



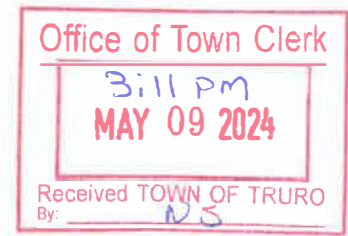
TOWN OF TRURO

PLANNING BOARD

Meeting Minutes

January 24, 2024 – 5:00 pm

REMOTE PLANNING BOARD MEETING



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

Members Absent: Jack Riemer (Clerk)

Other Participants: Town Planner/Land Use Counsel Barbara Carboni; Select Board Liaison John Dundas; Gloria J. Cater (Applicant); Robin Reid (Attorney for Gloria J. Cater – Applicant); Kate Carter (Attorney for Gloria J. Cater – Applicant); David Clark (Civil Engineer for Gloria J. Cater – Applicant); Theresa Sprague (Landscape Designer for Gloria J. Cater – Applicant); Don Poole (Land Surveyor for Gloria J. Cater – Applicant); Fred Gaechter (Truro Voter); Courtney Simmons (Attorney for Lucy Clark – Abutter to Gloria J. Cater – Applicant); Daniel Johnston (Attorney for Stephen Loffredo and Helen Hershkoff); Select Board Vice Chair Susan Areson

Remote meeting convened at 5:00 pm, Wednesday, January 24, 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 comment. 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.

Board Action/Review

2023-002/PB Preliminary Subdivision - 9B Benson Road, Fisher Road Realty Trust, Gloria J. Cater and Willie J. Cater, Trustees

Chair Roberts recognized Attorney Reid who introduced the Applicant's representatives. Prior to her presentation, Attorney Reid noted that the Applicant had requested that Member Kiernan recuse himself in this matter as stated in Attorney Carter's letter dated November 3, 2023. Chair Roberts asked Member Kiernan if he would like to respond and Member Kiernan stated that he had spoken with the Commonwealth of Massachusetts' State Ethics Commission that has given Member Kiernan permission to participate in this matter.

Attorney Reid then provided background information as well as an update in this matter noting the updated plan submitted on January 4, 2024 as well as the waivers requested. Additionally, Attorney Reid addressed the name of the right of way, "Hopper View Lane", and moving forward, the Applicant would

like to refer to the right of way as "*Cater Hill Lane*" and this name will appear in all documentation hereafter.

Following Attorney Reid's presentation, Mr. Clark and Ms. Sprague provided additional information to the Members.

Chair Roberts, the Members, Town Planner/Land Use Counsel Carboni and Ms. Cater's representatives discussed the following highlighted topics: actions which the Planning Board may take today; the Applicant's late submission of documents from the Cape Cod Commission (request for technical assistance) and the Town staff memorandum which arrived yesterday afternoon and was included in the Members' packets this evening; the Land Court's ruling on the roadway standard and its instructions to the Planning Board (the consideration of the Applicant's application for approval as is or the approval of the Applicant's requested waivers); the Town Bylaw's definition of a street; a review of the maximum width of the roadway sections; safety challenges for multiple first responder vehicles traveling in opposite directions and for snow removal equipment associated with a 12' wide finished surface with a length of 572' to the Cater's property line; and examples of other Truro roads which have multiple homes on the roads.

Chair Roberts then opened the discussion to the members of the public and recognized the following individuals who commented on this matter: Mr. Gaechter, Attorney Simmons and Attorney Johnston.

Chair Roberts led a review of the waivers requested by the Applicant with the Members. Town Planner/Land Use Counsel Carboni also provided input.

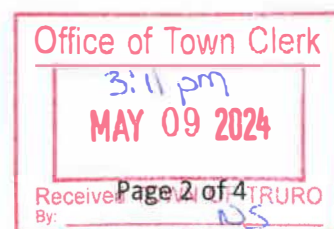
Chair Roberts then polled the Members to see if they had enough time to review the recently submitted documents by the Applicant and most of the Members agreed that additional time was needed. Members agreed that the police chief and fire chief should have an opportunity to provide comments on this matter prior to the Members' vote at the next meeting.

The Members, the Applicant, and Town Planner/Land Use Counsel Carboni collectively agreed to continue this matter until February 7, 2024. If Attorney Simmons is unable to attend the meeting, due to an appearance at the Provincetown Historic District Commission meeting on the same evening, Attorney Simmons will request another continuance until February 21, 2024.

This was agreeable to Chair Roberts and the Members.

Planner Report

Town Planner/Land Use Counsel Carboni reported that she presented the Planning Department FY2025 Budget to the Budget Task Force yesterday to include the budget request for monetary support for outreach events in order to provide food and childcare. The Budget Task Force noted that those costs could be covered by another more appropriate Town budget so that request was removed from the Planning Department budget. Town Planner/Land Use Counsel Carboni also noted that there were workshops and seminars which Planning Board and ZBA members could attend as those costs were included in the budget.



Chair Report

Chair Roberts reported that he had nothing specific to cover that was not already on the agenda.

Board Action/Review

Town Planner/Land Use Counsel Carboni explained that she added 538 Shore Road to the agenda but that this was a litigation case that should be discussed in Executive Session. Town Planner/Land Use Counsel Carboni apologized to the Members for withdrawing this item from the agenda and Chair Roberts added that an Executive Session would be scheduled.

Board Discussion

Chair Roberts introduced the discussion of Planning Board priorities for possible 2024 Annual Town Meeting (ATM) zoning bylaw changes with the Members.

- **Zoning Task Force**

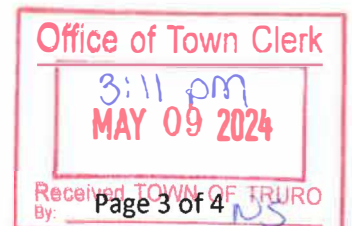
Member Althaus led this discussion with the Members along with input from Select Board Co-Chair Areson and Town Planner/Land Use Counsel Carboni. Select Board Co-Chair Areson noted that the Select Board had approved the charge for the Zoning Task Force.

Highlighted topics included: a division of labor between the Zoning Task Force and the Planning Board prior to each Warrant; identifying exactly what is on the two Warrants in the spring; Telluride, Colorado's efforts to increase affordable housing; the importance of collaboration between the Zoning Task Force and Planning Board; and the inclusion of a standing agenda item for each Planning Board meeting regarding the Zoning Task Force.

- **Planning Board Priorities for Possible 2024 ATM Zoning Bylaw Changes**

Chair Roberts led this discussion among the Members and Town Planner/Land Counsel Carboni.

- Affordable Housing on Undersized Lots
 - Highlighted topics included: obtaining the public's input as well as the National Seashore's input on affordable housing on undersized lots through a public forum; added the discussion on the next meeting agenda to schedule a public forum.
- Mean Grade, Building Height, Roof Slope
 - Highlighted topics included: reviewed 4-page document and collaboration with the ZBA for input; and reviewed defining new terms used to classify building shapes and limit the height of the buildings.
- Street Inventory
 - Members agreed to delay Street Inventory to focus on more pressing Bylaw changes.
- Lot Clearing



- Highlighted topics included: a discussion to give this item to the Zoning Task Force as it is a comprehensive topic to address; this Bylaw change will not be ready for Town Meeting and the Members concurred; the creation of a list of important challenges which the Planning Board attempted to resolve but can now be presented to the Zoning Task Force for its consideration and efforts.
- Lot Coverage
 - Members unanimously agreed to delay focusing on more pressing Bylaw changes.

Chair Roberts announced that the next meeting will be February 7, 2024.

Vice Chair Greenbaum made a motion to adjourn at 7:25 pm.

Member Frazier seconded the motion.

Roll Call Vote:

Vice Chair Greenbaum – Aye

Member Althaus - Aye

Member Townsend – Aye

Member Frazier - Aye

Member Kiernan – Aye

Chair Roberts - Aye

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

Respectfully submitted,



Alexander O. Powers

Board/Committee/Commission Support Staff

