

TRURO PLANNING BOARD

Meeting Minutes

September 19, 2017 – 6:00 p.m.

Truro Town Hall

Planning Board Members present: Bruce Boleyn, Peter Herridge, Paul Kiernan, Jack Riemer, Mike Roderick, Steve Sollog, Karen Tosh

Other Participants: Amy Rolnick, Joanne Barkin, Jason Ellis, Ann Greenbaum, Harry Terkanian, Interim Town Planner; Cally Harper, Town Planner

Steve Sollog opened the meeting at 5:58 pm.

Public Comment Period

Amy Rolnick spoke about a letter that she and a group of concerned citizens sent to the Planning Board. She brought an additional letter that she asked if she could read aloud. They are concerned that construction might be imminent with regards to the Becker Rose Hill Lane subdivision. In 1997 the Planning Board approved a covenant for this subdivision. The group has questions about the two year deadline to build a road, as well as extensions to the two year deadline. They don't believe that extensions were applied for or granted, and they are concerned about whether Rose Hill Lane meets or will meet current regulations. They are hoping the project will not move forward until their questions and concerns can be addressed. If the project does commence before their questions are answered, they will consider trying to obtain a stop work order. They are requesting to be placed on the October 3, 2017, Planning Board agenda. Mr. Terkanian said that he forwarded the relevant covenant and certificate of plan approval to Town Counsel. Mr. Terkanian represented the Beckers when they purchased the property, so he would recuse himself in any deliberations. When asked, Mr. Terkanian said he doesn't see any impediment to the project being started. Mr. Kiernan said he had a word of caution, that if they started clearing vegetation, and then had to change the location of the road, it would be costly. Joanne Barkin came forward and wanted to emphasize that it is fourteen days until the next Planning Board meeting. She pointed out that there could be disruption of vegetation if this project moves forward. She hopes that the Town planner will hear from Town Counsel as soon as possible. It would save everyone involved a lot of trouble. Mr. Kiernan asked what Counsel has received regarding this matter. Mr. Terkanian said that Town Counsel received the same material that Planning Board members received. Ms. Rolnick added they have contacted David Reid, attorney, to look into this matter.

Cally Harper introduced herself as the new Town Planner. She was a planner with the Cape Cod Commission.

Application for Determination that Plan Does Not Require Approval

2017-004PB Albert P. Groom, (by Jason C. Ellis, agent) seeks a determination that a plan showing a division of land into two parcels does not require approval under the Subdivision Control Law. The property is located at 44 Truro Center Road, Assessor's Atlas Map 50, Parcel 126.

Jason Ellis talked about what the applicant wants to do. He said it meets the requirements of an *Approval Not Required* plan. Mr. Sollog asked about the topography. Mr. Ellis described it. The

driveway would be utilized by both parcels. It would not require an easement. It also accesses the Cody's place next door. The driveway is on Town property. Mr. Terkanian said that the only issue is whether both lots have access that meets the access standards. No one on the Board had further questions. There are two sheds and a dwelling on one portion. The other is empty. Mr. Kiernan made a motion that with respect to application 2017-004PB Albert P. Groom, the Board determines that the plan entitled in part: "Division Plan of Land in Truro, MA Made for Albert P. Groom, Being a Division of Lot As Shown on a Plan Recorded in Barnstable County Registry of Deeds, Plan Book 651, Page 60" dated July 25, 2017, Scale 1" = 40', prepared by Laude Land Surveying does not require approval under the Subdivision Control Law. Mr. Boleyn seconded the motion. So voted, 7-0. The plan was endorsed.

Continued Public Hearing - Commercial Site Plan Review

2016-008SPR Maria Kuliopulos – White Sands Beach Club, Inc. seeks approval of a Modification to a Commercial Development Site Plan pursuant to §70.3 of the Truro Zoning By-Law for consolidation of units to reduce the number of units on the property by four. Plans include construction of a replacement building containing 17 rentable units and a hospitality room in the same location as a previously demolished fire damaged structure. The property is located at 706 Shore Road, White Sands Beach Club, Assessor's Atlas Map 39 Parcels 131, 158. Hearing continued from March 7, 2017, May 2, 2017, June 6, 2017, June 27, 2017 and August 15, 2017.

Mr. Terkanian said the Zoning Board of Appeals companion case was continued to tomorrow, September 20, 2017. In the Board's materials is a summary memo and a listing of the documents the applicant filed with the ZBA. Mr. Terkanian recommends that the Planning Board hearing be continued. Mr. Sollog advised Ms. Kuliopulos that she should consider reapplying so that seven members would be able to vote on her proposal. Ms. Kuliopulos said that after the ZBA hearing, she would like to reschedule for Oct 17, 2017 with the Planning Board. Mr. Kiernan said that three members of the Board are ineligible, and reminded her that it would be in her best interest to reapply. Mr. Kiernan made a motion to continue the hearing to Oct 17, 2017, Mr. Herridge seconded. So voted, 7-0.

Open Discussion of Possible Zoning Bylaw Amendments

The Planning Board will consider possible amendments to the zoning bylaw, including, but not limited to, size restrictions for residential structures in all zoning districts. The Board will consider holding public forums and other means of outreach for obtaining citizen input and whether a subcommittee should be formed to review possible zoning amendments.

Ann Greenbaum came forward and offered nine questions for a survey regarding a town-wide house size restriction bylaw. Members of a community group have been working on them. Mr. Herridge read additional questions. Mr. Kiernan added the words "next to YOUR house." Mr. Terkanian suggested being more neutral, and more specific, for example not to use the word "huge," instead maybe specify 7,000 sq ft. Ms. Tosh said rather than "integrity" use the word "character" of the neighborhood, or both words. Ms. Harper asked about opened ended questions which can be difficult to tabulate. Ms. Greenbaum said her group would help read through the replies and write them up. A follow up question could be: would you require a more restrictive or less restrictive size limit? It was suggested that there be a brief explanation of the various districts in the Town that are not residential. It was agreed that the survey would be available on line as well as on paper. Ms.

Harper mentioned successful ways she's seen surveys go out, such as in utility bills. There could be helpers available at the library for people who don't use the computer. Ms. Greenbaum will work on the new draft of survey questions with Mr. Herridge, to be available at the next Planning Board meeting. A "return by" date might be October 27, 2017. A forum will be scheduled sometime in November.

Ms. Greenbaum talked about having used the 2016 assessor's data for the preliminary draft to get a sense of current Truro properties over 3150 sq. ft. size (the size limit used for the Seashore amendment). By mailing address, there are 212 properties in the residential district above 3150 square feet. Of those 212, only 69 have Truro mailing addresses, 3.5% of total properties. Another 6 have Provincetown or Wellfleet addresses. 137 of these have other mailing addresses. Less than 4% are both over 3150 square feet and local. It will be important to look at the 2017 assessor's data.

Maria Kupiopolus asked if large houses are a problem in Truro. The answer was that they could be.

Review and Approval of Meeting Minutes September 5, 2017 Regular Meeting

Mr. Sollog made a motion to accept the minutes of the September 5, 2017, meeting as written, Mr. Herridge seconded. So voted, 7-0.

Reports from Board Members and Staff Acting Town Planner report.

Mr. Terkanian provided a brief report on recent ZBA decisions, a notice of a Shared Housing workshop, hosted by the Town of Yarmouth, Oct 19, 20, 21, 9:30 to 3:30. Also, question and answers on the Clark matter, and the August report on the building permits issued.

Mr. Riemer commented on August Building permits saying that he would like this information more readily. He thinks building permits should be listed on the Town website when they are issued. Mr. Herridge agreed. Provincetown does this. Mr. Riemer asked how this could be formerly requested. The Town Manager would be the one to contact. Mr. Sollog suggested that Mr. Riemer draft a letter regarding his idea to give to Ms. Harper to pass on to Ms. Palmer.

Mr. Kiernan asked that in order to make the process flow better, if we had a request for an opinion from Town Counsel, should be it in the form of a motion? He then put in the form of a motion to ask Town Counsel whether the definition of a room in a motel applies to a condominium. Mr. Herridge seconded the motion. So voted, 7-0.

Adjourn

Mr. Herridge made a motion to adjourn, Mr. Boleyn seconded. Mr. Riemer brought up the subject of the 2010 ANR hand-book. He suggested that all Board members should have a copy. Some members said that they do have one. Motion to adjourn carried, 7-0. Meeting adjourned at 7:25 pm.

Respectfully submitted,



Katherine Black

