



## 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.

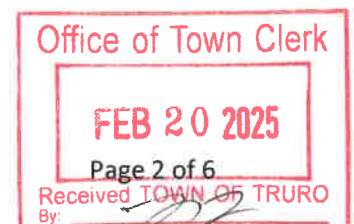
The Members, Town Planner/Land Use Counsel Carboni, and Mr. Eldredge also discussed or commented on the following highlighted topics: the purpose of the Subdivision Control Law is to ensure compliance of existing ordinances, zoning bylaws, and regulations; the Members' responsibility to vote on the merits 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.**

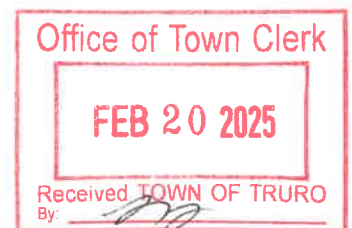
**Roll Call Vote:**

**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 original Union Field Subdivision approval 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 black ink, which appears to be "Alexander O. Powers".

Alexander O. Powers  
Board/Committee/Commission Support Staff