

TRURO PLANNING BOARD AGENDA
Wednesday, February 7, 2018 – 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 Decision

2017-006PB Kevin Shea, Barbara D. Rybeck, and Joan Siniscalco seek approval of a Definitive Plan filed with the Town Clerk on November 27, 2017 pursuant to MGL c. 41 §81U and Section 2.5 of the Town of Truro Regulations Governing the Subdivision of Land. The subject properties are known and numbered as 402 and 408 Shore Road, North Truro and shown as Parcel 22 and 41 on Truro Assessor's Map, Sheet 10. Hearing dates include December 20, 2017 and January 10, 2018. The Planning Board conditionally approved the project on January 10, 2018.

Discussion of Amendments to the Zoning Bylaw and Subdivision Regulations

The Planning Board will re-visit administrative changes to the zoning bylaw and subdivision regulations. The Town Planner will propose several changes to the Board.

Discussion of Size Restrictions for Residential Structures

The Planning Board will discuss the draft zoning bylaw on size restrictions for residential structures in all zoning districts.

Review and Approval of Meeting Minutes

January 24, 2018

Reports from Board Members and Staff

Town Planner Report

Next Meeting Agenda

Wednesday February 21 at 5 PM – **Please note the new date and time!**

Adjourn



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

DEFINITIVE SUBDIVISION

Reference No. 2017-006PB

Map 10 Parcels 22, 41

402 and 408 Shore Road

Applicant: Kevin R. Shea et ux., Barbara D. Rybeck and Joan Siniscalco

Meeting Dates December 20, 2017, January 10, 2018, February 7, 2018

Decision Date January 10, 2018

At a duly posted and noticed public hearing opened on December 20, 2017, the Town of Truro Planning Board, acting in the matter of Reference Number 2017-006PB, and pursuant to MGL c.40A, §81U and §2.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property located on 402 and 408 Shore Road as shown on the Definitive subdivision plan titled: “Definitive Subdivision Plan of Land in (North) Truro as prepared for Kevin Shea et ux. & Barbara D. Rybeck and Joan Siniscalco” prepared by William N Rogers, Professional Civil Engineers and Land Surveyors, dated November 2017, Revised January 3, 2018, Scale 1” = 20’.

The Board’s vote was 6-0-1 to approve the requested waivers and to conditionally approve the Definitive Plan.

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

- Fully executed Form C Application for Approval of a Definitive Plan dated November 20, 2017 signed by William Rogers, accompanied by emails from Mr. Kevin Shea and Mrs. Judith Richland and Attorney Kevin Kirrane stating that William Rogers has permission to sign Form C on behalf of the applicant.
- Filing Fee was waived. See Planning Board Minutes on November 8, 2017.
- Certified list of abutters for 402 and 408 Shore Road
- Definitive subdivision plan titled: “Definitive Subdivision Plan of Land in (North) Truro as prepared for Kevin Shea et ux. & Barbara D. Rybeck and Joan Siniscalco” prepared by William N Rogers, Professional Civil Engineers and Land Surveyors, dated November 2017, Scale 1” = 20’.
- “Definitive Subdivision Plan of Land in (North) Truro as prepared for Kevin R. Shea et ux & Barbara D. Rybeck and Joan Siniscalco, Scale 1 in. = 20 ft., November 2017, Revised January 3, 2018”, surveyed by William N. Rogers, Professional Civil Engineers & Land Surveyors.
- Table of Contents for the application
- Agreement For Judgment from Barnstable Superior Court 88-847, June 25, 1991

- Decision/Motion of the Zoning Board of Appeals of Truro, MA for 408 Shore Road, dated February 22, 2017
- Decision/Motion of the Zoning Board of Appeals of Truro, MA for 402 Shore Road, dated February 22, 2017
- WPA Form 5 – Order of Conditions for 408 Shore Road
- WPA Form 5 – Amended Order of Conditions for 408 Shore Road
- WPA Form 5 – Amended Order of Conditions for 402 Shore Road
- Letter from Pat Pajaron, Former Health Agent from the Town of Truro, letter dated October 6, 2016
- Letter from Pat Pajaron, Former Health Agent from the Town of Truro, letter dated November 3, 2016
- Site and Sewage Disposal System for Proposed 3 Bedroom Single Family Dwelling at 402 Shore Road, Truro, MA dated September 12, 2016, prepared by Bennett Environmental Associates, Inc.
- Architectural Site Plan Preliminary Landscaping Plan for Shea/Richland Residence at 408 Shore Road, Truro, MA dated November 16, 2017. Applicant refers to this plan in the Table of Contents as a “Site and Landscaping Plan for 408 Shore Road.”
- Deed from Norfolk Holdings Corp. to Kevin R. Shea and Judith Richland for 408 Shore Road recorded in Book 7711 Page 069 at Barnstable Registry of Deeds on October 11, 1991.
- Plan of Land in Truro, MA prepared for North Truro Associates, Inc. dated August 18, 1987. Applicant refers to this plan in the Table of Contents as the “ANR Plan for 402 & 408 Shore Road – Dated August 18, 1987.”
- Plan of Land in (North) Truro, Norfolk Holdings Corp, Recorded in Book 482, Page 43, dated August 13, 1991. Applicant refers to this plan in the Table of Contents as the “ANR Plan for 402 & 408 Shore Road – Dated August 13, 1991.”
- Waiver Requests Definitive Subdivision 402 & 408 Shore Road Kevin Shea et ux. & Barbara Rybeck and Joan Siniscalco
- Letter from Edward E. Veara dated September 3, 2003 regarding 402 Shore Road (former For’N Aft Motel) to Deputy Assessor in the Town of Truro.
- Quitclaim Deed from Anne Fortier and David Ditacchio to Kevin Shea and Judith Richland, dated January 27, 2012
- Amended Waiver Request was submitted by Mr. Chris Snow on December 13, 2017 as supplemental information to the original application.
- Plan of Land in (North) Truro as surveyed for Kevin R. Shea et ux., scale: 1 in. = 10 ft., June 2010, surveyed by William N. Rogers Professional Civil Engineers & Land Surveyors. Book 643, Page 13.
- Letter from Kevin Shea regarding the history of the boundary line agreement with Anne (Fortier) Ditacchio, dated December 29, 2017
- Letter from Kevin Shea to Julie Murtagh regarding the easement, dated October 22, 2017

- Letter from Anne Ditacchio regarding the boundary line between her property and Mr. Shea's property, sent via email on January 8, 2018
- Photograph of the concrete block wall between Anne Ditacchio's property and Kevin Shea's property, sent via email on January 8, 2018
- Unsigned letter from Attorney Richard J. Reilly, on behalf of Ms. Murtagh, regarding the easements located on 402 and 408 Shore Road, dated November 2, 2017.

Decision

On a motion by Mr. Herrick, seconded by Mr. Roderick, the Board voted to waive the following submission requirements of the Town of Truro Rules and Regulations Governing the Subdivision of Land:

- 2.5.2 Submission Requirement for Definitive Plans, A: General
 - #4: Twelve copies of plan, Profile and Cross Sections, showing proposed design and location of streets, drainage and utilities. *No profile plans are presented as no new roads are being constructed. No new streets are being proposed.*
 - #5: Two (2) copies of the subdivision plan prepared at a scale of 1 inch = 100' feet. The plan shall include the lot numbers and lot areas in acres and square footage. Distances and bearing need not be shown.
 - #6: Two (2) copies of drainage calculations based on a fifty (50) year storm, stamped and signed by an engineer, along with a topographic plan delineating contributing areas.
 - #9: A traffic impact and access study shall be required, for all developments that propose to create ten (10) or more buildable lots, at the developments access to existing roadway networks. The study shall be based on standards traffic engineering guidelines developed by the Massachusetts Environmental Protection Act (MEPA). The Planning Board may also require a traffic study if in their determination one is warranted because of public safety concerns. *Waiver for traffic study requested because no new roads are proposed and only 2 buildable lots are proposed.*
 - #10: Three proposed road name(s) for each new street. The Board reserves the right to reject proposed street names. *No new roads are being constructed.*
 - #11: A written statement stating the time within which the applicant/subdivider agrees to complete the proposed ways and to install all utilities required by the Board. *Construction is expected to be undertaken pursuant to the statutory timeframe for use of a variance grant.*
- 2.5.2 Submission Requirement for Definitive Plans, B: Contents of the Plan
 - #1: Subdivision Name: *There is no subdivision name as two single family homes without roadways are represented on the plan.*

- #5: The existing and proposed methods of providing road drainage and utilities. *No new roads are proposed*
- #6: Gross area of roads and cul-de-sacs, in square feet and acres, Area(s) subject to the Wetlands Protection Act and approval and/or restriction(s) of the Conservation Commission or the Board, Gross area of wetlands, in square feet and acres, for the entire subdivision, Net area of wetlands within each lot or parcel, in square feet and percentage, Net area of contiguous upland of each lot or parcel, in square feet and percentage.
- #7: Easements, covenants, rights-of-way, and/or restrictions applicable to the area shown on the plan.
- #8: The existing and proposed lines of streets, ways, lots, easements and any public or common areas within the subdivision.
- #9: The existing and proposed lines of any easements access or other purposes. The location, ownership and expiration date(s) of any conservation restrictions or easements.
- #10: The topography of the land, using two (2) foot contours, derived from an actual survey or photogrammetry based on USGS Datum. This may be shown on a separate plan.
- #13: The location of any wetlands on the land to be subdivided or within one hundred (100) feet of its boundaries.
- #14: Base flood elevation data, as shown on the Flood Insurance Rate Map, as most recently revised, published by the U.S. Department of Housing and Urban Development. The Base Flood Elevation date shall be provided for all proposals where any portion of the subject property lies within the 100-year flood plain.
- #15: Sufficient data to determine the location, direction and length of every way, lot lines and boundary lines including lengths and radii of all curves, to establish and reproduce these lines on the ground, and to comply with the requirements of the Registry of Deeds and/or Land Court.
- #16: For all ways involved in access for the proposed subdivision, whether within, abutting or without the subdivision, the grade and width of road layout, the location of the roadway within the layout, sight distances at intersections, and the physical condition of the roadway including actual width, surface type, depth of surface materials and condition of the road surface
- #17: A notation on the plan indicating that permanent bounds shall be set at all points of curvature and changes in direction of street side lines and at all lot corners, as appropriate.

- #22: Two benchmarks taken from U.S.G.S. datum shall be established within the subdivision. Selection of the benchmark location shall be a point that will not be disturbed during construction operations.
- #29: Notes indicating that all “Utilities shall be underground”. *No new utilities are proposed.*
- #30: All trees with an outside bark diameter of ten (10) inches or greater measured four and one-half (4½) feet above existing grade on the uphill side of the tree and all specimen trees (including but not limited to holly trees, cedar trees, etc.), shall be shown on the plan, and the species of the tree shall be identified. This may be shown on a separate plan. *Project has been evaluated by Conservation Commission and documented in OOC, in addition, there are no trees on site.*
- 2.5.2 Submission Requirement for Definitive Plans, C: Contents of the Plan and Profiles and Cross-Sections: Waive all provisions of this section except Subsection 15 (see submitted landscape plan). *No new roads are being constructed.*
- Section 2.5.3 Staking of Proposed Subdivision
- Section 2.5.4c Performance Guarantee
- Section 2.5.7 Evidence of Satisfactory Performance: *No new roads or utilities are proposed.*
- Section 2.5.9 Homeowners’ Association: *No new roads are proposed.*
- Section 2.5.10 Maintenance of Streets: *No new roads or utilities are proposed.*
- Section 3.2 Conformance with Zoning: waiver from frontage requirement for 408 Shore Road
- Section 3.2 Conformance with Zoning: waiver from lot size requirement for 402 and 408 Shore Road
- Section 3.3 Respect for Natural Landscape: *No new roads are proposed.*
- Section 3.5: Utilities: *The property will be serviced through existing utility lines located on Shore Road.*
- Section 3.6 Street Design: *No new roads are proposed.*
- Section 3.7 Rural Road Alternative: *No new roads are proposed.*
- Section 3.8 Rights-of-way for access: *No new roads are proposed.*
- Section 3.9 Adequate Access to the Site: *No new roads are proposed.*
- Section 4: Specifications for construction of roads: *Waive entire section because no new roads are proposed.*

On a motion by Mr. Herrick, seconded by Mr. Roderick, the Board voted to approve the Definitive Plan pursuant to MGL c.41, §81 U and Section 2.5 of the Town of Truro Rules and Regulations Governing Subdivision of Land subject to the following condition:

1. Bounds will be placed on the corners of the street-side interior and exterior property lines of 402 and 408 Shore Road.

Board Vote

The Board's vote on the motion to approve the requested waivers and to conditionally approve the Definitive Plan was vote was six (6) in favor, none opposed and one (1) abstention (Kiernan).

Peter Herridge, Planning Board Vice Chair

Date _____

Received, Office of the Town Clerk:

Signature

Date _____



TOWN OF TRURO

Planning Department
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To: Planning Board
From: Cally Harper, PhD, Town Planner
Date: February 1, 2018, for February 7th Planning Board Meeting
Re: Administrative Changes to Zoning Bylaw and Subdivision Regulations

Update:

At the January 24th Planning Board meeting, I presented several minor changes to the Town of Truro Zoning Bylaw Sign Code and the Town of Truro Rules and Regulations Governing the Subdivision of Land, including:

- Adding language regarding the request for waivers to *Sections 70.3E and 70.4F – Waiver of Information Requirements*
- Adding language about bundled temporary sign applications to *Section 11 of the Sign Code*
- Adding language to *Section 2.5.2.7* on the request for waivers
- Deleting language on computer disks in *Section 2.5.2.8* and adding language about the digital submission of plans in pdf or other formats.

At the January 24th meeting, the Board asked that I make the following changes:

1. Include “public interest” into the new language in *Sections 70.3E and 70.4F*
2. Add a reference to *Section 1.5* of the Rules and Regulations Governing the Subdivision of Land to *Sections 70.3E and 70.4F* of the Zoning Code.

At the January 24th meeting, the Board voted 7-0-0 to approve the proposal with the changes and file with the Board of Selectmen.

These administrative changes are in front of the Board again (see attached sheet) because there are potential issues with the changes that the Board requested on January 24th:

1. “Public interest” is already mentioned in *Sections 70.3E and 70.4F* - to add “public interest” in again would be redundant.
2. It is not appropriate to add a Section of the Rules and Regulations Governing the Subdivision of Land to the Zoning Bylaw. These bylaws are separate and distinct documents.

Possible Board Motions:

Affirmative Motion:

“I move to approve the proposal presented at the February 7th Planning Board meeting to be filed with the Board of Selectmen.”

Partial Affirmative Motion:

“I move to approve the following amendments presented at the February 7th Planning Board, <name amendments>, to be filed with the Board of Selectmen.”

Negative Motion:

“I move to disapprove the proposal presented at the February 7th Planning Board meeting based on the following reasons, <insert reasons> and therefore this proposal should not be filed with the Board of Selectmen.

ARTICLE _____ : AMEND THE FOLLOWING SECTIONS OF THE TOWN OF TRURO ZONING BYLAW SIGN CODE:

To see if the Town will vote to amend the Town of Truro Zoning Bylaw Sign Code, Sections §70.3E, §70.4F Waiver of Information Requirements and Section 11 of the Sign Code by adding new language (new text shown as **bold underline**)

In §70.3E *Waiver of Information Requirements*, insert the following underlined language:

The Planning Board may, upon the request of the applicant on the appropriate Application for Site Plan, waive requirements of §70.3.D, provided that in the opinion of the Planning Board such a waiver would not be detrimental to the public interest, cause the Town any expense, or be inconsistent with the intent and purpose of this Bylaw. **A request for a waiver by the applicant shall be accompanied by an explanation as to why the waiver is being requested. If multiple waivers are requested, the applicant shall explain why each waiver is requested.**

In §70.4F *Waiver of Information Requirements*, insert the following underlined language:

The Planning Board may, upon the request of the applicant on the appropriate Application for Site Plan, waive requirements of §70.4.C, provided that in the opinion of the Planning Board such a waiver would not be detrimental to the public interest, cause the Town any expense, or be inconsistent with the intent and purpose of this Bylaw. **A request for a waiver by the applicant shall be accompanied by an explanation as to why the waiver is being requested. If multiple waivers are requested, the applicant shall explain why each waiver is requested.**

In *Section 11 of the Sign Code*, insert the following underlined language:

The Planning Board may issue permits for temporary signs. Any such permit shall be limited to holiday or special events, and shall be limited to a period of fifteen (15) days, for events lasting one day or two days. For said events having multiple dates such permits shall be limited to a period of thirty (30) days. Not more than four (4) signs shall be erected with respect to any such event. Any such sign shall be firmly attached to a supporting device and shall not present a hazard to the public. Posters intended for window display are exempt from this provision. **For multiple 1-2 day events located at the same venue or organization during three consecutive months, the Planning Board will accept a bundled application that includes multiple temporary sign permit applications.**

ARTICLE _____ : AMEND THE FOLLOWING SECTIONS OF THE TOWN OF TRURO RULES AND REGULATIONS GOVERNING THE SUBDIVISION OF LAND:

To see if the Town will vote to amend the Town of Truro Rules and Regulations Governing the Subdivision of Land, Sections 2.5.2.7 and 2.5.2.8 Submission Requirements for Definitive Plans, by adding new language (new text shown as **bold underline** and deleted text shown as **~~bold strike-through~~**)

In *Section 2.5.2.7 Submission Requirements for Definitive Plans*, insert the following underlined language:

A list of requested waivers from these Rules and Regulations consistent with §1.5, if applicable, and a narrative explanation detailing the reasons for such waivers and the bases for finding that such waivers are in the public interest.

In *Section 2.5.2.8 Submission Requirements for Definitive Plans*, delete and add the following underlined language:

~~A computer disk containing a file of the subdivision in either .DWG or .DXF file format. A digital copy of the subdivision application and accompanying plans in PDF format. This digital copy shall be sent to the Planning Department within 1 business day of the paper filing at the Town Clerk's Office. In addition, the Board and/or its consultants may require submission of the plans and other relevant documents in CAD or other formats.~~

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ARTICLE ____: AMEND ZONING BYLAWS §50, AREA AND HEIGHT REGULATIONS IN ALL DISTRICTS EXCEPT THE SEASHORE TO DETERMINE MAXIMUM BUILDING SIZE IN TRURO.

To see if the Town will vote to amend the Town of Truro Zoning Bylaw Section 10.4, Definitions and Section 50, Area and Height Regulations, by adding a new Section 50.2 (new text shown in bold type, or take any other action relative thereto. *Requested by the Planning Board.*

In Section 10.4 *Definitions*, insert the following new definitions:

Total Gross Floor Area in all Districts other than the Seashore District.
The aggregate gross floor area of any dwelling and accessory structures on a lot within the Town of Truro, 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, basement floor area, detached garages, porches, decks, attics, barns, greenhouses, sheds and structures used for agricultural purposes only.

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.

Section 50.2 Building Gross Floor Area in all Districts other than the Seashore District.

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A. Purpose: This Section determines the maximum size of residential buildings on lots within the Town of Truro by establishing a relationship between building volume, bulk and size that is consistent with Truro's historical development and character, as described in the Truro Local Comprehensive Plan, Chapter 1: "A Vision for Truro," and Chapter 2, "Land Use."

B. Applicability and Exceptions:

(1) Total Gross Floor Area Allowed by Right: Subject to the exceptions provided for in subsections 50.2.B2, 50.2C, and 50.2(D), building permits for new construction or for projects that seek to increase the Gross Floor Area of buildings that exist on lots of as April 24, 2018, shall be issued only where, on completion of the construction or project, the Total Gross Floor Area of the new, or existing plus addition, does not exceed 3,150 square feet for 33,750 square foot lot (0.77 acres, minimum building lot size in Truro), plus 200 square feet for each additional contiguous acre of land.

(2) Special Permit to exceed the Total Gross Floor Area limit: The Total Gross Floor Area limit for a dwelling on a lot established in subsection B.1 may be exceeded, up to a maximum established by this subsection, by special permit, as provided in 50.2 (C) and 5.202(D). No special permit may be issued for any construction if the construction would result in the Total Gross Floor Area exceeding 4,150 square feet for lots having 33,750 square feet (0.77 acres, minimum

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building lot size in Truro), plus 200 square feet for each contiguous acre of land.

C. Procedures for Special Permit Application 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 dwelling or accessory structure would result in Total Gross Floor Area exceeding the maximum determined by Section 50.2.B.1. If the Building Commissioner determines that the applicant cannot proceed without a Special Permit, the applicant must apply to the Zoning Board of Appeals for a Special Permit. No building permit shall be issued hereunder unless the Zoning Board of Appeals grants a Special Permit according to procedures as defined *infra* in this Bylaw.

D. When required, an application for Special Permit shall be made to the Zoning Board of Appeals. Notice shall be given of all applications for a Special Permit hereunder in accordance with Section 60.4 (Notice Requirements) of these Bylaws. A Special Permit may be granted only where the Zoning Board of Appeals finds by a preponderance of the evidence that the proposed construction is consistent with the criteria found in Section 30.8 (Special Permits) of these Bylaws. In addition, the Zoning Board of Appeals shall make specific written findings of objective facts that support the request for additional gross floor area, and demonstrate that the additional gross floor area is in the public

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interest of the Town of Truro, and not inconsistent with the intention and purpose of this Bylaw, which is to determine the maximum dwelling size in Truro. In considering whether the proposed use is in harmony with the public good, the Zoning Board of Appeals shall consider, among other relevant factors, the size of neighboring buildings and the surroundings in which the additional gross floor area is proposed.

- E. Nothing in this Section shall be construed to regulate or restrict the use of the interior area of a dwelling.

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**Truro Planning Board
Meeting Minutes
January 24, 2018— 5:00 pm
Truro Town Hall**

Planning Board Members Present: Bruce Boleyn, Peter Herridge, Paul Kieran, Jack Reimer, Steve Sollog, Karen Tosh. Absent (excused): Mike Roderick

Other participants: Anne Greenbaum; Cally Harper, Town Planner

Steve Sollog opened the meeting at 5:02 pm.

Public Comment

There was no public comment.

Discussion of Size Restrictions for Residential Structures

The Planning Board will discuss possible amendments to the zoning bylaw, including size restrictions for residential structures in all zoning districts. An update on recent public outreach events will be provided

A forum was held at the Truro Library on January 20, 2018, regarding house size restrictions for residential structures in all zoning districts. A small group attended. Mr. Sollog asked Ms. Greenbaum to come forward to assist with the discussion. Mr. Kiernan read from his hand-out that he prepared after the forum. Ms. Harper reported that she has received the results from survey monkey at 2 pm today and copies are in front of Board tonight. Ms. Greenbaum has the results from the hand-written responses. There were 477 electronic responses, plus 59 paper responses. The paper and online survey is now closed.

Discussion ensued on the results of the survey. The Board read the results from each question and Ms. Greenbaum gave the percentages from the paper surveys for each question. Some results indicated confusion on some questions.

She said there are about 215 who answered that they don't vote. She asked if we can find out how the non-voters responded on survey monkey. Ms. Harper mentioned that survey monkey will not separate the responses between voters and non-voters. It was noted that respondents could add comments to the paper survey but there was no room for open ended responses on the online survey. Comments on the paper surveys were mostly in favor of limits. Ms. Greenbaum distributed copies of her report.

The second forum will be Tuesday, January 30th, at 6 pm.

Mr. Herridge talked about house bulk and how it was resolved by Town counsel for the Seashore Bylaw. Ms. Greenbaum brought up that the bylaw for the Seashore has been vetted by the Attorney General's office. Mr. Kiernan spoke with Mr. Perkel about his concern that the Town

could be sued over restricting the interior size of a structure. Mr. Kiernan made a suggestion to allow 3500 square feet, or 35,000 cubic feet in bulk. This could be brought to Town Counsel.

Ms. Tosh spoke about a seminar she watched recently. She also suggested contacting Town Counsel. Usage cannot be regulated. Aesthetics cannot be regulated.

Mr. Sollog mentioned a bylaw in Chilmark on Martha's Vineyard that has not been challenged, which has kept houses moderate. He also said he would like to mimic the wording of the Seashore amendment as much as possible.

Mr. Kiernan suggested putting in language requiring a year-round accessory dwelling unit for those who intend to apply to the ZBA for increased size. Mr. Sollog said he was not sure we should add that. Ms. Greenbaum thought we should keep the bylaw simple. Mr. Kiernan advocated for possibly allowing an additional 1,000 feet if an accessory unit were included. Mr. Herridge asked for further explanation of adding the accessory unit. Discussion occurred whether accessory dwelling units should be included.

Mr. Sollog said he would like us to create a bylaw as close as possible to the Seashore Bylaw which might be easiest to get passed at Town Meeting. Ms. Greenbaum thinks that we should decide if accessory units are included in the request for additional 1,000 square feet. If yes, then you can only get up to 1,000 extra with a special permit. You can only get an extra 1,000 square feet if you are building an accessory unit. Mr. Herridge thinks these are separate issues. Mr. Riemer asked if we are adding accessory units, would the new bylaw supersede the ADU bylaw. Mr. Herridge asked if we are going to totally confuse people which might cause the new bylaw on house size to fail.

Ms. Harper said that in her opinion it is better to keep it simple. A linkage between two by-laws makes it very confusing and complicated. We need a draft of the new bylaw prior to the next Planning Board meeting.

Ms. Greenbaum said she believes we have an early draft. She will send it out to the Board. She asked if Ms. Tosh, as an attorney, would work on this. She asked if Mr. Herridge might also work with her on a draft. And she suggested that Town Counsel be asked to weigh in on how the ADU would affect the allowable size.

Discussion of Amendments to the Zoning Bylaw and Subdivision Regulations

The Planning Board will discuss administrative changes to the zoning bylaw and subdivision regulations. The Town Planner will propose several changes to the Board.

Ms. Harper explained this discussion topic. She referred to a memo that the Board had in its packet. It is about adding a requirement that applicants explain why a waiver is being requested. The applicant might come better prepared. Secondly, she proposed a change to the sign code which would allow applicants to bundle their sign requests.. The last two housekeeping changes are in Subdivision Rules and Regulations. We would ask the applicants to provide \ PDF's, instead of computer disks. .

Mr. Kiernan asked if they should say why the waiver request is in the public interest and not inconsistent with the subdivision by law. Ms. Harper showed the Board that those concerns are addressed in the proposal. Mr. Riemer weighed in regarding section 1.5 on requirements for submission. Add a reference to 1.5 to 70.4 and 70.5. He asked that these be included in the Board's packet so they have time to digest the material.

Ms. Harper said her next step is to take these proposals to the Board of Selectman. Ms. Harper said she can carry over the language. (Mr. Kiernan would like to see some of the language from 1.5 repeated.)

Mr. Kiernan moved and Mr. Herridge seconded a motion for Ms. Harper to add the language and submit the proposals to the Board of Selectmen. So voted, 6-0.

Review and Approval of Meeting Minutes

January 10, 2018

On page 2, 3rd line, there is an error on Mr. Kiernan's name. Mr. Herridge made a motion to approve the minutes as amended, Mr. Riemer seconded. So voted 6-0.

Reports from Board Members and Staff

Town Planner Report

The applicants for 402 and 408 Shore Road are ready to return and continue their hearing.

There was a scheduling update for the White Sands application— the extension was signed by the attorney for Ms. Kuliopulis. However the new application is incomplete.

On March 5th, from 2-4 pm a workshop has been scheduled with Town Counsel.

Next Meeting Agenda

Wednesday February 7 at 5 PM – **Please note the new date and time!**

Mr. Herridge made a motion to adjourn, Mr. Boleyn seconded. So voted, 6-0. Meeting adjourned at approximately 6:30 pm.

Respectfully submitted,

Katherine Black



TOWN OF TRURO

Planning Department

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Tel: (508) 349-7004, Ext. 127, Fax: (508) 349-5505
charper@truro-ma.gov

To: Truro Planning Board
From: Cally Harper, PhD, Town Planner
Date: February 2, 2018 (for February 7th meeting)
Re: Town Planner Report

1. Reschedule the Public Forum (cancelled on January 30th at 6 pm due to snow)? I have received phone calls requesting that the Forum be scheduled far enough in advance so that people can make travel plans.
2. Confirmed Q&A with Town Counsel on March 5, 2018 from 2-4 pm. Please submit questions ahead of time.
3. Open Meeting Law Discussion

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TRURO PLANNING BOARD AGENDA
Wednesday, February 21, 2018 – 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.

Review of new Housing Production Plan for the Town of Truro

The Housing Production Plan was accepted and approved by the Truro Board of Selectmen on October 24, 2017. The Truro Housing Authority is seeking a vote to 'adopt' the document, allowing them to submit to the Department of Housing and Community Development for final approval.

Discussion of driveway leading to habitable studio

The Planning Board will discuss the status of permission from the National Park Service to construct the driveway to the garage/habitable studio at 12 Ocean Bluff Lane, Map 37, Parcel 6 (ref. 2017- 010 SPR Kenneth S. Kuchin). The Board conditionally approved this project on December 6, 2017 and the Board will consider signing the decision for this project.

Open Discussion of Possible Zoning Bylaw Amendments

The Planning Board will consider possible amendments to the zoning bylaw, including, but not limited to, size restrictions for residential structures in all zoning districts. The Board will consider holding public forums and other means of outreach for obtaining citizen input and whether a subcommittee should be formed to review possible zoning amendments.

Review and Approval of Meeting Minutes

December 20, 2017

Reports from Board Members and Staff

Town Planner Report

Next Meeting Agenda

Wednesday March 7 at 5 PM – **Please note the new date and time!**

Adjourn