



TOWN OF TRURO

PLANNING BOARD

Meeting Minutes

January 26, 2022 – 4:30 pm

REMOTE PLANNING BOARD WORK SESSION

TOWN OF TRURO
12:56pm

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TOWN CLERK

Members Present (Quorum): Anne Greenbaum (Chair); Steve Sollog (Vice Chair); Jack Riemer (Clerk); R. Bruce Boleyn; Paul Kiernan; Rich Roberts; Ellery Althaus

Members Absent:

Other Participants: Barbara Carboni – Town Planner/Land Use Counsel

Remote meeting convened at 4:37 pm, Wednesday, January 26, 2022, by Chair Greenbaum who announced that this was a remote meeting aired live on Truro TV Channel 18 and is being recorded. Town Planner/Land Use Counsel Carboni also provided information as to how the public may call into the meeting or provide written comment. Board Members introduced themselves.

Planner Report

Town Planner/Land Use Counsel Carboni announced that the Truro Historical Commission will hold a public hearing on Monday, January 31, 2022, at 5 pm, on the applications for the proposed demolitions of the structures located at 82 South Pamet Road and 59 South Pamet Road. The ZBA opened hearings for applications on 38 Longnook Road and 82 South Pamet Road. Those hearing will continue until February 28, 2022. The Cape Cod Commission (CCC), through the Committee on Planning and Regulation, sent a notification to the Town that there is a hearing date of February 10, 2022, at 1 pm, for a Development of Regional Impact (DRI) exemption request submitted by Horton's following the Planning Board's referral to the CCC of the ANR last fall.

Chair Report

Chair Greenbaum announced that the Warrant for the Annual Town Meeting (ATM) opened last night and closes on Saturday, February 26, 2022, at 4 pm. Chair Greenbaum commented that the delay of the ATM was an open question and added that a Saturday afternoon after Memorial Day was not an innovative idea.

Discussion of Planning Board Procedures

Chair Greenbaum opened the discussion with asking Members about their thoughts on "**straw polls**" during public hearings. Members expressed concern that it was unfair to the Members as it is a request for a "**vote**" based upon incomplete information, or it is an effort to exert dominance over the Members before a decision is rendered, or it is an effort to sway another Town board with its decision based upon the "**straw poll**" results and before a final decision is rendered on an Applicant's application. Town Planner/Land Use Counsel Carboni opined that a "**straw poll**" can be a valuable tool for everyone's

benefit. Chair Greenbaum commented unless there is a compelling reason to do so the Planning Board will not conduct a **“straw poll”** for an Applicant (or representative) who is present during a public hearing requesting application approval from the Planning Board.

Chair Greenbaum noted that the community conversation on the definition of a **“street”** went very well yet the community engagement with other Town boards and committees regarding housing has not been so successful. Chair Greenbaum commented that the housing discussion, as well as other topics and issues, might be beneficial by reaching out to the public for their input. Members commented and discussed:

- The potential ways to increase the diversity of housing in Truro
 - Explore the use of Town purchased property using Community Preservation Act money and through the Cape Cod Community Land Bank
 - Suggestion of a review of the definition of **“duplex”** with public input
 - The impact of Accessory Dwelling Units (ADUs)
 - Suggestion of a community engagement posted upon the Town’s website to gather input from the local community on this matter
 - Town Planner/Land Use Counsel Carboni will schedule, with input from Planning Board Administrator Liz Sturdy, for a date in March 2022.

Potential Warrant Articles for 2022 Annual Town Meeting (ATM)

Chair Greenbaum opened this discussion by citing an email that she sent out to Members yesterday. Members commented and discussed:

- Suggested additions to the **“purpose”** of the Zoning Bylaw §10.2 (with input from the Climate Action Committee) as a separate or “stand alone” Warrant item.
 - ***“...protect and maintain the scenic rural character, ambiance, and aesthetics of Truro; promote carbon sequestration by natural means; promote the use of Green Energy and Green building practices; protect native soils from unnecessary removal or disturbance...”***

Member Riemer made a motion to approve the draft Warrant article, titled PB1, to move forward. Member Roberts seconded the motion. So voted, 7-0, motion carries.

Chair Greenbaum opened the discussion on affordable housing. Members reviewed the spreadsheet with condominium data, prepared by Town Planner/Land Use Counsel Carboni and Town Principal Assessor Jon Nahas, emailed yesterday to Members. The email contained a list of about twenty-four properties identified as hotels, motels, bungalow colonies, cottage colonies, and a bed & breakfast inn which may be converted later to condominiums. Chair Greenbaum noted that if a draft Warrant article moved forward requiring inclusive zoning for condominiums and require 1 in 6 units be affordable housing (not including Beach Point). Members commented and discussed:

- Suggestion to include Beach Point
- Suggestion of the option of a **“cash buyout”** to the builder
- Affordable housing in a high velocity flood zone damaged in a flood would be unable to meet Town standards and Bylaws to rebuild

- Potential Town requirements for those situations when there are fewer than six units
 - Should benefit the Town the most
 - Suggestion that four units or fewer are exempt from the ***“cash buyout”*** provision
 - Suggestion that on Beach Point, or in high velocity flood zones, the only option is a ***“cash buyout”***
 - Town Planner/Land Use Counsel Carboni cautioned Members against considering the exclusion of affordable housing in pre-existing neighborhoods as it is discriminatory against inhabitants of affordable housing and has the element of patronization.
- “Affordable” and “year-round” housing discussion
- Discouraging buyers from buying in a high velocity flood zone due to danger
- Trading of buildable lots in Truro and impact on water resources in the next five years
- Warrant article would not include year-round rentals
- Suggestion of a fee that Town collects from condominium owners of condominium conversions and expectations of those condominium owners in the high velocity flood zones in terms of Town commitments and obligations to them
 - Town Planner/Land Use Counsel Carboni will do research on this topic
- Criteria for ***“cash buyout”*** based upon various variables
- Chair Greenbaum will continue to work on her proposed changes and forward to Members.

Chair Greenbaum commented that a Member previously asked about the necessity to create a new 2-Family Bylaw or modify the existing Duplex Bylaw. Chair Greenbaum said that she had worked on the existing Duplex Bylaw but was not prepared to discuss it as she had only sent a draft to Member Althaus so she will email it to all the Members for their input.

Chair Greenbaum invited Member Roberts to provide an update on his efforts regarding ***“mean ground level”*** and Member Roberts stated that he had no update but there are figures in the proposed draft revision which the Members should consider. Members commented and discussed:

- **Proposed New Regulation, Section 50, Area and Height Regulations**
 - §50.1J Building Pad Height and Sloped Site Limitations
 - ***“...not more than 18 inches above existing grade level...”***
 - ***“...within 10 feet of the building 10% grade (1V:10H)...”***
 - ***“...beyond 10 feet from the building (sloped sites): 40% grade (1V:2.5H)...”***
 - Town Planner/Land Use Counsel Carboni stated that Building Commissioner Rich Stevens was concerned with the new proposed new regulation’s ability to enforce adherence and he had no issue removing the final sentence of the existing regulation.
 - The Habitat for Humanity §40.B case when the ZBA waived requirements and whether those decisions resulted in difficulty with enforcement
 - Suggestion to decrease the amount of fill required for a project
 - Safety concerns about specific grading conditions
 - Suggestion to obtain input from the Truro Fire Department
 - Suggestion that the focus of the proposed Bylaw is to minimize the fill and disturbance
 - How high can a property owner raise a house above existing grade?
 - Member Roberts will produce another topographical example (20’ from the house versus 10’ from the house) and distribute to Members for review and input.

Chair Greenbaum opened the discussion on scheduling a public hearing on §10.2 for a proposed date of February 16, 2022. Town Planner/Land Use Counsel Carboni reviewed the Town calendar with Members and will coordinate with Planning Board Administrator Liz Sturdy to ensure proper notification of the public hearing.

Chair Greenbaum briefly reviewed the proposed requirements for a "*street*" and Member Riemer read aloud his proposed requirement that is one sentence. Chair Greenbaum asked Member Riemer to email the proposed requirement this evening to her so Members may review it prior to the meeting on February 9, 2022.

Member Riemer made a motion to adjourn the meeting at 6:52 pm.

Member Boleyn seconded the motion.

So voted, 7-0, the motion carries.

Respectfully submitted,



Alexander O. Powers

Board/Committee/Commission Support Staff

