



Truro Planning Board Agenda

Remote Meeting

Wednesday, May 24, 2023 – 5:00 pm
www.truro-ma.gov

Open Meeting

This will be a remote public meeting. Citizens can view the meeting on Channel 18 in Truro and on the web on the "Truro TV Channel 18" button under "Helpful Links" on the homepage of the Town of Truro website (www.truro-ma.gov). Click on the green "Watch" button in the upper right corner of the page. Please note that there may be a slight delay (approx. 15-30 seconds) between the meeting and the television broadcast/live stream.

Citizens can join the meeting to listen and provide public comment by entering the meeting link; clicking on the Agenda's highlighted link; clicking on the meeting date in the Event Calendar; or by calling in toll free at [1-866-899-4679](tel:1-866-899-4679) and entering the access code [701-528-013#](tel:701-528-013) when prompted. Citizens will be muted upon entering the meeting until the public comment portion of the hearing. If you are joining the meeting while watching the television broadcast/live stream, please lower or mute the volume on your computer or television during public comment so that you may be heard clearly. Citizens may also provide written comment via postal mail or by emailing Liz Sturdy, Planning Department Administrator, at esturdy@truro-ma.gov.

Meeting link: <https://meet.goto.com/701528013>

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.

1. Planner Report
2. Chair Report
3. Minutes – March 29, 2023 and April 12, 2023

Temporary Sign Permit Application

Marisa Picariello – Payomet Performing Arts Center for two (2) signs, 48" x 36", to be located on South Highland exit off Route 6E and on Shore Road exit off Route 6W for events June through October. The signs will be for four (4) months: installed June 1st and removed October 1st.

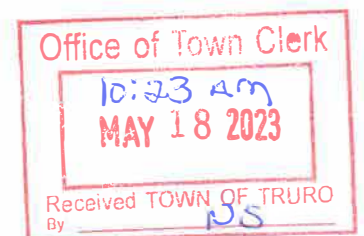
Public Hearing – Continued

2023-002/SPR Robert J. Martin for property located at 100 Rt 6 (Atlas Map 55, Parcel 12). Applicant seeks Commercial Site Plan approval (selling firewood and other materials); on property located in the Seashore District. [Material in 4/12/2023 and 4/26/2023 packets]

Discussion of Warrant Articles

Next Meeting: Wednesday, June 7, 2023 at 5:00 pm
Work Session: Wednesday, June 28, 2023 at 5:00 pm

Adjourn





TOWN OF TRURO

PLANNING BOARD

Meeting Minutes

March 29, 2023 – 4:00 pm

REMOTE PLANNING BOARD MEETING

Members Present (Quorum): Anne Greenbaum (Chair); Rich Roberts (Vice Chair); Jack Riemer (Clerk); Paul Kiernan; Ellery Althaus; Caitlin Townsend; Virginia Frazier

Members Absent:

Other Participants: Assistant Town Manager Kelly Clark; Town Planner/Land Use Counsel Barbara Carboni; Select Board Liaison John Dundas; Select Board Vice Chair Robert Weinstein; Zoning Board of Appeals Vice Chair Chris Lucy; Zoning Board of Appeals Member Darrell Shedd; Russ Braun-Truro Resident; Regan McCarthy-Truro Resident; Chuck Steinman-Truro Resident

Remote meeting convened at 4:01 pm, Wednesday, March 29, 2023, by Chair Greenbaum who announced that this was a remote public meeting aired live on Truro TV Channel 18 and was being recorded. Town Planner/Land Use Counsel Carboni provided information as to how the public may call into the meeting or provide written comment. Members introduced themselves to the public.

Vice Chair Roberts announced that he will depart tonight's meeting at approximately 6:15 pm.

Public Comment Period

Public comment, for items not on the agenda, was opened by Chair Greenbaum and there were none.

Public Hearing Pursuant to M.G.L. Chapter 40A, §5 regarding proposed amendments to the following sections of the Town of Truro Zoning Bylaws:

Chair Greenbaum reviewed the process with Town Planner/Land Use Counsel Carboni and the Members regarding Warrant Articles to include the amendment process on the floor during Town Meeting. After a brief discussion, Chair Greenbaum opened the hearing.

(1) Article XX: Amend §40.1 Duplex Houses and Apartments; and §30.2 Use Table

Chair Greenbaum reviewed the purpose of the proposed amendment. Chair Greenbaum then recognized the following individuals who commented on or had questions on this topic: Mr. Braun, ZBA Vice Chair Lucy, Ms. McCarthy, and Select Board Vice Chair Weinstein. Members responded to these individuals' comments and questions.

Members favored a cleaner version of this amendment to the fall Town Meeting with a better possibility of passing rather than the spring Town Meeting where it would likely not pass.

(2) Article XX: Amend §10.4 Definitions, Street and add new Bylaw §30.11 Regulating Streets and Frontage

Chair Greenbaum recognized Vice Chair Roberts who reviewed the purpose of the proposed amendment. Chair Greenbaum then recognized the following individuals who commented on this topic: Mr. Braun, Select Board Vice Chair Weinstein, Ms. McCarthy, ZBA Vice Chair Lucy, Town Planner/Land Use Counsel Carboni, and Mr. Steinman.

Members discussed the deletion of Paragraph F2 from the motion regarding this Article, the concerns of Town staff regarding Paragraph C4 as it may infringe upon other boards or committees.

(3) Article XX: Amend §50.2.B.2 Building Gross Floor Area for the Residential District - Petitioned Article

Chair Greenbaum recognized ZBA Member Shedd who reviewed the purpose of the proposed amendment to eliminate the special permit application for the 1,000 square feet provision. Chair Greenbaum then recognized the following individuals who commented on this topic: Mr. Steinman, ZBA Member Shedd, Ms. McCarthy, Member Riemer, Town Planner/Land Use Counsel Carboni, ZBA Vice Chair Lucy, Mr. Braun, Select Board Vice Chair Weinstein, and Member Kiernan.

Planning Board Vote on Zoning Articles for Report to Town Meeting

(1) Article XX: Amend §40.1 Duplex Houses and Apartments; and §30.2 Use Table

Member Frazier made a motion to vote to recommend Article XX: Amend §40.1 Duplex Houses and Apartments; and §30.2 Use Table.

Member Althaus seconded the motion.

Roll Call Vote:

Chair Greenbaum – Nay

Member Townsend - Nay

Member Althaus – Nay

Member Frazier – Nay

Member Riemer – Nay

Member Kiernan – Nay

Vice Chair Roberts - Nay

So voted, 0-7.

(2) Article XX: Amend §10.4 Definitions, Street and add new Bylaw §30.11 Regulating Streets and Frontage

Vice Chair Roberts made a motion to vote to recommend Article XX: Amend §10.4 Definitions, Street and add new Bylaw §30.11 Regulating Streets and Frontage.

Member Frazier seconded the motion.

Roll Call Vote:

Chair Greenbaum – Aye
Member Townsend – Aye
Member Althaus – Aye
Member Frazier – Aye
Member Riemer – Aye
Member Kiernan – Aye
Vice Chair Roberts - Aye
So voted, 7-0.

(3) Article XX: Amend §50.2.B.2 Building Gross Floor Area for the Residential District - Petitioned Article

Member Kiernan made a motion to vote to recommend Article XX: Amend §50.2.B.2 Building Gross Floor Area for the Residential District.

Vice Chair Roberts seconded the motion.

Roll Call Vote:

Chair Greenbaum – Nay
Member Townsend - Nay
Member Althaus – Nay
Member Frazier – Nay
Member Riemer – Abstained
Member Kiernan – Aye
Vice Chair Roberts - Abstained
So voted, 1-4-2.

Vice Chair Roberts moved to close the public hearing.

Member Riemer seconded the motion.

Roll Call Vote:

Chair Greenbaum – Aye
Member Townsend – Aye
Member Althaus – Aye
Member Frazier – Aye
Member Riemer – Aye
Member Kiernan – Aye
Vice Chair Roberts - Aye
So voted, 7-0, motion carries.

Chair Greenbaum announced that she would coordinate with Assistant Town Manager Clark to amend several of the Planning Board's explanations as written currently in the Warrant.

Chair Greenbaum and Members also discussed the Planning Board's meeting on April 12, 2023, and to change the start time to 6 pm so Members may attend a Cape Cod Commission presentation on "Low Lying Roads in Truro" that starts at 4 pm. Members unanimously supported the meeting time change and Chair Greenbaum will coordinate with Planning Department Administrator Liz Sturdy to post the change.

Member Frazier made a motion to adjourn the meeting at 6:42 pm.

Member Riemer seconded the motion.

Roll Call Vote:

Chair Greenbaum – Aye

Member Althaus – Aye

Member Townsend

Member Frazier – Aye

Member Kiernan – Aye

Member Riemer – Aye

Vice Chair Roberts - Aye

So voted, 7-0, motion carries.

Respectfully submitted,



Alexander O. Powers

Board/Committee/Commission Support Staff



TOWN OF TRURO

PLANNING BOARD

Meeting Minutes

April 12, 2023 – 6:00 pm

REMOTE PLANNING BOARD MEETING

Members Present (Quorum): Anne Greenbaum (Chair); Rich Roberts (Vice Chair); Jack Riemer (Clerk); Paul Kiernan; Ellery Althaus; Caitlin Townsend; Virginia Frazier

Members Absent:

Other Participants: Town Planner/Land Use Counsel Barbara Carboni; Select Board Liaison John Dundas; ZBA Vice Chair Chris Lucy; Francie Randolph and Jackie Opitz (Applicants - Sustainable CAPE); Robert Martin (Applicant); Lauren McKean (Representative from the National Seashore)

Remote meeting convened at 6:02 pm, Wednesday, April 12, 2023, by Chair Greenbaum who announced that this was a remote public meeting aired live on Truro TV Channel 18 and was being recorded. Town Planner/Land Use Counsel Carboni provided information as to how the public may call into the meeting or provide written comment. Members introduced themselves to the public.

Public Comment Period

Public comment, for items not on the agenda, was opened by Chair Greenbaum.

Chair Greenbaum recognized Member Riemer who thanked Chair Greenbaum for the 6 pm start for this meeting so he was able to view and participate in the earlier Cape Cod Commission presentation (which was recorded) regarding “Low Lying Roads for Truro”. This was the second discussion held by the Cape Cod Commission and Member Riemer requested to have this topic added to the agenda for the next Planning Board meeting so Members could discuss further.

Planner Report

Town Planner/Land Use Counsel Carboni reported that Chair Greenbaum and Planning Board Administrator Liz Sturdy had prepared a report of the Planning Boards hearings and recommendations that satisfied the Planning Board’s report to Town Meeting. This report has been sent to the Town Moderator and satisfies the requirement of the state statute. The Warrant is posted on the Town’s website for the public to view ahead of the Town Meeting on Tuesday, April 25, 2023. Hard copies of the Warrant are usually distributed at Town Hall and the Library. Hard copies will also be available at the Town Meeting.

Chair Report

Chair Greenbaum mentioned the report that Town Planner/Land Use Counsel Carboni spoke about and provided more context. Chair Greenbaum also briefly discussed the Pre-Town Meeting Candidate’s

Night and Budget Public Hearing on Thursday, April 13, 2023, at 5 pm, that will be a hybrid meeting (via Zoom and in-person). The Cape Cod Commission is working on a new Transportation Plan and has made an online survey available on its website as well as an interactive map. Chair Greenbaum has also discussed a Complete Streets Initiative with DPW Director Jarrod Cabral and said that she would like to add a discussion on this topic to an upcoming Planning Board meeting agenda.

Minutes

Chair Greenbaum stated that her packet for this evening's meeting didn't include the minutes on tonight's agenda. Without objection, Members unanimously supported postponement of approving the minutes until the next meeting.

Temporary Sign Permit Application

Francie Randolph/Jackie Opitz - Sustainable CAPE, Truro Educational Farmers Market, requesting four (4) 36" x 72" banners (three on Route 6 and one at Veterans Memorial Field). The banners will be installed on Friday afternoons and removed Monday afternoons beginning June 2nd and ending September 25th, 2023.

Member Althaus recused himself from voting on this matter as he is also a vendor at the Farmers Market.

Ms. Randolph provided background on the Farmers Market, the need for signage, and the number of anticipated vendors for the first Farmers Market on June 5th, 2023.

**Member Kiernan made a motion to approve the temporary sign permit for Sustainable CAPE.
Member Frazier seconded the motion.**

Roll Call Vote:

Chair Greenbaum – Aye

Member Townsend – Aye

Member Althaus – Abstained

Member Frazier – Aye

Member Riemer – Aye

Member Kiernan – Aye

Vice Chair Roberts – Aye

So voted, 6-0-1, motion carries.

Public Hearing

2023-002/SPR Robert J. Martin for property located at 100 Rt 6 (Atlas Map 55, Parcel 12). Applicant seeks Commercial Site Plan approval (selling firewood and other materials); on property located in the Seashore District.

Vice Chair Roberts announced that he has filed Form 268-A (Conflict of Interest Form) as he knows the Applicant from previous interactions, and he stated that he can make a fair decision in this matter.

Chair Greenbaum noted that no decision would be made in this matter tonight and recognized Mr. Martin (Applicant) who provided background and the need for the Commercial Site Plan approval in this matter.

Town Planner/Land Use Counsel Carboni provided background and noted that there were several complaints received to include a letter from the National Seashore that was received this afternoon at Town Hall.

Town Planner/Land Use Counsel Carboni also stated she and Building Commissioner Rich Stevens had recently discussed this matter and agreed that the determination of whether zoning compliance was met would be determined by the ZBA. Chair Greenbaum noted that should the Commercial Site plan be approved by the Members a required condition would be that the Applicant would also have to receive approval of a Special Permit from the ZBA.

Members and discussed the following topics: zoning issues within the Seashore District, the Applicant not receiving a letter of objection from the National Seashore, a review of the Applicant's checklist, acceptance by the Planning Board of the existing Site Plan along with the Applicant's handwritten drawing, inaccuracies of the Site Plan and the Applicant's handwritten drawing which must be clarified as things are not accurately depicted on the ground, and the necessity and requirement of a Zoning Table.

Chair Greenbaum reiterated her intent to accommodate the Applicant as quickly as possible through this process in partnership with the Applicant. To do so, Chair Greenbaum suggested the creation of a Working Group to which Town Planner/Land Use Counsel Carboni said details could be discussed later.

Chair Greenbaum also asked the Applicant to submit a new handwritten Site Plan and then reviewed the criteria for a Site Plan with the Applicant with comments from the Members.

After reviewing the Site Plan criteria, Town Planner/Land Use Counsel Carboni confirmed that she emailed a copy of the National Seashore's letter to the Applicant.

Chair Greenbaum recognized Ms. McKean who stated that she didn't have an email address for the Applicant, so she was unable to email it to the Applicant. Ms. McKean provided the National Seashore's concerns and encouraged Members to read the National Seashore's letter.

Member Kiernan made a motion to continue this matter to April 26, 2023.

Member Riemer seconded the motion.

Roll Call Vote:

Chair Greenbaum – Aye

Member Townsend – Aye

Member Althaus – Aye

Member Frazier – Aye

Member Riemer – Aye

Member Kiernan – Aye

Vice Chair Roberts – Aye

So voted, 7-0, motion carries.

Following the vote, Town Planner/Land Use Counsel Carboni asked the Applicant to contact her so she can coordinate a meeting with her, Building Commissioner Rich Stevens, and the Applicant to discuss next steps ahead of the next hearing.

Chair Greenbaum reiterated the establishment of a Working Group and details will be discussed in further detail later.

Discussion of Warrant Articles

None

Member Kiernan made a motion to adjourn the meeting at 7:41 pm.

Vice Chair Roberts seconded the motion.

Roll Call Vote:

Chair Greenbaum – Aye

Member Townsend – Aye

Member Althaus – Aye

Member Frazier – Aye

Member Riemer – Aye

Member Kiernan – Aye

Vice Chair Roberts – Aye

So voted, 7-0, motion carries.

Respectfully submitted,



Alexander O. Powers

Board/Committee/Commission Support Staff

TOWN OF TRURO



Application for Temporary Sign Permit

Pursuant to Section 11 of the Truro Sign Code

Fee: \$25.00 (for each 30-day period)

Applicant Name: Payomet Performing Arts Center **Date:** May 4, 2023

Applicant Contact Information: PO BOX 2012, Truro, MA, 02666
Mailing Address
508-349-2929 Phone
manisa@payomet.org Email

Number of Signs Requested: 2

Temporary Sign Dimensions:
(1) Height 4' Width 3'
(2) Height 4' Width 3'
(3) Height _____ Width _____
(4) Height _____ Width _____

Location(s) of Proposed Temporary Sign(s): _____
① South Highland Exit off Route 6E
② Shore Road Exit off Route 6W

Date(s) of the Event in Which the Sign is Intended: multiple dates, throughout season

Date When Sign(s) will be Installed: ASAP / June 1 **Removed:** October 1, 2023

Applicant Signature Manisa Picaniello 5/4/23 Date
Applicant Printed Name Manisa Picaniello, for Payomet

If sign(s) to be placed on private property, please have Owner print and sign name below:
Owner Signature _____ Date _____
(which also authorizes the use of the property)
Owner Printed Name _____

Planning Board Action: **Approved** _____ **Approved w/Conditions** _____ **Denied** _____

Conditions: _____

Board Signature: _____ Date: _____
Chair, Planning Board

DRAFT REVISED DUPLEX BYLAW for FALL TOWN MEETING 5.20.23

This version includes additions, changes and questions for the Board to consider based on comments at the March 29, 2023 Public Hearing

§ 40.1 Duplex Houses and Apartments

- A. Purpose. For the purpose of promoting the more efficient use of land, in keeping with the protection of the quality of life and ecology, and at the same time giving relief to those with problems of obtaining adequate housing, ~~duplexes may be created by Right the Board of Appeals (or Planning Board?) may approve a special permit authorizing the~~ through new construction of duplex houses or the conversion of single family dwellings to ~~2 units~~ **apartments**, consistent with the following conditions.
- B. ~~These structure, either new or conversion, are allowed in all districts except: Beach Point and Seashore District~~

~~B-C~~ **New Construction.** Lots ~~of one-acre meeting minimum lot size of 33,750 sq ft.~~ or more are required for new construction; the ~~total size of the duplex structure shall not exceed 3,6900 sq. ft~~ **Gross Floor Area (definition in 10.1).**; the requirements of paragraph ~~E D~~ shall be met.

Question to consider - Do we want to include language from house size bylaw allowing larger structures on larger lots?

~~C-D~~ **Conversion.** Conversion of single family dwellings ~~in any zoning district except the Seashore District and Beach Point and the Water Resource Protection District may be approved by special permit from the Board of Appeals (or Planning Board?).~~ Lots shall meet current minimum lot area requirements; no more than one apartment in addition to the primary dwelling unit may be created from any one single family dwelling; ~~the floor area of the secondary dwelling unit shall not exceed 50% of that of the primary dwelling unit; the floor area of the secondary dwelling unit shall not exceed 600 sq. ft.~~

~~D~~ **E Requirements.** All new construction or conversions shall comply with the following.

1. All applicable provisions of the building, health and safety codes, as determined by the Building Commissioner and Board of Health shall be met.
2. **One unit shall have a 12 month lease.**
 - a. *Rental of said unit for a period of less than twelve (12) months (including, but not limited to, seasonal rental and rental through vacation rental services and websites) is prohibited.*
 - b. *Proof of year-round rental shall be provided annually to the Building Commissioner by the owner in the form of a lease and a signed affidavit from both the owner and renter stating the unit is being rented accordingly and is used as a primary residence.*
3. **One unit shall either be owner occupied or have a 12 month lease.**
 - a. If there is a 12 month lease:
 - *Rental of said unit for a period of less than twelve (12) months (including, but not limited to, seasonal rental and rental through vacation rental services and websites) is prohibited.*
 - *Proof of year-round rental shall be provided annually to the Building Commissioner by the owner in the form of a lease and a signed affidavit from both the owner and renter stating the unit is being rented accordingly and is used as a primary residence.*
4. If it is owner occupied **There shall be no rentals of less than 8 months.**

