboni were: roadways ineligible for "street" status; future development considerations; review criteria; approval process; decision; appeal; and the recording of the "street" status decision with the Town Clerk and the Barnstable County Registry of Deeds.

Chair Greenbaum thanked Vice Chair Roberts for his work on behalf of the Members as well as the Members for their participation in this process.

Chair Greenbaum encouraged all Members to send any anticipated questions that may occur at the Town Meeting to Liz Sturdy, Planning Department Administrator, as well as a response to address those anticipated questions (i.e. will the Town plow my road?).

Member Riemer made a motion to adjourn the meeting at 7:05 pm.

Member Kiernan seconded the motion.

Roll Call Vote:

Chair Greenbaum – Aye

Member Townsend – Aye

Member Althaus - Aye

Member Frazier – Aye

Member Kiernan – Aye

Member Riemer – Aye

Vice Chair Roberts - Aye

So voted, 7-0, motion carries.



Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alexander O. Powers".

Alexander O. Powers

Board/Committee/Commission Support Staff