

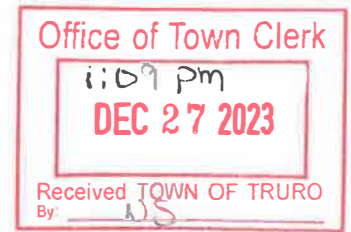


# TOWN OF TRURO

## PLANNING BOARD

### Meeting Minutes

November 15, 2023 – 5:00 pm  
REMOTE PLANNING BOARD MEETING



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

**Members Absent:**

**Other Participants:** Town Planner/Land Use Counsel Barbara Carboni; Select Board Liaison John Dundas; DPW Director Jarrod Cabral; Health and Conservation Agent Emily Beebe; Robin Reid (Attorney for Gloria and Willie Cater – Trustees); Kate Cater (Attorney for Gloria and Willie Cater - Trustees); David Clark (Engineer for Gloria and Willie Cater - Trustees); Donald Poole (Surveyor for Gloria and Willie Cater – Trustees); Courtney Simmons (Attorney for Lucy Clark); Daniel Johnston (Attorney for Property Owners of 9 Benson Road); Gail Wickstrom (Truro Resident); Fred Gaechter (Truro Resident and Trustee of the Truro Conservation Trust); Chuck Steinman (Truro Voter); Lucy Clark (Truro Resident)

Remote meeting convened at 5:00 pm, Wednesday, November 15, 2023, by Chair Roberts who announced that this was a remote public meeting aired live on Truro TV Channel 8 and was being recorded. Town Planner/Land Use Counsel Carboni 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 Roberts. Chair Roberts recognized Ms. Wickstrom who commented on the Planning Board's regulating temporary signs on South Highland Road.

**Planner Report**

Town Planner/Land Use Counsel Carboni announced that the ZBA had recently upheld Building Commissioner Rich Stevens' cease-and-desist order pertaining to 100 Route 6 (Robert Martin-Applicant) and Mr. Martin had until January 15, 2024, to remove all the materials from the property. Town Planner/Land Use Counsel Carboni is preparing the decision and order in that case.

**Chair Report**

Chair Roberts reported that the Town Meeting was rescheduled for Tuesday, November 28, 2023, at 5:30 pm, at the Truro Central School. Chair Roberts noted that at last night's Select Board meeting there was a discussion about the creation of a Zoning Task Force. Town Planner/Land Use Counsel Carboni noted that the Town of Eastham has a Zoning Task Force that has been instrumental in the preparation of Zoning articles for Town meetings. This task force is appointed by the Select Board and the Select Board expressed interest in creating a Zoning Task Force by using the Eastham model.

### **Minutes**

Chair Roberts led the review of the minutes from October 4, 2023.

**Member Frazier made a motion to approve the minutes of October 4, 2023, as written.**

**Vice Chair Greenbaum seconded the motion.**

**Roll Call Vote:**

**Vice Chair Greenbaum – Aye**

**Member Townsend - Aye**

**Member Althaus - Aye**

**Member Frazier - Aye**

**Member Riemer – Aye**

**Member Kiernan – Aye**

**Chair Roberts - Aye**

**So voted, 7-0-0, motion carries.**

### **Temporary Sign Permit Application**

**Marisa Picariello - Payomet Performing Arts Center** for two (2) signs, 48" x 36", to be located on South Highland exit off Route 6E and on Shore Road exit off Route 6W for events October, November, and December.

There was no representative of the Payomet Performing Arts Center present and Chair Roberts led the discussion on whether or not this application should be considered based upon the earlier discussion the Members had with DPW Director Cabral regarding temporary sign permits and South Highland Road. Town Planner/Land Use Counsel Carboni opined that although no representative was present, Members should act on this application and could condition the approval. Town Planner/Land Use Counsel Carboni also noted that the Members could approve the application but change the location.

**Vice Chair Greenbaum made a motion to approve the Payomet Performing Arts Center's application for a temporary sign permit with the change of location for sign #1 from South Highland Road exit off Route 6 East to the South Hollow Road exit off Route 6 East.**

**Member Townsend seconded the motion.**

**Prior to the vote, Member Althaus recused himself due to his wife's involvement with the Payomet Performing Arts Center. Chair Roberts also recognized Ms. Wickstrom who commented on this topic and recommended that the Members consider a policy or updated Bylaw that is fair to all businesses. Town Planner/Land Use Counsel Carboni opined for the Members to vote on the motion and to defer any policy discussion to another meeting.**

**Roll Call Vote:**

**Vice Chair Greenbaum – Aye**

**Member Townsend - Aye**

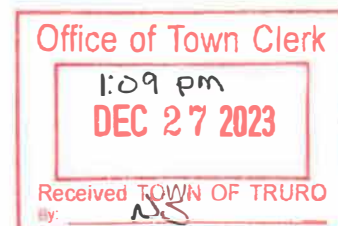
**Member Frazier - Aye**

**Member Riemer – Aye**

**Member Kiernan – Aye**

**Chair Roberts – Aye**

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



### **Board Action/Review**

**Preliminary Subdivision - 9B Benson Road, Fisher Road Realty Trust, Gloria J. Cater and Willie J. Cater, Trustees.**

Chair Roberts recognized Members Kiernan and Riemer who both stated that they had filed individual disclosure forms in accordance with M.G.L. Chapter 268A §23 (b) with the Town Clerk so that they may participate in this matter and not recuse themselves.

Chair Roberts recognized Attorney Reid who introduced the Trustees and their present representatives, provided background information, and stated the materials provided in the Members' packets for this review.

Members commented and discussed with Attorney Reid and Town Planner/Land Use Counsel Carboni the following highlighted topics: the Trustees' right of way granted by the Land Court; the adequacy of access; the driveway to the subdivision; requirements to determine that the Subdivision Plan is compliant; Rules and Regulations 3.8 Rights of Access; and Rules and Regulations 3.9 Adequate Access to the Site.

At the invitation of Chair Roberts, Mr. Poole provided a brief overview of the subdivision.

Chair Roberts recognized Mr. Gaechter, Attorney Simmons, and Attorney Johnston who commented on this matter. Attorney Simmons, Attorney Johnston, and Mr. Gaechter agreed to allow the Members of the Planning Board to conduct a site visit on their respective client or organization's abutting property.

Town Planner/Land Use Counsel Carboni recommended to the Members that technical assistance be requested on behalf of the Planning Board to the Cape Cod Commission in regard to this matter.

Chair Roberts recognized Mr. Steinman who provided background information as to the historical and cultural importance of the property to the Town.

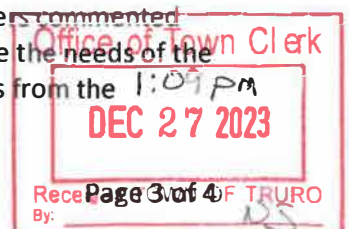
Chair Roberts asked the Members if there was any other information that should be requested from the Trustees regarding this matter and there were none. After a "by hand vote" of the Members in agreement, Chair Roberts asked Town Planner/Land Use Counsel Carboni to request technical assistance from the Cape Cod Commission in this matter with respect to location within the Hopper landscape.

Town Planner/Land Use Counsel Carboni opined that this should be a group site visit and the Applicants' team can coordinate the group site visit date and then provide the information to Town Planner/Land Use Counsel Carboni. Chair Roberts recognized Ms. Clark who commented on the proposed site visit.

### **Board Discussion**

Chair Roberts led the discussion and review of the memorandum from DPW Director Cabral regarding South Highland Road data. DPW Director Cabral also recommended moving any signage related to the commercial facilities on South Highland Road further north directing vehicle traffic onto South Hollow Road. DPW Director Cabral has not yet spoken with Payomet as sign enforcement is not his jurisdiction but it is with the Building Commissioner. Members discussed Town Planner/Land Counsel Carboni and DPW Director Cabral to engage with DOT and DPW Director Cabral cautioned that this would take some time.

Chair Roberts led the discussion on temporary sign permits with the Members. Members commented and discussed the following topics: the suggestion to have a public discussion to ensure the needs of the community, neighbors and business owners are met; removing temporary sign permits from the



Planning Board's authority and moving this responsibility to the building commissioner as a result of a Zoning Bylaw change; and whether the state will allow communities to put directional signs on the State Right-of-Way on Route 6 (i.e. this way to the Payomet).

Chair Roberts said that a public discussion on this topic is the right next step in this process and this topic will be added to the agenda of a future meeting.

Chair Roberts led the discussion on Planning Board Budget Request for FY2025. Chair Roberts said that funds should be requested for any community outreach events to cover the costs of beverages and food. Members also suggested funds for the following topics: direct mailings to extend information to a larger audience in order to receive more input on important Town issues and continuing education for the Members.

Chair Roberts led the discussion on the Planning Board's priorities for possible FY2024 Annual Town Meeting Bylaw changes. Chair Roberts noted that Affordable Housing on Nonconforming Lots would be the top priority for the possible FY2024 ATM Bylaw changes. Chair Roberts reviewed the other following items of priority and interest: revisit the House Size Bylaw for the Residential District and the Seashore District, Lot Coverage, Gable Roof versus Flat Roof.

Chair Roberts also mentioned other possibilities on the list: Lot Clearing and the Street Inventory. Chair Roberts noted that the topic of Temporary Sign Permits was just added on earlier this evening.

Chair Roberts proposed pursuing six priorities and setting a date (the second Planning Board's meeting in December) to re-evaluate progress as the Warrant will be open in February 2024. Chair Roberts reviewed the six priorities and assigned Members to the priorities based upon their interest.

Chair Roberts and Town Planner/Land Use Counsel Carboni briefly reviewed the agenda for the next meeting on December 6, 2023.

**Member Frazier made a motion to adjourn at 7:24 pm.**

**Vice Chair Greenbaum seconded the motion.**

**Roll Call Vote:**

**Vice Chair Greenbaum – Aye**

**Member Althaus - Aye**

**Member Townsend – Aye**

**Member Frazier - Aye**

**Member Riemer – Aye**

**Member Kiernan – Aye**

**Chair Roberts - Aye**

**So voted, 7-0-0, motion carries.**

Respectfully submitted,



Alexander O. Powers

Board/Committee/Commission Support Staff

