



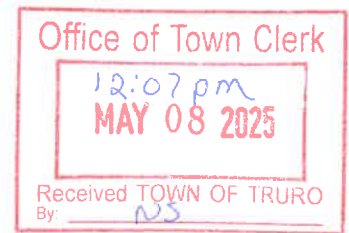
## TOWN OF TRURO

### PLANNING BOARD

#### Meeting Minutes

March 19, 2025 – 5:00 pm

#### REMOTE PLANNING BOARD



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

**Members Absent:** Ellery Althaus

**Other Participants:** Town Planner/Land Use Counsel Barbara Carboni; Sandi Kerr-Lewis (Applicant for 18 Old County Road); Charles Kerr (Applicant for 18 Old County Road); James Norcross (Attorney from Riley & Norcross LLC and Representative for Sandi Kerr-Lewis and Charles Kerr – Applicants for 18 Old County Road); Peter Kane (Representative of Kane Land Surveyors); Fred Gaechter (Chair of the Truro Conservation Trust); Nicholas Brown (Truro Resident); Susan Brennan (Friend of Jenette Lewis); Marilyn Stern (Truro Resident); David Dowd (Attorney)

The remote meeting convened at 5:00 pm, Wednesday, March 19, 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**

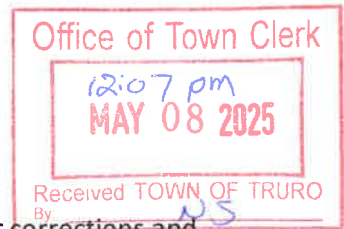
Town Planner/Land Use Counsel Barbara Carboni had nothing to report and noted that Town Hall staff is working on the Warrant.

#### **Chair Report**

Chair Roberts reported that he had an introductory meeting with Climate Action Coordinator Chris Palmer last night at the library. Chair Roberts announced that the zoning articles will be heard by the Select Board on Tuesday, March 25, 2025 and will return to the Planning Board for a public hearing on April 9, 2025.

*Note: Town Planner/Land Use Counsel Carboni noted that there were three additional individuals waiting to enter the meeting online but only listed their telephone numbers and not their names. Chair Roberts instructed Town Planner/Land Use Counsel Carboni to admit the individuals who identified themselves.*

#### **Minutes**



Chair Roberts and the Members reviewed the minutes of January 22, 2025 for edits or corrections and there were none.

**Member Frazier made a motion to approve the minutes of January 22, 2025 as submitted.**

**Vice Chair Greenbaum seconded the motion.**

**Roll Call Vote:**

**Vice Chair Greenbaum – Aye**

**Member Townsend – Aye**

**Member Frazier – Aye**

**Member Riemer – Aye**

**Member Kiernan – Aye**

**Chair Roberts – Aye**

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

Chair Roberts and the Members reviewed the minutes of February 5, 2025 for edits or corrections and Chair Roberts commented on page 2 and said that the note regarding the correct spelling of “illusory” be removed.

**Member Riemer made a motion to approve the minutes of February 5, 2025 as amended.**

**Member Frazier seconded the motion.**

**Roll Call Vote:**

**Vice Chair Greenbaum – Aye**

**Member Townsend – Aye**

**Member Frazier – Aye**

**Member Riemer – Aye**

**Member Kiernan – Aye**

**Chair Roberts – Aye**

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

### **Board Action/Review**

**2025-002/PB Preliminary Subdivision Plan – Sandi Kerr-Lewis and Charles Kerr, 18 Old County Road (Map 50, Lot 104).** Applicants seek Board's approval of a Preliminary Subdivision Plan under the Subdivision Control Law. DEADLINE FOR BOARD ACTION - April 23, 2025

Chair Roberts read aloud the public notice and recognized Attorney Norcross who provided background information regarding this matter. The reason for the proposed subdivision is that Ms. Kerr-Lewis' sister, Jenette, who passed away in 2023, in her last will and testament instructed the Applicant to seek a subdivision of her property at 18 Old County Road and to take the southern parcel and donate it to the Truro Conservation Trust. The plan in front of the Members tonight is a two-lot subdivision. The plan does show a cul-de-sac which Attorney Norcross stated was on paper only as the intent of the donation of the southern lot would be unbuildable in perpetuity. Attorney Norcross said that this was for tax credit purposes only as the tax credit for an unbuildable lot is less than for a buildable lot. The cul-de-sac would never be created. Access to the southern lot would be only for employees, volunteers, and members of the Truro Conservation Trust.

12:07 PM  
MAY 08 2025TOWN OF TRURO  
By: [Signature]

Chair Roberts, the Members, and Attorney Norcross commented or discussed the following highlighted topics: an appreciation for such a generous donation; the applicability of the provision in the 2024 Zoning Bylaw, Section 50.1 Regulations Table A (on page 52) regarding lot shape as the plan indicated frontage area of 20' wide and the Zoning Bylaw states that the frontage area will not be less than 50' wide; increasing the width an additional 30' would be necessary under the Zoning Bylaw without having to go to the ZBA and seek relief; Attorney Norcross confirmed that the application was for a Preliminary Subdivision; and a quitclaim deed referenced a right of way that does not appear in the plan and should be included in the plan for a Definitive Subdivision.

Chair Roberts and the Members reviewed the checklist and Chair Roberts noted that the Applicant would seek a waiver for C.5 Proposed System for Drainage and C.8 Topography. This was confirmed by Attorney Norcross.

Chair Roberts recognized Mr. Gaechter who reiterated that the property would be used strictly as the donor intended and the new deed will state that. The property can never be developed and sold. Mr. Gaechter said that the deed could add that there will never be any trails on the property. The property will be used only as open space into perpetuity.

At Chair Roberts request, Attorney Norcross then read aloud and reviewed the requested waivers for the plan from Mr. Kane's letter. Mr. Kane said that he would be happy to make an adjustment on the plan in reference to Member Kiernan's comments on the Zoning Bylaw, Section 50.1 Regulations Table A.

Chair Roberts then invited members of the public to comment on the matter and the following individuals were recognized by Chair Roberts: Mr. Brown, Ms. Brennan, Ms. Stern, and Ms. Kerr-Lewis.

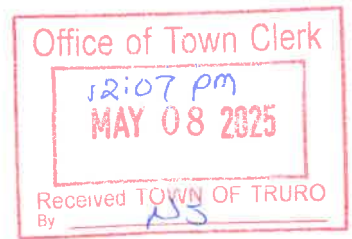
After comments from Members, Chair Roberts said that the Planning Board would await the submission of the revised plan for further action on the Preliminary Subdivision Plan. Town Planner/Land Use Counsel Carboni noted that the Members could approve the Preliminary Subdivision Plan subject to certain corrections as there is precedence for approval. Chair Roberts stated that he considered the necessary revisions as significant.

After a brief discussion with the Members, Town Planner/Land Use Counsel Carboni and Attorney Norcross, Chair Roberts told Attorney Norcross that he had two choices: make the necessary revisions and submit a new Preliminary Subdivision Plan or a Definitive Subdivision Plan. Attorney Norcross said that he understood.

Vice Chair Greenbaum asked the Members to state any other concerns about the project tonight so the Applicant would know what those concerns were and could address them. There were no additional concerns.

Chair Roberts confirmed with Town Planner/Land Use Counsel Carboni that this was not a hearing so no vote would be taken this evening. Chair Roberts said that the Members would continue with the agenda.

Chair Roberts recognized Attorney Dowd who asked for a synopsis of the last several minutes as he was in an area with poor cell phone coverage and Chair Roberts provided him with a brief summary of what had occurred regarding 18 Old County Road.



### **Board Discussion/Action**

- Lot Coverage
  - Vice Chair Greenbaum said there would be a public hearing in several weeks on this draft article.
- Climate Change
  - Chair Roberts said that he and Member Riemer had met with Climate Action Coordinator Chris Palmer and it went well. Mr. Palmer agreed to work with the Planning Board on the issues which were important to the Members.
- Communications Towers
  - Chair Roberts announced that the Select Board will act upon the draft article next Tuesday and returned to the Planning Board for a public hearing on April 9, 2025.

### **Street Inventory List:**

- Chair Roberts said that there needed to be a review meeting in regard to Group 6 streets in the near future.
- Member Althaus (not present this evening) had previously requested an extension on Group 3 and Group 5 streets and Chair Roberts will meet with him to discuss it.
- Chair Roberts said that he would like to get the Street Inventory project back on track as soon as possible.

### **Next Meeting: Wednesday, April 9, 2025 at 5:00 pm – Zoning Articles Public Hearing**

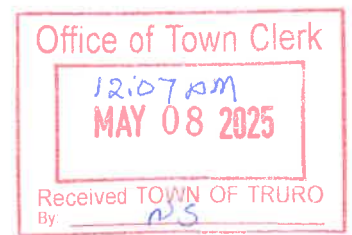
Member Riemer requested that Town Planner/Land Use Counsel Carboni's Seasonal Community Designation Review (that was included in last night's Select Board members' meeting packet) be circulated to the Members and the topic be added to the agenda for the next meeting on April 9, 2025.

Town Planner/Land Use Counsel Carboni added that at the Select Board's next meeting on March 25, 2025, a representative from State Senator Julian Cyr's office will be present to answer any questions from the Select Board regarding the seasonal community designation.

Town Planner/Land Use Counsel Carboni briefly clarified the difference between rural community designation and seasonal community designation.

Chair Roberts announced that the topic of the seasonal community designation would be put on the agenda for the Planning Board's second meeting in April.

Chair Roberts also mentioned that the Members also wanted to add to future meeting agendas the following topics: recurring temporary signs for annual traditional applications and an update on forest fire protection.



**Member Riemer made a motion to adjourn the meeting at 6:03 pm.**

**Member Frazier seconded the motion.**

**Roll Call Vote:**

**Vice Chair Greenbaum – Aye**

**Member Townsend – Aye**

**Member Frazier – Aye**

**Member Riemer – Aye**

**Member Kiernan – Aye**

**Chair Roberts – Aye**

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

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alexander O. Powers".

Alexander O. Powers

Board/Committee/Commission Support Staff