



Truro Planning Board Agenda

Remote Meeting

Wednesday, June 17, 2020 – 6:00 pm

www.truro-ma.gov

Open Meeting

This will be a remote 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 of the page. To provide comment during the meeting please call in toll free at 1-877-309-2073 and enter the following access code when prompted: 960-189-533. Please note that there may be a slight delay (15-30 seconds) between the meeting and the live stream and television broadcast. If you are watching the meeting and calling in, please lower the volume on your computer or television during public comment so that you may be heard clearly. We ask that you identify yourself when calling in to help us manage multiple callers effectively. Citizens may also provide public comment for this meeting by emailing the Town Planner at jribeiro@truro-ma.gov with your comments.

Please note the hearings on this agenda will be procedural only to continue the cases to the next meeting. No substantive discussion of the cases will occur, and no testimony will be taken.

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.

Temporary Sign Permit Applications

Erik Spencer – First Parish Church of Truro, Virtual Church Sundays 10 am, for three (3) signs, 36" x 24", to be located on the southeast corner of Route 6 and Union Field Road. The signs will be installed on June 15th and removed September 15th for Sunday Worship.

Public Hearing – Continued

2019-006/PB – Abigail B. Schirmer, Audrey Schirmer, and Joseph M. Schirmer seek approval of a Preliminary Subdivision Plan of Land, pursuant to G.L. c. 41, §81S and §2.4 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at Route 6 and Amity Lane, Truro, MA, Map 46, Parcel 8.

Procedural only – motion to continue to meeting of July 8, 2020

2020-001/PB – Nathan A. Nickerson III seeks approval of a Definitive Subdivision Plan of Land, pursuant to G.L. c. 41, §81T and §2.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at 4-H Bay View Road and 3 Laura’s Way, Truro, MA, Map 39, Parcels 77 and 325.

Procedural only – motion to continue to meeting of July 22, 2020

Board Action/Review

Review of the Cloverleaf Truro Rental Housing Comprehensive Permit application under MGL Ch. 40B to formulate comments for submittal to the Zoning Board of Appeals.

Board update/discussion about the potential to hold public hearings remotely.

Discussion for setting dates for future Board public workshops.

Approval of Minutes

December 4, 2019 (continue discussion from 5/20/2020 meeting)

March 4, 2020

March 11, 2020 Work Session

March 18, 2020 (conducted via telephone)

April 1, 2020 (conducted via telephone)

May 6, 2020

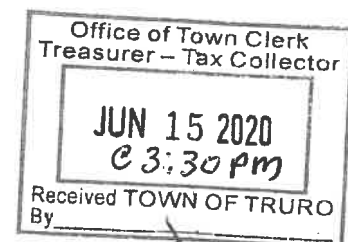
May 20, 2020

June 3, 2020

Next Meeting

Wednesday, July 8, 2020, at 6:00 p.m.

Adjourn



TOWN OF TRURO



PLANNING BOARD

Office of Town Clerk
\$25.00 fee paid
JUN - 8 2020
Received TOWN OF TRURO
By: [Signature]

Application for Temporary Sign Permit

Pursuant to Section 11 of the Truro Sign Code

Fee: \$25.00

Applicant Name: Erik Spencer Date: June 5, 2010

Applicant Contact Information: 111 Whidah Way, Wellfleet 02667
Mailing Address

508-214-0083 Phone
espenencer10@verizon.net Email

Number of Signs Requested: 1

Temporary Sign Dimensions: Height 36" Width 24" Please attach a "to scale" copy of the proposed sign(s)

Location(s) of Proposed Temporary Sign(s): South east corner of Rt. 6 and Union Field Rd.

Map(s): Parcel(s): Please use additional sheet(s) for multiple locations

Date(s) of the Event in Which the Sign is Intended: Sunday worship

Date When Sign(s) will be: Installed: June 15 Removed: July 15

Name and Address of Property Owner(s) Where Temporary Sign(s) to be located:

Name Mailing Address

Phone Email

Applicant Signature Erik Spencer Date 6/5/20

Applicant Printed Name Erik Spencer

Owner Signature (which also authorizes the use of the property) Date

Owner Printed Name

Planning Board Action: Approved Approved w/Conditions Denied

Conditions:

Board Signature: Title Date:

TOWN OF TRURO



PLANNING BOARD

Treasurer - Tax Collector
\$25.00 fee pd
JUN - 8 2020
Received TOWN OF TRURO
By: [Signature]

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Map(s): Parcel(s): Please use additional sheet(s) for multiple locations

Date(s) of the Event in Which the Sign is Intended: Sunday worship

Date When Sign(s) will be: Installed: July 15 Removed: Aug. 15

Name and Address of Property Owner(s) Where Temporary Sign(s) to be located:

Name Mailing Address

Phone Email

Applicant Signature Erik Spencer Date 6/5/20
Applicant Printed Name Erik Spencer

Owner Signature (which also authorizes the use of the property) Date
Owner Printed Name

Planning Board Action: Approved Approved w/Conditions Denied

Conditions:

Board Signature: Title Date:

cc: Building Commissioner, Select Board

TOWN OF TRURO



PLANNING BOARD

Office of Town Clerk
 Treasurer - Tax Collector
 \$25.00 fee pd
 JUN - 8 2020
 Received TOWN OF TRURO
 By *[Signature]*

Application for Temporary Sign Permit
 Pursuant to Section 11 of the Truro Sign Code
 Fee: \$25.00

Applicant Name: Erik Spencer **Date:** June 5, 2020

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508-214-0083 espencer10@verizon.net
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Location(s) of Proposed Temporary Sign(s): South East corner of Rt. 6 and Union Field Rd.

Map(s): _____ **Parcel(s):** _____ *Please use additional sheet(s) for multiple locations*

Date(s) of the Event in Which the Sign is Intended: Sunday worship

Date When Sign(s) will be: Installed: Aug. 15, 2020 Removed: Sept. 15, 2020

Name and Address of Property Owner(s) Where Temporary Sign(s) to be located:

Name _____ Mailing Address _____

Phone _____ Email _____

Applicant Signature *[Signature]* 6/5/20
 Applicant Printed Name Erik Spencer Date

Owner Signature _____ Date _____
 (which also authorizes the use of the property)

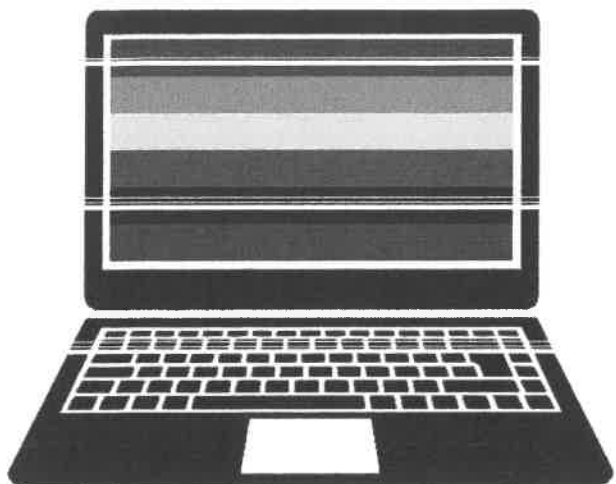
Owner Printed Name _____

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

Conditions: _____

Board Signature: _____ Title _____ Date: _____

cc: Building Commissioner, Select Board



**FIRST
PARISH
TRURO
.COM**

**VIRTUAL
CHURCH
SUNDAYS
10am**

**TOWN OF TRURO
Planning Board
MEETING MINUTES
December 4, 2019
TRURO TOWN HALL**

Members Present: Chair-Steve Sollog, Peter Herridge, Karen Tosh, Jack Riemer, Bruce Boleyn, Anne Greenbaum, Paul Kiernan

Members Absent: None

Others Present: Town Planner-Jeffrey Ribeiro, Linda Noons Rose

Chair Sollog called the meeting to order at 5:07 pm.

Public Comment Period: No public comments.

Temporary Sign Permit Applications

Outer Cape Chorale, for two (2) signs, 3' x 2 ½' to be located near the Library on Route 6 at Standish Way and near Aldrich Road on Route 6. The signs will be installed on December 5th and removed December 16th for a concert on December 13th and 14th.

Member Greenbaum made a motion to approve the two (2) signs for Outer Cape Chorale.

Member Herridge seconded.

So voted; 7-0-0, motion carries.

Public Hearing-Continued

2019-006/PB Abigail B. Schirmer, Audrey Schirmer, and Joseph M. Schirmer seek approval of a Preliminary Subdivision Plan of Land, pursuant to G.L. c. 41, §81S and §2.4 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at Route 6 and Amity Lane, Truro, MA, Map 46, Parcel 8.

Chair Sollog read from a staff report that stated the applicant requested to continue the hearing to December 18, 2019 to provide adequate time to receive comment from the Health Agent and the Board of Health.

Member Greenbaum asked if the Board had done a site visit. Member Kiernan stated they had not because this is a preliminary.

Member Kiernan made a motion to continue the Public Hearing in the matter of 2019-006/PB to the December 18, 2019 meeting.

Member Boleyn seconded.

So voted; 7-0-0, motion carries.

Board Action/Review

2019-009/SPR – Warm Salt Breeze (Linda Noons Rose), for property located at 1 Sand Pit Road (Atlas Map 39, Parcel 164). Applicant seeks Waiver of Commercial Development Site Plan under §70.9 of the Truro Zoning Bylaw for construction of a 25' x 36' metal building for machine storage.

Linda Noons Rose came before the Board. She stated that the piece of property where this building is to be built is an area that had been flattened out previously. The Building Inspector issued her husband a permit in May. The floating slab was installed along with foundation pieces, and when the Building Inspector came for a foundation inspection, he told her husband that he incorrectly gave him the building permit. The project should have gone before the Planning Board first. They have put a lot of money into this and the only thing left is to install the building.

In Member Kiernan's opinion they are taking a parking space where equipment was parked, building a Quonset hut and storing the trucks inside. Chair Sollog asked what type of services would be in the building. Ms. Noons Rose stated that at some point her husband may want to add a small structure with a roof on one end. There are no plans for heat.

As Member Riemer understands it, even if the Board waives the Commercial Site Plan Review, all the plans and documentation will be maintained in a file. Chair Sollog agreed that it would become part of the record. He asked that a plan be produced which will show the location of the new building on the property. Neither Member Tosh nor Member Herridge feels that is necessary. Chair Sollog thinks it's nice to have a record but will not hold anyone's feet to the fire. Member Riemer asked if it would be adequate to have the building included on the Felco plan. Town Planner Ribeiro stated it would be more typical to show the existing structures in the immediate vicinity. Chair Sollog would like to have one plan with all the structures on it. Member Tosh and Member Herridge believe that all the information needed is already within the application. Member Greenbaum agrees with Chair Sollog.

Member Kiernan made a motion to waive Commercial Development Site Plan review based on the condition that a plan shall be submitted showing both the proposed building and the existing building. Member Tosh seconded.

So voted; 7-0-0, motion carries.

Review of the Cloverleaf Truro Rental Housing Comprehensive Permit application under MGL Ch. 40B to formulate comments for submittal to the Zoning Board of Appeals.

Town Planner Ribeiro stated that they have a 40B Comprehensive Permit project before the Zoning Board. The application was distributed to the Planning Board and it is customary that they provide comments to the ZBA. As part of the Comprehensive Permit process the ZBA is the sole permitting board for local regulations and the applicant has requested a waiver from Site Plan Review in favor of a general site review. The Planning Board can offer any comments it chooses. The comments which would be most useful, and appreciated, would be on the site plan review process.

Member Kiernan would like to know if the Cape Cod Commission will be chiming in. Town Planner Ribeiro let the Board know that the Cape Cod Commission comments came in yesterday afternoon and he will make copies for them to read. The Commission did not have any problems with site or building design. They provided some basic traffic count information and didn't seem to have significant concerns with vehicular traffic at the site. The Commission did suggest that the applicant work with the Town, the DOT, and potentially the Cape Cod Regional Transit Authority, to have a sidewalk that goes from the site to the bus stop. The biggest area of commenting from the Cape Cod Commission was around the topic of wastewater and stormwater. Town Planner Ribeiro distributed copies of the Commission's comments for the Board to view.

Member Herridge wished to state that Pond Village is the hottest nitrogen area in Truro. As of nine years ago, that area's levels were close to toxic levels. Chair Sollog does not want anyone "pointing the finger" and warning someone that they are in grave danger. He does not feel it's fair for the Board to do that. Member Herridge countered that he is a physician and he can interpret the facts and he is very alarmed. Chair Sollog stated that the Planning Board was in sympathy with that alarm.

Member Riemer thanked Town Planner Ribeiro for providing the two-page working document to the Board. He did notice that 70.1A, Purpose, was included but 70.1B was not, and he wished to read that into the record.

Member Kiernan asked Town Planner Ribeiro if there was a time limit on their response. Town Planner Ribeiro stated, "No". One item he mentioned that was discussed with the Zoning Board of Appeals was that wastewater and stormwater was going to be a concern. The Cape Cod Commission comments will be very useful, in part, to help scope a potential peer review. Tomorrow night there will be a strong recommendation of staff that they move forward with bringing on a consultant for the Town that will review the hydrology, the nitrogen loading, the movement of the groundwater, the effects that the stormwater may have, all of those things. Those items will be looked at by accredited professionals. Member Herridge wants to know how the groundwater will be dealt with. He states nitrate is toxic at low levels. At levels of 10 mg/liter it can cause *blue baby syndrome*. He has evidence from a recent review article that levels below 10 mg/liter can, over a long period of time, can cause types of cancer and an increase in birth defects. He does not know if the Board of Health was aware of the toxicity of nitrates. He presented it to the Board of Health last night. He feels it must be dealt with. Town Planner Ribeiro thinks the specifics of the project need to be looked at very closely. The consultants will be accredited professionals who have experience working in other towns. The Zoning Board will have the final say in who is chosen, and Town Counsel is putting together a list of potential firms that could be used. Chair Sollog asked if the Board would be able to ask for specific people to be considered. He is thinking of the Association to Protect Cape Cod (APCC) as one of that group's main concern is groundwater. Town Planner Ribeiro thinks that reaching out to APCC is reasonable. Member Herridge stated that 40B does not trump safety.

Member Kiernan asked Town Planner Ribeiro if he is the technical person who is helping the ZBA with the process. Town Planner Ribeiro is working with Town Counsel. Member Kiernan would like to know at what point the ZBA would be wrapping up to a vote. Town Planner Ribeiro feels at the earliest it would be mid-January, but there are many factors which will affect the timeline. Member Kiernan did some research, stating that the Cloverleaf project has seventy bedrooms which, according to Board of Health regulations, would require 700,000 square feet of property. This property has 170,000 square feet. The developer is asking the ZBA to waive the Board of Health regulations. He would like to know how involved the Board of Health will be in helping to develop this project to the benefit of all Truro. He feels it's important, from a site plan review standpoint, to point these things out. Member Kiernan's hope is that the ZBA will take this very seriously and get someone from the State to look at the water problem.

Member Kiernan continued by reading that the applicant states having an I/A system would be an excessive cost, yet they do not state what that cost would be. He would like Town Planner Ribeiro to ask for the cost. Town Planner Ribeiro stated that it's already been asked. Member Kiernan pointed out that the effluent from this development will be discharged into the aquifer via two, seventy-five foot by seventy-five foot, leaching fields that are thirty feet apart which will act like a faucet into the aquifer. He sees that as a potential problem.

There are a number of other problems Member Kiernan sees. One issue is the pedestrian flow. There are 40 living spaces and 80 parking spaces which meets their regulations, but if you add in a community room that causes the issue of not meeting regulation. There is a nice artists rendition of what it would look like, and he's asking where snow would be put. If you push it off the road, it'll go onto all the cars. How will an ambulance or fire truck work its way around? School busses don't go up private driveways. How will children get down to where they can get the bus? If there is no pathway to get down, are we making children walk in the road? There has got to be a safe place to put the snow during plowing. As was mentioned during the Board of Health meeting last night, the septic system is a dosing system. The 21-unit apartment house is being serviced by an elevator. If you don't have backup generators for the

dosing system, then the septic system doesn't work. You don't want anyone stuck in an elevator. He believes there is a large checklist of items the Planning Board can create for the ZBA to go through. As far as Chair Sollog understands it, the project is planned to be rental units. Town Planner Ribeiro stated that was correct. Chair Sollog asked what you would call a building with multiple rental units. Town Planner Ribeiro stated, "an apartment house". Chair Sollog pointed out that they do not have a definition of an apartment house, and there is a section in their bylaw which states that if there is no definition, then it is prohibited. Town Planner Ribeiro states that this is always the first waiver on the list, and that's why 40B's are done.

Town Planner Ribeiro did let the Board know that there are sidewalks on the plan. Member Kiernan wants to know how the snow being plowed gets onto the other side of the sidewalk. Member Greenbaum believes she heard during the presentation that the DPW would be handling the plowing. Town Planner Ribeiro states that is unclear. Member Greenbaum had seen that the DPW submitted a report on drainage and she wondered if the Board can request that the DPW weigh in as to the adequateness of the ability to plow and store the snow. She believes the developer is working with Police and Fire to ensure that the road layout works. Town Planner Ribeiro told the Board that he has his first comments from the Fire Chief, who reached out to the State Board of Fire Engineers. They looked closely at the area around the common and they want a small portion of that drive to be widened. The question as to the turning points into, and out of, the site was discussed, and those comments will be coming in later. The Fire Chief has asked that all the buildings (including the duplexes) be sprinkled, and he's also asked for another fire hydrant be placed in the middle of the site.

Town Planner Ribeiro states they've given the engineers (for the applicant) some basic details of the trucks which the Fire Department has so they can do a turning analysis. Member Kiernan asked to find out if the Fire Department currently has the equipment needed to fight a fire on the third floor.

Member Kiernan continued. When the school was built in the early 1990's, a new well was installed behind the building. The water from there goes down the highway and off to Provincetown. At the time, someone asked if the Town could run water past the general business district and was told no, due to the limits of the water pressure. Provincetown has said Truro can tap into their water line for the affordable housing project. No one has been able to tell him what effect that will have on the water pressure. Is the Town going to have to put up a water tower behind the Police Station in order to keep the pressure up? How do they make sure that it's safe? Town Planner Ribeiro will reach out to DPW Director Cabral on those points. He added that the Provincetown Water Superintendent has been involved as well and may have information on those questions.

Member Riemer stated a Board of Fire Prevention Regulations recently promulgated revisions to 527 CMR 1.00 which is the Massachusetts Comprehensive Fire Safety Code. The revisions went into effect in October of 2019. He's asking if the plan has incorporated those recent changes. One thing about 40B2 is that you cannot get waivers from State requirements or building code requirements. The plan would have to meet the requirements. It is something they could put on the list of comments they are compiling. Member Riemer said that the State stormwater regulations have been updated as well and he wonders whether those updates have been addressed at the project site. Town Planner Ribeiro asked the Board if they had additional stormwater concerns in addition to what Member Riemer has discussed.

Member Greenbaum noted that there is no indication of any path, separate from the roadway, leading down to Highland Ave. She believes there will be people who do not have vehicles and there should be a path down to Highland Ave. for people to use to the bus. Town Planner Ribeiro said he'd add a suggestion to explore adding a pedestrian path. He also confirmed that the sidewalk does go all the way down to the street.

It was Member Herridge's understanding that one of the major purposes of this project was to provide workforce housing, but he sees the majority of the housing units are reserved for people who make less

than \$30,000 and less than 60% of median income which is \$66,000 in Truro. That is not anybody who is employed full-time. He'd like to know where the workforce housing is. Town Planner Ribeiro states that often a 60% and below income unit is cheaper to own than the more expensive one, because Federal subsidies are available. One of the big funding sources is the low-income tax credits. Member Herridge asked if the reason why there are so many units for under \$30,000 and less than 60% of median income was because they'd get more federal money. Town Planner Ribeiro stated yes. The average median income for a family of four is about \$90,000 in Barnstable County. Member Herridge believes many people are under the impression that there will be workforce housing in this development, and there isn't (or there are very few).

Member Herridge stated that the entire project would be owned by one man and run through a Massachusetts corporation that is a For-Profit corporation. Why? He went on to say that there is a written agreement about the limitations and dividends. He would like to see that agreement. Town Planner Ribeiro answered that it is very typical for affordable housing to be built, owned, and operated by For-Profit entities. There's a lot of them that operate Nationally. The time at which the Zoning Board would get involved in the numbers would be if there is a claim that a condition would make the project uneconomic. Until that stage that's not looked at. Member Herridge said that under 40B the Town can have a great deal of influence on the nature of the project. Member Kiernan says that in round figures the rental income for one year is around one million dollars. He's estimating 40 million to build with one million per year in return. He asked where do the government subsidies fit in. Town Planner Ribeiro said that the low-income tax credits more or less function like a cash subsidy and then the tax credit is sold, generally, to a corporation.

Member Herridge asked if the Board wanted to ask for more workforce housing. Chair Sollog answered that he's not sure as he doesn't think there are enough jobs to support workforce housing. Member Kiernan stated that there's a chance the "working-poor" that live in Truro may not fit into a category for this housing. They will be making too much money. Member Kiernan spoke of having a little garden area and a play area for kids. He's gone by Bridal Path in Provincetown and there is no place for children to play. Town Planner Ribeiro will add that to the list of comments. Chair Sollog pointed out that there needs to be additional parking for guests.

Member Riemer had a question in regard to the septic design. The developer offered the opportunity to incorporate not only the site, but the adjacent area within the Cloverleaf design, to mitigate the nitrogen loading requirements. If that were to be incorporated would that also be part of the 1.5% total land area that also is a means of qualifying meeting the quota. Town Planner Ribeiro thinks not but does not want to state that outright. The State, for a long time, had not issued guidance on the 1.5% of land area. There is a document which may have some information, but he thinks they'd be pretty far from the 1.5%. Member Herridge isn't sure because the 1.5% leaves out many things, for example, the seashore. The calculation has never been done for Truro, but it ought to be done because Truro may reach it, given all the exclusions that are allowed. Town Planner Ribeiro said they can quickly look at it. Chair Sollog states that the density for this project is larger than the density for any other project seen in Truro. Member Kiernan then read a paragraph from the Cape Cod Commission's comments about the project's sitewide nitrogen loading concentration. The comment points out that without local water table measurements it is not possible to more precisely determine the direction of the groundwater flow, and likely path, of septic system effluent. Member Herridge states they need a comprehensive engineering study and the legal liability of the Town needs to be considered. The Board decided to schedule a work-session to refine their comments for December 11, 2020 at 2:30 pm.

Town Planner Ribeiro brought out a plan for Edgewood Farm for the Board members to sign.

Approval of Minutes

Member Kiernan made a motion to approve the September 18, 2019 minutes as amended.

Member Boleyn seconded.

So voted; 7-0-0, motion carries.

Chair Sollog stated that he would like to place “the election of officers” onto the next agenda.

Member Riemer made a motion to adjourn at 7:19 pm.

Member Boleyn seconded.

So voted; 7-0-0, motion carries.

Respectfully Submitted,

Noelle L. Scoullar

**TOWN OF TRURO
Planning Board
MEETING MINUTES
March 4, 2020
TRURO TOWN HALL**

Members Present: Chair-Anne Greenbaum, Peter Herridge, Jack Riemer, Bruce Boleyn, Paul Kiernan

Members Absent: Karen Tosh, Steve Sollog

Others Present: Town Planner-Jeffrey Ribeiro, William Golden

Chair Greenbaum called the meeting to order at 5:03 pm.

Public Comment Period: No public comments.

Public Hearing – Continued

2019-006/PB – Abigail B. Schirmer, Audrey Schirmer, and Joseph M. Schirmer seek approval of a Preliminary Subdivision Plan of Land, pursuant to G.L. c. 41, §81S and §2.4 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at Route 6 and Amity Lane, Truro, MA, Map 46, Parcel 8.

Town Planner Ribeiro was able to go out to the site with the Fire Chief and speak with the property owner and the engineer. He thinks they'll have something to bring back to the Board that will incorporate the changes that were discussed at the last hearing as well as the Fire Chief's comments for their consideration. The Schirmer's have requested to continue to the Planning Board's next meeting on March 18, 2020, and they have the time extension in place so they are good on time.

Member Kiernan made a motion to continue the hearing to March 18, 2020.

Member Boleyn seconded.

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

2020-001/PB – Nathan A. Nickerson III seeks approval of a Definitive Subdivision Plan of Land pursuant to G.L. c. 41, §81T and §2.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at 4-H Bay View Road and 3 Laura's Way, Truro, MA, Map 39, Parcels 77 and 325. *Request to continue to April 1, 2020.*

Town Planner Ribeiro states that the applicant would like to be heard by a full Board. They have requested to continue to April 1, 2020. Given the history with the case it is fair to honor the request.

Member Kiernan made a motion to continue the hearing to April 1, 2020.

Member Herridge seconded.

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

Public Hearing

Zoning Bylaw Amendments – pursuant to G.L. c.40A – amend the following sections of the Town of Truro Zoning Bylaws:

- **Section 10.4 Definitions:** to add a definition for food trucks and remove the definition for affordable accessory dwelling units (subsequently replaced with accessory dwelling units).
- **Section 30.2 Use Table:** add food trucks to the use table as a Special Permit use in all zones and grandfather existing locations.
- **Section 30.9 Parking:** allow waiver of parking requirements by Special Permit.
- **Section 40.2 Accessory Dwelling Units:** allow waiver of parking requirements; alter or remove application requirements; remove language about appeals; correct reference to the General Bylaws.
- **Section 70.3 Commercial Development:** reduce the number of required copies of applications.
- **Section 70.4 Residential Development:** reduce the number of required copies of applications.
- **Section 70.6 Recording of Decision:** alter the procedure for the submittal of recorded decisions.
- **Section 70.9 Waiver of Site Plan Review:** allow waivers for new structures; clarifying conflicting language regarding Residential Site Plan Review; and alter submittal procedures.

The Board will formulate a report to Town Meeting with recommendations as to whether the members favor or oppose the proposal.

Chair Greenbaum stated that these are articles that the Board is proposing. These articles were sent to the Select Board two weeks ago. They are now holding the public hearing and the Planning Board will be voting on each of the articles today.

Member Herridge read aloud the proposed amendments and explanation by the Planning Board for sections 10.4; and 30.2 (listed above).

**Member Kiernan made a motion to accept the article as written.
Member Herridge seconded.
So voted; 5-0-0, motion carries.**

Member Kiernan read aloud the proposed amendments and explanation by the Planning Board for section 30.9.

**Member Herridge made a motion to accept the article as written.
Member Boleyn seconded.
So voted; 5-0-0, motion carries.**

Chair Greenbaum read aloud the proposed amendment and explanation by the Planning Board for section 40.2- C. ADU Permit Criteria #3.

**Member Herridge made a motion to accept the article as written.
Member Boleyn seconded.
So voted; 5-0-0, motion carries.**

Member Boleyn read aloud the proposed amendment and explanation by the Planning Board for section 40.2 ADU Procedure (A, B, C).

**Member Herridge made a motion to accept the article as written.
Member Boleyn seconded.**

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

Member Riemer read aloud the proposed amendment and explanation by the Planning Board for section 40.2 ADU (D) Procedure; (I); (J).

Member Herridge made a motion to accept the article as written.

Member Boleyn seconded.

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

Member Herridge read aloud the proposed amendment and explanation by the Planning Board for Section 40.2 ADU Procedure (G); (H) new; (I) new; (J) new.

Member Kiernan made a motion to accept the article as written.

Member Herridge seconded.

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

Member Kiernan read aloud the proposed amendment and explanation by the Planning Board for Section 40.2 ADU Finding of Planning Board.

Member Herridge made a motion to accept the article as written.

Member Boleyn seconded.

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

Chair Greenbaum read aloud the proposed amendment and explanation by the Planning Board for Section 40.2 ADU (H) Requirements for Tax Exemption.

Member Herridge made a motion to accept the article as written.

Member Boleyn seconded.

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

Member Boleyn read aloud the proposed amendment and explanation by the Planning Board for Section 70.3 (D) Commercial Development.

Member Herridge made a motion to accept the article as written.

Member Boleyn seconded.

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

Member Riemer read aloud the proposed amendment and explanation by the Planning Board for Section 70.4 (C) Residential Development-Procedure and Plan requirements.

Member Herridge made a motion to accept the article as written.

Member Boleyn seconded.

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

Member Herridge read aloud the proposed amendment and explanation by the Planning Board for Section 70.6 Recording of Decision.

Member Herridge made a motion to accept the article as written.

Member Boleyn seconded.

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

Member Kiernan read aloud the proposed amendment and explanation by the Planning Board for Section 70.9 Waiver of Site Plan Review. While reading, he noticed one error in wording, which was corrected.

Member Herridge made a motion to accept the article as amended.

Member Boleyn seconded.

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

Board Action/Review

2020-005/PB – Samantha Perry, Hillside Farm LLC seeks approval of Form A – Application for Determination that Plan Does Not Require Approval (ANR) pursuant to Section 2.2 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at 20 Perry Road, Map 45, Parcel 127.

2020-006/PB – Samantha Perry, Hillside Farm, LLC seeks approval of Form A – Application for Determination that Plan Does Not Require Approval (ANR) pursuant to Section 2.2 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at 23 Perry Road, Map 45, Parcel 131.

Chair Greenbaum explained that she'd just been handed two requests from the Perrys' to withdraw each of the applications without prejudice. Town Planner Ribeiro stated that there's been a long history at this property with divisions of land, whether by ANR plans or subdivision plans. For that reason, the applicant requests to withdraw. They will reapply when they are able to have an attorney present.

Member Kiernan made a motion to accept the withdrawal without prejudice for the two plans.

Member Boleyn seconded.

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

Review of the Cloverleaf Truro Rental Housing Comprehensive Permit application under MGL Ch. 40B to formulate comments for submittal to the Zoning Board of Appeals.

Town Planner Ribeiro is not yet in receipt of the report. He thinks they will have it tomorrow. He will be distributing the Zoning Board of Appeals packets on Friday. Next weeks' hearing will primarily be a presentation of that report. There will not be a vote to deny or approve the project but depending on the comments from Horsley Witten Group they will know more about the process going forward. Member Kiernan would like to know where the new report will be located. Town Planner Ribeiro stated that the packets will be on the Zoning Board of Appeals webpage by Friday, and the Cloverleaf webpage shall also be updated. Member Kiernan asked if the Peer Review will be commented on by the Town Attorney. Town Planner Ribeiro stated yes. Member Kiernan wished to know if Town Counsel would be altering the Peer Review at all. Town Planner Ribeiro stated no.

William Golden came up to speak. As he understands, the only people who have seen the plan (outside of the Planners themselves) is Town Counsel. Town Planner Ribeiro agreed.

**Update on past Work Sessions/Public Meetings.
Update for future Work Sessions/Public Meetings.**

Chair Greenbaum started by stating that they had the Articles, and they had been discussing doing some Town-wide listening/information gathering about housing. She's spoken to Kevin Grunwald and the Housing Authority is eager to do a joint work-session with the Planning Board. That meeting has tentatively been scheduled for April 13, 2020 at 4:30 pm. She asked the Board what location they would like to hold the meeting. It was suggested to try the Library. Member Herridge asked if the intention of the meeting would be to develop ways to go about asking citizens of Truro what they want and need? Chair Greenbaum stated that they would get into the initial discussion of how they envision doing this, generating questions, finding out what authority the Housing Authority has, and what information would they like to get from folks. She feels that the only thing worse than not doing community engagement, would be to do it before you're ready. Member Herridge said that while reading through the enabling legislation for the Community Preservation Committee, he noticed that the CPC is tasked with doing surveys to look at the needs in the various areas they have to give funds for. One of those areas is affordable housing, and the CPC has a budget for it. Chair Greenbaum mentioned that Town Planner Ribeiro also had a small budget. Town Planner Ribeiro stated that there would not be enough money for a Town study, that would have to come from another source. His budget is mostly for the purchase of books and software. Member Herridge stated that the CPC has a considerable budget for studies. Town Planner Ribeiro noted that there may be Cape Cod Commission funding, the District Local Technical Assistance funding, and the Housing Authority may have funds. It is certainly something they can look at. Member Kiernan asked if the Planner would have money for subscriptions which would allow him to look at different laws. Town Planner Ribeiro said that there really wasn't enough money for that, but that he does receive updated copies of a particular Land Use book.

Approval of Minutes

Member Riemer made a motion to approve the minutes of August 14, 2019 as written.

Member Boleyn seconded.

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

Member Riemer made a motion to approve the minutes of October 9, 2019 as amended.

(amendments include the capitalization of a letter and the addition of noting that Member Tosh recused herself from a portion of deliberation and left the room)

Member Boleyn seconded.

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

Member Kiernan wished to discuss the minutes of November 6, 2019. There was a section in which he believed the minutes did not reflect what he wanted to say properly. He provided the Board with the wording he wished to have in the minutes (and also identified the section he wished to be stricken). Chair Greenbaum would like the opportunity to go over the minutes again. Town Planner Ribeiro asked if Mr. Kiernan could provide the emails which were referenced. Member Kiernan stated that most of the emails were between Mr. Panessiti, Steve Sollog, and Karen Tosh, and those emails did not come directly to him. He feels Town Planner Ribeiro should discuss that request with the people the emails were sent to. A decision was made to hold on the approval of the minutes of November 6, 2019.

Next Meeting

Chair Greenbaum stated that their next work session would be held on March 11, 2019 at 2:30 pm at Truro Town Hall.

Chair Greenbaum asked if any members wished to bring up anything before adjourning. Member Kiernan thought it would be good to follow-up with the Charter Review Committee. Chair Greenbaum stated that a revolving set of members were at the Charter Review Committee meeting. The Planning Board may be hearing from the Charter Review Committee, requesting information again. If that does occur, Chair Greenbaum shall respond by acknowledging the request and inviting the Board to come to a Planning Board meeting to discuss. She has also heard that there is a petitioned article to make the Planning Board an appointed body. They will deal with things as they come. Member Boleyn wished to say that a few of the Planning Board members were not allowed to attend the Charter Review Committee meeting. Some members were at the door ready to go in when the Town Manager informed them that they would not be able to go in because the number of Planning Board members attending would be a quorum. Member Boleyn thought that as long as they did not discuss any business, they could attend. Member Herridge believes Member Boleyn is correct. He stated that the Open Meeting Law would not be violated by a quorum of Planning Board members sitting and listening to another Board present items. The prohibition is against discussing Planning Board business outside of their meeting room in an appropriate setting where the public can see. That is a misunderstanding that has been occurring for quite some time. Member Herridge was at that Charter Review Committee meeting and he left because he didn't feel like arguing. Member Kiernan asked Town Planner Ribeiro for a copy of the petitioned article. Town Planner Ribeiro will get a copy to the Board. Member Riemer stated that he contacted the Attorney General's office that responds to Open Meeting violation complaints. The advice he was given by that office was that a quorum can be present at another open meeting being held by another body, the only issue is that they do not deliberate while they are in attendance. Member Herridge stated that those are the same rules for when attending a site visit. He believes they have gotten to a point where this reason is used to harass people for a long period of time, and it has to come to an end.

Member Herridge made a motion to adjourn at 6:12 pm.

Member Boleyn seconded.

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

**Respectfully Submitted,
Noelle L. Scoullar**

**TOWN OF TRURO
PLANNING BOARD**
Public Meeting Minutes
March 11, 2020 – 2:30 pm
Truro Town Hall

Members Present: Anne Greenbaum (Chair); Karen Tosh (Vice Chair); Jack Riemer (Clerk); R. Bruce Boleyn; Paul Kiernan

Members Absent: Peter Herridge and Steve Sollog

Other Participants: Jeffrey Ribeiro, AICP – Truro Town Planner

Chair Greenbaum acknowledged the presence of two former Planning Board Chairs, Paul Kiernan and Steve Sollog, on the present Board and thanked them for their participation, experience, and contributions. Stated that it was an interesting position to have two former Chairs still on a Board.

Chair Greenbaum stated that the Select Board went through the Warrant last night. The Zoning Articles had not come back from Town Counsel as yet, so they were not voted on. Planner Ribeiro stated that Town Counsel has reviewed them.

Chair Greenbaum addressed the next Agenda item: the Petitioned Article to have Planning Board members appointed rather than elected, and stated it was voted on. The vote last night, as it is always framed to recommend, was two (2) in favor, three (3) against. Bob and Kristen – yes; Jan, Sue and Stephanie – no. Chair Greenbaum stated there were several people speaking in favor of this last night, so they Planning Board needs to be prepared to address this issue at Town Meeting.

Chair Greenbaum stated that the Charter Review Committee is continuing the process of looking at this and whether or not to recommend something to next year's Town Meeting. They have sent a list of questions, again, and added one. The list of questions had been handed out to each Member. The Charter Review Chair, Bob Panessiti, had requested to meet with the Planning Board. Chair Greenbaum would like to invite them to one of the Planning Board's meetings since it is taped and available for review. It was agreed by Members present that they would extend an invitation to the Charter Review Committee to attend one of the Planning Board meetings, and Chair Greenbaum stated the invitation would go out to them after this meeting ended.

Member Kiernan addressed a few of the top questions on the list from the Charter Review Commission. Chair Greenbaum stated that one of the things Chair Panessiti was saying was that they were using an instrument through the Mass Municipal Association (MMA) that assists towns in figuring out whether, according to this set of criteria, it makes more sense for a board to be appointed versus elected. Chair Greenbaum stated that a copy of that would be sent to the Board in her email. The last question on the list referred to whether the Planning Board had ever gone against recommendation from Town Counsel or the Town Planner and, if so, why and what was the outcome. Member Kiernan stated that if Planning Board's reading of the law differs from Town Counsel's reading of the law, then they have to follow their conscience. Member Kiernan

stated that they take an oath to follow the law; we don't take an oath to follow Town Counsel or the Town Planner. Member Tosh brought up the Townsend case as an example and stated that Town Counsel was very careful not to give definitive opinions. She doesn't believe that, in her experience on the Board, they have ever done anything in opposition to Town Counsel recommendation. Member Kiernan also stated that in all his years of experience, Town Counsel has never told them what to do. Member Tosh explained that Town Counsel's role is as an advisor, not advocate, and that same principle applies to Town Planner. Member Tosh agreed to start working on responses to the list of questions and also using the Planning Board Handbook as a reference as pointed out by Member Riemer. Chair Greenbaum will obtain the MMA which will be distributed to the Board via email. Member Kiernan referenced Zoning Section 10.2 Purpose, which, he pointed out, states at the end "and to promote the implementation of the goals and policies of the Local Comprehensive Plan". State Law, Chapter 40A and 41, states what the Planning Board does. Chair Greenbaum stated that she and Member Tosh will start drafting responses to the questions.

Chair Greenbaum addressed the next Agenda item: Housing Initiative – A Community Conversation stating that Kevin Grunwald, Planner Ribeiro, and she met yesterday to talk about joint meeting with [off topic question regarding Cloverleaf, answered below].

Chair Greenbaum stated the Cloverleaf report is out and will be discussed by the Board at their meeting next Wednesday and whether we have comments that would go to the ZBA. The ZBA meeting tomorrow will just be a report and maybe questions from the ZBA. Chair Greenbaum suggested that it would be a good idea for everyone to read this report and then watch the ZBA meeting before formulating questions. Planner Ribeiro stated that Mark Nelson from Horsley Witten, one of the principals, will present the report. There will be at least two, if not more, hearings after this with one in April which will give the Board opportunity to review and provide comments before the ZBA considers a vote.

Member Kiernan wanted to bring to the attention of the Board that the December 1st Staff Report, corrected by Planner Ribeiro to be November 21st, regarding the whole water section was copied word-for-word from the application. Planner Ribeiro offered to get Member Kiernan and the Board copies of that Staff Report, but Member Kiernan declined stating he had it. Planner Ribeiro suggested that the Staff Report may have been laying out what the application said and that the Staff Report also did say that the Town is likely going to have to hire a peer consultant to review that information. Member Kiernan stated that the Staff Report review was spot-on. Kudos! Town Planner Ribeiro went on to say that, prior to any septic system conversation, the Staff Report had come out and included that this would have to be reviewed by a professional, the Cape Cod Commission, and probably a Town consultant.

Getting back to the previous topic, Chair Greenbaum stated that she met with Kevin Grunwald and Planner Ribeiro to talk about a joint meeting with the Housing Authority. Meeting is confirmed for 4:30 pm - 6:30 pm on Monday, April 13, at the Library in the Alice Brock Room. They discussed how the meeting would be structured.

Chair Greenbaum queried the Planning Board: how does community engagement work? Chair Greenbaum pointed out that Planner Ribeiro has been involved in the Local Comprehensive Plan

outreach in Provincetown and information/photos that were included in the meeting packet were discussed. Planner Ribeiro gave details to the Board regarding Provincetown's process. He also discussed outreach to different Truro Boards and Committees for input and referenced sources of information and events/activities for ideas. As the conversation is started with the Housing Authority, we should start brainstorming as to what kind of outreach we want to do. Using the initial list of questions and things we had, and the concerns we brainstormed, think about where to go, who do we get, and how to we find them and start discussing these things. A good reference is Brewster's Visioning Plan 2018 regarding housing/action plan, which was also included in the meeting packet. Be thinking about that and defining what are the goals, based on the input we get, and what are the actions we need to be taking toward those goals based on community input.

Chair Greenbaum noted that the Coronavirus could make this even more challenging but asked the Board to think about, start listing between now and December, and meeting people where they are at. What are existing groups, events, places people congregate or have to go to, that we want to have on our list and make sure they are uses as resources. The Board discussed multiple location options for handing out surveys. Chair Greenbaum noted that there were two other documents provided by the Planner in their packets that were Truro specific. One is the Housing Production Plan and the other is the Community Housing Needs Assessment. Planner Ribeiro stated that both of these were prepared per Department of Housing Community Development (DHCD) guidelines.

Member Kiernan pointed out on page 3, Truro Housing Production Plan, a chart, which this Board unanimously voted for, of the Cloverleaf property which referenced a number of units as being 12. Chair Greenbaum stated that this housing plan is only about one piece of what we are looking at, and it is all about affordable housing. It is a small piece of the housing puzzle, and this plan was based on their best estimates at the time. Planner Ribeiro stated that this is a planning tool not a strict roadmap. Member Riemer pointed out that year-round condos are not considered here. Chair Greenbaum suggested that the types of year-round housing should be looked at – affordable, workforce, senior – and determine how these groups will be defined. Chair Greenbaum mentioned the Ryan Report, which is now 5 years old and based on 2010 census data. Planner Ribeiro explained his role with the DLTA distribution of the money and also stated that broad trends and demographics should be looked at. The controversy, mostly accuracy of the numbers, regarding this report was discussed and to use this report as a resource. Methods for getting information and feedback to and from Truro residents, community engagement, was also discussed.

Member Kiernan expounded on one of the things, he believes, is an underlying problem with Truro: basic zoning which took place in 1960. He went on to explain how he thought zoning could be corrected in Town and also explored using the current Bylaw. Planner Ribeiro, using a 2014/2015 Cape Cod Commission program, projected information which showed Truro's business district from 1952 onward. Discussion of growth in the business district and other areas of Truro followed.

Chair Greenbaum stated no site visit next week on Tuesday.

Chair Greenbaum then referred to two documents in the packet: Planning Board Report and Accomplishments (timeframe May 2019 to present). The Planning Board Report, prepared by Chair Greenbaum and Planner Ribeiro, will go in the 2019 Annual Town Report. Chair

Greenbaum reviewed the Accomplished document which shows what has been done separate from all of the cases heard. Looking at major projects, now through 2021 Town Meeting: housing initiative, street definition and turnaround – importance emphasized, and implications expanded upon, by Planner Ribeiro. Member Kiernan pointed out the definition of “Street”, in the current Bylaw since 1989, was approved at that Town Meeting unanimously. The definition for street frontage has been changed only once, in 2007. Member Kiernan explained how that changed calculation of frontage. Street definition has come up many times, and each time has been shot down. Member Kiernan explained the details of Planning Board’s role in the definition of “Street”. Chair Greenbaum and Planner Ribeiro discussed with the Board possible major issues and thoughts to review. Member Kiernan explained how lot size, road, and 1960 zoning is interpreted and how it relates to State Law and Seashore Districts. Planner Ribeiro stated that this definition is clearly an issue which needs to be addressed.

Chair Greenbaum reiterated major projects and addressed Member Riemer as he had previously commented that the Planning Board Handbook needs revision. Member Kiernan stated Eastham’s Handbook, which is a few years old, includes Case Law in descriptions. He gave in-depth information on this handbook. Chair Greenbaum asked if there were any other critical issues for consideration over the next year. Member Kiernan stated fix the ADU Bylaw, in particular removing it from the Seashore District so as a Board they are not forced to violate Federal Law. Member Kiernan went on to explain his thoughts and what has been relayed to him from residents living in the National Seashore. Member Riemer stated that a critical issue might be to consider ADU amnesty.

Chair Greenbaum gave an update regarding her visit, along with Member Riemer, at the Housing Peer Group and stated that an interesting issue was raised: surrounding towns do not interpret State Law the same way as Truro regarding ADU and septic. They do not require separation in septic. Clarification is needed, and Planner Ribeiro stated that Health & Conservation Agent Beebe has already contacted the DEP regarding this for a formal determination. He also stated that Ms. Beebe has also been working with the county Septic Loan Program regarding ADU’s and making sure information is available.

Chair Greenbaum asked if the Board wanted to have a work session in two weeks. Wednesday, March 25 at 2:30 pm was decided upon. At that time the Cloverleaf report will be discussed. Member Kiernan pointed out a few issues he had.

Meeting adjourned.

Respectfully submitted,

Elizabeth Sturdy

**TOWN OF TRURO
PLANNING BOARD**
Meeting Minutes
March 18, 2020 – 5:00 pm
CONDUCTED VIA TELEPHONE

Members Present (Quorum): Anne Greenbaum (Chair); Karen Tosh (Vice Chair); Jack Riemer (Clerk); Paul Kiernan; Steve Sollog

Members Absent: R. Bruce Boleyn and Peter Herridge

Other Participants: Jeffrey Ribeiro, AICP – Truro Town Planner

Meeting convened at 5:00 pm by Chair Greenbaum

Town Planner, Jeffrey Ribeiro, stated that this meeting is being audio recorded to be put up on the website per the requirements from the AG for meetings that cannot be live streamed. He stated that we are working on the tech to potentially allow for more substantive meetings but in the meantime, we are doing this.

Chair Greenbaum stated that we are dealing with the fact that we are in the Coronavirus crisis and deferring and continuing things until hopefully life has calmed down. Chair Greenbaum asked for a motion on the Schirmer issue.

Member Paul Kiernan stated he would like to make a motion. He moved to continue case **2019-006/PB** to the meeting of May 6, 2020. Motion made by Member Kiernan with a second by Vice Chair Tosh. Voted all in favor, none opposed, two absent. So voted: 5-0.

Chair Greenbaum asked Planner Ribeiro to give a brief overview of moving forward and how that would be communicated. Planner Ribeiro stated that he is working his normal hours, either in Town Hall or from home, and that he is available through his work number or email. He stated that he would be reaching out to the Planning Board once he has more information on what the options are for public meetings.

Chair Greenbaum asked if there were any questions for the Planner but there were none. Chair Greenbaum then asked if she could have a motion to adjourn. Member Kiernan so moved with a second by Vice Chair Tosh. Voted all in favor. So voted: 5-0, two absent.

Meeting adjourned.

Respectfully submitted,

Elizabeth Sturdy

**TOWN OF TRURO
PLANNING BOARD**
Meeting Minutes
April 1, 2020 – 5:00 pm
CONDUCTED VIA TELEPHONE

Members Present (Quorum): Anne Greenbaum (Chair); Karen Tosh (Vice Chair); Jack Riemer (Clerk); Peter Herridge; Paul Kiernan; Steve Sollog

Members Absent: R. Bruce Boleyn

Other Participants: Jeffrey Ribeiro, AICP – Truro Town Planner

Phone meeting convened at 5:03 pm, Wednesday, April 1, 2020 by Chair Greenbaum

Town Planner, Jeffrey Ribeiro, stated that we are continuing, and may have to do this again, but for now we have the signed Extension Agreement and the Agreement to Continue to May 6. You will be hearing from me in advance of our next meeting.

Chair Greenbaum stated that this is to continue the Nickerson matter. Chair Greenbaum asked the Board Members if anyone had any comments on it before voting. Paul Kiernan stated that he would like to thank Jeff for getting the extensions and making sure that we are safely within our legal limits to avoid constructive approvals.

Chair Greenbaum asked for a motion to continue and a question was asked about the date certain. Town Planner Ribeiro stated that the motion is to continue case **2020-001/PB** to the regularly scheduled meeting of May 6, 2020 at 5:00 pm in the Select Board Meeting Room, Truro Town Hall, 24 Town Hall Road, Truro. So moved? Motion by Peter Herridge and a second by Paul Kiernan. Chair Greenbaum asked if there were any discussion or questions but there were none. Voted all in favor by roll call vote, none opposed, one absent. So voted: 6-0.

Chair Greenbaum asked if any Board Member had anything for a future agenda but there were none. Chair Greenbaum then stated she would like to adjourn this meeting. Town Planner Ribeiro asked the Board Members to remember to check their emails in advance of the next meeting on the 15th.

Meeting adjourned.

Respectfully submitted,

Elizabeth Sturdy

**TOWN OF TRURO
PLANNING BOARD**
Meeting Minutes
May 6, 2020 – 6:00 pm
REMOTE MEETING

Members Present (Quorum): Anne Greenbaum (Chair); Karen Tosh (Vice Chair); Jack Riemer (Clerk); R. Bruce Boleyn; Peter Herridge; Paul Kiernan; Steve Sollog

Members Absent: None

Other Participants: Jeffrey Ribeiro, AICP – Truro Town Planner

Remote meeting convened at 6:04 pm, Wednesday, May 6, 2020 by Chair Greenbaum. Chair Greenbaum stated this is a virtual meeting which is being broadcast live on Truro TV Channel 18 and being recorded. Town Planner, Jeffrey Ribeiro, reiterated where to watch this meeting, how to access it, and to provide comment during the meeting by calling toll free (877) 568-4106 and entering the access code 505-772-437. The telephone number and access code were repeated, and he noted that a slight delay of 15 to 30 seconds between the meeting and the live stream television broadcast might be experienced. He also noted that if you are calling in to please lower the volume on your computer or television during public comments so they may be heard clearly and to also identify yourself so multiple calls can be managed effectively. Citizens may provide public comment for this meeting by emailing jribeiro@truro-ma.gov with your comments. The emails are being checked live during the meeting, so this is another way to contact us.

Chair Greenbaum took a roll call of members; all present.

Public Comment Period

Public comment, for things not on the agenda, the caller on the line stated not I.

Member Sollog stated he had something that was not on the agenda. He had received a phone call from Dan Silva pertaining to Tradesmen's Park II. He asked for the Planning Board, or the Building Inspector, to make some decision so that he could be provided with a Certificate of Occupancy for the first building built. Member Sollog believes some research is necessary and that this needs to go on an agenda. Town Planner Ribeiro stated that he is actively working on that and would be in touch with them tomorrow. He has also been in contact with the Cape Cod Commission because it is a development with regional impact, and he has also been working with the Building Commissioner on that. Town Planner Ribeiro does not know the extent the decision was phased, needs to review the project file, and can then give the Board an update at their next meeting. If this needs to be on the next meeting agenda, it will be added.

Public Hearing – Continued

Chair Greenbaum read case **2019-006/PB – Abigail B. Schirmer, Audrey Schirmer, and Joseph M. Schirmer** seek approval of a Preliminary Subdivision Plan of Land, pursuant to G.L. c. 41, §81S and §2.4 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at Route 6 and Amity Lane, Truro, MA, Map 46, Parcel 8. Town Planner Ribeiro stated that this case is being continued; we have time extensions through June; and the special Legislation that went through at the State also tolls all time periods. We are continuing to work with the applicant, and the engineer for the applicant is still working to identify those trees, so this will be brought back at the next meeting. This case will be continued to the next meeting, and it is likely it will be continued again. Chair Greenbaum stated she had a motion to continue and moved to continue case **2019-006/PB** to the regularly scheduled meeting of May 20, 2020 at 6:00 pm. Member Boleyn seconded. Chair Greenbaum asked if there was any discussion; there was none. Voted all in favor by roll call vote, none opposed, none absent. So voted: 7-0-0.

Chair Greenbaum read case **2020-001/PB – Nathan A. Nickerson III** seeks approval of a Definitive Subdivision Plan of Land, pursuant to G.L. c. 41, §81T and §2.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at 4-H Bay View Road and 3 Laura's Way, Truro, MA, Map 39, Parcels 77 and 325. Town Planner Ribeiro stated that this case is being continued; he has been in contact with the applicant as well as some of the abutters; we have time extensions through June; and in addition to that there is the special Legislation. Attorney David Reid has called in with comments regarding the extension and not substantive to the case. Attorney Reid referenced his letter of May 4 indicating that he has been involved in this case for several years now, and that he would not be available on May 20. If believe that meeting would go substantively, he requests that it be continued to the following meeting rather than the 20th. Chair Greenbaum ask Attorney Reid who he was representing, to which Attorney Reid replied Shelley Fischel, 15 Sawyer Grove Road, an immediate abutter to the new entranceway into the subdivision. Town Planner Ribeiro stated that they will make sure any interested party or member of the general public will have opportunity to comment on the case. For now, the case will be continued meeting to meeting. It is an ongoing discussion with Town Counsel and our tech to make sure there is adequate means of public participation for any hearing. Chair Greenbaum reiterated, that for consistency, continue to the May 20th meeting with the assumption that it is likely there will be no substantive work done at that meeting, and if there is an actual public hearing there would be a second day of public hearings where Attorney Reid would be available. Chair Greenbaum made a motion to continue to May 20th. Member Boleyn seconded. Voted all in favor by roll call vote, none opposed, none absent. So voted: 7-0-0.

A site visit is needed for the Nickerson subdivision. The Board and Town Planner Ribeiro discussed how future meetings, public hearings, and site visits may be held. Town Planner Ribeiro believes that holding public meetings, for work session items, are straightforward but public hearings are difficult. He has some concerns as Truro has some unique challenges. He believes Town Counsel is still advising against holding virtual public hearings; the State Legislation allows you to do so, but it also doesn't require that you do so; and all these timelines are full. If we are not holding public hearings, he and Chair Greenbaum have discussed options for site visits.

Chair Greenbaum asked the Board for reactions and thoughts regarding the public hearing process. Member Kiernan thought it could be very difficult. Sometimes during a public hearing, you are

shown new pieces of evidence. In a virtual hearing this evidence cannot be passed around and may even be unfair to some people. Member Sollog asked if there was a limit in the GoToMeeting application for number of participants. Town Planner Ribeiro believes that the limit is 251. Since a meeting cannot occur with more than 10 people, there is something called a hybrid hearing where individual remote and location remote (e.g., Community Center) participation can occur. There will be challenges and also it will be slower. Member Boleyn agreed with Member Kiernan in that fairness is extraordinarily important to everyone – the petitioners, audience, callers – and the importance of fairness cannot be diluted here. Chair Greenbaum stated that there are people in Truro that cannot participate in a virtual meeting. For now, Town Planner Ribeiro suggests the Board continue this holding pattern; to continually assess; he will be in contact with Town Counsel; and on the 20th discuss where stand.

Chair Greenbaum would like to discuss, or brainstorm, how to do site visits moving forward under the current conditions or something similar. She and Town Planner Ribeiro have talked about a couple of different concepts: virtual – someone out there with a video camera; individual or small group; whole Board doing social distancing. Member Kiernan stated that site visits can be very informative and feels everyone could keep a social distance – masks, gloves, 6 feet. If other towns are doing site visits, find out how they are doing them, and use what works for us. Member Herridge agrees that site visits can be done if they stay 6 feet apart and all wear masks. Vice Chair Tosh suggested that a point person do the site visit and write up a report for the rest of the Board to review as she doesn't believe 6 feet distance is enough. Chair Greenbaum is not in favor of the whole Board going to a site visit. Vice Chair Tosh's idea is an interesting way to get good information without putting everyone in a potentially compromising position. Pairs could work. Town Planner Ribeiro said this buddy system – keeping each other within sight – along with detailed plans could work. But again, since there are no hearings, hold off on the site visits for now. Member Herridge stated that the purpose of a site visit is to see it for yourself, so he prefers to go himself. Chair Greenbaum brought up the previous discussion of what other towns are doing for site visits, and Town Planner Ribeiro stated he would ask the site visit question for the Board.

Chair Greenbaum asked Town Planner Ribeiro to address the Agenda item: Vote to authorize the Chair to schedule or reschedule public hearings. He stated that as part of the Municipalities Bill that the Legislature passed, there is a section relating to permitting. One of the things it allows for is that should the Board so authorize, the Chair can schedule and reschedule public hearings as needed. It provides a level of safety should something happen, e.g., with technology, and during these unknown times to have it as an option that doesn't have to be used even if authorized is highly recommended. He feels this gives them a failsafe for procedural issues should they arise. Chair Greenbaum stated this is good as a back-up, a just-in-case not an instead-of the Board making these decisions. Chair Greenbaum asked for a motion. Member Kiernan moved to authorize the Chair to schedule or reschedule public hearings in accordance with Chapter 53 of the Acts of 2020, *An Act to Address Challenges Faced by Municipalities and State Authorities Resulting from COVID-19*. Seconded by Member Boleyn. No discussion. Voted all in favor by roll call vote, none opposed, none absent. So voted: 7-0-0.

Chair Greenbaum noted that the next Agenda item was discussion of the Annual Town Meeting, including potential discussion of the proposed amendments to the Zoning Bylaws. She stated she did not have the opportunity to review that part of the previous day's Select Board meeting. Town

Planner Ribeiro stated there are still many concerns about holding a Town Meeting this year but there are some good reasons to do so – it is an ongoing discussion. We are still tentatively slated to hold a Town Meeting on June 23 with only financial articles and only legally required petitioned articles. Member Kiernan asked that if a petitioned article was coming to Town Meeting it would be moved to be tabled? Town Planner Ribeiro responded that this is still unclear. His understanding is that Town Meeting would be to approve a budget and close, if we have one.

Chair Greenbaum stated that there have been many questions raised. Chair Greenbaum asked a hypothetical question to Town Planner Ribeiro: the elections have been moved, but if a vote was taken on one of the applications before the Board with the current Board members as an election had not taken place, but it was after the normal election date, would those votes be valid? This issue is something Town Planner Ribeiro needs to discuss with Town Counsel and will get back to the Board with their answer.

Before addressing the updated packets, Chair Greenbaum asked Town Planner Ribeiro to give an update on Town Hall protocol regarding COVID-19. Town Planner Ribeiro explained that we are starting to repopulate staff in certain areas: he has an office door that he can close, and he, as well as all Town Hall staff, is wearing a mask; the Admin staff, because they are in a shared area, they are never in the office the same day and are working remotely; maintaining dedicated spaces for everyone in Town Hall; and we are starting to talk about what opening up to the public again would look like. A question was asked about the cleaning of Town Hall, and Town Planner Ribeiro responded that it is being thoroughly cleaned and disinfected very carefully by an amazing DPW staff.

Chair Greenbaum stated that she reviewed all of the updates to the applications and found one correction. She asked if anyone else had taken a good hard look at those. Member Kiernan had some general comments. He noticed that when asking for a description of the property it does not ask if there are any easements, deeded restrictions, or any homeowner restrictions. Town Planner Ribeiro responded that these are valid questions but not ones the Planning Board can enforce. Member Kiernan stated not enforce, but for awareness. Chair Greenbaum asked for thoughts or comments on easements and restrictions and also do we want to include HOA restrictions. Member Herridge thinks that it is important to know about the deed restrictions because it could possibly bear on their decision. Member Riemer agrees with deed restrictions and easements being important; homeowner's restrictions – the Town and Planning Board could benefit by exploring what could be potential problems going forward so it shows we did our due diligence. Regarding the HOA piece, Vice Chair Tosh stated it is not our job to enforce it, but why not disclose it as it is relevant to any property as are easements and deed restrictions. Member Sollog agrees to see if there is a homeowner's agreement, but the Board doesn't need to read the whole thing. The fact that it exists should be sufficient. Member Boleyn agrees with Steve in that we need to be aware of it but not in detail; if there was a history of a problem, they would be made aware of it. Town Planner Ribeiro agreed with Vice Chair Tosh in that as long as the Board is careful in how they respond to that information when they receive it. He further stated that it is not in the jurisdiction of the Board to decide to approve or deny an application based on a homeowner's association or a restriction. Member Kiernan stated they do not need to have the actual documents as they are on the Barnstable County Registry of Deeds, but to have that information available is something to consider. Chair Greenbaum stated that the HOA was discussed at the ADU Subcommittee

meetings. The language they came up with regarding HOA was what the Town attorney had proposed: including in the application language strongly suggesting that the applicant read all relevant documents from jurisdictions such as the Seashore, Conservation Commission, Homeowner's Association. This language makes it the applicant's responsibility, not the Town. Town Planner Ribeiro said that the Definitive Subdivision checklist states easements, covenants, rights of way and/or other restrictions applicable to the area should be shown on the plan, and we should make sure that we have that. He proposed language suggesting the applicant provide the Book/Page for any applicable Homeowner's Association or other document. Chair Greenbaum suggested using the checklist only for a while, because it is new, before requiring additional information.

Member Kiernan had a few other items for discussion. He stated that at one point the Board had asked for drainage calculations based on a 50-year event. In the last nine years we have had three 50-year events. Member Kiernan asked Town Planner Ribeiro if the amounts needed had been altered at the State/Federal level. Town Planner Ribeiro responded that these requirements come directly from the Zoning Bylaw, so if the Board wants to go to a 100-year storm it would be a zoning change. This could be added to the potential zoning changes list.

Member Kiernan also brought up that all the applications in this packet state that the Town Planner will determine if the application is complete. He feels that what they are doing now is not only for the current Board but also for future Board membership and future Town Planners. It makes sense to him to have the Board weigh in before opening the hearing. He is comfortable with the Town Planner making the initial decision, but wants to make sure the Board also has a chance to weigh in. Town Planner Ribeiro stated that the Board always has the opportunity to do that and clarified that the statement on the applications means that we are not going to Notice a Hearing and distribute the materials to the Board if it is not complete. This is more of a procedural administrative step, as he cannot deny an application for lack of completeness, but those will always go to the Board. The Board can always ask for more materials – relevant materials, required materials. Chair Greenbaum stated that to date they have only used the checklist once, and the first thing the Board did was walk through the checklist to see if they saw everything that the applicant said they had. The first thing they are going to do whenever they get an application is review the checklist; if there is missing information, then determine if they can move forward.

Member Riemer wants to make sure all the application materials that come to the Board for review have been dated and time stamped by the Clerk's Office rather than have us spend time reviewing something that has not been officially received. In addition to that, he made a note on Form C – Application for Approval of a Definitive Plan, under Section 2.5.4 of the Subdivision Regulations, that the applicant must notify the Board of Health. He would like verification that the Board of Health has been notified and this is not on the checklist. Town Planner Ribeiro stated that he has been working with the Building Department and with the Health and Conservation Agent to make sure these get routed and get a system in place to avoid confusion. Member Sollog noted that on 2.5 of the Definitive Subdivision Plan Review checklist page 5 of 7, it mentions the Board of Health. Town Planner Ribeiro stated that it is not the same thing, but it is an acknowledgment. He will go through the packet and see if it is on the process page.

Member Riemer next referenced Form D – Covenant. He believes he has read that it is important to state a time period for completion as part of the covenant and failure could be grounds for rescission. Town Planner Ribeiro stated that should be written in the covenant itself. Member Riemer stated that the Subdivision Regulations require that any definitive subdivision needs to be reupped every two years if it hasn't been completed to which Town Planner Ribeiro agreed. Member Riemer went on to state that he believes this language is very clear regarding subdivision approval. Town Planner Ribeiro reiterated that for Form D language should be added stating what should be in the covenant and timeframes; he stated that he believes this is form language that they have used and that it could be added, and he will take a look at that. Chair Greenbaum asked Member Riemer to clarify his thoughts on what is needed. Member Riemer stated that he wanted language to state a time period for completion because absent that what is the time period? In addition, failure to meet the time period for completion can be grounds for rescission. Town Planner Ribeiro reiterated that it should be on the form itself, which Member Riemer replied yes.

Chair Greenbaum stated that she had one issue on the Special Permit procedures. In number two we need to delete where it says “§40.2 Affordable Accessory Dwelling Unit” as we now have a special ADU form. She stated that at the next meeting they will vote on the corrected ones.

Chair Greenbaum asked Town Planner Ribeiro for an update on the Cloverleaf. Town Planner Ribeiro stated it is continued to May 28, but he thinks that going forward with a substantive hearing on the 28th is not likely. The applicant is still working on the plans with the Horsley Witten Group recommendations from the last Zoning Board of Appeals meeting. Once they send in a revised plan it goes to Horsley Witten again for review and feedback to the Board. For a project like that it is important the public have the opportunity to participate in a meaningful way, and as of right now it is unclear how we will be able to do that. The Governor's Order is extended through the 18th, and he will give another update at the Planning Board meeting on the 20th. Member Kiernan asked if the Board could have a copy of a section from the original RFP dated August 15, 2018: Exhibit C – Engineering Feasibility Study. Town Planner Ribeiro stated he would get a copy for the Board.

Member Sollog commented on the Ethics training all board members must take, and that there is a piece of that training regarding financial interests in anything he makes decisions on. He believes the developer of the Cloverleaf is a for-profit developer working within the boundaries of a 40B Development, which means that there will be investors. If there are investors in this project, and they have any interests in Truro on Boards, should that be revealed? Town Planner Ribeiro suggested that he could bring that up; however, the ZBA isn't reviewing the funding of the project. It is certainly something Member Sollog can voice, but the biggest investor of this will be the Federal Government in the Low-Income Housing Tax Credits from the Department of Housing and Community Development. It is incredibly common for affordable housing developers to be for-profit. Member Sollog reiterated that he just wanted to bring up the fact that they have investors they can sell these tax credits to or they can transfer the tax credits to. Member Boleyn stated that this is an important financial issue. Town Planner Ribeiro stated that, again, it is not really a ZBA issue but for further clarity the State Ethics Commission could be contacted. Member Kiernan believes that Member Sollog brought up an excellent point, especially where we have a local Government that speaks in terms of openness and transparency.

Chair Greenbaum stated that regarding the update on past work sessions, much of that is now before the Board in the packets, e.g. warrant articles proposed. At the last work session, we started a conversation about looking at housing needs in the Town. We had a good discussion, but our joint work session scheduled with the Housing Authority did not happen, and they are not currently meeting because they are not a regulatory board. Chair Greenbaum asked the Board if they thought it would be helpful to do a work session to learn a little more about different types of housing, what data there is, etc. Member Herridge stated he thought it would be useful to have more information regarding housing, perhaps something more recent than the study the Cloverleaf has been based on, and also more objective data. Member Riemer and Member Boleyn agreed. Chair Greenbaum suggested that she and Town Planner Ribeiro speak about what might be more current and then see if there is enough to do a work session. Member Kiernan stated that it might be interesting to see what changes have occurred in the law concerning these things. Chair Greenbaum stated that, as a Planning Board, we are interested in looking at housing needs in Truro as a whole, and Capital A Affordable Housing is simply one component of that – senior housing, workforce housing, creative new things regarding multigenerational housing, reusing old motels – the bigger picture of housing: what is the need in Truro and for whom. Member Boleyn stated that shopping centers facing abandonment should also be considered as they could be turned into affordable housing and other large-purpose uses. Chair Greenbaum stated that not only do we have Supreme Judicial Court Opinions, but we also have a pandemic: what is that doing to the Town? Member Riemer suggested for the next work session members review the last work session minutes for anything outstanding. Chair Greenbaum stated that their discussion and brainstorming list would be part of the next work session.

Chair Greenbaum stated approval of minutes was the next on the agenda, and she did not believe they would get through this entire packet of minutes. Member Herridge stated he had a correction to the December 4, 2019 minutes. Before addressing the correction, Chair Greenbaum asked the Board if everyone had reviewed all the minutes – Members Boleyn and Riemer had. It was discussed which minutes the other Members had reviewed. Chair Greenbaum identified the meeting minutes the Board would review and approve at their next meeting: November 6, 2019; December 4, 2019; December 18, 2019; January 8, 2020; and January 22, 2020.

Chair Greenbaum stated the next meeting would be May 20th at 6:00 pm. In addition to probably voting to continue the two hearings, the issue regarding Tradesmen's Park II raised today by Member Sollog, the minutes, continued updates on COVID, and the Cloverleaf, are there other items that should be placed on the agenda for the next meeting? Member Kiernan asked Town Planner Ribeiro about Tradesmen's Park II and that he sees they have completed one building. He doesn't remember at the site plan meeting discussing building in phases. Town Planner Ribeiro replied that he does not know the extent the decision was phased, needs to review the project file, and can then give the Board an update at their next meeting.

Chair Greenbaum asked if there were any other items for discussion but there were none. Chair Greenbaum then asked if she could have a motion to adjourn. Member Sollog wanted to mention to the Board that he heard from someone that John Hopkins had died but he has been unable to confirm that. John had been on this Board for a short time. There was confirmation by other Board members and that it had been announced at a previous Select Board Meeting. Member Sollog wanted to recognize that he was an asset to the Board when he was a member before sadly

stepping down because of illness. Member Boleyn stated that it was credit well due, and all agreed. Chair Greenbaum again asked for a motion to adjourn. Motion by Bruce Boleyn and a second by Paul Kiernan. Voted all in favor. So voted: 6-0, one absent (technical difficulties mid-meeting).

Meeting adjourned.

Respectfully submitted,

Elizabeth Sturdy

DRAFT

**TOWN OF TRURO
PLANNING BOARD**
Meeting Minutes
May 20, 2020 – 6:00 pm
REMOTE MEETING

Members Present (Quorum): Anne Greenbaum (Chair); Karen Tosh (Vice Chair); Jack Riemer (Clerk); R. Bruce Boleyn; Peter Herridge; Paul Kiernan; Steve Sollog

Members Absent: None

Other Participants: Jeffrey Ribeiro, AICP – Truro Town Planner

Remote meeting convened at 6:00 pm, Wednesday, May 20, 2020 by Chair Greenbaum. Town Planner, Jeffrey Ribeiro, reiterated that this is a remote meeting which is being broadcast live on Truro TV Channel 18 and is being recorded. He gave the details of where to watch this meeting, how to access it, and to provide comment during the meeting by calling toll free (877) 309-2073 and entering the access code 843-216-029. The telephone number and access code were repeated, and he noted that a slight delay of 15 to 30 seconds between the meeting and the live stream television broadcast might be experienced. He also noted that if you are calling in to please lower the volume on your computer or television during public comments so they may be heard clearly and to also identify yourself so multiple calls can be managed effectively. Citizens may provide public comment for this meeting by emailing jribeiro@truro-ma.gov with your comments. The emails are being checked live during the meeting, so this is another way to contact us.

Chair Greenbaum took a roll call of members.

Public Comment Period

Public comment, for things not on the Agenda, the callers on the line stated no.

Public Hearing – Continued

Chair Greenbaum read case **2019-006/PB – Abigail B. Schirmer, Audrey Schirmer, and Joseph M. Schirmer** seek approval of a Preliminary Subdivision Plan of Land, pursuant to G.L. c. 41, §81S and §2.4 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at Route 6 and Amity Lane, Truro, MA, Map 46, Parcel 8. Chair Greenbaum stated that this is procedural only and is being continued to June 3. Member Kiernan moved to continue this hearing to June 3, 2020. Member Herridge seconded. Chair Greenbaum asked if there was any discussion; there was none. Voted all in favor by roll call vote, Member Boleyn absent for the vote. So voted: 6-0-1.

Chair Greenbaum read case **2020-001/PB – Nathan A. Nickerson III** seeks approval of a Definitive Subdivision Plan of Land, pursuant to G.L. c. 41, §81T and §2.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at 4-H Bay View Road and 3 Laura’s Way, Truro, MA, Map 39, Parcels 77 and 325. Chair Greenbaum stated that this is procedural only and asked for a motion to continue to June 3. Member Kiernan moved to continue this hearing to June 3, 2020. Member Herridge seconded. Chair Greenbaum asked if there was any discussion; there was none. Voted all in favor by roll call vote, Member Boleyn absent for the vote. So voted: 6-0-1.

Board Action/Review

Temporary Sign Permit – Sustainable Cape. Chair Greenbaum read the details on the application and asked Caller #1, Francie Randolph, how the Farmer’s Market was going to be handled this year. Ms. Randolph stated that they had been on weekly calls with the Commissioner of Agriculture for the State of Massachusetts, as well as others, to determine the safest way to handle farmer’s markets. They have new software that will enable people to pre-order for pick up. Social distancing will be enforced, there will be a separate entrance and exit, and perimeter adherence to State regulations for social gatherings will be clear. Parking issues have been brought to her attention which will be addressed as that may impact the location of the Farmer’s Market. Ms. Randolph believes, as the only place in the Town of Truro accepting SNAP (food stamp cards), that it is vitally important that the market be held. Chair Greenbaum asked if the Board had any questions. Member Kiernan asked if masks would be required and if there would be a food truck. Ms. Randolph replied that masks would be required, but at this time it is unknown if food trucks would be at, or near, the market. If so, they would only be allowed to provide boxed food to go. There will be no consuming of food or drink on the field and no lingering permitted. Chair Greenbaum asked for a motion. Member Kiernan moved to approve the sign. Member Herridge seconded. Chair Greenbaum asked if there was any further discussion; there was none. Voted all in favor by roll call vote. So voted: 7-0-0.

Temporary Sign Permits – Graduation Banner. Chair Greenbaum asked if the Board had any questions of Caller #2, Margaret Neylon; there were none. Chair Greenbaum asked for a motion. Member Kiernan brought up a prior comment from Member Tosh regarding possibly refunding the cost of the permit as this graduating class has gone through enough, which other Members agreed with. Town Planner Ribeiro stated he would look into that. Member Kiernan moved to approve the sign. Member Boleyn seconded. Voted all in favor by roll call vote. So voted: 7-0-0.

The next Agenda item, revised forms, was updated by Town Planner Ribeiro. He stated that all the forms are being reviewed to incorporate prior comments from the Board, in particular the form language pertaining to the ability to rescind Decisions that aren’t properly executed. These forms should be ready by next meeting.

Regarding Tradesmen’s Park South project, Town Planner Ribeiro stated he did a site visit and that the project is largely completed with the exception of the second building. The project has been completed closely to plan; the first phase of the project has been completed. In consultation with the Building Commissioner, they are set to receive an Occupancy Permit for that first building and they plan to move forward with the second building at the beginning of the Fall. Chair

Greenbaum reiterated that there is no action required of the Board, that this is just an update for them. Member Kiernan asked Town Planner Ribeiro if this was done with one or two building permits. Town Planner Ribeiro believes this was done with two separate building permits. The monitoring well was brought up at the last meeting, and this has been installed. Member Kiernan stated he did his own site visit, and noticed a few minor differences, but he fully endorses what is being done.

Chair Greenbaum asked Town Planner Ribeiro for an update on the Cloverleaf. As stated last time, we are still waiting for new plans from the applicant. We are going to be continuing the next hearing; we are continually reassessing moving this hearing forward. Chair Greenbaum asked, for clarification, if the response waiting for from the developer is for the revised I/A system because of the peer review to which Town Planner Ribeiro replied yes. There are a couple of other things, and they are modifying the plans to accommodate those concerns. Member Kiernan thanked Town Planner Ribeiro for getting the Board a copy of the feasibility report as that information clears up a lot of things; Member Herridge agreed.

The next Agenda item was discussion of potential changes to the Zoning Bylaws and definition of “street”. Town Planner Ribeiro included in the Board’s packet a copy of Truro’s, and a few other towns, definition of street. Town Planner Ribeiro stated that these documents were meant to just start the conversation. He does not believe it is clear what qualifies as a street. Chair Greenbaum stated that the Board should schedule a work session since Town Meeting is postponed until the Fall and asked for concepts on addressing this. Member Tosh believes the definition of street is one of the only things that keeps Truro from being overrun with growth and would not support the concept that it needs to be relaxed or vague; she does not support changing it. Member Herridge and Member Sollog also agreed. Member Kiernan gave a history of proposed street definition changes going to Town Meeting. Member Herridge pointed out possible litigation issues and also powerful and aggressive special interests that will be behind a change. Town Planner Ribeiro commented that there are also other tools to be used and language in the Zoning Bylaws that could be effectively used. Member Sollog suggested this conversation be continued at a work session so things can be clearly discussed. Chair Greenbaum suggested Town Planner Ribeiro research and gather other tools that can be used. Town Planner Ribeiro will put together a matrix that can be used as a starting point for what they want to see in Truro and, at the request of Chair Greenbaum, also include more clarification on the issues using the current language. Member Herridge suggested grandfathering rather than changing requirements going forward.

Chair Greenbaum noted that the next Agenda item was an update on the postponement of Town elections and Town/staff/Board operations. Town Planner Ribeiro included in the Board’s packet an update and opinion from KP Law regarding elections. Town Planner Ribeiro summarized the content. One Board concern was the ability of members who are up for reelection to continue to serve – it is very clear that they will continue to be an active member of the Board. KP Law will be providing some guidance in reference to the reopening Plan from the Governor, and Town Hall has been planning as well. Virtual formats moving forward and continuing to reassess. Chair Greenbaum stated that the election is scheduled for June 30 with early voting.

Discussion of setting a work session date – the week of June 8. Wednesday morning, June 10, at 10:30 am was decided.

Approval of Minutes

November 6, 2019 – Chair Greenbaum asked if anyone had any corrections to these minutes. Hearing no changes offered, Chair Greenbaum stated that she had a correction on page 4: replace heading language “Discussion for setting dates for future Board public workshops” with “Discussion of Cloverleaf”. Chair Greenbaum asked for a motion to accept the minutes with that change. Member Sollog moved to approved as amended. Member Boleyn seconded. No further discussion. Chair Greenbaum asked for a roll call vote. Voted all in favor. So voted: 7-0-0.

December 4, 2019 – Chair Greenbaum asked if anyone had any corrections to these minutes. Member Herridge stated that, in the Cloverleaf criteria for eligibility discussion, he was misquoted in a few places where reference to \$30,000 was made incorrectly. It should be 30% of median county income or less, not \$30,000. Member Kiernan asked Chair Greenbaum if these minutes could be moved to another meeting. Member Riemer stated that a correction was needed on page 4: replace language “40B2” with “40B”. Member Kiernan stated that on page 5 where he was quoted regarding rental income is unclear. Chair Greenbaum asked Member Kiernan to review the video for clarification, and he agreed. Chair Greenbaum stated that these minutes would be deferred until next time. Town Planner Ribeiro stated that these corrections would be reviewed.

December 18, 2019 – Chair Greenbaum asked if anyone had any corrections to these minutes. Member Riemer stated that a correction was needed on page 3: replace language “well water separators” with “oil water separators”. Member Kiernan stated that corrections were needed on pages 2 and 3: replace spelling “Stow” with “Stowe”. Member Kiernan moved to approved as amended. Member Herridge seconded. No further discussion. Chair Greenbaum asked for a roll call vote. Voted all in favor. So voted: 7-0-0.

January 8, 2020 – Chair Greenbaum asked if anyone had any corrections to these minutes. Member Riemer stated that corrections were needed on pages 2 and 3: replace spelling “Reimer” with “Riemer”. Member Boleyn moved to approved as amended. Member Herridge seconded. No further discussion. Chair Greenbaum asked for a roll call vote. Voted all in favor; Member Kiernan abstained. So voted: 6-0-1.

January 22, 2020 – Chair Greenbaum asked if anyone had any corrections to these minutes. Hearing no changes offered, Chair Greenbaum stated that she had a correction on page 8: replace language “ensure the Planning Board is always last” with “ensure the Planning Board is not always last”. Chair Greenbaum asked for a motion to accept the minutes with that change. Member Boleyn moved to approved as amended. Member Herridge seconded. No further discussion. Chair Greenbaum asked for a roll call vote. Voted all in favor. So voted: 7-0-0.

Chair Greenbaum stated that the next Board meeting is June 3, 2020. Town Planner Ribeiro suggested the Board choose minutes for review at that meeting. Chosen were: December 4, 2019 (per above deferral); July 11, 2018; February 5, 2020; February 12, 2020; February 19, 2020; February 26, 2020; March 4, 2020.

Chair Greenbaum then asked Town Planner Ribeiro what else could they expect on the next agenda, June 3. The forms can be reviewed then. There is a chance an administrative action for a Site Plan Review Waiver Request (does not require a public hearing) from the Avenue D wine bar

might be reviewed, if received. Member Kiernan asked what the waiver was for and if abutters would be notified. Town Planner Ribeiro stated that it might be to use the back deck, which was limited in the last Planning Board review, but because of COVID the idea of outdoor seating might be safer. However, outdoor seating might be more impactful than indoor seating, so a thorough discussion should take place and include whether this request should be a Site Plan Review which would notify abutters. The expectation is that the Nickerson and Schirmer applications will be continued as well.

Chair Greenbaum asked if there were any other items for discussion but there were none. Chair Greenbaum then asked if she could have a motion to adjourn. Motion made by Member Boleyn with a second by Member Riemer. No further discussion. Chair Greenbaum asked for a roll call vote. Voted all in favor; Members Sollog and Herridge absent for the vote. So voted: 5-0-2.

Meeting adjourned.

Respectfully submitted,

Elizabeth Sturdy

**TOWN OF TRURO
PLANNING BOARD**
Meeting Minutes
June 3, 2020 – 6:00 pm
REMOTE MEETING

Members Present (Quorum): Anne Greenbaum (Chair); Karen Tosh (Vice Chair); Jack Riemer (Clerk); R. Bruce Boleyn; Peter Herridge; Paul Kiernan; Steve Sollog

Members Absent: None

Other Participants: Jeffrey Ribeiro, AICP – Truro Town Planner

Remote meeting convened at 6:08 pm, Wednesday, June 3, 2020 by Chair Greenbaum. Town Planner, Jeffrey Ribeiro, reiterated that this is a remote meeting which is being broadcast live on Truro TV Channel 18 and is being recorded. He gave the details of where to watch this meeting, how to access it, and to provide comment during the meeting by calling toll free (877) 568-4106 and entering the access code 971-133-973. The telephone number and access code were repeated, and he noted that a slight delay of 15 to 30 seconds between the meeting and the live stream television broadcast might be experienced. He also noted that if you are calling in to please lower the volume on your computer or television during public comments so they may be heard clearly and to also identify yourself so multiple calls can be managed effectively. Citizens may provide public comment for this meeting by emailing jribeiro@truro-ma.gov with your comments. The emails are being checked live during the meeting, so this is another way to contact us.

Chair Greenbaum took a roll call of members.

Public Comment Period

No public comment.

Public Hearing – Continued

Chair Greenbaum asked Town Planner Ribeiro for the status of the public hearings. He stated that they will be continued for now. The Fire Chief and John O'Reilly need to coordinate regarding the Schirmer matter. Also, for the Nickerson matter, we are keeping all the abutters updated on progress. The motions for both will be continued to the next meeting on June 17.

Chair Greenbaum asked for a motion to continue the Schirmer public hearing. Member Kiernan moved to continue this hearing to June 17, 2020. Member Boleyn seconded. Chair Greenbaum asked if there was any discussion; there was none. Voted all in favor by roll call vote. So voted: 7-0-0.

Chair Greenbaum asked for a motion to continue the Nickerson public hearing. Member Herridge moved to continue this hearing to June 17, 2020. Member Kiernan seconded. Chair Greenbaum asked if there was any discussion; there was none. Voted all in favor by roll call vote. So voted: 7-0-0.

Board Action/Review

Review of Revised Forms. Town Planner Ribeiro put the forms up on the screen for viewing.

Application for Special Permit – Chair Greenbaum started with the Procedure for Submitting Application for Special Permit. Chair Greenbaum does not think a checklist is required for this; her other suggestion is to delete, under #2 Required Plan(s) and Other Information, the section that states “§40.2 Accessory Dwelling Unit” as there is a separate form for this. Town Planner Ribeiro will put a comment on the form for action. Cannot decrease the number of copies as this has not gone to Town Meeting yet for a vote; therefore, it will remain as is. No further discussion on the Procedure pages.

Town Planner Ribeiro put additional language regarding Planning Board handling of concurrent jurisdictions up on the screen for viewing. This language is to ensure applicants are aware of the other requirements they may have to meet. Chair Greenbaum suggested that this language should appear on all procedures, including those already approved, and the Board agreed. Town Planner Ribeiro will put a comment on the form for action.

On the Special Permit Application itself, the Board agreed with the changes as indicated.

Subdivision of Land Regulation Forms:

- Form A (ANR) – Chair Greenbaum stated that the new language regarding regulations should be added to Procedures and verified that this language should be put on everything. Town Planner Ribeiro will put a comment on the form for action. Cannot decrease the number of copies as this has not gone to Town Meeting yet for a vote; therefore, it will remain as is. On the Form A (ANR) Application itself, Member Riemer commented on the form date at the bottom and what that date should be. Town Planner Ribeiro stated that, if the Board agreed, the date should reflect when the vote was taken, and the Board agreed. Also discussed was the need to have everything submitted electronically, and the Board agreed. On the Checklist, Town Planner Ribeiro believed the number of copies could be changed since it was not part of the Zoning Bylaws and did not require a Town Meeting vote. Member Kiernan stated that he thought at some time the Subdivision Regulations would have been voted in at Town Meeting and would be worthwhile checking. If so, altering the number of copies would have to be approved at Town Meeting. Member Riemer stated that in the Planning Board Handbook, Section VI – Changes to Planning Board Subdivision of Land Rules & Regulations, this question as to what can be done administratively is addressed. It states, “The Board may adopt and amend the rules and regulations from time to time not inconsistent with the subdivision control law or any other provision of applicable statutes or any town bylaw.” Member Riemer said, based on this statement, it is okay to change the number of copies. It was agreed that the number of copies on the Checklist could be reduced. Member Kiernan still believes that they

should check what went through Town Meeting, and Town Planner Ribeiro stated that he would check on that. There was no further discussion, and Chair Greenbaum stated that if the number of copies on the Checklist could be reduced it would be, otherwise it would remain the same.

- Procedure for Submitting Subdivision Plans for Pre-Submission Review – Chair Greenbaum indicated that this was a brand-new creation. In the past, the Planning Board has discussed encouraging applicants to do more informal consultations with the Town Planner and/or the Board. Chair Greenbaum said that this seems to be more informal, therefore she believes that the header language under #1 “Required” is unnecessary. Chair Greenbaum suggests simplified language, such as “any materials the applicant believes would be useful for discussion” rather than the more formal language, and the Board agreed.
- Form B (Preliminary Plan) – Chair Greenbaum stated that the new language regarding regulations should be added to Procedures. Town Planner Ribeiro will put a comment on the form for action. Cannot decrease the number of copies as this has not gone to Town Meeting yet for a vote; therefore, it will remain as is. Under #3 Certified Abutters List, Chair Greenbaum had a question regarding notification to abutters and whether it was the applicant’s responsibility or the Planning Office. Town Planner Ribeiro explained that there isn’t a requirement for the applicants, however he believes that there should be future discussion to move away from having the applicant mail out certified notifications. He also stated that he now believes Member Kiernan is correct in stating that the number of copies cannot be changed without Town Meeting vote. No further discussion on the Procedure pages. On the Form B (Preliminary Plan) Application itself, Chair Greenbaum noted that the date at the bottom of the page will need to be changed. Member Riemer asked if the number of copies would be twelve (12) or ten (10); Town Planner Ribeiro clarified that it would be twelve (12) as that reflects what is in the Bylaw. Chair Greenbaum furthered with the statement that there will be no changes to the number of copies for any of these forms until after Town Meeting. There was no further discussion on the Form or Checklist.
- Form C (Definitive Plan) – Chair Greenbaum stated that the new language regarding regulations should be added to Procedures. Town Planner Ribeiro will put a comment on the form for action. Cannot decrease the number of copies as this has not gone to Town Meeting yet for a vote; therefore, it will remain as is. Chair Greenbaum asked if there were any questions or comments to the Procedures. Member Kiernan asked when we are just talking about adding the comment to these things, in some cases we have within our Bylaw, and within Federal law, certain strictures. Are we saying that we can violate, e.g., in the Seashore, Federal Law? Can we, as a Board, approve something that would be in violation of Federal Law? Town Planner Ribeiro clarified the language being added. He stated that we have gone through this with the Merlini case. Whether or not something is in violation of Federal Law, it is not this Board’s jurisdiction to determine whether or not something is in conformance with Federal Law, and this Board cannot make decisions based on those grounds. Decisions should be based on the Zoning Bylaw and the Regulations before you. Ultimately, applicants have to meet all rules and regulations. You can approve something because it meets your requirements, and another commission can say no because it doesn’t meet their requirements. That doesn’t mean that you can say no because it doesn’t meet that commission’s requirements. The language being added is casual language suggesting the applicant read the Zoning Bylaw, rules and regulations, for this board and other boards and commissions. On the Form C (Definitive Plan)

Application itself, Chair Greenbaum asked the Board if there were any questions or changes on the form and there were none. However, Member Kiernan stated he did not have any comments specifically on the form as it reflects the current Bylaw, but in thinking of the Bylaw itself, when you have three fifty-year events within 10 years, at what point should we be asking for more? Chair Greenbaum stated that is a substantive conversation that we could, and probably should, have. Town Planner Ribeiro stated he will write that down for a future meeting discussion, and he thinks they should start compiling a list. Chair Greenbaum asked if there were any corrections to the Checklist. Member Riemer referred to items a.7 and a.8 and stated that these were changed effective 3/20/2018 and is recorded in the Planning Board Minutes for that date. It was a duly advertised meeting, and according to our Planning Board Manual, we followed the correct procedure to modify these two areas. For clarification, Chair Greenbaum asked Member Riemer if what was on the Checklist was incorrect. Member Riemer stated that on a.7 it refers to requested waivers from these Rules and Regulations consistent with §1.5, if applicable and the changes that were made to §1.5 are not even incorporated into the Subdivision Rules and Regulations. For a.8, it states a computer disk containing a file of the subdivision in either .DWG or .DXF file format – that was eliminated, and he doesn't believe that change was reflected in our Subdivision Rules and Regulations. As stated above, Town Planner Ribeiro thinks that should be noted and the changes should be incorporated; he will look into getting those changes made before posting it. Chair Greenbaum asked if there were any further corrections to the Checklist; there were none; no further discussion.

- Form D (Covenant) – Chair Greenbaum asked if there were any questions or comments to the Procedures or the Form. Member Riemer stated that he read in the Department of Community Housing and Development publication, an overview of the subdivision control law, on page 39 it states that in all cases the Planning Board should specify or require the applicant to specify the time period within which the construction of the ways and the installation of municipal services will be completed. He asked if that should be noted on the form? Chair Greenbaum asked Member Riemer to further explain what he thought was missing. Member Riemer stated that there is nothing in this covenant that holds the applicant to any kind of timeframe and this publication which I referred to states that the Planning Board should require the applicant to specify a time frame. The question to the Board is whether we should include that on the form. Town Planner Ribeiro thinks that is a very good idea; however, he believes it should go on that list of changes as it was taken directly from the Bylaw and should be changed in the Bylaw, not just the form and would be the proper way to do it. Member Kiernan noted that the second page states “The following are further agreements and/or conditions of approval:” so there's a spot we can add in. Chair Greenbaum said temporarily. Member Riemer stated that any time we are including further conditions or agreements on a covenant, it should also appear on the plans because once the covenant has been released sometimes the argument is that we have released everything in the covenant. Unless it occurs on the plan as well, then it could get lost. Town Planner Ribeiro said that was a very good point and that the covenant not be in place of the conditions in your approval. Chair Greenbaum asked Town Planner Ribeiro to add this to the list of “housekeeping” items they are compiling. Chair Greenbaum stated she would like to see added on Form D itself the printed name above the two owner signature lines. Chair Greenbaum asked if there was any further discussion on the Subdivision Covenant; there were none; no further discussion.

- Form E (Modification/Amendment/Rescission of Definitive Subdivision) – Chair Greenbaum noted the new language added on the Procedure form regarding clarification and also regarding the Abutters List and asked the Board if they had any additions, questions, changes for the Procedure or Form itself. Member Riemer asked regarding the Procedure, why wouldn't we include on the top two bullets, a bullet notifying the Board of Health specifically because if you are modifying or amending a plan, it may need the Board of Health to check it out. Town Planner Ribeiro suggested using the same bullet language as was used on the Definitive Plan; it will be added to this form.
- Form F (Certification of Completion and Release of Municipal Interest in Subdivision Performance Security) – Chair Greenbaum asked if there were any comments, additions, changes, needs. Member Riemer said that he thinks it is worth noting that once this form has been received by the Clerk for the release, the Planning Board has 45 days to do so or it is deemed to be constructively approved. He did not believe this was well known. Town Planner Ribeiro stated that this language could be pulled from the MGL, and Chair Greenbaum said it could be added to the "Once a Completed Application has been Received" page. Member Riemer asked if it was worth noting under the area of Truro Planning Board signatures that when we sign this it does not vacate other further agreements and/or conditions of approval included on the plan and we could assign the Plan Book and Page to reference that. Town Planner Ribeiro agreed that it was a good idea and could be added.

Chair Greenbaum stated that they were done with the forms. Chair Greenbaum asked for a motion to approve as amended all of the forms they reviewed that evening. Member Sollog moved to approve as amended all the forms reviewed that evening. Member Herridge seconded. Voted all in favor by roll call vote. So voted: 7-0-0.

Review of the Cloverleaf Truro Rental Housing Comprehensive Permit application under MGL Ch. 40B to formulate comments for submittal to the Zoning Board of Appeals. Chair Greenbaum asked Town Planner Ribeiro for an update. The public hearing has been continued to June 25 as the applicant still has not submitted a revised septic; having that hearing depends on getting the materials far enough in advance for everyone to have time for review. If everything comes in within a timely fashion, the ZBA will move forward with a virtual hearing. On the 22nd the Zoning Board will hold their first virtual hearing on a Special Permit case. At this time, it is unclear when in-person hearings will take place again. He advises not opening and closing hearings in the same meeting. He thinks we should always continue hearings, and not close out hearings, in case there are issues getting through or providing comment; then we would have time to rectify that by making sure they can provide written comment or coordinate so that they can be at a subsequent hearing to provide input.

Board update/discussion about the potential to hold public hearings remotely. Regarding the potential to hold public hearings remotely, Chair Greenbaum asked Member Tosh to share her idea on holding meetings if possible, and if people were comfortable, at the COA using social distancing guidelines. She noted, however, consideration of ventilation problems and was not sure about holding meetings inside. Chair Greenbaum suggested hybrid meetings where people had the option of in-person or remote participation. Town Planner Ribeiro thinks hybrid meetings are a good idea, however they may present more challenges, especially with the social gathering limitation and believes virtual hearings are cleaner. Chair Greenbaum stated that virtual hearings

do allow for people to call in regardless of internet connection which makes it more inclusive. Town Planner Ribeiro stated that presentation materials on the screen can be seen by the public on Channel 18, so they see what we see. With a virtual hearing, the applicant material will need the ability to be seen on the screen, ensure the applicant can participate in full, video-link – all similar to this meeting. Town Counsel mentioned that viewing material might be easier seen on the TV or personal computer; packets on the website also include all materials and are available to the public online.

Chair Greenbaum stated that two public hearings have been delayed to the next remote meeting. She suggested tackling one case at a virtual hearing rather than trying to do two at the same meeting, and all agreed. Town Planner Ribeiro stated that it is reasonable to start with one and then move onto the next; it is important for them to be treated equally, but it would be fair to say start with the oldest case. Chair Greenbaum asked the Board how they felt about the next meeting being a virtual hearing with the Schirmer case. Member Kiernan sees it as problematic in reviewing new material – how will we see it? Town Planner Ribeiro stated the applicant would provide a copy to be shown on the screen and the materials will be in their packets. Member Riemer agreed with Town Planner Ribeiro's thoughts regarding not opening and closing hearings in the same meeting. Discussion, with examples, took place on this reasoning. Member Sollog stated that he thinks the Planning Board should try this with the applicant being well notified that this may fail, and they may not be able to have a definitive decision on their application and the case may have to be continued because of all the possible problems encountered on a regular basis doing these meetings. Chair Greenbaum agreed that the Planning Board should try as she does not know when they will be able to have in-person meetings, she would like to get on the learning curve, and agrees that making it our policy that no hearing will be opened and closed at the same meeting, and are building in that buffer, is her preference as well. Member Kiernan asked if a Member having a technical glitch occurs during a hearing, would that be a reason to stop at that point? Town Planner Ribeiro replied that if there were connectivity issues, including the public having difficulty, it would be reasonable to continue to the next. Chair Greenbaum stated that this should be treated the same way as if they were at a physical meeting; they would have to deal with it. She stated they should keep trying to make it as inclusive as possible, be flexible, and ensuring participation. Member Tosh agreed with the statements by Member Sollog and Chair Greenbaum and thinks that it should be tried as do Members Boleyn, Riemer, and Kiernan. Chair Greenbaum asked if Town Planner Ribeiro would reach out to Schirmer? He stated yes and that he would see who was ready to move forward and when. The Nickerson case still needs a site visit; however, it needs to be staked in order for a site visit to occur. Town Planner Ribeiro will speak with them as well. He brought up the scenario of live video stream for the site visit which is something he could do; it would be live for the Board as well as the public. Chair Greenbaum asked Town Planner Ribeiro to discuss with them the possibility of a remote hearing and, if so, staking the property. Member Kiernan asked, if this is problematic, would it be worthwhile to ask them to withdraw without prejudice and come back later when appropriate without cost? Town Planner Ribeiro stated that it is something that could be discussed with them.

Discussion for setting dates for future Board public workshops. Chair Greenbaum stated that there is a work session on Wednesday, June 10, at 10:30 am. Town Planner Ribeiro will be providing the Board with materials for their packet which include dimensional things from our Bylaws. He also had the Town Assessor look at the GIS data which has information on parcels

for frontage; he has a map of those properties for discussion. Member Kiernan asked if the workshop would be recorded. Town Planner Ribeiro stated that, included in the State's dispensation on virtual meetings, it is required these meetings be broadcast.

Approval of Minutes

July 11, 2018 – Chair Greenbaum asked if anyone had any corrections to these minutes. Member Boleyn stated that on page 1, second paragraph “One or two public hearings were held” needs clarification which Town Planner Ribeiro stated would be checked. Member Sollog stated that there is a spelling correction on page 3 which should be “preferred” not “proffered”. Chair Greenbaum asked for a motion to accept the minutes as corrected. Member Boleyn moved to approved as amended. Member Sollog seconded. No further discussion. Chair Greenbaum stated that since she was not on the Board at that time, she would not be voting. Chair Greenbaum asked for a roll call vote. Voted all in favor; Chair Greenbaum abstained. So voted: 6-0-1.

February 5, 2020 – Chair Greenbaum asked if anyone had any corrections to these minutes. Member Riemer stated that a correction was needed on page 9: replace spelling “Reimer” with “Riemer”. Chair Greenbaum asked for a motion to accept the minutes as corrected. Member Boleyn moved to approved as amended. Member Riemer seconded. No further discussion. Chair Greenbaum asked for a roll call vote. Voted all in favor. So voted: 7-0-0.

February 12, 2020 Work Session – Chair Greenbaum asked if anyone had any corrections to these minutes. Member Sollog moved to approved as written. Member Riemer seconded. No further discussion. Chair Greenbaum asked for a roll call vote. Voted all in favor. So voted: 7-0-0.

February 19, 2020 – Chair Greenbaum asked if anyone had any corrections to these minutes. Hearing no changes offered, Chair Greenbaum motioned to accept the minutes as written. Member Boleyn seconded. Member Riemer stated he did have one change to page 1, “Member Kiernan would like to inform the Board that in his 27 years of familiarity with the Planning Board the Police Chief and the Fire Chief are always informed when asked their opinion” needs clarification which the Board approved as “Member Kiernan would like to inform the Board that in his 27 years of familiarity with the Planning Board, the Police Chief and the Fire Chief are always asked for their opinion.” Chair Greenbaum changed the motion to approve as amended. Member Sollog seconded. No further discussion. Chair Greenbaum asked for a roll call vote. Voted all in favor. So voted: 7-0-0.

February 26, 2020 Work Session – Chair Greenbaum asked if anyone had any corrections to these minutes. Hearing no changes offered, Chair Greenbaum stated that she had a correction on the bottom of page 3: replace language “venture housing” with “denser housing”. Chair Greenbaum asked for a motion to approve as amended. Member Riemer moved to approved as amended. Member Boleyn seconded. No further discussion. Chair Greenbaum asked for a roll call vote. Voted all in favor. So voted: 7-0-0.

Chair Greenbaum stated that minutes for their next meeting are listed on the current Agenda. The next Board meeting is June 17, 2020, but the work session regarding street definition is next week. Member Kiernan directed a question to Town Planner Ribeiro; he asked if his email regarding the

December 4 minutes was received and it was. Member Kiernan asked if it could be distributed to the other Board Members; Town Planner Ribeiro stated that it would be in the packet for the next meeting for everyone to review. Member Kiernan also stated that he had some questions for Town Planner Ribeiro for review at the work session which he would email and copy Chair Greenbaum. Chair Greenbaum stated that the work session would include the street definition conversation and asked Town Planner Ribeiro if he was putting together something regarding his concerns. Town Planner Ribeiro suggested they take a look at development in Truro, lots, frontage, size, and other ways to look at these things; what like/don't like in Truro. Chair Greenbaum suggested that it would be helpful for the Board to hear why he has concerns regarding the regulation as currently written.

Town Planner Ribeiro had another item to bring to their attention, which he will get them a copy of. He stated that the Governor recently issued a new Order regarding phased re-openings which included outdoor seating at restaurants which was broad and clear: basically regardless of what a zoning bylaw states, or special permit or other approval, restaurants can do outdoor seating with the approval of the Select Board through November of this year. As previously mentioned at the last meeting, Avenue D's wine bar is considering outdoor seating, and whether it should be brought back in front of the Planning Board again. It won't because this Order is specific, and the Select Board will be able to approve that; it is temporary and only through November. Member Kiernan asked if the Select Board would be notifying the people that had come to their meeting and opposed that? Town Planner Ribeiro was unsure as to the Select Board process, but he suggested keeping in touch with the Select Board Agendas.

Chair Greenbaum recapped the Agenda for their next Board meeting; she believes it will be Schirmer, then asked Town Planner Ribeiro what else could they expect on the next agenda. He stated that he will check with Schirmer, there is a possibility of a Cloverleaf update, and he will be speaking with Nickerson about a site visit when and how.

Chair Greenbaum asked if there were any other items for discussion but there were none. Chair Greenbaum then asked if she could have a motion to adjourn. Motion made by Member Tosh with a second by Member Boleyn. No further discussion. Chair Greenbaum asked for a roll call vote. Voted all in favor. So voted: 7-0-0.

Meeting adjourned.

Respectfully submitted,

Elizabeth Sturdy