



Town of Truro Planning Board

P.O. Box 2030, Truro, MA 02666

FORM A

APPLICATION FOR DETERMINATION THAT PLAN DOES NOT REQUIRE APPROVAL (ANR)

To the Planning Board of the Town of Truro, MA

Date January 22, 2026

The undersigned owners of all the land described herein submitted the accompanying plan entitled:

Plan of Land in Truro #11 & 17 Fisher Road prepared for the Eleanor M. Kelly Revocable Trust and dated January 16, 2026, requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required.

Property Location: 11 & 17 Fisher Road Map(s) and Parcel(s) Map 54 Parcels 20, 21

Number of Lots Created: 2 Total Land Area: 73,095=+/- sf

The owner's title to said land is derived under deed from Eleanor M. Kelly, dated July 18, 2019, and recorded in the Barnstable Registry of Deeds Book and Page 32164/79 or Land Court Certificate of Title No. _____ registered in Barnstable County.

The undersigned believes that such approval is not required for the following reasons: *(check as appropriate)*

- ☐ The accompanying plan is not a subdivision because the plan does not show a division of land.
- ☐ The division of the tract of land shown on the accompanying plan is not a subdivision because every lot shown on the plan has frontage of at least such distance as is presently required by the Truro Zoning Bylaw under Section 50.1(A) which requires 150 feet for erection of a building on such lot; and every lot shown on the plan has such frontage on:
- ☐ a public way or way which the Town Clerk certifies is maintained and used as a public way, namely _____, or
- ☐ a way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, namely _____ on _____ and subject to the following conditions _____; or
- ☐ a private way in existence on December 8, 1955, the date when the subdivision control law became effective in the Town of Truro having, in the opinion of the Planning Board, sufficient width, suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the proposed use of the land abutting thereon or served thereby, and for the installation of municipal services to serve such land and the buildings erected or to be erected thereon, namely _____.
- ☐ The division of the tract of land shown on the accompanying plan is not a "subdivision" because it shows a proposed conveyance/other instrument, namely _____ which adds to/takes away from/changes the size and shape of, lots in such a manner that no lot affected is left without frontage as required by the Truro Zoning Bylaw under Section 50.1(A), which requires 150 feet.

- ☐ The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings, specifically _____ buildings were standing on the property prior to December 8, 1955, the date when the subdivision control law went into effect in the Town of Truro and one of such buildings remains standing on each of the lots/said buildings as shown and located on the accompanying plan. Evidence of the existence of such buildings prior to the effective date of the subdivision control law as follows:

- ☒ Other reasons or comments: (See M.G. L., c.41, §81-L)

The Plan shows a non-confirming lot to become and remain a part of an abutting lot

All other information as required in the Rules and Regulations Governing Subdivisions of Land shall be submitted as part of the application.

Jeffrey T. Kelly - Trustee
(Printed Name of Owner)

BT 76
(Signature)

Kevin J. Kelly - Trustee
(Printed Name of Owner)

Kevin J.
(Signature)

Jeffrey T. Kelly - Trustee
11 Sachems Tel West Samsbury CT 06092
(Address of Owner(s))

Kevin J. Kelly - Trustee
123 Harbor Dr. Apt 205 Stamford CT 06902
(Address of Owner(s))

Joseph R. Landry
(Printed Name of Agent)

Joseph R. Landry
(Signature)

1 Independence Way Breuster, MA 02631
(Address of Agent)

File ten (10) copies each of this form and applicable plan(s) with the Town Clerk; and a complete copy, including all plans and attachments, submitted electronically to the Planning Department Assistant at esturdy@truro-ma.gov

#11 & 17 Fisher Road ANR Narrative (Parcels 054-020-000 & 054-021-000)

The subject parcels are owned by the Eleanor M. Kelly Revocable Trust. Parcel 054-020-000 (#17) currently has a single family dwelling on it and contains 11,158 s.f. This parcel is a pre-existing, non-conforming lot, getting its access on the existing driveway right of way over the land of Fisher referred to in Deed Book 467 Pages 189-190. Parcel 054-021-000 (#11) is a vacant lot and is shown as Parcel A on Plan Book 446, Page 38.

This plan represents a division of Parcel A into Lots 1 and 2, to increase the area of existing Parcel 054-020-00. The newly created Lot 1 has an overall frontage of 115.76 feet on Fisher Road, with an area of 39,339 s.f. The newly created Lot 2 (with dwelling #17), is a combination of existing parcel 054-020-000 and the remainder of parcel 054-021-000 (Parcel C as shown hereon). Said lot contains an area of 33,756 s.f.

2.2 - APPROVAL NOT REQUIRED (ANR) PLAN ENDORSEMENT REVIEW CHECKLIST - Applicant

Address: <u>11+17 Fisher Road</u> Applicant Name: <u>Jeffrey T Kelly</u> Date: <u>1/2/26</u>				
No.	Requirement	Included	Not Included	Explanation, if needed
2.2.2 Submission Requirements				
Any person may submit a plan seeking endorsement that the plan does not require approval under the Subdivision Control Law by providing the Board with the following:				
a.	A properly executed application for Approval Not Required Endorsement (Form A).	✓		
b.	Ten (10) paper prints of the plan. Said plan shall be prepared in such a manner as to meet the Registry of Deeds and/or Land Court requirements for recording and shall contain the following information:	✓		
b.1	The boundaries, area, frontage and dimensions of the lot or lots for which ANR endorsement is sought.	✓		
b.2	The date of the plan, scale, north arrow and assessor's map and parcel number of all land shown on the plan and directly abutting the land shown on the plan.	✓		
b.3	The name(s) of the owner(s) of record of the lots shown on the plan and of the applicant, together with the name, address seal and signature of the land surveyor who prepared the plan.	✓		
b.4	Relevant zoning classification data.	✓		
b.5	A locus plan containing sufficient information to locate the land and showing streets bounding or providing access to the property.	✓		
<u>b.6</u>	The name(s) of the way(s) on which the lots front, information as to ownership of the way(s) and the physical condition of the way(s) including actual width, <u>surface type</u> and <u>condition</u> .	✓		
b.7	The location and dimension of any natural features which might affect the use of the frontage for access.			N/A
<u>b.8</u>	The location, including setbacks to all lot lines, of all buildings and other structures on the proposed ANR lots shown on the plan.	✓		
b.9	The location of any wetland on the land shown on the plan or within one hundred (100) feet of its boundaries.			N/A
b.10	The location of all bounds and easements on the proposed ANR lots shown on the plan.	✓		

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No.	Requirement	Included	Not Included	Explanation, if needed
b.11	The statement "Approval under the Subdivision Control Law Not Required", and sufficient space for the date of the application submittal and the date of endorsement, docket number and the signatures of all Board members.	✓		
b.12	The statement "Planning Board endorsement of this plan indicates only that the plan is not a subdivision under MGL, Chapter 41, Section 81-L and does not indicate that a lot is buildable or that it meets Zoning, Health or General Bylaw requirements."	✓		

