



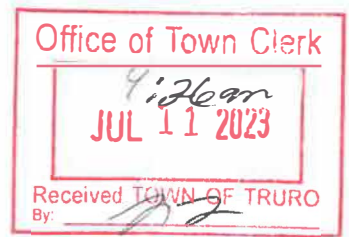
## TOWN OF TRURO

### PLANNING BOARD

#### Meeting Minutes

May 10, 2023 – 5:00 pm

#### REMOTE PLANNING BOARD MEETING



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

**Members Absent:** Anne Greenbaum (Chair)

**Other Participants:** Town Planner/Land Use Counsel Barbara Carboni; Select Board Liaison John Dundas; Christopher Snow (Attorney and Applicant); Sally M. McSween (Representative of the Condominium Association); Ben Zehnder (Attorney Representing Abutters: Marie Belding and Pat Callinan); Marie Belding (Abutter); Pat Callinan (Abutter); William Rogers (Engineer/Surveyor for Christopher Snow-Applicant); Gary Locke (Project Engineer for Christopher Snow-Applicant); Ben Zehnder (Attorney Representing Bruce Jacobson-Trustee); William Rogers (Engineer/Surveyor for Bruce Jacobson-Trustee); William Henchy (Attorney Representing Susan Hanway-Applicant); Susan Hanway (Applicant); William Rogers (Engineer/Surveyor for Susan Hanway-Applicant); Ezra Ambrose (Designer for Susan Hanway-Applicant)

Remote meeting convened at 5:02 pm, Wednesday, May 10, 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 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 congratulated Member Frazier for her election to a 5-year term on the Planning Board. Town Planner/Land Use Counsel Carboni reported that the Housing Coordinator position, a role that was previously approved at Town Meeting, failed at yesterday's election.

#### **Chair Report**

None

#### **Minutes**

Vice Chair Roberts led the review of the minutes of March 1, 2023. There were no corrections or edits.

**Member Frazier made a motion to approve minutes of March 1, 2023, as submitted.**

**Member Kiernan seconded the motion.**

**Roll Call Vote:**

**Member Townsend – Aye**

**Member Althaus – Aye**

**Member Frazier – Aye**

**Member Riemer – Aye**

**Member Kiernan – Aye**

**Vice Chair Roberts – Aye**

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

Vice Chair Roberts led the review of the minutes of March 22, 2023. There were no corrections or edits.

Member Riemer called attention to the minutes reflecting his statement regarding the collaboration between the Planning Board and the Board of Health on the Board of Health's Stormwater Bylaw.

Member Riemer stated that he hoped that this would happen and there was no objection.

**Member Frazier made a motion to approve minutes of March 2, 2023, as submitted.**

**Member Kiernan seconded the motion.**

**Roll Call Vote:**

**Member Townsend – Aye**

**Member Althaus – Aye**

**Member Frazier – Aye**

**Member Riemer – Aye**

**Member Kiernan – Aye**

**Vice Chair Roberts – Aye**

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

#### **Temporary Sign Permit Application**

**Genevieve Morin - Truro Yoga**, requesting one (1) sign, 3' x 2', to be located next to Snow's Park from May 30, 2023, through September 27, 2023. The signs will be installed on Fridays and removed on Sundays.

Vice Chair Roberts asked if Ms. Morin was present and there was no reply. Vice Chair Roberts reviewed the application along with a sample sign from the Applicant. Vice Chair Roberts asked Members for comments and there were none.

**Member Althaus made a motion to approve the Temporary Sign Permit for Truro Yoga.**

**Member Kiernan seconded the motion.**

**Roll Call Vote:**

**Member Townsend – Aye**

**Member Althaus – Aye**

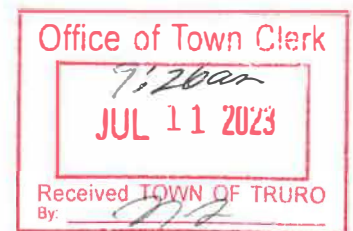
**Member Frazier – Aye**

**Member Riemer – Aye**

**Member Kiernan – Aye**

**Vice Chair Roberts – Aye**

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



## **Public Hearings (Continued)**

**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 move of three buildings shoreward; relocation of septic system; and related modifications to site; on property located in the Beach Point Limited Business District.

Vice Chair Roberts recognized Attorney Snow who thanked the Members who attended the onsite visit yesterday. Attorney Snow introduced the Applicant's representatives and Attorney Snow noted that there was not a super majority present with the absence of Chair Greenbaum so he opined that the Members could not render a decision tonight. Town Planner/Land Use Carboni replied that was correct and Attorney Snow stated that the Applicant would be happy to provide an update this evening or be satisfied with a continuance to June 28, 2023.

**Member Riemer made a motion to continue 2023-001/SPR to June 28, 2023.**

**Member Althaus seconded the motion.**

**Roll Call Vote:**

**Member Townsend – Aye**

**Member Althaus – Aye**

**Member Frazier – Aye**

**Member Riemer – Aye**

**Member Kiernan – Aye**

**Vice Chair Roberts – Aye**

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

**2023-003/SPR Truro Atlantic View Realty Trust, Bruce A. Jacobson, Trustee** for property located at 12 Ocean Bluff Lane (Atlas Map 3 7, Parcel 6). The Applicant seeks Residential Site Plan approval of construction unauthorized by building permit and for further expansion of dwelling in Seashore District.

Vice Chair Roberts recognized Attorney Zehnder who stated that supplemental information had been submitted for the Planning Board's consideration and Attorney Zehnder also provided an update on the project.

A brief discussion ensued between Attorney Zehnder and Member Kiernan regarding the previous owner's modifications to the property which were not approved by the Planning Board. Town Planner/Land Use Counsel Carboni stated that the Planning Board should obtain Seashore District input regarding the fact that the driveway crosses the Seashore District's property. Town Planner/Land Use Counsel Carboni also opined that the Planning Board should address the issues associated with what is on the ground today was not approved by the Planning Board on May 23, 2018, nor is it reflected properly on the Site Plan.

**Member Kiernan made a motion to waive the requirement of a Site Plan stamped by an engineer, or a surveyor, in this matter.**

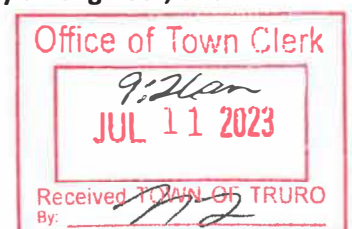
**Member Riemer seconded the motion.**

**Roll Call Vote:**

**Member Townsend – Nay**

**Member Althaus – Nay**

**Member Frazier – Nay**



**Member Riemer – Nay**  
**Member Kiernan – Nay**  
**Vice Chair Roberts – Nay**  
**So voted, 0-6-0, motion does not carry.**

After the vote, Vice Chair Roberts and Town Planner/Land Use Counsel Carboni briefly discussed an email that was sent to Town Planner/Land Use Counsel Carboni from Lauren McKean, Seashore District Planner, regarding this matter. Town Planner/Land Use Counsel Carboni stated that she didn't have enough information to further discuss at tonight's meeting.

Attorney Zehnder stated that he needed to speak with the Applicant to see how they would like to proceed so he was in favor of a continuance.

**Member Riemer made a motion to continue 2023-003/SPR to June 7, 2023.**  
**Member Althaus seconded the motion.**

**Roll Call Vote:**

**Member Townsend – Aye**  
**Member Althaus – Aye**  
**Member Frazier – Aye**  
**Member Riemer – Aye**  
**Member Kiernan – Aye**  
**Vice Chair Roberts – Aye**  
**So voted, 6-0-0, motion carries.**

#### **Public Hearing**

**2023-004/SPR Susan Hanway** for property located at 59 South Prunet Road (Atlas Map 51, Parcel 51). Applicant seeks Residential Site Plan approval for conversion of existing dwelling into a Habitable Studio and construction of a new dwelling in Seashore District.

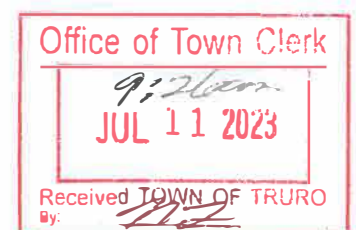
Vice Chair Roberts recognized Attorney Henchy who provided a brief overview of this matter and noted that it was necessary for the Members to render a decision prior to the Applicant's appearance at the ZBA.

Following Attorney Henchy's summary, Vice Chair Roberts led the Members with a review of the Site Plan checklist and briefly discussed questions with the Applicant's representatives. Members collectively agreed that the Building Commissioner should review the Site Plan and provide comments to the Members regarding the attachment to the porch that appears that it could be a separate dwelling. The Applicant explained that the attachment to the porch is to accommodate a family member, who uses a wheelchair, and this will ease the individual's mobility. The Applicant noted that Mr. Rogers, a licensed engineer, had stamped the Site Plan.

**Member Riemer made a motion to continue the matter of 2023-004/SPR until June 21, 2023, at 5 pm.**  
**Member Kiernan seconded the motion.**

**Roll Call Vote:**

**Member Townsend – Aye**  
**Member Althaus – Aye**  
**Member Frazier – Aye**



**Member Riemer – Aye**  
**Member Kiernan – Aye**  
**Vice Chair Roberts – Aye**  
**So voted, 6-0-0, motion carries.**

**Discussion of Warrant Articles**

Vice Chair Roberts announced that Warrant articles would not be discussed this evening and Vice Chair Roberts reviewed the dates for upcoming meetings and site visits.

**Member Riemer made a motion to adjourn the meeting at 7:41 pm.**

**Member Frazier seconded the motion.**

**Roll Call Vote:**

**Member Townsend – Aye**

**Member Althaus – Aye**

**Member Frazier – Aye**

**Member Riemer – Aye**

**Member Kiernan – Aye**

**Vice Chair Roberts – Aye**

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

Respectfully submitted,



Alexander O. Powers  
Board/Committee/Commission Support Staff

