

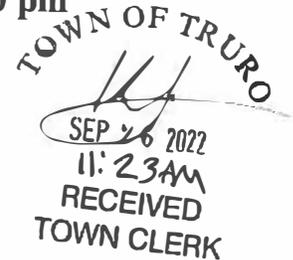


Truro Planning Board Agenda

Remote Public Meeting – Work Session

Wednesday, September 28, 2022 – 5:00 pm

www.truro-ma.gov



Open Meeting

Remote Meeting Access Instructions: Citizens can join the meeting to listen by entering the meeting link; clicking on the Agenda's highlighted link; clicking on the meeting date in the Event Calendar; or by calling in toll free at [1-866-899-4679](tel:1-866-899-4679) and entering the access code [533-151-285#](tel:533-151-285#) when prompted. Citizens will be muted upon entering the meeting.

Meeting link: <https://meet.goto.com/533151285>

Minutes:

- ◆ Assignment of Today's Minutes
- ◆ Approval of Minutes: None
- ◆ Outstanding Minutes: None

1. Discussion of term length
2. Discussion of 2023 calendar
3. Discussion of potential warrant articles

Next Work Session – Discussion

Next Meeting – Wednesday, October 12, 2022 at 5:00 pm

Adjourn

Truro Planning Board

2023 Hearing/Meeting Schedule

HEARING/MEETING (Wednesday at 5:00 pm)	FILING DEADLINE (Monday at Noon) (If holiday, then Tuesday at Noon*)	SUPPLEMENTAL FILING <i>Electronic and Paper</i> (Due by Tuesday 4:00 pm of the prior week)
January 11	December 12, 2022	January 3
January 25	December 27, 2022*	January 17
February 8	January 9	January 31
February 22	January 23	February 14
March 8	February 6	February 28
March 22	February 21*	March 14
April 12	March 13	April 4
April 26	March 27	April 18
May 10	April 10	May 2
May 24	April 24	May 16
June 7	May 8	May 30
June 21	May 22	June 13
July 5	June 5	June 27
July 19	June 20*	July 11
August 9	July 10	August 1
August 23	July 24	August 15
September 6	August 7	August 29
September 27	August 28	September 19
October 4	September 5*	September 26
October 18	September 18	October 10
November 1	October 2	October 31
November 15	October 16	November 7
December 6	November 6	November 28
December 20	November 20	December 12

Additional material for a hearing, *electronic and paper*, shall be received
no later than **Tuesday 4:00 pm** of the *prior* week

MEETING DATES AND TIMES ARE SUBJECT TO CHANGE

Please check the Town Website www.truro-ma.gov for any changes in the schedule

TIMELINE POTENTIAL WARRANT ARTICLES FOR ATM 2023

PBM = scheduled Planning Board meeting

Ongoing

- Planning Board small group work
- outreach to Boards, Committees, Commissions, Town staff

Wednesday August 24 (<i>PBM</i>)	Cutoff for new topics (internal)
Wednesday September 7 (<i>PBM</i>)	Paul will have packet on Clearcut/Lot Coverage past discussion to help with decision for ATM 2023 <i>Anne away</i>
Wednesday September 21 (<i>PBM</i>)	
Wednesday September 28	5-6:30 Work Session & Decision on whether to continue with Street Definition, Lot Coverage, Driveway
October	Public forums on potential articles input
Wednesday October 12 (<i>PBM</i>)	<i>Rich Away</i>
Wednesday October 19 (<i>PBM</i>)	
Wednesday October 26	5-6:30 work session /work group to get draft to bring to Nov 2 meeting
Wednesday November 2 (<i>PBM</i>)	Review first draft of Potential Bylaw
November	Forums on drafts
Wednesday November 16 (<i>PBM</i>)	
Wednesday December 7 (<i>PBM</i>)	Review first draft of Potential Bylaw
Wednesday December 21 (<i>PBM</i>)	Vote to send Proposed Articles to Select Board for referral back to Planning Board for required Public Hearings
Early January	Select Board refers articles back to Planning Board for Public Hearings
Wednesday January 25, 2023 –	Warrant Opens
Jan/Feb 2023	Public hearings & any revisions to articles
Friday February 24, 2023	Warrant Closes
Tuesday April 25, 2023 –	Annual Town Meeting

DEVELOPING POTENTIAL WARRANT ARTICLES FOR ATM 2023
WORKING VERSION
For meeting Sept 28 2022

From Timeline:

September 28 - Decision on whether to continue with Street Definition, Lot Coverage, Driveway

STREET DEFINITION - Rich

Step 1 – Research to enable decision whether to move forward & if so what focus

- Just inclusion of missing language in bylaw OR
- Bigger change(s)
 - Look at PB minutes Jan 2015 for earlier work

Engage with – Rich Stevens (Building Commissioner), Jarrod Cabral (DPW Director), Select Board , ZBA (and specifically, C. Lucy).

- 8.18 RR sent email to ZBA chair & Vice chair
 - The Planning Board will be revisiting the definition of “Street” in the Town’s zoning bylaw. We will be starting with a review of the work we did on this definition last year and we hope to bring a more encompassing definition forward as a warrant article at the 2023 ATM. As part of this effort we will be soliciting input from various town staff and board members relative to the shortcomings of the present definition.
 - We are aware that the ZBA has been asked to adjudicate a number of cases resulting from issues with the current definition of “Street”. Accordingly, we would like to solicit input from the ZBA on this matter either individually, or as a Board, in compliance with OML concerns. Please let Anne Greenbaum (PB Chair) or myself know what you think would be the most appropriate format for this discussion. The Planning Board’s objective is to submit a draft article revising this definition to the Select Board in December.

LOT COVERAGE – Paul will provide packet prior to Sept 7 meeting

Step 1 - Determine focus & whether to move forward

- Restrict lot clearing OR
- Dimensional Control – Design/Aesthetics/Character
- Discussion of which way to focus to consider:
 - Conservation,
 - tie-in to Stormwater issues such as runoff, permeability, aquifer recharge.
 - Carbon sequestration
 - Is/has this been issue in Truro

GROUP 2

Driveway Grades – Anne & Rich TAKE OFF LIST

- Select Board Policy 28 adopted June 2022

Rich response - Interesting! Good! I'm pleased that they moved forward on this. I think this covers the crux of the matter.

Does this belong in its current form as a "Select Board Policy 28..." or should these restrictions be included in the Subdivision Regs, perhaps as a footnote to the roadway design criteria listed therein? Aside from that question of where these restrictions appear, I think we can take this issue off the PB's plate for now.

Rich

- Connects with curb cuts which Select Board approves
- Currently curb cuts are in Select Board policy & not in town regulation
- Talk with Select Board and Jarrod Cabral & maybe Rich Stevens, to see if we should look into this. If so,
- Review driveway grade restrictions in other towns and nationally recognized site development standards and recommendations.

Initial work to be done by small group/individual with report back to whole Board regularly (timeline in separate document). Point person for each topic **in Bold**.

GROUP 1

HOUSING - Anne

1. Specific Zoning Bylaw Topics to explore – from PB, ad hoc work group, Housing Production Plan Draft
 - a. Revise Duplex Bylaw – from 2022
 - b. Allow Multifamily Structures
 - c. Allow Affordable Single-Family Home on undersize lot –passed in Wellfleet Fall 2022 article 18
 - d. Zoning overlay(s) districts
 - e. Zoning that allows mixed use structures (i.e., housing over commercial)
2. Not Zoning Bylaws -
 - a. Limiting short term rentals
 - b. Wellfleet Articles Spring 2022
 - i. Community Impact Fee on professionally managed units Wellfleet 2022 warrant article 46
 - ii. Short Term Rental Community Impact Fees on Owner Occupied Units – Article 47
 - c. Other –
 - i. draft Housing Production Plan HPP) has thoughts from consultant helping develop HPP
3. Work with Truro Housing Authority (THA) to identify and work on potential articles
4. SB – John D has relayed our request for early letter with goals

5. Housing Work group with representative from Planning Board (Ellery), ZBA & Truro Housing Authority to meet to *“develop housing initiatives that will diversity the range of seasonal, year-round & transitional housing for people of varying income levels and will develop related articles for the 2023 ATM.”* (Select Board Objective 13)
6. Engage with THA, Walsh Planning Committee, ZBA, Select Board,

Special Permit Criteria

- Currently don't have any in bylaws, many towns do. Decisions simply include findings without criteria to refer to (also true for ZBA)
- Barbara has samples
- Contact ZBA & see what their reaction is

Mean Ground Level

- Simplify definition. As a minimum, address or correct the “10% grade for 100 feet...” language presently found in the bylaw.
- Potentially provide guidelines for site grading around new houses.
- Potentially expand the definition to limit raised (elevated) building pads in order to limit unnecessary importation of fills.
- check with Building Commissioner before deciding whether to move forward (Rich)

Communication structure bylaw- wind loads

- could be simply 1 sentence
- Rich & Barbara
- Review applicability of emergency response criteria to the Town's communications towers, redundancy of communications and Structure Class (per TIA-222).
- Could also look at streamlining permits

WELLFLEET HOUSING RELATED WARRANT ARTICLES SPRING 2022

- 1) **SHORT TERM RENTAL COMMUNITY IMPACT FEE ON PROFESSIONALLY MANAGED UNITS** ARTICLE 46 (G.L.C 64G, § 3D(a))
 - a. *SUMMARY: This opts the Town into collecting a community impact fee on short-term rentals of "professionally managed" short-term rental units. Professionally managed units are two or more units run by the same operator not located within a two to three family dwelling that includes the operator's primary residence. Three percent (3%) is the maximum allowable local option. The statutory requirement is that 35% of the fee must be used for either affordable housing or capital infrastructure. The 63 Town is proposing to dedicate all of these funds to housing. See preceding articles. The fees will be collected by the Massachusetts Department of Revenue for each calendar quarter. The DOR requires 30 days' notice from a municipality prior to the start of the first calendar quarter when the community impact fees will start. As such, October 1, 2022, is the first quarter that Wellfleet could start receiving these fees.*
 - b. To see if the Town will vote to accept the provisions of G.L. c. 64G, § 3D(a), authorizing the imposition of a community impact fee of 3% on the transfer of occupancy of a short-term rental in a "professionally managed unit," which term is defined G.L. c. 64G, §1 effective as of October 1, 2022, or to do or act on anything thereon.

- 2) **SHORT TERM RENTAL COMMUNITY IMPACT FEES ON OWNER-OCCUPIED UNITS** (G.L. c 64G, § 3D(b)) ARTICLE NO. 47
 - a. *SUMMARY: This opts the Town into collecting a community impact fee on short-term rental units within a two- or three-family dwelling that includes the operator's primary residence. 3% is the maximum allowable local option. In order to accept this provision, the Town must first vote to accept the community impact fee on professionally managed units pursuant to Article 47. The statutory requirement is that 35% of the fee must be used for either affordable housing or capital infrastructure. The Town is proposing to dedicate these funds exclusively to housing. See preceding articles. The fees will be collected by the Massachusetts Department of Revenue for each calendar quarter. The DOR requires 30 days' notice from a municipality prior to the start of the first calendar quarter when the community impact fees will start. As such, October 1, 2022, is the first quarter that Wellfleet could start receiving these fees.*
 - b. – To see if the Town will vote to accept the provisions of G.L. c. 64G, § 3D(b), authorizing the imposition of a community impact fee of 3% on the transfer of occupancy of a short-term rental unit that is located in a two- or three-family

dwelling that includes the operator's primary residence effective as of October 1, 2022, or to do or act on anything thereon. (Requested by the Selectboard)

FALL 2022

3) ARTICLE NO. 16 – ZONING BYLAW AMENDMENT - COTTAGE COLONY

- a) *SUMMARY: The size of dwellings within cottage colonies are ideal for housing that might be affordable to local residents and not be income restricted. That Wellfleet has functionally restricted approximately 10% of its housing stock to seasonal use only while we struggle to retain and develop year-round housing is counterproductive. This class of housing also tends to be of modest proportions. It thus commands a lower seasonal rent on the market, making it utterly unreasonable to be restricted to seasonal occupancy only. Wellfleet's year-round housing crisis is well documented. Wellfleet badly needs a more balanced blend of housing options. From young people and families to seniors and well-paid professionals, finding and keeping a year-round rental is less and less possible. Businesses of all types and even the Town's departments struggle to find employees because of the high cost and lack of year-round housing. The housing crisis is impacting both residents and visitors as it is already affecting the Town's quality of life and economic sustainability.*
- b) To see if the Town will vote to amend the Wellfleet Zoning By-Laws, as recodified under Article 12 of this Special Town Meeting, by adding underlined text and by deleting text that is struck-through as follows, or to do or act on anything thereon:
- By amending Chapter 235 – Article II - DEFINITIONS by amending the definition of “Cottage Colony” and inserting in alphabetical order a new definition for “Cottage Colony NPS” as follows:
 - Cottage Colony - A group of two or more detached dwellings located on the same lot not within the NSP, each containing one dwelling unit only which is designed for independent family living including cooking facilities. and occupied on a seasonal basis only.
 - Seasonal shall be defined as a period commencing April 1 of each calendar year and terminating November 30 of the same calendar year.
 - Each unit shall contain not less than 550 sq. ft. of floor area and not more than 768 sq. ft.
 - Cottage Colony NSP - A group of two or more detached dwellings located on the same lot within the NSP, each containing one dwelling unit only which is designed for independent family living including cooking facilities. and occupied on a seasonal basis only.
 - Seasonal shall be defined as a period commencing April 1 of each calendar year and terminating November 30 of the same calendar year.

- Each unit shall contain not less than 550 sq. ft. of floor area and not more than 768 sq. ft B.
- By amending Chapter 235 – Article V -Uses, Section 5.3.B. Commercial, by alphabetically inserting the use "Cottage Colony NSP" and such use is to be prohibited in all zoning districts as follows: ["P" is a permitted use. "O" – An excluded or prohibited use "A" is a use authorized under special permits.] CD R1 R2 NSP C C2 Cottage Colony NSP

- 4) **ARTICLE NO. 18 - ZONING BYLAW AMENDMENTS - AFFORDABLE HOUSING LOTS**
SUMMARY: This bylaw provides limited relief of zoning requirements to promote the development of otherwise unbuildable lots solely for the purpose of deed-restricted affordable single-family homes in perpetuity or the maximum allowable period by law. The relief granted is a reduction in the minimum lot size, frontage, and setbacks. There are a total of 18 parcels that have a high probability and 26 additional parcels where it may be applicable. These parcels are largely within neighborhoods of similarly sized lots. There is no increase in tax burden borne by the owner of one of these parcels until a building permit has been issued. This bylaw will only apply to pre-existing lots and will not be applicable new lots. 10,000 sq ft is the minimum allowed lot size for Title V septic systems. It is important to note that other issues could cause a lot to be functionally unbuildable such as the location of abutter's wells and septic systems. This is an opportunity for private parties to build a limited number of affordable units that would remain affordable in perpetuity.
- 5) **ARTICLE NO. 18 - ZONING BYLAW AMENDMENTS - AFFORDABLE HOUSING LOTS** To see if the Town will vote to amend the Wellfleet Zoning By-Laws, as recodified under Article 12 of this Special Town Meeting, by inserting new text that is underlined and deleting text that is struck-through as follows, or to do or act on anything thereon: A. To amend Section 235 – Article II DEFINITIONS by inserting, in alphabetical order, the following new definitions for “Affordable Lot”, “Affordable Undersized Lot” and “Contiguous Upland” as follows: Affordable Lot - A lot containing not less than 10,000 sq ft of contiguous upland area that otherwise does not meet the zoning requirements for a lot. A One Family Dwelling may be constructed upon as an affordable homeownership or affordable rental dwelling unit in perpetuity, or the maximum time period allowed by law, and shall be in compliance with 760 CMR 56.00 the Local Initiative Program (LIP) and meet the guidelines and standards promulgated thereunder by the Department of Housing and Community Development (DHCD) for inclusion in the DHCD Chapter 40B Subsidized Housing Inventory as Local Action Units. Affordable Undersized Lot - A lot containing less than 10,000 sq ft of contiguous upland area that otherwise does not meet the zoning requirements for a lot. A One Family Dwelling may be constructed upon as an affordable homeownership or affordable rental dwelling unit in perpetuity, or the maximum time period allowed by law, and shall be in compliance with 760 CMR 56.00 the Local Initiative Program (LIP) and meet the guidelines and standards promulgated

thereunder by the Department of Housing and Community Development (DHCD) for inclusion in the DHCD Chapter 40B Subsidized Housing Inventory as Local Action Units. An affordable undersized lot shall be subject to any conditions attached to a Special Permit issued by the Special Permit Granting Authority. Contiguous Upland – any portion of property where upland is uninterrupted by other features, including but not limited to wetlands. B. To amend §235-5.3. A Use Regulations, Residential by inserting, in alphabetical order, uses for "Affordable Lot" and "Affordable Undersized Lot" and to allow such uses as follows: 35 ["P" is a permitted use. "A" is a use authorized under special permits.] CD R1 R2 NSP C C2 Affordable Lot P P P O P P Affordable Undersized Lot A A A O A A C. To amend §235-5.4. A – Minimum Lot Requirements by inserting a new footnote 2 as follows: 5.4.1 Minimum Lot Requirements CD R1 R2 NSP C C2 Area (Square Feet) 20,000 30,000 40,000 3 Acres 40,000 30,000 Frontage (Feet) 125 135 135 17 200 200 135 NOTES: 2. The minimum lot requirements for Affordable Lots are governed by §235- 6.27. D. To amend §235-5.4. B – Minimum Yard Requirements by inserting a new footnote 6 as follows: 5.4.2 Minimum Yard Requirements CD R1 R2 NSP C C2 MSO Front (Feet) 25 30 30 18 50 100 19 50 20, 21 25 22 Side (Feet) 20 25 25 35 35 35 23, 24 6 Rear (Feet) 25 30 30 35 35 35 25, 26 15 NOTES: 6. The minimum yard requirements for Affordable Lots are governed by §235- 6.27. E. To add a new Section 235-6.27. Affordable Lots and Affordable Undersized Lots as follows: 36 §235-6.27.1. Purpose: The purpose of this bylaw is to increase the supply of housing that is available and permanently affordable to low- or moderate-income households by allowing affordable dwellings to be built lots that do not meet the minimum lot size for the zoning district, provided the lots meet the criteria listed herein. §235-6.27.2. Applicability - This bylaw applies shall apply to lots of record as of January 1, 2022, as recorded in a deed or plan on file with the Barnstable County Registry of Deeds or Land Court, regardless of whether the lot is held in common ownership with an adjoining lot, which do not meet the minimum lot size and yard requirements for the zoning district as determined by the Building Commissioner. Any Dwellings created under this bylaw shall be designated as low or moderate income units, subject to an affordable housing deed restriction and Regulatory Agreement in accordance with M.G.L. Ch. 40B, Sec. 20-23, 760 CMR 56.00 the Local Initiative Program (LIP) and shall meet the guidelines and standards promulgated thereunder by the Department of Housing and Community Development (DHCD) for inclusion in the DHCD Subsidized Housing Inventory as Local Action Units. For purposes of this bylaw, "affordable" shall mean that the units are available for ownership or rental to households earning at or below 80% of the Barnstable County Area Median Income, adjusted for household size and shall remain affordable in perpetuity or for the longest period allowed by law. §235-6.27.3. The Building Commissioner may allow construction of a One Family Dwelling, restricted by a Regulatory Agreement and/or Affordable Housing Deed Restriction in a form acceptable to the Department of Housing and Community Development, executed and recorded by the applicant, as an affordable homeownership or rental dwelling unit in perpetuity or

the maximum time period allowed by law, on an eligible parcel of land that meets the following criteria: 1. Parcel is not within the National Seashore Park District. 2. Parcel, at time of application, is not improved with any existing dwelling unit 3. Parcel contains at least 10,000 square feet of contiguous upland area. 4. Parcel satisfies applicable Board of Health requirements. 5. Parcel satisfies applicable Town of Wellfleet's Conservation Commission Environmental Protection Regulations. 6. Parcel has a minimum of twenty (20) feet of frontage on a way previously approved by the Planning Board under the Subdivision 37 Control Law or a public way, having, in the opinion of the Planning Board, sufficient width, suitable grades and adequate construction to provide the needs of vehicular traffic. Lots without a minimum of 20 feet of frontage on a way may be permitted under this section if there is an adequate recorded access easement of at least twenty (20) feet in width from the lot to a way previously approved by the Planning Board under the Subdivision Control Law or a public way, having, in the opinion of the Planning Board, sufficient width, suitable grades and adequate construction to provide the needs of vehicular traffic and emergency response apparatus. 7. The building setbacks shall not be less than fifteen (15) feet. If a dwelling is built within twenty-five (25) feet of any other dwelling or principal structure a stockade type fence at least 6' in height shall be required by the Permit Granting Authority. 8. An applicant under this Section shall submit a site plan that depicts the dimensions and setbacks of the subject Parcel, and the existing setbacks of principal structures on the lots immediately adjacent to the subject lot must be shown on the plans. 9. A Parcel shall not be built upon if the Parcel was purposely created, subject to a deed restriction or designated as an unbuildable lot as part of a subdivision open space or park, or by any other condition or agreement with the Town. 10. No part of any access driveway may be within fifteen (15) feet of a principal structure on an adjoining lot. 11. The Applicant must submit a Regulatory Agreement and Affordable Housing Deed Restriction, to be approved as to form by Town Counsel, that restricts the use of the dwelling unit to Low- or Moderate-Income housing in perpetuity, or the maximum time period allowed by law. Said Regulatory Agreement shall include an Affirmative Fair Marketing Plan that complies with DHCD's requirements for the selection of incomeeligible tenants/occupants and shall identify a Monitoring Agent who shall be responsible for ensuring that any re-sales of units created under this bylaw shall be made to incomeeligible purchasers and comply with the Affirmative Fair Marketing Plan and Affordable Housing Deed Rider. The Applicant shall work with the Town to provide any information necessary to ensure that units created under this bylaw are eligible for 38 inclusion on the Subsidized Housing Inventory maintained by the DHCD as Local Action Units. No building permit shall be issued until the Regulatory Agreement and Affordable Housing Deed Rider has been approved by Town Counsel, executed by all parties, and recorded at the registry of deeds and proof of such recording has been furnished to the Building Commissioner. 12. Transfer or Lease –A lot developed with a One Family Dwelling under this section shall be transferred or leased at such affordable re-sale price or rent set

forth in the Regulatory Agreement. 13. Monitoring Agent – The Affordable Housing Deed Restriction shall identify a Monitoring Agent who shall ensure compliance with said deed restriction. The Wellfleet Housing Authority may serve as Monitoring Agent. §235-6.27.4. The Zoning Board of Appeals - As the Special Permit Granting Authority under this section the Zoning Board of Appeals may grant a special permit to allow construction of a One Family Dwelling, to be restricted as an affordable homeownership or rental dwelling unit in perpetuity or the maximum time period allowed by law, on a lot less than 10,000 square feet of upland if: 1. The Board finds that such a reduction in minimum lot requirement would further the purposes of the bylaw without causing any undue nuisance, hazard or congestion in the Town or neighborhood. 2. All criteria outlined in Section 6.27.3, except the minimum lot size may be less than 10,000 square foot of upland. The Special Permit Granting Authority may impose reasonable conditions and restrictions on the special permit that, in the opinion of the Zoning Board of Appeals, are necessary or appropriate to carry out the intent and purposes of the bylaw and protect the health, safety, convenience, and general welfare of the inhabitants of the Town. §235-6.27.5. Transfer or Lease - A lot developed with a One Family Dwelling under this section shall be transferred or leased at such affordable re-sale price or rent set forth in the Regulatory Agreement. §235-6.27.6. No Building Permit shall be issued by the Building Commissioner until the developer has demonstrated that all of the applicable requirements of §235-6.27 have been met. 39 §235 - 6.27.10 Conflicts with other bylaws The provisions of this bylaw shall be considered supplemental to all other zoning bylaws. To the extent that a conflict exists between this bylaw and others, this bylaw section, and the provisions therein, shall apply

Lot Coverage – Site Clearing 9 27 2022

Towns on the Cape take various approaches to aquifer protection/water quality preservation on the individual lot level. Rather than limit development on a lot, some towns prescribe a percentage of the lot area remain undeveloped or “...in its natural state.” I believe this generally achieves the same purpose.

Many towns require ‘grubbed’ or denuded areas within a lot to be supplemented with 4” – 6” of topsoil to promote re-vegetation on the site. It takes a reasonable depth of topsoil to hold the necessary moisture and nutrients to promote plant growth that will not require constant chemical fertilization to sustain plant growth.

Wellfleet Bylaws

Crafted to be implemented town-wide, these bylaws take into account the densely populated areas of ‘Down-Town’ Wellfleet. Truro is different.

Maximum Lot Coverage for cluster development is 15%. (pg. 30)

9.1.4.3 Lot Coverage: (pg. 80)

Unless the applicant demonstrates that all run-off is recharged on-site, no more than **15%** of the total area of any lot shall be rendered impervious by the installation of buildings, structures and paved surfaces. If all recharge is disposed of on-site, no more than fifty-percent (50%) of the total upland area of any lot shall be made impervious by the installation of buildings, structures, and paved surfaces.

6.14.3 For purposes of determining Lot Coverage, the entire Lot Area shall be the basis, however, all structures and related facilities must be confined to that portion of the lot which is not swamp, pond, bog, dry bog, marsh, areas of exposed groundwater or which lies within the floodplain district.

9.1.4.4 Site Clearing (pg. 80)

A minimum of **thirty (30%)** of the total upland area of any lot shall be retained in its natural state. This shall not prevent the removal of dead, diseased or damaged trees.

9.1.4.5 Exemptions (pg. 80)

The Zoning Board of Appeals may grant a special permit to exempt a use from the requirements of this section, provided that the applicant demonstrates that the proposed use at that location cannot adversely affect any developed or planned public water supply. Applications for such a special permit shall be referred to the Water Commissioners, Conservation Commission, Planning Board and Board of Health within seven (7) days of their receipt for their review and comment prior to the conclusion of the Zoning Board of Appeals’ hearing on the proposal. Failure by any of the above named commissions or boards to respond to the Zoning Board of Appeals within forty-five (45) days shall be considered a confirmatory response.

Discussion - If Wellfleet's Bylaw was applied in Truro:

1) Lot Coverage

In Truro a minimum building lot is 33,750 sq. ft.. (approximately 150' wide by 225' deep)

Truro allows a 3600 sq. ft. dwelling on a minimum size lot. (10.66% of the lot)

Wellfleet's lot coverage bylaw would allow an additional 1462.5 sq.ft. of impervious surface if the run-off is NOT contained within the lot. This bylaw is applied to 'downtown Wellfleet.

If all the runoff were contained within the lot, the impervious surface would be limited to 50% of the lot or 16875 sq. ft. In Truro this would allow an additional 13275 sq. ft. of impervious surface. This increase is 369% larger than the maximum house size.

2) Site Clearing

In Truro a minimum building lot is 33,750 sq. ft..

30% of a minimum building lot is 10125 sq. ft. that shall be retained in its natural state.

Dennis - Lot Coverage 5% /15% / 20% / 25% / 60% / 70% no site clearing

Eastham - Lot Coverage Commercial 65% / 80% no site clearing

Orleans - Lot Coverage (by district) 30% retained in natural state
Lot Coverage – "...at least 60% of a lot area must be pervious to water."

Chatham - Lot Coverage – Districts max 50% - Buildings 50%

"LOT COVERAGE" means the buildable upland portion of a lot which is covered by buildings, driveways, parking areas (regardless of surface materials), pools, tennis courts, decks and any other permanent structures.

Affordable Apts (pg. 66)

VII . B . 2.1 – 15. Multi-Family Dwelling (New Construction) (pg. 78)

g. There shall be no more than four (4) dwelling units in one (1) building.

CCC Model Bylaw (see attached – 'CCC Model Bylaw Clearing.doc')