



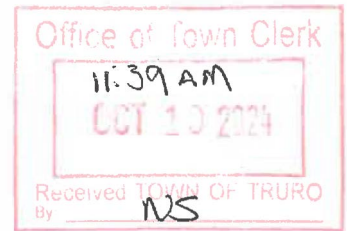
TOWN OF TRURO

PLANNING BOARD

Meeting Minutes

June 26, 2024 – 5:00 pm

REMOTE PLANNING BOARD MEETING



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

Members Absent: Caitlin Townsend

Other Participants: Town Planner/Land Use Counsel Barbara Carboni; Marian Averback (The Truro Group, Art Show at the Library); Chuck Steinman (Friends of the Truro Meeting House and First Congregational Parish of Truro)

Remote meeting convened at 5:00 pm, Wednesday, June 26, 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.

Planner Report

Town Planner/Land Use Counsel Carboni reported that the Select Board had a hearing last night on the Select Board's FY2025 Goals and Objectives and used the main goals of the recently completed Local Comprehensive Plan (LCP). This is a great credit to the members of the LCPC and reflects the importance of the LCP to the Town. Town Planner/Land Use Counsel Carboni said that the Town has a \$25,000 grant from the Cape Cod Commission to support consulting services for the Zoning Task Force (not yet appointed). The charge of the Zoning Task Force will be to review Zoning Bylaws.

At the request of Chair Roberts, Town Planner/Land Use Counsel Carboni will provide the solicitation for consulting services to the Members.

Town Planner/Land Use Counsel Carboni also noted that the Zoning Task Force, at the moment, had two applicants to serve.

Chair Report

Chair Roberts congratulated Vice Chair Greenbaum and Member Althaus for the work on the LCP and serving on the Local Comprehensive Plan Committee (LCPC).

Chair Roberts provided updates on the following topics: he and Town Planner/Land Use Counsel Carboni had reached out to Town officials regarding the chokepoint and have received a reply from Town Manager Tangeman but awaiting responses from Emergency Services; he and Town Planner/Land Use Counsel Carboni have had several discussions with Town officials regarding the Development Agreement and Town Counsel will be brought into the process.

Minutes

Chair Roberts led the review of the minutes of May 8, 2024 for edits, comments or corrections.

Member Riemer, Chair Roberts, Member Kiernan, Vice Chair Greenbaum, Member Althaus, and Member Frazier commented on the Planner Report as written in the minutes regarding Mr. Riemer's comments as a private citizen at the Town Meeting.

Chair Roberts announced that the Members' comments at the May 8, 2024 meeting during the Planner Report would be added to the minutes and that these minutes would be voted upon at a later date.

Vice Chair Greenbaum made a motion to edit the minutes as discussed and to vote on the minutes at a later date once corrected.

Member Althaus seconded the motion.

Discussion: Chair Roberts recognized Town Planner/Land Use Counsel Carboni who noted that it is not allowed to strike words from the record because a Member, or more, do not agree with what was said. The minutes, as written, reflect what she said.

Roll Call Vote:

Vice Chair Greenbaum - Aye

Member Althaus - Aye

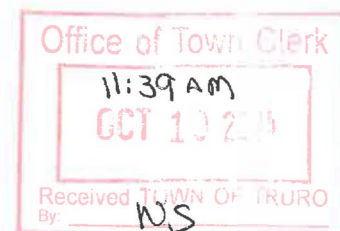
Member Frazier – Aye

Member Kiernan – Aye

Member Riemer - Recused

Chair Roberts - Aye

So voted, 5-0-1, motion carries.



Note: After the vote, Chair Roberts also noted that at the top of page 2 of the minutes, the minutes read "Chair Roberts recognized Vice Chair Roberts" so that will be corrected to reflect "Vice Chair Greenbaum".

Temporary Sign Permit Applications

Marian Averbach - The Truro Group, Art Show at the Library, requesting two (2) signs, 2' x 8', to be located: (1) below highway sign at Route 6 and Standish Way, and (2) below highway sign at intersection of Route 6 and 6A. The signs will be installed on June 29th and removed July 31st.

Chair Roberts recognized Mr. Riemer who announced that he was recusing himself from any sign code requests until a matter that he is involved with the ACLU and the Town of Truro regarding the removal of political signs from his private property is resolved. Member Riemer reiterated that he was recusing himself from all three sign requests on this evening's agenda.

Chair Roberts recognized Town Planner/Land Use Counsel Carboni who stated that the signs which Member Riemer referred to were removed from a public way and not private property.

Member Riemer replied that Town Planner/Land Use Counsel Carboni's comment was not accurate.

Chair Roberts stated that this issue would not be debated and moved forward with sign requests.

Chair Roberts recognized Ms. Averback who presented the Truro Group's application. Members had no questions or comments on this matter.

Member Frazier made a motion to approve the application submitted by the Truro Group, Art Show at the Library.

Vice Chair Greenbaum seconded the motion.

Roll Call Vote:

Vice Chair Greenbaum - Aye

Member Althaus - Aye

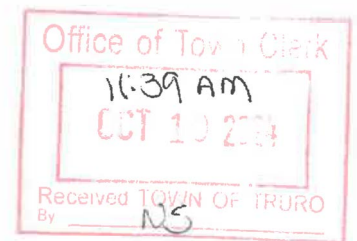
Member Frazier – Aye

Member Riemer - Recused

Member Kiernan – Aye

Chair Roberts - Aye

So voted, 5-0-1, motion carries.



Chuck Steinman - Friends of the Truro Meeting House, requesting one (1) sign, 3' x 1 O', to be located at 3 First Parish Lane at Town Hall Road. The sign will be installed on July 1st and removed August 26th.

Chair Roberts recognized Mr. Steinman who presented the Friends of the Truro Meeting House's application. Members had no questions or comments on this matter.

Member Althaus made a motion to approve the application submitted by the Friends of the Truro Meeting House.

Member Frazier seconded the motion.

Roll Call Vote:

Vice Chair Greenbaum - Aye

Member Althaus - Aye

Member Frazier – Aye

Member Riemer - Recused

Member Kiernan - Aye

Chair Roberts - Aye

So voted, 5-0-1, motion carries.

Chuck Steinman - First Congregational Parish of Truro, requesting one (1) sign, 2' x 5', to be located at 3 First Parish Lane at Town Hall Road. The sign will be installed on June 28th and removed September 8th.

Chair Roberts recognized Mr. Steinman who presented the First Congregational Parish of Truro's application. Members had no questions or comments on this matter.

Member Frazier made a motion to approve the application submitted by the First Congregational Parish of Truro.

Vice Chair Greenbaum seconded the motion.

Roll Call Vote:

Vice Chair Greenbaum - Aye

Member Althaus - Aye

Member Frazier – Aye

Member Riemer - Recused

Member Kiernan - Aye

Chair Roberts - Aye

So voted, 5-0-1, motion carries.



Discussion and Vote on Proposed Amendments to the Town of Truro Rules and Regulations Governing the Subdivision of Land Pursuant to M.G.L. c.41, §810

Chair Roberts led the discussion to Amend Subdivision Regulations by replacing all occurrences of "twelve (12) copies" with "ten (10) copies".

The Members and Town Planner/Land Use Counsel Carboni commented or discussed the following highlighted topics: Planning Department Assistant Liz Sturdy's review of the rules and regulations to streamline where possible; a reduction in the number of copies submitted by applicants; the Select Board's recent actions regarding curb cuts; a review of Section 2.2.2. #9 and #10 and a brief discussion that these two items should be combined into one before Town Planner/Land Use Counsel Carboni opined that this item was not on the agenda and would have to be tabled for the agenda of another meeting; the issue with Section 2.2.2 #9 and #10 was a format correction only and Town Planner/Land Use Carboni noted that it was to the pleasure of the Planning Board; a discussion to announce another hearing notice (to include the minor and clerical formatted issues); a discussion to change the "50-year storm event" to "100-year storm event" as Truro has experienced three storm events in the past 10 years; the increased number of storm events as well as the intensity of more recent storm events; and the suggestion to vote on what is on tonight's agenda and table the remaining discussion and proposed corrections to the next meeting to which Town Planner/Land Use Counsel Carboni opined that this was proper.

Vice Chair Greenbaum moved to amend Subdivision Regulations by replacing all occurrences of "twelve (12) copies" with "ten (10) copies".

Member Frazier seconded the motion.

Roll Call Vote:

Vice Chair Greenbaum – Aye

Member Althaus - Aye

Member Frazier – Aye

Member Riemer - Aye

Member Kiernan - Aye

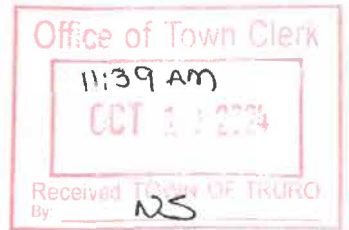
Chair Roberts - Aye

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

Board Discussion/ Action

Chair Roberts led the discussion on the Board Elections with the Members.

Chair Roberts asked for nominations for Chair.



Member Riemer made a motion to nominate Rich Roberts as Chair.

Vice Chair Greenbaum seconded the motion.

Roll Call Vote:

Vice Chair Greenbaum – Aye

Member Althaus - Aye

Member Frazier – Aye

Member Riemer - Aye

Member Kiernan - Aye

Chair Roberts - Aye

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

Chair Roberts asked for nominations for Vice Chair.

Member Frazier made a motion to nominate Anne Greenbaum as Vice Chair.

Member Kiernan seconded the motion.

Roll Call Vote:

Vice Chair Greenbaum – Aye

Member Althaus - Aye

Member Frazier – Aye

Member Riemer - Aye

Member Kiernan - Aye

Chair Roberts - Aye

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

Chair Roberts asked for nominations for Clerk.

Note: Vice Chair Greenbaum asked Member Riemer if he was interested in serving as Clerk and he replied in the affirmative.

Vice Chair Greenbaum made a motion to nominate Jack Riemer as Clerk.

Chair Roberts seconded the motion.

Roll Call Vote:

Vice Chair Greenbaum – Aye

Member Althaus - Aye

Member Frazier – Aye

Member Riemer - Aye

Member Kiernan - Aye

Chair Roberts - Aye

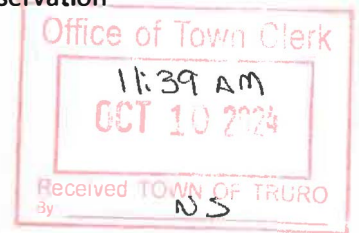
So voted, 6-0-0, motion carries.

Chair Roberts led the discussion on the prioritization of work for next year.

The Members discussed and commented on the following highlighted the Members' top 5 topics which Chair Roberts noted may not immediately lead to warrant articles or Zoning Bylaw changes:

1. Climate Change and Coastal Erosion

- a. Health and Conservation Agent Emily Beebe will attend the Planning Board meeting on July 24, 2024, at 4 pm, to discuss this topic.
 - b. Collaboration will include the Climate Action Committee and the Conservation Commission.
- 2. Lot Clearing
 - a. Members unanimously agreed to pursue this coming year.
- 3. Lot Coverage
 - a. Members unanimously agreed to pursue this coming year.
- 4. Street Inventory
 - a. Town staff suggested input from DPW Director Jarrod Cabral.
 - b. Chair Roberts and Member Kiernan will engage with DPW Director Cabral prior to the next meeting.
 - c. Access to the Barnstable County Registry of Deeds for verification.
 - d. Submissions of corrections are only filed by the Barnstable County Registry of Deeds and not corrected.
 - e. Town of Truro maps are not accurate and may cause more confusion.
 - f. The difference between Court Registered Land and Town Approved Land.
- 5. The Sign Code
 - a. One of the Select Board's FY2025 Goals and Objectives' priorities is to facilitate an update of the Sign Code with coordination of the Planning Board, Zoning Task Force, Town staff, and Town Counsel by December 31, 2024.
 - b. The consideration to hold a community forum as part of a regular Planning Board meeting.
 - c. The importance of letting residents speak or comment on this topic.
 - d. Vice Chair Greenbaum noted that about 10% of the temporary signs posted in Truro along Route 6 actually result in applicants appearing in front of the Planning Board for approval.



Note: Chair Roberts noted for the record that Member Kiernan's audio is out but he is participating visually.

- e. Vice Chair Greenbaum will coordinate with Select Board Chair Sue Areson to coordinate a community forum in August.

Chair Roberts then led the discussion on the second-tier topics which were important to the Members:

- 1. Commercial Zoning District
 - a. Chair Roberts has discussed this with Town Manager Tangeman and Town Planner/Land Use Counsel Carboni.
 - b. Members agreed that this item can be assigned to the Zoning Task Force.
- 2. Development Agreement
 - a. Chair Roberts has discussed this with Town Manager Tangeman and Town Planner/Land Use Counsel Carboni and there is interest in the Cape Cod Commission's ordinance as it is a tool and could be an example of what could be used for the Walsh Property.
 - b. The question of whether to pursue this will involve the Town Counsel and the Select Board.
 - c. Implementation would be determined by the Planning Board.
 - d. Comparison and feedback from other Cape Cod towns which have utilized the Cape Cod Commission's ordinance and the impact on projects within those towns.

- e. Chair Roberts will contact the Select Board's Chair Sue Areson to gauge the interest level a Development Agreement from the Select Board.
 - f. Chair Roberts concluded that this topic is of interest to the Planning Board but will await responses from the Select Board and the public to determine how this will go.
- 3. Overlay Districts
 - a. Members agreed to assign this item to the Zoning Task Force.
- 4. Stormwater Bylaw
 - a. Chair Roberts noted that this item was pulled back at the Town Meeting but reiterated the Planning Board's interest in the collaboration with the Board of Health and Conservation Commission on working on an improved Stormwater Bylaw.
 - b. Chair Roberts suggested holding this topic in reserve to pursue the other priorities. There were no objections.
- 5. Communication Structures
 - a. Chair Roberts suggested holding this topic in reserve to pursue the other priorities and added that he could work on it as it is a simple language change.
 - b. Chair Roberts stated that he could generate something that the Members could approve quickly.

Chair Roberts then led the discussion on the third-tier topics with the Members.

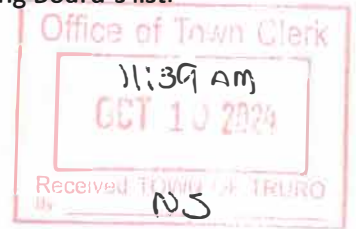
- 1. Inclusionary Zoning
 - a. Chair Roberts said this topic has limited applicability in Truro so the Planning Board will not pursue.
- 2. Scenic Roads
- 3. Zoning Bylaw Enforcement
- 4. Condominium Conversion Review
- 5. ADU and Duplex Tax Exemption
 - a. Chair Roberts noted that this may be a policy decision to be made by the Select Board.
 - b. Chair Roberts will contact the Select Board to discuss this topic.
- 6. Aligning the National Seashore District's Interpretation of Second Dwellings as Presented in the Zoning Bylaw
 - a. Chair Roberts noted that there was limited interest in this item.
 - b. Member Riemer volunteered to do research on this topic.

Chair Roberts then led the discussion on the fourth-tier topics with the Members.

- 1. House Size Bylaw
 - a. Chair Roberts noted that the Bylaw is doing what it is intended to do.
 - b. Chair Roberts said that the Planning Board will not take on this item this coming year.
- 2. Street Definition
 - a. On hold until the Street Inventory is completed.
- 3. Fencing
 - a. The ZBA brought this item to the Planning Board.
 - b. Building Commissioner Rich Stevens told the ZBA that this item did not need the Planning Board's attention.
 - c. Chair Roberts announced that this item was removed from the Planning Board's list.
- 4. Sustaining Walls and Retaining Walls
 - a. The ZBA brought this item to the Planning Board.

- b. Building Commissioner Rich Stevens told the ZBA that this item did not need the Planning Board's attention.
- c. Chair Roberts announced that this item was removed from the Planning Board's list.

Chair Roberts then led the discussion on other miscellaneous items.



- 1. Clean Fill
 - a. Add to Lot Clearing as a topic.
 - b. The Board of Health may have interest in this topic as well.
 - c. Explore whether the Board of Health would like to take on the Clean Fill issue as a standalone as then it would not have to go to the Town Meeting.
- 2. Low Lying Roads and Floodplain Bylaw
 - a. Add as a sub-topic to Climate Change and Coastal Erosion.
- 3. Chokepoint
 - a. Chair Roberts noted that Members are awaiting comment from Police Chief Calise and Fire Chief Collins as to how a significant issue this is for the Town.

Chair Roberts provided a summary on further actions as a result of this evening's meeting:

- 1. The Planning Board would further discuss Climate Change and Coastal Erosion with Health and Conservation Agent Emily Beebe on July 24, 2024, at 4 pm. Chair Roberts noted that the Members would also work with the Climate Action Committee and the Conservation Commission in this regard.
- 2. The Planning Board will delve into Lot Coverage and Lot Clearing.
- 3. The Planning Board will move forward with the Sign Code.
- 4. The Planning Board will coordinate with the DPW regarding the Street Inventory.

Chair Roberts and the Members then discussed the following highlighted topics: The Independent's recent article regarding issues with health and safety for apartments (in Eastham) as Truro does not have a definition for an "apartment" in the Bylaws and Health and Conservation Agent Beebe's request for the Planning Board to work on this as it would be very helpful for the Town in terms of enforcement- Chair Roberts will speak with Health and Conservation Agent Beebe and determine what next steps, if any, the Planning Board would take; ask Health and Conservation Agent Beebe for a definition of an "apartment"; potentially review other Massachusetts' towns for the definition of an "apartment" in their respective bylaws.

Chair Roberts will distribute a clean copy of the priority list discussed this evening to the Members.

Member Frazier reminded the Members to go vote tomorrow at Town Hall and Chair Roberts announced that the next meeting will be Wednesday, July 10, 2024 at 5:00 pm.

Member Frazier made a motion to adjourn the meeting at 6:38 pm.

Member Riemer seconded the motion.

Roll Call Vote:

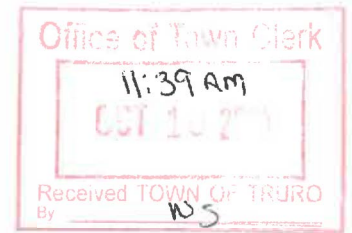
Vice Chair Greenbaum – Aye

Member Althaus - 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

