



# TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666  
Tel: 508-349-7004 Fax: 508-349-5505

## ZONING BOARD OF APPEALS

### Agenda

**DATE OF MEETING:** Monday, March 22, 2021  
**TIME OF MEETING:** 5:30 pm  
**LOCATION OF MEETING:** Remote Meeting  
[www.truro-ma.gov](http://www.truro-ma.gov)

#### Open Meeting

This will be a remote meeting. Citizens can view the meeting on Channel 18 in Truro and on the web on the "Truro TV Channel 18" button under "Helpful Links" on the homepage of the Town of Truro website ([www.truro-ma.gov](http://www.truro-ma.gov)). 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 via the link below, which can also be found on the calendar of the Board's webpage along with the meeting Agenda and Packet, or by calling in toll free at [1-877-309-2073](tel:1-877-309-2073) and entering the following access code when prompted: [483-493-077](tel:483-493-077). 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 the Town Planner at [planner1@truro-ma.gov](mailto:planner1@truro-ma.gov).

Meeting link: <https://global.gotomeeting.com/join/483493077>

#### Continued Public Hearing

**2020-008/ZBA – Thomas and Dianne Didio** for property located at 13 Corn Hill Landing (Atlas Map 45, Parcel 23, Registry of Deeds title reference: Book 19120, Page 300). Applicant seeks a Variance under M.G.L. Ch. 40A, §10 and Section 50.1(A) of the Truro Zoning Bylaw for minimum side yard setback distance. Applicant seeks a variance due to the lot shape and topography to construct sustaining walls within the setback for a conforming pool and pool house. [Material in 1/25/2021 packet]

- ◆ Extension Agreement presented at February 22, 2021 meeting
- ◆ Email comments from Health/Conservation and Building Commissioner

**Continued Public Hearing**

**2020-009/ZBA – Anne Labouisse Peretz; William T. Burdick & Richard C. Vanison, Trustees, Dune House Nom. Tr.** for property located at 112 North Pamet Road (Atlas Map 48, Parcel 1, Certificate of Title Number 208468, Land Ct. Lot # 7, Plan # 15097-H). Applicant seeks a Special Permit under M.G.L. Ch. 40A, §6 and Section 30.3(8) of the Truro Zoning Bylaw for removal and replacement of non-confirming single-family dwelling (height) on a non-conforming lot (street frontage). *[Material in 1/25/2021 packet] {New material in this packet}*

- ◆ Extension Agreement presented at February 22, 2021 meeting

**Continued Public Hearing**

**2020-010/ZBA – Anne Labouisse Peretz; William T. Burdick & Richard C. Vanison, Trustees, Dune House Nom. Tr.** for property located at 112 North Pamet Road (Atlas Map 48, Parcel 1, Certificate of Title Number 208468, Land Ct. Lot # 7, Plan # 15097-H). Applicant seeks a Variance under M.G.L. Ch. 40A, §10 and Section 50.1(A) of the Truro Zoning Bylaw for removal and replacement of a single-family residential dwelling 5 ft. from southerly lot line where minimum setback distance is 25 ft. *[Material in 1/25/2021 packet] {New material in this packet}*

- ◆ Extension Agreement presented at February 22, 2021 meeting

**Public Hearing**

**2021-003/ZBA – Mark and I-Ching Scott** for property located at 263 Shore Road, Unit #2 (Atlas Map 17, Parcel 1, Ext. 2, Registry of Deeds title reference: Book 26734, Page 319). Applicant seeks a special permit for an alteration or extension of a nonconforming structure under Section 30.7.A of the Truro Zoning Bylaw and M.G.L. Ch. 40A, §6 for the addition of a deck and stairs which will encroach an additional five (5) feet into the front yard setback.

- ◆ Email comments from Health/Conservation and Building Commissioner

**Board Action/Review**

None

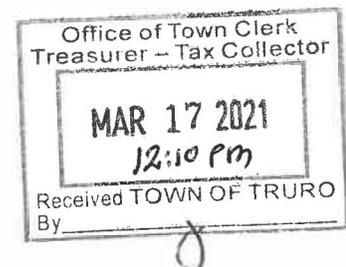
**Approval of Minutes**

None

**Next Meeting**

Monday, April 26, 2021 at 5:30 p.m.

**Adjourn**



**STAFF MEMORANDUM**

---

To: Truro Zoning Board of Appeals  
From: Barbara Carboni, Interim Town Planner/Town Counsel, KP Law  
Date: March 20, 2021  
Re: Meeting March 22, 2021

---

**2020-008/ZBA- 13 Corn Hill Landing (Map 45, Parcel 23).** Application of Thomas and Dianne Didio for a variance under G.L. c. 40A, s. 10 and Section 50.1.A of the Zoning Bylaw to construct retaining wall associated with pool and pool house within sideyard [backyard] setback.

**CONTINUED HEARING**

Update: Through counsel Applicant has submitted request to withdraw without prejudice. Vote required to grant request.

**2020-009/ZBA – 112 North Pamet Road (Map 48, Parcel 1).** Application of Anne Labouisee Peretz, William T. Burdick & Richard C. Vanison, Trustees, Dune House Nom Tr. for a **special permit** under G.L. c. 40A, s. 6 and Section 30.7 and 30.8) of the Truro Zoning Bylaw for reconstruction of a nonconforming dwelling (height) on a nonconforming lot (street frontage) on property located in the Seashore District

**2020-010/ZBA – 112 North Pamet Road (Map 48, Parcel 1).** Application of Anne Labouisee Peretz, William T. Burdick & Richard C. Vanison, Trustees, Dune House Nom Tr. for a **variance** under G.L. c. 40A, s. 10 and Section 50.1(A) of the Truro Zoning Bylaw for reconstruction of a dwelling 5 feet from lot line (25 feet required) on property located in the Seashore District.

**CONTINUED HEARING**

Update: Continuance requested and extension granted through April 26, 2021 for hearing and through May 24, 2021 for Board action. Applicant advises will be before Planning Board next on April 7, 2021. Vote required for continuances.

**2021-003/ZBA – 263 Shore Road, Unit #2 (Map 17, Parcel 1, Ext. 2, Registry of Deeds title reference: Book 26734, Page 319).** Application of Mark and I-Ching Scott for a **special permit** under G.L. c. 40A, s. 6 and Section 30.7 of the Truro Zoning Bylaw for alteration or extension of a nonconforming structure for the addition of a deck and stairs which will encroach an additional five (5) feet into the front yard setback.

Existing Conditions and Proposed Project.

This condominium unit (# 2) consists of a 368 square foot cottage, constructed in 1935, located in the Beach Point Limited Business District. The existing setback from Shore Road is 12 feet, where 25 feet are required. The addition of a deck, landing and stairs at the front of the

cottage is proposed, reducing the setback to seven feet. The existing nonconformity will be increased and a special permit is required under G.L. c. 40A, s. 6 and Bylaw Section 30.7. A deck is also proposed for the east side of the cottage, decreasing the side yard setback but still conforming at 26.25 feet; no zoning relief required.

The deck and stairs will be needed to access the cottage following the planned elevation of the structure onto a new foundation compliant with floodplain requirements. The floor will be elevated approximately 24 inches above its current elevation, to approximately 36 inches above grade.

On March 1, 2021, the Conservation Commission approved a request to amend a permit issued in March 2020 to elevate the structure. Site Plans dated February 2, 2021 were reviewed and approved. The Building Commissioner has advised that a pre-construction elevation certificate is required under the Building Code.

#### Sufficiency of Application

The application is complete.

#### **Special Permit for extension of a nonconforming structure under G.L. c. 40A, s. 6 and Zoning Bylaw Section 30.7**

The existing structure is nonconforming as to front setback at 12 feet. The proposed deck, stairs, and landing at the front of the cottage will reduce the setback to 7 feet, increasing this nonconformity. The Board may grant a special permit under G.L. c. 40A, s. 6 if it finds that the proposed alteration or extension “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.”

#### Draft Decision

A draft special permit decision is circulated with this Staff Memo. It is written as an approval solely for purposes of convenience should the Board grant the special permit.

## Elizabeth Sturdy

---

**From:** Benjamin E. Zehnder <BZehnder@latanzi.com>  
**Sent:** Thursday, March 18, 2021 1:09 PM  
**To:** Elizabeth Sturdy  
**Cc:** 'Barbara Huggins Carboni'  
**Subject:** RE: Request for Continuance - Didio 2020-008/ZBA

Hi Liz:

This email is a request to the Board of Appeals that the Didio matter be withdrawn without prejudice.

I will be on the hearing to present the request as well.

My thanks and regards,

Ben

Benjamin E. Zehnder  
La Tanzi, Spaulding & Landreth  
8 Cardinal Lane; P.O. Box 2300  
Orleans, MA 02653  
(508) 255-2133  
(508) 255-3786 (fax)  
(508) 246-4064 (mobile)  
[bzehnder@latanzi.com](mailto:bzehnder@latanzi.com)  
*Orleans/Provincetown/Barnstable*



This email message and any files transmitted with it contain PRIVILEGED AND CONFIDENTIAL INFORMATION and are intended only for the person(s) to whom this email message is addressed. As such, they are subject to attorney-client privilege and you are hereby notified that any dissemination or copying of the information received in this email message is strictly prohibited. If you have received this email message in error, please notify the sender immediately by telephone or email and destroy the original message without making a copy. Thank you.

EMAIL DISCLAIMER: We do not email Non-Public Confidential Information in a non-secure method. Accordingly, such confidential information, including account information and personally identifiable information should not be transmitted by non-encrypted email/email attachments. Use of non-encrypted email is inherently insecure. In no event shall we accept any responsibility for the loss, use or misuse of any information including confidential information, which is sent to us by email or an email attachment, nor can we guarantee receipt, accuracy or response to any email.

## **BEWARE!** WIRE FRAUD IS ON THE RISE.

Accepting wire and disbursement instructions by email is dangerous, especially changes to those instructions. Verify by calling the originator of the email using previously known contact information prior to sending funds.

EXTENSION AGREEMENT – ZONING BOARD OF APPEALS

As applicant or as authorized agent on behalf thereof, I agree to continue the public hearing in the matters of Case No. 2020-008 seeking a variance with respect to property at 13 Corn Hill Landing to March 22, 2021 for hearing, and for board action through April 26, 2021.

Date – February 19, 2021



Signature of Applicant/Agent

Printed Name – Benjamin E. Zehnder as agent for  
Thomas and Dianne Didio

Filed with the Planning Department:

Elizabeth Sturdy 2/19/2021  
Name Date

Filed with the Town Clerk:

Susan D. Joseph February 19<sup>th</sup> 2021  
Name Date

**From:** [Rich Stevens](#)  
**To:** [Elizabeth Sturdy](#)  
**Cc:** [Lynne Budnick](#); [Arozana Davis](#); [Emily Beebe](#)  
**Subject:** RE: 13 Corn Hill Landing  
**Date:** Tuesday, January 26, 2021 10:09:23 AM  
**Attachments:** [image001.png](#)

---

Nothing to add from me Liz,  
Thanks,

Rich

---

**From:** Elizabeth Sturdy <ESturdy@truro-ma.gov>  
**Sent:** Tuesday, January 26, 2021 9:53 AM  
**To:** Emily Beebe <EBeeBe@truro-ma.gov>; Rich Stevens <rstevens@truro-ma.gov>  
**Cc:** Barbara Huggins Carboni <BHugginsCarboni@k-plaw.com>  
**Subject:** RE: 13 Corn Hill Landing

This application has been continued to the next ZBA meeting date of 2/22. If you could please comment prior to that time it would be appreciated. Thanks,

Liz

---

**From:** Elizabeth Sturdy  
**Sent:** Friday, January 8, 2021 3:16 PM  
**To:** Emily Beebe <[EBeeBe@truro-ma.gov](mailto:EBeeBe@truro-ma.gov)>; Rich Stevens ([rstevens@truro-ma.gov](mailto:rstevens@truro-ma.gov)) <[rstevens@truro-ma.gov](mailto:rstevens@truro-ma.gov)>  
**Cc:** Barbara Huggins Carboni <[BHugginsCarboni@k-plaw.com](mailto:BHugginsCarboni@k-plaw.com)>  
**Subject:** 13 Corn Hill Landing

Emily and Rich,

The attached application will be heard before the Zoning Board on 1/25/2021. Please review and comment back to me. Thanks,

Liz

*Elizabeth Sturdy*

Elizabeth Sturdy, Office Assistant  
Truro Town Hall  
24 Town Hall Road, P.O. Box 2030  
Truro, MA 02666  
Tel: (508) 214-0935  
Fax: (508) 349-5505  
Email: [esturdy@truro-ma.gov](mailto:esturdy@truro-ma.gov)

## Elizabeth Sturdy

---

**From:** Arozana Davis  
**Sent:** Friday, February 5, 2021 11:39 AM  
**To:** Elizabeth Sturdy  
**Cc:** Emily Beebe  
**Subject:** RE: 13 Corn Hill Landing

Liz,

**Conservation:**

There is no conservation jurisdiction on-site, so there are no issues for this part of our Department.

**Health:**

The leach pit to pool setback of 20' is met according to the plan submitted.

The septic tank to pool setback of 10' is met according to the plan submitted.

There is a note with regards to relocating the sewer line. This work will need to be done by benefit of septic permit and a licensed septic installer. I don't see that they show where they are going to move it to, they just note that it will be moved.

We will just want to ensure that none of the components are covered by any landscaping features, such as the patio. All components shall remain accessible. This plan does conform with this requirement, but I thought that I would reiterate it for the record.

Let me know if you have any questions. I have cc'd Emily so that can see my response and our conversation in general.

Best,

Arozana

*Arozana D.T. Davis / Assistant Health & Conservation Agent / Town of Truro / 24 Town Hall Rd, Truro MA 02666*

*/P:508-214-0202 / F: 508-349-5508 / [adavis@truro-ma.gov](mailto:adavis@truro-ma.gov)*

---

# DECISION OF THE ZONING BOARD OF APPEALS

## Variance

Atlas Map 45 Parcel 23

Address: 13 Corn Hill Landing

Case Reference No.: 2020-008/ZBA

Applicant: Thomas and Dianne Didio

Hearing Dates: January 25, 2021

Decision Date:

Vote: X-X

Sitting: *Arthur F. Hultin, Jr., Chair; Fred Todd, Vice Chair; John Dundas; John Thornley; Chris Lucy, Heidi Townsend*

**Motion (M. ; M. second).** In the matter of 2020-008/ZBA, Application of Thomas and Dianne Didio to [**grant**] [**deny**] a variance under G.L. c. 40A, s. 10 and Zoning Bylaw Section 50.1 to construct a retaining wall within three (3) feet of a lot line (25 feet required), relating to a new pool, pool house, and patio on property at 13 Corn Hill Landing (Map 45, Parcel 23), based upon the following materials filed with this Board:

- Cover letter dated December 21, 2020
- Application for Hearing
- Project Narrative
- Certified Abutters List
- Assessor's Records
- Quitclaim deed
- "Corn Hill Landing, Subdivision Plan of Land in Truro, MA," prepared by Slade Associates, Registered Land Surveyors, January 29, 1978
- "Plan Showing Proposed Pool and Pool House Improvements, 13 Corn Hill Landing, Truro, MA," prepared by Coastal Engineering, dated December 18, 2020
- "The Didio Residence, 13 Corn Hill Landing" (landscape plan), prepared by Sean M. O'Leary MCLP, UNDATED, Scale 1/8" = 1'
- Google images

This Variance Decision is based on the following findings of fact:

1. This property is located in the Residential District, containing 34,453 square feet, conforming as to area and frontage.
2. The existing dwelling is conforming and is located in roughly the center of the property. An existing stone patio and stone wall are located to the northwest of the house. A driveway serving the house is located to the south and west
3. The Applicant seek to construct a 20 x 15 inground pool, with associated patio and pool house, to the northeast of the dwelling. An existing shed will be removed or relocated.

4. The pool and pool house will not encroach into the back yard setback, both being located 26 feet from the rear lot line. A two-tiered modular block retaining wall, associated with construction of the pool, patio, and pool house area, is proposed at three feet from the lot line. The variance of 22 feet is sought for this structure.

Requirements for a Variance under General Laws Chapter 40A, s. 10:

Under G.L. c. 40A, s. 10, a variance may be granted where a Board “specifically finds that:

[1] owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located,

[2] a literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and

[3] that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law.”

The Board must find all three of the above to grant the requested variance requested. In this case, the Applicant requests a variance of the Bylaw’s 25-foot setback requirement to allow the retaining wall to be constructed within three feet of the lot line.

Findings of the Board under Massachusetts General Laws Chapter 40A, Section 10

5. The Board [finds that due to the lot’s narrow shape, relating to the adjacent former railroad layout, and steep topography of portions of the lot, there is a limited area in which conforming structures may be located. These are “circumstances relating to the soil conditions, shape, or topography.”] **OR** [finds no unusual shape, soil conditions or topography associated with this lot. The lot has sufficient buildable area for the existing dwelling and desired improvements without need for construction of a retaining wall within the setback.]
6. The Board further [**finds**] [**does not find**] that these circumstances affect this property and not others within the Residential District [and Corn Hill Landing subdivision].
7. The Board further [**finds**] [**does not find**] that a literal interpretation of the setback requirement would involve substantial financial and other hardship to the Applicants. [Any alternative location for the pool and pool house would require expensive removal and relocation of the dwelling’s septic system or driveway] **OR** [Alternative locations for the pool are available and while adding some expense, do not constitute *substantial* financial or other hardship]

8. The Board further finds that a variance **[may]** **[may not]** be granted without substantial detriment to the public good, and without substantially derogating from the intent of the Bylaw.

Where the Board **[can]** **[cannot]** make the three necessary findings under G.L. c. 40A, s. 10, the variance **[may]****[may not]** be granted.

Conditions [if a grant]

This Variance is granted subject to the following conditions:

1. Construction shall conform to the plans referenced in this decision, including referenced building materials.
2. No part of the retaining wall may be located closer than three feet from the rear lot line.
3. Prior to issuance of an occupancy permit for the pool house, the Applicant shall submit a stamped, As-Built Plan of all improvements confirming that the pool, pool house and retaining wall conform to the above limits and dimensions indicated on the Plans.
4. The use of the Property shall be in strict conformance with the Town of Truro Bylaw;

**5. Other conditions**

This Variance shall lapse after one year if substantial use is not commenced with that time. See G.L. c. 40A, s. 10.

---

Art Hultin, Chair

---

Date



## Elizabeth Sturdy

---

**From:** Benjamin E. Zehnder <BZehnder@latanzi.com>  
**Sent:** Thursday, March 18, 2021 2:50 PM  
**To:** Elizabeth Sturdy  
**Cc:** Barbara Huggins Carboni  
**Subject:** RE: 112 North Pamet Road - 2020-009 ZBA and 2020-010 ZBA  
**Attachments:** Extension Agreement 03-18-2021.pdf

Hello Liz:

Attached is an Extension Agreement for the Peretz matter for hearing by the Board of Appeals from March 22 to April 26. We need to go before the Planning Board on April 7 before getting back before the ZBA.

Please let me know if I need to present this request on line on March 22. I will be on vacation and would rather not interrupt my activities on Monday evening, but can if need be.

My thanks and regards to the you and the Board.

Ben

Benjamin E. Zehnder  
La Tanzi, Spaulding & Landreth  
8 Cardinal Lane; P.O. Box 2300  
Orleans, MA 02653  
(508) 255-2133  
(508) 255-3786 (fax)  
(508) 246-4064 (mobile)  
[bzehnder@latanzi.com](mailto:bzehnder@latanzi.com)  
*Orleans/Provincetown/Barnstable*



This email message and any files transmitted with it contain PRIVILEGED AND CONFIDENTIAL INFORMATION and are intended only for the person(s) to whom this email message is addressed. As such, they are subject to attorney-client privilege and you are hereby notified that any dissemination or copying of the information received in this email message is strictly prohibited. If you have received this email message in error, please notify the sender immediately by telephone or email and destroy the original message without making a copy. Thank you.

EMAIL DISCLAIMER: We do not email Non-Public Confidential Information in a non-secure method. Accordingly, such confidential information, including account information and personally identifiable information should not be transmitted by non-encrypted email/email attachments. Use of non-encrypted email is inherently insecure. In no event shall we accept any responsibility for the loss, use or misuse of any information including confidential information, which is sent to us by email or an email attachment, nor can we guarantee receipt, accuracy or response to any email.

**BEWARE! WIRE FRAUD IS ON THE RISE.**

Accepting wire and disbursement instructions by email is dangerous, especially

EXTENSION AGREEMENT – ZONING BOARD OF APPEALS

As applicant or as authorized agent on behalf thereof, I agree to continue the public hearings in the matters of Case Nos. 2020-009/ZBA and 2020-0010/ZBA seeking a variance and a special permit with respect to property at 112 North Pamet Road from March 22, 2021 to April 26, 2021 for hearing, and for board action through May 24, 2021.

Date – March 18, 2021



Signature of Applicant/Agent

Printed Name – Benjamin E. Zehnder as agent for  
Anne Labouisse Peretz, Trustee

Filed with the Planning Department:

 3/18/2021  
Name Date

Filed with the Town Clerk:

 3/18/2021  
Name Date

Office of Town Clerk  
Treasurer – Tax Collector  
3:14 PM  
MAR 18 2021  
Received By  OF TRURO

## Elizabeth Sturdy

---

**From:** Benjamin E. Zehnder <BZehnder@latanzi.com>  
**Sent:** Thursday, March 18, 2021 2:50 PM  
**To:** Elizabeth Sturdy  
**Cc:** Barbara Huggins Carboni  
**Subject:** RE: 112 North Pamet Road - 2020-009 ZBA and 2020-010 ZBA  
**Attachments:** Extension Agreement 03-18-2021.pdf

Hello Liz:

Attached is an Extension Agreement for the Peretz matter for hearing by the Board of Appeals from March 22 to April 26. We need to go before the Planning Board on April 7 before getting back before the ZBA.

Please let me know if I need to present this request on line on March 22. I will be on vacation and would rather not interrupt my activities on Monday evening, but can if need be.

My thanks and regards to the you and the Board.

Ben

Benjamin E. Zehnder  
La Tanzi, Spaulding & Landreth  
8 Cardinal Lane; P.O. Box 2300  
Orleans, MA 02653  
(508) 255-2133  
(508) 255-3786 (fax)  
(508) 246-4064 (mobile)  
[bzehnder@latanzi.com](mailto:bzehnder@latanzi.com)  
*Orleans/Provincetown/Barnstable*



This email message and any files transmitted with it contain PRIVILEGED AND CONFIDENTIAL INFORMATION and are intended only for the person(s) to whom this email message is addressed. As such, they are subject to attorney-client privilege and you are hereby notified that any dissemination or copying of the information received in this email message is strictly prohibited. If you have received this email message in error, please notify the sender immediately by telephone or email and destroy the original message without making a copy. Thank you.

EMAIL DISCLAIMER: We do not email Non-Public Confidential Information in a non-secure method. Accordingly, such confidential information, including account information and personally identifiable information should not be transmitted by non-encrypted email/email attachments. Use of non-encrypted email is inherently insecure. In no event shall we accept any responsibility for the loss, use or misuse of any information including confidential information, which is sent to us by email or an email attachment, nor can we guarantee receipt, accuracy or response to any email.

**BEWARE! WIRE FRAUD IS ON THE RISE.**

Accepting wire and disbursement instructions by email is dangerous, especially

EXTENSION AGREEMENT – ZONING BOARD OF APPEALS

As applicant or as authorized agent on behalf thereof, I agree to continue the public hearings in the matters of Case Nos. 2020-009/ZBA and 2020-0010/ZBA seeking a variance and a special permit with respect to property at 112 North Pamet Road from March 22, 2021 to April 26, 2021 for hearing, and for board action through May 24, 2021.

Date – March 18, 2021



Signature of Applicant/Agent

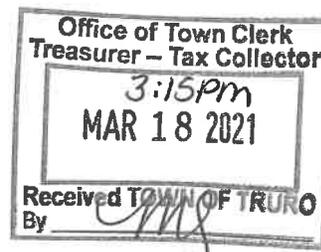
Printed Name – Benjamin E. Zehnder as agent for  
Anne Labouisse Peretz, Trustee

Filed with the Planning Department:

Angela Sturdy 3/18/2021  
Name Date

Filed with the Town Clerk:

Molly Stevens 3/18/2021  
Name Date



EXTENSION AGREEMENT – ZONING BOARD OF APPEALS

As applicant or as authorized agent on behalf thereof, I agree to continue the public hearings in the matters of Case Nos. 2020-009/ZBA and 2020-0010/ZBA seeking a variance and a special permit with respect to property at 112 North Pamet Road from February 22, 2021 to March 22, 2021 for hearing, and for board action through April 26, 2021.

Date – February 19, 2021



Signature of Applicant/Agent

Printed Name – Benjamin E. Zehnder as agent for  
Anne Labouisse Peretz, Trustee

Filed with the Planning Department:

Christina Stordy 2/19/2021  
Name Date

Filed with the Town Clerk:

Susan Joseph February 19<sup>th</sup> 2021  
Name Date



**La Tanzi  
Spaulding  
& Landreth**

8 Cardinal Lane  
Orleans

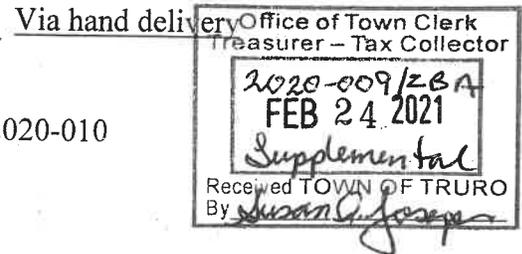
14 Center Street, Suite 4  
Provincetown

3010 Main Street, Suite 2E  
Barnstable

February 24, 2021

Benjamin E. Zehnder  
ext. 128  
bzehnder@latanzi.com

Susan Joseph, Acting Town Clerk  
Truro Town Hall  
24 Town Hall Road  
Truro, MA 02666



Re: Supplemental Filing /  
Zoning Board of Appeals Case No's. 2020-009 & 2020-010  
112 North Pamet Road (Assessor's Parcel ID 48-1)

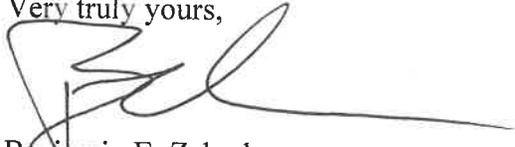
Dear Ms. Joseph:

Please find enclosed for filing with ZBA Case No's. 2020-009 and 2020-010 an original packet of supplemental materials, plus nine additional packet copies. My office will email a scan of the entire application to [planner1@truro-ma.gov](mailto:planner1@truro-ma.gov) today. The enclosed supplemental materials are listed as follows:

1. Zoning Table detail from Site Plan dated February 24, 2021;
2. Grade Calculations (existing) dated February 23, 2017;
3. Proposed Grade Plane sketch dated February 23, 2021;
4. Stamped lighting specification sheets (6 sheets);
5. Site Plan dated February 24, 2021 numbered C2.1.1;
6. Grading Plan dated February 24, 2021 numbered C2.2.1;
7. Landscaping Plan dated February 24, 2021;
8. Architectural floor plans, elevations, lighting plan, and materials and exterior lighting schedules dated February 23, 2021 (9 sheets: A1; A2; A3; A4B; A5; A6; A7; A8; and A9).

Thank you for your assistance.

Very truly yours,

  
Benjamin E. Zehnder

Enc.  
cc via email only w/ attachments:  
Barbara Huggins Carboni, Esq., Acting Town Planner  
client  
Daniel Costa  
Bradford Malo  
David Michniewicz  
Theresa Sprague

*A Legal Beacon since 1969*



**La Tanzi  
Spaulding  
& Landreth**

8 Cardinal Lane  
Orleans

14 Center Street, Suite 4  
Provincetown

3010 Main Street, Suite 2E  
Barnstable

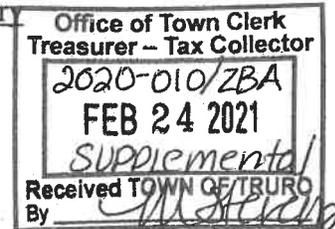
February 24, 2021

Benjamin E. Zehnder  
ext. 128  
bzehnder@latanzi.com

Susan Joseph, Acting Town Clerk  
Truro Town Hall  
24 Town Hall Road  
Truro, MA 02666

Via hand deliver

Re: Supplemental Filing /  
Zoning Board of Appeals Case No's. 2020-009 & 2020-010  
112 North Pamet Road (Assessor's Parcel ID 48-1)



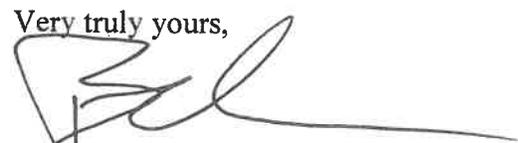
Dear Ms. Joseph:

Please find enclosed for filing with ZBA Case No's. 2020-009 and 2020-010 an original packet of supplemental materials, plus nine additional packet copies. My office will email a scan of the entire application to [planner1@truro-ma.gov](mailto:planner1@truro-ma.gov) today. The enclosed supplemental materials are listed as follows:

1. Zoning Table detail from Site Plan dated February 24, 2021;
2. Grade Calculations (existing) dated February 23, 2017;
3. Proposed Grade Plane sketch dated February 23, 2021;
4. Stamped lighting specification sheets (6 sheets);
5. Site Plan dated February 24, 2021 numbered C2.1.1;
6. Grading Plan dated February 24, 2021 numbered C2.2.1;
7. Landscaping Plan dated February 24, 2021;
8. Architectural floor plans, elevations, lighting plan, and materials and exterior lighting schedules dated February 23, 2021 (9 sheets: A1; A2; A3; A4B; A5; A6; A7; A8; and A9).

Thank you for your assistance.

Very truly yours,

  
Benjamin E. Zehnder

Enc.  
cc via email only w/ attachments:  
Barbara Huggins Carboni, Esq., Acting Town Planner  
client  
Daniel Costa  
Bradford Malo  
David Michniewicz  
Theresa Sprague

*A Legal Beacon since 1969*



**La Tanzi  
Spaulding  
& Landreth**

8 Cardinal Lane  
Orleans

14 Center Street, Suite 4  
Provincetown

3010 Main Street, Suite 2E  
Barnstable

February 24, 2021

Benjamin E. Zehnder  
ext. 128  
bzehnder@latanzi.com

Susan Joseph, Acting Town Clerk  
Truro Town Hall  
24 Town Hall Road  
Truro, MA 02666

Via hand delivery

Re: Supplemental Filing /  
Zoning Board of Appeals Case No's. 2020-009 & 2020-010  
112 North Pamet Road (Assessor's Parcel ID 48-1)

Dear Ms. Joseph:

Please find enclosed for filing with ZBA Case No's. 2020-009 and 2020-010 an original packet of supplemental materials, plus nine additional packet copies. My office will email a scan of the entire application to [planner1@truro-ma.gov](mailto:planner1@truro-ma.gov) today. The enclosed supplemental materials are listed as follows:

1. Zoning Table detail from Site Plan dated February 24, 2021;
2. Grade Calculations (existing) dated February 23, 2017;
3. Proposed Grade Plane sketch dated February 23, 2021;
4. Stamped lighting specification sheets (6 sheets);
5. Site Plan dated February 24, 2021 numbered C2.1.1;
6. Grading Plan dated February 24, 2021 numbered C2.2.1;
7. Landscaping Plan dated February 24, 2021;
8. Architectural floor plans, elevations, lighting plan, and materials and exterior lighting schedules dated February 23, 2021 (9 sheets: A1; A2; A3; A4B; A5; A6; A7; A8; and A9).

Thank you for your assistance.

Very truly yours,

Benjamin E. Zehnder

Enc.  
cc via email only w/ attachments:  
Barbara Huggins Carboni, Esq., Acting Town Planner  
client  
Daniel Costa  
Bradford Malo  
David Michniewicz  
Theresa Sprague

*A Legal Beacon since 1969*

## ZONING TABLE

### ZONING DISTRICT: SEASHORE DISTRICT

<i>SUBJECT</i>	<i>REQUIRED</i>	<i>EXISTING</i>	<i>PROPOSED</i>
LOT AREA	130,680 S.F. (3 AC.)	137,612 ± S.F.	137,612 ± S.F.
FRONTAGE	150 FT.	0 FT.	0 FT.
FRONT SETBACK	50 FT.	N/A	N/A
SIDE SETBACK (NORTH-WEST)	25 FT.	45 ± FT.	109 ± FT.
SIDE SETBACK (SOUTH)	25 FT.	47.3 ± FT. / 39.1 ± FT.	25 FT.
BUILDING HEIGHT	30 FT. MAX.	30.4 ± FT.	30.0 FT. *
NUMBER OF DWELLINGS/BUILDINGS	N/A	1	1 (NO CHANGE)
TOTAL GROSS FLOOR AREA	N/A	3,167 ± S.F. *	2,590 ± S.F. *
BUILDING AREA (IMPERV. ROOF)	N/A	2,941 ± S.F. OR 2.1 %	1,952 ± S.F. OR 1.4 %
PATIO & TERRACE AREAS (IMPERV.)	N/A	0 S.F.	624 ± S.F.
PAVED DRIVE AREAS (IMPERV.)	N/A	1,500 ± S.F.	1,500 ± S.F.
LOT COVERAGE (IMPERVIOUS)	N/A	4,441 ± S.F. OR 3.2 %	4,076 ± S.F. OR 3.0 %

\* PROVIDED BY ARCHITECT (SEE ARCHITECTURAL PLANS)

<i>LANDSCAPE NOTE:</i>	<i>AREA</i>
Ⓐ – AREA OF EXISTING HOUSE SITE TO BE RESTORED	12,500 ± S.F.
Ⓑ – AREA OF HOUSE RECONSTRUCTION	34,040 ± S.F.

AREAS Ⓐ AND Ⓑ ARE TO BE REVEGETATED WITH NATIVE GRASSES AND WOODY SHRUBS EXCEPT AS NOTED. SEE LANDSCAPE PLAN



**COASTAL**  
engineering co.

CIVIL, STRUCTURAL,  
MARINE ENGINEERS  
AND LAND SURVEYORS

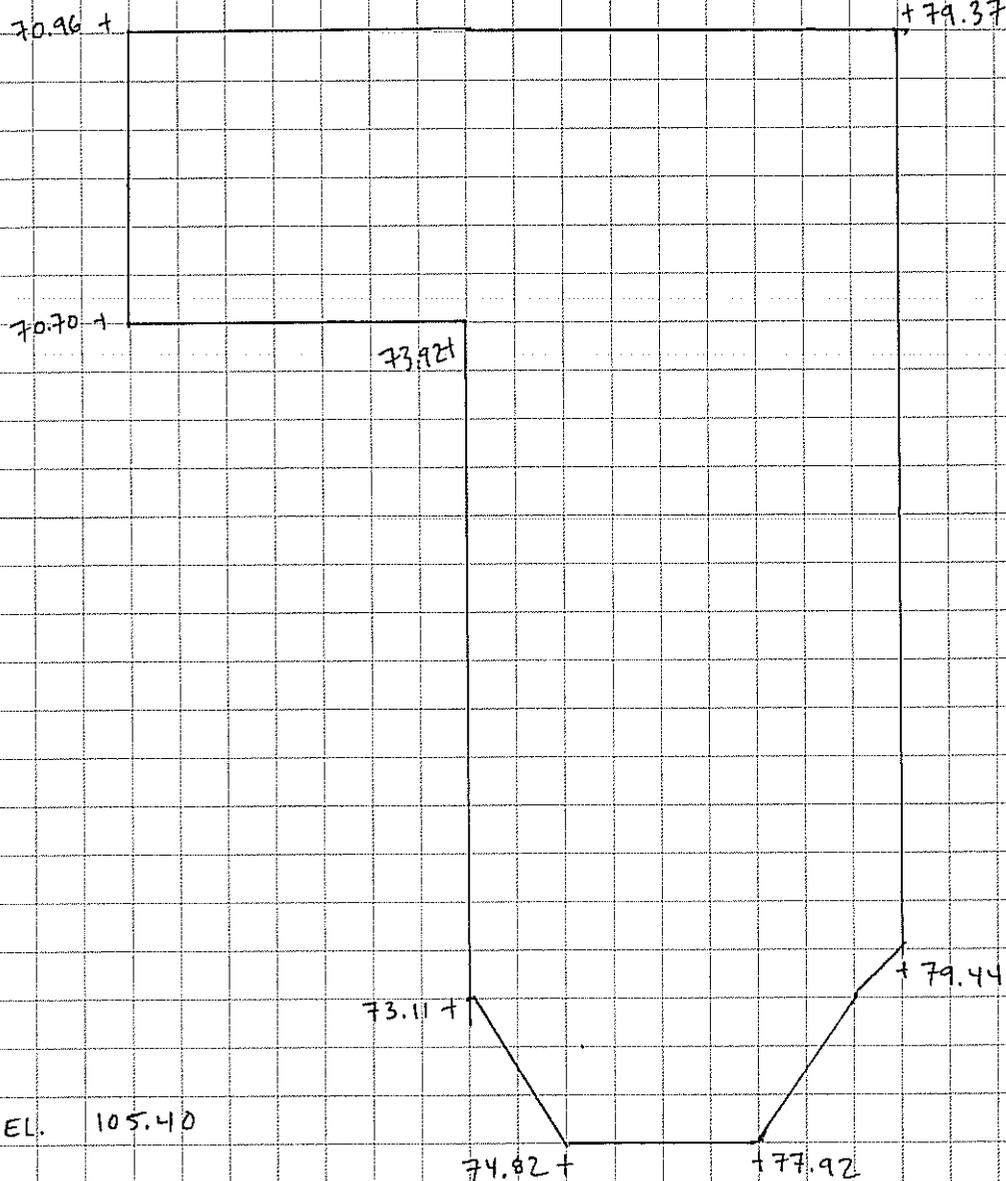
JOB C 11403.01  
SHEET NO. \_\_\_\_\_ OF \_\_\_\_\_  
CALCULATED BY SRM DATE 2/23/17  
CHECKED BY \_\_\_\_\_ DATE \_\_\_\_\_  
SCALE None

260 Cranberry Highway, Orleans, MA 02653

Orleans | Sandwich | Nantucket

508.255.6511 P 508.255.6700 F coastalengineeringcompany.com

EXISTING



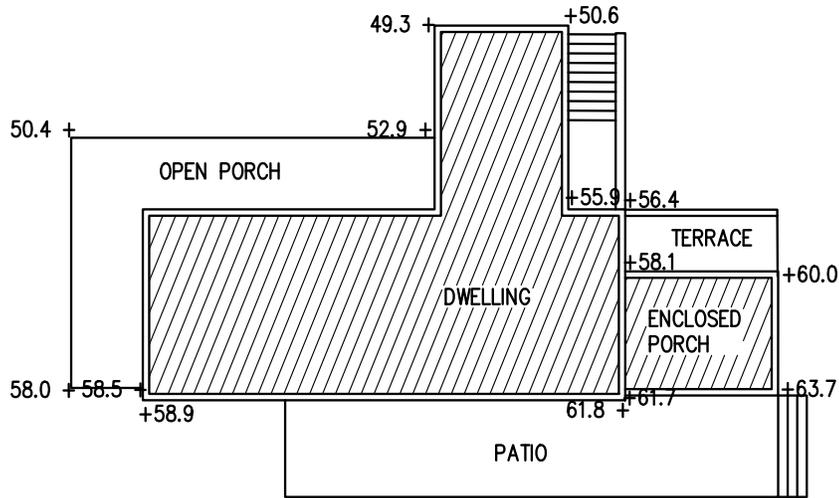
Average grade =

$$\frac{(70.96 + 79.37 + 79.44 + 77.92 + 74.82 + 73.11 + 73.92 + 70.70)}{8} = 75.03$$

BLDG HEIGHT = 105.40 - 75.03 = 30.4 ±

ALLOWABLE MAX BLDG HEIGHT = 30 FT

F:\ISDK\PROJECTS\1000\1483\1483-00\1483-C3D.dwg 2/23/2021 9:03 PM



# PLAN

SCALE: 1"= 20'

## AVERAGE GRADE CALCULATION (ELEVATIONS):

TOTAL OF GRADES AT EACH CORNER: 796.2  
 TOTAL CORNERS: 14  
 AVERAGE EXISTING (NATURAL) GRADE:  $796.2/14 = 56.9$   
 MAXIMUM ALLOWABLE RIDGE ELEVATION:  $56.9 + 30 = 86.9$

Coastal Engineering Co., Inc. © 2021

DRAWN BY: BPM  
 C11483-C3D.dwg



**PROPOSED GRADE PLANE  
 FOR  
 ANNE PERETZ**

112 NORTH PAMET ROAD

TRURO, MA

SHEET NO.

**SKC-1**

PROJECT NO.

**C11483.01**

SCALE

**AS NOTED**

DATE

**2/23/2021**

3

SHOP NOW

FIND YOUR STYLE EVENT Save up to 40% Limited time only.

Wall Lights : Wall Sconces : Outdoor Sconces : Mast Outdoor Wall Sconce by Original BTC



### Mast Outdoor Wall Sconce

by Peter Bowles for Original BTC

★★★★★ 5.0 (1) Write a review

\$419.00 - \$479.00 + FREE SHIPPING

Available to ship after  
Mon Apr 12 2021



Select Finish (5) : Anodized Aluminum



Low Price Guarantee

Easy Returns

1

ADD TO CART

\$419.00

+ FREE SHIPPING

Available to ship after Mon Apr 12 2021

ADD TO PROJECT

ITEM#: BTC5396  
MPR ID: BT-OP749ALU



### Questions about the Mast Outdoor Wall Sconce?

Our 100% US-based ALA-certified product specialists can help you find the perfect product

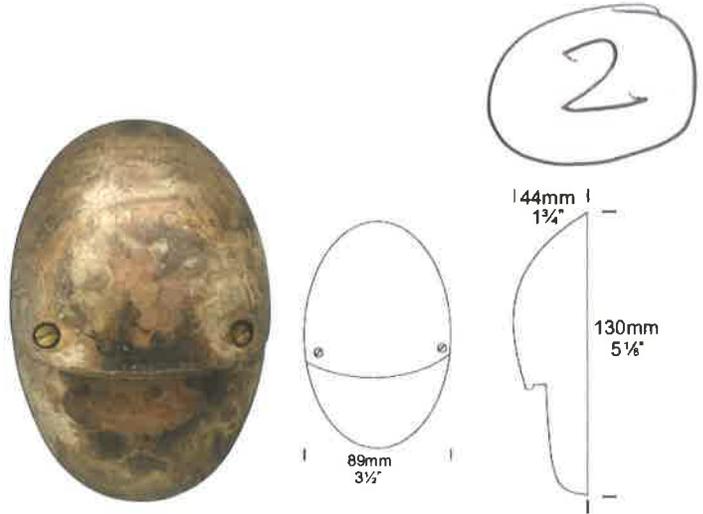
## Mouse Lite

PROJECT:
TYPE:
SOURCE:
NOTES:

### PURELED SPECIFICATIONS

<b>LED Chip</b>	Cree XPG-3 Plug and Play field replaceable LED board
<b>Luminaire Output</b>	120 Lumens @ 700mA (2 watts), delivered from luminaire with unobstructed beam.
<b>Lumens Per Watt</b>	60 Lumens minimum @ 2 watts, delivered from luminaire with unobstructed beam
<b>CRI (3000K)</b>	90+
<b>Colour Temperatures</b>	2700K, 3000K, 4000K
<b>Beam Angles</b>	120 degrees
<b>Ingress Protection</b>	IP66

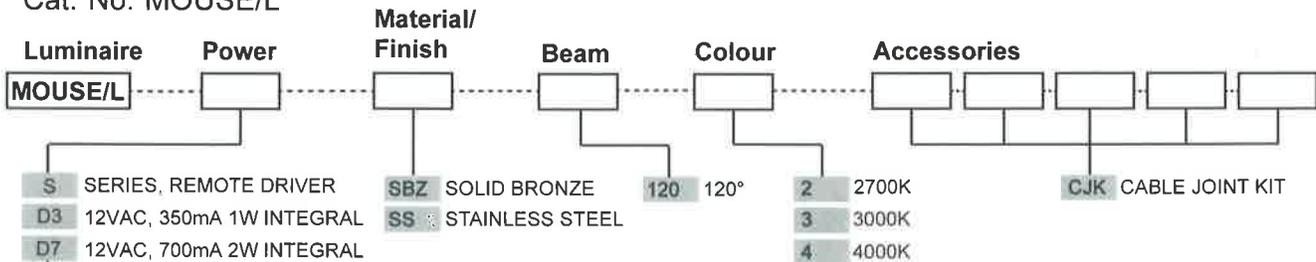
<b>Warranty</b>	Electronics = 5 years Body SS/SBZ = 10 years
<b>Standards</b>	AS/NZS 61046, EN60598 cUL 1838, 2108 CSA C22.2 No.250.7, No.250.0-08 CE



### PRODUCT CONFIGURATION

Please fill in appropriate codes into boxes provided

Cat. No. MOUSE/L



**SERIES, REMOTE DRIVER REQUIRED:**  
Constant current driver  
Individual fixtures require 3vdc @ 700mA maximum

**12VAC INTEGRAL DRIVER:**  
Hunza Buckbullet driver (included)  
Input: 12VAC, 3watt total  
Output: 3vdc @ D3=350mA, D7=700mA

**OTHER LAMP OPTIONS:**  
MOUSE/H - G4 Halogen 12V Lamp  
MOUSE/GL - G4 LED Retrofit 12V Lamp (lamps vary by market - please refer to supplier for details)

[Click here for halogen specification sheet](#)

[Click here for 240v Remote Power Supply Guidance Charts](#)

[Click here for USA Remote Power Supply Guidance Charts](#)



# LUMINAIRE CONSTRUCTION

**CNC machined from one of the following metals:**  
**Solid Bronze:** investment cast in solid bronze with forge mounting plate.

**316 Stainless Steel:** investment cast in 316 stainless steel with investment cast 316 stainless steel mounting plate.

**Lens:** 2mm (1/16") frosted tempered shatter resistant glass.  
Lifetime Warranty.

**Mounting:** mount using a mounting plate fixed to the wall, etc with 316 stainless screws. The luminaire is then fitted to the back plate using two pan head screws.

**Luminaire Weight:**  
SBZ: 0.820kg (1lb 13oz)  
SS: 0.750kg (1lb 10oz)



## ACCESSORIES

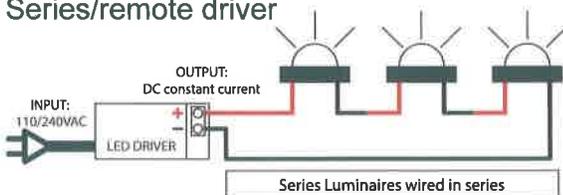
## BEAM ANGLES

IES files available for download: [hunzalighting.com/downloads](http://hunzalighting.com/downloads)



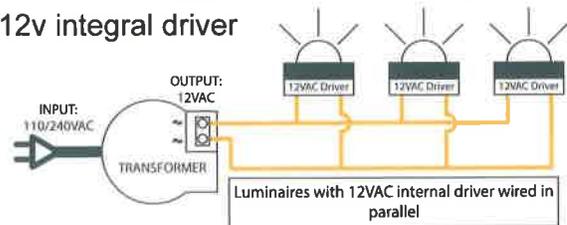
## WIRING GUIDE

### Series/remote driver



Diagrams are a guide only, wire colours and polarity may change depending on fixture and country

### 12v integral driver



Specifications may change without notification Aug 2017



---

## TIER LITE

Pole Mount  
CAT. NO TL

The Tier Lite is designed for illuminating medium level foliage. It provides 360 degree illumination on a horizontal plane and does not project any vertical light. The luminaire is mounted onto a 700mm pole to provide a soft pool of light suitable for a wide variety of landscape situations.





## Pure LED

### LED Chip

Cree XHP-50-2 Plug and Play field replaceable LED board

### Output

510 Lumens @ 1050mA

### Lumens Per Watt

85 Lumens @ 6 watts

### Colour Temperature

2700K, 3000K, 4000K

### CRI Warm White (3000K)

90 standard

### Beam Angles

360 degrees

## Physical Properties

### Materials

Solid Powdercoated Aluminium, Copper or 316 Stainless Steel

### Ingress Protection

IP56/IP66

### Standards

As/NZS 61046, UL1838, CSA C22.2 No. 250.7

## Other Light Sources

### Alternative Light Sources

G4 bi-pin 5, 10 or 20 watt, Promus G4JCLED, Fluorescent 110/240V

## Power Supply Options

### Recommended Power Supply



1

Remote (Series) Driver, Integral 12VAC Driver with Transformer, Retro 110/240VAC Driver

[View All LED Power Supplies →](#)

**Downloads**

 **IES**  
(7 Kb)

 **Installation Instructions Halogen**  
(238 Kb)

 **Installation Instructions Halogen USA**  
(407 Kb)

 **Installation Instructions Halogen Retro USA**  
(135 Kb)

 **Installation Instructions PureLED**  
(998 Kb)

 **Installation Instructions PureLED USA**  
(1329 Kb)

 **Product Diagram**  
(206 Kb)

 **Product Photo**  
(1208 Kb)

 **Specification Sheet**  
(796 Kb)

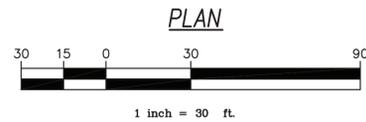
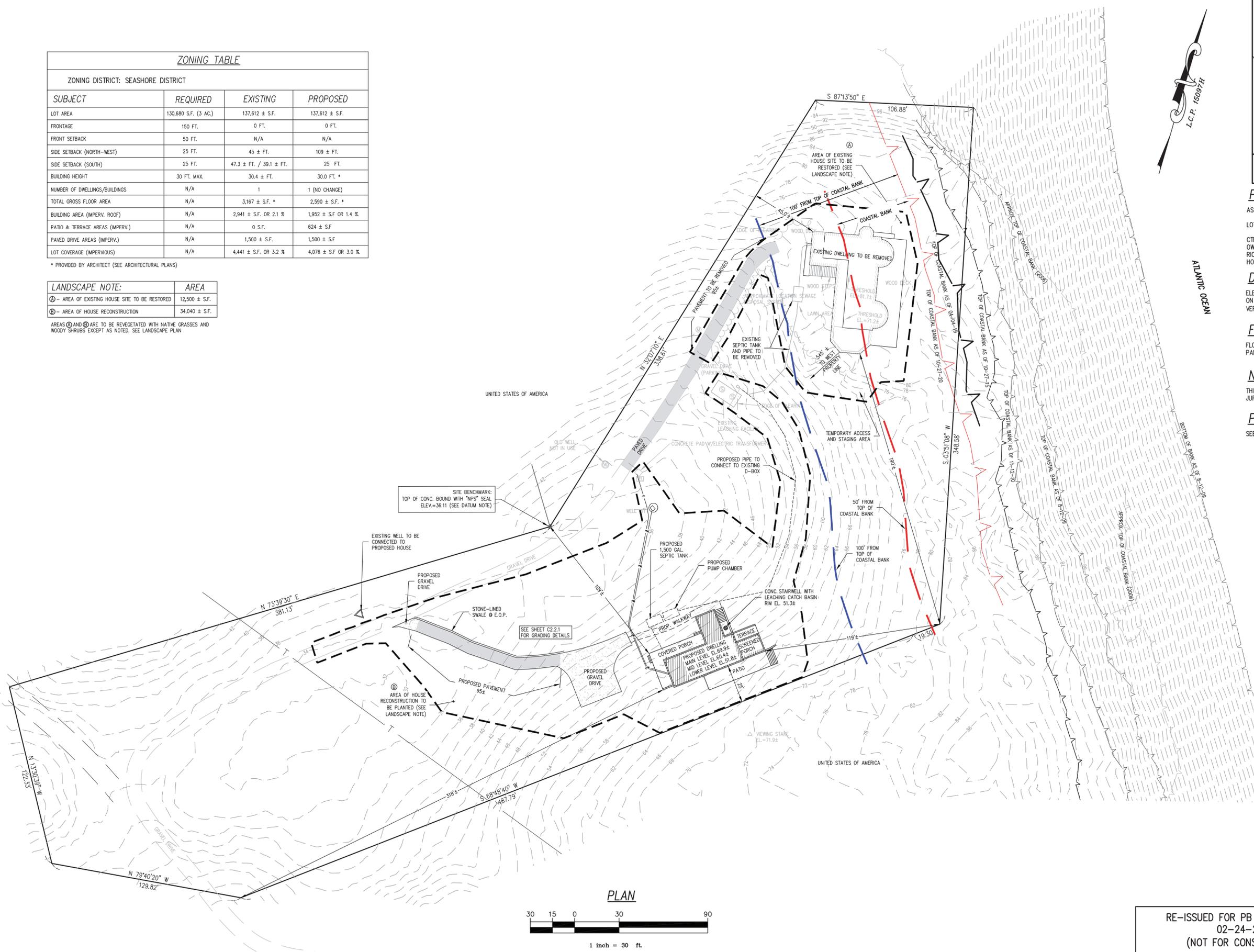


ZONING TABLE			
ZONING DISTRICT: SEASHORE DISTRICT			
SUBJECT	REQUIRED	EXISTING	PROPOSED
LOT AREA	130,680 S.F. (3 AC.)	137,612 ± S.F.	137,612 ± S.F.
FRONTAGE	150 FT.	0 FT.	0 FT.
FRONT SETBACK	50 FT.	N/A	N/A
SIDE SETBACK (NORTH-WEST)	25 FT.	45 ± FT.	109 ± FT.
SIDE SETBACK (SOUTH)	25 FT.	47.3 ± FT. / 39.1 ± FT.	25 FT.
BUILDING HEIGHT	30 FT. MAX.	30.4 ± FT.	30.0 FT. *
NUMBER OF DWELLINGS/BUILDINGS	N/A	1	1 (NO CHANGE)
TOTAL GROSS FLOOR AREA	N/A	3,167 ± S.F. *	2,590 ± S.F. *
BUILDING AREA (IMPERV. ROOF)	N/A	2,941 ± S.F. OR 2.1 %	1,952 ± S.F. OR 1.4 %
PATIO & TERRACE AREAS (IMPERV.)	N/A	0 S.F.	624 ± S.F.
PAVED DRIVE AREAS (IMPERV.)	N/A	1,500 ± S.F.	1,500 ± S.F.
LOT COVERAGE (IMPERVIOUS)	N/A	4,441 ± S.F. OR 3.2 %	4,076 ± S.F. OR 3.0 %

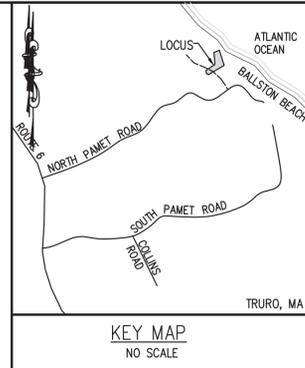
\* PROVIDED BY ARCHITECT (SEE ARCHITECTURAL PLANS)

LANDSCAPE NOTE:	AREA
Ⓐ - AREA OF EXISTING HOUSE SITE TO BE RESTORED	12,500 ± S.F.
Ⓑ - AREA OF HOUSE RECONSTRUCTION	34,040 ± S.F.

AREAS Ⓐ AND Ⓑ ARE TO BE REVEGETATED WITH NATIVE GRASSES AND WOODY SHRUBS EXCEPT AS NOTED. SEE LANDSCAPE PLAN



RE-ISSUED FOR PB & ZBA REVIEW  
02-24-2021  
(NOT FOR CONSTRUCTION)



**PLAN & TITLE REFERENCES:**

ASSESSORS MAP 48, PARCEL 1  
LOT 7 L.C.P. 15097H  
C.T. OF TITLE 208468  
OWNERS: WILLIAM T. BURDICK and RICHARD C. VANISON, TRUSTEES DUNE HOUSE NOMINEE TRUST

**DATUM NOTE:**

ELEVATIONS SHOWN HEREON ARE BASED ON APPROXIMATE NATIONAL GEODETIC VERTICAL DATUM 1929 (NGVD 1929)

**FLOOD NOTE:**

FLOOD ZONE X AS SHOWN ON FEMA FIRM PANEL #25001C0144J REVISED JULY 16, 2014

**NOTE:**

THIS PROPERTY IS SUBJECT TO JURISDICTION UNDER NHESP

**PROPOSED GRADING:**

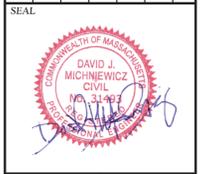
SEE DRAWING C2.2.1 FOR PROPOSED GRADING DETAILS

**LEGEND**

- EXISTING**
- NPS BOUND (NATIONAL PARK SERVICE)
  - ⊙ SEWER MANHOLE
  - ☒ TELEPHONE BOX
  - 80- CONTOUR
  - 82.1 SPOT GRADE
- PROPOSED**
- CONTOUR
  - + 71.0 SPOT GRADE
  - WATER SERVICE
  - ELECTRIC SERVICE



NO.	DATE	REVISION
1	02-24-2021	MODIFY PROPOSED HOUSE LAYOUT & UPDATE ZONING TABLE



PROJECT: ANNE PERETZ  
112 NORTH PAMET ROAD  
SHEET TITLE: SITE PLAN SHOWING PROPOSED DWELLING RECONSTRUCTION  
PROJECT NO.: C11483.01

SCALE: AS NOTED  
DRAWING FILE: C11483-C3D.dwg  
DATE: 02-24-2021  
REV: 12-07-2020  
DRAWN BY: MAP/bpm/MJB  
CHECKED BY:

C2.1.1  
1 OF 1 SHEETS

NO.	DATE	REVISION	BY
1	02-24-2021	MODIFY PROPOSED HOUSE LAYOUT AND GRADING	BPM



**LEGEND**

**EXISTING**

- NPS BOUND (NATIONAL PARK SERVICE)
- ⊙ SEWER MANHOLE
- Ⓜ TELEPHONE BOX
- 80 — CONTOUR
- +82.1 SPOT GRADE

**PROPOSED**

- 50 — CONTOUR
- + 71.0 SPOT GRADE
- W — WATER SERVICE
- E — ELECTRIC SERVICE

SITE BENCHMARK:  
TOP OF CONC. BOUND WITH "NPS" SEAL  
ELEV.=36.11 (SEE DATUM NOTE)

PROPOSED PIPE TO  
CONNECT TO EXISTING  
D-BOX

WELL PIT

PROPOSED  
1000 GAL.  
SEPTIC TANK

PROPOSED  
PUMP CHAMBER

CONC. STAIRWELL WITH  
LEACHING CATCH BASIN  
RIM EL. 51.3±

COVERED PORCH

PROPOSED DWELLING  
MAIN LEVEL EL. 69.9±  
MID LEVEL EL. 60.4±  
LOWER LEVEL EL. 51.8±

TERRACE  
SCREENED  
PORCH

PATIO EL. 69.8±

LANDSCAPE WALL

LANDSCAPE WALL

PROPOSED  
GRAVEL DRIVE

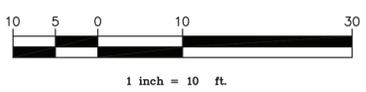
STONE-LINED  
SWALE @ E.O.P.

PROPOSED PAVEMENT  
95±

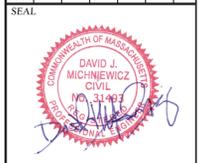
PROPOSED  
GRAVEL DRIVE

AREA OF HOUSE  
RECONSTRUCTION TO  
BE PLANTED (SEE  
LANDSCAPE NOTE)

**PLAN**



RE-ISSUED FOR PB & ZBA REVIEW 02-24-2021  
(NOT FOR CONSTRUCTION)



PROJECT: ANNE PERETZ  
112 NORTH PAMLET ROAD  
TRURO, MA

SHEET TITLE: PROPOSED GRADING PLAN FOR PROPOSED DWELLING RECONSTRUCTION

SCALE: AS NOTED

DRAWING FILE: C11483-C3D.dwg

DATE: 02-24-2021  
REV. 02-24-2021  
DRAWN BY: bpm/MJB  
CHECKED BY:

PROJECT NO. C11483.01

1 OF 1 SHEETS

PROJECT AREA



Google Earth aerial image of 112 N. Pamet Rd. Truro, MA.

PLAN NOTES

- Site plan provided by Coastal Engineering, Orleans, Ma.
  - The proposed land management/restoration program addresses three project areas on the site.
- Project Area 1 - Restoration of existing structure demolition area located at the top of the coastal bank - approximately 12,455 square feet:
    - After demolition and re-contouring of the demolition site, restore the area with planting as illustrated in the planting plan.
    - In areas not excavated as part of the structure demolition, manage invasive vegetation including Autumn olive (*Elaeagnus umbellata*), Asiatic bittersweet (*Celastrus orbiculatus*), and shrub Honeysuckle (*Lonicera spp.*) by selectively treating with an EPA-approved systemic herbicide using a cut and wipe method to avoid disturbing soils and surrounding native vegetation. All existing native vegetation in undisturbed areas will be protected throughout the invasive plant management process and will remain intact.
    - All steep slopes remaining after land re-contouring will be seeded as shown, and blanketed with 100% biodegradable coconut/straw erosion control blanket, followed by planting of beach grass and/or woody vegetation.
  - Project Area 2 - New construction site - approximately 37,242 square feet:
    - Restore areas within the limit of work of the proposed new construction with an appropriate native community to stabilize slopes, restore biomass, biodiversity, and wildlife habitat as illustrated in the planting plan.
    - Prior to excavation of the site for construction, harvest existing heathland groundcovers within the structure footprint (bearberry (*Arctostaphylos uva-ursi*), beach heather (*Hudsonia tomentosa/ericoides*), reindeer lichen (*Cladonia rangiferina*), bayberry (*Myrica pensylvanica*), and beach plum (*Prunus maritima*) in 2x3 and 4x4 sections. Store harvested heathland sections on site (in open areas located in Project Area 1) to be used for restoration throughout disturbed areas on Project Area 2.
    - All steep slopes remaining after land re-contouring will be seeded as shown, and blanketed with 100% biodegradable coconut/straw erosion control blanket, followed by planting of beach grass and/or woody vegetation.
  - Project Area 3 - Selective invasive vegetation management in areas between the two main project sites - approximately 12,685 square feet:
    - Invasive species on site that will be managed/removed include Autumn olive (*Elaeagnus umbellata*), Asiatic bittersweet (*Celastrus orbiculatus*), and shrub Honeysuckle (*Lonicera spp.*). Invasive plants will be removed using a cut and wipe method with an EPA-approved systemic herbicide to avoid disturbing soils and surrounding native vegetation.
    - After invasive species removal any bare soils will be seeded with a native grass and wildflower mix as necessary.
    - Native vegetation that was damaged by invasive species or historic pruning may be regeneratively pruned using best management practices to promote healthy regeneration and vigorous growth.
    - Existing native vegetation will be supported and allowed to naturally regenerate and recolonize the areas.
    - All vegetation debris will be removed from the site and brought to an off-site disposal area.
- Follow up invasive species management will be ongoing over the next three growing seasons to ensure proper management and successful restoration.
  - Temporary irrigation will be required for restoration plantings for the first two to three growing seasons while plants establish. Once plants are established temporary irrigation will be removed.

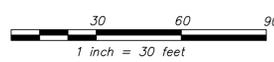
PLANT SCHEDULE				
TREES	CODE	BOTANICAL / COMMON NAME	CONT	QTY
	JUN EAS	Juniperus virginiana / Eastern Red Cedar	2 gal	4
	PIN RIG	Pinus rigida / Pitch Pine	7 gal	7
	PRU WIL	Prunus serotina / Wild Black Cherry	2 gal	3
	QUE ALB	Quercus alba / White Oak	10 gal	2
	QUE ILI	Quercus ilicifolia / Scrub Oak	1 gal	19
SHRUBS	CODE	BOTANICAL / COMMON NAME	CONT	QTY
	ARC UVA	Arctostaphylos uva-ursi / Kinnikinnick	3 Pot	1300
	MYR PEN	Myrica pensylvanica / Northern Bayberry	1 gal	67
	PRU MAR	Prunus maritima / Beach Plum	1 gal	31
	VIB ARR	Viburnum dentatum / Viburnum	1 gal	13

- Restoration Planting Area  
Manage invasive species and seed with Native Grass and Wildflower mix
  - Restoration Planting Area  
Manage invasive species and plant with Beach Grass
  - Invasive Species Management Area  
Selectively cut and treat invasive vegetation. Seed bare soils. Allow existing native vegetation to recolonize the area.
- GRASS & WILDFLOWER SEED MIX**  
 Agrostis perennans / Autumn Bentgrass  
 Asclepias tuberosa / Butterfly Milkweed  
 Avena sativa / Spring Oats  
 Festuca ovina / Sheep Fescue  
 Panicum virgatum / Switchgrass  
 Solidago nemoralis / Gray Goldenrod  
 Schizachyium scaparrum / Little Bluestem Grass

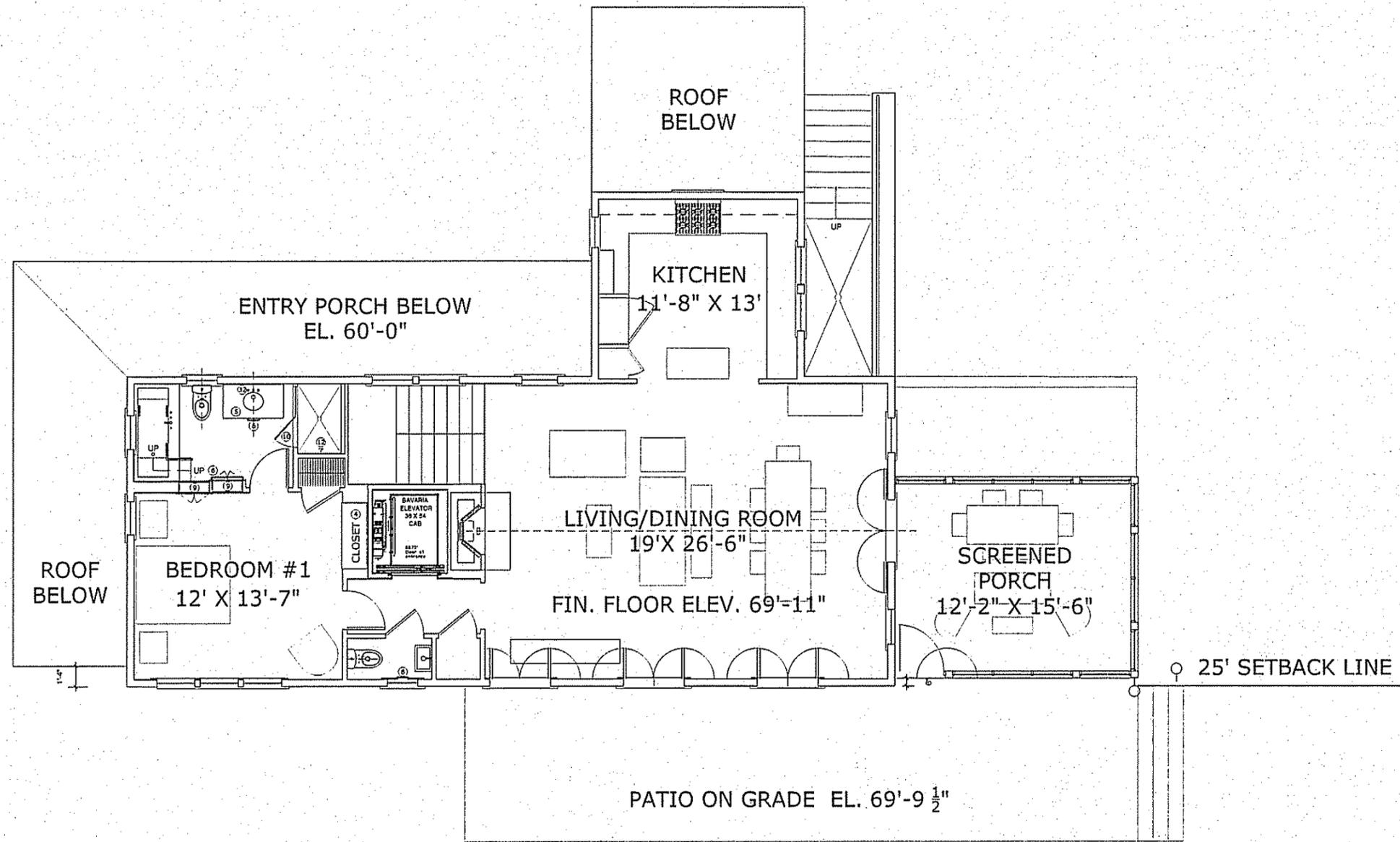


RESTORATION PLAN

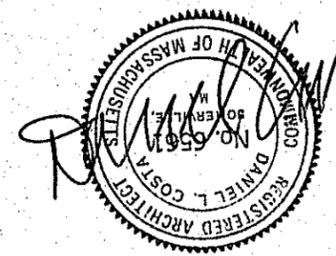
02/24/21  
 PERETZ RESIDENCE  
 112 N. PAMET ROAD  
 TRURO, MA



DATE	REVISION	INITIALS



# SOUTH ELEVATION 2.23.21



PERETZ 112  
112 NORTH PAMET RD.  
TRURO, MA

DAN COSTA  
P.O BOX 411  
MYSTIC, CT 06355  
617-448-9954

No.	Date	Revision

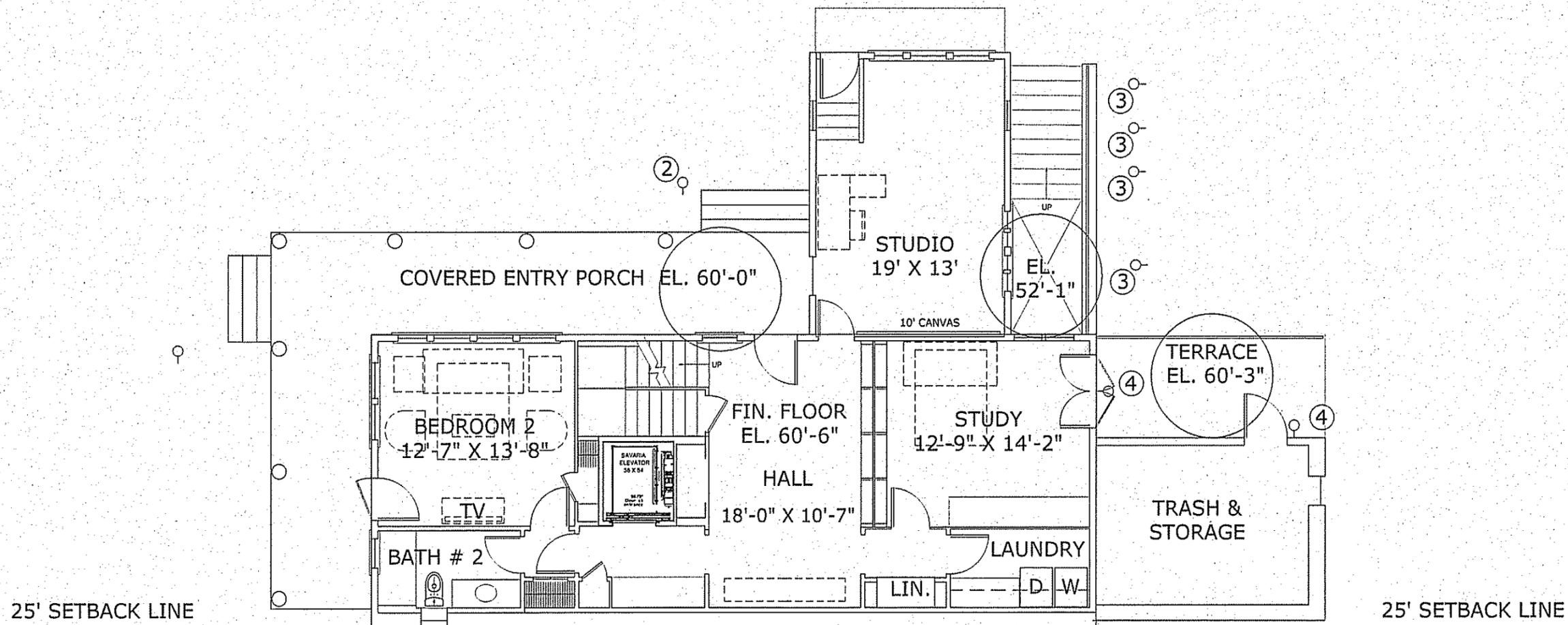
OWNER SIGN-OFF WITH DATE

MAIN  
LEVEL  
FLOOR PLAN

GRAPHIC SCALE

FEBRUARY 23, 2021

**A1**



# ENTRY LEVEL PLAN 2.23.21



PERETZ 112  
112 NORTH PAMET RD.  
TRURO, MA

DAN COSTA  
P.O BOX 411  
MYSTIC, CT 06355  
617-448-9954

No.	Date	Revision

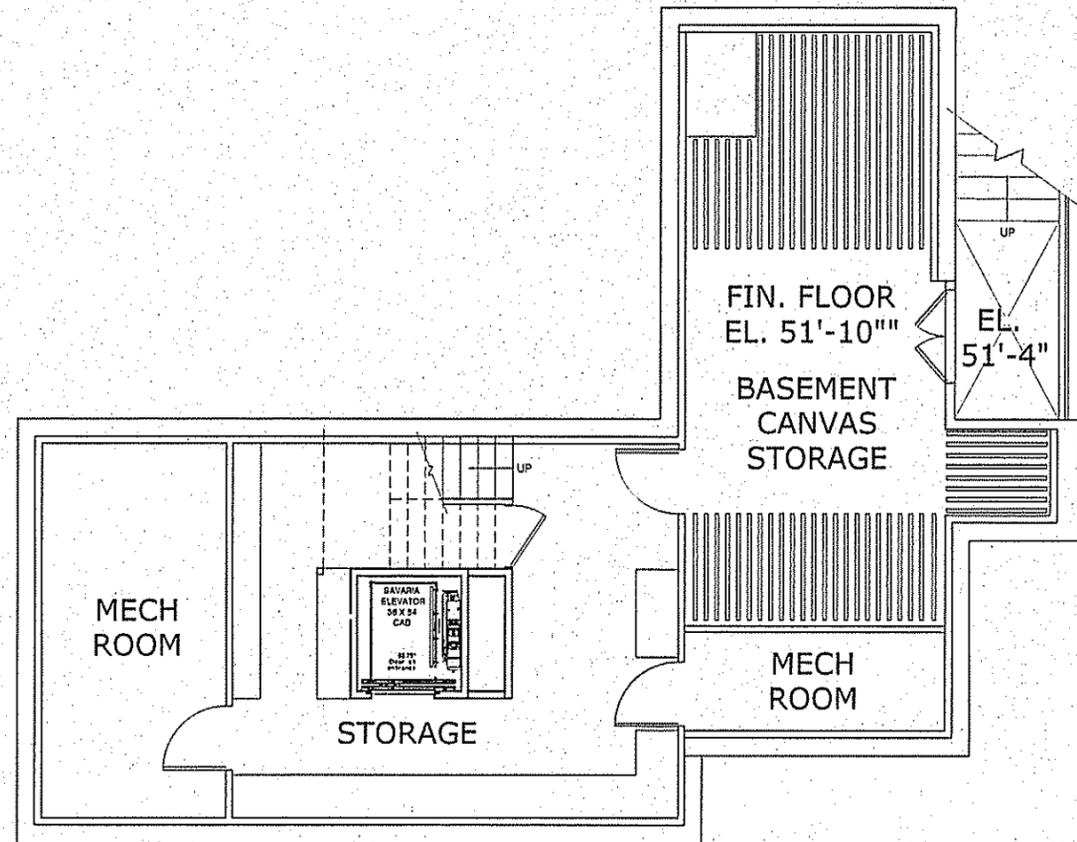
OWNER SIGN-OFF WITH DATE

ENTRY  
LEVEL  
FLOOR PLAN

GRAPHIC SCALE

FEBRUARY 23, 2021

A2



25' SETBACK LINE

25' SETBACK LINE

# BASEMENT PLAN 2.23.21



PERETZ 112  
112 NORTH PAMET RD.  
TRURO, MA

DAN COSTA  
P.O. BOX 411  
MYSTIC, CT 06355  
617-448-9954

No.	Date	Revision

OWNER SIGN-OFF WITH DATE

BASEMENT  
LEVEL  
FLOOR PLAN

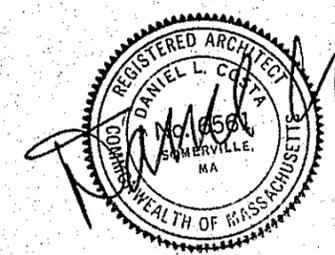
GRAPHIC SCALE

FEBRUARY 23, 2021

A3



**SOUTH ELEVATION 2.23.21**



PERETZ 112  
112 NORTH PAMET RD.  
TRURO, MA

DAN COSTA  
P.O BOX 411  
MYSTIC, CT 06355  
617-448-9954

No.	Date	Revision

OWNER SIGN-OFF WITH DATE

SOUTH  
ELEVATION

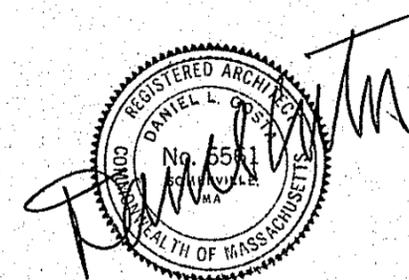
GRAPHIC SCALE

FEBRUARY 23, 2021

**A4B**



**WEST ELEVATION 2.23.21**



PERETZ 112  
112 NORTH PAMET RD.  
TRURO, MA

DAN COSTA  
P.O BOX 411  
MYSTIC, CT 06355  
617-448-9954

No.	Date	Revision

OWNER SIGN-OFF WITH DATE

WEST  
ELEVATION

GRAPHIC SCALE

FEBRUARY 23, 2021

**A5**

PERETZ 112  
 112 NORTH PAMET RD.  
 TRURO, MA

DAN COSTA  
 P.O BOX 411  
 MYSTIC, CT 06355  
 617-448-9954

No.	Date	Revision

OWNER SIGN-OFF WITH DATE

NORTH  
 ELEVATION

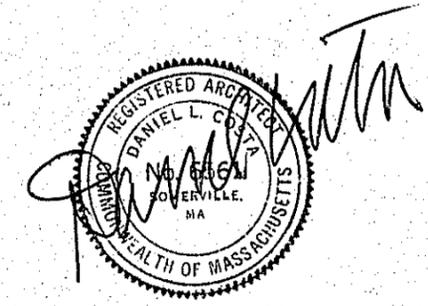
GRAPHIC SCALE

FEBRUARY 23, 2021

A6



**NORTH ELEVATION 2.23.21**





**EAST ELEVATION 2.23.21**



PERETZ 112  
112 NORTH PAMET RD.  
TRURO, MA

DAN COSTA  
P.O BOX 411  
MYSTIC, CT 06355  
617-448-9954

No.	Date	Revision

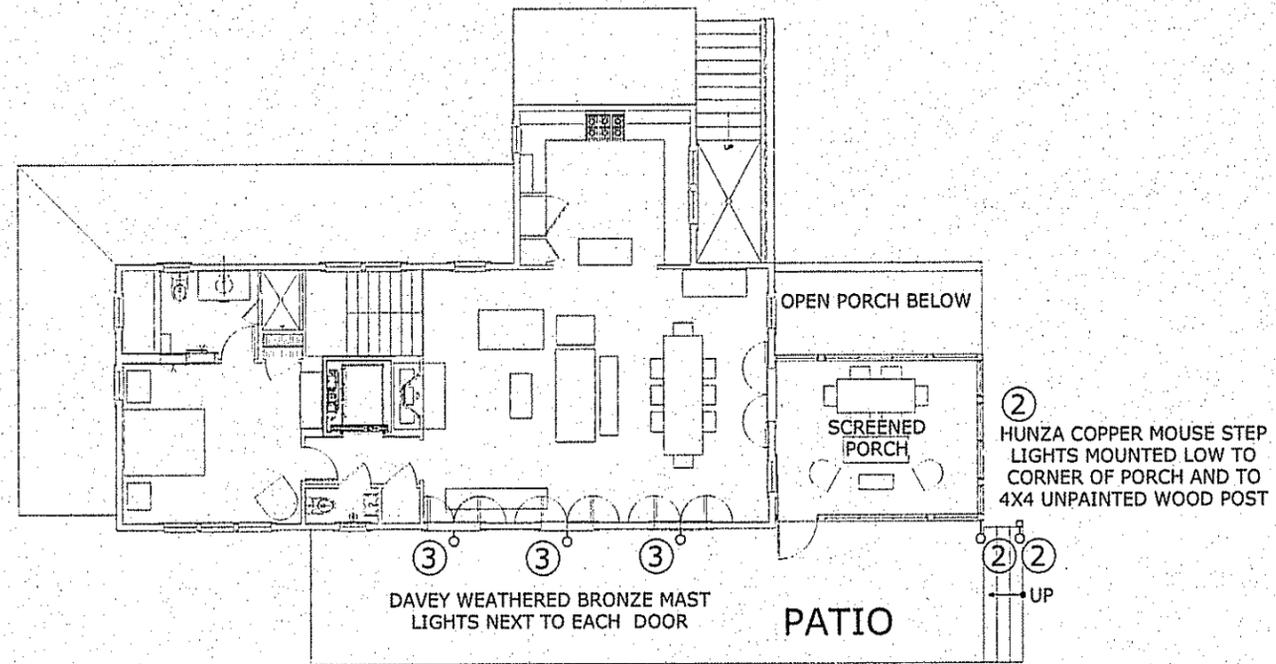
OWNER SIGN-OFF WITH DATE

EAST  
ELEVATION

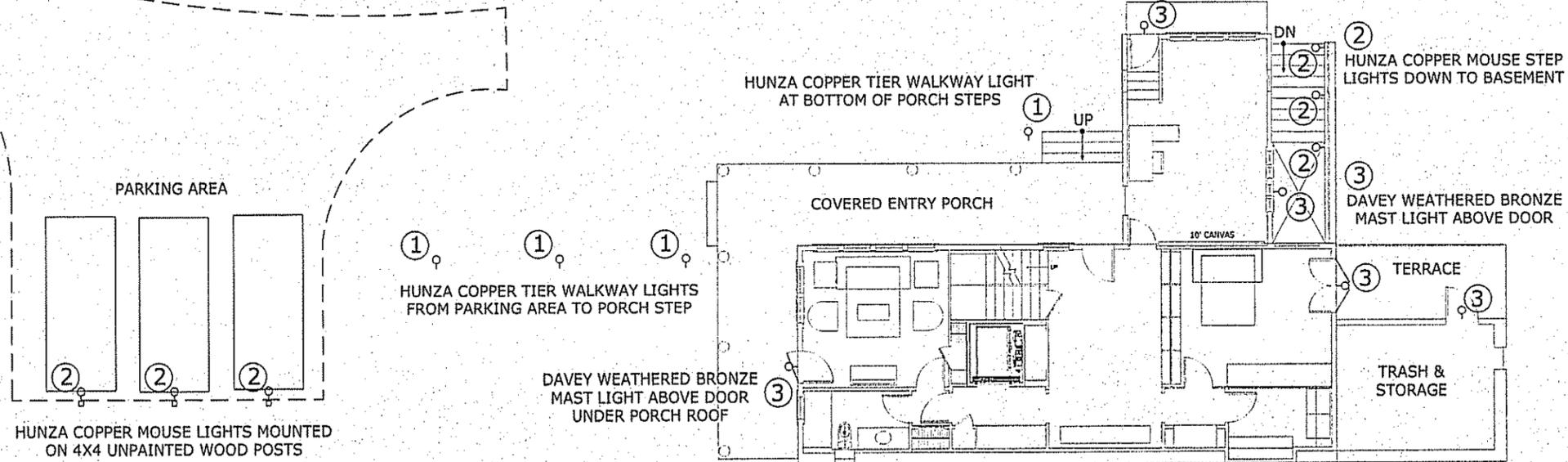
GRAPHIC SCALE

FEBRUARY 23, 2021

**A7**



**UPPER LEVEL EXTERIOR LIGHTING**



**LOWER ENTRY LEVEL EXTERIOR LIGHTING**

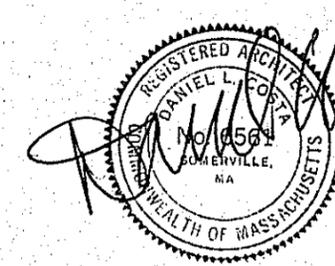
PERETZ 112  
112 NORTH PAMET RD.  
TRURO, MA

DAN COSTA  
P.O BOX 411  
MYSTIC, CT 06355  
617-448-9954

No.	Date	Revision

OWNER SIGN-OFF WITH DATE

**EXTERIOR LIGHTING**



GRAPHIC SCALE

FEBRUARY 23, 2021

**A8**

EXTERIOR LIGHTING	
ID TAG	LIGHTING FIXTURE
①	HUNZA TIER LIGHT COPPER
②	HUNZA Mouse Light Step Light Copper
③	DAVEY LIGHTING Mast Light Weathered Bronze

**EXTERIOR SHEATHING MATERIALS**

WALL : RED CEDAR SHINGLES

ROOF: RED CEDAR SHINGLES

CHIMNEY: BRICK

WINDOWS & DOORS: WOOD

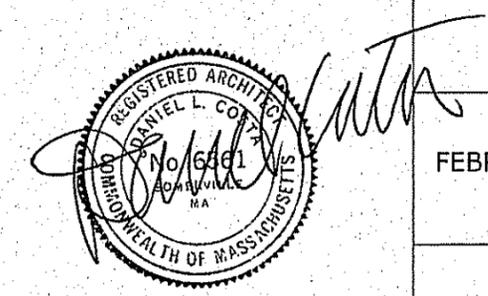
PERETZ 112  
112 NORTH PAMET RD.  
TRURO, MA

DAN COSTA  
P.O BOX 411  
MYSTIC, CT 06355  
617-448-9954

No.	Date	Revision

OWNER SIGN-OFF WITH DATE

MATERIALS  
&  
EXTERIOR  
LIGHTING  
SCHEDULES



FEBRUARY 23, 2021

A9

# DECISION OF THE ZONING BOARD OF APPEALS

## Special Permit

Atlas Map 48 Parcel 1

Address: 112 North Pamet Road

Case Reference No.: 2020-009/ZBA

Applicant: Anne Labouisse Peretz,  
William T. Burdick & Richard C.  
Vanison, Trustees, Dune House Nom Tr.

Hearing Dates: January 25, 2021

Decision Date:

Vote: X-X

Sitting:

*Arthur F. Hultin, Jr., Chair; Fred Todd, Vice Chair; John Dundas; John Thornley; Chris Lucy, Heidi Townsend*

**Motion (M. ; M. second).** In the matter of 2020-009/ZBA, Application of Anne Labouisse Peretz, William T. Burdick & Richard C. Vanison, Trustees, Dune House Nom Tr. to **[grant]** **[deny]** a Special Permit to reconstruct a nonconforming dwelling in the Seashore District under r G.L. c. 40A, s. 6 and Section 30.7 and 30.8 of the Zoning on property at 112 North Pamet Road (Map 48, Parcel 1), based upon the following materials filed with this Board:

- Application for Hearing
- Project Narrative - Common Narrative for Variance and Special Permit Applicants
- Certified Abutters List
- Assessor's Records
- Owner's Authorization
- Transfer Certificate of Title and Memoranda of Encumbrances
- Subdivision Plan of Land in Truro, No. 15097H, W. G. Slade, Surveyor, August 1973
- Grade calculations, Coastal Engineering (Feb. 23, 2017 and November 12, 2020)
- "Plan Showing Existing Site Conditions, 112 North Pamet Road, Truro, MA" prepared for Anne Peretz by Coastal Engineering, dated August 20, 2009, Scale 1" = 30 ft.
- "Site Plan Showing Proposed Dwelling Reconstruction, 112 North Pamet Road, Truro, MA" prepared for Anne Peretz by Coastal Engineering, dated December 7, 2020, Scale 1" = 30 ft.
- "Proposed Grading Plan for Proposed Dwelling Reconstruction, 112 North Pamet Road, Truro, MA" prepared for Anne Peretz by Coastal Engineering, dated December 7, 2020, Scale 1" = 10 ft.
- "Landscape Plan, 112 North Pamet Road, Truro, MA" prepared for Anne Peretz by Coastal Engineering, dated December 7, 2020, Scale 1" = 10 ft.
- Floor Plans, "Peretz 112, 112 North Pamet Road, Truro, MA" prepared by Dan Costa dated December 7, 2020, Sheets A1-A3

- Elevations, “Peretz 112, 112 North Pamet Road, Truro, MA” prepared by Dan Costa dated December 7, 2020, Sheets A4-A7

The Board also received:

- 

This Special Permit Decision is based on the following findings of fact:

1. This property is located in the Seashore District, containing 3.3 acres, conforming as to setbacks. The lot is surrounded by National Seashore property and has no residential abutters. The property has no frontage on North Pamet Road or any street; it is accessed by a dirt road.
1. According to Assessor’s records, the existing house was constructed in 1991. It is located close to the top of coastal bank and is proposed to be demolished due to threat from ongoing coastal erosion. A new residence will be constructed approximately *X feet* shoreward, adjacent to the property’s southern boundary. This site was selected to avoid hollows to the north and west on the property, and to provide protection from coastal bank erosion and storm damage.
2. The proposed setback from the southern lot line is five feet for a deck, and twelve feet for the dwelling itself. Both are nonconforming, where the setback requirements is 25 feet. A variance is required.
3. The height of the existing dwelling is 30.4 feet (nonconforming; 30 feet maximum), The height of the proposed dwelling is 30.1 feet (nonconforming). The elevations for the proposed dwelling indicate a peak ridge height of 90.3 feet. The proposed dwelling itself has a modest footprint, similar to the existing footprint. It is surrounded by a terrace, screened porch, deck and covered porch.
4. A new paved drive and gravel parking area are proposed. Regrading in the area of the new house site, and re-landscaping of the abandoned house site will occur. Paved areas will remain at 1,500 square feet; walkways and terrace areas will increase from 0 to 322 square feet. Lot coverage will decrease from 4,441 to 3,870 square feet, or from 3.1% to 2.7%.
5. Floor plans indicate that there will be a “main level”; “lower level” and “basement” (partially finished) and that the house will have two bedrooms. The elevations suggest a half-story above the “main level” [*more information*]. Exterior material will be red cedar shingles.
6. The Total Gross Floor area of the existing dwelling is 3,167 sq ft.; the proposed Total Gross Floor areas is XXXX. At 3.3 acres, the maximum Gross Floor Area as of right for the lot would be approximately 3660 square feet. The proposed dwelling *conforms/does not conform*.

Findings under Zoning Bylaw Section 30.7 and Section 30.8 and G.L. c. 40A, s. 6

7. The Board finds that the lot is nonconforming as to frontage (lacking any frontage on a street), and that the proposed reconstruction increases existing nonconformities. A special permit is required under Bjorklund v. Zoning Board of Appeals of Norwell, 450 Mass. 357 (2008).
8. The Board further finds that the existing structure is nonconforming as to height, at 30'4", where the Bylaw maximum is 30 feet. The Board finds that the proposed structure, at 30'1" *does/does not* intensify the existing nonconformity.

*[if it does intensify the existing nonconformity, facts on why; special permit finding required]*

9. The Board finds that the proposed dwelling essentially recreates the dimensions of the existing dwelling, and that other proposed modifications (relocation of driveway; new parking area) will not alter the character of the lot.
10. The Board finds that construction of the new dwelling at the selected site adjacent to the lot line with National Seashore property *[does] [does not]* impact this neighboring property.

*[other findings dependent]*

11. Based on the above, the Board finds under Section 30.7 of the Zoning Bylaw that as conditioned herein, the proposed expansion of the existing nonconforming dwelling *[will] [will not]* be substantially more detrimental to the neighborhood than the existing nonconforming structure. The Board further finds that the expansion will exist in harmony with the general purpose and intent of the Bylaw.
12. The Board further finds pursuant to Section 30.8 that the proposed use *[is] [is not]* in harmony with the general public good and intent of the Zoning Bylaw.
13. The Board likewise finds under G.L. c 40A, s. 6 that the proposed expansion *[will] [will not]* be substantially more detrimental than the existing nonconforming dwelling to the neighborhood.

Conditions [if a grant]

This Special Permit is granted subject to the following conditions:

1. Construction shall conform to the plans referenced in this decision, including referenced building materials.

2. The height of the expanded structure is limited to *[X feet in height from median grade or other]*
3. Prior to issuance of an occupancy permit, the Applicant shall submit a stamped, As-Built Plan of the residence confirming that the residence conforms to the above limits and dimensions indicated on the Plans.
4. The use of the Property shall be in strict conformance with the Town of Truro Bylaw;
5. Construction shall conform to all conditions imposed by the Planning Board under Residential Site Plan Review.
6. A variance is required in conjunction with this Special Permit for construction of the proposed dwelling and related site work. This Special Permit may be exercised only in compliance with all terms of the variance decision.
7. The Applicant must obtain approval from the Conservation Commission for demolition of the existing house; removal of the existing septic system; planting and other landscaping, and any other activity taking place within jurisdictional resources under the Wetlands Protection Act and/or Truro Wetlands Protection Bylaw.

**8. Other conditions**

This Special Permit shall lapse after one year if substantial use is not commenced with that time. See Zoning Bylaw Section 30.8.

---

Art Hultin, Chair

---

Date

---

---

Received, Office of the Town Clerk:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

---

---

I hereby certify that this decision was filed with the Office of the Town Clerk on \_\_\_\_\_ and 20 (twenty) days have elapsed since the date of filing, and:

- No Appeal has been filed.
- An Appeal has been filed and received in this office on: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

---

---

NOTE: Any person aggrieved by a decision of the Zoning Board of Appeals may appeal to the Superior or Land Court by bringing action within twenty days after the decision has been filed with the Town Clerk of Truro. (Massachusetts General Laws, Chapter 40A, Section 17)

**THE COPY OF THIS DECISION PROVIDED BY THE TOWN CLERK MUST BE FILED WITH THE REGISTER OF DEEDS OF BARNSTABLE COUNTY BY THE APPLICANT.**

# DECISION OF THE ZONING BOARD OF APPEALS

## Variance

Atlas Map 48 Parcel 1

Address: 112 North Pamet Road

Case Reference No.: 2020-010/ZBA

Applicant: Anne Labouisse Peretz,  
William T. Burdick & Richard C.  
Vanison, Trustees, Dune House Nom Tr.

Hearing Dates: January 25, 2021

Decision Date:

Vote: X-X

Sitting:

Arthur F. Hultin, Jr., Chair; Fred Todd, Vice Chair; John Dundas; John Thornley; Chris Lucy, Heidi Townsend

**Motion (M. ; M. second).** In the matter of 2020-010/ZBA, Application of Anne Labouisse Peretz, William T. Burdick & Richard C. Vanison, Trustees, Dune House Nom Tr. to **[grant]** **[deny]** a variance under G.L. c. 40A, s. 10 and Zoning Bylaw Section 50.1 to construct a dwelling with a setback of five feet (25 feet required) on property at 112 North Pamet Road (Map 48, Parcel 1), based upon the following materials filed with this Board:

- Application for Hearing
- Project Narrative - Common Narrative for Variance and Special Permit Applicants
- Certified Abutters List
- Owner's Authorization
- Assessor's Records
- Transfer Certificate of Title and Memoranda of Encumbrances
- Subdivision Plan of Land in Truro, No. 15097H, W. G. Slade, Surveyor, August 1973
- Grade calculations, Coastal Engineering (Feb. 23, 2017 and November 12, 2020)
- "Plan Showing Existing Site Conditions, 112 North Pamet Road, Truro, MA" prepared for Anne Peretz by Coastal Engineering, dated August 20, 2009, Scale 1" = 30 ft.
- "Site Plan Showing Proposed Dwelling Reconstruction, 112 North Pamet Road, Truro, MA" prepared for Anne Peretz by Coastal Engineering, dated December 7, 2020, Scale 1" = 30 ft.
- "Proposed Grading Plan for Proposed Dwelling Reconstruction, 112 North Pamet Road, Truro, MA" prepared for Anne Peretz by Coastal Engineering, dated December 7, 2020, Scale 1" = 10 ft.
- "Landscape Plan, 112 North Pamet Road, Truro, MA" prepared for Anne Peretz by Coastal Engineering, dated December 7, 2020, Scale 1" = 10 ft.
- Floor Plans, "Peretz 112, 112 North Pamet Road, Truro, MA" prepared by Dan Costa dated December 7, 2020, Sheets A1-A3

- Elevations, “Peretz 112, 112 North Pamet Road, Truro, MA” prepared by Dan Costa dated December 7, 2020, Sheets A4-A7

The Board also received:

- 

This Variance Decision is based on the following findings of fact:

1. This property is located in the Seashore District, containing 3.3 acres, conforming as to setbacks. The lot is surrounded by National Seashore property and has no residential abutters.
2. According to Assessor’s records, the existing house was constructed in 1991. It is located close to the top of coastal bank and is proposed to be demolished due to threat from ongoing coastal erosion.
3. A new residence will be constructed approximately *X feet* shoreward, adjacent to the property’s southern boundary. This site was selected to avoid hollows to the north and west on the property, and to provide protection from coastal bank erosion and storm damage
4. The proposed dwelling will have a Total Gross Floor area of XXXX square feet on two floors. It features a terrace, screened porch, covered porch, and a deck on the south side of the house which extends essentially the length of the dwelling
5. The proposed setback of the dwelling itself from the southern lot line is twelve feet. The proposed setback of the deck is five feet. The Bylaw setback requirement is 25 feet.
6. Apart from the variance required for construction of the dwelling in the location proposed, special permit is required to allow reconstruction of a dwelling on this nonconforming lot.

Requirements for a Variance under General Laws Chapter 40A, s. 10:

Under G.L. c. 40A, s. 10, a variance may be granted where a Board “specifically finds that:

[1] owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located,

[2] a literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and

[3] that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law.”

The Board must find all three of the above to grant the requested variance requested. In this case, the Applicant requests a variance of the Bylaw’s 25-foot setback requirement to allow dwelling to be constructed within five feet of the lot line.

Findings of the Board under Massachusetts General Laws Chapter 40A, Section 10

1. The Board finds that due to the lot’s shape, arising from a prior owner’s grant of a portion of the former lot to the National Seashore, there is a limited area in which a conforming structure could be located.
2. The Board further **[finds] [does not find ]** that this “conforming” area and other areas on the property are unsuitable for the placement of a house due to continuing erosion, flooding, and accumulation of windblown sand. These are “circumstances relating to the soil conditions, shape, or topography.”
3. The Board further **[finds] [does not find]** that these circumstances affect this property and not others within the Seashore District. **[additional comment]**
4. The Board further **[finds][does not find]** that a literal interpretation of the setback requirement would involve substantial financial and other hardship to the Applicant. **[additional comment]**
5. The Board further finds that a variance **[may] [may not]** be granted without substantial detriment to the public good, and without substantially derogating from the intent of the Bylaw.

The adjacent land is Seashore property and there are no residential abutters to be impacted by a dwelling within the side yard setback. The purpose of Bylaw setback requirements is to ensure sufficient distance between buildings; in this case, there are no such concerns

**OR**

The Applicant suggests that the purpose of setback requirements is to ensure sufficient distance between buildings; in this case, there are no such concerns, because there are no residential abutters to be impacted by a dwelling with the side yard setback. But setback requirements are not irrelevant simply because the abutting use is not residential. The 25 foot setback protects the abutting “natural,

undeveloped” National Seashore land, and its associated landscape preservation and conservation values. Zoning safeguards these concerns as well as public safety. In considering whether a variance may be granted without derogating from the intent of the Bylaw, the Board may consider all of these concerns.

Where the Board [**can** ][**cannot**] make the three necessary findings under G.L. c. 40A, s. 10, the variance [**may**][**may not**] be granted.

Conditions [if a grant]

This Variance is granted subject to the following conditions:

1. Construction shall conform to the plans referenced in this decision, including referenced building materials.
2. The height of the expanded structure is limited to [*X feet in height from median grade or other*]
3. No part of the structure, including the deck, may be located closer than [**five**] [**some greater distance**] from the southern lot line.
4. Prior to issuance of an occupancy permit, the Applicant shall submit a stamped, As-Built Plan of the residence confirming that the residence conforms to the above limits and dimensions indicated on the Plans.
5. The use of the Property shall be in strict conformance with the Town of Truro Bylaw;
6. Construction shall conform to all conditions imposed by the Planning Board under Residential Site Plan Review.
7. A Special Permit is required in conjunction with this Variance for construction of the proposed dwelling and related site work. This Variance may be exercised only in compliance with all terms of the Special Permit decision.
8. The Applicant must obtain approval from the Conservation Commission for demolition of the existing house; removal of the existing septic system; planting and other landscaping, and any other activity taking place within jurisdictional resources under the Wetlands Protection Act and/or Truro Wetlands Protection Bylaw.

**9. Other conditions**

This Variance shall lapse after one year if substantial use is not commenced with that time. See G.L. c. 40A, s. 10.

\_\_\_\_\_  
Art Hultin, Chair

\_\_\_\_\_  
Date

\_\_\_\_\_  
Received, Office of the Town Clerk:

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

I hereby certify that this decision was filed with the Office of the Town Clerk on \_\_\_\_\_ and 20 (twenty) days have elapsed since the date of filing, and:

- No Appeal has been filed.
- An Appeal has been filed and received in this office on: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

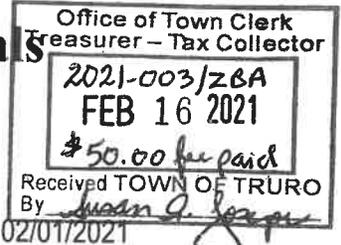
NOTE: Any person aggrieved by a decision of the Zoning Board of Appeals may appeal to the Superior or Land Court by bringing action within twenty days after the decision has been filed with the Town Clerk of Truro. (Massachusetts General Laws, Chapter 40A, Section 17)

**THE COPY OF THIS DECISION PROVIDED BY THE TOWN CLERK MUST BE FILED WITH THE REGISTER OF DEEDS OF BARNSTABLE COUNTY BY THE APPLICANT.**



# 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 \_\_\_\_\_

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.A of the Truro Zoning Bylaw and M.G.L. Ch. 40A, §6 concerning *(describe)* \_\_\_\_\_  
The addition of a deck and stairs to a pre-existing nonconforming dwelling (see following page).

Property Address 263 Shore Road Unit 2 Map(s) and Parcel(s) Map 17 | Parcel 1-2

Registry of Deeds title reference: Book 26734, Page 319, or Certificate of Title Number \_\_\_\_\_ and Land Ct. Lot # \_\_\_\_\_ and Plan # \_\_\_\_\_

Applicant's Name I-Ching and Mark Scott

Applicant's Legal Mailing Address 2 Ravenscroft Rd, Winchester, MA 01890

Applicant's Phone(s), Fax and Email mark.scott@gmail.com, 617-429-1349

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 I-Ching and Mark Scott, same as Applicant

Representative's Name and Address \_\_\_\_\_

Representative's Phone(s), Fax and Email \_\_\_\_\_

2. The completed application **shall also** be submitted **electronically** to the Town Planner at [planner1@truro-ma.gov](mailto:planner1@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.

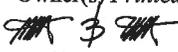
### Signature(s)

Applicant(s)/Representative *Printed* Name(s)

Mark Scott

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

Applicant(s)/Representative Signature

  
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

## Elizabeth Sturdy

---

**From:** Emily Beebe  
**Sent:** Tuesday, March 2, 2021 9:54 AM  
**To:** Elizabeth Sturdy; Arozana Davis; Rich Stevens  
**Cc:** Barbara Huggins Carboni  
**Subject:** RE: 263 Shore Road, Unit #2

Good Morning,

Last night the Conservation Commission voted to approve the request to amend the permit they issued last March for the elevation of this structure. The site plans dated 2/2/2021 were reviewed and approved.

Thanks very much,  
Emily

---

**From:** Elizabeth Sturdy <[ESTurdy@truro-ma.gov](mailto:ESTurdy@truro-ma.gov)>  
**Sent:** Friday, February 26, 2021 1:46 PM  
**To:** Emily Beebe <[EBeeBe@truro-ma.gov](mailto:EBeeBe@truro-ma.gov)>; Arozana Davis <[ADavis@truro-ma.gov](mailto:ADavis@truro-ma.gov)>; Rich Stevens <[rstevens@truro-ma.gov](mailto:rstevens@truro-ma.gov)>  
**Cc:** Barbara Huggins Carboni <[BHugginsCarboni@k-plaw.com](mailto:BHugginsCarboni@k-plaw.com)>  
**Subject:** 263 Shore Road, Unit #2

Emily/Zana and Rich,

Please review and let me know your thoughts. I am aware this is going before ConComm on March 1. Let me know results. Thanks,

Liz

*Elizabeth Sturdy*

Elizabeth Sturdy, Office Assistant  
Truro Town Hall  
24 Town Hall Road, P.O. Box 2030  
Truro, MA 02666  
Tel: (508) 214-0935  
Fax: (508) 349-5505  
Email: [esturdy@truro-ma.gov](mailto:esturdy@truro-ma.gov)



## Elizabeth Sturdy

---

**From:** Rich Stevens  
**Sent:** Monday, March 1, 2021 9:37 AM  
**To:** Elizabeth Sturdy; Emily Beebe; Arozana Davis; Lynne Budnick  
**Cc:** Barbara Huggins Carboni  
**Subject:** RE: 263 Shore Road, Unit #2

Good Morning, Again,  
I am OK with this as well.  
I don't see the building permit application for raising the structure and was concerned with the lowest floor elevation but I have spoken with David Lajoie ( engineer ) and he assured me that all is in compliance.  
Thank You,

Rich

---

**From:** Elizabeth Sturdy <ESturdy@truro-ma.gov>  
**Sent:** Friday, February 26, 2021 1:46 PM  
**To:** Emily Beebe <EBeeBe@truro-ma.gov>; Arozana Davis <ADavis@truro-ma.gov>; Rich Stevens <rstevens@truro-ma.gov>  
**Cc:** Barbara Huggins Carboni <BHugginsCarboni@k-plaw.com>  
**Subject:** 263 Shore Road, Unit #2

Emily/Zana and Rich,

Please review and let me know your thoughts. I am aware this is going before ConComm on March 1. Let me know results. Thanks,

Liz

*Elizabeth Sturdy*

Elizabeth Sturdy, Office Assistant  
Truro Town Hall  
24 Town Hall Road, P.O. Box 2030  
Truro, MA 02666  
Tel: (508) 214-0935  
Fax: (508) 349-5505  
Email: [esturdy@truro-ma.gov](mailto:esturdy@truro-ma.gov)



## Elizabeth Sturdy

---

**From:** Rich Stevens  
**Sent:** Wednesday, March 3, 2021 1:16 PM  
**To:** davidlajoie@felcoengineering.com  
**Cc:** Lynne Budnick; Arozana Davis; Emily Beebe; Elizabeth Sturdy  
**Subject:** 263 SHORE ROAD

Dave,

Good Afternoon. Hope all is well.

Following up on our conversation on Monday regarding this permit. I will need a pre-construction elevation certificate as per code requirements. I spoke with the homeowner back on 2-1-21 regarding this but not sure it was relayed to you as well.

Regards,

Rich



# 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 02/01/2021

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.A of the Truro Zoning Bylaw and M.G.L. Ch. 40A, §6 concerning *(describe)* The addition of a deck and stairs to a pre-existing nonconforming dwelling (see following page).

Property Address 263 Shore Road Unit 2 Map(s) and Parcel(s) Map 17 | Parcel 1-2

Registry of Deeds title reference: Book 26734, Page 319, or Certificate of Title Number \_\_\_\_\_ and Land Ct. Lot # \_\_\_\_\_ and Plan # \_\_\_\_\_

Applicant's Name I-Ching and Mark Scott

Applicant's Legal Mailing Address 2 Ravenscroft Rd, Winchester, MA 01890

Applicant's Phone(s), Fax and Email mark.scott@gmail.com, 617-429-1349

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 I-Ching and Mark Scott, same as Applicant

Representative's Name and Address \_\_\_\_\_

Representative's Phone(s), Fax and Email \_\_\_\_\_

2. The completed application **shall also** be submitted **electronically** to the Town Planner at [planner1@truro-ma.gov](mailto:planner1@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)

Applicant(s)/Representative *Printed* Name(s)

Mark Scott

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

Applicant(s)/Representative Signature

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

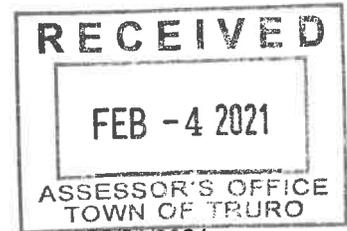


# TOWN OF TRURO

## Assessors Office

### Certified Abutters List

### Request Form



DATE: 02/01/2021

NAME OF APPLICANT: I-Ching and Mark Scott

NAME OF AGENT (if any): \_\_\_\_\_

MAILING ADDRESS: 2 Ravenscroft Road, Winchester, MA 01890

CONTACT: HOME/CELL 617-429-1349 EMAIL mark.scott@gmail.com

PROPERTY LOCATION: 263 Shore Road Unit 2, Truro, MA 02652  
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP 17 PARCEL 1 EXT. 2  
(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 <sup>5</sup>         | <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 <sup>1</sup>                | <input checked="" type="checkbox"/> Special Permit <sup>1</sup> |
| <input type="checkbox"/> Conservation Commission <sup>4</sup> | <input type="checkbox"/> Site Plan <sup>2</sup>                     | <input type="checkbox"/> Variance <sup>1</sup>                  |
| <input type="checkbox"/> Licensing                            | <input type="checkbox"/> Preliminary Subdivision <sup>3</sup>       |   |
| Type: _____   | <input type="checkbox"/> Definitive Subdivision <sup>3</sup>        |   |
| <input type="checkbox"/> Other _____                          | <input type="checkbox"/> Accessory Dwelling Unit (ADU) <sup>2</sup> |   |

(Please Specify) (Fee: Inquire with Assessors)

**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: 2/4/2021 Date completed: 2/4/2021  
 List completed by: [Signature] Date paid: 2/4/2021 Cash/Check  # 1203

<sup>1</sup>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.  
<sup>2</sup>Abutters to the subject property, abutters to the abutters, and owners of properties across the street from the subject property.  
<sup>3</sup>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.  
<sup>4</sup>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.  
<sup>5</sup>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.



**TRURO ASSESSORS OFFICE**  
PO Box 2012 Truro, MA 02666  
Telephone: (508) 214-0921  
Fax: (508) 349-5506

**Date:** February 4, 2021

**To:** I-Ching & Mark Scott

**From:** Assessors Department

**Certified Abutters List:** 263 Shore Road, Unit 2

**ZBA/ Special Permit**

Attached is a combined list of abutters for the property located at 263 Shore Road, Unit 2.

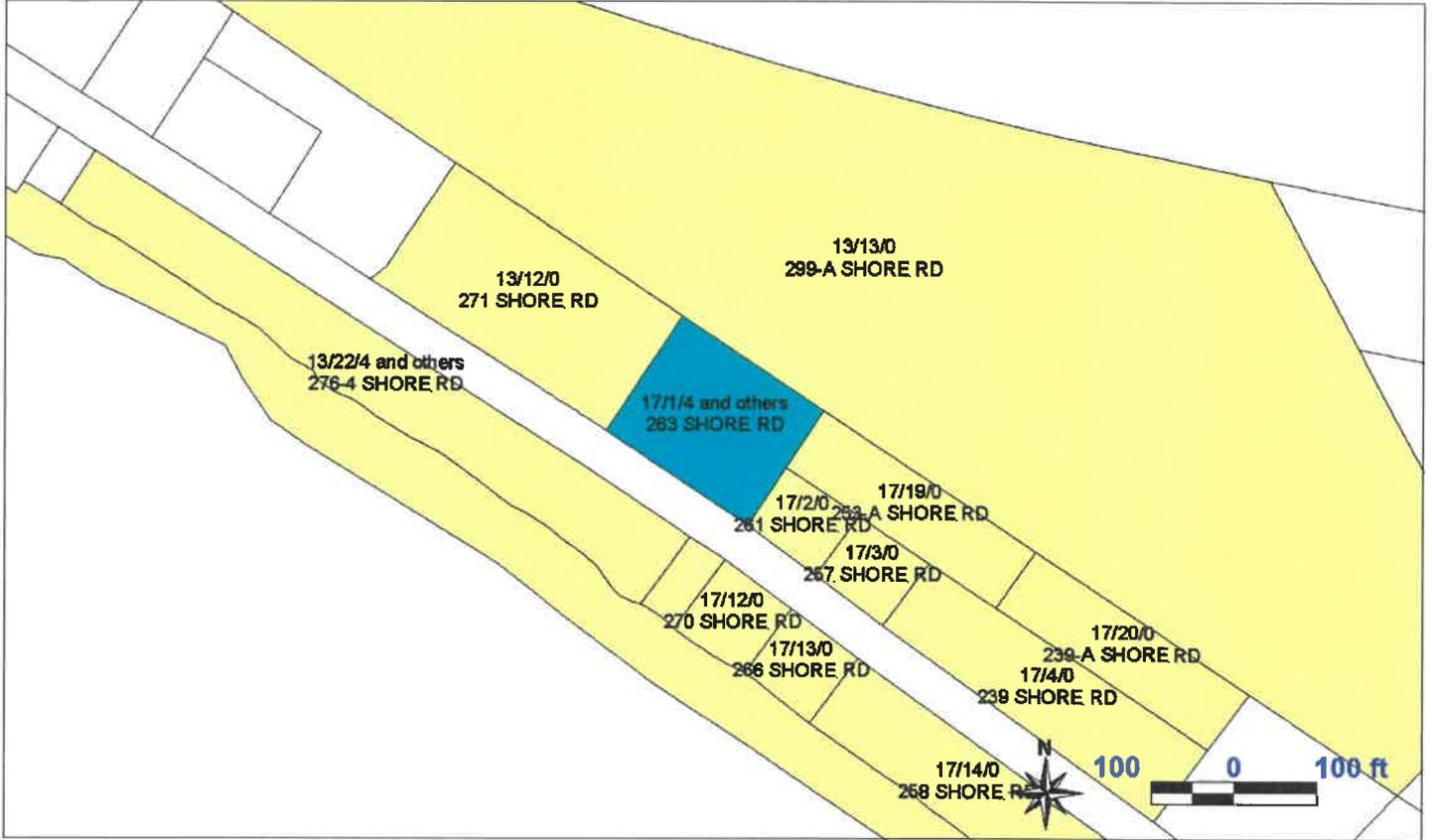
The current owners are I-Ching & Mark Scott.

The names and addresses of the abutters are as of January 27, 2021 according to the most recent documents received from the Barnstable County Registry of Deeds.

Certified by:

Olga Farrell  
Assessing Clerk

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
348	13-12-0-R	HAPPY DAYS LLC c/o MYLAN JANOPLIS	271 SHORE RD	PO BOX 362	PROVINCETOWN	MA	02657
349	13-13-0-R	WISNIEWSKI ROXANNA ET AL c/o LUCY GREEN	299-A SHORE RD	452 DUTTON RD	SUDBURY	MA	01776
6979	13-22-1-R	WILKINSON DENVER & SHERRY	276-1 SHORE RD	2212 W MILES AVE #6	HAYDEN	ID	83835
6980	13-22-2-R	GAY MICHAEL T & ELIZABETH P.	276-2 SHORE RD	291 WEATHERBEE DRIVE	WESTWOOD	MA	02090
6981	13-22-3-R	THOMAS F ZIMMIE REVOC TRUST TRS: THOMAS F ZIMMIE	276-3 SHORE RD	39 ZELENKE DRIVE	WYNANTSKILL	NY	12198
6982	13-22-4-R	WIN HLA-PE & TIN NINI	276-4 SHORE RD	680 WHEELER HILL RD	WAPPINGERS FALLS	NY	12590
6983	13-22-5-R	ROCKETT REVOCABLE TRUST ROCKETT CHRISTOPHER F & JEAN M	276-5 SHORE RD	16 BOATWRIGHT'S LOOP	PLYMOUTH	MA	02360
6984	13-22-6-R	FIELD JOHN W JR	276-6 SHORE RD	38 ROOD HILL ROAD	SANDISFIELD	MA	01255
6985	13-22-7-R	URELL NANCY	276-7 SHORE RD	24 LELLAND ROAD	STOUGHTON	MA	02072
6986	13-22-8-R	GUARNOTTA JULIE A	276-8 SHORE RD	17 EAST PIER	SAUSALITO	CA	94965
6987	13-22-9-R	VIOLET REALTY LLC MANAGER: DAVID ALLEN	276-9 SHORE RD	23 EAST WHARF ROAD	MADISON	CT	06443
6988	13-22-10-R	KANE HEATHER A	276-10 SHORE RD	2818 BALLIETT COURT	VIENNA	VA	22180
6989	13-22-11-R	KANE SCOTT M	276-11 SHORE RD	33 HARDEN HILL RD	DUXBURY	MA	02332-5115
6990	13-22-12-R	RADKA GARY & MIRCHANDANI MALA	276-12 SHORE RD	22574 STATLER ST	SAINT CLAIR SHORES	MI	48081
6991	13-22-14-R	PEZZE MARCUS	276-14 SHORE RD	107 WEST ROAD	SHEFFIELD	MA	01257

*JAC 2/4/2021*

Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
6992	13-22-15-R	IRIS 15 LLC MGRS: MARK & DONNA HAVERSAT	276-15 SHORE RD	57 GREENWOOD LN	MONROE	CT	06468
6993	13-22-16-R	WEINSTEIN KEITH & MARSHA	276-16 SHORE RD	27 CLAFLIN ROAD	BROOKLINE	MA	02445
6994	13-22-17-R	WAKEFIELD CRAIG	276-17 SHORE RD	929 FROG HOLLOW ROAD	RYDAL	PA	19046
6995	13-22-18-R	WEEMAN JOHN E & LYNETTE J	276-18 SHORE RD	18 DAMARIN LANE	BRUNSWICK	ME	04011
6996	13-22-19-R	BAHAMONDE DANIELA ORTIZ & QUARTARARO JUSTIN S	276-19 SHORE RD	340 WASHINGTON ST	MALDEN	MA	02148
6997	13-22-20-R	LEDDY BARBARA	276-20 SHORE RD	PO BOX 1097	WELLFLEET	MA	02667
6998	13-22-21-R	HELLER FAMILY TRUST TRS HELLER C B & MIRANDA C	276-21 SHORE RD	16133 VENTURA BLVD SUITE 545	ENCINO	CA	91436
6999	13-22-22-R	PRIMROSE 22 LLC	276 SHORE RD	4 LECLAIR DRIVE	HINGHAM	MA	02043
7000	13-22-23-R	BERNSTEIN SUSAN A	276-23 SHORE RD	82 ELLERY STREET	CAMBRIDGE	MA	02138
7031	13-22-24-E	DAYS REAL EST TRUST TRS: DAYS JOSEPH M	276 SHORE RD	PO BOX 157	NO TRURO	MA	02652-0157
375	17-2-0-R	LANG PETER W & LANG HAROLD B EST OF&STEPHEN B	261 SHORE RD	C/O LANG STEPHEN B 60 ALFRED DROWNE RD	BARRINGTON	RI	02806
376	17-3-0-R	ROCCO CATHY A & SMITH DOROTHY	257 SHORE RD	355 JACOB STREET	SEEKONK	MA	02771
377	17-4-0-R	LANG PETER W & LANG HAROLD B EST OF&STEPHEN B	239 SHORE RD	C/O LANG STEPHEN B 60 ALFRED DROWNE RD	BARRINGTON	RI	02806
383	17-11-0-R	FOLEY BEACH POINT REALTY TRUST TRS: FOLEY KATHERINE A	274 SHORE RD	131 WAMPUM ST	WRENTHAM	MA	02093
384	17-12-0-R	LANG PETER W & LANG HAROLD B EST OF&STEPHEN B	270 SHORE RD	C/O LANG STEPHEN B 60 ALFRED DROWNE RD	BARRINGTON	RI	02806
385	17-13-0-R	LANG STEPHEN B & PATRICIA R	266 SHORE RD	60 ALFRED DROWN RD	BARRINGTON	RI	02806
386	17-14-0-R	LANG PETER W & LANG HAROLD B EST OF&STEPHEN B	258 SHORE RD	C/O LANG STEPHEN B 60 ALFRED DROWNE RD	BARRINGTON	RI	02806
391	17-19-0-R	LANG PETER W & LANG HAROLD B EST OF&STEPHEN B	253-A SHORE RD	C/O LANG STEPHEN B 60 ALFRED DROWNE RD	BARRINGTON	RI	02806
392	17-20-0-R	LANG PETER W & LANG HAROLD B EST OF&STEPHEN B	239-A SHORE RD	C/O LANG STEPHEN B 60 ALFRED DROWNE RD	BARRINGTON	RI	02806

*Handwritten signature and date: 2/4/2021*

13-12-0-R	HAPPY DAYS LLC c/o MYLAN JANOPLIS PO BOX 362 PROVINCETOWN, MA 02657	13-13-0-R	WISNIEWSKI ROXANNA ET AL c/o LUCY GREEN 452 DUTTON RD SUDBURY, MA 01776	13-22-1-R	WILKINSON DENVER & SHERRY 2212 W MILES AVE #6 HAYDEN, ID 83835
13-22-2-R	GAY MICHAEL T & ELIZABETH P. 291 WEATHERBEE DRIVE WESTWOOD, MA 02090	13-22-3-R	THOMAS F ZIMMIE REVOC TRUST TRS: THOMAS F ZIMMIE 39 ZELENKE DRIVE WYNANTSKILL, NY 12198	13-22-4-R	WIN HLA-PE & TIN NINI 680 WHEELER HILL RD WAPPINGERS FALLS, NY 12590
13-22-5-R	ROCKETT REVOCABLE TRUST ROCKETT CHRISTOPHER F & JEAN M 16 BOATWRIGHT'S LOOP PLYMOUTH, MA 02360	13-22-6-R	FIELD JOHN W JR 38 ROOD HILL ROAD SANDISFIELD, MA 01255	13-22-7-R	URELL NANCY 24 LELLAND ROAD STOUGHTON, MA 02072
13-22-8-R	GUARNOTTA JULIE A 17 EAST PIER SAUSALITO, CA 94965	13-22-9-R	VIOLET REALTY LLC MANAGER: DAVID ALLEN 23 EAST WHARF ROAD MADISON, CT 06443	13-22-10-R	KANE HEATHER A 2818 BALLIETT COURT VIENNA, VA 22180
13-22-11-R	KANE SCOTT M 33 HARDEN HILL RD DUXBURY, MA 02332-5115	13-22-12-R	RADKA GARY & MIRCHANDANI MALA 22574 STATLER ST SAINT CLAIR SHORES, MI 48081	13-22-14-R	PEZZE MARCUS 107 WEST ROAD SHEFFIELD, MA 01257
13-22-15-R	IRIS 15 LLC MGRS: MARK & DONNA HAVERSAT 57 GREENWOOD LN MONROE, CT 06468	13-22-16-R	WEINSTEIN KEITH & MARSHA 27 CLAFLIN ROAD BROOKLINE, MA 02445	13-22-17-R	WAKEFIELD CRAIG 929 FROG HOLLOW ROAD RYDAL, PA 19046
13-22-18-R	WEEMAN JOHN E & LYNETTE J 18 DAMARIN LANE BRUNSWICK, ME 04011	13-22-19-R	BAHAMONDE DANIELA ORTIZ & QUARTARARO JUSTIN S 340 WASHINGTON ST MALDEN, MA 02148	13-22-20-R	LEDDY BARBARA PO BOX 1097 WELLFLEET, MA 02667
13-22-21-R	HELLER FAMILY TRUST TRS HELLER C B & MIRANDA C 16133 VENTURA BLVD SUITE 545 ENCINO, CA 91436	13-22-22-R	PRIMROSE 22 LLC 4 LECLAIR DRIVE HINGHAM, MA 02043	13-22-23-R	BERNSTEIN SUSAN A 82 ELLERY STREET CAMBRIDGE, MA 02138
13-22-24-E	DAYS REAL EST TRUST TRS: DAYS JOSEPH M PO BOX 157 NO TRURO, MA 02652-0157	17-2-0-R	LANG PETER W & LANG HAROLD B EST OF&STEPHEN B C/O LANG STEPHEN B 60 ALFRED DROWNE RD BARRINGTON, RI 02806	17-3-0-R	ROCCO CATHY A & SMITH DOROTHY 355 JACOB STREET SEEKONK, MA 02771
17-4-0-R	LANG PETER W & LANG HAROLD B EST OF&STEPHEN B C/O LANG STEPHEN B 60 ALFRED DROWNE RD BARRINGTON, RI 02806	17-11-0-R	FOLEY BEACH POINT REALTY TRUST TRS: FOLEY KATHERINE A 131 WAMPUM ST WRENTHAM, MA 02093	17-12-0-R	LANG PETER W & LANG HAROLD B EST OF&STEPHEN B C/O LANG STEPHEN B 60 ALFRED DROWNE RD BARRINGTON, RI 02806

17-13-0-R

LANG STEPHEN B & PATRICIA R  
60 ALFRED DROWN RD  
BARRINGTON, RI 02806

17-14-0-R

LANG PETER W &  
LANG HAROLD B EST OF&STEPHEN B  
C/O LANG STEPHEN B  
60 ALFRED DROWNE RD  
BARRINGTON, RI 02806

17-19-0-R

LANG PETER W &  
LANG HAROLD B EST OF&STEPHEN B  
C/O LANG STEPHEN B  
60 ALFRED DROWNE RD  
BARRINGTON, RI 02806

17-20-0-R

LANG PETER W &  
LANG HAROLD B EST OF&STEPHEN B  
C/O LANG STEPHEN B  
60 ALFRED DROWNE RD  
BARRINGTON, RI 02806

The dwelling at 263 Shore Road Unit 2 is a preexisting dwelling on grade. The face of the dwelling is located 12' back from the lot line as indicated in the attached drawings.

The homeowner proposes raising the structure onto a new, flood-compliant foundation on its current footprint. The proposed foundation raises the floor elevation approximately 24 inches above its current elevation, and approximately 36 inches above grade, necessitating stairs and a landing for access to the dwelling unit on the road side of the dwelling. The proposed deck and stairs would be located between the face of the house and the lot line, encroaching an additional 5' into the front yard setback.

The petitioner is seeking a special permit to allow for the construction of the deck and stairs for access to the raised front entrance.

## ATTACHMENTS

### A - Deck Drawings

- A-0 Title Sheet

- A-1 Deck Plans

- A-2 Elevations

- A-3 Details

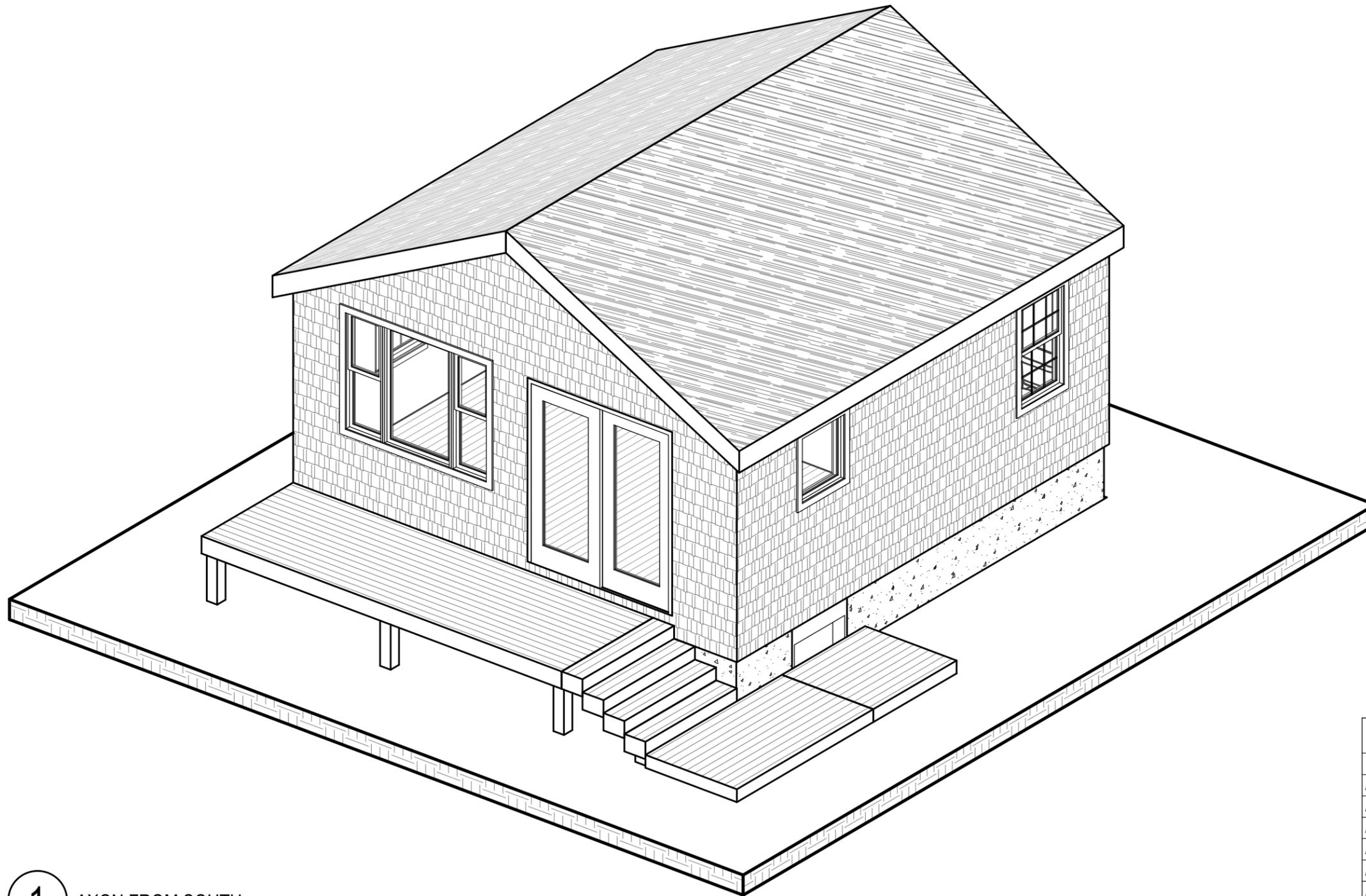
- A-4 Details

- A-5 Details

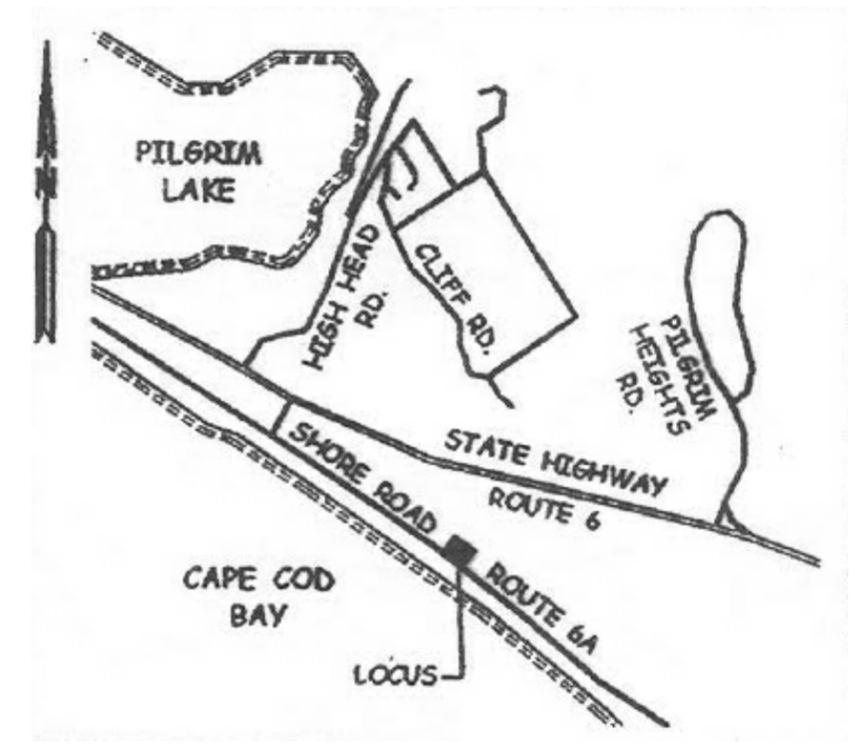
- A-6 Plot Plan (including zoning, setback, and dimensional references)

### B - Foundation Plan (house lift; for reference)

### C - Site and Sewer Plan (house lift; for reference)

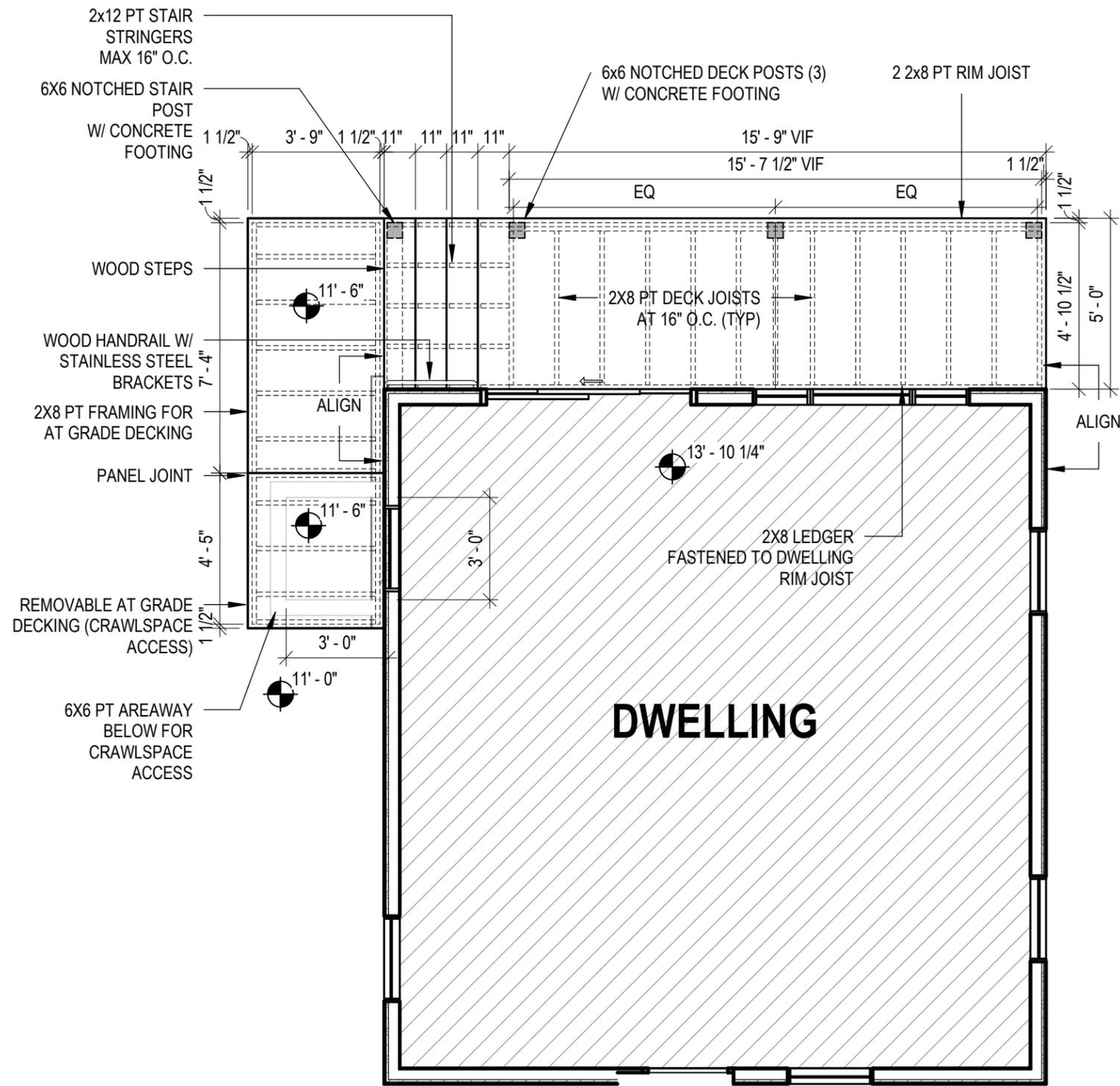


**1** AXON FROM SOUTH  
SCALE:

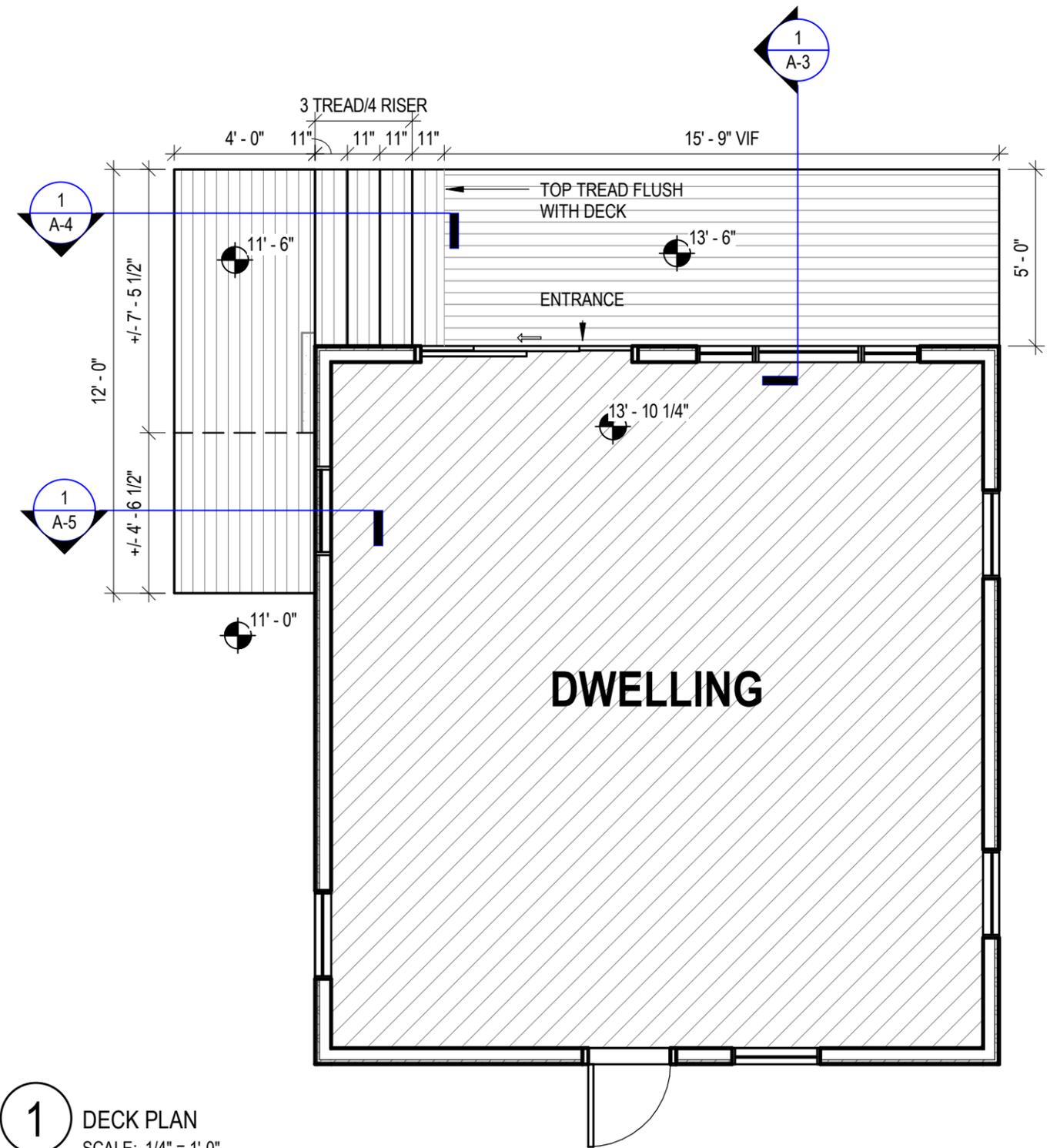


#	SHEET	DATE
A-0	TITLE SHEET	02/11/21
A-1	DECK PLANS	02/11/21
A-2	ELEVATIONS	02/11/21
A-3	DETAILS	02/11/21
A-4	DETAILS	02/11/21
A-5	DETAILS	02/11/21
A-6	PLOT PLAN	02/11/21

<p><b>WARD 2</b></p> <p>2 Ravenscroft Rd Winchester, MA 01890 617-429-1349</p>	<p><b>DECK ADDITION</b></p> <p>263 Shore Road #2 North Truro, MA 02652</p>	<p>Architect</p>	<p>Project</p>	<p style="text-align: right;">Date Issued 02/11/21</p> <p style="text-align: right;">Drawing Scale 12" = 1'-0"</p> <p style="text-align: center;"><b>TITLE SHEET</b></p>	<p><b>A-0</b></p>
--	--	------------------	----------------	--	-------------------

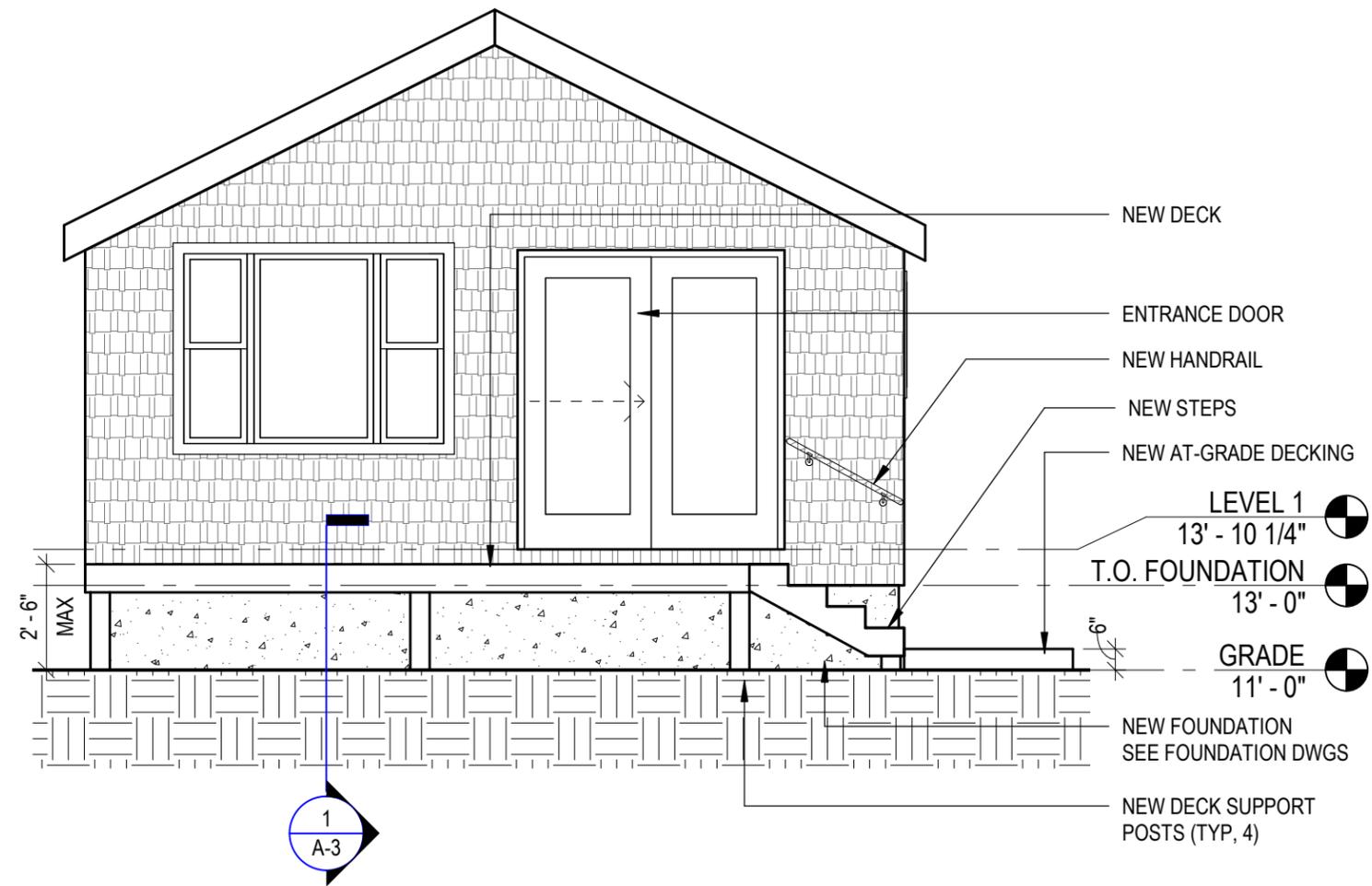
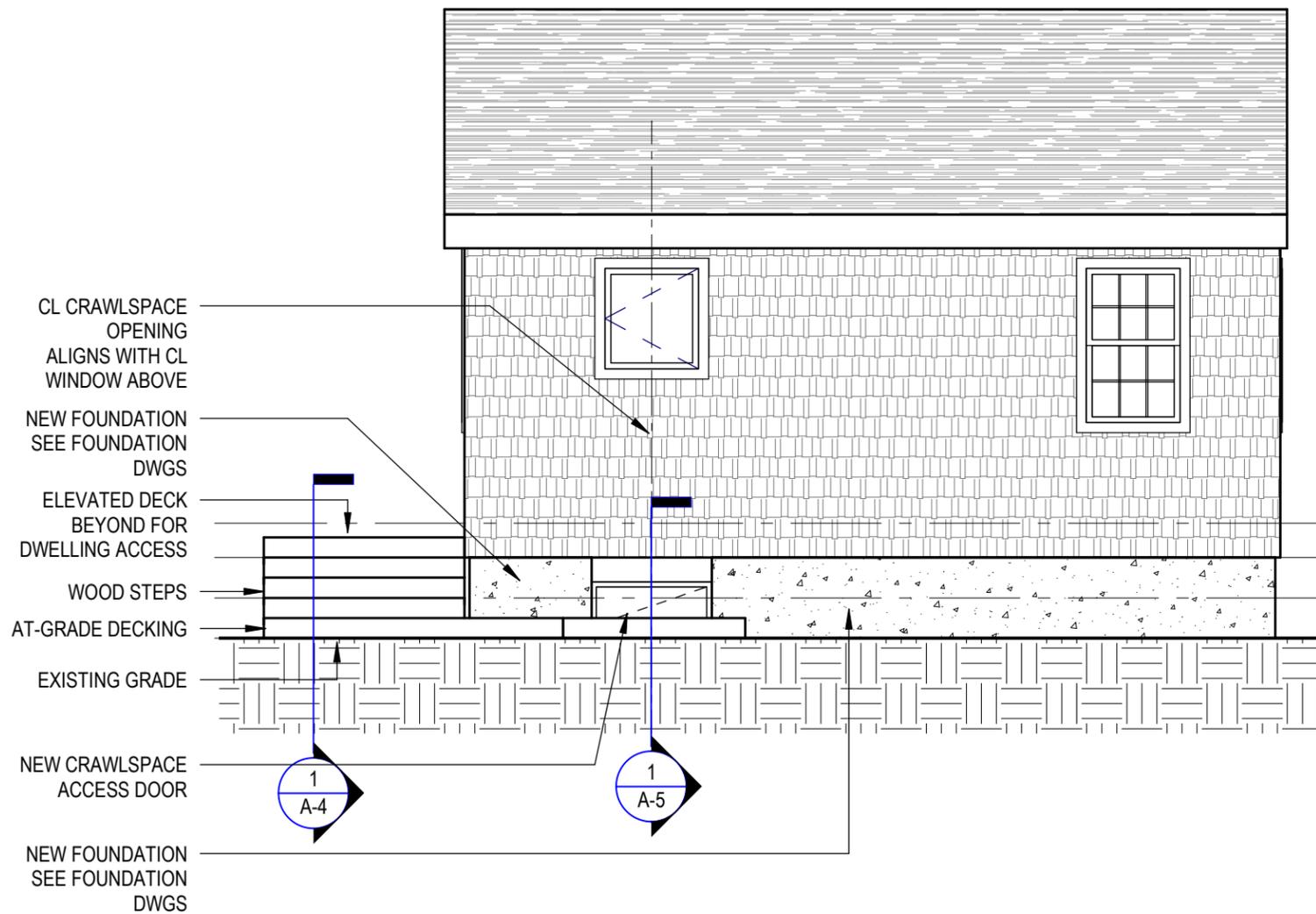


**2** DECK FRAMING PLAN  
SCALE: 1/4" = 1'-0"



**1** DECK PLAN  
SCALE: 1/4" = 1'-0"

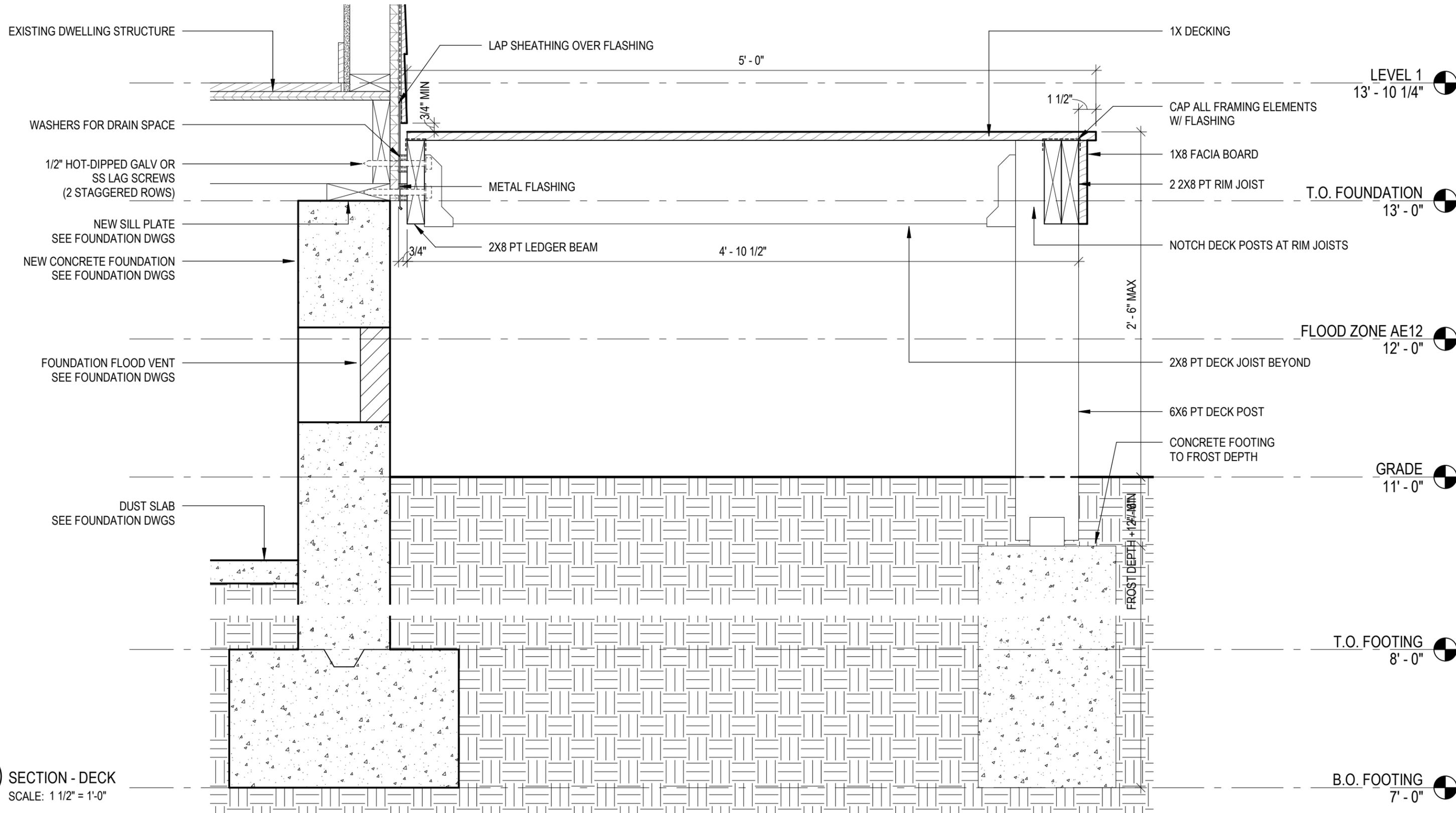
<b>WARD 2</b> 2 Ravenscroft Rd Winchester, MA 01890 617-429-1349 Architect	<b>DECK ADDITION</b> 263 Shore Road #2 North Truro, MA 02652 Project	Date Issued 02/11/21	<b>A-1</b>
		Drawing Scale 1/4" = 1'-0"	
		<b>DECK PLANS</b>	



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

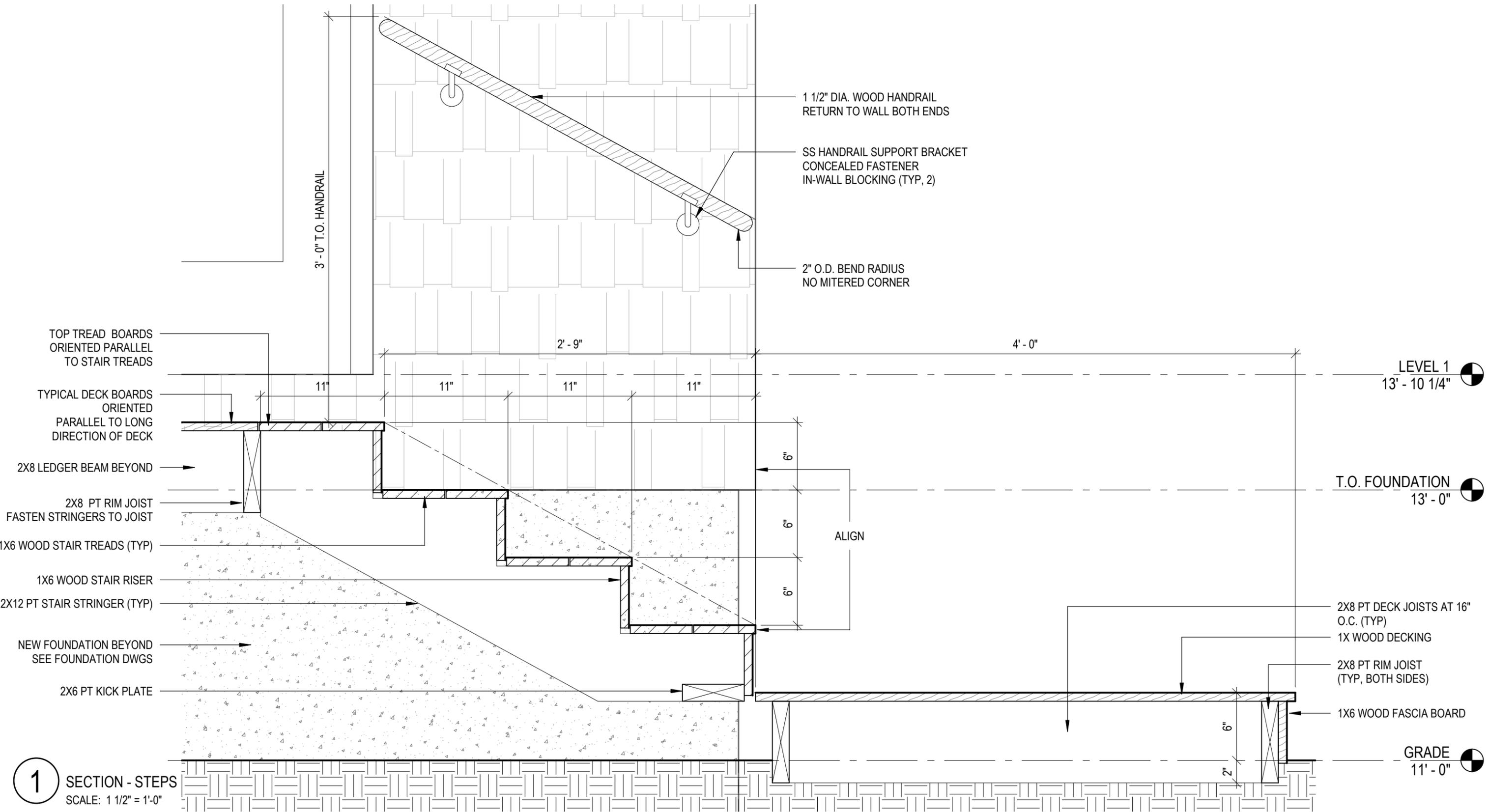
**1** SOUTH ELEVATION  
SCALE: 1/4" = 1'-0"

<b>WARD 2</b> 2 Ravenscroft Rd Winchester, MA 01890 617-429-1349 Architect	<b>DECK ADDITION</b> 263 Shore Road #2 North Truro, MA 02652 Project	Date Issued 02/11/21	<b>A-2</b>
		Drawing Scale 1/4" = 1'-0"	
		<b>ELEVATIONS</b>	



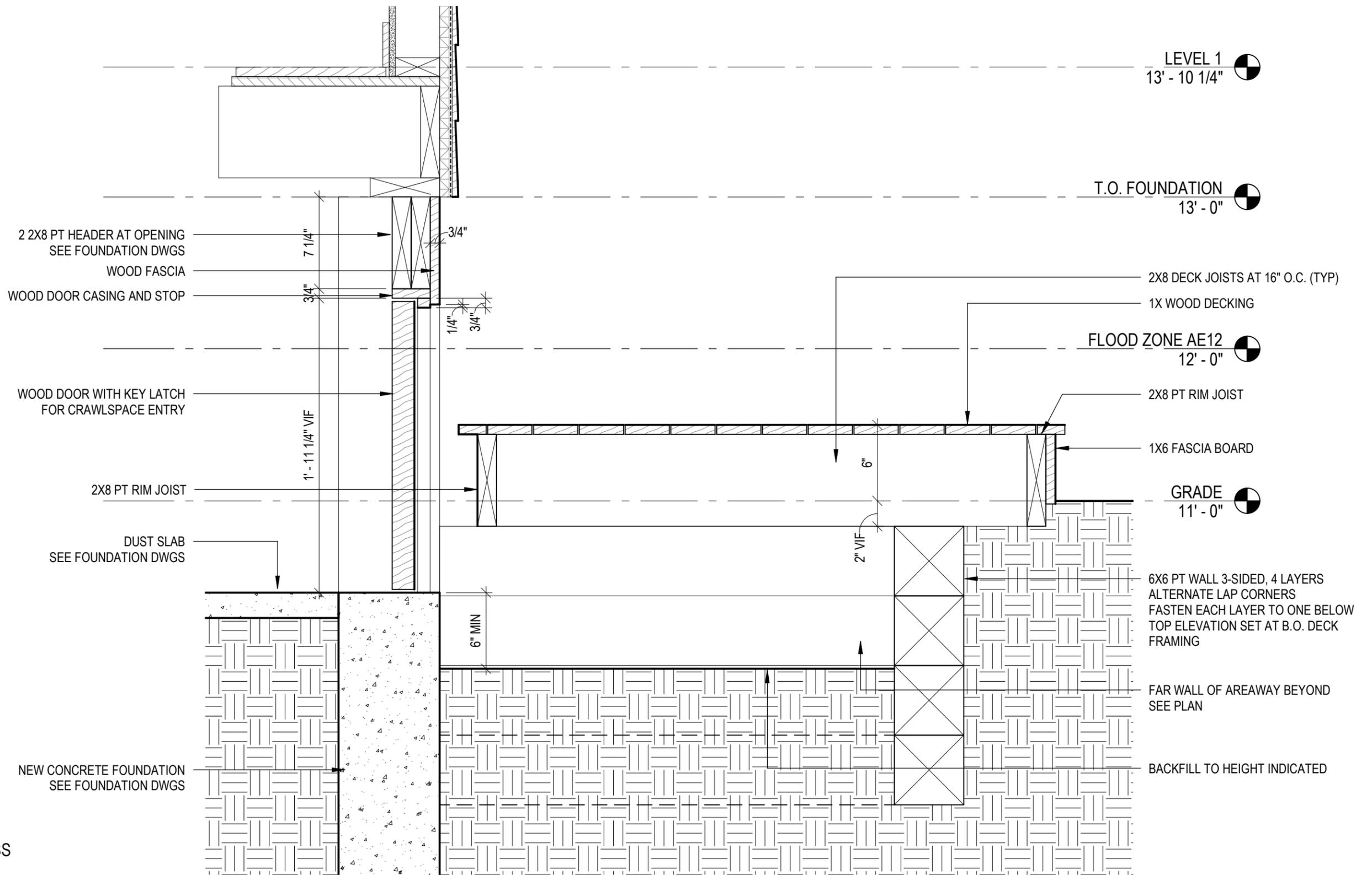
**1** SECTION - DECK  
SCALE: 1 1/2" = 1'-0"

<b>WARD 2</b> 2 Ravenscroft Rd Winchester, MA 01890 617-429-1349 Architect	<b>DECK ADDITION</b> 263 Shore Road #2 North Truro, MA 02652 Project	Date Issued 02/11/21	<b>A-3</b>
		Drawing Scale 1 1/2" = 1'-0"	
		<b>DETAILS</b>	



**1** SECTION - STEPS  
SCALE: 1 1/2" = 1'-0"

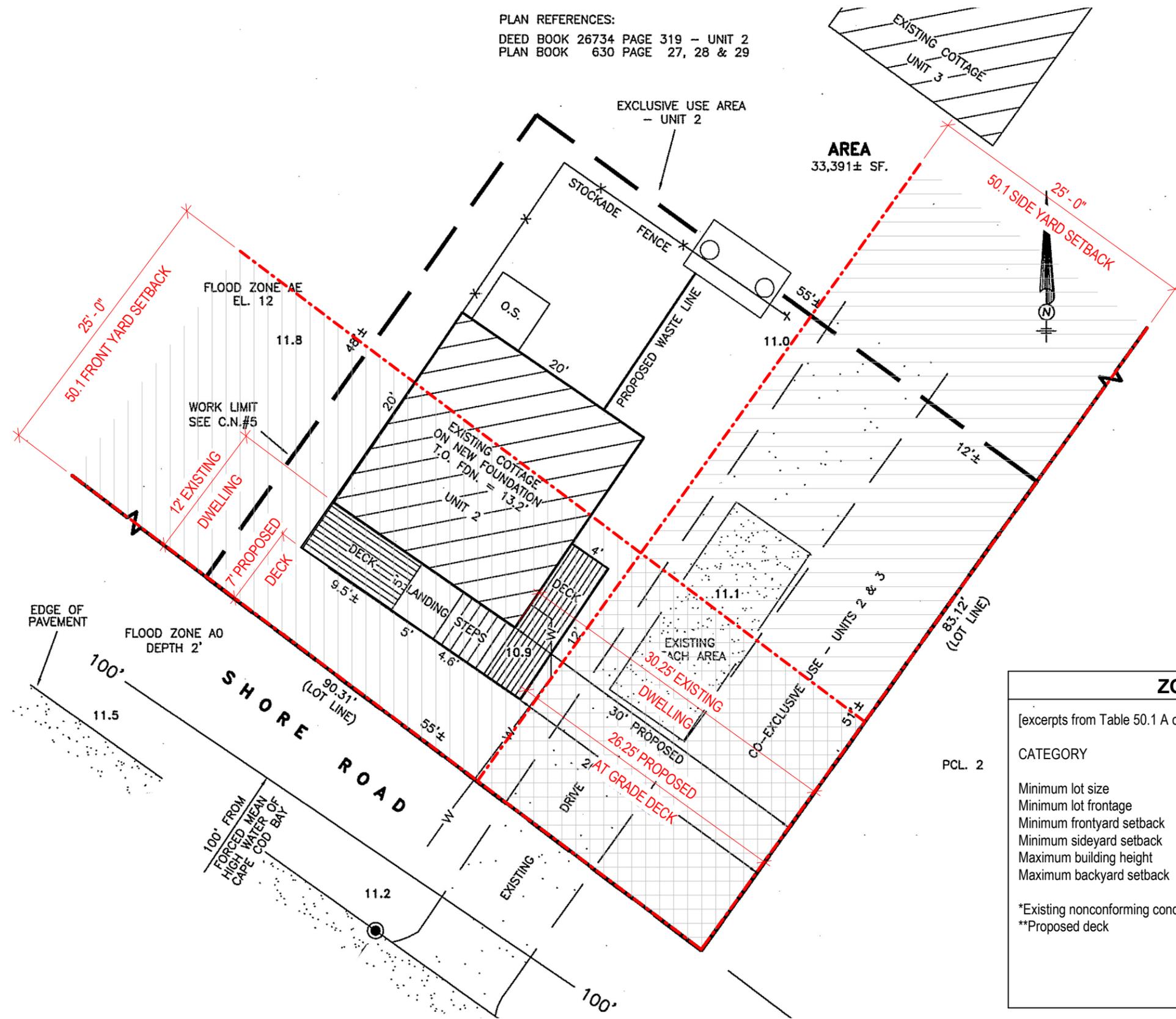
<b>WARD 2</b> 2 Ravenscroft Rd Winchester, MA 01890 617-429-1349 Architect	<b>DECK ADDITION</b> 263 Shore Road #2 North Truro, MA 02652 Project	Date Issued 02/11/21	<b>A-4</b>
		Drawing Scale 1 1/2" = 1'-0"	
		<b>DETAILS</b>	



**1** SECTION - CRAWLSPACE ACCESS  
SCALE: 1 1/2" = 1'-0"

<b>WARD 2</b> 2 Ravenscroft Rd Winchester, MA 01890 617-429-1349 Architect	<b>DECK ADDITION</b> 263 Shore Road #2 North Truro, MA 02652 Project	Date Issued 02/11/21	<b>A-5</b>
		Drawing Scale 1 1/2" = 1'-0"	
		<b>DETAILS</b>	

PLAN REFERENCES:  
 DEED BOOK 26734 PAGE 319 - UNIT 2  
 PLAN BOOK 630 PAGE 27, 28 & 29

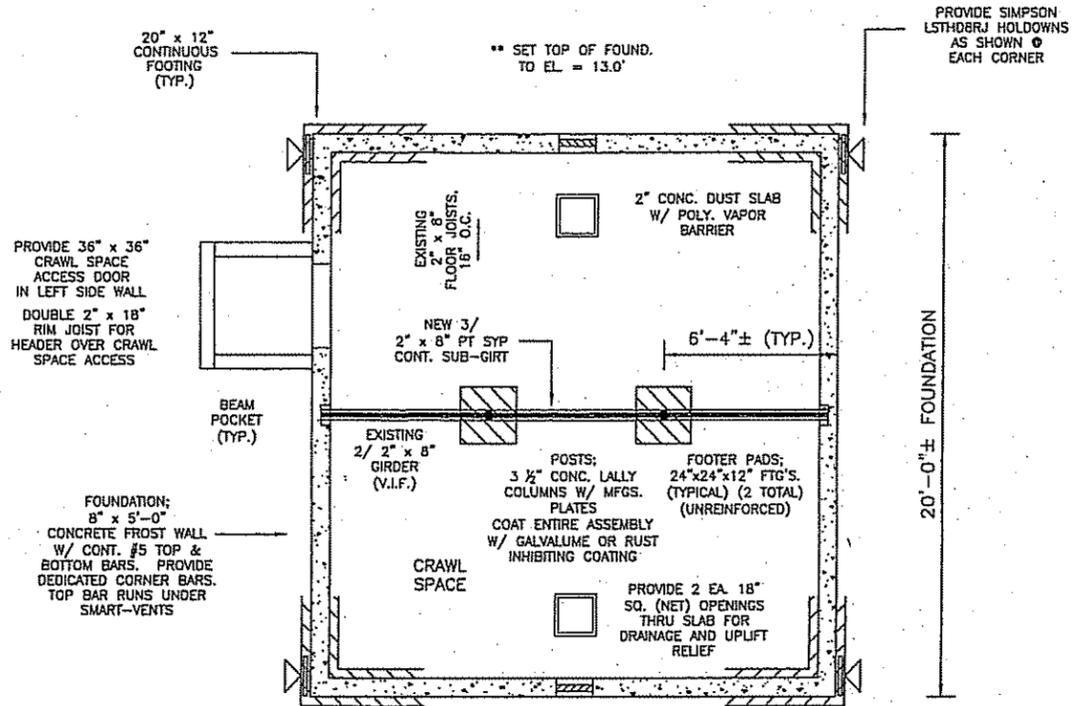


ZONING DIMENSIONS			
[excerpts from Table 50.1 A of Truro Zoning Bylaws April 2019]			
CATEGORY	REQUIREMENT	EXISTING	PROPOSED
Minimum lot size	33,750 sf	33,391 sf	no change
Minimum lot frontage	150 ft		no change
Minimum frontyard setback	25 ft	12 ft*	7 ft**
Minimum sideyard setback	25 ft	30.25 ft	26.25 ft
Maximum building height	2 stories; 30 feet	1 story; 13.5 ft	1 story; 15.5 ft
Maximum backyard setback	25 ft	n/a	no change

\*Existing nonconforming condition  
 \*\*Proposed deck

1 PLOT PLAN  
 SCALE: 1" = 10'-0"

<b>WARD 2</b> 2 Ravenscroft Rd Winchester, MA 01890 617-429-1349 Architect	<b>DECK ADDITION</b> 263 Shore Road #2 North Truro, MA 02652 Project	Date Issued 02/11/21	<b>A-6</b>
		Drawing Scale As indicated	
		<b>PLOT PLAN</b>	



**FOUNDATION PLAN**

(1/4" = 1')

\* VERIFY ALL DETAILS WITH BUILDER ADJUST AS REQUIRED

**TECHNICAL SPECIFICATIONS**

PROPOSED CONCRETE FOUNDATION PROJECT NO. FE-19066

- RE-BAR - GRADE 60 ASTM A615, CLEAN AND FREE FROM HEAVY RUST
  - MINIMUM BAR LAP DISTANCE: 26" FOR #5 BARS
  - STEEL BAR LAYOUTS AS SHOWN
  - STEEL BAR COVERAGES: 3" WHEN CAST IN SOIL, 2" AT FORMWORK PERIMETERS
- CONCRETE - FOOTINGS & WALLS - MINIMUM F'C = 3,000 PSI
  - FLOOR SLABS (DUST SLAB) - MINIMUM F'C = 2,500 PSI
  - MAXIMUM AGGREGATE SIZE 3/4" - 3/8" BLEND; TYPE IA 5-7% AIR ENTRAINMENT
  - STRIP WALLS W/ INTEGRAL PILASTERS NO SOONER THAN 24+ HRS.
  - MECHANICALLY VIBRATE ALL REINFORCED FOOTINGS AND PIERS
  - FORMED IN PLACE FOOTERS ARE NOT ALLOWED. NO FOOTERS SHALL BE PLACED IN WATER. SEE FOUNDATION PLAN.
  - CUT CRACK CONTROL JOINTS ACROSS MIDDLE OF SLAB IN ONE DIRECTION
- FOUNDATION TIE-DOWNS - CAST MAIN FRAMES AND DRILL/SET JAMBS AND CHANNELS
  - UPLIFT TIES: SIMPSON LSTHDBRJ HOLD-DOWNS - 1 PER BUILDING CORNER
  - STANDARD; 3/8" x 10" GALVANIZED BOLTS @ 32" O.C.
- SLAB FILL & BACKFILL - TO CONSIST OF CLEAN, COMPACTABLE MATERIAL EXTENDING INTO IN-SITU SILTY-SAND SUBBASE.
- FOUNDATION DESIGN ASSUMES SOIL IS A MEDIUM-FINE SAND. SHOULD VERY DIFFERENT IN-SITU MATERIAL BE ENCOUNTERED A DETAILED ANALYSIS WILL BE REQUIRED.
  - DESIGN ALLOWABLE BEARING = 2,400 LBS/SQ.FT.

THIS IS BEFORE DEPTH INCREASES AND APPLICATION OF A 1.5 FACTOR OF SAFETY AGAINST SETTLING, SLIDING AND FLOATATION DUE TO FLOODING ACTION ARE APPLIED.

**STATEMENT OF ELEVATIONS**

(3/4" = 1')

EL. = 13.9' ± FIRST FLOOR

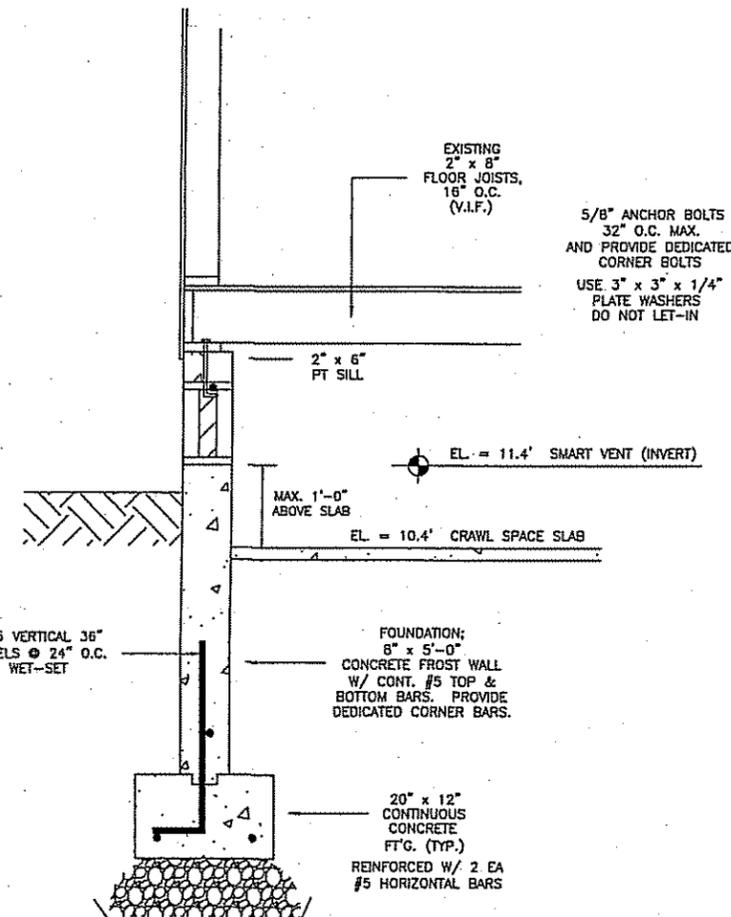
EL. = 13.2' TOP OF FLOODPROOFING  
2" X PRESSURE TREATED SILL PLATE

EL. = 12.0' FLOOD ZONE AE12  
(NAVD 88 DATUM)

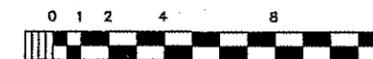
EL. = 10.9' ± ADJACENT GRADE

EL. = 8.0' TOP OF FOOTING

EL. = 7.0' BOTTOM OF FOOTING



FOR PERMITTING



PROPOSED COTTAGE FOUNDATION

MARK & I-CHING KATIE SCOTT

UNIT 2 THE 263 SHORE ROAD CONDOMINIUM  
263 SHORE ROAD

TRURO

- FOUNDATION PLAN - STATEMENT OF ELEVATIONS  
- TECHNICAL SPECIFICATIONS

APRIL 7, 2020

1 OF 1

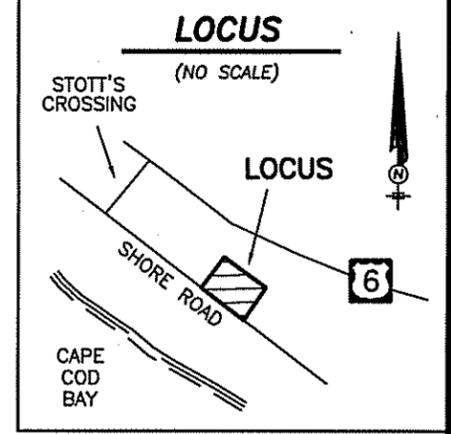
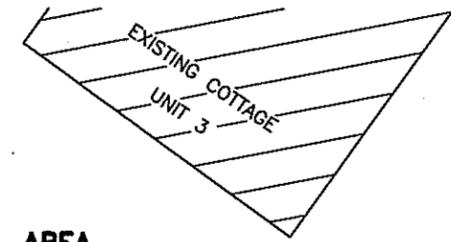
**FELCO, INC.**  
ENGINEERING - LAND SURVEYING  
P.O. BOX 1366 ORLEANS, MA 02653  
(508) 255-8141 (FAX) 255-2954

ALL CONSTRUCTION TO BE PERFORMED IN STRICT COMPLIANCE WITH THE MASSACHUSETTS STATE BUILDING CODE, NINTH EDITION

JOB NO. 19066FDN.DWG

NOTES: THIS PLAN REQUIRES CONSERVATION COMMISSION APPROVAL.  
 ENTIRE PROPERTY LIES WITHIN A BARRIER BEACH.  
 THIS PLAN IS PREPARED FOR COMPLIANCE WITH 310 CMR 15.000.  
 EXCAVATED FILL TO BE REMOVED FROM SITE AND ALL EXISTING GRADES TO REMAIN.  
 VERIFY BUILDING HEIGHT AND PROPOSED FOUNDATION ELEVATION WITH BUILDING DEPARTMENT PRIOR TO CONSTRUCTION.  
 VERIFY ZONING AND UTILITY SETBACK DIMENSIONS PRIOR TO CONSTRUCTION.

PLAN REFERENCES:  
 DEED BOOK 26734 PAGE 319 - UNIT 2  
 PLAN BOOK 630 PAGE 27, 28 & 29



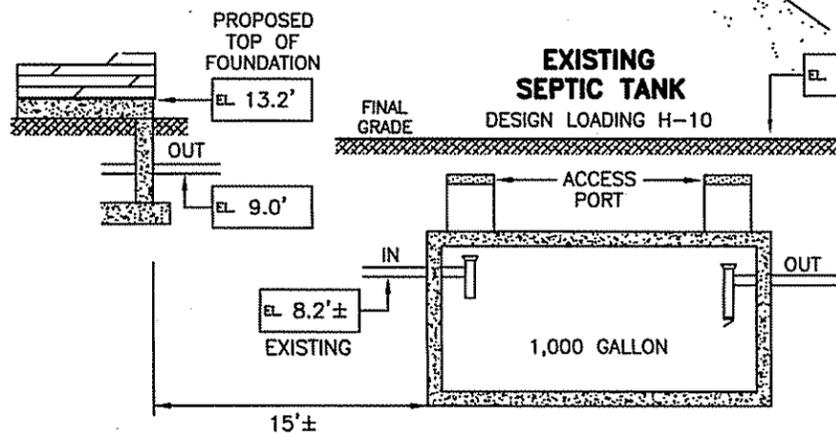
**GENERAL NOTES**

1. ALL CONTRACTORS AND/OR INSTALLERS ARE RESPONSIBLE FOR PROVIDING AND MAINTAINING A SAFE WORK AREA.
2. CONTRACTORS AND/OR INSTALLERS: VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION.
3. CONTRACTORS AND/OR INSTALLERS: VERIFY ALL WASTE LINE LOCATIONS PRIOR TO CONSTRUCTION.
4. CONSTRUCTION DETAILS TO BE IN ACCORDANCE WITH STATE SANITARY CODE 310 CMR 15.000 AND TOWN BOARD OF HEALTH REQUIREMENTS.
5. ELEVATION DATUM IS FROM  U.S.G.S. QUAD. MAP.  N.A.V.D.
6. MUNICIPAL WATER IS AVAILABLE  YES  NO
7. ANY ALTERATIONS TO DESIGN MUST BE APPROVED BY FELCO, INC. AND TOWN BOARD OF HEALTH.



**DESIGN**

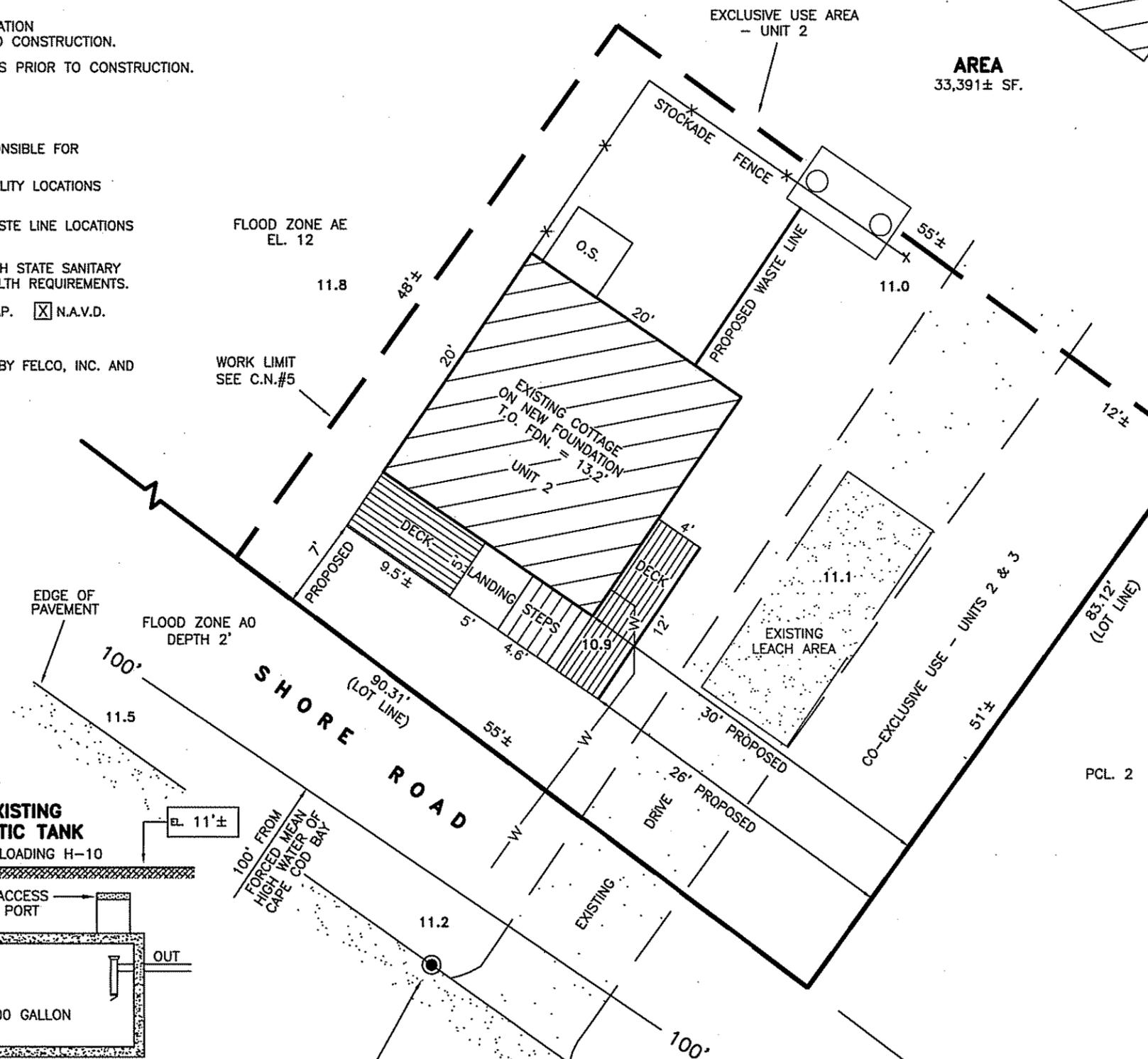
FLOW DETERMINATION  1 EXISTING BEDROOM COTTAGE  
 GARBAGE GRINDER  NO  YES  
 FLOW RATE =  GAL/DAY



**SECTION VIEW - SEPTIC SYSTEM COMPONENTS ( N. T. S. )**

1. SEWAGE CONNECTION FROM EXISTING COTTAGE TO EXISTING SEPTIC SYSTEM TO CONFORM WITH 310 CMR 15.000 AND TOWN BOARD OF HEALTH REGULATIONS.
2. SEE "SANITARY SUBSURFACE SEWAGE DISPOSAL SYSTEM UPGRADE" PLAN # T-08-1891 A BY WILLIAM N. ROGERS DATED JANUARY, 2008 FOR ADDITIONAL SITE DETAILS.

**BENCHMARK**  
 PK. NAIL SET  
 EL. = 11.2' NAVD



**LEGEND**

- W- PROPOSED WATER LINE (APPROX.)
- 11.1 SPOT ELEV.
- ○ SEPTIC TANK (EXISTING)

**CONSTRUCTION NOTES**

1. EXISTING DWELLING TO BE ELEVATED IN PLACE WITH NEW FOUNDATION INSTALLED UNDER EXISTING STRUCTURE.
2. PROPOSED FOUNDATION TO BE CONSTRUCTED PER BUILDING CODE REQUIREMENTS FOR CONSTRUCTION WITHIN FLOODPLAIN 780 CMR 3107.
3. CONSTRUCTION ACCESS VIA EXISTING DRIVE.
4. NEW WASTE LINE TO BE CONNECTED TO EXISTING SEPTIC TANK.
5. WORK LIMIT TO BE AT EXCLUSIVE USE BOUNDARY AND BE DELINEATED BY STAKED SILT FENCE.
6. ROOF RUNOFF TO BE CONTROLLED BY GUTTERS TO DRYWELLS OR STONE DRAIN AT DRIPLINE.
7. PROVIDE ACCESS STAIRS AT ENTRY.
8. NO CHANGE IN EXISTING DRIVE LAYOUT.
9. ALL CONCRETE OVERPOUR TO BE REMOVED FROM SITE.
10. PROPOSED LANDING, STEPS AND DECKING TO BE CONSTRUCTED ON CONCRETE PIERS AND COMPLIANT WITH CONSTRUCTION IN FLOODPLAIN.

**SITE & SEWAGE PLAN**

LOCUS: **UNIT 2 - 263 SHORE ROAD**  
 TRURO, MA  
 PREPARED FOR: **MARK & I-CHING KATIE SCOTT**  
 2 RAVENSCROFT ROAD  
 WINCHESTER, MA 01890

REFERENCE: ASSR'S MAP  PARCEL

SCALE : 1" = 10' DATE : 2-5-2020  
 SHEET No. 1 OF 1 JOB No. 19066

**FELCO, INC.**  
 ENGINEERING - LAND SURVEYING  
 P.O. BOX 1366 ORLEANS, MA 02653  
 (508) 255-8141 WWW.FELCOENGINEERING.COM

2-2-2021 NOTES
1-17-2021 ADD DECKING
5-15-2020 NEW DECK/STRS.
REVISIONS

# DECISION OF THE ZONING BOARD OF APPEALS

## Special Permit

Atlas Map 17 Parcel 1 Ext2

Address: 263 Shore Road, Unit 2

Case Reference No.: 2021-003/ZBA

Applicant: I-Ching and Mark Scott

Owner: I-Ching and Mark Scott

Title Reference: Barnstable Registry of Deeds, Book 26734 Page 319

Hearing Date: March 22, 2021

Decision Date: March 22, 2021

Vote: X-X

Sitting: *Arthur F. Hultin, Jr., Chair; Fred Todd, Vice Chair; John Dundas; John Thornley; Darrell Shedd; Chris Lucy; Heidi Townsend*

**Motion (M. ; M. second).** In the matter of 2021-003/ZBA, Application of I-Ching and Mark Scott to grant a Special Permit to alter or expand a nonconforming dwelling in the Beach Point Limited Business District under G.L. c. 40A, s. 6 and Section 30.7 and 30.8 of the Zoning Bylaw on property at 263 Shore Road, Unit #2 (Map 17, Parcel 1, Ext. 2), based upon the following materials filed with this Board:

- Application for Hearing
- Certified Abutters List
- Assessor's Records
- Project summary (1 page)
- "Site & Sewage Plan, Unit 2 – 263 Shore Road Truro, MA, prepared for Mark & I-Ching Katie Scott", Scale 1" = 10', dated February 5, 2020, revisions dated May 15, 2020, January 17, 2021, and February 2, 2021
- "Proposed Cottage Foundation, Mark & I-Ching Katie Scott, Unit 2, The 263 Shore Road Condominium, 263 Shore Road, Truro, Foundation Plan – Statement of Elevations, Technical Specifications," dated April 7, 2020.
- "Deck Addition, 263 Shore Road #2, North Truro, MA 02652, Sheets A-0 – A-6" prepared by Ward 2, Architect, Scale: various; dated February 11, 2021.

The following additional materials were submitted:

- Email dated March 2, 2021 from Emily Beebe, Conservation Agent
- Email dated March 1, 2021 from Rich Stevens, Building Commissioner

This Special Permit Decision is based on the following findings of fact:

1. This condominium unit (263 Shore Road Unit # 2) consists of a 368 square foot cottage, constructed in 1935. It is located in the Beach Point Limited Business District.
2. The existing setback from Shore Road is 12 feet, where 25 feet are required.
3. The addition of a deck, landing and stairs at the front of the cottage is proposed, reducing the setback to seven feet. The existing nonconformity will be increased and a special permit is required under G.L. c. 40A, s. 6 and Bylaw Section 30.7.
4. A deck is also proposed for the east side of the cottage, decreasing the side yard setback but still conforming at 26.25 feet; no zoning relief required.
5. The deck and stairs will be needed to access the cottage following the planned elevation of the structure onto a new foundation compliant with floodplain requirements. The floor will be elevated approximately 24 inches above its current elevation, to approximately 36 inches above grade. The height of the structure will increase from 13.5 feet to 15.5 feet, still conforming; no zoning relief required.
6. The Conservation Commission has approved plans for elevation of the structure.
7. The Building Commissioner advises that a pre-construction elevation certificate is required under the Building Code.

Findings under Zoning Bylaw Section 30.7 and Section 30.8 and G.L. c. 40A, s. 6

8. The Board finds that the existing cottage is nonconforming at a front setback of twelve (12) feet where twenty-five feet (25) are required. The proposed deck, landing and stairs on the front of the structure will decrease the setback to seven (7) feet, increasing the existing nonconformity. A special permit is required under G.L. c. 40A, s. 6 and Sections 30.7 and 30.8 of the Zoning Bylaw.
9. The Board finds that proposal is necessitated by the elevation of the structure on a new foundation compliant with requirements for construction in the floodplain. The deck, stairs, and landing will provide access to the dwelling at its raised elevation.
10. The Board finds that decreased front setback will have a very limited impact on the streetscape.
11. Based on the above, the Board finds under Section 30.7 of the Zoning Bylaw that as conditioned herein, the proposed alteration or extension of the nonconforming dwelling will not be substantially more detrimental to the neighborhood than the existing nonconforming structure. The Board further finds that the expansion will exist in harmony with the general purpose and intent of the Bylaw.

12. The Board further finds pursuant to Section 30.8 that the proposed use is in harmony with the general public good and intent of the Zoning Bylaw.
13. The Board likewise finds under G.L. c 40A, s. 6 that the proposed alteration or expansion will not be substantially more detrimental than the existing nonconforming dwelling to the neighborhood.

Conditions

This Special Permit is granted subject to the following conditions:

1. Construction shall conform to the plans referenced in this decision, including referenced building materials.
2. The height of the expanded structure is limited to 15.5 feet.
3. Prior to issuance of an occupancy permit, an architect or engineer on behalf of the Applicant shall certify that the dwelling as built conforms to the above limits and dimensions indicated on the Plans.
4. The use of the Property shall be in strict conformance with the Town of Truro Bylaw.
5. The Applicant shall obtain an elevation certificate as required under the Building Code prior to construction.

This Special Permit shall lapse after two years if substantial use is not commenced with that time. See Zoning Bylaw Section 30.8.

---

Art Hultin, Chair

---

Date

---

---

Received, Office of the Town Clerk:

---

Signature

---

Date

---

---

I hereby certify that this decision was filed with the Office of the Town Clerk on \_\_\_\_\_ and 20 (twenty) days have elapsed since the date of filing, and:

- No Appeal has been filed.
- An Appeal has been filed and received in this office on: \_\_\_\_\_

---

Signature

---

Date

---

---

NOTE: Any person aggrieved by a decision of the Zoning Board of Appeals may appeal to the Superior or Land Court by bringing action within twenty days after the decision has been filed with the Town Clerk of Truro. (Massachusetts General Laws, Chapter 40A, Section 17)

**THE COPY OF THIS DECISION PROVIDED BY THE TOWN CLERK MUST BE FILED WITH THE REGISTER OF DEEDS OF BARNSTABLE COUNTY BY THE APP**