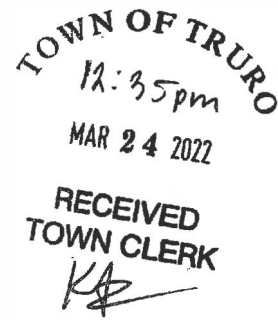


TRURO PLANNING BOARD

Minutes

June 2, 2021



Attending: Steve Sollog, Jack Riemer, Bruce Boleyn, Anne Greenbaum, Rich Roberts, Paul Kiernan, Peter Herridge

Non-members: Paul Wisotsky and Fred Gaechter – Co-Chairs Walsh Property Community Planning Committee, Barbara Carboni – Town Planner/Land Use Counsel

Presenter: Jeff Ribeiro – Cape Cod Commission

Absent:

**Topic 1: Cape Cod Commission Regulatory Review – Developments of Regional Impact (DRI)**  
power point presented by Jeff R.

**CAPE COD COMMISSION OVERVIEW**

Reviewing developments of regional impact. Reviews the formation of CCC and its responsibilities, its mission.

- 19-member board with an executive director and 40 technical experts, 15 town reps, minority rep, native American rep. governor appointee, county commissioner. Each town has equal vote.
- Kevin Grunwald is Truro rep.

What commission does: Oversee regional policy plan, prepares and oversees other plans, provides technical assistance, review developments of regional impact, recommend districts of critical planning concern; hosts a regional conference-hybrid for next one.

**DEVELOPMENTS OF REGIONAL IMPACT (DRI)**

Describes the process for review of developments of regional impact:

- regional impact can be due to a variety of factors, including size of project, interconnectedness between towns, as per impact and possible benefit.
- Definitions given of
  - Municipal agency – can be a person or group,
  - Development permit and Development. These are broadly defined.



How projects come before the commission:

- Mandatory referrals are required for any project exceeding specific thresholds, as per Section 3.
- Discretionary referrals-requested by a town.

### Section 3

- thresholds are specifically defined for all commercial/public access use.
- Reviews other specific cases for review, including private homes on National Register.
- the rest are very specific.
- Section 3 should be reviewed for these types of specific cases. Some are related to the Mass Environmental Policy Act (MEPA), which are a mandatory review.

Other considerations of when a town is allowed to request a DRI are specified, including:

- Some projects cannot be sent as discretionary referral.
- Describes what the Chief Regulatory Officer can do, and what the Commission Board can vote on.

### Mechanics of the Project Regulatory Review:

- Local permit filed and sent, 60 days to open hearing, 90-day hearing period, 60-day decision period.
- Once the review process is started, everything else at the referring municipal agency is suspended.
- Then a 5-member subcommittee is formed, and a hearing is held in the referring town. Subcommittee makes recommendations to and presents before the full board and vote taken; decision filed. There is a 30-day appeal period and timetables resume.
- Permits are good for 7 years and can be extended.

### Standard of review:

1. Is the benefit greater than the detriment?
2. Is it consistent with regional policy plan? The Regional Policy Plan with goals and objectives/methods reviewed by place types: Cape is divided into place types: Natural, Rural, Suburban, Historic, Maritime, Community Activity, Industrial, Military and Transportation.
3. Is it consistent with municipal development bylaws?
4. Is it consistent with DCPC?

### DEVELOPMENT AGREEMENTS

Development agreements are voluntary, binding contract — an alternative to DRI review, they define the scope and substance of the proposed development. Types:

- commission and applicant,
- commission, municipality, and applicant,

- municipality and applicant with certified LCP.

Development agreements have certain standards, which guide choices and decisions about this or DRI.

Process — notice of intent reviewed and full board then votes, then app. submits full application, terms negotiated and full board votes. These are for large projects over a long period of time.

**Q and A:**

Q: What can be required of an applicant by the CCC?

Q: What is the scope of the CCC authority? (This is answered elsewhere in presentation)

Q: How do the performance measures interact with the commission decisions? Are there exemptions?

- The CCC maintains very high standards for this.

Q: What are DRI funds and are they available?

Q: Do thresholds determine regional impact.

- Not exactly, there are exemptions and exceptions.

Q: Does applicant have to file for an exemption?

Q: Re Walsh property and committee. Should Truro meet with a regulatory officer now?

- Not until there is more definition of use of property.

Q: Can the municipality enter into a development agreement with the CCC as the applicant over a period of time and have it be used as plans develop?

Q: If town is general contractor and hires people to do work, and the town is overseeing the work, how does that fit into the development agreement?

- There are a lot of variables, and I can't get into the particulars.

{Requested that the water resources report that was done in 2018 and discussion be placed on the next agenda. Discuss in 9/16 work session.}

Respectfully Submitted

Anne Greenbaum

