



# Truro Planning Board Agenda

## Remote Meeting

Wednesday, May 20, 2020 – 6:00 pm

[www.truro-ma.gov](http://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](http://www.truro-ma.gov)). Click on the green "Watch" button in the upper right of the page. To provide comment during the meeting please call in toll free at 1-877-309-2073 and enter the following access code when prompted: 843-216-029. Please note that there may be a slight delay (15-30 seconds) between the meeting and the live stream and television broadcast. If you are watching the meeting and calling in, please lower the volume on your computer or television during public comment so that you may be heard clearly. We ask that you identify yourself when calling in to help us manage multiple callers effectively. Citizens may also provide public comment for this meeting by emailing the Town Planner at [jribeiro@truro-ma.gov](mailto:jribeiro@truro-ma.gov) with your comments.

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

### Public Comment Period

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

### Public Hearing – Continued

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

*Procedural only - motion to continue to meeting of June 3, 2020*

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

*Procedural only - motion to continue to meeting of June 3, 2020*

## **Board Action/Review**

### Temporary Sign Permits:

Sustainable CAPE: Truro Educational Farmers Market requesting four 3’x6’ banners (three on Route 6 and one at Veteran’s Memorial Field) beginning on Friday, June 5<sup>th</sup>.

Margaret Neylon requesting one 3’x6’ graduation banner at the intersection of Route 6 and Shore Road beginning on Thursday, May 21<sup>st</sup>.

Review of revised forms update (forms to be reviewed again at next meeting).

Update on 2019-003/SPR Tradesmen’s Park South project.

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.

Initial discussion of potential changes to the Zoning Bylaws, including potential changes to the definition of “street.”

Update on postponement of town elections and town staff/board operations.

Discussion for setting dates for future Board public workshops.

## **Approval of Minutes**

November 6, 2019  
December 4, 2019  
December 18, 2019  
January 8, 2020  
January 22, 2020

## **Minutes for Approval at Next Meeting**

February 5, 2020  
February 19, 2020  
February 26, 2020 Work Session  
March 4, 2020  
March 11, 2020  
March 18, 2020 (conducted via telephone)  
April 1, 2020 (conducted via telephone)

### NEW:

July 11, 2018  
February 12, 2020 Work Session

## **Next Meeting**

Wednesday, June 3, 2020, at 6:00 p.m. *Please note time change.*

## **Adjourn**

TOWN OF TRURO



PLANNING BOARD

Office of Town Clerk  
Treasurer - Tax Collector  
25.00 PAID  
MAY 14 2020  
Received TOWN OF TRURO  
By: M. Stevens

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

RCUD 2020 MAY 13 10:02:23  
ADMINISTRATIVE OFFICE  
TOWN OF TRURO

Applicant Name: Sustainable CAPE: Truro Educational Farmers Market Date: April 16th, 2020

Applicant Contact Information: PO Box 1004, Truro, MA. 02666  
Mailing Address

(508) 246-3112 info@sustainablecape.org  
Phone Email

Number of Signs Requested: 4 Banners

Temporary Sign Dimensions: Height 72" Width 36" Please attach a "to scale" copy of the proposed sign(s).

Location(s) of Proposed Temporary Sign(s): 3 on highway and 1 at Veterans Memorial Field

Map(s): 50 Parcel(s): Please use additional sheet(s) for multiple locations

Date(s) of the Event in Which the Sign is Intended: Mondays: 6/8 - 8/31, 2020

Date When Sign(s) will be: Installed: Friday Afternoon Removed: Monday Afternoon

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

Town of Truro State of MA  
Name Mailing Address

(774) 383-3169  
Phone Email

Applicant Signature: [Signature] Date: 4/16/2020



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, FARMERS' MARKET

*Monday 8-12*



# Farmers Market Signage



Not a legal survey



**Application for Temporary Sign Permit**

Pursuant to Section 11 of the Truro Sign Code

Fee: \$25.00

Applicant Name: MARGARET NEYLON Date: 5-14-20

Applicant Contact Information: PO BOX 86 TRURO MA 02652  
Mailing Address

508-274-2286  
Phone

PEGGYNEYLON63@GMAIL.COM  
Email

Number of Signs Requested: 1

Temporary Sign Dimensions: Height BANNER for GRADUATION Width 3  
Please attach a "to scale" copy of the proposed sign(s)

Location(s) of Proposed Temporary Sign(s): 6 & 6A

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

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

Date When Sign(s) will be Installed: 5-21-20 Removed: 6-30-20

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

TOWN OF TRURO  
Name Mailing Address

Phone \_\_\_\_\_ Email \_\_\_\_\_

Applicant Signature Margaret Neylon Date 5-14-20

Applicant Printed Name MARGARET NEYLON

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

Owner Printed Name \_\_\_\_\_

Planning Board Action: **Approved** \_\_\_\_\_ **Approved w/Conditions** \_\_\_\_\_ **Denied** \_\_\_\_\_

Conditions: \_\_\_\_\_

Board Signature: \_\_\_\_\_ Title \_\_\_\_\_ Date: \_\_\_\_\_

cc: Building Commissioner, Select Board

## Jeffrey Ribeiro

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**From:** Jeffrey Ribeiro  
**Sent:** Thursday, May 14, 2020 2:30 PM  
**To:** Rich Stevens (rstevens@truro-ma.gov)  
**Cc:** Erin Silva; Anne Greenbaum (agreenbaum@truro-ma.gov)  
**Subject:** Truro Tradesmen's Park South - Site Plan Review Sign-off

Hi Rich,

I conducted a site visit on Wednesday, May 14<sup>th</sup> to review the request for a Certificate of Use/Occupancy for Building 1 of the Truro Tradesmen's Park South project approved by the Truro Planning Board as Case 2019-003/SPR. As you are aware, the project comprises two buildings, and it is the stated intent of the developer to begin construction of Building 2 later this year.

Condition 1 of the Site Plan Review approval decision states:

*Each component of the Project shall be constructed in accordance with the plans referenced herein.*

As a component, Building 1 has been completed in accordance with the decision and the applicable conditions stated therein. Additionally, all conditions that apply to both components/buildings have been completed with the exception of the monitoring well required under Condition 12. The developer has stated an intent to install the monitoring well at the beginning of next week.

Thus, it is my determination that the developer will have fully and properly satisfied the Planning Board's requirements and conditions upon installation of the monitoring well sufficient for the issuance of a Certificate of Use/Occupancy for Building 1.

Please let me know if you have additional questions.

Thanks,

Jeff

**Jeffrey Ribeiro, AICP**

Town Planner, Town of Truro

Direct: (508) 214-0928

24 Town Hall Road, PO Box 2030

Truro, MA 02666

Office Hours:

Monday – Thursday

9am – 4pm

3225 MAIN STREET • P.O. BOX 226  
BARNSTABLE, MASSACHUSETTS 02630



CAPE COD  
COMMISSION

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(508) 362-3828 • Fax (508) 362-3136 • [www.capecodcommission.org](http://www.capecodcommission.org)

May 12, 2020

Erin Sullivan-Silva  
P.O. Box 430  
No. Truro, MA 02652

**RE: Final Certificate of Compliance, Building #1  
Tradesmen's Park South (File # LR18007)**

Dear Ms. Silva,

Enclosed please find the Final Certificate of Compliance for Building #1, Tradesmen's Park South in Truro.

Please do not hesitate to call if you have any questions.

Sincerely,

Lisa Dillon  
Commission Clerk

Enclosure

cc: Jeffrey Ribeiro Town Planner, Town of Truro  
Rich Stevens, Building Commissioner, Town of Truro



3225 MAIN STREET • P.O. BOX 226  
BARNSTABLE, MASSACHUSETTS 02630



CAPE COD  
COMMISSION

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(508) 362-3828 • Fax (508) 362-3136 • [www.capecodcommission.org](http://www.capecodcommission.org)

**FINAL CERTIFICATE OF COMPLIANCE  
BUILDING #1**

DATE: May 11, 2020

PROJECT APPLICANTS: DANIEL SILVA, ERIN SULLIVAN-SILVA, JON SALVADOR,  
WENDY SALVADOR  
P.O. Box 430, No. Truro, MA 02652

PROJECT/SITE: TRADESMEN'S PARK SOUTH (CCC NO. LR18007)  
298 ROUTE 6, STATE HIGHWAY, TRURO, MA 02666 (M 43 P 57)

CAPE COD COMMISSION DECISION RECORDED IN DEED BOOK 31848 PAGE 41

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The Cape Cod Commission (Commission) hereby issues this Final Certificate of Compliance authorizing the Applicants to obtain a Certificate of Use and Occupancy from the town of Truro for (northern) building #1 as approved in the above-referenced Development of Regional Impact (DRI) Decision dated January 10, 2019 (as amended by minor modification type 1 decision dated June 6, 2019). The Commission certifies and acknowledges that the Applicant has completed building #1 in accordance with, the terms and conditions of the DRI Decision sufficient for issuance of this Certificate.

Prior to and as a condition to obtaining a Certificate of Use and Occupancy from the town of Truro for the other site building approved under the DRI Decision, the Applicants shall obtain a Final Certificate of Compliance from the Commission for said (southern) building # 2. Pursuant to issuance of said Final Certificate of Compliance for building #2, Commission shall confirm, among other things, that the site landscaping and planting and the roof mounted solar panels approved under the DRI Decision have been installed and completed as required.

*SIGNATURE PAGE FOLLOWS*

**SIGNATURE PAGE**

Executed this 11th day of May 2020.

*Kristy Senatori*

Kristy Senatori, Executive Director

**COMMONWEALTH OF MASSACHUSETTS**

Barnstable, ss

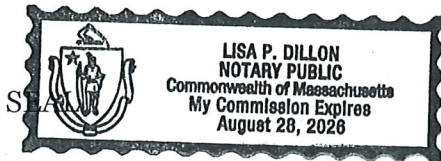
May 11, 2020

Before me, the undersigned notary public, personally appeared Kristy Senatori in her capacity as Executive Director of the Cape Cod Commission, whose name is signed on the preceding document, and such person acknowledged to me that she signed such document voluntarily for its stated purpose on behalf of the Cape Cod Commission. The identity of such person was proved to me through satisfactory evidence of identification, which was [ ] photographic identification with signature issued by a federal or state governmental agency, [ ] oath or affirmation of a credible witness, or [x] personal knowledge of the undersigned.

*Lisa Dillon*

Notary Public:

My Commission expires: *8/28/26*





# TOWN OF TRURO

**Planning Board**  
P.O. Box 2030, Truro, MA 02666  
Tel: (508) 349-7004 Fax: (508) 349-5505

## COMMERCIAL SITE PLAN REVIEW

### DECISION

**Atlas Map 43 Parcel 57**

**Address: 298 Route 6**

**Case Reference No: 2019-003/SPR**

**Applicants: Erin Sullivan-Silva and Daniel Silva  
and Jon Salvador and Wendy Salvador**

**Hearing Date: March 20, 2019, April 17, 2019, May 1, 2019**

**Decision Date: May 1, 2019**

**Registry of Deeds Book 26185, Page 169**

At a duly posted and noticed Truro Planning Board hearing held May 1, 2019, the Board voted to approve with conditions an application for Commercial Development Site Plan Review pursuant to §70.3 of the Truro Zoning By-Law for the development of two (2) steel-framed buildings on the Property as follows: Building One to have a footprint of 7,200 square feet and contain seven (7) contractor bays on the main level and sixty-four (64) climate-controlled self-storage units on the lower level, and Building Two to have a footprint of 5,400 square feet and contain five (5) contractor bays on the main level and forty-six (46) climate-controlled self-storage units on the second level. The Property is a vacant, undeveloped parcel of land in the Route 6 General Business Zoning District and is located at 298 Route 6, Map 43, Parcel 57.

The following materials were submitted as part of the complete application for review:

- Application for Site Plan Review (Commercial Development), including Project Narrative prepared by the Law Office of Singer & Singer, LLC
- Certified Abutters List
- Filing Fee (\$250.00)
- Cape Cod Commission Development of Regional Impact Scoping Decision, dated January 10, 2019 (Tradesmen's Park South (CCC No. LR18007)
- Cape Cod Commission Transportation Staff Memorandum, dated February 12, 2018

- Summary of Reasoning prepared by the Law Office of Singer & Singer, LLC
- Supplemental Memorandum prepared by the Law Office of Singer & Singer, LLC, dated April 17, 2019
- Landscape Plan, 298 State Highway – Route 6, prepared for Tradesman Park – South, dated February 16, 2019
- Site Plan prepared by East Cape Engineering, Inc., of 298 State Highway – Route 6, Truro, MA prepared for Tradesman Park – South, dated April 4, 2018, revised June 28, 2018, July 10, 2018, September 11, 2018, and February 13, 2019, Sheet 1; Sewage Disposal System Detail Plan, dated July 5, 2018, revised September 11, 2018, Sheet 2; Stormwater Drainage System Details Plan, dated July 5, 2018, revised September 11, 2018, Sheet 3; and 4-Ft Diameter First Defense High Capacity General Arrangement, dated November 25, 2014, revised November 5, 2015, prepared by Hydro International Storm Solutions
- Proposed Building 1 and 2 Elevation and Floor Plans, prepared for DJS, dated February 16, 2019, Sheets 1-4
- Five (5) color photographs labeled “View of property looking West into the property”, Property line just beyond telephone pole: Rte 6 headed North”, “View looking south with Truro Central Village pictured”, “View of property looking South (Truro Central Village in view) and “Existing sign for the Truro Tradesmen’s Park @ 352 Rte 6”
- Sample Commercial Lease Agreement
- Drainage Calculations prepared for Silva-Tradesmens Park in Truro by Timothy J. Brady, revised on 9/11/18 (5 pages)
- E-mail from DEP concerning Zone 1 Radius, dated April 5, 2019
- Letter of project support from the Town of Truro Board of Selectmen to the Cape Cod Commission, dated July 10, 2018
- Email from Emily Beebe, Truro Health and Conservation Agenda, dated May 1, 2019
- Ten (10) letters of support for the project
- Two (2) Letters of opposition to the project

### **Board Vote:**

At the May 1, 2019 Planning Board meeting, Paul Kiernan made a motion, seconded by R. Bruce Boleyn, to close the Public Hearing, and the vote was unanimous. The request of 2019-003/SPR Erin Sullivan-Silva, Daniel Silva, John Salvador, and Wendy Salvador for Commercial Development Site Plan approval pursuant to §70.3 of the Truro Zoning By-law was unanimously granted with conditions and waivers by the Planning Board, with Paul Kiernan making the motion and R. Bruce Boleyn seconding the vote. This decision is pursuant to the following findings of facts, conditions, and waivers:

### **Findings:**

1. This is an application by Erin Sullivan-Silva, Daniel Silva, Jon Salvador, and Wendy Salvador for Commercial Development Site Plan Review under Truro Zoning By-law ("Bylaw") Section 70.3.
2. The property is located at 298 Route 6 and is shown on Truro Assessor's Map 43, Parcel 57 ("Property"). The Property is located in the Route 6 General Business Zoning District.
3. The Property is owned by Shirley M. DeMasi, Trustee of the Shirley M. DeMasi Irrevocable Trust, and consists of 1.1± acres of vacant, undeveloped land with an existing water supply well.
4. The Applicants propose to construct two (2) steel-framed buildings with associated site improvements on the Property. Building One to have a footprint of 7,200 square feet and contain seven (7) contractor bays on the main level and sixty-four (64) climate-controlled self-storage units on the lower level, and Building Two to have a footprint of 5,400 square feet and contain five (5) contractor bays on the main level and forty-six (46) climate-controlled self-storage units on the second level (collectively "Project").
5. The Project requires Commercial Development Site Plan Review pursuant to Section 70.3 of the By-law because it proposes construction of a property for non-residential use. The Truro Building Commissioner, as the Zoning Enforcement Agent, has determined that the proposed use (Trade/Repair/Self Storage) is permitted by right and complies with the zoning uses approved by Truro Town Meeting for the Route 6 General Business Commercial Zone.
6. The Applicants own a similar facility (without storage units) north of the site, also on Route 6, which is called Tradesmen's Park. They have a longstanding waiting list of local businesses and tradespeople and are hoping to be able to accommodate the need and provide this additional opportunity in Truro. The twelve contractor bays will thus be used by local tradesmen (carpenters, cabinet makers, artists, etc.) from Truro and the surrounding communities. There is also a high demand for additional climate-controlled self-storage in the community. Many retail stores and nonprofit organizations currently rent contractor bays for inventory storage in addition to the demand by local contractors themselves.
7. The Project underwent review by the Cape Cod Commission, including in the areas of Land Use, Economic Development, Water Resources, Natural Resources, Transportation, Waste Management, Energy, and Heritage Preservation and Community Character. The Cape Cod Commission made extensive findings and imposed conditions on the Project, including regarding the applicable Zone I and Interim Wellhead Protection Area to an adjacent public water supply well, handling of wastewater, limitations on nitrogen loading, landscape management, limitations on hazardous materials, stormwater management, and enforcement.

8. The Truro Board of Selectmen submitted a letter to the Cape Cod Commission, dated July 10, 2018, stating its support for the Project and further that “this commercial development will fill an identified need in the community.”
9. The Truro Health and Conservation Agent submitted an email, dated May 1, 2019, indicting the Applicant’s work with the Agent during the regulatory review process and suggesting conditions re: best management practices in connection with the proposed drainage in the northwest corner of the site. The Applicant has agreed with these proposed conditions.
10. Ten (10) letters of support have been submitted from the following people and entities: Chuck Leigh, Bert Yarborough, Gerald J. Costa, Jr., Shawn Costa, J. Ian Millar, Noah Santos, Jared Colley, Steven Roderick, the Provincetown Art Association and Museum, and Truro Vineyards.
11. Two (2) letters of opposition have been submitted from the following people: Dina B. Browne, Esquire, Bletzer & Bletzer, P.C. on behalf of Truro Motor Inn and Claire A. Perry.
12. The proposed site and building design will comply with all dimensional requirements of the Zoning By-Law. Building coverage will be 25.3%, open space will be 30.8%, and building height will be 30 ft. and 23 ft., respectively.
13. The parking spaces will be conforming at 10 x 20 and are so noted on the plan. In addition, the parking spaces will not impede access to the self-storage units at the lower level of Building 1, and drive aisles have been dimensioned and will provide safe and adequate access throughout the site.
14. The Division of Water Protection for the Southeast Regional Office of the MassDEP confirmed in an email dated April 5, 2019, that all records determine that the Zone 1 for the Truro Motor Inn’s active Well #2 is 160 feet.
15. The proposal meets the site design requirements of the Water Resource Protection District to direct runoff toward vegetated swales or basins for surface infiltration and by maximizing protection of groundwater through siting potential pollution sources such as on-site disposal systems outside of the District to the extent feasible. The Applicant has adopted bioremediation measures recommended by the Cape Cod Commission and industry-wide to capture and infiltrate stormwater on site. This includes a large vegetated, bioretention swale in the center of the Property. In addition, the Applicant has incorporated an oil-water separator in the drainage structure at the northwest part of the Property, and roof runoff will be separately captured and infiltrated. Further, the Applicant has, in compliance with MA DEP and Title V regulations, located its septic system outside of the Zone I radii not only of the public water supply well at the Truro Motor Inn, but also those of the private water supply wells and has included best management practices for protection of the groundwater within the Interim Wellhead Protection Area.
16. The design includes an enhanced, denitrification, FAST septic system which will make the Property the most conforming to Title V standards in this portion of the Commercial Zoning District. Nitrogen calculations prepared for the proposal demonstrate that nitrogen loading on the Property will be less than the 5 ppm design standard (4.85 ppm proposed).
17. There will be one set of bathrooms in the center of each building to service the contractor bays in that building. This reduces the need for plumbing and makes the sanitary facilities more efficient. There will be no water service within the respective contractor bays.
18. A model lease was submitted and reviewed including provisions providing for restrictions and limitations on hazardous materials, inspections, and enforcement.

19. A soil erosion plan will be implemented during construction.
20. Bollards shall be installed in front of each garage door leading to a contractor bay at Building 1 in order to prevent vehicles from entering the respective contractor bays. For Building 2, the Applicant is proposing to install floor drains within each contractor bay that will be connected to a building-wide tight tank to contain all materials within the building.
21. There will be no outside storage of any materials nor of large construction or other vehicles or equipment. Parking of motor vehicles will be limited to the delineated parking spaces, and each contractor bay will be assigned a certain number of parking spaces. Parking for the self-storage is also provided.
22. Abutting properties and the surrounding area will be protected by vegetative screening, topography, and site design. A landscape plan has been provided showing existing trees and vegetation to remain plus additional plantings on the Property adjacent to the Route 6 layout buffer area and the adjacent property. There is also a significant, natural vegetated buffer located within the Route 6 State layout between the development and screening shown on the plans and the traveled way. In addition, given the topography of the Property, the buildings will be set six feet below the top of the knoll at the back of the Property. No noise, litter, odor or other sources of potential nuisance or inconvenience to adjoining properties, public ways or neighbors are anticipated, and the proposal will not adversely affect the public good.
23. Access to the buildings and to the individual storage units will be by respective key pad locks on the exterior and interior doors for the self-storage areas.
24. The proposal is a low-traffic generator, particularly in comparison to other uses allowed by right and special permit in the Commercial Zoning District.
25. There will be one curb cut for the Property, and the curb cut has been designed to provide safe access and egress to and from the Property and has been reviewed and analyzed by the Cape Cod Commission's Transportation Staff.
26. The layout of the driveways and parking areas have been designed to provide safe and efficient on-site circulation in conformance with the site plan and zoning review standards. There will be one-way circulation through the central driveway on the Property.
27. The proposed lighting is consistent with the By-laws of the Town of Truro and will protect adjacent properties and the night sky from intrusive lighting.
28. Each contractor bay shall be responsible for storing its own refuse inside the unit and disposing of the same. Refuse cans will be provided in the climate-controlled storage areas.
29. The site will be served by all required utilities and the same will be placed underground. Photovoltaic (solar) panels are being proposed for the roofs of each building to assist in alternative energy generation for the Property.
30. The Planning Board has reviewed all plans and materials submitted with respect to this Application and found that they comply with the requirements set forth in Section 70.3 of the By-law.

**Waivers:**

The Board has considered and authorized the following three (3) waivers from the site plan review standards in accordance with Section 70.3.E of the Zoning By-Law:

1. Section 70.3.D.3.b.4 – General location of trees having a caliper of ten (10) inches or more diameter at breast height (DBH): Existing trees having a caliper of ten (10) inches or more in diameter at breast height (DBH) have not been located and shown on plan;
2. Section 70.3.D.3.c.3 – Referencing Section 30.9.G.4 Drive Aisle Width for 90 degree parking angle spaces: Driveway width as shown is less than 24 ft, but determined as designed to allow safe and efficient traffic and parking movements; and
3. Section 70.3.D.3.c.11 – Refuse Areas: Exterior enclosed refuse/recycling areas have not been shown on site plan. Tenants individually responsible for refuse storage and removal.

**Conditions:**

The Board has determined to impose the following conditions on the proposal:

1. Each component of the Project shall be constructed in accordance with the plans referenced herein;
2. The turn-around off the west end of the rear of Building 1 shall be lengthened to twenty (20) feet east to west and the north-south portion shall be widened as feasible;
3. There shall be paved access (approximately five to six feet in width) to the elevator at the southwest corner of Building 2;
4. There shall be a paved sidewalk to the stairs at the southeast corner of the rear of Building 2;
5. The parking spaces shall be identified on the ground to identify contractor bay number to which the respective use is designated;
6. There shall be one-way traffic flow through the central portion of the Property;
7. The building lighting shall be downward-lit as follows. Entry lights will be equipped with motion detectors, and other exterior lighting shall be on a timer and shall be shut off at 11:00 p.m.;
8. Access to the storage units shall be limited to 7:00 a.m. to 7:00 p.m., seven days per week;
9. All stormwater runoff shall be contained on site;
10. The Applicant shall meet all requirements of the Health and Building Departments;
11. Emergency spill kits shall be provided on site, one per building;
12. A monitoring well shall be installed in the southwest corner of the Property;
13. All hazardous materials shall be properly stored and such storage shall be subject to inspection by the Health Department if and as warranted;
14. The freestanding sign at the entrance shall be located on the Property consistent with the Truro Sign Code;
15. The second well shown on the Landscape Plan shall also be added to the Site Plan;
16. The Board shall conduct a site visit two (2) years after the first building is constructed at the Property to confirm that the approved landscaping has been installed and is alive; and
17. A revised site plan conforming to the above shall be submitted to the Planning Department before this Decision is signed.



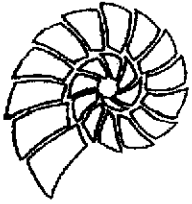
This Commercial Development Site Plan Approval for Commercial Site Plan shall expire in two (2) years from the date of this approval.

Pursuant to §70.6 of the Truro Zoning By-law, it shall be the responsibility of the applicant to obtain a true attested copy of the decision from the Town Clerk. The applicant shall be responsible for recording the Planning Board Commercial Site Plan decision at the Barnstable Registry of Deeds or Land Court, as applicable. Prior to the issuance of a building permit, the applicant shall present evidence of such recording to the Building Commissioner and the Planning Board Secretary.

Steven Sollog 5/14/19  
Chairman, Truro Planning Board Date

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Official MAY 14 2019  
Received, Office of the Town Clerk Date



# J.M. O'REILLY & ASSOCIATES, INC.

PROFESSIONAL ENGINEERING, LAND SURVEYING & ENVIRONMENTAL SERVICES

Site Development • Property Line • Subdivision • Sanitary • Land Court • Environmental Permitting

December 12, 2017

Ms. Rae Ann Palmer, Town Manager  
Town of Truro  
P.O. Box 2030  
Truro, MA 02666

RE: **Feasibility Report**  
Truro Housing Authority, Highland Road Site, Truro, MA

Dear Ms. Palmer,

As per our contract, J.M. O'REILLY & ASSOCIATES, INC. has completed a review of Highland Parcel, which was a former portion of the MA State Highway Layout with regards to the development feasibility and constraints of the property located on Highland Road, adjacent to Route 6 Highway.

**Property Description:**

The property is located along Highland Road and directly east of MA Highway – Route 6. The property was formerly a part of the Highway Layout of Route 6. The Town recently purchased the property for the purposes of affordable housing.

The parcel was created by a Plan of Land for the Town of Truro, as prepared by VHB, Inc., dated September 6, 2017. The plan has been recorded at the Barnstable Registry of Deeds in Plan Book 672, Page 34. The parcel has 170,339 sf (3.91 acres) of land area and 209.61 feet of frontage along Highland Road.

The parcel is abutted to the east by a single family dwelling (#24 Highland), on the north by another single family dwelling (423 Route 6), on the west by Route 6 and again on the south by Highland Road (Refer to Figure #1). The parcel is well vegetated with a majority of scrub pine trees and coastal plain shrub community. There are some scrub oak within the parcel along with the dominate scrub pine.

The parcel's topography is greatly varied from south to the north. The elevations along the Highland Road vary from elevation 24 to 28. The grade from the road, within 300 feet, slopes up very quickly to a highpoint of elevation 62, (12.5 %). The topography rolls down, from the highpoint, to a low point of about elevation 32, adjacent to the northern property line within 250 feet (12 %). Please refer to Figure 2.

**NHESP:**

The Site is mapped as a Massachusetts Division of Fisheries and Wildlife (DFW), Natural Heritage & Endangered Species Program (NHESP) "Estimated Habitat" and "Priority Habitat." Based on our experience in the area of the parcel, we would anticipate the species one or more of the following: Terrapene Carolina (Eastern Box Turtle), Scaphiopus holbrookii (Eastern Spadefoot), Catocala Herodias gerhardi (Gerhard's Underwing Moth) and/or Metarranthis pilosaria (Metarranthis Moth). Refer to Figure 3.

As soon as a site plan is available that shows the potential development and limit of work, a complete filing with NHESP can be made. Based on this filing, NHESP determines whether the proposed development would result in a prohibited "take" of state listed rare species. Determinations can range from the development being a prohibited "take" to the development not being a prohibited "take" as well as a range in between where proper mitigation could allow for development. Mitigation varies depending upon the species present.

**Wetlands:**

Based on the MassGIS's online mapping tool "Oliver" and the site visit by our office, the site does not contain any wetlands and development of the lot should not require a State or Local Wetlands Protection Act filing.

**Soil Conditions:**

The parcel is located within the Truro Plain Deposits (Qtp) as shown on the Geologic Map of Cape Cod and the Islands, Massachusetts – 1986). The Barnstable County Soil Survey (1993) shows the parcel falls within the Carver Coarse Sands (CdA).

The Carver Sands are typically clean coarse sands with very little silt/fines. The Carver sands are suitable for the installation of subsurface sewage systems.

**Ground Water:**

Groundwater in the area is approximately 5' above mean sea level (Per Cape Cod Water Table Contours and Public Water Supply Protection Areas Map dated September 1995 produced by the Cape Cod Commission Water Resources Office). As outlined above, the existing grade on the parcel varies from elevation 62 to 24. Based on this information, groundwater is estimated to be about 19 feet below the lowest grade of the parcel (along Highland Road).

The parcel is within the Pamet Lens and appears to fall in between the Zone II of the water supply wells for the Provincetown Water Department. Refer to Figure 4.

## Water Supply:

### Town Water:

The abutting residential properties are all served by private drinking water wells. As referenced above, the parcel appears not to be located within the Zone II of Provincetown Public Water Supply Well. At this time, the parcel does not have town water available for any type of development. A water service line, from the Provincetown Water Department, runs up to 8 Highland Road, just west of the west of the Route 6 Highway Layout. The existing service is not a water main that can be extended.

On December 11, 2017, Mr. Cody Salisbury, Water Superintendent for Provincetown confirmed the closest water main was a 12 inch diameter Transite pipe on Shore Road. The existing main is about 1,400 feet from the site. As you may know, the main cannot be extended without authorization from both Boards of Selectmen, as outlined in the inter-municipal agreement between Provincetown and Truro.

If the main extension were to be agreed upon, we estimate the cost for an 8 inch diameter main with 4 hydrants (1 hydrant every 400 feet) would be about \$ 85,000. The cost to bring a main into the project site is not included with the \$85,000 amount.

### Wells:

If the water main extension is not available to the development, the water supply would be from private wells. Since the Housing Authority has not determined what kind of housing will be proposed (single family homes, duplexes, triplex or apartment "box" buildings, etc), the issue of water supply needs to be carefully evaluated.

The Massachusetts Department of Environmental Protection (DEP) defines public water supply wells system means "a system for the provision to the public of water for human consumption, through pipes or other constructed conveyances, if such system has at least 15 service connections or regularly serves an average of at least 25 individuals daily at least 60 days of the year". The number of persons will dictate the need for a public water supply well.

As the Housing Authority develops the possible type of housing and the number of residents for the housing project, we recommend the number of residents be set below the threshold of a community (public) water supply well. This could be accomplished by setting the total number of bedrooms for the entire parcel at 12 bedrooms (24 person total). The alternative, if increasing the number of residents is desired, would be to subdivide the parcel so as to keep the residents of each "new" parcel below the 25 person threshold.

Example: Subdivide the parcel into two lots, each lot would have a private well associated with it and be set to serve a maximum of 24 people per lot, for a total of 48 people.

**Sewage System:**

Based on the above referenced ground water, soil conditions and the development of abutting properties, the parcel is believed to be able to support an onsite sewage disposal system. Below are the three options when looking at the available bedroom totals with regards to the parcel.

**#1 - Units are served by a private well and conventional sewage systems:**

Each unit/building to be served by a private well and a conventional sewage system. Since the parcel will be served by private wells, the parcel will be considered a Nitrogen Sensitive Area and as such will be required to provide 10,000 sf of land area for every bedroom. Under Option #1, the entire development can have a total of 17 bedrooms.

With Option #1, the building would be located on their own subdivided parcel which would contain a well and sewage system.

**#2 – Units are serviced by private wells and a shared I/A Treatment system:**

Each unit/building to be served by a private well and connected to a shared system which would contain enhanced I/A treatment process. Again, since the units are served by private wells the ratio of 1 bedroom per 10,000 sf of land area would apply. However, with the introduction of enhanced treatment the ratio changes to 1 bedroom per 6,670 sf of land area. The enhanced treatment unit provides a potential for 25 bedrooms for the development.

As with Option #1, the unit/building would be located on their own subdivided parcel but have the common sewage system on an individual parcel.

**#3 – Units are serviced by town water and conventional sewage systems:**

Each unit/building to be served by municipal water and a conventional sewage system. Since the parcel would be served by town water and appears not to fall within the Zone II, there would be no restriction on the number of bedrooms.

The building would be located on their own subdivided parcel, which would contain the conventional sewage system and served by a town water service.

**Flood Zone:**

The property does not fall within a Special Flood Hazard Area (SFHA) as shown on FEMA Flood Insurance Map Community Panel #25001C0139J.

**Access:**

The lot currently has a little over 209 feet of frontage along Highland Road. The line of site, for vehicle safety, along the frontage of the parcel is very good going either east or west. The topography of the parcel will be somewhat challenging for a curb cut. Given the rapid

grade change and the need for a safe intersection with Highland Road, the access driveway will require a cut in grade. The final location of the access road will dictate the size of the cut required to provide a safe transition from Highland Road onto the Parcel.

**Summary:**

In conclusion, J.M. O'REILLY & ASSOCIATES, INC. offers the following comments and suggestions.

**Comments:**

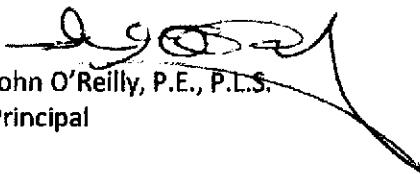
1. The parcel is suitable for the location of subsurface sewage systems, as indicated by the regional information.
2. Groundwater is not going to be an issue regarding either the sewage systems or full height foundations.
3. The Endangered Species for the parcel have yet to be confirmed.
4. The availability of municipal water, at the property, has yet to be confirmed.
5. The number of bedrooms available, based on the 3 options outline above, could be designated for either individual homes, duplex homes, triplex homes or apartment "Box" buildings.
6. Avoiding a public water supply well designation is desired. Seeks and obtaining a public water supply well on the parcel would severely impact the amount of available room for the housing component.

**Suggestions:**

1. The Housing Authority, prior to moving to the next step of selecting a developer, should prepare a Site Sketch Plan for the purposes of filing with the Natural Heritage Program (MESA). The Site Sketch Plan would show an area of development or edge of potential clearing for the potential development. The Sketch should then be filed with the Natural Heritage Program so as to determine what if any restriction would be placed on the development of the parcel.

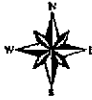
We hope you find the information above helpful in the authorities efforts to bring affordable housing to the Highland Road Parcel. If you have any questions or comments, please contact my office directly.

Very Truly Yours,  
J.M. O'REILLY & ASSOCIATES, INC.



John O'Reilly, P.E., P.L.S.  
Principal

Encl: Figure 1 (Assessor's Map), Figure 2 (Topography Map), Figure 3 (NHESP Map)  
Figure 4 (Groundwater Map), Email from Cody Salisbury dated 12/11/17



# assrs map

Truro, MA

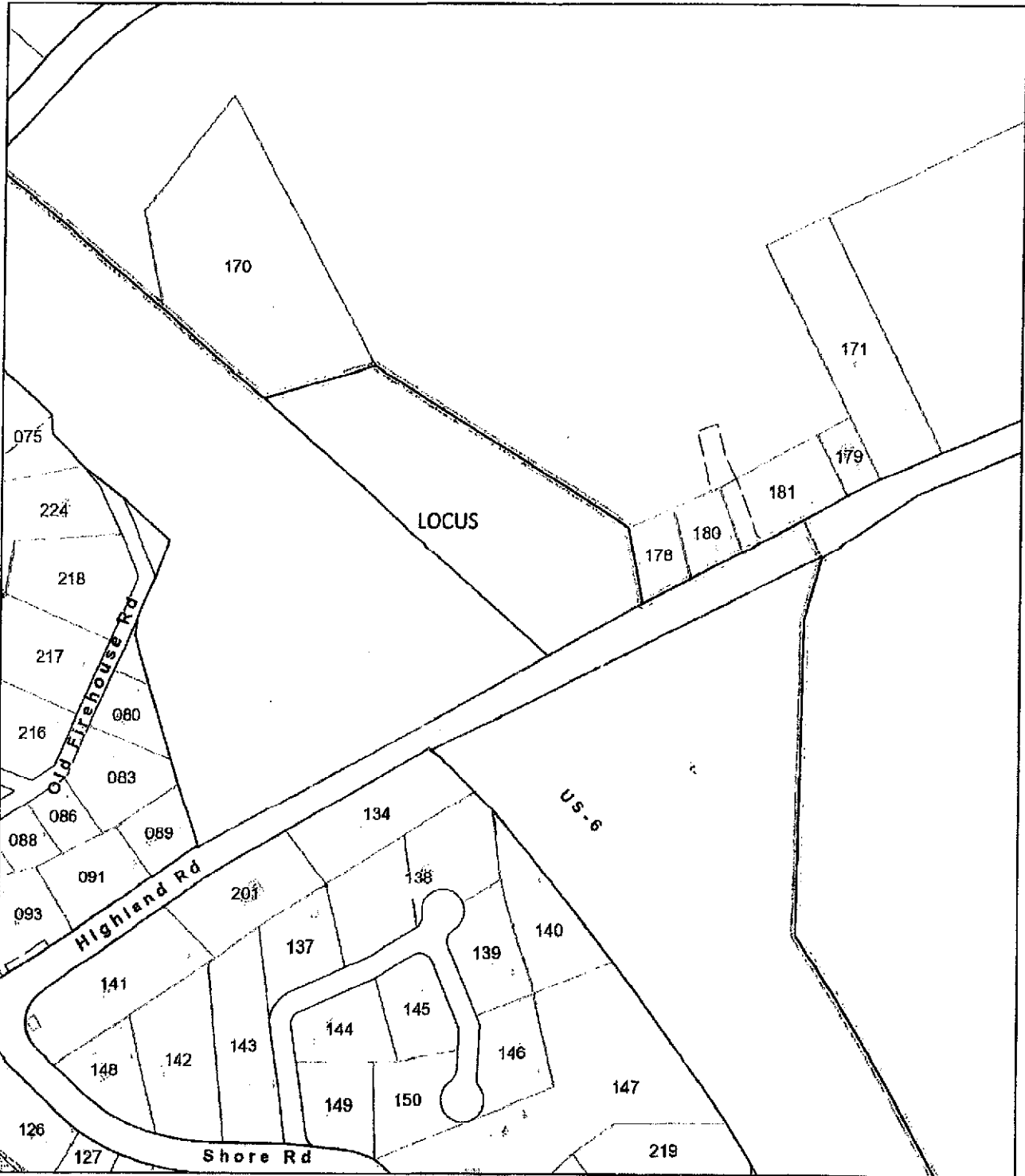
1 inch = 250 Feet



**CAI Technologies**  
Township Mapping, Aerial Imagery, GIS

December 8, 2017

www.cai-tech.com



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FIGURE 1



Truro, MA

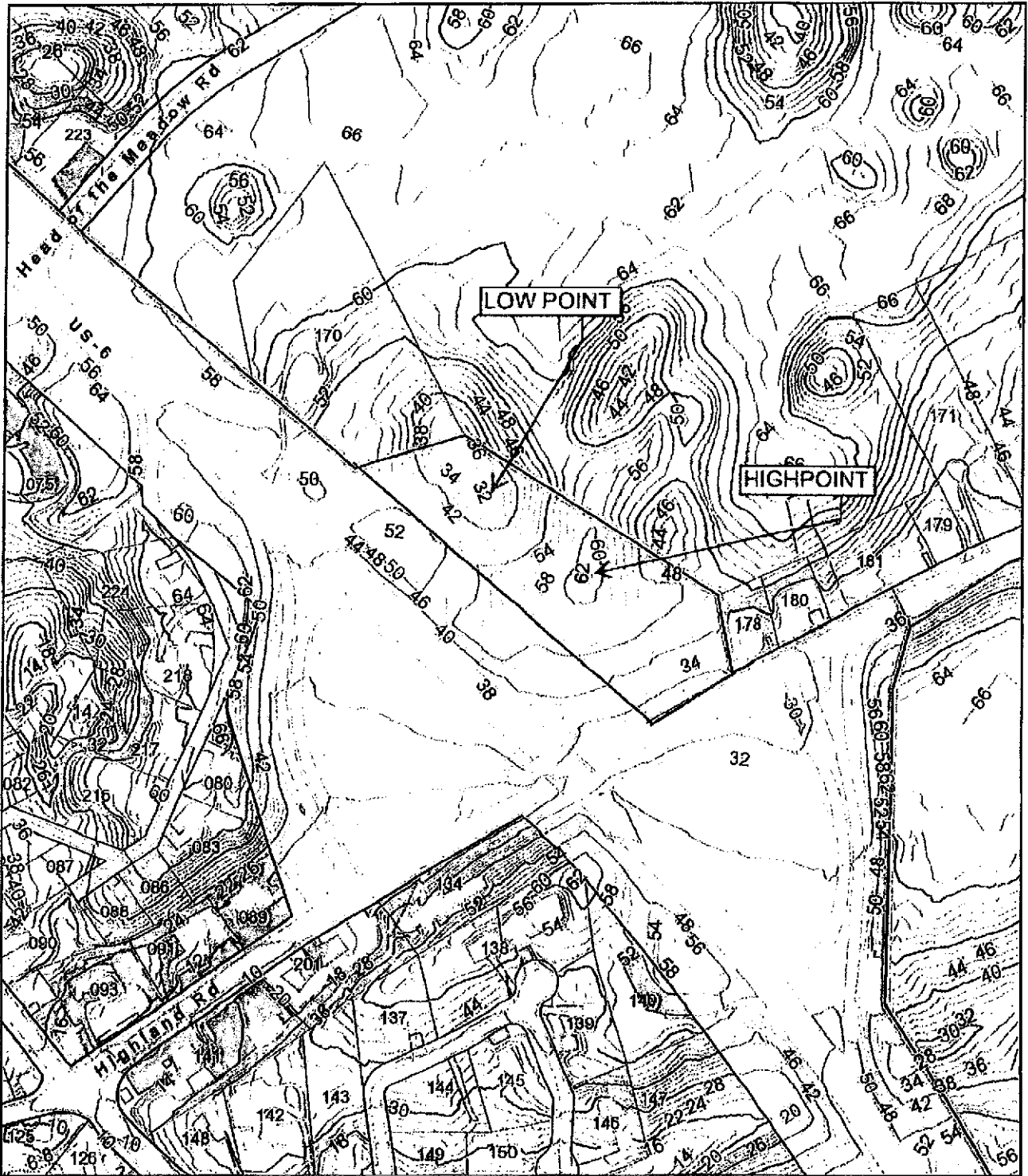


CAI Technologies  
Protecting Key to the Coastal Future

November 30, 2017

1 inch = 250 Feet

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FIGURE #2





endangered

Truro, MA

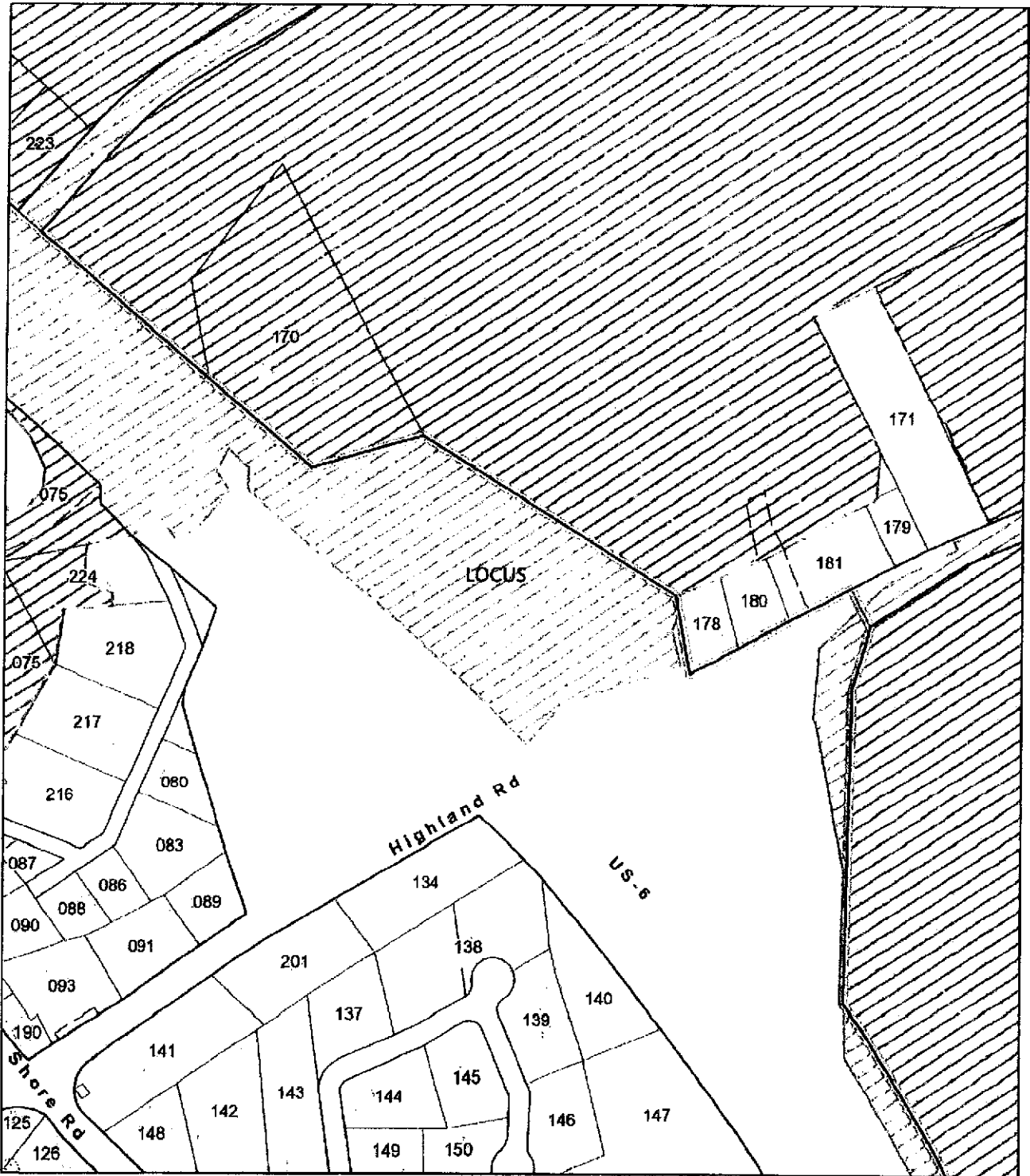


CAI Technologies  
Purveyors of the Past, Preservers of the Future

December 8, 2017

1 inch = 250 Feet

www.cai-tech.com

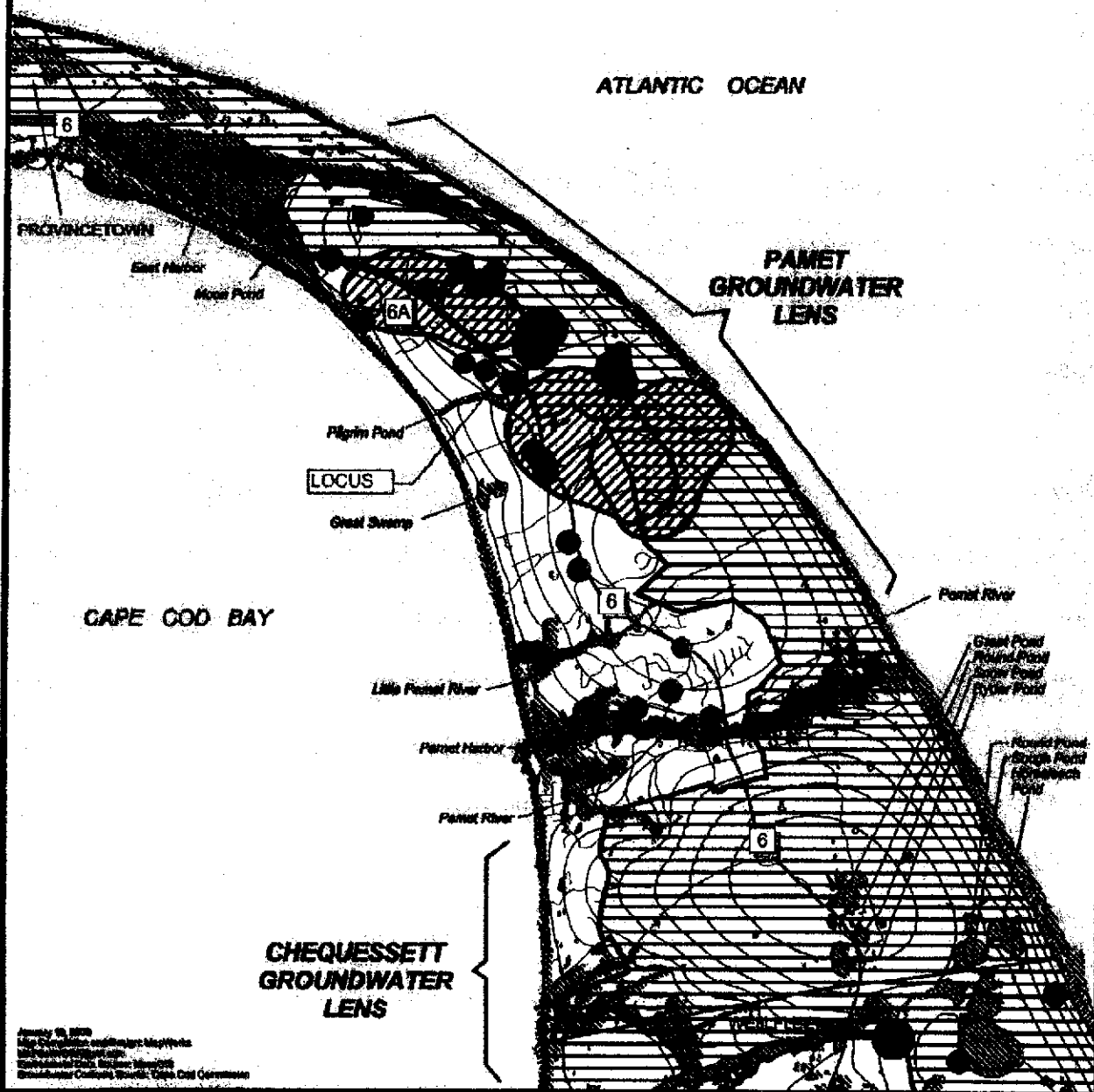


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




FIGURE 3



0 1 2 Miles



January 26, 2009  
 Map Commission and Major Map Users  
 Massachusetts Dept. of Environmental Protection  
 Massachusetts Dept. of Transportation  
 Massachusetts Dept. of Health Services  
 Massachusetts Dept. of Agriculture, Fisheries and Forestry

-  Water Supply Well
-  Zone 2 - Area of Contribution to Public Water Supply Well
-  Interim Well Head Protection Area
-  Approximate Depth to Groundwater (1 foot contour interval)
-  Wetlands
-  FEMA Flood Hazard Area V Zone
-  FEMA Flood Hazard Area A Zone
-  FEMA Q3 Flood Hazard Zone
-  200 Foot River Protection Act Buffer
-  Open Water
-  Outstanding Resource Waters (Watershed areas afforded protection under Massachusetts Surface Water Quality Standards of 1985)

**MAP 5 - WATER RESOURCES**  
 Town of Truro - 2009 Open Space and Recreation Plan

FIGURE 4

## John O'Reilly

---

**From:** Cody Salisbury <csalisbury@provincetown-ma.gov>  
**Sent:** Monday, December 11, 2017 10:28 AM  
**To:** John O'Reilly  
**Cc:** Richard Waldo  
**Subject:** RE: Truro Highland Road - Affordable Housing

Mr. O'Reilly –

Currently the closest distribution main is a 12" Transite main located on Shore Road, which is approximately 1,400' from the entrance to the parcel you provided, with (I assume) an additional 200'-250' necessary to be laid into the parcel. It would be necessary to loop the main in order to avoid a dead-end, presumably back to Old Firehouse Road. In terms of sizing, a hydraulic analysis must be performed in order to evaluate the projected demand and the required fire flow conditions by our consulting engineers at the expense of the applicant, however per MassDEP guidelines would be no less than 8" in order to serve fire protection. I am not authorized to allow the extension of the main, and must be approved by both Provincetown and Truro selectmen per the Inter-Municipal Agreement. Please feel free to call me with any questions.

Cody

### Cody J. Salisbury

Water Superintendent  
Provincetown Public Works – Water Dept.  
2 Mayflower St., Provincetown MA 02657  
[csalisbury@provincetown-ma.gov](mailto:csalisbury@provincetown-ma.gov)  
ph - 508.487.7064  
fax - 508.487.4675



TOWN OF PROVINCETOWN 400  
1-208-2886

**From:** John O'Reilly [mailto:joreilly@jmoreillyassoc.com]  
**Sent:** Friday, December 08, 2017 12:17 PM  
**To:** Cody Salisbury  
**Subject:** Truro Highland Road - Affordable Housing

Mr. Salisbury,

I am working with the Town of Truro and the Housing Authority regarding a parcel on Highland Road. The parcel was purchased by the Town from the MA State Highway department and sits adjacent to Route 6 and Highland Road. I have attached a map for your reference.

I am asking, on behalf of the Town as to the possibility of bring town water to the site in the Town's efforts to build affordable housing. At this stage in our feasibility review, we would like to know 1.) if it is at all possible to bring water to the site, 2.) where would the main be coming from (distance) and 3.) size of the main if you would know (minimum size, etc).

**Truro Zoning Bylaw Definition of "Street"  
and Referenced Design Standards**

**The following definition of Street is from the Truro Zoning Bylaw, § 10.4. Definitions**

Street. A public or private way which affords access to abutting property. For the purposes of this bylaw, the terms "street", "road", "way", and "road right-of-way" bear the same meaning. When a street(s) is to be used for lot frontage, the street(s) shall conform to the requirements of the Town of Truro Subdivision Regulations, Section IV, Design Standards, (b), (c), & (d) as they existed on January 1, 1989. Street(s) shall have a center line length in excess of 100 feet. For dead-end street(s), this distance shall be measured from the sideline of the layout of the road to be intersected to the opposite end of the layout of the turnaround cul-de-sac. Town of Truro paved street(s) that: (1) have a minimum layout width of 20 feet, (2) were created prior to January 1, 1989 and (3) were accepted by Truro Town Meeting, are exempt from the width requirements of the Town of Truro Subdivision Regulations, Section IV, Design Standards. These accepted public paved ways shall be deemed adequate as lot frontage for the issuance of building permits. The list of accepted Truro public paved ways is available from the Town of Truro Town Clerk upon request.

\*\*\*\*\*

**The following is the above referenced Town of Truro Subdivision Regulations, Section IV, Design Standards, (b), (c), & (d) as they existed on January 1, 1989:**

- (b) The minimum width of street right-of-ways shall be 40 feet.
- (c) Property lines at street intersections shall be rounded to provide for a curb radius of not less than 20 feet.
- (d) Dead-end streets shall be provided at the closed end with a turnaround having a property line diameter of at least 80 feet. When ways requiring turnarounds may be extended in future subdivisions, the Board may require only an area equal to the above requirement to be shown and marked "Reserved for Turning." Upon extension of the way through this turning area, the portions not included in the way shall revert to their respective lots.

## **Street Definitions – May 2020**

### **Brewster**

Street - A way which is dedicated or devoted to public use by legal mapping or by any other lawful procedure. A "street" includes all public ways, a way which the Town Clerk certifies is maintained and used as a public way, a way shown on a plan approved and endorsed in accordance with the rules and regulations governing subdivision of land in Brewster, Massachusetts, and a way having in the opinion of the Brewster Planning Board sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the proposed uses 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. [Amended 5-7-2012 ATM, Art. 23]

### **Chatham**

"Street" means a public way; or a private way established by a subdivision plan approved under the provisions of the Subdivision Control Law; or a way in existence when the Subdivision Control Law became effective in the Town which is determined by the Planning Board to have sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular and pedestrian traffic in relation to the proposed use of the land abutting hereto and for the installation of municipal services to serve such land and buildings erected or to be erected thereon. For the purpose of this Bylaw, the terms "STREET", "ROAD", and "WAY" bear the same meaning. (5/12/97 ATM)

### **Orleans**

Lot Frontage - The boundary of a lot coinciding with a street line if there are both rights of access and potential vehicular access across that boundary and the street either has been determined by the Planning Board to provide adequate access to the premises under the provisions of the Subdivision Control Law and the Orleans Subdivision Regulations or is shown on an approved definitive subdivision plan; measured continuously along one (1) street line between side lot lines or, in the case of corner lots, between one (1) side lot line and the midpoint of the corner radius. [Amended 5-6-1986 ATM, Art. 70]

### **Provincetown**

Street shall mean an accepted town way, or a way established by or maintained under county, state or federal authority, or a way established by a sub-division plan approved in accordance with the Sub-division Control Law, or a way determined by the Planning Board to have sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land, and for the installation of municipal services to serve such land and the building erected or to be erected thereon.

### **Wellfleet**

Street - A street or way other than a private way which meets the minimum requirements of the Planning Board as established in accordance with the provisions of Section 81L of Chapter 41 (Subdivision) of the General Law.

## **COVID-19 EMERGENCY RESPONSE: General Court Authorizes Postponement of Elections**

Along with the many other important challenges faced by cities and towns in response to the Covid-19 novel coronavirus, the majority of Massachusetts municipalities typically hold their annual elections and caucuses in March, April and May. Between the closing of public buildings, limited staffing of public offices and social distancing advisories, in many cases, the normal nomination and election processes have been paused. As previously detailed, there are typically only limited options for postponing an election for which the date has been set and/or nominations made, particularly if the date is set by special act, charter or bylaw. Many municipalities, therefore, have taken steps over the last few weeks to request special legislation authorizing the postponement of their election, and, in conjunction therewith, voted to postpone the same.

The General Court acted quickly to allow such postponement for the vast majority of municipalities with scheduled caucuses and elections. On March 23, 2020, both houses of the General Court approved, and Governor Baker signed, a new law authorizing the postponement of annual elections and caucuses, Chapter 45 of the Acts of 2020. The new law also authorizes special voter registration deadlines and voting options to address the possibility that the current public health crisis created by Covid-19 may not have abated completely this spring. We have summarized the highlights of the new law below. The new law will be applicable without any adjustments for communities whose elections are already well underway, with nominations and the time for filing objections already passed. For those communities with future filing deadlines, or who feel additional time is needed for circulation of nomination papers or the like, a follow-up court action or special act may still be necessary – for now, though, just one step at a time!

### ***Local Municipal Elections and Caucuses***

The new law applies to cities and towns that would otherwise hold a local caucus or election between March 23 and May 30, and authorizes the postponement to a date on or before June 30, 2020. The Select Board, City or Town Council, or Board of Voter Registrars (“Registrars”) are authorized to postpone the date of the election.

The act expressly provides that any elected official whose term would have expired on the original election date shall continue to serve in office until a successor is elected and qualified.

### ***Voter Registration***

To encourage voter participation, the last day to register to vote in a postponed election shall be 10 days (rather than 20 days) before the election. The Registrars shall conduct a registration session on that date for a minimum period of 2:00 - 4:00 p.m. and 7:00 - 8:00 p.m.

### ***Election Materials***

To avoid causing municipalities to have to reprint or reformat any election materials, the act provides that any election materials already prepared for the original election date, including official and absentee ballots, if any, shall be used for the postponed election “to the extent practicable.” For example, printed ballots with the original date printed on them shall be used and need not be reprinted. Moreover, the act provides that if new ballots are to be printed, they must be identical to that which would have been used for the regularly scheduled original election. The Elections Division has clarified that if ballots have not yet been printed, they may be printed with the new date once it is set. Further, if the ballot is finalized but no new election date has yet been established, the ballot may be printed as soon as possible (with the old date), so that voting by mail can commence.

### ***Absentee Ballots***

If any absentee ballots were cast before the election was postponed, such eligible ballots will be processed and counted at the postponed election in the usual manner. Note that if a voter who originally voted absentee would now like to vote in person at the polls, they may do so if their absentee has yet to be counted. To provide opportunity for the greatest number of people to be eligible to vote by absentee, the law specifically defines a voter that chooses not to vote in person at the election due to COVID-19 as “unable by reason of physical disability” to cast a vote.

### ***Early Voting by Mail***

A new “modified” early voting by mail provision was included in the legislation and will be applicable to all local elections this spring, not just elections that are postponed. Upon application, any voter may, through “any form of written communication”, file a request with the Clerk’s office to vote early by mail. There will be no “in person” early voting sessions, however. No special ballots need be printed. Instead, clerks may use absentee ballots (with the word “absentee” crossed out and the letters “EV” written on OR, if there is not a sufficient number of absentee ballots, then the same process can be followed for official ballots). Early and absentee ballots must be received before the close of the polls on the day of the election, and counted as they would be normally at the polling place.

### ***Special Elections for State Representative and State Senator***

In addition to addressing the timing of local elections, the Governor signed acts rescheduling special state elections to fill Senate and House vacancies, both originally scheduled on March 31, 2020, to the middle of May and June, respectively.

It is inevitable that court action or additional legislation will be needed to address various issues, including, for example, starting the election process over to allow for circulation and submission of nomination papers. We will continue to provide updates on any election related matters as the situation change.

Please contact Attorney Lauren F. Goldberg ([lgoldberg@k-plaw.com](mailto:lgoldberg@k-plaw.com)) or Brian W. Riley ([briley@k-plaw.com](mailto:briley@k-plaw.com)) at 617-556-0007 with any further questions concerning elections matters.

Disclaimer: This information is provided as a service by KP Law, P.C. This information is general in nature and does not, and is not intended to, constitute legal advice. Neither the provision nor receipt of this information creates an attorney-client relationship with KP Law, P.C. Whether to take any action based upon the information contained herein should be determined only after consultation with legal counsel.

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