

ANNUAL TOWN MEETING-DAY 1 and DAY 2
TRURO CENTRAL SCHOOL BALLFIELD
MAY 4 and MAY 5, 2024

Annual Town Meeting began at 3:37 pm by the Moderator, Paul Wisotzky, having determined a quorum (100 registered voters) present, and stating that the Warrant for said meeting was duly posted on April 19, 2024.

Annual Town Meeting called to order at 3:40 pm on May 4th, 2025. The following business was conducted:

OPERATING BUDGET ARTICLES

Article 1: FY2025 Omnibus Budget Appropriation

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Twenty-six Million, Four Hundred Sixty-five Thousand, Three Hundred Fifty-three Dollars and Zero Cents (\$26,465,353.00) to defray the expenses and charges of the Town of Truro in Fiscal Year 2025 (the period from July 1, 2024 through June 30, 2025), including the costs of public education, debt service and interest payments, and to meet said appropriation by the following means:

Source	Amount
Raise through taxation	\$25,725,270.00
Transfer from Beach Receipts Reserved for Appropriation	\$433,000.00
Transfer from Pamet Harbor Receipts Reserved for Appropriation	\$85,500.00
Transfer from Recreation Receipts Reserved for Appropriation	\$13,500.00
Transfer from Conservation Commission Receipts Reserved for Appropriation	\$5,000.00
Transfer from Educational/Governmental Programming Access Fund	\$118,083.00
Transfer from Ambulance Receipts Reserved for Appropriation	\$85,000.00

or to take any other action relative thereto.

Requested by the Select Board

Explanation: The proposed Fiscal Year 2025 Operating Budget can be found as Appendix A in the Annual Town Meeting Warrant. The Budget format contains the expenditure figures for Fiscal Year

2023, appropriation figures for Fiscal Year 2024, and Town Departments, Finance Committee and Select Board Fiscal Year 2025 recommendation. Please refer to the Select Board's Message to the voters on page **Error! Bookmark not defined.** and the Finance Committee's Message on page **Error! Bookmark not defined..**

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

ARTICLE 1: Moved and Seconded to raise and appropriate and transfer from available funds the sum of Twenty-six Million, Four Hundred Sixty-five Thousand, Three Hundred Fifty-three Dollars and Zero Cents (\$26,465,353.00) to defray the expenses and charges of the Town of Truro in Fiscal Year 2025 (the period from July 1, 2024 through June 30, 2025), including the costs of public education, debt service and interest payments, and to meet said appropriation as printed in warrant.

An amended motion was made and seconded from the Town Meeting floor to reduce Article 1 FY2025 Omnibus Budget Appropriation reduce Department 161 Town Clerk expenses from \$116,400.00 to \$26,400.00 a reduction of \$90,000.00 to reduce the Department 175 Town Planner salary from \$235,750.00 to \$150,750.00 a reduction of \$85,000.00 a total reduction for the operating budget would go from \$26,465,353.89 to \$26,290,353.89 a reduction of \$175,000.00.

Motion on Town Meeting floor to move the previous question (on the amendment) and seconded. Motion carries as declared by the Moderator.

Motion on the amendment fails by more than a majority as declared by the Moderator.

Motion made and seconded from Town Meeting floor to move the entire budget as written in the warrant. Moderator requests holding off on a vote to finish the sections of the budget if there are no further questions.

Article 1: Motion to approve the FY 2025 Omnibus Budget Appropriation as printed in the warrant carries by more than a majority as declared by the Moderator.

Article 2: Amendments to the FY2024 Operating Budget Funded by Free Cash

To see if the Town will vote to appropriate from available funds (Free Cash) such sums of money necessary to supplement the operating budgets of the various Town departments for the current Fiscal Year 2023-2024 (FY2024)

FROM	TO	AMOUNT
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Free Cash	Snow Removal	\$40,000.00
To balance the FY2024 budget for emergency snow and ice removal operations.		
Free Cash	Town Meeting/ Special Town Meeting Costs	\$58,000.00
To pay the costs associated with Town Meeting/ Special Town Meeting (tent, chairs, audiovisual, etc.).		
	TOTAL	\$98,000.00

or to take any other action relative thereto.

Requested by the Finance Director

Explanation: This is a customary article included in each Annual Town Meeting Warrant to address any legal overdrafts (Snow Removal) and supplemental adjustments to current year appropriations. This year's request includes a transfer for the purpose of balancing the snow removal overdraft that occurred during the winter of 2023/2024 and costs associated with holding the 2024 Annual Town Meeting and 2023 Special Town Meeting.

Finance Committee Recommendation	4	0	0
Select Board Recommendation	5	0	0

ARTICLE 2: Motion was moved and seconded to appropriate from Free Cash the amounts listed in the warrant to supplement the operating budgets of the various Town departments for the current fiscal year.

Motion made and seconded from Town Meeting floor to adjourn until tomorrow at 10:00AM. Motion was placed on hold by the Moderator.

Article 2: Motion carries almost unanimously as declared by the Moderator.

Motion made and seconded from Town Meeting floor to adjourn until tomorrow at 10:00AM. *Motion fails as declared by the Moderator.*

Motion made and seconded from Town Meeting floor to move consider Article 42 out of order.

Motion on the floor of Town Meeting to move and seconded to vote to move the question. Motion to move to a vote passes as declared by the Moderator.

Motion to take Article 42 out of order fails by more than a majority as declared by the Moderator.

Tellers were called into service for a count of hands. The Tellers reported to the Moderator that there were 136 votes in favor and 182 votes opposed.

The Moderator declared the motion failed.

A Motion was made and seconded from Town Meeting floor to adjourn until tomorrow at 10:00AM.

The Moderator declared the motion carries by a majority to adjourn until tomorrow at 10:00AM.

**DAY 2 OF ANNUAL TOWN MEETING WAS CALLED TO ORDER AT 10:08 AM – A
QUROUM WAS PRESENT**

Article 3: Transfer of Funds from Free Cash

To see if the Town will vote to transfer the sum of Two Million, Eight Hundred Ninety-nine Thousand, Two Hundred Eighty dollars and no cents (\$2,899,280.00) from Free Cash to the following:

	Purpose/ Fund	Amount
a	Reduce or Stabilize the FY2025 Tax Rate	\$700,000.00
b	Stabilization Fund	\$100,000.00
c	Capital Expense Stabilization Fund to Include Ambulance Rolling Stock	\$175,000.00
d	General Fund Reserve Fund (01013257)	\$125,000.00
e	Other Post-Employment Benefits (OPEB)	\$400,000.00
f	Employee Benefits and Reserve Account (01015351)	\$100,000.00
g	Website Upgrades (0101155200)	\$48,280.00
h	Senior Needs Assessment (0105415200)	\$30,000.00
i	Supplemental Short-Term EMS Support (010220**)	\$250,000.00
j	Capital Improvement Projects: Community Center Technology Upgrades, Corn Hill Parking Lot Paving and Striping, Great Hollow Beach Stairway, Preliminary Master Planning and Evaluation for Public Water Supply (010133**)	\$822,000.00
k	Records Access Consulting/ General Town Clerk Support (0101615200)	\$40,000.00
l	Climate Action Coordinator Funding (0105115100)	\$59,000.00
m	Climate Resiliency Efforts Support (010122**)	\$50,000.00
	TOTAL	\$2,899,280.00

or to take any other action relative thereto.

Requested by the Select Board

Explanation: This year's free cash transfers are presented in a table format providing an overview of how free cash is proposed to be used in one article. Select Board Policy 42 provides that the town shall endeavor to use no more than eighty-five percent (85%) of the Free Cash figure certified by the Massachusetts Department of Revenue in any year. The above recommendation adheres to the policy. The following explanations are provided for each purpose described above.

	Purpose/ Fund	Explanation
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a	Reduce or Stabilize the FY2025 Tax Rate	<p><i>Customary transfer of funds to offset the tax rate for the upcoming fiscal year. Annually, the Select Board uses certified Free Cash (unexpended funds) as a revenue source to reduce the impact on the tax rate. Staff recommends gradually reducing the amount of Free Cash used in this manner in an effort to prepare for years that less Free Cash is available. For this reason, staff recommends transferring \$700,000.00 of Free Cash to stabilize the FY2025 tax rate. In FY2023, \$900,000.00 of Free Cash was used to offset the tax rate. In FY2024, \$800,000.00 of Free Cash was used to offset the tax rate.</i></p>
b	Stabilization Fund	<p><i>Customary transfer of funds to the Town's Stabilization Fund, which helps the Town maintain its strong bond rating and provides a 'rainy day fund.' The balance as of February 29, 2024 in the Stabilization Fund is \$1,480,242.58 or 5.59% of the proposed FY2025 Operating Budget. This transfer will bring the Town closer to the Government Finance Officers Association's recommended 6-10% of operating expenditure budget for the Stabilization Fund.</i></p>
c	Capital Expense Stabilization Fund to Include Ambulance Rolling Stock	<p><i>Customary transfer of funds into the Capital Expense Stabilization Fund to plan for significant capital purchases that will occur several years in the future. Rather than waiting and appropriating or borrowing the entire sum in one year, this fund will allow us to reserve, with Town Meeting approval, incremental sums of money over time. When the project or purchase is ready to be funded, a Town Meeting vote will be required to appropriate the funds. This year's recommended transfer from Free Cash is \$175,000.00 (\$100,000 which is traditionally transferred and \$75,000 for a new initiative to transfer funds in anticipation of ambulance replacement in the future). The balance in the fund as of February 29, 2024 is \$249,620.46.</i></p>
d	General Fund Reserve Fund (01013257)	<p><i>In accordance with MGL Chapter 40, Section 6, the Reserve Fund is a sum of money appropriated at Town Meeting to be used for "extraordinary or unforeseen expenditures." The Finance Committee approves or denies Reserve Fund Transfer requests in accordance with Massachusetts General Law and Truro Select Board Policy #42. In recent years, Town Meeting has appropriated \$100,000.00 in the Omnibus Budget to the Reserve Fund. This year, similar to last year, \$100,000.00 is included in the FY2025 Omnibus Budget and \$125,000.00 of Free Cash is requested to bring the FY2024 Reserve Fund total to \$225,000.00. This request brings the reserves of the Town more in line with Government Finance Officers Association recommendations.</i></p>
e	Other Post-Employment Benefits (OPEB)	<p><i>Customary transfer of funds that began at the 2014 ATM to transfer funds into the Other Post-Employment Benefits (OPEB) Trust Fund to cover further liability in accordance with government accounting standards. This year's proposal is to transfer \$400,000.00. The balance as of February 29, 2024 in the fund is \$5,268,426.43.</i></p>
f	Employee Benefits and Reserve Account (01015351)	<p><i>Provides the funding to honor employment contracts (\$50,000.00) for long-time employees that retire or separate from the Town and will also continue the \$50,000.00 "signing bonus" program to assist in the recruitment of personnel for vacant non-School positions, particularly vacant positions in public safety.</i></p>
g	Website Upgrades (0101155200)	<p><i>Provides funding for a suite of website upgrades to include codification software for municipal bylaws and codes, recreation software upgrades, agenda and meeting management software, and general upgrades for a better user experience.</i></p>
h	Senior Needs Assessment (0105415200)	<p><i>Provides funding to conduct a study focusing on the needs and interests of Truro's adult population as it relates to aging in the community across the lifespan. The results of this assessment will inform the strategic planning of the Truro Council on Aging regarding program preferences and service needs and may also inform their pursuit of an Age & Dementia Friendly Community designation. The foundation of this designation is to create inclusive, supportive, and welcoming spaces for people of all ages and abilities. This study seeks to address Select Board FY2024 Objective #11</i></p>
i	Supplemental Short-Term EMS Support (010220)	<p><i>This Free Cash request will be used to fund short-term Emergency Medical Service supplemental support as the Fire & Rescue Department continues to transition to a service-provision model where the department operates without the supplemental support of Lower Cape Ambulance. FY2025 is year two of the two-year transition plan and due to earlier than anticipated receipt collection and more successful than</i></p>

		<p><i>anticipated hiring efforts, this year's request is significantly less than what was projected at the 2023 Annual Town Meeting. This Free Cash transfer will be used to fund other short-term recruitment tools and contingency plans to ensure adequate service provision throughout the transition, as well as to fund related equipment and capital needs.</i></p>
j	Capital Improvement Projects: Community Center Technology Upgrades, Corn Hill Parking Lot Paving/Striping/ Maintenance, Great Hollow Beach Stairway, Preliminary Master Planning and Evaluation for Public Water Supply (010133)	<p>Community Center Technology Upgrades: This technology update for the Community Center will add a wireless ceiling-mounted projector with software along with corresponding plate connections and controls for on-screen projections and visuals. This update will facilitate hybrid meetings, community center presentations, clear up synchronization issues for the hybrid component and poor image quality resolution on all visuals presented.</p> <p>Corn Hill Parking Lot Paving and Striping: At the April 2022 Town Meeting, voters approved engineering services related to the repaving, maintenance, and re-striping of Corn Hill Beach and Head of the Meadow Beach parking lots. The engineering services are complete, and this article funds the costs associated with the construction costs for paving, striping and maintenance at Corn Hill Beach Parking lot. Funding for Head of the Meadow Parking lot construction was approved at last year's Town Meeting.</p> <p>Great Hollow Beach Stairway: Due to storm events and sea level rise the Great Hollow Beach stairway has been degrading over the last few years, and repairing is no longer feasible. This request will fund the engineering to support the building of a new stairway, installation of parking lot stormwater infrastructure, and dune restoration.</p> <p>Preliminary Master Planning and Evaluation for Public Water Supply: Over the past two years in collaboration with the Town of Provincetown the Town has completed a water storage tank location assessment and a long-term water demands analysis. Both projects intend to help prepare Truro and Provincetown for future expansion and demands of the municipal water system. This funding will enable the Town to continue moving forward with evaluating a long-term plan.</p>
k	Records Access Consulting/ General Town Clerk Support (0101615200)	<p>This transfer will fund consulting services as a temporary measure for the FY2025 fiscal year to support the Town Clerk and Administrative staff to mitigate the increasing volume of public records requests and to support the Town Clerk functions while a more thorough assessment of workload trends is assessed.</p>
l	Climate Action Coordinator Funding (0105115100)	<p>These funds will supplement projected solar revenues to pay the costs associated with a Climate Action Coordinator position for this first year. The position is expected to work 25-30 hours per week.</p> <p>Climate Action Committee Recommendation: 3-0-0</p>
m	Climate Resiliency Efforts Support (010122)	<p>The Select Board worked with the lead petitioner of the Climate Resiliency and Infrastructure Stabilization Fund - Petitioned Article and has incorporated the \$50,000 requested in the petitioned article into this free cash transfer article to make the funds accessible sooner than the petitioned article would have allowed. The lead petitioner committed to withdrawing the request for the \$50,000 in the motion for the petitioned article on Town Meeting floor. These funds will be used for climate resiliency efforts including grant matching, securing technical assistance, etc.</p>

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

ARTICLE 3: Motion moved and seconded to appropriate from Free Cash the amounts listed in the warrant to the funds and departments listed in the warrant for the current fiscal year.

Amended motion from Town Meeting floor to separate out item A-I as a group, J-M voted on individually, and separate each item out in J and vote on it individually. The Moderator proposed that the items are asked about individually.

Amended motion moved and seconded from Town Meeting floor considering item H separately. Motion carries by a majority as declared by the Moderator.

2nd Amended motion from Town Meeting floor moved and seconded to remove the Senior Needs Assessment with UMass to zero. Motion fails by a majority as declared by the Moderator.

Motion made and seconded from Town Meeting floor to move the question to a vote. Motion carries as declared by the Moderator.

Motion on Item H: Moderator called all those in favor for Item H please raise your cards. The Moderator explained it is a motion to appropriate \$30K for the Senior Needs Assessment. Motion fails as declared by the Moderator.

Motion from Town Meeting floor made and seconded to move the question (Article 3 except item H). Motion carries as declared by the Moderator.

Article 3: Moved and seconded previously and motion carries as declared by the Moderator.

Motion made from Town Meeting floor and seconded to reconsider Article 3 , line-Item M to reduce it from \$50,000.00 to \$10,000.00. Motion carries as declared by the Moderator.

A vote was taken on the previous motion to reduce Article 3, line-Item M from \$50,000.00 to \$10,000.00, and seconded.

A motion came from the floor to move the previous question and was seconded. Motion carries as declared by the Moderator.

A vote was taken to reduce line-item M to \$10, 000.00 motion carries by a strong majority as declared by the Moderator.

CONSENT AGENDA: CUSTOMARY & HOUSEKEEPING ARTICLES

The Select Board intends to offer a motion at Town Meeting to move the following articles in this section as one.

Article 4: Authorization to Hear the Report of Multi-member Bodies

To see if the Town will vote to hear reports of any multi-member body, whose annual report was not published in the 2023 Annual Town Report, or take any other action relative thereto.

Requested by the Select Board

Select Board Recommendation	5	0	0
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ARTICLE 4: CONSENT AGENDA: Articles 4-10

Motion made and seconded to consider Articles 4-10 as a whole. Motion carries almost unanimously as declared by the Moderator.

Motion made and seconded to approve Articles 4, 5, 6, 7, 8, and 10 as printed in the warrant and approve Article 9 to transfer \$670,532.36 from the Affordable Housing Stabilization Fund to the Affordable Housing Trust Fund. Motion carries as declared by the Moderator.

Article 5: Authorization to Set the Salary of the Select Board

To see if the Town will vote to determine and set the salary for the Select Board for Fiscal Year 2025 at \$6,000.00 per member for a total of \$30,000.00, or take any other action relative thereto.

Requested by the Finance Committee

Explanation: This is a customary article included in each Annual Town Meeting Warrant. This year's salary amount is level-funded from last year.

Finance Committee Recommendation	3	0	0
Select Board Recommendation	5	0	0

Article 6: Authorization to Set the Salary of the Moderator

To see if the Town will vote to determine and set the salary for the Town Moderator at \$500.00 per completed Town Meeting or Special Town Meeting; and any appointed Assistant Town Moderators at \$250.00 per completed Town Meeting or Special Town Meeting for Fiscal Year 2025, or take any other action relative thereto.

Requested by the Select Board

Explanation: This is a customary article included in each Annual Town Meeting Warrant but this year there is language included for town meetings where any Assistant Town Moderators may be appointed. This year's salary amount for the Moderator is level-funded from last year.

Finance Committee Recommendation	4	0	0
Select Board Recommendation	5	0	0

Article 7: Revolving Fund Expenditure Limits

To see if the Town will vote pursuant to Section 1.1.8 of the General Bylaws to set the following spending limits Revolving Funds for Fiscal Year 2025

Revolving Fund	Spending Limit
Council on Aging	\$40,000.00
Shellfish Program	\$2,000.00

or to take any other action relative thereto.

Requested by the Finance Director

Explanation: This is a customary article required by Massachusetts General Law that sets expenditure limits annually for the Revolving Accounts established under MGL Chapter 44 Section 53E½.

Finance Committee Recommendation	3	0	0
Select Board Recommendation	5	0	0

Article 8: Authorization to Expend Funds in Anticipation of Reimbursement for State Highway Assistance Aid

To see if the Town will vote to appropriate all sums provided to the Town pursuant to the Chapter 90 Highway Assistance Program of the Massachusetts Department of Transportation for purposes consistent with said program; or to take any other action relative thereto.

Requested by the Finance Director

Explanation: The amount of the Chapter 90 funds to be awarded to Truro by the State for FY2025 is \$170,665.05.

Finance Committee Recommendation	3	0	0
Select Board Recommendation	5	0	0

Article 9: Transfer of Funds from Affordable Housing Stabilization Fund to Affordable Housing Trust Fund

To see if the Town will vote to transfer a sum of money from the Affordable Housing Stabilization Fund to the Affordable Housing Trust Fund; or to take any other action relative thereto.

Requested by the Select Board

Explanation: At the 2021 Annual Town Meeting, voters approved Article 20: To Establish an Affordable Housing Stabilization Fund and to Dedicate a Percentage of the Local Room Occupancy Tax to Said Fund. Thirty-three percent of the Local Room Occupancy Excise Tax was authorized by Town Meeting voters to be automatically transferred to an Affordable Housing Stabilization Fund, as a Stabilization Fund is the only acceptable way under the associated section of Massachusetts General Law to dedicate these recurring receipts. This article is now a customary article that transfers the funds received since the last Annual Town Meeting transfer to the Affordable Housing Trust Fund so that monies can be accessed in a more timely manner when appropriate affordable housing opportunities are presented, rather than needing to wait for or call a town meeting to expend said funds. The current balance of the Affordable Housing Stabilization Fund is \$670,532.36.

Finance Committee Recommendation	3	0	0
Select Board Recommendation	5	0	0

Article 10: Acceptance of M.G.L. Chapter 60, §15B Tax Title Collection Revolving Fund

To see if the town will accept General Laws Chapter 60, Section 15B, which allows the town to establish by vote [or bylaw/ordinance] one or more tax title collection revolving funds for the treasurer-collector, or take any other action relative thereto.

Requested by the Select Board

Explanation: This is a housekeeping article that will allow the town to establish a revolving fund that will be credited with certain costs, charges, and fees incurred by the tax collector or treasurer and collected upon redemption of tax titles or sales of real property acquired through foreclosures of tax titles and can be used to pay for expenses related to tax title (advertising, legal research, recording fees, etc.).

Finance Committee Recommendation	4	0	0
Select Board Recommendation	5	0	0

FINANCIAL ARTICLES

TWO-THIRDS VOTE

Article 11: Acquisition of Truro Motor Inn with Debt Exclusion Contingency

To see if the Town will vote to authorize the Select Board to acquire by gift, purchase, eminent domain, or otherwise, a parcel of land consisting of 1.01 acres, more or less, with the improvements thereon, located at 296 Route 6 in Truro, identified as Assessor's Map 43-116-0, described in a deed recorded with the Barnstable County Registry of Deeds in Book 2793, Page 228, for the purpose of developing affordable housing, including, but not limited to, workforce housing, and for the purpose of conveyance and/or lease to further the foregoing, and for general municipal purposes; and to raise and appropriate, transfer from available funds, or borrow a sum of money for said acquisition, including all costs incidental and related thereto; and to authorize the Select Board to enter into all agreements and take any and all actions as may be necessary or convenient to accomplish the foregoing purposes, provided that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts needed to repay any bonds or notes issued pursuant to this vote from the limitations imposed by G.L c.59, §21C (Proposition 2 ½) or take any other action thereto.

Requested by the Select Board

Explanation: With the approval of Town Meeting, the Select Board intends to take 296 Route 6 (Truro Motor Inn) by eminent domain for the purpose of developing affordable housing, including, but not limited to workforce housing, and for the purpose of conveyance and/or lease to further the foregoing, and for general municipal purposes. To cover the costs associated with taking the property by eminent domain, this article provides for a variety of funding options. The Select Board intends to use existing funds, including Dennis Family Gift Account funds and/or Affordable Housing Trust Funds to pay the associated costs either directly or to pay the debt service associated with acquiring the property.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

Article 11: Acquisition of Truro Motor Inn

Motion made and seconded that the Town authorizes the Select Board to acquire by gift, purchase, eminent domain, or otherwise, a parcel of land consisting of 1.01 acres, more or less, with the improvements thereon, located at 296 Route 6 in Truro, identified as Assessor's Map 43-116-0, described in a deed recorded with the Barnstable County Registry of Deeds in Book 2793, Page 228, for the purpose of developing affordable housing, including, but not limited to, workforce housing, and for the purpose of conveyance and/or lease to further the foregoing, and for general municipal purposes; and that to pay costs of this acquisition, including the payment of all costs incidental and related thereto, One Million Six Hundred Thousand Dollars (\$1,600,000.00) shall be transferred from the Dennis Family Fund. The Select Board is authorized to enter into all agreements and take any and all actions as may be necessary or convenient to accomplish the foregoing purposes.

Motion made and seconded from Town Meeting floor to amend by striking the words "and for the purpose of conveyance and/or lease to further the foregoing, and for general municipal purposes". Motion fails as declared by the Moderator.

And amendment was made and seconded to strike, "and for general municipal purposes". A vote was taken, and the Moderator requested a Teller Count.

Tellers were called into service for a count of hands. The Tellers reported to the Moderator that there were 196 votes in favor and 130 votes opposed.

Motion was made and seconded from Town Meeting floor to move the question. Motion carries in favor as declared by the Moderator.

Vote on Article 11. Motion carries by 2/3rds Majority as declared by the Moderator.

TWO-THIRDS VOTE

Article 12: Borrowing Authorization for Truro Central School HVAC and Roof Repairs

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of One Million, Five Hundred Forty Thousand Dollars (\$1,540,000.00) more or less, associated with engineering services, construction, and repairs related to the HVAC system and roof repairs at Truro Central School, including, but not limited to, the flat rubber roof with associated components, all HVAC ventilation components and heating system and controls, and for the payment of all other costs incidental and related thereto; provided that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts needed to repay any

bonds or notes issued pursuant to this vote from the limitations imposed by G.L c.59, §21C (Proposition 2 ½) or take any other action relative thereto.

Requested by the Public Works Director

Explanation: This article appeared on the 2023 Special Town Meeting Warrant, but as the meeting was continued to May 2024, the cost associated with this project escalated from \$1,400,000 to \$1,540,000. The Special Town Meeting article will be moved to be indefinitely postponed and Annual Town Meeting voters will vote on this article.

As indicated in the Capital Improvement Budget in the 2023 Annual Town Meeting, a \$100,000 grant funded engineering services related to evaluating the existing HVAC system as well as evaluating the roof. The engineering evaluation for both the HVAC system and the roof has been completed and this article would fund the costs associated with construction for both the roof and the HVAC system. This article requests voter approval to place a temporary increase in the tax levy for the period required to pay the principal and interest on the authorized borrowing for the Truro Central School HVAC and Roof Repairs project. The exclusion only applies for the life of the borrowing - when the borrowing is paid off, the temporary exclusion terminates. If approved at Town Meeting and at the ballot, the exclusion is added to the tax levy only during the year in which the project is being funded and may increase the tax levy above the levy ceiling.

School Committee Recommendation			
Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

POTENTIAL IMPACT

Truro Central School HVAC & Roof Debt Service- \$1.54M	*Debt Service	\$100K Assessed Value	\$500K Assessed Value	2024 Avg Residential Value of \$1,042,804
20-year bond at 4.5%, level debt. Year 1 (FY2025 debt service shown)	\$118,389	\$3.39	\$16.96	\$35.38

**This is the first time a borrowing authorization has been placed in front of Town Meeting since passage of Article 39, ATM 9/26/2021. The article requested that "all financial Warrant articles, outside the omnibus budget, which could incur expenditures in excess of \$50,000.00 be required to delineate their cost and the estimated tax impact on an average home..."*

The impact presented above is an estimate. Borrowing authorizations allow the Treasurer to sell debt to pay for a given project; the debt for the above project has not yet been sold. Debt service cost is projected. The debt service listed is for the first year of principal + interest cost of the projected debt service. The debt service and timing may change due to project changes or interest rate changes. The impact on a specific household or tax bill will vary. Tax impacts are based on the total residential valuation of every residential property in the Town as of the first of the calendar year. The chart above uses the Fiscal Year 2024 tax base/valuation, which was assessed by the Board of Assessors as of January 1, 2023 and certified by the Department of Revenue in the fall of 2023.

ARTICLE 12: Motion made and seconded that the Town appropriates One Million Five Hundred Forty Thousand Dollars (\$1,540,000.00) to pay costs of engineering services, construction, and repairs related to the HVAC system and roof repairs at Truro Central School, including, but not limited to, the flat rubber roof with associated components, all HVAC ventilation components and heating system and controls, and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(1), or any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however, that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts needed to repay any bonds or notes issued pursuant to this vote from the limitations imposed by G.L c. 59, §21C (Proposition 2½).

Motion was made and seconded to move the question from Town Meeting Floor. Motion carries as declared by the Moderator.

Article 12: Motion carries by more than a 2/3rds majority as declared by the Moderator.

TWO-THIRDS VOTE

Article 13: Borrowing Authorization for the Engineering and Construction of Public Works Facility

To see if the Town will vote to raise and appropriate, borrow and/or transfer from available funds the sum of Thirty-Five Million Dollars (\$35,000,000.00), or any other sum, to pay costs of engineering and constructing a new Department of Public Works Facility at 340 Route 6, including the payment of all costs incidental and related thereto; provided however that such vote shall not take effect until the Town votes to exempt from the limitations on total property taxes imposed by G.L c. 59, §21C (Proposition 2 ½) the amounts required to pay the principal of and interest on the borrowing approved by this vote and further authorize the Select Board and/or Town Manager to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into any agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized herein, or to take any other action relative thereto.

Requested by the Select Board

Explanation: Weston & Sampson identified 340 Route 6 as the most advantageous site of the 7 potential sites reviewed in the feasibility study. On June 27, 2023, the Select Board voted in favor of relocating the DPW Facility to 340 Route 6. This article requests the authorization to borrow the full

*amount required for the engineering and construction of a new Department of Public Works Facility to be located at 340 Route 6, and requires approval at the election ballot. The Select Board will present a dollar value on Town Meeting floor that is **lower** than the \$35 million dollar authorization in the text of this article after the Ad Hoc Building Committee for the Future Public Works Facility provides its cost-savings recommendations. The lower dollar value would be included in the motion on Town Meeting floor and would be a not-to-exceed amount for how much the town is **authorized to borrow**. Any grants received or budget decreases would result in a decrease in the amount that is **actually borrowed**.*

Finance Committee Recommendation	4	0	0
Select Board Recommendation	5	0	0

Motion made and seconded from Town Meeting floor to move Article 42 out of order for Town Meeting to discuss now. Motion fails as declared by the Moderator.

ARTICLE 13: Move and seconded that the Town appropriates Twenty-eight Million, Three Hundred Ten Thousand Dollars (\$28,310,000.00) to pay costs of engineering and constructing a new Department of Public Works Facility at 340 Route 6, including the payment of all costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(1) or any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however, that such vote shall not take effect until the Town votes to exempt from the limitations on total property taxes imposed by G.L. c. 59, §21C (Proposition 2½) the amounts required to pay the principal of and interest on the borrowing approved by this vote and further that the Select Board and/or Town Manager are authorized to apply for and accept any Federal, State, County or other funds that may be available for this purpose and to enter into any agreements for acceptance of any such grants or funds which shall be used to offset the total appropriation authorized made by this motion.

An amendment was made and seconded from Town Meeting floor to move that the Town appropriate the sum of \$2,831,000.00 to pay costs engineering and related services for a new Department of Public Works Facility predominately at the Town Hall hill site excluding the 340 Route 6 site (remaining text to follow).

Motion made and seconded from Town Meeting floor to vote on the question. Motion carries as declared by the Moderator.

Motion on the amendment carries by a 2/3rd majority as declared by the Moderator.

POTENTIAL IMPACT

<i>DPW Facility Engineering & Construction-\$35M</i>	<i>*Debt Service</i>	<i>\$100K Assessed Value</i>	<i>\$500K Assessed Value</i>	<i>2024 Avg Residential Value of \$1,042,804</i>
30-year bond at 3.75%, level debt. Year 1 (FY2025 debt service shown)	\$1,963,067	\$56.26	\$281.30	\$586.69

**This is the first time a borrowing authorization has been placed in front of Town Meeting since passage of Article 39, ATM 9/26/2021. The article requested that "all financial Warrant articles, outside the omnibus budget, which could incur expenditures in excess of \$50,000.00 be required to delineate their cost and the estimated tax impact on an average home..."*

The impact presented above is an estimate. Borrowing authorizations allow the Treasurer to sell debt to pay for a given project; the debt for the above project has not yet been sold. Debt service cost is projected. The debt service listed is for the first year of principal + interest cost of the projected debt service. The debt service and timing may change due to project changes or interest rate changes. The impact on a specific household or tax bill will vary. Tax impacts are based on the total residential valuation of every residential property in the Town as of the first of the calendar year. The chart above uses the Fiscal Year 2024 tax base/valuation, which was assessed by the Board of Assessors as of January 1, 2023 and certified by the Department of Revenue in the fall of 2023.

TWO-THIRDS VOTE

Article 14: Borrowing Authorization for Mill Pond Culvert Replacement and Salt Marsh Restoration

To see if the Town will vote to raise and appropriate, transfer from available funds, or borrow the sum of One Million, Five Hundred Thousand Dollars (\$1,500,000) more or less, to pay costs associated with engineering services, construction, and remediation related to tidal restoration and drainage improvements at Mill Pond, including, but not limited to, the removal and replacement of a failed 36 inch culvert on Mill Pond Road, and for the payment of all other costs incidental and related thereto; provided that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts needed to repay any bonds or notes issued pursuant to this vote from the limitations imposed by M.G.L. c. 59, §21C (Proposition 2 1/2), or take any other action relative thereto.

Requested by the Select Board

Explanation: The Town, in conjunction with the Massachusetts Department of Ecological Restoration, The U.S. Department of Agriculture (USDA), Cape Cod Conservation District, and National Oceanic and Atmospheric Administration (NOAA) has been investigating the restoration of Mill Pond on Mill Pond Road, just north of Eagle Neck Creek and Old County Road. This borrowing authorization will fund the removal and replacement of the failed culvert necessary to restore the roadway and restore appropriate tidal flow, which will minimize potential threats to the road, private properties neighboring utilities and additional Town infrastructure. This project provides additional environmental benefits by increasing tidal flushing to improve water quality, and restore wetlands. The \$1,500,000 request is the Town's 25% share of the project's total construction costs. The USDA has committed 75% of the construction costs and the preliminary engineering thus far has been funded by the Division of Ecological Restoration, and the Cape Cod Conservation District with other preliminary engineering grant support still to come from NOAA and the USDA.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

POTENTIAL IMPACT

Mill Pond Culvert Replacement and Salt Marsh Restoration-\$1.5M	*Debt Service	\$100K Assessed Value	\$500K Assessed Value	2024 Avg Residential Value of \$1,042,804
Authorization only for FY25. Borrowing to begin 2028, if not later.	TBD	TBD	TBD	TBD

**The impact for this authorization will not be part of the Town's debt service cost until FY2028 at the earliest. For reference, borrowing authorizations allow the Treasurer to sell debt to pay for a given project; the debt for the above project has not yet been sold. Debt service cost is projected. The debt service will be the product of actual principal + interest cost of the borrowing. The debt service and timing may change due to project changes or interest rate changes. The impact on a specific household or tax bill will vary. Tax impacts are based on the total residential valuation of every residential property in the Town as of the first of the calendar year. The chart above uses the Fiscal Year 2024 tax base/valuation, which was assessed by the Board of Assessors as of January 1, 2023 and certified by the Department of Revenue in the fall of 2023.*

Article 14: Motion made and seconded to move that the Town appropriates One Million Five Hundred Thousand Dollars (\$1,500,000) to pay costs associated with engineering services, construction, and remediation related to tidal restoration and drainage improvements at Mill Pond, including, but not limited to, the removal and replacement of a failed 36 inch culvert on Mill Pond Road, and for the payment of all other costs incidental and related thereto, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(1), or any other enabling authority, and to issue bonds or notes of the Town therefor; provided, however, that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts needed to repay any bonds or notes issued pursuant to this vote from the limitations imposed by G.L c. 59, §21C (Proposition 2½).

Motion carries by more than a 2/3rds vote as declared by the Moderator.

Article 15: General Override for Human Resources Coordinator

To see if the Town will vote to add (1) full-time human resources coordinator position to the Town Manager Department's staffing, to raise and appropriate the sum of One Hundred Thirteen Thousand, One Hundred Fifty-eight Dollars and no cents (\$113,158.00) to be appropriated to the Town Manager Department Budget (010129), and further to make this appropriation contingent upon the passage of an override ballot question under Chapter 59, Section 21C(g) of the General Laws (Proposition 2 ½), or take any other action relative thereto.

Requested by the Select Board

Explanation: The Select Board proposes the addition of a Human Resources Coordinator position to provide technical assistance and administrative capacity to support human resource functions for the town. Many towns and cities have dedicated human resource personnel to address the legal requirements, best practices, administrative tasks, risk management, and recruitment and retention needs of their organizations. Presently, human resources functions are completed by the Assistant Town Manager with some support from Finance Department members, however, with increasing complexity in employment law, a workforce that has expanded over the years, a challenging recruitment environment, and additional Assistant Town Manager responsibilities outside of human resource functions, the human resource functions requirements have exceeded staff capacity.

There are currently approximately 235 employees of the Town and School. The employee count fluctuates throughout the year due to vacancies and the seasonal workforce.

The 2022 Town Report provided the following breakdown of staff counts for the 2022 calendar year:

Total Hours Worked per Week	Count of Employees
40-42	75
30-39	49
20-29	8
<i>Less than 20</i>	7
<i>Seasonal, Substitute, Per Diem</i>	116
TOTAL	255

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

POTENTIAL IMPACT

Override for Human Resources Coordinator	Amount*	\$100K Assessed Value	\$500K Assessed Value	2024 Avg Residential Value of \$1,042,804
FY2025 Estimated Tax Impact	\$113,158	\$3.24	\$16.22	\$33.82

**The impact presented above is an estimate. The impact to a specific household or tax bill will vary. Tax impacts are based on the total residential valuation of every residential property in the Town as of the first of the calendar year. The chart above uses the Fiscal Year 2024 tax base/valuation, which was assessed by the Board of Assessors as of January 1, 2023 and certified by the Department of Revenue in the fall of 2023.*

Article 15: Motion made and seconded to add (1) full-time human resources coordinator position to the Town Manager Department's staffing, to raise and appropriate the sum of One Hundred Thirteen Thousand, One Hundred Fifty-eight Dollars and no cents (\$113,158.00) to be appropriated to the Town Manager Department Budget (010129), and further to make this appropriation contingent upon the passage of an override ballot question under Chapter 59, Section 21C(g) of the General Laws (Proposition 2 ½).

Motion from the floor made and seconded to move the question. Motion carries by a majority as declared by the Moderator.

Article 15 vote was taken and passed by a majority as declared by the Moderator.

The Moderator called for a ten-minute recess.

Select Board Chair Reed thanked Select Board member Dundas for his years of service.

TWO-THIRDS VOTE

Article 16: Debt Exclusion for Sand Pit Road

To see if the Town will vote to authorize the Select Board to acquire, by purchase, gift, and/or eminent domain, on such terms and conditions as the Select Board deems in the best interest of the Town, a parcel of land located at 2 Sand Pit Road, containing 23.75 acres, more or less, identified as a portion of Assessors' Parcel 39-107-0, and being a portion of the property described in a deed recorded with the Barnstable Registry of Deeds in Book 279, Page 34, as well as rights in portions of Noons Heights Road and Sand Pit Road and a perpetual access easement across the remaining portion of 2 Sand Pit Road, for any lawful general municipal purposes, including, without limitation, for housing purposes, and other uses; further, to raise and appropriate, transfer from available funds, and/or borrow a sum of money for the acquisition of said property and costs incidental or related thereto in the amount of Six Million, Fifty-Six Thousand, Two Hundred Fifty Dollars (\$6,056,250); and authorize the Treasurer, with the approval of the Select Board, to borrow all or a portion of said sum under G.L. c. 44, §7(1) or any other enabling authority and to issue bonds or notes of the Town therefor, provided that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts needed to repay any bonds or notes issued pursuant to this vote from the limitations imposed by G.L. c. 59, §21C (Proposition 2½); or take any other action relative thereto.

Requested by the Select Board

Explanation: The Noons' Family offered the Select Board the opportunity to purchase 2 Sand Pit Road (23.75 acres of land). After months of negotiations and an ASTM Phase I Environmental Site Assessment and Phase II Limited Subsurface Investigation Report, appraisal, and title work, the Board and the sellers agreed to a purchase price of \$6,056,250 (\$255,000 per acre), contingent on approval at Town Meeting and at the ballot.

This site poses a unique opportunity because the majority of it is outside of the Zone II for South Hollow and, because of its past use, it is considered a "disturbed site" which means there are less restrictions on potential future uses and increases the range of options available to the town for future development. The site has traditionally also been used as a sediment source and could potentially be used by the town for sandmining, adding to the property's value.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	3	1	1

POTENTIAL IMPACT

<i>Sandpit Road-\$6,056,250</i>	<i>*Debt Service</i>	<i>\$100K Assessed Value</i>	<i>\$500K Assessed Value</i>	<i>2024 Avg Residential Value of \$1,042,804</i>
30-year bond at 4.50%, level debt. Year 1 (FY2025 debt service shown)	\$371,803	\$10.66	\$53.28	\$111.12

**This is the first time a borrowing authorization has been placed in front of Town Meeting since passage of Article 39, ATM 9/26/2021. The article requested that "all financial Warrant articles, outside the omnibus budget, which could incur expenditures in excess of \$50,000.00 be required to delineate their cost and the estimated tax impact on an average home..."*

The impact presented above is an estimate. Borrowing authorizations allow the Treasurer to sell debt to pay for a given project; the debt for the above project has not yet been sold. Debt service cost is projected. The debt service listed is for the first year of principal + interest cost of the projected debt service. The debt service and timing may change due to project changes or interest rate changes. The impact on a specific household or tax bill will vary. Tax impacts are based on the total residential valuation of every residential property in the Town as of the first of the calendar year. The chart above uses the Fiscal Year 2024 tax base/valuation, which was assessed by the Board of Assessors as of January 1, 2023 and certified by the Department of Revenue in the fall of 2023.

ARTICLE 16: Motion was made and seconded move that the Select Board is authorized to acquire, by purchase, gift, and/or eminent domain, on such terms and conditions as the Select Board deems in the best interest of the Town, a parcel of land located at 2 Sand Pit Road, containing 23.75 acres, more or less, identified as a portion of Assessors' Parcel 39-107-0, and being a portion of the property described in a deed recorded with the Barnstable Registry of Deeds in Book 279, Page 34, as well as rights in portions of Noons Heights Road and Sand Pit Road and a perpetual access easement across the remaining portion of 2 Sand Pit Road, for any lawful general municipal purposes, including, without limitation, for housing purposes, and other uses; that the Town appropriates Six Million Fifty-Six Thousand Two Hundred Fifty Dollars (\$6,056,250) to pay costs of the aforesaid acquisition, and that to meet this appropriation, the Treasurer, with the approval of the Select Board is authorized to borrow said amount under and pursuant to G.L. c. 44, § 7(1) or any other enabling authority, for the acquisition of said property and the payment of all costs incidental or related thereto and to issue bonds or notes of the Town therefor; provided, however, that no sums shall be borrowed or expended hereunder unless and until the Town shall have voted to exclude the amounts needed to repay any bonds or notes issued pursuant to this vote from the limitations imposed by G.L. c. 59, §21C (Proposition 2½).

Motion to move the question from Town Meeting floor and Seconded. Motion carries as declared by the Moderator.

Article 16 Motion fails as declared by the Moderator.

TWO-THIRDS VOTE**Article 17: Reappropriate Authorized Excess Borrowing Proceeds from the Town Hall Construction Project to a Future Capital Project for Town Hall Facility Engineering, Design, and Construction Purposes**

To see if the Town will vote to reappropriate the authorized excess borrowing proceeds from the Town Hall Construction project in the sum of One Hundred Fifty-three Thousand Dollars and Zero Cents (\$153,000.00) to a future capital project for Town Hall facility engineering, design, and construction; or take any other action relative thereto.

Requested by the Select Board

Explanation: This request is to use surplus borrowing proceeds to engineer, design and construct changes to the Town Hall to create workspaces that better accommodate the staff and allow for more efficient operations.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

ARTICLE 17: Motion was made and seconded that the Town reappropriates the excess borrowing proceeds from the Town Hall Construction project, which project is complete and for which no further financial liability remains, in the sum of One Hundred Fifty-three Thousand, Three Hundred Sixty-nine Dollars (\$153,369.66) to a future capital project for Town Hall facility engineering, design, and construction.

1st Amendment on the floor: to add the word “hill” after Town Hall. So it reads Town Hall hill facility engineering and to make the word in front of that Capital Project (s) plural. Seconded.

Motion to amend passes as declared by the Moderator.

All those in favor of Article 17 as amended motion carries by more than a majority as declared by the Moderator.

TWO-THIRDS VOTE**Article 18: Reappropriate Authorized Borrowing Balances from Environmental Projects to Capital Expenses for Environmental Projects**

To see if the Town will vote to reappropriate the authorized borrowing balances from the Eagle Neck Creek Restoration, Repair and Improvement culvert replacement and salt marsh restoration project authorized at the April 24, 2012 Annual Town Meeting (Article 10) and at the April 30, 2019 Annual Town Meeting (Article 12) to Department of Public Works Capital (01040058);

And to reappropriate the authorized borrowing balances of the Repair and Replace Failing Culvert from Cape Cod Bay to Route 6 East Harbor project authorized at the April 25, 2017 Annual Town Meeting (Article 10),

for the purpose of pre- and post- construction and engineering services for the Truro Center Road culvert, Mill Pond Road culvert, Little Pamet culverts, Eagle Neck Creek culvert, East Harbor culvert environmental projects, the Pamet Harbor Parking Lot and Jetty repairs or take any other action relative thereto.

Requested by the Select Board

Explanation: The Town, with support from the Massachusetts Department of Ecological Restoration, Cape Cod Conservation District, and the USDA, investigated the restoration of the Pamet River system which also includes the replacement of failing culverts. Now that the Eagle Neck Creek and East Harbor projects are nearly complete, this article asks voters to approve expanding the reallocation of the remaining borrowing balances associated with these projects to include the Pamet Harbor Parking Lot and Jetty (part of the Pamet River system). The use of the balances for these purposes will be in addition to the existing purposes of: the post-construction portion of the projects (as required by the US Army Corps of Engineers); and preliminary engineering and design, final design, and permitting for the removal and replacement of the Truro Center Road culvert, Mill Pond Road Culvert, and Little Pamet culverts.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

ARTICLE 18: Motion was made and seconded that the Town reappropriates the authorized borrowing balances from the Eagle Neck Creek Restoration, Repair and Improvement culvert replacement and salt marsh restoration project authorized at the April 24, 2012 Annual Town Meeting (Article 10) and at the April 30, 2019 Annual Town Meeting (Article 12) to Department of Public Works Capital (01040058); and also reappropriates the authorized borrowing balances of the Repair and Replace Failing Culvert from Cape Cod Bay to Route 6 East Harbor project authorized at the April 25, 2017 Annual Town Meeting (Article 10), to pay costs of pre- and post- construction and engineering services for the Truro Center Road culvert, Mill Pond Road culvert, Little Pamet culverts, Eagle Neck Creek culvert, East Harbor culvert environmental projects, the Pamet Harbor Parking Lot and Jetty repairs.

Motion carries 2/3RD majority as declared by the Moderator.

Article 19: Acceptance of Massachusetts General Law: Adoption of Community Impact Fee on Professionally Managed Short-Term Rentals

To see if the Town will vote to accept the provisions of General Laws Chapter 64G, Section 3D(a), authorizing the imposition of a community impact fee of 3 percent on the transfer of occupancy of a short-term rental in a “professionally managed unit”, which term is defined as 1 of 2 or more short-term rental units that are located in the same city or town, operated by the same operator and are not located within a single-family, two-family, or three family dwelling that includes the operator’s primary residence; or take any action relative thereto.

Requested by the Select Board

Explanation: The term "professionally managed unit", refers to 1 of 2 or more short-term rental units that are located in the same city or town, operated by the same operator, and are not located within a single-family, two-family or three-family dwelling that includes the operator's primary residence. It will apply to units that are not owner-occupied. The realized revenue from this fee will be dedicated to the capital stabilization fund which could be used to offset the impacts from short-term rentals. The law requires that a minimum of 35% be reserved for either affordable housing or infrastructure. Placing the revenue in the Capital Stabilization Fund will satisfy the requirements of the law.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

ARTICLE 19: Motion was made and seconded to accept General Laws Chapter 64G, Section 3D(a), authorizing the imposition of a community impact fee of 3 percent on the transfer of occupancy of a short-term rental in a “professionally managed unit”, which term is defined as 1 of 2 or more short-term rental units that are located in the same city or town, operated by the same operator and are not located within a single-family, two-family, or three family dwelling that includes the operator’s primary residence.

Motion on the floor to move the question and seconded. Motion carries more than 2/3rd majority as declared by the Moderator.

Motion on the question on Article 19, approved by a simple majority as declared by the Moderator.

Article 20: Acceptance of Massachusetts General Law: Adoption of Community Impact Fee on Owner- Occupied Short-Term Rentals

To see if the Town will vote to accept the provisions of General Laws Chapter 64G, Section 3D(b), authorizing the imposition of a community impact fee of 3 percent on the transfer of occupancy of a short-term rental that is located within a two-family or three-family dwelling that includes the operator’s primary residence; or take any action relative thereto.

Requested by the Select Board

Explanation: This article applies to short-term rental units located in a two- or three-family dwelling that includes the operator’s primary residence. The realized revenue from this fee will be dedicated to the capital stabilization fund which could be used to offset the impacts from short-term rentals. The law requires that a minimum of 35% be reserved for either affordable housing or infrastructure. Placing the revenue in the Capital Stabilization Fund will satisfy the requirements of the law.

Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

ARTICLE 20: Motion was made and seconded to accept General Laws Chapter 64G, Section 3D(b), authorizing the imposition of a community impact fee of 3 percent on the transfer of occupancy of a short-term rental that is located within a two-family or three-family dwelling that includes the operator’s primary residence.

Motion carries by a Majority as declared by the Moderator.

TWO-THIRDS VOTE

Article 21: Dedication of Community Impact Fees to the Capital Stabilization Fund

To see if the Town will vote to establish, pursuant to the provisions of General Laws Chapter 40, Section to accept Paragraph 4 of Chapter 40, Section 5B of the General Laws and dedicate, without further appropriation, 100 percent of any community impact fees received by the Town pursuant to General Laws Chapter 64G, Section 3D(a) or (b) on the transfer of occupancy of a short-term rental to the Special Purpose Stabilization Fund for Capital Projects; provided that said dedication shall take effect beginning in Fiscal Year 2025 which begins on July 1, 2024; and provided further that the Town may not revoke its acceptance of this Act for at least three fiscal years; or to take any other action relative thereto.

Requested by the Select Board

Explanation: This article dedicates all fees received from the Community Impact Fees accepted in the previous article to the Capital Stabilization Fund. This helps the community plan for significant capital purchases or projects that will occur several years in the future. When the project or purchase is ready to be funded, a Town Meeting vote will be required to appropriate the funds.

Finance Committee Recommendation	4	1	0
Select Board Recommendation	5	0	0

ARTICLE 21: Motion was made and seconded to accept the provisions of Paragraph 4 of Chapter 40, Section 5B of the General Laws and dedicate, without further appropriation, 100 percent of any community impact fees received by the Town pursuant to General Laws Chapter 64G, Section 3D(a) or (b) on the transfer of occupancy of a short-term rental to the Special Purpose Stabilization Fund for Capital Projects; provided that said dedication shall take effect beginning in Fiscal Year 2025 which begins on July 1, 2024.

Point of Order Town Counsel clarified that the vote needs to be a majority not a 2/3rds vote.

Motion carries by a 2/3rds majority as declared by the Moderator.

CONSENT AGENDA: COMMUNITY PRESERVATION ACT ARTICLES

The Select Board intends to offer a motion at Town Meeting to move the following Community Preservation Act articles as one block of articles.

Article 22: Community Preservation Act: Administrative Support

To see if the Town will vote to appropriate the sum of Thirty-nine Thousand, Forty-three Dollars and No cents (\$39,043.00) from Projected Fiscal Year 2025 Community Preservation Act Estimated Annual Revenue for the administrative expenses of the Community Preservation Committee or take any other action relative thereto.

Requested by Community Preservation Committee

Explanation: The Community Preservation Act and the Truro Community Preservation Bylaws permit 5% of the projected Community Preservation Act surcharge revenue to be used for management of CPC operations, as well as for workshops, seminars, membership in the Community Preservation Coalition, printing, advertising, and supplies. Any money remaining at the end of the Fiscal year will revert to the Community Preservation Act Undesignated Fund Balance.

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

ARTICLE 22:

MOTION 1: Community Preservation Act Articles 22-30

Co-Chair of CPC moved to consider Articles 22-30 as a whole. Seconded.

Motion carries by more than a majority as declared by the Moderator.

MOTION 2 Co-Chair of CPC moved to consider Community Preservation Act Articles 22, 23, 24, 25, 26, 27, 28, 29, and 30 as printed in the warrant. Seconded.

Motion carries to move Articles as a bundle almost unanimously as declared a Moderator.

Article 23: Community Preservation Act: Community Gathering Place Improvements
(Historical Preservation)

To see if the Town will vote to appropriate the sum of Thirty-two Thousand Four Hundred Ninety-three dollars and no cents (32,493.00) from Projected Fiscal Year 2025 Community Preservation Act Revenue to restore and improve the Truro Meetinghouse Community Gathering Place at 3 First Parish Lane, by the Friends of the Truro Meeting House, and to enter into a grant agreement to set forth the terms and conditions thereof and to authorize the Select Board to acquire an historic preservation restriction on said property; or take any other action relative thereto.

Requested by Friends of the Truro Meetinghouse

Explanation: According to historic records, the existing wall was added in 1845 to create a room for winter gathering. This renovation will restore some of the expansiveness of the original design and create an improved community gathering space by removing part of the wall between the main meeting hall and the vestry/meeting room creating a broad opening with a set of sliding doors to provide space for gathering after events and to accommodate more social program activities.

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

Article 24: Community Preservation Act: Displays at Highland House Museum (Historical Preservation)

To see if the Town will vote to appropriate the sum of Twenty-five Thousand Four Hundred Thirty-eight and no cents (\$25,438.00) from Projected Fiscal Year 2025 Community Preservation Act Estimated Annual Revenue, to preserve and display historic materials at the Highland House Museum for the Truro Historical Society, and to enter into a grant agreement to set forth the terms and conditions thereof or take any other action relative thereto.

Requested by Truro Historical Society

Explanation: There are 5 specific items being addressed:

- 1. Framing and mounting of Miss Holsbery's Classroom 1858 walling map and 1726 enslavement document. This grant will enable Highland House Museum to mount the map as part of a permanent exhibition titled "Miss Holsbery's Classroom".*
- 2. Moveable panels for the railroad exhibit that will describe how the coming of the railroad altered commerce in Truro and initiated the era of modern tourism.*
- 3. Printing of educational materials pertaining to permanent exhibits.*
- 4. Acquisition of climate-controlled flat file cabinets for unframed prints, vintage maps and works on paper.*
- 5. Consultation fees for digital preservation of historic documents which will provide public access to the documents. This project is similar to the digitizing project underway at the Truro Town Hall and funded by a previous CPC grant.*

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

Article 25: Community Preservation Act: Historic Cemetery Restoration (Historical Preservation)

To see if the Town will vote to appropriate the sum of Twenty Thousand, One Hundred Fifty-six Dollars (\$20,156.00) from Projected Fiscal Year 2025 Community Preservation Act Estimated Annual Revenue, and a sum of Thirteen Thousand, One Hundred Forty-four Dollars (\$13,144.00) from the Community Preservation Act Undesignated Fund Balance for a total amount of Thirty-three Thousand, Three Hundred Dollars and no cents (\$33,300.00) for the repair and preservation of Damaged Gravestones in Truro's Historic Cemeteries, and to enter into a grant agreement to set forth the terms and conditions thereof; or take any other action relative thereto.

Requested by the Truro Cemetery Commission

Explanation: Repairing the most damaged historic gravestones within Truro's four town cemeteries (Old North, Pine Grove, Snow, and Methodist) to meet state and national preservation standards. The cemeteries contain some of the oldest surviving artifacts in Truro. The people buried are a record of the town's history and the gravestones are a gallery of the art and craftsmanship of multiple eras: Colonial, Revolutionary, Civil War and Reconstruction, and Industrial as well as the Progressive and Modernist movements. Open and free to the public, Truro's cemeteries are a "public good."

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

Article 26: Community Preservation Act: Lower Cape Housing Institute

(Community Housing)

To see if the Town will vote to appropriate the sum of Twenty Thousand Dollars and no cents (\$20,000.00) from Community Preservation Undesignated Fund Balance, to provide support for the regional Lower Cape Housing Institute offered by the Community Development Partnership, Inc., and to enter into a grant agreement to set forth the terms and conditions thereof; or take any other action relative thereto.

Requested by Community Development Partnership

Explanation: The Lower Cape Housing Institute provides training and technical assistance to the Town of Truro to create, preserve and support community housing in the town and across the Lower and Outer Cape region. This grant will cover two years (FY25-26) of funding.

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation	4	0	1
Select Board Recommendation	5	0	0

Article 27: Community Preservation Act: Contribution to the Affordable Housing Trust Fund

(Community Housing)

To see if the Town will vote to appropriate the sum Four Hundred Sixty-eight, Five Hundred Nineteen Dollars and no cents (\$468,519.00) from Community Preservation Act Projected FY2025 Estimated Annual Revenue, and an additional One Hundred Seventeen thousand, One Hundred Twenty-nine Dollars and no cents (\$117,129.00) from FY2025 Estimated Annual Revenue, for a total of Five Hundred Eighty-Fifty Thousand Six Hundred Forty-eight Dollars and no cents (\$585,648.00) to contribute to the Truro Affordable Housing Trust Fund, and to enter into a grant agreement to set forth the terms and conditions thereof; or take any other action relative thereto.

Requested by the Truro Housing Authority for The Truro Affordable Housing Trust

Explanation: To create, support and preserve affordable housing. The committee has agreed to an additional 15% over the 60% requested in order to help with the critical problem facing affordable housing in our community.

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

Article 28: Community Preservation Act: Regional Contribution for 0 Millstone Road, Brewster, [Spring Rock Village]

(Community Housing)

To see if the Town will vote to appropriate the sum of One Hundred Thousand Dollars and no cents (\$100,000.00) from the Community Preservation Act Undesignated Fund Balance to provide a regional contribution for community housing at 0 Millstone Road, Brewster by Horsley Witten Group, Inc., and to enter into a grant agreement to set forth the terms and conditions thereof and to authorize the Select Board to acquire an affordable housing restriction on said property; or take any other action relative thereto.

Requested by Preservation of Affordable Housing & Housing Assistance Corporation

Explanation: Creation of 45 units of permanent affordable rental housing for families of Brewster and surrounding towns with contributions initiating preference for the contributing towns. Spring Rock Village will benefit the Town of Truro and its citizens by providing 45 units of permanently affordable housing with preference to regional applicants to become residents. With the Town of Brewster's request to EOHLG for regional leasing preference, people in Truro looking for housing will be eligible to apply to live in Spring Rock and will receive preference.

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

Article 29: Community Preservation Act: Land Acquisition (Truro Conservation Trust)
(Open Space)

To see if the Town will vote to appropriate the sum of Seventy-eight Thousand, Eighty-seven Dollars and no cents (\$78,087.00) from Projected Fiscal Year 2025 Community Preservation Act Estimated Annual Revenue, and Ninety-six Thousand, Nine Hundred Thirteen Dollars and no cents (\$96,913.00) from Open Space Reserves for a total amount of One Hundred Seventy-five Thousand Dollars and no cents (\$175,000.00) to contribute to the acquisition by the Truro Conservation Trust of property off Depot Road, in the Pamet River watershed, and for the purpose of creating public trails, and to enter into a grant agreement to set forth the terms and conditions thereof and to authorize the Select Board and/or the Conservation Commission to acquire a conservation restriction on said property; or to take any other action relative thereto.

Requested by the Truro Conservation Trust

Explanation: To assist with the acquisition of two adjacent parcels of a combined 6 acres located off Depot Rd. of environmentally sensitive Pamet River marsh and wetland with the proviso that the lots will be open space conservation land in perpetuity. This property lies within the Pamet River watershed, the longest estuary in Truro or Provincetown. The Truro Conservation Trust (TCT) will develop a new public-access trail by extending the existing Keezer trail across adjacent land owned by the TCT to this property and down to the Pamet marsh and wetlands.

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

Article 30: Community Preservation Act: TCS Early Childhood Playground

(Recreation)

To see if the Town will vote to appropriate the sum of One Hundred Twenty-eight, Eight Hundred five Dollars and no cents (\$128,805.00) from the Community Preservation Act Undesignated Fund Balance to improve the current condition of the Early Childhood Playground at Truro Central School, and to enter into a grant agreement to set forth the terms and conditions thereof; or take any other action relative thereto.

Requested by the Truro Central School

Explanation: To replace the deteriorating early childhood playground that supports the learning and development of our youngest students. The proposal includes the cost of resurfacing, playground equipment and installation. In line with the Local Comprehensive Plan's vision to be an innovative, sustainable rural community that supports the needs of all residents, the renovation of this playground will invigorate the early childhood program, making it accessible not only during the school day but also to families and members of our community after school hours.

Community Preservation Committee Recommendation	7	0	0
Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

GENERAL BYLAW ARTICLES

Article 31: Add New General Bylaw Section 1.1.8 Town Meeting Geographic Limits

To see if the Town will vote to add new section 1.1.8 Town Meeting Geographic Limits by adding new language as follows (new language shown in **bold underline**):

1.1.8 Notwithstanding the provisions of General Laws c. 39, §9 or any other general or special law to the contrary, the town of Truro may, if and as deemed necessary by the Select Board due to anticipated voter turnout or otherwise, hold its annual or special town meetings outside the geographic boundaries of the town in the towns of Provincetown, Wellfleet, Eastham, and Orleans, including but not limited to any regional school district property located therein.

or take any other action relative thereto.

Requested by the Select Board

Explanation: The Town recently scheduled a continued Special Town Meeting to be held on November 21, 2023. Impressively, voter turnout was significant, and the capacity of the school was reached easily on the night of the Special Town Meeting. Per the state Fire Code, no additional voters could be allowed into the building. As such, with no other choice, the Town was required to continue its meeting so as not to deny voters the opportunity to participate in the meeting. With no other indoor spaces in the Town of Truro that can accommodate more than 501 voters, that leaves the Town with limited options. For Annual Town Meeting 2024 in the spring, the Town Meeting will be held outdoors under a tent with heat blowers, however, the town must be prepared for any future town meetings that may be called in times when the weather (particularly winter months) or other extreme situations require an indoor town meeting. The Charter (2-1-3) provides that "A Special Town Meeting shall be held at the call of the Select Board; or, upon petition on an approved form signed by 200 of the registered voters of the Town, the Select Board shall call a Special Town Meeting to be held within 45 days." By adding the proposed new section to the General Bylaws, the town would have the option to use space in a nearby town to accommodate a meeting, particularly if a petition was filed in the months of November through January, which would result in a meeting required to be held in December through March. Possible facilities for these situations could include Provincetown Town Hall or the Nauset Regional High School in Eastham (once completed). While not ideal to hold Town Meeting outside the geographical boundaries of the Town, having the ability to do so provides needed flexibility such as in situations where absolutely necessary.

Select Board Recommendation	5	0	0
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ARTICLE 31: Moved to add new section 1.1.8 Town Meeting Geographic Limits by adding new language as printed in the warrant.

Seconded.

The question was called from the floor and seconded. All those in favor of moving to a vote on Article 31 raise your cards. Motion carries as declared by the Moderator.

A teller count was called. Motion carries 139 in favor 123 opposed as declared by the Moderator.

Article 32: General Bylaw Amendment – Prohibitions Related To Short-Term Rental Of Residential Properties

To see if the Town will vote to amend the Truro General By-Laws, Chapter II, Licensing and Permits by deleting Section 1 in its entirety and replacing it with the following:

1. Prohibitions Related to Short-Term Rental of Residential Properties.
 - 1-1 Purpose and Intent. This bylaw is enacted pursuant to the Town's Home Rule Authority and the authority set forth in General Laws c. 64G, §14 and is intended to:
 - (1) provide for an orderly process for identifying, registering, and regulating Short-Term Rentals within the Town so as to ensure that such Short-Term Rentals do not create or cause any nuisance conditions within the Town.
 - (2) protect the time-honored tradition of home rentals in Truro and preserve economic opportunities through Short-Term Rentals for persons to keep their homes, now and into the future, so they may afford to live either full-time or part-time in Truro;
 - (3) avoid adverse impacts on the local economy stemming from a loss of existing Short Term Rental revenue, including rooms excise tax revenue, and visitor spending.
 - (4) prohibit additional corporate ownership and discourage investment-only ownership of residential properties for the exclusive purpose of operating them as Short-Term Rentals rather than housing for either full-time or part-time residences.
 - (5) reduce the neighborhood churn caused by numerous turnovers of occupancy of Short-Term Rentals in residential neighborhoods.

(6) limit the conversion of residential units to Short-Term Rentals which has had the deleterious effect of removing residential units from the available year-round rental housing stock.

1-2 Definitions.

For purposes of this Chapter, the following terms shall have the definitions indicated.

“Corporation”. All businesses and charitable entities required to file Articles of Incorporation and Annual Reports with the Massachusetts Secretary of State or an equivalent agency of another state, pursuant to G.L. c. 156D, § 2 or G.L. c. 180, §4, respectively.

“Owner”. Any person who alone, or severally with others, has legal or equitable title or beneficial interest in any dwelling unit; a mortgagee in possession; or agent, trustee or person appointed by the courts. An Owner can be a single person, a marital unit, a group of people, LLC, or a Trust. The Owner may also be referred to as the operator, or the Host.

“Short-Term Rental”. The rental of a whole or a portion of a residential or secondary dwelling unit, in exchange for payment, as residential accommodations for not more than thirty consecutive days, excluding a Hotel, Motel, or Lodging House or Tourist Home for Transient Guests as defined in Massachusetts General Laws Chapter 64G

1-3 Prohibitions.

- 1-3-1 Registration Requirement. No dwelling unit or part thereof may be offered as a Short-Term Rental within the Town of Truro unless it is registered with the Select Board and in compliance with regulations issued by the Board of Health and is registered with the Commonwealth of Massachusetts Department of Revenue in accordance with applicable laws.
- 1-3-2 Intentionally Omitted
- 1-3-3 Corporate Ownership. Short-Term Rentals are prohibited in dwelling units owned by a Corporation. Short-Term Rentals are permitted in dwelling units owned by an LLC, Trust, or S Corporation only when every shareholder, partner, or member of the legal entity is a natural person, as established by documentation provided by the applicant at the time of registration.
- 1-3-4 Affordable Housing Dwelling Units. Short-Term Rentals are prohibited in dwelling units designated as affordable or otherwise income-restricted, which are subject to an affordability restriction or are otherwise subject to housing or rental assistance under local, state, or federal programs or law.

- 1-3-5 Time Share, Fractional and Interval Ownership Units. No Fractional Ownership, Interval or Time Share unit may engage in Short-Term Rental activities or be eligible to receive a Certificate of registration for such unit; except that this section shall not apply to the creation of mortgages, liens, easements or other similar interests encumbering the residential property as a whole to secure a loan or for any other legitimate purposes; and this section shall not apply to non-commercial groups, such as families, partnerships, associations, or trusts with divided interests or agreements in which the real estate is held and transferred within the family, partnership, association or trust, as opposed to sold in fractional or divided interests on the open market.
- 1-3-6 Protection for Existing Short-Term Rentals. Any person or other legal entity who holds a current Certificate of Registration on the effective date of this bylaw may continue to engage in Short-Term Rentals in accordance with the existing Certificate of Registration, until the dwelling unit is transferred or conveyed, or the certificate of registration is not renewed. If a property is bequeathed to a person or other beneficiary through a will, the new owner may continue to engage in Short-Term Rental activities in accordance with this section.
- 1-4 Regulations and Fees. The Select Board may promulgate regulations to carry out and enforce the provisions of this bylaw and to regulate short-term and long-term rentals, and may set fees for the issuance of Certificates of Registration for Short-Term Rentals.
- 1-5 Penalties and Enforcement.
 - 1-5-1 Enforcement Options. Whoever violates any provision of this bylaw, or a regulation promulgated hereunder may be penalized by indictment or on complaint brought in the district court. The Town may seek to enjoin violations thereof through any lawful process, and the election of one remedy by the Town shall not preclude enforcement through any other lawful means.
 - 1-5-2 Non-Criminal Disposition. Whoever violates any provision of this bylaw, or a regulation promulgated hereunder may be penalized by a noncriminal disposition process as provided in Massachusetts General Laws, Chapter 40, section 21D and the Town's non-criminal disposition by-law (Chapter 2). If non-criminal disposition is elected, then any person who violates any provision of this bylaw or regulation shall be subject to a penalty in the amount of one hundred dollars (\$100) for the first offense; two hundred dollars (\$200) for the second offense; and three hundred dollars (\$300) for a third and subsequent offense. Each day or portion thereof shall constitute a separate offense. The Board of Health or its agent, or any police officer of the Town, shall be the enforcing authority.

1-5-3 Suspension of Certificate of Registration. If a notice of violation of this bylaw or any regulation promulgated hereunder or other order is issued to the Owner of a dwelling unit operated as a Short-Term Rental by the Board of Health or its designee, after a Certificate of Registration is issued, the Board of Health, after a hearing, may suspend for a period of time determined by the Board of Health or revoke said Certificate of Registration until the violation has been cured or otherwise resolved. Multiple violations by any Owner may, at the discretion of the Board of Health and after a hearing, disqualify that Owner from obtaining a Certificate of Registration for a period of up to three years.

1-5-4 Civil Penalty. In accordance with G.L. c. 64G, §14(v), the Town may assess a civil penalty not to exceed \$5,000 for any violation of this bylaw or a regulation issued hereunder. Each day a violation continues shall be considered a separate offense.

1-6 Severability.

If any provision in this chapter shall be held to be invalid by a court of competent jurisdiction, then such provision shall be considered separately and apart from the remaining provisions, which shall remain in full force and effect.

or take any other action relative thereto.

Requested by the Select Board

Explanation: This article was prepared collaboratively with the Planning Board, and it replaces Chapter II: Section 1 Renting or Leasing Buildings in the existing Bylaws with a General Bylaw to regulate short-term rentals, including banning corporations from obtaining short-term rental certificates. The Select Board intends to prepare regulations prior to Annual Town Meeting to carry out and enforce the provisions of this bylaw and to regulate short-term and long-term rentals, and to memorialize components of the existing Bylaw, as provided in Section 1-4. The next article would add an additional section to the bylaw allowing individuals to obtain no more than two (2) short-term rental certificates.

Select Board Recommendation	5	0	0
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ARTICLE 32: Moved to amend the Truro General By-Laws, Chapter II, Licensing and Permits by deleting Section 1 in its entirety and replacing it with the text as printed in the warrant.

Seconded.

Article 32 motion carries by a majority as declared by the Moderator.

Article 33: General Bylaw Amendment – Prohibitions Related To Short-Term Rental Of Residential Properties – Additional Regulations

To see if the Town will vote to amend the Truro General By-Laws, Chapter II, Licensing and Permits by adding a new Section 1-3-2 as follows:

1-3-2 Limitation on Number of Short-Term Rentals.

An Owner may register to operate only two dwelling units as Short-Term Rentals. If a person owns or is listed as a manager and/or is an agent for three or more dwelling units, that person must choose only two units to be registered as Short-Term Rentals. No person shall have more than two legal or equitable title or beneficial interest in dwelling units used for Short-Term Rentals except as provided for above. An Owner may hire a property management company to list and manage Short-Term Rentals, but the registration must be in the Owner's name.

or take any other action relative thereto.

Requested by the Select Board

Explanation: This article was prepared collaboratively with the Planning Board. In the event that the previous article is adopted by Town Meeting, this article amends the General Bylaw to regulate short-term rentals by adding Subsection 1-3-2 allowing individuals to obtain no more than two (2) Short-Term Rental Certificates. Any person or other legal entity who holds a current Certificate(s) of Registration on the effective date of this bylaw may continue to engage in Short-Term Rentals in accordance with the existing Certificate of Registration, until the dwelling unit is transferred or conveyed, or the certificate of registration is not renewed. This includes individuals/entities who may have three (3) or more Short-Term Rental Certificates. If a property is bequeathed to a person or other beneficiary through a will, the new owner may continue to engage in Short-Term Rental activities in accordance with this section.

Select Board Recommendation	5	0	0
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ARTICLE 33: Moved and seconded to amend Truro General By-Laws, Chapter II, Licensing and Permits by adding a new Section 1-3-2 as printed in the warrant.

Motion carries by a majority as declared by the Moderator.

ZONING BYLAW ARTICLES

TWO-THIRDS VOTE

Article 34: Zoning Bylaw Amendment - Ban on Fractional Ownership of Short-Term Rentals

To see if the Town will vote to amend the Truro Zoning By-Laws by adding a new Section §40.9, entitled: Time Share, Interval and Fractional Ownership Units, as set forth below:

§40.9 Time Share, Fractional and Interval Ownership Units

1. ***Findings and Purpose.*** *The purpose of this section is to preserve and protect limited housing stock in the Town from the market pressures attendant to time share, interval and fractional ownership uses and to protect neighborhoods from the impacts of such uses.*
 - a. *Fractional ownership, interval and time share units have similar character as commercial hotels, motels, lodges, and other commercial occupancy uses due to their transient nature and multiple short-term occupancies. Such commercial or quasi-commercial use is inappropriate in residential areas due to the increased traffic generation and multiple occupancies disturbing the peace and quiet of residential neighborhoods.*
 - b. *The needs of transient occupants are averse to the interests sought to be protected and preserved in residential neighborhoods, because commercial uses for transient occupants may sacrifice other values critical to residential neighborhoods.*
 - c. *The Town deems it necessary and appropriate to protect the existence of year-round residences and the quiet and peace of the Town by preventing unwarranted commercialization from encroaching therein, including commercialization caused by the misuse of single-family residences.*
2. ***Definition.***
 - a. *Time Share, Interval or Fractional Ownership Unit.* Any Dwelling Unit which is owned by a limited liability company, corporation, partnership, or other joint ownership structure in which unrelated persons or entities own, sell, purchase or otherwise for consideration create or acquire any divided property interest including co-ownership or fractional or divided estates, shares, leaseholds, or memberships which are subject to, or subsequently bound by any agreement limiting the right or functional ability of interest holders or their designees to occupy or use the property to their respective interests or any other agreement which limits interest holders' or their designees' use of the property to fractional reservations through stay limitations of any duration. Such use is established by any of the following elements:

1. *co-ownership or fractional or divided estates, shares, leaseholds, or memberships which are openly advertised, marketed, or offered for sale and sold individually at separate times.*
2. *centralized or professional management.*
3. *reservation systems.*
4. *maximum or minimum day limits on each interest holder's occupancy or use of the property; or*
5. *management agreements or fees reflective of interval use or ownership, irrespective of whether the agreement may be cancelled individually or by any party.*

3. *Prohibition of fractional ownership, interval, and time share units.*

The use of any dwelling unit in the Town as a fractional ownership, interval or time share unit is prohibited in all zoning districts.

- a. *Exceptions.*
 1. *This section shall not be deemed to preclude the creation of mortgages, liens, easements or other similar interests encumbering the residential property as a whole to secure a loan or for any other legitimate purposes.*
 2. *This section shall not apply to non-commercial groups, such as families, partnerships, associations, or trusts with divided interests or agreements in which the real estate is held and transferred within the family, partnership, association or trust, as opposed to sold in fractional or divided interests on the open market.*

4. *Severability.*

If any section, subsection, sentence, clause or phrase of this section is for any reason held to be invalid or unconstitutional by the decision of a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this section.

or to take any other action relative thereto.

Requested by the Select Board

Explanation: This article was prepared collaboratively with the Planning Board, and it proposes a Zoning Bylaw to restrict fractional ownership in Truro. "Fractional ownership" describes properties owned by multiple parties who each own a percentage, along with sharing usage rights. Similar to timeshares, fractional ownership properties operate through central management agreements and by limiting shareholders' occupancy to a certain time frame. Under the joint ownership structure, share owners have full discretion regarding selling, purchasing, renting, or further dividing their interest in the property. Many believe fractional ownership poses a direct risk to the year-round residents and their access to stable, year-round housing. This article is based on a similar bylaw passed by Provincetown at

their October 2023 Special Town Meeting. West Tisbury passed a similar bylaw at their 2023 Annual Town Meeting, and Nantucket and communities on Martha's Vineyard are proposing similar bans.

Planning Board Recommendation			
Select Board Recommendation	5	0	0

ARTICLE 34: Moved and seconded to amend the Truro Zoning By-Laws by adding a new Section §40.9, entitled: Time Share, Interval and Fractional Ownership Units, as printed in the warrant.

Motion carries by a 2/3rds vote as declared by the Moderator.

TWO-THIRDS VOTE

Article 35: Amend Zoning Bylaw §20.3 Location of Districts, §90.5 Overlay Districts, and Appendices

To see if the Town will vote to amend the Truro Zoning By-Laws §20.3 Location of Districts, §90.5 Overlay Districts, and Appendices, as set forth below by deleting the language in ~~strikethrough~~ and adding the new language shown in **bold underline**:

§ 20.3 Location of Districts

The location and boundaries of the Zoning Districts ~~and Overlay Districts~~ are enumerated in § 90 of this bylaw and are shown on the map entitled "Zoning District Map of the Town of Truro, Massachusetts," dated May 2, 2013 which accompanies the bylaw as Appendix A and is declared to be a part of this bylaw. (4/13) **The location and boundaries of the Water Resource Protection Overlay District are identified in § 90.5 of this bylaw, and are shown on the map entitled "Water Resource Protection Overlay District" dated August 18, 2015 which appears as Appendix B to this bylaw and is declared to be a part of this bylaw.**

§ 90.5 Overlay Districts

- A. Water Resource Protection District. The Water Resource Protection **Overlay** Districts-**consists of the Wellhead Protection Zone 2 for each of the wellheads within** for the Town of Truro, as shown on the map entitled "Water Resource Protection Overlay District" dated August 18, 2015 which appears as Appendix B to this bylaw and is declared to be a part of this bylaw. ~~shall be determined from the following atlas which is on file with the Truro Town~~

~~Clerk: "Zones of Contribution to public supply wells and water table contours, December 1990."~~ Land in ~~the~~ a Water Resource Protection Overlay District may be used for any purpose otherwise permitted in the underlying district, subject to the restrictions in § 30.4 of this bylaw.

And by deleting "Truro/Provincetown Aquifer Assessment and Groundwater Protection Plan" (appearing after Appendix A, Zoning Map) and creating new Appendix B, consisting of the "Water Resources Protection Overlay District" map dated August 18, 2015 as shown on the next page, or to take any other action relative thereto.

Requested by the Conservation/ Health Agent and Town Planner/ Land Use Counsel

Explanation: Currently, the Zoning Bylaw does not expressly incorporate a map of the Water Resource Protection Overlay District (WRPOD) into the Zoning Bylaw. Following the Zoning Map contained in Appendix A of the Bylaw, there is a map entitled "Truro/Provincetown Aquifer Assessment and Groundwater Protection Plan," but there is no identification of this map as corresponding to the WRPD defined in Section 20 and regulated in Section 30.4 of the Bylaw. This map, prepared by the Cape Cod Commission, is dated 1990 and the reproduction is of poor quality. The Zoning Map itself does not depict the WRPOD.

Although not defined by text in the Bylaw, the WRPOD consists of the Wellhead Protection Zone 2 surrounding each of the four wellheads in Truro (Knowles Crossing, South Hollow, North Truro AFB, and North Union Field). A revised map depicting the four Wellhead Protection Zones has been prepared by the Provincetown Water Department. The amendments proposed in this article seek to update the Zoning Bylaw to reflect this revised map, as well as to expressly incorporate this map into the Bylaw as depicting the boundaries of the WRPOD.

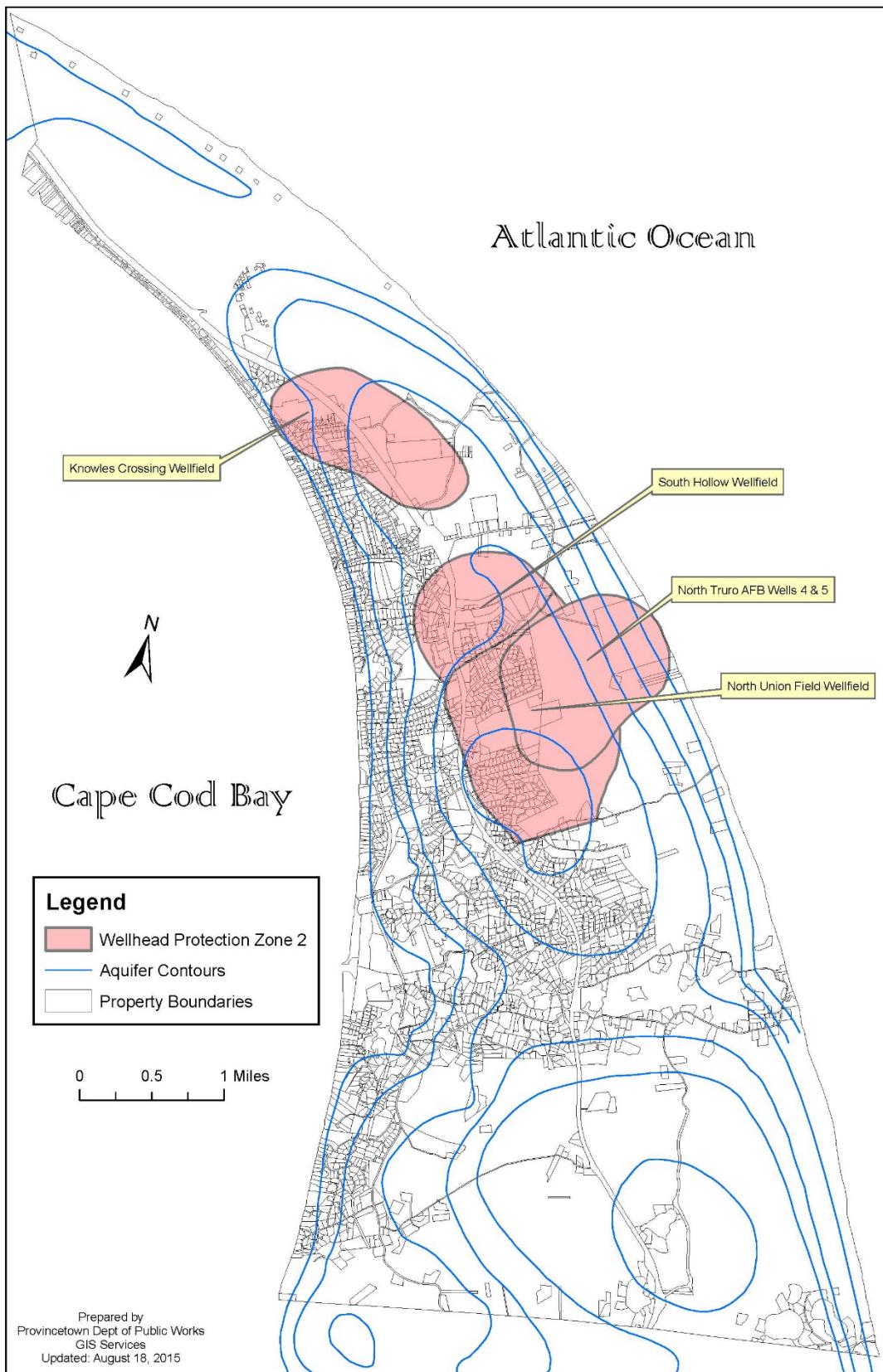
Planning Board Recommendation			
Select Board Recommendation	5	0	0

ARTICLE 35: Moved and seconded to amend the Truro Zoning By-Laws §20.3 Location of Districts, §90.5 Overlay Districts, and Appendices, as set forth below by deleting the language in strikethrough and adding new language as printed in the warrant and by deleting "Truro/Provincetown Aquifer Assessment and Groundwater Protection Plan" (appearing after Appendix A, Zoning Map) and creating new Appendix B, consisting of the "Water Resources Protection Overlay District" map dated August 18, 2015 as printed in the warrant.

An amendment from Town Meeting floor was submitted and read and seconded, amending the last sentence and seconded "in the a Water Resource Protection Overlay District may be used for any purpose otherwise permitted in the underlying district, except for those prohibited by 310 CMR 22.21 Ground Water supply protection of the department of environmental protection in Massachusetts drinking water regulations as it may be amended from time to time.

Motion on the amendment carries as declared by the Moderator.

Water Resources Protection Overlay District - Appendix B



TWO-THIRDS VOTE

Article 36: Amend Zoning Bylaw §10.4 Definitions, Amend Zoning Bylaw §50.1 Area and Height Regulations, and Add Appendix Q

To see if the Town will vote to amend Section §10.4, Definitions, §50.1 Area and Height Regulations, and add Appendix Q, of the Zoning Bylaw by deleting the language in ~~strike through~~, adding the **bold underlined** wording:

§10.4 Definitions

Base Flood Elevation (or BFE). The 100-year flood elevation designated on the Truro Flood Insurance Rate Maps (FIRM). The elevation of surface water resulting from a flood that has a 1% chance of equaling or exceeding that level in any given year. The BFE is shown on the Federal Emergency Management Agency (FEMA) Flood Insurance Rate Map (FIRM) for “A” and ‘V’ zones.

Flat Roof. A roof surface having a pitch less than 3 units vertically to 12 units horizontally.

Sloped Roof. A roof surface having a pitch greater than or equal to 3 units vertically to 12 units horizontally.

Maximum Building Height. The difference in elevation between the Mean Ground Level Elevation and the elevation at the highest point of the roof or building, including parapets, railings, dormers and rooftop decks but excluding antennas, vents and chimneys. Maximum Building Height shall be limited to 23 feet for Flat Roofs and Clerestory Roofs and for all Shed Roofs, regardless of pitch. Exceptions for specific Sloped Roof configurations are illustrated graphically in Appendix Q.

Mean Ground Level. Where the finished ground level varies in elevation on different sides of a building, the average of the various elevations at the centers of the four main sides, or the average of the four elevations as measured at the centers of the building sides as viewed or projected onto four orthogonal vertical planes (e.g., N, S, E and W building elevations). In the case where fill has been used to raise the finished ground level on a side(s) of the building to an elevation higher than the preconstruction ground level, on those sides measurement shall be taken as the preconstruction ground level elevation measured at a point offset from the center of that side ten (10) feet out from the side of the building. Further, the finished grade of the fill, within one hundred (100) feet of the building shall not have a grade steeper than ten per cent (10%) (one foot of drop for every ten foot run).

§50.1 Regulations

A. Table

DIMENSIONAL REQUIREMENT	ALL DISTRICTS
Minimum Lot Size	33,750 sq. ft. (1)(2)(8)
Minimum Lot Frontage	150 ft (1)(2)
Minimum frontyard setback	25 ft (3)
Minimum sideyard setback	25 ft (3)(4)
Maximum building height	2 stories; 30 feet (5)(5a)(6)
Minimum backyard setback	25 ft (3)(4)
Lot Shape	(9)

(4/05, 4/06, 4/10)

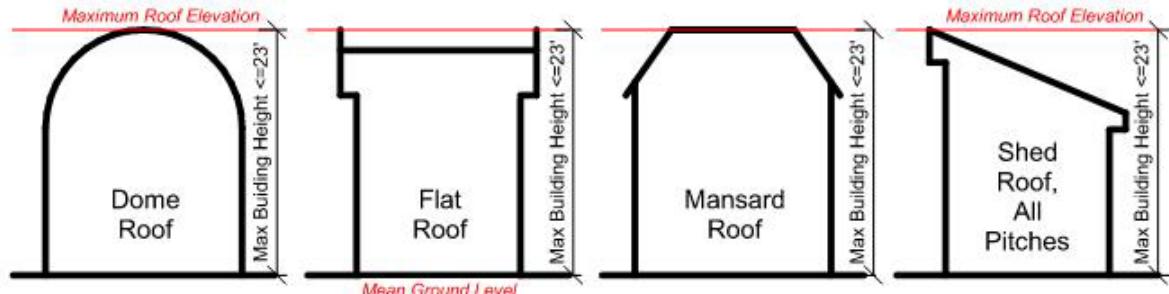
NOTES

1. Except buildings for accessory use and cottage.
2. Except lots or parcels lawfully in existence and shown on a subdivision plan or described in a deed recorded at the Barnstable County Registry of Deeds prior to the adoption of the bylaw by Truro Town Meeting on February 15, 1960, having at least five thousand (5,000) square feet of area and at least fifty (50) feet of lot frontage.
3. Except in the Seashore District where the minimum setback from all streets is 50 feet measured at a right angle from the street line.
4. Except in those portions of the Beach Point Limited Business District served by the Town of Provincetown Water System, where the minimum sideyard and backyard setbacks shall be equivalent to five (5) feet per story of the building or structure in question. Structures less than a full story shall meet the minimum 5 ft setback.
5. The 2 story / 30 ft height limitation shall be measured from mean ground level.
- 5a. Except buildings which do not have a ridge or hip defined by two opposing sloped roof surfaces the maximum building height shall not exceed twenty-three (23) ft as measured to the highest point of the structure (4/12), (5/24).
6. Free standing flagpoles and private noncommercial radio and television antennae shall not exceed fifty (50) ft above mean ground level.
7. (#7 deleted 4/12)
8. Except in the Seashore District where the minimum lot size is 3 acres. (4/05)
9. For any lot created after April 30, 2004, the portion of the lot connecting the frontage with the front line of any building site shall not be less than 50 feet wide, as measured between opposite sidelines.

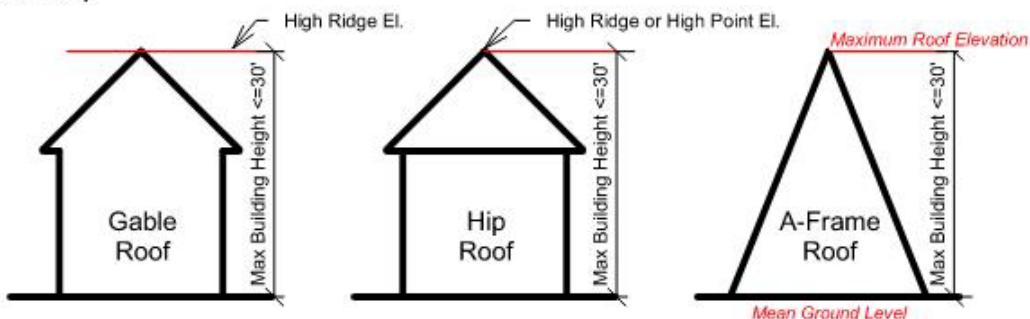
APPENDIX Q: MAXIMUM BUILDING HEIGHT RELATIVE TO MEAN GROUND LEVEL AND ROOF CONFIGURATION

Roof Type:

Dome/Flat
Mansard/Shed/
Clerestory

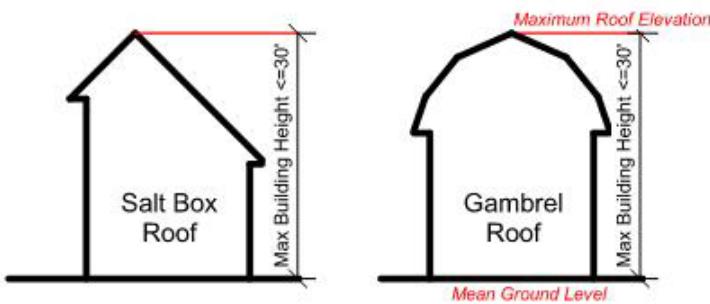


**Gable/Hip
A-Frame (With Sloped
Roof Surfaces
(pitch $\geq 3V:12H$)**



**Salt Box
(with Sloped Roof
Surfaces)**

**Gambrel
(with Sloped Roof
Surfaces)**



Note: Shed dormers for individual windows shall not be considered Sloped Roof Surfaces in this context.

or to take any other action relative thereto.

Requested by the Planning Board

Planning Board Explanation: This zoning article is intended to clarify certain ambiguities in the existing zoning ordinance that pertain to maximum allowable building height, as measured from mean (average) grade to the highest point of the structure. This article clarifies the intent and applicability of the existing building height limitations by the following means:

Adding Definitions to define and differentiate a “Flat Roof” from a “Sloped Roof”.

Adding clarifying language to the definition of “Mean Grade”.

Providing a graphic, in the form of an Appendix, to illustrate how the resulting definitions and building height limitations are to be interpreted with respect to various common roof configurations.

This article is intended as an aid to interpreting and applying the Building Height limitations that are already included in the zoning ordinance. This article was developed in part to address ambiguities that are currently left to the Zoning Board of Appeals to adjudicate.

In the definition of “Mean Ground Level”, the words “...orthogonal vertical planes...” are used in lieu of the architectural drawing term “building elevations” in order to avoid any potential confusion over the use of the word “elevation” in two different contexts within this article.

Also included is a definition of the term “Base Flood Elevation” or “BFE”, paraphrasing the definition of that term as defined by the Federal Emergency Management Agency (FEMA). Although that term is not utilized in this article, inclusion of this definition is anticipatory and is recommended by the Planning Board at this time. The Planning Board anticipates that this definition will be required for future articles that may impact the “Mean Grade” and “Building Height” definitions as they pertain to the Town’s Flood Plain bylaw.

Planning Board Recommendation	7	0	0
Select Board Recommendation	5	0	0

ARTICLE 36: Motion made and seconded to amend Section §10.4, Definitions, §50.1 Area and Height Regulations, and add Appendix Q, of the Zoning Bylaw by deleting the language in strike through, adding the bold underlined wording as printed in the warrant.

Motion carries by a 2/3rds majority as declared by the Moderator.

TWO-THIRDS VOTE

Article 37: Add New Zoning Bylaw §40.8 Attainable Housing on Undersized Lots And Amend §30.2 Use Table

To see if the Town will vote to amend §40 and §30.2, Use Table, of the Zoning Bylaw by amending §40 to add §40.8., Attainable Housing on Undersized Lots, of the Zoning Bylaw as follows:

§40.8 Attainable Housing on Undersized Lots:

A. Purpose: The purpose of this bylaw is to increase the supply of housing that is available in the town of Truro by allowing attainable single-family dwellings to be built on lots that do not meet the minimum lot size for the zoning district, provided the lots meet the criteria listed herein.

B. For purposes of this bylaw, "Attainable" shall mean that the units are available for ownership or rental to households earning at or below 100% of the Barnstable County Area Median Income (AMI), adjusted for household size and shall remain affordable in perpetuity or for the longest period allowed by law.

C. Undersized Lot – a lot that is smaller than the minimum lot size for the zoning district.

D. This bylaw shall apply to lots of record as of January 1, 2024, as recorded in a deed or plan on file with the Barnstable County Registry of Deeds or Land Court, which do not meet the minimum lot size for the zoning district as determined by the Building Commissioner. This bylaw applies regardless of whether the lot is held in common ownership with an adjoining lot.

E. This bylaw shall apply to lots in all districts except Beach Point and the Seashore District.

F. REQUIREMENTS: A Special Permit may be obtained from the Zoning Board of Appeals to allow construction of a One Family Dwelling, pursuant to the following requirements, restricted by a Regulatory Agreement and/or Affordable Housing Deed Restriction in a form acceptable to the Executive Office of Housing and Livable Communities (EOHLC), executed and recorded by the applicant as an affordable homeownership or rental dwelling unit in perpetuity or the maximum time period allowed by law, on an eligible parcel of land that meets the following criteria:

1. Parcel, at time of application, is not improved with any existing dwelling unit.
2. Parcel contains at least 10,000 square feet of contiguous upland area.
3. All applicable provisions of the building, health and safety codes are met.

4. Parcel satisfies applicable Town of Truro's Conservation Commission Environmental Protection Regulations.
5. Parcel has a minimum of 50 feet of frontage.
6. The building setbacks shall not be less than 25 feet.
7. If a dwelling is built within 25 feet of any other dwelling or principal structure screening of at least five feet in height be created and maintained if requested by the abutter in writing to the Building Commissioner. The screening may be fencing, planting or a combination.
8. The building must comply with the house size bylaw §50.2.

G. An applicant under this section shall submit a site plan prepared, stamped and signed by a Registered Land Surveyor or Professional Engineer, as applicable, that depicts:

1. the dimensions and setbacks of the subject Parcel, and
2. the proposed structure on the subject Parcel
3. the existing setbacks of principal structures on the lots immediately adjacent.
4. The site plan shall show a parking plan and comply with parking requirements for "Affordable Dwelling Unit" in §30.9 Parking Regulation Use Table of 2 spaces per unit.

H. A Parcel shall not be built upon if the Parcel was purposely created, subject to a deed restriction or designated as an unbuildable lot as part of a subdivision open space or park, or by any other condition or agreement with the Town.

I. Accessory Dwelling Units are not permitted on undersize lots.

J. Rental of the dwelling for a period of less than twelve (12) months (including, but not limited to, seasonal rental and rental through vacation rental services and websites) is prohibited. Proof of year-round rental shall be provided annually to the Building Commissioner or their designee, by the owner in the form of a lease and a signed affidavit from both the owner and renter stating the unit is being rented accordingly and is used as the renter's primary residence. The proof shall be submitted to the Building Commissioner or their designee prior to initial occupancy and by May 1 each following year. The Attainable Housing Deed Restriction shall identify a Monitoring Agent who shall ensure compliance with said deed restriction.

K. The Applicant must submit a Regulatory Agreement and Affordable Housing Deed Restriction, to be approved as to form by Town Counsel, that restricts the use of the dwelling unit to low- or moderate- income housing in perpetuity, or the maximum time period allowed by law. Said Regulatory Agreement shall include an Affirmative Fair Marketing Plan that complies with EOHCL's requirements for the selection of income-eligible tenants/occupants and shall identify a Monitoring Agent who shall be responsible for ensuring that any re-sales of units created under this bylaw shall be

made to income- eligible purchasers and comply with the Affirmative Fair Marketing Plan and Attainable Housing Deed Rider.

L. For lots to be sold/rented to households earning below 80% AMI, that are owned privately, the Applicant shall work with the Town to provide any information necessary to ensure that units created under this bylaw are eligible for inclusion on the Subsidized Housing Inventory maintained by the EOHCL's as Local Action Units.

M. No building permit shall be issued until the Regulatory Agreement and Affordable Housing Deed Rider has been approved by Town Counsel, executed by all parties, and recorded at the Registry of Deeds and proof of such recording has been furnished to the Building Commissioner.

§40.8.1 Transfer or Lease. A lot developed with a One Family Dwelling under this section shall be transferred or leased at such attainable re-sale price or rent set forth in the Regulatory Agreement.

§40.8.2 No Building Permit shall be issued by the Building Commissioner until the developer has demonstrated that all of the applicable requirements of §40.8.F and §40.8.G have been met.

And by amending §30.2, Use Table, by adding the **bold underlined** wording:

§30.2 Use Table

Add to Use Table

	R	BP	NT6A	TC	NTC	RT6	S
Attainable Undersized Lot	<u>SP</u>	<u>N</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>SP</u>	<u>N</u>

or to take any other action relative thereto.

Requested by the Planning Board

Planning Board Explanation: This article is part of a wide range of strategies to increase the stock of affordable and attainable housing in Truro. According to the Local Comprehensive Plan "With limited acreage available, creative housing solutions are needed. This includes increasing density where appropriate and feasible, considering additional uses for town-owned property, and changes in zoning regulations to create housing opportunities on lots that are currently undersized or otherwise don't conform to existing zoning regulations..."

There are approximately a dozen properties that may become buildable as a result of this article with slightly more Town- owned properties than private properties. All but one of the currently identified lots are in the Residential District with the other in the North Truro 6A Limited Business District.

Planning Board Recommendation	7	0	0
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Select Board Recommendation	5	0	0
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ARTICLE 37: Motion to move to amend and seconded §40 and §30.2, Use Table, of the Zoning Bylaw by amending §40 to add §40.8., Attainable Housing on Undersized Lots, of the Zoning Bylaw and by amending §30.2, Use Table, by adding the bold underlined wording as printed in the warrant.

Motion was called from Town Meeting floor to move the original question and seconded. Motion carries by a majority as declared by the Moderator.

Article 37: Motion carries by a simple majority as declared by the Moderator.

TWO-THIRDS VOTE

Article 38: Amend Zoning Bylaw §40.2 Accessory Dwelling Unit, §50.2 Gross Floor Area, and §30.2 Use Table, Note 9

To see if the Town will vote to amend §40.2 Accessory Dwelling Unit, §50.2 Gross Floor Area, and §30.2 Use Table, Note 9, of the Zoning Bylaw by deleting the language in ~~strike through~~, adding the **bold underlined** wording:

§40.2 Accessory Dwelling Unit

(04/17)

- A. The purposes of this bylaw are to:
 1. Increase the number of moderately priced, year-round rental dwelling units in Truro;
 2. Encourage a more economical and energy-efficient use of the Town's housing supply; and
 3. Provide homeowners with a means of obtaining rental income to defray housing costs.
- B. Requirements
 1. One Accessory Dwelling Unit (ADU) per buildable lot may be allowed in any zoning district by obtaining an ADU Building Permit. (6/21)
 2. An ADU may be established within or attached to a principal dwelling, principal structure, or accessory structure, or constructed as a detached unit, and must be located on the same lot as the primary dwelling.
 3. The ADU must be in conformity with the State Building Code, Title V of the State Sanitary Code and all applicable town health, building, zoning and other local laws and regulations.
 4. An ADU within or attached to a principal dwelling, principal structure or accessory structure that is a pre-existing nonconforming use or structure shall not increase any existing nonconformity or create a new nonconformity without first obtaining a Special Permit or Variance, respectively, from the Zoning Board of Appeals. (6/21)
- C. ADU Permit Criteria
 1. The ADU shall be a complete, separate housekeeping unit containing both kitchen and sanitary facilities.
 2. The ADU shall not contain more than nine hundred (900) square feet nor less than four hundred (400) square feet of Gross Floor Area as that term is defined in Section II of this Zoning Bylaw. Once an ADU has been added to a dwelling, structure or lot, the ADU shall not be enlarged beyond the square footage specified in the permit granted pursuant to this section without first obtaining a subsequent ADU Building Permit, and in no case shall an ADU be permitted to exceed the square footage allowed by this section. (6/21)

3. At least two (2) off street parking spaces in addition to parking otherwise required for the property is required for an ADU. ~~This requirement may be reduced or waived at the discretion of the Planning Board.~~ (6/21)
4. An ADU shall be clearly subordinate in use, size and design to the principal dwelling or structure. When accessory to a principal dwelling, the intent is to retain the appearance of a single-family dwelling and the privacy of abutters. (6/21)
5. The principal dwelling and ADU and lot on which they are located shall remain in common ownership, and shall not be severed in ownership, including that the lot, buildings or units thereon shall not be placed in a condominium form of ownership.
6. Either the ADU or the principal dwelling on a lot with an ADU must be leased for a term of at least twelve (12) months. Rental of said unit for a period of less than twelve (12) months (including, but not limited to, seasonal rental and rental through vacation rental services and websites) is prohibited. Proof of year-round rental shall be provided annually to the Building Commissioner by the owner in the form of a lease and a signed affidavit from both the owner and renter stating the unit is being rented accordingly and is used as a primary residence.
7. ADUs permitted under this section shall be inspected annually or as frequently as deemed necessary by the Health and Building Departments for compliance with public safety and public health codes. The owner of the property shall be responsible for scheduling such inspection and shall pay any applicable inspection fees.

D. Procedure

1. Each application for a Permit shall be filed by the Applicant with the ~~Town Clerk Building Department~~ consisting of:
 - a. Deleted. (6/21)
 - b. Papers copies and one digital copy of the required plans in addition to other required information under §40.2; (6/21)
 - c. Applicable filing fee;
 - d. Deleted. (6/21)
 - e. Site Plan or Site and Sewage Plan prepared by a registered professional engineer or registered sanitarian showing all property lines, existing and proposed structures on the parcel, and setbacks from roads and property lines for each structure. Building dimensions (height, stories, square footage) shall be shown on the plan.
 - f. Deleted. (6/21)
 - g. Building floor plans at a scale of no less than 1/8" = 1' 0". (6/21)
 - h. Affidavit declaring that the ADU and/or principal dwelling to which it is accessory will be rented on a twelve month basis.
 - i. Deleted. (6/21)
 - j. Deleted. (6/21)

k. For ADUs proposed in a new structure or that require the modification of the exterior of an existing structure, building elevations at a scale of no less than 1/8" = 1' 0" of the dwelling or structure that contains the ADU. (6/21)

l. Photographs of the exterior of the existing principal dwelling taken from the north, south, east and west. (6/21)

m. For ADUs proposed within an existing accessory structure, photographs of the exterior of the existing accessory structure taken from the north, south, east and west. (6/21)

E. Deleted. (6/21)

F. Deleted. (6/21)

G. Penalty

Failure of the applicant to comply with any provision of this section or the Permit is punishable by a fine established in Section 60.1 of the Truro Zoning Bylaws and shall entitle the Building Commissioner to revoke, modify or suspend the Permit. The Town shall be entitled to recover its litigation fees, including counsel fees, incurred in enforcement of this Bylaw. (6/21)

H. Requirements for Tax Exemption

Qualifying ADUs permitted under this section are eligible to seek tax abatement pursuant to Chapter 1, Section 11 of the Truro General Bylaws, Tax Exemption for Affordable Accessory Dwelling Units. (6/21)

§50.2 Building Gross Floor Area for the Residential District (11/18)

A. Purpose: The purpose of this bylaw is to limit the size of future residential construction, alteration, or reconstruction to preserve the special character and prevailing size and massing of buildings in the Town, and to be in harmony with the historic nature, sense of community, and aspirations of Truro.

B. Applicability and Exceptions:

1. Total Gross Floor Area Allowed by Right: Subject to the exceptions provided for in subsections 50.2.B.2, 50.2.C, and 50.2.D, building permits for new construction or for projects that seek to increase the Gross Floor Area of buildings that exist on lots as of November 13, 2018, shall be issued only where, on completion of the construction or project, the Total Gross Floor Area of the new or expanded structure(s) does not exceed 3,600 sq. ft. for a Residential District Minimum Lot Size of 33,750 sq. ft. (or .775 acre) and prorated to 3,668 sq. ft. for one acre of land:

- a. Plus 300 sq. ft. for each additional contiguous acre of land, or fraction thereof prorated.
- b. For lot size less than one acre, the square foot shall be reduced by 150 sq. ft. for each half acre or fraction thereof prorated.
- c. Plus a ~~Planning Board Building Commissioner~~ Approved Accessory Dwelling Unit of up to ~~1,000~~ 900 sq. ft.

2. Special Permit to exceed the Total Gross Floor Area limit: The Total Gross Floor Area limit for a dwelling and accessory buildings on a lot established in subsection 50.2.B.1 may be exceeded, up to a maximum established by this subsection, by Special Permit, as provided in 50.2.C and 50.2.D. No Special Permit may be issued for any construction if the construction would result in the Total Gross Floor Area exceeding 4,600 sq. ft. for a Residential District Minimum Lot Size of 33,750 sq. ft. (or .775 acre) and prorated to 4,668 sq. ft. for one acre of land:

- a. Plus 300 sq. ft. for each additional contiguous acre of land, or fraction thereof prorated.
- b. For lot size less than one acre, the square foot shall be reduced by 150 sq. ft. for each half acre or fraction thereof prorated.
- c. Plus a ~~Planning Board Building Commissioner~~ Approved Accessory Dwelling Unit of up to ~~1,000~~ 900 sq. ft.

§30.2 Use Table, Accessory Uses, Notes:

9. Uses in this category are further subject to the special regulations set forth in §40.2, Accessory Dwelling Unit and the ~~Planning Board Building Commissioner~~ shall serve as the ~~Special~~ Permit granting authority. (04/07, 4/17)

or to take any other action relative thereto.

Requested by the Planning Board

Planning Board Explanation: The ADU Bylaw was amended at 2021 ATM, the principal changes being 1) allowing ADUs as of right (where otherwise compliant with zoning), instead by permit from the Planning Board only; and 2) reducing maximum gross floor area from 1000 square feet to 900 square feet, for consistency with state law. The 2021 amendments left a few internal inconsistencies (i.e., references to "Planning Board" no longer applicable. In addition, Zoning Bylaw section 50.2, "Building Gross Floor Area," requires amendment for consistency with the ADU Bylaw. The above amendments are "housekeeping"-type changes and do not alter the process for obtaining approval for an ADU.

Planning Board Recommendation	6	1	0
Select Board Recommendation	5	0	0

ARTICLE 38: Move to amend §40.2 Accessory Dwelling Unit, §50.2 Gross Floor Area, and §30.2 Use Table, Note 9, of the Zoning Bylaw by deleting the language in strike through, adding the bold underlined wording as printed in the warrant.

The Moderator declared that this article requires a simple majority vote due to the Housing Choice Act.

Article 38: Motion carries by a simple majority and a 2/3rds majority as declared by the Moderator.

ADVISORY ARTICLE

Article 39: Advisory Vote to Establish a Town Seal Committee

To see if the Town will vote to recommend to the Select Board to establish an Ad Hoc Town Seal Committee in accordance with Section 6-4-4 of the Town Charter. The Committee will be charged generally with correcting the cultural imagery of the Wampanoag tribe on the Town of Truro Seal and offering a revised seal for future consideration by Town Meeting. The Select Board issues the complete charge of the Committee and will be the appointing body for this Committee, or take any other action relative thereto.

Requested by the Select Board

Explanation: The Select Board acknowledges that the existing imagery on the Town Seal is not culturally or historically appropriate and requests a recommendation from Town Meeting voters on whether to establish a committee to address Town Seal. This vote is a non-binding advisory vote.

Select Board Recommendation	5	0	0
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ARTICLE 39: Move to recommend and seconded to the Select Board to establish an Ad Hoc Town Seal Committee in accordance with Section 6-4-4 of the Town Charter. The Committee will be charged generally with correcting the cultural imagery of the Wampanoag tribe on the Town of Truro Seal and offering a revised seal for future consideration by Town Meeting. The Select Board issues the complete charge of the Committee and will be the appointing body for this Committee.

Article 39 : Motion carries by a majority as declared by the Moderator.

PETITIONED ARTICLES

TWO-THIRDS VOTE

Article 40: Climate Resiliency and Infrastructure Stabilization Fund - Petitioned Article

To see if the Town will vote to establish a Climate Resiliency and Infrastructure Stabilization Fund pursuant to General Laws Chapter 40, Section 5B, and further, to raise and appropriate, borrow or transfer from available funds a sum of money for the Climate Resiliency and Infrastructure Stabilization Fund, or take any other action in relation thereto.

MOTION: We move that the Town vote to establish a Climate Resiliency and Infrastructure Stabilization Fund in accordance with the provisions of General Laws Chapter 40, Section 5B, and further to appropriate the sum of \$50,000 for the purposes of this Article, and to meet this appropriation, to transfer the sum of \$50,000 from free cash.

A YES or AYE vote in favor of the motion would authorize the Town to establish and fund a Climate Resiliency and Infrastructure Stabilization Fund. This fund would support planning to identify key climate-related hazards, vulnerability and strengths, and to develop adaptation actions.

A NO or NAY vote opposed to the motion would mean a Climate Resiliency and Infrastructure Stabilization Fund would not be established or funded.

Requested by Citizen Petition

Select Board Comment: This article was submitted by petition for consideration at Town Meeting. The Select Board worked with the lead petitioner of the article and has incorporated the \$50,000 requested in this petitioned article into the free cash transfer article (Article 3) to make the funds accessible sooner than the petitioned article would have allowed.

Finance Committee Recommendation	2	0	3
Select Board Recommendation	5	0	0

ARTICLE 40: Motion to move and seconded to establish a Climate Resiliency and Infrastructure Stabilization Fund in accordance with the provisions of General Laws Chapter 40, Section 5B.

The Moderator stated that the vote requires a 2/3rds vote to establish a stabilization fund.

Article 40: Motion carries by 2/3 majority vote as declared by the Moderator.

Article 41: An Article to Establish the Truro Senior Perks Pilot Program - Petitioned Article

To see if the Town will vote to establish the Truro Senior Perks Program as a 1-year pilot program. This program shall provide eligible Truro Seniors with one (1) Resident Beach Stickers and one (1) Transfer Station Permit for a significantly reduced cost. The Program shall be open to Truro residents age 65 and older.

- Applicants must provide proof of age such as a driver's license, passport, birth certificate or other public record.
- The program is open to seniors who have a motor vehicle registered in their name in Truro
- There shall be One (1) Senior Perks membership per household
- The fee for the Senior Perks Transfer Station permit shall be set by the Board of Health. It is recommended that the fee not exceed 25% of the fees for a Resident sticker.
- The fee for the Senior Perks Beach Permit shall be set by the Select Board. It is recommended that the fee not exceed 25% of the fees for a Resident Beach sticker.
- The physical Beach Sticker shall be the Resident Beach sticker
- The Pilot Program shall run from January 1, 2025, to December 31, 2025. A report shall be submitted to the Select Board by March 1, 2026. The report will include the number of participants and the revenue not received by the town because of the program.

or take any other action in relation thereto.

Requested by Citizen Petition

Petitioners' Explanation: The purpose of this article is to provide some financial support to seniors in Truro who have limited funds. While it is a small amount of money it is a gesture of respect to our seniors. Participation is voluntary. We hope after reviewing the report, the Town decides to make this program permanent.

Select Board Comment: This article was submitted by petition for consideration at Town Meeting.

Finance Committee Recommendation	0	5	0
Select Board Recommendation	1	4	0

ARTICLE 41: Motion made and seconded to adopt Article 41 an Article to Establish the Truro Senior Perks Pilot Program - Petitioned Article, as printed in the Warrant.

The Moderator declared that this is a non-binding resolution to the Select Board it is non-binding because the program is under the Select Board and the Board of Health and informed Town Meeting and is a non-binding vote and will be reflective in the minutes of Town Meeting.

Motion was made from Town Meeting floor and seconded to move the question. Motion carries by a majority as declared by the Moderator.

Article 41: Motion carries as declared by the Moderator.

Article 42: New DPW Facility on Town Hall Hill – Engineering and Site Planning for Two Existing Conceptual Plans - Petitioned Article

To see if the Town will vote to advance the site engineering and plan development for a new, updated Department of Public Works facility on Town Hall Hill based on the two conceptual plans now existing, namely: that developed by the DPW Study Group and that developed by Weston & Sampson. It will be the responsibility of the Ad Hoc Building Committee for the Future Public Works Facility to oversee this work. And further, to see if the Town will vote to transfer and appropriate \$1,000,000 or any other sum sufficient for this charge to be completed properly from Certified Free Cash or other available funds to cover said costs. These costs may include the hiring of an independent architect(s), engineer(s), or other professional(s) to assist the Committee, which the Committee is authorized to retain. Such funds are to be allocated on an equal basis with respect to each conceptual plan's further development. No party with a financial interest in the construction of the new DPW may be retained for this work. This work is to be completed within one year or less; or take any other action in relation thereto.

Requested by Citizen Petition

Petitioners' Explanation: The petitioners believe that the site of the current DPW Facility on Town Hall Hill (THH) is the best location for a new DPW Facility, affording substantial cost and time savings, reducing and/or eliminating the adverse environmental, traffic, safety, and economic impacts posed by a Route 6 site. THH is safer for staff and community; restores potable water to Town Hall; affords distributed Town services in face of weather and other catastrophic events; can be phased to ensure ongoing DPW operations; and THH has no community opposition, which is widespread regarding the Route 6 site. This article seeks an apples-to-apples comparison of two existing plans – both conceptual at this time – for a new DPW. The two distinct proposals for the site development both require further engineering and site planning in order for the community to compare and evaluate the concepts. The Weston & Sampson "monolith" concept is arguably estimated to be nearly twice as costly as the DPW Study Group Campus Plan. These concepts differ significantly in design and in construction process as well, and may have widely differing secondary costs to taxpayers. The aim of this article is to give voters a sound basis to choose the best plan for further development of a new DPW on THH. Given the significant estimated costs and other adverse impacts of the Route 6 site, voters should be fully informed about the viability of a new DPW Facility on Town Hall Hill. The requested \$1M is a professional best estimate of funds sufficient to complete this work.

Select Board Comment: This article was submitted by petition for consideration at Town Meeting.

Finance Committee Recommendation	0	5	0
Select Board Recommendation	0	5	0

Article 42: New DPW Facility on Town Hall Hill – Engineering and Site Planning for Two Existing Conceptual Plans - Petitioned Article

Article 42: Motion from the floor made and seconded to indefinitely postpone Article 42. Motion carries by a majority as declared by the Moderator.

Motion to dissolve Town Meeting was made and seconded. Motion carries unanimously as declared by the Moderator at 3:27pm.

A TRUE COPY ATTEST:



Nicole Tudor
Truro Town Clerk
Truro Massachusetts
June 2, 2025

