

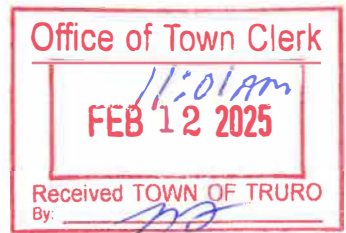


Truro Planning Board Agenda

Remote Zoom Meeting

Wednesday, February 19, 2025 – 5:00 pm

www.truro-ma.gov



Join the meeting from your computer, tablet or smartphone:

<https://us02web.zoom.us/j/88192369351>

Dial in: +1-646-931-3860

Meeting ID: 881 9236 9351 **Passcode: 599458**

Remote Meeting Access Instructions

Citizens can join the meeting to listen and provide public comment by entering the meeting link; clicking on the agenda's highlighted link; clicking on the meeting date in the Event Calendar; or by calling in toll free and entering the access code. Citizens will be muted upon entering the meeting until the public comment portion of the hearing. Citizens may also provide comment via postal mail; by emailing Liz Sturdy, Planning Department Assistant, at esturdy@truro-ma.gov, one week prior to the meeting; or may instead speak during the Public Comment portion of the hearing.

Public Comment Period

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

1. **Planner Report**
2. **Chair Report**

Minutes

- ◆ November 20, 2024
- ◆ December 4, 2024
- ◆ December 18, 2024
- ◆ January 8, 2025

Board Action/Review

2025-001/PB ANR – 5 Ryder Beach Way (Map 63, Lot 11). Ryder Beach Way Nominee Trust, Trs: Frederic D. Grant, Jr. Applicant seeks Board's endorsement of a plan as "Approval Not Required" under the Subdivision Control Law. *DEADLINE FOR BOARD ACTION – THIS MEETING*

Board Discussion/Action

- ◆ Lot Clearing
- ◆ Lot Coverage
- ◆ Climate Change
- ◆ Communication Towers
- ◆ Street Inventory List
- ◆ Temporary Sign Permits

Next Meeting: Wednesday, March 5, 2025 at 5:00 pm

Adjourn



TOWN OF TRURO

PLANNING BOARD

Meeting Minutes

November 20, 2024 – 5:00 pm

REMOTE PLANNING BOARD MEETING

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

Members Absent:

Other Participants: Town Planner/Land Use Counsel Barbara Carboni; Susan Dyer Lambert (Owner and Applicant); William R. Dyer (Owner and Applicant); Harriet J. Hobbs (Attorney for Susan Dyer Lambert and William R. Dyer – Owners and Applicants); J. Thaddeus Eldredge (East-SouthEast LLC – Representative for Susan Dyer Lambert and William R. Dyer – Owners and Applicants); Daniel Duarte (Abutter at 50 Old Kings Highway); Thomas Nadeau (Owner and Applicant); H. Wayne Klekamp (Owner of Adventure Bound Camping and Applicant); Mark Mariano (Oakhill Engineering and Representative of H. Wayne Klekamp); Robert Shingleton (Adventure Bound Camping and Representative of H. Wayne Klekamp); Martha Mason (Letter to Town Planner/Land Use Counsel Carboni re: Hortons Campground)

The remote meeting convened at 5:00 pm, Wednesday, November 20, 2024, by Chair Roberts who announced that this was a remote public meeting aired live on Truro TV Channel 8 and was being recorded. Town Planner/Land Use Counsel Carboni provided information as to how the public may call into the meeting or provide written comments. Members introduced themselves to the public.

Public Comment Period

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

Planner Report

Town Planner/Land Use Counsel Carboni reported that Planning Department Assistant Liz Sturdy will be out until early January 2025 so please manage your expectations.

Chair Report

Chair Roberts said that he had nothing to report but encouraged the public to view last night's Select Board meeting as the Select Board addressed the issue of how to reopen Longnook Beach.

Minutes

None

Board Action/Review (Continued)

2024-006/PB Preliminary Subdivision – 32 Union Field Road (Atlas Map 47, Parcel 21), Susan Dyer Lambert and William R. Dyer

Chair Roberts read aloud the public notice and recognized Mr. Eldredge who provided an update on this matter. Mr. Eldredge said that if the issue regarding the right of access can be resolved to the satisfaction with the parties the Dyers will seek to move forward with the waivers. Mr. Eldredge also noted as this was a preliminary with no commitments the Dyers would seek guidance from the Planning Board in order to move forward. Mr. Eldredge then presented the plan to the Members and the public.

The Members, Town Planner/Land Use Counsel Carboni, and Mr. Eldredge commented or discussed the following highlighted topics: KP Law was not able to render an opinion on this matter prior to the meeting due to the complexity of the issues; the issues and questions raised by the Abutters about the ownership of the area known as Union Field End and about rights to use that way to access the lot that is the subject of the Preliminary Subdivision Plan; these issues are not resolved by the Planning Board; regarding the Preliminary Subdivision Plan in front of the ZBA, the ZBA should consider the merits of the application and determine if the application satisfies the Subdivision Rules & Regulations and with or without waivers; these issues should not be resolved in the current forum but they should be resolved before a Definitive Subdivision Plan is filed; Union Field Road was previously a Proprietor's Road and was 40' wide and therefore was eligible for building permits along the road; as Union Field Road was never a Subdivision road it does not meet current Town safety rules; there are questions around the original Subdivision as Union Field End does not appear on the ground but on paper; the new proposed road needs a name and it appears that the road does not have a turnaround; Lot 1 restrictive easement; Lot 1 would be developed first; the issue of the turnaround listed as temporary on the plan and it would actually be a permanent turnaround; and Town regulations limit the maximum length of a dead end street at 1,000' and the proposed road and turnaround would add an additional 260' so it would be well over the maximum length.

Further discussion of the following highlighted topics continued with the Members, Town Planner/Land Use Counsel Carboni, and Mr. Eldredge: a list of submitted waivers but no further explanation as to the reasons for the waivers; the issue of Union Field End and what rights are granted to the interested parties prior to the Planning Board either approves or disapproves the Definitive Subdivision Plan; and the lack of information received by the Planning Board to grant any waivers.

Chair Roberts asked if anyone from the public wished to make a public comment and there were none.

The Members, Town Planner/Land Use Counsel Carboni, and Mr. Eldredge also discussed or commented on the following highlighted topics: the purpose of the Subdivision Control Law is to ensure compliance of existing ordinances, zoning bylaws, and regulations; the Members' responsibility to vote on the merits of the application ("yea" or "no") and that the issues of title and access will have to be resolved.

Chair Roberts then asked Mr. Eldredge is the Applicant would like to withdraw the application without prejudice and to allow the Applicant to revise the Preliminary Subdivision Plan. Mr. Eldredge replied in the affirmative.

Member Frazier made a motion to allow the Applicant to withdraw the application without prejudice. Vice Chair Greenbaum seconded the motion.

Roll Call Vote:

Vice Chair Greenbaum – Aye

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

2024-007/PB ANR-Thomas Nadeau seeks approval of Form A-Application for Determination that Plan Does Not Require Approval (ANR) pursuant to M.G.L. c. 41, s. 81 and Section 2.2 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at 102 Castle Road (Atlas Map 46, Parcel 361).

Chair Roberts read aloud the announcement and confirmed that all of the Members had visited the site. Town Planner/Land Use Counsel Carboni, prior to her departure from this meeting at 6 pm, advised that the Members must keep in mind that an ANR Plan is before them and the Members must decide if there is some workable access over a portion of Castle Road and not the entire length. Town Planner/Land Use Counsel Carboni also opined that the Applicant's seeking approval for a curb cut from the Select Board was not a consideration by the Planning Board.

The Members and Mr. Nadeau discussed or commented on the following highlighted topics: whether the Applicant had considered any of the other options presented at the last meeting and he stated that he had not due to the locations of a utility pole, manhole cover, and a catch basin; the adequacy of frontage on Castle Road; the access is passable; and Chair Roberts conducted an informal poll by the Members to see how many Members would endorse the ANR.

Vice Chair Greenbaum made a motion to endorse the ANR as submitted in the matter of 2024-007/PB ANR.

Member Kiernan seconded the motion.

Roll Call Vote:

Vice Chair Greenbaum – Aye
Member Townsend – Aye
Member Althaus – Aye
Member Frazier – Aye
Member Riemer - Abstained
Member Kiernan – Aye
Chair Roberts - Nay
So voted, 5-1-1, motion carries.

Public Hearing (Continued)

2024-001/SPR A/C Mobile Home Park Inc. (Hortons) – 67 South Highland Avenue and 10 Old Dewline Road (Atlas Map 37, Parcel 15, 19). Applicant seeks a Site Plan Review for construction of a Comfort Station on the upper area of Hortons Campground located in the Seashore District.

Chair Roberts read aloud the public notice and recognized Mr. Mariano and Mr. Shingleton who presented the Site Plan Review and provided an update.

The Members, Mr. Mariano, and Mr. Shingleton commented or discussed the following highlighted topics: requested items from the Members at the last meeting which were submitted to Town Planner/Land Use Counsel Carboni; viewed the photographs of the old building that was demolished; a review of the proposed work area; state law requirements for a campground that has 132 spots and the minimum amount of public toilet would be 8 for men and 8 for women with few exceptions such as the self-contained hookups; the proposed comfort station to replace the old one is not designed to support the entire campsite; MassDEP is part of the approval process due to the size of the campsite; the International Building Code and adherence to it; other comfort stations located on the site; Weston and Sampson designed the site; the question if the Board of Health would approve the proposed plan based upon its own assessment; Mr. Mariano stated the he had not yet received an email from Town Planner/Land Use Counsel Carboni that contained a letter from Ms. Martha Mason that expressed her concern about the inadequate number of shower stalls and toilets for women; and Mr. Shingleton noted that he had received an email from Town Planner/Land Use Counsel Carboni with Ms. Mason's letter and he stated that he appreciated the input from the public but that he had utilized this configuration at other sites and it provides the best experience for all guests.

Chair Roberts then asked if anyone else wished to comment and Chair Roberts recognized Mr. Klekamp who noted that his firm had been in contact with Health and Conservation Agent Emily Beebe regarding a different setup and that Health and Conservation Agent Beebe had replied that MassDEP would make the decision on that.

Members discussed the following highlighted topics: a suggestion that a condition for approval be that the Applicant receive the Board of Health's approval for the project; another suggested condition be that the plan should include the number of people to be served by the project; and the settlement agreement between the ZBA and Adventure Bound Camping and a review of the items in said agreement was not supported by the majority of the Members.

Members then developed and reviewed the final list of conditions to be included in the approval of the application:

1. A tabulation of the number of fixtures, stalls, and showers in the facility.
2. Confirmation of approval of the plan by the Board of Health or MassDEP for the facility and the fixture count.
3. Inclusion of the approved settlement agreement of the Town of Truro (ZBA) and Hortons in its entirety.
4. Notation that this approval only pertains to the comfort station and not to the balance of the Hortons Campground facility.
5. The design is for the number of primitive campsites (Upper Camping Area only) served by this comfort station as tabulated on the plan.

Member Althaus made a motion to approve the 2024-001/SPR A/C Mobile Home Park Inc. (Hortons) as per the stated conditions.

Vice Chair Greenbaum seconded the motion.

Roll Call Vote:

Vice Chair Greenbaum – Aye

Member Townsend – Aye

Member Althaus – Aye

Member Frazier – Aye

Member Riemer - Aye
Member Kiernan – Aye
Chair Roberts - Aye
So voted, 7-0-0, motion carries.

Board Discussion/Action

Updates on work for next year:

Chair Roberts led the discussion with the Members on this agenda item.

- Lot Clearing
 - Chair Roberts proposed that the Planning Board obtain the input of the Conservation Commission on the current draft as there may be redundancy with its current regulations. There were no objections.
- Lot Coverage
 - Vice Chair Greenbaum noted that there was no update since the last meeting.
- Climate Change
 - Member Riemer mentioned the report that was recently submitted to the Select Board regarding Longnook Road and the impact of climate change on access to the beach. Member Riemer emphasized the importance of collaboration with other boards and committees so information can be shared and bring something to be voted upon at Town Meeting.
- Street Inventory List:
 - Chair Roberts said that the second group list of streets has taken a bit more time to complete but it will be done shortly. There will be more discussion on this topic at the next meeting.

Next Meeting: Wednesday, December 4, 2024 at 5:00 pm. Chair Roberts reviewed the agenda items for that meeting.

Member Riemer asked if a covenant was included in the matter of **2024-006/PB Preliminary Subdivision** heard earlier this evening and Chair Roberts said that it was a good question and it should be confirmed.

Member Althaus made a motion to adjourn the meeting at 6:50 pm.

Vice Chair Greenbaum seconded the motion.

Roll Call Vote:

Vice Chair Greenbaum – Aye

Member Townsend – Aye

Member Althaus – Aye

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

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Alexander O. Powers". The signature is fluid and cursive, with a large initial "A" and a long, sweeping underline.

Alexander O. Powers
Board/Committee/Commission Support Staff



TOWN OF TRURO

PLANNING BOARD

Meeting Minutes

December 4, 2024 – 5:00 pm

REMOTE PLANNING BOARD MEETING

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

Members Absent: Ellery Althaus; Caitlin Townsend

Other Participants: Town Planner/Land Use Counsel Barbara Carboni

The remote meeting convened at 5:00 pm, Wednesday, December 4, 2024, by Chair Roberts who announced that this was a remote public meeting aired live on Truro TV Channel 8 and was being recorded. Town Planner/Land Use Counsel Carboni provided information as to how the public may call into the meeting or provide written comments. Members introduced themselves to the public.

Public Comment Period

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

Planner Report

Town Planner/Land Use Counsel Carboni reminded the Members to come to Town Hall and sign the 102 Castle Road ANR. The Applicant (Mr. Thomas Nadeau) has emailed Town Planner/Land Use Counsel Carboni asking for the status of the ANR so Members were asked to sign it soon. Town Planner/Land Use Counsel Carboni encouraged the Members and the public to watch the recordings of the Zoning Task Force meetings.

Chair Report

Chair Roberts said that he had nothing to report but also agreed with Town Planner/Land Use Counsel Carboni's encouragement to watch the recordings of the Zoning Task Force meetings.

Minutes

None

Board Discussion/Action

Chair Roberts announced that there would be a discussion and potential vote this evening on a proposal for a monthly meeting work session model.

Town Planner/Land Use Counsel Carboni then provided the background on the volume of work performed by Planning Department Assistant Liz Sturdy. During Planning Department Assistant Sturdy's current medical leave of absence, this has provided an opportunity for Town Planner/Land Use Counsel Carboni to review aspects of preparing Members' packets and consider more efficiencies to improve workflow related to hearings.

Town Planner/Land Use Counsel Carboni's proposed that the Planning Board go to a model where hearings (and continued hearings) are held once a month only and a second monthly meeting would be devoted to a work session. This would result in a dramatic reduction of administrative burden to the Planning Department and it would align the workload related to the ZBA.

Members and Town Planner/Land Use Counsel Carboni commented or discussed the following highlighted topics: statutory deadlines (except for ANRs) under which the ZBA conducts its business is the same as the Planning Board; potential timeline issues; hearing continuances; Open Meeting Law compliance; generally speaking, one week a month is for hearings and the other monthly meeting would be a meeting or a work session; the ZBA meets only once a month and conducts its duties in accordance with the statute; the proposed meeting model and how it would impact applicants and constituents; and ANRs could be considered during a work session.

Chair Roberts thanked Town Planner/Land Use Counsel Carboni for leading this discussion and noted that two Members were not present this evening so the discussion would continue to the next meeting. There were no objections and Members were encouraged to be prepared to discuss pros, cons, and how to address any potential issues. Chair Roberts said that this meeting model could also be implemented on a trial basis in order to assess it.

Updates on work for next year:

- Lot Clearing
 - Chair Roberts said that he had sent the current draft article to the Conservation Commission chair who responded that the Conservation Commission will review it and provide feedback.
- Lot Coverage
 - Vice Chair Greenbaum presented the 12.1.24 version of the potential bylaw. Vice Chair Greenbaum reviewed the why there was a need (why): support carbon sequestration (as found in the Local Comprehensive Plan), decrease runoff and contamination of water through runoff, maintain wildlife habitat, encourage contiguous habitat across properties, preserve "rural" character the look and feel of Truro as a Town is one of the huge selling points, protect and preserve groundwater quality, legal and moral obligation to provide Provincetown with water.
 - Reviewed the current definition of Lot Coverage and discussed any suggested edits. No change to the definition of Lot Coverage was made.
 - Reviewed the current definition of Naturalized Green Space and discussed any suggested edits.
 - Reviewed New Bylaw XXX and it shall apply only to the Residential District and the maximum log coverage shall be 20%.

- The minimum Naturalized Green Space in the Residential District shall be 60%.
- Vice Chair Greenbaum will put the potential bylaw in proper format and suggested a public forum for January 2025 to obtain the public's feedback.

Note: Town Planner/Land Use Counsel Carboni departed the meeting.

- Climate Change
 - Chair Roberts provided a summary of a response from Climate Action Committee (CAC) Chair Lili Flanders regarding the Low-Lying Roads recording from 2023. Chair Flanders suggested a meeting with the Planning Board, the Climate Action Committee, the Energy Committee, the Health and Conservation Agent, and the new Climate Coordinator in January 2025. Members expressed concern that such a meeting would be difficult to schedule with all interested parties prior to Town Meeting.
 - The importance of developing bylaws similar to Provincetown and Wellfleet addressing this important issue as Truro may be behind those two communities.
 - The suggestion to have a representative from each of the previously listed interested parties and form a working group to initially discuss.
 - Chair Roberts and Member Riemer will respond to CAC Chair Flanders' email.
 - Member Riemer encouraged individuals to view the Planning Board meeting from July 24, 2024 when Health and Conservation Agent Emily Beebe presented her priorities for the Town regarding climate change.
- Street Inventory List:
 - Chair Roberts reviewed a document that he created entitled "Street Inventory Spreadsheet Verification Project" (dated December 2024) and shared with the Members.
 - The review identified issues which were identified as: 1. Need for a standardized, written format for participants to use to report their findings; 2. Need to clarify with Member Kiernan the definition of "unavailable"; 3. Need to agreement that the width of a way is the typical row width (not including the turnaround or cul-de-sac if present) at the end of a dead-end street; 4. Completion of the project will require participation of all Planning Board members in the verification process and is not dependent upon the ATM schedule; 5. Completed spreadsheet must include disclaimers similar to those found on the Assessor's Office GIS system, cautioning the user that the database is provided as a convenience and warning the user to conduct their own deed research and noting that there are no assurances that the information therein is up to date or that the current legal status of any particular property is fully and correctly represented.
 - Disclaimer to be translated into legal verbiage by Town Planner/Land Use Counsel Carboni.
 - Chair Roberts reviewed the Proposed Schedule (first pass) and shared with the Members.
 - 330 streets remain to be verified.
 - The requirements for each Member (except for Member Kiernan) to serve on a 3-person team to review on group of 20 streets and the process to conduct the street verifications. This would result in each Planning Board member contributing about 2

hours per month for 10 months. Members agreed that this was reasonable and an interesting opportunity to complete.

- Chair Roberts will email the document to all the Members and further discuss at the next meeting, and hopefully, adopt it.

Next Meeting: Wednesday, December 18, 2024 at 5:00 pm.

Member Frazier made a motion to adjourn the meeting at 6:30 pm.

Vice Chair Greenbaum seconded the motion.

Roll Call Vote:

Vice Chair Greenbaum – Aye

Member Frazier – Aye

Member Riemer - Aye

Member Kiernan – Aye

Chair Roberts - Aye

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

Respectfully submitted,



Alexander O. Powers

Board/Committee/Commission Support Staff



TOWN OF TRURO

PLANNING BOARD

Meeting Minutes

December 18, 2024 – 5:00 pm

REMOTE PLANNING BOARD MEETING

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

Members Absent:

Other Participants: Town Planner/Land Use Counsel Barbara Carboni; John McElwee (Cape & Islands Engineering – Applicant)

The remote meeting convened at 5:00 pm, Wednesday, December 18, 2024, by Chair Roberts who announced that this was a remote public meeting aired live on Truro TV Channel 8 and was being recorded. Town Planner/Land Use Counsel Carboni provided information as to how the public may call into the meeting or provide written comments. Members introduced themselves to the public.

Public Comment Period

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

Planner Report

Town Planner/Land Use Counsel Carboni reported that the Zoning Task Force and the Ad Hoc Walsh Committee are tentatively planning to hold a joint meeting on January 6, 2025. More information to follow.

Chair Report

Chair Roberts said that during the Select Board's meeting on December 10, 2024 there were two topics of interest: Cloverleaf and the Walsh Property. Chair Roberts encouraged the public interested in those topics to view the video from the Select Board meeting.

Minutes

None

Note: Member Riemer announced that the Commonwealth of Massachusetts had released the initial list of 25 seasonal communities to include Truro. Member Riemer said that he would like to learn more about how this designation would benefit Truro and Chair Roberts said that the Members would discuss this topic further at the Planning Board's second meeting in January 2025.

Board Action

2024-008/PB ANR - 15 North Pamet Road, Map 51, Lot 13. Owners: Richard and Sonia McArdle. Applicants seek Board's endorsement of a plan as "Approval Not Required" under the Subdivision Control law. DEADLINE FOR BOARD ACTION – THIS MEETING

Chair Roberts read aloud the public notice and stated that the Members had to vote on this agenda item this evening. Chair Roberts asked if anyone was present to represent the Applicants and there was no reply. Town Planner/Land Use Counsel Carboni said that the Members still had to decide on this matter and noted that she had been in contact with the Applicants so she was surprised that the Applicants were not present this evening.

The Members and Town Planner/Land Use Counsel Carboni then reviewed the ANR Plan Endorsement Review Checklist.

Member Kiernan made a motion to endorse the plan as Approval Not Required.

Member Frazier seconded the motion.

Roll Call Vote:

Vice Chair Greenbaum – Aye

Member Townsend – Aye

Member Althaus - Aye

Member Frazier – Aye

Member Riemer - Abstained

Member Kiernan – Aye

Chair Roberts - Aye

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

Board Discussion/Action

Discussion and vote on proposal for monthly meeting/work session model:

Chair Roberts summarized the proposal by stating that the first meeting of each month would be for hearings and the second meeting of each month would be for accomplishing other Planning Board tasks and other business.

Town Planner/Land Use Counsel Carboni then provided an explanation as to the development of the proposal. Town Planner/Land Use Counsel Carboni noted that the volume of work performed by Planning Department Assistant Liz Sturdy was significant. During Planning Department Assistant Sturdy's current medical leave of absence, Town Planner/Land Use Counsel Carboni had the opportunity to review aspects of preparing Members' packets and consider more efficiencies to improve workflow related to hearings.

Town Planner/Land Use Counsel Carboni's proposed that the Planning Board go to a model where hearings (and continued hearings) are held once a month only and a second monthly meeting would be devoted to a work session. The adoption of this proposal would give the Members to focus on other Planning Board tasks (such as Bylaws) during the second meeting (work session) of the month.

Chair Roberts added that requested information from Applicants is usually incomplete with a continuance of two weeks and so a continuance of four weeks would be enough time for Applicants to submit all requested information.

*Note: Chair Roberts noted that Mr. McElwee had joined the meeting and informed Mr. McElwee that the ANR in the matter of **2024-008/PB ANR** was already endorsed by the Members by a vote of 6-0-1 this evening. Mr. McElwee apologized for his lateness and thanked the Members.*

Members and Town Planner/Land Use Counsel Carboni commented or discussed the following highlighted topics: statutory deadlines (except for ANRs) under which the ZBA conducts its business is the same as the Planning Board; proper notifications (early warning methodology) to reduce time-related issues to hear applications; suggestion that adoption of this proposal will improve the Applicant's preparedness and timely submission of documents to the Members; and implement the proposal on a six-month trial basis and then evaluate it to ensure that there are no unintended consequences as the Members expressed unanimous support for this proposal.

Chair Roberts then asked for a Roll Call Vote by the Members to adopt the proposed monthly meeting model ("work session" will be called "meeting" moving forward), as presented by Town Planner/Land Use Counsel Carboni, on a six-month trial basis and to then to be reviewed thereafter to determine if it will be continued.

Roll Call Vote:

Vice Chair Greenbaum – Aye

Member Townsend – Aye

Member Althaus - Aye

Member Frazier – Aye

Member Riemer - Aye

Member Kiernan – Aye

Chair Roberts - Aye

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

Updates on work for next year:

- Lot Clearing
 - Chair Roberts reported that there was a hold on the response from the Conservation Commission (due to a personal matter) with regard to the Lot Clearing Bylaw sent to the Conservation Commission for comment. Chair Roberts expressed hope that the Conservation Commission would provide a response by January 2025. No further update on this topic.
- Lot Coverage
 - Vice Chair Greenbaum said that she had no more changes to the document but suggested a 30-minute session to obtain community input on the draft for the second meeting in January 2025. Chair Roberts added it to the agenda for that meeting as there were no objections.

- Climate Change
 - Chair Roberts said that a working group would be established with stakeholders identified by Climate Action Committee Chair Lili Flanders such as the Planning Board, Board of Health (and other parties) to address the Floodplain Bylaw. The Climate Action Coordinator will start in January 2025.
 - Member Riemer reiterated that the Priority Action Plan was included in the Local Comprehensive Plan and noted the importance of FEMA's Federal Insurance Rate Map (FIRM). Member Riemer said that there should be an establishment of a coastal resiliency zone so Truro would be better prepared in the future.
 - Member Althaus noted the challenges associated with strict regulations and the impact on small business owners who want to open or renovate their businesses which may not be feasible. This may result in more residences than businesses which may not be the desired outcome.
 - Member Kiernan said that speaking about climate change will help that people will know, understand, and vote in favor of supporting pro-active measures addressing climate change. This will be beneficial.
 - Member Riemer noted that the Cape Cod Commission's position on redevelopment in flood prone areas is to incorporate resiliency measures that will protect any potential redevelopment. Member Riemer also said that Provincetown's DPW is very pro-active in holding back the tide in inundation zones particularly in repetitive flood areas.
 - Chair Roberts concurred with Member Riemer and noted that any plan should include conversations with neighboring communities such as Provincetown.
 - Town Planner/Land Use Counsel Carboni noted that the Zoning Bylaw had been amended within the last couple of years and that residents may ask why it is no longer adequate to address climate change. Members may want to anticipate that this will be a question at Town Meeting so Members would be in a better position to persuade the Town voters to support Planning Board efforts regarding climate change.
 - Chair Roberts responded that the issue has merit and that any previous Bylaw can be enhanced. Chair Roberts added that collaboration with Climate Action Committee and the Board of Health, and other Town authorities, would be helpful to move forward.

- Street Inventory List:
 - Chair Roberts reviewed a document that he created entitled "Street Inventory Spreadsheet Verification Project" (dated December 2024) and summarized what had been discussed at the last meeting.
 - Chair Roberts said that he would like the Members to vote on this process and move forward with the participation of the six Members (not including Member Kiernan). Members expressed unanimous support for Chair Roberts' verification process so there was no Roll Call Vote.
 - Chair Roberts and the Members reviewed the next two groups of streets to be verified and assigned Members to the two teams.
 - The two teams will commence street verifications in January 2025.
 - Teams are Group #3 (Member Althaus-Team Leader, Vice Chair Greenbaum, and Member Riemer) and Group #4 (Chair Roberts-Team Leader, Member Townsend, and Member Frazier).

Next Meeting: Wednesday, January 8, 2025 at 5:00 pm.

Town Planner/Land Use Counsel Carboni noted that Planning Department Assistant Liz Sturdy should return to the office in early January 2025.

Chair Roberts announced that Truro's designation as a seasonal community by the Commonwealth of Massachusetts and the Affordable Homes Act would be added to the Planning Board's agenda for the meeting on January 22, 2025.

Member Frazier made a motion to adjourn the meeting at 6:12 pm.

Vice Chair Greenbaum seconded the motion.

Roll Call Vote:

Vice Chair Greenbaum – Aye

Member Townsend – Aye

Member Althaus - Aye

Member Frazier – Aye

Member Riemer - Aye

Member Kiernan – Aye

Chair Roberts - Aye

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

Respectfully submitted,

A handwritten signature in dark ink, appearing to read "Alexander O. Powers", with a stylized flourish at the end.

Alexander O. Powers

Board/Committee/Commission Support Staff



TOWN OF TRURO

PLANNING BOARD

Meeting Minutes

January 8, 2025 – 5:00 pm

REMOTE PLANNING BOARD MEETING

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

Members Absent:

Other Participants: Town Planner/Land Use Counsel Barbara Carboni

The remote meeting convened at 5:00 pm, Wednesday, January 8, 2025, by Chair Roberts who announced that this was a remote public meeting aired live on Truro TV Channel 8 and was being recorded. Chair Roberts provided information as to how the public may call into the meeting or provide written comments. Members introduced themselves to the public.

Public Comment Period

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

Planner Report

Town Planner/Land Use Counsel Carboni reported that Planning Department Assistant Liz Sturdy has returned to the office today. Members are requested to sign an ANR at Planning Department Assistant Sturdy's desk. The Zoning Task Force and the Ad Hoc Walsh Committee held a joint meeting on January 6, 2025 and the video of the meeting is posted on the Town's website so that may be of interest to members of the community. Another joint (hybrid) meeting of the Zoning Task Force and the Ad Hoc Walsh Committee will occur on January 27, 2025 at 11 am in the Select Board chambers.

Chair Report

Chair Roberts said that the ANR to be signed by the Members is for 15 North Pamet Road.

Chair Roberts asked Vice Chair Greenbaum if she would like to comment on the Zoning Task Force and Ad Hoc Walsh Committee joint meeting and Vice Chair Greenbaum provided a brief update to the Members to include the creation of Overlay Districts in several areas including the Walsh Property, Truro Motor Inn area, Highland Road, and Shore Road area in North Truro. The Overlay Districts would change Zoning in certain ways to allow for more housing (multi-use) and at the same time protect the environment and preserve the rural character of Truro. Member Althaus also commented on the progress of the Zoning Task Force's work.

Minutes - None

Board Discussion/Action

- Lot Clearing

- Chair Roberts reported that Conservation Commission Chair Carol Girard-Irwin had provided feedback on the Lot Clearing Bylaw and noted that the Conservation Commission has added the topic as an agenda item for its meeting in February 2025. The Conservation Commission will attempt to shorten the bylaw and remove any redundancies. There will be no further update until after the Conservation Commission's meeting in February.
- Lot Coverage

Note: Vice Chair Greenbaum corrected the date for the next joint meeting of the Zoning Task Force and the Ad Hoc Walsh Committee and noted that the actual date is Monday, February 3, 2025 at 11 am.

- Vice Chair Greenbaum reviewed with the Members a document entitled "Lot Coverage Bylaw Working Version" (dated 1/2/2025) including the why (purpose), definitions, and the New Bylaw XXX.
- Vice Chair Greenbaum reiterated the need to have a public forum soon so community members could provide input on the potential Lot Coverage Bylaw.
- Why (Purpose) Section:
 - Chair Roberts noted that the development of a townwide public water supply, if possible, would be a huge expense for the Town.
 - Member Riemer commented that one of the Select Board's goals was "Environmental Stewardship" and suggested that it be included in the purpose and or the comments section of the potential bylaw. There were no objections.
- Definitions Section:
 - Lot Coverage – current definition unchanged.
 - Naturalized Green Space (NGS) – the Members discussed verbiage addition or removal from the current NGS definition and agreed on the following working draft definition: ***"the minimum percentage of the lot that DOES NOT require watering, irrigation, or fertilizing. This shall consist of either existing trees, bushes, underbrush, plants, grasses, etc. or native species."***
- New Bylaw XXX Section:
 - ***The bylaw shall apply to the Residential District lots of 33,750 square feet or more. Municipal properties and lots designated as farms in the Truro Assessor's database are exempt. New construction and increase in lot coverage on lots with existing homes as triggers. To support the reasons listed above, this bylaw limits the amount of Lot Coverage and places a minimum percentage of the lot that shall be "Naturalized Green Space."***
 - ***The maximum Lot Coverage in the Residential District shall be 20%.***
 - ***The minimum Naturalized Green Space in the Residential District shall be 60%.***
 - Members also discussed consideration of situations where small businesses may apply for variances in the Residential District and whether those situations would be grandfathered in (new construction, change in ownership, and major renovation).
- Background Information Section:
 - The information provided included maximum Lot Coverage in other Cape Cod towns, examples of impervious structures and improvements, and Naturalized Green Space requirements in other Cape Cod towns.

Chair Roberts announced that there would be a public forum at the next Planning Board meeting to obtain community feedback.

- Climate Change
 - Chair Roberts announced that Climate Action Committee Chair Lili Flanders said that the newly-hired Climate Action Coordinator, Chris Palmer, will start on January 15, 2025 and his office will be located at Town Hall.
 - The Planning Board looks forward to working with the Climate Action Coordinator regarding the Enhanced Floodplain Overlay District that is being developed with the Climate Action Committee and other interested parties.
- Communications Towers
 - Chair Roberts led the review of the Draft (dated 1-3-25 Rev 2) – Communications Structures – Proposed Changes to §40.5.B.3.
 - Chair Roberts highlighted the Existing Language of the document and reviewed a suggested edit.
 - Chair Roberts and the Members discussed the Proposed Revised Language of the document. The revised language is in accordance with the Massachusetts State Building Code 780 CMR (latest edition) and is focused only on the tower structure.
 - The Tenth Edition of 780 CMR references the following updated standards: IBC 2021, ASCE 7-16 and TIA-222H.
 - Chair Roberts also reviewed the Commentary on the Proposed Changes of the document to include the communications tower at the Truro Transfer Station.
 - Member Kiernan noted that since 1999, all 9-1-1 calls in Truro come in by cell tower and both cell towers in Truro are necessary and sole source for obtaining help.
 - Chair Roberts will review the Risk Factor (or Structure Class) and provide recommendations to the Members.
 - Member Riemer noted the recommended change by Chair Roberts that “an updated structural rating analysis stamped by a registered professional structural engineer licensed in the Commonwealth of Massachusetts.”
 - Members expressed their support and appreciation for Chair Roberts’ efforts in creating and working on this topic.
- Street Inventory List:
 - Chair Roberts led the discussion with the Members on the Street Inventory List and shared feedback that he had received.
 - Chair Roberts noted that there are several examples of easements in Truro which are named after family members (for example, Aunt Mary Way or Aunt Sally Way) but are not listed in the Barnstable County Registry of Deeds. These are under review as a special case. Member Kiernan noted that in 1992, for Truro to join the 9-1-1 service, each lot in Truro had to have a street and a number on that street. Member Kiernan added that these were not registered with Barnstable County as they were put together by a committee so Truro could join the 9-1-1 service.
 - The challenge of determining road surface and it was agreed upon that a physical verification by a Member had to be conducted.
 - Vice Chair Greenbaum noted that last month it took her about 4-5 hours to work on the street inventory project rather than the projected 2 hours per month. More data will be collected next month to analyze the amount of time to complete the project. Member Kiernan suggested do the easier streets earlier, hold on the more difficult streets, and

then return to the more difficult streets. Member Kiernan added that he may be able to help with the more difficult streets.

- Chair Roberts reviewed the Street Inventory database with the Members and noted some of the challenges verifying streets and associated plans that were created 100 years ago. Member Kiernan cited the example of Anna M. Young who had John Dyer (who worked for Truro) to draw up a map in 1931 without a survey but it was registered in Truro. Member Kiernan noted that this happened very frequently.
- Vice Chair Greenbaum added that she had several examples of unnamed roads in the Barnstable County Registry of Deeds yet was able to cross reference the names of roads with property information contained in the Assessor's Office.
- Members agreed to identify unique situations mentioned above and move on with the easier verifications. At some point, the Members will review these unique situations and consider solutions for verification.
- Chair Roberts also discussed the challenges of TUB entries (for example, Chickadee Lane) and Member Kiernan noted that there were only about 6 of these entries. Member Kiernan offered to help anyone who had difficulty with these entries.

Next Meeting: Wednesday, January 22, 2025 at 5:00 pm.

Chair Roberts noted that Planning Department Assistant Sturdy had returned and the first meeting in January 2025 would be for hearings only in accordance with the new process. Town Planner/Land Use Counsel Carboni noted that videography support for the second meetings of each month has been cancelled and this only eliminates the live streaming. ***There will still be a video recording of each meeting and live streaming will continue for the first meeting of each month.***

Town Planner/Land Use Counsel Carboni confirmed with Vice Chair Greenbaum that she will coordinate with Town staff to publicize the public forum scheduled for the next meeting.

Member Frazier made a motion to adjourn the meeting at 6:52 pm.

Vice Chair Greenbaum seconded the motion.

Roll Call Vote:

Vice Chair Greenbaum – Aye

Member Townsend – Aye

Member Althaus - Aye

Member Frazier – Aye

Member Riemer - Aye

Member Kiernan – Aye

Chair Roberts - Aye

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

Respectfully submitted,



Alexander O. Powers

Board/Committee/Commission Support Staff

From: [Emily Beebe](#)
To: [Barbara Carboni](#); [Elizabeth Sturdy](#)
Subject: comments for PB- ANR 5 Ryder Beach Way
Date: Wednesday, February 19, 2025 9:58:38 AM

Good Morning,

Regarding the ANR plan filed for your approval:

5 Ryder Beach Road was the subject of a Board of Health review in 2022.

The parcel is located within the Bound Brook system and appears to be within Riverfront, it is located within the FEMA A-zone, and therefore has a Coastal Bank associated with it.

The Board was presented with a preliminary septic system design plan for a 3 BR dwelling. The Board took no action on the preliminary plan and requested more information from the designer.

A final plan was not filed, and there are no permit applications pending with either the Board of Health or the Conservation Commission.

Thank you for the opportunity to provide comment.

Sincerely,,
Emily Beebe

Emily Beebe, RS
Truro Health & Conservation Agent
24 Town Hall Road
Truro, MA 02666



Town of Truro Planning Board

P.O. Box 2030, Truro, MA 02666

FORM A

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

To the Planning Board of the Town of Truro, MA

Date 1/16/25

The undersigned owners of all the land described herein submitted the accompanying plan entitled:
Plan of Land #5 Ryder Beach Way Truro, MA... and dated December 30, 2024, requests a
determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required.

Property Location: 5 Ryder Beach Way Map(s) and Parcel(s): 63-11

Number of Lots Created: 3 Total Land Area: 46,500 sf

The owner's title to said land is derived under deed from Striar Family LLC,
dated 12/18/23, and recorded in the Barnstable Registry of Deeds Book and Page Book 36141 pg 60 or
Land Court Certificate of Title No. _____ registered in Barnstable County.

The undersigned believes that such approval is not required for the following reasons: *(check as appropriate)*

- ☐ The accompanying plan is not a subdivision because the plan does not show a division of land.
- ☐ The division of the tract of land shown on the accompanying plan is not a subdivision because every lot shown on the plan has frontage of at least such distance as is presently required by the Truro Zoning Bylaw under Section 50.1(A) which requires 150 feet for erection of a building on such lot; and every lot shown on the plan has such frontage on:
- ☐ a public way or way which the Town Clerk certifies is maintained and used as a public way, namely _____, or
- ☐ a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, namely _____ on _____ and subject to the following conditions _____; or
- ☐ a private way in existence on December 8, 1955, the date when the subdivision control law became effective in the Town of Truro having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely _____.
- ☐ The division of the tract of land shown on the accompanying plan is not a "subdivision" because it shows a proposed conveyance/other instrument, namely _____ which adds to/takes away from/changes the size and shape of, lots in such a manner that no lot affected is left without frontage as required by the Truro Zoning Bylaw under Section 50.1(A), which requires 150 feet.

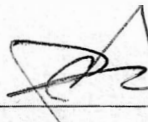
- ☐ The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings, specifically _____ buildings were standing on the property prior to December 8, 1955, the date when the subdivision control law went into effect in the Town of Truro and one of such buildings remains standing on each of the lots/said buildings as shown and located on the accompanying plan. Evidence of the existence of such buildings prior to the effective date of the subdivision control law as follows:

- ☒ Other reasons or comments: (See M.G. L., c.41, §81-L)

The division of the tract of land shown on the accompanying plan is not a subdivision because the three lots are unbuildable and are to be conveyed to the abutters

All other information as required in the Rules and Regulations Governing Subdivisions of Land shall be submitted as part of the application.

RYDER BEACH WAY NOMINEE TRUST
(Printed Name of Owner)

By  TRUSTEE
(Signature)
FREDERICK P. GRANT, JR., ITS TRUSTEE


(Printed Name of Owner)

(Signature)

6 RYDER HOLLOW RD., P.O.B. 1127, TRURO
(Address of Owner(s)) 02666

(Address of Owner(s))

DEAN T. PAUL
(Printed Name of Agent)


(Signature)

1 INDEPENDENCE WAY BRISTOL MA 02631
(Address of Agent)

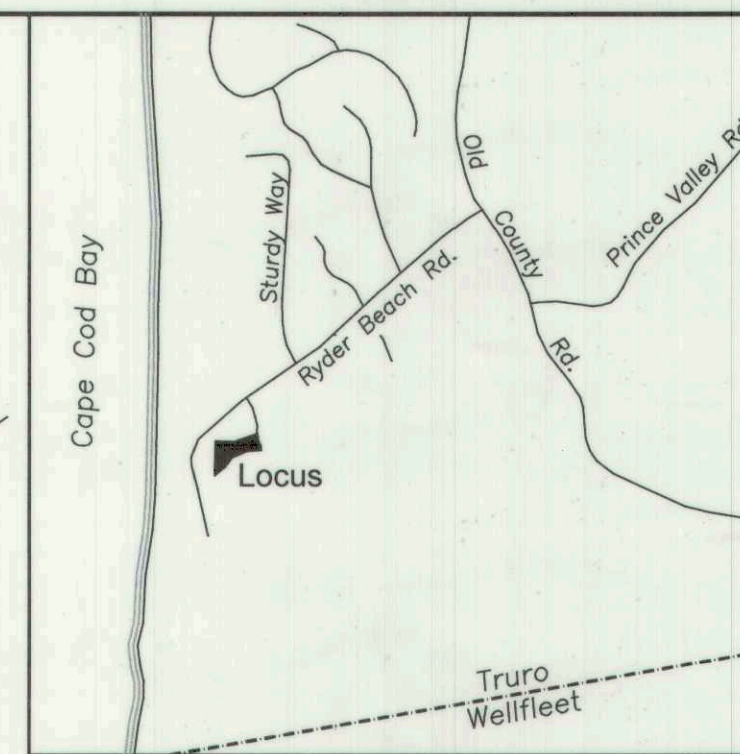
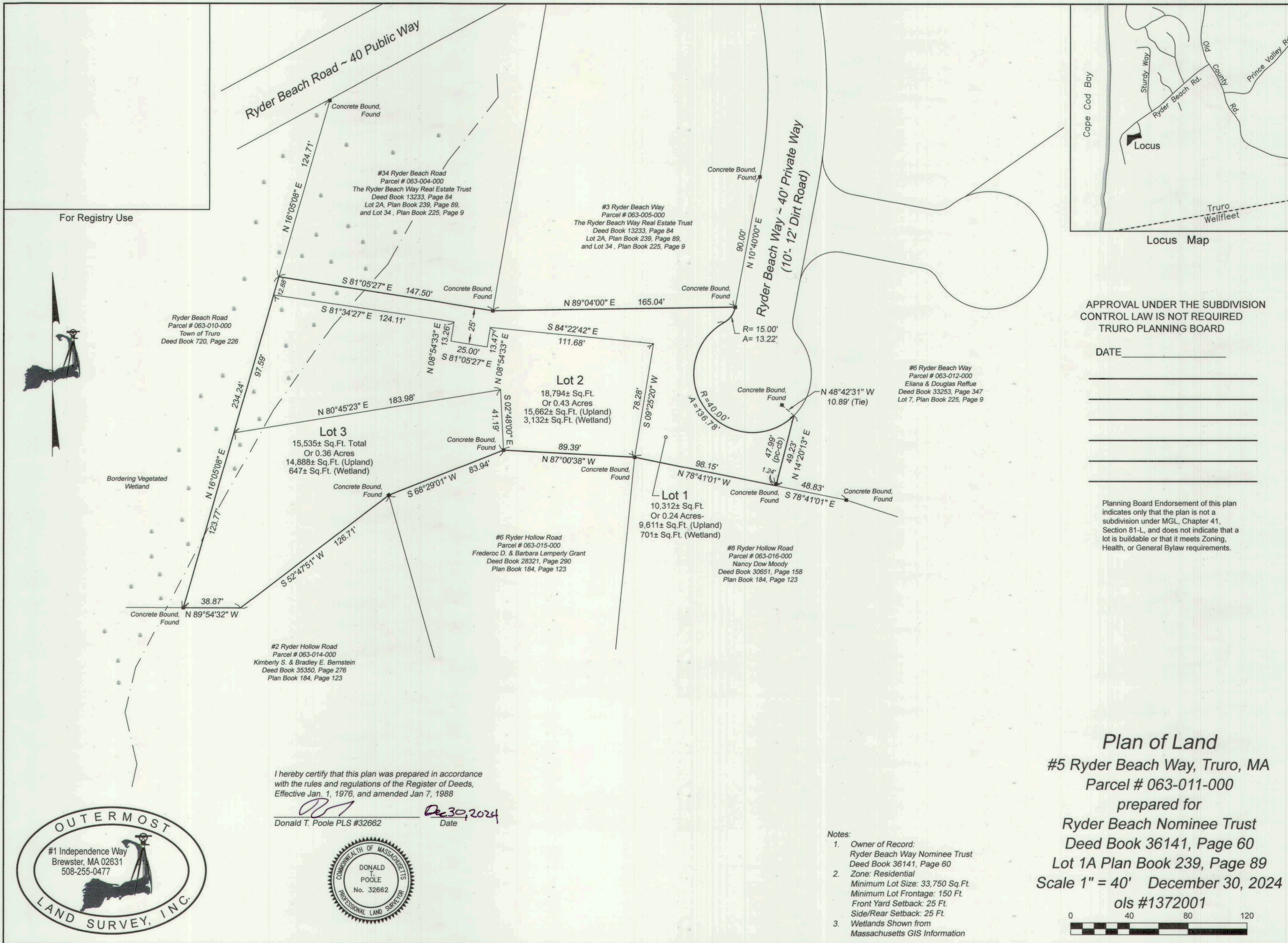
File ten (10) copies each of this form and applicable plan(s) with the Town Clerk; and a complete copy, including all plans and attachments, submitted electronically to the Planning Department Assistant at esturdy@truro-ma.gov

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

Address: <u>5 Ryder Beach Way</u>		Applicant Name: <u>Frederic Grant</u>		Date: <u>2/6/24</u>	
No.	Requirement	Included	Not Included	Explanation, if needed	
2.2.2 Submission Requirements					
Any person may submit a plan seeking endorsement that the plan does not require approval under the Subdivision Control Law by providing the Board with the following:					
a.	A properly executed application for Approval Not Required Endorsement (Form A).	✓			
b.	Ten (10) paper prints of the plan. Said plan shall be prepared in such a manner as to meet the Registry of Deeds and/or Land Court requirements for recording and shall contain the following information:	✓			
b.1	The boundaries, area, frontage and dimensions of the lot or lots for which ANR endorsement is sought.	✓			
b.2	The date of the plan, scale, north arrow and assessor's map and parcel number of all land shown on the plan and directly abutting the land shown on the plan.	✓			
b.3	The name(s) of the owner(s) of record of the lots shown on the plan and of the applicant, together with the name, address seal and signature of the land surveyor who prepared the plan.	✓			
b.4	Relevant zoning classification data.	✓			
b.5	A locus plan containing sufficient information to locate the land and showing streets bounding or providing access to the property.	✓			
b.6	The name(s) of the way(s) on which the lots front, information as to ownership of the way(s) and the physical condition of the way(s) including actual width, surface type and condition.	✓			
b.7	The location and dimension of any natural features which might affect the use of the frontage for access.	✓			
b.8	The location, including setbacks to all lot lines, of all buildings and other structures on the proposed ANR lots shown on the plan.		✓	N/A	
b.9	The location of any wetland on the land shown on the plan or within one hundred (100) feet of its boundaries.	✓			
b.10	The location of all bounds and easements on the proposed ANR lots shown on the plan.	✓			

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

Address: <u>5 Ryder Beach Way</u> Applicant Name: <u>Frederic Grant</u> Date: _____				
No.	Requirement	Included	Not Included	Explanation, if needed
b.11	The statement "Approval under the Subdivision Control Law Not Required", and sufficient space for the date of the application submittal and the date of endorsement, docket number and the signatures of all Board members.	✓		
b.12	The statement "Planning Board endorsement of this plan indicates only that the plan is not a subdivision under MGL, Chapter 41, Section 81-L and does not indicate that a lot is buildable or that it meets Zoning, Health or General Bylaw requirements."	✓		



APPROVAL UNDER THE SUBDIVISION
CONTROL LAW IS NOT REQUIRED
TRURO PLANNING BOARD

DATE _____

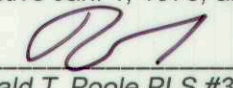
Planning Board Endorsement of this plan
indicates only that the plan is not a
subdivision under MGL, Chapter 41,
Section 81-L, and does not indicate that a
lot is buildable or that it meets Zoning,
Health, or General Bylaw requirements.

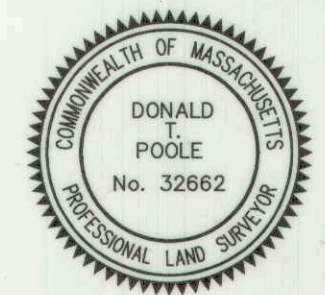
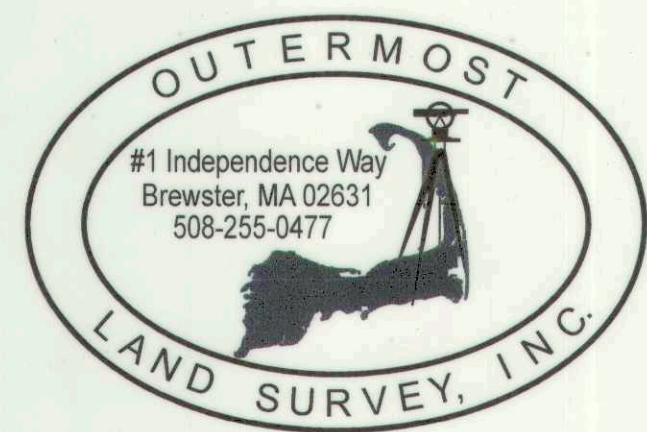
Plan of Land
#5 Ryder Beach Way, Truro, MA
Parcel # 063-011-000
prepared for
Ryder Beach Nominee Trust
Deed Book 36141, Page 60
Lot 1A Plan Book 239, Page 89
Scale 1" = 40' December 30, 2024
ols #1372001

0 40 80 120

- Notes:
- Owner of Record:
Ryder Beach Way Nominee Trust
Deed Book 36141, Page 60
 - Zone: Residential
Minimum Lot Size: 33,750 Sq.Ft.
Minimum Lot Frontage: 150 Ft.
Front Yard Setback: 25 Ft.
Side/Rear Setback: 25 Ft.
 - Wetlands Shown from
Massachusetts GIS Information

I hereby certify that this plan was prepared in accordance
with the rules and regulations of the Register of Deeds,
Effective Jan. 1, 1976, and amended Jan 7, 1988

 **Dec 30, 2024**
Donald T. Poole PLS #32662 Date



Changes made by working group 2-10-25 accepted in this version.

§ 30.11 Lot Clearing

A. Purpose: The purposes of this bylaw are to:

1. Protect the health, safety and property of the residents of the Town of Truro by regulating clearing and grading activities.;
2. Limit land clearing and alteration of natural topography prior to development;
3. Protect water quality of wetlands and adjacent wetlands, surface water bodies and our aquifers;
4. Insure that lot development activities comply with the Wetlands Protection Act and the Clean Water Protection Act;
5. Promote land development and site planning practices that are responsive to the town's scenic character.

B. Definitions:

1. Best Management Practices. (BMPs) - A technique recognized to be the most effective and practical means to prevent and reduce pollutants. BMPs should be compatible with the productive use of the resource to which they are applied.
2. Clean Fill. – Compactable granular soils (sand, stone, rock) or inert ground concrete free of oils, organics, PCBs, PFAs or other contaminants hazardous to humans or the environment.
3. Clearing. – To physically remove vegetation or unwanted structures or objects from a lot.
4. Filling. - The act of placing (by any manner or mechanism) material over any preexisting soil surface or natural vegetation.
5. Grading. - Any excavating, filling, clearing, or the creation of impervious surface, or any combination thereof, which alters the existing surface of the land.
6. Site Alteration Special Permit. - A special permit issued by the Planning Board authorizing land clearing and grading activities in the town of Truro.
7. Understory vegetation. - Small trees, shrubs, and groundcover plants, growing beneath and shaded by the canopy of trees.

C. Applicability: Meeting or exceeding the following threshold limits shall not be permitted without first obtaining a Site Alteration Special Permit from the Planning Board, unless specifically exempted under Section E of this bylaw.

1. Clearing or grading activities of an area greater than 2,277 square feet.

Commented [RR1]: Highlighted values are placeholders only and are subject to further review. Hold on lot area impacted until input is received from Public Hearing

2. Importing, exporting or moving more than 50 cubic yards of fill materials from or to the site.

D. Review and Decision: Upon receipt of a completed application and required plans as described in Section F below, the Planning Board shall transmit one copy each to the Health Agent, Building Inspector, and Department of Public Works, nine (9) copies to the Conservation Commission and seven (7) copies to the Board of Health. Each department head and chair shall respond to the Planning Board with comments within 45 days. The Planning Board shall act on applications according to the procedure specified in G.L. c. 40A, §9.

E. Exemptions: The provisions of this bylaw shall not apply to the following activities:

1. Agricultural activities in existence at the time this bylaw is adopted, work conducted in accordance with an approved Natural Resource Conservation Service Agricultural Plan or pre-existing agricultural uses on parcels of land of more than five acres as specified in MGL c. 40A Section 3.
2. Non-commercial cutting for fuel, provided that the limitations enumerated in paragraph C.1 above are not exceeded.

F. Application Requirements: Unless determined otherwise by the Planning Board the following submittals are required at the time of application:

1. Submission of a locus map at a scale of 1" = 500' showing the proposed site in relation to the surrounding area.
2. Submission of a plan at a scale of 1" = 40' of the project site showing existing and proposed contour lines at intervals of not more than 2 feet prepared by a registered civil engineer or land surveyor.
3. Soil survey or soil logs indicating predominant soil types on the project site, including information on erosion potential from the Natural Resources Conservation Service.
4. Delineation of all bodies of water, including wetlands, vernal pools, streams, ponds, and coastal waters within 100 feet of the project site/limit of work and delineation of the 100-year floodplain.
5. Submission of a plan at a scale of 1" = 40' indicating the limit of work. The limit of work shall include all building, parking, and vehicular use areas, and any grading associated with the proposed development. The plan or accompanying narrative shall document the extents of vegetation to be removed or relocated within the project area.
6. Construction schedule which describes the timing of vegetation removal, transplanting or replacement in relation to other construction activities.
7. Plans and/or description of Best Management Practices to be employed in clearing of the project site.
8. Submission of an erosion and sedimentation control plan at a scale of 1" = 40'. This

plan shall include BMPs for erosion and sediment control (vegetative and/or structural) to prevent surface water from eroding cut and fill side slopes, road shoulders and other areas and measures to avoid sedimentation of nearby wetlands and ponds and to protect all adjacent lots from any adverse effects. The following information shall be submitted on erosion control and sedimentation plans submitted with the project application:

9. Plans and details of any sediment and erosion control structure(s) drawn at a scale of 1" = 40', with details at larger scales as appropriate, to include but not be limited to:
 - a. scale
 - b. Spillway designs showing calculations and profiles
 - c. Notes and construction specifications
 - d. Type of sediment trap
 - e. Drainage area to any sediment trap
 - f. Volume of storage required
 - g. Outlet length or pipe sizes
11. A description of the sequence of construction activities which specifies the time frame for soil stabilization and completion and any necessary winter stabilization measures.
12. Identification of the source and estimated quantity of all fill materials proposed to be placed on the site, including certification that any such materials meet the definition of "Clean Fill" per Section B above.
13. Identification and classification of any existing on-site soils or fill materials to be excavated or removed from the site, including estimated quantities and final disposition.
14. A Statement of Need outlining in narrative form the reason or justification for requesting the Site Alteration Special Permit.

G. Review Standards:

1. The applicant shall demonstrate that the following measures are employed in development of the site:
2. Minimize site alteration/land clearing:
 - a. Site/building design shall preserve natural topography of the development to reduce unnecessary land disturbance and to preserve natural drainage channels on the site.
 - b. Clearing of vegetation and alteration of topography shall be limited to the following maximum percentages of the site, per the table below. Disturbed areas replanted

with native vegetation may be considered to be uncleared.

Land Use	% Clearing Allowed
Agriculture (where permitted)	80%
Residential District	40%
Seashore District	25%
Commercial and Beach Point Districts	70%

- c. Clearing for utility trenching shall be limited to the minimum area necessary to maneuver a backhoe or other construction equipment. **Roots should be cut cleanly rather than pulled or ripped out during utility trenching.**
- d. Sites shall be designed in such a way as to maintain contiguous forested areas.
- e. In the design of a development, priority shall be given to retention of existing stands of trees, trees at the site perimeter, contiguous vegetation with adjacent sites (particularly existing sites protected through conservation restrictions).
- f. Understory vegetation beneath the dripline of preserved trees shall also be retained in an undisturbed state. During clearing and/or construction activities, all vegetation to be retained shall be surrounded by temporary protective fencing or other measures before any clearing or grading occurs, and maintained until all construction work is completed, the site is cleaned up and until all vegetation and ground is stabilized and there is no further threat of erosion. Barriers shall be large enough to encompass the essential root zone of all vegetation to be protected. All vegetation within the protective fencing shall be retained in an undisturbed state.
- g. Forested areas shall be preserved if they are associated with:
 - 01 Significant, endangered or rare forest communities.
 - 02 All areas under the jurisdiction of the Truro Conservation Commission;
 - 03 critical wildlife habitat areas;
 - 04 slopes over 25 percent.
- h. Minimize cut and fill in site development:
 - 01 Development envelopes for structures, driveways, wastewater disposal, lawn areas and utility work shall be designed to limit clearing and grading.
 - 02 All efforts to minimize the clearing and grading on a site associated with construction activities shall be employed, such as parking of construction

vehicles, offices/trailers, stockpiling of equipment/materials, etc. in areas already planned for permanent structures. Topsoil shall not be stockpiled in areas of protected trees, wetlands, and/or their vegetated buffers.

- 03 Finished grades should be limited to no greater than a 2:1 slope, while preserving, matching, or blending with the natural contours and undulations of the land to the greatest extent possible.
- 04 Employ proper site management techniques during construction:
- BMPs shall be employed to avoid detrimental impacts to existing vegetation, soil compaction, and damage to root systems.
 - The extent of a site exposed at any one time shall be limited through phasing of construction operations. Effective sequencing shall occur within the boundaries of natural drainage areas.
- 05 Protect the site during construction through adequate erosion and sedimentation controls:
- Temporary or permanent diversions, berms, grassed waterways, special culverts, shoulder dikes or such other mechanical measures as are necessary may be required by the Board to intercept and divert surface water runoff. Runoff flow shall not be routed through areas of protected vegetation or revegetated slopes and must stay on the lot being developed. Temporary runoff from erosion and sedimentation controls shall be directed to BMPs such as vegetated swales. Retaining walls may be required where side slopes are steeper than a ratio of 2:1.
 - Erosion and sedimentation controls shall be constructed in accordance with the DEP Stormwater Guidance manual.
 - Erosion control measures shall include the use of erosion control matting, mulches and/or temporary or permanent cover crops. Mulch areas damaged from heavy rainfalls, severe storms and construction activity shall be repaired immediately.
 - Erosion control matting or mulch shall be anchored where plantings are on areas subject to mulch removal by wind or water flows or where side slopes are steeper than 2:1 or exceed 10 feet in height. During the months of October through March when seeding and sodding may be impractical, anchored mulch may be applied at the Board's discretion.
 - Runoff from impervious surfaces shall be recharged on the site by stormwater infiltration basins, vegetated swales, constructed wetlands or similar systems covered with natural vegetation. Runoff shall not be discharged directly to rivers, streams, or other surface water bodies. Dry wells shall be used only where other methods are not feasible. All such basins and wells shall be preceded by oil, grease, and sediment traps. The mouths of all catch basins shall be fitted with filter fabric during the entire construction process to minimize siltation or such basins shall be

designed as temporary siltation basins with provisions made for final cleaning.

- The applicant shall be required to conduct weekly inspections of all erosion and sedimentation control measures on the site to ensure that they are properly functioning as well as to conduct inspections after severe storm events. Any and all problems, alterations or adjustments shall be reported to the Health Agent immediately.

06 Revegetate the site immediately after grading:

- Proper revegetation techniques shall be employed using native plant species, proper seed bed preparation and mulching to protect germinating plants. Revegetation shall occur on cleared sites within 7 (seven) calendar days of final grading and shall occur during the planting season appropriate to the selected plant species.
- A minimum of 4" of topsoil shall be placed on all disturbed surfaces which are proposed to be planted.
- Finished grade shall be no higher than the trunk flare(s) of trees to be retained. If a grade change of 6" or more at the base of the tree is proposed, a retaining wall or tree well may be required.

H. Required Security: The Planning Board may require a performance guarantee in a form acceptable to the town to cover the costs associated with compliance with this bylaw under a Site Alteration Special Permit.

1. If required by the Planning Board, a performance guarantee in the amount of up to 150% of the cost of site restoration shall be posted prior to the issuance of a Site Alteration Special Permit for the proposed project.
2. The performance guarantee shall be held for the duration of any prescribed maintenance period required by the Planning Board to ensure establishment and rooting of all new plantings, and may be reduced from time to time to reflect completed work. Plantings which die within the prescribed maintenance period shall be replaced. Securities shall not be fully released without a final inspection and approval of vegetation replacement by the town.

I. Monitoring and Inspections:

1. Prior to commencement of construction, the applicant, land owner, contractor, Health and Conservation Agent and site engineer shall conduct a meeting to review the proposed construction phasing and number and timing of site inspections.
2. Initial site inspection of erosion and sedimentation controls and placement of tree protection measures shall occur after installation of barriers around preserved areas and construction of all structural erosion and sedimentation controls, but before any clearing or grading has begun.
3. Routine inspections of preserved areas and erosion and sedimentation controls shall

be made by the contractor and the site engineer at varying intervals depending on the extent of site alteration and the frequency and intensity of rainfall.

4. Effective stabilization of revegetated areas must be approved by the town before erosion and sedimentation controls are removed. The town shall complete an inspection prior to removal of temporary erosion and sedimentation controls.

J. Enforcement: The town of Truro may take any or all of the enforcement actions prescribed in this bylaw to ensure compliance with, and/or remedy a violation of this bylaw; and/or when immediate danger exists to the public or adjacent property, as determined by the Truro Building Inspector and the Health Agent. Securities described in Section H above may be used by the town in carrying out any necessary enforcement actions.

1. The Truro Building Inspector may post the site with a Stop Work order directing that all vegetation clearing not authorized under a Site Alteration Permit cease immediately. The issuance of a Stop Work order may include remediation or other requirements which must be met before clearing activities may resume.
2. The Town may, after written notice is provided to the applicant, or after the site has been posted with a Stop Work order, suspend or revoke any Site Alteration Special Permit issued by the Town.
3. No person shall continue clearing in an area covered by a Stop Work order, or during the suspension or revocation of a Site Alteration Special Permit except work required to correct an imminent safety hazard as prescribed by the Town.
4. **Violations? Consequences? Fines? Remediation?**

K. Severability:

1. If any provision of this bylaw is held invalid by a court of competent jurisdiction, the remainder of the bylaw shall not be affected thereby. The invalidity of any section or sections or parts of any section or sections of this bylaw shall not affect the validity of the remainder of the [town]'s zoning bylaw.

**PLANNING BOARD DRAFT WARRANT ARTICLE
LOT COVERAGE AND NATURALIZED GREEN SPACE
February 13, 2025**

§ 10.4 Definitions

Current - Lot Coverage: The portion of a lot which is covered by impervious structures and improvements. Impervious structures and improvements shall include but not be limited to paved driveways and parking areas, principal and accessory structures, swimming pools and other on-site amenities which render any portion of the lot impervious.

New - Naturalized Green Space – the minimum percentage of the lot that DOES NOT require watering/irrigation and/or fertilizing. This shall consist of either existing trees, bushes, underbrush, plants, grasses etc. or native species.

NEW BLAW XXX

PURPOSE

This article addresses several issues. While not a total solution to any of them it does take steps in the right direction for all of them.

- 1. It protects our water supply by decreasing runoff from impervious surfaces and limiting the amount of the lot that may require watering/irrigation and/or fertilizing. Protecting our water supply will decrease the likelihood of the need for an expensive large scale public water supply.*
- 2. The preservation of “Naturalized Green Space” will help preserve and protect our wildlife and vegetation.*
- 3. This will help preserve the character of Truro, continue to distinguish Truro from other Outer Cape Towns and support our tourism industry.*
- 4. Work to mitigate the impacts of climate change by preserving vegetation, especially trees, that are critical to carbon sequestration, a major factor in addressing increasing temperature.*

The article is limited to residential properties in the Residential District and does not affect Commercial properties.

Nothing in this article is designed or intended to prevent or limit the development of Affordable or Attainable Housing.

This bylaw shall apply to the Residential District lots of 33,750 sq ft or more (Which language? that are used for residential purposes or listed as a residential use in the Assessors Database). Municipal properties do we need municipal exemption? and lots with deed restrictions for affordable or attainable housing are exempt. This bylaw applies to all applications for building permits for

- new construction or;*
- increases in lot coverage as defined above on lots with existing homes.*

To support the reasons listed above, this bylaw both limits the amount of Lot Coverage and places a minimum percentage of the lot that shall be “Naturalized Green Space.”

- The maximum Lot Coverage in the Residential District shall be 20%.*
- The minimum Naturalized Green Space in the Residential District shall be 25%.*

SECTION 50

Area and Height Regulations

§ 50.1 Regulations A. Table

DIMENSIONAL REQUIREMENT	ALL DISTRICTS
Minimum lot size	33,750 sq. ft. (1)(2)(8)
Minimum lot frontage	150 ft (1)(2)
Minimum frontyard setback	25 ft (3)
Minimum sideyard setback	25 ft (3)(4)
Maximum building height	2 stories; 30 feet (5)(5a)(6)
Minimum backyard setback	25 ft (3)(4)
Lot Shape	(9)
<i>Maximum Lot Coverage</i>	<i>20%</i>
<i>Minimum Naturalized Green Space</i>	<i>25%</i>

(4/05, 4/06, 4/10)

NOTES

1. Except buildings for accessory use and cottage. (4/10)
2. Except lots or parcels lawfully in existence and shown on a subdivision plan or described in a deed recorded at the Barnstable County Registry of Deeds prior to the adoption of the bylaw by Truro Town Meeting on February 15, 1960, having at least five thousand (5,000) square feet of area and at least fifty (50) feet of lot frontage.
3. Except in the Seashore District where the minimum setback from all streets is 50 ft. measured at a right angle from the street line.
4. Except in those portions of the Beach Point Limited Business district served by the Town of Provincetown Water System, where the minimum sideyard and backyard setbacks shall be equivalent to five (5) ft per story of the building or structure in question. Structures less than a full story shall meet the minimum 5 ft setback.
5. The 2 story/30 ft height limitation shall be measured from above mean ground level. (5/24) 5a.
Except buildings which do not have a ridge or hip defined by two opposing sloped roof surfaces the maximum building height shall not exceed twenty-three (23) ft as measured to the highest point of the structure. (4/12, 5/24)
6. Free standing flagpoles and private noncommercial radio and television antennae shall not exceed fifty (50) ft above mean ground level.
7. (#7 deleted 4/12)
8. Except in the Seashore District where the minimum lot size is 3 acres. (4/05)
9. For any lot created after April 30, 2004, the portion of the lot connecting the frontage with the front line of any building site shall not be less than 50 feet wide, as measured between opposite sidelines. (4/06)
10. *Applies to Residential District Only*

Requirements

- *A plan showing both Lot Coverage and Naturalized Green Space will be included in the Building Permit Application.*

COMMENT (The language in the draft submitted to the Select Board is what will go in the Warrant!)

This article is a proactive effort by the Planning Board to preserve the character and beauty of Truro and protect our environment. It is not intended to be a sweeping solution but another “tool in the toolbox” to protect the essence of Truro while not restricting our critical commercial community.

Truro Zoning Bylaws

DRAFT – Communications – Proposed changes to §40.5.B.3

2-5-25 Rev 4

Existing Language:

3. The communications structure, building or appurtenance shall be installed, maintained and operated in accordance with all applicable federal, state, county and local codes, standards and regulations ~~and shall be designed to withstand sustained winds and gusts of a category 5 hurricane.~~ If Federal Aviation Administration (FAA) or Federal Communications Commission (FCC) regulations are changed, then the owner or operator shall bring the structure, building and appurtenances into compliance with the new regulations within six (6) months of the effective date of such regulations or earlier if a more stringent compliance schedule is included in the regulation. Failure to comply with any new regulations shall be grounds for the removal of non-complying structures, buildings and appurtenances at the owner's expense.

Proposed Revised Language:

3. **All communications structures, buildings, towers and appurtenances** shall be installed, maintained and operated in accordance with all applicable federal, state, county and local codes, standards and regulations. **Tower structures shall be designed or rated (existing structures) to conform to the loading requirements of the Massachusetts State Building Code 780 CMR (latest edition) and the ANSI/TIA-222 Standard referenced therein.** If Federal Aviation Administration (FAA) or Federal Communications Commission (FCC) regulations are changed, then the owner or operator shall bring the structure, building, **tower** or appurtenance into compliance with the new regulations within six (6) months of the effective date of such regulations or earlier if a more stringent compliance schedule is included in the regulation. Failure to comply with any new regulations shall be grounds for the removal of non-complying structures, buildings **towers or** appurtenances at the owner's expense.
4. **An on-site condition assessment and an updated structural rating analysis no more than five (5) years old and stamped by a registered professional structural engineer licensed in the Commonwealth of Massachusetts shall be submitted when an existing tower or the equipment that it supports is modified in a manner that results in increased structural loads on the tower. The Risk Factor (or Structure Class) used for design or rating of communications towers shall be subject to review and approval by the Truro Planning Board but shall not be less than the following:**
 - a. **For the existing towers at 344 Route 6 and 5 Town Dump Road and for towers supporting emergency communications services:
Risk Factor / Structure Class: III.**
 - b. **For all other communications towers: Risk Factor /Structure Class: II.**

(Keep and renumber subsequent paragraphs of Section 40.5.B.)

Commentary on the proposed changes:

The reference in the current zoning bylaw to “...a category 5 hurricane...” does **not** provide a basis for determining wind loads on structures for design or rating purposes. This proposed rewrite, per paragraph 3 above, is the crux of this bylaw revision.

This warrant article deletes the “...category 5 hurricane...” language and instead requires compliance with the Massachusetts State Building Code, 780 CMR.

With regard to the proposed paragraph 4 above: The applicable code uses a factor called “Structure Class” for the analysis of each specific structure, depending on the importance of the supported communication services and the hazard that the structure represents to its surroundings. A higher value for “Structure Class” should potentially be used or required for a tower that supports essential or emergency services, for a tower whose service coverage area is not redundant with another tower, or for a tower whose fall zone includes critical infrastructure. This paragraph 4 is intended to codify what has been the Planning Board’s recent practice when reviewing submittals for tower modifications.