

Truro Planning Board Agenda Remote Meeting Wednesday, September 2, 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 corner of the page. Please note that there may be a slight delay (approx. 15-30 seconds) between the meeting and the television broadcast/live stream.

Citizens can join the meeting to listen and provide public comment via the link below, which can also be found on the calendar of the Board's webpage along with the meeting Agenda and Packet, or by calling in toll free at <u>1-877-309-2073</u> and entering the following access code when prompted: <u>862-231-229</u>. Citizens will be muted upon entering the meeting until the public comment portion of the hearing. If you are joining the meeting while watching the television broadcast/live stream, please lower the volume on your computer or television during public comment so that you may be heard clearly. Citizens may also provide written comment via postal mail or by emailing the Town Planner at <u>planner1@truro-ma.gov</u>.

Meeting link: global.gotomeeting.com/join/862231229

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.

Public Hearing – Continued

2020-002/SPR – Loic Rossignon, for property located at 8 Stickbridge Road (Atlas Map 54, Parcel 89, Registry of Deeds Book 31230 and Page 33. The property is located in the Seashore Zoning District. Applicants seek Residential Site Plan approval under Section 70 of the Truro Zoning Bylaw for the demolition of an existing cottage and construction of a "barn".

Board Action/Review

2020-009/PB – Margaret G. Frank, Irrev. Trust 2012, Jeremiah D. Frank, Trustee seek 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 8 Perry's Hill Way and Old County Road, Map 54, Parcel 67.

Office of Town Clerk Treasurer – Tax Collector 9:02M 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.

Warrant Articles for Fall Town Meeting.

Discussion of Certified Abutters List Request Form.

Discussion for setting goals for FY2021.

Discussion for setting dates for future Board public workshops.

Minutes

None

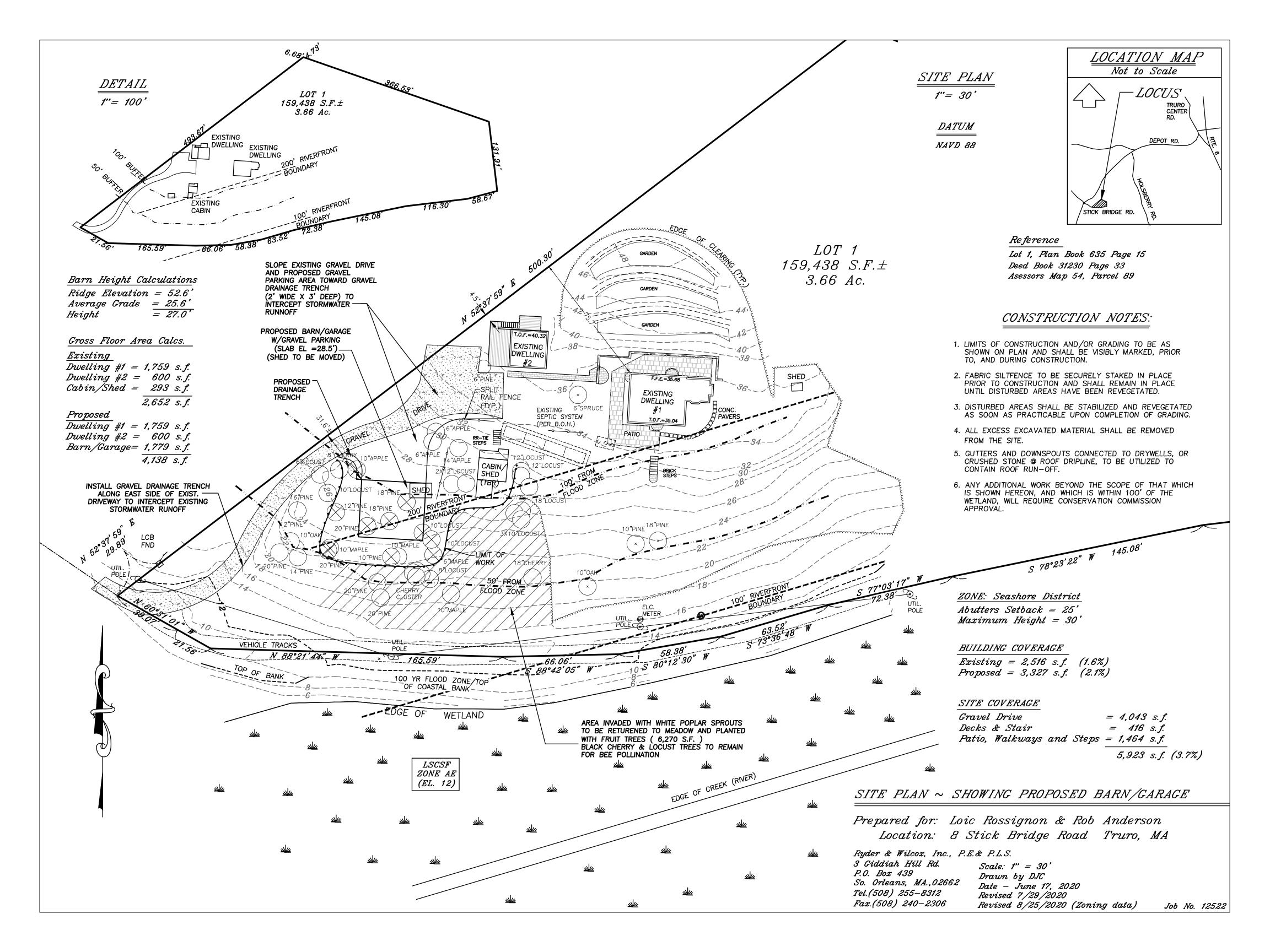
Next Meeting

Wednesday, September 16, 2020, at 6:00 p.m.

Adjourn

T	Office of Town Clerk reasurer – Tax Collector	
	9:02 Am AUG 28 2020	
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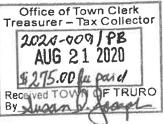
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Town of Truro Planning Board

P.O. Box 2030, Truro, MA 02666



FORM A

APPLICATION FOR DETERMINATION THAT PLAN DOES NOT REQUIRE APPROVAL (ANR)

To the Planning Board of the Town of Truro, MA

Date 8/21/2020

The undersigned owners of all the land described herein submitted the accompanying plan entitled: PLAN FOR MARGARET G. FRANK., JEREMIAH D. FRANK, TRUSTEE and dated 6/16/20, REV. 8/14/20, requests a					
determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required.					
Property Location: BPERRY'S HILL WAY EOLD COUNTY RD. Map(s) and Parcel(s): 54/67					
Number of Lots Created: Total Land Area: 3,044 AC,					
The owner's title to said land is derived under deed from,					
dated or or					
Land Court Certificate of Title No. 197545 registered in Barnstable County.					
 The undersigned believes that such approval is not required for the following reasons: (check as appropriate) The accompanying plan is not a subdivision because the plan does not show a division of land. The division of the tract of land shown on the accompanying plan is not a subdivision because every lot shown on the plan has frontage of at least such distance as is presently required by the Truro Zoning Bylaw under Section 50.1(A) which requires 150 feet for erection of a building on such lot; and every lot shown on the plan 					
has such frontage on:					
a public way or way which the Town Clerk certifies is maintained and used as a public way, namely OLD COUNT? ROAD, or					
a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, namely on and subject to the following conditions; or					
a private way in existence on December 8, 1955, the date when the subdivision control law became effective in the Town of Truro having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely					

The division of the tract of land shown on the accompanying plan is not a "subdivision" because it shows a proposed conveyance/other instrument, namely ______ which adds to/takes away from/changes the size and shape of, lots in such a manner that no lot affected is left without frontage as required by the Truro Zoning Bylaw under Section 50.1(A), which requires 150 feet.

The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings, specifically _____ buildings were standing on the property prior to December 8, 1955, the date when the subdivision control law went into effect in the Town of Truro and one of such buildings remains standing on each of the lots/said buildings as shown and located on the accompanying plan. Evidence of the existence of such buildings prior to the effective date of the subdivision control law as follows: Other reasons or comments: (See M.G. L., c.41, §81-L) All other information as required in the Rules and Regulations Governing Subdivisions of Land shall be submitted as part of the application. (Signature) Printed Name of Owner (Signature) (Printed Name of Owner) (Address of Owner(s)) (Address of Owner(s)). PETER W. SOULE, PLS (Signature) 103 VESPER POND DR., BREWSTER, MA 02631 508 255 4728 (Address of Agend) PWSOULE & GMAIL.COM File tweive (12) copies each of this form and applicable plan(s) with the Town Clerk; and a complete copy, including all plans and attachments, submitted electronically to the Town Planner at planner1@iruro-ma.goy Page 2 of 2 Putti A - Jone 3, 2020

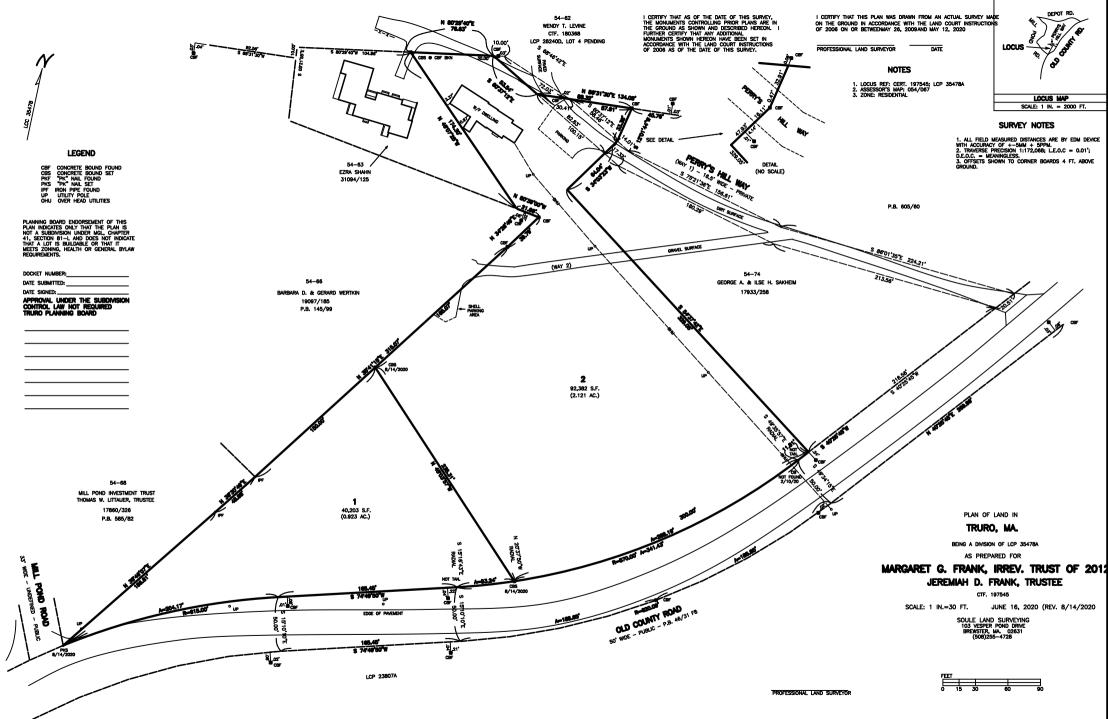
Address:	s: 8 PERRYS HILL WAY Applicant Name: JEREMIAH D. FRANK TRUSTEE Date: 8/21/	WK IRUS	N. TRUST OF	0F 2012 e: 8/21/2020
No.	Requirement	Included	Not Included	Explanation, if needed
2.2.2 Su	2.2.2 Submission Requirements			
Any pers Subdivis:	Any person may submit a plan seeking endorsement that the plan does not require approval under the Subdivision Control Law by providing the Board with the following:			
ei	A properly executed application for Approval Not Required Endorsement (Form A).	>		
þ.	Twelvelvel(12) paper prints of the plan. Said plan shall be prepared in such a manner as to meet the Registry of Deeds and/or Land Court requirements for recording and shall contain the following information:	>		
b.1	The boundaries, area, frontage and dimensions of the lot or lots for which ANR endorsement is sought.	1		
b.2	The date of the plan, scale, north arrow and assessor's map and parcel number of all land shown on the plan and directly abutting the land shown on the plan.	2		
b.3	The name(s) of the owner(s) of record of the lots shown on the plan and of the applicant, together with the name, address seal and signature of the land surveyor who prepared the plan.	7		
b.4	Relevant zoning classification data.	1		
b.5	A locus plan containing sufficient information to locate the land and showing streets bounding or providing access to the property.	7		
b.6	The name(s) of the way(s) on which the lots front, information as to ownership of the way(s) and the physical condition of the way(s) including actual width, surface type and condition.	2		
b.7	The location and dimension of any natural features which might affect the use of the frontage for access.	>		
9.9	The location, including setbacks to all lot lines, of all buildings and other structures on the proposed ANR lots shown on the plan.	>		
b.9	The location of any wetland on the land shown on the plan or within one hundred (100) feet of its boundaries.	7		
b.10	The location of all bounds and easements on the proposed ANR lots shown on the plan.	2		

2.2 - APPROVAL NOT REQUIRED (ANR) PLAN ENDORSEMENT REVIEW CHECKLIST - Applicant

Address:	ss: Applicant Name:		Date:	
No.	Requirement	Included	Not Included	Explanation, if needed
b.11	b.11 The statement "Approval under the Subdivision Control Law Not Required", and sufficient b.11 space for the date of the application submittal and the date of endorsement, docket number and the simutures of all Board members.	>		
b.12	 The statement "Planning Board endorsement of this plan indicates only that the plan is not a b.12 subdivision under MGL, Chapter 41, Section 81-L and does not indicate that a lot is buildable or that it meets Zoning, Health or General Bylaw requirements." 	>		

2.2 - APPROVAL NOT REQUIRED (ANR) PLAN ENDORSEMENT REVIEW CHECKLIST - Applicant

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DRAFT FOR 8/19 PLANNING BOARD MEETING

New comments & edits in italics

The Truro Planning Board (hereafter Board) submits these comments to the ZBA to help inform their decisions on the proposed Cloverleaf Project. This letter addresses the highest priorities and most pressing concerns of the Planning Board. We also bring to the ZBA's attention a document that we recently identified and believe to be helpful. This document, Handbook: Approach to Chapter 40B Design Reviews, was developed by the 4 Massachusetts Housing agencies authorized to review and approve site eligibility for Chapter 40B affordable housing developments. We are sharing this with you in the hope that is useful to you as you continue to move through this complicated process. *The Handbook contains checklists as well as specific criteria for project evaluation. Two of the more relevant sections are: Section 1: Purpose (pages 1-2) and Attachment B: Guidelines for Reviewing Design (pages 29-31), especially Parking & Access pages 30-31).* The document is attached and the link to the document on the Commonwealth of Massachusetts website is below. https://www.mass.gov/files/documents/2017/10/16/handbook-approachtoch40bdesignreviewa.pdf

We are available for further conversation with the ZBA to clarify or expand on the items listed here as well as other waiver requests or issues.

HEALTH & SAFETY CONCERNS

Sidewalks

1. The current plan does not provide a safe pedestrian path from Highland Road to the units in the development, except for Buildings 1-3 & 5-7. *Nor is it possible to walk on the sidewalk all the way around the development.*

- a. According to the Landscape Plan a pedestrian would need to cross the roadway 1 or more times to get *from Highland Road* to any building except Building 1-3 & 5-7 using the sidewalk.
- b. For many buildings, including all the buildings surrounding the oval, except 1,2,3, there is no sidewalk outside the building. Residents would have to walk in the roadway, cross the roadway to find the sidewalk or walk on seeded/snow storage areas and cross driveways,

2. If the sidewalk down to Highland Avenue is snow or ice covered, the pedestrians will be forced to walk on a street that is steeper than allowed in the Truro Zoning Regulations.

Parking

There is no Parking Plan provided. This information is based on parking shown on the Landscaping Plan

1. *The current plan shows at least 11* obstructed spaces. In an emergency this is a significant safety concern.

Approximately 20 spaces back directly onto street at a 90-degree angle. If this were a parking lot, the driving lane to back out into would be required to be 24' wide. In this case the proposed roadway is proposed as 16,' plus 2 12" berms. For context here are the lengths of 2 common vehicles: Honda CR-V 16'-17' long; Ford F150 pickup truck 17'6"-20'8 inches.
 On both sides of the "oval" there is parking adjacent to both sides of the street. In the event of a blockage of the street; delivery vehicle, accident, breakdown, etc. access for emergency vehicles will be delayed or prevented.

Wastewater

1. The Board supports the recommendation of conditions detailed by the Board of Health in their July 16, 2020 letter to the ZBA.

Density The density on this site is the source of many health & concerns and challenges including, but not limited to wastewater and parking. The RFP was for 30-40 units, *however the ZBA is not bound by the numbers in the RFP and could consider an even lower number of units.* The Planning Board strongly supports the ZBA discussing a potential reduction in the number of units to address these concerns.

PROTECTION FOR TRURO & TRURO RESIDENTS

The Planning Board strongly recommends:

1. Denial of request for waiver of requirement to post a bond, cash, Letter of Credit, or impose Planning Board Covenants, related to site development. This is a protection for the Town and the future residents of the Cloverleaf and is required for a subdivision of any size.

2. Denial of the following waiver requests – they are too broad. The Applicant should identify specific regulations he is requesting a waiver of.

- Relief is requested from any other zoning bylaw, general bylaw or regulations or procedures that may be identified in the review process if full compliance is not physically or economically feasible.
- Relief is requested from the applicability of such other sections of the Zoning By-law, the Subdivision Control Regulations, or of such other local rules and regulations that would otherwise be deemed applicable to this development.

IMPORTANT ADDITIONAL INFORMATION AND WAIVER REQUESTS

Parking -

1. The Applicant needs to request a waiver of Truro Zoning Bylaws Section 30.9. The parking indicated on the current landscape plan does not meeting the requirement of Section 30.9 *of the Zoning Bylaws* including:

- an inadequate number of parking spaces
- *inclusion of* obstructed spaces, which do not count in the number of spaces according to Truro Zoning Bylaws

2. In order to assess a request for a waiver of the Parking Regulation the Applicant should supply the ZBA with a Parking Plan that indicates at minimum: the assignment of spaces to specific units, the Management Office, Visitor Parking and Handicapped Parking; as well as the dimensions of the spaces. Only once this Parking Plan is received can the ZBA adequately assess the request.

Wastewater/Stormwater

The Horsley Witten Letter of July 9, 2020 notes the need for more specific information about erosion control and stormwater management. This information is needed "to ensure site stability both during and after construction." *We recommend that the ZBA confirm* that all information noted as lacking has been provided before making a decision on the application.

Cross Sections of Property

Currently it is impossible to adequately assess the visual impact of the proposal with the information provided. Several cross-section diagrams of the property will provide the ZBA with critical information the ZBA should have as it makes its decisions. If the Town of Truro will be responsible for snow plowing &/or road maintenance this information is even more important. At minimum 2 cross sections of the property showing both roadway and buildings are needed. These will provide both a front to back and a side to side profile of the project. A roadway and parking profile is a required part of Site Plan Review.

- 1. Cross Section running from the running from the front of the site at Highland Road to the back boundary. This will allow the ZBA to better assess:
 - the grade of the entrance roadway and the walkway and its potential impact safety issues including:
 - Snow & ice concerns on roadway & walkway
 - Potential runoff onto Highland Road
 - The height of a number of the building and the oval as compared to Highland Road
- 2. Cross section running from the side closest to Route 6 across to the far side at the level of the oval which will allow ZBA to:
 - See the elevation of structures in relation to Route 6 and better assess impact of road noise and dust hazard. At the site visit the road noise was significant

throughout the site. Would a berm provide mitigate these issues for Cloverleaf residents?

• The height of a number of buildings in relation to Route 6 which will aid in assessing the visual impact.

As the ZBA works to shape the Cloverleaf project to be the best project for Truro we encourage you to review this application in the context of Truro's Local Comprehensive Plan (LCP), approved overwhelmingly at Town Meeting. Addressing the need for affordable housing is an integral part of this LCP. In the Executive Summary it states, "Truro's greatest treasure is the rural character we have preserved." (p 5) The challenge for the ZBA today is the same as that identified In the Vision section the Plan "The challenge for the town is to retain the elusive 'Rural Character' and to accept change at the same time – or better yet to shape that change towards a common vision of Truro's future. (p 14)

T T T T T T T T T T T T T T	COWN OF TRURO Assessors Office Certified Abutters List Request Form	
		DATE:
NAME OF APPLICANT:		
NAME OF AGENT (if any):		
MAILING ADDRESS:		
	EMAIL	
PROPERTY LOCATION:		
	(street address)	
PROPERTY IDENTIFICATION	NUMBER: MAP PARCEL	EXT (if condominium)
ABUTTERS LIST NEEDED FOR (please check <u>all</u> applicable)	R: (Fee must accompany the application	FEE: \$15.00 per checked item unless other arrangements are made)
	Planning Board (PB)	Zoning Board of Appeals (ZBA)
Cape Cod Commission Conservation Commission ⁴	Special Permit ¹ Site Plan ²	Special Permit ¹ Variance ¹
Conservation Commission Licensing	Preliminary Subdivision ³	
Licensing Type:	Definitive Subdivision ³	
	$\underline{\qquad} \text{Accessory Dwelling Unit (ADU)}^2$	
Other	· ·	(Fee: Inquire with Assessors)
	(Please Specify)	
<u>Note</u> : Per M.G.L., proce	essing may take up to 10 calendar days. Ple	ase plan accordingly.

THIS	SECTION FOR	ASSESSORS	OFFICE	USE	ONLY
	DECTIONION		ULICE	$\mathbf{O}\mathbf{D}\mathbf{L}$	

Date request received by Assessors:	Date completed:	
List completed by:	Date paid:	Cash/Check

¹Abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line.

²Abutters to the subject property, abutters to the abutters, and owners of properties across the street from the subject property.

³Landowners immediately bordering the proposed subdivision, landowners immediately bordering the immediate abutters, and landowners located across the streets and ways bordering the proposed subdivision. <u>Note</u>: For Definitive Subdivision only, responsibility of applicant to notify abutters and produce evidence as required.

⁴All abutters within 300 feet of parcel, except Beach Point between Knowles Heights Road and Provincetown border, in which case it is all abutters within 100 feet. <u>Note</u>: Responsibility of applicant to notify abutters and produce evidence as required.

⁵Abutters sharing any boundary or corner in any direction – including land across a street, river or stream. <u>Note</u>: Responsibility of applicant to notify abutters and produce evidence as required.