

TRURO PLANNING BOARD MINUTES DECEMBER 1, 2021

Attending: Anne Greenbaum – Chair, Steve Sollog – Vice Chair, Paul Kiernan, Jack Riemer – Clerk, Bruce Boleyn, Rich Roberts, Ellery Althaus
Barbara Carboni – Town Planner/Land Use Counsel

Meeting called to order at 5:01pm

Public Discussion of Street Definition Bylaw and Potential Changes – Purpose for Planning Board to Hear from the Public

Speakers included: Russ Braun, Former Building Commissioner; A.M Song; Regan McCarthy; Tony Garrett – TPRTA President; Chuck Steinman; Ben Zehnder; Joanne Barkan; Jim Summers; Joan Holt; Jay Murphy

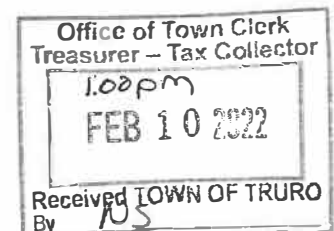
Why should there be changes to the definition? What problems does it cause?

- 1) Unclear and Confusing leading to uneven application of regulation
 - a) Confusing, hard to understand for all – applicants, Building Inspectors, lawyers
 - b) Should be clear and easy to understand and that in itself is reason to revisit
 - c) Unevenly applied by different Building Inspectors
- 2) Uneven application compromises rights of citizens
- 3) Causes referrals to ZBA and increased potential for litigation
 - a) Increased cost of money and time for applicant to go to ZBA
- 4) Lack of clarity, uneven application of bylaw, creates issues for abutters and relationships among abutters
- 5) Inconsistent with other Town action or regulations
 - a) lots in Truro created by Planning Board action since 1989 that don't meet the conditions of the bylaw, but since created after 1989 are NOT pre-existing, non-conforming
 - b) This has resulted in some lots in legally created subdivisions being not buildable only because of this definition
- 6) Issue is more on existing property's old ways, not new subdivisions

Request from Board member to send specific examples of where this has been problematic to Town Planner

Why make no changes? What problems could changes cause?

1. Safety
2. Has functioned to help preserve the Rural Character of Truro
 - a. Prevented ancient ways from being developed that shouldn't be developed
 - b. Concern that changing definition might undermine Truro's rural character by allowing over development.
3. The issue of how much development should take place is highly controversial and has divided the community



4. 40 ft right of way requirement not really an issue, covered by setbacks, etc.
 - a. 20 feet to each side of measured from center
 - b. We have 25-foot setbacks from side of road
 - c. It is required by state – not limiting or hurting people
5. Simplification always good objective
6. Important to know how many new building lots could/would be created

What are potential changes that could address the problems identified? – deferred to future meeting

1. Don't need to eliminate 40-foot-wide requirement
2. Existing definition has protected rural character, need to continue to do that
3. Change can both clarify/simplify AND protect rural character of Truro
 - a. Maintain rural character and have definition that is easy to understand
 - b. Protect rural character of Truro AND have clear definition with little/no ambiguity for Building Commissioner, fewer referrals to ZBA
4. Go back to MGL
5. Changing exemptions could be way to protect rural character while evening out things

Planner Report

- DRI Public Hearing on Hortons Campground should be held by end of February

Draft Planning Board Perspective for the LCPC

- Discussion and addition of section on stormwater management concerns

Motion to approve as amended: 7-0

Moved: Jack Riemer; Second: Paul Kiernan

Aye: Steve Sollog, Bruce Boleyn, Ellery Althaus, Rich Roberts, Jack Riemer, Paul Kiernan, Anne Greenbaum

Potential Warrant Articles for 2022

- Possible definitions to look at – Mean Grade Elevation – does it address what it was intended to address. Rich Roberts will do draft of potential change.
- Use table does not include Apartment, Duplex, 2 Family, 3 Family or Multi Family

Minutes:

November 4, 2020

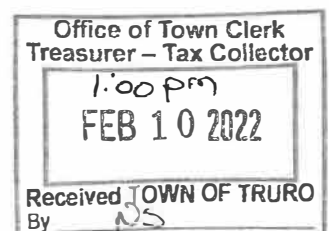
- Attach copy of Covenant Form D for Schirmer property to minutes

Motion to approve as revised: 5-0-2

Moved: Jack Riemer; Second: Steve Sollog

Aye: Steve Sollog, Jack Riemer, Paul Kiernan, Bruce Boleyn, Anne Greenbaum

Not voting: Ellery Althaus, Rich Roberts



October 28, 2020

Motion to approve as revised: 5-0-2

Moved: Jack Riemer; Second: Bruce Boleyn

Aye: Steve Sollog, Jack Riemer, Paul Kiernan, Bruce Boleyn, Anne Greenbaum

Not voting: Ellery Althaus, Rich Roberts

November 18, 2020

Motion to approve as revised: 5-0-2

Moved: Paul Kiernan; Second: Bruce Boleyn

Aye: Steve Sollog, Jack Riemer, Paul Kiernan, Bruce Boleyn, Anne Greenbaum

Not voting – Ellery Althaus, Rich Roberts

December 2, 2020

Motion to approve as revised: 5-0-2

Moved: Bruce Boleyn; Second: Paul Kiernan

Aye: Steve Sollog, Jack Riemer, Paul Kiernan, Bruce Boleyn, Anne Greenbaum

Not voting: Ellery Althaus, Rich Roberts

December 16, 2020

Motion to approve as revised: 5-0-2

Moved: Steve Sollog; Second: Bruce Boleyn

Aye: Steve Sollog, Jack Riemer, Paul Kiernan, Bruce Boleyn, Anne Greenbaum

Not voting: Ellery Althaus, Rich Roberts

Next Meeting: Kevin Kuechler – Water and Planning

Motion to Adjourn: 7-0

Moved: Jack Riemer; Second: Bruce Boleyn

Aye: Steve Sollog, Jack Riemer, Paul Kiernan, Bruce Boleyn, Anne Greenbaum, Ellery Althaus, Rich Roberts

Respectfully Submitted

Anne Greenbaum

