

**TRURO PLANNING BOARD AGENDA-Revised**  
**TUESDAY, April 11, 2017 – 5:00 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.

**Definitive Plan – Public Hearing Continued-Request for Further Continuance**

**2016-010PB Stephen Walsh, et al**, have filed an application for approval of a Definitive Plan with the Clerk of the Town of Truro pursuant to MGL c.40A, §81T and §2.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to their property located on Walsh Way, Walsh Way Extension and Valentine Lane, Map 43, Parcels 7, 8, 9, 10, 134 & 135. The plan would widen existing roadways with no new lots created. Continued from September 6<sup>th</sup>, September 20<sup>th</sup>, November 2<sup>nd</sup>, 2016, December 6, 2016, February 7, 2017, and March 7, 2017. Requesting continuance to May 2, 2017.

**Commercial Site Plan Review – Waiver Request**

**2017-004 SPR Town of Truro**, seeks a waiver of Site Plan Review pursuant to §70.9 of the Truro Zoning By-law for upgrade of an on-site sewage disposal system to meet Title 5 requirements and to construct a sustaining wall. No other changes are anticipated on the site. The property is the Town's Beach/Recreation Office Building located at 36 Shore Road, Atlas Map 36 Parcel 130.  
Town of Truro Waiver of Site Plan Review

**Release of Covenant**

**2015-001PB Meldahl Realty Trust** seeks release of covenant for completion of road construction pursuant to Definitive Plan approval, Barnstable County Registry of Deeds Plan Book 569, Page 44, for property known as 3 & 6 Edgewood Way, Truro, Map 51, Parcels 34, 88, 89 & 90.

**Informational Presentation on Town of Truro Complete Streets Initiative**

Presentation by Jarrod Cabral, Truro DPW Director, and Emily Beebe, Truro Conservation Agent

**Informational Presentation on Herring River Restoration Project**

Presentation by Don Palladino, Friends of Herring River

**Review and Approval of Meeting Minutes**

March 21, 2017 Regular Meeting

**Reports from Board Members and Staff**

**Meeting Dates and Other Important Dates**

April 25, 2017 – Annual Town Meeting

May 2, 2017 (Tues.) – Regular Meeting

May 16, 2017 (Tues.) – Regular Meeting

June 6, 2017 (Tues.) – Regular Meeting

**Adjourn**

**SLADE ASSOCIATES, INC.  
REGISTERED LAND SURVEYORS**

P.O. BOX 592  
WELLFLEET, MASSACHUSETTS 02667  
508-349-3110  
FAX 508-349-7577



**ASSOCIATES:**

RICHARD F. LAY, R.L.S.  
CHESTER N. LAY, R.L.S.

E-MAIL: SLADE@SLADE-ASSOCIATES.COM  
CHET.LAY@SLADE-ASSOCIATES.COM  
RICHARD.LAY@SLADE-ASSOCIATES.COM

April 6, 2017

Truro Planning Board  
P.O. Box 2030  
Truro, MA 02666

Re: Walsh Definitive Plan (2016-010 PB)

Dear Board Members,

By way of this letter we are requesting to be placed on the board's May 2<sup>nd</sup> agenda and are requesting an extension of their statutory period of time in which to act on the above-captioned plan to May 30<sup>th</sup>.

We are filing for a variance with the Board of Appeals to address the transition curve where Walsh Way meets Route 6 and are preparing road profile plans showing what the road would look like if done in compliance with your Regulations at some future date.

Sincerely,

A handwritten signature in black ink, appearing to read "Chester N. Lay".

Chester N. Lay

Cc: Carole Ridley ✓

CNL/jd



# TOWN OF TRURO

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

To: Planning Board  
From: Deanna Ruffer, Town Planner  
Date: March 6, 2017  
Re: Commercial Site Plan Review

**2017-004 SPR Town of Truro**, seeks a waiver of Site Plan Review pursuant to §70.9 of the Truro Zoning By-law for upgrade of an on-site sewage disposal system to meet Title 5 requirements and to construct a sustaining wall. No other changes are anticipated on the site. The property is the Town's Beach/Recreation Office Building located at 36 Shore Road, Atlas Map 36 Parcel 130.

## Submission

1. Commercial Development Application for Waiver of Site Plan Review received March 16, 2017, with fee, with the following items:
  - a. Memo from Jarrod Cabral, Director, Truro Department of Public Works, dated March 16, 2017 re: Waiver Request for Site Plan Review for Propose Septic Upgrade at Truro Beach/Recreation Office Building at 36 Shore Road
  - b. Plan entitled Site & Sewage Disposal System Design, for Town of Truro, 36 Shore Road, Truro, MA prepared by J.M. O'Reilly & Associates, Inc., Scale 1"=20', dated 3/13/2017
  - c. Four photographs of the area of proposed septic system and surrounding area

## Other Department Comments

Application materials were distributed to the Police Department, Fire Department, Health and Conservation Agent and Building Commissioner for comment. The Police Chief and Building Commissioner have no concerns or issues. The upgrade of the septic system requires permits from the Conservation Commission and Board of Health. The agents have been directly involved with this project and have no issues with the application for a waiver before the Planning Board.

The Town has also submitted an application to the Zoning Board of Appeals for Special Permit and/or Variance, as the Board deems appropriate as the lot is pre-existing nonconforming in terms of area, minimum required frontage, and minimum required side yard setback and the proposed design includes a sustaining wall. The public hearing for this application is scheduled for April 24, 2017.

## Planning Board Jurisdiction

### §70.9 Waiver of Site Plan Review

The Planning Board may determine at its discretion without a public hearing that submission of a Commercial or Residential Site Plan review application is not required when the alteration or

reconstruction of an existing building or structure or new use or change in use **will not** have a significant impact: within the site or in relation to adjacent properties and streets; on pedestrian and vehicular traffic; on public services and infrastructure, or on unique environmental and historic resources abutting properties; or community needs.

A waiver from Commercial or Residential Site Plan Review must be requested by the applicant using the appropriate Site Plan Review Application form. The form, applicable filing fee and supporting documentation to establish such review shall be filed with the Planning Board Secretary. A waiver request will be considered at a regular session of the Planning Board.

Upon the decision of the Planning Board, a copy of the decision shall be sent to the applicant, the owner, the representative, if any, and the Building Commissioner.

### **Completeness of Application**

As there are no specific requirements for the submittal of a Waiver of Site Plan Review, it is the responsibility of the Planning Board to determine whether the information submitted provides adequate information to determine whether the applicant has demonstrated that “the alteration or reconstruction of an existing building or structure or new use or change in use will not have a significant impact: within the site or in relation to adjacent properties and streets; on pedestrian and vehicular traffic; on public services and infrastructure, or on unique environmental and historic resources abutting properties; or community needs.”

### **Additional Planning Staff Comments**

Staff has no concerns about the requested waiver, as there will be no impact on the parking provided on site and the existing office building footprint or size will not be expanded or modified.

### **Board Options**

1. Approve the request of the Town of Truro for a Waiver of Site Plan Review pursuant to §70.9 of the Truro Zoning Bylaw to allow for the upgrade of the on-site sewage disposal system for the property located at 36 Shore Road, Truro. Based on the fact that the proposed system upgrade **will not** have a significant impact: within the site or in relation to adjacent properties and streets; on pedestrian and vehicular traffic; on public services and infrastructure, or on unique environmental and historic resources abutting properties; or community needs.
2. Deny the request of the Town of Truro for a Waiver of Site Plan Review pursuant to §70.9 of the Truro Zoning Bylaw to allow for the upgrade of the on-site sewage disposal system for the property located at 36 Shore Road, Truro. Based on the fact that the proposed system upgrade **will** have a significant impact: within the site or in relation to adjacent properties and streets; on pedestrian and vehicular traffic; on public services and infrastructure, or on unique environmental and historic resources abutting properties; or community needs, and thus necessitates a full Site Plan Review.
3. To continue the meeting on the application for additional information (*Need to state what additional information is required and the continuation of a meeting must be to a date and time certain.*)



# Town of Truro Planning Board

P.O. Box 2030, Truro, MA 02666

## COMMERCIAL DEVELOPMENT APPLICATION FOR SITE PLAN REVIEW

Date March 16, 2017

To the Town Clerk and the Planning Board of the Town of Truro, MA

The undersigned hereby files an application with the Truro Planning Board for the following:

- Site Plan Review** pursuant to §70.3 of the Truro Zoning By-law (Complete I, II & III)
- Waiver of Site Plan Review** pursuant to §70.9 of the Truro Zoning By-law (Complete I & III)

### I. General Information

Description of Property and Proposed Project Existing Truro Beach/ Recreation office Building. Propose to upgrade on-site sewage disposal system (cesspool) to Title 5. No change in parking or structure. See attached.

Property Address 36 Shore Road Map(s) and Parcel(s) 36-130

Registry of Deeds title reference: Book 1073, Page 221, or Certificate of Title Number \_\_\_\_\_ and Land Ct. Lot # \_\_\_\_\_ and Plan # \_\_\_\_\_

Applicant's Name Town of Truro, Rae Ann Palmer, Town Manager

Applicant's Legal Mailing Address PO Box 2030 Truro 02666

Applicant's Phone(s), Fax and Email 508-214-0201 rpalmer@truro-ma.gov

Applicant is one of the following: (please check appropriate box)

- Owner
- Prospective Buyer\*
- Other\* \*Written Permission of the owner is required for submittal of this application.

Owner's Name and Address same

Representative's Name and Address Javed Cabral, Town of Truro DPW Director

Representative's Phone(s), Fax and Email 508-214-0400 jcabral@truro-ma.gov

**II. Waiver(s) Request** – Waivers from any of the items listed in §70.3.D, must be identified below and a separate sheet shall be attached indicating in detail the reason for said waiver(s) pursuant to §70.3.D. *Note that items 1(a-d), 2 and 3.a (1 – 6) of §70.3.D shall not be waived.*

- 1.e: 3 copies of drainage calculations
- 3.b: Existing Conditions Plan (specific waiver requests and reason must be attached)
- 3.c: Proposed Conditions Plan (specific waiver requests and reason must be attached)
- 3.d: Proposed Landscaping Plan (specific waiver requests and reason must be attached)

### III. Signature(s)

\_\_\_\_\_  
Applicant(s)/Representative Signature

Rae Ann Palmer  
Owner(s) Signature or written permission

Your signature on this application authorizes the Members of the Planning Board and town staff to visit and enter upon the subject property.



# TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Tel: 508-349-7004, Fax: 508-349-5505

March 16, 2017

To: Truro Planning Board

RE: Request for Waiver of Site Plan Review for Septic Upgrade at Truro Beach/Recreation Office Building at 36 Shore Road

Dear Members of the Planning Board:

Attached please find the application for Site Plan Review and supporting documents that describe the proposed project (septic upgrade) at the Truro Beach/Recreation Office Building. The Town is requesting a waiver of Site Plan Review as indicated on the application pursuant to section 70.9 of the Truro Zoning By-Law.

This existing 966± square foot office building is used by the Truro Recreation/Beach Department. The parcel is 31, 800± square feet and contains a Bordering Vegetated Wetland west side of the property and along the property line to the south. The project involves the removal and abandonment of an existing cesspool and the installation of a new Title 5 sewage system. A site and sewage plan has been prepared by John O'Reilly, P.E. of J.M. O'Reilly & Associates, Inc. The proposed sewage system is located in the northeast corner of the property so as to maximize distances to the wetland area and allow continued use of the parking area. There are no plans to expand or modify the existing office building footprint or size.

The sewage disposal system will consist of a septic tank, pump chamber and a pressure dosed leaching field within a 35' L (outside wall) x 15' W (outside wall) x 4.4' H raised concrete containment wall. The raised leach field was necessary to provide the five foot groundwater separation to the bottom of the leach field as required by Title 5.

It is my opinion that a waiver from Site Plan is warranted due to the limited scope of the project and minimal impact to the site and surroundings. The sewage system upgrade is an improvement over the existing cesspool, which is most likely sitting in groundwater. The proposed sewage system will provide better protection of the environment and public health.

The Town respectfully requests your approval of this application so that the proposed upgrade may proceed this Spring, prior to the opening of the Recreation/Beach Office.

Thank you for your time and consideration.

Sincerely,

Jarrod Cabral, Director  
Truro Department of Public Works

Truro Beach/Recreation Office – 36 Shore Rd



Area of Proposed Septic System



38 Shore Rd- raised concrete containment wall for leach field

Truro Beach/Recreation Office - 36 Shore Rd



**Area of Proposed Septic System**

**Vegetation along property line**

**Abutting Property at 38 Shore Rd**









# TOWN OF TRURO

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

## Memorandum

To: Planning Board  
Fr: Carole Ridley, Planning Consultant  
Date: April 6, 2017  
Re: 2015-011 Meldahl Realty Trust

**2015-011 Meldahl Realty Trust** seeks release of performance guarantee of \$83,680 for completion of road work in compliance with an approved Definitive Plan and Sections 2.5.6 and 2.5.7 of the Rules and Regulations Governing the Subdivision of Land.

On January 5, 2016 the Board voted to accept a performance guarantee of \$83,680, from Meldahl Realty Trust for construction of road improvements pursuant to a Modification of a Definitive Plan approved by the Planning Board on December 8, 2015. The funds were deposited with the Town Treasurer's Office. There was no Form D executed at that time.

In consideration of the plan modification and performance guarantee, the Board also voted on January 5th to release a covenant recorded at Barnstable County Registry of Deeds at Book 14422 Page 8, which was associated with the Definitive Plan prior to Modification.

Pursuant to 2.5.6 and 2.5.7 of the Rules and Regulations Governing the Subdivision of Land, the applicant is now seeking the release of the Performance Guarantee and return of funds.

The Planning Department received the required copies of the "as built plans" and a letter from Chester N. Lay, RLS, certifying that the road had been built with all improvements as shown on the approved plan.

The "as built" plan was also submitted to DPW Director Jarrod Cabral for his review and inspection. Mr. Cabral emailed on April 3, 2017 that "[a]fter review of the original plans, the as built plans, and a review of the roadway in the field, I have determined the current as built to be correct."

Possible Motion:

The Planning Board finds the road construction pursuant to Definitive Plan approval 2015-011PB, Meldahl Realty Trust to have been completed in compliance with approved plans and, in consideration of satisfactory evidence of performance in accordance with sections 2.5.6 and 2.5.7 of the Town of Truro Regulations Governing the Subdivision of Land, hereby agrees to request that the Town Treasurer return funds of \$83,680 to Meldahl Realty Trust previously deposited as performance guarantee for said road construction.



# TOWN OF TRURO

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

To: Planning Board  
From: Carole Ridley  
Date: December 30, 2015  
Re: Staff Report #2

**2015-011PB Malcolm Meldahl** seeks endorsement of a Modification to Definitive Plan for Edgewood Way, approved by the Board on December 8, 2015 and following the expiration of a 20-day appeal period (no appeals were filed). The applicant also seeks a release of covenant recorded at the Barnstable County Registry of Deeds, Book 14422, Page 8, and acceptance of a new security deposit to cover road construction.

The Planning Board conditionally approved this modification to a definitive plan on December 8, 2015. A decision was filed with the Town Clerk on December 9<sup>th</sup>, and no appeals were filed within the 20-day appeal period. An attested copy of the decision is attached.

In accordance with the decision, the applicant is request three actions by the Board:

1. Acceptance of a Security Deposit to cover the construction of roadway and utilities in accordance with the approved modification. If the board so chooses to accept the security deposit, a possible motion to this effect follows:

To accept a cash deposit of \$83,680 from Malcolm Meldahl Realty Trust, reference number 2015-011 PB, in accordance with section 2.5.5.c of the Town of Truro Rules and Regulations Governing the Subdivision of Land, as guarantee of performance for the construction of roadway and utilities as shown on the plan entitled "Edgewood Way Supplemental Plan made for Malcolm Meldahl" prepared by Slade Associates and dated September 10, 2015, and in accordance with the Planning Board's conditional approval of said plan, as set forth in a decision filed with Town Clerk of Truro on December 9, 2015; and further that said cash deposit will not be released by the Town until satisfactory evidence of performance has been demonstrated in accordance with sections 2.5.6 and 2.5.7 of the Town of Truro Regulations Governing the Subdivision of Land.

2. Release of a covenant assigned under the previously approved subdivision plan. If the Board so chooses to release the covenant associated with the prior plan, a possible motion to this effect follows:

In consideration of a subsequent modification to definitive plan and associated performance guarantee, to execute form F Certification of Completion and Release of Municipal Interest in Subdivision Performance Security with respect to the covenant recorded with the Barnstable County Registry of Deeds, Book 14422, Page 8 only.



COMMONWEALTH OF MASSACHUSETTS  
TOWN OF TRURO  
PLANNING BOARD – NOTICE OF ACTION

MODIFICATION TO A DEFINITIVE SUBDIVISION

Reference No. 2015-011

Map 51 Parcels 34, 88, 89 & 90

3, 6, 8 & 10 Edgewood Way

Applicant: Meldahl Realty Trust, Malcolm Meldahl Trustee

Meeting Dates December 8, 2015

Decision Date December 9, 2015

At a duly posted and noticed public hearing opened on December 8, 2015, the Town of Truro Planning Board, acting in the matter of Reference Number 2015-011, and pursuant to MGL c41A §81W, voted to approve with conditions a modification to a Definitive Plan entitled “Subdivision Plan of Land in Truro made for Meldahl Realty Trust” and recorded at the Barnstable County Registry of Deeds (Plan Book 569, Page 44) to allow modified specifications for roadway construction. The Board’s vote was 7-0-0 to approve the modification with conditions.

In the Planning Board’s deliberations, the following plans and submittals were reviewed:

- Letter from Slade Associates dated October 26, 2015 re: “Edgewood Farm”, Truro (Malcolm Meldahl)
- Form E Application for Modification, Amendment or Rescission of Definitive Subdivision, dated November 19, 2015
- Form F Certification of Completion & Release of Municipal Interest in Subdivision Performance Security, received October 29, 2015
- Form D Covenant, received October 29, 2015
- Certified abutters lists for 3,6,8 and 10 Edgewood Way
- “Edgewood Way” Supplemental Plan made for Malcolm Meldahl by Slade Associates, dated September 10, 2015 and revised October 16, 2015 at 1”: 50’
- Letter from Slade Associates dated December 3, 2015 re: Ch 41 81W Modification of Previously Approved Road Specifications for Malcolm Meldahl (filed October 29, 2015), said letter containing a request for waivers from §§ 3.4, 3.5 and 3.7 of the Town of Truro Regulations Governing the Subdivision of Land
- Letter from Slade Associates dated December 7, 2015 re: Malcolm Meldahl “Edgewood Way”, said letter providing justification for requested waivers
- “Edgewood Way” Supplemental Plan made for Malcolm Meldahl by Slade Associates, dated September 10, 2015 and revised December 4, 2015 at 1”: 50’





LaTanzi  
Spaulding &  
Landreth, Inc.

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VIA EMAIL &  
REGULAR U.S. MAIL.

Ms. Carole Ridley  
Town of Truro Planning Board  
24 Town Hall Road  
Truro, MA 02666

Re: Meldahl Realty Trust - #2015 - 011PB  
Edgewood Farm - Endorsement of the Plan

Dear Ms. Ridley:

In preparation for the Planning Board meeting seeking endorsement of a plan, scheduled to take place on Tuesday January 5, 2016 Malcolm Meldahl, Trustee on behalf of Meldahl Realty Trust will be submitting a deposit in the form of a bank check in the amount of \$83,680 payable to the Town of Truro in connection with the above matter and plan approval which took place on December 8, 2015.

The purpose of the deposit is security as a performance guarantee under section 2.5.4, c.2. of the Town of Truro Rules and Regulations Governing the Subdivision of Land (hereinafter "Regulations") in connection with the work to be completed and represents one and one-half times the below quotes for the work to be completed.

The "work" to be completed is completion of construction of that way known as Edgewood Way in accordance with the Plan entitled, "'Edgewood Way" Supplemental Plan Made For Malcolm Meldahl," dated September 10, 2015, and revised October 16, 2015, prepared by Slade Associates, Inc. of Wellfleet, Ma as approved by the Truro Planning Board on December 8, 2015, and installation of electrical service in accordance with those quotes for said work previously submitted including a quote from MCF Dirtworks of December 7, 2015 and from Farrell Electric, Inc. dated October 6, 2015.

Said work shall be completed by June 30, 2016. The Trust intends to sell lots 1 and 2 on the plan recorded in Plan Book 569, Page 44 of the Barnstable county Registry of Deeds to Truro Center for the Arts At Castle Hill which closing is scheduled to take place on January 7, 2016. Lots 3 and 4 on said plan have already been conveyed to the Truro Conservation Trust in order to meet their year end funding requirements. As part of the sale to take place to Castle Hill, there is an escrow agreement which makes provision for completion of the work by June 30, 2016.

*Malcolm Meldahl*

Cc: Carole Ridley ✓  
Bonnie Jean Nunheimer, Esquire  
Bruce Bierhans, Esquire  
Malcolm Meldahl

CNL/jd



Cc: Carole Ridley ✓  
Bonnie Jean Nunheimer, Esquire  
Bruce Bierhans, Esquire  
Malcolm Meldahl

CNL/jd

**SLADE ASSOCIATES, INC.**  
**REGISTERED LAND SURVEYORS**

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**ASSOCIATES:**

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CHESTER N. LAY, R.L.S.

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RICHARD.LAY@SLADE-ASSOCIATES.COM

April 6, 2017

Planning Board  
Town of Truro  
P.O. Box 2030  
Truro, MA 02666

Re: Meldahl Realty Trust - Ref. No. **2015-011** Modification to a Definitive Subdivision

Dear Board Members,

This is to certify that all improvements shown on the above-captioned plan and approved by the Board at their meeting on December 8, 2015, have been met. These improvements include the removal of the existing pavement from Route 6 to the existing concrete driveway and the re-paving of this section with bituminous asphalt to a width of 14 feet, widening the existing concrete drive within Edgewood Way to a width of 14 feet, paving the existing T-base driveway servicing the studio and shop to a width of 14 feet and constructing a paved cul-de-sac in the location of the former cul-de-sac. The other improvements include installing a stone swale with filter fabric leading into three 4 feet by 4 feet leach galleys and the installation of guardrails.

The utility pole near the NW corner of Lot 1 was moved back to accommodate the widening of the way and utilities were installed to service Lot 2.

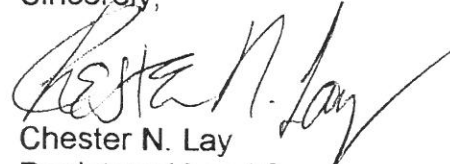
We did not set road monuments past the portion of the constructed way as Truro Center For The Arts owns the fee in the road.

Since the re-surfacing and widening was over the existing driveway, any disturbance is minimal and these small disturbed areas have been covered with wood chips, so Section 25.7.c would not apply.

DPW director Jarrod Cabral has inspected the road and found the as-built plan to be "correct".

I have also inspected the work and approve the methods of construction and materials used in the performance.

Sincerely,

  
Chester N. Lay  
Registered Land Surveyor



Encl.

Cc: Carole Ridley, Planner ✓  
Jarrod J. Cabral, Director of Public Works  
Bonnie-Jean Nunheimer, Esq.  
Malcolm Meldahl

CNL/jd

## TOWN OF TRURO COMPLETE STREETS POLICY

### Vision and Purpose:

The Town of Truro Complete Streets policy recognizes that considering all users and resources when designing roadway improvements will support the elements that are important to both the character and the economy of the Town and the Outer Cape. Complete Streets are designed and operated to provide safety, comfort, and accessibility for all the users of our roadways, and our transit system, including pedestrians, bicyclists, transit riders, motorists, commercial vehicles, and emergency vehicles. “All users” includes users of all ages, abilities, and income levels. Complete Streets principles contribute toward the safety, health, economic viability, and quality of life in our community by improving the pedestrian and vehicular environment; this will result in safer, more accessible, and more comfortable means of travel between home, school, work, recreation and retail destinations. Complete Streets further equity objectives by providing safe forms of travel for residence of all income levels.

It is the intent of the Town of Truro to formalize the plan, design, operation and maintenance of roadways so that they are safe for all users of all ages and abilities and all income levels as a matter of routine. This policy directs decision makers to consistently plan, design, construct, and maintain roadways to accommodate all anticipated users including but not limited to pedestrians, bicyclists, motorists, transit riders and vehicles, emergency vehicles and freight and commercial vehicles.

### Core Commitment:

The Town of Truro recognizes that users of various modes of transportation, including but not limited to pedestrians, cyclists, transit and school bus riders, motorists, delivery and service personnel, freight haulers and emergency responders are legitimate users of streets and deserve safe facilities. “All users” include users of all ages, abilities, and income levels.

The Town of Truro recognizes that all projects including new construction, maintenance, and reconstruction are potential opportunities to apply Complete Streets design principles. The Town will, to the maximum extent practical, design, construct, maintain, and operate all streets to provide for a comprehensive and integrated network of transportation facilities for people of all ages and abilities.

Complete Streets design recommendations shall be incorporated into all publicly and privately funded projects as appropriate. All transportation infrastructure and street design projects requiring funding or approval by the Town of Truro as well as projects funded by the State and Federal government, including but not limited to Chapter 90 funds, improvement grants, Transportation Improvement Program (TIP), the MassWorks Infrastructure Program, Community Development Block Grants (CDBG), Capital Funding and other state and federal funds for street and infrastructure design shall adhere to the Town of Truro Complete Streets Policy. Private developments and related roadway design components shall adhere to the Complete Streets principles. In addition, to the extent practical, state-owned roadways will comply with the Complete Streets policy, including the design, construction and maintenance of such roadways within Town boundaries.

# TOWN OF TRURO COMPLETE STREETS POLICY

## Exemptions

Transportation infrastructure projects, including but not limited to roadway reconstruction, roadway reconfigurations or subdivisions may be excluded upon approval by the Town Manager/Board of Selectmen with consultation from the appropriate town departments, where documentation and data indicate that any of the following apply:

- Where it is demonstrated that costs or impacts of accommodation are excessively disproportionate to the need or probable future use.
- Other Town policies, regulations or requirements contradict or preclude implementation of Complete Streets principles.

## Best Practices

The Town of Truro Complete Streets Policy focus includes developing a connected, integrated network that serves all users. Complete Streets will be integrated into policies, planning and design of all types of public and private projects, including new construction, reconstruction, rehabilitation, repair, and maintenance of transportation facilities on streets and re-development projects. As practicable, recommendations from the appropriate Town departments for incorporating Complete Streets elements will occur in projects' beginning stages prior to design.

Implementation of the Town of Truro Complete Streets policy will be carried out cooperatively within all departments in the Town of Truro with multi-jurisdictional cooperation and, to the greatest extent possible, among private developers and state, regional and federal agencies.

The Town of Truro will work cooperatively with the neighboring Outer Cape Towns, the Cape Cod National Seashore and regional entities in an effort to strengthen regional connectivity options for all users.

Complete Streets principles include the development and implementation of projects in a context sensitive manner in which project implementation is sensitive to the community's physical, economic, and social setting. The context sensitive approach to process and design includes a range of goals by giving significant consideration to stakeholder and community values. It includes goals related to livability with greater participation of those affected in order to gain project consensus. The overall goal of this approach is to preserve and enhance scenic, aesthetic, historical, and environmental resources while improving or maintaining safety, mobility and infrastructure conditions.

The Town of Truro recognizes that Complete Streets may be achieved through single elements incorporated into a particular project or incrementally through a series of smaller improvements or maintenance activities over time.

## TOWN OF TRURO COMPLETE STREETS POLICY

The latest design guidance, standards and recommendations available will be used in the implementation of Complete Streets, including the most up-to-date versions of:

- The Massachusetts Department of transportation *Project Design and Development Guidebook*
- American Association of Highway State Highway transportation officials (AASHTO) *A Policy on Geometric Design of Highways and Streets*
- The United States Department of Transportation Federal Highway Administration's *Manual on Uniform Traffic Design Controls*
- The Architectural Access Board (AAB) *521 CMR Rules and Regulations*
- The Cape Cod Commission's *Complete Streets/Living Streets Design Manual*
- Cape Cod Metropolitan planning organization's *Cape Cod Regional Transportation Plan*
- The Town of Truro *Local Comprehensive Plan*

The Town of Truro will implement a balanced and flexible approach to Complete Streets implementation that utilizes the latest design guidance, standards and recommendations while providing flexibility to best accommodate all users and modes given the unique characteristics of the surrounding community.

### Evaluation of Effectiveness

The Town will develop performance measures to periodically assess the rate, success, and effectiveness of implementing the Complete Streets Policy. The Town will determine the frequency of assessment and utilize appropriate metrics for analyzing the success of this policy.

These metrics may include:

- Linear feet of new pedestrian accommodation
- Number of new curb ramps or other retrofitted pedestrian facilities
- Increase in the number of users of public transportation
- Total miles of new on-street bicycle routes defined by lane markings or signage
- Decrease in the number of traffic accidents involving vehicles ,bicycles and pedestrians in Complete Streets areas
- Number of new street trees planted along the streets
- Number of LID landscape areas installed

These metrics will be included in a report by the Town and presented annually, and as needed. Implementation strategies will be adjusted as needed based on the findings in these reports

### Implementation

The Town shall make Complete Streets practices a routine part of everyday operations; shall approach every transportation project and program as an opportunity to improve streets and the transportation network for all users; and shall work in coordination with other departments, agencies, and jurisdictions to achieve Complete Streets.

## TOWN OF TRURO COMPLETE STREETS POLICY

The Town shall integrate Complete Streets principles in all new planning documents as applicable, such as master plans, open space and recreation plans, as well as procedures, rules, regulations and guidelines, programs and templates; and shall make recommendations for zoning and subdivision codes to encourage contextual design of complete streets policies while respecting the presence of important scenic environmental and historic resources.

The Town shall maintain a comprehensive inventory of pedestrian and bicycle facility infrastructure that will highlight projects that eliminate gaps in the sidewalk and bikeway network.

The Town will evaluate projects within the capital improvement plan to encourage implementation of this policy.

The Town will secure training for pertinent Town staff and decision-makers on both the technical content of Complete Streets principles and best practices, as well as community engagement methods for implementing the Complete Streets Policy. Training may be accomplished through workshops another appropriate means.

The Town will utilize inter-department coordination to promote the most responsible and efficient use of resources for activities within the public way.

The Town will seek out appropriate sources of funding and grants for implementation of our Complete Street policy.

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BY: .....



## Friends of Herring River Wellfleet and Truro, Massachusetts

March 15, 2017

Dear Mr. Sollog:

The Herring River Restoration Project (Project) is the result of more than a decade of scientific study, extensive stakeholder involvement and public discussions with local leadership.

The Project's goal is to restore our native ecosystem and its attendant benefits to local residents and visitors, including local fishermen, shellfishermen, and businesses. Benefits of the Project include:

- Nearly 1,000 acres of salt marsh and other estuarine wetlands—and the habitat and food sources they provide—will be restored to conditions more like a century ago;
- Restoration will expand habitat for many species of birds, mammals and reptiles—including rare species—that thrive in salt and brackish marsh environments;
- Water quality will improve in Herring River and Wellfleet Harbor, to the benefit of residents, shellfishermen, and visitors,
- The re-opening and expansion of harvestable shellfish beds will support Wellfleet's economy;
- Restored salt marsh will enhance coastal storm resiliency and the ability to adapt to sea level rise;
- Recreational access to 6 miles of waterways will be restored.

The Project reached many important milestones in 2016 and is moving into a new phase of implementation activity. We would appreciate an opportunity to meet with the Truro Planning Board to bring you up to date on recent progress and what is ahead for the Project in 2017.

Someone from Friends of Herring River will be contacting you to follow up on this request. In the meantime, feel free to Karen LaRocque at our office at 508-214-0656 to schedule a meeting or for more information.

Sincerely,

Donald J. Palladino  
President

cc: Rae Ann Palmer, Truro Town Manager

*The Herring River Restoration Project is a collaboration of the Towns of Wellfleet and Truro and the Cape Cod National Seashore (CCNS). Other regional, state and federal partners include Natural Resource Conservation Service, National Oceanographic and Atmospheric Administration, US Fish and Wildlife Service and Massachusetts Department of Ecological Restoration.*

Friends of Herring River P.O. Box 565, South Wellfleet, MA 02663

(508) 214 0656 [www.friendsofherringriver.org](http://www.friendsofherringriver.org)



TRURO PLANNING BOARD

**DRAFT**

Meeting Minutes

March 21, 2017, 6:00 pm

Truro Town Hall

**Planning Board Members Present:** Bruce Boleyn, Paul Kiernan, Jack Riemer, Mike Roderick, Steve Sollog. Absent (excused): Peter Herridge

Other participants: Katherine Reed, Josiah Mayo, Carole Ridley, Planning Consultant

Steve Sollog opened the meeting at 6:05 pm.

**Public Comment Period**

There was no public comment.

**Public Hearing Continuance—Commercial Site Plan Review—Request for Further Continuance**

**2016-009SPR Adventure Bound Camping Resorts** seeks approval of an application for Commercial Site Plan Review pursuant to §70.3 of the Truro Zoning By-law for the redevelopment of Horton’s Camping Resort, including proposed sewer and water systems, upgrades to existing electrical, a proposed wastewater treatment facility, and the realignment of existing campsites and gravel roadways. The property is located at 67 South Highland Road, Map 37 Parch 15. Continued from January 17, 2017.

Mr. Riemer asked if they could discuss the email from the applicant’s attorney. Mr. Boleyn said that he is concerned that there is an abuse of the continuances. Mr. Riemer and Mr. Boleyn attended the recent Zoning Board of Appeals hearing for this applicant. Ms. Ridley said that this situation is somewhat different than some of the other continuances that have been granted recently. This is one where the matter is in process with two boards, the National Heritage and the Zoning Board of Appeals. Mr. Nagle said that the applicant is committed to working with the Town on a site plan. He has said in the past he wasn’t sure they would need to do a site plan review. Ms. Ridley recommends maintaining the process. Mr. Boleyn brought up the fact that after all this time he doesn’t have a business plan. There is a lack of preparation. Mr. Sollog asked if a continuance can be made conditionally. Ms. Ridley said that either you grant the continuance or you don’t, but you can include your concerns. If it goes beyond June, it can be reassessed.

Mr. Kiernan said the reason ABC Resorts is here is because they got caught in violation of the law. In appendix 2, the 2nd paragraph, it says that the Planning Board should continue a hearing for good cause shown. Since the applicant is not before us, he can’t give us good cause. Ms. Ridley said the email and letter submitted gives the reasons for the request.

Mr. Sollog said that he was concerned that the Planning Board could jeopardize the process, if we don’t continue the hearing. Mr. Riemer referenced appendix 5 in the Handbook regarding exemptions. He would like to make sure that this Board is not being “played.” Mr. Roderick

said he thinks the Planning Board should grant this extension, but no more extensions after this one. Ms. Ridley said if the Planning Board grants the extension, this concern could be conveyed. Mr. Kiernan asked if there is a consensus of the Board, since they will be talking about continuances later. Mr. Kiernan made a motion to grant continuance to the June 6 Planning Board meeting, with the proviso that if any further continuance be needed, the applicant would appear before the Planning Board. Mr. Boleyn seconded, so voted, 5-0.

### **Waiver of Site Plan Review**

**2017-003SPR Katherine Reed** seeks a Waiver of Site Plan Review pursuant to §70.9 of the Truro Zoning By-law for seasonal location of a food truck at Chequessett Chocolate, 8 Highland Road, North Truro, Map 36, Parcel 89.

Mr. Roderick acknowledged that he owns property across the street from the applicant, but he feels he can be impartial. Mr. Sollog read a letter from an abutter saying that they have no problem with the food truck. This is the 3rd year that there will be a food truck at Chequessett Chocolate. This year the applicant has purchased a truck, instead of hiring one. There will be no other changes from the previous two years, except the truck is 4 feet smaller. They have hired a chef on contract. The truck is stationary and will not be moved, once it is in place.

Mr. Riemer asked about number of employees and parking spaces. Ms. Reed responded. Mr. Kiernan asked if they've been through site plan review. He explained some advantages to site plan review, such as obtaining waivers for parking spaces. Ms. Reed said there wasn't time for a full site plan review before the busy season begins. The current parking spaces were pre-existing non-conforming when they first opened up. Josiah Mayo asked about the fact that the parking spaces have been legal for many years. Mr. Kiernan talked about registering with the Barnstable County Registry of Deeds. Mr. Mayo asked about the parking spaces and if it would codify the food truck.

Mr. Boleyn moved to waive site plan review for the food truck at Chequessett Chocolate; Mr. Roderick seconded. So voted, 5-0.

Mr. Sollog suggested approving the minutes before attending to the next agenda item. All were in agreement.

### **Review and Approval of Meeting Minutes**

February 7, 2017 Regular Meeting

Mr. Riemer made a motion to approve the minutes of the February 7, 2017 meeting, as written, Mr. Kiernan seconded. So voted, 5-0.

February 21, 2017 Regular Meeting

Mr. Boleyn made a motion to approve the meeting minutes of February 21, 2017, as written, Mr. Riemer seconded. So voted, 5-0.

February 28, 2017 Onsite Meeting

Mr. Boleyn made a motion to approve the minutes of the onsite meeting of February 28, 2017, Mr. Riemer seconded. So voted, 5-0.

March 2, 2017 Workshop

Mr. Riemer made a motion to approve the minutes of the workshop held on March 2, 2017, as written, Mr. Boleyn seconded. So voted, 4-0-1, Mr. Roderick abstained.

March 7, 2017 Onsite

Mr. Riemer moved to approve the minutes of the onsite meeting, March 7, 2017, Mr. Boleyn seconded. So voted, 4-0-1, Mr. Roderick abstained.

March 7, 2017 Regular Meeting

Mr. Riemer brought up two corrections, one on page 3, 4th sentence of 3rd paragraph, add the word “was” an oil spill. On the 5th page, 3rd paragraph replace the word loam with “fill.” Mr. Riemer asked if the Board would be reviewing the Winkler site plan with the conditions. Ms. Ridley said that this isn’t typically what the Planning Board does. The conditions are listed in the minutes. Mr. Riemer talked about a study group regarding site plan review. In order to assure accuracy, conditions should be recorded at Barnstable County registry. Ms. Ridley said this is required in the bylaw; it is not discretionary.

Mr. Riemer moved to approve with corrections the meeting minutes of March 7, 2017, Mr. Boleyn seconded. So voted, 4-0-1, Mr. Roderick abstained.

### **Discussion of Planning Board Policies**

Ms. Ridley opened the discussion on policies. Mr. Boleyn said his issue is on the abuse of continuances. He doesn’t think last minute continuances should be allowed. Ms. Ridley reminded him that continuances have always been posted on the agenda, which would mean that they are not last minute. Mr. Riemer is concerned that applicants are gaming the system. Mr. Roderick suggested that an applicant be required to be in attendance to ask for a continuance. Ms. Ridley said that sometimes their inability to be present is the reason for a requested continuance. She advised the Board not to restrict themselves by adding a rule that might not always be appropriate. Each applicant may have different issues.

Mr. Kiernan said that after a certain number of continuances, we might require an applicant to appear. Maybe three continuances should be allowed. The Board would need good cause. Ms. Ridley said that counsel’s review would be needed on this. Mr. Riemer said that he doesn’t think an applicant should be allowed to poll the Board. If they discover that they don’t have the votes they need for approval, then they ask for a continuance. Mr. Boleyn brought up the Winkler withdrawal, which the attorney requested due to too few Board members able to vote. Ms. Ridley said the Board should be aware of the applicant’s due process.

Mr. Kiernan said that maybe the Board should create a subgroup to look into these policy issues. Mr. Kiernan, Mr. Riemer and Mr. Roderick volunteered. Items: Workshop policy, allowance for the public to speak; how to include liaison with BOS; completeness of applications; road profile waived, have a preliminary meeting; streamline the process for the application; time limit on special conditions, two years; subdivisions and roads.

Mr. Riemer asked about the proposed article for Town Meeting regarding Board members missing a meeting. It is about missing one meeting only. Ms. Ridley will send the Board what was sent. The Warrant is closed.

There will be two petitioned articles to be discussed at the public hearing on March 30. Can they be amended?

Mr. Riemer brought up “findings of facts” that could be provided to the Board before a hearing. Ms. Ridley said this subject could be part of Planning Board policies. If you are going to require a submission, it would need to be part of the bylaw. This could be addressed by the subgroup.

**Reports from Board Members and Staff**

March 30 meeting, Public Hearing, 6 pm.

Tuesday April 11, Planning Board meeting will be at the Public Safety facility downstairs training room at 5 pm. There is one continuance ,which is scheduled at 6 pm. Other business could be scheduled first, and the continuance kept at 6 pm.

Town Meeting is April 25.

Mr. Boleyn moved to adjourn, Mr. Roderick seconded. So voted 5-0. Meeting adjourned at 7:30 pm.

Respectfully submitted,

Katherine Black