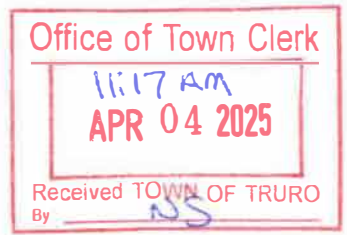




Truro Planning Board Agenda Remote/Livestreamed Zoom Meeting

Wednesday, April 9, 2025 – 5:00 pm

www.truro-ma.gov



Join the meeting from your computer, tablet or smartphone:

<https://us02web.zoom.us/j/88192369351>

Dial in: +1-646-931-3860

Meeting ID: 881 9236 9351

Passcode: 599458

Open Meeting

This will be a Zoom remote/livestreamed public meeting. Citizens can view the meeting on Channel 8 in Truro and on the web: Town of Truro website (www.truro-ma.gov), "Helpful Links", "Truro TV Channel 8". Click on the green "Watch" button in the upper right corner of the page. Please note that there may be a slight delay (approx. 15-30 seconds) between the meeting and the television broadcast/livestream.

Citizens can join the meeting to listen and provide public comment by entering the meeting link; clicking on the agenda's highlighted link; clicking on the meeting date in the Event Calendar; or by calling in toll free. Citizens will be muted upon entering the meeting until the public comment portion of the hearing. Citizens may also provide comment via postal mail or by emailing Liz Sturdy, Planning Department Assistant, at esturdy@truro-ma.gov, one week prior to the meeting; or may instead speak during the Public Comment portion of the hearing.

Public Comment Period

The Commonwealth's Open Meeting Law limits any discussion by members of the Board of an issue raised to whether that issue should be placed on a future agenda. Speakers are limited to no more than 5 minutes.

1. Planner Report

2. Chair Report

Temporary Sign Permit Application:

- ♦ **Jackie Opitz – Sustainable CAPE**, Truro Educational Farmers Market (at Pamet Park), requesting four (4) 36" x 72" banners: (1) Truro Center Road and Route 6; (2) 20 Truro Center Road; (3) Shore Road and Route 6; and (4) Veterans Memorial Field. The banners will be installed on Friday afternoons and removed Monday afternoons beginning May 30th and ending September 15th.

Proposed Amendments to the Town of Truro Zoning Bylaws: Public hearing pursuant to G.L. c.40A, §5 regarding proposed amendments to the following sections of the Town of Truro Zoning Bylaws (2025 Annual Town Meeting):

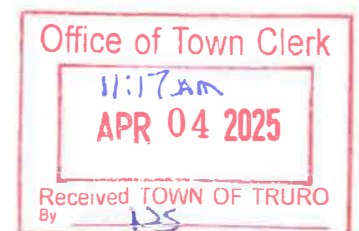
- ♦ Planning Board proposed zoning bylaw articles for 2025 ATM:
 1. **Amend §40.5.B, Communication Structures, Buildings and Appurtenances, Requirements:** Amendment to §40.5.B.3, adding requirement of conformity to Building Code loading requirements; and new section 40.5.B.4, adding requirement of on-site condition assessment for modifications to tower/equipment.
 2. *****WITHDRAWN: SELECT BOARD MEETING 3/25/2025 and PLANNING BOARD MEETING 4/2/2025*****
~~New Bylaw §40.10, Lot Coverage and Naturalized Green Space, including new definition, §10.4 and amendment to §50.1.A, Table: New §40.10 establishes Maximum Lot Coverage requirement and Minimum Naturalized Green Space requirement and amends §10.4 to add definition of Naturalized Green Space; and amends §50.1.A, Table of Area and Height Regulations to add dimensional requirements for Lot Coverage and Naturalized Green Space, including new note 10, application to Residential District only.~~
- ♦ Zoning Task Force proposed zoning bylaw article for 2025 ATM:
 1. **New Overlay District and Amendment to Zoning Map – Walsh Overlay District:** Amends Bylaw §90.5 to add new §90.5.E, Walsh Overlay District, including description of Overlay District and incorporation of Overlay District Map into Zoning Map and Zoning Bylaw; amends §10.4 to add new definitions; amends §20.1, Districts Enumerated, to add Walsh Overlay District; amends §20.2, Purposes of Districts, to add Purpose of Walsh Overlay District; amends §20.3, Location of Districts, to incorporate new Walsh Overlay District Map into Zoning Bylaw; amends §30 to add new §30.x, Walsh Overlay District, creating subdistricts for residential and mixed-use development, and for recreation

NOTE: The proposed zoning bylaw amendments in their entirety are available for review on the Planning Board and Zoning Task Force webpages or by contacting the Planning Department Assistant at (508) 214-0935 or esturdy@truro-ma.gov.

Board Discussion and Vote to Recommend Proposed 2025 ATM Warrant Articles

Next Meeting: Wednesday, April 23, 2025 at 5:00 pm

Adjourn



TOWN OF TRURO



PLANNING BOARD

Application for Temporary Sign Permit

Pursuant to Section 11 of the Truro Sign Code

Fee: \$25.00 (for each 30-day period)

Applicant Name: Sustainable Cape Date: 3/21/25

Applicant Contact Information: P.O. Box 988 Truro, MA 02666

(406) 861-0705
Phone

jachie@sustainablecape.org
Mailing Address
Email

Number of Signs Requested: 4

Temporary Sign Dimensions:

- | | | | | |
|-----|--------|------------|-------|------------|
| (1) | Height | <u>36"</u> | Width | <u>72"</u> |
| (2) | Height | <u>36"</u> | Width | <u>72"</u> |
| (3) | Height | <u>36"</u> | Width | <u>72"</u> |
| (4) | Height | <u>36"</u> | Width | <u>72"</u> |

Location(s) of Proposed Temporary Sign(s): Truro Center Rd & Rt 6.

20 Truro Center Rd, Shore Rd. + Rt 6, FID # 92-US Rt 6
(Map Attached) - 3 on highway & 1 at Veterans Mem. Field

Date(s) of the Event in Which the Sign is Intended: Fridays - Mondays 5/30-9/15

Date When Sign(s) will be: Installed: Fridays Removed: Mondays

Applicant Signature Jachie Opitz 3/21/25
Applicant Printed Name Jachie Opitz Date

If sign(s) to be placed on private property, please have Owner print and sign name below:

Owner Signature _____ Date _____
(which also authorizes the use of the property)
Owner Printed Name _____

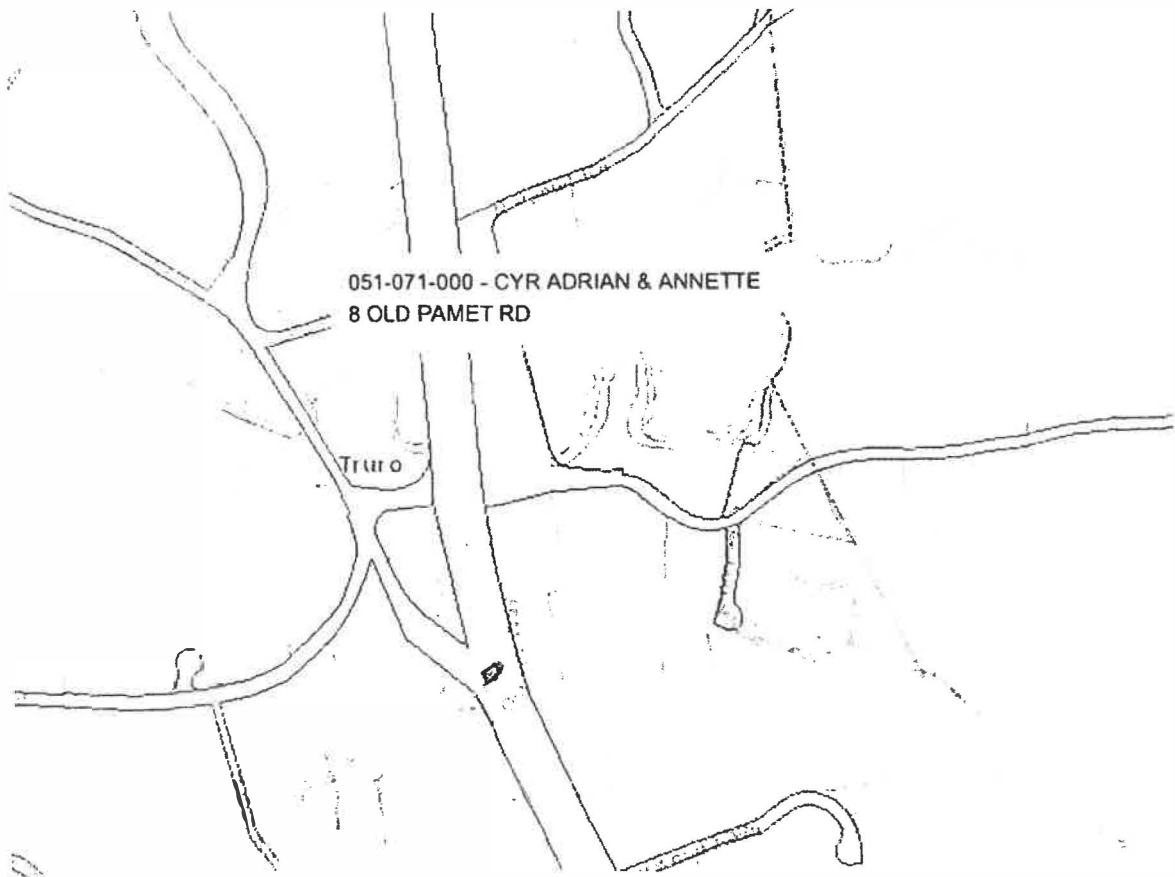
Planning Board Action: Approved Approved w/Conditions Denied

Conditions: _____

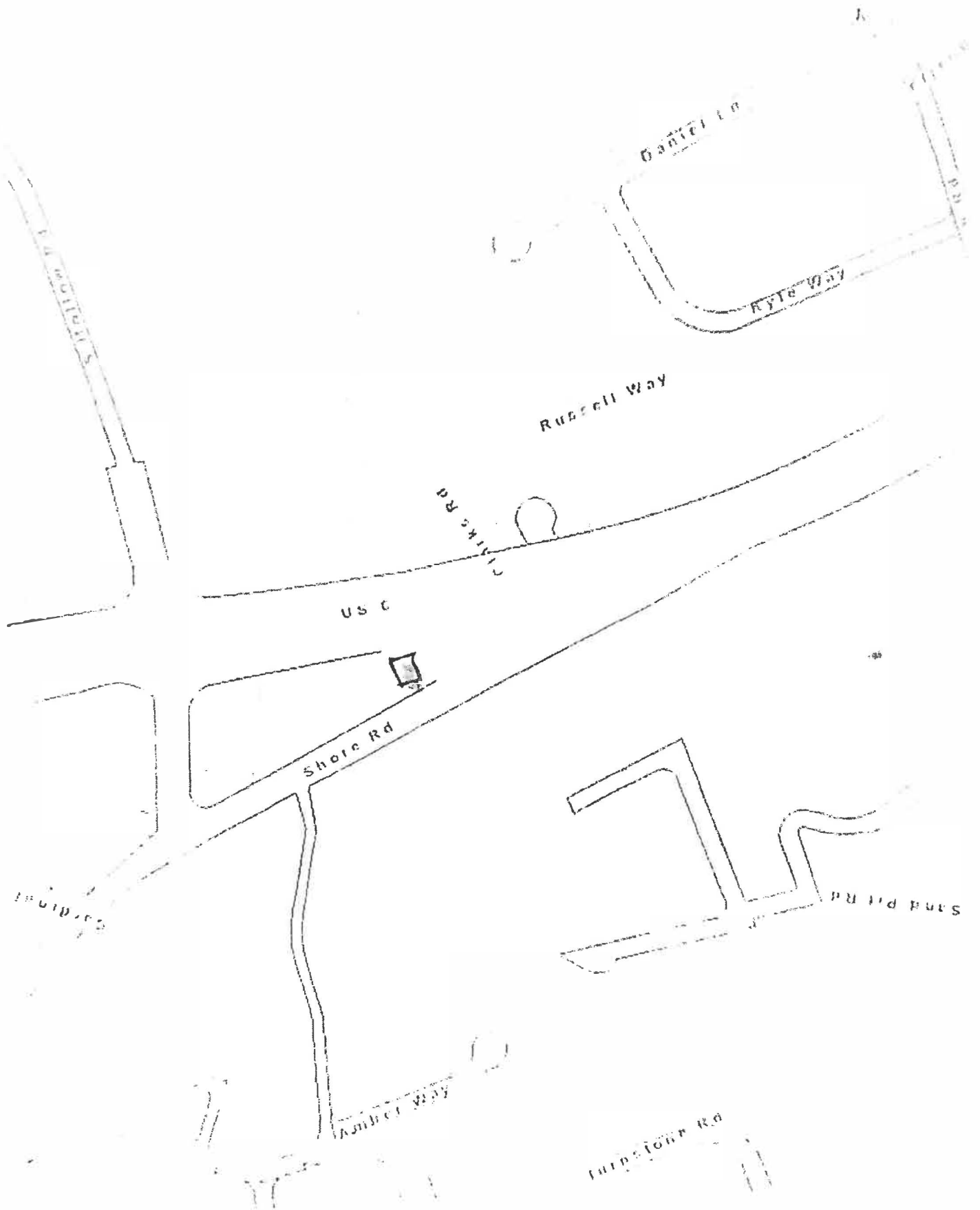
Board Signature: _____ Date: _____
Chair, Planning Board

051-071-000 - CYR ADRIAN & ANNETTE
8 OLD PAMET RD

TURO









Street Names

FID	92
FRC	G
FOW	10
STATE	Massachusetts
FULLNAME	
FULLNAME1	
RENDER_CL	9

Zoom In

US-6

W. Pamela Rd

Auto Center Bldg

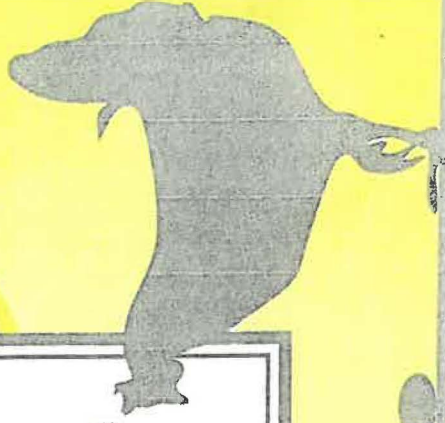
S Pamela Rd

W. Pamela Rd

Sustainable CAPE's

TRURO FARMERS' MARKET

mondays 8-12



INTERNAL REVENUE SERVICE
P. O. BOX 2508
CINCINNATI, OH 45201

DEPARTMENT OF THE TREASURY

Date: MAY 16 2012

SUSTAINABLE CAPE-CENTER FOR
AGRICULTURAL PRESERVATION &
C/O GEORGE W MALLOY
45 DEPOT ROAD PO BOX 1004
TRURO, MA 02666-1004

Employer Identification Number:
45-2029981

DLN:
17053181329031

Contact Person:
MARGARITA D BARRAGAN ID# 95118

Contact Telephone Number:
(877) 829-5500

Accounting Period Ending:
December 31

Public Charity Status:
509(a)(2)

Form 990 Required:
Yes

Effective Date of Exemption:
June 10, 2011

Contribution Deductibility:
Yes

Addendum Applies:
No

Dear Applicant:

We are pleased to inform you that upon review of your application for tax exempt status we have determined that you are exempt from Federal income tax under section 501(c)(3) of the Internal Revenue Code. Contributions to you are deductible under section 170 of the Code. You are also qualified to receive tax deductible bequests, devises, transfers or gifts under section 2055, 2106 or 2522 of the Code. Because this letter could help resolve any questions regarding your exempt status, you should keep it in your permanent records.

Organizations exempt under section 501(c)(3) of the Code are further classified as either public charities or private foundations. We determined that you are a public charity under the Code section(s) listed in the heading of this letter.

Please see enclosed Publication 4221-PC, Compliance Guide for 501(c)(3) Public Charities, for some helpful information about your responsibilities as an exempt organization.

Letter 947 (DO/CG)

SUSTAINABLE CAPE-CENTER FOR

We have sent a copy of this letter to your representative as indicated in your power of attorney.

Sincerely,

A handwritten signature in dark ink, appearing to read "Lois G. Lerner", is written over a faint, larger, and less legible signature.

Lois G. Lerner
Director, Exempt Organizations

Enclosure: Publication 4221-PC

Article XX: Amend Zoning Bylaw §40.5.B.3 Requirements

Amend by deleting the language in ~~strike through~~ and adding the **bold underlined** wording.

§ 40.5 Communication Structures, Buildings and Appurtenances

B. Requirements:

3. ~~The~~**All** communications structures, buildings, ~~towers and~~ **towers or** appurtenances 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~~ **tower or** 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~~ **towers or** 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.)

Commentary on the proposed changes:

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.

PUBLIC COMMENT
Planning Board
4/9/2025
K. Ruymann

It is alarming that water resources and wastewater treatment have not been at the fore when devising the Walsh housing configuration overlay.

We have a moral imperative to address the housing needs of Truro's current and future citizens, but even more important is the moral imperative to protect Truro's water resources for the very same.

How can we pursue housing plans before water planning is set? The public welfare is at stake. Despite our wet winter, the entirety of Cape Cod was categorized until recently as in "Significant Drought." Do not put a shovel in the ground on our impending projects before we know **if** we will have water and waste-water treatment to support Truro's current population, let alone any future increases.

P-town has acknowledged that their proposed housing development could be dependent upon a new well at Walsh. Consequently, Truro's planned development at Walsh might be limited or non-existent because of State laws that protect our Public Water supply. If we consider ways to circumvent these State laws, we would be guilty of malfeasance. In addition, the Cape Cod Commission has stated the following in their Regional Policy Plan (p. 36), "Our drinking water quality has been impaired by land uses. Restoration is nearly impossible."

Both the Cambareri and McLane Environmental Reports (the latter of which was funded by P-town to peer review the former), concluded the following in March 2024:

"...[Cambareri] provide[s] a good initial assessment of potential impacts to the NUF wellfield as a result of proposed development activities on the Walsh property. ...McLane Environmental agrees with Mr. Cambareri's overall conclusion that given the reliance on the NUF wellfield for drinking water, **the Walsh Master Plan must prioritize the goal of groundwater protection...**"

So, I circle back. Why are we looking at maps of proposed housing districts when we have little idea of what is possible because of water and wastewater limitations? Catastrophic consequences could affect future Walsh neighbors, and most certainly the 100+ surrounding homes who depend on private well-water, **and** perhaps all in Truro/Provincetown could be adversely affected by endangering the Pamet lens. Additionally, and of great consequence - we have little before us that projects cost estimates for the water elements of these projects.

In conclusion, please do not put the cart before the horse. Let's accomplish further scientific research, engage in creative solution-seeking, and arrive at an ecologically sound plan within the Inter-Municipal Water Resources Agreement **before** we further address housing configurations at Walsh.

Walsh Overlay District warrant article

Final: April 1, 2025

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.

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	WLS⁶	WMS⁶	WRS
Commercial			
Professional office ¹	P ⁷	P ⁷	N
Restaurant	SP ⁷	P ⁷	N
Retail business service (4/14)	SP ⁷	P ⁷	N
Retail sales (4/14)	SP ⁷	P ⁷	N
Trade, repair shop, etc. (4/14)	SP ⁷	P ⁷	N
Wholesale Trade (4/14)	SP ⁷	P ⁷	N
Industrial			
Industrial or manufacturing use ²	N	SP ⁷	N
Public utility	P ⁷	P ⁷	P
Research or experimental lab ³	SP ⁷	SP ⁷	N
Small engine repair	SP ⁷	SP ⁷	N
Institutional			
Hospital, nursing and/or convalescent home	N	SP ⁷	N
Private club not conducted for profit	N	SP ⁷	N
Large-Scale Ground-Mounted Photovoltaic Array (4/11)	N	N	N
Residential			
Attainable Undersized Lot (5/24)	P	P	N
Bungalow Court	P	P	N
Coliving Community	N	SP ⁴	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 ⁵	*	*	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 ¹	10 ft ¹	25 ft ^{1,3}
Minimum Sideyard Setback	10 ft ¹	10 ft ^{1,3}	25 ft ^{1,3}
Minimum Backyard Setback	10 ft ¹	10 ft ¹	25 ft ^{1,3}
Minimum Building Separation	10 ft	10 ft	25 ft
Maximum Building Height	2 stories; 30-ft ^{2,3}	3.5 stories; 45-ft ²	2 stories; 30-ft ^{2,3}
Lot Shape	N/A	N/A	N/A
Gross Floor Area	No limit ⁴	No limit ⁴	N/A
Lot Coverage	No limit	No limit ⁴	N/A
Lot Clearing	No limit	No limit ⁴	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.

Table D - Walsh Overlay District Parking Requirements for all Subdistricts

Principal Use	Parking Requirement
Residential	
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 ¹

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'

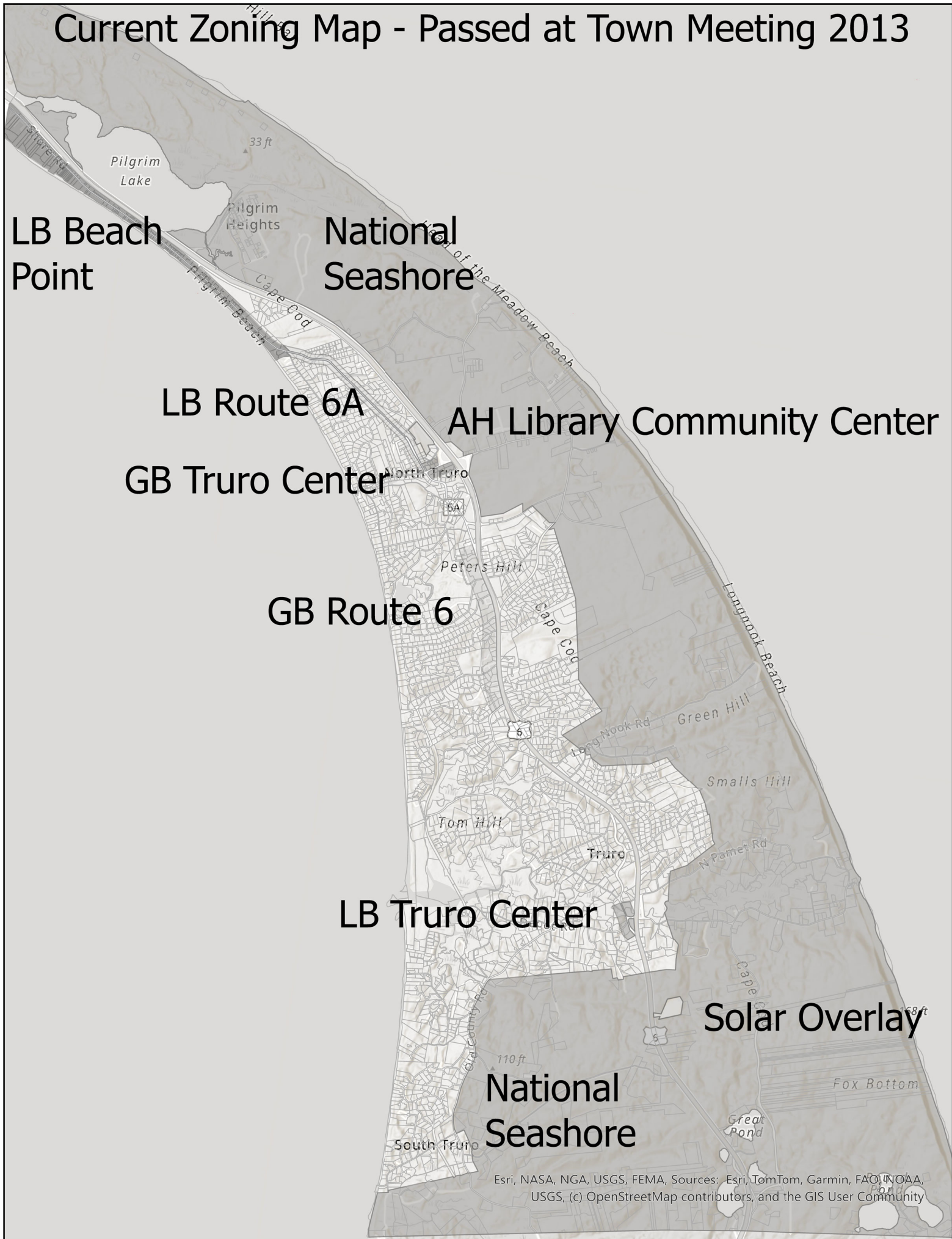
Thence S 71 16' 29" W for a distance of 150.24'

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

Current Zoning Map - Passed at Town Meeting 2013



Proposed Appendix C

Walsh Overlay District with Subdistricts

