

# TOWN OF TRURO



## ZONING BYLAW SIGN CODE

### **ADDENDUM (d. November 6, 2017)**

Zoning Bylaw amendments adopted at Annual Town Meeting, April 26, 2011  
(Articles 20, 21, 22 and 24)

Zoning Bylaw amendments adopted at Annual Town Meeting, April 24, 2012  
(Articles 21, 22 and 23)

Zoning Bylaw amendments adopted at Annual Town Meeting, April 30, 2013  
(Articles 25, 26, 27, 28, 29, 30 and 31)

Zoning Bylaw amendments adopted at Annual Town Meeting, April 29, 2014  
(Articles 25, 26, 27, 28, 29 and 30)

Zoning Bylaw amendments adopted at Annual Town Meeting, April 28, 2015  
(Articles 20 and 21)

Zoning Bylaw amendments adopted at Annual Town Meeting, April 26, 2016  
(Article 30)

Zoning Bylaw amendments adopted at Annual Town Meeting, April 25, 2017  
(Article 17, 18 and 32)

A true copy, attest:

Cynthia A. Slade, Town Clerk, Town of Truro, November 6, 2017

OFFICE OF  
TOWN CLERK  
TREASURER - COLLECTOR OF TAXES  
TOWN OF TRURO, MA 02666-2012

ZONING BY-LAW AMENDMENTS

The zoning by-law amendments adopted at the Annual Town Meeting, April 26, 2011 (Articles 20, 21, 22 and 24) were approved by Kelli E. Gunagan, Assistant Attorney General, on September 6, 2011 / Case #5982.

Claims of invalidity of the foregoing amendments to the zoning by-laws, by reason of any defects in the procedure of adoption or amendment, may only be made within ninety (90) days of posting.

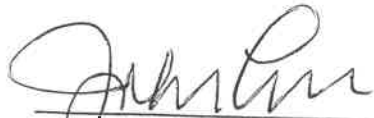
Date of posting, September 13, 2011.

Additional copies of the amendment may be examined and obtained at the office of the Town Clerk, Truro Town Hall, 24 Town Hall Road, Truro, MA 02666.



Cynthia A. Slade  
Town Clerk, Town of Truro  
508.349.7004 x14

I have posted duly attested copies thereof at the following places: Dutra's Market, Grozier's Garage, Lower Cape Auto & Truck Repair, Savory & Sweet Escape, Pamet Valley Liquors, Truro Post Office, N. Truro Post Office, Truro Public Safety Facility, Truro Public Library, Truro Transfer Station, Truro Central School, Truro Community Center, Highland Links Clubhouse, and Truro Town Hall.



Constable

September 13, 2011  
Date

cc: Board of Selectmen  
Town Administrator  
Assistant Town Administrator  
Building Commissioner  
Planning Board  
Board of Appeals

**OFFICE OF  
TOWN CLERK  
TREASURER - COLLECTOR OF TAXES  
TOWN OF TRURO, MA 02666-2012**

**ANNUAL TOWN MEETING, APRIL 26, 2011**

**ARTICLE TWENTY: SOLAR FARM OVERLAY DISTRICT**

To see if the Town will vote to amend the Truro Zoning Bylaw, Section 20.2, Purposes of Districts by adding the following district:

“Solar Farm Overlay District. The purpose of the Solar Farm Overlay District is to provide a location for the development, construction and operation of equipment to convert solar energy to electricity for use and sale, so as to reduce both the load on fossil-fueled generators and the losses incurred in transmission of that power.”

And further to amend the Truro Zoning Bylaw, Section 90.5, Overlay Districts by adding a new Subsection D as follows:

“D. Solar Farm Overlay District. The Solar Farm Overlay District is the area designated as such on the Truro Zoning Map, a copy of which is available for inspection and study in the office of the Truro Building Commissioner, and which is more particularly described and bound as follows:

The land listed on the Truro Assessor’s Map 55 as Parcel 2, and as shown on the plan entitled “Plan of Layout of Town Dump as Laid Out by the Selectmen”, March 30, 1950 by John R. Dyer, Registered Surveyor and registered at the Barnstable County Registry of Deeds on April 27, 1950 in Plan Book 92 on Page 129 and on the plan entitled “Plan of Land in Truro to be Taken by the Town for Disposal Purposes,” by W. G. Slade, Surveyor and registered at the Barnstable County Registry of Deeds on November 17, 1970 in Plan Book 241 on Page 133. Bound as follows:

From a Concrete bound at the Northwest corner,  
North 42° 30’ 40” East for a distance of 461.39 feet  
Thence South 24° 43’ 20” East for a distance of 219.48 feet  
Thence South 1° 20’ 46” East for a distance of 461.93 feet  
Thence South 67° 58’ 54” West for a distance of 819.27 feet  
Thence North 13° 17’ 08” East for a distance of 115.14 feet  
Thence South 73° 16’ 54” West for a distance of 255.25 feet to a point on the  
easterly sideline of Massachusetts Route 6 (1950 layout)  
Thence North 12° 47’ 38” West for a distance of 158.32 feet along the easterly  
sideline of Massachusetts Route 6  
Thence North 89° 06’ 19” East for a distance of 293.59 feet  
Thence North 13° 17’ 08” East for a distance of 614.41 feet.

or take any other action relative thereto.

Requested by the Truro Planning Board

Planning Board Recommendations: 4-0-0

Board of Selectmen Recommendations: 5-0

OFFICE OF  
TOWN CLERK  
TREASURER - COLLECTOR OF TAXES  
TOWN OF TRURO, MA 02666-2012

ANNUAL TOWN MEETING, APRIL 26, 2011

ARTICLE TWENTY: SOLAR FARM OVERLAY DISTRICT (cont.)

Comment: This Overlay District consists of the lot on which the Transfer Station and the capped landfill are located. It is to be a place where the Town (or a developer who would lease some of the land) could build a solar-electric "farm" to generate power. Because of the terms in a later Article, the work would require usual permits, but no Special Permit, so it would be easier to move forward.

The Massachusetts Department of Environmental Protection (DEP) has provided documents which encourage such use of capped landfills. This has been implemented in a few other towns. This site is well suited for a solar-electric (photo-voltaic) application because virtually no other use can be made of the cap, and there is no shade.

*Motion to move Article Twenty as printed in the warrant, and delete the words "or take any other action relative thereto." Motion passes unanimously.*

So certified,



Cynthia A. Slade  
Town Clerk, Town of Truro  
May 25, 2011

OFFICE OF  
TOWN CLERK  
TREASURER - COLLECTOR OF TAXES  
TOWN OF TRURO, MA 02666-2012

ANNUAL TOWN MEETING, APRIL 26, 2011

**ARTICLE TWENTY-ONE: LARGE SCALE GROUND MOUNTED PHOTOVOLTAIC ARRAY**

To see if the Town will vote to amend the Truro Zoning Bylaw, Section 30.2, Use Table by inserting the following Principal Use under the "Industrial" category:

	R	BP	NT6A	TC	NTC	Rt6	S
INDUSTRIAL							
Large-Scale Ground-Mounted Photovoltaic Array	SP (12)	N	N	N	N	P	P

and further by inserting the following under "NOTES":

"12. Except in the Solar Farm Overlay District, where the use is permitted."

or take any other action relative thereto.

Requested by the Truro Planning Board

Planning Board Recommendations: 4-0-0

Board of Selectmen Recommendations: 5-0

Comments: This Article qualifies the new Overlay District at the transfer Station as an institutional use. The note indicates that such a use could be made elsewhere in the town on a site of 2 acres or more, with a Special Permit in Residential Districts, but that a Special Permit will not be required for the Overlay District.

*Motion to move Article Twenty-One as printed in the warrant and by changing "Industrial" to "Institutional" within the article and delete the words "or take any other action relative thereto." Motion carries by 2/3 (two-thirds) vote.*

So certified,



Cynthia A. Slade  
Town Clerk, Town of Truro  
May 25, 2011

OFFICE OF  
TOWN CLERK  
TREASURER - COLLECTOR OF TAXES  
TOWN OF TRURO, MA 02666-2012

ANNUAL TOWN MEETING, APRIL 26, 2011

**ARTICLE TWENTY-TWO: LARGE SCALE GROUND MOUNTED PHOTOVOLTAIC ARRAY**

To see if the Town will vote to amend the Truro Zoning Bylaw, Section 40, Special Regulations, by adding a new Section 40.7 as follows:

**"§40.7 Large-Scale Ground-Mounted Photovoltaic Arrays**

A. Purpose and Intent. The purpose of this bylaw is to promote the creation of new Large-Scale Ground-Mounted Solar Photovoltaic Installations (250kW or larger and covering at least one acres in size) by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations to address public safety, minimize impacts on scenic, natural and historic resources, and provide adequate financial assurance for the eventual decommissioning of such installations.

The provisions set forth in this section shall apply to the construction, operation, and/or repair of Large-Scale Ground-Mounted Solar Photovoltaic Installations.

This section shall apply to Large-Scale Ground-Mounted Solar Photovoltaic Installations proposed for construction after the effective date of this section. This section shall also pertain to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

**B. Definitions**

1. As-of-Right Siting: As-of-Right Siting shall mean that development may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval. As-of-Right development may be subject to Large Scale Solar Review to determine conformance with local zoning ordinances or bylaws. Projects subject to Large Scale Solar Review cannot be prohibited, but can be reasonably regulated by the building commissioner or local inspector.
2. Designated Location: The location[s] designated by the Zoning Bylaw, in accordance with Massachusetts General Laws Chapter 40A, section 5, where Large-Scale Ground-Mounted Solar Photovoltaic Installations may be sited As-of -Right. Said location(s) are shown on the Zoning Map of Truro pursuant to Massachusetts General Laws Chapter 40A Section 4. This map is hereby made a part of this section and is on file in the Office of the Town Clerk.
3. Large-Scale Ground-Mounted Solar Photovoltaic Installation: A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC.

4. Large Scale Solar Review: A review by the Planning Board to determine conformance with local zoning ordinances or bylaws.
5. On-Site Solar Photovoltaic Installation: A solar photovoltaic installation that is constructed at a location where other uses occur at the underlying property.
6. Nameplate Capacity: The maximum rated output of the electric power production of the photovoltaic system in Direct Current (DC).
7. Solar Photovoltaic Array: an arrangement of solar photovoltaic panels.

C. Large Scale Solar Review. Prior to construction, installation or modification, Large-Scale Ground Mounted Solar Photovoltaic Installations with 250 kW or larger nameplate capacity shall undergo Large Scale Solar Review by the Planning Board as provided below. In accordance with Section 22(c) of the Massachusetts Green Communities Act, Large Scale Solar Review shall be expedited and no decision shall be rendered more than one (1) year after the date of the application.

1. Compliance with Laws, Ordinances and Regulations.

The construction and operation of all Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of the installation shall be constructed in accordance with the State Building Code. No Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be constructed, installed or modified without first obtaining a building permit.

2. Large Scale Solar Review Application and Plan Requirements.

- 2.1 Two (2) copies of a properly executed application for Large Scale Solar Review shall be filed with the Planning Board, along with a filing fee of \$50.00.
- 2.2 Twelve (12) copies of site plan(s), prepared by a Registered Land Surveyor licensed in the Commonwealth of Massachusetts, at a scale of one inch equals forty feet (1" = 40') shall be filed with the Planning Board, including:
  - a. North arrow and locus map;
  - b. Property boundaries;
  - c. Name/Description of project;
  - d. Topography, both existing and proposed, including proposed drainage;
  - e. Zoning designation;
  - f. Location of proposed structures, drives, etc., including setbacks;
  - g. Sign(s) location(s);
  - h. Landscaping, both existing and proposed;
  - i. Lighting, including locations, type and wattage.
- 2.3 Twelve (12) copies of plans or drawings of the Large-Scale Ground-Mounted Solar Photovoltaic Installation prepared by a Registered Professional Engineer licensed in the Commonwealth of Massachusetts, showing the proposed layout of the system and any potential shading from nearby structures.
- 2.4 Twelve (12) copies of the one or three line electrical diagram detailing the Large-Scale Ground-Mounted Solar Photovoltaic Installation, associated components,

- and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices.
- 2.5. Twelve (12) copies of the documentation of the major system components to be used, including the PV panels, mounting system, and inverter(s);
  - 2.6. Twelve (12) copies of the documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed installation.
  - 2.7. Twelve (12) copies of an operation and maintenance plan (see also Section 40.7 (D)).
  - 2.8. Twelve (12) copies of proof of liability insurance
  - 2.9. Twelve (12) copies of the description of financial surety that satisfies Section 40.7 (L).

3. Waiver of Requirements: Upon written request submitted as part of the application, the Planning Board may waive any requirements.

D. For Large-Scale Ground-Mounted Solar Photovoltaic Installations that require a Special Permit, the Planning Board shall serve as the Special Permit Granting Authority. The Planning Board shall grant a special permit only if it finds that the proposal complies with the provisions of this section and section 30.8.

E. Operation & Maintenance Plan. The project proponent shall submit a plan for the operation and maintenance of the Large-Scale Ground-Mounted Solar Photovoltaic Installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.

F. No Large-Scale Ground –Mounted Solar Photovoltaic Installation shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the installation owner or operator's intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.

G. Dimension and Density Requirements.

1. Setbacks. Setbacks from all boundary lines shall be a minimum of fifty feet (50').
2. Lot Size. Within the Solar Farm Overlay District and all other all other zoning districts where the use is permitted the minimum lots size shall be two (2) acres.
3. Appurtenant Structures. All appurtenant structures to Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.

H. Design Standards.

1. Lighting. Lighting of Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be consistent with local, state and federal law. Lighting of other parts



of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.

2. Signage. Signs on Large-Scale Ground-Mounted Solar Photovoltaic Installations shall comply with a Truro Sign Code. A sign that identifies the owner and provides a 24-hour emergency contact phone number shall be required.

Large-Scale Ground-Mounted Solar Photovoltaic Installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the installation.

3. Utility Connections.

Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections for the Large-Scale Ground-Mounted Solar Photovoltaic Installation underground, depending on appropriate soil conditions, shape, and topography of the site and any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

#### I. Safety and Environmental Standards.

1. Emergency Services. The Large-Scale Ground-Mounted Solar Photovoltaic Installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Truro Fire Chief. Upon request, the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.
2. Land Clearing, Soil Erosion and Habitat Impacts. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the Large-Scale Ground-Mounted Solar Photovoltaic Installation or otherwise prescribed by applicable laws, regulations, and bylaws.

#### J. Monitoring and Maintenance.

1. Large-Scale Ground-Mounted Solar Photovoltaic Installation Conditions. The Large-Scale Ground-Mounted Solar Photovoltaic Installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Truro Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the installation and any access road(s), unless accepted as a public way.
2. Modifications. All material modifications to a Large-Scale Ground-Mounted Solar Photovoltaic Installation made after issuance of the required building permit shall require approval by the Planning Board.

#### K. Abandonment and Decommissioning.

1. Removal Requirements. Any Large-Scale Ground-Mounted Solar Photovoltaic Installation which has reached the end of its useful life or has been abandoned consistent with Section 40.7(K)(2) shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Large Scale Solar Review Authority by certified mail of the proposed date of discontinued operations and plans for removal.

Decommissioning shall consist of:

1.1 Physical removal of all Large-Scale Ground-Mounted Solar Photovoltaic Installations, structures, equipment, security barriers and transmission lines from the site.

1.2 Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.

1.3 Stabilization or re-vegetation of the site as necessary to minimize erosion. The Large Scale Solar Review Authority may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.

2. Abandonment. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be considered abandoned when it fails to operate for more than one (1) year without the written consent of the Planning Board. If the owner or operator of the large-Scale Ground-Mounted Solar Photovoltaic Installation fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the town may enter the property and physically remove the installation.

L. Financial Surety. Proponents of Large-Scale Ground-Mounted Solar Photovoltaic projects shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the town must remove the installation and re-mediate the landscape, in an amount and form determined to be reasonable by Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent. Such surety will not be required for municipally- or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation."

or take any other action relative thereto.

Requested by the Truro Planning Board

Planning Board Recommendations: 4-0-0

Board of Selectmen Recommendations: 5-0

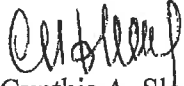
Comments: This Article defines the process to be used to permit a solar-electric "farm" on the capped landfill at the Transfer Station. While the review (to be done by the Planning Board) is thorough, it does not require a Special Permit, so it is a matter of right for the applicant.

The process includes many steps normal for site plan review and permitting, including definitions of the requirements for applications, design, construction and operation and

eventual de-commissioning. If this were to be applied to a site in another location, this would be a Site Plan Review, and provide a Special Permit to the applicant.

*Motion to move Article Twenty-Two as printed in the warrant and by adding at the end of the definition of Large-Scale Ground-Mounted Solar Photovoltaic Installation, subsection B.3; the following sentence: "All Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be owned and operated by either the Town of Truro or under agreements with the Town of Truro", and delete the words "or take any other action relative thereto." Motion passes unanimously.*

So certified,



Cynthia A. Slade  
Town Clerk, Town of Truro  
May 25, 2011

OFFICE OF  
TOWN CLERK  
TREASURER - COLLECTOR OF TAXES  
TOWN OF TRURO, MA 02666-2012

ANNUAL TOWN MEETING, APRIL 26, 2011

**ARTICLE TWENTY-FOUR: CONVERSION OF COTTAGE OR CABIN COLONY,  
MOTOR COURT, MOTEL OR HOTEL**

To see if the Town will vote to amend the Truro Zoning Bylaw, Section 40.3 (Conversion of Cottage or Cabin Colony, Motor Court, Motel or Hotel), subsection C (Covenant) by deleting "March 31" and replacing it with "February 28".

or take any other action relative there to.  
Requested by Petition

Comment: the purpose of this zoning change is to allow the seasonal use of units created under the Conversion bylaw to be extended from April 1 to March 1.

Note: Planning Board recommends 5-0 (as reported by the Moderator)

*Motion to move Article Twenty-Four as printed in the warrant and delete the words "or take any other action relative thereto." Moderator determined first vote too close to call, proceeded to a hand count. Article Twenty-Four passes by 2/3 (two-thirds) vote: 158 YES./ 47 NO.*

So certified,



Cynthia A. Slade  
Town Clerk, Town of Truro  
May 25, 2011

**OFFICE OF  
TOWN CLERK  
TREASURER - COLLECTOR OF TAXES  
TOWN OF TRURO, MA 02666-2012**

**GENERAL & ZONING BY-LAW AMENDMENTS**

The **general by-law amendment (Article 17)** and the **zoning by-law amendments (Articles 21, 22, and 23)** adopted at Annual Town Meeting, April 24, 2012 were approved by Margaret J. Hurley, Assistant Attorney General, on November 9, 2012 / Case #6494.

Claims of invalidity of the foregoing amendments to the **zoning by-laws**, by reason of any defects in the procedure of adoption or amendment, may only be made within ninety (90) days of posting.

Date of posting, November 21, 2012.

Additional copies of the amendment may be examined and obtained at the office of the Town Clerk, Truro Town Hall, 24 Town Hall Road, Truro, MA 02666.



Cynthia A. Slade  
Town Clerk, Town of Truro  
508.349.7004 x14

I have posted duly attested copies thereof at the following places: Dutra's Market, Grozier's Garage, Lower Cape Auto & Truck Repair, Savory & Sweet Escape, Pamet Valley Liquors, Truro Post Office, N. Truro Post Office, Truro Public Safety Facility, Truro Public Library, Truro Transfer Station, Truro Central School, Truro Community Center, Highland Links Clubhouse, and Truro Town Hall.

  
Constable

11/21/12  
Date

cc: Board of Selectmen  
Town Administrator  
Assistant Town Administrator  
Town Accountant  
Building Commissioner  
Planning Board  
Board of Appeals

**OFFICE OF  
TOWN CLERK  
TREASURER - COLLECTOR OF TAXES  
TOWN OF TRURO, MA 02666-2012**

**ANNUAL TOWN MEETING, APRIL 24, 2012**

**ARTICLE 17: ESTABLISH A "SUNDOWN CLAUSE" GENERAL BY-LAW FOR FINANCIAL ARTICLES APPROVED BY TOWN MEETING** To see if the Town will vote to adopt the following as Chapter 1, Section 10 of the General By-laws:

"Any encumbered but unexpended balance of an appropriation made for a specific purpose, except appropriations made through Capital or Debt Exclusion votes and/or proceeds from bonds or notes, shall be transferred to surplus revenue two years after the date the appropriation becomes available. Unexpended balances may be transferred earlier to surplus revenue upon receipt of a statement that the specific purpose has been accomplished and that no liabilities remain, unless any balance is earlier transferred to another use by town meeting vote, or unless a date is otherwise specified in the original appropriation vote.

The Board of Selectmen may, by majority vote, extend the expiration date upon written request from the responsible department on a year to year basis for a period not to exceed a total of five years from the date of the availability of the appropriation.

Any amount encumbered through a valid contract/Purchase Order does not fall under this by-law, only the unencumbered balance.

This by-law does not apply to funds appropriated with capital or debt exclusion votes, to funds held in trust, to funds held for a designated purpose under specific statutory authority, to funds appropriated for revolving funds, enterprise funds, or reserve funds, to the proceeds of bonds, notes and grants, to funds received as gifts, or to funds held in the stabilization fund. "

Or take any other action relative thereto. *Requested by the Board of Selectmen, Town Administrator and Town Accountant*

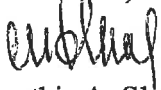
**Finance Committee Recommendation: 4-0 in favor**

**Board of Selectmen Recommendation: 5-0 in favor**

**Comment:** The purpose of this article is to adopt a financial policy by-law establishing an "expiration date" or a reasonable period of time to complete the specified purpose of an appropriation and to provide a mechanism to extend that time frame for that purpose as circumstances dictate.

*Motion to move Article 17 as printed in the warrant and delete the words, "or take any other action relative thereto". Passes unanimously.*

So certified,



Cynthia A. Slade

Town Clerk, Town of Truro

July 14, 2012

**OFFICE OF  
TOWN CLERK  
TREASURER - COLLECTOR OF TAXES  
TOWN OF TRURO, MA 02666-2012**

**ANNUAL TOWN MEETING, APRIL 24, 2012**

**ARTICLE 21: AMEND THE SIGN CODE TO ALLOW OPEN AND WELCOME FLAGS**

To see if the Town will vote to amend the Truro Zoning Bylaw – Sign Code as follows:

(1) Within Section 2 (Regulations for General and Limited Business Zones), paragraph F, add the following sentence at the end of the paragraph: "Said sign shall be displayed only during business hours." and,

(2) Within Section 2 (Regulations for General and Limited Business Zones), add a new paragraph "L. Accessory Flags", as follows:

**L. Accessory Flags**

Other than governmental flags, one "Open" or "Welcome" flag with a maximum size of fifteen (15) square feet (3' x 5') is permitted for each business. No such flag shall contain words or images other than "Open" or "Welcome". Such flags shall be flown only during business hours.

In shopping centers, plazas and lots with multiple businesses, said "Open" or "Welcome" flag shall be attached to the particular business's building. In addition, one such flag may be placed on the permit-approved ground sign for said shopping center, plaza or lot with multiple businesses. and,

(3) Within Section 5 (Prohibited Signs), paragraph E, delete the reference to "advertising flags" and reword the paragraph E so that it reads: "E. Banners and streamers except as provided for in Section 11." and,

(4) Within Section 10 (Exceptions), Paragraph C, delete "Section VIII.C" and replace it with "Section 30.8".

Or take any other action relative thereto. *Requested by the Planning Board*

**Board of Selectmen Recommendation: 5-0 in favor**

**Planning Board Recommendation: 6-0 in favor**

**Comment:** The Planning Board worked closely with the Economic Development Committee and the Building Commissioner to create a bylaw that was intended to clarify the use of open/welcome flags with the Town of Truro. The proposed changes (1), (2) and 3), allow for one open or welcome sign to be located on a permitted ground sign and requires that the sign be taken down when the business(es) is closed. Each business within shopping center, plaza or on a lot with multiple businesses would also be allow one open or welcome flag on there building front.

**OFFICE OF  
TOWN CLERK  
TREASURER - COLLECTOR OF TAXES  
TOWN OF TRURO, MA 02666-2012**

**ANNUAL TOWN MEETING, APRIL 24, 2012**

**ARTICLE 21: AMEND THE SIGN CODE TO ALLOW OPEN AND WELCOME FLAGS (cont.)**

**Item (4) is a housekeeping item. The roman numeral reference was not changed when the zoning bylaws were re-written in 2004 & 2005.**

*Motion to move Article 21 as printed in the warrant and delete the words, "or take any other action relative thereto". Passes by more than 2/3 (two-thirds).*

So certified,



Cynthia A. Slade  
Town Clerk, Town of Truro  
July 14, 2012



**OFFICE OF  
TOWN CLERK  
TREASURER - COLLECTOR OF TAXES  
TOWN OF TRURO, MA 02666-2012**

**ANNUAL TOWN MEETING, APRIL 24, 2012**

**ARTICLE 22: AMEND DEFINITIONS OF BUILDING HEIGHT**

To see if the Town will vote to amend the Truro Zoning Bylaw as follows:

(1) Within Section 10.4 (Definitions), delete in its entirety the definition of "Building Height" and replace it with the following:

"The vertical distance from the average of the existing undisturbed grade at each corner of a building to the ridge, hip or highest point of the structure."  
and,

(2) Within Section 50.1 (Regulations), A. Table, Note #5a, delete "gable, hip, or gambrel roofs; for these buildings," and replace with "a ridge or hip" and at the end of the sentence delete "roof" and add the the word "structure" so that it reads:

"Except buildings which do not have a ridge or hip the maximum building height shall not exceed twenty-three (23) ft as measured to the highest point of the structure."  
and,

(3) Within Section 50.1 (Regulations), A. Table remove from the table the reference to Note "(7)" and delete Note 7 in its entirety.

Or take any other action relative thereto. *Requested by the Planning Board*

**Board of Selectmen Recommendation: 5-0 in favor**

**Planning Board Recommendation: 6-0 in favor**

**Comment:**

**(1)Provides a clearer more concise definition for Building Height.**

**(2)Provides for continuity between the definition of Building Height and the allowable building heights for different building styles.**

**(3)This is a housekeeping item. The regulations for windmills, including heights, is covered within Section 40.4 – Wind Generators. Note 7 is contradictory to the provisions outlined in Section 40.4. This would delete that contradiction.**

*Motion to move Article 22 as printed in the warrant and delete the words, "or take any other action relative thereto". Passes by more than 2/3(two-thirds).*

So certified,



Cynthia A. Slade  
Town Clerk, Town of Truro  
July 14, 2012

**OFFICE OF  
TOWN CLERK  
TREASURER - COLLECTOR OF TAXES  
TOWN OF TRURO, MA 02666-2012**

**ANNUAL TOWN MEETING, APRIL 24, 2012**

**ARTICLE 23: BOUNDARIES OF BEACH POINT LIMITED BUSINESS DISTRICT**

To see if the Town will vote to Amend Section 90 of the Truro Zoning Bylaw

by deleting the last part of the first paragraph of 90.2 A., which presently reads  
“...to the northerly sideline of High Head Road and the extension thereof; and”

and substituting therefor:

“...to the northeasterly line of Lot 3 as shown on a plan recorded with the Barnstable County Registry of Deeds in Plan Book 350, Page 50.”

and by further amending paragraph 90.2 C. Beach Point (Limited Business District) by adding a third paragraph to said section 90.2 C, reading:

All of the area contained in a strip of land one hundred fifty (150) feet wide along the easterly and northeasterly side of the State Highway, Route 6A (1925 and 1915 layouts) (also know as Shore Road), beginning at the northeasterly line of Lot 3 as shown on a plan recorded with the Barnstable County Registry of Deeds in Plan Book 350, Page 50, to the northerly sideline of High Head Road and the extension thereof.”

And to make corresponding changes on the Town of Truro Official Zoning Map,

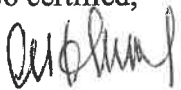
Or take any other action relative thereto. *Requested by Citizen Petition*

**Board of Selectmen Recommendation: Reserved to Town Meeting  
Planning Board Recommendation: 4 in favor, 2 abstained**

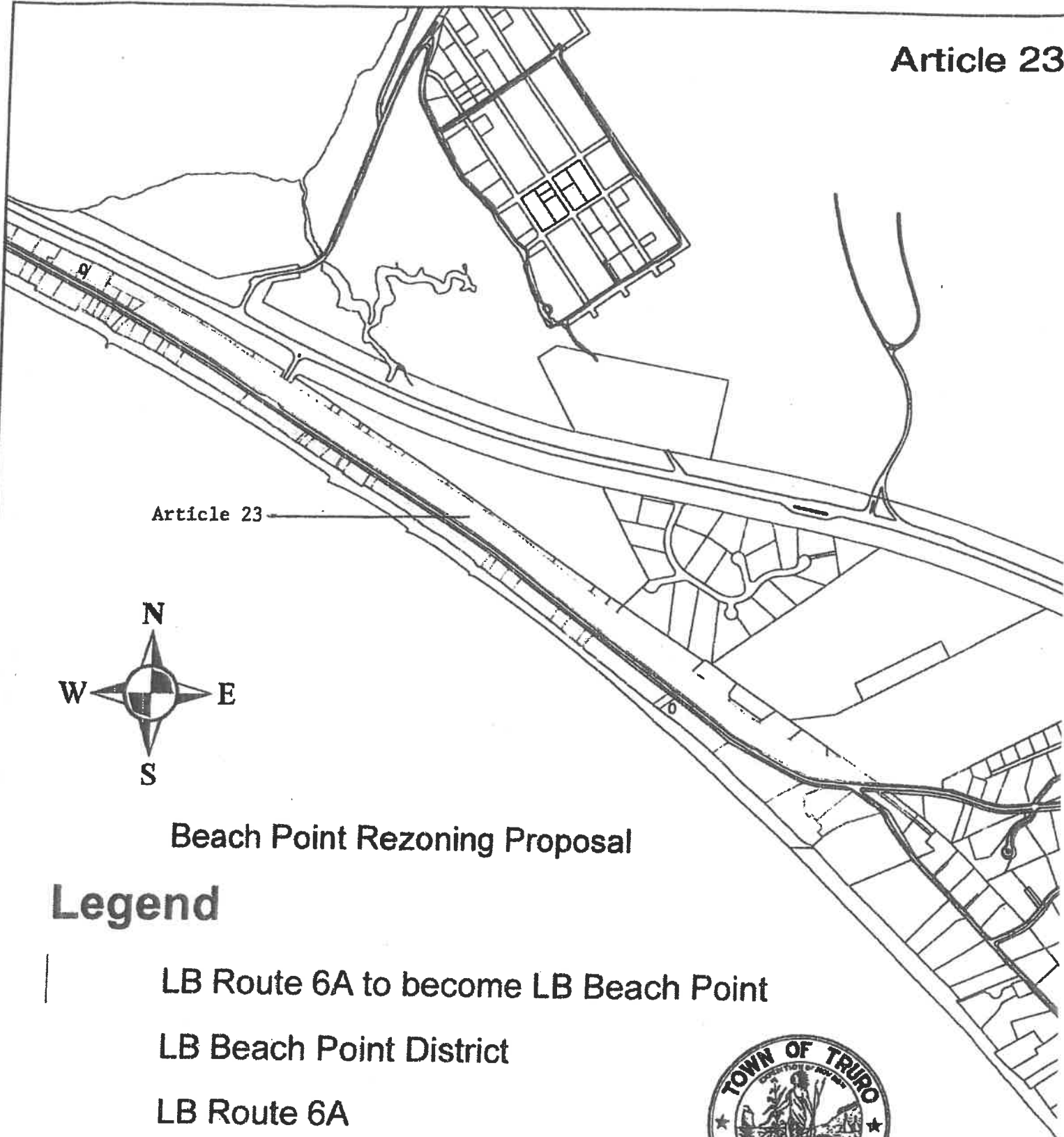
**Comment: This article will return the section from Knowles Heights Road to High Head Road to the Beach Point Limited Business District, and will have no effect on the current Route 6A North Truro Limited Business District from Dutra's Market to Knowles Heights Road.**

*Motion to move Article 23 as printed in the warrant and delete the words, “or take any other action relative thereto”. Passes by more than 2/3 (two-thirds).*

So certified,



Cynthia A. Slade  
Town Clerk, Town of Truro  
July 14, 2012



Article 23



## Beach Point Rezoning Proposal

### Legend

LB Route 6A to become LB Beach Point

LB Beach Point District

LB Route 6A



Prepared by Town of Truro IT Department in February, 2012  
Data layers: 2009 tax map; Zoning map

0 0.05 0.1 0.2 0.3 0.4 Miles

Annual Town Meeting, April 24, 2012, Article 23,  
Boundaries of Beach Point Limited Business District

Attest: *Cynthia A. Slade* Cynthia A. Slade, Town Clerk, Town of Truro/August 13, 2012

**OFFICE OF  
TOWN CLERK  
TREASURER - COLLECTOR OF TAXES  
TOWN OF TRURO, MA 02666-2012**

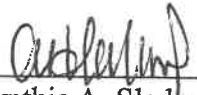
**GENERAL & ZONING BY-LAW AMENDMENTS**

The **general by-law amendments (Article 23, 24)** and the **zoning by-law amendments (Articles 25, 26, 27, 28, 29, 30 and 31)** adopted at Annual Town Meeting, April 30, 2013 were approved by Nicole B. Caprioli, Assistant Attorney General, on July 23, 2013 / Case #6750.

Claims of invalidity of the foregoing amendments to the **zoning by-law**, by reason of any defects in the procedure of adoption or amendment, may only be made within ninety (90) days of posting.

Date of posting, August 5, 2013.

Additional copies of the amendment may be examined and obtained at the office of the Town Clerk, Truro Town Hall, 24 Town Hall Road, Truro, MA 02666 or on the town website [www.truro-ma.gov](http://www.truro-ma.gov)

  
\_\_\_\_\_  
Cynthia A. Slade  
Town Clerk, Town of Truro  
508.349.7004 x14

I have posted duly attested copies thereof at the following places: Grozier's Garage, Lower Cape Auto & Truck Repair, Savory & Sweet Escape, Pamet Valley Liquors, Truro Post Office, N. Truro Post Office, Truro Public Safety Facility, Truro Public Library, Truro Transfer Station, Truro Central School, Truro Community Center, Highland Links Clubhouse, and Truro Town Hall.

  
\_\_\_\_\_  
Constable

8-5-2013  
\_\_\_\_\_  
Date

cc: Board of Selectmen  
Town Administrator  
Assistant Town Administrator  
Town Accountant  
Building Commissioner  
Planning Board  
Board of Appeals

Form 2 (#2)  
TOWN MEETING ACTION/ TOWN OF TRURO

ANNUAL TOWN MEETING, APRIL 30, 2013

**ARTICLE 23: AMENDMENT TO APPENDIX A OF THE TRURO GENERAL BYLAWS**

To amend the General Bylaws of the Town of Truro, by making the following changes within Appendix A: (Text in ~~Strikeout~~ to be deleted, ***Bold Italic*** is new text)

Chapter & Section	Subject	Fine \$	Enforcing Authority
<del>3-4</del> 3-3	Swimming Pools	\$50.00 per offense	Licensing Agent
<del>3-5-1</del> 3-4-1	Tenting, camping on public property	\$100.00 per offense	Police department, Board of Health
<del>3-5-2</del> 3-4-2	Tenting, camping on private property	\$100.00 per offense	Police department, Board of Health
<del>3-5-3</del> 3-4-3	Sleeping in vehicles	\$100.00 per offense	Police department, Board of Health

Or take any other action relative thereto. ***Requested by the Board of Selectmen***

**Board of Selectmen Recommendation: 5-0 in favor**

Comment: This is a housekeeping item. The only changes are to correct the references within Appendix A, within the Chapter & Section column.

*Motion to move Article 23 as printed in the warrant and delete the words, "or take any other action relative thereto". Passes unanimously.*

So certified,



Cynthia A. Slade  
Town Clerk, Town of Truro  
May 13, 2013

**TOWN MEETING ACTION/ TOWN OF TRURO**

**ANNUAL TOWN MEETING, APRIL 30, 2013**

**ARTICLE 24: AMENDMENT TO CHAPTER 1, §9-13 OF THE TRURO GENERAL BYLAWS**

To see if the Town will vote to amend the Truro General Bylaws by deleting in its entirety Chapter 1, Section 9-13 Public Safety Clearing Guidelines and replacing it with the following:

**1-9-13 Public Safety Clearing.** In order to provide safe passage for safety and emergency vehicles and personnel the following standards/requirements for the clearing of vegetation of private ways ("roadways") and driveways in excess of fifty (50) feet in length, shall be met:

1-9-13-1 The traveled way of any roadway or driveway shall be no less than eight (8) feet wide.

1-9-13-2 The combined traveled way and clearance of any obstacles including vegetation shall be no less than fourteen (14) feet.

1-9-13-3 Height clearance shall be no less than fourteen (14) feet from the road surface.

1-9-13-4 If boundaries do not allow full compliance with 1-9-13-1 and 1-9-13-2, then the required width shall be reduced to the full width the current physical boundaries allow.

1-9-13-5 Compliance Required, Violations and Penalties: Every roadway and driveway in excess of fifty (50) feet shall be in compliance with these requirements within one (1) year of the date of adoption, April 30, 2014. Those roadways and driveways not in compliance shall be subject to a penalty as described in Appendix A of these general bylaws.

And further, to amend Appendix A of the Truro General Bylaws by inserting in numerical order the following:

**Appendix A:**

Chapter & Section	Subject	Fine \$	Enforcing Authority
1-9-13	Public Safety Clearing	\$25.00 per offense	Building Commissioner

Or take any other action relative thereto. *Requested by the Board of Selectmen*

**Board of Selectmen Recommendation: 5-0 in favor**

**Comment:** The Board of Selectmen set the re-drafting of the existing Public Safety Clearing Bylaw as one of its goals and objectives for FY13. Staff. The existing bylaw was written as a guideline rather than as a requirement. The proposed revision would provide the Town with the necessary requirements for providing standards for roads and driveways for safe passage for safety and emergency vehicles and personnel. The bylaw also provides for a sunset clause to allow citizens adequate time to do any work that might be required.

**Form 2 (#2)**

**TOWN MEETING ACTION/ TOWN OF TRURO**

*Motion to move Article 24 as printed in the warrant except to change the date in Section 1-9-13-5, line 3, from April 30, 2014 to May 2, 2014, and delete the words, "or take any other action relative thereto". Passes by majority.*

So certified,



Cynthia A. Slade

Town Clerk, Town of Truro

May 13, 2013

Form 2 (#2)  
TOWN MEETING ACTION/ TOWN OF TRURO

ANNUAL TOWN MEETING, APRIL 30, 2013

**ARTICLE 25: AMEND §10.4 - DEFINITION OF "ALTERATION" IN THE TRURO ZONING BYLAW** To see if the Town will vote to amend the Truro Zoning Bylaw, Section 10.4 – Definitions, by deleting in its entirety the definition of "Alteration" and replacing it with the new definition as follows:

"Alteration": Alteration means (1) any construction work that results in the modification of the exterior of an existing building, (2) any reconstruction that results in the modification of the exterior of an existing building, (3) any relocation of an existing building, or (4) any combination of the foregoing. Or to take any other action relative thereto. *Requested by the Planning Board*

**Board of Selectmen Recommendation: 4 in favor, 1 opposed**  
**Planning Board Recommendation: 6-0 in favor**

Comment: The existing definition of "Alteration" is vague and is subject to differing interpretations. The Planning Board, working with the Building Commissioner, has drafted the proposed definition which is clear and concise and easy to interpret

*Motion to move Article 25 as printed in the warrant and delete the words, "or take any other action relative thereto". Passes by 2/3 (two-thirds) majority.*

So certified,



Cynthia A. Slade  
Town Clerk, Town of Truro  
May 13, 2013



Form 2 (#2)  
TOWN MEETING ACTION/ TOWN OF TRURO

ANNUAL TOWN MEETING, APRIL 30, 2013

**ARTICLE 26: AMEND §10.4 DEFINITIONS BY DELETING CERTAIN DEFINITIONS IN THE TRURO ZONING BYLAW** To see if the Town will vote to amend the Truro Zoning Bylaw, Section 10.4 – Definitions, by deleting the following definitions: “Barn”, “Bathroom Facility”, “Cooperative”, “Established Roads”, “Manufactured Home”, “Manufactured Home Park or Subdivision”, and “Shed” Or to take any other action relative thereto. *Requested by the Planning Board*

**Board of Selectmen Recommendation: 5-0 in favor**

**Planning Board Recommendation: 6-0 in favor**

Comments: This is a “housekeeping” item. The definitions to be removed are either antiquated, are no longer necessary or the term is not used anywhere within the bylaw.

*Motion to move Article 26 as printed in the warrant and delete the words, “or take any other action relative thereto”. Motion to amend Article 26 by deleting the words “Barn” and “Established Roads” -amendment passes. Article 26, as amended, passes by 2/3 (two-thirds) majority.*

So certified,



Cynthia A. Slade  
Town Clerk, Town of Truro  
May 13, 2013

ANNUAL TOWN MEETING, APRIL 30, 2013

**ARTICLE 27: AMEND THE SEASHORE DISTRICT WITHIN §90.3 AND §20.3 OF THE TRURO ZONING BYLAW AND THE ZONING MAP** To see if the Town will vote to amend the Truro Zoning Bylaw, Section 90.3 – Seashore District, by deleting the existing language and replacing it with the following:

“Said Seashore District is shown on the Zoning District Map of the Town of Truro, Massachusetts revised at the April 30, 2013 Annual Town Meeting. Said area is consistent with the Seashore District as established at the Town Meeting held February 18, 1963 with 1978 boundary revisions per Sec 301 of PL 95-625 (2) Cape Cod National Seashore, Massachusetts: to add approximately thirteen acres and to delete approximately sixteen acres as generally depicted on the map entitled “Cape Cod National Seashore Boundary Map”, numbered 609-60,015, exclusion areas 2-5, and dated February 1978.”

and,

Within Section 20.3- Location of Districts, delete “May 18, 1978” and replace it with “April 30, 2013.”

and,

Amend the Zoning District Map of the Town of Truro, Massachusetts accordingly. Or to take any other action relative thereto. *Requested by the Planning Board*

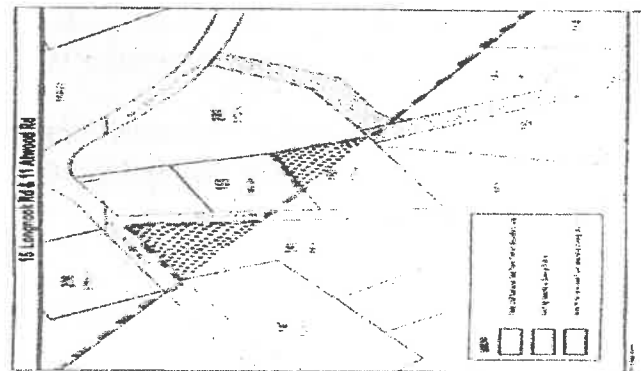
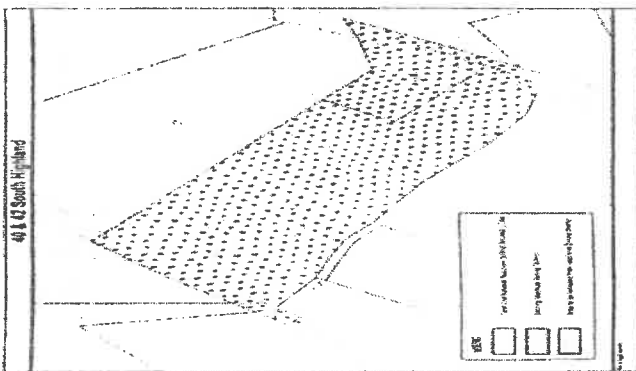
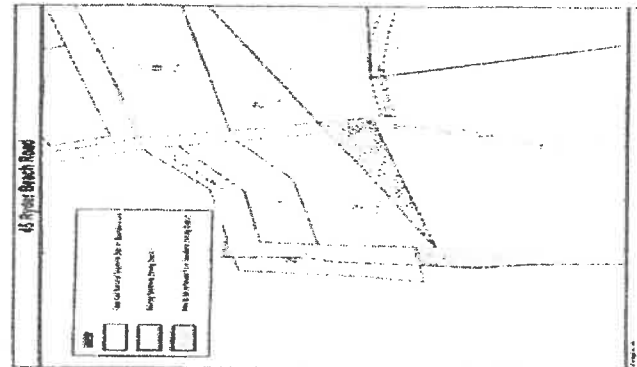
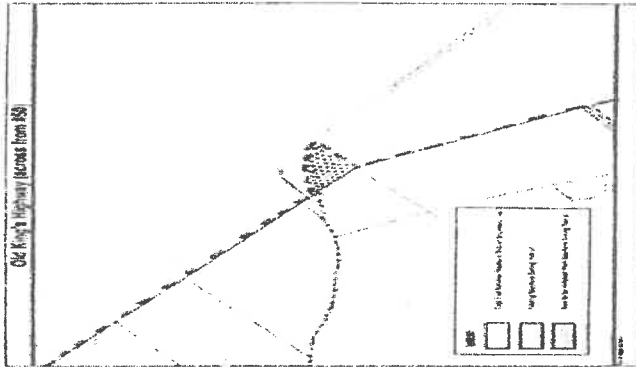
**Board of Selectmen Recommendation: 5-0 in favor**

**Planning Board Recommendation: 6-0 in favor**

Comment: In February 1978 the Cape Cod National Seashore made several boundary adjustments throughout the National Park. Four of these boundary changes occurred in Truro. Unfortunately, the Town’s Zoning District Description and the Zoning District Map were never amended to reflect these changes. The proposed changes are shown on the maps below. These areas (dotted areas) would be removed from the Seashore District and they would then be zoned “Residential.” Each property owner affected by these changes was notified. This article would correct this oversight in three ways, 1) it changes the Seashore District boundary description in §90.3, by referencing the new Zoning District Map, 2) it changes the date of the Zoning District Map in §20.3 to reference the new Zoning District Map, and 3) it creates a new Zoning District Map, which reflects the proposed changes. The proposed Zoning District Map can be found in Appendix C.

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Proposed Zoning District and Zoning Map Changes ATM 2013



*Motion to move Article 27 as printed in the warrant, except to change the "April 30, 2013" dates referenced within the article to read "May 2, 2013", and delete the words, "or take any other action relative thereto". Passes by 2/3 (two-thirds) majority.*

So certified,

Cynthia A. Slade  
Town Clerk, Town of Truro  
May 13, 2013

TOWN MEETING ACTION/ TOWN OF TRURO

ANNUAL TOWN MEETING, APRIL 30, 2013

**ARTICLE 28: AMEND §10.4 – DEFINITIONS OF BED AND BREAKFAST, ESTABLISHMENT AND BED AND BREAKFAST, HOME IN THE TRURO ZONING BYLAW**

To see if the Town will vote to amend the Truro Zoning Bylaw, Section 10.4 – Definitions, by deleting the sentence “Parking shall conform to §30.9(B), Parking” in the definitions of “Bed and Breakfast, Establishment” and “Bed and Breakfast, Home” and further, by deleting the sentence “Parking shall conform to §30.9, Parking” in the definitions of “Boarding House, Home” and “Rooming House, Home.”, or to take any other action relative thereto. *Requested by the Planning Board*

**Board of Selectmen Recommendation: 5-0 in favor**

**Planning Board Recommendation: 6-0 in favor**

Comment: This is a “housekeeping” item. It is inappropriate and unnecessary to include “regulations”, in this case parking regulations, within a definition.

*Motion to move Article 28 as printed in the warrant and delete the words, “or take any other action relative thereto”. Passes unanimously.*

So certified,



Cynthia A. Slade

Town Clerk, Town of Truro

May 20, 2013

Form 2 (#2)  
TOWN MEETING ACTION/ TOWN OF TRURO

ANNUAL TOWN MEETING, APRIL 30, 2013

**ARTICLE 29: AMEND §20.2 BEACH POINT LIMITED BUSINESS IN THE TRURO ZONING BYLAW** To see if the Town will vote to amend the Truro Zoning Bylaw, Section 20.2 – Purposes of Districts, Beach Point Limited Business, by deleting at the end of the sentence the words “to condominiums” and replace it with “of cottage or cabin colonies, motor courts, motels or hotels.”, or to take any other action relative thereto. *Requested by the Planning Board*

**Board of Selectmen Recommendation: 5-0 in favor**

**Planning Board Recommendation: 6-0 in favor**

Comment: This is a “housekeeping” item. The term “condominium” was deleted from the bylaw many years ago and replaced with the phrase “cottage or cabin colonies, motor courts, motels or hotels.” It was an oversight that the term “condominium” remains. This bylaw would fix that oversight and amend the language to be consistent with other areas of the zoning bylaws.

*Motion to move Article 29 as printed in the warrant and delete the words, “or take any other action relative thereto”. Passes unanimously.*

So certified,



Cynthia A. Slade  
Town Clerk, Town of Truro  
May 20, 2013

**TOWN MEETING ACTION/ TOWN OF TRURO**

**ANNUAL TOWN MEETING, APRIL 30, 2013**

**ARTICLE 30: AMEND §30.9 – PARKING BY ADDING NEW LANGUAGE IN THE TRURO ZONING BYLAW** To see if the Town will vote to amend the Truro Zoning Bylaw, Section 30.9 - Parking, by deleting the existing section in its entirety and replacing it with the following:  
Section 30.9 Parking

- A. Purpose: It is the intent of this section to ensure adequate off-street parking and loading (“parking”) is provided to serve the parking demand created by new construction, whether through new structures or additions to existing structures, or through any change of use.
- B. Applicability: Existing buildings, structures and land uses are exempt from these parking requirements and may be altered or repaired, but not if enlarged. A single-family or a two-family dwelling, which is located on a single lot is exempt from these parking requirements, except as provided for in Subsection C.8, below.
- C. Off Street Parking Schedule:
1. In determining the number of spaces required only delineated spaces which are not obstructed shall be calculated.
  2. These standards are the minimum requirement. The Planning Board, under Site Plan Review, may vary the required number of spaces if the nature and scale of a proposed use warrants such a change.
  3. In the case of multiple uses on a single lot, the parking provided shall meet the total requirements for all uses.
  4. Parking shall comply with the requirements of the Town of Truro General Bylaws governing handicapped parking.
  5. No parking shall be delineated within any Town or State Road.
  6. Where the calculation of required parking spaces results in a fractional number, the number shall be rounded up to the next whole number.
  7. There shall be no commercial repair of motor vehicles or any storage of materials or equipment or display within the required parking or loading area.
  8. Parking Table/Schedule:

Principal Use	Parking Requirement
<b>RESIDENTIAL</b>	
Single-family, Two-family (duplex) & Multi-family Dwellings, Affordable Dwelling Unit, Apartments	2 spaces per dwelling unit
Home Bed and Breakfast, Board House, Home	2 spaces per dwelling unit, plus 1 space for each rental unit
Hotel, Motel, Establishment Bed and Breakfast	2 spaces for owner or manager, plus 1.25 spaces for each rental unit, plus 1.5 spaces for each 20 sf of floor area available for meetings or functions

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Home Occupation, including Commercial Fishing Activity	2 spaces per dwelling unit as required above, plus 1 space for each employee
Home Occupation – permitted office use	2 spaces per dwelling unit as required above, plus 3 spaces for office, plus 1 space per each non-resident employee
<b>COMMERCIAL</b>	
Automobile service, repair, storage, or salesrooms	1 space per employee max shift, plus 2 spaces per service bay (including spray paint booth), plus 1 space per 150 sf service waiting area, plus 1 space per car stored overnight
Retail sales – Large Items (including but not limited to lumber yards, Furniture stores, etc.)	1 space per 700 sf of floor area dedicated to customer use or display
Retail sales, retail or wholesale business services, barber shop, small engine repair, trade, repair shop, etc., and other customer services	1 space per employee maximum shift, plus 1 space per 150 sf of floor area dedicated to customer use or display, but not less than 70% of the total floor area
Professional or Administrative Office, Bank or other Financial Institutions and General Business Office	1 space per employee maximum shift, plus 1 per 250 square feet of floor area
Medical Office or Animal Hospital	1 space per employee maximum shift, plus 1 space per each 2 seats in waiting room, plus 1 space per examination room or work station
Food stores and supermarkets	1 space per employee maximum shift, plus 1 space per 200 sf customer area
Restaurant, clubs, theaters, and other places of assembly	1 space per employee maximum shift, plus 1 space per each 4 seats (indoor and outdoor)
<b>INDUSTRIAL</b>	
Communication structures	2 spaces
Industrial or manufacturing use; including but not limited to landscaping, septic installation, contractor yards	1 space per employee, maximum shift, plus 1 space per 2500 sf of display area, plus 1 space per 150 sf of retail space
Self-Storage Facility	2 spaces for the office, plus 1 space per each 10 storage units
Marine installation	1 space per employee, maximum shift, plus 1 space per unit of dry storage capacity
Public Utility	1 space per employee maximum shift, plus 1 per 200 sf office space
<b>INSTITUTIONAL</b>	
Educational institution, Municipal use	1 space per employee maximum shift, plus

**Form 2 (#2)****TOWN MEETING ACTION/ TOWN OF TRURO**

	1 space per each 3 seats in area of public assembly
Hospital, nursing and/or convalescent home	1 space per employee maximum shift, plus 1 space per each 3 beds
Private clubs not conducted for profit	1 space per employee maximum shift, plus 1 space per each 3 seats, plus 1 space per office
Religious institution	1 space per each 3 seats, plus 1 space per classroom and office
<b>RECREATIONAL</b>	
Children's Camp	1 space per employee maximum shift, plus 1 space for each 3 users at maximum utilization
Park, playground, non-commercial recreation	1 space for each 3 users at maximum utilization

D. **Parking company-owned vehicles:** In addition to the requirements outlined above, one space will be required for each vehicle associated with the property and kept on the premises, including trailers and heavy machinery. The space provided must be of an adequate size to accommodate the vehicle utilizing the space.

E. **Loading Requirements**

Every building hereafter erected, enlarged, or occupied for commercial, industrial or institutional purposes which has over 5,000 square feet of gross floor area shall provide a minimum of one area for the loading and unloading of service vehicles. Loading and unloading areas shall be provided in addition to off-street parking spaces and shall not be considered as supplying required parking spaces. Unless otherwise authorized by the Planning Board under site plan review, loading and unloading areas shall be located in the rear of the building.

F. **Location Requirements**

1. Parking shall be on the same lot as the use(s) for which the parking is being provided, except as provided in Section 40.3.B.2.
2. No parking area shall be located within ten (10) feet of a street line and ten (10) feet from a side or rear property line.
3. No parking area shall be used for disposal containers (dumpsters).

G. **Design Requirements**

1. A parking area shall be designed to provide adequate backing and turning movements and to eliminate the need to back a vehicle out onto any public or private street or way, excluding single-family and two-family dwellings.
2. In a given storm event the first inch of rainfall, known as the "first flush," contains approximately ninety percent (90%) of all contaminants; therefore this portion of runoff shall be contained on the lot. Stormwater runoff shall be directed in such a way as to recharge the groundwater beneath the lot and in such a manner as to not increase the flow of runoff into wetlands.

To demonstrate these capacities, the applicant shall show proposed catch basins, drainage swales or other drainage facilities sufficient to contain runoff from a 25-year storm flowing over man-made areas on the lot, on plans submitted to the Building Commissioner or the Planning Board



**TOWN MEETING ACTION/ TOWN OF TRURO**

pursuant to Section 70, herein. The applicant shall also submit drainage calculations for the site for a 25-year storm prepared by a registered professional engineer. Plans shall show how contaminants likely to reach groundwater may be removed by currently available methods, and may include, but not limited, to hydrocarbons.

3. Parking lots shall be designed by a registered professional engineer and constructed using the best engineering practices currently available. Where appropriate, permeable materials are preferred.
4. Design Criteria:

<b>Parking Angle</b>	<b>Space Width (in feet)</b>	<b>Space Length (perpendicular to aisle)</b>	<b>Aisle Width (in feet)</b>	<b>Total Width (in feet)</b>
45°	9	17.5	15	50
60°	9	19	18	56
90°	9	20	24	64

The above chart is for parking areas with double-loaded aisles. For single loaded aisles subtract the space length from the total width. Aisles for parking angles of 45° and 60° shall be for one-way directional traffic patterns.

5. Access drives for parking areas containing five (5) or more spaces shall not exceed thirty (30) feet in width at the street line. The radius of the access drive at the road intersection shall be twenty-five (25) feet. The radius of any access road shall not extend beyond the property line of the property which it serves.
6. For drives serving more than forty (40) parking spaces the sight distance in each direction shall not be less than four hundred seventy-five (475) feet.
7. Parking spaces shall be physically marked on the parking area surface by painted lines and/or by parking curb-stops, or other method(s) approved by the Planning Board.
8. Any fixture used to illuminate a parking area shall be consistent with the Town of Truro Outdoor Lighting General Bylaw. All commercial site plans shall show all proposed lighting for exits and entrances and said lighting shall be erected and maintained by the owner. Type(s) and characteristics of lights shall be defined on the Site Plan.

**H. Landscaping Requirements**

Unless otherwise approved by the Planning Board through a Site Plan Review, all parking areas containing more than five (5) spaces shall be subject to the following:

1. The parking area shall be effectively screened on each side which adjoins or faces the side or rear lot line of a lot situated in any residential district or any lot used for residential purposes. The screening shall consist of a planting screen composed of shrubs and/or a solid fence or wall not less than three feet nor more than six feet in height so as to effectively screen the parking area from view of the adjoining residential lot(s). Such shrubs shall be evergreen varieties which are not less than three feet in height upon planting. Either type of screening or combination thereof, shall be at least two feet from a non-street line and 15 feet from any street lot line and maintained in good condition. All planted materials shall be maintained in such a manner so as not to create an obstruction to motorists' vision of traffic and pedestrians.
2. The parking area shall include or be bordered within five feet of the spaces by at least one tree of three-inch caliper, measured six inches off the ground, for each five spaces. Trees within a

TOWN MEETING ACTION/ TOWN OF TRURO

parking area shall be in a curb- or berm-protected plot of at least 90 square feet per tree. No such protective plot shall be paved with any impervious material.

3. At least 10% of the interior area of any parking area containing 20 or more parking spaces shall consist of landscaped islands which shall be composed of shrubs, trees and other landscaping materials. The interior area of a parking area shall be derived by computing the area within the general perimeter of contiguous area containing parking spaces, maneuvering areas behind the spaces and landscaping areas within such perimeter, except that required parking setback areas, required buffers and access/egress drives into the parking areas shall not be included in the interior area.

I. Special Cases

In lieu of development of the required parking area, in certain cases the Planning Board may allow the applicant to delineate a number of parking spaces as a reserve area that is available to be constructed in the future. It is the responsibility of the applicant to provide documentation showing that the proposed use of the property does not require the number of spaces listed under Section 30.9.C.8. Plans shall incorporate and detail all design aspects of the reserve parking area. As it is the intent to preserve as much of the site's natural state as possible, the proposed reserve area shall be dedicated for parking only. In any case in which the Board permits an applicant to create a reserve parking area, the Board shall require, as a condition of approval, that the resulting site plan be reviewed on a periodic basis in order to monitor the adequacy of the constructed parking. After such review, if appropriate, the Board may require that all or a portion of the reserve area be actually constructed.

J. Waiver

The Planning Board, through Site Plan Review, may waive any regulation or requirement within §30.9.

Or to take any other action relative thereto. *Requested by the Planning Board*

**Board of Selectmen Recommendation: 5-0 in favor**


**Planning Board Recommendation: 6-0 in favor**

Comment: The new proposed language provides for better guidance for parking requirements, not only for the various types of establishments, or "uses", but also for design, including lighting, stormwater, and landscaping requirements. The existing parking requirements are quite vague and are silent to these items. The proposed language expands upon the "principal uses" so as to better mirror those uses outline in the Use Table of the bylaw (§30.2).

Existing buildings and land uses are exempt from these new regulations unless the building or use is enlarged or the use changes to a more intense use which would necessitate more parking. One and two-family dwellings are exempt from these regulations, except for the requirement that 2 parking spaces per unit be provided. A change in ownership would not trigger these regulations.

*Motion to move Article 30 as printed in the warrant and delete the words, "or take any other action relative thereto". Passes by 2/3 (two-thirds) majority.*

So certified,

  
Cynthia A. Slade

Town Clerk, Town of Truro

May 20, 2013

## TOWN MEETING ACTION/ TOWN OF TRURO

## ANNUAL TOWN MEETING, APRIL 30, 2013

**ARTICLE 31: AMEND §39.2 USE TABLE BY AMENDING ALLOWABLE ZONING DISTRICTS FOR MUNICIPAL USES WITH THE TRURO ZONING BYLAW** To see if the Town will vote to amend the Truro Zoning Bylaw, Section 30.2 - Use Table, by deleting the "N" (*Not Permitted*) from the TC (*Truro Center Limited Business*) and "S" (*Seashore*) columns and replacing them with "P" (*Permitted*) within the Principal Use "Municipal" row, so as to permit Municipal Uses within the Truro Center Limited Business and Seashore zoning districts.

Or to take any other action relative thereto. *Requested by the Planning Board*

**Board of Selectmen Recommendation: 5-0 in favor**

**Planning Board Recommendation: Reserves recommendation to Town Meeting (5-0-1 abstention)**

	<i>R</i>	<i>BP</i>	<i>NT6A</i>	<i>TC</i>	<i>NTC</i>	<i>Rt6</i>	<i>S</i>
<b><i>Institutional</i></b>							
<b><i>Municipal Use</i></b>	<i>P</i>	<i>P</i>	<i>P</i>	<del><i>N</i></del> <i>P</i>	<i>P</i>	<i>P</i>	<del><i>N</i></del> <i>P</i>

Comment: At the request of the Building Commissioner the Planning Board sponsored this proposed amendment. Approximately 50% of the Truro Center Limited Business district is owned by the Town of Truro – Snow's Park, Pamet Park, and the Veterans Memorial. The Town also owns land and has various uses within the Seashore District – Town Beaches and the Transfer Station. This change makes the Use Table and the existing Municipal Uses in these districts compatible.

*Motion to move Article 31 as printed in the warrant and delete the words, "or take any other action relative thereto". Passes unanimously.*

So certified,



Cynthia A. Slade

Town Clerk, Town of Truro

May 20, 2013

**OFFICE OF  
TOWN CLERK  
TREASURER - COLLECTOR OF TAXES  
TOWN OF TRURO, MA 02666-2012**


**ZONING BY-LAW AMENDMENTS**

The zoning by-law amendments (Articles 25, 26, 27, 28, 29 and 30 adopted at Annual Town Meeting, April 29, 2014 were approved by Nicole B. Caprioli, Assistant Attorney General, on October 16, 2014 / Case #7333.

Claims of invalidity of the foregoing amendments to the **zoning by-law**, by reason of any defects in the procedure of adoption or amendment, may only be made within ninety (90) days of posting.

Date of posting, October 17, 2014.

Additional copies of the amendment may be examined and obtained at the office of the Town Clerk, Truro Town Hall, 24 Town Hall Road, Truro, MA 02666 or on the town website [www.truro-ma.gov](http://www.truro-ma.gov).

  
\_\_\_\_\_  
Cynthia A. Slade  
Town Clerk, Town of Truro  
508.349.7004 x14

I have posted duly attested copies thereof at the following places: Grozier's Garage, Lower Cape Auto & Truck Repair, Savory & Sweet Escape, Pamet Valley Liquors, Truro Post Office, N. Truro Post Office, Truro Public Safety Facility, Truro Public Library, Truro Transfer Station, Truro Central School, Truro Community Center, Highland Links Clubhouse, and Truro Town Hall.

  
\_\_\_\_\_  
Constable

10-17-2014  
\_\_\_\_\_  
Date

cc: Board of Selectmen  
Town Administrator  
Assistant Town Administrator  
Town Accountant  
Building Commissioner  
Planning Board  
Board of Appeals

## TOWN MEETING ACTION / TOWN OF TRURO

ANNUAL TOWN MEETING, APRIL 29, 2014

**ARTICLE 25: AMEND §30.2 USE TABLE TO INCLUDE HABITABLE STUDIO & WORKING STUDIO** To see if the Town will vote to amend the Truro Zoning Bylaw, Section 30.2 – Use Table, by adding under the sub-heading heading “Accessory Uses” *Habitable Studio* and *Working Studio* as follows:

PRINCIPAL USES							
	R	BP	NT6A	TC	NTC	Rt6	S
ACCESSORY USES							
<i>Habitable Studio</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>N</i>	<i>N</i>	<i>P</i>	<i>P</i>
<i>Working Studio</i>	<i>P</i>	<i>P</i>	<i>P</i>	<i>N</i>	<i>N</i>	<i>P</i>	<i>P</i>

Or to take any other action relative thereto. *Requested by the Planning Board*

**Board of Selectmen Recommendation: 4-0 in favor (5-0 in favor as reported)**

**Planning Board Recommendation: 5-0 in favor**

***Comment:*** Currently *Habitable Studio* and *Working Studio* are both defined terms within the Truro Zoning Bylaw and they are uses that are seen throughout the Town; however these uses are not listed in the Use Table and therefore are not permitted. Per §30.2, “Uses not expressly permitted are deemed prohibited.” These uses must be listed in the Use Table in order to be permitted. This amendment incorporates *Habitable Studio* and *Working Studio* into the use table and would allow them by right in all districts, except Truro Center (TC) and North Truro Center (NTC) districts where they would be prohibited.

*Motion to move Article 25 as printed in the warrant and delete the words “or take any other action relative thereto”. Passes by 2/3 majority: 74 YES, 26 NO.*

So certified,



Cynthia A. Slade  
Town Clerk, Town of Truro  
July 7, 2014

**Form 2 (#2)**

**TOWN MEETING ACTION / TOWN OF TRURO**

**ANNUAL TOWN MEETING, APRIL 29, 2014**

**ARTICLE 26: AMEND §2 AND §11 OF THE TRURO SIGN CODE** To see if the Town will vote to amend the Truro Sign Code as follows:

**In Section 2 (Regulations for General and Limited Business Zones) add a new Section M:**

**M. Sight Line**

No sign shall be placed/located so as to limit the sight lines along abutting streets, from entrances/exits, or at any intersections.

And,

**In Section 11 (Temporary Signs, etc.) delete the existing language and replace it with the following:**

The Planning Board may issue permits for temporary signs. Any such permit shall be limited to holiday or special events, and shall be limited to a period of fifteen (15) days, for events lasting one day or two days. For said events having multiple dates such permits shall be limited to a period of thirty (30) days. Not more than four (4) signs shall be erected with respect to any such event. Any such sign shall be firmly attached to a supporting device and shall not present a hazard to the public. Posters intended for window display are exempt from this provision.

Or to take any other action relative thereto. *Requested by the Planning Board*

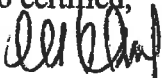
**Board of Selectmen Recommendation: 4-0 in favor (5-0 in favor as reported)**

**Planning Board Recommendation: 5-0 in favor**

***Comment: During the past year, the Planning Board and the Board of Selectmen met to discuss complaints regarding the proliferation throughout the town of temporary signs, and the length of time that they were displayed, a discussion which reflected the Board of Selectmen concerns as well as that of the Planning Board. The proposed changes for Section 11, Temporary Signs, are intended to control the number and duration of these temporary signs. The Sight Line proposal reflects the Planning Board's concern for the safety of drivers whose sight is impeded by the placement of signs too close to the edge of our Town's roads, particularly at intersections with entrances, exits and other roads.***

*Motion to move Article 26 as printed in the warrant and delete the words "or take any other action relative thereto". Passes by 2/3 majority: 78 YES, 22 NO.*

So certified,



Cynthia A. Slade  
Town Clerk, Town of Truro  
July 7, 2014

**Form 2 (#2)**  
**TOWN MEETING ACTION / TOWN OF TRURO**

**ANNUAL TOWN MEETING, APRIL 29, 2014**

**ARTICLE 27: AMEND §70 SITE PLAN REVIEW BY DELETING IN ITS ENTIRETY AND REPLACING IT WITH NEW LANGUAGE** To see if the Town will vote to amend Section 70 – Site Plan Review, by deleting it in its entirety and replacing it with new language, as follows:

**SECTION 70**  
**Site Plan Review**

**§70.1 Purpose**

A. The purpose of Site Plan Review for Commercial Development and for Residential Development is to protect the health, safety, convenience and general welfare of the inhabitants of the Town. It provides for a review of plans for uses and structures which may have significant impacts, both within the site and in relation to adjacent properties and streets; including the potential impact on public services and infrastructure; pedestrian and vehicular traffic; significant environmental and historic resources; abutting properties; and community character and ambiance.

B. Sites and developments to which this section applies shall comply with the regulations of this section as well as all other applicable Town Bylaws and the requirements of the Commonwealth of Massachusetts prior to any construction being undertaken in the Town of Truro. Approval under this Section does not constitute approval under any other applicable federal, state or local requirements.

C. Prior to either filing an application for a Commercial or Residential Development, subject to this by-law, the applicant is encouraged, although not required to meet with the Planning Board for a preliminary discussion/review. Waivers may be discussed, but shall not be granted at the time of the preliminary discussion.

**D. Site Alteration - Violation of the Bylaw**

1. No building permit, site clearing, filling, grading, material deliveries or construction shall be initiated on any site to which this section applies until the required Commercial or Residential Site Plan approval is obtained from the Planning Board.
2. Nothing herein shall be construed to prohibit such site clearing or altering as may be necessary to conduct such pre-development studies as geotechnical tests, soil borings, wetlands determination, percolation tests for septic systems as required by the Board of Health, or other similar tests required by any Town Bylaw or regulation of the Commonwealth.

**§70.2 Public Hearing**

Upon receipt of the application by the Truro Town Clerk, the Planning Board shall hold a duly noticed public hearing within 65 days of said filing. The Board shall:

1. Give notice by advertisement in a newspaper of general circulation in the Town of Truro, no less than ten (10) days before the day of such hearing; and,
2. Give notice by posting such notice in a conspicuous place in the Town Hall for a period of not less than ten (10) days before the day of such hearing; and.

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3. Give notice by mailing a copy of such advertisement to abutters to the subject property, abutters to abutters, and owners of properties across the street from the subject property.

**§70.3 Commercial Development**

**A. Commercial Site Plan Review is required for:**

1. Any construction, alteration, expansion, or modification of any properties, structures, and uses other than that of single or two family residences and their accessory uses and structures.
2. All other projects specifically requiring site plan approval or review as stated in other sections of this Zoning Bylaw.

**B. Exemptions – Routine maintenance or repairs, including but not limited to: roofing, painting, window/door replacement, or any other changes, which are done in order to effect repairs, which do not alter the footprint or internal space of said building or structure, shall not require Commercial Site Plan Review.**

**C. Applicability**

1. A Commercial Site Plan approved by the Planning Board becomes the official development plan for a site within the Town of Truro. Town permits shall be issued or withheld based upon compliance with the approved site plan. The approved Commercial Site Plan shall be legally binding upon the property, and can only be changed or adjusted in compliance with the provisions contained in section 70.3.H herein (Revisions to Approved Site Plans). The Board's approval shall mean that all pertinent aspects of this bylaw have been reviewed by the Board, unless specifically waived by the Board.
2. The Planning Board shall have the authority to hire at the applicant's expense necessary professional services reasonably required to review and adequately analyze the contents of any Commercial Site Plan or related impact study requested by the Board.

**D. Procedures and Plan Requirements**

1. Each application for Commercial Site Plan Review shall be filed by the Applicant with the Town Clerk consisting of:
  - a. An original and 14 copies of the Application for Site Plan Review;
  - b. 15 copies of the required plans and other required information per subsection 3 below;
  - c. Applicable filing fee;
  - d. Certified copy of the abutters list obtained from the Truro Assessors Office;
  - e. 3 copies of drainage calculations stamped by a Professional Engineer;
  - f. Any other information that may be applicable or required by the Planning Board.
2. Site Plans shall be prepared, signed and stamped by a Registered Land Surveyor and Professional Engineer, as applicable and shall be prepared at a scale of one inch equals forty feet (1"=40') or larger, or at another scale as approved in advance by the Planning Board.
3. The following information must be submitted together with the application form:



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**a. General – All submitted plans shall contain the following information:**

1. **North Arrow/Location Map:** A north arrow and a locus plan containing sufficient information to locate the subject property, such as streets bounding or providing access to the property.
2. **Zoning Information:** All applicable Zoning Bylaw information regarding the site's development, both existing and proposed. This information shall be placed in a table format which must list all parking; setbacks; percent of lot coverage, broken down by parking, walkways, building(s), etc.; number of dwelling units; total amount of square feet; size of signs, and any other applicable zoning information necessary for the proper review of the site plan.
3. **Assessor and Deed Information:** The Truro Assessors Atlas Map(s) and Parcel(s) numbers and all plan and deed references.
4. **Graphic Scale**
5. **Title Block:** Including the name and description of the project; the address of the property; the names of the record owner(s) and the applicant(s); and the date of the preparation of the plan(s) and subsequent revision dates.
6. **Legend of all symbols**

**b. Existing Conditions Plan - showing the following:**

1. Total area and dimensions of the lot shown on a surveyed plan conforming to the requirements of the Barnstable County Registry of Deeds.
2. Location of existing buildings (including the number of stories, overall height in feet, and gross floor area in square feet of all existing buildings), parking, drives, walks, lighting service areas, all utilities, drainage facilities, easements, and other appurtenances, including setbacks from property lines.
3. Existing contours based on two foot (2') contour intervals.
4. General location of trees having a caliper of ten (10) inches or more diameter at breast height (DBH), all resource areas as defined in M.G.L. Chapter 131, Section 40 , landscaping and other significant natural features.
5. Respective floor areas and/or square footage of existing uses of buildings and/or the property.
6. Existing location(s) of any freestanding sign(s).
7. National Flood Insurance Program flood hazard elevation.
8. Massachusetts Natural Heritage Endangered Species Act jurisdiction.

**c. Proposed Conditions Plan - showing the following:**

1. **Building Location:** Identification of all building(s) to be located on the site. The number of stories, overall height in feet and gross floor area in square feet of all buildings shall be indicated.

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2. **Building Elevation:** A drawing(s) of the exterior of all building(s), as viewed from all sides, including dimensions, at a scale of no smaller than 1/8" = 1'-0". This drawing must be at least 8" x 11" in size.
3. **Location of Parking/Walkways:** Identification of the location of all parking and walkways, including curb cuts that will be used for site access from adjacent roadways or access points. Parking shall be consistent with the requirements outlined in §30.9.
4. **Easements/Legal Conditions:** Identification of legal encumbrances(s), including easements, that are related to the site's physical development, and a listing of any condition(s) placed upon the site by the Board of Appeals, Planning Board, Conservation Commission, Board of Health or any other public body or agency with the authority to place conditions on the site's development.
5. **Stormwater Drainage:** All storm water drainage facilities utilized by the site shall be shown on the site plan. Storm water drainage calculations, which support the design of the control facilities shown on the plan, shall be calculated using a 2, 10, and 50-year storm events.
6. **Grades:** Topography and a grading plan of the site.
7. **Location of Walls:** Identification of the location, height and materials to be used for all retaining walls to be located on the site.
8. **Signs:** Identification of the location, height and materials to be used for all signs to be located on the site. Signs will be reviewed using the Town of Truro Sign Code section of the zoning bylaw.
9. **Location of Streets/Drives:** Identification of all streets and driveways including the type and dimensions of curbs and gutters. Distances to all the nearest streets and/or curb cuts shall be shown for both sides of any street which is adjacent to the site.
10. **Outdoor Storage/Display Areas:** Identification of the location and type of outdoor storage and display areas on the site.
11. **Refuse Areas:** Identification of the location of each outdoor refuse storage area, including the method of storage and screening. All refuse areas must be fully enclosed.
12. **Lighting Facilities:** Identification of all illumination, indicating the direction and the degree of illumination offered by the lighting facilities and including specifications of the light fixture(s) to be used.
13. **Location of Wetlands/Notice of Intent:** All resource areas as defined in M.G.L. Chapter 131, Section 40. The applicant shall file a Notice of Intent with the Truro Conservation Commission concurrently with the application to the Planning Board for Site Plan Review.
14. **Location and Description of Utilities.** Identification of all utilities, including sewer line locations and profiles and storm drainage systems.
15. **Parking and Driveway Cross Section:** a cross section identifying the proposed construction of driveways and parking areas on the site.
16. **Limit of work area** (area to be disturbed during construction, including parking and storage of vehicles and equipment) and work staging area(s).

d. Proposed Landscaping Plan – showing the following:

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A landscape schedule for, and identification of, the location of all perimeter and interior landscaping, including but not limited to, proposed paving materials for walkways; fences; stonewalls; and all planting materials to be placed on the site. In addition, all existing trees over 10 inches diameter at breast height (DBH) to be saved or removed shall be shown on the site plan.

e. Building Plans – at a scale of no less than 1/8" = 1'-0" showing the following:

1. Elevations showing exterior materials and features including but not limited to doors, windows, trim, roof, lighting and including the height of the building(s).
2. Floor plans with dimensions.

f. Project Estimate: The estimated date of initiation and the time required to complete the proposed project and any and all phases thereof; together with a written cost estimate with a breakdown of the building(s) and all site improvements

**E. Waiver of Information Requirements**

The Planning Board may, upon the request of the applicant on the appropriate Application for Site Plan, waive requirements of §70.3.D, provided that in the opinion of the Planning Board such a waiver would not be detrimental to the public interest, cause the Town any expense, or be inconsistent with the intent and purpose of this Bylaw.

**F. Review Criteria/Design Guidelines**

The Planning Board will review applications and their supporting information based on the following:

1. The proposal is in conformity with all applicable provisions of the Zoning Bylaw.
2. The proposal provides for the protection of abutting properties and the surrounding area from detrimental site characteristics and from adverse impact from excessive noise, dust, smoke, or vibration higher than levels previously experienced from permitted uses.
3. The proposal provides for the protection of adjacent properties and the night sky from intrusive lighting, including parking lot and building exterior lighting. Lighting must be consistent with Chapter IV, Section 6 of the General Bylaws of the Town of Truro.
4. The proposal provides for the protection of significant or important natural, historic, or scenic features.
5. The building sites shall minimize obstruction of scenic views from publicly accessible locations; minimize tree, vegetation, and soil removal and grade changes; and maximize open space retention.
6. The proposal adequately provides for refuse disposal.

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7. The proposed sewage disposal and water supply systems within and adjacent to the site shall be adequate to serve the proposed use.
8. The proposed drainage system within the site shall be adequate to handle the runoff resulting from the development. Drainage run-off from the project shall not: damage any existing wellfield(s) or public water supply; damage adjoining property; overload, silt up or contaminate any marsh, swamp, bog, pond, stream, or other body of water; or interfere with the functioning of any vernal pool.
9. A soil erosion plan shall adequately protect all steep slopes within the site and control runoff to adjacent properties and streets both during and after construction.
10. The proposal shall provide for structural and/or landscaped screening or buffers for storage areas, loading docks, dumpsters, rooftop or other exposed equipment, parking areas, utility buildings and similar features viewed from street frontages and residentially used or zoned premises.
11. Buildings and structures within the subject site shall relate harmoniously to each other in architectural style, site location, and building exits and entrances. Building scale, massing, materials, and detailing should be compatible with the surrounding area.
12. Electric, telephone, cable, and other such utility lines and equipment shall be placed underground.
13. The project shall not place excessive demands on Town services.
14. The location and number of curb cuts shall be minimized to reduce turning movements and hazardous exits and entrances. Where appropriate and allowable, access to adjoining properties shall be provided. Joint access driveways between adjoining properties shall be encouraged.
15. Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent and other ways serving the project shall be maximized. Traffic patterns for vehicles and pedestrians must show safe and adequate circulation within and access to and from the site.
16. A bicycle rack(s) shall be provided on the site and shall be located near the entrance to the building(s).

**G. Findings of the Planning Board**

The concurring vote of four members of the Planning Board shall approve a Commercial Site Plan in the form submitted or with reasonable conditions, unless it finds that (a) the application for site plan approval is incomplete, or (b) the imposition of reasonable conditions will not ensure that the project will conform to the standards and criteria described herein, or (c) the project does not comply with the requirements of the Zoning By-law.

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**H. Modification of an Approved Site Plan**

Modifications to a project that has received Site Plan Approval shall be submitted to the Planning Board for further review. A filing of said modification shall be submitted in accordance with Section 70.3.D.

**I. Performance Guarantee**

1. For the purpose of securing the performance of all proposed work, including landscaping and offsite improvements, the Planning Board may require security in the form of good funds submitted to the Town of Truro in the amount of up to ten (10) percent of the estimated project cost as determined by the Board prior to any work beginning. The funds will be released upon completion of the project.
2. A plan shall be submitted in accordance with Section 70.3.J. prior to the final release of performance guarantee.

**J. Final Planning Board Review and As-Built Plan**

Prior to the issuance of the occupancy permit by the Building Commissioner for the use of the site, the following shall be completed.

- a. A final as-built plan showing final topography, the location of all on-site utilities, structures, curb cuts, parking spaces and drainage facilities must be submitted to and reviewed by the Planning Board and the Department of Public Works.
- b. The applicant must submit to the Planning Board a letter from the project engineer stating that the building(s), signs, landscaping, lighting and site layout substantially comply with the plans as approved by the Planning Board.
- c. Upon receipt of the as-built plans and project engineer's letter of compliance, the Planning Board shall review the site.
- d. For the purpose of this section completion shall mean complete compliance with all written requirements set forth in the approved plan and the Planning Board decision and all the conditions stated therein.

**§70.4 Residential Development**

**A. Site Plan Review is required for:**

Construction, alteration, or modification of any Seashore District property (i) which results in the addition of more than one thousand (1,000) square feet of gross floor area (the aggregate gross floor area of all structures on the project lot) to an existing structure or structures, (ii) which adds an additional story to an existing structure, or (iii) which constitutes the construction or reconstruction of a single-family dwelling or a two-family dwelling.

**B. Applicability**

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1. A Residential Site Plan approved by the Planning Board becomes the official development plan for a site within the Town of Truro. Town permits are issued only upon compliance with the Approved Residential Site Plan. The approved Residential Site Plan is legally binding upon the holder and any future owner(s). The Board's approval shall mean that all pertinent aspects of this by-law have been reviewed by the Board, unless specifically waived by the Board.
2. The Planning Board shall have the authority to hire at the applicant's expense necessary professional services reasonably required to review and adequately analyze the contents of any site plan or related impact study requested by the Board.

**C. Procedures and Plan Requirements**

1. Each application for Residential Site Plan Review shall be filed by the Applicant with the Town Clerk consisting of:
  - a. An original and 14 copies of the Application for Site Plan Review;
  - b. 15 copies of the required plans and other required information per subsection 3 below;
  - c. Applicable filing fee;
  - d. Certified copy of the abutters list obtained from the Truro Assessors Office.
2. Site Plans shall be prepared, stamped and signed by a Registered Land Surveyor and Professional Engineer, as applicable and shall be prepared at a scale of one inch equals forty feet (1"=40') or larger, or at another scale as approved in advance by the Planning Board.
3. The following information must be submitted together with the application form:
  - a. Site Plan shall include:
    1. North Arrow and a locus plan containing sufficient information to locate the subject property, such as streets bounding or providing access to the property.
    2. Zoning Information: All applicable Zoning Bylaw information regarding the site's development, both existing and proposed conditions. This information shall be placed in a table format which must list all setbacks; percent of lot coverage, broken out between building, pavement, landscape coverage, etc.; number of buildings; total amount of square feet; and any other applicable zoning information necessary for the proper review of the site plan.
    3. Assessor and Deed Information: The Truro Assessors Atlas Map(s) and Parcel(s) numbers and all plan and deed references.
    4. Graphic Scale
    5. Title Block: Including the name and description of the project; the address of the property; the names of the record owner(s) and the applicant(s); and the date of the preparation of the plan(s) and subsequent revision dates.
    6. Legend of All Symbols
    7. Property boundaries, dimensions and lot area.
    8. Topography and grading plan.
    9. Location, including setbacks of all existing and proposed buildings and additions.
    10. Septic system location.

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11. Location of wetlands, the National Flood Insurance Program flood hazard elevation and Massachusetts Natural Heritage Endangered Species Act jurisdiction, as applicable.
12. Driveway(s) and driveway opening(s).
13. Existing and proposed lighting.
14. Existing landscape features both vegetative and structural.
15. Limit of work area (area to be disturbed during construction, including parking and storage of vehicles and equipment) and work staging area(s).

b. Architectural plans, including elevations and floor plans, with all dimensions at a scale of no less than  $1/8" = 1'-0"$ .

c. Lighting specification, including style and wattage(s).

d. Photographs or other readily available data concerning the location and size of buildings on lots adjacent to or visible from the lot under consideration in order to provide a neighborhood context for the property under consideration.

e. Re-vegetation/Landscaping plan, including both vegetative and structural features.

**D. Review Criteria**

The Planning Board shall review Residential Site Plans and their supporting information. It is the intent of Residential Site Plan Review that all new construction, shall be sited and implemented in a manner that is in keeping with the scale of other buildings and structures in its immediate vicinity in order to preserve the characteristics of existing neighborhoods. Such an evaluation shall be based on the following standards and criteria:

1. Relation of Buildings and Structures to the Environment. Proposed development shall relate to the existing terrain and lot, and shall provide a solar and wind orientation which encourages energy conservation.
2. Building Design and Landscaping. Proposed development shall be consistent with the prevailing character and scale of the buildings and structures in the neighborhood through the use of appropriate scale, massing, building materials, screening, lighting and other architectural techniques.
3. Preservation of Landscape. The landscape shall be preserved in its natural state insofar as practicable by minimizing any grade changes and removal of vegetation and soil.
4. Circulation. Curb cuts and driveways shall be safe and convenient and shall be consistent with Chapter I, Section 9 of the General Bylaws of the Town of Truro.
5. Lighting. Lighting shall be consistent with Chapter IV, Section 6 of the General Bylaws of the Town of Truro. There shall be protection of adjacent properties and the night sky from intrusive lighting.

**E. Findings of the Planning Board**

The concurring vote of four members of the Planning Board shall approve a Residential Site Plan in the form submitted or with reasonable conditions, unless it finds that (a) the application for site plan

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approval is incomplete, or (b) the imposition of reasonable conditions will not ensure that the project will conform to the standards and criteria described herein, or (c) the project does not comply with the requirements of the Zoning By-law.

**F. Waiver of Information Requirements**

The Planning Board may, upon the request of the applicant on the appropriate Site Plan Approval Application, waive any requirements of §70.4.C, provided that in the opinion of the Planning Board such a waiver would not be detrimental to the public interest, cause the Town any expense, or be inconsistent with the intent and purpose of this Bylaw.

**§70.5 Planning Board Decision**

For a Commercial or Residential Site Plan, the Planning Board shall render a written decision within ninety (90) days of the close of the public hearing, and shall file its written decision with the Town Clerk's office and shall send out a copy of said decision to the applicant, the owner, the representative and the abutters.

**§70.6 Recording of Decision**

It shall be the responsibility of the applicant to obtain a true attested copy of the decision from the Town Clerk. The applicant shall be responsible for recording the Planning Board Commercial or Residential Site Plan decision at the Barnstable Registry of Deeds or Land Court, as applicable. Prior to the issuance of a building permit, the applicant shall present evidence of such recording to the Building Commissioner and the Planning Board Secretary.

**§70.7 Special Permits**

For those projects which require a special permit(s) from the Board of Appeals, the Planning Board shall forward its findings and recommendations to the Board of Appeals.

**§70.8 Site Plan Approval**

Site Plan Approval for a Commercial or Residential Site Plan shall expire two (2) years from the date of approval. At the discretion of the Board, a time extension for project completion may be granted.

**§70.9 Waiver of Site Plan Review**

The Planning Board may determine at its discretion without a public hearing that submission of a Commercial or Residential Site Plan review application is not required when the alteration or reconstruction of an existing building or structure or new use or change in use will not have a significant impact: within the site or in relation to adjacent properties and streets; on pedestrian and vehicular traffic; on public services and infrastructure, or on unique environmental and historic resources, abutting properties; or community needs.

A waiver from Commercial or Residential Site Plan Review must be requested by the applicant using the appropriate Site Plan Review Application form. The form, applicable filing fee and supporting documentation to establish that such review is not required shall be filed with the Planning Board Secretary. A waiver request will be considered at a regular session of the Planning Board.



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Upon the decision of the Planning Board, a copy of the decision shall be sent to the applicant, the owner, the representative, if any, and the Building Commissioner.

Or to take any other action relative thereto. *Requested by the Planning Board*

**Board of Selectmen Recommendation: 4-0 in favor (5-0 in favor as reported)**

**Planning Board Recommendation: 5-0 in favor**

***Comment: This text is a rewrite and reorganization of the existing Section 70, Site Plan Review of 2004 and which was last amended in 2006. The major change is that Residential Site Plans are treated separately from Commercial Site Plans. The amount of information to be submitted for residential applications is significantly less. In addition, the process of review, waivers, etc. is explained more clearly, and is in better conformance with requirements imposed in other parts of the Bylaw, such as parking, drainage, landscaping, etc.***

*Motion to move Article 27 as printed in the warrant and delete the words "or take any other action relative thereto". Motion to indefinitely postpone fails. Article 27 passes by 2/3 majority.*

So certified,



Cynthia A. Slade

Town Clerk, Town of Truro

July 7, 2014

**Form 2 (#2)**

**TOWN MEETING ACTION / TOWN OF TRURO**

**ANNUAL TOWN MEETING, APRIL 29, 2014**

**ARTICLE 28: AMEND §30.5 FLOOD PLAIN DISTRICT – ADOPTION OF NEW FEMA FLOOD MAPS** To see if the Town will vote to amend the Truro Zoning Bylaw Section 30.5 Flood Plain District as follows:

Add a new Section B. District Boundaries and re-number paragraph “B. Regulations” to “C. Regulations” and re-number paragraph “C” to “D”. New Section B would read as follows:

**B. District Boundaries:**

The Floodplain District is herein established as an overlay district. The District includes all special flood hazard areas within the Town of Truro designated as Zone AE, AO, or VE on the Barnstable County Flood Insurance Rate Map (FIRM) issued by the Federal Emergency Management Agency (FEMA) for the administration of the National Flood Insurance Program. The map panels of the Barnstable County FIRM that are wholly or partially within the Town of Truro are panel numbers 25001C0109J, 25001C0117J, 25001C0128J, 25001C0136J, 25001C0137J, 25001C0138J, 25001C0139J, 25001C0141J, 25001C0143J, 25001C0144J, 25001C0227J, 25001C0229J, 25001C0231J, 25001C0232J, 25001C0233J, 25001C0234J, 25001C0251J and 25001C0253J dated July 16, 2014. The exact boundaries of the District may be defined by the 100-year base flood elevations shown on the FIRM and further defined by the Barnstable County Flood Insurance Study (FIS) report dated July 16, 2014. The FIRM and FIS report are incorporated herein by reference and are on file with the Town Clerk, Planning Board, Building Official, and Conservation Commission.

And, within C. Regulations, make the following changes:

In Subsection 1, delete “Zones A1-30” and replace it with “AE”.

In Subsection 2, make the following changes (new text shown in *bold italics*) in the second sentence “All subdivision proposals greater than ***50 lots or 5 acres, whichever is the lesser***, shall include base flood elevation data.”

Add a new Subsections 3 – 6 and change Subsection 6 to 7, as follows:

3. In Zone AE, along watercourses that have not had a regulatory floodway designated, the best available Federal, State, local, or other floodway data shall be used to prohibit encroachments in floodways which would result in any increase in flood levels within the community during the occurrence of the base flood discharge.

4. In a riverine situation, the Assistant Town Administrator or the Health/Conservation Agent shall notify the following of any alteration or relocation of a watercourse:

- Adjacent Communities
- NFIP State Coordinator  
Massachusetts Department of Conservation and Recreation  
251 Causeway Street, Suite 600-700  
Boston, MA 02114-2104
- NFIP Program Specialist

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Federal Emergency Management Agency, Region I  
99 High Street, 6th Floor  
Boston, MA 02110

5. Within Zone AO on the FIRM, adequate drainage paths must be provided around structures on slopes, to guide floodwaters around and away from proposed structures.
6. All subdivision proposals must be designed to assure that:
  - a) such proposals minimize flood damage;
  - b) all public utilities and facilities are located and constructed to minimize or eliminate flood damage; and
  - c) adequate drainage is provided to reduce exposure to flood hazards.

Within new Subsection 7, change "(Zones V and V1-30)" to "(Zone VE)" and renumber subparagraphs "c" and "g" to "b" and "c", respectively.

Or to take any other action relative thereto. *Requested by the Planning Board*

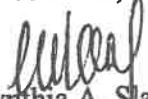
**Board of Selectmen Recommendation: 4-0 in favor (5-0 in favor as reported)**

**Planning Board Recommendation: 5-0 in favor**

***Comment: FEMA has amended the Flood Insurance Rate Maps for Barnstable County and the Town of Truro. In order for property owners within the Town of Truro to be eligible for Flood Insurance, the Town must participate, in part by having an up to date zoning bylaw. These amendments will preserve the Town's participation in the Flood Insurance program.***

*Motion to move Article 28 as printed in the warrant and delete the words "or take any other action relative thereto". Passes unanimously.*

So certified,

  
Cynthia A. Slade

Town Clerk, Town of Truro  
July 7, 2014

**Form 2 (#2)**

**TOWN MEETING ACTION / TOWN OF TRURO**

**ANNUAL TOWN MEETING, APRIL 29, 2014**

**ARTICLE 29: AMEND §90.5.B FLOOD PLAIN DISTRICT – ADOPTION OF NEW FEMA FLOOD MAPS** To see if the Town will vote to amend the Truro Zoning Bylaw, Section 90.5.B, Flood Plain District by deleting the existing language and replacing it with the following:

Flood Plain District: The Flood Plain District description is contained in Section 30.5.B of these Zoning Bylaws.

or take any other action relative thereto. *Requested by the Planning Board*

**Board of Selectmen Recommendation: 4-0 in favor**

**Planning Board Recommendation: 5-0 in favor (5-0 in favor as reported)**

***Comment: FEMA has amended the Flood Insurance Rate Maps for Barnstable County and the Town of Truro. In order for property owners within the Town of Truro to be eligible for Flood Insurance, the Town must participate, in part by having an up to date zoning bylaw. These amendments will preserve the Town's participation in the Flood Insurance program.***

*Motion to move Article 29 as printed in the warrant and delete the words "or take any other action relative thereto". Passes unanimously.*

So certified,



Cynthia A. Slade  
Town Clerk, Town of Truro  
July 7, 2014

## TOWN MEETING ACTION / TOWN OF TRURO

ANNUAL TOWN MEETING, APRIL 29, 2014 (adjourned session) APRIL 30, 2014

**ARTICLE 30: AMEND §10.4 BY ADDING NEW DEFINITIONS AND §30.2 USE TABLE - BY ADDING USES TO THE TABLE** To see if the Town will vote to amend the Truro Zoning Bylaw Section 10.4 – Definitions by adding the following new definitions in alphabetical order:

**Retail Business Service:** A business engaged in providing services including but not limited to hair stylists, barber shops, banks, funeral homes, printing services, package and postal services, and janitorial services where the sale of goods is secondary and incidental to the service provided.

**Retail Sales:** A business engaged in the selling of goods or merchandise to the general public where the rendering of services is secondary and incidental to the sale of such goods.

**Wholesale Trade:** A business primarily engaged in selling merchandise to retailers; to industrial, commercial, institutional, or professional business users; or to other wholesalers.

And further, to amend Section 30.2 – Use Table by making the following changes (new text shown in **Bold Italic** and deleted text shown in ~~Double Strike Out~~):

PRINCIPAL USES	R	BP	NT6A	TC	NTC	Rt6	S
<b>COMMERCIAL</b>							
<del>Barber shop</del>	<del>N</del>	<del>N</del>	<del>N</del>	<del>P</del>	<del>P</del>	<del>P</del>	<del>N</del>
Retail <del>or wholesale</del> business service	N	N	<del>N</del> <b><i>P</i></b>	<del>N</del> <b><i>P</i></b>	P	P	N
Retail sales <del>(3)</del>	N	N	N	P	P	P	N
Trade, repair shop, etc. (7)	N	N	<del>N</del> <b><i>P</i></b>	P	P	P	N
<b><i>Wholesale Trade</i></b>	<b><i>N</i></b>	<b><i>N</i></b>	<b><i>SP</i></b>	<b><i>SP</i></b>	<b><i>P</i></b>	<b><i>P</i></b>	<b><i>N</i></b>

## NOTES

3. ~~May include arts and crafts created on the premises.~~ ***Reserved***

7. Includes shops of carpenters, plumbers, electricians, dressmakers and similar tradespeople, repairs to radio-TV-computers and related electronic services, bicycle repairs, furniture repairs and upholstering, ~~barbershops, nursery schools.~~

Or to take any other action relative thereto. ***Requested by the Planning Board***

**Form 2 (#2)**

**TOWN MEETING ACTION / TOWN OF TRURO**

**ANNUAL TOWN MEETING, APRIL 29, 2014 (adjourned session) APRIL 30, 2014**

**Board of Selectmen Recommendation: 4-0 in favor (5-0 in favor as reported)**

**Planning Board Recommendation: 7-0 in favor**

***Comment: The Planning Board has continued their on-going effort to review and update the definitions and use table. There has been a concerted effort to ensure continuity and alignment while also expanding the uses to additional areas of the Town. The new definitions will also make the differences between sales/services and retail/wholesale more transparent.***

***Motion to move Article 30 as printed in the warrant and delete the words "or take any other action relative thereto". Passes unanimously.***

So certified,



Cynthia A. Slade

Town Clerk, Town of Truro

July 7, 2014

**OFFICE OF  
TOWN CLERK  
TREASURER - COLLECTOR OF TAXES  
TOWN OF TRURO, MA 02666-2012**

**GENERAL & ZONING BY-LAW AMENDMENTS**

The **general by-law amendment (Article 19)** and the **zoning by-law amendments (Articles 20 and 21)** adopted at Annual Town Meeting, April 28, 2015 were approved by Kelli E. Gunagan, Assistant Attorney General, on **December 14, 2015** / Case #7741.

Claims of invalidity of the foregoing amendments to the **zoning by-law**, by reason of any defects in the procedure of adoption or amendment, may only be made within ninety (90) days of posting.

22 9

**Date of posting, December 21, 2015.**

Additional copies of the amendment may be examined and obtained at the office of the Town Clerk, Truro Town Hall, 24 Town Hall Road, Truro, MA 02666 or on the town website [www.truro-ma.gov](http://www.truro-ma.gov)



Cynthia A. Slade  
Town Clerk, Town of Truro  
508.349.7004 x14

I have posted duly attested copies thereof at the following places: Grozier's Garage, Lower Cape Auto & Truck Repair, Savory & Sweet Escape, Pamet Valley Liquors, Truro Post Office, N. Truro Post Office, Truro Public Safety Facility, Truro Public Library, Truro Transfer Station, Truro Central School, Truro Community Center, and Truro Town Hall.



Constable

12-22-2015

Date

cc: Board of Selectmen  
Town Administrator  
Temporary Planner  
Town Accountant  
Building Commissioner  
Planning Board  
Board of Appeals

TOWN MEETING ACTION/ TOWN OF TRURO

ANNUAL TOWN MEETING, APRIL 28, 2015

**ARTICLE 19: AMEND GENERAL BYLAWS TO BAN SMOKING ON TOWN BEACHES** To see if the Town will vote to amend the General Bylaws of the Town of Truro by repealing Chapter III Public Health Section 5, subsection 3-5-1 which reads "Smoking shall be prohibited on all public places as provided in MGL ch. 270, s. 22" and by inserting in its place as the new subsection 3-5-1 the following "Smoking is prohibited in all places designated in Massachusetts General Laws Chapter 270, Section 22, and on all town-owned beaches", or take any other action relative thereto. *Requested by the Board of Selectmen and the Beach Commission*

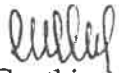
**Beach Commission Recommendation: 4-0-0 in favor**

**Board of Selectmen Recommendation: 5-0-0 in favor**

***Comment: The Beach Commission has voted in favor of banning smoking at Town beaches. This would be consistent with the National Seashores prohibition of smoking on beaches with the desire to eliminate cigarette butts and other smoking waste on the beaches.***

*Motion to move Article 19 as printed in the warrant and delete the words, "or take any other action relative thereto. Call for the question – vote on Article 19: 112 YES, 101 NO motion passes.*

So certified,



Cynthia A. Slade

Town Clerk, Town of Truro

May 28, 2015



Form 2 (#2)

TOWN MEETING ACTION/ TOWN OF TRURO

ANNUAL TOWN MEETING, APRIL 28, 2015

**ARTICLE 20: ZONING AMENDMENT - §30.2, NOTE 4** To see if the Town will vote to amend the Truro Zoning Bylaw, Section 30.2 Note 4, by deleting the existing language and replacing it with the following: "4. Uses in this category are further subject to the special regulations set forth in §40.5 and the Planning Board shall serve as the Special Permit granting authority", or to take any other action relative thereto. *Requested by the Planning Board*

Board of Selectmen Recommendation: 5-0-0 in favor

Planning Board Recommendation: 7-0-0

***Comment:** This is a housekeeping item to clarify and simplify the existing language. The intent of the language remains the same. The existing language to be deleted and replaced reads as follows: "4. Includes buildings and appurtenances; Special Permit Granting Authority is the Planning Board".*

*Motion to move Article 20 as printed in the warrant and delete the words, "or take any other action relative thereto. Passes unanimously.*

So certified,



Cynthia A. Slade

Town Clerk, Town of Truro

May 28, 2015

Form 2 (#2)

**TOWN MEETING ACTION/ TOWN OF TRURO**

**ANNUAL TOWN MEETING, APRIL 28, 2015**

**ARTICLE 21: ZONING AMENDMENT - §30.2, NOTE 6** To see if the Town will vote to amend the Truro Zoning Bylaw, Section 30.2 Note 6, by deleting the last portion of the final sentence, which reads “; the proposed accessory use need not be located on the same parcel as the primary use” or to take any other action relative thereto. *Requested by the Planning Board*

**Board of Selectmen Recommendation: 5-0-0 in favor**

**Planning Board Recommendation: 7-0-0 in favor**

***Comment:** This is a housekeeping item. The existing language and the language to be deleted read as follows: “6. The Board of Appeals may approve activities which are necessary in connection with scientific research or scientific development or related production, and which are accessory to a permitted use, if the Board finds the proposed accessory use does not substantially derogate from the public good; the proposed accessory use need not be located on the same parcel as the primary use.”*

*Motion to move Article 21 as printed in the warrant and delete the words, “or take any other action relative thereto. Passes unanimously.*

So certified,



Cynthia A. Slade  
Town Clerk, Town of Truro  
May 28, 2015

**OFFICE OF  
TOWN CLERK  
TREASURER - COLLECTOR OF TAXES  
TOWN OF TRURO, MA 02666-2012**

**ZONING BY-LAW AMENDMENT**

The zoning by-law amendment (Article 30) adopted at Annual Town Meeting, April 26, 2016 was placed on hold by Kelli E. Gunagan, Assistant Attorney General on **October 4, 2016**, has now been approved by Kelli E. Gunagan, Assistant Attorney General, on **December 20, 2016**. Case #8109.

Claims of invalidity of the foregoing amendment to the **zoning by-law**, by reason of any defects in the procedure of adoption or amendment, may only be made within ninety (90) days of posting.

Date of posting, January 27, 2017.

Additional copies of the amendment may be examined and obtained at the office of the Town Clerk, Truro Town Hall, 24 Town Hall Road, Truro, MA 02666 or on the town website [www.truro-ma.gov](http://www.truro-ma.gov)



Cynthia A. Slade  
Town Clerk, Town of Truro  
508.349.7004 x114

I have posted duly attested copies thereof at the following places: Grozier's Garage, Lower Cape Auto & Truck Repair, Savory & Sweet Escape, Pamet Valley Liquors, Truro Post Office, N. Truro Post Office, Truro Public Safety Facility, Truro Public Library, Truro Transfer Station, Truro Central School, Truro Community Center, and Truro Town Hall.



Constable

1/27/2017

Date

cc: Board of Selectmen  
Town Manager  
Temporary Planner  
Town Accountant  
Building Commissioner  
Planning Board  
Board of Appeals

Form 2 (#2)  
TOWN MEETING ACTION/ TOWN OF TRURO

ANNUAL TOWN MEETING, APRIL 26, 2016

**ARTICLE 30: AMENDMENT TO SECTION 40.6 – GROWTH MANAGEMENT OF THE ZONING BYLAWS** To see if the Town will amend the Zoning Bylaw Section 40.6 – Growth Management, by removing the language shown below with a strikethrough and adding the language shown below with bold underline, for the purpose of extending the time period of Section 40.6 by five years.

§ 40.6. Growth Management

A. Purpose. The purpose of § 40.6 of the bylaw is to provide adequate time for the Town to plan and prepare for the effects of future residential growth, and ensure that control the pace of the Town's growth does not diminish the Town's rural character, impair natural resources or overwhelm town services or infrastructure. ~~so that build-out will be gradual. Theis gradual~~ pace of development afforded by the bylaw will provide opportunities for the Town to: 1) an ~~opportunity to~~ purchase and protect open spaces, thereby reducing the Town's ultimate density and preserving, as much as possible, the Town's rural character; 2) undertake comprehensive planning to the time for the Town to adequately identify a community land use vision to guide the regulation of land use and development; 3) study assess the impacts of anticipated growth on town infrastructure, roads, drinking water supply and fresh and marine wetlands and water bodies, and plan appropriate measures to protect the integrity of those resources, and ~~possibly regulate the impact of continued development on the Town's existing roads and water quality; and 43) develop a financially sustainable plan for the provision of town services and infrastructure necessary to support the community's land use vision.~~ ~~protection for the Town from a sharp acceleration of population growth that could suddenly overwhelm our current public services.~~ This section, 40.6, shall expire on December 31, ~~2021~~16.

B. Residential Development Limitation.

1. There shall be no more than forty (40) building permits for new single family dwelling units authorized within any calendar year, beginning January 1 and ending December 31. Permits not issued within the calendar year may be carried over and added to the next calendar year's quantity. This bylaw shall be effective as of March 3, 2006.
2. The Building Commissioner shall issue building permits in accordance with the following:
  - a. For the purposes of this section, an application shall be accepted for review only if it conforms to all applicable building and zoning requirements, and has received all necessary approvals from pertinent Town boards, including the Board of Health, Planning Board, Board of Appeals, Conservation Commission, and so forth.
  - b. Applications for building permits for single family dwelling units certified complete by the Building Commissioner shall be dated and time-stamped upon determination of completeness. Building permits shall be issued on a first-come/first-served basis.
  - c. Within any calendar month, no more than six (6) permits for single family dwelling units may be issued. Permits not issued during one month may be carried forward and issued the next month, assuming it is within the same calendar year.
  - d. No applicant may have more than one (1) application processed for a single family dwelling unit in any given month.

**Form 2 (#2)**

**TOWN MEETING ACTION/ TOWN OF TRURO**

e. No more than four (4) building permits for single family dwelling units shall be issued to any one applicant within a single calendar year unless 1) there are available permits within the yearly limit and 2) no other applicant has applied for them before the fifteenth day of December.

**C. Exemptions.**

1. Construction of affordable housing units provided such housing units have deed restrictions to ensure they remain affordable for the maximum period permitted under Massachusetts law. Occupancy permits for such affordable units are not to be issued until the restricted deed has been recorded or registered.

2. A presently existing structure which is otherwise subject to this bylaw but which is destroyed by fire or other calamity. Such a structure may be rebuilt outside of these limitations as long as: 1) the structure is not expanded beyond one additional bedroom; 2) it complies with all other provisions of these bylaws; and 3) so long as application for a building permits is submitted within two (2) years of the destruction.

3. A presently existing structure which, following demolition, is being rebuilt to no more than one hundred twenty-five percent (125%) of its current footprint. Such a structure may be rebuilt so long as: 1) the structure is not expanded beyond one additional bedroom; 2) it complies with all other provisions of these bylaws; and 3) the application for a building permit is submitted within two (2) years of the existing structure's demolition. (4/16)

or to take any other action relative thereto. *Requested by the Planning Board*

**Board of Selectmen Recommendation: 5-0-0 in favor**

**Planning Board Recommendation: 5-0-0 in favor**

***Comment: The purpose of this proposed change is to extend the time period of the Growth Management bylaw, which caps single-family residential building permits at 40 per year. Affordable housing units are exempt from this building permit cap. The annual cap on permits ensures that the rate of residential growth does not outpace the Town's ability to provide services and infrastructure, and to put in place measures to protect the community's rural character and natural resources. The additional five years will allow time to complete comprehensive community-based planning for land use, water resource protection, infrastructure and services.***

*Article 30. Move to amend the Zoning Bylaw Section 40.6 – Growth Management, as printed in the warrant. Passes by 2/3 majority.*

So certified,



Cynthia A. Slade

Town Clerk, Town of Truro

June 20, 2016

TOWN MEETING ACTION / TOWN OF TRURO

**ARTICLE 17: AMEND ZONING BYLAWS, §40, SPECIAL REGULATIONS, §40.2 AFFORDABLE ACCESSORY DWELLING UNIT BY DELETING IN ITS ENTIRETY AND REPLACING IT WITH NEW LANGUAGE**

**Two-thirds vote**

To see if the town will vote to amend Section 40, Special Regulations, §40.2 Affordable Accessory Dwelling Unit, by deleting in its entirety and replacing with new language (shown in **bold underline**), as follows, or to take any other action relative thereto. *Requested by Petitioned Article.*

**§40.2 Accessory Dwelling Unit**

**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 Permit from the Planning Board.**
- 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 Permit or Variance, respectively, from the Zoning Board of Appeals.**

**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 one thousand (1,000) 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 By-law. 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 permit from the Planning Board, and in no case shall an ADU be permitted to exceed the square footage allowed by this section.**
- 3. At least two (2) off street parking spaces in addition to parking otherwise required for the property is required for an ADU.**
- 4. An ADU shall be clearly subordinate in use, size and design to the principal dwelling or structure, considering the following: building architectural details, roof design, building spacing and orientation, building screening, door and window size and location, and building materials. When accessory to a principal dwelling, the intent is to retain the appearance of a single-family dwelling and the privacy of abutters.**

TOWN MEETING ACTION / TOWN OF TRURO

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 consisting of:
  - a. An original and 14 copies of the Application for ADU Permit;
  - b. 15 copies of the required plans and other required information under §40.2;
  - c. Applicable filing fee;
  - d. List of abutters obtained from the Truro Assessing Department
  - 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. Documentation of approval of the septic/wastewater treatment system from the Board of Health.
  - g. Building plans at a scale of no less than 1/8"= 1'-0", including floor plans and front, side and rear elevations of the ADU and principal dwelling or structure.
  - h. Affidavit declaring that the ADU and/or principal dwelling to which it is accessory will be rented on a twelve month basis.
  - i. Documentation of approval, if applicable, from the Conservation Commission.
  - j. Documentation of Special Permit or Variance, if applicable, from the Zoning Board of Appeals.

**E. Public Hearing**

1. Upon receipt of the application by the Truro Town Clerk, the Planning Board shall hold a duly noticed public hearing within 65 days of said filing. The Board shall:
  - a. Give notice by advertisement in a newspaper of general circulation in the Town of Truro, no less than ten (10) days before the day of such hearing; and,
  - b. Give notice by posting such notice in a conspicuous place in the Town Hall for a period of not less than ten (10) days before the day of such hearing; and,
  - c. Give notice by mailing a copy of such advertisement to abutters to the subject property, abutters to abutters within 300 feet of the subject property, and owners of properties across the street from the subject property.

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**F. Findings of the Planning Board**

- 1. The Planning Board shall grant an ADU Permit if it finds that the proposal complies with the provisions of this bylaw, §40.2, as amended. The concurring vote of four members of the Planning Board shall approve an ADU permit as submitted or with reasonable conditions. The Board shall deny the permit only if:**
  - a. The application is incomplete, and the applicant fails to complete the application within 21 days after written notice of the application's deficiencies, or**
  - b. The imposition of reasonable conditions will not ensure that the ADU will conform to the standards and criteria described herein, or**
  - c. The ADU does not comply with the requirements of the Zoning By-law.**
- 2. The permit decision is not appealable.**

**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 By-laws and shall entitle the Planning Board, after notice and public hearing, 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.**

**H. Requirements for Tax Exemption**

**Qualifying ADUs permitted under this section are eligible to seek tax abatement pursuant to Chapter I, Section 10 of the Truro General Bylaws, Tax Exemption for Affordable Accessory Dwelling Units.**


**Planning Board Recommendation: 1-4-0 in favor**

**Board of Selectmen Recommendation: 4-0-1 in favor**

*Comment: This is a citizen petitioned article. This article was created to allow homeowners to build or convert an existing building to one (1) accessory dwelling unit on their property with the provision that it be rented year round as opposed to seasonally. This will benefit the community by increasing the opportunities for young people to afford to live in town, enable elderly residents to downsize or rent a portion of their home and will help create a more well-rounded community. There is a segment of the community that earns more than allows them to qualify for affordable housing yet don't make enough to afford a home. This bylaw will allow residents to create opportunities for this segment of society to live in Truro.*

*Article 17. Move to amend Section 40, Special Regulations, §40.2 Affordable Accessory Dwelling Unit as printed in the warrant. Call for the question. Article 17 Passes 2/3 (two-thirds) majority.*

So certified,

  
Cynthia A. Slade  
Town Clerk, Town of Truro  
May 22, 2017



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ARTICLE 18: AMEND ZONING BYLAWS SECTION §10.4 BY ADDING A NEW DEFINITION, REMOVING AN EXISTING DEFINITION AND AMEND §30.2 USE TABLE, BY DELETING USES FROM THE TABLE **Two-thirds vote**

To see if the town will vote to amend the Truro Zoning Bylaw Section 10.4- Definitions, by adding a new definition, remove an existing definition and to amend Section 30.2 by deleting uses from the table or take any other action relative thereto. *Requested by Petitioned Article.*

**§ 10.4. Definitions**

**Dwelling Unit, Accessory. A dwelling unit either detached from or located within or attached to a principal single family dwelling, or an accessory structure to the principal single family dwelling on the same lot, such as a garage. The Accessory Dwelling Unit (ADU) shall contain at least four hundred (400) square feet but not more than one thousand (1,000) square feet of Gross Floor Area. An Accessory Dwelling Unit shall be a complete, separate housekeeping unit containing both kitchen and sanitary facilities in conformance with §40.2 of this bylaw. (04/17)**

And to further amend Section 10.4 by deleting Dwelling, Two Family, Duplex in its entirety.

And further, to amend Section 30.2 - Use Table, by making the following changes (new text shown **bold underline** and deleted shown as ~~strike-out~~), and to direct the Town Clerk to renumber the notes following the Use Table and the corresponding references in the Use Table to ensure numerical progression and consistency.

**§30.2. Use Table**

The following uses are permitted by district as indicated below, and consistent with the purposes for which the district was established. Uses not expressly permitted are deemed prohibited.

KEY

P	Permitted
SP	May be allowed by special permit granted by the Board of Appeals, or the Planning Board, where noted
N	Not permitted
R	Residential
BP	Beach Point Limited Business
NT6A	Route 6A, North Truro Limited Business
TC	Truro Center Limited Business
NTC	North Truro Center General Business
RT 6	Route 6 General Business
S	Seashore

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PRINCIPAL USES							
	R	BP	NT6A	TC	NTC	RT 6	S
AGRICULTURAL							
Agricultural (except Animal Husbandry); horticultural, floricultural	P	P	P	P	P	P	P
Animal husbandry, parcels of more than 5 acres	P	P	P	P	P	P	P
Animal husbandry, parcels of 5 acres or less	SP	SP	SP	N	SP	SP	SP
COMMERCIAL							
Automobile service, repair, storage, or salesrooms	N	N	N	N	P	P	N
Commercial fishing activity (1, 11)	P	P	P	P	P	P	P
Professional office (2)	N	P	P	P	P	P	N
Restaurant	N	N	N	P	P	P	N
Retail business service (4/14)	N	N	P	P	P	P	N
Retail sales (4/14)	N	N	N	P	P	P	N
Wholesale Trade (4/14)	N	N	SP	SP	P	P	N
INDUSTRIAL							
Communication structure	N	N	N	N	N	SP (4)	N
Industrial or manufacturing use (5)	N	N	N	N	SP	SP	N
Marine installation	SP	SP	SP	N	SP	SP	N
Public utility	N	N	N	N	P	P	P
Research or experimental lab (6)	SP	SP	SP	N	SP	SP	N
Small engine repair	SP	SP	SP	N	SP	SP	N
Trade, repair shop, etc. (7) (4/14)	N	N	P	P	P	P	N
INSTITUTIONAL							
Educational institution	P	P	P	P	P	P	P

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Hospital, nursing and/or convalescent home	P	P	P	P	P	P	P
Municipal use (4/13)	P	P	P	P	P	P	P

<b>PRINCIPAL USES</b>							
	<b>R</b>	<b>BP</b>	<b>NT6A</b>	<b>TC</b>	<b>NTC</b>	<b>RT 6</b>	<b>S</b>
Private club not conducted for profit	SP	SP	SP	N	SP	SP	N
National Seashore administration facilities, public facilities	N	N	N	N	N	N	P (11)
Religious institution	P	P	P	P	P	P	P
Large-Scale Ground Mounted Photovoltaic Array (4/11)	SP (12)	N	N	N	N	P	P
<b>RECREATIONAL</b>							
Children's camp	SP	SP	SP	N	SP	SP	N
Park, playground, non-commercial recreation	P	P	P	N	P	P	N
<b>RESIDENTIAL</b>							
Cottage or cabin colony, motor court	N	P	N	N	P	P	N
<del>Duplex new (8)</del>	<del>N</del>	<del>SP</del>	<del>SP</del>	<del>SP</del>	<del>SP</del>	<del>SP</del>	<del>N</del>
<del>Duplex, conversion of existing single family dwelling (8)</del>	<del>SP</del>	<del>SP</del>	<del>SP</del>	<del>SP</del>	<del>SP</del>	<del>SP</del>	<del>N</del>
Hotel	N	N	N	N	P	P	N
Motel	N	P	N	N	P	P	N
Single family dwelling (10)	P	P	P	P	P	P	P (11)
<b>ACCESSORY USES</b>							
<u>Dwelling Unit, Accessory (10)</u> <u>(04/07)</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>	<u>P</u>
Bed and breakfast, home; as defined; Boarding House, Home, as defined	P	P	P	N	P	P	P (11)

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Habitable Studio	P	P	P	N	N	P	P
Home occupation, as defined	P	P	P	P	P	P	P (11)
Other home occupation (5)	SP	SP	SP	N	SP	SP	N
Working Studio	P	P	P	N	N	P	P

(04/06, 4/07)

1. To include traditional fishing activities, opening of shellfish, storage and use of fishing equipment.
2. No more than four (4) offices per lot; 20% lot coverage permitted, exclusive of parking; storage of equipment or materials where they are visible from neighboring properties or public or private ways is prohibited; the Board of Appeals shall find that the proposed use does not produce any injurious or offensive dirt, odor, fumes, gas, noise, or danger from explosion or fire.
3. Reserved (4/14)
4. Includes buildings and appurtenances; Special Permit Granting Authority is the Planning Board.
5. The Board of Appeals shall find that a proposed use is not injurious or offensive or tends to reduce values in the same district by reason of dirt, odor, fumes, gas, sewage, noise, or danger from explosion or fire.
6. The Board of Appeals may approve activities which are necessary in connection with scientific research or scientific development or related production, and which are accessory to a permitted use, if the Board finds the proposed accessory use does not substantially derogate from the public good; the proposed accessory use need not be located on the same parcel as the primary use.  
Includes shops of carpenters, plumbers, electricians, dressmakers and similar tradespeople, repairs to radio-TV-computers and related electronic services, bicycle repairs, furniture repairs and upholstery. (4/14)
7. ~~Uses in this category are further subject to the special regulations set forth in §40.1, Duplex Houses and Apartments.~~
8. Except trailers, mobile homes, Quonset huts or portable buildings. One tent for non-commercial use is allowed per lot, for a specified period of time and with the written consent of the owner and the Board of Health. The Board of Health may limit the period of time the tent is erected and used.
9. Uses in this category are further subject to the special regulations set forth in §40.2, Accessory Dwelling Unit, and the Planning Board shall serve as the Permit granting authority. (4/07)
10. Uses in this category are further subject to the special regulations set forth in §30.3, Seashore District.
11. Except in the Solar Farm Overlay District, where the use is permitted.

**Planning Board Recommendation: 1-4-0 in favor****Board of Selectmen Recommendation: 5-0-0 in favor**

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***Comment: This is a citizen petitioned article. This article will change the Use Table and Definitions in the existing Zoning Bylaws to conform with the change provided in Article 17 should Article 17 pass.***

***Article 18. Move to amend Zoning Bylaw Section 10.4 – Definitions, by adding a new definition, remove an existing definition and to amend Section 30.2 by deleting uses from the table as printed in the warrant. Call for the question. Article 18. Passes 2/3 (two-thirds) vote***

So certified,



Cynthia A. Slade  
Town Clerk, Town of Truro  
June 11, 2017

TOWN MEETING ACTION / TOWN OF TRURO

ARTICLE 32: AMEND ZONING BYLAWS §10.4 DEFINITIONS §30.3 SEASHORE DISTRICT, §70.9 WAIVER OF SITE PLAN

**Two-thirds vote**

To see if the Town will vote to amend the Town of Truro Zoning Bylaw Section 10.4, Definitions, and Section 30.3, Seashore District, by adding a new Section 30.3, and by adding text to Section 70.9, (new text shown as **bold underline**), or take any other action relative thereto. *Requested by the Planning Board.*

In §10.4 *Definitions*, insert the following new definition:

**Seashore District Total Gross Floor Area. The aggregate gross floor area of the dwelling and accessory structures on a lot within the Seashore District, shall consist of the sum of the horizontal areas of the floor(s) of a building measured from the exterior faces of the exterior walls of the building, without deduction for hallways, stairs, closets, and thickness of walls, columns or other features used or intended to be used for living, sleeping, sanitation, cooking or eating purposes, excluding cellar and basement floor area, garage, porches, decks, attics, barns, sheds, greenhouses and agricultural buildings.**

**For the purposes of computing floor area, any portion of the floor area measuring less than five feet from the finished floor to the finished ceiling shall not be included in the computation of floor area.**

In §30.3 *Seashore District*, insert the following new §30.3.1 to follow §30.3.E:

**30.3.1. Residential Building Size Regulations**

**Purpose: The Seashore District is a unique Zoning District in Truro that encompasses a major portion of the Cape Cod National Seashore. Truro has adopted the special zoning provisions required for this District as set forth in the Code of Federal Regulations (Title 36, Part 27). The purpose of this Section is to recognize the town's stewardship role to ensure that any residential alteration, construction or reconstruction maintains the prevailing size and massing of buildings in the district and is in accordance with the purposes and intent of the Cape Cod National Seashore, namely to preserve the special cultural and natural features, distinctive patterns of human activity, and rural ambience that characterize the Outer Cape, along with the associated scenic, cultural, historic, scientific, and recreational values.**

**A. Applicability and Exceptions**

- 1. Seashore District Total Gross Floor Area Allowed by Right: Subject to the exceptions provided for in subsections 30.3.1.A.2 and below, building permits for new construction or for projects that seek to increase the Seashore District Total Gross Floor Area of a lot with buildings that exist as of April 25, 2017, shall only be issued where, on completion of the project, the Seashore District Total Gross Floor Area of the lot does not exceed 3,600 sq. ft. for 3 acres:**
  - a. plus 200 sq. ft. for each additional contiguous acre; or**
  - b. minus 200 sq. ft. for each contiguous acre less than 3 acres,****as the case may be, where the square footage per acre specified above is pro-rated for a**

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portion of an acre.

(See table that follows, which is provided for illustrative purposes.)

- **Illustrative Limits on Total Gross Floor Area Proportional to Lot Size Allowed by Right**

<u>Lot Size</u> <u>Acres</u>	<u>Limit SD GFA</u> <u>Sq. Ft.</u>
.5	3,100
.75	3,150
1	3,200
3	3,600
6	4,200
10	5,000

2. **Special Permit to exceed the Seashore District Total Gross Floor Area limit: The Seashore District Total Gross Floor Area limit for a lot established in subsection A.1 may be exceeded, up to the cap established by this subsection, by special permit, as provided in the remaining provisions of this Bylaw. No special permit may be issued for any project if the project would result in the Seashore District Total Gross Floor Area of the lot exceeding 4,600 sq. ft. for 3 acres:**
  - a. plus 200 sq. ft. for each additional contiguous acre; or
  - b. minus 200 sq. ft. for each contiguous acre less than 3 acres,**as the case may be, where the square footage per acre specified above is pro-rated for a portion of an acre.**

(See table that follows, which is provided for illustrative purposes.)

- **Illustrative Limits on Total Gross Floor Area Proportional to Lot Size that may be Possible with Special Permit**

<u>Lot Size</u> <u>Acres</u>	<u>Limit SD GFA</u> <u>Sq. Ft.</u>
.5	4,100
.75	4,150
1	4,200
3	4,600
6	5,200
10	6,000

- B. **Procedures for Special Permit Review and Approval: Upon receipt of an application for a building permit the Building Commissioner shall make an initial determination as to whether any alteration, construction or reconstruction of a building or structure would result in the Seashore District Total Gross Floor Area exceeding the limitation set out in Section 30.3.1.A.1. If the Building Commissioner determines that the applicant cannot proceed without a Special Permit, the applicant shall first make an application to the Planning Board for Site Plan**

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Review, and upon approval by the Planning Board of Site Plan review, as defined in Section 70.4, shall then apply to the Zoning Board of Appeals for a Special Permit. No building permit shall be issued hereunder unless the Zoning Board of Appeals has granted a Special Permit according to procedures as defined elsewhere in this Bylaw. The procedure set out in this section is not exclusive of any other permit or approval that the applicant may otherwise be required to obtain.

- In §70.9 Waiver of Site Plan Review, insert the following sentence at the end of the first paragraph:
- Site Plan Review shall not be waived in the Seashore District.

Planning Board Recommendation: 5-0-0 in favor

Board of Selectmen Recommendation: 3-0-2 in favor


***Comment:** The Seashore District is a unique zoning district in Truro. It is a major portion of the Cape Cod National Seashore and the Town has an important stewardship role to protect this significant resource. Wellfleet and Eastham have enacted Zoning Bylaw amendments to limit building size – Truro has not. The Planning Board has introduced this bylaw to limit the size of future houses developed or redeveloped within the Seashore District, in proportion to lot size. The control of house size is intended to ensure that the residential construction, alteration or reconstruction preserves the special character and prevailing size and massing of buildings in the Seashore District, and is in accord with the purposes and intent of the Cape Cod National Seashore.*

*The proposed future size limits are based on an analysis of prevailing building sizes and will minimize the creation of non-conforming properties. All existing buildings will be “grandfathered in” and allowed. The proposed amendment will not deny Truro’s residents the right to live in large houses. But it will protect the Seashore District from the onslaught of 10,000 sq. ft. buildings that will dominate the landscape and change forever Truro’s most incomparable asset.*

*In addition, to ensure transparency in decision-making, the existing Zoning Bylaw provisions for Site Plan Review can no longer be waived, requiring public hearings for major changes to properties within the Seashore District.*

*Article 32. Move to amend the Town of Truro Zoning Bylaw Section 10.4 Definitions, and Section 30.3, Seashore District, by adding a new Section 30.3, and by adding text to Section 70.9 as printed in the warrant. Call for the question, passes by 2/3. Motion carries by 2/3 (two -thirds). (10:30pm)*

So certified,

  
Cynthia A. Slade  
Town Clerk, Town of Truro

June 11, 2017

Town of Truro, Annual Town Meeting, April 25, 2017, Article 32