

Select Board Meeting Minutes of March 8, 2022
Via GoToMeeting Platform

Select Board Present: Robert Weinstein-Chair, Kristen Reed-Vice-Chair, Susan Areson-Clerk, Stephanie Rein-Member, John Dundas-Member

Others Present: Darrin Tangeman-Town Manager, Kelly Clark-Assistant Town Manager, Trudi Brazil-Town Accountant, Finance Director-Alex Marini Lessin, Karen Kinsella, Pamela Wolff, Anne Greenbaum, Atty. Robin Reid, Liam Luttrell Rowland, Ellery Althaus, Claire Althaus, Regan McCarthy, Jonathan Silverstein-Town Counsel, Jarrod Cabral-DPW Director, Jack Riemer, Barbara Carboni-Town Planner/Land Counsel, Brian Boyle-Charter Review Committee Chair, Damion Clements-Recreation/Beach Director, Anne Greenbaum-Planning Board Chair, Jack Riemer-Planning Board Member, Joan Holt, Karen Ruymann, Mary Rose-Co-Chair of Community Preservation Committee, Emily Beebe-Health/Conservation Agent

Chair Weinstein called the meeting to order at 5:00pm.

Public Comment

Karen Kinsella asked the Select Board to place the matter of accuracy of Truro Talks, and a public records request issue, onto a near term agenda.

Pamela Wolff strongly emphasized the need for the Select Board to make sure that they and the Truro public are accurately informed about the DPW project. She requested that this item be placed on a Select Board agenda to make sure the journalistic standards Truro Talks invokes are applied.

Anne Greenbaum urged the Select Board to move Town Meeting to later in the Spring so it can be held outside. She requested this item be placed onto the agenda for the next Select Board meeting.

DPW Director Cabral informed the public that all data for the DPW Feasibility Study has been posted on the DPW website, including historic documents. He will be adding the estimates tomorrow that he's received from the consultant.

Public Hearings

Transfer of All Alcohol Seasonal Liquor License from Salty Market LLC to Salty Market Farmstand Inc.

Member Rein recused herself from the hearing as the new owner, Liam Luttrell Rowland, is a customer of hers. Atty. Reid introduced herself and gave a summary on the back ground of Mr. Rowland and the business at 2 Highland Road. Member Reed recused herself from the hearing.

Member Areson made a motion to close the public hearing.

Member Dundas seconded.

Roll Call Vote:

Member Areson-Aye

Member Dundas-Aye

Chair Weinstein-Aye

So voted; 3-0-2 (members Reed and Rein recused).

Member Dundas made a motion to approve the application to transfer the seasonal All Alcohol Retail Package Store liquor license from licensee: Salty Market, LLC, Ellery Althaus to proposed transferee Salty Market Farmstand Inc. dba Salty Market Farmstand, Liam Luttrell Rowland.

Member Areson seconded.

Roll Call Vote:

Member Areson-Aye

TOWN OF TRURO
1:00PM

MAY 19 2022

RECEIVED
TOWN CLERK
105

Member Dundas-Aye

Chair Weinstein-Aye

So voted; 3-0-2 (members Reed and Rein recused).

Board/Committee/Commission Appointments-None

Staff/Committee Updates

School Committee-Kolby Blehm, Chair

Chair Blehm introduced himself. He became Chair of the School Committee this year, after the election. The accomplishments of the Committee were listed in chronological order, and then current projects were listed.

Member Areson stated that they are very interested in getting the School Committee, Select Board and Finance Committee working collaboratively on budget issues. She inquired if the School Committee has brought that up and made that a goal for the upcoming year. Chair Blehm stated that it was not a goal for this year but would be happy to discuss with the School Committee. As for support needed by the School Committee from the Select Board, nothing has come up that's been a glaring need. He appreciates that members Areson and Dundas have kept tabs on the Committee.

Tabled Items-None

Select Board Action

Review and Approve Host Community Agreement for The Hatchery

Town Manager Tangeman explained that he was trying to get Town Counsel onto the meeting and asked that this topic be revisited later in the agenda.

Town Manager's Presentation of Draft FY2023 Budget and Recap

Town Manager Tangeman stated that his intent for this meeting is to do an overview of the draft budget. The 2023 projected recap was pulled up and explained by the Town Manager. Town Accountant Brazil dove deeper into the revenue. A small discussion, and clarification, was held regarding boat ramp fees and how the State controls those fees. Member Areson would be interested in hearing what got cut from the budget. She also advised taking a close look at anything that might be affected by the current economy and the situation with gas prices before finalizing the budget to which Member Dundas agreed with.

Ms. McCarthy asked for clarification on the term "automated budget process" which Town Manager Tangeman explained. Additionally, Member Reed directed Ms. McCarthy's to the ClearGov website to view the current page on Truro which lays out the Town's budget, projects, and dates back to 2014.

Review and Approve Host Community Agreement for The Hatchery

Member Rein recused herself from this discussion.

Atty. Silverstein gave a brief overview of the proposed Host Community Agreement.

- This will be both a manufacturing and cultivation project.
- The structure on the site at 1 Noons Heights Road will be improved.
- They will be applying for licenses required from the Cannabis Control Commission to operate a marijuana facility.
- In order to apply for those licenses an applicant has to enter into a host community agreement with the town they propose to operate in. That is what's before the Board today.

Atty. Silverstein summarized the main points within the agreement.

TOWN OF TRURO
1:00 pm

MAY 19 2022

RECEIVED
TOWN CLERK

125

If the Select Board chooses to approve the Host Community Agreement, The Hatchery will need to go before the Planning Board and the Zoning Board of Appeals before a facility is erected. Member Areson asked if lighting had been discussed. Atty. Silverstein does not recall lighting being brought up, but he recalled from the site visit that the proposed location for this project is set back a bit from the roadway. There will be no outdoor cultivation but there will have to be security lighting. There is an agreement for all outdoor lighting to be downward facing. Town Manager Tangeman stated that in their presentation The Hatchery planned for Dark Sky compliance and energy efficient lighting.

Chair Weinstein made a motion to approve and electronically sign the Host Community Agreement between the Town of Truro and The Hatchery.

Member Reed seconded.

Roll Call Vote:

Member Areson-Aye

Member Reed-Aye

Member Dundas-Aye

Chair Weinstein-Aye

So voted; 4-0-1 (Member Rein recused), motion carries.

Review and Possible Approval of Curb Cut Applications: 33 Old County Rd.

DPW Director Cabral walked the Select Board through the application for 33 Old County Road. He presented some alternatives to the original design.

Mr. Riemer asked several questions which various participants of the meeting answered.

Member Reed made a motion to approve the curb cut for 33 Old County Road with the design option #3 driveway alternate #2, the first 100 feet 10% slope.

Member Areson seconded.

Roll Call Vote:

Member Rein-Aye

Member Areson-Aye

Member Reed-Aye

Member Dundas-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Review and Possible Approval of Curb Cut Applications: 126 Old County Rd.

For this curb cut application, DPW Director Cabral is prepared to recommend approval with a waiver of the maximum grade requirement for the following reasons:

- As a safety precaution the applicant has agreed to install a heated driveway to accommodate any kind of emergency access.
- The driveway design has incorporated a 17-foot-long negative pitch from Old County Road to contain stormwater runoff and to accommodate a full-level stop to view site distances in either direction.
- There is a trench drain installed into the driveway connected to multiple leaching chambers.
- As proposed, Fire Chief Collins will be able to access this site with an ambulance or a DPW truck if needed in an emergency.
- Fire Department apparatus may not be able to make it up the driveway, and Fire Chief Collins has stated that staging would have to occur on Old County Road. This has been conveyed to the applicant.

- Applicants will add a stone trench on either side of the driveway to facilitate additional control of stormwater runoff.

DPW Director Cabral would recommend this for approval with a waiver of the topography requirement in the bylaw.

Member Areson made a motion to approve the curb cut application at 126 Old County Road.

Member Reed seconded.

Member Reed asked if the motion needed to include the waiver of the topography requirement. Town Planner/Land Counsel Carboni thought that would be a good idea. Member Areson amended her motion.

Member Areson made a motion to approve the curb cut application at 126 Old County Road with the waiver of the topography requirement.

Member Dundas seconded.

Roll Call Vote:

Member Rein-Aye

Member Reed-Aye

Member Dundas-Aye

Member Areson-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Recommended Charges to Charter

Charter Review Committee Chair Boyle stated that the Committee has been going through the Charter and has 4 major items, 3 of which are ready for recommendation for change here and 1 item (the review of the appointed and elected boards and committees) which they are still in process of working on. He focused on the 3 recommendations.

Chair Weinstein noted that this topic was for discussion only and that no vote would be taken.

Review and Approve Recommendation to Increase Beach Sticker Fees

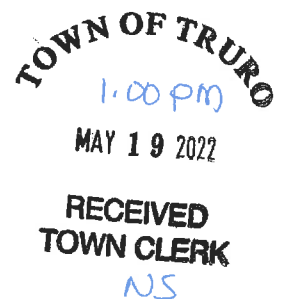
Director Clements reviewed the proposed fees which were approved by the Truro Beach Advisory Committee on February 10, 2022.

Proposed Fees:

- Daily Pass Fee of \$25, which is a \$5 increase.
- Resident Beach Sticker Fee of \$25, which is a \$5 increase.
- Non-Resident Beach Sticker Fees:
 - 1-week-\$100, which is a \$25 increase.
 - 2-weeks-\$150, which is a \$25 increase.
 - 3-weeks-\$200, which is a \$25 increase.
 - 4-weeks-\$250, which is a \$25 increase.
 - Season Pass-\$300, which is a \$50 increase.

The last time fees were increased was back in 2019.

Liaison to the Beach Advisory Committee, Member Rein, attended the meeting of February 10, 2022, where they held an in-depth discussion after reviewing the beach fee survey regarding the fee hikes and they unanimously supported the minimal hike. Member Rein is in support of the fee increases as well. Chair Weinstein asked, based on past years issuance of stickers, does Director Clements have a



projection (assuming the increases are approved) of what that would mean on the revenue side from the Department. Director Clements stated that the increased revenue would be \$105,055.

Member Areson made a motion to approve the proposed beach sticker fee increases effective immediately.

Member Dundas seconded.

Roll Call Vote:

Member Rein-Aye

Member Areson-Aye

Member Dundas-Aye

Member Reed-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Referral of Planning Board Articles

Planning Chair Greenbaum stated she would go over the 7 draft articles.

1. Zoning Bylaw Purpose-10.2
2. Street Definition-10.4
3. Lot Coverage
4. Stormwater Management
5. Development Agreement
6. Duplex Bylaw
7. Mean Ground Level

On the article regarding stormwater management, Member Areson noted that she'd sat in on Planning Board meetings where this was under discussion. She believes that the article should be pulled so that many entities can collaborate on it; DPW, Health, Conservation, and the Health/Conservation Agent. Planning Board member Riemer urged the Board to not put this article on a backburner.

Joan Holt thinks everyone is in agreement that the Town needs an article on this topic, but that this is not ready quite yet. She would like everyone to commit to collaborating together to get a stormwater bylaw together for Truro.

Karen Ruymann requested that the Board not let this opportunity get away from them and to take action sooner rather than later.

Planning Board Chair Greenbaum asked, if the Planning Board can work collaboratively with other Boards and critical town staff and be ready for a Special Town Meeting in the Fall, would the Town be willing to seriously consider a Special Town Meeting. Chair Weinstein asked that the Planning Board consider removing this. Whether or not a Special Town Meeting is held will depend on the production of a regulatory document. Town Manager Tangeman thinks it's important to get a consultant who understands what is and is not required. Getting the product right is the most important piece.

Planning Chair Greenbaum would like to move forward with;

10.2-Purpose

10.4 Street Definition

Duplex Bylaw

Lot Coverage

Member Reed made a motion to refer the proposed Bylaw amendments 10.2-PB1 Purpose; 10.4-PB2 Definitions; PB3 Lot Coverage; PB6 Duplex Bylaw; and PB7 Mean Ground Level, to the Planning Board to begin the necessary public hearing pursuant to MA Gen. Law Chapter 40A Section 5.

TOWN OF TRURO
1:00 PM

MAY 19 2022

**RECEIVED
TOWN CLERK**

DS

Member Rein seconded.
Roll Call Vote;
Member Rein-Aye
Member Areson-Aye
Member Dundas-Aye
Member Reed-Aye
Chair Weinstein-Aye
So voted; 5-0-0, motion carries.

Discussion and Possible Vote to Recommend CPC Warrant Articles

Co-Chair Mary Rose stated there were 6 of the 7 members present at the meeting which they voted on grant requests. All 6 members voted unanimously. She briefly read each of the Articles:

Community Preservation Act: Contribution to the Affordable Housing Trust Fund
Community Preservation Act: Housing Consultant
Community Preservation Act: Lower Cape Housing Institute
Community Preservation Act: Orleans Cape Cod Five Housing
Community Preservation Act: High Head Trail Development
Community Preservation Act: Memorials for Payomet Peoples-Phase 1
Community Preservation Act: Acquisition Fund for Highland House Museum
Community Preservation Act: Town Records-Phase 1
Community Preservation Act: Mobi Mats or Equivalent and Fencing for Improved Beach Access
Community Preservation Act: Truro Beach Paddlecraft Racks
Community Preservation Act: Truro Library Edible Forest
Community Preservation Act: Histories of Pond Village & Fishing Industry at Cold Storage Beach
Community Preservation Act: Administrative Support

Member Reed asked, regarding the regional housing efforts, if there was a there a way a Truro resident could have access to that housing or be considered for the housing. Co-Chair Rose explained that as far as the rules go with the DHCDL it doesn't help Truro in that way, but Truro does get some preference in the first round. After that, a list is generated and worked from.

Member Areson made a motion that the Select Board vote to recommend all of the Community Preservation Act Articles as presented in the packet.

Member Areson noted that if they could include Member Reed's question in the explanation of the Article because the Developer did say that Truro residents would get preference. She thinks that would be a question to include in the explanation of the Warrant Article.

Member Dundas seconded.

Member Rein feels the need to recuse herself from the Truro Library Edible Forest Article because she is a founding member Sustainable Cape.

Roll Call Vote;
Member Areson-Aye
Member Rein-Aye
Member Dundas-Aye
Member Reed-Aye
Chair Weinstein-Aye
So voted; 5-0-0, motion carries.

TOWN OF TRURO
1:00 pm
MAY 19 2022
RECEIVED
TOWN CLERK
NS

Member Reed noted that the next set of petitioned articles have not been reviewed by Town Counsel.

Member Reed made a motion to move the citizen petitioned articles discussion and recommendations to the next Select Board meeting.

Town Manager Tangeman stated that four of the articles had been reviewed by Town Counsel. Member Reed clarified that she was asking to only bump the ones that had not been reviewed.

Member Areson said that a motion had been made but not voted upon. Chair Weinstein asked Member Reed to restate the motion.

Member Reed made a motion to move all of the citizen petitions not reviewed by Town Counsel and printed in the Warrant to the Select Board's next posted meeting.

Member Areson seconded.

Roll Call Vote:

Member Rein-Aye

Member Areson-Aye

Member Dundas-Aye

Member Reed-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Town Manager Tangeman then walked the Select Board through the four articles that had been reviewed by Town Counsel.

Member Reed made a motion to recommend; Shellfish Revolving Fund as printed in the packet.

Member Areson seconded.

Roll Call Vote:

Member Rein-Aye

Member Areson-Aye

Member Dundas-Aye

Member Reed-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Member Reed made a motion to recommend; General Override as printed in the packet.

Member Areson seconded.

Roll Call Vote:

Member Areson-Aye

Member Reed-Aye

Member Dundas-Aye

Member Rein-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Member Dundas made a motion to recommend; Home Rule Petition to Establish a Tax Workoff Program for Persons with Disabilities as printed in the packet.

Member Reed seconded.

Roll Call Vote:

Member Rein-Aye

Member Reed-Aye

TOWN OF TRURO
1:00 PM

MAY 19 2022

RECEIVED
TOWN CLERK
NS

Member Dundas-Aye
Member Areson-Aye
Chair Weinstein-Aye
So voted; 5-0-0, motion carries.

Member Dundas made a motion to recommend; Home Rule Petition to Impose a 0.5% Real Estate Transfer Fee as printed in the packet.

Member Reed seconded.

Roll Call Vote:

Member Areson-Aye

Member Rein-Aye

Member Reed-Aye

Member Dundas-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Referral of Floodplain Bylaw

Town Planner/Land Use Counsel Carboni explained that this is an article to amend the Town's Zoning Bylaw provisions related to the floodplain district, and to revise the Bylaw so that it's in conformity with a model floodplain bylaw that has been presented by the State and the County. It's necessary to make these changes so we have a Bylaw that is compliant with National Flood Insurance program requirements.

Member Reed made a motion to refer the proposed bylaw amendment to the Planning Board to begin the necessary public hearing process pursuant to MGL c.40A, §5.

Member Rein seconded.

Roll Call Vote:

Member Areson-Aye

Member Reed-Aye

Member Dundas-Aye

Member Rein-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Consent Agenda

Member Areson made a motion to approve the consent agenda as printed in the packet, with Town staff following up on the Worker's Compensation form that was submitted by Whitman House to verify whether the restaurant is a non-profit or not.

Member Reed seconded.

Roll Call Vote:

Member Areson-Aye

Member Rein-Aye

Member Dundas-Aye

Member Reed-Aye

Chair Weinstein-Aye

So voted; 5-0-0, motion carries.

Select Board reports/comments

TOWN OF TRURO
11:00 PM

MAY 10 2022

RECEIVED
TOWN CLERK
MS

Member Areson believes the Pamet Harbor Commission will be ready to propose some fee changes for the upcoming Select Board meeting and asked that the item be placed onto the agenda.

Member Reed wants to place the Policy #54 complaint onto the next agenda. She would also like to have a discussion about the short-term rental tax that other towns are looking at.

Town Manager Report

Town Manager Tangeman will hold on his report due to the late hour.

Next Meeting Agenda: Potential Work Session-Date TBD; Regular Meeting March 22, 2022.

Town Manager Tangeman will send out a Doodle poll on available dates for a work session. He then gave an overview of what was on the March 22, 2022 agenda.

Member Reed made a motion to adjourn at 10:02pm.

Member Areson seconded.

So voted; 5-0-0, motion carries.

Respectfully submitted,



Noelle L. Scoullar



Darrin K. Tangeman, Town Manager

Under the Authority of the Truro Select Board

Public Records material of 03.08.2022

1. Public Hearing Notice, ACBB Application, Police Chief Memo-Transfer of Alcohol Application
2. Host Community Agreement-The Hatchery
3. FY2023 Simple Budget and Simple Recapitulation
4. 33 Old County Road curb cut application and supporting documentation
5. 126 Old County Road curb cut application and supporting documentation
6. Charter recommendations memo
7. Beach Department survey and proposed fee increase
8. Zoning Bylaw Articles for referral to Planning Board, memo, and additional Planning Board submitted Articles
9. CPC Warrant Articles for 2022 ATM
10. Town Meeting Articles for consideration and Petitioned Articles
11. Draft Floodplain Bylaw
12. Cell Tower Agreement
13. Reappointment information for Harbor Master and Truro's Rep. to the Cape Cod Commission
14. 2022 Seasonal Business Licenses for Renewal; Savory, Adventure Bound (N. Truro and Hortons), Whitman House, Top Mast Café, Beach Point Health & Swim Club

