

TRURO PLANNING BOARD AGENDA
Wednesday, May 2, 2018 – 5:00 p.m.
Public Safety Facility, 344 Route 6, Truro

Public Comment Period

The Commonwealth's Open Meeting Law limits any discussion by members of the Board of an issue raised to whether that issue should be placed on a future agenda. Speakers are limited to no more than 5 minutes.

Temporary Sign Permit

Truro Concert Committee – seeks approval of 4 applications for a Temporary Sign Permits pursuant to §11 of the Truro Sign Code for two 21" by 96" banners to be placed at Route 6 and Route 6A island and four 36" by 24" frames to be placed at Snow's Park, Route 6 and Standish Way, Route 6 and North Pamet Road and in front of the Town Recreation Building from June 28 – July 31, 2018.

Temporary Sign Permit

Outer Cape Chorale - seeks approval of 1 application for a Temporary Sign Permits pursuant to §11 of the Truro Sign Code for two 45" by 25" wide signs to be placed on Route 6 Northbound at the intersection with Aldrich Road and on Route 6 Southbound at the intersection of Standish way from May 7 – 21, 2018.

Temporary Sign Permit

Erik Spencer – seeks approval of 3 applications for 30 day Temporary Sign Permits pursuant to §11 of the Truro Sign Code for a 36" by 24" wide sign to be placed on the southeast corner of Route 6 and Union Field Road from June 15 - September 15, 2018.

Public Hearing

2017-010 PB John and Eileen Rice have filed an application for approval of a Definitive Plan with the Clerk of the Town of Truro pursuant to MGL c. 41, §81U and Section 2.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to properties known and numbered as 6, 8, 10 Hatch Road, Truro and shown on the Truro Assessor's Maps 50, 51, Parcels 284, 031, 085. Continued from April 18, 2018.

Open Meeting Law Complaint

The Planning Board will review an open meeting complaint filed by John Hopkins received on April 17, 2018 regarding the April 18, 2018 Planning Board meeting. Attorney Brian Riley prepared a response to the complaint for the Board to review and approve.

Discussion of Planning Board Representative to the Water Resources Oversight Committee

The Planning Board will discuss the Planning Board Representative to the Water Resources Oversight Committee.

Discussion of Next Steps for Size Restrictions for Residential Structures

The Planning Board will discuss how to move forward with the Zoning Bylaw Amendment on Area and Height Regulations in All Districts except the Seashore District to Determine Maximum Building Size in Truro.

Review and Approval of Meeting Minutes

April 18, 2018

Reports from Board Members and Staff

Town Planner Report

Next Meeting Agenda

Wednesday May 23 at 5 PM – **Please note the new date and time!**

Adjourn

TOWN OF TRURO



PLANNING BOARD

Office of Town Clerk
Treasurer - Tax Collector

Fee Waived
APR 12 2018

Received TOWN OF TRURO
By *[Signature]*

Application for Temporary Sign Permit

Pursuant to Section 11 of the Truro Sign Code

Fee: \$75.00

Applicant Name:

Truro Concert Committee
Patricia A. Wheeler

Date:

4/05/18

Applicant Contact Information:

PO Box 289 TRURO, MA 02666
Mailing Address

Phone

Email

Number of Signs Requested:

1 banner

Temporary Sign Dimensions: Height

21"

Width

96"

Please attach a "to scale" copy of the proposed sign(s).

Location(s) of Proposed Temporary Sign(s):

Town frame at Rt 6 +
Rt 6A island

Map(s):

Parcel(s):

Please use additional sheet(s) for multiple locations

5th, 12th, 19th, 26th

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

Thursdays in July

Date When Sign(s) will be Installed:

June 28

Removed:

July 31

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

Name

Mailing Address

Phone

Email

Applicant Signature

Patricia A Wheeler

Date

4/05/18

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

Date

Planning Board Action: Approved

Approved w/Conditions

Denied

Conditions:

Board Signature:

Date:

Title

CC: Building Commissioner, Board of Selectmen

TRURO SUMMER CONCERTS
Location - Web site

Two Sided BANNER
One location
Scale 1" = 21"

TRURO CONCERT COMMITTEE

2018 Schedule

TRURO SUMMER CONCERTS TRURO PUBLIC LIBRARY STANDISH WAY

ALL CONCERTS AT 6:30 PM

(except August 23rd and August 30th)

In the event of rain the concert will canceled.

No rain dates are planned.

The Rip-It-Ups

Thursday, July 5, 6:30 pm

New Beach Band

Thursday, JULY 12th, 6:30 pm

The Grab Brothers

Thursday July 19th, 6:30 pm

Tim Dickey – Toast and Jam

Thursday, July 26th, 6:30 pm

Zoe Lewis

Thursday, August 2nd, 6:30 pm

Ted DeColo and Andy Solberg

Thursday, August 9th, 6:30 pm

The Mostly Celtic Quartet

Thursday, August 16th, 6:30 pm

Chandler Travis Philharmonette

Thursday, August 23rd, 6:00 pm

Magic of Steel

Thursday, August 30th, 6:00 pm

TOWN OF TRURO



PLANNING BOARD

Application for Temporary Sign Permit

Pursuant to Section 11 of the Truro Sign Code

Fee: \$25.00

Office of Town Clerk
Treasurer - Tax Collector

Fee waived
APR 12 2018

Applicant Name:

TRURO Concert Committee
Patricia A Wheeler

Date:

Received TOWN OF TRURO
By 4/25/18 [Signature]

Applicant Contact Information:

[Redacted]

TRURO MA 02666

Number of Signs Requested:

1 Banner

Temporary Sign Dimensions: Height

21"

Width

96"

Please attach a "to scale" copy of the proposed sign(s).

Location(s) of Proposed Temporary Sign(s):

Town frame at R+6 &

Rt. 6A island

Map(s):

Parcel(s):

Please use additional sheet(s) for multiple locations

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

Thursdays in August

Date When Sign(s) will be Installed:

July 28

Removed:

August 31

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

Name

Mailing Address

Phone

Email

Applicant Signature

Patricia A Wheeler

Date

4/25/18

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

Date

Planning Board Action: Approved

Approved w/Conditions

Denied

Conditions:

Board Signature:

Date:

Title

CC: Building Commissioner, Board of Selectmen

TRURO SUMMER CONCERTS
Location - Web site

Two Sided BANNER
One location
Scale 1" = 21"

TRURO CONCERT COMMITTEE

2018 Schedule

TRURO SUMMER CONCERTS TRURO PUBLIC LIBRARY STANDISH WAY

ALL CONCERTS AT 6:30 PM

(except August 23rd and August 30th)

In the event of rain the concert will canceled.

No rain dates are planned.

The Rip-It-Ups

Thursday, July 5, 6:30 pm

New Beach Band

Thursday, JULY 12th, 6:30 pm

The Grab Brothers

Thursday July 19th, 6:30 pm

Tim Dickey – Toast and Jam

Thursday, July 26th, 6:30 pm

Zoe Lewis

Thursday, August 2nd, 6:30 pm

Ted DeColo and Andy Solberg

Thursday, August 9th, 6:30 pm

The Mostly Celtic Quartet

Thursday, August 16th, 6:30 pm

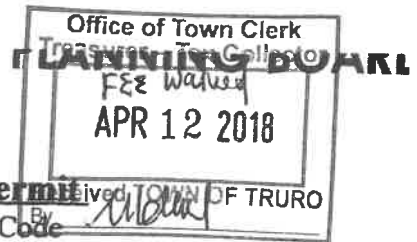
Chandler Travis Philharmonette

Thursday, August 23rd, 6:00 pm

Magic of Steel

Thursday, August 30th, 6:00 pm

TOWN OF TRURO



Application for Temporary Sign Permit

Pursuant to Section 11 of the Truro Sign Code

Fee: \$25.00

Applicant Name:

Patricia A Wheeler
TRURO Concert Committee

Date:

April 5, 2018

Applicant Contact Information:

[Redacted] TRURO, MA 02666
Mailing Address

Phone

Email

Number of Signs Requested:

4 frames, metal

Temporary Sign Dimensions: Height

3'

Width

2'

Please attach a "to scale" copy of the proposed sign(s).

Location(s) of Proposed Temporary Sign(s):

(1) SNOW'S PARK (2) Rt 6 & Standish
WAY (3) Rt 6 & North Panet Rd (4) Front of Town Rec Bldg.

Map(s):

Parcel(s):

Please use additional sheet(s) for multiple locations

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

5th, 12th, 19th, 26th
Thursdays on July

Date When Sign(s) will be: Installed:

June 28
29

Removed:

July 31
30

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

Name

Mailing Address

Phone

Email

Patricia A Wheeler
Applicant Signature

Date

April 5, 2018

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

Date

Planning Board Action: Approved

Approved w/Conditions

Denied

Conditions:

Board Signature:

Title

Date:

2'

NAME of BAND
TRURO Summer Concerts

3'

Two sided signs,
 four locations
 Scale 1" = 1'

TRURO Concert Committee

2018 Schedule

TRURO SUMMER CONCERTS TRURO PUBLIC LIBRARY STANDISH WAY

ALL CONCERTS AT 6:30 PM

(except August 23rd and August 30th)

In the event of rain the concert will canceled.

No rain dates are planned.

The Rip-It-Ups

Thursday, July 5, 6:30 pm

New Beach Band

Thursday, JULY 12th, 6:30 pm

The Grab Brothers

Thursday July 19th, 6:30 pm

Tim Dickey – Toast and Jam

Thursday, July 26th, 6:30 pm

Zoe Lewis

Thursday, August 2nd, 6:30 pm

Ted DeColo and Andy Solberg

Thursday, August 9th, 6:30 pm

The Mostly Celtic Quartet

Thursday, August 16th, 6:30 pm

Chandler Travis Philharmonette

Thursday, August 23rd, 6:00 pm

Magic of Steel

Thursday, August 30th, 6:00 pm

TOWN OF TRURO



PLANNING BOARD

Application for Temporary Sign Permit

Pursuant to Section 11 of the Truro Sign Code

Fee: \$25.00

Office of Town Clerk Treasurer - Tax Collector
<i>for waiver</i> APR 12 2018
Received TOWN OF TRURO By <i>[Signature]</i>

Applicant Name: Patricia Wheeler
Truro Concert Committee

Date: April 5, 2018

Applicant Contact Information:

Mailing Address

TRURO, MA 02666

Phone

Email

Number of Signs Requested:

4 frames, metal

Temporary Sign Dimensions: Height

3'

Width

2'

Please attach a "to scale" copy of the proposed sign(s).

Location(s) of Proposed Temporary Sign(s):

(1) Snow's Park (2) Rt 6 & Standish Way (3) Rt 6 & North Pemet Rd. (4) Front of Town Rec Bldg.

Map(s):

Parcel(s):

Please use additional sheet(s) for multiple locations

2nd, 9th, 16th, 23rd, 30th

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

Thursdays in August

Date When Sign(s) will be Installed:

July 28

Removed:

August 31

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

Name

Mailing Address

Phone

Email

Applicant Signature

Patricia A Wheeler

Date

April 5, 2018

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

Date

Planning Board Action: Approved

Approved w/Conditions

Denied

Conditions:

Board Signature:

Date:

Title

CC: Building Commissioner, Board of Selectmen

2'

Name of Band
TRYRO Summer Concerts

3'

Two sided signs,
 four locations
 Scale 1" = 1'

TRYRO Concert Committee

2018 Schedule

TRURO SUMMER CONCERTS TRURO PUBLIC LIBRARY STANDISH WAY

ALL CONCERTS AT 6:30 PM

(except August 23rd and August 30th)

In the event of rain the concert will canceled.

No rain dates are planned.

The Rip-It-Ups

Thursday, July 5, 6:30 pm

New Beach Band

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The Grab Brothers

Thursday July 19th, 6:30 pm

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Thursday, July 26th, 6:30 pm

Zoe Lewis

Thursday, August 2nd, 6:30 pm

Ted DeColo and Andy Solberg

Thursday, August 9th, 6:30 pm

The Mostly Celtic Quartet

Thursday, August 16th, 6:30 pm

Chandler Travis Philharmonette

Thursday, August 23rd, 6:00 pm

Magic of Steel

Thursday, August 30th, 6:00 pm

TOWN OF TRURO



PLANNING BOARD

Office of Town Clerk
Treasurer - Tax Collector

PAID 25.00

APR 24 2018

Received By WMS TRURO

Application for Temporary Sign Permit

Pursuant to Section 11 of the Truro Sign Code

Fee: \$25.00

Applicant Name: OUTER CAPE CHORALE Date: 4/20/18

Applicant Contact Information: [REDACTED] SO. WELLFLEET MA 02663

Mailing Address

Phone

Email

Number of Signs Requested: TWO (2)

Temporary Sign Dimensions: Height 45" Width 25" Please attach a "to scale" copy of the proposed sign(s).

Location(s) of Proposed Temporary Sign(s): ALONG RT. 6 NORTH BOUND at
INTERSECTION WITH ALDRICH ROAD & ALONG RT. 6 SOUTH BOUND at
INTERSECTION OF STANDISH WAY

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

Date(s) of the Event in Which the Sign is Intended: MAY 18, 19, 2018

Date When Sign(s) will be: Installed: MAY 7, 2018 Removed: MAY 21, 2018

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

Name

Mailing Address

Phone

Email

Applicant Signature

Date

RCVD 2018 APR 24 PM 3:27

ADMINISTRATIVE OFFICE

TOWN OF TRURO

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

Date

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

Conditions: _____

Board Signature: _____ Date: _____

Title

CC: Building Commissioner, Board of Selectmen

Outer
Cape 
CHORALE

: Dec. 8 & 9 :

P-TownHall
7 PM Free

TOWN OF TRURO



PLANNING BOARD

Office of Town Clerk
Treasurer - Tax Collector

\$25.00 PAID
APR 26 2018

Received TOWN OF TRURO
By [Signature]

Application for Temporary Sign Permit

Pursuant to Section 11 of the Truro Sign Code
Fee: \$25.00

RCVD 2018APR25 AM10:19

ADMINISTRATIVE OFFICE

TOWN OF TRURO

Applicant Name: Erik Spencer

Date: April 25, 2018

Applicant Contact Information: [Redacted]

[Redacted]
Email: [Redacted]

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): Rt 6 + Union Field Rt SE corner

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

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

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

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

Name _____ Mailing Address _____

Phone _____ Email _____

Applicant Signature [Signature]

Date April 25, 2018

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

Date _____

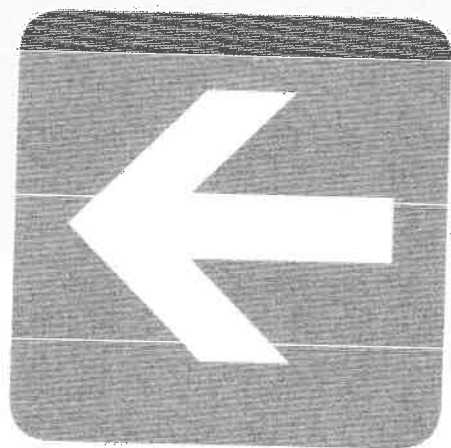
Planning Board Action: Approved _____ Approved w/Conditions _____ Denied _____

Conditions: _____

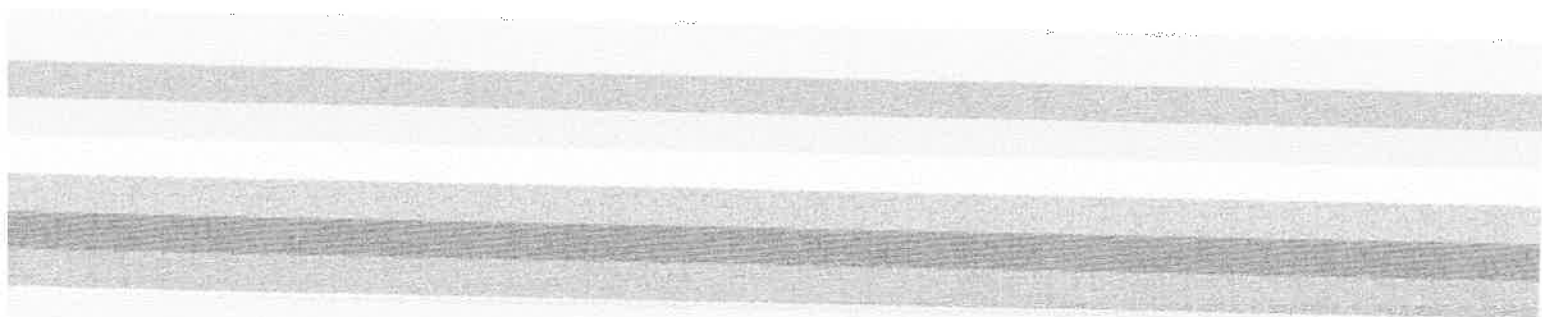
Board Signature: _____ Date: _____

CC: Building Commissioner, Board of Selectmen Title _____

**FIRST PARISH
TRURO . COM**



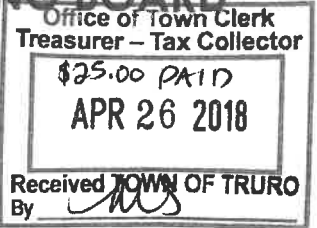
**SUNDAY
WORSHIP
10 AM**



TOWN OF TRURO



PLANNING BOARD



Application for Temporary Sign Permit

Pursuant to Section 11 of the Truro Sign Code

Fee: \$25.00

Applicant Name: Erik Spencer

Date: April 26, 2018

Applicant Contact Information:

[Redacted]

Wellfleet

Mailing Address

[Redacted]

Phone

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): Rt 6 + Union Fied Rd SE corner

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

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

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

Erik Spencer

Applicant Signature

April 26, 2018

Date

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

Date

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

Conditions: _____

Board Signature: _____

Title

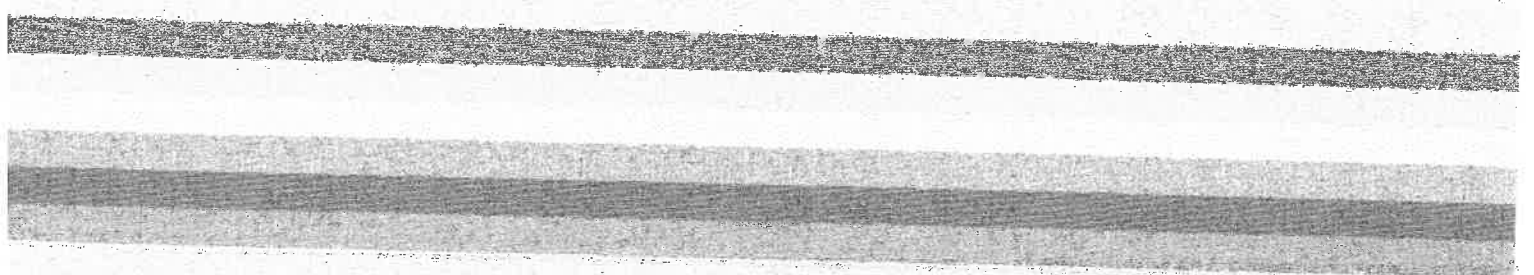
Date: _____

CC: Building Commissioner, Board of Selectmen

**FIRST PARISH
TRURO . COM**



**SUNDAY
WORSHIP
10 AM**



TOWN OF TRURO

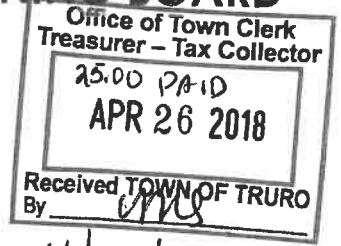


PLANNING BOARD

Application for Temporary Sign Permit

Pursuant to Section 11 of the Truro Sign Code

Fee: \$25.00



Applicant Name: Erik Spencer

Date: 4/26/2018

Applicant Contact Information: [Redacted], Wellfleet, MA
Mailing Address

[Redacted]
Phone 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): Rte. 6 and Union Field Road,
SE Corner

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

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

Date When Sign(s) will be: Installed: Aug. 15, 2018 Removed: Sept. 15, 2018

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

Name Mailing Address

Phone Email

Erik Spencer 4/26/18
Applicant Signature Date

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

Planning Board Action: Approved Approved w/Conditions Denied

Conditions: _____

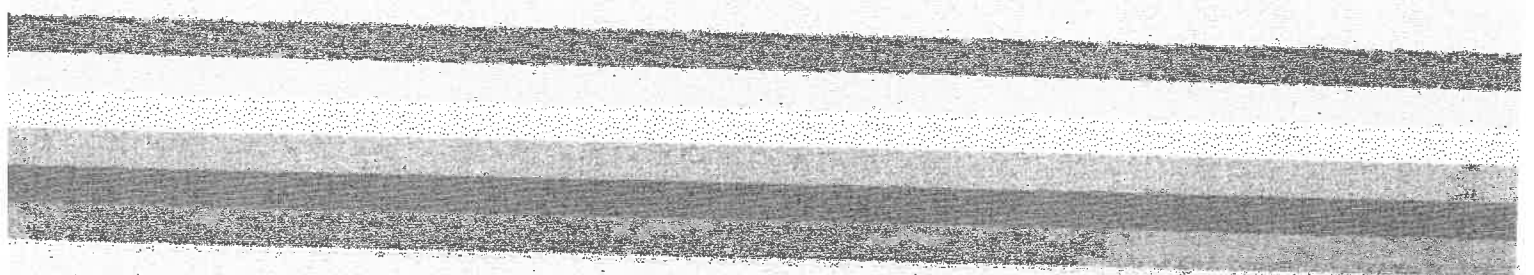
Board Signature: _____ Date: _____

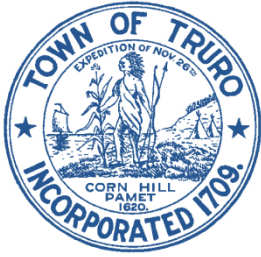
CC: Building Commissioner, Board of Selectmen Title

**FIRST PARISH
TRURO . COM**



**SUNDAY
WORSHIP
10 AM**





TOWN OF TRURO

Planning Department

P.O. Box 2030, Truro, MA 02666

Tel: (508) 349-7004 Fax: (508) 349-5505

To: Planning Board
From: Cally Harper, PhD, Town Planner
Date: April 26, 2018 (First Public Hearing on 4/18/18, cont. to 5/2/18)
Re: Planner Report for 2017-010 Rice Subdivision

2017-010 PB John and Eileen Rice have filed an application for approval of a Definitive Plan with the Clerk of the Town of Truro pursuant to MGL c. 41, §81U and Section 2.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to properties known and numbered as 6, 8, 10 Hatch Road, Truro and shown on the Truro Assessor's Maps 50, 51, Parcels 284, 031, 085. Continued to May 2, 2018.

History: Preliminary Subdivision Plan

On July 9, 2013, the applicant sought approval of a 4-Lot Preliminary Subdivision Plan. The total area of the property involved is 5.63 acres. The property was made up of three parcels. Within Parcel 31 (8 Hatch Road) there is an existing single family dwelling. The proposal was to reconfigure the lots and create a cul-de-sac to provide frontage and access for new Parcels B and C. New Parcels A and D would have frontage and access off Hatch Road. The proposed 40 foot wide cul-de-sac is approximately 240 +/- feet long. A portion of the existing dwelling along with a detached structure would be removed to accommodate the proposed new lot lines. Each lot appears to contain the minimum required 33,750 square feet of buildable upland and the required frontage. It also appears that each lot could accommodate the lot shape requirement under Section 50.1, footnote 9 of the Truro Zoning By-law. This is shown on the following plan submitted to the Town Clerk on June 17, 2013:

Preliminary Subdivision Plan of Land in Truro made for John Rice, being a Subdivision of Lots 7-9 as shown on L.C.P. #22252F and Lot 24 as shown on L.C.P. #17925J, dated April 5, 2013, Revised 06/07/13, Scale 1" = 40', by Slade Associates, Inc. (Plan #2013-39.)

Description of Subdivision Plan:

The applicant seeks approval to reconfigure 3 existing lots into 4 building lots. The total property area is 5.62 acres. The applicant owns three contiguous lots (6, 8, 10 Hatch Road) that have frontage on Hatch Road. The applicant is proposing to divide the lot that contains the main house and an abutting land locked parcel (8 Hatch Road, <https://www.axisgis.com/TruroMA/>) into two lots serviced by a new right of way. The proposed reconfiguration of lots will result in one additional building lot and increase the size of two existing lots. The applicant is proposing to remove a portion of the main house, a chicken shack and shed.

Within the proposed right of way, there is an eighteen foot wide gravel drive that currently serves the main house and is proposed to serve the new lot and the newly configured lot on the northwest corner of the locus. The applicant requests that the Planning Board determine that the existing gravel drive and drainage is adequate and satisfies the intent of Section 3.7, Rural Road Alternative of the Town of Truro Rules and Regulations Governing the Subdivision of Land. Section 3.7 Rural Road Alternative states:

“Where approval is sought for a subdivision on land of a rural or sensitive nature, the Board may, at its discretion, waive strict compliance with the requirements of Section 3.6.8 in order to allow roads servicing not more than four (4) dwellings to be more in keeping with the rural landscape; however, in no instance shall the width of the road surface be waived. In granting a waiver the Board will consider the following factors before granting a waiver of the standard road requirements: length of the road; design of the road and its compatibility with bordering permanent open space, scenic amenity, any other conservation measures; public safety; the adequacy of the proposed surface to withstand the expected intensity of vehicular traffic upon build-out of the subdivision; the provision of pull-offs, the applicant’s willingness to resurface following the construction of residences; provisions for protecting the road surface during the construction of residences; and the long-term adequacy of any homeowner’s maintenance agreement to protect the proposed surface; and applicable covenants restricting future density increases.”

Completeness of Application:

On December 28, 2017, the applicant submitted the following:

- Form C Application for Approval of a Definitive Plan
- \$275.00 filing fee
- CD containing digital copies of the application materials
- Letter from Don Poole, Outermost Land Survey, Inc. to the Planning Board, dated December 28, 2017 describing the proposal to subdivide land at 8 Hatch Road
- Certified Abutters Lists for 6, 8, 10 Hatch Road
- “Definitive Subdivision Plan of Land, #6, #8, #10 Hatch Road, Truro, Being a division of Lots 7, 8, 9, Land Court 22252F, and Lot 24, Land Court Plan 17925J, prepared for John B. Rice (owner) Certificate # 143,800 and #141,445, Scale 1” = 40’ December 4, 2017”, prepared by Outermost Land Survey, Inc.
- “Proposed & Existing Road Plan, #6, #8, #10 Hatch Road, Truro, Being a division of Lots 7, 8, 9, Land Court 22252F, and Lot 24, Land Court Plan 17925J, prepared for John B. Rice (owner) Certificate # 143,800 and #141,445, Scale 1” = 40’ December 12, 2017”, prepared by Outermost Land Survey, Inc.

An application review letter was mailed on January 18, 2018 and an email on March 9, 2018 which identified additional information that was required to complete the application.

On February 27, 2018 the following supplemental materials were submitted:

- Coversheet from Outermost Land Survey, Inc. dated February 27, 2018
- “Definitive Subdivision Plan of Land, #6, #8, #10 Hatch Road, Truro, Being a division of Lots 7, 8, 9, Land Court 22252F, and Lot 24, Land Court Plan 17925J, prepared for John B. Rice (owner) Certificate # 143,800 and #141,445, Scale 1” = 40’ December 4, 2017, prepared by Outermost Land Survey, Inc.” The applicant added waivers to the plan, commented on concrete bounds, and signed and stamped the plan
- CD containing digital copies of the application materials

On March 16, 2018 the following supplemental materials were submitted:

- Coversheet from Outermost Land Survey, Inc. dated March 16, 2018
- “Definitive Subdivision Plan of Land, #6, #8, #10 Hatch Road, Truro, Being a division of Lots 7, 8, 9, Land Court 22252F, and Lot 24, Land Court Plan 17925J, prepared for John B. Rice (owner) Certificate # 143,800 and #141,445, Scale 1” = 40’ December 4, 2017, prepared by Outermost Land Survey, Inc., ” The applicant added waivers to the plan and added notes about ancient ways, rock walls, and foundations
- Plan showing the topography of the site: “Preliminary Subdivision Plan of land in Truro made for John Rice being a subdivision of lots 7-9 as shown on L.C.P #222552F and Lot 24 as shown on L.C.P. #17925J, Scale 1” = 40’, April 5, 2013, revised on July 11, 2013, prepared by Slade Associates, Inc.
- CD containing digital copies of the application materials

At this time it appears that the filing requirements per §2.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land have been met. The applicant noted that he will address water services on the site during the public hearing.

Waivers:

The following waivers have been requested and are identified on the Definitive Subdivision Plan of Land:

1. A waiver is requested from Section 2.5.2.6 which requires drainage calculations to be prepared by an engineer. The reason for this waiver request is that the drainage system in place is proposed to be adequate (see Note #4 on the Definitive Subdivision Plan of Land)
2. A waiver is request from Section 2.5.2b.30 that requires all trees over 10 feet to be shown. It should be noted that there is a typo on Note #5 on the Definitive Subdivision Plan of Land.
3. A waiver is requested from Section 2.5.3, staking of proposed subdivision. The reason for the waiver is that there is not any further road construction. It should be noted that there is a typo on Note #5 and #6 on the Definitive Subdivision Plan of Land. Both of these plans notes are for the same waiver but on two separate bullets.

Comments from Departments:

Department of Public Works: see attached Memo from Jarrod Cabral, dated 3/22/18

Health and Conservation Department: see attached Memo from Emily Beebe, dated 4/5/18

Building Department: No comment

Fire Department: No comment
Police Department: No Comment

Public Notice:

Notice was published in the *Banner* on March 29 and April 5, 2018. Notice to the abutting parties in interest was mailed on March 19, 2018. As of March 16, 2018 notice of hearing was posted in Town Hall.

Possible Motions:

Approval:

Vote #1:

The Board voted to grant the following waivers based on the fact that the waivers are not inconsistent with the intent and purposes of the Subdivision Control law and not injurious to the public: <list specific waivers granted, see above>

Vote #2:

Move to approve <OR approve with conditions> 2017-010 PB for John and Eileen Rice for a Definitive Plan as filed with the Clerk of the Town of Truro pursuant to MGL c.40A, §81U and §2.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to their property located on 6, 8, 10 Hatch Road as shown on the Definitive subdivision plan titled: “Definitive Subdivision Plan of Land, #6, #8, #10 Hatch Road, Truro, Being a division of Lots 7, 8, 9, Land Court 22252F, and Lot 24, Land Court Plan 17925J, prepared for John B. Rice (owner) Certificate # 143,800 and #141,445, Scale 1” = 40’ December 4, 2017”, prepared by Outermost Land Survey, Inc.”

NOTE: If approval is conditional, specific conditions should be cited in the motion. The Board should specify which conditions it requires be noted on the Mylar plan to be recorded with the registry of deeds. It is also required the applicant be required to reference the decision on the plan and record the decision with the plan.

Denial:

If the motion is to deny, the Board must cite reasons for denial.

*I move to deny **2017-010 PB** for John and Eileen Rice for a Definitive Plan as filed with the Clerk of the Town of Truro pursuant to MGL c.40A, §81U and §2.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to their property located on 6, 8, 10 Hatch Road as shown on the Definitive subdivision plan titled: “Definitive Subdivision Plan of Land, #6, #8, #10 Hatch Road, Truro, Being a division of Lots 7, 8, 9, Land Court 22252F, and Lot 24, Land Court Plan 17925J, prepared for John B. Rice (owner) Certificate # 143,800 and #141,445, Scale 1” = 40’ December 4, 2017”, prepared by Outermost Land Survey, Inc.” This negative motion is based on the following: <list specific reasons for denial>*

Memo

To: Caroline Harper, Town Planner

From: Jarrod J. Cabral, DPW Director

Date: March 22, 2018

Re: 6, 8, 10, Hatch Rd

After review of the Definitive Site Plan for the properties located at 6, 8, and 10 Hatch Rd it has been determined that as long the existing conditions of the gravel road layout do not change drainage calculations would not be needed. If in the event there are any alterations of existing curb cut, and or requests for additional curb cuts off of the Town owned road the Town will require an application for curb cut permit.

Sincerely,



**Jarrod J. Cabral
Director
Department of Public Works
Truro Ma 02666**



TOWN OF TRURO
HEALTH & CONSERVATION DEPARTMENT
24 Town Hall Road, Truro 02666
508-349-7004 x119

Memo to: Cally Harper, Town Planner

From: Emily Beebe, Health & Conservation Agent

Date: April 5, 2018

Re: plan/file review for **definitive subdivision plan: 6,8,10 Hatch Road** (Map 50/284, 51/31, 51/85); plan by Outermost Survey dated Dec.4, 2017

This office has reviewed the proposed and existing road plan and definitive subdivision plan for 6,8,10 Hatch Road.

- Section IV, Article 4 of the Truro Board of Health Regulations requires a subdivision plan to show the proposed well and septic locations shown on the plans.
- The NHESP maps were updated in 2017 and Parcel 12 appears to be the only lot within the mapped estimated habitat of rare wildlife.
- Lot 11 = 10 Hatch Road (map 51, parcel 85) is 42, 830 SF. A dwelling is currently under construction at this site; the septic system was installed in 2017, and designed for 4 bedrooms.
- Lot 12 is 47, 820 SF; formerly part of 8 Hatch Road, a barn is sited on the lot. A portion of this lot is within NHESP jurisdiction and a MESA filing will be required.
- Lot 13 is 88, 545 SF, and was formerly 8 Hatch Road; a 3 bedroom single family dwelling is located on the lot. Most of the property is within the jurisdiction of the Conservation Commission; any work will require prior review by the Commission, and possibly require permitting.
- Lot 14 is 53, 375 SF. Most of the property is within the jurisdiction of the Conservation Commission and construction on this lot will require prior review and permitting as required by the Wetlands Protection act regulations and the Truro Conservation regulations. The majority of the lot will be impacted by the Board of Health regulation that requires 150 foot separation between septic components and wetland areas.



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666
Tel: (508) 349-7004, Ext. 127 Fax: (508) 349-5505
charper@truro-ma.gov

TO: Emily Beebe, Health and Conservation

Tim Collins, Fire Department

Jarrold Cabral, DPW Director

~~Craig Danziger, Police Chief~~

no comments

Russ Braun, Building Commissioner

FROM: Cally Harper, Town Planner

RE: Application for Approval of a Definitive Plan – 6, 8, 10 Hatch Road

DATE: March 16, 2018

Enclosed please find an Application for Approval of a Definitive Plan for John and Eileen Rice, for properties located at 6, 8, 10 Hatch Road, Assessor Map(s) 50, 51, Parcel(s) 284, 031, 085.

The first Public Hearing on this property is tentatively scheduled for April 18, 2018.

Please review the plans and respond with any comments by April 6, 2018. If you do not have comments, simply write “no comments” on this coversheet and initial it. If you have any questions or need additional information, please contact me, Ext. 127.

Please return plans in the Planning Board mailbox by April 6, 2018. Thanks!



TOWN OF TRURO

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

TO: Emily Beebe, Health and Conservation

Tim Collins, Fire Department

No issue Tim Collins

Jarrod Cabral, DPW Director

Craig Danziger, Police Chief

Russ Braun, Building Commissioner

FROM: Cally Harper, Town Planner

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charper@truro-ma.gov

BUILDING DEPARTMENT
TOWN OF TRURO

MAR 19 2018

RECEIVED BY:

*No Comment
3/20/18
RHP*

TO: Emily Beebe, Health and Conservation
Tim Collins, Fire Department
Jarrod Cabral, DPW Director
Craig Danziger, Police Chief
Russ Braun, Building Commissioner

FROM: Cally Harper, Town Planner

RE: Application for Approval of a Definitive Plan – 6, 8, 10 Hatch Road

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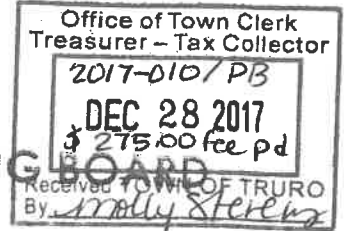
Please review the plans and respond with any comments by April 6, 2018. If you do not have comments, simply write “no comments” on this coversheet and initial it. If you have any questions or need additional information, please contact me, Ext. 127.

Please return plans in the Planning Board mailbox by April 6, 2018. Thanks!

TOWN OF TRURO



PLANNING BOARD



Form C APPLICATION FOR APPROVAL OF A DEFINITIVE PLAN

To the Planning Board of the Town of Truro, MA

Date 12/28/17

The undersigned, being the applicant as defined under Chapter 41, Section 81-L, for approval of a proposed subdivision shown on a plan entitled Definitive subdivision Plan of Land #6, #8 + #10 Hatch Rd. Truro. Being a division of Lots 7, 8, 9 LCP22252F + Lot 24 LCP17925J by Donald T Poole Artermost Land Survey Inc dated 12/4/17 and described as follows:
Located: 6, 8, 10 Hatch Rd.

Assessor's Map(s) and Parcel(s): 50-284, 51-031, 51-085

Number of Lots Proposed: 1 new building lot Total acreage of Tract: 244,973 sqft / 5.62 +/- acres

Said applicant hereby submits said plan as a *Definitive* subdivision plan in accordance with the Rules and Regulations of the Truro Planning Board and makes application to the Board for approval of said plan.

The undersigned's title to said land is derived under deed from John B Rice + Eileen M. Rice dated 3/14/17 + 7/23/16, and recorded in the Barnstable Registry of Deeds Book and Page:

or by Land Court Certificate of Title No. 143800 + 141445 registered in Barnstable County, and said land is free of encumbrances except for the following:

Said plan has not (circle appropriate) evolved from a preliminary plan submitted to the Board on July 2013 and approved (circle appropriate) approved with modifications/disapproved (circle appropriate) on 7/23/13.

Applicant's Signature Joe Bliss Applicant's Telephone Number 508-237-0080

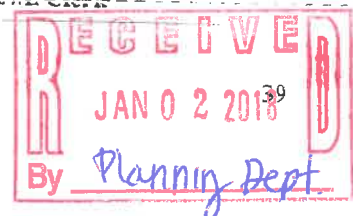
Applicant's Legal Mailing Address 416 Brook Pk, Chelsea Vt 05038

Owner's Signature if not the applicant
or applicant's authorization if not the owner _____

Owner's Legal Mailing Address _____

Surveyor Name/Address Donald T Poole 416 Main St Brewster, MA 02631
(Or Person responsible for preparation of the plan)

File twelve (12) copies each of this form and applicable plan(s) with the Town Clerk





December 28, 2017

Truro Planning Board

Re: Narrative of the Proposal to Subdivide land at #8 Hatch Road, Truro, MA

To the Truro Planning Board,

The applicant wishes to reconfigure 3 existing lots into 4 building lots, thereby increasing the density by one additional building lot.

The applicant requests a waiver from Section 2.5.2 Submission Requirements for Definitive Plans, Paragraph 6, which reads, "Two (2) copies of drainage calculations based on a fifty (50) year storm, stamped and signed by an engineer, along with a topographic plan delineating contributing areas." Because there is not any proposed road construction, and there is existing drainage in place, the proposal is to use the existing system that has functioned adequately for several decades.

The applicant, John Rice, currently owns three contiguous parcels of land that have frontage on Hatch Road, off of Depot Road. This proposal is to divide the main house lot, and an abutting land locked parcel, into two lots serviced by a new right of way. Within the proposed right of way there exists an 18' wide gravel drive that currently serves the main house, and is proposed to serve the new lot, as well as the newly configured lot on the northwest corner of locus.

The applicant proposes to remove the portion of the main house that would be in violation of the sideline setbacks, as well as the "Chicken Shack" and shed.

In regard to the proposed road it is requested that the Planning Board determine that the existing gravel drive and drainage is adequate and satisfies the intent of the Subdivision

Control Rules and Regulations 3.7, Rural Road Alternative in that the existing width of the traveled way/drive is 18'+, and 14' is required. Further, the existing drive has served locus, without incident, since the 1980's.

Three proposed road names are Rice Road, Rice Lane and Rice Way.

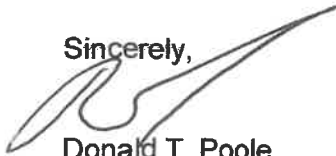
This proposed reconfiguration of lots, results in one additional building lot, while at the same time, increases the lot size of two of the existing lots. Lot 2, LCP 22252F, is reconfigured as Lot 14 on the proposed plan, and the access to the lot is improved over its current frontage and access location. Lot 9, LCP 22252F is enhanced by adding additional area (40,100 Sq.Ft. currently vs. 42,830 Sq.Ft. proposed).

The applicant also requests the road Construction Covenant restrict only Lot 13 in regard to the removal of that portion of the structure that will be in violation of sideline setbacks. It is further requested that the terms of the covenant could also be satisfied by the posting of a bond, of sufficient amount as determined by the Planning Board.

This proposed subdivision was the subject of a Preliminary application in July 2013, with Approval being granted on July 23, 2013. Reference is made to the minute of that meeting for further information.

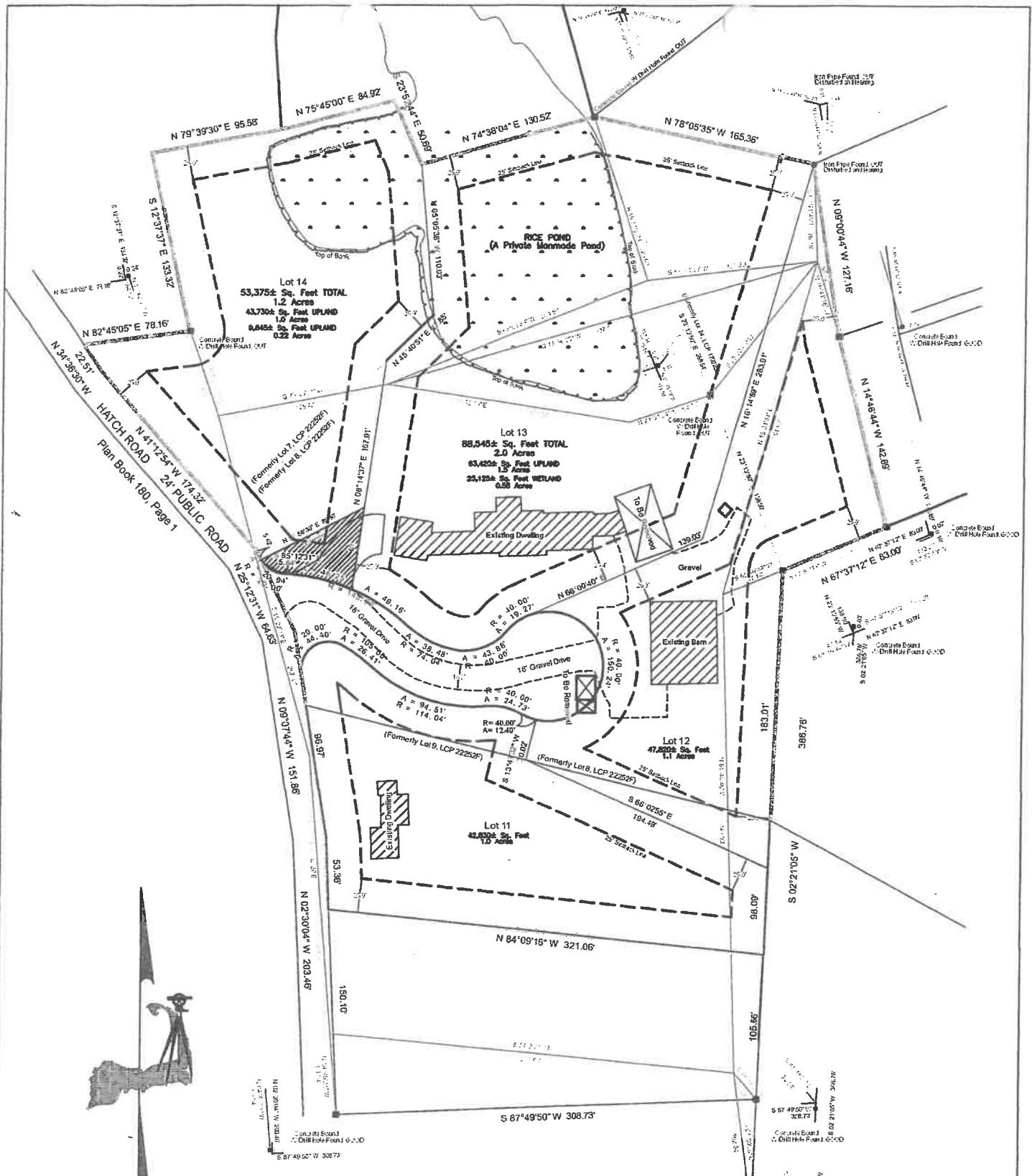
Please don't hesitate to contact me at 508-255-0477 with any questions.

Sincerely,

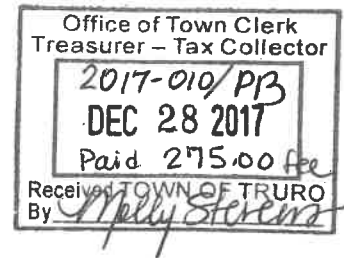


Donald T. Poole

DTP/dls



Definitive Subdivision Plan of Land
 #6, #8, and #10 Hatch Road, Truro
 Being a division of Lots 7, 8, and 9, Land Court
 Plan 22252F, and Lot 24, Land Court Plan 17925J
 Prepared for John B. Rice (owner)
 Certificate # 143,800 and #141,445
 Scale 1" = 100' Dec. 4, 2017
 ois#642001



December 28, 2017

Truro Planning Board

Re: 8 Hatch Rd. Definitive Plan Application

To the Truro Planning Board

Please accept the enclosed filing for John Rice of 8 Hatch Road.

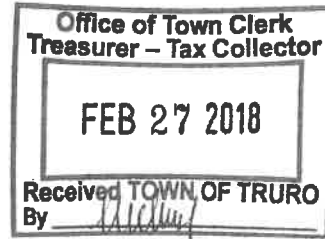
The submittal package contains

- 1) Completed Form C
- 2) Abutters list
- 3) 12 Paper Prints of Plan and Road Profile
- 4) Filing fee of \$275.00
- 5) Two copies of the plan prepared at a scape of 1 inch=100 feet
- 6) A narrative with a list of requested waivers and three proposed road names
- 7) A computer disk containing the DWG file

Please don't hesitate to contact me or Donald T. Poole at 508-255-0477 with any questions.

Sincerely,

Dawn Sternlieb



Transmittal

Name: Cally Harper
Organization: Truro Town Planner
Delivery: by hand
Phone: 508-255-0477
From: Dawn Sternlieb
Date: 2/27/18
Subject: 6,8, 10 Hatch Rd. Truro
Pages to follow: 14 and a disc.

☐ Urgent ☐ Reply ASAP ☐ Please Comment ☒ For Your Records

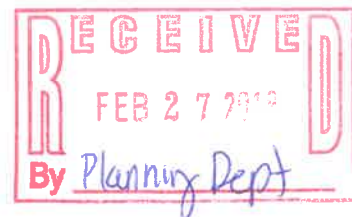
Comments: [Comments]

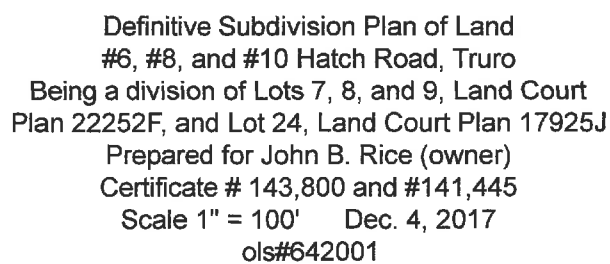
Please find the following plans to be added to the Form C application for approval dated 12/28/17 for 6,8,10 Hatch Rd.

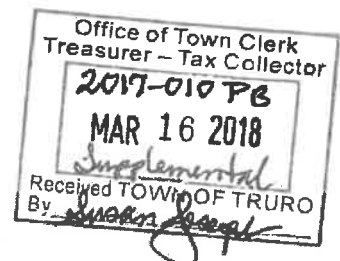
- 12 signed and stamped paper prints of the revised plan
- 2 copies of the revised plan prepared at a scale of 1inch=100 feet
- A computer disk containing the DWG file

Thank you.

Dawn Sternlieb
Office manager







Transmittal

Name: Cally Harper
Organization: Town of Truro Planning Board
Delivery: by hand
Phone: 508-255-0477
From: Dawn Sternlieb
Date: 3/16/18
Subject: 6,8,10 Hatch Rd.
Pages to follow: 2 sets of 12 Plans

☐ Urgent ☐ Reply ASAP ☐ Please Comment ☒ For Your Records

Comments: [Comments]

Please find 12 copies of the definitive subdivision plan and 12 copies of the Preliminary Subdivision plan with topographic survey.

Please don't hesitate to contact us with any questions.

Thank you.

Dawn Sternlieb
Office manager

46 Main Street, Brewster MA 02631 • Ph. 508-255-0477
outermostlandsurvey.com





OPEN MEETING LAW COMPLAINT FORM

Office of the Attorney General
One Ashburton Place
Boston, MA 02108

RCVD 2018APR17 PM2:50
ADMINISTRATIVE OFFICE
TOWN OF TRURO

Please note that all fields are required unless otherwise noted.

Your Contact Information:

First Name: JOHN Last Name: HOPKINS

Address: [REDACTED]

City: TRURO State: MA Zip Code: 02666

Phone Number: [REDACTED]

Email: [REDACTED]

Organization or Media Affiliation (if any): ~~none~~ Agriculture Committee

Are you filing the complaint in your capacity as an individual, representative of an organization, or media?

(For statistical purposes only)

☒ Individual ☐ Organization ☐ Media

Public Body that is the subject of this complaint:

☒ City/Town ☐ County ☐ Regional/District ☐ State

Name of Public Body (including city/town, county or region, if applicable): PLANNING BOARD - Select persons
TOWN MANAGER.

Specific person(s), if any, you allege committed the violation: _____

Date of alleged violation: APRIL 17th 2018

Description of alleged violation:

Describe the alleged violation that this complaint is about. If you believe the alleged violation was intentional, please say so and include the reasons supporting your belief.

Note: This text field has a maximum of 3000 characters.

The PLANNING BOARD HAS scheduled a public meeting to take a re vote of a contentious issue on a CANNABIS MORATORIUM. THE PROPER NOTIFICATIONS HAVE NOT BEEN put in town hall 14 DAYS prior AND notice HAS NOT been published for TWO successive weeks in A LOCAL PAPER.

What action do you want the public body to take in response to your complaint?

Note: This text field has a maximum of 500 characters.

TO cancel the ~~meeting~~ discussion of the Article 21

Review, sign, and submit your complaint

I. Disclosure of Your Complaint.

Public Record. Under most circumstances, your complaint, and any documents submitted with your complaint, is considered a public record and will be available to any member of the public upon request.

Publication to Website. As part of the Open Data Initiative, the AGO will publish to its website certain information regarding your complaint, including your name and the name of the public body. The AGO will not publish your contact information.

II. Consulting With a Private Attorney.

The AGO cannot give you legal advice and is not able to be your private attorney, but represents the public interest. If you have any questions concerning your individual legal rights or responsibilities you should contact a private attorney.

III. Submit Your Complaint to the Public Body.

The complaint must be filed first with the public body. If you have any questions, please contact the Division of Open Government by calling (617) 963-2540 or by email to openmeeting@state.ma.us.

By signing below, I acknowledge that I have read and understood the provisions above and certify that the information I have provided is true and correct to the best of my knowledge.

Signed: _____



Date: _____

For Use By Public Body
Date Received by Public Body

For Use By AGO
Date Received by AGO

THIS IS HOW THE LAW IS BEING VIOLATED RIGHT NOW NOTES FROM CHAPTER 40A SECTION 5

Zoning ordinances or by-laws may be adopted and from time to time changed by amendment, addition or repeal, but only in the manner hereinafter provided

The board of selectmen or city council shall within fourteen days of receipt of such zoning ordinance or by-law submit it to the planning board for review.

No zoning changes can be adopted until after public hearings

No zoning ordinance or by-law or amendment thereto shall be adopted until after the planning board in a city or town, and the city council or a committee designated or appointed for the purpose by said council has each held a public hearing thereon, together or separately, at which interested persons shall be given an opportunity to be heard.

Notice of time and place of hearings days must be published in newspaper for two successive weeks and posted in the town hall for a period of 14 days prior

Notice of the time and place of such public hearing, of the subject matter, sufficient for identification, and of the place where texts and maps thereof may be inspected shall be published in a newspaper of general circulation in the city or town once in each of two successive weeks, the first publication to be not less than fourteen days before the day of said hearing, and by posting such notice in a conspicuous place in the city or town hall for a period of not less than fourteen days before the day of said hearing. Notice of said hearing shall also be sent by mail, postage prepaid to the department of housing and community development, the regional planning agency, if any, and to the planning board of each abutting city and town. The department of housing and community development, the regional planning agency, the planning boards of all abutting cities and towns and nonresident property owners who may not have received notice by mail as specified in this section may grant a waiver of notice or submit an affidavit of actual notice to the city or town clerk prior to town meeting or city council action on a proposed zoning ordinance, by-law or change thereto

Prior to the hearing need to farmland advisory board no later than seven days prior

Prior to the adoption of any zoning ordinance or by-law or amendment thereto which seeks to further regulate matters established by section forty of chapter one hundred and thirty-one or regulations authorized thereunder relative to agricultural and aquacultural

practices, the city or town clerk shall, no later than seven days prior to the city council's or town meeting's public hearing relative to the adoption of said new or amended zoning ordinances or by-laws, give notice of the said proposed zoning ordinances or by-laws to the farmland advisory board established pursuant to section forty of chapter one hundred and thirty-one.

Shall

No vote shall be taken until a report with recommendations by a planning board has been submitted to the town meeting or city council

No vote to adopt any such proposed ordinance or by-law or amendment thereto **shall be taken until a report with recommendations by a planning board has been submitted to the town meeting or city council, or twenty-one days after said hearing has elapsed without submission of such report. After such notice, hearing and report, or after twenty-one days shall have elapsed after such hearing without submission of such report, a city council or town meeting may adopt, reject, or amend and adopt any such proposed ordinance or by-law.**

No zoning ordinance or by-law or amendment thereto shall be adopted or changed except by a two-thirds vote of all the members of the town council, or of the city council where there is a commission form of government or a single branch, or of each branch where there are two branches, or by a two-thirds vote of a town meeting;

I THINK THERE IS NO WAY THE MEETING BEING HELD TOMORROW IS LEGAL

TRURO PLANNING BOARD AGENDA
Wednesday, April 18, 2018 – 5:00 p.m.
Truro Town Hall, 24 Town Hall Road, Truro

Public Comment Period

The Commonwealth's Open Meeting Law limits any discussion by members of the Board of an issue raised to whether that issue should be placed on a future agenda. Speakers are limited to no more than 5 minutes.

Public Hearing

2018-001 PB Sprint Spectrum, L.P. by its representative CCATT LLC seek approval and authorization of uses under Section 40.5 of the Truro Zoning Bylaw to replace 2 antennas and install 2 additional antennas for a total of 4 antennas with remote radio heads at the same height as existing antennas on the telecommunications tower and add 2 hybrid cables. The telecommunications tower is located at 344 Route 6, Truro, Atlas Map 39, Parcel 172A.

Public Hearing

2017-011 SPR Maria Kuliopulos White Sands Beach Club, Inc. seeks approval of a Modification to a Commercial Development Site Plan pursuant to §70.3 of the Truro Zoning By-law to maintain existing uses, reduce the number of motel units from 51 to 47 and construct a replacement structure in the location of a previously demolished fire damaged structure. The property is located at 706 Shore Road, White Sands Beach Club, Atlas Map 1, Parcel 5.

Public Hearing

2017-010 PB John and Eileen Rice have filed an application for approval of a Definitive Plan with the Clerk of the Town of Truro pursuant to MGL c. 41, §81U and Section 2.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to properties known and numbered as 6, 8, 10 Hatch Road, Truro and shown on the Truro Assessor's Maps 50, 51, Parcels 284, 031, 085. Applicant has submitted a request for a continuance.

Application for Determination that Plan Does Not Require Approval

2018-002PB Edward Salvador seeks a determination that a plan does not require approval under the Subdivision Control Law. The property is located at 456 Route 6, Assessor's Atlas Map 36, Parcel 7.

Waiver of Commercial Site Plan Review

2018-001 SPR Katherine Reed seeks a Waiver of Site Plan Review pursuant to §70.9 of the Truro Zoning Bylaw for seasonal location of a food truck at Chequessett Chocolate. The property is located at 8 Highland Road, North Truro, Atlas Map 36, Parcel 89.

Discussion of Warrant Article on the Marijuana Moratorium

The Planning Board will review the amended moratorium article discussed at the recent Board of Selectmen meeting and possible revote of their recommendation for the Amended Article.

Review and Approval of Meeting Minutes

April 4, 2018

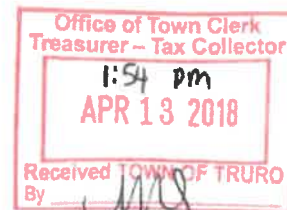
Reports from Board Members and Staff

Town Planner Report

Next Meeting Agenda

Wednesday May 2 at 5 PM – Please note the new date and time!

Adjourn



April 25, 2018

Brian W. Riley
briley@k-plaw.com

-DRAFT-

Jonathan Scarsic, Esq.
Director, Division of Open Government
Office of the Attorney General
One Ashburton Place
Boston, MA 02108

Re: Town of Truro Planning Board -
Response to Complaint of John Hopkins received April 17, 2018

Dear Mr. Scarsic:

This office serves as Town Counsel to the Town of Truro, and I am authorized to respond on behalf of the Planning Board ("Board") to the Open Meeting Law complaint filed by John Hopkins, a copy of which is enclosed. The complaint was received on April 17, 2018 but alleges a violation regarding the Board's meeting scheduled for April 18. In summary, Mr. Hopkins claims that the meeting the Board intended to hold the next day (April 18) did not comply with the public hearing provisions of General Laws Chapter 40A, §5 governing amendments to a zoning bylaw. In this case, the amendment in question was a proposed temporary moratorium on marijuana establishments.

In response, the Board submits that Mr. Hopkins fails to allege any violation of the Open Meeting Law. His reference to notifications posted in Town Hall and published in the newspaper refers only to the requirements of G.L. c.40A, §5, and the two-page memorandum filed with the complaint only concerns Chapter 40A as well. The meeting notice for the Board's April 18 meeting, attached to the enclosed complaint, was filed with the Town Clerk and posted at approximately 2:00 p.m. on April 13, 2018, more than 48 hours prior to the meeting and containing sufficient detail as to the meeting topics. The Board actually conducted the public hearing required by Chapter 40A, §5 on March 21, 2018.

Where the complaint fails to allege any violation of the Open Meeting Law, but rather concerns an unrelated specific public hearing law, there has been no violation and the Division should decline to review said complaint in the event that Mr. Hopkins seeks further review. See Division determination dated December 22, 2015 regarding Groveland Planning Board.

Very truly yours,

Brian W. Riley

Enc.

{Name of Recipient}

{Title of Recipient}

April 25, 2018

Page 2

623688/TUR/0001



TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

Tel: (508) 349-7004 Fax: (508) 349-5505

APPLICATION TO SERVE ON AN APPOINTED MULTI-MEMBER BODY

NAME: Peter Herridge HOME TELEPHONE: [REDACTED]

ADDRESS: [REDACTED] WORK PHONE: [REDACTED]

MAILING ADDRESS: Truro MA E-MAIL: [REDACTED]

FAX: [REDACTED] MULTI-MEMBER BODY ON WHICH I WISH TO SERVE: WROC

SPECIAL QUALIFICATIONS OR INTEREST:

I have a strong background in medicine and law
and a life long interest in ecology and natural
resources

COMMENTS:

I believe that we must manage the most
important resource we have - our ground water
and to

SIGNATURE: Peter Herridge DATE: April 13 2018

COMMENT/RECOMENDATION OF CHAIRPERSON OF MULTI-MEMBER BODY (OPTIONAL) _____

SIGNATURE: _____ DATE: _____

INTERVIEW DATE: _____ APPOINTMENT DATE (IF
APPLICABLE): _____

RCVD 2018APR13 PM2:35
ADMINISTRATIVE OFFICE
TOWN OF TRURO



TOWN OF TRURO

P.O. Box 2030, Truro MA 02666

Tel: (508) 349-7004 Fax: (508) 349-5505

APPLICATION TO SERVE ON AN APPOINTED MULTI-MEMBER BODY

NAME: John Riemer HOME TELEPHONE: [REDACTED]

ADDRESS: [REDACTED] WORK PHONE: [REDACTED]

MAILING ADDRESS: [REDACTED] E-MAIL: [REDACTED]

FAX: [REDACTED] MULTI-MEMBER BODY ON WHICH I WISH TO SERVE: [REDACTED]

Water Resources Oversight Committee

SPECIAL QUALIFICATIONS OR INTEREST: Planning Board member interested
in protecting our natural resources

COMMENTS: At the April 4th 2018 Planning Board meeting
Planning Board member Peter Herridge and I agreed
to share Water Resources Oversight Committee responsibilities
as Co-Representatives

SIGNATURE: John Riemer DATE: April 9 2018

COMMENT/RECOMENDATION OF CHAIRPERSON OF MULTI-MEMBER BODY (OPTIONAL)

RCVD 2018 APR 11 PM 1:13
ADMINISTRATIVE OFFICE
TOWN OF TRURO

SIGNATURE: [REDACTED] DATE: [REDACTED]

INTERVIEW DATE: [REDACTED] APPOINTMENT DATE (IF
APPLICABLE): [REDACTED]

TRURO PLANNING BOARD

DRAFT

Meeting Minutes

April 18, 2018 – 5:00 p.m.

Truro Town Hall

Planning Board Members present: Bruce Boleyn, Peter Herridge, Paul Kiernan, Jack Riemer, Mike Roderick, Steve Sollog, Karen Tosh

Other participants: John Hopkins, Drake Cook, Betty Hopkins, Dan Klasnick, Attorney Edward Patton; Stacy Kanaga, Coastal Engineering Company; Maria and Jason Kuliopulos; Cally Harper, Town Planner

Steve Sollog opened the meeting at 5:04.

Tim McCarthy is recording the meeting.

Public Comment Period

John Hopkins from High Dune Craft Cooperative came forward and talked about his charge that the Planning Board had violated State Open Meeting Laws by placing a discussion of the Marijuana Moratorium on the agenda without adequate notification. He also said the Farmland Advisory Board should have been notified. Drake Cook read a letter to the Board stating the reason she is against the Moratorium.

Public Hearing

2018-001 PB Sprint Spectrum, L.P. by its representative CCATT LLC seek approval and authorization of uses under Section 40.5 of the Truro Zoning Bylaw to replace 2 antennas and install 2 additional antennas for a total of 4 antennas with remote radio heads at the same height as existing antennas on the telecommunications tower and add 2 hybrid cables. The telecommunications tower is located at 344 Route 6, Truro, Atlas Map 39, Parcel 172A.

Dan Klasnick came forward to describe the application. Sprint has been on the tower since 2000 when the tower was rebuilt. This proposed modification doesn't require changes to ground equipment. They are simply addressing capacity. They need to take down and add new antennas. Two additional hybrid cables are needed. It will be a small change in order to provide improved service to the Town. Mr. Sollog brought up the waivers requested and commented that this tower has been problematic in the past. Mr. Sollog read through the waivers outlined in Staff Report 1 including §40.5.B.2, §40.5.B.19a, §40.5.B.19b, §40.5.B.19c, §40.5.B.19d, §40.5.B.19d, §40.5.B.19g, §40.5.B.19i, §40.5.B.20c, §40.5.B.20d. Mr. Klasnick responded to questions from the Planning Board about the requested waivers. He stated that his client is not changing the height of antennas. Most of the waiver requests are due to the fact that they are just modifying the current equipment.

Mr. Riemer asked about waiver request #19. The attorney said that he thinks that rule applies to new installations. Mr. Riemer said that when a land line goes down in a power outage, it would be helpful if there was improved cell phone service to parts of the town that aren't currently

served. He is concerned about dead zones. He wants to urge the applicant to seek further coverage, specifically for the Pamet River Valley. Mr. Klasnick said he will pass on that request to his client.

Mr. Kiernan also talked about dead zones. He suggested adding a “repeater.” When the tower was first put up, there was concern from the neighbors about the wind; it was called the singing tower. Some of that was taken care of by a taller tower that was the replacement tower. Mr. Klasnick said they would bundle the new cables with the old ones. Mr. Kiernan also said that there have been problems with lightning strikes. One year the computers at the Police Station were destroyed. He asked the attorney if he would have his client take a look at the grounding of the equipment. Mr. Klasnick said he would. Mr. Kiernan suggested two conditions: taking into account the noise factor and the grounding.

Mr. Herridge moved to approve the waivers as requested based on the fact that such waivers would not be detrimental to the public interest, cause the Town any expense, or be inconsistent with the intent and purpose of this bylaw. Mr. Boleyn seconded. So voted, 7-0. Mr. Herridge moved to approve the Special Permit, with conditions, for PB Sprint Spectrum, L.P. by its representative CCATT LLC (docket # 2018-001) pursuant to §40.5 (Communication Structures, Buildings and Appurtenances) of the Truro Zoning By-law to replace 2 antennas and install 2 additional antennas for a total of 4 antennas with remote radio heads at the same height as existing antennas on the telecommunications tower and add 2 hybrid cables. The property is located at 344 Route 6, Atlas Map 39, Parcel 172.A. The following conditions are imposed: that the cable be installed to eliminate noise and vibration and to ensure that the cables are grounded. This approval is based on the fact that the application, with the approved waivers and imposed conditions, complies with all the requirements of this bylaw. Mr. Boleyn seconded. So voted, 7-0.

Public Hearing

2017-011 SPR Maria Kuliopulos White Sands Beach Club, Inc. seeks approval of a Modification to a Commercial Development Site Plan pursuant to §70.3 of the Truro Zoning By-law to maintain existing uses, reduce the number of motel units from 51 to 47 and construct a replacement structure in the location of a previously demolished fire damaged structure. The property is located at 706 Shore Road, White Sands Beach Club, Atlas Map 1, Parcel 5.

Attorney Edward Patton came forward representing the applicant. He gave a brief overview of the past history of the project. The site is the location of a motel. There are three existing buildings, the front building is the manager’s apartment and office with some habitable space; there is another building perpendicular to the beach, and a third building by the beach. There was another building that was destroyed by fire in October 2014. Reconstruction was supposed to be done by October 30, 2016, but it was not. In December 2016, the owners filed an application for the relief they are requesting now. Since that time, the applicants have been before the Zoning Board of Appeals and received approval for a special permit. The abutters have appealed the ZBA decision. Under 70.3, Site Plan Review, the applicants are now asking again for approval from the Planning Board.

Mr. Sollog asked if what they have presented is a complete application. Mr. Kiernan asked if the special permit has been registered with the County. Mr. Patton said that you can't file it until the abutters appeal is finished. Mr. Kiernan said that then the application is not complete. Mr. Patton said it is complete, and the holder of a special permit is allowed to move forward at their own risk.

Mr. Riemer asked to hear from the abutters. Judith Edsell wrote a letter (Provincetown) asking the Planning Board to monitor the project. Response from the Town staff include: the Building Commissioner has said that the main concern is the building height. Since the building will be modular, there could be issues of height. The DPW director is concerned about trenches and curb cuts. The health/conservation agent also reviewed the project. Mr. Kiernan wants another plan with all the parking on it. He also asked about site drainage. Stacy Kanaga, the engineer from Coastal Engineering, came forward and went over the plans.

Mr. Riemer said he was confused about where the traffic would circulate. Mr. Kiernan wants to be able to see that the applicant is in compliance with the ZBA's list of requirements.

Mr. Riemer said if you compare the plans that were included in the ZBA decision with the ones in front of the Planning Board, they are not the same. Mr. Patton disagreed. Mr. Riemer said that he found places where the dates were not the same as what was submitted to the Planning Board. Some of the plans have not been stamped by an engineer. Ms. Kanaga said that she thought that on the Felco plan of the 2nd floor plan, sheet 3 of 5, there could be a typo. She will see if there is another plan. They will also correct the dates on the cover sheet.

Mr. Kiernan talked about the special permit condition #4, 5 HVAC units on new construction, balconies, dumpster locations, and parking spaces numbered, sizes and setbacks. Mr. Riemer referred to condition #19 on a previously approved plan in 2016. The Board shall consider the abutters. He doesn't think that this plan considers the abutters. Mr. Sollog talked about the screens around the HVAC. Ms. Kuliopulos came up and said that the new HVAC systems are noiseless. They are doing everything they can to prevent noise. Mr. Kiernan asked if they already have the units. The answer was yes. Mr. Kiernan said he would like a site visit.

Mr. Sollog asked for further explanation of the plans in terms of bedrooms and the office area. Ms. Harper said that the three bedroom unit as shown is not allowed according to the condition of the ZBA decision. Mr. Kuliopulos explained the office area, the house and the two bedroom apartment, which he said was rentable space.

Ms. Harper expressed her concern that there is not a plan that can be viewed by the public, in order to get an idea of the whole project. Mr. Sollog said that the plan does not match up with the ZBA approved plan. He asked for help in understanding the plans. Ms. Kuliopulos explained the two phases of the project. The house and the apartment were designed separately. Issues have occurred due to the various architects involved.

Mr. Sollog asked for a site visit. Mr. Kiernan would like the parking plan before the site visit—one big plan just showing parking. Mr. Sollog asked for a signed plan. Mr. Riemer said he is

concerned about drainage. Ms. Kanaga said there is a report for that. Mr. Riemer also asked if there is a landscape plan. At some point a landscape plan has to be submitted to the Conservation Commission. Ms. Kuliopulos said she has several plans but they have not been approved by the Conservation Commission. There is landscaping information on the plans, but there is not a landscaping plan. Dumpsters are on the parking plan. Mr. Riemer asked for the parking plan to include the bicycle racks. The applicant will bring in one new plan with numbered parking spaces, the location of dumpsters, the location of bicycle racks and it will show the area that cars will use to back in and out.

Mr. Sollog asked if the abutters would like to speak. The abutter's attorney said they will wait until the next hearing date when new plans are submitted

A site visit was scheduled for May 9, at 1 pm.

Mr. Herridge made a motion to continue the hearing to May 23. Mr. Kiernan seconded, so voted, 7-0.

Public Hearing

2017-010 PB John and Eileen Rice have filed an application for approval of a Definitive Plan with the Clerk of the Town of Truro pursuant to MGL c. 41, §81U and Section 2.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to properties known and numbered as 6, 8, 10 Hatch Road, Truro and shown on the Truro Assessor's Maps 50, 51, Parcels 284, 031, 085. Applicant has submitted a request for a continuance.

Ms. Harper stated that she received a letter from Attorney Lester Murphy asking for a continuation. Mr. Herridge made a motion to continue the hearing to May 2. Mr. Kiernan seconded the motion, so moved, 7-0.

8:00 pm

Application for Determination that Plan Does Not Require Approval

2018-002PB Edward Salvador seeks a determination that a plan does not require approval under the Subdivision Control Law. The property is located at 456 Route 6, Assessor's Atlas Map 36, Parcel 7.

John Demarest spoke about the project briefly. Mr. Riemer asked about whether there would be an obstacle to getting a curb cut. They will file with the State to create two curb cuts. Mr. Kiernan asked Ms. Harper about the existing dwelling and existing garage. He said he visited the property and thinks its fine. Mr. Herridge made the following motion "With respect to application 2018-002 PB, the Board determines that the plan entitled "Plan of Land in Truro, MA Prepared for Edward Salvador" dated April 2, 2018, scale 1" = 60' for property located at 456 Route 6 prepared by Demarest Land Surveying does not require approval under the Subdivision Control Law." Mr. Boleyn seconded. So voted, 7-0.

Waiver of Commercial Site Plan Review

2018-001 SPR Katherine Reed seeks a Waiver of Site Plan Review pursuant to §70.9 of the Truro Zoning Bylaw for seasonal location of a food truck at Chequessett Chocolate. The property is located at 8 Highland Road, North Truro, Atlas Map 36, Parcel 89.

Mr. Roderick recused himself and left the room. Katherine Reed and Josiah Mayo came forward. Ms. Reed explained the application. They have now operated the food truck for four years without incident. They are seeking re-approval. Mr. Riemer asked about the parking space formula. He asked about repairs after the building was flooded and if anything would be changed. There will be no changes to the building and no increase in employees. Ms. Harper drafted the motion to allow the truck for three years. Mr. Herridge read the following motion: "Approve the request of Katherine Reed, for a Waiver of Site Plan Review pursuant to Section 70.9 of the Truro Zoning By-law for the property located at 8 Highland Road, Truro to locate a food truck on the property alongside the existing building for the 2018, 2019, and 2020 season (through December 31, 2020). This is based on the fact that the proposal does not substantially change the relationship of the structure to the site or to abutting properties and/or structures." Mr. Boleyn seconded, so voted, 6-0-1 (Mike Roderick abstained.)

Discussion of Warrant Article on the Marijuana Moratorium

The Planning Board will review the amended moratorium article discussed at the recent Board of Selectmen meeting and possibly revote their recommendation for the Amended Article.

Mr. Sollog said that there is nothing in the Town bylaws about overseeing the growing and sale of Marijuana. He explained that the Board disagreed with the June 2019 date for a moratorium, but they do need a few months to set up bylaws.

Mr. Kiernan asked Ms. Harper if this agenda was legally advertised. Ms. Harper said this is not a public hearing, so yes, it was legally noticed. Mr. Hopkins came forward and said he disagreed.

Mr. Sollog asked if we have a committee working on the bylaws that includes town staff, elected officials and local farmers. The answer was no. The Town attorney is working on it. Drake Cook said that the host community agreement is the protection you already have. Tim McCarthy spoke said that the issue is leadership. Fear is not the way to move forward. He asked the Board not to revote on the moratorium.

Ms. Harper explained that the Planning Board requested the moratorium. The Town Manager attended a recent Planning Board meeting to ask if Board members would like her to work with Town Counsel to draft a moratorium article. The Planning Board voted in favor of drafting a moratorium article.. Then the Planning Board decided not to recommend the moratorium.

Mr. Sollog asked if November 2018 would work in terms of calling a special Town Meeting to approve new bylaws. Ms. Harper explained that a special Town Meeting can be called at any time.

The question was asked why a moratorium is needed at all. Mr. Sollog said that they want a window to get the bylaws written. Mr. Herridge said it won't be the Planning Board that will be the entity that creates the bylaws.

Betty Hopkins came forward and said she wants to grow medical cannabis. She is a nurse. She asked who on the Planning Board has read the State regulations and nearly all members stated that they read the State Cannabis regulations multiple times. She then stated that all the concerns of the Board are described in the regulations.

Mr. Kiernan asked how this discussion got on the agenda. The chair of the Planning Board sets the agenda, Ms. Harper explained. Mr. Kiernan said he believes the moratorium will delay the growers from getting in on this new opportunity. The local farmers need all the help they can get. Mr. Herridge says he thinks the regulations are very vague.

Mr. Herridge made the following motion "Move to recommend Article 21 to add Section 40.8 establishing a moratorium on recreational and medical marijuana establishments", Ms. Tosh seconded and explained to the farmers why she is seconding the motion. She said she would like to be on the committee to work on the bylaws. So voted, 5-2, Mr. Kiernan and Mr. Roderick voted against.

Review and Approval of Meeting Minutes

April 4, 2018

A correction on page 3 - it is 3,5,7 Rose Hill Lane, not 357 Rose Hill Lane.

Mr. Herridge made a motion to accept the minutes as amended, Mr. Kiernan seconded. So voted 7-0.

Reports from Board Members and Staff

Town Planner Report

There was a reminder about the Annual Town Meeting April 24 Truro Central School 6 pm. The May 8 election is 7 am to 8 pm, at the Truro Community Center. The May 2 meeting will be at the Public Safety Building.

Mr. Kiernan brought up a concern he has about the Warrant Article 17 but Mr. Sollog said this concern cannot be discussed because it was not properly noticed. Mr. Kiernan asked Ms. Harper to summarize his question for him and Ms. Harper asked him to write up his and email it to her and the Town Manager.

Mr. Herridge moved to adjourn, Mr. Kiernan seconded. So voted, 7-0. Meeting adjourned at 9:05 pm.

Respectfully submitted,

Katherine Black



TOWN OF TRURO

Planning Department

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charper@truro-ma.gov

To: Truro Planning Board
From: Cally Harper, PhD, Town Planner
Date: April 24, 2018, 2018 (for May 2nd meeting)
Re: Town Planner Report

1. Reminder: Site Visit for White Sands Beach Club is on Wednesday May 9th at 1 pm.
2. Barnstable County HOME 2018 Draft Annual Plan and Public Comment Period – materials are located in the Planning Office
3. Signature from the Chair for the following Decisions:
 - a. 2018-001 PB Sprint Spectrum LP
 - b. 2018-001 SPR Katherine Reed



BARNSTABLE COUNTY HOME CONSORTIUM

DEPARTMENT OF HUMAN SERVICES

Post Office Box 427, 3195 Main St., Barnstable, Massachusetts 02630

www.bchumanservices.net

Office (508) 375-6628 Fax (508) 362-0290

Michelle Springer, Program Manager
mspringer@barnstablecounty.org

PUBLIC NOTICE BARNSTABLE COUNTY HOME CONSORTIUM 2018 ANNUAL PLAN

PUBLIC COMMENT PERIOD

The Barnstable County HOME Consortium has prepared its draft 2018 Annual Plan for the U.S. Department of Housing and Urban Development (HUD). This plan serves as the strategic and planning document for the region's HOME program that is funded by HUD. Pursuant to the requirements of the HOME Investment Partnerships Program, the Consortium will provide a thirty-day comment period on the draft 2017 Annual Plan prior to its submission to HUD.

The Consortium expects to receive \$394,500 in HOME funds and \$40,000 in program income for the 2018 program year (July 1, 2018- June 30, 2019). The proposed allocations in the 2018 Annual Plan are as follows:

Housing Production- \$245,875
CHDO Housing Production- \$59,175
Down Payment/Closing Cost Program- \$50,000
Program Administration- \$39,450

This comment period will begin April 22, 2018 and end at 4:00 p.m. May 22, 2018. The 2018 Annual Plan is available for review at the following locations that are handicap accessible, and interpreters are available upon advance request:

Barnstable County Commissioners Office
Superior Court House
3195 Main Street
Barnstable, MA 02630

Barnstable County Human Service Department
3195 Main Street
Barnstable, MA 02630

Town Halls in each town in Barnstable County

Barnstable County Human Services Department web site- www.bchumanservices.net

The Annual Plan will contain a summary of public comments received. All comments should be submitted to:
Michelle Springer
Barnstable County Department of Human Services
3195 Main Street- PO Box 427
Barnstable, MA 02630
mspringer@barnstablecounty.org

Creating a Healthy Connected Cape Cod

The Mission of the Department of Human Services is to plan, develop, and implement programs which enhance the overall delivery of human services in Barnstable County and promote the health and social well-being of County residents through regional efforts that improve coordination of services.

DRAFT
TRURO PLANNING BOARD AGENDA
Wednesday, May 23, 2018 – 5:00 p.m.
Truro Town Hall, 24 Town Hall Road, Truro

Public Comment Period

The Commonwealth's Open Meeting Law limits any discussion by members of the Board of an issue raised to whether that issue should be placed on a future agenda. Speakers are limited to no more than 5 minutes.

Discussion of Rose Hill Lane

The Planning Board will discuss next steps for the Becker subdivision. The property is located at 3, 5, 7 Rose Hill Lane, Assessor's Atlas Map 54, Parcel 33.

Public Hearing – Residential Site Plan Review

2017- 010 SPR Kenneth S. Kuchin – 12 Ocean Bluff Lane seeks approval of a Site Plan Review pursuant to §70.3 of the Truro Zoning By-law for removal and replacement of an existing cottage dwelling with a new dwelling and construction of a new garage accessory structure. Property is a pre-existing, non-conforming developed residential parcel in the Seashore zoning district. The property is located at 12 Ocean Bluff Lane, Map 37, Parcel 6.

Continued Public Hearing

2017-011 SPR Maria Kuliopulos White Sands Beach Club, Inc. seeks approval of a Modification to a Commercial Development Site Plan pursuant to §70.3 of the Truro Zoning By-law to maintain existing uses, reduce the number of motel units from 51 to 47 and construct a replacement structure in the location of a previously demolished fire damaged structure. The property is located at 706 Shore Road, White Sands Beach Club, Atlas Map 1, Parcel 5. The hearing was continued from April 18, 2018.

Review and Approval of Meeting Minutes

June 6, 2017

Reports from Board Members and Staff

Town Planner Report

Next Meeting Agenda

Wednesday June 6 at 5 PM – **Please note the new date and time!**

Adjourn