



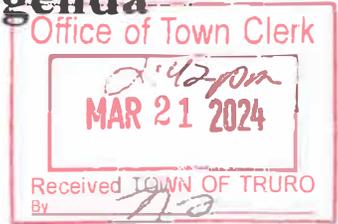
Truro Zoning Board of Appeals Agenda

AMENDED

Remote Zoom Meeting

Monday, March 25, 2024 – 5:30 pm

www.truro-ma.gov



Join the meeting from your computer, tablet or smartphone:

<https://us02web.zoom.us/j/85252823414>

Dial in: +1-646-931-3860 or +1-305-224-1968

Meeting ID: 852 5282 3414 Passcode: 814662

Open Meeting

This will be a remote 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/live stream.

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. If you are joining the meeting while watching the television broadcast/live stream, please lower or mute the volume on your computer or television during public comment so that you may be heard clearly. Citizens may also provide written comment via postal mail or by emailing Liz Sturdy, Planning Department Assistant, at esturdy@truro-ma.gov.

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.

Minutes – None

Public Hearing – New

2024-003/ZBA – Charles Silva for property located at 379 Shore Road (Atlas Map 10, Parcel 10, Registry of Deeds Book 2351 and Page 316). Applicant seeks a Special Permit to reconstruct a nonconforming structure on a nonconforming lot in the Beach Point Limited Business District.

Board Action

- ◆ **2024-002/ZBA – Jennifer Cabral (Nearen & Cubberly Nominee Trust, Christopher Snow, Trustee)**, 491 Shore Road – Board discussion and vote to reopen application

Board Discussion

- ◆ Compliance with Filing Deadlines (continued from 2/26/2024 mtg) (*See attached current references to supplemental filing deadlines*)
- ◆ Expiring Terms of Board Members – June 30, 2024

Next Meetings Monday, April 29, 2024 at 5:30 p.m.

Adjourn

STAFF MEMORANDUM

To: Truro Zoning Board of Appeals

From: Barbara Carboni, Town Planner and Land Use Counsel

Date: March 22, 2024

Re: Meeting March 25, 2024

Hearing

2023-008/ZBA – Charles Silva for property located at 379 Shore Road (Atlas Map 10, Parcel 10). Applicant seeks a special permit to construct a dwelling replacing a 1-1/2 story dwelling on nonconforming lot (lot area and frontage; front setback; side setback; and two dwellings on lot) in the Beach Point Limited Business District.

Procedural History

On August 21, 2023, the Board held a public hearing on an application for a special permit to replace an existing 1-1/2 story cottage with a two-story dwelling (“original proposal”). The Board voted to deny the special permit. Prior to issuance of a written decision, the applicant requested through the Planning Department an opportunity to present an alternative proposal to the Board. On October 23, 2023, the Board voted to reopen the hearing. The applicant has now submitted a revised proposal (“revised proposal”) and the public hearing was re-noticed.

The following is a revised version of the original Staff Memo, modified to reflect and compare the new proposal.

Existing Conditions and Proposed Project

The lot is nonconforming as to area (6,392 square feet where 33,750 required) and frontage (90 feet where 150 required). There are two dwellings on the property. These are:

Unit 1 - west side of lot; constructed in 1900, containing 560 square feet; nonconforming front setback (10.2 feet where 25 feet required); nonconforming side setback (1.8 feet where 5 ft/story required).

Unit 2 - east side of lot, constructed in 1955, containing 720 square feet; nonconforming front setback (24.7 feet where 25 feet required).

The proposed project is to demolish Unit 1 and to replace it with a two-story dwelling on the existing foundation.¹ As with the original proposal, the revised project floor plans are not stamped and do not provide the square footage of the proposed Unit 1. As with the original

¹ According to the Proposed Conditions site plan, Unit 2 is "to be reconstructed with a 1.5 story dwelling on existing foundation," but that does not appear to be part of the current proposal.

proposal, the revised proposal elevations are unstamped. The height of the original and revised proposals as indicated on the elevations (see plan sheet A-6) are:

<u>Original</u>		<u>Revised</u>	
Ridge:	40.35 feet NAVD88	Ridge:	37.52 feet NAVD88
Average grade:	10.50 feet NAVD88	Average Grade	10.50 feet NAVD88

Assuming average grade has been calculated consistently with Bylaw requirements, **the height of the revised proposal building is 27.02 feet, as compared to a height of 29.85 feet for the original proposal**, both conforming to the Bylaw maximum of 30 feet.

The floor plans for the revised project depict a lower level (storage), first floor (kitchen, dining, living) and second floor (two bedrooms). See plan sheets A-3 and A-4.

The structure is proposed at the same setbacks as the original proposal, which is the same location as the existing structure. The applicant’s narrative notes that a second floor deck (facing street) in the original proposal has been omitted.

Special Permit under G.L. c. 40A, s. 6 and Section 30.7 of the Zoning Bylaw (reconstruction on nonconforming lot; nonconforming setbacks)

The lot is nonconforming as to lot area, frontage, west side setback, and rear setback. Alteration, extension, or reconstruction of a dwelling on a nonconforming lot increases the intensity of the existing nonconformity and requires a special permit under G.L. c. 40A, s. 6. Bjorklund v. Zoning Board of Appeals of Norwell, 450 Mass. 357 (2008).

The Board may grant a special permit under G.L. c. 40A, s. 6 if it finds that the proposed alternation and reconstruction “shall not be substantially more detrimental than the existing nonconforming [structure and] use to the neighborhood.”

Likewise, the Board may grant a special permit under Section 30.7.A if it finds that: “the alteration or extension will not be substantially more detrimental to the neighborhood than the existing nonconforming use or structure and that the alternation or extension will exist in harmony with the general purpose and intent of this bylaw.”

In this case, the revised proposal for Unit 1 adds a story and, although the proposed square footage is not provided, the new dwelling will contain approximately double the square footage. Although the height of the existing building is not provided, it is fair to say that the revised proposal’s 2-story building, at 27.02 feet, will be approximately 10-12 feet taller than the existing single-story dwelling. The side setback nonconformity will increase, as a two-story building requires a setback of 10 feet (5 feet per story), and the setback of Unit 1 will remain 1.8 feet. At the same time, as with the recent 38 Fisher project approved by the Board, the proposal is a relatively modest size and consistent with dwellings on some (but not all) neighboring properties.

Note, due to the age of the structure intended to be demolished (123 years), Historical Commission jurisdiction may apply.

Board Action

2024-002/ZBA Jennifer Cabral (Nearen & Cubberly Nominee Trust, Christopher Snow, Trustee for property located at 491 Shore Road. Vote on reopening public hearing.

At its February meeting, the Board voted to grant the requested special permit, with certain conditions. Subsequently, counsel for the applicant and for Crow's Nest condominiums contacted me and requested that the Board consider certain additional conditions the parties could agree upon, with the mutual intent of avoiding an appeal. I advised that this would require reopening the public hearing as the Board would be deliberating on the new conditions.

As with the 379 Shore Road case above, reopening the hearing requires a vote of the Board (the Board Action requested). If the Board agrees to do so, reopening the public hearing requires published notice. This can be accomplished in time for the Board's April meeting.



Town of Truro Zoning Board of Appeals

P.O. Box 2030, Truro, MA 02666

APPLICATION FOR HEARING

To the Town Clerk of the Town of Truro, MA

Date July 18/2023

The undersigned hereby files with specific grounds for this application: (check all that apply)

1. GENERAL INFORMATION

NOTICE OF APPEAL

- Applicant is aggrieved by his/her inability to obtain a permit or enforcement action from the Building Commissioner on (date) _____.
- Applicant is aggrieved by order or decision of the Building Commissioner on (date) _____ which he/she believes to be a violation of the Truro Zoning Bylaw or the *Massachusetts Zoning Act*.
- PETITION FOR VARIANCE – Applicant requests a variance from the terms Section _____ of the Truro Zoning Bylaw concerning (describe) _____

APPLICATION FOR SPECIAL PERMIT

- Applicant seeks approval and authorization of uses under Section _____ of the Truro Zoning Bylaw concerning (describe) _____

- Applicant seeks approval for a continuation, change, or extension of a nonconforming structure or use under Section 30.7 of the Truro Zoning Bylaw and M.G.L. Ch. 40A, §6 concerning (describe) pre-existing nonconforming two buildings on one lot, Sidelines

Property Address 379 B Shore Rd N. Truro Map(s) and Parcel(s) 10 10

Registry of Deeds title reference: Book 2351, Page 316, or Certificate of Title Number _____ and Land Ct. Lot # _____ and Plan # _____

Applicant's Name Charles Silva

Applicant's Legal Mailing Address 39 Ships way rd. Ptarm MA 02657

Applicant's Phone(s), Fax and Email 774 722 1467 CtsFrames@hotmail.com

Applicant is one of the following: (please check appropriate box)

*Written Permission of the owner is required for submittal of this application.

- Owner
- Prospective Buyer*
- Other*

Owner's Name and Address Charles Silva 39 Ships way rd. Ptarm MA 02657

Representative's Name and Address _____

Representative's Phone(s), Fax and Email _____

2. The completed application shall also be submitted electronically to the Planning Department Administrator at esturdy@truro-ma.gov in its entirety (including all plans and attachments).

- The applicant is *advised* to consult with the Building Commissioner, Planning Department, Conservation Department, Health Department, and/or Historic Commission, as applicable, prior to submitting this application.

Signature(s)

Charles Silva
Applicant(s)/Representative Printed Name(s)

Charles Silva
Owner(s) Printed Name(s) or written permission

Charles Silva
Applicant(s)/Representative Signature

Charles Silva
Owner(s) Signature or written permission



TOWN OF TRURO

COPY Assessors Office Certified Abutters List Request Form



DATE: 6/16/

NAME OF APPLICANT: Charles Silen

NAME OF AGENT (if any): _____

MAILING ADDRESS: 39 Shirts Way Rd. Ptarm MA 02657

CONTACT: HOME/CELL 774 722 1467 EMAIL ctsframes@hotmail.com

PROPERTY LOCATION: 379 Shore Rd. N. Truro
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP 10 PARCEL 10 EXT. _____
(if condominium)

ABUTTERS LIST NEEDED FOR: (please check all applicable) FEE: \$15.00 per checked item
(Fee must accompany the application unless other arrangements are made)

- | | | |
|---|---|---|
| <input type="checkbox"/> Board of Health ⁵ | <input type="checkbox"/> Planning Board (PB) | <input type="checkbox"/> Zoning Board of Appeals (ZBA) |
| <input type="checkbox"/> Cape Cod Commission | <input type="checkbox"/> Special Permit ¹ | <input checked="" type="checkbox"/> Special Permit ¹ |
| <input type="checkbox"/> Conservation Commission ⁴ | <input type="checkbox"/> Site Plan ² | <input type="checkbox"/> Variance ¹ |
| <input type="checkbox"/> Licensing | <input type="checkbox"/> Preliminary Subdivision ³ | |
| Type: _____ | <input type="checkbox"/> Definitive Subdivision ³ | |
| | <input type="checkbox"/> Accessory Dwelling Unit (ADU) ² | |
| <input type="checkbox"/> Other _____ | | (Fee: Inquire with Assessors) |
- (Please Specify)

Note: Per M.G.L., processing may take up to 10 calendar days. Please plan accordingly.

THIS SECTION FOR ASSESSORS OFFICE USE ONLY

Date request received by Assessors: 6/16/2023

Date completed: 6/16/2023

List completed by: D. Farrell

Date paid: 6/16/2023 Cash/Check #486

¹ Abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line.

² Abutters to the subject property, abutters to the abutters, and owners of properties across the street from the subject property.

³ Landowners immediately bordering the proposed subdivision, landowners immediately bordering the immediate abutters, and landowners located across the streets and ways bordering the proposed subdivision. **Note:** For Definitive Subdivision only, responsibility of applicant to notify abutters and produce evidence as required.

⁴ All abutters within 300 feet of parcel, except Beach Point between Knowles Heights Road and Provincetown border, in which case it is all abutters within 100 feet. **Note:** Responsibility of applicant to notify abutters and produce evidence as required.

⁵ Abutters sharing any boundary or corner in any direction -- including land across a street, river or stream. **Note:** Responsibility of applicant to notify abutters and produce evidence as required.

1 PROPOSED SITE PLAN ZBA

ARCHITECT NOTE:
 1. CONSULT THE ZONING REGULATIONS AND ORDINANCES OF THE TOWN OF TRURO, MASSACHUSETTS FOR ALL APPLICABLE REQUIREMENTS.
 2. THE ARCHITECT HAS CONDUCTED VISUAL ANALYSIS AND HAS PROVIDED COMMENTS ON THE PROPOSED DEVELOPMENT.

CONSTRUCTION NOTES:
 1. PROPOSED UNIT 1 - GREEN BLDG. TO BE CONSTRUCTED IN ACCORDANCE WITH THE ZONING REGULATIONS AND ORDINANCES OF THE TOWN OF TRURO, MASSACHUSETTS.
 2. PROPOSED DRIVE, PATH, AND MULTIPATH PRESENTED.

LEGEND
EXISTING
 - ROAD
 - DRIVE
 - UTILITY LINE
 - FENCE
 - SPOT DRIVE
PROPOSED
 - DRIVE (NEW)
 - DRIVE (EXIST.)

ZONING COMPLIANCE TABLE

ZONING DISTRICT	BEACH POINT - UNITED BUSINESS RESIDENTIAL USE ALLOWED
USE AREA	RESIDENTIAL
LOT AREA	5000 SF
LOT FRONTAGE	50 FT
LOT DEPTH	90 FT
MINIMUM FRONT SETBACK	25 FT
MINIMUM SIDE SETBACK	5 FT
MINIMUM REAR SETBACK	5 FT
MINIMUM FRONT YARD SETBACK TO DRIVE	15 FT (MIN. 7' FROM DRIVE)
MINIMUM SIDE YARD SETBACK TO DRIVE	15 FT (MIN. 7' FROM DRIVE)
MINIMUM REAR YARD SETBACK TO DRIVE	15 FT (MIN. 7' FROM DRIVE)

BUILDING HEIGHT CALCULATION:
 45 FT (MAX. HEIGHT) + 10 FT (MAX. HEIGHT) + 10 FT (MAX. HEIGHT) = 65 FT (MAX. HEIGHT)
 45 FT (MAX. HEIGHT) + 10 FT (MAX. HEIGHT) + 10 FT (MAX. HEIGHT) = 65 FT (MAX. HEIGHT)

PLAN
 1 inch = 10 ft

ISSUED FOR ZONING REVIEW 07-12-2023

KEY MAP
 RICHMOND LANE
 HIGH HEAD RD
 CLIFF RD
 STOTT'S CROSSING
 ROUTE 6
 COPE COOK BAY
 TRURO, MA

REFERENCE:
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27B
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27C
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27D
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27E
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27F
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27G
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27H
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27I
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27J
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27K
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27L
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27M
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27N
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27O
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27P
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27Q
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27R
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27S
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27T
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27U
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27V
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27W
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27X
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27Y
 MASSACHUSETTS GENERAL LAWS, CHAPTER 40A, SECTION 27Z

DATUM:
 MEAN SEA LEVEL (MSL)
 DATUM POINT: 1988

FLOOD ZONE:
 FLOOD ZONE: X1 (SPECIAL FLOOD HAZARD ZONE)
 FLOOD ZONE: X2 (SPECIAL FLOOD HAZARD ZONE)
 FLOOD ZONE: X3 (SPECIAL FLOOD HAZARD ZONE)
 FLOOD ZONE: X4 (SPECIAL FLOOD HAZARD ZONE)
 FLOOD ZONE: X5 (SPECIAL FLOOD HAZARD ZONE)
 FLOOD ZONE: X6 (SPECIAL FLOOD HAZARD ZONE)
 FLOOD ZONE: X7 (SPECIAL FLOOD HAZARD ZONE)
 FLOOD ZONE: X8 (SPECIAL FLOOD HAZARD ZONE)
 FLOOD ZONE: X9 (SPECIAL FLOOD HAZARD ZONE)
 FLOOD ZONE: X10 (SPECIAL FLOOD HAZARD ZONE)

EXISTING CONDITIONS:
 EXISTING CONDITIONS: EXISTING BUILDING, DRIVE, PATH, AND MULTIPATH PRESENTED.

PREVIOUSLY APPROVED:
 PREVIOUSLY APPROVED: PREVIOUSLY APPROVED DEVELOPMENT.

PROJECT:
 CHUCK SILVA
 TRURO, MA

SHEET TITLE:
 PLAN SHOWING PROPOSED
 "UNIT 1 - GREEN BLDG" SITE IMPROVEMENTS

SCALE:
 1" = 10'

DATE:
 07-12-2023

DESIGNER:
 LHA

CHECKER:
 BPH

PROJECT NO:
 CT1012.00

COASTAL
 LEIF HAMNQUIST ARCHITECTS
 617.365.0130
 www.lha.design

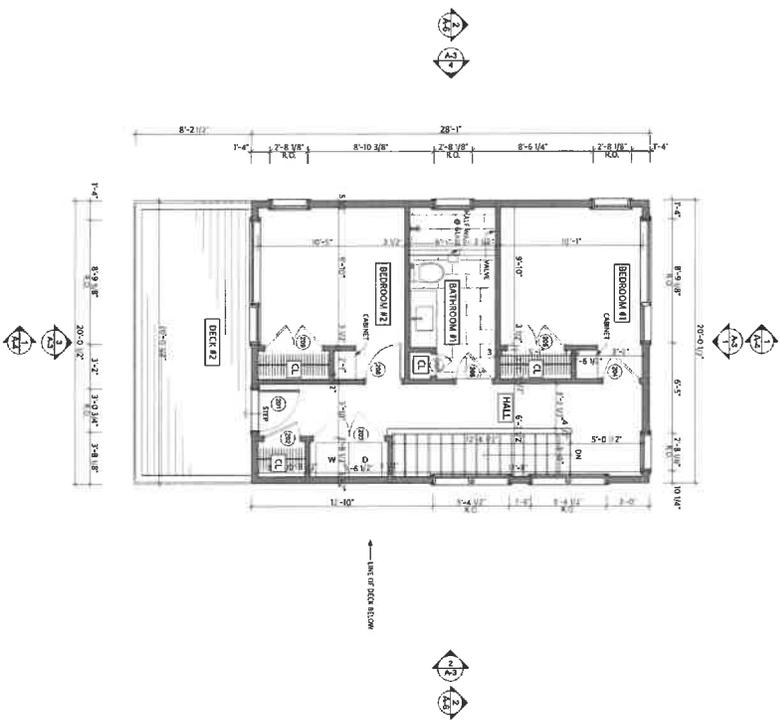
379 Shore Road Unit 1
 379 Shore Road
 Truro, MA

Title: SITE PLAN PROPOSED (ZBA)
 Scale: As Noted
 Date: 07.12.23 NOT FOR CONSTRUCTION

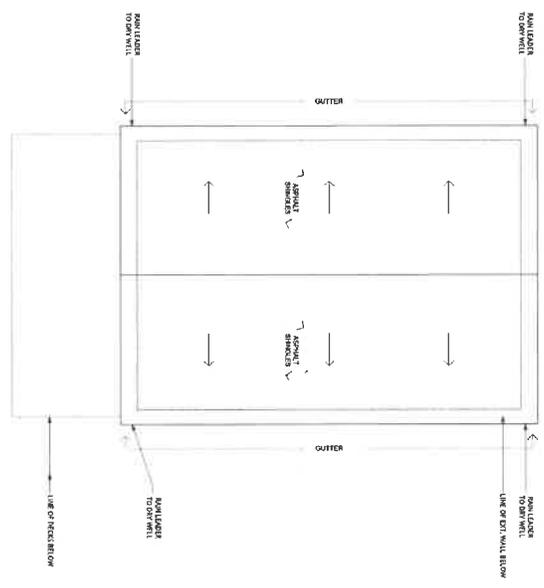
Leif Hamnquist Architects
 info@lha.design 617.365.0130
 www.lha.design

REVISION DATES:

1 SECOND FLOOR



2 ROOF



WALL LAYER	
EXISTING	[Symbol]
NEW	[Symbol]
DEMOLITION	[Symbol]
EXISTING CONSTRUCTION	[Symbol]
NEW CONSTRUCTION	[Symbol]

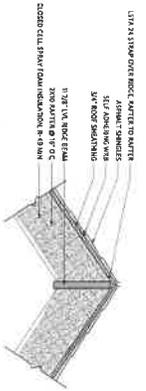
A-2

379 Shore Road Unit 1
379 Shore Road
Truro, MA

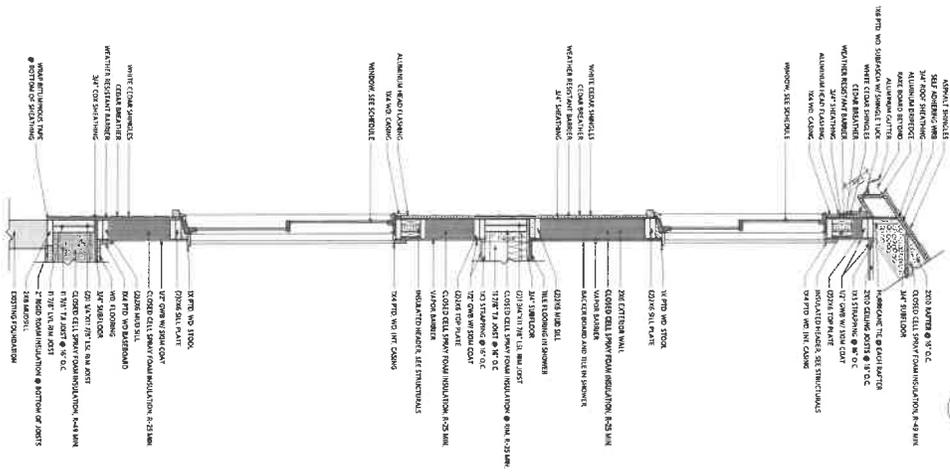
Title: FLOOR PLANS
Scale: As Noted
Date: 07.12.23 NOT FOR CONSTRUCTION

Leif Hamnquist Architects
info@lha.design 617.365.0130
www.lha.design

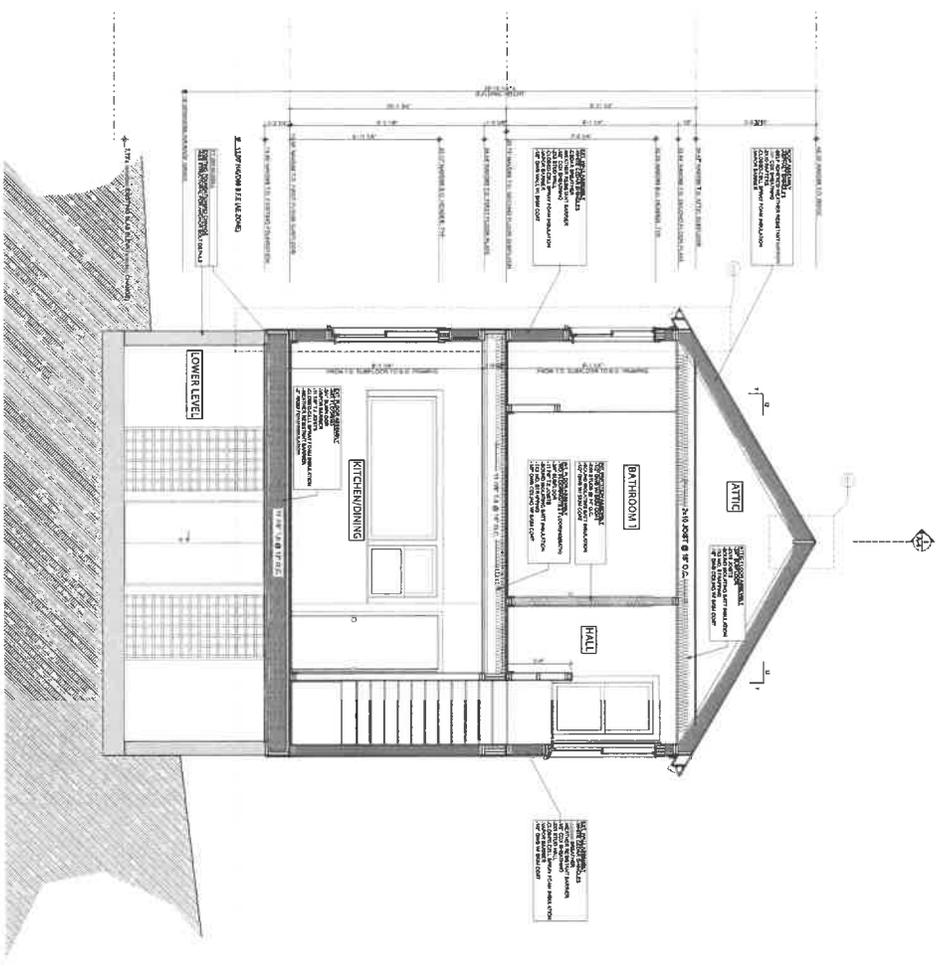
REVISION DATES:



3 RIDGE DETAIL



1 WALL SECTION BB



2 BUILDING SECTION BB



Town of Truro Zoning Board of Appeals

P.O. Box 2030, Truro, MA 02666

APPLICATION FOR HEARING

To the Town Clerk of the Town of Truro, MA

Date 2/20/24

The undersigned hereby files with specific grounds for this application: (check all that apply)

I. GENERAL INFORMATION

NOTICE OF APPEAL

Applicant is aggrieved by his/her inability to obtain a permit or enforcement action from the Building Commissioner on (date) _____.

Applicant is aggrieved by order or decision of the Building Commissioner on (date) _____ which he/she believes to be a violation of the Truro Zoning Bylaw or the *Massachusetts Zoning Act*.

PETITION FOR VARIANCE – Applicant requests a variance from the terms Section _____ of the Truro Zoning Bylaw concerning (describe) _____

APPLICATION FOR SPECIAL PERMIT

Applicant seeks approval and authorization of uses under Section _____ of the Truro Zoning Bylaw concerning (describe) _____

Applicant seeks approval for a continuation, change, or extension of a nonconforming structure or use under Section 30.7A of the Truro Zoning Bylaw and M.G.L. Ch. 40A, §6 concerning (describe) Pre-existing nonconforming, two buildings on one lot, sidelines

Property Address 379 B Shore rd N. Truro Map(s) and Parcel(s) 10 10

Registry of Deeds title reference: Book 2351, Page 316, or Certificate of Title Number _____ and Land Ct. Lot # _____ and Plan # _____

Applicant's Name Charles Silva

Applicant's Legal Mailing Address 39 Shippway rd Ptown MA 02657

Applicant's Phone(s), Fax and Email 774 722 1467 C+S Framers@hotmail.com

Applicant is one of the following: (please check appropriate box)

*Written Permission of the owner is required for submittal of this application.

Owner Prospective Buyer* Other*

Owner's Name and Address Charles Silva 39 Shippway rd Ptown MA 02657

Representative's Name and Address _____

Representative's Phone(s), Fax and Email _____

2. The completed application shall also be submitted electronically to the Planning Department Administrator at esturdy@truro-ma.gov in its entirety (including all plans and attachments).

• The applicant is advised to consult with the Building Commissioner, Planning Department, Conservation Department, Health Department, and/or Historic Commission, as applicable, prior to submitting this application.

Signature(s)

Charles Silva

Applicant(s)/Representative Printed Name(s)

CS

Applicant(s)/Representative Signature

Charles Silva

Owner(s) Printed Name(s) or written permission

CS

Owner(s) Signature or written permission

Your signature on this application authorizes the Members of the Zoning Board of Appeals and town staff to visit and enter upon the subject property

To Zoning board

The project at 379 shore B, green trim cottage, is to remove existing cottage and rebuild using existing foundation and same footprint. However the first floor deck will be reduced as well as cottage will be reduced from 3 bedrooms to two bedrooms. Having acknowledged the sideline issues and listening to the boards advice/input I have redesigned the building to be a story and half, not two stories, Which reduces the height by almost 3 feet.(2' 10") Also with this design the second floor deck on street side had to be eliminated. While there is a full basement it cannot be used for housing or any mechanicals as is in flood zone, Its rendered storage space only. I really hope this plan satisfies previous concerns and I believe will fit in very nicely with the neighborhood, surrounding buildings.

Sincerely Chuck Silva

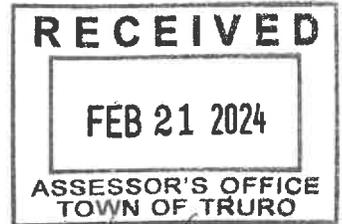


TOWN OF TRURO

Assessors Office

Certified Abutters List

Request Form



DATE: 2/21/24

NAME OF APPLICANT: Charles Silva

NAME OF AGENT (if any): _____

MAILING ADDRESS: 39 Ships way rd.

CONTACT: HOME/CELL 774 222 1467 EMAIL CTSFrancisco@Hotmail.com

PROPERTY LOCATION: 379 Shore rd.
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP 10 PARCEL 10 EXT. _____
(if condominium)

ABUTTERS LIST NEEDED FOR: **FEE: \$15.00 per checked item**
(please check all applicable) *(Fee must accompany the application unless other arrangements are made)*

- | | | |
|---|---|---|
| <input type="checkbox"/> Board of Health ⁵ | <input type="checkbox"/> Planning Board (PB) | <input type="checkbox"/> Zoning Board of Appeals (ZBA) |
| <input type="checkbox"/> Cape Cod Commission | <input type="checkbox"/> Special Permit ¹ | <input checked="" type="checkbox"/> Special Permit ¹ |
| <input type="checkbox"/> Conservation Commission ⁴ | <input type="checkbox"/> Site Plan ² | <input type="checkbox"/> Variance ¹ |
| <input type="checkbox"/> Licensing | <input type="checkbox"/> Preliminary Subdivision ³ | |
| Type: _____ | <input type="checkbox"/> Definitive Subdivision ³ | |
| <input type="checkbox"/> Other _____ | <i>(Fee: Inquire with Assessors)</i> | |
- (Please Specify)*

Note: Per M.G.L., processing may take up to 10 calendar days. Please plan accordingly.

THIS SECTION FOR ASSESSORS OFFICE USE ONLY

Date request received by Assessors: 2/21/24 Date completed: 2/21/24
List completed by: Laura Geiges Date paid: 2/21/24 Cash Check \$15

¹Abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line.
²Abutters to the subject property, abutters to the abutters, and owners of properties across the street from the subject property.
³Landowners immediately bordering the proposed subdivision, landowners immediately bordering the immediate abutters, and landowners located across the streets and ways bordering the proposed subdivision. Note: For Definitive Subdivision only, responsibility of applicant to notify abutters and produce evidence as required.
⁴All abutters within 300 feet of parcel, except Beach Point between Knowles Heights Road and Provincetown border, in which case it is all abutters within 100 feet. Note: Responsibility of applicant to notify abutters and produce evidence as required.
⁵Abutters sharing any boundary or corner in any direction – including land across a street, river or stream. Note: Responsibility of applicant to notify abutters and produce evidence as required.



TRURO ASSESSORS OFFICE

PO Box 2012 Truro, MA 02666

Telephone: (508) 214-0921

Fax: (508) 349-5506

Date: February 21, 2024

To: Charles Silva

From: Assessors Department

Certified Abutters List: 379 Shore Road (Map 10 Parcel 10)

Zoning Board of Appeals – Special Permit

Attached is a combined list of abutters for 379 Shore Road (Map 10 Parcel 10)

The current owner is Charles T. Silva.

The names and addresses of the abutters are as of February 16, 2024 according to the most recent documents received from the Barnstable County Registry of Deeds.

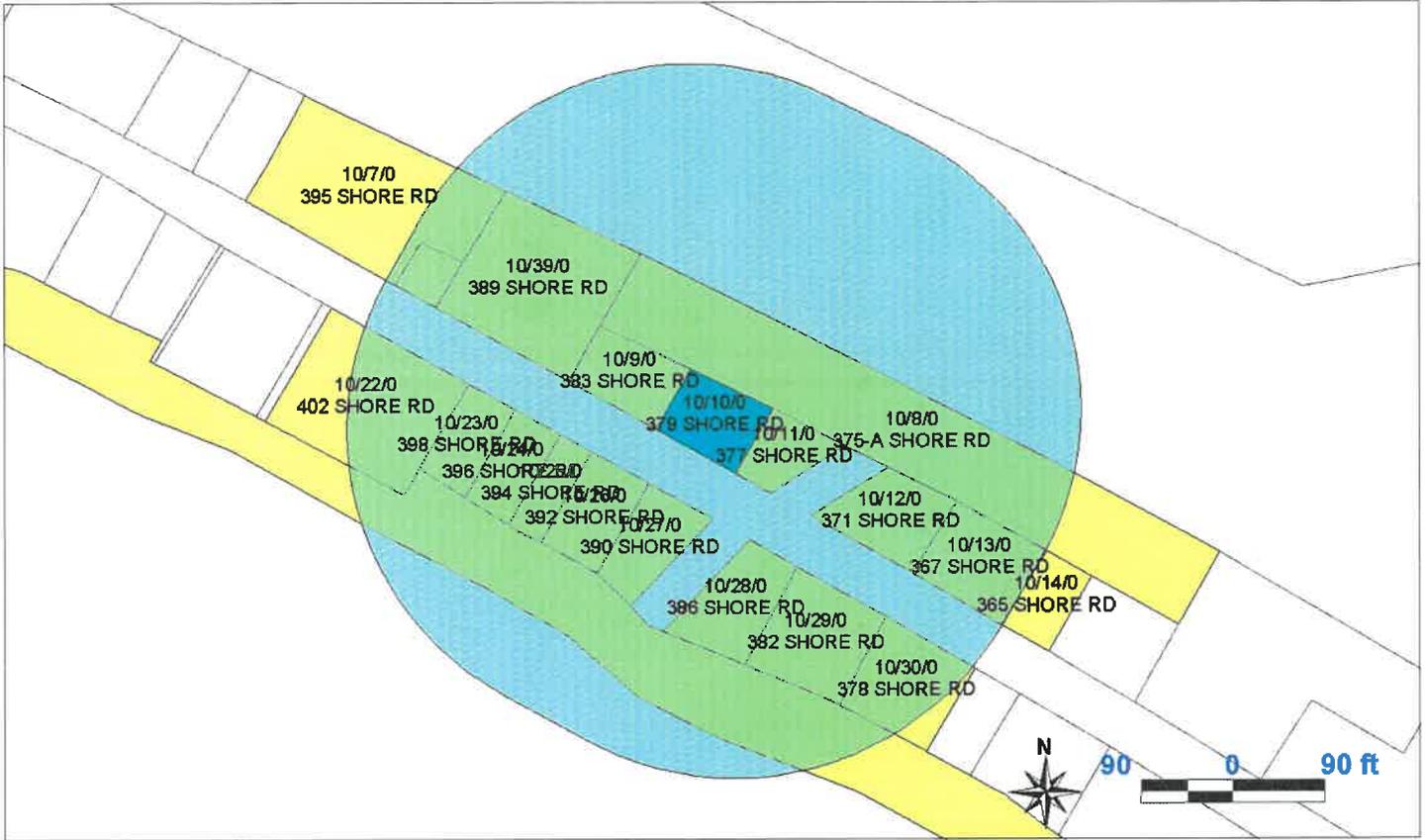
Certified by: _____

Laura Geiges

Assistant Assessor / Data Collector

TOWN OF TRURO, MA
 BOARD OF ASSESSORS
 P.O. BOX 2012, TRURO MA 02666

Abutters List Within 300 feet of Parcel 10/10/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
302	10-7-0-R	MURTAGH JULIE & PORZIO MARIE	395 SHORE RD	27 OLD CHATHAM RD	BREWSTER	MA	02631
303	10-8-0-R	HIGHLAND MOORS 20 REALTY TRUST TRS: SILVA CHARLES W & HELEN T	375-A SHORE RD	39 SHIPS WAY ROAD	PROVINCETOWN	MA	02657
304	10-9-0-R	WILLIAM & BLANCHE SHANLEY TRST TRS: SHANLEY WILLIAM & BLANCHE	383 SHORE RD	326 COUNTRY CLUB RD	AVON	CT	06001
305	10-10-0-R	SILVA CHARLES T	379 SHORE RD	39 SHIPS WAY RD	PROVINCETOWN	MA	02657
306	10-11-0-R	390 SHORE ROAD REALTY TRUST TRS: WILLIAM J SEMPOLINSKI	377 SHORE RD	98 BEACH ST	QUINCY	MA	02170
307	10-12-0-R	HIGHLAND MOORS 20 REALTY TRUST TRS: SILVA CHARLES W & HELEN T	371 SHORE RD	39 SHIPS WAY ROAD	PROVINCETOWN	MA	02657
308	10-13-0-R	RIDOLFI EDWARD JR & CHRISTINE	367 SHORE RD	3525 TURTLE CREEK BLVD, U 16C	DALLAS	TX	75219
309	10-14-0-R	GAROFALO ANGELO A	365 SHORE RD	P O BOX 3249	SPRING HILL	FL	34611-3249
317	10-22-0-R	SHEA KEVIN R & RICHLAND JUDITH	402 SHORE RD	357 HARVARD ST APT 1	CAMBRIDGE	MA	02138
318	10-23-0-R	COTTAGE REALTY TRUST TRS: MCDERMOTT JAMES E ET AL	398 SHORE RD	C/O JOHN MCDERMOTT 603 SUGAR MILL RD	GREER	SC	29650
319	10-24-0-R	MORSE MARJORIE J REV TR ETAL TRS: MORSE MARJORIE J	396 SHORE RD	4 SUFFOLK PARK	NASHUA	NH	03063-7018
320	10-25-0-R	WILLIAM & BLANCHE SHANLEY TRST TRS: SHANLEY W BLANCHE	394 SHORE RD	326 COUNTRY CLUB RD	AVON	CT	06001
321	10-26-0-R	GOLDBERG RICHARD	392 SHORE RD	95 MILL HILL RD	WELLFLEET	MA	02667
322	10-27-0-R	390 SHORE ROAD REALTY TRUST TRS: WILLIAM J SEMPOLINSKI	390 SHORE RD	98 BEACH ST	QUINCY	MA	02170
323	10-28-0-R	386 SHORE ROAD REALTY TRUST TRS: SILVA CHARLES W & HELEN T	386 SHORE RD	39 SHIPS WAY RD	PROVINCETOWN	MA	02657

LG 2/21/24

Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
324	10-29-0-R	HIGHLAND MOORS 20 REALTY TRUST TRS: SILVA CHARLES W & HELEN T	382 SHORE RD	39 SHIPS WAY ROAD	PROVINCETOWN	MA	02657
325	10-30-0-R	GOODWIN STEPHEN L & GOODWIN MARINA SURIANO	378 SHORE RD	420 BURNT SWAMP RD	WRENTHAM	MA	02093
331	10-34-0-R	MURTAGH JULIE & PORZIO MARIE	393 SHORE RD	27 OLD CHATHAM RD	BREWSTER	MA	02631
332	10-39-0-R	STEPHEN BERNARDI TRUST 2013 & DIANE M BERNARDI TRUST 2013	389 SHORE RD	250 GROVE ST	FRAMINGHAM	MA	01701

LG 2/21/24

<p>10-7-0-R</p> <p>MURTAGH JULIE & PORZIO MARIE 27 OLD CHATHAM RD BREWSTER, MA 02631</p>	<p>10-8-0-R</p> <p>HIGHLAND MOORS 20 REALTY TRUST TRS: SILVA CHARLES W & HELEN T 39 SHIPS WAY ROAD PROVINCETOWN, MA 02657</p>	<p>10-9-0-R</p> <p>WILLIAM & BLANCHE SHANLEY TRST TRS: SHANLEY WILLIAM & BLANCHE 326 COUNTRY CLUB RD AVON, CT 06001</p>
<p>10-10-0-R</p> <p>SILVA CHARLES T 39 SHIPS WAY RD PROVINCETOWN, MA 02657</p>	<p>10-11-0-R</p> <p>390 SHORE ROAD REALTY TRUST TRS: WILLIAM J SEMPOLINSKI 98 BEACH ST QUINCY, MA 02170</p>	<p>10-12-0-R</p> <p>HIGHLAND MOORS 20 REALTY TRUST TRS: SILVA CHARLES W & HELEN T 39 SHIPS WAY ROAD PROVINCETOWN, MA 02657</p>
<p>10-13-0-R</p> <p>RIDOLFI EDWARD JR & CHRISTINE 3525 TURTLE CREEK BLVD, U 16C DALLAS, TX 75219</p>	<p>10-14-0-R</p> <p>GAROFALO ANGELO A P O BOX 3249 SPRING HILL, FL 34611-3249</p>	<p>10-22-0-R</p> <p>SHEA KEVIN R & RICHLAND JUDITH 357 HARVARD ST APT 1 CAMBRIDGE, MA 02138</p>
<p>10-23-0-R</p> <p>COTTAGE REALTY TRUST TRS: MCDERMOTT JAMES E ET AL C/O JOHN MCDERMOTT 603 SUGAR MILL RD GREER, SC 29650</p>	<p>10-24-0-R</p> <p>MORSE MARJORIE J REV TR ETAL TRS: MORSE MARJORIE J 4 SUFFOLK PARK NASHUA, NH 03063-7018</p>	<p>10-25-0-R</p> <p>WILLIAM & BLANCHE SHANLEY TRST TRS: SHANLEY W BLANCHE 326 COUNTRY CLUB RD AVON, CT 06001</p>
<p>10-26-0-R</p> <p>GOLDBERG RICHARD 95 MILL HILL RD WELLFLEET, MA 02667</p>	<p>10-27-0-R</p> <p>390 SHORE ROAD REALTY TRUST TRS: WILLIAM J SEMPOLINSKI 98 BEACH ST QUINCY, MA 02170</p>	<p>10-28-0-R</p> <p>386 SHORE ROAD REALTY TRUST TRS: SILVA CHARLES W & HELEN T 39 SHIPS WAY RD PROVINCETOWN, MA 02657</p>
<p>10-29-0-R</p> <p>HIGHLAND MOORS 20 REALTY TRUST TRS: SILVA CHARLES W & HELEN T 39 SHIPS WAY ROAD PROVINCETOWN, MA 02657</p>	<p>10-30-0-R</p> <p>GOODWIN STEPHEN L & GOODWIN MARINA SURIANO 420 BURNT SWAMP RD WRENTHAM, MA 02093</p>	<p>10-34-0-R</p> <p>MURTAGH JULIE & PORZIO MARIE 27 OLD CHATHAM RD BREWSTER, MA 02631</p>
<p>10-39-0-R</p> <p>STEPHEN BERNARDI TRUST 2013 & DIANE M BERNARDI TRUST 2013 250 GROVE ST FRAMINGHAM, MA 01701</p>		

LG 2/21/24

ARCHITECT NOTE:

FOR MORE INFORMATION REGARDING PROPOSED "UNIT 1" RENOVATIONS SEE ARCHITECTURAL PLAN SET PREPARED BY LEIF HAMNQUIST ARCHITECTS.

CONSTRUCTION NOTES:

- PROPOSED SITE MODIFICATIONS AND/OR RECONSTRUCTION MAY REQUIRE FULL DESIGN COMPLIANCE WITH MASS STATE BUILDING CODE FLOOD ZONE CONSTRUCTION REGULATIONS FOR NEW CONSTRUCTION.
- PROPOSED DRIVE, PATH, AND PATIO LAYOUT PER CLIENT.

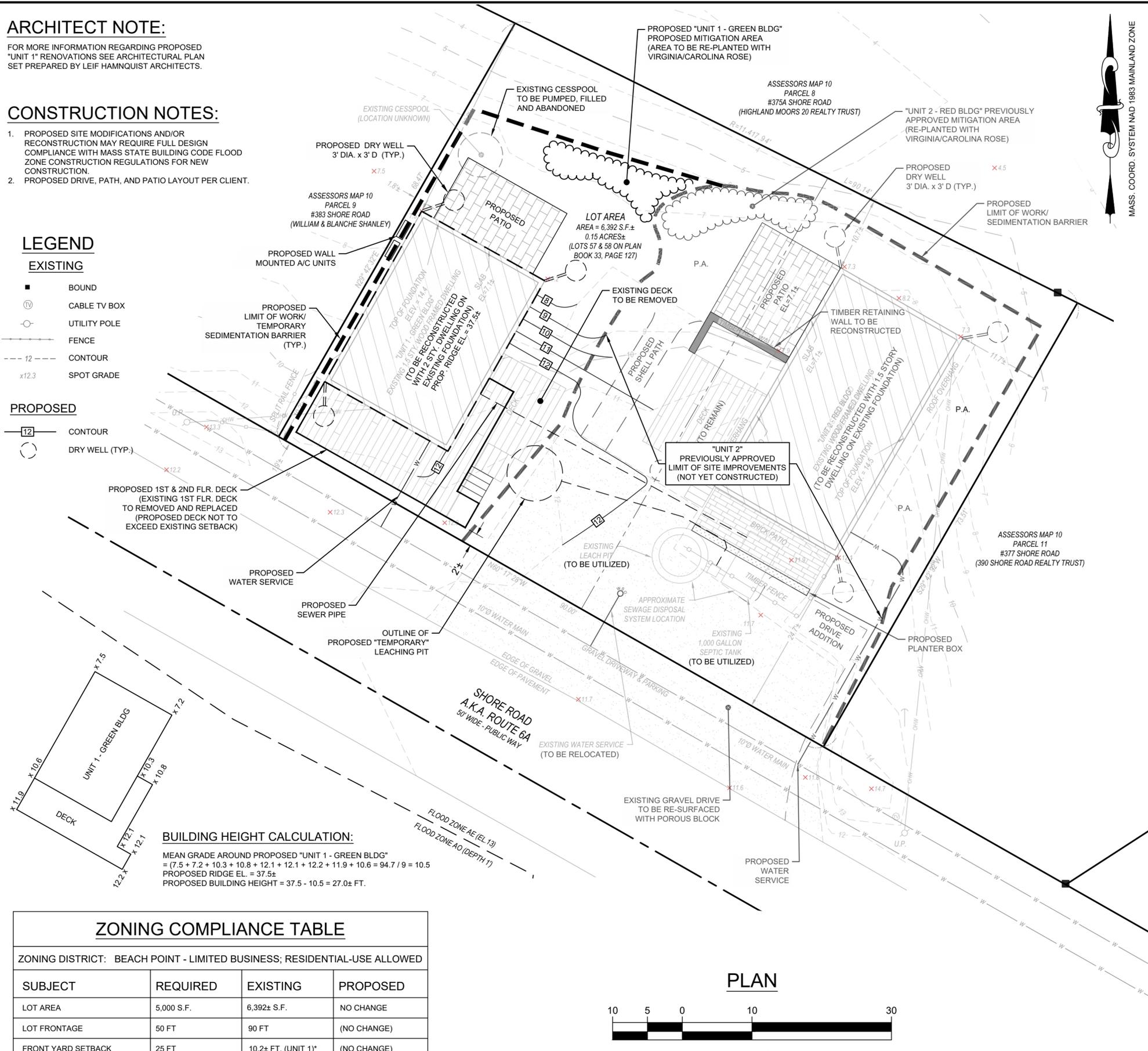
LEGEND

EXISTING

- BOUND
- Ⓞ CABLE TV BOX
- Ⓞ UTILITY POLE
- FENCE
- - - 12 --- CONTOUR
- x12.3 SPOT GRADE

PROPOSED

- 12 --- CONTOUR
- Ⓞ DRY WELL (TYP.)



BUILDING HEIGHT CALCULATION:

MEAN GRADE AROUND PROPOSED "UNIT 1 - GREEN BLDG"
 = (7.5 + 7.2 + 10.3 + 10.8 + 12.1 + 12.1 + 12.2 + 11.9 + 10.6) / 9 = 10.5
 PROPOSED RIDGE EL. = 37.5±
 PROPOSED BUILDING HEIGHT = 37.5 - 10.5 = 27.0± FT.

ZONING COMPLIANCE TABLE

ZONING DISTRICT: BEACH POINT - LIMITED BUSINESS; RESIDENTIAL-USE ALLOWED

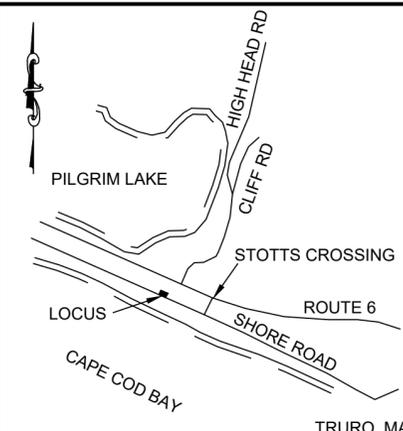
SUBJECT	REQUIRED	EXISTING	PROPOSED
LOT AREA	5,000 S.F.	6,392± S.F.	NO CHANGE
LOT FRONTAGE	50 FT	90 FT	(NO CHANGE)
FRONT YARD SETBACK	25 FT	10.2± FT. (UNIT 1)*	(NO CHANGE)
SIDE YARD SETBACK (EAST)	5 FT/STORY	11.7± FT (UNIT 2)	(NO CHANGE)
SIDE YARD SETBACK (WEST)	5 FT/STORY	1.8± FT. (UNIT 1)*	(NO CHANGE)
BACK YARD SETBACK	5 FT/STORY	10.7± FT (UNIT 2)	(NO CHANGE)

*FRONT YARD SETBACK TO DECK = 1.9±, SIDE YARD SETBACK (WEST) TO DECK = 1.8±

PLAN



1 inch = 10 ft.



KEY MAP
NO SCALE

REFERENCE:

- ASSESSORS MAP 10, PARCEL 10
- PLAN BOOK 33, PAGE 127
- L.C.PLAN #41224A
- DEED BOOK 2351, PAGE 316
- WM. ROGERS S.D.S PLAN DATED AUG. 1981

DATUM:

ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988)

FLOOD ZONE:

FLOOD ZONE AE (EL. 13) SHOWN ON THIS DRAWING IS A DIRECT REPRESENTATION OF THE GRAPHIC FLOOD ZONE BOUNDARIES SHOWN ON FEMA FIRM PANEL #25001C0136J EFFECTIVE JULY 16, 2014. PLEASE NOTE THAT SITE SPECIFIC FLOODPLAIN BOUNDARIES MAY VARY DUE TO DIFFERENT INTERPRETATIONS OF THESE BOUNDARIES. USERS ARE ADVISED TO VERIFY LOCATION OF THESE BOUNDARIES WITH THE DESIGNATED COMMUNITY FLOODPLAIN MANAGERS AND/OR FEMA PRIOR TO SITING ANY PROPOSED STRUCTURES.

EXISTING CONDITIONS:

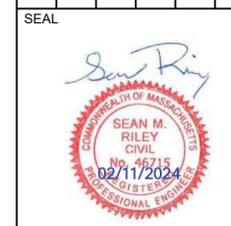
SEE PLAN TITLED "C1.2.1 PLAN SHOWING EXISTING SITE CONDITIONS" FOR 379 SHORE ROAD IN TRURO, MA, PREPARED BY COASTAL ENGINEERING COMPANY INC. AND DATED DECEMBER 17, 2019.

PREVIOUSLY APPROVED:

SEE PLAN TITLED "C2.1.1 PLAN SHOWING PROPOSED SITE IMPROVEMENTS" FOR 379 SHORE ROAD IN TRURO, MA, PREPARED BY COASTAL ENGINEERING COMPANY INC. AND DATED FEBRUARY 21, 2020 & PLAN TITLED "C2.1.2 PLAN SHOWING PROPOSED SITE IMPROVEMENTS" FOR 379 SHORE ROAD IN TRURO, MA, PREPARED BY COASTAL ENGINEERING COMPANY INC. AND DATED MARCH 13, 2020.



NO.	DATE	REVISION	BY
1	2-1-24	MODIFY PROPOSED RIDGE EL. & ADD A/C UNITS	MJB



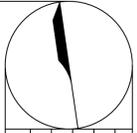
PROJECT: CHUCK SILVA TRURO, MA
 379 SHORE ROAD
 SHEET TITLE: PLAN SHOWING PROPOSED "UNIT 1 - GREEN BLDG" SITE IMPROVEMENTS

SCALE: 1" = 10'
 DRAWING FILE: C17012-CIV.dwg
 DATE REV. 02-01-2024: 07-12-2023
 DRAWN BY: MJB
 CHECKED BY: BPM

C2.2.5
 1 OF 1 SHEETS
 PROJECT NO. C17012.00

RE-ISSUED FOR ZONING REVIEW 02-01-2024

F:\SDSKPROJECTS\7000\C17012\CIV.dwg 2/11/2024 2:37 PM



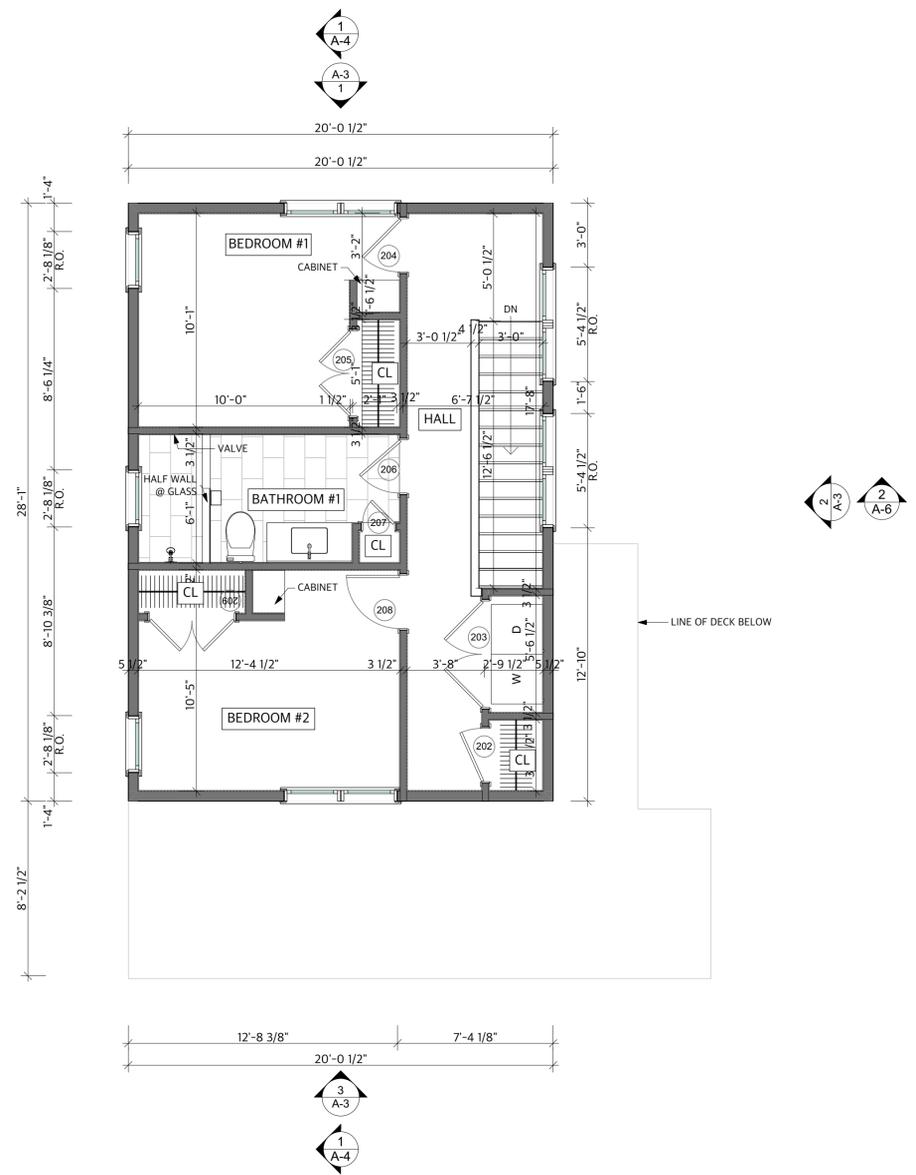
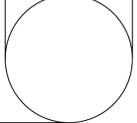
REVISION DATES:

Leif Hammquist Architects
info@lha.design 617.365.0130
www.lha.design

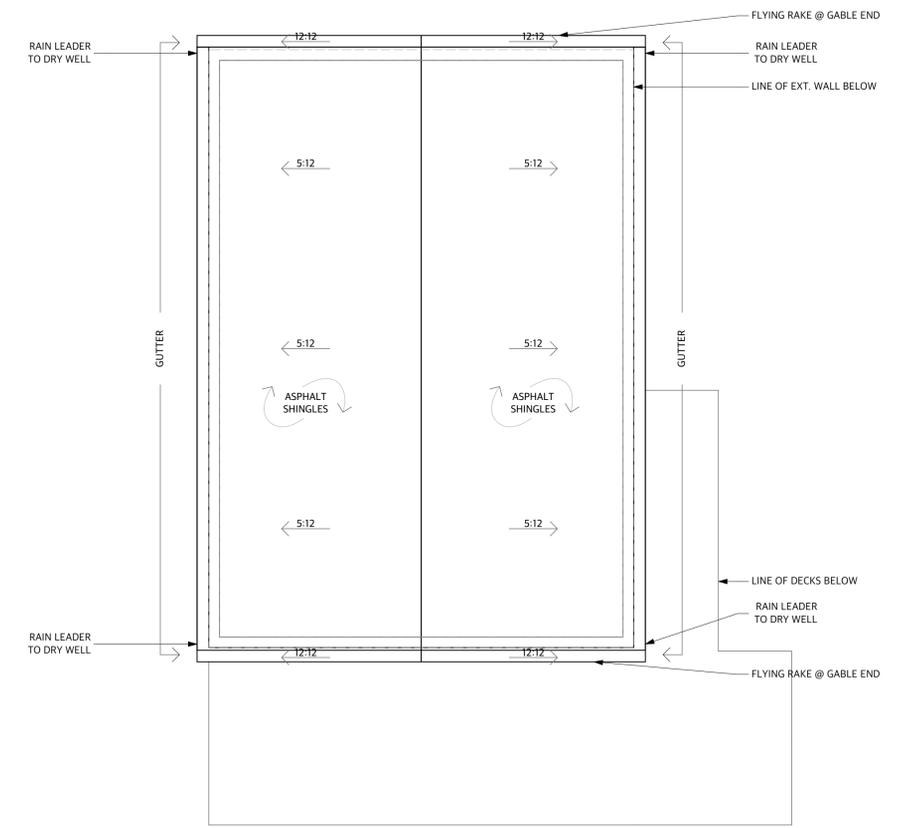
Title: FLOOR PLANS
Scale: As Noted
Date: 01.18.24 NOT FOR CONSTRUCTION

379 Shore Road Unit 1
379 Shore Road
Truro, MA

A-2



1 SECOND FLOOR
SCALE: 1/4" = 1'-0"

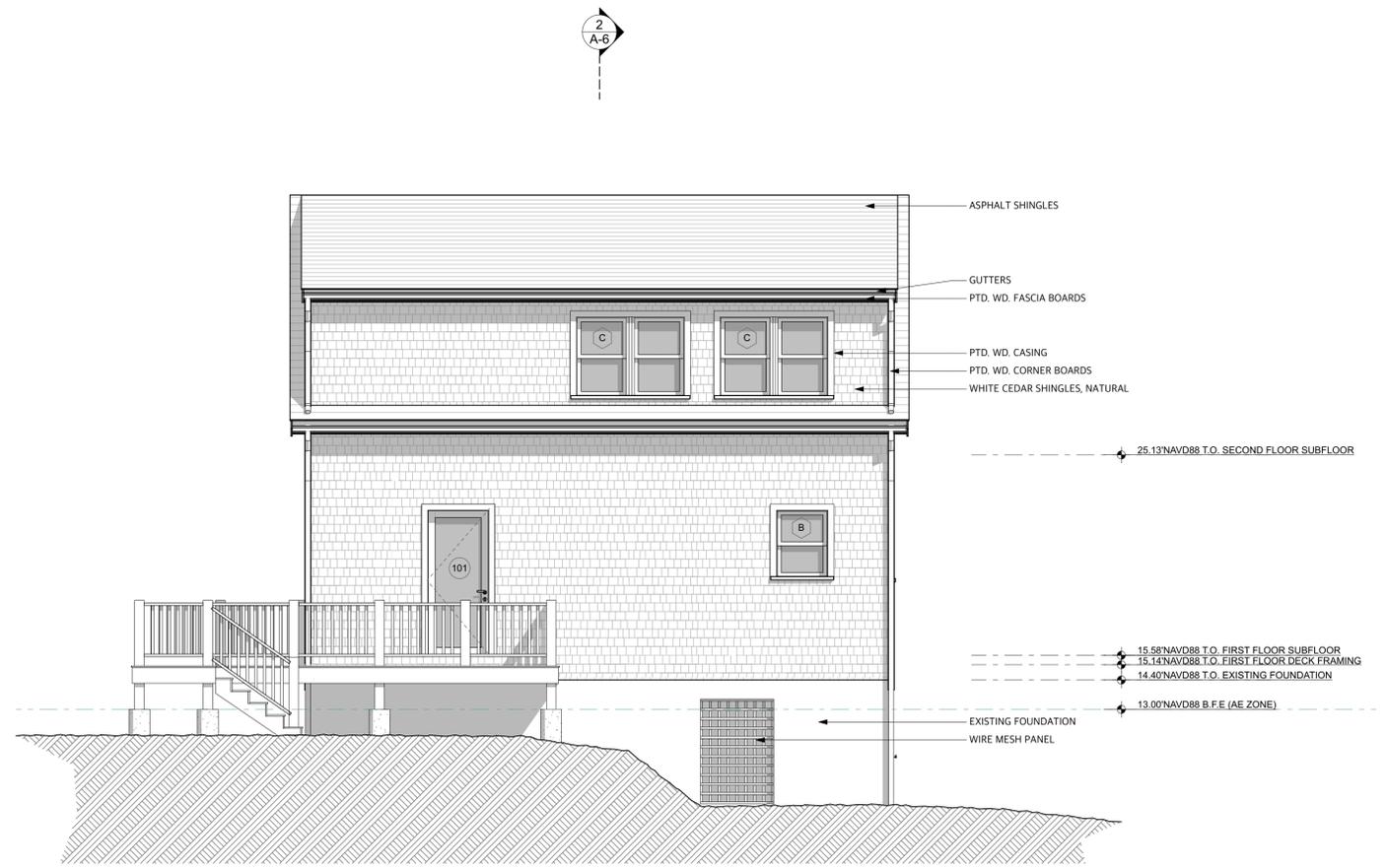


2 ROOF
SCALE: 1/4" = 1'-0"

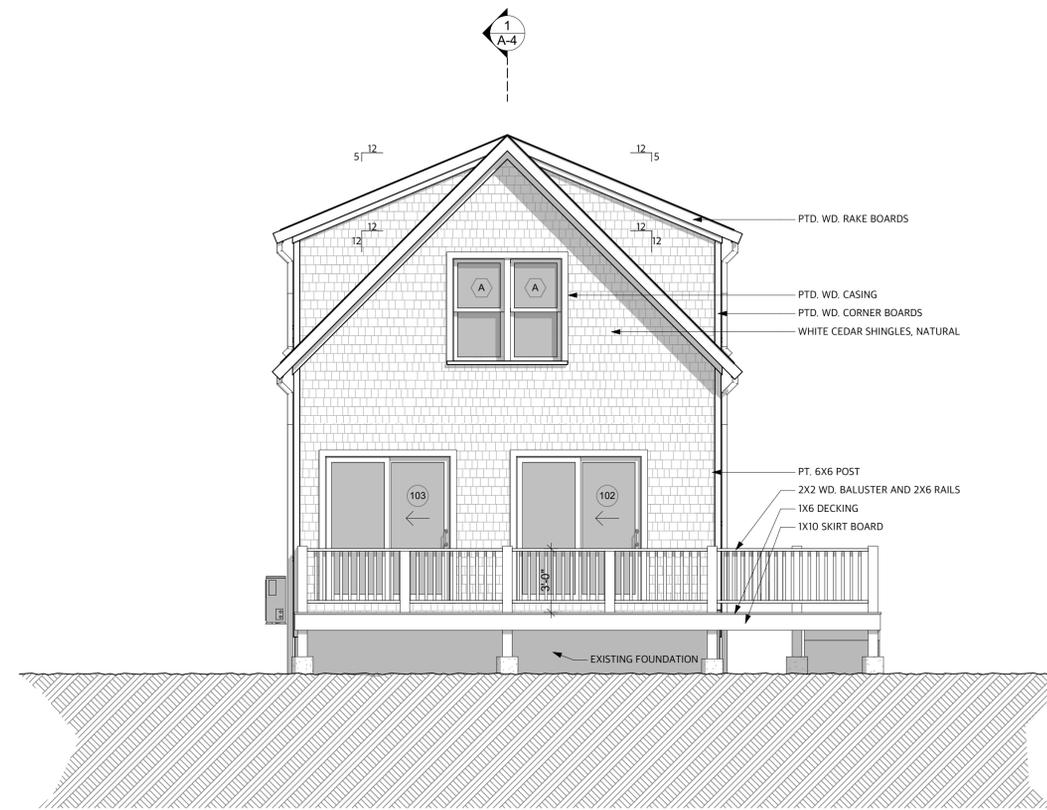
WALL LEGEND	
DEMO	
EXISTING FOUNDATION	
NEW FOUNDATION	
EXISTING CONSTRUCTION	
NEW CONSTRUCTION	



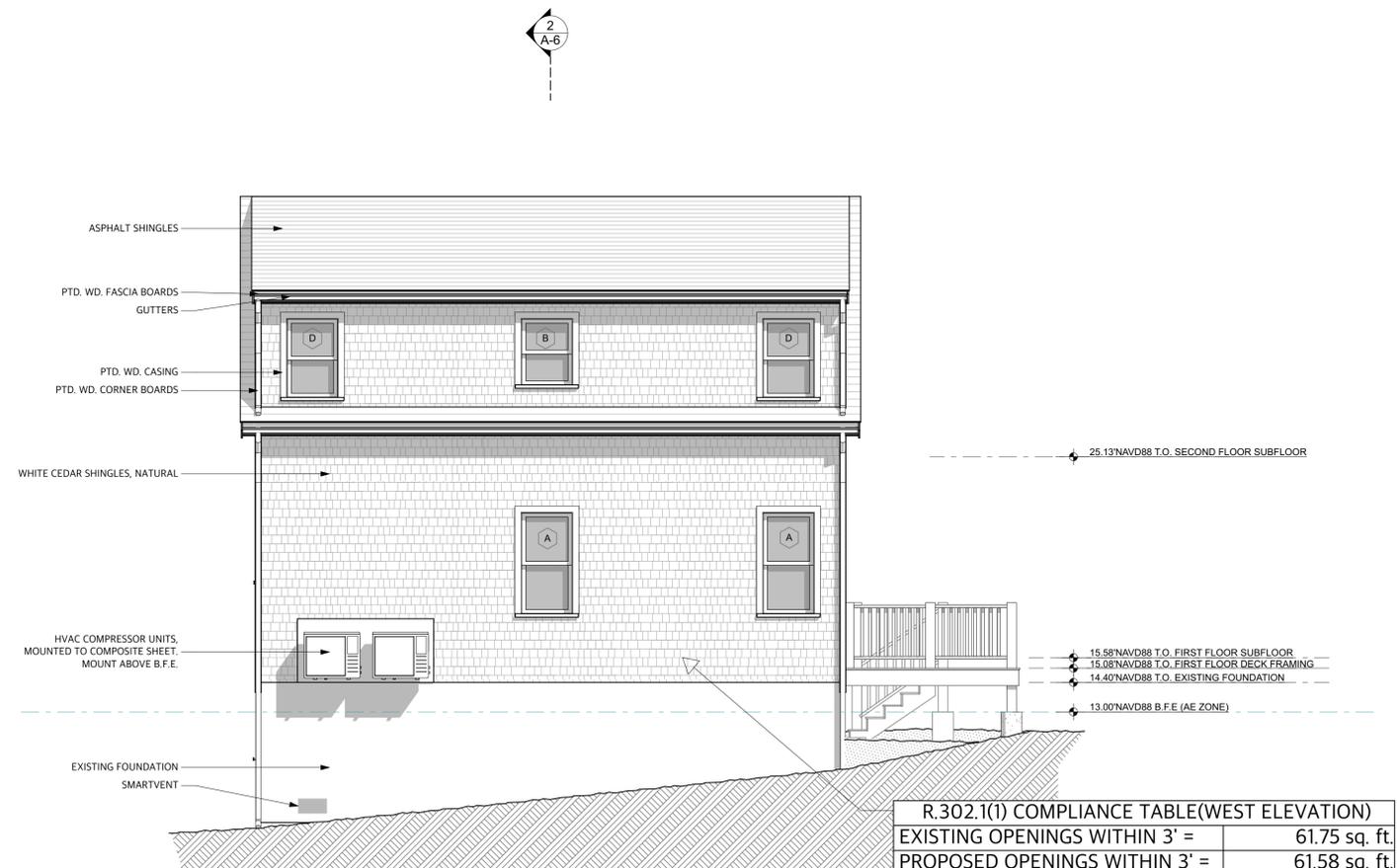
1 NORTH ELEVATION
SCALE: 1/4" = 1'-0"



2 EAST ELEVATION
SCALE: 1/4" = 1'-0"



3 SOUTH ELEVATION
SCALE: 1/4" = 1'-0"



4 WEST ELEVATION
SCALE: 1/4" = 1'-0"

R.302.1(1) COMPLIANCE TABLE(WEST ELEVATION)	
EXISTING OPENINGS WITHIN 3' =	61.75 sq. ft.
PROPOSED OPENINGS WITHIN 3' =	61.58 sq. ft.
-WEST ELEVATION IS WITHIN 3'-5' OF SIDELINE SETBACK	
-AREA OF OPENINGS MEASURED AND CONFIRMED BY ARCHITECT	

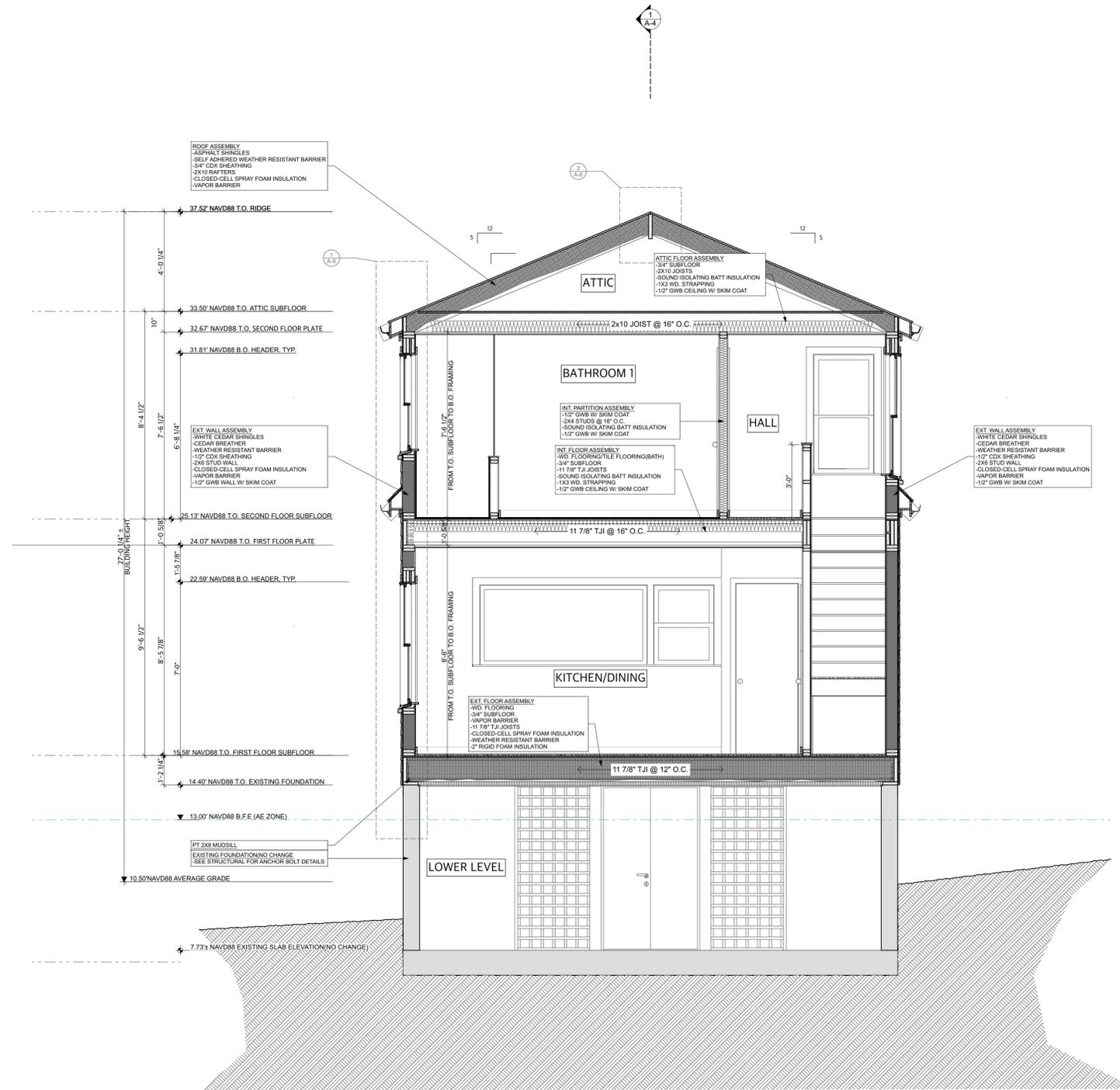
REVISION DATES:

Leif Hammquist Architects
info@lha.design 617.365.0130
www.lha.design

Title: ELEVATIONS
Scale: As Noted
Date: 01.18.24 NOT FOR CONSTRUCTION

379 Shore Road Unit 1
379 Shore Road
Truro, MA

A-3



2 BUILDING SECTION BB
 SCALE: 3/8" = 1'-0"

REVISION DATES:

Leif Hammquist Architects
 info@lha.design 617.365.0130
 www.lha.design

Title: BUILDING SECTIONS
 Scale: As Noted
 Date: 01.18.24 NOT FOR CONSTRUCTION

379 Shore Road Unit 1
 379 Shore Road
 Truro, MA

A-6

Zoning Board of Appeals

General Information

In accordance with the Charter passed at ATE, April 22, 1992, Section 4-3-2, the Board of Selectmen shall be the appointing authority.

The Truro ZBA continues to hold meetings remotely, currently using the Zoom meeting platform. Zoom links to meetings are provided on the Town calendar and on the ZBA's webpage.

Any submittals relating to new or existing applications must be filed with the Town Clerk in accordance with filing deadlines found in the current Zoning Board of Appeals Meeting Schedule. Please make sure that your contact information and payment are clearly attached to your submission which should include the required copies of the application, plans and attachments. Please also submit an electronic copy of same to the Planning Department Assistant at esturdy@truro-ma.gov.

*****News & Announcements:** Note that the material contained herein is from the original submission only and will not be updated. Refer to the meeting Agenda/Packet for up-to-date information.***

Contact Liz Sturdy, Planning Department Assistant, at esturdy@truro-ma.gov or (508) 214-0935 with questions.

Click here for information and application materials for the Cloverleaf Community Housing Comprehensive Permit (40B) application.

Truro Zoning Board of Appeals 2024 Hearing/Meeting Schedule

HEARING/MEETING (Monday at 5:30 pm)	FILING OF NEW APPLICATIONS <i>Electronic and Paper</i> (Due by Noon)	SUPPLEMENTAL FILING <i>Electronic and Paper</i> (Due by Monday Noon of the <i>prior</i> week) (Unless otherwise noted*)
January 22	December 22, 2023	January 16*
February 26	January 26	February 20*
March 25	February 23	March 18
April 29	March 29	April 22
May 20	April 19	May 13
June 24	May 24	June 17
July 22	June 21	July 15
August 19	July 19	August 12
September 23	August 23	September 16
October 21	September 20	October 15*
November 18	October 18	November 12*
December 16	November 15	December 9

MEETING DATES AND TIMES ARE SUBJECT TO CHANGE

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



Town of Truro Zoning Board of Appeals

P.O. Box 2030, Truro, MA 02666

PROCEDURE FOR SUBMITTING APPLICATION FOR HEARING

The following information and requirements must be filed with all Applications for Hearings consistent with the Rules, Regulations and Fee Schedule of the Truro Board of Appeals. **Note: Submittals must be collated into ten (10) packets.**

- Section 1 – Application Form – Original and Nine (9) Copies**
Every application for action by the Board shall be made on an official form. These forms shall be furnished by the Town Clerk and/or Building Department upon request. Any communications purporting to be an application shall be treated as mere notice of intention to such relief until such time as it is made on an official application form accompanied by all requisite supporting data.
- Section 2 – Denial from Building Commissioner – Filing Period – Ten (10) Copies**
Any appeal under M.G.L. Ch. 40A, §8, shall be taken within thirty (30) days from the date of the order or decision being appealed. A copy of said order of decision shall be filed with the required application form in Section 1 above. Note: this is not required for an application for a special permit.
- Section 3 – Required Plan(s) – Ten (10) Copies**
Every application and petition to the Board shall be accompanied by a Certified Plot Plan(s) drawn at a scale of no smaller than 1" = 20' and of a size at least 8½" x 11", providing the following information:
North arrow; locus map; names of streets; zoning district in which the property lies; names of owners of abutters, including owners of land directly opposite on any adjacent public or private way; boundaries of the property lines, including lengths and distances; the location of all existing and proposed buildings, and additions, including dimensions and setbacks to all property lines; use(s) of each building, structure, and the property; entrances, exits, driveways, and walkways shall be shown, including existing or proposed required parking and existing and proposed distances to property lines.
In addition, floor plans and elevation plans drawn to scale shall be provided if applicable to the request before the Board of Appeals.
- Section 4 – Filing Fee**
All applications shall be accompanied by a check payable to the Town of Truro. For Special Permit Applications pursuant to §40.3 (Conversion of Cottage or Cabin Colony, Motor Court, Motel or Hotel), the fee is **\$50.00 per unit**. For all other applications, the fee is **\$200.00**. All fees are non-refundable.
- Section 5 – Certified Abutters List – Original and Nine (9) Copies**
A Certified Abutters List shall be obtained by the Applicant from the Truro Assessors Office and filed along with the items outlined in Sections 1 – 4 above. A copy of the "Request for Certified Abutters List" is included in this packet.
- Section 6 – §40.3 Conversion of Cottage or Cabin Colony, Motor Court, Motel or Hotel – Original and Nine (9) Copies and a copy of your deed for the property (required)**

The completed application **shall also** be submitted **electronically** to the Planning Department Administrator at esturdy@truro-ma.gov in its entirety (including all plans and attachments).

Upon receipt of a complete application, with this information before it, the Board of Appeals will then proceed to post notice of a public hearing in accordance with Chapter 40A, §11, of the General Laws of Massachusetts.

Either you or your agent/representative shall appear before the Board at the scheduled hearing. If you need to reschedule, you must submit a request for a continuance.

Additional information for an application/petition shall be submitted by the applicant/representative to the Truro Town Clerk no less than seven (7) calendar days prior to the scheduled public hearing or the continuation of the public hearing. (Voted by the Board of Appeals August 27, 2007)

Please do not include a copy of these instructions with the application

Board Members

Name	Title
Arthur F. Hultin Jr.	Member-Appointment expires 6/30/2024
Joseph McKinnon	Alternate-Appointment expires 6/30/2024
Russell Braun	Alternate-Appointment expires 6/30/2024
Nancy Medoff	Member-Appointment expires 6/30/2026
Chris Lucy	Chair-Appointment expires 6/30/2025
Darrell Shedd	Vice Chair-Appointment expires 6/30/2024
David Crocker	Member-Appointment expires 6/30/2024

Policy Packet

(Annual Requirements)

All personnel who serve the Town of Truro in the capacity of Board/Committee Members, Elected Officials, Appointed Officials, or Volunteers must complete these annual requirements.

The new Conflict of Interest annual training must be completed. Please register on the portal (link below) and turn the certificate(s) into the Admins office. All other policy's (documents below).

Please e-mail certificates and signed documents to nscoullar@truro-ma.gov



- [MA State Conflict of Interest Training \(Click\)](#)

Attachment	Size
policy_19_sexual_harassment_policy_rev_10.24.17_changes_for_clerk.pdf	374.37 KB
(Signature Required) Acknowledgement of Summary of Conflict of Interest	2.07 MB
(Signature Required) Policy 54-Standards of Professional Conduct	259.65 KB
(Signature Required) Sexual Harassment Policy Acknowledgement	259.23 KB
(Signature Required) Select Board Hand Book Acknowledgement	150 KB
(Signature Required) Open Meeting Law Guide Acknowledgement	56.85 KB
Select Board-Boards Committees and Commissions Hand Book	330.17 KB
Open Meeting Law Guide Book	682.52 KB