

TRURO PLANNING BOARD AGENDA
TUESDAY, January 3, 2017 – 6:00 p.m.
Truro Town Hall, 24 Town Hall Road, Truro

Public Comment Period

The Commonwealth's Open Meeting Law limits any discussion by members of the Board of an issue raised to whether that issue should be placed on a future agenda. Speakers are limited to no more than 5 minutes.

Pre-application Consultation

Roberts Family Property LLC seeks a consultation concerning an application for modification of an existing site plan to increase on-site parking for property located at 11 Shore Road, Truro Vineyards, Map 39 Parcels 131, 137 and 158.

Possible Discussion on Zoning Bylaws

§30.3 Seashore District

§40.2 Affordable Accessory Dwelling Unit

Review and Approval of Meeting Minutes

December 21, 2016 Planning Board Meeting

Reports from Board Members and Staff

Meeting Dates and [Other Important Dates](#)

January 17, 2017 (Tues.) – Regular Meeting

February 7, 2016 (Tues.) – Regular Meeting

Adjourn



TOWN OF TRURO

Planning Department
P.O. Box 2030, Truro, MA 02666
Tel: (508) 349-7004, Ext. 27 Fax: (508) 349-5505
cridley@truro-ma.gov

To: Planning Board
From: Carole Ridley
Date: December 29, 2016
Re: Pre-application Consultation

Roberts Family Property LLC seeks a consultation concerning an application for modification of an existing site plan to increase on-site parking for property located at 11 Shore Road, Truro Vineyards, Map 39 Parcels 131, 137 and 158.

Background

Recently the applicant received Waiver of Site Plan Review for renovations to an existing farmhouse to include first floor sales area, basement structural upgrades, new exterior ramp, and first floor entrance on property located at 11 Shore Road, Map 39, Parcel 137. Although those improvements did not alter demand for parking, Ms. Roberts explained that concepts for improving parking at the site were under consideration.

Ms. Roberts contacted the Planning Department recently regarding potential plans to increase parking on the property. Prior to submitting an application for Commercial Site Plan Review, she requested an opportunity to meet with the Board to review the plans and gather input.

There was no submission prior to the meeting, nor is any required for a pre-application consultation. Ms. Roberts will bring information to the January 3rd meeting.

No action is being requested of the Board, other than to provide feedback to Ms. Roberts on the information presented.



TOWN OF TRURO

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Memorandum

To: Planning Board
Fr: Carole Ridley
Date: December 29, 2016
Re: Proposed Zoning Bylaws

Two zoning bylaws are scheduled for discussion on January 3rd.

§30.3 Seashore District

This version, dated December 10, 2016, was circulated at the December 19th Board meeting and incorporates changes in response to comments made by Town Counsel.

The Board discussed holding an informational/Q&A Session prior to a public hearing.

§40.2 Affordable Accessory Dwelling Units (ADUs)

This draft bylaw was developed on consultation with Town Counsel to incorporate the zoning provisions discussed by the Board over several meetings. The proposal consists of the following:

- A revision to the definition of accessory dwelling unit, to remove reference to affordability and include language provided by Town Counsel;
- Amend the Use Table to make ADUs a permitted use in all districts subject to the provisions of a revised section 40.2, which establishes requirements for a non-discretionary ADU permit. This change also deals with a pre-existing inconsistency between the use table and section 40.2 as they currently exist.
- Revise section 40.2 as provided below:
 - ADUs are by-right in all districts, provided applicants obtain an ADU permit granted by the Planning Board.
 - Design criteria for ADUs are included
 - Affordability requirements are removed from section 40.2. Qualifying ADUs under section 40.2 would be eligible for tax exemption under a new general bylaw.

Changes to §10.4, §30.2 and §40.2 of the Zoning Bylaw would be subject to the hearing requirements under MGL Ch 40A.

It is also recommended that the Board consider holding an informational/Q&A session for this bylaw also. The two bylaws could be covered at one session. Possible dates for informational sessions and hearings follows:

Informational Q/A Sessions could be held on any of the following days:

Thursday, January 19th at 6 pm
Tuesday, January 31st at 6 pm

Public hearings could be held at any of the upcoming Planning Board meetings:

Tuesday, February 7
Tuesday, February 21
Tuesday, March 7

A decision on dates should be made as soon as possible in order to satisfy notice requirements under MGL Ch 40A §5.

Following the closing of the public hearing, the Board will forward its report and recommendation to the Selectmen for Town Meeting.

The Annual Town Meeting Warrant closes on March 14, 2017.

PROPOSED TRURO SEASHORE DISTRICT ZONING BYLAW AMENDMENTS

DRAFT – Revised – December 10, 2016

Section 10.4 Definitions

(Add the following definition.)

Seashore District Total Gross Floor Area. The aggregate gross floor area of the dwelling and accessory structures on a lot within the Seashore District, shall consist of the sum of the horizontal areas of the floor(s) of a building measured from the exterior faces of the exterior walls of the building, without deduction for hallways, stairs, closets, and thickness of walls, columns or other features used or intended to be used for living, sleeping, sanitation, cooking or eating purposes, excluding cellar and basement floor area, garage, porches, decks, attics, barns, greenhouses and agricultural buildings.

For the purposes of computing floor area, any portion of the floor area measuring less than five feet from the finished floor to the finished ceiling shall not be included in the computation of floor area.

Article 30.3. Seashore District

(Insert the following new section 30.3.1. following Section 30.3.E.)

30.3.1. Residential Building Scale Regulations

Purpose: The Seashore District is a unique Zoning District in Truro that encompasses a major portion of the Cape Cod National Seashore. Truro has adopted the special zoning provisions required for this District as set forth in the Code of Federal Regulations (Title 36, Part 27). The purpose of this Section is to recognize the town's stewardship role to ensure that any residential alteration, construction and reconstruction is in accordance with the purposes and intent of the Cape Cod National Seashore, namely to preserve the special cultural and natural features, distinctive patterns of human activity, and rural ambience that characterize the Outer Cape, along with the associated scenic, cultural, historic, scientific, and recreational values; and maintains the prevailing scale and massing of buildings.

A. Applicability and Exceptions

1. **Seashore District Total Gross Floor Area Allowed by Right:** Subject to the exceptions provided for in subsections 30.3.1.A.2 and below, building permits for new construction or for projects that seek to increase the Seashore District Total Gross Floor Area of a lot with buildings that exist as of April 25, 2017, shall only be issued where, on completion of the project, the Seashore District Total Gross Floor Area of the lot does not exceed 3,600 sq. ft. for 3 acres:
 - a. plus 200 sq. ft. for each additional contiguous acre; or
 - b. minus 200 sq. ft. for each contiguous acre less than 3 acres, as the case may be, where the square footage per acre specified above is pro-rated for a portion of an acre. (See table that follows, which is provided for illustrative purposes.)

Illustrative Limits on Total Gross Floor Area Proportional to Lot Size Allowed by Right

Lot Size Acres	Lot Size Sq. Ft.	Limit SD GFA Sq. Ft.
.5	21,780	3,100
.75	32,670	3,150
1	43,560	3,200
3	130,680	3,600
6	261,300	4,200
10	435,600	5,000

2. **Special Permit to exceed the Seashore District Total Gross Floor Area limit:** The Seashore District Total Gross Floor Area limit for a lot established in subsection A.1 may be exceeded, up to the cap established by this subsection, by special permit, as provided in the remaining provisions of this Bylaw. No special permit may be issued for any project if the project would result in the Seashore District Total Gross Floor Area of the lot exceeding 4,600 sq. ft. for 3 acres:
 - a. plus 200 sq. ft. for each additional contiguous acre; or
 - b. minus 200 sq. ft. for each contiguous acre less than 3 acres, as the case may be, where the square footage per acre specified above is pro-rated for a portion of an acre. (See table that follows, which is provided for illustrative purposes.)

Illustrative Limits on Total Gross Floor Area Proportional to Lot Size that may be Possible with Special Permit

Lot Size Acres	Lot Size Sq. Ft.	Limit SD GFA Sq. Ft.
.5	21,780	4,100
.75	32,670	4,150
1	43,560	4,200
3	130,680	4,600
6	261,300	5,200
10	435,600	6,000

- B. **Procedures for Special Permit Review and Approval:** Upon receipt of an application for a building permit the Building Commissioner shall make an initial determination as to whether any alteration, construction or reconstruction of a building or structure would result in the Seashore District Total Gross Floor Area exceeding the limitation set out in Section 30.3.1.A.1. If the Building Commissioner determines that the applicant cannot proceed without a Special Permit, the applicant shall first make an application to the Planning Board for Site Plan Review, and upon approval by the Planning Board of Site Plan review, as defined in Section 70.4, shall then apply to the Zoning Board of Appeals for a Special Permit. No building permit shall be issued hereunder unless the Zoning Board of Appeals has granted a Special Permit according to procedures as defined elsewhere in this Bylaw.

§70.9 Waiver of Site Plan Review

(Insert) Site Plan Review shall not be waived in the Seashore District.

Make the following changes to § 10.4. Definitions, where strikethrough indicates deletion and underline means addition.

§ 10.4. Definitions

Dwelling Unit, Affordable Accessory. A ~~rental~~ dwelling unit either detached from or located within or attached to a principal single family dwelling, principal structure, garage or an accessory structure to the principal single family dwelling on the same lot, such as a garage. The Accessory Dwelling Unit (ADU) shall ~~;~~ containing at least four hundred (400) square feet but not more than one thousand four hundred (1,400) square feet of Gross Floor Area. An Accessory Dwelling Unit shall be a complete, separate housekeeping unit containing both kitchen and sanitary facilities in conformance with §40.2 of this bylaw. (04/017) ~~restricted to remain affordable by conditions attached to the Special Permit issued by the Planning Board and be occupied by income-eligible households determined in accordance with HUD Income and Fair Market Rental Guidelines.~~

To read as follows:

Dwelling Unit, Accessory. A dwelling unit either detached from or located within or attached to a principal single family dwelling, or an accessory structure to the principal single family dwelling on the same lot, such as a garage. The Accessory Dwelling Unit (ADU) shall contain at least four hundred (400) square feet but not more than one thousand four hundred (1,400) square feet of Gross Floor Area. An Accessory Dwelling Unit shall be a complete, separate housekeeping unit containing both kitchen and sanitary facilities in conformance with §40.2 of this bylaw. (04/17)

Make the following **highlighted** changes to § 30.2. Use Table:

§ 30.2. Use Table

The following uses are permitted by district as indicated below, and consistent with the purposes for which the district was established. Uses not expressly permitted are deemed prohibited.

KEY

P	Permitted
SP	May be allowed by special permit granted by the Board of Appeals, or the Planning Board, where noted
N	Not Permitted
R	Residential
BP	Beach Point Limited Business
NT6A	Route 6A, North Truro Limited Business
TC	Truro Center Limited Business
NTC	North Truro Center General Business
Rt6	Route 6 General Business
S	Seashore

Accessory Dwelling Unit – Draft 12.29.16

PRINCIPAL USES							
	R	BP	NT6A	TC	NTC	Rt6	S
AGRICULTURAL							
Agricultural (except Animal Husbandry); horticultural, floricultural	P	P	P	P	P	P	P
Animal husbandry, parcels of more than 5 acres	P	P	P	P	P	P	P
Animal husbandry, parcels of 5 acres or less	SP	SP	SP	N	SP	SP	SP
COMMERCIAL							
Automobile service, repair, storage, or salesrooms	N	N	N	N	P	P	N
Commercial fishing activity (1, 11)	P	P	P	P	P	P	P
Professional office (2)	N	P	P	P	P	P	N
Restaurant	N	N	N	P	P	P	N
Retail business service (4/14)	N	N	P	P	P	P	N
Retail sales (4/14)	N	N	N	P	P	P	N
Wholesale Trade (4/14)	N	N	SP	SP	P	P	N
INDUSTRIAL							
Communication structure	N	N	N	N	N	SP (4)	N
Industrial or manufacturing use (5)	N	N	N	N	SP	SP	N
Marine installation	SP	SP	SP	N	SP	SP	N
Public utility	N	N	N	N	P	P	P
Research or experimental lab (6)	SP	SP	SP	N	SP	SP	N
Small engine repair	SP	SP	SP	N	SP	SP	N
Trade, repair shop, etc. (7) (4/14)	N	N	P	P	P	P	N
INSTITUTIONAL							
Educational institution	P	P	P	P	P	P	P

Accessory Dwelling Unit - Draft 12.29.16

PRINCIPAL USES							
	R	BP	NT6A	TC	NTC	Rt6	S
Hospital, nursing and/or convalescent home	P	P	P	P	P	P	P
Municipal use (4/13)	P	P	P	P	P	P	P
Private club not conducted for profit	SP	SP	SP	N	SP	SP	N
National Seashore administration facilities, public facilities	N	N	N	N	N	N	P (11)
Religious institution	P	P	P	P	P	P	P
Large-Scale Ground-Mounted Photovoltaic Array (4/11)	SP (12)	N	N	N	N	P	P
RECREATIONAL							
Children's camp	SP	SP	SP	N	SP	SP	N
Park, playground, non-commercial recreation	P	P	P	N	P	P	N
RESIDENTIAL							
Cottage or cabin colony, motor court	N	P	N	N	P	P	N
Duplex new (8)	N	SP	SP	SP	SP	SP	N
Duplex, conversion of existing single family dwelling (8)	SP	SP	SP	SP	SP	SP	N
Hotel	N	N	N	N	P	P	N
Motel	N	P	N	N	P	P	N
Single family dwelling (10)	P	P	P	P	P	P	P (11)
ACCESSORY USES							
Dwelling Unit, Affordable Accessory (10) (04/0717)	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>N-P</u>
Bed and breakfast, home; as defined; Boarding House, Home, as defined	P	P	P	N	P	P	P (11)
Habitable Studio	P	P	P	N	N	P	P
Home occupation, as defined	P	P	P	P	P	P	P

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PRINCIPAL USES							
	R	BP	NT6A	TC	NTC	Rt6	S
							(11)
Other home occupation (5)	SP	SP	SP	N	SP	SP	N
Working Studio	P	P	P	N	N	P	P

(4/06)

NOTES

1. To include traditional fishing activities, opening of shellfish, storage and use of fishing equipment.
2. No more than four (4) offices per lot; 20% lot coverage permitted, exclusive of parking; storage of equipment or materials where they are visible from neighboring properties or public or private ways is prohibited; the Board of Appeals shall find that the proposed use does not produce any injurious or offensive dirt, odor, fumes, gas, noise, or danger from explosion or fire.
3. Reserved (4/14)
4. Includes buildings and appurtenances; Special Permit Granting Authority is the Planning Board.
5. The Board of Appeals shall find that a proposed use is not injurious or offensive or tends to reduce values in the same district by reason of dirt, odor, fumes, gas, sewage, noise, or danger from explosion or fire.
6. The Board of Appeals may approve activities which are necessary in connection with scientific research or scientific development or related production, and which are accessory to a permitted use, if the Board finds the proposed accessory use does not substantially derogate from the public good; the proposed accessory use need not be located on the same parcel as the primary use.
7. Includes shops of carpenters, plumbers, electricians, dressmakers and similar tradespeople, repairs to radio-TV-computers and related electronic services, bicycle repairs, furniture repairs and upholstery. (4/14)
8. Uses in this category are further subject to the special regulations set forth in § 40.1, Duplex Houses and Apartments.
9. Except trailers, mobile homes, Quonset huts or portable buildings. One tent for non-commercial use is allowed per lot, for a specified period of time and with the written consent of the owner and the Board of Health. The Board of Health may limit the period of time the tent is erected and used.
10. Uses in this category are further subject to the special regulations set forth in §40.2, Affordable Accessory Dwelling Unit and the Planning Board shall serve as the Special Permit granting authority. (04/0717)
11. Uses in this category are further subject to the special regulations set forth in § 30.3, Seashore District.

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Except in the Solar Farm Overlay District, where the use is permitted.

Amend §40.2 as follows. Please note, for ease of reading and discussion purposes, this is draft is depicted as proposed and does not reflect deletions and insertions.

§40.2 Accessory Dwelling Unit

A. The purposes of this bylaw are to:

1. Increase the number of moderately priced, year-round rental dwelling units available to Truro residents;
2. Encourage a more economical and energy-efficient use of the Town's housing supply; and
3. Provide homeowners with a means of obtaining rental income to defray housing costs.

B. Requirements

1. One Accessory Dwelling Unit (ADU) per buildable lot may be allowed in any zoning district by obtaining an ADU Permit from the Planning Board.
2. An ADU may be established within or attached to a principal dwelling, principal structure, or a garage or constructed as a detached unit, and must be located on the same lot as the primary dwelling.
3. The ADU must be in conformity with the State Building Code, Title V of the State Sanitary Code and all applicable town health, building, zoning and other local laws and regulations. □
4. An ADU within or attached to a principal dwelling, principal structure or garage that is a pre-existing nonconforming use or structure shall not increase any existing nonconformity without first obtaining a Special Permit or Variance from the Zoning Board of Appeals.

C. ADU Permit Criteria

1. The ADU shall be a complete, separate housekeeping unit containing both kitchen and sanitary facilities. □
2. The ADU shall not contain more than one thousand four hundred (1,400) square feet nor less than four hundred (400) square feet of Gross Floor Area as that term is defined in Section II of this Zoning By-law. Once an ADU has been added to a dwelling, structure or lot, the ADU shall not be enlarged beyond the square footage specified in the permit granted pursuant to this section without first obtaining a subsequent permit from the Planning Board and in no case shall an ADU be permitted to exceed the square footage allowed by this section □

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3. At least one (1) off street parking space in addition to parking otherwise required for the property is required for an ADU. □
4. An ADU and principal dwelling or structure shall share common septic/wastewater and water service facilities. The principal dwelling or structure and ADU shall meet all wastewater requirements of Title 5 and local Board of Health regulations. □
5. An ADU shall be clearly subordinate in use, size and design to the principal dwelling or structure, considering the following: building architectural details, roof design, building spacing and orientation, building screening, door and window size and location, and building materials. When accessory to a principal dwelling, the intent is to retain the appearance of a single-family dwelling and the privacy of abutters. □
6. The principal dwelling and ADU and lot on which they are located shall remain in common ownership, and shall not be severed in ownership, including that the lot, buildings or units thereon shall not be placed in a condominium form of ownership.
7. An ADU and the principal dwelling to which it is accessory may be rented for periods no shorter than 12 months. Rental of an ADU or principal dwelling for periods less than 12 months is prohibited.
8. The owner of the property shall live in either the principal dwelling or the ADU.
9. ADUs permitted under this section shall be inspected annually by the Health and Building Departments for compliance with public safety and public health codes. The owner of the property shall be responsible for scheduling such inspection and shall pay any applicable inspection fees.

D. Application Procedure

1. Each application for an ADU permit shall be filed by the Applicant with the Town Clerk consisting of:
 - a. An original and 14 copies of the Application for ADU Permit;
 - b. 15 copies of the required plans and other required information under §40.2.D.1(e)-(j);
 - c. Applicable filing fee;
 - d. List of abutters obtained from the Truro Assessing Department
 - e. Site Plan or Site and Sewage Plan prepared by a licensed engineer showing all property lines, existing and proposed structures on the parcel, and setbacks from roads and property lines for each structure. Building dimensions (height, stories, square footage) shall be shown on the plan.
 - f. Documentation of approval of the septic/wastewater treatment system from the Board of Health.
 - g. Building plans at a scale of no less than 1/8" = 1'-0", including floor plans and front, side and rear elevations of the ADU and principal dwelling or structure.
 - h. Affidavit declaring that the ADU and/or principal dwelling to which it is accessory will be rented on a twelve month basis.
 - i. Documentation of approval, if applicable, from the Conservation Commission.

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- j. Documentation of Special Permit or Variance, if applicable, from the Zoning Board of Appeals.

E. Public Hearing

1. Upon receipt of the application by the Truro Town Clerk, the Planning Board shall hold a duly noticed public hearing within 65 days of said filing. The Board shall:
 - a. Give notice by advertisement in a newspaper of general circulation in the Town of Truro, no less than ten (10) days before the day of such hearing; and,
 - b. Give notice by posting such notice in a conspicuous place in the Town Hall for a period of not less than ten (10) days before the day of such hearing; and,
 - c. Give notice by mailing a copy of such advertisement to abutters to the subject property, abutters to abutters within 300 feet of the subject property, and owners of properties across the street from the subject property.

F. Findings of the Planning Board

1. The Planning Board shall grant an ADU Permit if it finds that the proposal complies with the provisions of this bylaw, §40.2, as amended. The concurring vote of four members of the Planning Board shall approve an ADU permit as submitted or with reasonable conditions. The Board shall deny the permit only if:
 - a. The application is incomplete, and the applicant fails to complete the application within 21 days after written notice of the application's deficiencies, or
 - b. The imposition of reasonable conditions will not ensure that the ADU will conform to the standards and criteria described herein, or
 - c. The ADU does not comply with the requirements of the Zoning By-law.
2. The permit decision is not appealable.

G. Penalty

Failure of the applicant to comply with any provision of this section is punishable by a fine established in Section 60.1 of the Truro Zoning By-laws and may result in the revocation of the ADU Permit. The Town shall be entitled to recover its litigation fees, including counsel fees, incurred in enforcement of this Bylaw.

H. Requirements for Tax Exemption

Qualifying ADUs permitted under this section are eligible to seek tax abatement pursuant to **Chapter I, Section 10** of the Truro General Bylaws, Tax Exemption for Affordable Accessory Dwelling Units.

A new General Bylaw inserted as Chapter I, Section 10 is proposed for adoption to encompass the tax exemption for affordability.

Chapter I, Section 10. Tax Exemption for Affordable Accessory Dwelling Units

A. Applicability

Pursuant to Chapter --- of the Acts of ---, Affordable Accessory Dwelling Units permitted in accordance with §40.2 of the Truro Zoning Bylaw occupied by income eligible households and

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rented for an amount not to exceed the fair market rents established by the United States Department of Housing and Urban Development shall be exempt from taxation under Chapter 59 of the General Laws provided they meet the following qualifying factors.

B. Exemption Calculation

The exemption shall be equal to the tax otherwise owed on the property based on the assessed value of the property, including ADUs, multiplied by the square footage of the living space of all dwelling units on the property that are restricted to occupancy by low or moderate income households, divided by the total square feet of structures on the property. For a property with a single dwelling unit, the exemption allowed shall not exceed 50% of the tax otherwise owed. For purposes of determining the assessed value of the property, if by income approach to value, the assessment shall assume that all housing units are rented at fair market rent as determined by the US Department of Housing and Urban Development. To be eligible for exemption, the housing unit shall be leased to a low or moderate income household at such rents for the entire fiscal year for which the exemption is sought.

C. Affordability Requirements

1. Households leasing and occupying the affordable dwelling unit shall upon initial application and annually thereafter on the first of September in each calendar year, submit to the Town or its agent the documentation necessary to confirm their eligibility to occupy the dwelling unit. Specifically, all dwelling units must be rented to those meeting the following guidelines for a low or moderate-income family: (1) low income families having an income not exceeding eighty (80) percent of the Barnstable County median family income, and (2) moderate income families having an income between eighty (80) and one hundred twenty (120) percent of the Barnstable County median family income and, as determined by the United States Department of Housing and Urban Development (HUD) Published Income Guidelines, as they may from time to time be amended.
2. Maximum rents shall be established in accordance with Fair Market Rental Guidelines published from time to time by the United States Department of Housing and Urban Development (HUD). Property owners are required to submit to the Town or its agent information on the rents to be charged. Each year thereafter on the first of September, they shall submit to the Town or its agent information on annual rents to be charged. Forms for this purpose shall be provided by the Town. Rents may be adjusted upward and shall be adjusted downward annually in accordance with adjustments to the Fair Market Rental Guidelines.

TRURO PLANNING BOARD
Meeting Minutes
December 21, 2016— 6:00 pm
Truro Town Hall

DRAFT

Planning Board Members present: Bruce Boleyn, Peter Herridge, Paul Kiernan, Jack Riemer, Steve Sollog; **Absent:** (excused) Mike Roderick, (resigned) John Hopkins

Other participants: Chris Lucy; Chet Lay, Slade Associates; Bob Higgins Steel, Susan Howe, Bobby Lowe, Carole Ridley, Planning Consultant.

Mr. Sollog opened the meeting at 6:01 pm.

Public Comment Period

Chris Lucy asked if the Board planned on bringing an article to the April Town Meeting regarding affordable housing or accessory apartments. Mr. Sollog replied that the AADU proposal is in the hands of Town Counsel. We expect to proceed with input from Town residents. Ms. Ridley stated that she is still putting together materials for Town Counsel, but the new proposal should be ready for the Board's review on January 3rd. Mr. Lucy stressed the need for an affordable accessory dwelling unit revision, and that the issue has been worked on for eleven years to no avail.

Partial Release of Covenant

2012-001PB William and Patricia Berger seek a partial release of Form D Covenant for Lot 23, 1 Capt. Willans Way, (L.C.P. No. 17658-H) and execution of Form F, Certificate of Completion & Release of Municipal Interest in Subdivision Performance Security.

Chet Lay explained the application. Mr. Riemer asked about a lack of a stop sign. Mr. Lay said he would ensure that that is taken care of prior to final release of covenant. There were no other questions from the Board. Mr. Herridge made a motion that, in consideration of performance of road construction consistent with requirements of section 2.5.4 of the Rules and Regulations Governing the subdivision of land, vote to execute Form F Certification of Completion and Release Municipal Interest in Subdivision Performance Security with respect to the covenant recorded with the Barnstable Land Court Registry, document 1,195,003, as it pertains to Lot 23 (LCP 17658-H). Mr. Boleyn seconded. So voted, 5-0. The necessary paperwork was signed.

2016-009SPR Adventure Bound Camping Resort

Vote to accept applicant's request for extension of Public Hearing date to January 17, 2016.

Ms. Ridley explained that this is a purely procedural request due to information requested of the applicant and Mr. Nagle indicating they would require additional time to produce these items. Mr. Herridge mentioned that he has a letter from the National Seashore on this topic, but Mr. Sollog said it would not be appropriate to discuss the letter until the hearing is actually opened. Mr. Boleyn asked if the extension is due to the Town's actions. Mr. Lucy

asked how this delay corresponds to the ZBA on January 23. Ms. Ridley explained that the ZBA issue is to appeal the order of the Building Commissioner. Mr. Riemer asked if discussion would be possible. He has asked about information from the applicant. Ms. Ridley said it would not be appropriate to discuss details at this time. Mr. Herridge moved to extend the hearing date for the Adventure Bound Camping Resort application to January 17, 2017 and accept their request. Mr. Boleyn seconded. So voted, 5-0.

Review Proposed Article to Adopt MGL, CH. 39, Section 23D

Review language of proposed Town Meeting article to forward to Board of Selectmen. MGL CH39, Section 23D allows for members of adjudicatory boards to not be disqualified from voting on a matter solely because they missed one meeting, provided they certify that they have reviewed any missed testimony.

Ms. Ridley explained the article and mentioned that this proposal was brought up at the 2006 Town Meeting and failed. Mr. Riemer asked about remote participation and if it would be included in this. Ms. Ridley said she believed it would be a separate issue, although she will look into it. Mr. Boleyn made a motion to send this proposal to the Board of Selectmen for their consideration to go on the Town Warrant for the April Town Meeting. Mr. Herridge seconded. Mr. Kiernan asked if this proposal could be sent to all the other boards that would be affected. Vote was taken, 5-0, unanimous approval.

Possible Discussion on Zoning Bylaws

Section 30.3 Seashore District

The proposal for the Seashore District Zoning Bylaw was read into the record by Mr. Herridge.

Then Mr. Herridge spoke about the efforts to get the word out to the public and have a public hearing and possibly a prior informational question and answer session at the library. Ms. Ridley suggested that a public hearing should be scheduled sooner rather than later. Mr. Riemer suggested that Truro show a film called "One Large House" that was shown at Payomet last summer.

Bob Higgins Steel asked if this Bylaw is meant to codify what the Seashore's intent was when it came into being. He thinks it is a very positive thing and is in favor of it. Susan Howe said that when she bought her house in the 80's, she was surprised to find that there is no meat behind what she thought were laws in the Seashore. In the spirit of unity, in trying to preserve our Town, it would be great for us to get together to preserve the Seashore.

Discussion occurred about when to hold the informational session and when to have the public hearing.

Mr. Riemer asked if this latest revision could change after the public hearing opened. Mr. Sollog said yes, but then that would be it. The final revision would then go to Town Meeting.

Review and Approval of Meeting Minutes

December 6, 2016 Planning Board Meeting

Mr. Boleyn made a motion to approve the meeting minutes of December 6, 2016 as written. Mr. Herridge seconded. So voted, 5-0.

Reports from Board Members and Staff

Ms. Ridley handed out informational material. One item was a letter from the Attorney General approving the Growth Management Bylaw adopted at 2016 Annual Town Meeting. The other was a letter of resignation from John Hopkins. Board members spoke in appreciation of Mr. Hopkins's service on the Planning Board. Decisions need to be made about posting the vacancy on the Town website (yes) and interviewing candidates.

Meeting Dates and Other Important Dates

January 3, 2017 (Tues.) — Regular Meeting

January 17, 2017 (Tues.) — Regular Meeting

February 7, 2016 (Tues.) — Regular Meeting

Mr. Herridge made a motion to adjourn, Mr. Kiernan seconded. So voted, 5-0. Meeting adjourned at 6:57 pm.

Respectfully submitted,

Katherine Black