

**Truro Planning Board
Meeting Minutes
February 7, 2017, 6:00 pm
Truro Town Hall**

Planning Board Members Present: Bruce Boleyn, Peter Herridge, Paul Kiernan, Jack Riemer, Mike Roderick. **Absent:** (Excused) Steve Sollog
Other participants: Paul Wisotzky, Bob Weinstein, Jay Coburn, Carole Ridley, Planning Consultant

Mr. Herridge opened the meeting at 6:00 pm.

Public Comment

Mr. Kiernan brought up the issue of not allowing public comment at a Planning Board work session. This issue can be put on future agenda for discussion. It was suggested that this be put on the March 21st agenda.

Definitive Plan - Public hearing - Request for Further Continuance

2016-010PB Stephen Walsh, et al, have filed an application for approval of a Definitive Plan with the Clerk of the Town of Truro pursuant to MGLc.40A, section 81T and section 2.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to their property located on Walsh Way, Walsh Way Extension and Valentine Lane, May 43, Parcels 7, 8, 9, 10, 134 & 135. The plan would widen existing roadways with no new lots created. Continued from September 6th, September 20th, November 2nd, 2016, and December 6, 2016. Applicant is requesting further continuance to March 7, 2017 due to scheduling with Zoning Board of Appeals.

Ms. Ridley explained the request as having to do with zoning non-conformities and set back issues. Planning Board asked if the plan could be approved before the ZBA hearing. It was agreed the applicant should finish with the ZBA before returning to the Board. It has taken a while for this to be scheduled with the ZBA due to the fact that signatures have to be coordinated among a large number of property owners. The ZBA continued their hearing on this matter to February 27th. Mr. Kiernan asked if he can participate in the discussion since this application was initiated before he was on the Board. He will be allowed to be part of the discussions as long as he watches the videos of the previous hearings. Mr. Riemer asked if we can ask the applicant to resubmit the application so that Mr. Kiernan could fully participate. The reason Mr. Kiernan can participate tonight is because it's a procedural discussion. Mr. Boleyn made a motion to continue the hearing until March 7, 2017, at 6:00 pm, Mr. Roderick seconded, so voted, 5-0.

Discussion on Zoning Bylaws, Possible Vote of Referral to Board of Selectmen

This is not a public hearing, but the Board may entertain public comment.

Section 30.3 Seashore District

Section 40.2 Affordable Accessory Dwelling Unit

Paul Wisotzky thanked the Board for their work. He urged the Board to move the ADU bylaw revision to a Public Hearing. He would like the public to weigh in.

Mr. Herridge said the Seashore bylaw is very close to being ready for the public hearing. It just needs some additions from Mr. Weinstein and Ms. Kraft.

Mr. Weinstein spoke as a private citizen and property owner in the Seashore. 30.3.1 Residential “scale” or “size” (scale is relational as to lot). Allow by right: total improved property is the only property that can be considered, singular rather than plural. First table: limits on total gross floor area in relation to lot size (take out illustrative) The Seashore total gross floor area may be exceeded by special permit. Remove “up to a cap.” Again take out the word “illustrative.” C is a new paragraph, “when required an application shall be made to Zoning Board of Appeals.” Language: “may be exceeded by special permit.” He asked the Board to please not use photos of houses not in the Seashore to illustrate the need for the Seashore bylaw. He also asked the Board to take care not to make false statements to the public regarding the Seashore.

Mr. Kiernan thanked Mr. Riemer for bringing him up to date on the work that has been done on these bylaws before he joined the Board.

Mr. Riemer moved to send the Seashore Bylaw to the Board of Selectman to be returned back to the Board for Public Hearing. Mr. Boleyn seconded, so voted 5-0.

Mr. Weinstein then spoke regarding the Affordable Accessory Dwelling Unit bylaw revision: he would like to see the Seashore district included.

Ms. Ridley said that earlier versions included the Seashore district. It was a comment from the Seashore about permitting single family dwelling units only that led to the removal of the district where ADU’s are concerned. Violating this rule would be grounds for revocation of certificate of suspension of condemnation (CSC).

Mr. Coburn spoke as a property owner in the Seashore. He stated that these are private properties and it is unlikely the Seashore would revoke a CSC. Wellfleet allows ADU’s in the Seashore. The goal is to create avenues for housing. He’d rather have the fight with the Seashore after we pass the bylaw. There are more opportunities for ADU’s in the Seashore district than in the Town districts. Mr. Weinstein agreed with Mr. Coburn and stated that the Seashore has no zoning authority and ADUs should be included in the bylaw.

Mr. Riemer said that there are examples of areas that have been preserved and protected and the areas around them are developed. He does not think we should try to solve housing issues we’ve created in our Town by using the Seashore.

Mr. Kiernan said that he would abstain from voting on the AADU bylaw since he has reservations about it. Mr. Riemer brought up a couple of points to review regarding the draft: 10.4 definition, the word rental which has been struck out (he thinks we should include it), a unit in existence as compared to the first (primary) unit shall not exceed 50 % of the first unit. 40.2 ADU A.1 change wording to increase the middle income, add "shall be households"; define middle income as 150% of Barnstable County median income, 50% of the town's housing supply, use what's on the ground first. Item 2, insert, as existing, as of first advertised date. Item 3 at least two off-street parking spaces, refer to 30.9 Item 5, add a deed restriction shall be filed with Truro Housing Authority. Item 7, add that the owner, one who owns legal or beneficial title. Item 8, shall be inspected annually, and as frequently as deemed necessary, as well as public safety and health codes.

Mr. Herridge said that he would like to do everything humanly possible to get this bylaw revision ready for the public hearing.

Mr. Weinstein said that reducing the ADU size from 1,400 square feet down to 750 square feet would not be useful in dealing with the units already on the ground.

Mr. Herridge moved to send the current draft to the Board of Selectman for review and to be returned to the Board for public hearing, Mr. Boleyn second. So voted, 4-0-1, Mr. Kiernan abstained.

Review and Approval of Meeting Minutes

January 12, 2017 Site Visit - 22 Cliff Road

Bruce moved to approved the minutes of the site visit to 22 Cliff Road,as amended to reflect the correct street number. Mr. Kiernan seconded, 4-0-1, (Mr. Roderick abstained.)

January 12, 2017, Site Visit - Adventure Bound Camping Resorts

Mr. Riemer moved to approve the minutes of the site visit to ABC Resorts, Mr. Kiernan seconded, so voted, 4-0-1. (Mr. Roderick abstained.)

January 17, 2017 Planning Board Meeting

Mr. Boleyn moved to approve the meeting minutes of the Planning Board meeting January 17, 2017, with a correction on wording regarding the outside lights and the requirement for the applicant to return in a year, Mr. Riemer seconded, so voted. 5-0.

Reports from Board Members and Staff

Ms. Ridley handed out copies of three applications to fill the Board vacancy. These will be discussed and interviews conducted with the Board of Selectman on February 21, at 5:00 pm. She asked the Board if they wanted site visits for applications to be heard on March 7, 2017. Since there may be a new Board member selected on the 21st, site visits should be scheduled so as to include the new member.

There was discussion about email accounts and the reasons it is important for Board members to have one. Ms. Ridley will resend the "how to" page.

Mr Herridge moved to adjourn, Mr. Boleyn seconded, so voted 5-0.
Meeting adjourned at 7:10 pm.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "K. Black", written in a cursive style.

Katherine Black

