



TOWN OF TRURO

PLANNING BOARD

Meeting Minutes

October 14, 2020 – 1:30 pm

REMOTE PLANNING BOARD WORK SESSION



Members Present (Quorum): Anne Greenbaum (Chair); Karen Tosh (Vice Chair); Jack Riemer (Clerk); Steve Sollog; Paul Kiernan; R. Bruce Boleyn

Members Absent: Peter Herridge

Other Participants: Barbara Carboni – Interim Town Planner and Counsel; Liz Sturdy – Truro Office Assistant; Carol Harris – Chair of the Climate Action Committee; Bob Higgins-Steele – Vice Chair of the Climate Action Committee; Richard and Suzanne Thomas (Discussion of Marijuana Application Packet); Daniel Leclair (Discussion of Marijuana Application Packet); Lisa Peets (Discussion of Marijuana Application Packet); Jim and Carol Zablocki (Discussion of Marijuana Application Packet)

Remote meeting convened at 1:30 pm, Wednesday, October 14, 2020, by Chair Greenbaum who announced that this was a joint work session with Members of the Climate Action Committee. Interim Town Planner Carboni announced that this was a remote meeting which is being broadcast live on Truro TV Channel 18 and is being recorded. Interim Town Planner Carboni also provided information as to how the public may call into the meeting or provide written comment.

Public Comment Period

Public comment, for things not on the agenda, and there were none. Truro Office Assistant Sturdy announced that Suzanne Thomas and Daniel Leclair were on the call, but none offered comments.

Joint Work Session

Chair Greenbaum announced that the joint work session with the Climate Action Committee would be held from 1:30 pm to 2:30 pm followed by the Planning Board Work Session.

Chair Greenbaum gave Members of the Planning Board and Climate Action Committee the opportunity to introduce themselves, state how they arrived in Truro, and how long they lived there. All Members introduced themselves.

Chair Greenbaum commented that she and Chair Harris for each Board and Committee to present its responsibilities and then how they can work together.

Chair Greenbaum said that the Planning Board reviews Site Plan Review for commercial projects, Site Plan Review for residential projects in the Seashore District, subdivisions, approval not required (ANR), cell towers, and temporary sign permits. On the planning side, Chair Greenbaum stated that the Planning Board plans by addressing issues such as house size Bylaws, the development of a comprehensive look for housing needs in Town and how to address them, and finally, how to create a

more diverse housing stock in Truro that includes a range of year-round housing options which protect the water and environment. Member Kiernan stated that the Planning Board's purpose, in accordance with the Town's Zoning Bylaws (Section 10, Subsection 10.2) is to promote the health, safety, convenience, and welfare of the inhabitants of Truro; prevent the overcrowding of land; conserve the value of land and buildings; enable the protection of a clean and safe water supply; conserve natural resources; prevent the blight of the land; encourage the most appropriate use of land in Truro; and the implementation of the goals and policies of the Truro Comprehensive Plan.

Chair Harris shared a prepared document with all Members and stated that the Climate Action Committee is new and one of the main charges is to create a baseline study of the impact of greenhouse gases upon Truro (including municipality, residential, and business); create a baseline study of Truro's vulnerabilities to climate change; recommend specific climate policies; and community outreach through education. Chair Harris said that the Climate Action Committee has taken a year to review what they can do that best serves the Town yet not duplicate the work of other Boards or Committees. Chair Harris noted that the Climate Action Committee can do nothing without supportive collaboration from within Truro and neighboring communities. Chair Harris further stated that the definition of climate change is to reduce greenhouse gases. Chair Harris covered the areas of principles for action, Climate Action Committee activities to date (develop definition of climate change, brainstorm effects of climate change, consolidate brainstorming ideas, assign teams to develop ideas, develop high-level action descriptions, propose Select Board letter of support for H2810, and prepare warrant article for climate emergency); and areas of interest (air, water, ecosystems, education/outreach, and policy). Chair Harris said that she would welcome introductions of Truro residents who would like to be involved with the Climate Action Committee as it is currently a committee of three and there is meaningful work to do.

Member Boleyn thanked Chair Harris for her document and sharing the information. Member Boleyn asked what Chair Harris' priorities are and Chair Harris replied that the priorities now are greenhouse gases, water, and ecosystems. Chair Harris noted that Phase 1 is evaluating the priorities and making changes if needed, and then, Phase 2 is how to bring these priorities to the Town.

Member Kiernan thanked Chair Harris for her work and offered a few suggestions: the Climate Action Committee should ask the Town for money to do a survey as it is a new committee and increase community awareness; write and publish a newsletter for the community; figure out a way for Truro homeowners (half of whom do not live year-round in Town) to save money through the benefit and installation of solar panels which lowers the carbon footprint and work with the Town to implement insulation standards. Chair Harris commented that the Climate Action Committee has considered to write a column for The Banner and/or Independent. Member Kiernan discussed the effect of tidal surge that may create an island consisting of Provincetown and North Truro as well as the number of million-dollar homes which are built near the water's edge and their impact upon the environment. Chair Harris noted that there are a lot of good things going on climate change in Truro and mentioned the wonderful efforts of Emily Beebe (Town Health/Conservation Agent) in her local advocacy on this subject.

Chair Greenbaum commented that during last week's Planning Board meeting an applicant welcomed an opportunity offered by the Planning Board to meet with the Climate Action Committee to learn about alternative heating solutions for his residence. Chair Harris appreciated this suggested collaboration as it increases community awareness.

Member Riemer joined the meeting.

Chair Greenbaum suggested that a handout be created to provide information about carbon reduction solutions to new residents and homeowners. Member Kiernan suggested that a handout be given to all who apply for a building permit. Member Higgins-Steele was thrilled about this meeting, and he really enjoyed Member Kiernan's purpose for the Planning Board. Chair Harris that Member Higgins-Steele is working diligently on the opportunity for Truro to be eligible for grants as detailed through the Commonwealth of Massachusetts' Stretch code. Stretch code adoption is mandatory for designation as a *Green Community* under the Green Communities Act passed by the Legislature and signed into law in 2008. Truro is a designated *Green Community*. Chair Harris stated the Stretch code goes beyond the building code. Member Higgins-Steele stated that it is the state's goal to get municipalities to net zero by 2050 and every sector must do its part. Buildings are 30%-40% of everyone's greenhouse gas emissions and becoming an early adopter will result in more grants. Member Higgins-Steele commented that Truro as a vulnerable community can lead by example. Chair Greenbaum stated that on this topic for the Climate Action Committee to keep the Planning Board informed as the Planning Board is supportive. Member Higgins-Steele further stated that a Member of the Energy Committee had made a short four-minute video and he would like to send a link to the Planning Board that explains this topic further. Chair Greenbaum asked Member Higgins-Steele to send the link to Truro Office Assistant Sturdy who will send it out to the Members. Member Sollog stated that every effort to reduce emissions, yet he is confused about carbon dioxide since it is a necessity for plants to convert to oxygen. Member Sollog further commented that when there is not much sun solar panels don't produce much and when there is not much wind turbines don't produce much. Chair Harris thanked Member Sollog for his comments and told the Members that there are many solutions which can reduce emissions such as evergreen and pine tree planting. Chair Harris closed by stating that research, education, and sharing the information in meetings with the Planning Board are key moving forward. Member Higgins-Steele commented that climate and greenhouse gases don't stop at any border. Member Higgins-Steele further commented that conservation is his focus. Chair Greenbaum added that there was clearly work to be done together and thanked Chair Harris and Member Higgins-Steele. Member Riemer added that he would be interested in learning what Interim Town Planner Carboni could add to the information sharing. Interim Town Planner Carboni stated that she would be delighted to help the collaboration moving forward. Chair Greenbaum closed joint session and said that she and Chair Harris would coordinate for the next meeting.

Chair Harris and Member Higgins-Steele left the meeting.

Work Session

Chair Greenbaum commented that Vice Chair Tosh had joined the meeting and opened the work session. Chair Greenbaum noted that there were four callers on the line, and she asked Truro Office Assistant Sturdy to announce the callers and for which topic on the agenda was of interest to them. All callers indicated that they were interested in the work session for Marijuana Application Packet.

Chair Greenbaum led the discussion on the Housing Initiative. Chair Greenbaum stated that she wanted to the Members to come to agreement as to the issues which were important to the Planning Board. The basic question that Chair Greenbaum asked the Members was *"How do we create a more diverse housing stock in Truro that includes a range of year-round housing options and protects our water and environment?"* Interim Town Planner Carboni shared a slide with the Members which included several adaptations of the basic question posed by Chair Greenbaum. Chair Greenbaum asked the Members for feedback and Member Kiernan commented that it was a good start. Vice Chair Tosh agreed with Member Kiernan as well. Member Sollog added that the Town has learned a lot from the Truro Motor Inn situation and what neighbors tolerated.

Chair Greenbaum asked Members if a sentence that reflected the Town's population be included ("*...housing options for populations including seniors, young families, members of the local workforce...*"). Member Kiernan commented that including population groups wouldn't hurt. Member Sollog noted that the greatest need that seasonal workforce needs to live somewhere and reiterated that Truro is a resort town that thrives for part of the year, yet people struggle to find housing. Chair Greenbaum stated that she will rework the question with inclusion of repurposing current housing and seasonal workforce.

Chair Greenbaum then opened the discussion for the Marijuana Application Packet by reiterating that this is not a procedure to change policy but for commentary and input on the Marijuana Application Packet. Chair Greenbaum then asked Mr. Leclair for comment and Mr. Leclair asked the question if the plan considered federal interest in this topic regarding the Seashore District and the environment. Interim Town Planner Carboni said that she is new to this and that the draft packet included considerations which included compliance to federal law and Truro bylaw. Vice Chair Tosh noted that it is still against federal law to possess certain amounts of marijuana and to cultivate it. Vice Chair Tosh stated that when this topic was addressed at public meetings that the federal government had no interest in participating. Vice Chair Tosh further added that the Town did the best that it could with the bylaw and that the federal government could still prosecute violators. Member Kiernan added that on page 71 of the current Zoning bylaw (10.3 Eligibility) that under the Seashore District nothing is allowed. Mr. Leclair commented that he was unclear as to what the Planning Board wanted to accomplish today and that the federal government would want to be an interested party in this process. Interim Town Planner Carboni added that the packet is only for the application for approval under the Zoning bylaw and there are no permitted uses in the bylaw in the Seashore District. Chair Greenbaum further commented that Mr. Leclair should feel free to contact the Interim Town Planner with any additional ideas or concerns. Member Sollog thanked Mr. Leclair for his comments and Member Sollog asked if there was any consideration to setback as marijuana odor travels and it would be advantageous for the Town to consider it. Chair Greenbaum noted that there is a complaint process and that the Planning Board is attempting to get an application developed before there are any applications. Member Kiernan noted that Truro Office Assistant Sturdy, and possibly Interim Town Planner Carboni, developed a checklist so if an applicant came to the Planning Board to obtain a permit of some kind, the applicant would have a checklist and the Planning Board would immediately know whether the applicant is compliant or not compliant. Member Kiernan said that the Zoning bylaw (100.6 General Requirements) addressed what one can do on a piece of property and he recognized that the checklist is a working document. Chair Greenbaum thanked Member Kiernan for his input, and she added that the format is like other application packets. Interim Town Planner Carboni stated that Truro Office Assistant Sturdy deserved all the credit for the creation of this format and Chair Greenbaum recognized Truro Office Assistant Sturdy's contribution.

Chair Greenbaum called upon Jim and Carol Zablocki for comments. Mrs. Zablocki commented that Morris Avenue is a very residential area, and she knows that there are concerns about lighting, odor control, fencing, farm building, security, and traffic studies. Mrs. Zablocki offered that more guidelines would be helpful especially around setbacks and fencing. Mrs. Zablocki offered to send Interim Town Planner Carboni a list of her twelve concerns. Chair Greenbaum encouraged Mrs. Zablocki to forward her concerns to Interim Town Planner. Interim Town Planner Carboni also stated that even if a concern doesn't fall into a specific category on the checklist that both the Planning Board, or the Zoning Board, could approve a permit with conditions. Mrs. Zablocki also requested for a notification process of abutters before an applicant's approval process get too far down the road with the Planning Board Review or Zoning Board Review. Interim Town Planner Carboni opined that both Site Plan Reviews and Special Permit Reviews require a public hearing so the public can participate in the process. Interim

Town Planner further stated that for the short-term public hearings would continue to be virtual and the materials pertaining to those reviews will be posted as part of the meeting packets on the Truro website. Interim Town Planner Carboni stated that the law requires public notification two weeks prior to the public hearing and that most are discussed for more than one public hearing. Vice Chair Tosh asked Interim Town Planner Carboni if abutters would be notified, and Interim Town Planner Carboni replied in the affirmative. Chair Greenbaum noted that normally a work session would not have such a lengthy discussion with the public, but she felt that it was very important to provide this opportunity for the public on the Marijuana Application Packet.

Chair Greenbaum asked the callers if they had time to review the Marijuana Application Packet and wanted to provide comments. Mrs. Zablocki asked about review criteria, so Chair Greenbaum provided background for the creation of the Marijuana Application Packet to include the checklist and the Town bylaw. Interim Town Planner Carboni clarified that there is a section in the application where the applicant must explain how their proposal conforms to the review criteria. Chair Greenbaum thanked Interim Town Planner Carboni. Member Sollog added that this is a working document in general and not for the purpose of a specific situation for example Morris Avenue.

Chair Greenbaum reviewed the first page of the Application Packet for Adult Use Recreational Marijuana Establishments (RME) and Medical Marijuana Treatment Centers (MMTC). Chair Greenbaum commented that the whole piece around the craft marijuana cooperative is a subsection, so she wanted to indent the whole thing and asked Truro Office Assistant Sturdy to make the correction. No other feedback or comments were provided.

Chair Greenbaum reviewed the second page that is the Application for Marijuana Establishment Approval and asked for input. No feedback or comments were provided and Chair Greenbaum encourage people to email Interim Town Planner Carboni should they have questions or concerns later.

Chair Greenbaum opened the review of the first page of the Marijuana Establishment General Checklist and asked for feedback on the order of the checklist. Member Sollog stated that there should be an emphasis on the location of the grow site and not where one may have an office. Chair Greenbaum commented that information is already included in the Site Plan Review and Member Sollog said that it should be included all the time, so abutters knew whether the address provided is the grow site or office. Interim Town Planner Carboni reviewed the bylaw and suggested that the language in the bylaw be included in the checklist. Member Riemer asked when the Host Community Agreement come into play and Chair Greenbaum noted that that an executed Host Community Agreement must be included in accordance with the checklist under 100.7D. Interim Town Planner Carboni agreed with Member Riemer and suggested that be pointed out up front as an applicant may not know from the start. Chair Greenbaum noted that the Host Community Agreement must be signed by the Select Board first before the application can move forward to the Planning Board and the ZBA.

Chair Greenbaum conducted a further review of the Marijuana Establishment General Checklist's 100.7. and Member Kiernan noted that several of the questions may be of interest to the Climate Action Committee for their input. Member Sollog commented that order of operations may be important, but Chair Greenbaum stated that everything must be included before the application can be submitted. Interim Town Planner Carboni suggested a flow chart (a separate document) that is provided to the applicant so they can follow the process and submission requirements for approval. Chair Greenbaum noted that anything that eases getting to the content easier for everyone in the process is a great solution. Chair Greenbaum stated that due to time that it would be best to schedule another work

session to only discuss the Marijuana Application Packet. Members agreed and the work session to complete this review was scheduled for Wednesday, October 28, 2020, at 1:00 pm.

Chair Greenbaum instructed the Members to thoroughly review the Marijuana Application Packet and submit questions and/or concerns to Truro Office Assistant Sturdy before the work session on October 28, 2020. Chair Greenbaum also provided the public with Truro Office Assistant Sturdy's email address to send questions or concerns on the packet prior to the next work session on October 28, 2020. Chair Greenbaum thanked the public for their interest and input.

Chair Greenbaum commented that there will likely be two site visits next Tuesday and for Members to mark their calendars.

Member Boleyn made a motion to adjourn at 3:45 pm.

Member Kiernan seconded the motion.

So voted, 6-0-1, motion carries.

Respectfully submitted,



Alexander O. Powers
Board/Committee/Commission Support Staff

