



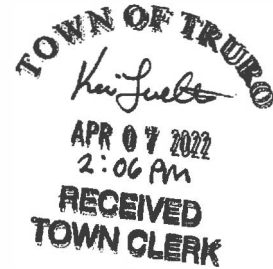
## TOWN OF TRURO

### PLANNING BOARD

#### Meeting Minutes

February 16, 2022 – 4:00 pm

#### REMOTE PLANNING BOARD WORK SESSION



**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:** Town Planner/Land Use Counsel Barbara Carboni; Planning Department Administrator Liz Sturdy; Fred Gaechter (Chair of the Truro Conservation Trust and Co-Chair of the Walsh Property Planning Committee); Carol Harris (Chair of the Climate Action Committee); Gary James (Engineer, BETA Group of Norwood, MA)

Remote meeting convened at 4:02 pm, Wednesday, February 16, 2022, by Chair Greenbaum who announced that this was a remote public meeting aired live on Truro TV Channel 18 and is being recorded. Chair Greenbaum also provided information as to how the public may call into the meeting or provide written comment. Board Members introduced themselves.

**Open Meeting**

Chair Greenbaum announced that this meeting was to discuss stormwater management and potential stormwater management Bylaw. Chair Greenbaum also said that the Planning Board had reached out to others for input and DPW Director Cabral expressed enthusiasm about participating and will hopefully join shortly.

Additionally, Chair Greenbaum said that invitations were sent to Carol Harris (Chair of the Climate Action Committee) or any representative, Susan Irwin (Chair of the Conservation Committee) or any representative, and Tracey Rose (Chair of the Board of Health) or any representative.

Chair Greenbaum said that Members Riemer and Kiernan have worked very hard on this project with Mr. James, a professional engineer, from Hanover, MA. She also noted that the Planning Board had a draft Bylaw prepared for this evening that she hoped would be reviewed by the participants.

Chair Greenbaum asked Mr. James to introduce himself and Mr. James provided a brief overview as to his experience and expertise. Mr. James said that he is a peer review engineer and currently working with four other communities which are working on stormwater management. He has nearly 40 years of experience.

Member Kiernan commented that Mr. James should know that Member Roberts is a Professional Engineer (P.E.). Member Roberts said that his forte is structural engineering but has experience in civil engineering as well.

Mr. James provided a definition of stormwater and stated the Environmental Protection Agency (EPA) standards associated for a Municipal Separate Storm Sewer System (MS4) permit which were enacted in 2016. Mr. James said that he thought the DPW, under the 2016 permit, was to have a MS4 plan in place by 2021, and hopefully, DPW Director Cabral can update that information. The second set of regulations are MS4 stormwater regulations set by Massachusetts' Department of Environmental Protection (MDEP) enacted in 1995. These regulations have been revised several times and will be updated soon. The way ahead is to prevent runoff, along with associated contaminants and pollutants, to be contained before entering the wetlands or other water sources. Pollutants include metals, oil, petroleum, and fecal matter from pets and wildlife. Standards are addressed in Best Management Practices (BMPs), which will become Source Control Measure (SCMs), will be redefined in Volume 2, Chapter 2 in the Standards.

Chair Greenbaum asked Mr. James to define "*suspended solids*" which he described as soil, dust, and fecal matter within the flow. Mr. James said that the control of these items should be the #1 priority as Truro is a sole source aqueduct for Truro relies on ground water for its drinking water supply. Mr. James commented that this has not been a priority for the Outer Cape.

Mr. James commented that Member Riemer has developed a draft Bylaw and Chair Greenbaum noted that it has been distributed to Members only and not to the public. Chair Greenbaum announced that Planning Board work sessions are informal and if members of the public wish to comment, or ask any questions, they may do so.

Town Planner/Land Use Counsel Carboni shared the draft Bylaw as Mr. James reviewed key aspects of the draft Bylaw to include:

- Applicability and Exemptions
  - Exempt land disturbance of less than 10,000 SF of land
  - Exempt any new development or redevelopment that results in a net increase in impervious surface area of 1,500 SF or more
- Approving Authority
  - Conservation Commission, Planning Board or DPW Director
- Jurisdiction Limits
  - New standards will be established by MDEP soon
  - Coastal communities in Massachusetts have varied standards

Chair Greenbaum asked if anyone had specific questions for Mr. James and Member Kiernan asked Mr. James if sedimentation is what carries the pollutants down to the water table. Mr. James said that sedimentation is what carries pollutants to the surface waters. Sedimentation is associated with erosion. These could be concerns with Pamet Sound and Cape Cod Bay. Member Kiernan described Route 6 and noted that the state has provided resources from the Cape Cod Canal to the Orleans rotary to capture roadway runoff by running it through swales before it reaches the ground water. Member Kiernan asked Mr. James how worried that Truro should be as the runoff from Route 6 getting into the water table. Mr. James said that not much can be done but there is pressure being applied to the Department of Transportation which will result in Route 6 becoming compliant. Member Kiernan then asked Mr. James about Route 6 runoff at East Harbor, owned by the federal government, and the concerns he may have. Mr. James replied that he would be very worried and that the Climate Action Committee (CAC) may be involved in working through this problem.

Chair Greenbaum announced that Ms. Harris had joined the meeting. Chair Greenbaum asked Mr. James to provide a copy of the "Trigger List" to participants of tonight's work session. The "Trigger List" may result the violator being reported to the EPA's Region 1.

Town Planner/Land Use Counsel Carboni asked Mr. James several questions regarding MS4 permitting, and Mr. James said that he would refer her questions to colleagues on his team at BETA Group who have more expertise in that area.

Chair Greenbaum recognized Ms. Karen Ruymann of Truro who introduced herself as a very concerned citizen about Truro's water. Her concerns are hills, dunes, and steep grades which may cause runoff. Mr. James said that the development of steep grades may move small soil particles at a great deal of velocity. Ms. Ruymann, as a resident who lives at the bottom of a hill, wanted to encourage the Planning Board to pay attention to what Mr. James said and consider those issues when developing the Bylaw.

Mr. Gaechter thanked Mr. James for his information. Mr. Gaechter said that he traveled around Truro and noticed the runoff from existing properties, not under development or construction, with steep grades and driveways such as Pond Road. Mr. James said that this would not trigger any action under the Stormwater Standards, but he suggested the Conservation Commission may be able to address this as their jurisdiction goes beyond the wetlands.

Member Roberts commented that on Route 6 has poor drainage and issues with runoff that hopefully the DPW may come up with solutions for those issues. Member Roberts asked Mr. James about the efficacy of permeable pavement in terms of runoff and Mr. James replied that it depends upon the type of permeable pavement. He added that porous pavement is phenomenal and noted that the Steamship Authority has the largest porous pavement parking lot in the Commonwealth, and it does extremely well.

Chair Greenbaum recognized Member Riemer who read a prepared statement aloud with reference to the 2014 Integrated Water Resources Management Plan Phase 1 Executive Summary that addressed the benefit of incremental process to improve stormwater and wastewater management. Member Riemer added that the Phase 2 Executive Summary continued these recommendations by emphasizing best practices for stormwater and wastewater management. The executive summary also noted that Truro didn't have a Bylaw to address these issues, so it was important for the Town to create a Bylaw as soon as possible. Member Riemer noted that now was the time to create the Bylaw. Member Riemer concluded that he appreciated the questions and comments from all the participants this evening.

Chair Greenbaum asked if there were any other questions or concerns. Member Kiernan asked Mr. James if the Planning Board may contact him if they have any questions as the Members author a draft Bylaw and he replied in the affirmative.

Town Planner/Land Use Carboni said that she had process questions, but she will hold off until later.

Chair Greenbaum recognized Ms. Amy Wolff who said that she was amazed that Truro didn't already have a Bylaw that governs stormwater and wastewater management. She added that her family has been in Truro for eighty years and she would be happy to assist the Members in this process for the sanctity of the land and water. Chair Greenbaum thanked Ms. Wolff for volunteering in this matter.

Chair Greenbaum recognized Town Planner/Land Use Counsel Carboni to ask her process questions to Mr. James:

- Are these recommendations for a new general Bylaw or amending a ZBA Bylaw?
  - Questions may arise in terms of enforcement (building inspector?)
  - Obtain comments from DPW, Conservation Commission, and Board of Health
- What additional regulations would be adopted? By whom?
  - The reviewing authority or stormwater authority?
- What would be the enforcement of existing conditions v. new development
  - DPW if that discharge comes onto a public way
  - Review agent in certain situations
- Would additional regulations be the standards?
  - Cape Cod Commission has template to follow
- Would it be necessary to fold these regulations into the Bylaw?
  - No

Town Planner/Land Use Counsel Carboni suggested there needs to be a discussion to be with other boards and department heads to obtain comments/input so there may not be enough time, as the Warrant closes on February 26, 2022, to inform the public on this topic prior to the Town meeting. Chair Greenbaum thanked Town Planner/Land Use Counsel Carboni for her comments and questions.

Chair Greenbaum commented that she, Town Planner/Land Use Counsel Carboni, Member Riemer, and Member Kiernan to have a phone call tomorrow afternoon to discuss the feasibility of obtaining feedback from DPW, Health, Climate Action Committee, and Conservation to see what can be done.

Chair Greenbaum noted that during the House Size Bylaw there was a lot of informal community sessions, with all Members present, to gather the public's input. Chair Greenbaum suggested that it may be possible to schedule an informal community session, with three Members, as early as next week. Town Planner/Land Use Counsel Carboni opined that it would be best to call this a work session with proper notice to the public so the public may comment.

Chair Greenbaum announced that there would be a work session next Wednesday at 4:30 pm. Invitations will be sent to DPW, Conservation, Health/Conservation Agent Emily Beebe, Climate Action Committee, Truro Conservation Trust, Select Board Member Dundas (Planning Board liaison), the entire Members of the Board of Health and the entire Members of the ZBA. Chair Greenbaum provided information contact information for Planning Department Administrator Sturdy so members of the public who have interest to attend the work session may receive the information to attend in-person or online.

Member Riemer suggested listing this work session on the Town of Truro website as a meeting. Chair Greenbaum agreed and thanked Member Riemer.

**Member Riemer made a motion to adjourn the meeting at 5:15 pm.**

**Member Kiernan seconded the motion.**

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

Respectfully submitted,



Alexander O. Powers  
Board/Committee/Commission Support Staff

