



## Truro Select Board Hybrid Meeting

Wednesday, April 2, 2025

**Special Meeting-2:30pm**

Truro Town Hall, 24 Town Hall Road

### REGULAR MEETING

<https://us02web.zoom.us/j/84720782445>

1-646-931-3860 Meeting ID: 847 2078 2445

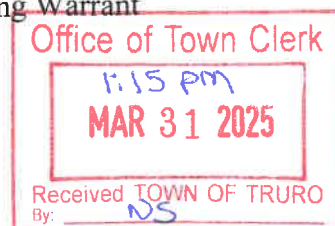
This will be a hybrid (in-person *and* remote) meeting. Citizens can view the meeting on **Channel 8** in Truro and on the web on the "Truro TV Channel 8" button under "Helpful Links" on the homepage of the Town of Truro website. Click on the green "Watch" button in the upper right of the page. **To provide comment during the meeting please call-in at 1-646-931-3860 and enter the following access code when prompted: 847 2078 2445 or you may join the meeting from a computer, tablet or smartphone by entering the follow URL into your web browser; <https://us02web.zoom.us/j/84720782445>**

Please note that there may be a slight delay (15-30 seconds) between the meeting and the live-stream (and television broadcast). If you are watching the meeting and calling in, please lower the volume on your computer or television during public comments so that you may be heard clearly. We ask that you identify yourself when calling in to help us manage multiple callers effectively.

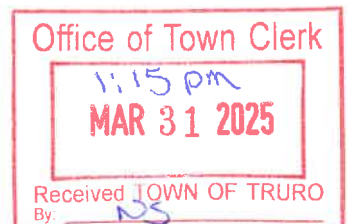
#### Estimated Start Time

*\*All start times are approximate. Items may be taken out of order at the discretion of the Board and agenda items may require more or less time than allocated, resulting in changes to the approximate schedule.*

- 2:30pm 1. PUBLIC COMMENT
- 2:45pm 2. PUBLIC HEARINGS - NONE
- 2:45pm 3. INTRODUCTION TO NEW EMPLOYEES - NONE
- 2:45pm 4. BOARD/COMMITTEE/COMMISSION APPOINTMENTS - NONE
- 2:45pm 5. STAFF/COMMITTEE UPDATES - NONE
- 2:45pm 6. TABLED ITEMS - NONE
- 2:45pm 7. SELECT BOARD ACTION
  - A. Discussion and Possible Vote on Charter Amendment Article  
*Presenters: Michael Cohen, Charter Review Committee Chair, and Brian Boyle, Charter Review Committee Vice-Chair*
  - 3:00pm B. Discussion and Possible Vote on Town Meeting Warrant Articles, Comments/ Explanations and Select Board Message  
*Presenter: Kelly Clark, Assistant Town Manager, and Alex Lessin, Finance Director*
  - 4:25pm C. Vote to Post and Electronically Sign the 2025 Annual Town Meeting Warrant  
*Presenter: Kelly Clark, Assistant Town Manager*



- 4:30pm    **8. REPORTS**  
            A. Select Board Reports  
            B. Town Manager Report
- 4:45pm    **9. CONSENT AGENDA - NONE**
- 4:45pm    **10. NEXT MEETING AGENDA**  
            Regular Meeting: April 8, 2025





# TOWN OF TRURO

## Select Board Agenda Item

**BOARD/COMMITTEE/COMMISSION:** Charter Review Committee

**REQUESTOR:** Michael Cohen (Chair)

**REQUESTED MEETING DATE:** 04/02/2025

**ITEM:** Charter Review Committee 5-5-4 Recommendation To The Select Board To Be Considered In The 2025 Warrant

**EXPLANATION:** *As chair, I failed to provide a timely copy* of this recommendation that passed 4-0 at a CRC meeting on 01/22/2025 to Assistant Town Manager Kelly Clark. I mistakenly omitted this recommendation in my initial email, including three other recommendations passed at the Select Board meeting on 03/25/25.

**FINANCIAL SOURCE (IF APPLICABLE):** N/A

**IMPACT IF NOT APPROVED:** N/A

**SUGGESTED ACTION:**

*Discussion and possible vote to include the article on the meeting of 04/02/25.*

**ATTACHMENTS:**

1. 5-5-4 Recommendation & Explanation
2. Revised Working Draft Recommendation

**STAFF NOTE:** I would like to extend my thanks to Chair Cohen and Vice-Chair Boyle who met with me twice in the past week to listen to my concerns, have thoughtful discussions and to wordsmith. Having lingering concerns, it is my understanding that the Chair and Vice-Chair are amenable to the Board not including this article in the warrant. They will be present at the meeting to discuss. No motion is needed if the Board determines that it does not wish to include this article in the warrant. *(Kelly Clark, Assistant Town Manager)*

**RECOMMENDATION # 4 – CHARTER REVIEW COMMITTEE TO THE TOWN OF TRURO  
SELECT BOARD FOR CONSIDERATION IN THE 2025 WARRANT**

**NOTE:** On 01/22/2025 this motion passed 4-0 (with one CRC member did not attend).

## **5-5-4**

The Town Manager may, with the approval of the Select Board, establish, reorganize, consolidate, or abolish any positions which are subject to the direction and supervision of the Town Manager, except as otherwise provided by General Law or By-law. **With the exception of a budget neutral reorganization**, the creation of any new position under this section shall not become effective until the position has been funded by Town Meeting **by inclusion as an explicit line item in the omnibus expense budget, or a dedicated override article.**

Note: The highlighted portion is the new proposed language.

## **5-5-4 Explanation:**

The proposed revision to charter section 5-5-4 adds two key clarifications. First, it introduces an exception for **budget-neutral reorganizations**, allowing them to proceed without Town Meeting funding, which promotes administrative efficiency. Second, it **specifies how new positions must be funded**—either as an explicit line item in the omnibus expense budget or through a dedicated override article—ensuring transparency and fiscal control. The current version lacks these details, requiring all new positions to receive Town Meeting funding without distinguishing types or methods of funding. Overall, the revision enhances flexibility while reinforcing financial oversight.

**RECOMMENDATION # 4 – CHARTER REVIEW COMMITTEE TO THE TOWN OF TRURO  
SELECT BOARD FOR CONSIDERATION IN THE 2025 WARRANT**

**NOTE:** On 01/22/2025 this motion passed 4-0 (with one CRC member did not attend).

## **5-5-4**

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Note: The highlighted portion is the new proposed language.

## **5-5-4 Explanation:**

The proposed revision to charter section 5-5-4 adds two key clarifications. First, it introduces an exception for **budget-neutral reorganizations**, allowing them to proceed without Town Meeting funding, which promotes administrative efficiency. Second, it **specifies how new positions must be funded**—either **~~as an explicit line item~~ explicitly** in the omnibus **~~expense~~** budget (**such as in the explanation section or a footnote**) or through a dedicated override article—ensuring transparency and fiscal control. The current version lacks these details, requiring all new positions to receive Town Meeting funding without distinguishing types or methods of funding. Overall, the revision enhances flexibility, while reinforcing financial oversight.



# TOWN OF TRURO

## Select Board Agenda Item

**DEPARTMENT:** Administration

**REQUESTOR:** Kelly Clark, Assistant Town Manager, and Alex Lessin, Finance Director

**REQUESTED MEETING DATE:** April 2, 2025

**ITEM:** Discussion and Possible Votes on Town Meeting Warrant Articles, Comments/Explanations and Select Board Message

**EXPLANATION:** Attached for review, discussion, and vote to recommend are articles from the Annual Town Meeting Warrant.

The following articles remain for the Select Board's vote to recommend:

- Article 1: FY2026 Omnibus Budget Appropriation
- Article 3, Section 6: TO THE CAPITAL STABILIZATION FUND (FOR AMBULANCE ROLLING STOCK)
- Article 3, Section 7: TO THE OPERATING CAPITAL ACCOUNT
- Article 3, Section 11: TO FUND TOWN SEAL DESIGN SERVICES
- Article 3, Section 12: TO FUND ZONING BYLAW CONSULTING SERVICES
- Article 3, Section 13: TO ESTABLISH A SENIOR PERKS PILOT PROGRAM
- Article 3, Section 14: TO FUND A PUBLIC SAFETY STAFFING ANALYSIS
- Article 3, Section 15: TO REPAY FEMA AND CARES ACT MONIES
- NEW! Article 3, Section 15: TO PAY THE COSTS OF PROCURING DEVICES FOR A PILOT TEST OF ELECTRONIC VOTING AT ANNUAL TOWN MEETING 2026
- Article 10: Borrowing Authorization for Environmental Remediation at Town Hall Hill Site
- Article 11: Borrowing Authorization for Pond Road Stormwater Infrastructure Improvements Design and Engineering
- Article 12: Borrowing Authorization for Additional Funding for HVAC and Roof Repairs at Truro Central School

- Article 13: Borrowing Authorization for Solar Electricity Generation Systems
- Article 14: Reconveyance of Lot O-6A in the Natural Burial Area of the Old North Cemetery
- Article 15: Acceptance of Massachusetts General Law: Chapter 40, Section 3, Paragraph 2 (Establishing an Account for the Upkeep and Maintenance of Town Facilities)
- Article 27: Acceptance of M.G.L. Chapter 23B, §32(b) Seasonal Communities
- Article 29: Acquisition of Road Widening Easements for Herring River Restoration Project from Cape Cod National Seashore
- Article 30: Add New Section 4-4-3 to General Bylaws and Amend Appendix A
- Article 31: Amend General Bylaws Chapter IV Public Safety to Add New Section 8 Curb Cuts
- Article 34: Home Rule Petition for Pesticide Reduction Bylaw

Finance Director Alex Lessin will provide updated information on the omnibus budget, free cash articles, and operating capital budget. In addition to its votes to recommend, the Board may wish to offer comments/ explanations to include in the warrant.

Staff offers a few notes on specific articles:

Article 27: Acceptance of M.G.L. Chapter 23B, §32(b) Seasonal Communities

Senator Cyr reported that Executive Office of Housing and Livable Communities Secretary Ed Augustus will be on Cape on Monday, April 7, 2025 and noted that there would be an opportunity to ask questions about this legislation.

Article 3, Section 15: TO PAY THE COSTS OF PROCURING DEVICES FOR A PILOT TEST OF ELECTRONIC VOTING AT ANNUAL TOWN MEETING 2026

To fund the advisory vote on using electronic voting devices in a pilot program, this is a new section of the free cash article that will provide funding for the electronic voting devices and related technical services.

Article 30: Add New Section 4-4-3 to General Bylaws and Amend Appendix A

Legal review for this article has been ongoing to ensure it comports with the correct sections of MGL. If Town Counsel has any changes, they may be shared during the meeting.

Article 38: Home Rule Petition to Amend the Terms of the Truro Housing Authority

At the advice of Town Counsel, staff recommends withdrawing this home rule petition from the warrant because it will need substantial work to comport with a newer state legislative requirement that the Housing Authority's membership include a Tenant Board Member.

The articles have been reviewed by Town Counsel. A final review will continue right up until the warrant goes to the printer. Non-substantive changes recommended by Counsel and formatting may occur after today's vote.

The form of vote is positive, motion to recommend, and will be recorded in the warrant as # of yes votes - # of no votes - # of abstentions in favor, e.g. 5-0-0 in favor. Once the votes are completed, they will be added to the draft Warrant. Article numbers may change as the Warrant is finalized if articles are removed or added by the Board.

In addition to votes to recommend the Board is also asked to provide guidance on any Select Board Comments/ Explanations that should be included in the Warrant. One such article for Select Board Comment may be the Walsh Overlay article. The Board is also asked to review the Select Board Message and provide any changes.

**SUGGESTED ACTION:**

*Motion to recommend {insert article title here} as printed.*

*Motion to approve the Select Board Message as printed.*

*Motion to add a Select Board Comment/ Explanation for Article {insert article title here}.*

**ATTACHMENTS:**

1. Staff Memo: Considerations for accepting Seasonal Communities designation
2. Seasonal Communities MGL
3. Draft Town Meeting Articles and Select Board Message



## STAFF MEMORANDUM

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To: Truro Select Board

From: Barbara Carboni, Town Planner and Land Use Counsel

Date: March 16, 2025

Re: Considerations for accepting Seasonal Communities designation

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The Select Board is considering inclusion of a warrant article accepting the Seasonal Communities designation contained in G.L. c. 23B, s. 32. Below is a summary of the statutory provisions and issues raised for the Board's consideration.

**1. Powers.** Sections G.L. c. 23B, s. 32(d) and (f) set out six powers that may be exercised by a seasonal community. Of these, four are already lawful, even if not specifically called out elsewhere:

- to acquire year-round housing occupancy restrictions for rental or other housing
- to acquire and develop housing units with preference for public employees essential for municipal operations
- to expend funds to develop a comprehensive housing needs assessment
- to expend funds for creation/preservation of year-round housing for individuals who produce or support artistic and literary activities

Two are new:

- to increase the Residential Tax Exemption (RTE) up to 50% (current maximum is 35%).
- to establish a Year-Round Housing Trust Fund to create/preserve affordable and attainable housing for benefit of year-round residents.

Any Year-Round Housing Trust Fund established under the statute will be subject to regulations "pertaining to the membership, powers and duties of the trust" promulgated by the Executive Office of Housing and Livable Communities. (OHLC) G.L. c. 23B, s. 32(d)(iv).

**2. Undersize lots for attainable housing.** Acceptance of seasonal communities designation will require the Town to adopt a zoning bylaw "to permit undersized lots to be used for the creation of attainable year-round housing." G.L. c. 23B, s. 32(e)(i).

- The term "undersized lot" is not defined. No minimum lot size is established. Possibly, regulations promulgated by OHLC will establish a minimum lot size, which may or may not be consistent with the analogous provision of Truro's Zoning Bylaw.<sup>1</sup>

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<sup>1</sup> The Town's Zoning Bylaw currently allows "Attainable Housing on Undersized Lots," defining an undersized lot as one "smaller than the minimum lot size for the zoning district" and requiring

- Lot frontage is not addressed. This may be interpreted as meaning that there is no minimum frontage requirement for an undersized lot.<sup>2</sup>
- The only dimensional requirement imposed is a municipality's Floor Area Ratio (FAR). Truro has none.<sup>3</sup>
- There is no requirement that the undersized lot be a lot in existence at the time of the passage of the legislation or adoption of the designation - that is, no requirement that the undersized lot be pre-existing.
- Because there are neither lot area/frontage minimums nor a requirement that an undersized lot be pre-existing, acceptance of the seasonal communities designation may mean that the owner of a lot exceeding 33,750 square feet may create a new lot of any dimension, with or without frontage, for construction of an attainable housing unit. (The remaining lot must meet the Bylaw minimum under existing law)

**3. Movable Tiny Houses.** A seasonal community must adopt bylaws permitting the construction of tiny houses (note, these are not currently prohibited by Truro's Zoning Bylaw).

- The definition of "tiny house" in the statute is "a detached structure containing a dwelling unit containing 400 square feet or less in floor area, excluding lofts." G.L. c. 23B, s. 32(e).
- The statute further provides that "[a] movable tiny house shall be registered with the registry of motor vehicles as applicable." G.L. c. 23B, s. 32(e)(ii).
- There is no separate definition of "movable tiny house."
- Based on the above language regarding registration with the RMV, it appears that a seasonal community must allow motor homes/trailer homes conforming to the statutory definition of "tiny house."

The Town's Zoning Bylaw currently prohibits occupation of trailer homes except for a limited period during reconstruction of a dwelling following catastrophe. Section 30.1(B).

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10,000 sq.ft of contiguous upland area. See s. 40.8(C) and s. 40.8(F)(2). The Town's Bylaw would most likely need to conform to the dimensional requirements of any regulation promulgated by OHLC.

The income levels associated with "attainable housing" will be set by OHLC." G.L. c. 23B, s. 32(a). The Truro Bylaw definition of "attainable" is at or below 100% of Barnstable County Area Median Income. Section 40.8(B).

<sup>2</sup> By contrast, G.L. c. 40A, s. 6 protects *pre-existing* lots having a minimum lot size of 5,000 sq ft and minimum frontage of 50 feet. Truro's Attainable Housing on Undersized Lots Bylaw requires that the lot be pre-existing. See s. 40.8(D)

<sup>3</sup> The statute does not require that attainable housing built on an undersized lot be a "tiny house." It's not clear how the Zoning Bylaw's Residential Gross Floor Area requirements, which are tied to a minimum lot size of 33,750 square feet, would interact with the seasonal communities statutory requirements.

**4. Application for waiver.** A seasonal community may apply to OHLC for a waiver of any statutory requirement. G.L. c. 23B, s. 32(g). There are no assurances that any such requests would be granted; the Town should assume that all statutory requirements will apply.

**5. State regulations.** A municipality that adopts the seasonal communities designation will be subject to any regulations promulgated by OHLC. Such regulations may or may not be consistent with Truro's vision. The agency issued a Guidance document in December 2024, but it does not contain any preview of regulations.

MGL Chapter 23B, Section 32

From the Acts 2024, c. 150

Section 32. (a) For the purposes of this section “year-round housing”, shall mean housing for occupancy by persons or families who occupy either rental or other housing as their principal residence for not less than 10 months a year and “attainable housing” shall mean housing that is affordable for year-round residents with incomes under a level set by the undersecretary in consultation with the seasonal communities advisory council.

(b) The secretary may designate a municipality as a seasonal community; provided, however, that all municipalities in the counties of Dukes and Nantucket and all municipalities with over 35 per cent seasonal housing units in the county of Barnstable, as determined by the executive office in consultation with the Cape Cod commission established in chapter 716 of the acts of 1989 and all municipalities with more than 40 per cent seasonal housing units in the county of Berkshire, as determined by the executive office in consultation with the Berkshire regional planning commission, shall receive such designation. The executive office may designate additional municipalities as seasonal communities based on consideration of the following factors: (i) a high rate of short-term rentals in relation to the overall housing inventory; (ii) a significant population increase in seasonal visitors; (iii) an excessive disparity between the area median income and the income required to purchase the municipality’s median home price; (iv) the percentage of housing stock that is used for seasonal, occasional or recreational use or is otherwise not used as a primary residence by the property’s owner; and (v) high variations in the average monthly variation of employment in the sector over the full year, in relation to the municipality’s minimum employment threshold. A municipality designated by the executive office as a seasonal community pursuant to this section shall accept or deny the designation by vote of its legislative body. The secretary shall consult with the advisory council established in subsection (c) to review additional municipalities under consideration to receive the seasonal community designation.

(c) The executive office shall convene an advisory council to offer expertise in issues pertaining to municipal government, the hospitality industry, the tourism industry, housing law and housing development and finance in seasonal communities. The council shall consist of: the secretary or a designee, who shall serve as chair; 1 member of the senate appointed by the senate president, who represents a district in which at least 1 municipality is designated as a seasonal community; 1 member of the house of representatives appointed by the speaker of the house of representatives, who represents a district in which at least 1 municipality is designated as a seasonal community; 1 person appointed by the Massachusetts Municipal Association, Inc.; and the following persons to be appointed by the secretary: 1 person who shall be a representative of the developer community and is a resident of a municipality designated as a seasonal community; 1 person who shall be a licensed real estate agent with

the board of registration of real estate brokers and salespersons and is a resident of a municipality designated as a seasonal community; 1 person to represent each regional planning agency whose jurisdiction encompasses at least 1 municipality designated as a seasonal community; 1 licensed attorney who practices in the area of land use and who is a resident of a municipality designated as a seasonal community; and 1 person who shall be a representative of the lending and banking community and who is a resident of a municipality designated as a seasonal community. The secretary may appoint additional members with knowledge and with expertise in land use law, fair housing law, municipal law and operations or the housing needs of seasonal communities. The council shall adopt by-laws to govern its affairs. The council shall provide advice and recommendations to the executive office regarding policies or programs necessary to serve the distinct needs of seasonal communities, including, but not limited to, accessing specialized or general application grant programs and best practices on incentivizing the production of attainable year-round housing in seasonal communities. Annually, not later than December 31, the council shall submit a report of any recommendations to the executive office, the clerks of the house of representatives and the senate and the joint committee on housing.

The executive office shall review, on an as-needed basis, the ongoing needs of municipalities designated as seasonal communities and may deny a municipality's continued seasonal community designation based on the municipality's ongoing needs and eligibility.

(d) A seasonal community may: (i) acquire year-round housing occupancy restrictions for rental or other housing; provided, however, that any such year-round housing occupancy restriction held by a city or town shall be construed as a restriction held by a governmental body with the benefit of section 26 of chapter 184; (ii) acquire and develop housing units with preference for housing seasonal community public employees that are necessary to the health and safety of maintaining a year-round community, including teachers, public works employees, public safety employees, first responders, town administrators and other employees essential for municipal operations as described under section 42(g)(9)(B) of the Internal Revenue Code; (iii) expend funds to develop, on a biannual basis, a comprehensive housing needs assessment; (iv) establish a Year-Round Housing Trust Fund, individually or with other seasonal communities, to provide for the creation and preservation of affordable and attainable housing in seasonal communities for the benefit of year-round residents; provided, however, that the executive office of housing and livable communities, in consultation with the seasonal communities advisory council established in subsection (c), shall promulgate regulations pertaining to the membership, powers and duties of the trust; and (v) expend funds designated for the creation and preservation of year-round affordable and attainable housing for individuals who, by vocation, produce or support artistic and literary activities.

(e) For the purposes of this section, "tiny house" shall mean a detached structure containing a dwelling unit containing 400 square feet or less in floor area, excluding lofts. A seasonal

community shall: (i) adopt by-laws or zoning ordinances to permit undersized lots to be used for the creation of attainable year-round housing; provided, however, that the lot, at the time of recording or endorsement, shall be located in a zoning district that allows for single-family residential use; provided further, that any single-family residential structure constructed on said lot shall adhere to the municipality's floor area ratio by-laws and shall comply with all laws governing wastewater and sewer systems; and provided further, that any residential housing built upon undersized lots shall not be used as a seasonal home or short-term rental of less than 6 months and shall be used as year-round housing; and (ii) adopt by-laws to permit the construction of tiny houses provided that such tiny houses are designated for use as year-round housing units and meet all requirements of the state building code and local building code. A movable tiny house shall be registered with the registry of motor vehicles, as applicable.

(f) A seasonal community may increase the exemption established in section 5C of chapter 59, at the option of the board of selectmen in a town or the mayor, with the approval of the city council, in a city 50 per cent of the average assessed value of all Class One, residential parcels within such city or town; provided, however, that the exemption shall be applied only to the principal residence of the taxpayer as used by the taxpayer for income tax purposes.

(g) A seasonal community designated pursuant to this section may apply to the executive office of housing and livable communities for a waiver from any of the requirements of this section. In deciding whether to grant the municipality's request for a waiver, the executive office may consider whether the requirements of this section can reasonably be carried out by existing town staff or a regional staff person performing equivalent duties.

(h) The executive office shall promulgate regulations or guidance to carry out this section.

# Annual Town Meeting – Saturday, May 3, 2025

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## Message from the Select Board

Dear Truro Voter:

Last year's Town Meeting and Special Town Meeting turned out an unprecedented voter count, likely making these meetings the largest in Truro's history. Thanks to detailed planning efforts of staff and officials, the leadership of our Town Moderator, and the flexibility of our citizenry, the meeting was widely regarded as a success. This year's meeting logistics are very similar with just minimal improvements to better bring our legislative branch together under one roof (tent) to make important decisions for our town.

As prescribed by the Charter, the warrant was prepared under the direction of the Select Board. Last year the warrant featured two consent agendas and the bundling of free cash articles in an effort to move through the two meetings as efficiently as possible. This year, with less articles to consider and only one Town Meeting scheduled, the warrant features only one consent agenda for customary and housekeeping articles, and the Transfer of Funds from Free Cash articles are separated out as sections as they were in 2023 and earlier.

A series of operating budget articles are presented at the start of the Warrant and include the omnibus budget appropriation, free cash transfers for current year expenses related to snow removal, and free cash transfers for the upcoming fiscal year. These free cash transfers are typically used for non-recurring or short-term expenses, or to put money away for larger purchases, "rainy day" savings (general stabilization fund), or long-term liabilities (OPEB). Included in the omnibus budget article is funding for the Human Resources Coordinator position that was approved at the 2024 Annual Town Meeting but defeated at the 2024 Annual Town Election. Other key areas of this year's omnibus budget are the reserve for collective bargaining negotiations, sand to mitigate coastal erosion, Outer Cape Nurse funding and funding for the Library teen room and support staff. This year, the Board and staff introduced a digital budget book which serves as an interactive tool for the public to view details of the fiscal year 2026 budget (available here: <https://www.truro-ma.gov/budget-task-force/links/cleargov-budget-portal>). Further, the Town continued to offer the Budget Comment submittal portal where citizens could submit questions or comments on the FY2026 budget.

Following the operating budget articles, the Financial Articles section of the warrant includes four borrowing authorizations for per- and polyfluoroalkyl substances (PFAS) remediation at Town Hall Hill Site, architectural and engineering services for Pond Road stormwater infrastructure improvements, solar electricity generation systems to be installed on Town-owned property, and additional funding for HVAC and Roof repairs at the Truro Center School that will augment the borrowing authorized at the 2024 Annual Town Meeting. This section also includes a refund and reconveyance of a cemetery plot and acceptance of a Massachusetts General Law paragraph that will allow the Town to keep a fund for collecting rental fees for and expending for the maintenance of Town-owned buildings/homes.

Eight Community Preservation Act articles are included in the warrant as stand-alone articles and three Charter Amendment articles were recommended by the Charter Review Committee and included in the warrant by the Select Board. Two of these articles specify how members of the Select Board and board and committee chairs deal with department heads. The third specifies a time frame for holding Annual Town Meeting.

Acceptance of the Commonwealth's Seasonal Community Designation and the acceptance of a statute that allows the Town to close any public office on a Saturday round out the Massachusetts General Law Section. A Land Conveyance article authorizing the Select Board to acquire easements on parcels of Cape Cod National Seashore Land as part of the Herring River Restoration Project so that Town roads can be raised follows.

Two General Bylaw Amendments are proposed to voters. The first increases beach parking fines to make them more proportionate to the permit fees. The second is a revised version of the Curb Cut Bylaw originally proposed at the 2023 Special Town Meeting that was indefinitely postponed.

The product of the thoughtful work completed by the Ad Hoc Zoning Task Force, in consultation with the Ad Hoc Walsh Property Advisory Committee, staff and a consultant, is a Zoning Bylaw Amendment creating a Walsh Overlay District. This Overlay district overs the necessary zoning framework for the Town to pursue the

recommendations for the property approved at the 2023 Special Town Meeting. Another Zoning Bylaw Amendment proposed by the Planning Board will require that communication towers be designed to conform to building requirements of the State Building Code. The amendment also adds a requirement that an onsite (rather than desktop) structural rating analysis by a structural engineer licensed in Massachusetts be submitted when modifications to an existing tower (typically an equipment swap-out) result in an increased structural load. The amendment further assigns a “Risk Factor/Structure Class” rating to the town’s existing towers.

A new home rule petition for a Pesticide Reduction Bylaw similar to those petitions submitted by other Cape communities is proposed. A home rule petition for a Real Estate Transfer fee not acted upon by the legislature and originally approved by Town Meeting voters at the 2019 Annual Town Meeting and again at the 2022 Annual Town Meeting is once again in front of voters so that the legislature can again be petitioned.

An advisory article will present voters with the option to recommend pursuing an electronic voting pilot test at the 2026 Annual Town Meeting. This article addresses Objective #4 of the Select Board’s FY2025 Goals & Objectives.

Four citizen-petitioned articles were presented for this year’s Annual Town Meeting Warrant: an article requiring 100% of free cash to be applied to stabilizing the tax rate; the acceptance of a Massachusetts General Bylaw that allows the town to plow private roads; a Charter amendment prohibiting Finance Committee members from holding appointed office in the Town of Truro; and non-binding resolution to establish a project cost cap and schematic design requirements for a new DPW.

Absent from this year’s Town Meeting warrant is an article requesting a borrowing authorization for a new public works facility. With the level of uncertainty regarding the true cost of the project, the Select Board decided that the best path forward is to bid the construction process, select the bid, and then to prepare a Town Meeting article that is based on the actual bid amount. This eliminates the uncertainty of how much the project will cost and allows construction to move forward almost immediately after voters approve the project at Town Meeting and at the ballot. The Board looks forward to presenting this article at the 2026 Annual Town Meeting article and providing information to and soliciting feedback from the citizens over the next year.

Much like the logistical challenges that we faced holding the Town Meetings last year, this year poses significant logistical challenges to accommodate these higher turnout numbers. We thank you in advance for your patience and adherence to directions to maintain order throughout the meeting. We look forward to seeing you all for what we hope is a well-attended Town Meeting.

*Truro Select Board*

Susan Areson, Chair

Robert Weinstein, Vice-Chair

Nancy Medoff, Clerk

Stephanie Rein

Susan Girard-Irwin

**GREETINGS:**

***In the name of the Commonwealth, you are hereby required to warn the inhabitants of the Town of Truro qualified to vote in town affairs, to meet at the Truro Central School, 317 Route 6, Truro, MA 02666, on Saturday, May 3, 2025 at 10:00 AM, then and there, to vote on the following articles:***

**OPERATING BUDGET ARTICLES****Article 1: FY2026 Omnibus Budget Appropriation**

To see if the Town will vote to raise and appropriate and transfer from available funds the sum of Twenty-eight Million, Seven Hundred Ninety-six Thousand, Four Hundred Forty-four Dollars and Zero Cents (\$28,796,444.00) to defray the expenses and charges of the Town of Truro in Fiscal Year 2026 (the period from July 1, 2025 through June 30, 2026), including the costs of public education, debt service and interest payments, and to meet said appropriation by the following means:

Source	Amount
Raise through taxation	\$27,700,791.00
Transfer from Beach Receipts Reserved for Appropriation	\$465,000.00
Transfer from Pamet Harbor Receipts Reserved for Appropriation	\$88,000.00
Transfer from Recreation Receipts Reserved for Appropriation	\$11,400.00
Transfer from Conservation Commission Receipts Reserved for Appropriation	\$10,000.00
Transfer from Educational/Governmental Programming Access Fund	\$156,253
Transfer from Ambulance Receipts Reserved for Appropriation	\$365,000.00

or to take any other action relative thereto.

Requested by the Select Board

*Explanation: The proposed Fiscal Year 2026 Operating Budget can be found as Appendix A in the Annual Town Meeting Warrant. The Budget format contains the expenditure figures for Fiscal Year 2024, appropriation figures for Fiscal Year 2025, and Town Departments, Finance Committee and Select Board Fiscal Year 2026 recommendation. Please refer to the Select Board's Message to the voters on page 4 and the Finance Committee's Message on page 7.*

Finance Committee Recommendation			
Select Board Recommendation			

**Article 2: Amendments to the FY2025 Operating Budget Funded by Free Cash**

To see if the Town will vote to appropriate from available funds (Free Cash) such sums of money necessary to supplement the operating budgets of the various Town departments for the current Fiscal Year 2024-2025 (FY2025)

FROM	TO	AMOUNT
Free Cash	Snow Removal	\$65,000.00
To balance the FY2025 budget for emergency snow and ice removal operations.		
<b>TOTAL</b>		<b>\$65,000.00</b>

or to take any other action relative thereto.

Requested by the Finance Director

*Explanation: This is a customary article included in each Annual Town Meeting Warrant to address any legal overdrafts (Snow Removal) and supplemental adjustments to current year appropriations. This year's request includes a transfer for the purpose of balancing the snow removal overdraft that occurred during the winter of 2024/2025.*

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

**Article 3: Transfer of Funds from Free Cash****SECTION 1: TO REDUCE OR STABILIZE THE FY2026 TAX RATE**

To see if the Town will vote to transfer Six Hundred Thousand Dollars and no cents (\$600,000.00) from Free Cash to reduce or stabilize the FY2026 Tax Rate, or to take any other action relative thereto.

Requested by the Select Board

*Explanation: This is a customary article that transfers funds to offset the tax rate for the upcoming fiscal year. Annually, the Select Board uses certified Free Cash (unexpended funds) as a revenue source to reduce the impact on the tax rate. Last year, \$700,000.00 of Free Cash was used to offset the tax rate. Staff recommends gradually reducing the amount of Free Cash used in this manner in an effort to prepare for years that less Free Cash is available. For this reason, staff recommends transferring \$600,000.00 of Free Cash to stabilize the FY2026 tax rate.*

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

**SECTION 2: TO THE OPEB TRUST FUND**

To see if the Town will vote to transfer the sum of Four Hundred Thousand Dollars and no cents (\$400,000.00) from Free Cash to the Other Post-Employment Benefits (OPEB) Trust Fund, or take any other action relative thereto.

Requested by the Select Board

*Explanation: This is a customary article that began at the 2014 ATM to transfer funds into the Other Post-Employment Benefits (OPEB) Trust Fund to cover further liability in accordance with government accounting standards. This year's proposal is to transfer four hundred thousand dollars (\$400,000.00). The balance as of {{DATE}} in the fund is \${{X.XX}}.*

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

**SECTION 3: TO THE CAPITAL EXPENSE STABILIZATION FUND**

To see if the Town will vote to transfer the sum of One Hundred Thousand Dollars and no cents (\$100,000.00) from Free Cash to the Capital Expense Stabilization Fund, or take any other action relative thereto.

Requested by the Select Board

*Explanation: This is a customary article that began at the 2016 ATM to transfer funds into the Capital Expense Stabilization Fund to plan for significant capital purchases that will occur several years in the future. Rather than waiting and appropriating or borrowing the entire sum in one year, this fund will allow us to reserve, with Town Meeting approval, incremental sums of money over time. When the project or purchase is ready to be funded, a Town Meeting vote will be required to appropriate the funds. This year's recommended transfer from Free Cash is \$100,000. The balance as of {{DATE}} in the fund is \${{X.XX}}.*

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

**SECTION 4: TO THE STABILIZATION FUND**

To see if the Town will vote to transfer the sum of One Hundred Thousand Dollars and no cents (\$100,000.00) from Free Cash to the Stabilization Fund, or take any other action relative thereto.

Requested by the Select Board

*Explanation: This transfer will add funds to the Town's Stabilization Fund, which helps the Town maintain its strong bond rating and provides a 'rainy day fund.' The balance as of {{DATE}} in the Stabilization Fund is \${{X.XX}} or {{X.X}}% of the proposed FY2024 Operating Budget. This transfer will bring the Town closer to the Government Finance Officers Association's recommended 6-10% of operating expenditure budget for the Stabilization Fund.*

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

**SECTION 5: TO THE GENERAL FUND RESERVE FUND**

To see if the Town will vote to transfer the sum of One Hundred Twenty-five Thousand Dollars and no cents (\$125,000.00) from Free Cash to the Reserve Fund (01013257) to be available for extraordinary or unforeseen expenditures in Fiscal Year 2026, or take any other action relative thereto.

Requested by the Select Board

*Explanation: In accordance with MGL Chapter 40, Section 6, the Reserve Fund is a sum of money appropriated at Town Meeting to be used for “extraordinary or unforeseen expenditures.” The Finance Committee approves or denies Reserve Fund Transfer requests in accordance with Massachusetts General Law and Truro Select Board Policy #42. In recent years, Town Meeting has appropriated \$100,000.00 in the Omnibus Budget to the Reserve Fund. This year, similar to last year, \$100,000.00 is included in the FY2026 Omnibus Budget and \$125,000.00 of Free Cash is requested to bring the FY2026 Reserve Fund total to \$225,000.00. This request brings the reserves of the Town more in line with Government Finance Officers Association recommendations.*

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

**SECTION 6: TO THE CAPITAL STABILIZATION FUND (FOR AMBULANCE ROLLING STOCK)**

To see if the Town will vote to transfer the sum of Seventy-Five Thousand Dollars and no cents (\$75,000.00) from Free Cash to the Capital Stabilization Fund, or take any other action relative thereto.

Requested by Town Administration

*Explanation: This article is a customary annual article allocating \$75,000.00 to the Capital Stabilization Fund to plan for a future ambulance purchase.*

Finance Committee Recommendation			
Select Board Recommendation			

## SECTION 7: TO THE OPERATING CAPITAL ACCOUNT

To see if the Town will vote to transfer the sum of Seven Hundred Seventy Thousand Dollars and no cents (\$770,000.00) from Free Cash to the Operating Capital Account (010133), for the following projects and anything incidental or related thereto, as follows:

FROM	TO	AMOUNT
Free Cash	Heavy Duty Equipment Trailer	\$50,000.00
For public works department trailer replacement.		
Free Cash	Town Facility Evaluation Architecture and Engineering Consulting Services	\$200,000.00
To conduct an evaluation of Town-owned facilities to plan and identify maintenance long-term needs to help increase the life expectancy of the buildings.		
Free Cash	Technology Upgrade	\$25,000.00
For Truro Central School's annual investment in upgrading technology.		
Free Cash	Gym Floor Refinishing and Pickleball Court Installation	\$25,000.00
For refinishing of the Truro Central School gymnasium floor and the installation of pickleball courts.		
Free Cash	Accessible Means of Egress at Truro Public Library	\$60,000.00
To install an accessible means of egress in the basement/first floor of the Truro Public Library.		
Free Cash	Engineering/ Remodeling at Town-owned Housing	\$50,000.00
For engineering and remodeling work at Town-owned housing (71 North Pamet Road and 25 South Highland Road).		
Free Cash	Engineering/ Implementation for Wastewater & Stormwater	\$50,000.00
For engineering and implementation of wastewater and stormwater mitigation.		
Free Cash	Permitting Costs for 10-Year Comprehensive Dredge Permit and Dredging	\$40,000.00
For permit preparations and engineering required for the next Pamet Harbor dredge permit and for dredging.		
Free Cash	Strategic Infrastructure Planning Costs	\$120,000.00
For developing a plan linking the Local Comprehensive Plan with Capital Improvement Plan and public infrastructure planning, including conceptual design, planning, and engineering work on major infrastructure projects.		
Free Cash	Master Planning and Evaluation for Public Water Supply Well and Water Storage Tank	\$150,000.00
For initial long-term master planning and evaluation for public water supply well and water storage tank.		
<b>TOTAL</b>		<b>\$770,000.00</b>

or take any other action relative thereto.



## Requested by the Select Board

*Explanation: This article proposes the use of free cash for capital and planning costs beyond those included in the Operating Capital Budget for the purposes outlined.*

Finance Committee Recommendation			
Select Board Recommendation			

## SECTION 8: TO THE EMPLOYEE BENEFIT ACCOUNT

To see if the Town will vote to transfer the sum of One Hundred Thousand Dollars and no cents (\$100,000.00) from Free Cash to the Employee Benefits and Reserve Account (01015351), or take any other action relative thereto.

## Requested by Town Administration

*Explanation: This article will provide the funding to honor employment contracts (\$50,000.00) for long-time employees that retire or separate from the Town and will also continue the \$50,000.00 "signing bonus" program to assist in the recruitment of personnel for vacant non-School positions, particularly vacant positions in public safety.*

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

## SECTION 9: TO PAY THE COSTS OF RECORDS ACCESS CONSULTING/ GENERAL TOWN CLERK SUPPORT

To see if the Town will vote to transfer the sum of Forty Thousand Dollars and no cents (\$40,000.00) from Free Cash to the Town Clerk Services Budget (0101615200), for the purpose of providing the Town Clerk with additional temporary staff to assist with responding to public records requests and other functions, or take any other action relative thereto.

## Requested by Town Administration

*Explanation: This transfer will fund consulting services as a temporary measure for the FY2026 fiscal year to support the Town Clerk and Administrative staff to mitigate the increasing volume of public records requests and to support the Town Clerk functions while a more thorough assessment of workload trends is assessed. {{ADD DATA}}*

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

**SECTION 10: TO FUND THE CLIMATE ACTION COORDINATOR POSITION**

To see if the Town will vote to transfer the sum of Forty Thousand Dollars and no cents (\$40,000.00) from Free Cash to the Health/ Conservation Department Salary and Wages Budget (0105115100) to fund wages and benefits of the Climate Action Coordinator position, or take any other action relative thereto.

Requested by Town Administration

*Explanation: These funds will supplement projected solar revenues to pay the costs associated with the Climate Action Coordinator until revenues are realized. The position is currently filled and the Climate Action Coordinator is moving a number of projects of the Climate Action and Energy Committees forward, and is actively seeking grant opportunities to fund climate action work in Truro.*

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

**SECTION 11: TO FUND TOWN SEAL DESIGN SERVICES**

To see if the Town will vote to transfer the sum of Ten Thousand Dollars and no cents (\$10,000.00) from Free Cash to the Select Board Services Budget (01012252) to fund graphic design services for the new town seal, or take any other action relative thereto.

Requested by the Select Board

*Explanation: The Ad Hoc Town Seal Committee was established by the Select Board in 2024 after Town Meeting voted favorably on Article 39: Advisory Vote to Establish a Town Seal Committee at the 2024 Annual Town Meeting. This funding will support the graphic design work of the Committee. A future article at a subsequent town meeting will request the funds needed to implement a new town seal (i.e. costs to replace existing town seal with the new town seal).*

Finance Committee Recommendation			
Select Board Recommendation			

**SECTION 12: TO FUND ZONING BYLAW CONSULTING SERVICES**

To see if the Town will vote to transfer the sum of Forty-five Thousand Dollars and no cents (\$45,000.00) from Free Cash to the Planning Department Services Budget (01017552) to fund Zoning Bylaw consulting services, or take any other action relative thereto.

Requested by the Select Board

*Explanation: The Ad Hoc Zoning Task Force is charged with proposing ways to increase housing opportunities, housing production and economic development. This funding will be used to procure a consultant to assist the Task Force with preparing Zoning Bylaw amendments based on the Local Comprehensive Plan, the Housing Production Plan and the goals identified in the Task Force's charge.*

Finance Committee Recommendation			
Select Board Recommendation			

**SECTION 13: TO ESTABLISH A SENIOR PERKS PILOT PROGRAM**

To see if the Town will vote to transfer the sum of Sixty Thousand, Four Hundred Dollars and no cents (\$60,400.00) from Free Cash, including Thirty Nine Thousand Three Hundred Dollars (\$39,300) to Amend the FY2025 Operating Budget to the Select Board Services Budget (01012252) and Twenty One Thousand Twenty Dollars (\$21,020) to the Select Board Services Budget in FY20206 to fund a Senior Perks Pilot Program, or take any other action relative thereto.

Requested by the Select Board

*Explanation: The Select Board and Board of Health (the respective fee setting bodies for beach parking permits and Transfer Station permits) reviewed the staff analysis of the Senior Perks Pilot Program and voted to pursue a one-year pilot program offering discounted beach parking and Transfer Station permits for individuals over the age of 65 that meet the criteria identified to participate in the program. Similar to the Childcare Voucher program, the Senior Perks program will begin as a pilot program in its first year to collect data about use of the program, budgetary impacts, and program policies.*

Finance Committee Recommendation			
Board of Health Recommendation			
Select Board Recommendation			

**SECTION 14: TO FUND A PUBLIC SAFETY STAFFING ANALYSIS**

To see if the Town will vote to transfer the sum of Fifty Thousand Dollars and no cents (\$50,000.00) from Free Cash to the Town Administration Services Budget (01012952) to fund a public safety staffing analysis, or take any other action relative thereto.

Requested by the Select Board

*Explanation: Both the police and fire departments have identified the need for increased staffing and/or changes to the organizational structure of the department. A study of best practices, organizational structures, and call volumes will help determine what, if any, staffing adjustments are needed and how to minimize budgetary impacts of future staffing adjustments.*

Finance Committee Recommendation			
Select Board Recommendation			

**SECTION 15: TO REPAY FEMA AND CARES ACT MONIES**

To see if the Town will vote to transfer the sum of Sixty-two Thousand, Eight Hundred Thirty-seven Dollars and no cents (\$62,837.00) from Free Cash to Fund 0019 ("C-19 FEMA") and Fund 0020 ("CARES Act") to repay monies charged to the funds for COVID-19 expenditures, or take any other action relative thereto.

Requested by the Select Board

*Explanation: The town must repay monies charged to FEMA and CARES Act allocations during the COVID-19 pandemic that were not covered by these grants. The repayment is split between FY26 and FY27 in order to meet the state mandated deadline to repay all funds in full by next year.*

Finance Committee Recommendation			
Select Board Recommendation			

**SECTION 16: TO PAY THE COSTS OF PROCURING DEVICES FOR A PILOT TEST OF ELECTRONIC VOTING AT ANNUAL TOWN MEETING 2026**

To see if the Town will vote to transfer the sum of Twenty Thousand Dollars and no cents (\$20,000.00) from Free Cash to Annual Town Report/ Annual Town Meeting Services Budget (01019552) to pay the costs of procuring electronic voting devices and related services for a pilot test of using electronic voting at the Annual Town Meeting 2026, or take any other action relative thereto.

Requested by the Select Board

*Explanation: Article XX is an advisory vote to recommend a pilot test for electronic voting at Annual Town Meeting 2026. This article is a funding mechanism to procure the electronic voting devices (and the technical services required for implementation. Price quotes were requested and the motion on Town Meeting floor may be a sum less than the figure in this article based on the dollar value of the quote.*

Finance Committee Recommendation			
Select Board Recommendation			

**CONSENT AGENDA: CUSTOMARY & HOUSEKEEPING ARTICLES**

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

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

To see if the Town will vote to hear reports of any multi-member body, whose annual report was not published in the 2024 Annual Town Report, or take any other action relative thereto.

Requested by the Select Board

Select Board Recommendation	4	0	0
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**Article 5: Authorization to Set the Salary of the Select Board**

To see if the Town will vote to determine and set the salary for Select Board members for Fiscal Year 2026 at \$6,000.00 per member for a total of \$30,000.00, or take any other action relative thereto.

Requested by the Finance Committee

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

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

**Article 6: Authorization to Set the Salary of the Moderator**

To see if the Town will vote to determine and set the salary for the Town Moderator at \$500.00 per completed Town Meeting or Special Town Meeting; and any appointed Assistant Town Moderators at \$250.00 per completed Town Meeting or Special Town Meeting for Fiscal Year 2026, or take any other action relative thereto.

Requested by the Select Board

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

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

**Article 7: Revolving Fund Expenditure Limits**

To see if the Town will vote pursuant to Section 1.1.8 of the General Bylaws to set the following spending limits for Revolving Funds in Fiscal Year 2026

Revolving Fund	Spending Limit
Council on Aging	\$40,000.00
Shellfish Program	\$5,000.00

or to take any other action relative thereto.

Requested by the Finance Director

*Explanation: This is a customary article required by Massachusetts General Law that sets expenditure limits annually for the Revolving Accounts established under MGL Chapter 44 Section 53E½. This year's Shellfish Program spending limit is increased to \$5,000 to allow unspent funds to roll from one fiscal year to the next to further support of shellfish propagation efforts. There is no change to the amount of annual funding appropriated to the fund.*

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

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

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

Requested by the Finance Director

*Explanation: The amount of the Chapter 90 funds to be awarded to Truro by the State for FY2026 is \$298,033.44.*

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

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

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

Requested by the Select Board

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

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



FINANCIAL ARTICLES

TWO-THIRDS VOTE

Article 10: Borrowing Authorization for Environmental Remediation at Town Hall Hill Site

To see if the Town will vote to appropriate the sum of Three Million Two-Hundred Thousand Dollars (\$3,200,000), to pay costs of design and installation to support engineering controls to mitigate the migration of per- and polyfluoroalkyl substances (PFAS) identified in soil and groundwater. These measures include soil capping, permeable barrier wall installation, stormwater mitigation final site grading, regulatory reporting, monitoring, and remediation including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by borrowing or otherwise provided, or to take any other action relative thereto or take any other action thereto.

Requested by the Select Board

*Explanation: Environmental testing at the current public works facility at Town Hall Hill detected the presence of per- and polyfluoroalkyl substances (PFAS) in soil and groundwater. As required by the Massachusetts Department of Environmental Protection, the town developed a mitigation plan that includes capping the soil, installing a permeable barrier, and continuing monitoring efforts. A ballot question allowing for a debt exclusion for the purpose described in this article will be on the 2025 Annual Town Election ballot.*

Finance Committee Recommendation			
Select Board Recommendation			

**TWO-THIRDS VOTE****Article 11: Borrowing Authorization for Pond Road Stormwater Infrastructure Improvements Design and Engineering**

To see if the Town will vote to appropriate the sum of Two Hundred Thousand Dollars (\$200,000), or any other amount, to pay costs of architectural and engineering services associated with advancing the final design plans for stormwater infrastructure improvements to be installed at Pond Road, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by borrowing or otherwise provided, or to take any other action relative thereto.

Requested by the Select Board

*Explanation: Stormwater infrastructure improvements are needed at Pond Road. This article will fund the architectural and engineering services for final design plans. A future borrowing authorization will be requested at a subsequent town meeting for construction costs. A ballot question allowing for a debt exclusion for the purpose described in this article will be on the 2025 Annual Town Election ballot.*

Finance Committee Recommendation			
Select Board Recommendation			

TWO-THIRDS VOTE

**Article 12: Borrowing Authorization for Additional Funding for HVAC and Roof Repairs at Truro Central School**

To see if the Town will vote to appropriate the sum of Two Hundred Fifty Thousand Dollars (\$250,000), or any other amount, to pay additional costs of HVAC and roof repairs at the Central School, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by borrowing or otherwise provided, or to take any other action relative thereto.

Requested by the Select Board

*Explanation: At the 2024 Annual Town Meeting (Article 12) and the 2024 Annual Town Election, voters approved a borrowing authorization of \$1,540,000 for the construction of both the roof and the HVAC system at Truro Central School. Due to cost escalation, an additional \$250,000 is requested to obtain complete funding for this project. A ballot question allowing for a debt exclusion for the purpose described in this article will be on the 2025 Annual Town Election ballot.*

School Committee Recommendation			
Finance Committee Recommendation			
Select Board Recommendation			

**TWO-THIRDS VOTE****Article 13: Borrowing Authorization for Solar Electricity Generation Systems**

To see if the Town will vote to appropriate the sum of Five Million Dollars (\$5,000,000), or any other amount, for the purpose of funding engineering services, construction, decarbonization, and project management related to solar electricity facilities on Town property, including the payment of all costs incidental and related thereto; to determine whether this amount shall be raised by borrowing or otherwise provided, or to take any other action relative thereto.

Requested by the Energy Committee

*Explanation: The Energy Committee has determined that solar power can be profitably developed by Truro for the Town's benefit in converting fossil fuel use to solar electricity use. Several alternative methods of procuring and funding solar capacity at the Town's various locations are under consideration, which include, among others, the use of tax credits or equivalents, state incentive payments, grants, and revenue streams from the value of electricity generated.*

*Following Town Meeting, and if approved at the Annual Town Election ballot, a request for proposals will be sought for solar development organizations to provide technical and regulatory expertise, perform project construction and maintenance, and/or provide equipment financing. The Committee anticipates that the project revenue streams in the aggregate will exceed project costs, and that those revenues will be applied to pay the operating and maintenance costs including the borrowing debt service, thereby resulting in a positive return to the Town.*

*A ballot question allowing for a debt exclusion for the purpose described in this article will be on the 2025 Annual Town Election ballot.*

Energy Committee Recommendation			
Climate Action Committee Recommendation			
Finance Committee Recommendation			
Select Board Recommendation	5	0	0

**Article 14: Reconveyance of Lot O-6A in the Natural Burial Area of the Old North Cemetery**

To see if the Town will vote to appropriate or transfer from available funds the sum of \$2,000 to repurchase from Jonathan Evan Sperber and Jacqueline Ann Kouffman of Lot O 6-A of the Old North Cemetery (Natural Burial Area) in exchange for the reconveyance to the Town of Lot O6-A, and, further to authorize the Cemetery Commissioners to take such action, and execute such documents or instruments as may be necessary, to carry out the purposes of this article, or take any other action relative there to.

Requested by the Cemetery Commission

*Explanation: The Cemetery Commission voted favorably for the return of the lot and associated refund at its February 19, 2025 meeting.*

Cemetery Commission Recommendation			
Finance Committee Recommendation	5	0	0
Select Board Recommendation			

**Article 15: Acceptance of Massachusetts General Law: Chapter 40, Section 3, Paragraph 2 (Establishing an Account for the Upkeep and Maintenance of Town Facilities)**

To see if the Town will vote to accept the provisions of General Laws Chapter 40, Section 3, Paragraph 2, allow funds any excess funds in the Public Building Rent Accounts to remain in the account at the close of the fiscal year so that they can be used for the upkeep of the facilities in future years, to establish an account to deposit any monies received from the rental or lease of any public building or property and to expend the monies for the upkeep of the facility so rented or leased, and further, that any balance shall remain in the account at the close of the fiscal year; or take any action relative thereto.

Requested by the Select Board

*Explanation: According to G.L. c. 40, §3, money received by the Town from the rental or lease of Town-owned buildings is deposited into a special fund for use in maintaining the buildings so rented or leased. However, any funds remaining in such an account at the end of the Fiscal Year revert to the General Fund. This article will establish an account that will be used to facilitate the rental of employee housing units. Rental monies will be deposited into the account and the monies in the account will be expended for maintenance and upkeep of the units. By accepting this statute, the town will be able to hold funds deposited in one fiscal year into the next fiscal year so that balances may be preserved for larger maintenance projects.*

Finance Committee Recommendation			
Select Board Recommendation			

**COMMUNITY PRESERVATION ACT ARTICLES****Article 16: Community Preservation Act: Administrative Support**

(Administrative Support)

To see if the Town will vote to appropriate the sum of Forty-one Thousand, Six Hundred Seventeen Dollars and no cents (\$41,617.00) from projected Fiscal Year 2026

Community Preservation Act Surcharge Revenue for the administrative expenses of the Community Preservation Committee or take any other action thereto.

Requested by Community Preservation Committee

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

Community Preservation Committee Recommendation	8	0	0
Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

**Article 17: Community Preservation Act: Pamet Harbor History Outdoor Display**(Historical Preservation &  
Recreation)

To see if the Town will vote to appropriate the sum of Three Thousand Eight Hundred Sixty Dollars and no cents (\$3,860.00) from projected Fiscal Year 2026 Community Preservation Act Revenue to be expended by the Pamet Harbor Commission for the design, purchase of supplies and installation of signage on Town-owned land to display information about the history of the Pamet Harbor, and anything incidental or related thereto, and to authorize the Town Manager to take any actions and execute any documents necessary to effectuate the purposes of this vote, or take any other action relative thereto.

Requested by the Pamet Harbor Commission

*Explanation: Pamet Harbor receives visitors with varied interests including boating, fishing, shell fishing, birding and simply enjoying the spectacular sunsets and scenery. The proposed project will be an outdoor display on Town-owned land that showcases the rich history of the harbor as a thriving maritime center that included fishing fleets, shipyards, fish packing facilities and sail works. It is hoped that this will enhance the visitor experience and preserve this history of Pamet Harbor.*

Community Preservation Committee Recommendation	8	0	0
Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0



**Article 18: Community Preservation Act: Contribution to the Affordable Housing Trust Fund**

(Community Housing)

To see if the Town will vote to appropriate the sum of Five Hundred Thousand Dollars and no cents (\$500,000.00) from projected Fiscal Year 2026 Community Preservation Act Surcharge Revenue, to contribute to the Truro Affordable Housing Trust Fund, and to enter into a grant agreement to set forth the terms and conditions thereof or take any other action relative thereto.

Requested by Truro Housing Authority for The Truro Affordable Housing Trust

*Explanation: To create, support and preserve affordable housing to help with the critical problem facing affordable housing in our community.*

Community Preservation Committee Recommendation	8	0	0
Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

**Article 19: Community Preservation Act: Media and Digitization Outreach**

(Historical Preservation)

To see if the Town will vote to appropriate the sum of Twenty Thousand Dollars and no cents (\$20,000.00) from projected Fiscal Year 2026 Community Preservation Act Surcharge Revenue to be expended by the Truro Historical Society to digitize historic documents along with creating a video on important Truro industries in the early 1900's, and to enter into a grant agreement to set forth the terms and conditions thereof, or take any other action relative thereto.

Requested by the Truro Historical Society

*Explanation: The Truro Historical Society seeks to improve its outreach to the Truro Community and beyond through two distinct projects: creating a video about two important industries that supported the town during the Depression; and making advances in its digitization project of historic documents and assets.*

Community Preservation Committee Recommendation	8	0	0
Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

**Article 20: Community Preservation Act: FORWARD at the Rock Phase II, Regional Housing for Cape Cod residents with Disabilities**

(Community Housing)

To see if the Town will vote to appropriate the sum Twenty Thousand Dollars and no cents (\$20,000.00) from projected Fiscal Year 2026 Community Preservation Act Surcharge Revenue to provide funding to be expended by the Friends or Relatives with Autism and Related Disabilities (FORWARD), for construction of eight (8) new affordable and supportive one-bedroom apartments on property FORWARD leases from the Town of Dennis, located at 131 Hokum Road, Dennis, MA, which funding is part the Town's contribution with several other Cape Cod Communities to create affordable housing for Cape Cod residents with autism or related disabilities and their families, and to enter into a grant agreement to set forth the terms and conditions thereof, or take any other action relative thereto.

Requested by FORWARD (Friends or Relatives with Autism & Related Disabilities)

*Explanation: This project will add eight units to the Cape's inventory of desperately needed extremely low-income affordable housing and because residents are selected by the Cape and Islands Area Office of the Department of Developmental Services based on diagnostic and housing needs, no town has local preference for residence. Although the project will be built in Dennis, the Housing will be open to qualified residents of Truro and the project will directly address the affordable housing needs of the Town.*

Community Preservation Committee Recommendation	8	0	0
Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

**Article 21: Community Preservation Act: South Facade Restoration for the Truro Meeting House**

(Historic Preservation)

To see if the Town will vote to appropriate the sum Thirty-nine Thousand, Six Hundred Fifty-seven Dollars and no cents (\$39,657.00) from projected Fiscal Year 2026 Community Preservation Act Surcharge Revenue, to be expended by the Friends of the Truro Meeting House to restore the south facade of Meeting House located at 3 First Parish Lane, Truro, MA, and to enter into a grant agreement to set forth the terms and conditions thereof or take any other action relative thereto.

Requested by The Friends of the Truro Meeting House

*Explanation: The Truro Meeting House is a historical structure listed on the National Register of Historic Places, it has played a significant role in the history of the Town and it continues to be used for events open to the public. This CPA funding will be used to restore the front façade of the Meeting House. These funds will be added to funds received from private donations, and will include replacement of shingles and trim boards and other related work.*

Community Preservation Committee Recommendation	8	0	0
Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

**Article 22: Community Preservation Act: Create the Old County Natural Burial Cemetery**

(Open Space &amp; Recreation)

To see if the Town will vote to appropriate the sum of One Hundred Seventy-one Thousand, Five Hundred Twenty Dollars and no cents (\$171,520.00) from the projected Fiscal Year 2026 Community Preservation Act Surcharge Revenue to be expended by the Truro Cemetery Commission to provide for the design and installation of an innovative natural burial cemetery on a portion of the existing New South cemetery land in Truro that has been designated for green burials and to set aside other portions of the land for the preservation of open space, and to authorize the Town Manager and the Select Board to take any actions and sign any documents necessary to effectuate the purpose of this vote, including but not limited to recording any instruments required by Article 97 of the Massachusetts Constitution or take any other action relative thereto.

Requested by the Truro Cemetery Commission

*Explanation: As an environmentally conscious alternative to current burial methods, this project will create an ecologically and spiritually enriching final disposition for death for those wishing to be buried at the New South Cemetery. At the same time the Commission will make accessible existing Town-owned land for recreation and preserve native habitat as open space in perpetuity.*

Community Preservation Committee Recommendation	8	0	0
Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

**Article 23: Community Preservation Act: Corn Hill Beach Handicap Boardwalk and Expanded Accessible Recreation Improvements**

(Outdoor Recreation)

To see if the Town will vote to appropriate the sum of Three Hundred Fifty Thousand Dollars and no cents (\$350,000.00) from Projected Fiscal Year 2026 Community Preservation Act Surcharge Revenue, to be expended by the public works department, to plan, design and construct and purchase related equipment and supplies for renovations to improve handicap accessibility at Corn Hill Beach, and anything incidental or related thereto, and to authorize the Town Manager to take any actions and execute any documents necessary to effectuate the purposes of this vote, or take any other action relative thereto.

Requested by the Truro Beach Advisory Committee and the Commission on Disabilities

*Explanation: This proposal requests funding for the planning, design and building of a replacement boardwalk and railing system that will maintain safety and accessibility to Corn Hill Beach as well as to create an expanded recreational area for persons with mobility challenges. The design will be ADA compliant and will remove physical barriers to ensure equal access to our public beach for all Truro citizens and visitors.*

Community Preservation Committee Recommendation	8	0	0
Finance Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

## CHARTER AMENDMENT ARTICLES

TWO-THIRDS VOTE

**Article 24: Amend Charter Section 4-5-2**

To see if the Town will vote to amend Section 4-5-2 of the Town Charter by adding new language as follows (new language shown in **bold underline**):

4-5-2 Except for the purposes of investigation in accordance with section 4-4-1 of this Charter, the Select Board shall deal with employees who are subject to the direction and supervision of the Town Manager solely through the Town Manager, and neither the Board nor its members shall give orders to any such employee, the single exception being the Administrative Secretary who reports both to the Town Manager and the Select Board. **However, nothing in this Charter shall prohibit informational non-directive conversations between Select Board members and department heads, provided that such interactions occur at the discretion of the department head.**

or take any other action relative thereto.

Requested by the Select Board

*Explanation: The current charter states that the Select Board must communicate with town employees only through the Town Manager and cannot give direct instructions to employees, except for the Administrative Secretary, who works for both the Town Manager and the Select Board.*

*The revised wording aims to clarify an additional point: Select Board members are now explicitly permitted to have informational conversations with Department Heads, provided that these discussions do not include giving direct orders or instructions. Essentially, Select Board members can engage with Department Heads, at the discretion of the Department Head, to exchange information or pose questions but must refrain from directing their work or issuing commands.*

Charter Review Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0

## TWO-THIRDS VOTE

**Article 25: Amend Charter Section 6-2-12**

To see if the Town will vote to amend Section 6-2-12 of the Town Charter by adding new language as follows (new language shown in **bold underline**):

6-2-12 Multi-member bodies shall deal with employees who are subject to the direction and supervision of the Town Manager solely through the Town Manager, and neither the multi-member body nor its members shall give orders to any such employee. **However, nothing in this Charter shall prohibit informational, non-directive conversations between the chairpersons of multi-member bodies with their respective department heads, provided that such interactions occur at the discretion of the department head.**

or take any other action relative thereto.

Requested by the Select Board

*Explanation: The current charter states that committees or boards ("multi-member bodies") must communicate with town employees only through the Town Manager, and neither these groups nor their individual members can directly give instructions to town employees.*

*The revised wording adds clarification: it explicitly permits Chairs of these committees/boards to hold informational conversations with their respective department heads, at the department head's discretion, as long as these discussions remain purely informational and do not involve giving directions or orders. In other words, Chairs can communicate directly with department heads to share or request information but cannot instruct or manage their tasks.*

Charter Review Committee Recommendation	5	0	0
Select Board Recommendation	5	0	0



## TWO-THIRDS VOTE

**Article 26: Amend Charter Section 2-1-2**

To see if the Town will vote to amend Section 2-1-2 of the Town Charter by deleting the language in ~~strike through~~ and adding new language as follows (new language shown in **bold underline**):

2-1-2 The Annual Town Meeting shall be held in each year ~~on~~ **no earlier than** the last Tuesday in April **and no later than the Saturday before Memorial Day weekend at the discretion of the Select Board and in accordance with Massachusetts General Law.**

or take any other action relative thereto.

Requested by the Select Board

*Explanation: The current charter states that Annual Town Meeting shall be held in each year on the last Tuesday in April.*

*The revised wording introduces scheduling flexibility, removing the requirement to be confined to a single day in April and permitting the selection of a different calendar day that is not limited to a Tuesday. Additionally, the date range for hosting ATM is expanded to accommodate as many Truro residents, both full-time and part-time, as possible to participate in ATM.*

*The Annual Town Meeting shall be held in each year no earlier than the last Tuesday in April and no later than the Saturday before Memorial Day weekend at the discretion of the Select Board and in accordance with Massachusetts General Law.*

*Please note that even if this charter change is approved, the Select Board will still have the authority to reschedule the Annual Town Meeting to any date prior to June 30<sup>th</sup> as set forth in G.L. c.39, s. 9.*

Charter Review Committee Recommendation	4	0	0
Select Board Recommendation	5	0	0

MASSACHUSETTS GENERAL LAW ARTICLES

Article 27: Acceptance of M.G.L. Chapter 23B, §32(b) Seasonal Communities

To see if the town will vote to accept on behalf of the Town of Truro the Seasonal Community Designation as provided for in General Laws Chapter 23B, Section 32(b); or to take any other action relative thereto.

Requested by the Select Board

*Explanation: As part of the Affordable Homes Act, Chapter 150 of the Acts of 2024, the Legislature created the Seasonal Communities to recognize Massachusetts communities such as Truro that experience substantial variation in seasonal employment and to create distinctive tools to address their unique housing needs. This article seeks to accept the seasonal communities designation provided to all Barnstable County municipalities with over 35 percent seasonal housing units in Chapter 23B, §32(b) of General Law. Under this section of law, a seasonal community may (i) acquire year-round housing occupancy restrictions for rental or other housing; (ii) acquire and develop housing units with preference for housing seasonal community public employees that are necessary to the health and safety of maintaining a year-round community, including teachers, public works employees, public safety employees, first responders, town administrators and other employees essential for municipal operations as described under section 42(g)(9)(B) of the Internal Revenue Code; (iii) expend funds to develop, on a biannual basis, a comprehensive housing needs assessment; (iv) establish a Year-Round Housing Trust Fund, individually or with other seasonal communities, to provide for the creation and preservation of affordable and attainable housing in seasonal communities for the benefit of year-round residents; and (v) expend funds designated for the creation and preservation of year-round affordable and attainable housing for individuals who, by vocation, produce or support artistic and literary activities.*

*Acceptance of this designation, requires that the town adopt by-laws or zoning ordinances to permit undersized lots to be used for the creation of attainable year-round housing; adopt by-laws to permit the construction of tiny houses. Upon acceptance, a seasonal community may also increase the residential exemption to 50 percent, up from the current 35 percent. If the Seasonal Communities designation is accepted proposed bylaws will be presented at future Town Meetings.*

Select Board Recommendation			
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**Article 28: Acceptance of M.G.L. Chapter 41, §110A Office Hours on Saturday**

To see if the town will accept the provisions of Massachusetts General Laws Chapter 41, Section 110A, which allows any public office in a town to remain closed on any or all Saturdays as may be determined from time to time, or take any other action relative thereto.

Requested by the Select Board

*Explanation: This article allows the town to treat Saturday as if it were a legal holiday for the purpose of determining dates for proceedings that may otherwise occur on Saturdays, resulting in the need to reopen Town Hall and staff to work on a Saturday. Additionally, depending on the timing of the Annual Town Election, if Town Meeting is held on a Saturday, the last day for voter registration can fall on the same day as Town Meeting.*

Select Board Recommendation	5	0	0
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LAND CONVEYANCE ARTICLES

Article 29: Acquisition of Road Widening Easements for Herring River Restoration Project from Cape Cod National Seashore

To see if the Town will vote to authorize the Select Board to acquire, by purchase, donation, eminent domain or otherwise, easements in noncontiguous parcels of land from the Cape Cod National Seashore, in locations to be negotiated between the Town and the Cape Cod National Seashore, and as approximately shown on plans on file with the Town Clerk, for the purpose of reconstruction, installation, inspection, maintenance, improvement, repair, replacement and/or relocation of rights of way, roadways, drainage, culverts and associated infrastructure, utilities, driveways, slopes, and grading, and any work required by the Herring River Restoration Project; provided that such acquisition shall be on terms and conditions as the Select Board deems appropriate, and, further, to authorize the Select Board to enter into any and all agreements and take any and all actions necessary or appropriate to effectuate the foregoing purposes, or take any other action relative thereto.

Requested by the Select Board

*Explanation: As part of the Herring River Restoration Project, easements on parcels of Cape Cod National Seashore lands will be required to allow the Town to facilitate raising Town roads. By obtaining these easements, the Town will avoid needing to initiate a land exchange with the National Park Service.*

Select Board Recommendation			
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## GENERAL BYLAW ARTICLES

**Article 30: Add New Section 4-4-3 to General Bylaws and Amend Appendix A**

To see if the Town will vote to amend the General Bylaws by adding new language as follows (new language shown in **bold underline**):

**4-4-3 Any motor vehicle parked at a Town landing place or beach from the third Saturday in June through Labor Day between the hours of 9 a.m. and 4 p.m. must display a valid parking permit. Any police officer, beach department employee, or community services department employee who finds any motor vehicle violating the provisions of this Bylaw shall cause the vehicle to be ticketed and/or towed away to a place for safe-keeping at the expense of the vehicle's owner.**

And

Chapter & Section	Subject	Fine \$	Enforcing Authority
<b><u>4-4-3</u></b>	<b><u>Beach Parking</u></b>	<b><u>\$100 Per Offense; Each day on which a violation occurs or continues shall be considered a new offense</u></b>	<b><u>Police Department, Beach Department, Community Services Department</u></b>

or take any other action relative thereto.

Requested by the Select Board

*Explanation: This article seeks to provide stronger enforcement for beach parking violations and to establish a fine structure commensurate with the cost of beach parking permits to deter unpermitted beach parking. Resident beach parking permits are currently \$30 each for the season; non-resident beach parking permits are currently \$120 each for 1-week or \$375 each for the season; and daily passes are \$35 each.*

Select Board Recommendation			
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**Article 31: Amend General Bylaws Chapter IV Public Safety to Add New Section 8 Curb Cuts**

To see if the Town will vote to amend the General Bylaws of the Town of Truro Chapter IV Public Safety, by adding a new Section 8, Curb Cuts, and by amending Appendix A to the General Bylaws by adding the following new row relative to fines for violations of the above Section 8, Curb Cut Bylaw, as shown below:

**PART A: CURB CUT BYLAW****SECTION 8: CURB CUTS****SECTION 1: Purpose**

8-1-1 The purpose of this Bylaw is to protect public safety, including but not limited to safe passage for emergency vehicles and personnel, and to protect Town roads and infrastructure, as they are impacted by the location and use of Curb Cuts on Town- and State-owned roads.

**SECTION 2: Curb Cut Defined**

8-2-1 For purposes of this Bylaw, a curb cut is the alteration of any portion of the frontage of a lot, on a public way, used for vehicular access to and egress from such lot.

**SECTION 3: Regulations**

8-3-1 The Select Board shall enact and may from time to time amend regulations to effectuate the purposes of this bylaw.

**SECTION 4: Applicability**

8-4-1 No person shall create a curb cut or alter an existing curb cut on any property with frontage upon a Town or State public way without a permit issued by the Select Board.

8-4-2 All work to create or alter a curb cut shall be in strict accordance with the Regulations of the Select Board, the terms and conditions imposed on any permit, and all applicable state, local and federal regulations.

8-4-3 For curb cuts on State roads, the applicant shall obtain the approval of the Massachusetts Department of Transportation prior to applying for a permit from the Select Board.

8-4-4 A permit shall be required whether the curb cut is permanent or temporary. This includes Curb Cuts associated with new construction; Curb Cuts absent new construction; new Curb Cuts on lots with existing Curb Cuts; and temporary construction

access for septic system installation, well installation, building moving permit, clearing and grubbing of lots, excavation for foundations, and retaining walls.

8-4-5 For curb cuts involving other work requiring a building permit, the curb cut permit must be obtained prior to application for a building permit for construction on the subject lot. No certificate of occupancy shall issue unless all conditions of the Curb Cut Permit have been met as certified by the Director of Public Works to the Building Commissioner.

#### **SECTION 5: Enforcement; Penalties**

8-5-1 Denial of Building Permit/Certificate of Occupancy. Violation of this Bylaw or any regulations enacted pursuant thereto, and/or failure to comply with the conditions of a Curb Cut permit, shall result in a denial by the Building Department of any application for a building permit and/or for issuance of a certificate of occupancy for any construction on the property.

8-5-2 Request to MassDOT for Disapproval of Requested Permit. Violation of this Bylaw, or any regulations enacted pursuant thereto, and/or failure to comply with the conditions of a Curb Cut permit, shall result, where applicable, in a request by the Town to the Massachusetts Department of Transportation for the Department's disapproval of an owner/applicant's request for a permit to enter a State road.

8-5-3 Penalties. Violation of this Bylaw, or any regulations enacted pursuant thereto, and/or failure to comply with the conditions of a Curb Cut approval shall be punishable by a fine as established in Appendix A of the Town's General Bylaws. Each day or portion thereof that a violation exists shall be deemed a separate offense.

8-5-4 Noncriminal Disposition. This Bylaw may be enforced by the Director of the Department of Public Works or their designee in accordance with Chapter 1, s. 1.1.4 of the Town's General Bylaws, such fines may be enforced either through a criminal complaint or non-criminal disposition in accordance with G.L. c. 40, s. 21D.

8-5-5 Other Enforcement. The Town may enforce this Bylaw and/or any regulations enacted pursuant thereto, and/or any conditions of a Curb Cut approval or enjoin violations thereof through any lawful process, and the election of one remedy shall not preclude enforcement through any other lawful means.

#### **SECTION 6: Severability**

8-6-1 The provisions of this bylaw are hereby declared to be severable. If any provision, paragraph, sentence, or clause of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

PART B: CORRESPONDING AMENDMENT TO APPENDIX

To amend the General Bylaws by inserting, in Appendix A, the following terms in a new row corresponding to the above Section 8, Curb Cut Bylaw, as shown below:

<u>Chapter &amp; Section</u>	<u>Subject</u>	<u>Fine \$</u>	<u>Enforcing Authority</u>
4-8-8	Curb Cut	\$300	Building Commissioner

or take any other action relative thereto.

Requested by the Select Board

*Explanation: Presently, Select Board Policy 28 Curb Cut Policy provides the purpose, applicability, process, standards, and enforcement for curb cuts in Truro. The Select Board has discussed at various meetings over the years the need for better enforcement mechanisms related to Curb Cut violations, which can best be achieved by the adoption of a Section of General Bylaw and accompanying fine schedule in Appendix A of the General Bylaws.*

Select Board Recommendation			
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## ZONING BYLAW ARTICLES

**Article 32: Zoning Bylaw Amendment – Walsh Overlay District**

To see if the Town will vote to amend the Truro Zoning Bylaws by amending the language as set forth below:

**§ 10.4 Definitions**

Article 33: Walsh Overlay District

To see if the Town will vote to amend the Truro Zoning Bylaws by amending the language and adding a MAP as Appendix C to the Bylaws, as set forth below

**§ 10.4 Definitions**

For the purpose of the bylaw, certain terms and words shall have the following meaning unless a contrary meaning is required by the context or is specifically prescribed. Terms and words not defined herein but defined in the Zoning Act, Massachusetts General Laws, Chapter 40A, as amended, shall have the meaning given therein unless a contrary intention clearly appears. Words not defined in either place shall have the meaning given in Webster's Third New International Dictionary of the English Language, Unabridged.

**Affordable Dwelling Unit.** A dwelling unit exclusively available for sale or lease to Affordable Households. The Town will require assurances of compliance in writing, and provide copies to the Building Commissioner prior to the issuance of a building permit.

**Affordable Households.** Households earning no more than 100% of the current Area Median Income for Barnstable County, as determined by the Executive Office of Housing and Livable Communities (EOHLC), or its successor.

**Affordable Housing.** Housing registered as Affordable Dwelling Units with the Town.

**Attainable Dwelling Unit.** A dwelling unit exclusively available for sale or lease to Affordable Households or Attainable Households. The Town will require assurances of compliance in writing, and provide copies to the Building Commissioner prior to the issuance of a building permit.

**Attainable Households.** Households with current median income limits no greater than 200% of the current Area Median Income for Barnstable County or, if greater, the percentage of the current median income for attainable households as determined by the Executive Office of Housing and Livable Communities (EOHLC), or its successor. This definition supersedes any definition of "Attainable" or similar terms set forth in this Zoning bylaw.

**Building Separation.** The space between multiple buildings on a single lot as measured from the nearest exterior point on the building.

**Bungalow Court.** A group of three or more detached dwelling units owned by one or more persons located on a single lot, which are available for permanent occupation and arranged around a shared communal open space with shared pedestrian access.

**Coliving Community.** A building or development composed primarily of single or double occupancy rooms with at least one communal kitchen and one communal space in any form or configuration, including structures housing communal facilities and non-residential uses and separate structures within one lot.

**Coliving Unit.** A living area intended for one family or nonfamily household that shall have complete or independent or permanent provisions for shared living, eating, and sanitation.

**Dwelling Unit.** One or more rooms containing both cooking and bathroom facilities and designed for human habitation by one family independent of other facilities. Each accessory building or portion thereof, studio or guesthouse, which has both cooking and bathroom facilities, is considered to be a separate dwelling unit. Affordable Dwelling Units and Attainable Dwelling Units are included in this definition.

**Mixed-use Development.** Development containing a mix of residential uses and non-residential uses, including, without limitation, commercial, institutional, industrial or other uses.

**Multi-family Housing.** A building with three (3) or more residential dwelling units or two (2) or more buildings on the same lot with more than one (1) residential dwelling unit in each building, which may be owned by one or more persons.

**Townhouse.** One (1) or a series of buildings with a party wall or walls, common to adjoining buildings, which is constructed with a yard or public way on not less than two (2) sides that may contain multiple dwelling units.

## § 20.1 Districts Enumerated

For the purposes of this bylaw, the Town of Truro is divided into Zoning Districts designated as follows:

Residential  
Beach Point Limited Business  
Route 6A, North Truro, Limited Business  
Truro Center Limited Business  
North Truro Center General Business  
Route 6 General Business  
Seashore

For the purposes of this bylaw, the following Overlay Districts are established:

Flood Plain  
Water Resource Protection  
Affordable Rental Housing  
Solar Farm Overlay District  
Walsh Overlay District

## § 20.2 Purposes of Districts

**Walsh Overlay District.** The Walsh Overlay District is intended to create housing opportunities through a variety of housing products for seniors, individuals, and families. Three subdistricts promote a diversity of

housing stock and mixed-use development. Development located within this Overlay District will provide or be located near recreational opportunities in all subdistricts and may provide compatible accessory commercial and other mixed-uses that support a walkable mixed-use development.

### § 20.3 Location of Districts

The location and boundaries of the Zoning Districts are enumerated in § 90 of this bylaw and are shown on the map entitled “Zoning District Map of the Town of Truro, Massachusetts,” dated May 2, 2013 which accompanies the bylaw as Appendix A and is declared to be a part of this bylaw. The location and boundaries of the Water Resource Protection Overlay District are identified in § 90.5 of this bylaw, and are shown on the map entitled “Water Resources Protection Overlay District” dated August 18, 2015 which appears as Appendix B to this bylaw and is declared to be a part of this bylaw. The location and boundaries of the Walsh Overlay District and its subdistricts are identified in § 90.5 of this bylaw, and are shown on the map entitled “Walsh Overlay District,” dated March 31, 2025, which appears as **Appendix C** to this bylaw and is declared to be a part of this bylaw.

### § 30.X Walsh Overlay District

- A. Purpose.** The Walsh Overlay District hereinafter referred to as the “WOD” is intended to create housing opportunities through a variety of housing products for seniors, individuals, and families, including both affordable and attainable dwelling units. Three subdistricts promote a diversity of housing stock and mixed-use development. Development located within this Overlay District will provide or be located near recreational opportunities in all subdistricts and may provide compatible accessory commercial and other mixed-uses that support a walkable mixed-use development. The Walsh Recreational Subdistrict is intended to offset the impact of such density by preserving much of the land in that subdistrict for recreational and open space uses, subject to certain stated exceptions, primarily for educational and municipal uses.
- B. Establishment.** The WOD is an overlay district that is superimposed over the underlying zoning district(s) and is shown on the Truro Zoning Map, a copy of which is available for inspection and study in the office of the Truro Building Commissioner, as set forth in on the map entitled “Walsh Overlay District,” dated March 31, 2025, which appears as Appendix C to this bylaw and is declared to be a part of this bylaw.
- C. Subdistricts.** The WOD contains the following subdistricts shown on the Truro Zoning Map as set forth on the map entitled “Walsh Overlay District,” dated March 31, 2025, which appears as Appendix C to this bylaw. The subdistricts are as follows:
- i. Walsh Low-Density Subdistrict.** The Walsh Low-Density Subdistrict hereinafter referred to as the “WLS” is intended to create affordable and attainable housing opportunities and home-ownership opportunities on compact lots organized around a shared communal open space or compact single family dwellings for seniors, individuals, and families. The WLS encourages compact development that is pedestrian-scaled, healthy, safe, and affordable.
  - ii. Walsh Moderate-Density Subdistrict.** The Walsh Moderate-Density Subdistrict hereinafter referred to as the “WMS” is intended to create affordable and attainable housing opportunities

and home-ownership opportunities through Mixed-Use Development and/or Multi-family Housing, as well as on compact lots organized around a shared communal open space or compact single family dwellings, for seniors, individuals, and families. Development located within this Overlay District will provide ample recreational opportunities and may provide compatible accessory commercial and other mixed-uses that support a walkable mixed-use development.

- iii. **Walsh Recreational Subdistrict.** The Walsh Recreational Subdistrict hereinafter referred to as the “WRS” is intended to protect and preserve the natural features, existing topography, wildlife, visual character, and open space for recreational and civic uses that serve the general welfare of the public.

- D. **Applicability.** Developments located within the WOD must have 67% or greater of the Gross Floor Area dedicated to Residential uses, subject to n.6 to Table B. WOD provisions shall supersede all other provisions in the Zoning Bylaw with respect to the underlying district including and without limitation, use, dimensions, parking, design standards, and site plan review; however, the provisions of any other overlay district shall continue to apply.

For any land within the WOD, an applicant may choose to conform either to the zoning regulations which govern the underlying zoning district or to the WOD regulations and procedures set forth by this Section.

- E. **Residency Requirement.** Dwelling Units within the WOD shall be made available only for year-round occupancy as prescribed in leases of one-year minimum duration.
- F. **Inclusionary Zoning.** No less than twenty percent (20%) of all new residential units (of each type) constructed within the WOD shall be Affordable Dwelling Units.
- G. **Permitted Uses.** The use requirements in the WOD shall comply with § 30.2 Use Table, herein, except for the following:
  - i. Any and all uses permitted by subdistrict in **Table B**, entitled “**Walsh Overlay District Permitted Uses by Subdistrict**” are consistent with the purposes for which the subdistrict was established and shall supersede the underlying Zoning District; however, the provisions of any other applicable overlay district shall continue to apply, and supersede the provisions of the WOD where any conflict exists.
  - ii. **Mixed-use Developments.** Any and all other non-residential uses permitted by subdistrict in **Table B** and the underlying Zoning District shall be permitted in Mixed-use Developments. Any non-residential uses allowed by Special Permit in the underlying Zoning District, shall be permitted by special permit in Mixed-use Developments, with the Board of Appeals serving as the Special Permit Granting Authority. Any non-residential uses not permitted in **Table B** shall supersede the underlying Zoning District in Mixed-use Developments; however, the provisions

of any other overlay district shall continue to apply, and supersede the provisions of the WOD where any conflict exists.

- iii. **Non-residential Uses.** All non-residential uses shall not contain any dangerous, noxious, injurious, or otherwise objectionable fire, explosion, radioactive or other hazard; noise, or vibration, smoke, dust or other form of air pollution; electrical or other disturbance; glare, liquid or solid refuse or wastes; conditions conducive to the breeding of insects, rodents, or other substance, conditions or elements in a manner or in an amount as to affect adversely the surrounding areas.
- iv. For a use not listed In Table B, the use provisions of the underlying Zoning District and any other applicable overlay districts shall apply.

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KEY

P	Permitted
SP	May be allowed by special permit granted by the Board of Appeals
N	Not Permitted
N/A	Not Applicable
WOD	Walsh Overlay District
WLS	Walsh Low-Density Subdistrict
WMS	Walsh Moderate-Density Subdistrict
WRS	Walsh Recreational Subdistrict
*	Already Permitted in the Residential District

Table B - Walsh Overlay District Permitted Uses by Subdistrict

Principal Uses	WLS <sup>6</sup>	WMS <sup>6</sup>	WRS
<b>Commercial</b>			
Professional office <sup>1</sup>	P <sup>7</sup>	P <sup>7</sup>	N
Restaurant	SP <sup>7</sup>	P <sup>7</sup>	N
Retail business service (4/14)	SP <sup>7</sup>	P <sup>7</sup>	N
Retail sales (4/14)	SP <sup>7</sup>	P <sup>7</sup>	N
Trade, repair shop, etc. (4/14)	SP <sup>7</sup>	P <sup>7</sup>	N
Wholesale Trade (4/14)	SP <sup>7</sup>	P <sup>7</sup>	N
<b>Industrial</b>			
Industrial or manufacturing use <sup>2</sup>	N	SP <sup>7</sup>	N
Public utility	P <sup>7</sup>	P <sup>7</sup>	P
Research or experimental lab <sup>3</sup>	SP <sup>7</sup>	SP <sup>7</sup>	N
Small engine repair	SP <sup>7</sup>	SP <sup>7</sup>	N
<b>Institutional</b>			
Hospital, nursing and/or convalescent home	N	SP <sup>7</sup>	N
Private club not conducted for profit	N	SP <sup>7</sup>	N
Large-Scale Ground-Mounted Photovoltaic Array (4/11)	N	N	N
<b>Residential</b>			
Attainable Undersized Lot (5/24)	P	P	N
Bungalow Court	P	P	N
Coliving Community	N	SP <sup>4</sup>	N
Duplex (as defined in §40.1) (5/24)	*	*	N
Mixed-use Development	SP	P	N
Multi-family Housing	P	P	N
Townhouse	P	P	N
Single family dwelling <sup>5</sup>	*	*	N

Table B - Notes

1. 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. No use shall produce any injurious or offensive dirt, odor, fumes, gas, noise, or danger from explosion or fire.
2. 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.
3. 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.
4. Only for year-round residency; otherwise not permitted.
5. Uses in this category are further subject to the special regulations set forth in §40.2, Accessory Dwelling Unit and the Building Commissioner shall serve as the Permit granting authority. (04/07, 4/17, 5/24)
6. With respect to mixed-use projects only, no less than 67% of the Gross Floor Area of any project shall be dedicated to residential use.
7. Only where part of a mixed-use development Including residential use(s); otherwise N.

**H. Dimensional Requirements.** The dimensional requirements in the WOD shall comply with § 50 Area and Height Regulations, herein, except for the following:

- i. Any and all dimensional requirements in **Table C**, entitled “**Walsh Overlay District Dimensional Requirements by Subdistrict**,” shall supersede the underlying Zoning District.
- ii. **Multiple Buildings on a Single Lot.** Multiple buildings on a single lot must comply with the minimum Building Separation distance per subdistrict in **Table C**.
- iii. **Setbacks Abutting Residential Districts.** All front, rear, and side yard setbacks for buildings or structures abutting a Residential District outside of the WOD shall meet a minimum setback of 25-ft or a minimum setback equivalent to 10-ft per story of the building or structure in question, whichever is greater.
- iv. **Setbacks Abutting Route 6.** All front, rear, and side yard setbacks for buildings or structures abutting Route 6 shall meet a minimum setback of 25-ft.

KEY

N/A	Not Applicable
WOD	Walsh Overlay District
WLS	Walsh Low-Density Subdistrict
WMS	Walsh Moderate-Density Subdistrict
WRS	Walsh Recreational Subdistrict

Table C - Walsh Overlay District Dimensional Requirements by Subdistrict

Dimensional Requirement	WLS	WMS	WRS
Minimum Lot Size	None	None	N/A
Minimum Lot Frontage	None	None	N/A
Minimum Frontyard Setback	10 ft <sup>1</sup>	10 ft <sup>1</sup>	25 ft <sup>1, 3</sup>
Minimum Sideyard Setback	10 ft <sup>1</sup>	10 ft <sup>1, 3</sup>	25 ft <sup>1, 3</sup>
Minimum Backyard Setback	10 ft <sup>1</sup>	10 ft <sup>1</sup>	25 ft <sup>1, 3</sup>
Minimum Building Separation	10 ft	10 ft	25 ft
Maximum Building Height	2 stories; 30-ft <sup>2, 3</sup>	3.5 stories; 45-ft <sup>2</sup>	2 stories; 30-ft <sup>2, 3</sup>
Lot Shape	N/A	N/A	N/A
Gross Floor Area	No limit <sup>4</sup>	No limit <sup>4</sup>	N/A
Lot Coverage	No limit	No limit <sup>4</sup>	N/A
Lot Clearing	No limit	No limit <sup>4</sup>	N/A

Table C - Notes

1. All setbacks shall meet the minimum setbacks for buildings or structures abutting Route 6 or a Residential District outside of the WOD as specified in the Dimensional Requirements Sections of this by-law.
2. All building heights shall meet the maximum building height for buildings or structures abutting a Residential District outside of the WOD as specified in the Dimensional Requirements Sections of this by-law.
3. Dimensional Requirement match the **§ 50 Area and Height Regulations** in the Underlying Zoning, and must also meet the minimum setbacks for buildings or structures abutting Route 6 or a



Residential District outside of the WOD as specified in the Dimensional Requirements Sections of this by-law.

4. Except as applied to single family residences or duplexes, which remain subject to the existing by-law limitation.

**I. Landscape Buffer.** All buildings or structures abutting Route 6 or a Residential District outside of the WOD shall provide a year-round landscaped or vegetated buffer.

**J. Design Standards.** The following Design Standards shall apply to development in the WOD. Furthermore, these standards provide guidance for building massing, siting, and design solutions. It is understood that buildings and structures may not be able to comply with all of the following guidelines, but buildings and structures should comply if it is physically possible. For projects in the WOD, the following design guidelines shall apply:

- i. All development should be designed to facilitate, accommodate, and encourage use by pedestrians.
- ii. Non-residential uses should be located on the ground floor in Mixed-use Developments.
- iii. Buildings on a corner lot should have a façade that relates to both streets.
- iv. All development located in the subdistricts WMS, WLS, and WRS, should provide public access to common and public recreational land whenever feasible.

**K. Parking Requirements.** The parking requirements in the WOD shall comply with § 30.9 Parking, herein, except for the following:

- i. Any and all parking requirements in **Table D**, entitled “**Walsh Overlay District Parking Requirements for all Subdistricts**” shall supersede the parking requirements of the underlying Zoning District.
- ii. Parking may not be located within the minimum setback abutting a Residential District outside of the WOD as specified in the Dimensional Requirements Sections of this by-law.
- iii. **Mixed-use Developments.** In the case of mixed-use development or multiple uses on a single lot, the parking provided shall meet the total requirements for all uses, except as permitted by the Board of Appeals as specified in the Shared Parking and Off-site Parking Sections of this by-law.
- iv. **Shared Parking.** An applicant may request to the Board of Appeals to meet the parking requirements for two or more uses by sharing a common shared parking area, provided that the shared spaces are held in common ownership with all uses being served through easements or fee title, and that all spaces are located within four hundred (400) feet of all uses they serve. It is the responsibility of the applicant to provide documentation to the Board of Appeals showing the expected peak use of all parking spaces, that the usage of such parking area would not occur

simultaneously, and that the total proposed number of parking spaces will meet the demands of the uses proposed for the site.

In order to be granted shared parking approval, the Board of Appeals shall determine that a lesser number of spaces would be adequate for all parking needs because of special circumstances such as shared parking for uses having peak parking demands at different times or other measures reducing parking demand.

A reciprocal agreement shall be executed by the owners and operators of the different sources or uses in the building or development ensuring the long-term joint use of such shared parking, and defining the terms upon which the parking is shared.

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Table D - Walsh Overlay District Parking Requirements for all Subdistricts

Principal Use	Parking Requirement
<b>Residential</b>	
Bungalow Court; Duplex; Mixed-use Development; Multi-family Housing; Single Family Dwelling	1 space per dwelling unit
Home Occupation, including Commercial Fishing Activity	1 space per dwelling unit as required above, plus 1 space for each non-resident employee
Home Occupation – permitted office use	1 space per dwelling unit as required above, plus 1 space per each non-resident employee
Coliving Community	0.25 space per coliving unit, plus 1 space for each non-resident employee
Park, playground, non-commercial recreation	1 space for each 3 users at maximum utilization <sup>1</sup>

Table D - Notes

1. All parking spaces dedicated to Park, Playground, or Non-Commercial Recreation uses shall be available for free to the public.
2. Parking spaces and aisles located in the WRS are to be permeable and shall be maintained with a level surface of at least four (4) inches of blue stone or T-base equivalent at all times.

- v. **Off-site Parking.** An applicant may request to the Board of Appeals to utilize off-site parking to meet the parking requirement. All municipal or other parking facilities which are used to satisfy the parking requirement must meet the following criteria:

The parking facility must be less than one thousand (1,000) feet from the proposed development, measured as measured from the nearest exterior point on a building or structure.

The applicant must provide the Board of Appeals with proof of ownership or lease for those parking spaces in order to satisfy the parking requirement. The owner shall provide offsite parking in perpetuity of the building use, as required by the needs of the tenants. Prior to the

expiration of any parking lease, the Board of Appeals shall approve the new mechanism to satisfy the parking requirement.

- vi. **Parking Access.** The location and number of curb cuts shall be minimized to reduce turning movements and hazardous exits and entrances. To the extent possible, access to parking from the public right of way should be located at the rear or the side of the parcel, with the exception of subdistrict WLS. At no point should access to parking be located between the front building facade and the front lot line.

- vii. **Shared Driveways and Private Roads.** Where appropriate and allowable, access to adjoining properties shall be provided. Joint access driveways between adjoining properties shall be encouraged.

A shared driveway, private road, or cross-access connection between abutting parking lots with a binding easement and joint maintenance agreement defining the responsibilities of abutting property owners sharing access is permitted in subdistricts WLS and WMS.

All shared driveways and private roads shall have a minimum of one 5-foot sidewalk on one side of the driveway or roadway.

- viii. **Loading Requirements.** Every Mixed-use Development hereafter erected, enlarged, or occupied which has over 5,000 square feet of non-residential Gross Floor Area shall provide a minimum of one area for the loading and unloading of service vehicles. Every building hereafter erected, enlarged, or occupied for residential use with more than 10 Dwelling Units shall provide a minimum of one area for the loading and unloading of service vehicles.

Trash collection, trash compaction, recycling collection and other similar service areas must be fully enclosed within a building or located to the side or rear of buildings and fully screened from view from a public street, public space, or abutting residential use.

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 Board of Appeals under site plan review, loading and unloading areas shall be located in the rear of the building.

- L. **Violations and Penalties.** Violation of any of the provisions of this bylaw may result in fines of up to \$300 for each offense. Each day that such a violation continues shall constitute a separate offense.

## § 90.5 Overlay Districts

- E. **Walsh Overlay District.** The Walsh Overlay District and its subdistricts is the area designated as such on the Truro Zoning Map as set forth on the map entitled “Appendix C Walsh Overlay District with Subdistricts,” which appears as **Appendix C** to this bylaw and which is more particularly described and bound as follows:

The land listed on the Truro Assessor's Map 43 as

Parcel **43-8**, as registered with the Barnstable County Registry of Deeds in Deeds Book 27849 on Page 58, Deeds Book 32722 on Page 331, and as shown on a plan recorded in Plan Book 673, page 3, and shown more specifically as lot 1 which includes former Parcel **43-7**, as registered with the Barnstable County Registry of Deeds in Deeds Book 2263 on Page 116 and Deeds Book 32722 on Page 331

Parcel **43-134**, as registered with the Barnstable County Registry of Deeds in Deeds Book 2263 on Page 116, Deeds Book 32722 on Page 331, and as shown on a plan recorded in Plan Book 673, page 3, and shown more specifically as lot 2;

Parcel **43-135**, as registered with the Barnstable County Registry of Deeds in Deeds Book 2263 on Page 116, Deeds Book 32722 on Page 331, and as shown on a plan recorded in Plan Book 673, page 3, and shown more specifically as lot 3;

Parcel **43-13**, as registered with the Barnstable County Registry of Deeds in Deeds Book 15998 on Page 329, Deeds Book 1339 on Page 331, and Deeds Book 32722 on Page 331;

Parcel **43-10**, as registered with the Barnstable County Registry of Deeds in Deeds Book 17034 on Page 46, Deeds Book 15327 on Page 145, Deeds Book 1416 on Page 239, Deeds Book 32722 on Page 331, and as shown on a plan recorded in Plan Book 673, page 3, and shown more specifically as lot 4;

Parcel **43-226**, as registered with the Barnstable County Registry of Deeds in Deeds Book 17034 on Page 46, Deeds Book 32722 on Page 331, and as shown on a plan recorded in Plan Book 673, page 3, and shown more specifically as lot 5;

Parcel **43-2**, as registered with the Barnstable County Registry of Deeds in Deeds Book 25648 on Page 111, Deeds Book 15998 on Page 325, Deeds Book 32722 on Page 331, and as shown on a plan recorded in Plan Book 684, page 90, and shown more specifically as an unnumbered parcel with an area of 57.17± acres;

Parcel **43-9**, as registered with the Barnstable County Registry of Deeds in Deeds Book 2263 on Page 116, Deeds Book 17945 on Page 105, Deeds Book 16182 on Page 65, Deeds Book 32722 on Page 331, and as shown on a plan recorded in Plan Book 684, page 90, and shown more specifically as an unnumbered parcel with an area of 3.68± acres;

Parcel **43-133**, as registered with the Barnstable County Registry of Deeds in Deeds Book 2263 on Page 116, Deeds Book 17945 on Page 105, Deeds Book 16182 on Page 65, Deeds Book 32722 on Page 331, and as shown on a plan recorded in Plan Book 684, page 90, and shown more specifically as an unnumbered parcel with an area of 0.45± acres.

**i. Walsh Low-Density Subdistrict.** The Walsh Low-Density Subdistrict is the area designated as such on the Truro Zoning Map as set forth on the map entitled "Appendix C Walsh Overlay District with Subdistricts," which appears as **Appendix C** to this bylaw and which is more particularly described and bound as follows:

All the land in Parcel 43-2, as listed in the Truro Assessor's Map 43 and as further described in § 90.5.E, that is northerly of a line commencing at the southeasterly corner of the property listed on the Truro Assessor's Map 40 as Parcel 40-166, as registered with the Barnstable County

Registry of Deeds in Deeds Book 21785 on Page 245.; running thence southeasterly bearing S 76 9' 18" E for a distance of 52.21'

Thence S 66 35' 48" E for a distance of 93.06'

Thence N 75 32' 11" E for a distance of 73.12'

Thence N 62 11' 40" E for a distance of 89.28'

to the southwesterly boundary of the property owned by the Town of Provincetown and listed in the Truro Assessor's Map 40 as Parcel 40-170 and registered with the Barnstable County Registry of Deeds in Deeds Book 25097 on Page 292 and Plan Book 684 on Page 90

Thence follows the boundary of Parcel 40-170 northerly, thereby following the parcel boundaries until the point of commencement, totaling approximately 6 acres.

**i. Walsh Moderate-Density Subdistrict.** The Walsh Moderate-Density Subdistrict is the area designated as such on the Truro Zoning Map as set forth on the map entitled "Appendix C Walsh Overlay District with Subdistricts," which appears as **Appendix C** to this bylaw and which is more particularly described and bound as follows:

The land listed on the Truro Assessor's Map 43 and as further described in § 90.5.E as Parcel 43-7, 43-8, 43-134, 43-135, 43-13, 43-10, 43-226, 43-2, and

All the land in Parcel 43-2 that is southerly of a line commencing at the northwesterly corner of the property owned by the Town of Truro and listed on the Truro Assessor's Map 43 as Parcel 43-3, as registered with the Barnstable County Registry of Deeds in Deeds Book 4293 on Page 91, Deeds Book 13849 on Page 49, and Plan Book 684 on Page 90; running thence northwesterly bearing N 84 41' 58" W for a distance of 86.15'

Thence S 68 27' 40" W for a distance of 28.60'

Thence S 27 53' 29" W for a distance of 38.31'

Thence S 32 16' 17" W for a distance of 42.97'

Thence S 28 36' 34" W for a distance of 22.66'

Thence S 38 38' 10" W for a distance of 37.23'

Thence N 66 54' 9" W for a distance of 14.09'

Thence N 22 34' 42" W for a distance of 34.30'

Thence N 57 16' 31" W for a distance of 68.92'

Thence S 71 53' 20" W for a distance of 32.20'

Thence S 71 16' 29" W for a distance of 150.24'

Thence S 78 2' 57" W for a distance of 73.52'

to the easterly corner of the property listed in the Truro Assessor's Map 43 as Parcel 43-1 and registered with the Barnstable County Registry of Deeds in Deeds Book 511 on Page 179, Plan Book 52 on Page 47, and Plan Book 680 on Page 90

Thence follows the boundary of Parcel 43-3 southerly to the northerly corner of Parcel 43-180

Thence follows the boundary of Parcel 43-179 and 43-178 westerly to the easterly corner of Parcel 43-10, totaling approximately 33 acres.

**i. Walsh Recreational Subdistrict.** The Walsh Recreational Subdistrict is the area designated as such on the Truro Zoning Map as set forth on the map entitled "Appendix C Walsh Overlay

District with Subdistricts,” which appears as **Appendix C** to this bylaw and which is more particularly described and bound as follows:

All the land in Parcel 43-2, as listed in the Truro Assessor’s Map 43 and as further described in § 90.5.E, between a northerly line commencing at the southeasterly corner of the property listed on the Truro Assessor’s Map 40 as Parcel 40-166, as registered with the Barnstable County Registry of Deeds in Deeds Book 21785 on Page 245.; running thence southeasterly bearing S 76 9' 18" E for a distance of 52.21'

Thence S 66 35' 48" E for a distance of 93.06'

Thence N 75 32' 11" E for a distance of 73.12'

Thence N 62 11' 40" E for a distance of 89.28'

to the southwesterly boundary of the property owned by the Town of Provincetown and listed in the Truro Assessor’s Map 40 as Parcel 40-170 and registered with the Barnstable County Registry of Deeds in Deeds Book 25097 on Page 292 and Plan Book 684 on Page 90

Thence follows the boundary of Parcel 40-170 easterly to the westerly boundary of the Cape Cod National Seashore and listed as Parcel 40-78 to the northeasterly corner of Parcel 43-3

Thence follows the boundary of Parcel 43-3 southwesterly to the northwesterly corner of 43-3

Thence follows a southerly line commencing at the northwesterly corner of the property owned by the Town of Truro and listed on the Truro Assessor’s Map 43 as Parcel 43-3, as registered with the Barnstable County Registry of Deeds in Deeds Book 4293 on Page 91, Deeds Book 13849 on Page 49, and Plan Book 684 on Page 90; running thence northwesterly bearing N 84 41' 58" W for a distance of 86.15'

Thence S 68 27' 40" W for a distance of 28.60'

Thence S 27 53' 29" W for a distance of 38.31'

Thence S 32 16' 17" W for a distance of 42.97'

Thence S 28 36' 34" W for a distance of 22.66'

Thence S 38 38' 10" W for a distance of 37.23'

Thence N 66 54' 9" W for a distance of 14.09'

Thence N 22 34' 42" W for a distance of 34.30'

Thence N 57 16' 31" W for a distance of 68.92'

Thence S 71 53' 20" W for a distance of 32.20'

Thence S 71 16' 29" W for a distance of 150.24'

Thence S 78 2' 57" W for a distance of 73.52'

to the easterly corner of the property owned by the Town of Truro and listed in the Truro Assessor’s Map 43 as Parcel 43-1 and registered with the Barnstable County Registry of Deeds in Deeds Book 511 on Page 179, Plan Book 52 on Page 47, and Plan Book 680 on Page 90

Thence follows the boundary of Parcel 43-1 northerly, thereby following the parcel boundaries until the point of commencement, totaling approximately 31 acres

or to take any other action relative thereto.

Requested by the Zoning Task Force

MAPS

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*Explanation: The Zoning Task Force (ZTF) created by the Select Board to, among other things, “review the town’s zoning and general bylaws with a focus on provisions that may affect housing opportunities or production ...” and “draft bylaw and/or policy amendments for recommendation to the Select Board” unanimously recommends the attached zoning bylaw amendment creating a Walsh Property Overlay District to the Select Board for its consideration and, if acceptable to the Select Board, placement on the warrant as an article for consideration at the 2025 Town Meeting. As a proposed amendment to the town’s zoning bylaw, this warrant article remains subject to legal review by the town’s counsel, KP Law, as well as a public hearing before the Planning Board.*

*The ZTF approved unanimously by roll call vote on March 3, 2025 recommending the attached bylaw amendment to the Select Board.*

*Process. The ZTF was established in October 2025 and held its first meeting on October 28, 2024. The ZTF chose to commence its work by developing a proposed bylaw amendment creating an overlay district for the Walsh property. We feel that this is a pressing need in order to allow the town to move forward expeditiously with the development of the Walsh property as approved at 2024 Town Meeting. The ZTF has been ably advised by Kennan Rhyne of Rhyne Civic Strategies LLC and our staff liaison, Barbara Carboni, the Town Planner and Land Use Counsel.*

*Early in our work, it became clear that the Walsh property cannot be developed consistent with the Town Meeting’s mandate without changing the current residential zoning of the property. The current zoning is quite restrictive and would allow far fewer than the recommended up to 160 dwelling units to be constructed.*

*The ZTF has sought to balance the vision for the Walsh property articulated by the Walsh Committee and approved by the Town at the 2024 Town Meeting with the Town’s character as a rural, residential community on the Outer Cape. Thus, the proposed bylaw amendment provides for multiple types of housing in addition to those permitted in the residential district and permits smaller lot sizes and requires development of affordable and attainable housing.*

*The ZTF has met twice with the full Ad Hoc Walsh Committee to obtain input into their vision of how the Walsh property will be developed and to obtain their feedback on the draft overlay bylaw amendment. We also held a public listening session on February 26th to seek community input and reached out to the chair of the Planning Board. We have also established an email address to receive comments. We intend to continue our outreach efforts to ensure that our fellow townspeople have the opportunity to ask questions and are provided with the complete rationale for the provisions of the proposed overlay district. At the ZTF meeting on February 18, we approved a draft of the overlay amendment for consideration at the February 26 public meeting and submission to the Select Board. Following our review of comments submitted, we met on March 3 to consider changes to the draft bylaw amendment as a result of community commentary.*

Changes. The ZTF made several changes to the draft as a result of outreach to the community. The first is to eliminate the ability to build up to a 5 story building pursuant to a special permit for a senior living facility. The vast majority of commenters objected to the possibility of a 5 story building on the Walsh property and the ZTF agreed to reduce the maximum building height to 3 stories. Second, the ZTF agreed to expand the minimum side yard setback from a proposed 5 feet to 10 feet. This will provide for more space between buildings on adjacent lots. Although the ZTF carefully considered other comments received, we ultimately decided to retain the remainder of the proposed bylaw amendment in order to provide the town and the Ad Hoc Walsh Committee with sufficient flexibility to allow development of the area in the manner deemed most beneficial to the town. We recognize that, as town-owned property, there are multiple opportunities to control development of the Walsh property and we feel that our role is to enhance the opportunity for such development while imposing only appropriate and necessary boundaries.

Other Recommendations. In the course of our outreach, we have also received important feedback regarding the development of the Walsh property that, although not germane to our work on the zoning bylaw, we feel merits transmittal to the Select Board. First, as the Select Board is well aware, the issues of providing water to and addressing wastewater at the Walsh property are critical not only for the development of the Walsh property, but for the continued health of our town. We strongly support the Select Board's work to develop additional sources of potable water, to consider solutions for wastewater treatment, and to develop an equitable sharing of water with Provincetown. We urge the Select Board to continue these efforts and to continue to make these issues a top priority. Second, development of the necessary infrastructure to support development of the Walsh property, such as roads and utilities, is also a high priority. We also support the town's efforts to obtain funding for these efforts and to make this an early action item. Finally, we recommend that approximately 7 acres of the proposed Walsh Recreational Subdistrict be formally set aside for use by the Truro Central School; the proposed overlay district would fully consistent with that effort.

Planning Board Recommendation			
Select Board Recommendation	5	0	0

## TWO-THIRDS VOTE

**Article 33: Amend Zoning Bylaw §40.5.B3 Requirements**

To see if the Town will vote to amend the Truro Zoning Bylaws §40.5.B3 Requirements as set forth below by deleting the language in ~~striketrough~~ and adding the **bold underlined** wording:

**§ 40.5 Communication Structures, Buildings and Appurtenances**

## B. Requirements:

3. ~~The~~**All** communications structures~~s~~, buildings~~s~~, ~~towers and~~ or appurtenances~~s~~ shall be installed, maintained and operated in accordance with all applicable federal, state, county and local codes, standards and regulations ~~and shall be designed to withstand sustained winds and gusts of a category 5 hurricane.~~ **Tower structures shall be designed or rated (existing structures) to conform to the loading requirements of the Massachusetts State Building Code 780 CMR (latest edition) and the ANSI/TIA-222 Standard referenced therein.** If Federal Aviation Administration (FAA) or Federal Communications Commission (FCC) regulations are changed, then the owner or operator shall bring the structure, building, ~~tower or~~ and appurtenances into compliance with the new regulations within six (6) months of the effective date of such regulations or earlier if a more stringent compliance schedule is included in the regulation. Failure to comply with any new regulations shall be grounds for the removal of non-complying structures, buildings, ~~towers or~~ and appurtenances at the owner's expense.
4. **An on-site condition assessment and an updated structural rating analysis no more than five (5) years old and stamped by a registered professional structural engineer licensed in the Commonwealth of Massachusetts shall be submitted when an existing tower or the equipment that it supports is modified in a manner that results in increased structural loads on the tower. The Risk Factor (or Structure Class) used for design or rating of communications towers shall be subject to review and approval by the Truro Planning Board but shall not be less than the following:**
  - a. **For the existing towers at 344 Route 6 and 5 Town Dump Road and for towers supporting emergency communications services: Risk Factor / Structure Class: III.**

**b. For all other communications towers: Risk Factor /Structure Class: II.**

(Keep and renumber subsequent paragraphs of Section 40.5.B.)

or to take any other action relative thereto.

Requested by the Planning Board

*Explanation: The reference in the current zoning bylaw to “...a category 5 hurricane...” does not provide a basis for determining wind loads on structures for design or rating purposes. This proposed rewrite, per paragraph 3 above, is the crux of this bylaw revision.*

*This warrant article deletes the “...category 5 hurricane...” language and instead requires compliance with the Massachusetts State Building Code, 780 CMR.*

*With regard to the proposed paragraph 4 above: The applicable code uses a factor called “Structure Class” for the analysis of each specific structure, depending on the importance of the supported communication services and the hazard that the structure represents to its surroundings. A higher value for “Structure Class” should potentially be used or required for a tower that supports essential or emergency services, for a tower whose service coverage area is not redundant with another tower, or for a tower whose fall zone includes critical infrastructure. This paragraph 4 is intended to codify what has been the Planning Board’s recent practice when reviewing submittals for tower modifications.*

Planning Board Recommendation			
Select Board Recommendation	5	0	0

**HOME RULE PETITIONS****Article 34: Home Rule Petition for Pesticide Reduction Bylaw**

To see if the Town will vote to take the following actions relative to the use of pesticides in the Town of Truro: Part A: vote to authorize and direct the Select Board to petition the Great and General Court of the Commonwealth of Massachusetts for special legislation authorizing the Town to adopt a pesticide reduction Bylaw), the text of which is set forth below and to authorize the General Court, with the approval of the Select Board, to make changes of form to the text thereto as may be necessary or advisable in order to accomplish the intent and public purpose of this legislation to secure passage; Part B: vote to see if the Town will vote to amend the General Bylaws to add a new section titled “Pesticide Reduction Bylaw”, subject to the enactment of said special legislation; and further to authorize the Town Clerk to assign such numbering and to make non-substantive changes to the format of this bylaw in order that it be in compliance with the numbering format of the Town’s General Bylaws:

**PART A: Authorize Petition for Special Legislation****AN ACT AUTHORIZING THE TOWN OF TRURO TO REGULATE THE USE OF PESTICIDES**

*Whereas, the deferred operation of this act would tend to defeat its purpose, which is to protect public health and the environment in the town of Truro, it is hereby declared to be a law, necessary for the immediate preservation of the public health and convenience.*

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

**SECTION 1.** Notwithstanding chapter 132B of the General Laws, or any other general or special law to the contrary, the town of Truro is hereby authorized to enact a bylaw regulating the storage, use and application of pesticides within said town of Truro, to establish civil penalties not to exceed \$1,000 for each offense, and to otherwise enforce said bylaw through any lawful means.

**SECTION 2.** This act shall take effect upon its passage.

**PART B: ENACT PESTICIDE REDUCTION BYLAW****PESTICIDE REDUCTION BYLAW**

§1. Purpose.

The purpose of this bylaw is to reduce toxic pesticide use in and on public and private property in the Town of Truro to promote a healthy environment and to protect the public from the hazards of pesticides, and for implementation of sustainable land and building management practices on all public and private property.

§2. Findings.

- a. Environmental and occupational risk assessments and scientific studies associate exposure to pesticides with adverse health effects such as asthma, cancer, developmental and learning disabilities, nerve and immune system damage, liver or kidney damage, reproductive impairment, birth defects, and disruption of the endocrine system.
- b. Infants, children, pregnant women, the elderly, and people with compromised immune systems and chemical sensitivities are especially vulnerable to pesticide effects and exposure.
- c. Exposure to pesticides is harmful to pets and wildlife, including threatened and endangered species, soil microbiology, plants, and natural ecosystems.
- d. Toxic runoff from chemical fertilizers and pesticides pollute streams, lakes, estuaries, and drinking water sources.
- e. The use of pesticides is not necessary to create and maintain green lawns and landscapes given the availability of viable alternatives practices and products.
- f. People have a right not to be involuntarily exposed to pesticides in the air, water or soil that inevitably result from chemical drift and contaminated runoff.
- g. Sustainable land and building management practices that emphasize non-chemical methods of pest prevention and management, and least-toxic pesticide use as a last resort, will eliminate the use of and exposure to pesticides while controlling pest populations.

- h. Sustainable land and building management practices complement other important goals of Truro maintenance and administration, such as energy conservation and security.
- i. Truro embraces a precautionary approach to the use of pesticides in order to adequately protect people and the environment from the harmful effects of pesticides.
- j. Application of chemicals simply for aesthetic/cosmetic purposes has harmful consequences for our ecosystem, children and pets. Pollinators may be directly harmed by applications particularly the indiscriminate (and long-term ineffective) spraying of pesticides.

§3. Authority.

This bylaw is adopted under authority granted by the Home Rule amendment to the Massachusetts Constitution and the provisions of any Special Legislation passed by the Legislature.

§4. Definitions.

For the purposes of this bylaw, the following definitions shall apply:

Allowed Materials List - The list of acceptable pesticides is limited to the following:

- 1) All non-synthetic (natural) materials, with the exception of prohibited non-synthetic materials under 7 CFR 205.602;
- 2) Any synthetic material listed at 7 CFR 205.601 that is labeled for turf uses, subject to discretionary authority to require disclosure of inert ingredients; and
- 3) 25b listed pesticides under the Federal Insecticide, Fungicide and Rodenticide Act (FIFRA).

Inert ingredient - Any substance (or group of substances with similar chemical structures if designated by the Environmental Protection Agency) (EPA) other than an active ingredient that is intentionally included in any pesticide product (40 CFR 152.3(m)) [7 CFR 205.2 Terms defined.] and are not classified by the EPA Administrator as inserts of toxicological concern. [7 U.S.C. 6502(21) Definitions]

Non-synthetic (natural) materials - A substance that is derived from mineral, plant, or animal matter and does not undergo a synthetic process as defined in section 6502(21) of the Organic Foods Production Act. For the purposes of this part, “non-synthetic” is used as a synonym for natural as the term is used in the regulations. [7 CFR 205.2 Terms defined.]

Pesticide - Any substance or mixture of substances intended for: (i) preventing, destroying, repelling, or mitigating any pest; (ii) use as a plant regulator, defoliant, or desiccant; or (iii) use as a spray adjuvant such as a wetting agent or adhesive. The term 'pesticide' includes insecticides, herbicides, fungicides, and rodenticides, but does not include cleaning products other than those that contain pesticidal agents.

Synthetic materials - A substance that is formulated or manufactured by a chemical process or

by a process that chemically changes a substance extracted from naturally occurring plant, animal, or mineral sources, except that such term shall not apply to substances created by naturally occurring biological processes. [7 U.S.C. 6502(21) Definitions]

§5. Prohibitions.

The application of any Pesticide that is not on the Allowed Material List is prohibited, except as permitted in this bylaw.

§6. Exceptions.

- a. The application of the following Pesticides is allowed:
  1. Indoor pest sprays and insect baits (excluding rodent baits)
  2. Insect repellants for personal and household use
  3. Pet: Flea and tick sprays, powders, and pet collars
  4. Kitchen, laundry, and bath disinfectants and sanitizer
  5. Products labeled primarily to kill mold and mildew
  6. Usage for commercial farming and nurseries.
  7. The use of larvicide by the Cape Cod Mosquito Control Program (CCMCP)
- b. Pesticides for the treatment of invasive plants for ecological restoration (see Massachusetts Invasive Plant Advisory Group current lists of Invasive, Likely Invasive, and Potentially Invasive <https://www.massnrc.org/mipag/> may be used upon the grant of a waiver by the Town Manager or authorized designee.
- c. If an emergency public health situation warrants the use of Pesticides, which would otherwise not be permitted under this bylaw, the Town Manager or authorized designee shall have the authority to grant a temporary waiver on a case-by-case basis after an evaluation of all alternative methods and materials.

§7. Enforcement.

The enforcement authority shall be the Town Manager, or any town officials as designated by the Select Board to oversee and enforce the provisions of this bylaw.

§8. Penalties.

Any person who violates any provision of this bylaw shall be punished by a fine of one hundred dollars (\$100.00) for the first offense and three hundred dollars (\$300.00) for each offense thereafter. Each day or portion thereof during which a violation continues shall constitute a separate offense and a violation of each provision of the bylaw shall constitute a separate offense. If the offender is a commercial applicator, the right to do business in Truro may be revoked.



§9. Severability.

The provisions of this bylaw are hereby declared to be severable. If any provision, paragraph, sentence, or clause of this bylaw or the application thereof to any person, establishment, or circumstances shall be held invalid, such invalidity shall not affect the other provisions or application of this bylaw.

or take any other action relative thereto.

Requested by the Board of Health

*Explanation: This article authorizes the Select Board to file special legislation authorizing the adoption of the proposed bylaw authorizing the Town to regulate the use of pesticides in the Town. The use of pesticides is regulated by State and Federal laws and the Massachusetts Supreme Judicial Court has determined that those laws prohibit municipalities from enacting more stringent regulations. Those State and Federal laws, however, do not take into account the unique environmental characteristics and the impact that the use of pesticides has on its drinking water supply. Subject to the passage of the special act, this article also adopts a general bylaw regulating the storage, use and application of pesticides in the Town. The purpose of this article is to reduce toxic pesticide use in and on public and private property in order to promote a healthy environment and to protect the public from the hazards of pesticide use. It does not prohibit businesses from selling products containing pesticides to anyone.*

Board of Health Recommendation			
Select Board Recommendation			

**Article 35: Home Rule Petition to Impose a 0.5% Real Estate Transfer Fee**

To see if the Town will vote to authorize the Select Board to petition the General Court for special legislation authorizing the Town to impose a 0.5% real estate transfer fee as set forth below; provided, however, that the General Court may make clerical or editorial changes of form only to said bill, unless the Select Board approves amendments thereto prior to enactment by the General Court, and provided further that the Select Board is hereby authorized to approve amendments which shall be within the scope of the general public objectives of this petition.

**AN ACT AUTHORIZING  
THE TOWN OF TRURO  
TO IMPOSE A 0.5% REAL ESTATE TRANSFER FEE**

*Whereas, the deferred operation of this act would tend to defeat its purpose, which is to protect public health and the environment in the town of Truro, it is hereby declared to be a law, necessary for the immediate preservation of the public health and convenience.*

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same as follows:*

**Section 1.** There is hereby imposed a real estate transfer fee equal to 0.5% (half percent, ½%) of the purchase price upon the transfer of any real property interest in any real property situated in the Town of Truro. Said fee shall be the liability of the purchaser of such property interest, and any agreement between the purchaser and the seller or any other person with reference to the allocation of the responsibility for bearing said fee shall not affect such liability of the purchaser. The fee shall be paid to the Town of Truro. Fifty percent (50%) of the funds collected in each fiscal year shall be deposited in the Town's Capital Improvement Stabilization Fund and the remaining fifty percent (50%) shall be deposited into the Town's Affordable Housing Trust Fund.

**Section 2.** The following transfers of real property interests shall be exempt from the real estate transfer fee:

- A. First time homebuyers who live in the home for at least 5 years. A lien shall accompany the deed stating that "There is running with the land a lien equal to the amount of real estate transfer fee exempted, plus accumulated interest and penalties until such time as all conditions of this sub-section are met."
- B. Transfers to the government of the U.S., the Commonwealth, the Town of Truro and any of their instrumentalities, agencies or sub-divisions, such as the Truro Housing Authority.
- C. Transfers made without additional consideration to confirm, correct, modify or supplement a transfer previously made.

D. Transfers of convenience with consideration under \$100 which include: name change, into trusts, out of trust, etc.

E. Transfers to any charitable organization as defined in Clause 3 of Section 5 of Chapter 59 of the General Laws or any religious organization providing that the real property interests so transferred will be held solely for public charitable or religious purposes.

F. Transfers between family members, marriage partners, parents and children, grandchildren, stepparents and stepchildren, brothers and sisters.

**Section 3.** The fee authorized herein shall be subject to the following:

A. The fee imposed shall be due at the time of the transfer of the real property interest.

B. The buyer shall pay interest on any unpaid amount of the fee at the rate the Town collects on unpaid real estate taxes.

C. The Town shall notify a buyer by registered or certified mail of any failure to discharge the amount in full of fee due.

D. All fees and interest required to be paid under this Act shall constitute a personal debt of the buyer and may be recovered in an action of contract.

**Section 4.** The Select Board may enact and from time to time amend regulations to effectuate the purposes of this Act.

**Section 5.** This Act shall take effect on passage;

or take any other action relative thereto.

Requested by the Select Board

*Explanation: The purpose of the article is to allow the Select Board to petition the General Court for special legislation that would allow the Town of Truro to establish a 0.5% real estate transfer fee. Once the legislation passes at the State level, the Town would be able to establish the transfer fee. The primary purpose of the real estate transfer fee would be to support the Town's Capital Improvement Stabilization Fund and Affordable Housing in Truro. This would provide an alternative funding source for the Town to protect, maintain and develop the necessary infrastructure for Town property and operations and to have a dedicated funding stream for affordable housing. The tax would be paid by the purchaser and there are several exemptions to the fee including for first time home buyers and transfers between family members.*

*This article was approved by the voters at the 2019 Annual Town Meeting (Article 15) and again at the 2022 Annual Town Meeting (Article 48) but has not been acted upon by the legislature. To continue to petition the General Court for this special legislation, Town Meeting must approve this article. This article was updated to reflect the motion made on Town Meeting floor at the 2019 Annual Town*

*Meeting to deposit 50% of the fees collected into the Capital Improvement Stabilization Fund and 50% of the fees into the Affordable Housing Trust Fund.*

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

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## ADVISORY ARTICLE

**Article 36: Advisory Vote to Pursue a Pilot Test of Electronic Voting at Annual Town Meeting 2026**

To see if the Town will vote to recommend that the Select Board to pursue a pilot test of electronic voting at the Annual Town Meeting 2026. This would provide an opportunity to introduce voters to electronic voting and help them decide whether to implement it as the primary system of voting at future Annual and Special Town Meetings. A vote will be taken at the end of ATM 2026 to determine whether to proceed permanently with electronic voting beginning with ATM 2027, or take any other action relative thereto.

Requested by the Select Board

*Explanation: Many communities across the Commonwealth have moved to electronic voting (EV) as the primary method of voting at Town Meetings. EV provides privacy to voters, accuracy and efficiency of vote counting, and transparency by displaying the exact number of votes for or against each article. It can also help to make Town Meetings more time-efficient by eliminating the need for hand counts and secret ballots. The Select Board, Town Moderator and staff will work together to research EV voting systems and will select a vendor for the one-year pilot program. This effort is one of the 2025 Select Board Goals and Objectives. Ultimately, it is up to the voters to decide whether they want to proceed with EV permanently. The Select Board and Town Moderator would like to offer the opportunity to try EV to help voters make a more informed choice. Potential grant funding will be explored to support the pilot program.*

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

Select Board Recommendation	5	0	0
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**ADVISORY ARTICLE****Article 37: Starting with the 2026/2027 Fiscal Year 100% of Free Cash will be Applied to Reduce and Stabilize the Tax Rate—Petitioned Article**

Starting with the 2026/2027 Fiscal Year 100% of Free Cash will be applied to Reduce and Stabilize the Tax Rate;

or take any other action relative thereto.

Requested by Citizen Petition

*Explanation: Free Cash is neither Free nor Cash. What we all refer to as Free Cash is actually taxes that were collected the previous tax year and not used. Taxes you have already paid. Having all of the Free Cash go to Reducing and Stabilizing the Tax Rate stops all of this nonsense with free cash and brings all of the articles onto a level playing field.*

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

**Article 38: Accept a Massachusetts General Bylaw that will Allow the Town to Plow Private Roads—Petitioned Article**

Shall the Town of Truro vote to accept the provisions of Section Six C of Chapter Forty of the General Laws, which authorize cities and towns to appropriate money for the removal of snow and ice from private ways. Therein open to public use;

or take any other action relative thereto.

Requested by Citizen Petition

*Explanation: The State of Massachusetts requires this General Law to be passed at the Town Election before the Town may plow any private roads, the passage of this article does not require the Town to plow private Roads.*

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

Select Board Recommendation	1	4	0
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## TWO-THIRDS VOTE

**Article 39: Charter Amendment to Section 6-4-3—Petitioned Article**

To see if the Town will vote to amend Section 6-4-3 of the Town Charter by adding new language as follows (new language shown **bold underline**):

6-4-3 The moderator shall in accordance with sections 2-2-4 and 6-2-6 of this Charter appoint a Finance Committee of five members who shall be voters and shall not hold elected **or other appointed** office nor be a candidate for elected office in the Town of Truro;

or take any other action relative thereto.

Requested by Citizen Petition

*Explanation: The Finance Committee (“FinCom”) is appointed by the Town Moderator, as required by law and Town Charter, to ensure the FinComm is not subject to control and influence of the Select Board. These “checks and balances” ensure that the FinCom has an arm’s length relationship to the Select Board in performing its primary obligation “to advise the legislative branch” (Town Meeting) on matters of budget and finance and to ensure its decisions remain unbiased and free from potential conflicts of interest.*

*This amendment strengthens the independence of the Finance Committee by requiring that its members do not hold any positions appointed by the Select Board within the town government such as a committee or board member or committee liaison. This change establishes a clear and unambiguous separation between executive and legislative functions. It ensures that no individual member of the FinCom is subject to the Select Board where independence from the Select Board is the foundation of the FinCom’s role and responsibilities. Without this separation between these bodies, FinCom Members who deliberate and/or vote on an appointed or elected committee with financial considerations would have a conflict of interest.*

*This amendment will ensure the FinCom does not intentionally or otherwise compromise the integrity of financial oversight, impede its ability to make impartial recommendations to the legislative branch, or experience undue influence from the executive branch. This revision aligns with best practices in municipal governance by reinforcing checks and balances, promoting transparency, and safeguarding the Finance Committee’s role as an independent advisory body serving the best interests of Truro voters only.*

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

Charter Review Committee Recommendation			
Select Board Recommendation	4	1	0

**Article 40: Non-Binding Resolution to Establish Project Cost Cap and Schematic Design Requirements for a New DPW—Petitioned Article**

To see if the Town will, with respect Town Hall Hill (“THH”) as the designated site for the new Department of Public Works (“DPW”) Facility, establish a project cost cap not to exceed \$20,000,000 (Twenty Million Dollars) for the completion of the built DPW and site upgrades; and will prepare two schematic designs chosen for two of the four options preliminary costed by Owner’s Project Manager (“OPM”), one option proposed by Weston and Sampson and the second prepared by the DPW Study Group. And further, to apply such funds as appropriated in Article 13, as amended, at Annual Town Meeting (“ATM”) 2024, to deliver two schematic engineering plans upon completion of this task.

It will be the responsibility of the AD Hoc Building Committee for the Future Public Works Facility (“AHBC” or “the Committee”) to oversee this work and to report within four months or less to the Select Board for approval to continue schematic design and development of the most cost-effective of the two proposals under consideration at that time. And further, to identify and allocate such sums as may be required to complete this task from the funds appropriated and adopted for the completion of a schematic design for Town Hall Hill in Article 13, as amended, at ATM 2024. These sums may be applied to the hiring of an independent architect(s), engineer(s), or other professional(s) to assist the Committee, which the Committee is authorized to retain under existing agreements. This work is to be completed with four months more or less following voter approval, consistent with and within the timeline approved by the Select Board for completion of a single, final schematic design, that is, by ATM 2026; or take any other action in relation thereto.

Requested by Citizen Petition

*Explanation: At STM and ATM 2024, voters approved and supported development and construction of a new DPW on Town Hall Hill and denied and/or excluded 340-344 Route 6 for this purpose as a site; and denied funds to develop plans for that site. On February 25, 2025, the Select Board identified THH as the site for a new DPW and thereby also made funds appropriated at ATM 2024 available for a process to deliver a schematic design. At STM, voters affirmatively supported a resolution to consider at least two concepts, a “monolith” or uni-structure concept as conceived by Weston & Sampson and a multi-building “campus plan” as conceived by the DPW Study Group. Voters also rejected costs for proposed DPW at \$28M and supported costs of around \$16.5M, a key gauge of acceptable cost for this project. At this time, four cost comparisons of concepts for the THH have been developed by the OPM, with the most expensive being the “monolith” design project at \$35.1M and the lowest being the Campus Plan designs at \$26M and \$27M, all respectively projections excluding debt service. Yet no consideration is*



*being given to these lower cost options. This article is meant to send a clear message to the Select Board as a basis for directing and instructing the AHBC to produce a schematic plan that will cost under \$20M on Town Hall Hill, with one or more design deliverables that meet the DPW's essential needs. The costs of advancing a second schematic design for comparisons of two options to a point where an informed choice can be made has been projected by the Project Designer to be approximately \$100,000 added cost for the second schematic and does not present a drain on the more-than-ample appropriation of \$2.8M (maximum) approved at ATM 2024.*

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

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

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# TOWN OF TRURO

## Select Board Agenda Item

**DEPARTMENT:** Administration

**REQUESTOR:** Kelly Clark, Assistant Town Manager

**REQUESTED MEETING DATE:** April 2, 2025 (Continued from March 25, 2025)

**ITEM:** Vote to Post and Electronically Sign the 2025 Annual Town Meeting Warrant

**EXPLANATION:** In accordance with Town Charter 2-3-5, the Town Meeting Warrant must be posted at least 14 days before the date of a Town Meeting.

After the Select Board signs, the warrant will be signed by Town Clerk, Nicole Tudor, and will be posted by the Town Constable in accordance with Massachusetts General Law and Town Charter. Staff will add the Board members' electronic signatures to the warrants. Annual Town Meeting will be held on May 3, 2025.

Please note that some years the Town Meeting and the Town Election are posted on one warrant and some years they are posted separately. As there are a few warrant articles that will have corresponding ballot questions that will be under discussion at tonight's meeting, staff will prepare a separate Annual Town Election Warrant for approval with the Annual Town Election Ballot at the April 8, 2025 meeting.

**FINANCIAL SOURCE (IF APPLICABLE):** N/A

**IMPACT IF NOT APPROVED:** The warrant will not be posted in accordance with the Town Charter.

**SUGGESTED ACTION:** *Motion to approve and electronically sign the 2025 Annual Town Meeting Warrant posting and to post the Warrant in accordance with the Town Charter.*

**ATTACHMENTS:**

1. Posting of the Warrant

## POSTING OF THE WARRANT

In conformity with Section 2.3.5 of the Truro Town Charter, you are hereby directed to serve these warrants, by posting duly-attested copies in Town Hall, the United States Post Offices, two other public places in Truro and two other public places in North Truro, fourteen days, at least, before the date of said meeting.

Hereto fail not and make due return of the warrants, together with your doings thereon, to the Town Clerk, at time and place of said meetings. Given unto our hands this 2nd day of April in the Year of our Lord, Two Thousand and Twenty-Five.

We, the members of the Select Board of the Town of Truro, have read the warrant for Annual Town Meeting to be held at 10:00am on May 3, 2025, at the Truro Central School.

Acting in capacity of the Select Board we do hereby grant approval of and permission for the above mentioned warrant.

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Susan H. Areson, Chair

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Robert M. Weinstein, Vice-Chair

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Nancy Medoff, Clerk

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Susan Girard-Irwin

---

Stephanie J. Rein

A true copy, attest:

Nicole Tudor  
Town Clerk, Town of Truro

Select Board: I have served this warrant by posting duly attested copies thereof at the following places: 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.

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Constable

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Date