



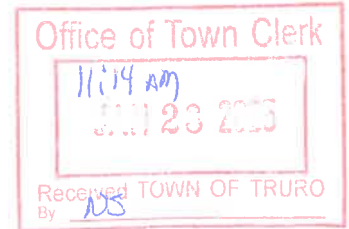
TOWN OF TRURO

PLANNING BOARD

Meeting Minutes

October 9, 2024 – 5:00 pm

REMOTE PLANNING BOARD MEETING



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

Members Absent: Paul Kiernan

Other Participants: Town Planner/Land Use Counsel Barbara Carboni; Attorney Ben Zehnder (Counsel for the Applicant – The Claire A. Perry Living Trust Agreement)

The remote meeting convened at 5:00 pm, Wednesday, October 9, 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 there will be a Health, Wellness and Safety Fair at the Council on Aging on Thursday, October 17, 2024, from 10 am to 1 pm.

Chair Report

Chair Roberts reported that he attended a recent Select Board roundtable, hosted by Select Board Clerk Nancy Medoff and Member Susan Girard-Irwin, with the board chairs in order to foster better communications and collaboration among the boards. More details will be discussed later in this meeting when work items for next year are discussed.

Minutes

Chair Roberts and the Members reviewed the minutes from June 26, 2024 for comments, corrections or edits and there were none.

Member Frazier made a motion to approve the minutes from June 26, 2024 as submitted.

Member Althaus seconded the motion.

Roll Call Vote:

Vice Chair Greenbaum – Aye

Member Townsend – Aye
Member Althaus - Aye
Member Frazier – Aye
Member Riemer - Aye
Chair Roberts - Aye
So voted, 6-0-0, motion carries.

Chair Roberts and the Members reviewed the minutes from July 10, 2024 for comments, corrections or edits. Vice Chair Greenbaum requested that the phrase, on page 3, “temporary signs which the Planning Board likes and dislikes” be removed. There were no objections.

Vice Chair Greenbaum made a motion to approve the minutes from July 10, 2024 as amended.
Member Althaus seconded the motion.

Roll Call Vote:
Vice Chair Greenbaum – Aye
Member Townsend – Aye
Member Althaus - Aye
Member Frazier – Aye
Member Riemer - Aye
Chair Roberts - Aye
So voted, 6-0-0, motion carries.

Chair Roberts and the Members reviewed the minutes from July 24, 2024 for corrections or edits and there were none.

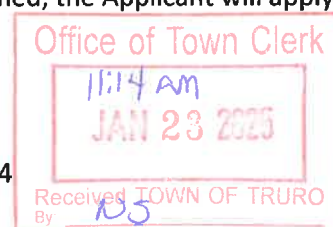
Vice Chair Greenbaum made a motion to approve the minutes from July 24, 2024 as submitted.
Member Frazier seconded the motion.

Roll Call Vote:
Vice Chair Greenbaum – Aye
Member Townsend – Aye
Member Althaus - Aye
Member Frazier – Aye
Member Riemer - Aye
Chair Roberts - Aye
So voted, 6-0-0, motion carries.

Board Action/Review

2024-005/PB ANR - The Claire A. Perry Living Trust Agreement seeks approval of Form A - Application for Determination that Plan Does Not Require Approval (ANR) pursuant to 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 23 Perry Road (Atlas Map 45, Parcel 131).

Chair Roberts recognized Attorney Zehnder, who requested a withdrawal of this application, and indicated that the applicant would apply to the Cape Cod Commission for an exemption under Section 12(k) of the Cape Cod Commission Act. If the exemption is obtained, the Applicant will apply to the Planning Board as a typical ANR.



Members, Attorney Zehnder, and Town Planner/Land Use Counsel Carboni commented or discussed the following highlighted topics: Vice Chair Greenbaum's support of the Perry family for exploring the process with the Cape Cod Commission; Member Althaus who stated an ethics disclosure notice to avoid any appearance of a conflict of interest as he has an agreement for his business with Attorney Zehnder; and Town Planner/Land Use Counsel Carboni stated that she had spoken briefly with Attorney Zehnder prior to the meeting and that this was a good avenue to explore.

Member Frazier made a motion to allow the Applicant, in the matter of 2024-005/PB ANR - The Claire A. Perry Living Trust Agreement, 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

Chair Roberts - Aye

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

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

Chair Roberts recognized Town Planner/Land Use Counsel Carboni, who provided an update on this matter. She noted that she had a conversation earlier this week with the Applicant's surveyor as the Applicant had alluded to obtaining a legal opinion as to the Applicant's rights in this matter. There was not sufficient time for the Applicant to receive a legal opinion so the Applicant had submitted a request to continue this matter via email to Town Planner/Land Use Counsel Carboni. The Applicant requested a continuance to October 23, 2024.

Chair Roberts noted that an Abutter in this matter also was seeking a legal opinion and Town Planner/Land Use Counsel Carboni stated that the Abutter is alleging that the Applicants (owners) has no legal rights in Union Field End include using it as frontage and the Applicants have no right to continue through the right of way. Town Planner/Land Use Carboni said that once these issues are resolved during the Preliminary Subdivision, she would then ask KP Law for a legal opinion. Chair Roberts noted that the matter is awaiting 2 or 3 legal opinions and Town Planner/Land Use Counsel Carboni agreed.

Member Riemer and Town Planner/Land Use Counsel Carboni briefly discussed the need for the Applicant to provide the specific rules from which the Applicants' will request waivers and the justifications for those waivers.

Member Frazier made a motion to continue the matter of 2024-006/PB Preliminary Subdivision to October 23, 2024.

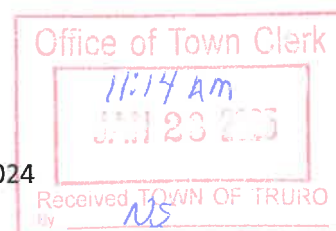
Member Althaus seconded the motion.

Roll Call Vote:

Vice Chair Greenbaum – Aye

Member Townsend – Aye

Member Althaus – Aye



Member Frazier – Aye
Member Riemer - Aye
Chair Roberts - Aye
So voted, 6-0-0, motion carries.

Board Discussion/ Action

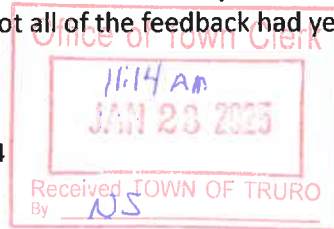
Updates on work for next year:

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

- **Lot Clearing**
 - Discussed the 12-page Cape Cod Commission model bylaw and the intent of the work on lot clearing was to address alteration of terrain and the preservation of existing vegetation. The Members expressed their views on the suggested removal of the specimen trees, historic resources and endangered species from the model bylaw or were these three components necessary to keep in a Truro draft bylaw. Members were unanimous in favoring the removal of these three components and reducing the size of a draft bylaw.
- **Sign Code**
 - The Members agreed to remove this topic from its work list.
- **Lot Coverage**
 - Vice Chair Greenbaum sent out an email earlier today to the Members. The Members had previously agreed to move forward with this topic with a focus on the Residential District and to utilize Provincetown's example for maximum lot coverage and minimum green space based upon size of the lot. The need to obtain definitions of a permeable surface and an impermeable surface from the DPW Director Jarrod Cabral. Members agreed to have a further discussion regarding naturalized green space and lawn and garden green space.
- **Climate Change**
 - Chair Roberts noted that this was an opportunity for the Planning Board to connect with other committees and boards to engage or collaborate on this topic. Chair Roberts said that the Planning Board would reach out to the Climate Action Committee and Conservation Commission on these topics.
- **Stormwater**
 - Chair Roberts said that a previous proposed Stormwater Bylaw was withdrawn prior to the last Annual Town Meeting for additional work. Chair Roberts will reach out to the Board of Health's Chair Tracey Rose to receive an update on its status and any opportunities to collaborate. Member Riemer added that the previous draft Stormwater Bylaw was posted on the Board of Health's website.

Street Inventory List:

Chair Roberts noted that Member Kiernan was not present but a working group meeting was held to review the first 10 streets. The working group went through the check verification procedures which were discussed with the understanding of how much time it took to undertake the process. Chair Roberts said that he was reluctant to reveal the information as not all of the feedback had yet been



received and he did not want to prejudice the feedback from those individuals who had not yet provided feedback. Chair Roberts did say that the initial feedback was encouraging but the Members would discuss it at an upcoming meeting. Chair Roberts noted the tremendous work achieved by Member Kiernan in this effort. Member Frazier noted that this would be a great effort to verify the Street Inventory List but she was confident that the Members will complete it.

Next Meeting: Wednesday, October 23, 2024 at 5:00 pm.

Member Riemer inquired about the next meeting's agenda to which Chair Roberts noted that he did not have specific details about what items would be on the agenda.

Chair Roberts announced that he would participate in the next meeting but that he would on the West Coast so Vice Chair Greenbaum should be prepared to lead the meeting should he have unanticipated connectivity issues. Member Frazier also announced that she will join the next meeting by phone as she will be traveling as well.

Member Frazier made a motion to adjourn the meeting at 6:09 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

Chair Roberts - Aye

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

Respectfully submitted,



Alexander O. Powers

Board/Committee/Commission Support Staff

