



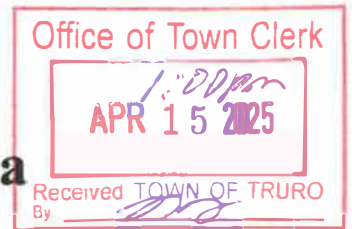
Truro Zoning Task Force Agenda

Hybrid Meeting: In-Person and Zoom

Truro Town Hall, 24 Town Hall Road, Truro, MA 02666

Monday, April 22, 2025 – 11:00 am

www.truro-ma.gov



Join the meeting from your computer, tablet or smartphone:

<https://us02web.zoom.us/j/86956780902>

Dial in: +1-646-931-3860

Meeting ID: 869 5678 0902 Passcode: 167667

Open Meeting

This will be a hybrid (in-person and Zoom) meeting. The in-person portion of the meeting will be held in the Select Board meeting room at Town Hall. 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 the Zoning Task Force at ztf@truro-ma.gov, or may instead speak during the Public Comment portion of the hearing.

Note on Public Comment

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.

- Public Comment
- Review and approval of February 3, 2025; and April 7, 2025 meeting minutes
- Review and discuss April 9, 2025 Public Hearing on the Walsh Overlay District Bylaw
- Review and discuss April 17, 2025 Pre-Town Meeting
- Review and approval of handout for Town Meeting (to be provided); prepare for Town Meeting
- Truro water issues, if issues remain for discussion
- Review specific topics under current Zoning Bylaw
 - What changes to the current Zoning Bylaw would each ZTF member like to see?
 - Expand areas that can be developed for commercial or industrial use
 - Expansion of permitted uses in 6A North Limited Business District

- Modify or expand Route 6 General Business District or permitted uses to allow multi-family housing?
- Allow denser housing in residential zone or more limited areas?
- Truro Motor Inn property
- Examine Truro Zoning Map for potential expansions or changes in permitted uses, dimensional requirements and/or parking
- Topics for future discussion

Next meeting date: May 5, 2025 at 11:00 am?
Annual Town Meeting, May 3, 2025 at 10:00 am

Adjourn



Joint Meeting of Zoning Task Force and Ad Hoc Walsh Committee
February 3, 2025
Minutes (ZTF)

In attendance: Ellery Althaus, Nick Brown, Mara Glatzel, Darrell Shedd of ZTF; Jeff Fischer, Ad Hoc Walsh (AHWC) Chair, Morgan Clark, Vice Chair, Anne Greenbaum, Breon Dunigan, Beth Chapman, Jon Winder. Also in attendance, Barbara Carboni, Kennan Rhyne

Called to order by Jeff Fischer, AHWC chair, around 11:05 am.

Public Comment: Fred Goldsmith asked about chart in the consultant's report showing permitted uses that includes dormitories. What is currently envisioned? Expressed concern that this looks like it could be a small city...

Mara went through where the ZTF's work stands as of Feb. 3. Started with dimensional requirements. Noted that ZTF worked to reduce minimum front, rear and side setbacks. Ellery noted that the concept is to give AHWC flexibility.

No comments on landscaped buffer and design standards.

Moved to parking requirements. Unchanged from Jan. 6 meeting. Darrell noted that 1.5 parking spaces may not make sense for a single-family dwelling, noting that some families have 2 cars. Ellery expressed the opinion that the requirement should be reduced to 1 parking space per dwelling unit, but he can live with 1.5. Ellery noted that much of Truro parking today is on-street, in violation of bylaws. Discussion of gravel vs. paved parking areas, to decrease impervious surfaces. Kennan Rhyne noted that 1.5 is a minimum not maximum requirement. ZTF voted to move to 1 parking space per dwelling unit as minimum.

Dimensional Requirements. Chair Fischer asked for comments on dimensional requirements. He noted that the ZTF has clearly responded to AHWC comments. Anne noted that gross floor area does not reflect exclusion of single-family houses from exclusion. There is a maximum GFA for single family homes. Darrell advocated for not allowing an additional 1,000 sf by special permit. Noted that there is no minimum house size. Morgan noted that other regulations, such as fire code, also affect dimensional requirements. Expressed gratitude for additional flexibility.

Parking Requirements. Chair Fischer asked about whether street parking is allowed in Truro. Ellery stated that on-street parking is not permitted in town, but as this is a single lot, not sure how that would be addressed. Kennan noted that draft language would allow street parking on private ways. But if the town were to accept private ways, we might need more flexibility. Anne noted that likely some roads will be public, so recommended that language be changed to allow on-street parking. Jeff advocated for parking in "designated areas". Discussion of minimum parking for home occupations. Ellery advocated for shared parking to serve these uses. Appears that one category is missing. No further comments on parking.

Definitions. Anne suggested that "seasonal" be deleted from Dormitory definition, but prefers different term for this definition, such as co-living, cooperative housing, etc. Noted that on-site

management might be necessary. Kennan noted that this is very traditional, often called single room occupancy (SRO), but that term has a negative connotation in many cases. “Co-housing” was suggested to demonstrate community. Kennan promised to research terms and conditions. Jeff noted that “dwelling unit” definition doesn’t address single persons. Anne noted that this is an existing definition.

Anne asked to consider separate definition of Multi-Family housing for larger buildings (e.g., 10 -12 or more units). Anne also noted that there is no Multi-Family housing definition in Zoning Bylaw and there needs to be one. Kennan noted that it is common to segment into definitions by size. This definition is most permissive. Morgan noted that if not treating differently sized developments differently, there is no need for different definitions. Jeff concerned that split definition may create a problem for developers of larger facilities. One member noted that ownership requirements should be clarified, so that rental or condo units should be clear. Kennan noted that the current language was intended to clarify this.

Some discussion of the definition of “Seasonal Worker” in that there is a desire for Walsh to all year-round housing, and to clarify that co-housing is intended to be year-round.

Subdistricts. Morgan noted AHCW’s appreciation for maintaining green space but argued for maximum flexibility. Language as of Feb. 3 allowed development by SP in recreational subdistrict (WRS). Jeff’s concern is that too much of Walsh is not developable – not sure how best to address. Delete subdistricts? Anne agrees with need for flexibility. Does not agree that 1 district is right way to go. Prefers plan that includes protected green space. Perhaps WMS should be larger than proposed to give developer some flexibility, but limit development to some portion (e.g., 28.5 acres only may be developed). She feels that requiring a SP for construction is a very bad idea. Should not be any construction in the recreational zone. Afraid that Town Meeting will not accept plan without protected space. Jeff concurs in expanding WMS but limiting amount of space that can be developed. Kennan noted that the basis for the current boundaries is steep drop-offs, so likelihood of development in those areas is greatly reduced. Morgan wanted to be sure that WRS can be used for a variety of recreational uses. Darrell noted that there are permitted uses in WRS, including playgrounds, fields, etc.

Jeff questioned the meaning of inclusionary zoning language “of each type”. Would prefer by units in each development, vs. each type of housing. Breon argued that she feels that 20% affordable housing is way too low. Jeff noted that this is a minimum and that RFP can (and is expected to) call for greater amount. Question raised about overlay districts that apply – noted that water protection is only applicable overlay.

Jon questioned whether a definition of moderate density might be helpful going forward, noting statement of purpose.

Use table. Anne reiterated her belief that residential should not be allowed in WRS. Prefers buffer or expanded WMS. SP makes much harder to develop. Jeff noted that this is a call for the ZTF. Jeff wondered if development within first xx sf of WRS would be allowed by SP? Mara suggested that allow only up to a maximum amount of WRS could be developed. Another suggestion was to limit development to 28.5 contiguous acres. Kennan indicated that she is concerned that this is

not permissible for zoning. Could be done through PUD with site plan review. Noted that in perfect world zoning and RFP work together to achieve these goals.

Jeff noted public utilities are permitted in WRS. Would like to limit to SP for utilities.

Jon questioned whether building materials are included in zoning. Barbara noted there are none currently.

Brief discussion of “tiny houses”. Noted that they do not have wheels and are year-round structures.

Both committees voted to adjourn

April 15, 2025

Justin M. Perrotta
jperrotta@k-plaw.com

BY ELECTRONIC MAIL ONLY (bcarboni@truro-ma.gov)

Ms. Barbara Carboni
Town Planner/Land Use Counsel
24 Town Hall Road
P.O. Box 2030
Truro, MA 02666

Re: Quantum of Town Meeting Vote – Walsh Overlay District

Dear Ms. Carboni:

You have asked for an opinion regarding the quantum of Town Meeting vote applicable to the proposed amendment to the Town of Truro Zoning Bylaw to create the Walsh Overlay District. In my opinion, for the reasons explained below, a simple majority vote would be required to approve the amendment.

As amended, G.L. c. 40A, sec. 5 sets forth several zoning amendments that may be made by a simple majority vote. Among these are "an amendment to a zoning ordinance or by-law to allow any of the following as of right:...multifamily housing or mixed-use development in an eligible location"; and "an amendment to a zoning ordinance or by-law to allow by special permit:...multifamily housing or mixed-use development in an eligible location." The proposed Walsh Overlay District will allow multifamily housing or mixed-use development both as of right and by special permit. Although several commercial uses will also be allowed in the district as of right or by special permit, footnote 7 of its proposed Uses Table (Table B) makes clear that this is only in connection with mixed-use development. Therefore, in my opinion, this element of the statute is satisfied.

In addition, to qualify for a simple majority vote the proposed amendment must allow multifamily housing or mixed-use development in an "eligible location." G.L. c. 40A, sec. 1A defines "eligible location" as "areas that by virtue of their infrastructure, transportation access, existing underutilized facilities or location make highly suitable locations for residential or mixed use smart growth zoning districts or starter home zoning districts, including without limitation: (i) areas near transit stations, including rapid transit, commuter rail and bus and ferry terminals; or (ii) areas of concentrated development, including town and city centers, other existing commercial districts in cities and towns and existing rural village districts." Here, the proposed Walsh Overlay District is along Route 6, which is a major roadway through the Town; and Route 6 is also utilized for public bus routes through the Town. Furthermore, the proposed Walsh Overlay District is near the Town's Route 6 General Business District, which "is intended to enable, define, and control the establishment of larger businesses as well as residential housing, in this high-visibility part of Truro." Town of Truro Zoning Bylaw, sec. 20.2. See, e.g., Municipal Law Unit Decision,

Barbara Carboni
Town Planner
April 15, 2025
Page 2

Leicester Annual Town Meeting of May 7, 2024, Case # 11565, December 5, 2024 (finding "eligible location" because the location "is along Route 9 in the Town, which is a major roadway through the Town", and located in a zoning area intended to provide for "the development and redevelopment of Leicester's highway business corridors by allowing a mix of commercial, office, research, and light industrial activities that create employment opportunities and expand the tax base, while protecting existing development, conserving natural resources, and protecting and enhancing the environment."). Therefore, in my opinion, the Walsh Overlay district appears to be in an "eligible location" as required by the statute.

Therefore, in my opinion, because the proposed amendment would allow multifamily housing or mixed-use development as of right and by special permit in an eligible location, it would qualify to be approved by simple majority vote by Town Meeting. Please let me know if you would like to discuss further.

Very truly yours



Justin M. Perrotta

JMP/asc

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Zoning Task Force
Proposed Walsh Overlay District Zoning Bylaw Amendment
Fact Sheet

What the proposed Overlay District is and does

The proposed Walsh Overlay District Zoning Bylaw Amendment (“Walsh Overlay”) creates a framework for future planning and development of the Walsh Property by the Town of Truro consistent with the vision articulated by the Walsh Property Planning Committee approved at the 2024 Town Meeting.

The Walsh Overlay continues to protect our critical water resources by preserving the Water Protection Overlay District that includes the Walsh Property. All future development of the Walsh Property must comply with strict state water protection requirements.

The Walsh Overlay allows for development of the Walsh Property for residential development that includes affordable and attainable dwelling units of various types and sizes, as well as ancillary supporting mixed uses. The current residential zoning of the Walsh Property does not allow the Town to develop the Walsh Property in a manner consistent with the plan approved by 2024 Town Meeting.

The Walsh Overlay protects a large portion of the Walsh Property from development and preserves it for natural and recreational uses.

The Walsh Overlay is the first part of a multi-part planning process that will ultimately result in development of the Walsh Property in several phases, consistent with the Town’s vision.

Zoning is a tool to regulate land use and permit thoughtful planning and design, consistent with the Town’s articulated goals and values. Zoning creates an envelope of acceptable uses, dimensional and parking requirements within which the Town can develop its plans for the Walsh Property.

What the proposed Walsh Overlay District is not and does not do

The Walsh Overlay is not a site plan. No shovels can or will be put into the ground if Town Meeting approves the Walsh Overlay.

The Walsh Overlay does not affect the Town’s water resources and does not permit development inconsistent with state water protection requirements.

The Walsh Overlay does not change the zoning for any part of the Town of Truro other than the Walsh Property.

The Walsh Overlay does not allow buildings greater than 3 stories and mitigates impacts on neighboring housing by mandating a minimum 25 foot setback and maximum 2 story buildings abutting the Walsh Property boundaries.

Zoning does not create a site plan, mandate any specific forms of development, uses or buildings, address traffic, or water and wastewater and other infrastructure. These issues will be further developed by the Ad Hoc Walsh Advisory Committee, the Select Board and the Town as planning progresses.

Next steps for development at the Walsh Property

The Ad Hoc Walsh Advisory Committee (the “AHWAC”) will continue its work to prepare a request for proposals (“RFP”) to be issued by the Town for development of the initial phase of the Walsh Property. To do so, the AHWAC will work with Town staff and other stakeholders to identify the requirements for and develop the necessary water and wastewater associated with the proposed phase 1 development, as well as roadway and utility infrastructure.

The AHWAC expects to hold meetings with abutters to the Walsh Property as well as all Truro townspeople, to obtain input and provide updates.

The Commonwealth is expected to perform a new traffic study this summer (2025) to determine the impacts of development of the Walsh Property in the context of peak season traffic.

The Select Board and the AHWAC will work to develop water and wastewater plans to enable development of the Walsh Property.

The Select Board and AHWAC have each voted unanimously, and the Planning Board voted 4-3, to support adoption of the Walsh Overlay by Truro Town Meeting.

Provided by Zoning Task Force

Contacts: Dave Bannard, Chair – ztf@truro-ma.gov; Darrell Shedd, Vice Chair – dsheddd@truro-ma.gov

Prepared April 15, 2025

Proposed Walsh Overlay District Zoning Bylaw Amendment

Summary of Walsh Overlay District Bylaw Amendment.

- The proposed Walsh Overlay District Zoning Bylaw Amendment (“Walsh Overlay”) **creates a framework** for future planning and development of the Walsh Property by the Town of Truro.
- Zoning is a tool to regulate land use and enable thoughtful planning and design, consistent with the Town’s goals and values.
- The Walsh Overlay is the first part of a complex planning process in order to develop the Walsh Property in several phases.
- The Walsh Overlay is consistent with the vision articulated by the Walsh Property Planning Committee approved at the 2024 Town Meeting.
- The Walsh Overlay continues to protect a large portion of the Walsh Property from development and preserves space for natural and recreational uses.

Why we need this amendment:

- Our current residential zoning does not allow the Town to develop the Walsh Property in a manner consistent with the plan approved by 2024 Town Meeting. In order for any residential development to begin, we must amend our existing by-laws.

What the Walsh Overlay does not do:

- You are not voting on a site plan. You are voting on zoning only. Specific site planning and RFPs will occur later in the process. The Walsh Overlay is step one.
- Zoning does not create a site plan, mandate any specific forms of development, uses or buildings. Zoning does not address traffic, or water and wastewater or other infrastructure. These come later in the process.
- The Walsh Overlay does not affect the Town’s water resources and does not permit development inconsistent with state water protection requirements.
- The Walsh Overlay **does not change the zoning for any part of the Town of Truro other than the Walsh Property.**

What about water?

The Walsh Overlay continues to protect our critical water resources by preserving the Water Protection Overlay District which includes the Walsh Property. All future development of the Walsh Property must comply with strict state water protection requirements.

What happens if the Walsh Overlay passes?

- The Ad Hoc Walsh Advisory Committee (“AHWAC”) will continue its work to prepare a request for proposals (“RFP”). This RFP will be issued by the Town for development of the initial phase of the Walsh Property.
- The AHWAC expects to hold meetings with abutters to the Walsh Property as well as all Truro townspeople, to obtain input and provide updates.
- The Town has requested a new traffic study this summer (2025) to determine the impacts of development of the Walsh Property in the context of peak season traffic.
- The Select Board and Board of Health will continue its work in developing water and wastewater plans to enable development of the Walsh Property and to continue to protect our water supply.

The Ad Hoc Walsh Planning Committee and the Truro Select Board have each voted unanimously, and the Planning Board voted 4-3, in support of this by-law amendment.

Provided by the Zoning Task Force

Contacts: Dave Bannard, Chair – ztf@truro-ma.gov; Darrell Shedd, Vice Chair – dshedd@truro-ma.gov

Prepared April 15, 2025