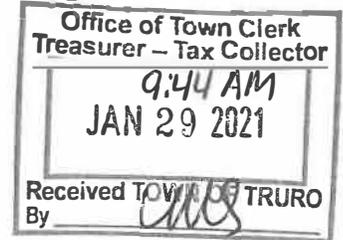




# Truro Planning Board Agenda

## Remote Meeting

Wednesday, February 3, 2021 – 5:00 pm  
[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 [1-877-568-4106](tel:1-877-568-4106) and entering the following access code when prompted: [829-496-565](tel:829-496-565). 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/829496565>

### Public Comment Period

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

### Public Hearing – Continued

**2020-006/SPR – 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). Applicants seek a Residential Site Plan Review under Section 70 of the Truro Zoning Bylaw for demolition and removal of existing single-family dwelling in the Seashore Zoning District and construction of new smaller dwelling at a new location, set back from the coastal bank. The existing dwelling is at risk of sudden destruction due to storm-driven coastal bank erosion in its current location. [*Material in 1/6/2021 and 1/20/2021 packets*]

- ◆ Extension Agreement presented at January 20, 2021 meeting

**Public Hearing**

**2021-001/SPR – Chris Dragon** for property located at 40 Highland Road (Atlas Map 36, Parcel 172). Applicant seeks a Residential Site Plan Review under Section 70 of the Truro Zoning Bylaw for renovation of an existing 1947 home on 3.06 acres: add a 10 x 10 mudroom and 24 x 24 garage in the Seashore Zoning District.

**Board Action/Review**

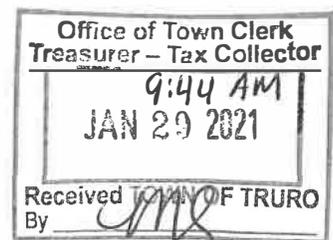
**2020-011/PB – Samantha Perry, Hillside Farm, LLC** seeks approval of Form A – Application for Determination that Plan Does Not Require Approval (ANR) pursuant to Section 2.2 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at 23 Perry Road, Truro MA, Map 45, Parcel 131. [*Material in 10/21/2020 packet*]

- ◆ Extension Agreement presented at December 2, 2020, January 6, 2021, and January 20, 2021 meetings; Title information requested by Board
  
- 2021 ATM Potential Articles and Reports [*Warrant closes 2/26/2021*]
  - ◆ 2020 ATM postponed Warrant Articles
  - ◆ Zoning Bylaw 40.6
  - ◆ Possible Article created with Climate Action Committee – land clearing/grading and protection of natural resources
  
- Policy – late submissions to Board/Agenda
  
- Cloverleaf update
  
- Housing Initiative: “How do we create a more diverse housing stock in Truro that includes a range of year-round housing options for populations including seniors, young families, and members of the local workforce while protecting our water and environment?”
  
- Minutes
  
- Board public workshops:
  - ◆ Wednesday, February 10, 2021 at 2:30 pm

**Minutes** – None

**Next Meeting** – Wednesday, February 17, 2021, at 5:00 p.m.

**Adjourn**





# Town of Truro Planning Board

P.O. Box 2030, Truro, MA 02666

## APPLICATION FOR RESIDENTIAL SITE PLAN REVIEW

To the Town Clerk and the Planning Board of the Town of Truro, MA

Date 12-24-2020

The undersigned hereby files an application with the Truro Planning Board for the following:

- Site Plan Review** pursuant to §70 of the Truro Zoning Bylaw
- Waiver of Site Plan Review** pursuant to §70.9 of the Truro Zoning Bylaw  
(Note: **Site Plan Review shall not be waived in the Seashore District**)

### 1. General Information

Description of Property and Proposed Project "1947 Home on 3.06 AC" Looking to Renovate existing Home & Add a 10x10 mudroom and garage 24x24 Home and Additions = 12748 sq ft

Property Address 40 Highland Rd Truro Map(s) and Parcel(s) 36-172

Registry of Deeds title reference: Book 32799, Page 288, or Certificate of Title Number \_\_\_\_\_ and Land Ct. Lot # \_\_\_\_\_ and Plan # \_\_\_\_\_

Applicant's Name Chris Dragon

Applicant's Legal Mailing Address 22 Ryan Rd Wantage NJ 07461

Applicant's Phone(s), Fax and Email 862-400-9036 Dragonscope1@gmail.com

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

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

- Owner
- Prospective Buyer\*
- Other\*

Owner's Name and Address Chris & Christina Dragon 22 Ryan Rd Wantage NJ 07461

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

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

**2. Waiver(s) Request** – The Planning Board may, upon the request of the applicant, pursuant to §70.4.F, waive requirements of §70.4.C, provided that in the opinion of the Planning Board such a waiver would not be detrimental to the public interest, cause the Town any expense, or be inconsistent with the intent and purpose of this Bylaw. A request for a waiver by the applicant shall be accompanied by a reasonable explanation as to why the waiver is being requested. If multiple waivers are requested, the applicant shall explain why each waiver is requested.

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

### Signature(s)

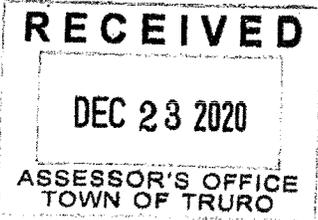
Chris Dragon  
Applicant(s)/Representative Printed Name(s)

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

CDragon  
Applicant(s)/Representative Signature(s)

CDragon  
Owner(s) Signature(s) or written permission

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



TOWN OF TRURO
Assessors Office
Certified Abutters List
Request Form

DATE: 12-21-2020

NAME OF APPLICANT: Chris Pragon

NAME OF AGENT (if any):

MAILING ADDRESS: 22 Ryan Rd Wantage NJ 07461

CONTACT: HOME/CELL 962-400-9036 EMAIL dragoncape1@gmail.com

PROPERTY LOCATION: 40 Highland Rd Truro MA 02652 (street address)

PROPERTY IDENTIFICATION NUMBER: MAP 36 PARCEL 72 EXT. (if condominium)

ABUTTERS LIST NEEDED FOR: (please check all applicable)

FEE: \$15.00 per checked item (Fee must accompany the application unless other arrangements are made)

- Board of Health5, Cape Cod Commission, Conservation Commission4, Licensing, Other, Planning Board (PB), Special Permit1, Site Plan2, Preliminary Subdivision3, Definitive Subdivision3, Accessory Dwelling Unit (ADU)2, Zoning Board of Appeals (ZBA), Special Permit2, Variance1

(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: 12/21/2020

Date completed: 12/23/2020

List completed by: Laura Hayes

Date paid: 12/23/2020 Cash/Check #6120

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

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

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

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

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



**TRURO ASSESSORS OFFICE**

**PO Box 2012 Truro, MA 02666**

**Telephone: (508) 214-0921**

**Fax: (508) 349-5506**

**Date:** December 23, 2020

**To:** Christopher Dragon

**From:** Assessors Department

**Certified Abutters List:** 40 Highland Road (Map 36 Parcel 172)

**Planning Board - Site Plan**

Attached is a combined list of abutters for the property located at 40 Highland Road. The current owner is Christopher & Christina Dragon.

The names and addresses of the abutters are as of December 22, 2020 according to the most recent documents received from the Barnstable County Registry of Deeds.

Certified by:

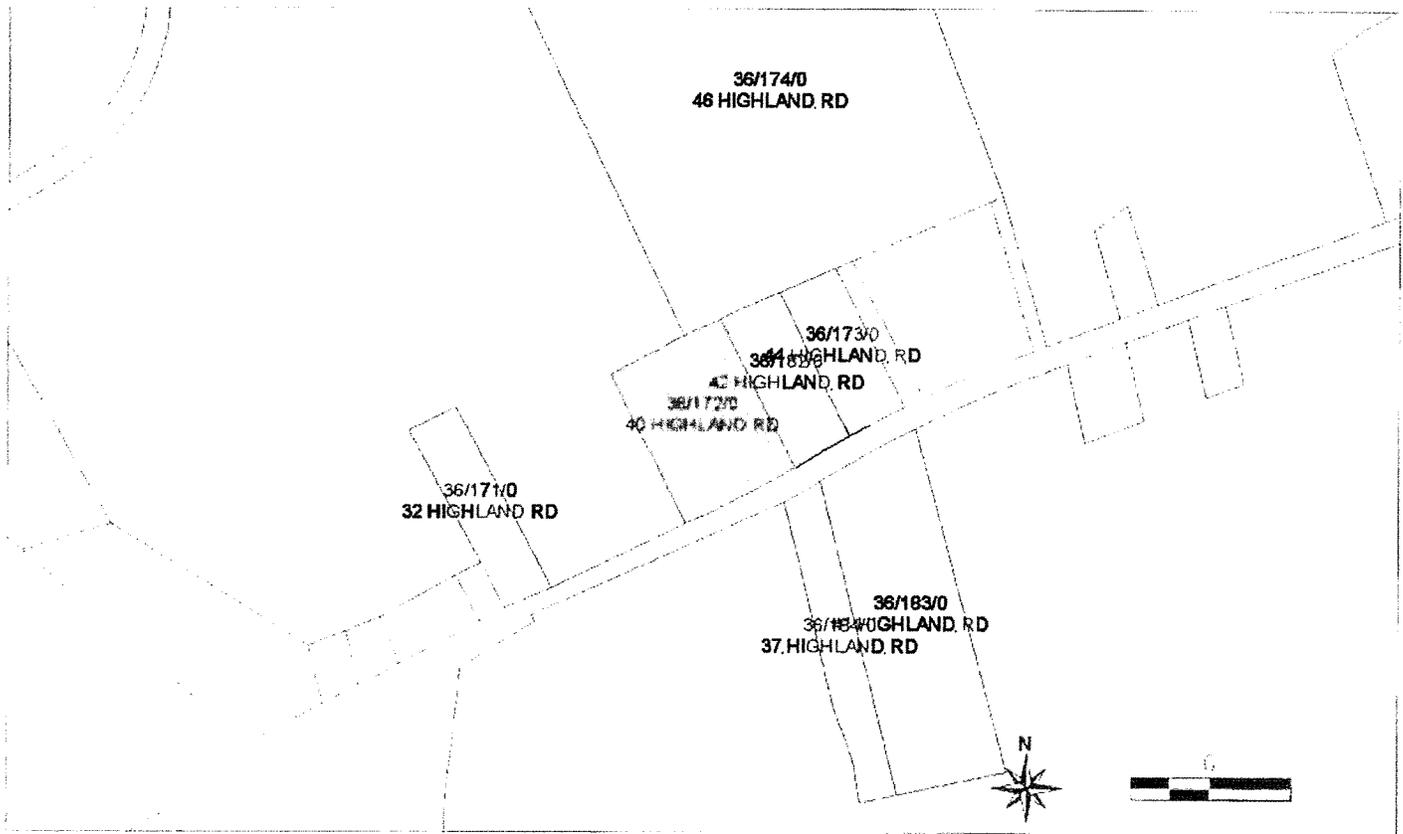
A handwritten signature in black ink, appearing to read "Laura Geiges", is written over a horizontal dotted line.

Laura Geiges

Assistant Assessor / Data Collector

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

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	Zi	Cd/Count
1057	36-171-0-R	PERRY EDWARD L & MARY D	32 HIGHLAND RD	PO BOX 92	NO TRURO	MA		02652-0092
1059	36-173-0-R	A/C MOBILE HOME PARK INC	44 HIGHLAND RD	905 16TH PLACE	VERO BEACH	FL		32960
1060	36-174-0-R	A/C MOBILE HOME PARK INC	46 HIGHLAND RD	905 16TH PLACE	VERO BEACH	FL		32960
1068	36-182-0-R	A/C MOBILE HOME PARK INC	42 HIGHLAND RD	905 16TH PLACE	VERO BEACH	FL		32960
1069	36-183-0-R	MERLINI HEIDI L & TOWNSEND CHRISTOPHER L	41 HIGHLAND RD	PO BOX 645	NORTH TRURO	MA		02652
1070	36-184-0-R	HARNED HARRY E & SUSAN W & HARNED ELIZA B	37 HIGHLAND RD	40 DUNNS CORNER ROAD	MOUNT VERNON	ME		04352
7292	40-999-0-E	USA-DEPT OF INTERIOR Cape Cod National Seashore	0 CAPE COD NATIONAL SEASHORE	99 Marconi Site Rd	Wellfleet	MA		02667

LG 12/23/2020

36-171-0-R

PERRY EDWARD L & MARY D  
PO BOX 92  
NO TRURO, MA 02652-0092

36-173-0-R

A/C MOBILE HOME PARK INC  
905 16TH PLACE  
VERO BEACH, FL 32960

36-174-0-R

A/C MOBILE HOME PARK INC  
905 16TH PLACE  
VERO BEACH, FL 32960

36-182-0-R

A/C MOBILE HOME PARK INC  
905 16TH PLACE  
VERO BEACH, FL 32960

36-183-0-R

MERLINI HEIDI L &  
TOWNSEND CHRISTOPHER L  
PO BOX 645  
NORTH TRURO, MA 02652

36-184-0-R

HARNED HARRY E & SUSAN W &  
HARNED ELIZA B  
40 DUNNS CORNER ROAD  
MOUNT VERNON, ME 04352

40-999-0-E

USA-DEPT OF INTERIOR  
Cape Cod National Seashore  
99 Marconi Site Rd  
Wellfleet, MA 02667

LG 12/23/2020

FREE SHIPPING on Most Orders\*

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# LAMPS PLUS

INSPIRATION SAVED CART

Outdoor Lighting / Contemporary / Troy / RLM Standard 19"H Textured Bronze Outdoor Wall Light - Style # 10N79

## RLM Standard 19"H Textured Bronze Outdoor Wall Light

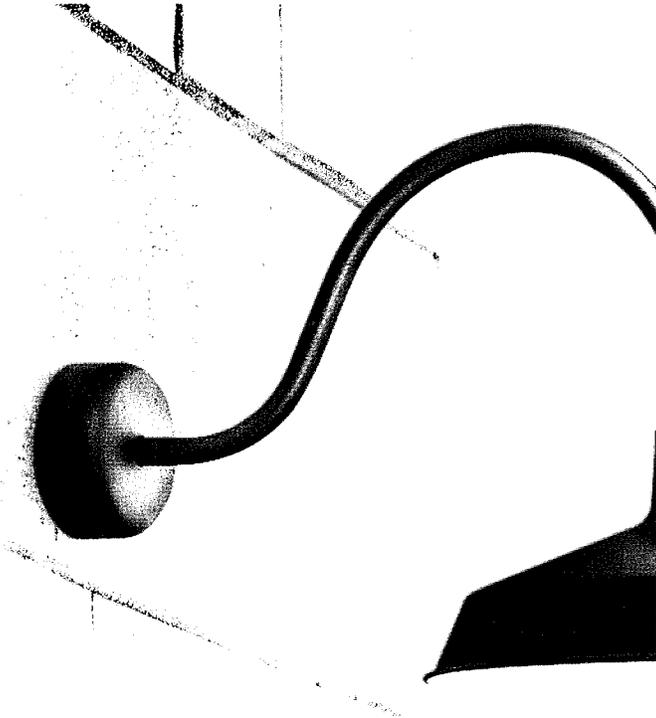
★★★★★ 4 Reviews | 8 Questions, 15 Answers

SALE

**\$164.80**

~~\$206.00~~ | Save \$41.00 | Ends 12/7/20

FREE SHIPPING & FREE RETURNS\* | [Low Price Guarantee](#)  
IN STOCK - [Ships in 1 to 2 Days](#)

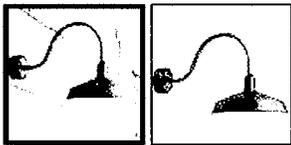


1

SAVE

MORE OPTIONS

(\* "inside" Recessed lighting "Down lighting")



CHAT VIEW IN YOUR ROOM

### PRODUCT DETAILS

Textured bronze gives a classic touch to the modern design of Troy RLM's Standard aluminum outdoor wall light.

#### Additional Info:

A curved arm and aluminum shade with textured bronze finish give a contemporary feel to Troy RLM's Standard aluminum outdoor wall light. Perfect for modern and industrial spaces, the light is cast downward from the gooseneck arm for easy outdoor illumination. Its modern design is bound to endure for years to come. From Troy

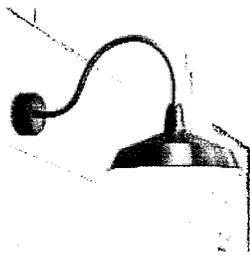
- 19" high x 16" wide. Extends 23" from the wall.
- Shade only is 16" wide x 7 3/4" high. Round backplate is 6" wide.
- Uses one maximum 100 watt standard-medium base bulb (not included).

RLM, a line of downward facing lighting inspired by historical designs. Made in the U.S.A.

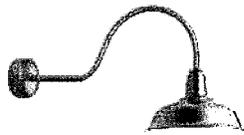
- Part of the Standard collection by Troy RLM.
- Gooseneck top arm inspired by industrial and farmhouse barn light designs.
- Textured bronze finish. Aluminum construction.
- Wet location rated for outdoor use. Can also be used indoors.
- Made to order in the USA. Please note that delivery may take between 4-8 weeks after ordering.

[Shop all Troy](#)

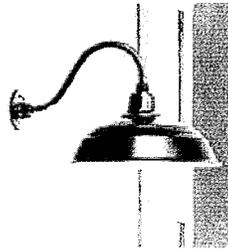
**MORE YOU MAY LIKE**



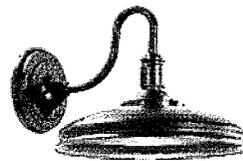
\$164.80



\$174.40



\$172.80



\$123.96



\$159.99

**RELATED ITEMS**



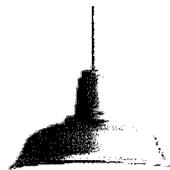
Urban Barn 11 1/4" High Bronze Indoor-Outdoor Wall Light

\$69.99



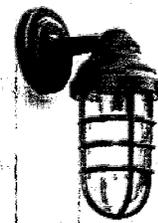
Urban Barn Collection 13" High Bronze Outdoor Wa...

\$79.99



Heavy Duty 16"W Textured Bronze Outdoor Hanging...

\$116.80



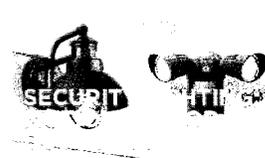
Marlowe 13 1/4" High Bronze Metal Cage Outdoor Wall Light

\$49.95

**RELATED VIDEOS**



Outdoor Lighting Size Guide



Security Lighting



Outdoor Buying Guide



MASSWILDLIFE

DIVISION OF FISHERIES & WILDLIFE

1 Rabbit Hill Road, Westborough, MA 01581
p: (508) 389-6300 | f: (508) 389-7890
MASS.GOV/MASSWILDLIFE

MESA Project Review Checklist

Massachusetts Endangered Species Act M.G.L. c.131A and Regulations (321 CMR 10.00)

1) Project Location:

40 HIGHLAND ROAD TRURO 02666
Street Address/Location City/Town Zip Code
MAP 36 PARCEL 172
Assessors Map/Plat Number Parcel /Lot Number

Property recorded at the Registry of Deeds for:
BARNSTABLE COUNTY

County Certificate # (if registered land)
32799 288
Book Page Number

2) Applicant:

CHRISTOPHER M. AND CHRISTINA J. DRAGON
First Name Last Name Company
22 RYAN ROAD
Mailing Address
WANTAGE NJ 07461
City/Town State Zip Code
Phone Number Fax Number Email address

3) Property owner (if different from applicant):

SAME AS ABOVE
First Name Last Name Company
Mailing Address
City/Town State Zip Code
Phone Number Fax Number Email address

4) Representative (if any):

Company
DAVID LAJOIE FELCO, INC.
Contact Person First Name Contact Person Last Name
P.O. BOX 1366
Mailing Address
ORLEANS MA 02653
City/Town State Zip Code
508-255-8141 X-105 508-255-2954 info@felcoengineering.com
Phone Number Fax Number Email address

**Additional Information**

- 1. Will this project require a filing with the Conservation Commission and/or DEP?  No  Yes
- 2. Has this project previously been issued a NHESP Tracking Number (either by previous NOI Submittal or MESA Information Request Form)?  No  Yes, if Yes -Tracking No. \_\_\_\_\_

**Project Description (attach separate sheet, as needed)**

Please note, certain projects or activities are exempt from review, see 321 CMR 10.14. The MESA does not allow project segmentation. Your filing must reflect all anticipated work associated with the proposed project (CMR 321 10.16).

---

THE PROPOSED WORK AT THIS SITE IS FOR AN EXISTING DWELLING AND CONSISTS OF THE FOLLOWING: PROPOSED ADDITIONS, DECK, GARAGE AND A TITLE 5 SEPTIC SYSTEM.

---

**Include the Following Information:**

ALL Applicants must submit:

- USGS map (1:24,000 or 1:25,000) with property boundary clearly outlined
- Project plans for entire site (including wetland Resource Areas, showing existing and proposed conditions, existing and proposed tree/vegetation clearing line, and clearly demarcated limits of work)
- Assessor's map or right-of-way plan of site
- Statement/proof that applicant is the Record Owner or that applicant is a person authorized in writing by the record owner to submit this filing
- Photographs representative of the site

Projects altering 10 or more acres, must also submit:

- A vegetation cover type map of the site
- Project plans showing Priority Habitat boundaries

The NHESP may request additional information, such as, but not limited to, species and habitat surveys, wetland reports, soil map and reports, and stormwater management reports (321 CMR 10.16). The NHESP will notify the applicant within 30 days if the materials submitted do not satisfy requirements for a filing and request submission of any missing materials (321 CMR 10.18(1)).

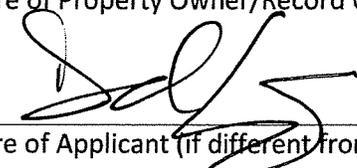
**Filing Fee, Payable to Comm. of MA - NHESP (see website for fee information)**

a. Total MESA Fee Paid \$300.00 b. Acreage of Disturbance 4,800+/- SF c. Total Site Acreage 3+/- AC.

**Required Signatures**

I hereby certify under the penalties of perjury that the foregoing MESA filing and accompanying plans, documents, and supporting data are true and complete to the best of my knowledge.

*See attached email from owner Chris Dragon* 8/31/20  
 Signature of Property Owner/Record Owner of Property \_\_\_\_\_ Date

 8/31/20  
 Signature of Applicant (if different from Owner) \_\_\_\_\_ Date  
 David Cajovic  
 FELCO Agent

## Felco Engineering

---

**From:** Chris Dragon <dragonscape1@gmail.com>  
**Sent:** Monday, August 31, 2020 11:43 AM  
**To:** Felco Engineering

Holly,

I Chirs Dragon authorize FELCO to submit the filing as my representative, for the endangered species act.

Owner Authorization

CASH ONLY IF ALL CheckLock™ SECURITY FEATURES LISTED ON BACK INDICATE NO TAMPERING OR COPYING

**FELCO, INC.**  
ENGINEERING  
LAND SURVEYING

P.O. Box 1366  
Orleans, MA 02653  
508-255-8141

TD BANK, NA  
ORLEANS, MA 02653  
63-7064/2113

33373

8/31/2020

PAY TO THE ORDER OF COMMONWEALTH OF MA - NHESP

\$ \*\*300.00

Three Hundred Only\*\*\*\*\*

DOLLARS

PROTECTED AGAINST FRAUD

COMMONWEALTH OF MA - NHESP

Map 36, Parcel 172

MEMO

MESA Fee - #17090 - Dragon, 40 Highland Rd., Truro

*Holly R. Lajoie*

⑈033373⑈ ⑆211370545⑆ 005037701⑈



Details on Back Intuit® CheckLock™ Secure Check

## Quitclaim Deed

We, John W. Garran Sr. and Tamson A. Garran, Trustees of the Garran Realty Trust u/d/t dated January 17, 1990, which Trust is recorded with the Barnstable County Registry of Deeds in Book 7028, Page 199, of PO Box 101, North Truro, MA 02652,

**in consideration of THREE HUNDRED NINETY THOUSAND AND NO/100 DOLLARS (\$390,000.00) PAID**

**GRANT TO** Christina J. Dragon and Christopher M. Dragon, Wife and Husband as Tenants by the Entirety, of 22 Ryan Road, Wantage, NJ 07461,

With ***QUITCLAIM COVENANTS***

### PARCEL I

The land in Truro at North Truro, Barnstable County, Massachusetts on the North side of the Town Way known as Highland Road, bounded and described as follows:

Beginning at the Southeast corner thereof at an iron pipe on the North side of the Highland Road and on the Westerly side of the Old Coast Guard Road;

thence Westerly by the North side of said Highland Road, one hundred (100) feet to an iron pipe;

thence turning at the angle of ninety (90) degrees and running Northerly in range of land now or formerly of Jennie Madalene Winslow Francis, four hundred thirty-five and six tenths (435.6) feet to an iron pipe;

thence turning at an angle of ninety (90) degrees and running Easterly in range of land of said Francis, about one hundred (100) feet to an iron pipe on the East side of said Old Coast Guard Road at land now or formerly belonging to Eleazer O. and Mertie J. Hopkins;

thence Southerly in range of land of said Hopkins about four hundred thirty-five and six tenths (435.6) feet to the point of beginning.

Containing one (1) acre, more or less.

### PARCEL II

The land in said Truro (North) on the Northerly side of a Town Way known as Highland Road and bounded and described as follows:

Northerly by land now or formerly of William J. Cordery one hundred (100) feet;

Easterly by other land of grantors four hundred thirty-five and 60/100 (435.60) feet;

Southerly by Highland Road, a Town Way, one hundred (100) feet; and

Westerly by said land of said Cordery four hundred thirty-five and 60/100 (435.60) feet.

Containing once acre of land, more or less.

Said premises are subject to the taking on behalf of the Town of Truro of land on the South side thereof for road purposes consisting of about six hundred (600) square feet.

**PARCEL III**

The land in Truro at North Truro, so called Barnstable County, Massachusetts on the North side of the Town Way known as Highland Road, with the dwelling house and all other buildings located thereon, bounded and described as follows:

Northwesterly by other land now or formerly of John R. Dyer et al, one hundred (100) feet;

Northeasterly by other land of the said Dyer four hundred thirty-one and 07/100 (431.07) feet;

Southeasterly by the Town Way known as Highland Road, one hundred four and 10/100 (104.10) feet; and

Southwesterly by other land of grantors, four hundred thirty-five and 86/100 (435.86) feet.

Containing one acre, more or less.

Concrete bound mark the Northeast and Southeast corners or the above described premises.

Grantor(s) releases any and all homestead rights to the within premises, whether created by declaration or operation of law, and further states under the pains and penalties of perjury that there are no other individuals, including grantor's spouse if any therebe, entitled to homestead rights to the property being conveyed herein.

The Trustees hereby certify that:

1. Said Trust is in full force and effect.
2. All beneficiaries are of full age.
3. All the beneficiaries are competent.
4. All the beneficiaries of said Trust have authorized and directed us as Trustees to convey the herein described premises for consideration of \$390,000.00.

Meaning and intending to convey a portion of the premises in deed to Grantor dated 01/17/1990 and recorded in the Barnstable County Registry of Deeds at Book 7028, Page 206, and shown as Map 36, Parcel 172 on the Town of Truro Assessor's Map.

Property Address: 40 Highland Road, North Truro, MA 02652

FELCO JOB # 17090

Map # 36

PERC TESTS: ①

②

Owner Dragon

Pcl # 172

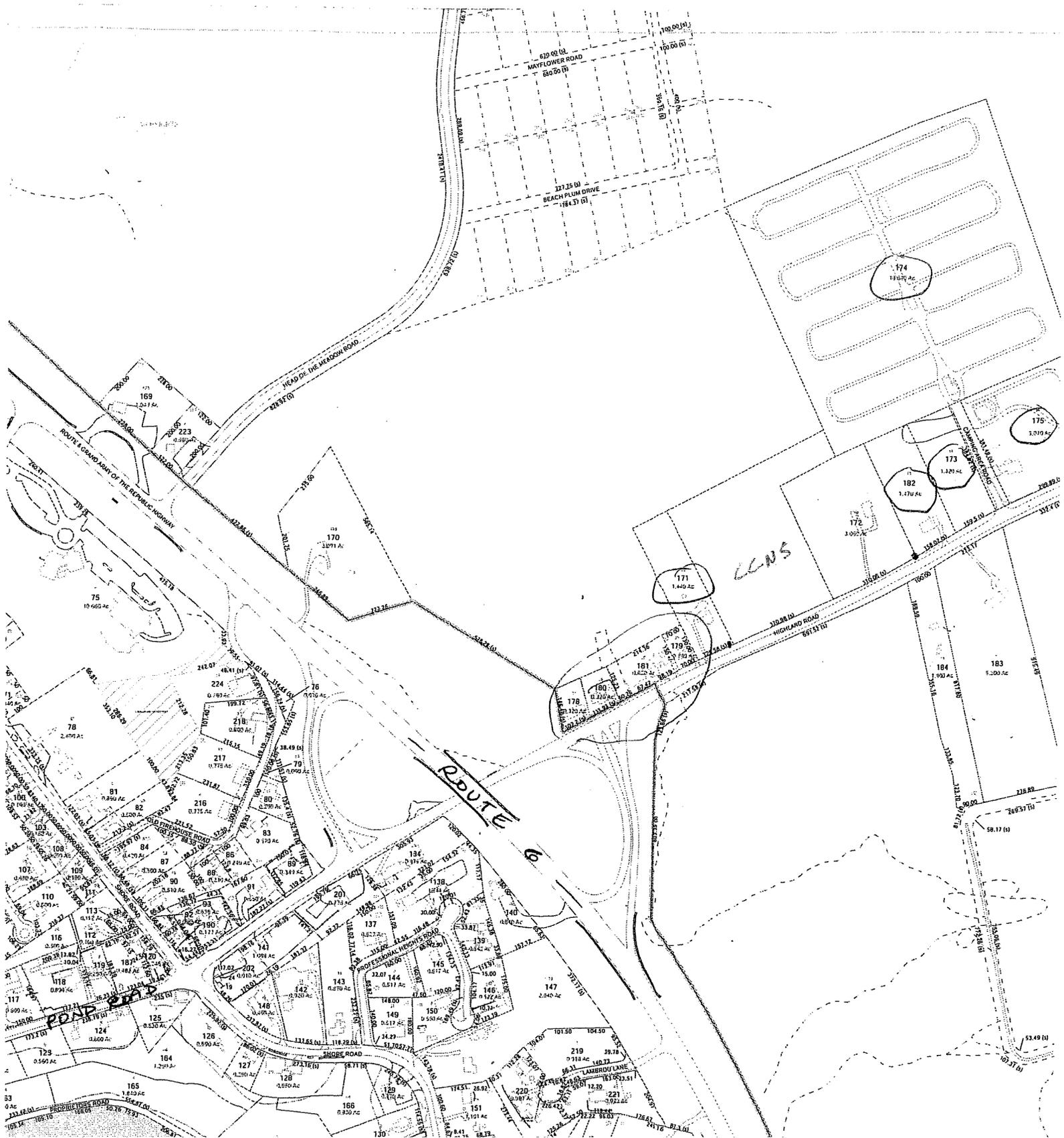
Date: - - -

Client Christopher + Christina

Time: : -

Street # 40 Highland Road Town Truro

Digsafe: # -

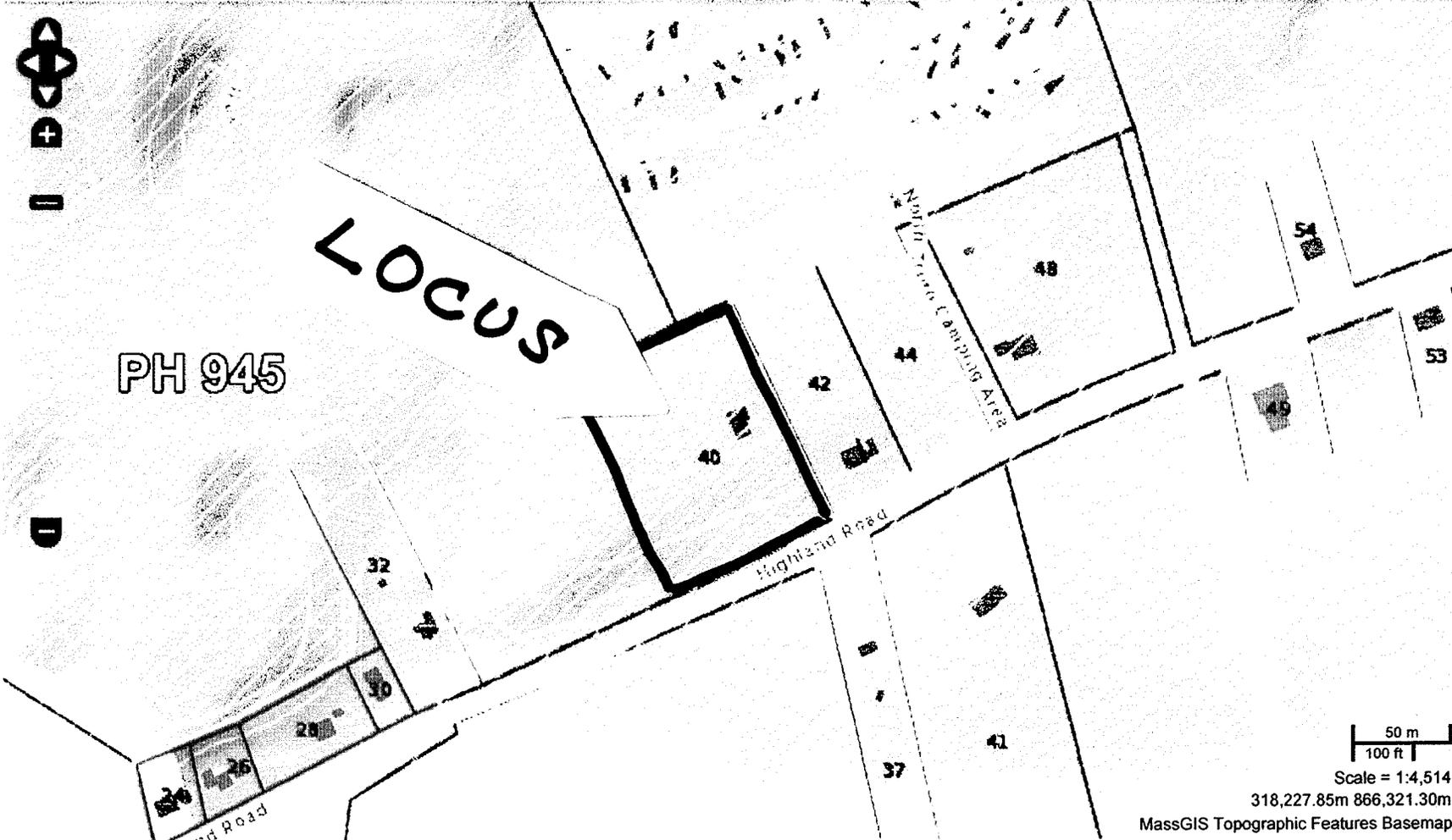




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A  
Y

NORTH T  
AIR FORC



**Available Data Layers**

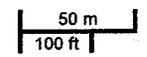
- Search data layers
- Tiled Layers
  - State Facilities
  - Census 1990
  - Census 2000
  - Census 2010
  - Coastal and Marine Fea
  - Conservation / Recreatio
  - Areas of Critical Envi
  - Community Preserva

**Active Data Layers**

- Check all    Uncheck all
- NHESP Priority H:
  - NHESP Estimatec

**Legend**

- NHESP Priority Habitats of R:
- NHESP Estimated Habitats of R:
- NHESP Certified Vernal Pools
- \* Tax Parcels for Query



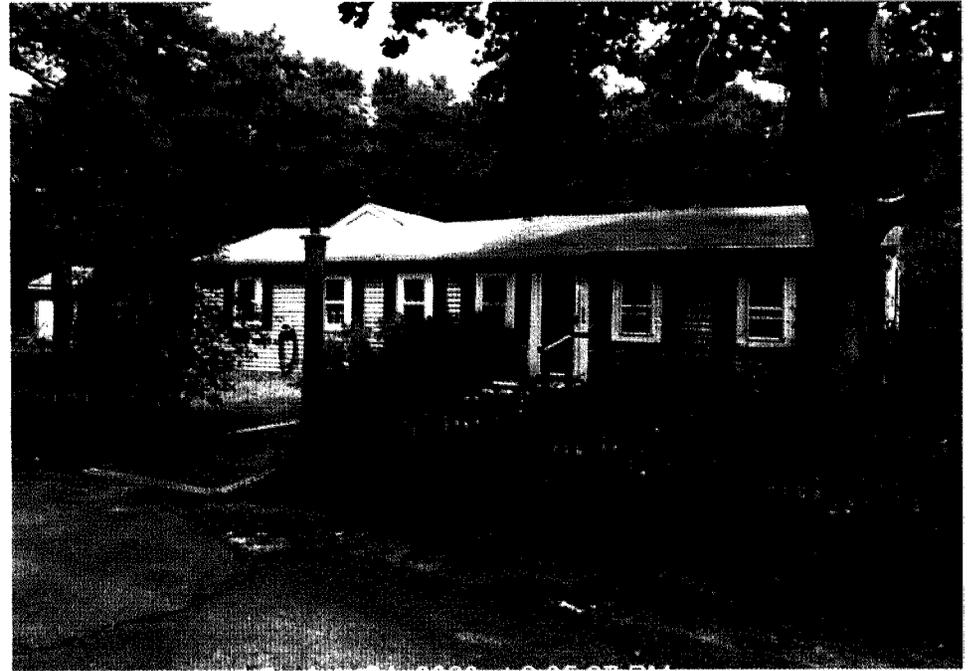
Scale = 1:4,514  
318,227.85m 866,321.30m

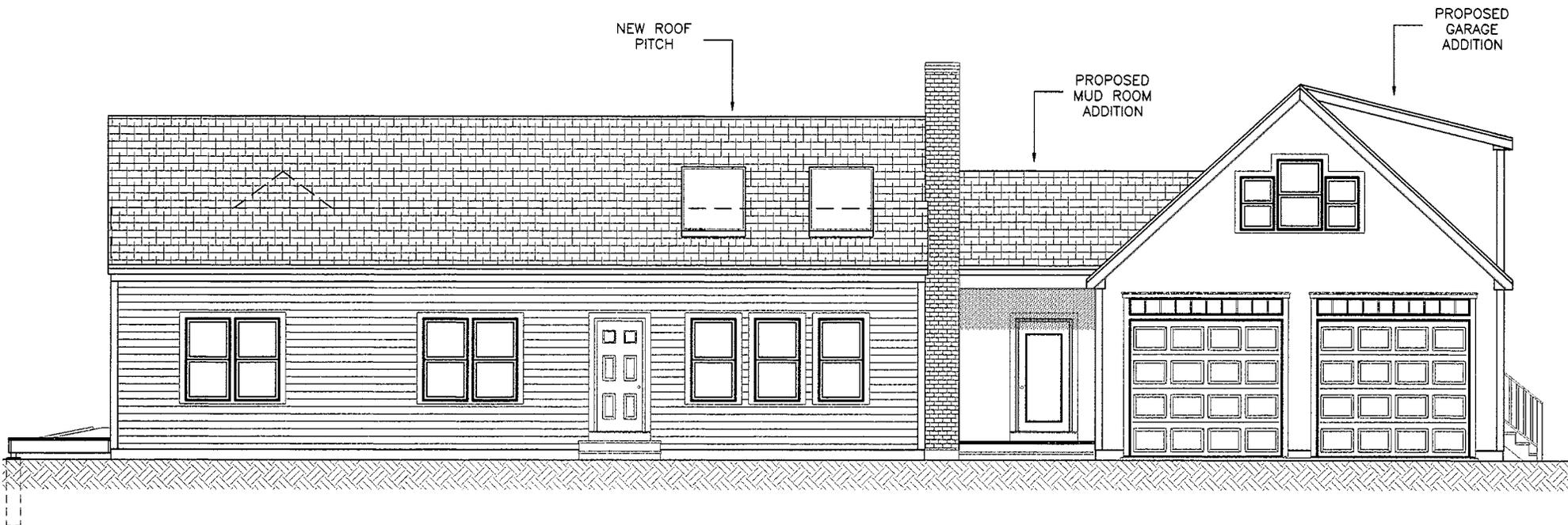
MassGIS Topographic Features Basemap

Basemaps

fully in MESA







PROPOSED  
FRONT ELEVATION  
 ( 1/4" = 1' )



PROPOSED ADDITIONS & RENOVATION

**CHRISTINA & CHRIS DRAGON**

40 HIGHLAND ROAD TRURO

-RENOVATED FRONT ELEVATION W/ ADDITIONS

SEPTEMBER , 2020

REVISED:  
 DECEMBER 5, 2020  
 -DOORS, LANDING & STAIRS

ALL CONSTRUCTION TO BE PERFORMED IN STRICT COMPLIANCE WITH THE MASSACHUSETTS STATE BUILDING CODE, NINTH EDITION AND WOOD FRAME CONSTRUCTION MANUAL FOR ONE- AND TWO-FAMILY DWELLINGS FOR EXPOSURE B WIND LOADS - 110 MPH

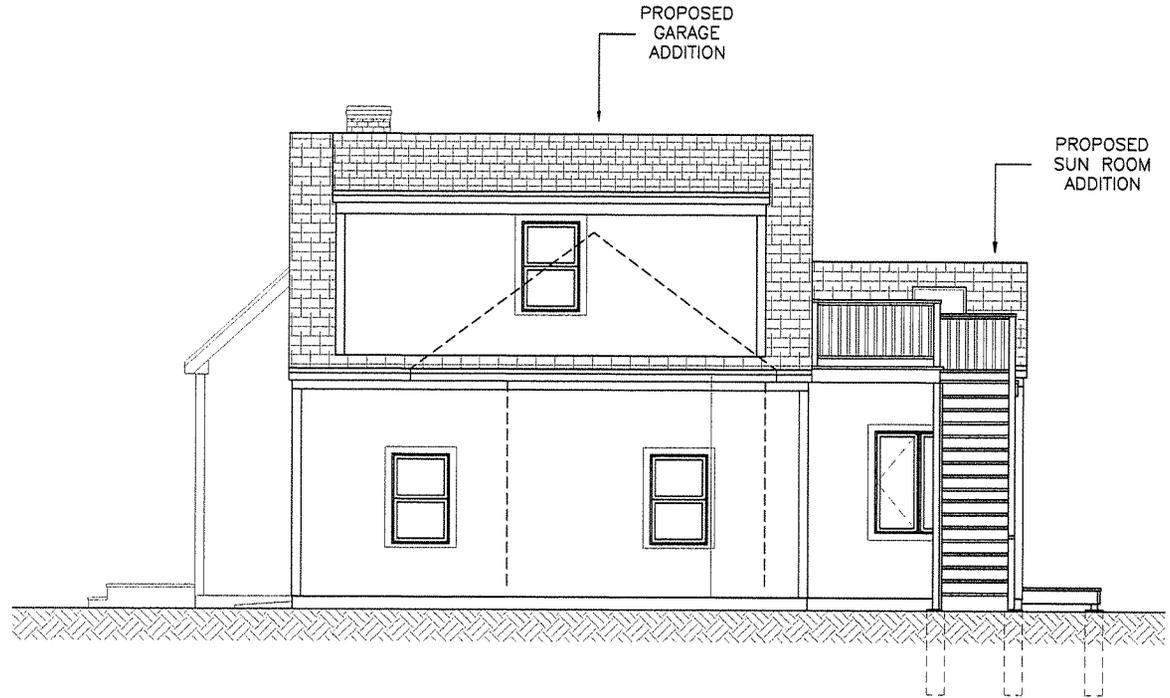
ANY STRUCTURAL ENGINEERING REVIEW, IF NECESSARY, IS AT THE DISCRETION OF THE BUILDING COMMISSIONER AND WILL BE THE RESPONSIBILITY OF THE OWNER

ARC Designs, LLC  
 ALAN R. CORRAL  
 028.737.6881

ALL CONSTRUCTION TO BE PERFORMED IN STRICT COMPLIANCE WITH THE MASSACHUSETTS STATE BUILDING CODE, NINTH EDITION AND WOOD FRAME CONSTRUCTION MANUAL FOR ONE- AND TWO-FAMILY DWELLINGS FOR EXPOSURE B WIND LOADS - 110 MPH

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PROPOSED  
RIGHT SIDE  
ELEVATION  
( 1/4" = 1' )



PROPOSED  
SUN ROOM  
ADDITION

NEW ROOF  
PITCH

PROPOSED  
LEFT SIDE  
ELEVATION  
( 1/4" = 1' )



PROPOSED ADDITIONS & RENOVATION

**CHRISTINA & CHRIS DRAGON**

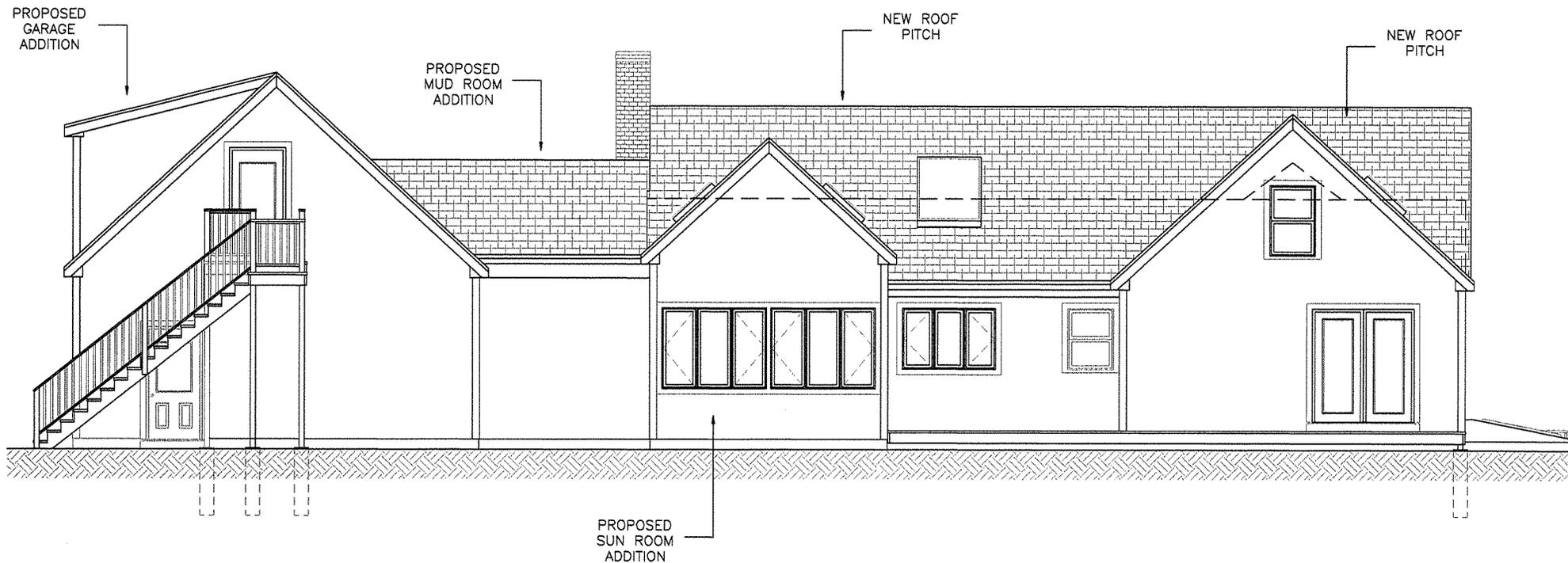
40 HIGHLAND ROAD

-RENOVATED RIGHT SIDE ELEVATION W/ ADDITIONS  
-RENOVATED LEFT SIDE ELEVATION W/ ADDITIONS

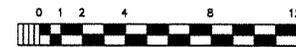
SEPTEMBER, 2020

TRURO

REVISED:  
DECEMBER 5, 2020  
-DOORS, LANDING & STAIRS



PROPOSED  
REAR ELEVATION  
 ( 1/4" = 1' )



PROPOSED ADDITIONS & RENOVATION

**CHRISTINA & CHRIS DRAGON**

40 HIGHLAND ROAD

TRURO

-RENOVATED REAR ELEVATION W/ ADDITIONS

REVISED:  
 DECEMBER 5, 2020  
 -DOORS, LANDING & STAIRS

AUGUST, 2020

3 OF 7

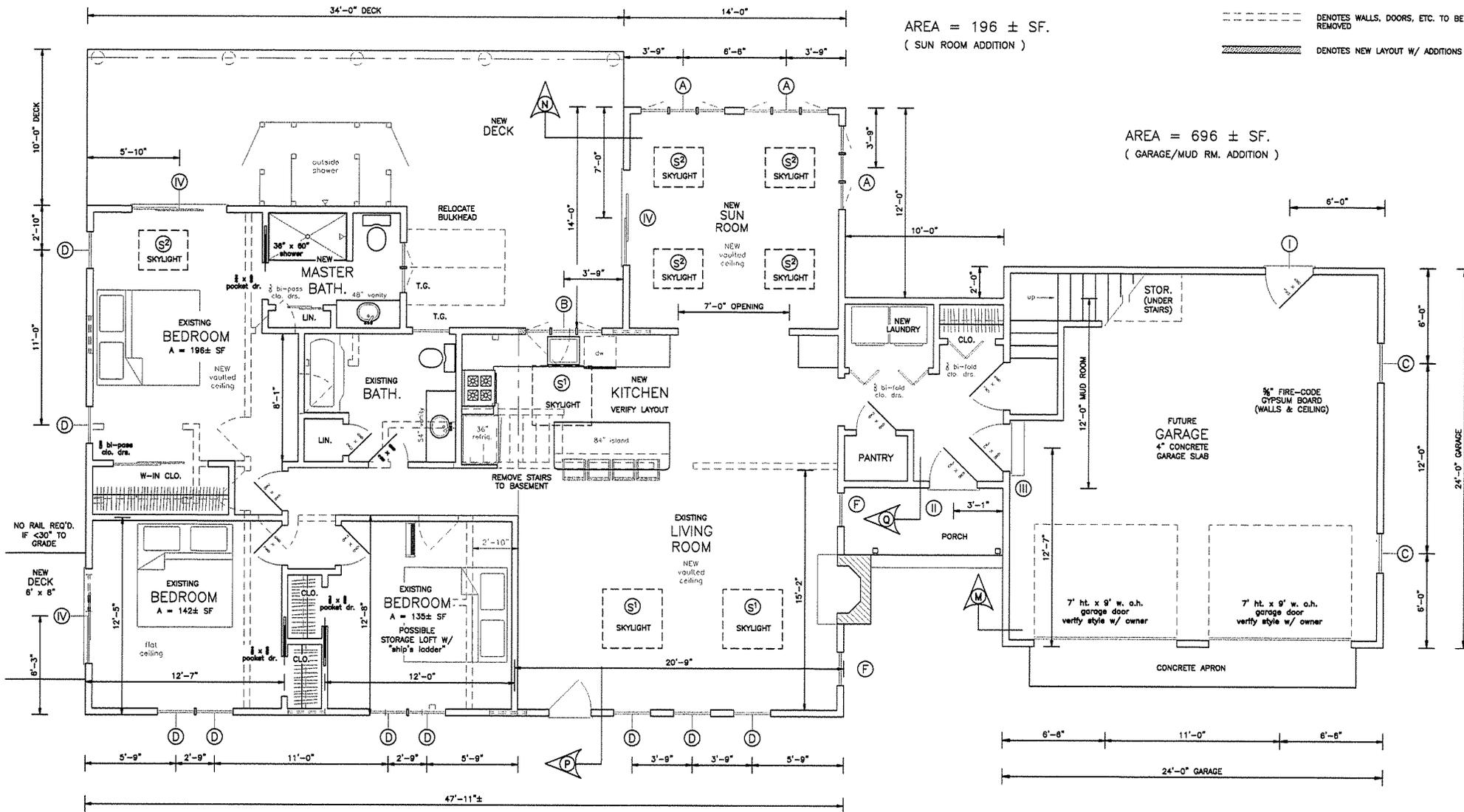
ALL CONSTRUCTION TO BE PERFORMED IN STRICT COMPLIANCE WITH THE MASSACHUSETTS STATE BUILDING CODE, NINTH EDITION AND WOOD FRAME CONSTRUCTION MANUAL FOR ONE- AND TWO-FAMILY DWELLINGS FOR EXPOSURE B WIND LOADS - 110 MPH

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ARC Design, LLC  
 ALAN R. CABRAL  
 688.737.8281

LEGEND

- DENOTES WALLS, DOORS, ETC. TO BE REMOVED
- DENOTES NEW LAYOUT W/ ADDITIONS

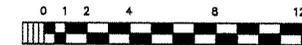


AREA = 196 ± SF.  
( SUN ROOM ADDITION )

AREA = 696 ± SF.  
( GARAGE/MUD RM. ADDITION )

FIRST FLOOR

( 1/4" = 1' )



PROPOSED ADDITIONS & RENOVATION

CHRISTINA & CHRIS DRAGON

40 HIGHLAND ROAD

-RENOVATED FIRST FLOOR PLAN W/ ADDITIONS

AUGUST, 2020

TRURO

4 OF 7

ALL CONSTRUCTION TO BE PERFORMED IN STRICT COMPLIANCE WITH THE MASSACHUSETTS STATE BUILDING CODE, NINTH EDITION AND WOOD FRAME CONSTRUCTION MANUAL FOR ONE- AND TWO-FAMILY DWELLINGS FOR EXPOSURE B WIND LOADS - 110 MPH

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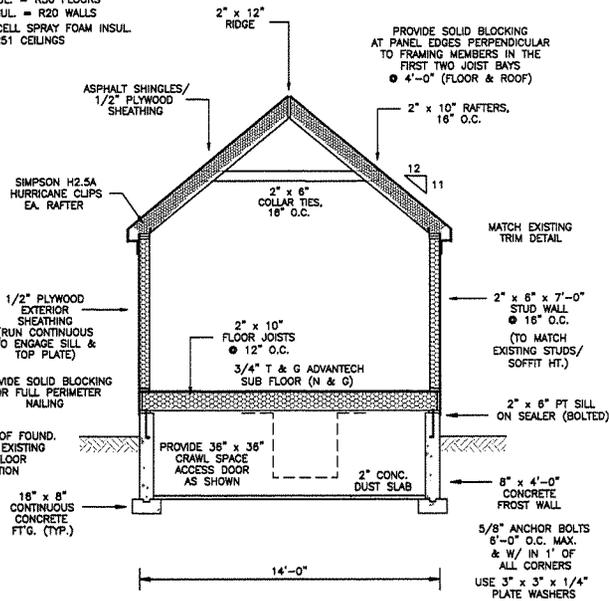
ARC Designs, LLC  
ALAN R. CASRAL  
908.737.8281

REVISED:  
DECEMBER 5, 2020  
-DOORS, LANDING & STAIRS

DOOR & WINDOW SCHEDULE				DRAGON	
KEY	ITEM	QTY	DESCRIPTION	ROUGH OPEN'G	NOTES
A	WINDOW	3	AND. #C35 CASEMENT	72 3/8" x 60 3/8"	DOUBLE STUD POCKET 2 IN ATTIC GABLES
B	"	1	AND. #C335 CASEMENT	61 1/2" x 41 3/8"	
C	"	6	AND. #FW24310 DH	30 1/8" x 48 7/8"	
D	"	8	AND. #FW2448 DH	30 1/8" x 56 7/8"	
E	"	2	AND. #FW18210 DH	22 1/8" x 36 7/8"	
F	"	2	AND. #FW2048 DH	26 1/8" x 56 7/8"	
S1	SKYLIGHT	3	VELUX #S08 SKYLIGHT	44 1/4" x 46 3/4"	
S2	SKYLIGHT	6	VELUX #M04 SKYLIGHT	30 1/8" x 37 7/8"	
T.G. DENOTES TEMPERED GLASS					
REPLACEMENT WINDOWS NOT IDENTIFIED, ARE NOT INCLUDED					
I	DOOR	2	3/0 x 6/8 HALF VIEW FD. DR.	36 1/2" x 63 1/2"	1 IN GARAGE 1 IN BASEMENT
II	DOOR	2	3/0 x 6/8 FULL VIEW FD. DR.	36 1/2" x 63 1/2"	
III	DOOR	2	3/0 x 6/8 STL. FIRE DR.	36 1/2" x 63 1/2"	NO GLASS
IV	FRONT GLDR.	3	AND. #FW6065	72" x 80"	VERIFY DIRECTION

- USE ANDERSEN SERIES 400 H-P LOW E GLASS  
COLOR TO BE DETERMINED BY OWNER
- OPTIONAL INTERIOR / EXTERIOR GRILLE SYSTEM
- VERIFY ALL ROUGH OPENINGS PRIOR TO CONSTRUCTION
- VERIFY ALL MILLWORK PRIOR TO PURCHASE

INSULATION:  
 9" FG INSUL. = R30 FLOORS  
 6" FG INSUL. = R20 WALLS  
 7 1/2" CLOSED CELL SPRAY FOAM INSUL.  
 = R51 CEILINGS



### FRAMING SECTION "N"

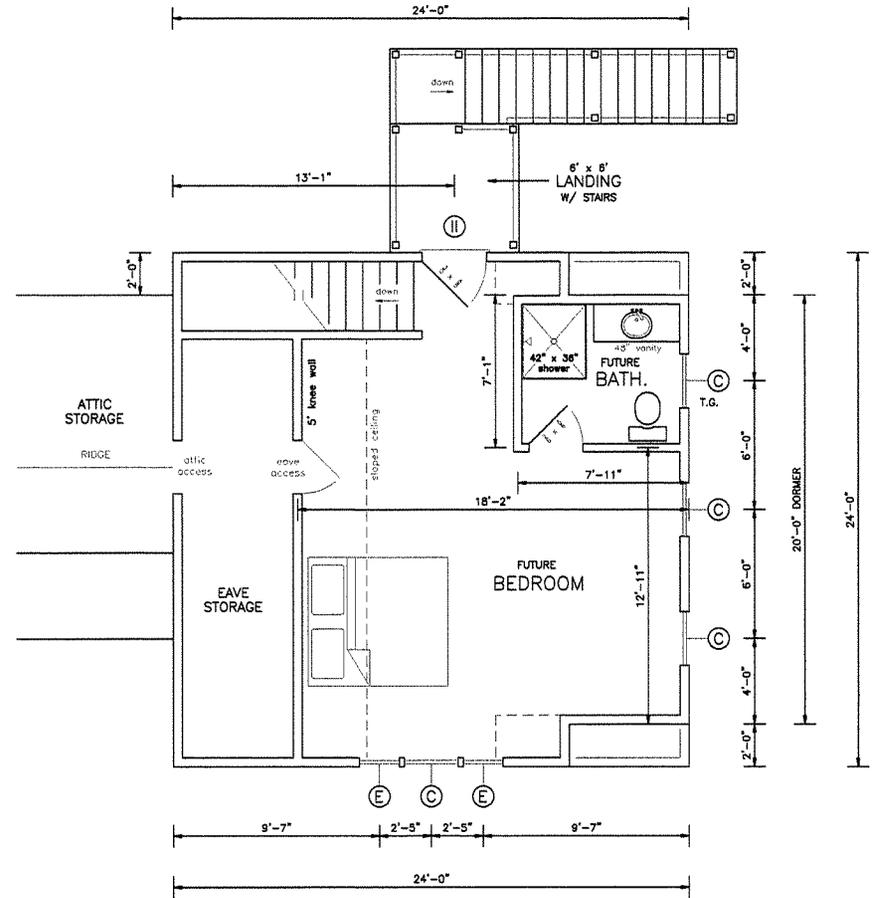
(1/4" = 1')

\* VERIFY ALL DETAILS WITH BUILDER  
 ADJUST AS REQUIRED

ALL CONSTRUCTION TO BE PERFORMED IN STRICT COMPLIANCE WITH THE MASSACHUSETTS STATE BUILDING CODE, NINTH EDITION AND WOOD FRAME CONSTRUCTION MANUAL FOR ONE- AND TWO-FAMILY DWELLINGS FOR EXPOSURE B WIND LOADS - 110 MPH

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ARC Designs, LLC  
 ALAN R. CABRAL  
 506.737.6281

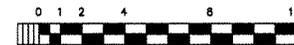


### SECOND FLOOR

(1/4" = 1')

AREA = 442 ± SF.

(TO KNEE WALLS)



PROPOSED ADDITIONS & RENOVATION

## CHRISTINA & CHRIS DRAGON

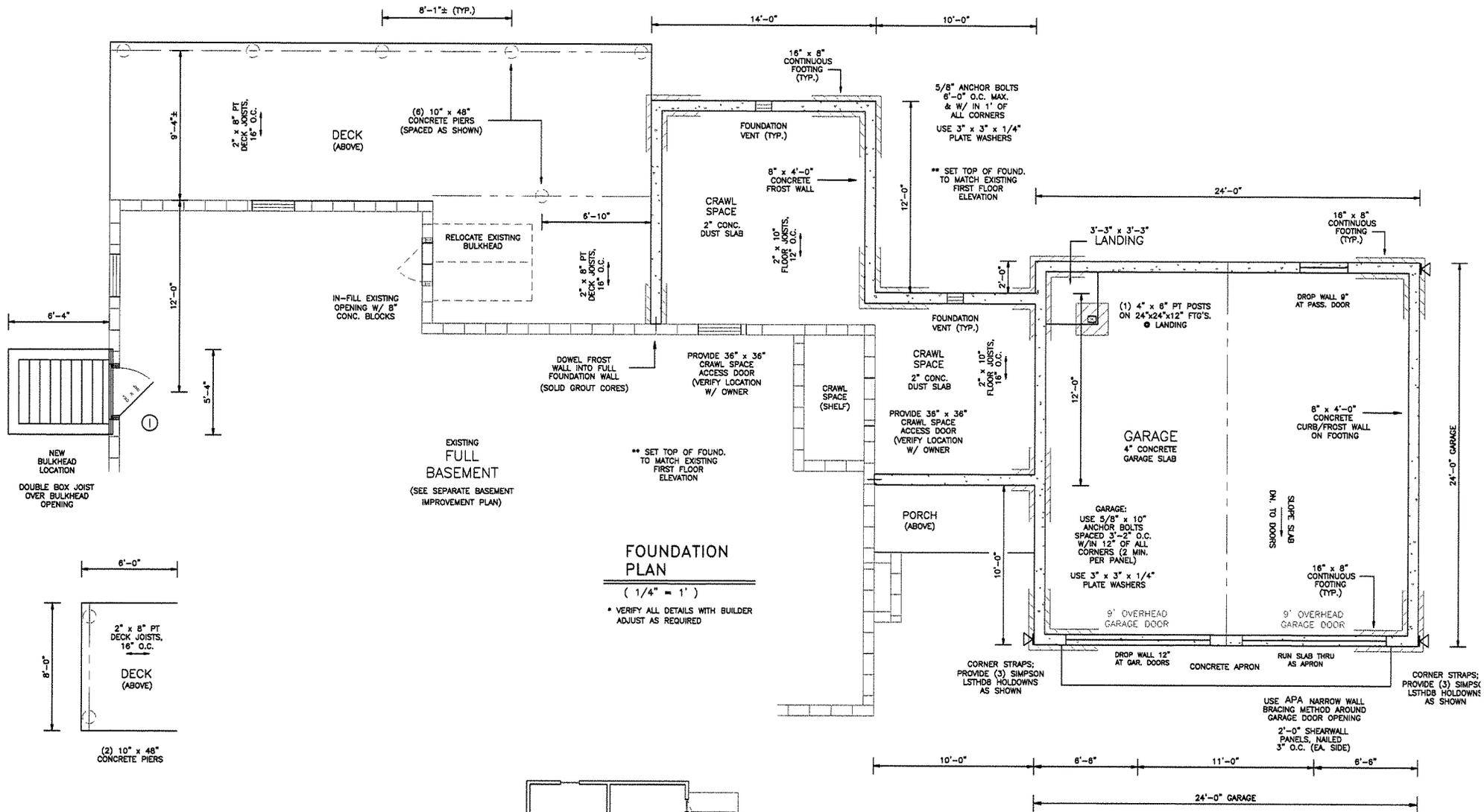
40 HIGHLAND ROAD TRURO

-NEW SECOND FLOOR PLAN -FRAMING SECTION "N"

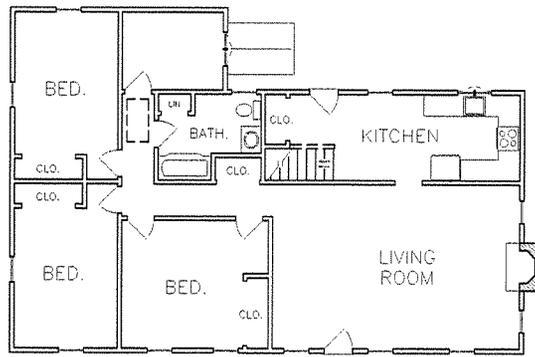
-DOOR & WINDOW SCHEDULE

AUGUST, 2020

REVISED:  
 DECEMBER 5, 2020  
 -DOORS, LANDING & STAIRS



EXISTING  
**FIRST FLOOR**  
(1/8" = 1')

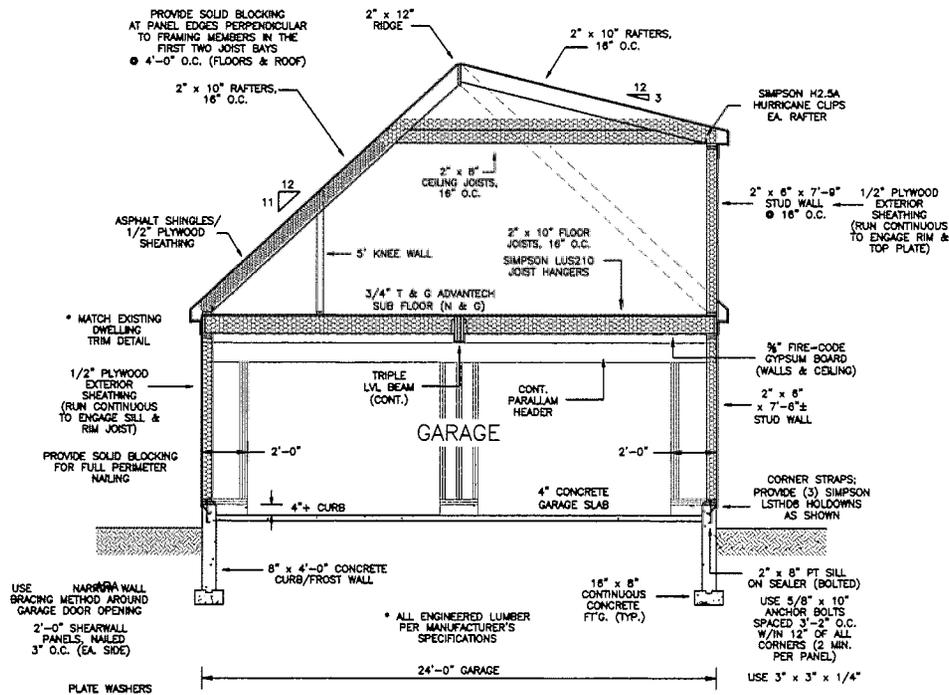


PROPOSED ADDITIONS & RENOVATION  
**CHRISTINA & CHRIS DRAGON**  
40 HIGHLAND ROAD  
-PROPOSED FOUNDATION PLAN  
-EXISTING FLOOR PLAN  
AUGUST, 2020

TRURO

ALL CONSTRUCTION TO BE PERFORMED IN STRICT COMPLIANCE WITH THE MASSACHUSETTS STATE BUILDING CODE, NINTH EDITION AND WOOD FRAME CONSTRUCTION MANUAL FOR ONE- AND TWO-FAMILY DWELLINGS FOR EXPOSURE B WIND LOADS - 110 MPH

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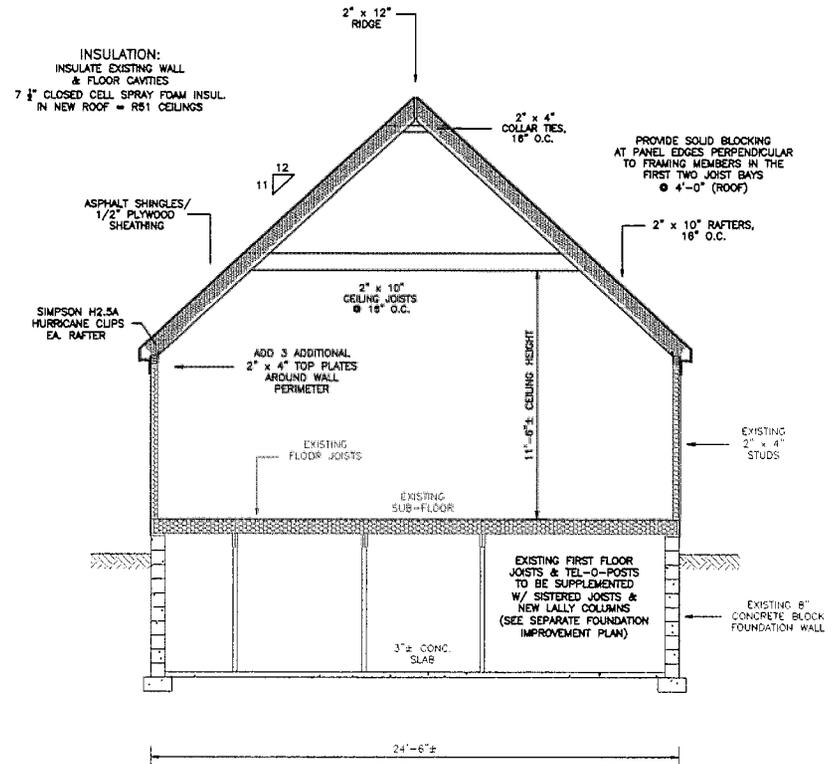


**FRAMING SECTION "M"**

(1/4" = 1')

\* VERIFY ALL DETAILS WITH BUILDER ADJUST AS REQUIRED

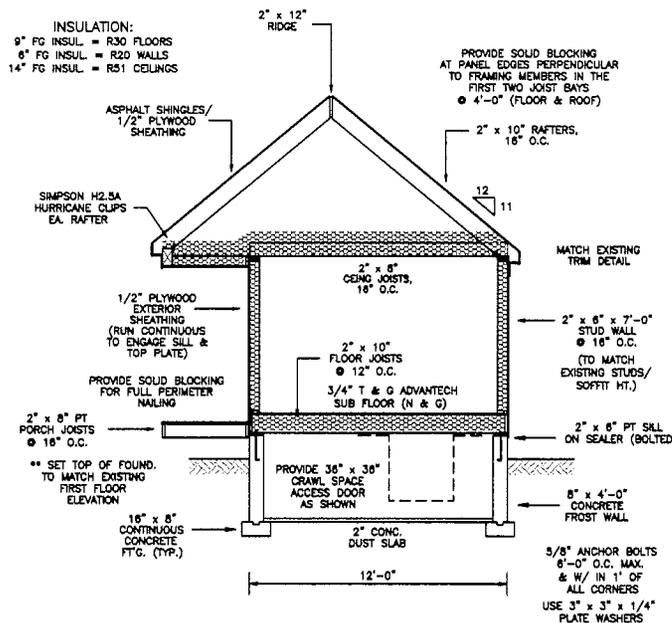
GARAGE INSULATION:  
9" FG INSUL. = R30 FLOORS  
6" FG INSUL. = R20 WALLS  
COMBINATION OF 7 1/2" CLOSED CELL SPRAY FOAM & 14" FG INSUL. = R51 CEILINGS



**FRAMING SECTION "P"**

(1/4" = 1')

\* VERIFY ALL DETAILS WITH BUILDER ADJUST AS REQUIRED



**FRAMING SECTION "Q"**

(1/4" = 1')

\* VERIFY ALL DETAILS WITH BUILDER ADJUST AS REQUIRED



PROPOSED ADDITIONS & RENOVATION

**CHRISTINA & CHRIS DRAGON**

40 HIGHLAND ROAD

-FRAMING SECTION "M" -FRAMING SECTION "P"

-FRAMING SECTION "Q"

AUGUST, 2020

ALL CONSTRUCTION TO BE PERFORMED IN STRICT COMPLIANCE WITH THE MASSACHUSETTS STATE BUILDING CODE, NINTH EDITION AND WOOD FRAME CONSTRUCTION MANUAL FOR ONE- AND TWO-FAMILY DWELLINGS FOR EXPOSURE B WIND LOADS - 110 MPH

ANY STRUCTURAL ENGINEERING REVIEW, IF NECESSARY, IS AT THE DISCRETION OF THE BUILDING COMMISSIONER AND WILL BE THE RESPONSIBILITY OF THE OWNER

**ADDRESSING THE REVIEW CRITERIA**

**§ 70.1 PURPOSE**

The purpose of Site Plan Review for Commercial Development and for Residential Development is to protect the health, safety, convenience and general welfare of the inhabitants of the Town. It provides for a review of plans for uses and structures which may have significant impacts, both within the site and in relation to adjacent properties and streets; including the potential impact on public services and infrastructure; pedestrian and vehicular traffic; significant environmental and historic resources; abutting properties; and community character and ambiance.

**Instructions: Please provide the Planning Board with a short explanation of how your application meets each of the review criteria of §70.4D of the Truro Zoning Bylaw. If you require extra space for your answers, please attach the additional information to your application in no more than two pages.** This is to provide the Planning Board with an overview of your rationale prior to the meeting.

**§70.4D – REVIEW CRITERIA**

The Planning Board shall review Residential Site Plans and their supporting information. It is the intent of Residential Site Plan Review that all new construction shall be sited and implemented in a manner that is in keeping with the scale of other buildings and structures in its immediate vicinity in order to preserve the characteristics of existing neighborhoods. Such an evaluation shall be based on the following standards and criteria:

1. Relation of Buildings and Structures to the Environment. Proposed development relates to the existing terrain and lot and provides for solar and wind orientation which encourages energy conservation because:

Home sits BACK from 40 Highland Road, Driveway goes up from Highland 240' to top of Driveway, ONE shed to the North side of the Home and ONE to the east side.  
Home WAS build in 1947 3 Beds and 1 Bath

2. Building Design and Landscaping. Proposed development is consistent with the prevailing character and scale of the buildings and structures in the neighborhood through the use of appropriate scale, massing, building materials, screening, lighting and other architectural techniques because:

Looking to Renovate existing Home, Add Mud room & garage & Deck in the BACK, septic to code "see stamped plans" MOONS will install septic.

3. Preservation of Landscape. The landscape will be preserved in its natural state insofar as practicable by minimizing any grade changes and removal of vegetation and soil because:

\* Only disturbing south side of Home with Proposed Additions & Sepsic.

\* Only footing in back to support Deck.

\* Will soil & seed disturbed Areas when Completed.

4. Circulation. Curb cuts and driveways will be safe and convenient and will be consistent with Chapter I, Section 9 of the General Bylaws of the Town of Truro because:

(Will Not Disturb) Driveway is in place

5. Lighting. Lighting will be consistent with Chapter IV, Section 6 of the General Bylaws of the Town of Truro. There will be protection of adjacent properties and the night sky from intrusive lighting because:

Only Down lighting will be installed "See Sample"

Very Modest Outdoor lighting, Mostly Recessed fixtures will be used inside.

**70.4 - RESIDENTIAL SITE PLAN REVIEW CHECKLIST - Applicant**

Address: <u>40 Highland Rd Truro</u>		Applicant Name: <u>Chris Tragen</u>		Date: <u>12-24-2020</u>
No.	Requirement	Included	Not Included	Explanation, if needed
<b>C. Procedures and Plan Requirements</b>				
1a.	An original and 14 copies of the Application for Site Plan Review	X		
1b.	15 copies of the required plans and other required information including this Checklist	X		
1c.	Completed Criteria Review	X		
1d.	Certified copy of the abutters list obtained from the Truro Assessors Office	X		
1e.	Applicable filing fee	X		
	<b>Site Plans</b>	X		
2a.	Site Plans shall be prepared, stamped and signed by a Registered Land Surveyor and Professional Engineer	X		
2b.	Site Plans shall be prepared at a scale of one inch equals forty feet (1"=40') or larger	X		
3	Site Plan shall include the following:			
3a. 1	North Arrow and a locus plan containing sufficient information to locate the subject property, such as streets bounding or providing access to the property.	X		
3a. 2	Zoning Information: All applicable Zoning Bylaw information regarding the site's development, both existing and proposed conditions. This information shall be placed in a table format which must list all setbacks; percent of lot coverage, broken out between building, pavement, landscape coverage, etc.; number of buildings; total amount of square feet; and any other applicable zoning information necessary for the proper review of the site plan.	X		
	<u>Existing:</u>			
	All setbacks	X		
	Percent (%) of lot coverage broken out between building, pavement, landscape coverage, etc.;	X		
	Number of buildings	X		
	Total number of square feet	X		<i>See general information</i>
	Any other applicable zoning information necessary for the proper review of the site plan	X		

**70.4 - RESIDENTIAL SITE PLAN REVIEW CHECKLIST - Applicant**

Address: 40 Highland Road Truro Applicant Name: Unity Dragon Date: 12/24/2020

No.	Requirement	Included	Not Included	Explanation, if needed
	Proposed:	X		11134
	All setbacks <u>North 190' East 52' South 160' West 200'</u>	X		
	Percent (%) of lot coverage broken out between building, pavement, landscape coverage, etc.;	X		Building & Shed 2325 Pavement 3200 Lot/Landscape 12769
	Number of buildings	X		3
	Total number of square feet	X		133294
	Any other applicable zoning information necessary for the proper review of the site plan	X		
3a. 3	Assessor and Deed Information: The Truro Assessors Atlas Map(s) and Parcel(s) numbers and all plan and deed references.	X		
3a. 4	Graphic Scale	X		
3a. 5	Title Block - Including:	X		
	name and description of the project;	X		
	address of the property;	X		
	names of the record owner(s) and the applicant(s); and	X		
	date of the preparation of the plan(s) and subsequent revision dates	X		
3a. 6	Legend of All Symbols	X		
3a. 7	Property boundaries, dimensions and lot area	X		
3a. 8	Topography and grading plan	X		
3a. 9	Location, including setbacks of all existing and proposed buildings and additions	X		
3a. 10	Septic system location	X		
3a. 11	Location of (as applicable):	X		
	wetlands	X		
	the National Flood Insurance Program flood hazard elevation, and	X		
	Massachusetts Natural Heritage Endangered Species Act jurisdiction	X		
3a. 12	Driveway(s) and driveway opening(s)	X		
3a. 13	Existing and proposed lighting	X		Down lighting
3a. 14	Existing landscape features both vegetative and structural	X		
3a. 15	Limit of work area (area to be disturbed during construction, including parking and storage of vehicles and equipment) and work staging area(s)	X		Disturbed Area 2400' Using Driveway (for Staging)

Disturbed Area 2400'  
Using Driveway  
(for Staging)

70.4 - RESIDENTIAL SITE PLAN REVIEW CHECKLIST - Applicant

Address: 40 Highland Road FERRIS Applicant Name: CARIS DRAGON Date: 12/24/2020

No.	Requirement	Included	Not Included	Explanation, if needed
	<b>Architectural Plans</b>			
3b.	Architectural plans with all dimensions at a scale of no less than 1/8" = 1'-0", including:	X		
	elevations	X		UNDER TOWN THRESHOLD
	floor plans	X		
3c.	<b>Lighting</b> specification, including style and wattage(s)	X		
	<b>Neighborhood Context:</b>			
3d.	Photographs or other readily available data concerning the location and size of buildings on lots adjacent to or visible from the lot under consideration in order to provide a neighborhood context for the property under consideration	X		
3e.	<b>Re-vegetation/Landscaping plan</b> , including both vegetative and structural features	X		

Just looking to Cleanup Property, very Neglected through year's of Storm Damage. "Home not lived in quite some time", looking to bring the Home Back to its 1947 glory!

# FELCO, INC.

ENGINEERING - LAND SURVEYING

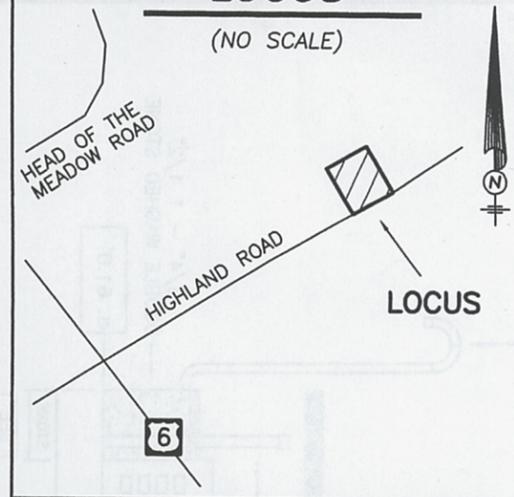
P.O. BOX 1366 ORLEANS, MA 02653  
(508) 255-8141 WWW.FELCOENGINEERING.COM

PLAN REFERENCE:

PLAN BOOK 132 PAGES 9,11,&13  
PLAN BOOK 95 PAGE 25  
DEED BOOK 32799 PAGE 288

## LOCUS

(NO SCALE)

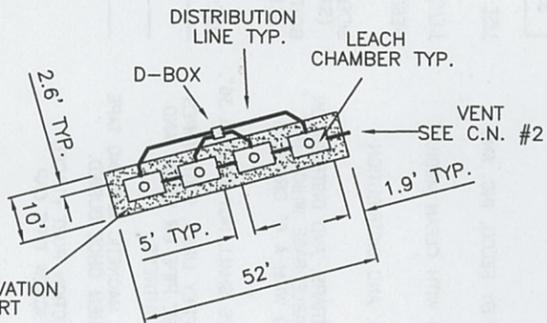


## LEGEND

- EXISTING CESSPOOL
  - EXISTING WELL
  - EXISTING CONTOUR
  - WATER LINE (APPROX.)
  - UNDERGROUND ELECTRIC LINE (APPROX.)
  - TEST HOLE
  - PROPOSED SEPTIC TANK
- CAUTION!!!**  
SEE C.N. #3

PCL. 174

C.C.N.S.



**LEACH AREA DETAIL**  
NO SCALE

PCL. 182

RADIUS PWS# 4300017-05G  
245'± PROTECTIVE

**BENCHMARK**  
PK NAIL SET  
EL. 67.1' MSL±

**CAUTION!!!**  
SEE C.N. #3

**AREA**  
(3± AC.)  
PER ASSESSOR'S

ENTIRE PROJECT SUBJECT TO MESA JURISDICTIONAL REVIEW.

## SITE & SEWAGE PLAN

LOCUS: **40 HIGHLAND ROAD**

TRURO, MA

PREPARED FOR: **CHRISTOPHER & CHRISTINA DRAGON**

22 RYAN ROAD

WANTAGE, NJ 07461

REFERENCE: ASSR'S MAP **36** PARCEL **172**

SCALE: 1" = 40' DATE: 8-20-2018

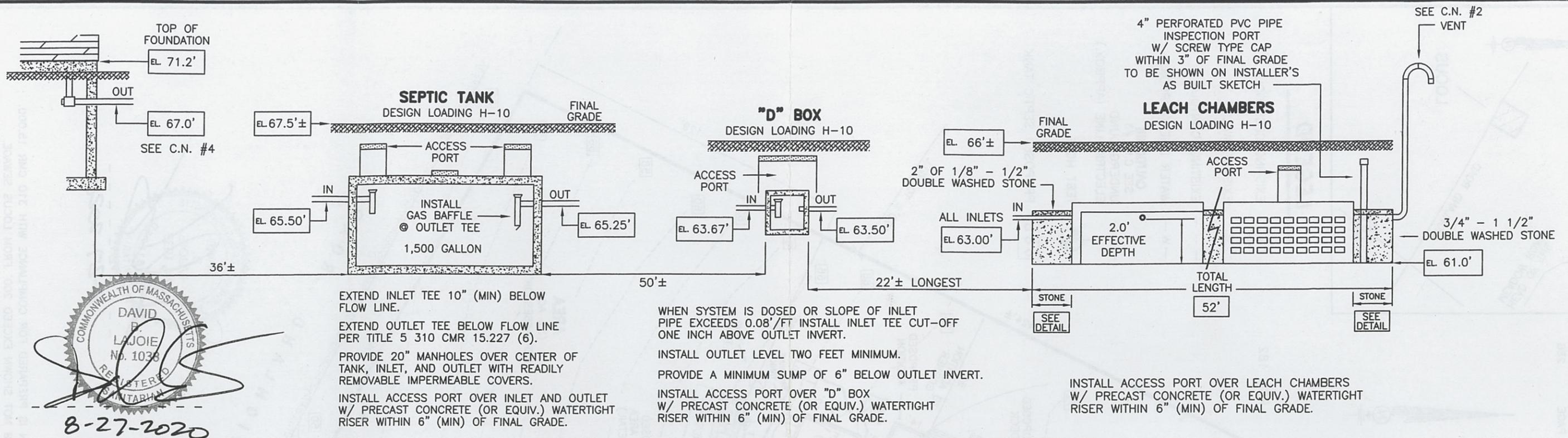
SHEET No. 1 OF 2 JOB No. 17090

OWNER  
8-20-2020  
ADDITION  
5-9-2019  
SOIL TESTS #3/#4  
REVISIONS



8-27-2020

THIS PLAN IS PREPARED FOR COMPLIANCE WITH 310 CMR 15.000.  
ALL WELLS NOT SHOWN EXCEED 200' FROM LOCUS SEWAGE.  
VERIFY ZONING AND UTILITY SETBACK DIMENSIONS PRIOR TO CONSTRUCTION.



COMMONWEALTH OF MASSACHUSETTS  
 DAVID B. LAJOIE  
 No. 1038  
 REGISTERED  
 SURVEYOR  
 8-27-2020

EXTEND INLET TEE 10" (MIN) BELOW FLOW LINE.  
 EXTEND OUTLET TEE BELOW FLOW LINE PER TITLE 5 310 CMR 15.227 (6).  
 PROVIDE 20" MANHOLES OVER CENTER OF TANK, INLET, AND OUTLET WITH READILY REMOVABLE IMPERMEABLE COVERS.  
 INSTALL ACCESS PORT OVER INLET AND OUTLET W/ PRECAST CONCRETE (OR EQUIV.) WATERTIGHT RISER WITHIN 6" (MIN) OF FINAL GRADE.

WHEN SYSTEM IS DOSED OR SLOPE OF INLET PIPE EXCEEDS 0.08'/FT INSTALL INLET TEE CUT-OFF ONE INCH ABOVE OUTLET INVERT.  
 INSTALL OUTLET LEVEL TWO FEET MINIMUM.  
 PROVIDE A MINIMUM SUMP OF 6" BELOW OUTLET INVERT.  
 INSTALL ACCESS PORT OVER "D" BOX W/ PRECAST CONCRETE (OR EQUIV.) WATERTIGHT RISER WITHIN 6" (MIN) OF FINAL GRADE.

INSTALL ACCESS PORT OVER LEACH CHAMBERS W/ PRECAST CONCRETE (OR EQUIV.) WATERTIGHT RISER WITHIN 6" (MIN) OF FINAL GRADE.

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

**DEEP OBSERVATION HOLE LOG**

1. EL. 67.0' DATE: 1-25-2018 SOIL EVALUATOR: D. LAJOIE HEALTH DEPT. WITNESS: L. MULKEEN

DEPTH	LOWEST ELEVATION	HORIZON	TEXTURE	STRUCTURE	MOTTLING	CONSISTENCE
0.0'	66.0'	A	LOAMY SAND	NO	NO	LOOSE
1.0'	66.0'	A	LOAMY SAND	NO	NO	LOOSE
3.0'	64.0'	B	LOAMY SAND	NO	NO	LOOSE
10.0'	57.0'	C	MEDIUM SAND PERC @ 4' <2 MIN/IN	NO	NO	LOOSE

4. EL. 66.5' DATE: 5-2-2019 SOIL EVALUATOR: D. LAJOIE HEALTH DEPT. WITNESS: A. DAVIS

DEPTH	LOWEST ELEVATION	HORIZON	TEXTURE	STRUCTURE	MOTTLING	CONSISTENCE
0.0'	66.0'	O	ORGANICS			
0.5'	66.0'	O	ORGANICS			
1.5'	65.0'	E	LOAMY SAND	NO	NO	LOOSE
3.0'	63.5'	B	LOAMY SAND	NO	NO	LOOSE
10.0'	56.5'	C	MEDIUM SAND PERC RATE <2 MIN/IN	NO	NO	LOOSE

2. EL. 67.0' DATE: 1-25-2018 SOIL EVALUATOR: D. LAJOIE HEALTH DEPT. WITNESS: L. MULKEEN

DEPTH	LOWEST ELEVATION	HORIZON	TEXTURE	STRUCTURE	MOTTLING	CONSISTENCE
0.0'	66.0'	A	LOAMY SAND	NO	NO	LOOSE
1.0'	66.0'	A	LOAMY SAND	NO	NO	LOOSE
3.0'	64.0'	B	LOAMY SAND	NO	NO	LOOSE
10.0'	57.0'	C	MEDIUM SAND PERC @ 4' <2 MIN/IN	NO	NO	LOOSE

3. EL. 66.5' DATE: 5-2-2019 SOIL EVALUATOR: D. LAJOIE HEALTH DEPT. WITNESS: A. DAVIS

DEPTH	LOWEST ELEVATION	HORIZON	TEXTURE	STRUCTURE	MOTTLING	CONSISTENCE
0.0'	66.0'	O	ORGANICS			
0.5'	66.0'	O	ORGANICS			
1.5'	65.0'	E	LOAMY SAND	NO	NO	LOOSE
3.0'	63.5'	B	LOAMY SAND	NO	NO	LOOSE
10.0'	56.5'	C	MEDIUM SAND PERC @ 5' <2 MIN/IN	NO	NO	LOOSE

**CONSTRUCTION NOTES**

- PROHIBIT VEHICLE TRAFFIC OVER SEPTIC SYSTEM OR USE H-20 LOAD RATED COMPONENTS.
- PROVIDE VENT PER 310 CMR 15.241 PROVIDE CHARCOAL FILTER ON VENT.
- LOCATE AND VERIFY UNDERGROUND ELECTRIC LINE PRIOR TO CONSTRUCTION. DISCONNECT POWER AND RELOCATE LINE AS REQUIRED.
- ALL WASTE LINES TO BE CHANGED TO EXIT AT LOCATION AND ELEVATION SHOWN.
- RELOCATE PROPANE GAS TANK AS REQUIRED.

**GENERAL NOTES**

- ALL CONTRACTORS AND/OR INSTALLERS ARE RESPONSIBLE FOR PROVIDING AND MAINTAINING A SAFE WORK AREA.
- CONTRACTORS AND/OR INSTALLERS: VERIFY ALL UTILITY LOCATIONS PRIOR TO CONSTRUCTION.
- CONTRACTORS AND/OR INSTALLERS: VERIFY ALL WASTE LINE LOCATIONS PRIOR TO CONSTRUCTION.
- CONSTRUCTION DETAILS TO BE IN ACCORDANCE WITH STATE SANITARY CODE 310 CMR 15.000 AND TOWN BOARD OF HEALTH REQUIREMENTS.
- ELEVATION DATUM IS FROM  U.S.G.S. QUAD. MAP.  N.A.V.D.
- MUNICIPAL WATER IS AVAILABLE  YES  NO
- ANY ALTERATIONS TO DESIGN MUST BE APPROVED BY FELCO, INC. AND TOWN BOARD OF HEALTH.
- ALL EXISTING SEWAGE TO BE PUMPED AND FILLED WITH CLEAN MEDIUM SAND.
- SEPTIC TANKS, DOSING CHAMBERS, GREASE TRAPS, AND DISTRIBUTION BOXES SHALL BE INSTALLED WATERTIGHT.
- WHEN SEPTIC TANK, DOSING CHAMBERS, GREASE TRAPS, AND DISTRIBUTION BOXES ARE PLACED IN FILL, PROVIDE A LEVEL STABLE BASE WHICH HAS BEEN MECHANICALLY COMPACTED. VIRGIN GROUND WITH A 6" CRUSHED STONE BASE IS OTHERWISE ADEQUATE.
- GROUND COVER OVER SEPTIC SYSTEM COMPONENTS SHALL NOT EXCEED 36".
- WHEREVER SEWER LINES MUST CROSS WATER SUPPLY LINES, BOTH PIPES SHALL BE CONSTRUCTED OF CLASS 150 PRESSURE PIPE OR EQUIV. AND SHALL BE PRESSURE TESTED TO ASSURE WATERTIGHTNESS.
- ALL SYSTEM COMPONENTS SHALL BE MARKED WITH MAGNETIC MARKING TAPE OR A COMPARABLE MEANS IN ORDER TO LOCATE THEM ONCE BURIED.
- PROVIDE (1) MIN. 4" PERFORATED PVC PIPE INSPECTION PORT PLACED VERTICALLY DOWN TO STONE/SAND INTERFACE W/ SCREW TYPE CAP WITHIN 3" OF FINAL GRADE PER 310 15.240 (13).

**DESIGN**

EXISTING FLOW DETERMINATION  3 BEDROOM DWELLING  
 PROPOSED FLOW DETERMINATION  5 BEDROOM CAPACITY  
 GARBAGE GRINDER  NO  YES  
 FLOW RATE =  GAL/DAY  
 SEPTIC TANK SIZING:  
 x 2.0 =  GAL/DAY  
 USE: 1,500 GAL.  
 LEACHING FACILITY CALCULATIONS:  
 PERCOLATION RATE IS <  MIN/INCH  CLASS  
 SIDEWALL =  (S.F.)  
 BOTTOM =  (S.F.)  
 x  =  GAL/DAY  
 USE: (4) 4.8' x 8.3' LEACH CHAMBERS  
 W/ STONE AS SHOWN IN DETAIL  
 = 52' LONG x 10' WIDE x 2' DEEP

**FELCO, INC.**  
 ENGINEERING - LAND SURVEYING

JOB No : 17090	NAME : DRAGON
DATE : 8-20-2018	SHEET 2 OF 2
REVISIONS : 5-9-2019 SOIL TESTS #3/#4	OWNER/8-20-2020 ADDITION

**SECTION 40**  
Special Regulations

§ 40.1 Duplex Houses and Apartments

- A. Purpose. For the purpose of promoting the more efficient use of land, in keeping with the protection of the quality of life and ecology, and at the same time giving relief to those with problems of obtaining adequate housing, the Board of Appeals may approve a special permit authorizing the new construction of duplex houses or the conversion of single family dwellings to apartments, consistent with the following conditions.
- B. New Construction. Lots of one acre or more are required for new construction; the duplex shall not exceed 3,000 sq. ft.; the requirements of paragraph D shall be met.
- C. Conversion. Conversion of single family dwellings in any zoning district except the Seashore District and the Water Resource Protection District may be approved by special permit from the Board of Appeals. Lots shall meet current minimum lot area requirements; no more than one apartment in addition to the primary dwelling unit may be created from any one single family dwelling; the floor area of the secondary dwelling unit shall not exceed 50% of that of the primary dwelling unit; the floor area of the secondary dwelling unit shall not exceed 600 sq. ft.
- D. Requirements. All new construction or conversions shall comply with the following.
  - 1. All applicable provisions of the building, health and safety codes, as determined by the Building Commissioner and Board of Health shall be met.
  - 2. One unit shall be owner occupied.
  - 3. The applicant shall demonstrate that the new construction or conversion is essential to provide needed housing.
  - 4. The new construction or conversion is compatible with and will not derogate from or be detrimental to the neighborhood.
  - 5. Section 50, Area and Height regulations of this bylaw.
  - 6. The use is in harmony with the general purpose and intent of the bylaw.

§ 40.2 Accessory Dwelling Unit

(04/17)

- A. The purposes of this bylaw are to:
  - 1. Increase the number of moderately priced, year-round rental dwelling units in Truro;
  - 2. Encourage a more economical and energy-efficient use of the Town's housing supply; and
  - 3. Provide homeowners with a means of obtaining rental income to defray housing costs.
- B. Requirements
  - 1. One Accessory Dwelling Unit (ADU) per buildable lot may be allowed in any zoning district by obtaining an ADU Permit from the Planning Board.
  - 2. An ADU may be established within or attached to a principal dwelling, principal structure, or accessory structure, or constructed as a detached unit, and must be located on the same lot as the primary dwelling.
  - 3. The ADU must be in conformity with the State Building Code, Title V of the State Sanitary Code and all applicable town health, building, zoning and other local laws and regulations.
  - 4. An ADU within or attached to a principal dwelling, principal structure or accessory structure that is a pre-existing nonconforming use or structure shall not increase any existing nonconformity or create a new nonconformity without first obtaining a Permit or Variance, respectively, from the Zoning Board of Appeals.

C. ADU Permit Criteria

1. The ADU shall be a complete, separate housekeeping unit containing both kitchen and sanitary facilities.
2. The ADU shall not contain more than one thousand (1,000) square feet nor less than four hundred (400) square feet of Gross Floor Area as that term is defined in Section II of this Zoning Bylaw. Once an ADU has been added to a dwelling, structure or lot, the ADU shall not be enlarged beyond the square footage specified in the permit granted pursuant to this section without first obtaining a subsequent permit from the Planning Board, and in no case shall an ADU be permitted to exceed the square footage allowed by this section.
3. At least two (2) off street parking spaces in addition to parking otherwise required for the property is required for an ADU.
4. An ADU shall be clearly subordinate in use, size and design to the principal dwelling or structure, considering the following: building architectural details, roof design, building spacing and orientation, building screening, door and window size and location, and building materials. When accessory to a principal dwelling, the intent is to retain the appearance of a single-family dwelling and the privacy of abutters.
5. The principal dwelling and ADU and lot on which they are located shall remain in common ownership, and shall not be severed in ownership, including that the lot, buildings or units thereon shall not be placed in a condominium form of ownership.
6. Either the ADU or the principal dwelling on a lot with an ADU must be leased for a term of at least twelve (12) months. Rental of said unit for a period of less than twelve (12) months (including, but not limited to, seasonal rental and rental through vacation rental services and websites) is prohibited. Proof of year-round rental shall be provided annually to the Building Commissioner by the owner in the form of a lease and a signed affidavit from both the owner and renter stating the unit is being rented accordingly and is used as a primary residence.
7. ADUs permitted under this section shall be inspected annually or as frequently as deemed necessary by the Health and Building Departments for compliance with public safety and public health codes. The owner of the property shall be responsible for scheduling such inspection and shall pay any applicable inspection fees.

D. Procedure

1. Each application for a Permit shall be filed by the Applicant with the Town Clerk consisting of:
  - a. An original and 14 copies of the Application for ADU Permit;
  - b. 15 copies of the required plans and other required information under §40.2;
  - c. Applicable filing fee;
  - d. List of abutters obtained from the Truro Assessing Department;
  - e. Site Plan or Site and Sewage Plan prepared by a registered professional engineer or registered sanitarian showing all property lines, existing and proposed structures on the parcel, and setbacks from roads and property lines for each structure. Building dimensions (height, stories, square footage) shall be shown on the plan.
  - f. Documentation of approval of the septic/wastewater treatment system from the Board of Health.
  - g. Building plans at a scale of no less than 1/8"= 1'-0", including floor plans and front, side and rear elevations of the ADU and principal dwelling or structure.
  - h. Affidavit declaring that the ADU and/or principal dwelling to which it is accessory will be rented on a twelve month basis.
  - i. Documentation of approval, if applicable, from the Conservation Commission.
  - j. Documentation of Special Permit or Variance, if applicable, from the Zoning Board of Appeals.

E. Public Hearing

1. Upon receipt of the application by the Truro Town Clerk, the Planning Board shall hold a duly noticed public hearing within 65 days of said filing. The Board shall:
  - a. Give notice by advertisement in a newspaper of general circulation in the Town of Truro, no less than ten (10) days before the day of such hearing; and
  - b. Give notice by posting such notice in a conspicuous place in the Town Hall for a period of not less than ten (10) days before the day of such hearing; and
  - c. Give notice by mailing a copy of such advertisement to abutters to the subject property, abutters to abutters within 300 feet of the subject property, and owners of properties across the street from the subject property.

F. Findings of the Planning Board

1. The Planning Board shall grant an ADU Permit if it finds that the proposal complies with the provisions of this bylaw, §40.2, as amended. The concurring vote of four members of the Planning Board shall approve an ADU permit as submitted or with reasonable conditions. The Board shall deny the permit only if:
  - a. The application is incomplete, and the applicant fails to complete the application within 21 days after written notice of the application's deficiencies, or
  - b. The imposition of reasonable conditions will not ensure that the ADU will conform to the standards and criteria described herein, or
  - c. The ADU does not comply with the requirements of the Zoning Bylaw.
2. The permit decision is not appealable.

G. Penalty

Failure of the applicant to comply with any provision of this section or the Permit is punishable by a fine established in Section 60.1 of the Truro Zoning Bylaws and shall entitle the Planning Board, after notice and public hearing, to revoke, modify or suspend the Permit. The Town shall be entitled to recover its litigation fees, including counsel fees, incurred in enforcement of this Bylaw.

H. Requirements for Tax Exemption

Qualifying ADUs permitted under this section are eligible to seek tax abatement pursuant to Chapter I, Section 10 of the Truro General Bylaws, Tax Exemption for Affordable Accessory Dwelling Units.

§ 40.3 Conversion of Cottage or Cabin Colony, Motor Court, Motel or Hotel

- A. Purpose. The Board of Appeals may grant a special permit for the conversion of a cottage colony, cabin colony, motor court, motel, or hotel to single family or multi-family use under any type of ownership, provided that the provisions of this section are met.
- B. Requirements.
  1. The converted premises shall comply with applicable provisions of the zoning, building, health and safety codes, as determined by the Building Commissioner and Board of Health.
  2. Each converted unit shall comply with the parking requirements for single family dwellings as established in § 30.9, Parking, except that, where pre-existing structures under this section are unable to meet the current parking standards on their existing lots, the parking requirement may be met on a contiguous lot or on a lot directly across the street provided the following conditions are met:
    - a. The two lots must be in and remain in common ownership and not be further divided.
    - b. The two lots shall not be used for the purpose of increasing the size or the use of the pre-existing structure or property.

- c. Other than parking, pre-existing structures, and septic systems allowed by the Truro Board of Health, the adjacent lot shall remain open space.
- d. All conditions must be recorded at the Barnstable Registry of Deeds.
- 3. The density of units permitted on a lot shall be one unit per 3,000 sq. ft., or one unit per 2,100 sq. ft. in the Beach Point Limited Business District; however, notwithstanding the restrictions of this section, no cottage colony, cabin colony, motor court, motel, or hotel which existed on January 1, 1987 shall be required to reduce its then existing number of units if or when it converts to multi-unit dwelling or non-dwelling use so long as it complies with all other requirements of this bylaw
- 4. Units rented to the transient public must remain licensed as parts of a cottage colony, cabin colony, motor court, motel or hotel. Owners of the management unit shall be responsible for meeting all the licensing requirements of the Town of Truro.
- 5. No application for conversion may be filed until the applicant has operated the facility as a cottage or cabin colony, motor court, motel or hotel, for at least three consecutive years.

(4/10)

C. Term of Use Permitted

(4/18)

- 1. The applicant shall state in its application whether the units are to be used for seasonal or year-round use. The Building Commissioner and Board of Health shall accordingly determine and advise the Board of Appeals of the suitability of all infrastructure serving the converted premises based upon the proposed term of use of the converted premises.
- 2. Where the application proposes that the converted premises is to be limited to seasonal use, the owner of the converted premises shall execute a restrictive covenant in favor of the Town of Truro to be recorded at the Barnstable Registry of Deeds, covenanting that other than one management unit, no units shall be occupied or otherwise used during each calendar period commencing December 1 and ending February 28 of the following calendar year. Such covenant shall be in a form approved by town counsel, the cost of which shall be paid by the applicant, and require approval of the Board of Selectmen.
- 3. Where a special permit was previously issued for a converted premises for the purpose of seasonal use, the Board of Selectmen may authorize conversion of all or some of dwelling units thereon to year-round use, subject to the following requirements:
  - a. Conversion of the premises to year-round occupancy will comply with applicable provisions of the zoning, building, health and safety codes, as determined by the Building Commissioner and Board of Health.
  - b. The condominium or homeowners association consents to the application.
  - c. Where fewer than all of the units in a converted premises are proposed to be changed to year-round occupancy, the applicant must provide evidence that the applicant has the legal authority to perform any work necessary to ensure compliance with applicable provisions of the zoning, building, health and safety codes, as determined by the Building Commissioner and Board of Health.
  - d. The Board of Selectmen may impose reasonable conditions necessary to ensure that the proposed change to year-round use will comply with applicable zoning, building, health and safety codes, and will ensure the safety and welfare of occupants and the general public.

§ 40.4 Wind Generators

A. Purpose and Intent

It is the express purpose of this bylaw to regulate wind energy conversion facilities, including meteorological towers, ensuring that they are placed in appropriate locations, while minimizing any adverse visual, safety and environmental impacts of those facilities. This bylaw is intended to

be used by the Truro Planning Board and other relevant boards in conjunction with other regulations adopted by the town.

## B. Basic Regulations

### 1. Use Regulations

The erection of a wind energy conversion facility or wind monitoring tower shall require a building permit. A permit shall be issued only as follows, whether the use is a principal or accessory use:

#### 1.1 Wind Energy Conversion Facility

No wind energy conversion facility shall be constructed or emplaced (a) unless it complies with the wind generator sections of the zoning bylaws and (b) unless the Planning Board issues an enabling special permit which may, through the conditions of that special permit, excuse or mitigate full compliance with the zoning by-laws' wind generator requirements.

#### 1.2 Wind Monitoring or Meteorological Towers

Before wind monitoring or meteorological towers are constructed or installed, the tower proponent must obtain a special permit from the Planning Board. The proponent, however, may request a pre-application hearing, which will be advertised, and, thereafter, the Planning Board may issue a decision that a special permit is not needed because the tower' height, location, duration, state or federal ownership, or other characteristics do not warrant review through a special permit process and because the tower is in harmony with the general purpose and intent of the zoning bylaws. References hereafter to "tower" shall mean "wind-monitoring or meteorological tower."

### 2. Site Control

The applicant shall possess control over the site, as required in Section G.5.1.d. and the applicant must furnish reasonable assurance that this control will endure though the term of the special permit. Control shall mean authority to install and use the proposed facility and to prevent the use of any structure within the setback or clear area for human habitation or other use permitting human occupancy.

### 3. Dimensional Requirements

#### 3.1 Height

Wind energy conversion facilities shall be no higher than 100 feet above the natural grade. The Planning Board may allow this height to be exceeded as part of the special permit process if the project proponent can demonstrate that the additional height is needed and that the additional benefits of the higher tower outweigh any increased adverse impacts. Monopole towers are the preferred type of support for wind turbines.

#### 3.2 Setback or Clear Area

Each wind energy conversion facility and its associated equipment shall comply with the building setback provisions of the zoning district in which the facility is located. In addition, the following setbacks shall be observed:

- a. In order to ensure public safety and to protect the interests of neighboring property owners, the minimum distance from the base of any wind turbine tower to any property line, dwelling, business or institutional use shall be equal to the total height of structure to the highest point plus an additional six feet. This setback is considered a "clear area".
- b. The setback or clear areas should be kept free of all habitable structures so long as the facility is in place; however, this area need not be cleared of trees or other vegetation. Setbacks shall be measured from the outside surface at the base of the turbine tower. The Planning Board may reduce the clear area as appropriate based on site specific considerations.

C. Special Permit Regulations

The Planning Board shall grant a special permit only if it finds that the proposal complies with the provisions of this bylaw and complies with the applicable criteria for granting special permits, as detailed in Section H below.

1. General

Proposed wind energy conversion facilities shall comply with all applicable local, state and federal requirements, including but not limited to all applicable electrical, construction, noise, safety, environmental and communications requirements.

2. Design Standards

2.1 Visual Impact

The proponent shall demonstrate through project siting and proposed mitigation that the wind energy conversion facility minimizes any impact on the visual character of surrounding neighborhoods and the community. Relevant criteria may include, but not be limited to, information regarding site selection, turbine design, buffering, lighting and cable layout.

2.2 Color

Wind energy conversion facilities shall be painted a non-reflective color that blends with the sky, unless FAA regulations require a specific color.

2.3 Equipment Shelters

Equipment necessary for monitoring and operation of the wind energy conversion facilities should be contained within the turbine tower. If this is not feasible, ancillary equipment may be located outside the tower, provided this equipment is contained either within an underground vault, or enclosed within a separate structure or behind a year-round landscape or vegetated buffer.

2.4 Lighting and Signage

a. Wind turbines shall be lighted only to the extent required by the Federal Aviation Administration (FAA).

b. Lighting of equipment structures and any other facilities on site (except lighting required by the FAA) shall, at a minimum, comply with the Town's restrictions for exterior lighting.

c. Signs on the facility shall be limited to:

i) those needed to identify the property, and the owner and warn of any danger; and,

ii) educational signs providing information on the technology and renewable energy usage.

d. All signs shall comply with the requirements of the Town's sign code.

3. Environmental Standards

3.1 Wetlands

Wetland buffer areas may be used for the purposes of providing a clear area.

3.2 Land Clearing/Open Space/Avian and Protected Species

Wind energy conversion facilities shall be designed to minimize land clearing and fragmentation of open space areas and shall avoid permanently protected open space. Wind turbines should be sited to make use of previously developed areas wherever possible. Wind energy conversion facilities shall also be located in a manner that does not have significant negative impacts on avian and protected species in the vicinity.

3.3 Stormwater

Stormwater run-off and erosion control shall be managed in a manner consistent with all applicable state and local regulations.

3.4 Noise

The wind energy conversion facility and associated equipment shall conform with Massachusetts noise regulations (310 CMR 7.10).

### 3.5 Shadowing and Flicker

Wind energy conversion facilities shall be sited in a manner that does not result in significant shadowing or flicker impacts. The proponent has the burden of proving that this effect does not have significant adverse impact on neighboring or adjacent uses either through siting or mitigation.

### 4. Safety Standards

No hazardous materials or waste shall be discharged on the site of any wind energy conversion facility. If any hazardous materials or wastes are to be used on site, there shall be provisions for full containment of such materials or waste. An enclosed containment area designed to contain at least 110 percent of the volume of the hazardous materials or waste stored or used on the site may be required to meet this requirement.

The wind energy conversion towers shall also be designed to prevent unauthorized access (for example, by construction of a fenced enclosure or locked access).

### 5. Use by Telecommunications Carriers

Wind energy conversion facilities may be used to locate telecommunications antennas, subject to applicable regulations governing such uses, and subject to the following additional requirements:

5.1 All ground-mounted telecommunications equipment shall be located in either a shelter, within the wind turbine tower or otherwise screened in all seasons from public view either through effective landscaping or existing natural vegetated buffers.

5.2 Antennas shall be flush-mounted to be in keeping with the design of the wind turbine tower.

5.3 All cabling associated with the wireless facility shall be contained within the tower structure or enclosed within a conduit painted to match the turbine mount.

### D. Modifications

All modifications to a wind energy conversion facility made after issuance of the special permit shall require approval by the Planning Board in accordance with the existing process for modifications to special permits.

### E. Monitoring and Maintenance

1. After the wind energy conversion facility is operational, the applicant shall submit to the town at annual intervals from the date of issuance of the special permit, a report detailing operating data for the facility, including, but not limited to, days of operation, energy production, and so forth.

2. The applicant shall maintain the wind energy conversion facility in good condition. Such maintenance shall include, but not be limited to, painting, structural integrity of the foundation and support structure and security barrier (if applicable), and maintenance of the buffer areas and landscaping if present.

3. The holder of a special permit shall promptly provide written notice to the Planning Board of any change in ownership of the facility.

### F. Abandonment or Discontinuation of Use

1. At such time as the holder of a special permit issued under this section elects to abandon or discontinue the facility or tower, the holder shall notify the Planning Board by certified mail, return receipt requested, of the proposed date of abandonment or discontinuance. In the event that a holder fails to give such notice, the facility or tower shall be considered abandoned or discontinued if the facility or tower has not been operational for 180 days. In the case of a multi-turbine facility, the Planning Board shall determine in its decision what proportion of the facility has been inoperable for that period of time.

2. Upon abandonment or discontinuation of use, the owner shall physically remove the wind energy conversion facility or tower within 90 days from the date of abandonment or discontinuation of use. For good cause shown this period may be extended at the request of the holder of the special permit at the discretion of the Planning Board. "Physically remove" shall include, but not be limited to:
  - 2.1 Removal of the wind turbine and tower, all machinery, equipment, equipment shelters, security barriers and all appurtenant structures from the subject property,
  - 2.2 Proper disposal of all solid or hazardous materials and wastes from the site in accordance with local and state solid waste disposal regulations,
  - 2.3 Restoration of the location of the wind energy conversion facility to its natural condition, except that any landscaping, grading or below-grade foundation may remain, unless the Building Commissioner determines that this results in a hazardous situation.
3. If an applicant fails to remove a wind energy conversion facility or tower the Department of Public Works may enter upon the subject property and physically remove the facility or tower at the expense of the landowner.

#### G. Application Procedures

1. Pre-Application Conference
 

Prior to the submission of an application for a special permit under this bylaw, the applicant is strongly encouraged to meet with the Planning Board at a scheduled public meeting to discuss the proposed wind energy conversion facility or tower in general terms and to clarify the filing requirements. The Planning Board shall meet with an applicant under this regulation within 21 days following a written request submitted to the Planning Board with a copy to the Town Clerk. If the Planning Board fails to meet with an applicant who has requested such a meeting within 21 days of said request and said meeting has not been postponed due to mutual agreement, the applicant may proceed with a special permit application under this regulation without need for a pre-application conference.
2. Pre-Application Filing Requirements
 

The purpose of the conference is to inform the Planning Board about the characteristics and scope, however preliminary, of the proposed wind energy conversion facility or tower. As such, no formal filings are required for the pre-application conference; however, the applicant must prepare sufficient preliminary architectural and/or engineering drawings to inform the Planning Board of the location of the proposed facility, as well as its scale and overall design.
3. Professional Fees
 

If the nature of the applicant's project is such that it cannot be adequately reviewed without expertise unavailable to the Planning Board, the Board may retain experts and consultants, and the applicant's payment of their fees and charges shall be a prerequisite of the special permit.
4. Additional Requirements
 

Within 30 days of holding the pre-application conference, or, if no conference is held, within 21 days of filing an application for a special permit, the applicant shall arrange for a balloon or crane test at the proposed site to illustrate the height of the proposed facility. The date, time and location of such test shall be advertised in a newspaper of general circulation in the town at least 14 days, but not more than 21 days prior to the test. In addition, within such time period written notice shall be provided to the Planning Board and the Historic Commission by certified mail, return receipt requested, and an identical courtesy notice shall be sent to the Town Clerks of Provincetown and Wellfleet and the Superintendent of the Cape Cod National Seashore.
5. Application Filing Requirements
  - 5.1 The following plans and data shall be included with an application for a special permit for each wind energy conversion facility:

- a. Name, address, telephone number and original signature (photo-reproductions of signatures will not be accepted) of applicant and any co-applicants. Co-applicants may include the landowner of the subject property or the operator of the wind energy conversion facility. If telecommunications antenna are proposed, a telecommunications carrier should be a co-applicant.
- b. If the applicant or co-applicant files a written authorization, bearing an original signature and providing the name, address, and telephone number of each agent, the applicant or co-applicant may be represented by that agent or agents.
- c. The name and affiliation of the electrical engineers or electricians who will design the connection to the grid or load.
- d. Documentation of the right to install and use the proposed facility and proof of control over the clear area, per Section B.2. of these regulations.
- e. Proposed schedule for the meteorological data acquisition and analysis. Proposed schedule for erection and commissioning of the generator.
- f. Identification of the subject property including the name of the nearest road or roads, and street address, if any
- g. Assessor's map and parcel number of subject property.
- h. Relevant zoning map with subject parcel identified.
- i. A scaled elevation of the proposed tower.
- j. A vicinity plan drawn at a scale of one-inch-equals-40 feet, signed and sealed by a Registered Professional Engineer or Licensed Surveyor showing the following:
  - i) Property lines for the subject property and all properties adjacent to the subject property within 300 feet.
  - ii) Outline of all existing buildings, including description of existing use, if known (e.g., residence, garage, accessory structure and so forth) located on the on subject property and on all adjacent properties located within 300 feet of the proposed wind energy facility or tower. Distances, at grade, from the proposed wind energy conversion facility or tower to each structure shown on the vicinity plan shall be shown.
  - iii) Proposed location of wind energy conversion facility or tower, including all turbines, fencing, associated ground equipment, transmission infrastructure and access roads. Including:
    - Location of all roads, public and private, on the subject property and on all adjacent properties within 300 feet including driveways proposed to serve the wind energy conversion facility,
    - All proposed changes to the existing property, including grading, vegetation removal and temporary or permanent roads and driveways,
    - Representations, dimensioned and to scale, of the proposed facility, including cable locations, parking areas and any other construction or development attendant to the wind energy conversion facility.
  - iv) Tree cover and average height of trees on the subject property and adjacent properties within 300 feet.
  - v) Contours at each two feet AMSL (Above Mean Sea Level) for the subject property and adjacent properties within 300 feet.
  - vi) Representation of location of viewpoint for the sight-line diagram referenced below.
- k. A map or plan, as required, showing the connection to the grid or load, as applicable.
- l. A map or plan of the route to be used to deliver the components of the equipment to the site.

5.2 Sight lines and photographs as described below:

- a. Sight-line representation. A sight-line representation shall be drawn from representative locations that show the lowest point of the turbine tower visible from each location. Each sight line shall be depicted in profile, drawn at a scale of one inch equals 40 feet. The profiles shall show all intervening trees and buildings. There shall be at least two sight line representations illustrating the visibility of the facility from surrounding areas such as the closest habitable structures or nearby public roads or areas.
  - b. Existing (before condition) photographs. A color photograph of the current view shall be submitted from at least two locations to show the existing situation.
  - c. Proposed (after condition). Each of the existing-condition photographs shall have the proposed wind energy conversion facility or tower superimposed on it to accurately simulate the proposed wind energy conversion facility when built and illustrate its total height, width and breadth.
- 5.3 Siting elevations, or views at-grade from the north, south, east and west for a 50-foot radius around the proposed wind energy conversion facility or tower, showing the following:
- a. Wind energy conversion facility or tower and, if applicable, the security barrier and associated equipment, with total elevation dimensions for all parts of the facility or tower.
  - b. Security barrier. If the security barrier will block views of the wind energy conversion facility or tower, the barrier drawing shall be cut away to show the view behind the barrier.
  - c. Existing trees and shrubs at current height and proposed trees and shrubs at proposed height at time of installation, with approximate elevations shown.
  - d. Grade changes, or cuts and fills, to be shown as original grade and new grade line, with two-foot contours AMSL.
- 5.4 Specifications
- a. Specifications for any proposed wind energy conversion facility or tower shall be provided for all equipment and attendant facilities.
  - b. Materials for any proposed wind energy conversion facility or tower specified by type and specific treatment. This information shall be provided for the wind turbine tower and all other proposed equipment/facilities.
  - c. Colors of the proposed wind energy conversion facility represented by a color board showing actual colors proposed.
- 5.5 Landscape plan  
A landscape plan including existing trees and shrubs and those proposed to be added or removed, identified by size of specimen at installation and species.
- 5.6 Lighting Plan  
The applicant shall provide the Planning Board with a copy of the FAA's determination as to the required markings and/or lights for the structure. If lighting of the site (other than FAA lights) is proposed, the applicant shall submit a manufacturer's computer-generated point-to-point printout, indicating the horizontal foot-candle levels at grade, within the property to be developed and 25 feet beyond the property lines. The printout shall indicate the locations and types of luminaries proposed.
- 5.7 Environmental Requirements  
The applicant shall provide a statement listing the existing noise levels and the maximum future projected noise levels from the proposed wind energy conversion facility. Such statement shall be certified and signed by a qualified sound engineer, and state that noise projections are accurate and meet applicable state requirements.
- 5.8 Removal

The applicant shall submit a fully inclusive estimate of the costs associated with removal and prepared by a qualified engineer. This cost estimate shall include cost inflation of the removal projected throughout the term of the special permit.

H. Review Guidelines

The Planning Board shall evaluate the information submitted by the applicant based upon the following review criteria and design guidelines:

1. Thoroughness of the application.
2. Compliance with Sections C 2 (Design Standards), C 3 (Environmental Standards) and C 4 (Safety Standards) of this Bylaw.

I. Findings of the Planning Board

The Planning Board may permit, permit with conditions, or refuse to permit a wind energy facility.

1. The Planning Board shall have the authority to permit a facility when all the following conditions are met:
  - a. The application has been submitted in accordance with the regulations and procedures as outlined in this section, and substantially meets the requirements of §40.4 H, Review Guidelines.
  - b. The application complies with all current bylaw requirements of the Town.
2. The Planning Board shall conditionally endorse an application for a special permit for a wind energy conversion facility or tower when the following conditions are met:
  - a. The application has been submitted in accordance with the regulations and procedures as outlined in this section, and substantially complies with §40.4 H, Review Criteria.
  - b. The project conforms to all requirements of the Zoning Bylaw, with deviations permissible only by a special permit or a variance.
  - c. The application needs further approvals from any other Town Board, Department or Commission, or requires approvals by any state, and/or federal agency.
3. The Planning Board may deny the application for a special permit for any lawful reason, including:
  - a. The application does not include all the materials or information required in this section, or has failed to adhere to the procedures for Special Permit Application as outlined in this section.
  - b. The application as presented is not in compliance with one or more Town Bylaws.
  - c. The application does not substantially comply with the Review Guidelines.
  - d. The plan has been drawn incorrectly or in such form that the Planning Board is unable to determine whether sufficient information is being presented for review.
  - e. The applicant has failed to incorporate and adhere to any condition(s) for endorsement imposed by any other Town Board, Department or Commission, or the requirements of any state or federal agency, which has proper authority to place conditions on a matter before the Planning Board.
4. The Planning Board may require the applicant to provide a form of surety (i.e. post a bond, letter of credit or establish an escrow account or other) at the Planning Board's option at the time of construction to cover projected costs of the removal of a facility or tower in the event the town must remove the same. The amount of such surety shall be equal to 150 percent of the cost of compliance with this section.
5. The Planning Board shall render a decision within ninety (90) days of the conclusion of the public hearing, and shall file its written decision with the Town Clerk's office and other appropriate parties in accordance with the provisions of M.G.L. Chapter 40A.

- J. Term of Special Permit for Wind Energy Conversion Facility  
No special permit for a wind energy conversion facility shall be valid for more than twenty-five (25) years, unless it is extended or renewed. At the expiration of the special permit the wind energy conversion facility shall be removed by the applicant.
- K. Term of Special Permit for a Wind-Monitoring or Meteorological Tower  
A special permit for a wind-monitoring or meteorological tower shall be valid for two years, and is subject to renewal for good cause shown. (4/05)

§ 40.5 Communication Structures, Buildings and Appurtenances

- A. Purpose. The purpose of § 40.5 of this bylaw is to accommodate the communication needs of residents and businesses while protecting the public health, safety and general welfare of the community; to establish guidelines, standards and procedures to regulate the permitting and installation of communication structures, buildings and appurtenances in order to:
  1. Facilitate the provision of wireless telecommunications services to the residents and businesses of the town;
  2. Minimize adverse visual effects of towers through careful design and siting standards;
  3. Avoid potential damage to adjacent properties from tower failure through structural standards and setback requirements, and,
  4. Maximize the use of existing and approved towers and buildings to accommodate new wireless telecommunication antennas in order to reduce the number of towers needed to serve the community.
- B. Requirements:
  1. All building permits for a communications structure, building or appurtenance shall require a special permit from the Planning Board.
  2. The minimum distance from the perimeter of the communications structure to any property line shall be the height of the structure including any antennas or appurtenances, plus ten (10) feet. The minimum distance from any guy wire, anchor or brace to any property line shall be the length of the guy wire or brace plus ten (10) feet. The setbacks for a communications building shall comply with the setback requirements of the zoning district.
  3. The communications structure, building or appurtenance shall be installed, maintained and operated in accordance with all applicable federal, state, county and local codes, standards and regulations and shall be designed to withstand sustained winds and gusts of a category 5 hurricane. If Federal Aviation Administration (FAA) or Federal Communications Commission (FCC) regulations are changed, then the owner or operator shall bring the structure, building and appurtenances into compliance with the new regulations within six (6) months of the effective date of such regulations or earlier if a more stringent compliance schedule is included in the regulation. Failure to comply with any new regulations shall be grounds for the removal of non-complying structures, buildings and appurtenances at the owner's expense.
  4. The height of the communications structure (tower) shall be no greater than one hundred and fifty (150 feet) above ground level.
  5. Communication antennas shall be located on pre-existing structures unless the applicant demonstrates that there are no feasible pre-existing structures. The installation shall preserve the character of such pre-existing structures.
  6. If the applicant has demonstrated that there are no feasible pre-existing structures to support antennas and appurtenances for the intended use, then any communications structure, building or appurtenance may be sited on public land.
  7. To the extent lawful and feasible, all service providers shall co-locate on a single tower. Towers shall be designed to structurally accommodate the maximum number of foreseeable

users (within a ten-year period) technically practicable. The applicant is required to document all co-location tenants and provide a tower design indicating types and location of all facilities.

8. New facilities or structures shall be considered only upon a finding by the Planning Board that existing or approved facilities or structures cannot accommodate the wireless communications equipment planned for the proposed tower.
9. The installation of a communications structure, building or appurtenance shall be designed to minimize visual impact; the maximum amount of natural vegetation shall be preserved; details of construction and finish shall blend with the surroundings; additional vegetative screening shall be employed where practical and particularly to screen abutting residential property whether developed or not. A detailed landscape plan will be required with the application.
10. Location and siting of facilities and structures shall be consistent with any regional location and siting criteria established by the Cape Cod Commission.
11. Under normal operating conditions, noise emanating from the communications structure, building or appurtenance shall not be greater at the boundary of the lot on which it is sited than would otherwise exist in the absence of these facilities.
12. No hazardous waste shall be discharged on the site. Any storage of fuel shall be in compliance with the Board of Health regulations. Documentation shall be provided for the contents of all communications buildings and/or cabinets.
13. All run-off of storm water from communications structures, buildings, and appurtenances, driveways and parking areas shall be contained on site; the amount of impervious surface on the site shall be minimized.
14. Lighting, when required and permitted by the FAA or the Planning Board, shall be directed inward so as not to project onto surrounding properties.
15. All structures, buildings or appurtenances must be secured to control access. Fencing materials shall be consistent with the character of abutting properties, with a locked gate and proper warning signals. A sign must be displayed indicating the name of the owner(s) and a 24 hour contact number. Only signs limited to safety will be allowed. Fencing is not required for antennas or other appurtenances mounted on a pre-existing structure.
16. As a condition of approval of the application the applicant shall agree, by execution of a covenant, to remove within six months any communications structure and building which has not operated for four consecutive months unless the cause is major damage which prohibits operation. In the event that major damage has rendered the facility inoperative, repair or removal of the facility shall begin within six months and be completed within an additional six months. Failure to comply with the conditions of the covenant shall be grounds for the removal of structures, buildings and appurtenances. Complete restoration of the site shall be at the owner(s) expense, secured by a bond from a recognized financial institution. The covenant shall include, also at the owner(s) expense, provision for liability insurance for any damage to any abutting property whether developed or not.
17. At least forty-five (45) days before submitting an application for a special permit for the installation of a communications structure, building or appurtenance the applicant shall consult with the Planning Board. The purpose of the consultation is to facilitate the permitting process by the exchange of information between the applicant and the Planning Board, and for the applicant to obtain a detailed description of the information and documentation required, in writing, by the Planning Board, in order to clarify and resolve concerns of the Board and minimize potential problems with the application.
18. The Planning Board shall hold a public hearing within sixty-five (65) days of the filing of an application and shall issue a decision within ninety (90) days following the date of the public hearing.
19. The applicant shall submit the following written information to the Planning Board:

- a. A survey of all sites for the installation of communications structures, buildings or appurtenances which are feasible for providing the intended services. The survey shall include a rationale for the selection of a prime and at least one alternative site. All sites in Truro shall be located on the appropriate sheet(s) of the Truro Assessor's Atlas;
  - b. A survey of all pre-existing structures which are capable of supporting the equipment necessary to provide the intended service and a technical report which demonstrates why any such structure cannot be used by the applicant;
  - c. The radiation pattern of all proposed antennas showing the frequency and intensity of radiation at ground level and at 30 feet above ground level. At the expense of the applicant, Electro Magnetic Field (EMF) readings shall be provided to the Board of Health yearly and immediately after any addition to the facility;
  - d. The sound level in decibels at ground level, at 30 feet above ground level and at the top of the facility and 10, 50, 100 and 500 feet from the communications structure, building or appurtenances for wind velocities between calm and 100 miles per hour with all equipment operating at normal levels, including before condition measured, after condition prediction and cumulative condition (with co-location) prediction;
  - e. A delineation of the Assessor's Atlas of all areas in Truro which will not be served by the proposed installation for the prime and an alternative site;
  - f. A statement of the services to be supported by the proposed communications structure, building or appurtenance;
  - g. Plans of special design features and materials, including landscaping, to minimize the visual impact of proposed communications structures, buildings and appurtenances. Site plans, elevations and fall zone should be included;
  - h. A certification that the applicant has complied with all federal (including FAA), state and regional requirements to provide the proposed service and demonstration of compliance with the FCC guidelines for EMF's under National Environmental Policy Act (NEPA), including copies of the FCC Form 600, plus Environmental Assessment/Environmental Impact Statements as applicable;
  - i. Within thirty (30) days after the application filing, the applicant shall arrange to fly a three-foot-diameter balloon at the primary and an alternate site at the maximum height of the proposed installation. The date and location of the flights shall be advertised at least 14 days, but not more than 21 days before the flights, in a newspaper with a general circulation in Truro. Photos shall be provided from all strategic viewing points, per agreement with the Planning Board prior to flight.
20. If a communications structure, building or appurtenance is to be installed on a pre-existing private structure or on land or a structure owned, prior to the effective date of the bylaw, by the Commonwealth of Massachusetts, or on land or a structure owned by the Town of Truro, the applicant shall submit the following written information to the Planning Board:
- a. A draft contract, including requirements for removal of all structures and for complete site restoration in the case of discontinued use, between the applicant and the owner (if different from the applicant).
  - b. A description of the proposed facility at the proposed prime and alternate sites including:
    - i) Height of the facility and its associated equipment and antennas;
    - ii) Access roads and power supplies;
    - iii) Type, size and number of transmitters;
    - iv) A list of all fuels to be used on the site and a detailed description of how each shall be contained.
  - c. A site plan (scale not less than 1 inch=40 feet), showing the proposed facility, fall zones, existing and proposed contour elevations, 100-year flood zones, water resources, Zones of Contribution, waterways, wetlands and all associated equipment and structures on

- the site, including elevations of all equipment and structures with sufficient detail to delineate the external finish of all structures and equipment; and
- d. A landscape plan showing the proposed site before and after development, including topography and screening proposed to protect abutters.
21. For all applications other than those set forth in § 40.5 B.20 above, the applicant shall submit the following written information to the Planning Board:
- a. A statement of the purpose for which the application is made.
  - b. The exact legal name of each person seeking a special permit and the address and telephone number or principal place of business of each such person.
  - c. The name, title, address and telephone number of the attorney or other person to whom correspondence or communications in regard to the application are to be addressed. Notice, orders, and other papers may be served upon the person so named, and such service shall be deemed to be service upon the applicant;
  - d. A statement of the need for the proposed facility with as much specific information as is practicable to demonstrate the need, including description of the proposed system and how the proposed facility would eliminate or alleviate any existing deficiency or limitation, including all co-location facilities;
  - e. A statement of the benefits expected from the proposed facility with as much information as is practicable;
  - f. A description of the proposed facility at the proposed prime and alternate sites including:
    - i) Height of the facility and its associated equipment and antennas;
    - ii) Access roads and power supplies;
    - iii) Special design features and materials, including landscape plans;
    - iv) Type, size and number of transmitters and receivers, as well as the signal frequency, power output, and power density at the tower base, site boundary, and building where people might be exposed to the maximum power densities from the facility;
    - v) A map showing any fixed facilities with which the proposed facility would interact;
    - vi) The coverage signal strength, and integration of the proposed facility with any adjacent fixed facility, to be accompanied by a network plan showing interfaces with any adjacent service areas;
    - vii) A forecast of when maximum capability would be reached for the proposed facility and for facilities that would be integrated with the proposed facility;
    - viii) Documentation of contents of communications buildings and/or cabinets.
  - g. A description of the proposed prime and alternative site, including:
    - i) The most recent U.S.G.S. topographic quadrangle map (scale 1 inch = 2,000 feet) marked to show the site of the facility and any significant changes within a one-mile-radius of the site;
    - ii) A map (scale not less than 1 inch = 200 feet) of the lot or tract on which the facility is proposed to be located, showing the acreage and dimensions of such site, the name and location of adjacent public and private roads or the nearest public road, and the names of abutting owners and portions of their lands abutting the site;
    - iii) A site plan (scale not less than 1 inch = 40 feet), showing the proposed facility, fall zones, existing and proposed contour elevations, 100-year flood zones, water resources, Zones of Contribution, waterways, wetlands and all associated equipment and structures on the site, including elevations of all equipment and structures with sufficient detail to delineate the external finish of all structures and equipment;

- iv) Where relevant, a terrain profile showing the proposed facility and access road and existing and proposed grades; and
- v) The most recent aerial photograph (scale not less than 1 inch = 1,000 feet) showing the proposed site, access roads and all abutting properties.
- h. A statement explaining mitigation measures for the proposed facility including:
  - i) Construction techniques designed specifically to minimize adverse effects on natural areas and sensitive areas;
  - ii) Special design features made specifically to avoid or minimize adverse effects on natural areas and sensitive areas;
  - iii) Establishment of vegetation proposed near residential, recreation, and scenic areas;
  - iv) Special design features made specifically so that the proposed structures, buildings and appurtenances shall blend with pre-existing structures and buildings;
  - v) Methods for preservation of vegetation for wildlife habitat and screening;
  - vi) A list of all fuels to be used on the site and a detailed description of how each shall be contained; and
  - vii) A statement describing any hazardous materials or wastes (including quantities) to be used or generated on the site.
- i. A description of the existing and planned land uses of the proposed prime and alternative sites and surrounding areas;
- j. A description of the scenic, natural, historic, and recreational characteristics of the proposed prime and alternative sites and surrounding areas;
- k. Sight-line graphs to the proposed prime and alternative sites from visually impacted areas (a site from which the facility can be seen) such as residential developments, recreational areas, and historic sites;
- l. A list describing the type and height of all existing and proposed communication structures, buildings and appurtenances within a ten-mile radius within the search area, or within any other area from which use of the proposed prime or alternative structure might be feasible from a location standpoint for purposes of the application;
- m. A description of efforts to share existing and proposed structures, or consolidate telecommunications antennas of public and private services onto the proposed facility;
- n. A description of the technical alternatives and a statement containing justification for the proposed facility;
- o. A description of rejected sites with a U.S.G.S. topographic quadrangle map (scale 1 inch = 2,000 feet) marked to show the location of rejected sites;
- p. A detailed description and justification for the site selected, including a description of siting criteria and the process by which other possible sites were considered and eliminated including but not limited to, environmental effects, cost differential, coverages lost or gained, potential interference with other facilities, and signal loss due to topographical features compared to the proposed prime and alternate sites;
- q. A statement describing hazards to human health, if any, with supporting data and references to regulatory standards;
- r. A statement of the estimated costs for site acquisition and construction of a facility at the prime and alternative sites;
- s. A schedule showing the proposed program of site acquisition, construction, completion, operation and relocation or removal of the existing facilities for the prime and alternative sites;
- t. A copy of any filing or application that the applicant has been required to make together with any decision with regard to such filing or application;
- u. A landscape plan showing the proposed site and location before and after development, including topography screening proposed to protect abutters;
- v. Plans which show location and siting at a prime and at an alternate site; and

- w. A technical report which demonstrates that the maximum height of the installation is the minimum feasible to provide the intended service.
- 22. All written information submitted in accordance with the requirements listed in any previous section of this bylaw shall be certified by an appropriate licensed professional.
- 23. The Planning Board may also refer applications to the Board of Health, the Zoning Board of Appeals, and the Conservation Commission for review.
- 24. The Planning Board shall not approve any application that does not comply with all the requirements of this bylaw. The Board does, however, have the right to waive any part of this bylaw, when in its opinion, such a waiver would not be detrimental to the public interest, cause the Town any expense, or be inconsistent with the intent and purpose of this bylaw.
- 25. Any permit issued by the Planning Board for a communications facility shall be valid for the applicant only; it may not be reassigned, leased or sold.
- 26. Municipal and private, non-commercial uses are exempted from this bylaw.
- 27. The Planning Board shall act in accordance with the standards and requirements set forth herein and in accordance with the Massachusetts General Laws.
- 28. The invalidity of any section of this bylaw shall not invalidate any other section.

§ 40.6 Growth Management

- A. Purpose. The purpose of § 40.6 of the bylaw is to provide adequate time for the Town to plan and prepare for the effects of future residential growth, and ensure that the pace of growth does not diminish the Town's rural character, impair natural resources or overwhelm town services or infrastructure. The gradual pace of development afforded by the bylaw will provide opportunities for the Town to: 1) purchase and protect open spaces, thereby reducing the Town's ultimate density and preserving, as much as possible, the Town's rural character; 2) undertake comprehensive planning to identify a community land use vision to guide the regulation of land use and development; 3) assess the impacts of anticipated growth on town infrastructure, roads, drinking water supply and fresh and marine wetlands and water bodies, and plan appropriate measures to protect the integrity of those resources; and 4) develop a financially sustainable plan for the provision of town services and infrastructure necessary to support the community's land use vision. This section, 40.6, shall expire on December 31, 2021. (4/16)
- B. Residential Development Limitation.
  - 1. There shall be no more than forty (40) building permits for new single family dwelling units authorized within any calendar year, beginning January 1 and ending December 31. Permits not issued within the calendar year may be carried over and added to the next calendar year's quantity. This bylaw shall be effective as of March 3, 2006.
  - 2. The Building Commissioner shall issue building permits in accordance with the following:
    - a. For the purposes of this section, an application shall be accepted for review only if it conforms to all applicable building and zoning requirements, and has received all necessary approvals from pertinent Town boards, including the Board of Health, Planning Board, Board of Appeals, Conservation Commission, and so forth.
    - b. Applications for building permits for single family dwelling units certified complete by the Building Commissioner shall be dated and time-stamped upon determination of completeness. Building permits shall be issued on a first-come/first-served basis.
    - c. Within any calendar month, no more than six (6) permits for single family dwelling units may be issued. Permits not issued during one month may be carried forward and issued the next month, assuming it is within the same calendar year.
    - d. No applicant may have more than one (1) application processed for a single family dwelling unit in any given month.
    - e. No more than four (4) building permits for single family dwelling units shall be issued to any one applicant within a single calendar year unless 1) there are available permits

within the yearly limit and 2) no other applicant has applied for them before the fifteenth day of December.

C. Exemptions.

1. Construction of affordable housing units provided such housing units have deed restrictions to ensure they remain affordable for the maximum period permitted under Massachusetts law. Occupancy permits for such affordable units are not to be issued until the restricted deed has been recorded or registered.
2. A presently existing structure which is otherwise subject to this bylaw but which is destroyed by fire or other calamity. Such a structure may be rebuilt outside of these limitations as long as: 1) the structure is not expanded beyond one additional bedroom; 2) it complies with all other provisions of these bylaws; and 3) so long as application for a building permits is submitted within two (2) years of the destruction.
3. A presently existing structure which, following demolition, is being rebuilt to no more than one hundred twenty-five percent (125%) of its current footprint. Such a structure may be rebuilt so long as: 1) the structure is not expanded beyond one additional bedroom; 2) it complies with all other provisions of these bylaws; and 3) the application for a building permit is submitted within two (2) years of the existing structure's demolition. (4/06)

§ 40.7 Large-Scale Ground-Mounted Photovoltaic Arrays (4/11)

- A. Purpose and Intent. The purpose of this bylaw is to promote the creation of new Large-Scale Ground-Mounted Solar Photovoltaic Installations (250kW or larger and covering at least one acres in size) by providing standards for the placement, design, construction, operation, monitoring, modification and removal of such installations to address public safety, minimize impacts on scenic, natural and historic resources, and provide adequate financial assurance for the eventual decommissioning of such installations.

The provisions set forth in this section shall apply to the construction, operation, and/or repair of Large-Scale Ground-Mounted Solar Photovoltaic Installations.

This section shall apply to Large-Scale Ground-Mounted Solar Photovoltaic Installations proposed for construction after the effective date of this section. This section shall also pertain to physical modifications that materially alter the type, configuration, or size of these installations or related equipment.

B. Definitions

1. As-of-Right Siting: As-of-Right Siting shall mean that development may proceed without the need for a special permit, variance, amendment, waiver, or other discretionary approval. As-of-Right development may be subject to Large Scale Solar Review to determine conformance with local zoning ordinances or bylaws. Projects subject to Large Scale Solar Review cannot be prohibited, but can be reasonably regulated by the building commissioner or local inspector.
2. Designated Location: The location[s] designated by the Zoning Bylaw, in accordance with Massachusetts General Laws Chapter 40A, section 5, where Large-Scale Ground-Mounted Solar Photovoltaic Installations may be sited As-of Right. Said location(s) are shown on the Zoning Map of Truro pursuant to Massachusetts General Laws Chapter 40A Section 4. This map is hereby made a part of this section and is on file in the Office of the Town Clerk.
3. Large-Scale Ground-Mounted Solar Photovoltaic Installation: A solar photovoltaic system that is structurally mounted on the ground and is not roof-mounted, and has a minimum nameplate capacity of 250 kW DC. All Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be owned and operated by either the Town of Truro or under agreements with the Town of Truro.

4. Large Scale Solar Review: A review by the Planning Board to determine conformance with local zoning ordinances or bylaws.
  5. On-Site Solar Photovoltaic Installation: A solar photovoltaic installation that is constructed at a location where other uses occur at the underlying property.
  6. Nameplate Capacity: The maximum rated output of the electric power production of the photovoltaic system in Direct Current (DC).
  7. Solar Photovoltaic Array: an arrangement of solar photovoltaic panels.
- C. Large Scale Solar Review. Prior to construction, installation or modification, Large-Scale Ground Mounted Solar Photovoltaic Installations with 250 kW or larger nameplate capacity shall undergo Large Scale Solar Review by the Planning Board as provided below. In accordance with Section 22(c) of the Massachusetts Green Communities Act, Large Scale Solar Review shall be expedited and no decision shall be rendered more than one (1) year after the date of the application.
1. Compliance with Laws, Ordinances and Regulations.  
The construction and operation of all Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be consistent with all applicable local, state and federal requirements, including but not limited to all applicable safety, construction, electrical, and communications requirements. All buildings and fixtures forming part of the installation shall be constructed in accordance with the State Building Code. No Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be constructed, installed or modified without first obtaining a building permit.
  2. Large Scale Solar Review Application and Plan Requirements.
    - 2.1 Two (2) copies of a properly executed application for Large Scale Solar Review shall be filed with the Planning Board, along with a filing fee of \$50.00.
    - 2.2 Twelve (12) copies of site plan(s), prepared by a Registered Land Surveyor licensed in the Commonwealth of Massachusetts, at a scale of one inch equals forty feet (1" = 40') shall be filed with the Planning Board, including:
      - a. North arrow and locus map;
      - b. Property boundaries;
      - c. Name/Description of project;
      - d. Topography, both existing and proposed, including proposed drainage;
      - e. Zoning designation;
      - f. Location of proposed structures, drives, etc., including setbacks;
      - g. Sign(s) location(s);
      - h. Landscaping, both existing and proposed;
      - i. Lighting, including locations, type and wattage.
    - 2.3 Twelve (12) copies of plans or drawings of the Large-Scale Ground-Mounted Solar Photovoltaic Installation prepared by a Registered Professional Engineer licensed in the Commonwealth of Massachusetts, showing the proposed layout of the system and any potential shading from nearby structures.
    - 2.4 Twelve (12) copies of the one or three line electrical diagram detailing the Large-Scale Ground-Mounted Solar Photovoltaic Installation, associated components, and electrical interconnection methods, with all National Electrical Code compliant disconnects and overcurrent devices.
    - 2.5 Twelve (12) copies of the documentation of the major system components to be used, including the PV panels, mounting system, and inverter(s);
    - 2.6 Twelve (12) copies of the documentation of actual or prospective access and control of the project site sufficient to allow for construction and operation of the proposed installation.
    - 2.7 Twelve (12) copies of an operation and maintenance plan (see also Section 40.7 (D)).
    - 2.8 Twelve (12) copies of proof of liability insurance.

- 2.9 Twelve (12) copies of the description of financial surety that satisfies Section 40.7 (N)(3).
3. Waiver of Requirements: Upon written request submitted as part of the application, the Planning Board may waive any requirements.
- D. For Large-Scale Ground-Mounted Solar Photovoltaic Installations that require a Special Permit, the Planning Board shall serve as the Special Permit Granting Authority. The Planning Board shall grant a special permit only if it finds that the proposal complies with the provisions of this section and section 30.8.
- E. Operation & Maintenance Plan. The project proponent shall submit a plan for the operation and maintenance of the Large-Scale Ground-Mounted Solar Photovoltaic Installation, which shall include measures for maintaining safe access to the installation, storm water controls, as well as general procedures for operational maintenance of the installation.
- F. No Large-Scale Ground –Mounted Solar Photovoltaic Installation shall be constructed until evidence has been given to the Planning Board that the utility company that operates the electrical grid where the installation is to be located has been informed of the installation owner or operator’s intent to install an interconnected customer-owned generator. Off-grid systems shall be exempt from this requirement.
- G. Dimension and Density Requirements.
1. Setbacks. Setbacks from all boundary lines shall be a minimum of fifty feet (50’).
  2. Lot Size. Within the Solar Farm Overlay District and all other all other zoning districts where the use is permitted the minimum lots size shall be two (2) acres.
  3. Appurtenant Structures. All appurtenant structures to Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be subject to reasonable regulations concerning the bulk and height of structures, lot area, setbacks, open space, parking and building coverage requirements. All such appurtenant structures, including but not limited to, equipment shelters, storage facilities, transformers, and substations, shall be architecturally compatible with each other. Whenever reasonable, structures should be shaded from view by vegetation and/or joined or clustered to avoid adverse visual impacts.
- H. Design Standards.
1. Lighting. Lighting of Large-Scale Ground-Mounted Solar Photovoltaic Installations shall be consistent with local, state and federal law. Lighting of other parts of the installation, such as appurtenant structures, shall be limited to that required for safety and operational purposes, and shall be reasonably shielded from abutting properties. Where feasible, lighting of the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be directed downward and shall incorporate full cut-off fixtures to reduce light pollution.
  2. Signage. Signs on Large-Scale Ground-Mounted Solar Photovoltaic Installations shall comply with a Truro Sign Code. A sign that identifies the owner and provides a 24-hour emergency contact phone number shall be required.  
Large-Scale Ground-Mounted Solar Photovoltaic Installations shall not be used for displaying any advertising except for reasonable identification of the manufacturer or operator of the installation.
  3. Utility Connections.  
Reasonable efforts, as determined by the Planning Board, shall be made to place all utility connections for the Large-Scale Ground-Mounted Solar Photovoltaic Installation underground, depending on appropriate soil conditions, shape, and topography of the site and

any requirements of the utility provider. Electrical transformers for utility interconnections may be above ground if required by the utility provider.

I. Safety and Environmental Standards.

1. Emergency Services. The Large-Scale Ground-Mounted Solar Photovoltaic Installation owner or operator shall provide a copy of the project summary, electrical schematic, and site plan to the Truro Fire Chief. Upon request, the owner or operator shall cooperate with local emergency services in developing an emergency response plan. All means of shutting down the installation shall be clearly marked. The owner or operator shall identify a responsible person for public inquiries throughout the life of the installation.
2. Land Clearing, Soil Erosion and Habitat Impacts. Clearing of natural vegetation shall be limited to what is necessary for the construction, operation and maintenance of the Large-Scale Ground-Mounted Solar Photovoltaic Installation or otherwise prescribed by applicable laws, regulations, and bylaws.

J. Monitoring and Maintenance.

1. Large-Scale Ground-Mounted Solar Photovoltaic Installation Conditions. The Large-Scale Ground-Mounted Solar Photovoltaic Installation owner or operator shall maintain the facility in good condition. Maintenance shall include, but not be limited to, painting, structural repairs, and integrity of security measures. Site access shall be maintained to a level acceptable to the Truro Fire Chief and Emergency Medical Services. The owner or operator shall be responsible for the cost of maintaining the installation and any access road(s), unless accepted as a public way.
2. Modifications. All material modifications to a Large-Scale Ground-Mounted Solar Photovoltaic Installation made after issuance of the required building permit shall require approval by the Planning Board.

K. Abandonment and Decommissioning.

1. Removal Requirements. Any Large-Scale Ground-Mounted Solar Photovoltaic Installation which has reached the end of its useful life or has been abandoned consistent with Section 40.7(J)(2) shall be removed. The owner or operator shall physically remove the installation no more than 150 days after the date of discontinued operations. The owner or operator shall notify the Large Scale Solar Review Authority by certified mail of the proposed date of discontinued operations and plans for removal. Decommissioning shall consist of:
  - 1.1 Physical removal of all Large-Scale Ground-Mounted Solar Photovoltaic Installations, structures, equipment, security barriers and transmission lines from the site.
  - 1.2 Disposal of all solid and hazardous waste in accordance with local, state, and federal waste disposal regulations.
  - 1.3 Stabilization or re-vegetation of the site as necessary to minimize erosion. The Large Scale Solar Review Authority may allow the owner or operator to leave landscaping or designated below-grade foundations in order to minimize erosion and disruption to vegetation.
2. Abandonment. Absent notice of a proposed date of decommissioning or written notice of extenuating circumstances, the Large-Scale Ground-Mounted Solar Photovoltaic Installation shall be considered abandoned when it fails to operate for more than one (1) year without the written consent of the Planning Board. If the owner or operator of the large-Scale Ground-Mounted Solar Photovoltaic Installation fails to remove the installation in accordance with the requirements of this section within 150 days of abandonment or the proposed date of decommissioning, the town may enter the property and physically remove the installation.

- L. Financial Surety. Proponents of Large-Scale Ground-Mounted Solar Photovoltaic projects shall provide a form of surety, either through escrow account, bond or otherwise, to cover the cost of removal in the event the town must remove the installation and remediate the landscape, in an amount and form determined to be reasonable by Planning Board, but in no event to exceed more than 125 percent of the cost of removal and compliance with the additional requirements set forth herein, as determined by the project proponent. Such surety will not be required for municipally- or state-owned facilities. The project proponent shall submit a fully inclusive estimate of the costs associated with removal, prepared by a qualified engineer. The amount shall include a mechanism for calculating increased removal costs due to inflation.

- [Language below taken from Application Procedures]: (attached)
  - ◆ “Additional information may be submitted prior to the scheduled public hearing provided it is received no less than **ten (10) days** prior to the hearing so that it can be included in the packet for Board Members to read and review. Submit fifteen (15) paper copies **AND** an electronic copy to the Town Planner (at [planner1@truro-ma.gov](mailto:planner1@truro-ma.gov)). Plans must be submitted to the Town Clerk for filing. Information received less than **ten (10) days** before the scheduled hearing may result in a continuance of the hearing. New material brought to the meeting, that has not previously been filed/submitted, will not be reviewed at that meeting.”
  
- Handbook – Appendix I, Planning Board Agenda Policy, states: (attached)
 

“All other requests (informal discussion, lot/covenant release, consultations, etc.) must be received by the Planning Office no less than one week before a scheduled meeting date as established by the Truro Planning Board Hearing/Meeting Schedule established for the calendar year. Submittal deadline is at noontime. (For example for a Tuesday meeting on March 13, the request and applicable information for the Planning Board’s review must be received by noontime on Tuesday, March 6). In some cases, depending upon the length of the agenda and at the discretion of the Planning Board Chair, an item may be put off to a future meeting date, if time allows.”
  
- After discussion, I think the language was something like this: All material, electronic and paper, for a Hearing shall be received no later than Tuesday 4:00 pm of the prior week. Late submittals will not be reviewed at that meeting.
  
- New paragraph: (?)
 

“All material, *electronic and paper*, for a hearing shall be received no later than Tuesday 4:00 pm of the prior week. Late submittals will not be reviewed at that meeting and may result in a continuance of the hearing. Additional information for a scheduled public hearing may be submitted provided it is received within the timeframe above so that it can be included in the packet for Board Members to read and review. Submit fifteen (15) paper copies, including full-size plans, to the Town Clerk for filing **AND** an electronic copy to the Town Planner (at [planner1@truro-ma.gov](mailto:planner1@truro-ma.gov)).

## **ONCE A COMPLETED APPLICATION HAS BEEN RECEIVED**

- Town Planner will determine if an Application is complete. Upon determination an Application is complete, the Planning Board will then proceed to post notice of a public hearing in accordance with Section 11 of Chapter 40A of the General Laws of Massachusetts.
- Either you or your agent/representative shall appear before the Board at the scheduled hearing. If you need to reschedule, you must submit a request in writing for a continuance, using Town of Truro Continuance Request Form.
- Additional information may be submitted prior to the scheduled public hearing provided it is received no less than **ten (10) days** prior to the hearing so that it can be included in the packet for Board Members to read and review. Submit twelve (12) paper copies **AND** an electronic copy to the Town Planner (at [planner1@truro-ma.gov](mailto:planner1@truro-ma.gov)). Plans must be submitted to the Town Clerk for filing. Information received less than **ten (10) days** before the scheduled hearing may result in a continuance of the hearing. New material brought to the meeting, that has not previously been filed/submitted, will not be reviewed at that meeting.

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

**TRURO  
PLANNING BOARD  
HANDBOOK  
& POLICIES**

**ADOPTED JUNE 29, 2011**

## APPENDIX 1

### **Planning Board Agenda Policy**

**Applications requiring public hearings** (Definitive Subdivisions, Special Permits, and Site Plan) shall be filed in accordance with the Truro Planning Board Hearing/Meeting Schedule established for the calendar year and the agenda date shall be as shown on the Schedule.

**All other applications** (ANR, Preliminary Subdivision and Waivers from Site Plan) will be scheduled accordingly and in compliance with the Subdivision Control Laws and/or other applicable local requirements.

**All other requests** (informal discussion, lot/covenant release, consultations, etc.) must be received by the Planning Office no less than one week before a scheduled meeting date as established by the Truro Planning Board Hearing/Meeting Schedule established for the calendar year. Submittal deadline is at noontime. (For example for a Tuesday meeting on March 13, the request and applicable information for the Planning Board's review must be received by noontime on Tuesday, March 6). In some cases, depending upon the length of the agenda and at the discretion of the Planning Board Chair, an item may be put off to a future meeting date, if time allows.

**Requests from Planning Board members** must be made to the Planning Board Chair, with a copy or notice to the Assistant Town Administrator, no later than noontime the week before the scheduled meeting as established by the Truro Planning Board Hearing/Meeting Schedule established for the calendar year. (For example for a Tuesday meeting on March 13, the request and applicable information for the Planning Board's review must be received by noontime on Tuesday, March 6). In some cases, depending upon the length of the agenda and at the discretion of the Planning Board Chair, an item may be put off to a future meeting date, if time allows.

For the purposes of the Planning Board Agenda, the term “**Any other business which may legally come before the Board**”, shall include, but is not limited to: applications for ANR plans which may come in after the agenda closes, but the next meeting date is beyond the 21-days in which the Planning Board has to act; emergency discussion which may arise after the close of the agenda, such as a request from the Board of Selectmen or Town Counsel, which may require action before the next regularly scheduled meeting and any other emergency situations which may arise.