



Truro Planning Board Agenda

Remote Meeting

Wednesday, January 11, 2023 – 5:00 pm
www.truro-ma.gov

Open Meeting

This will be a remote public 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). Click on the green "Watch" button in the upper right corner of the page. Please note that there may be a slight delay (approx. 15-30 seconds) between the meeting and the television broadcast/live stream.

Citizens can join the meeting to listen and provide public comment by entering the meeting link; clicking on the Agenda's highlighted link; clicking on the meeting date in the Event Calendar; or by calling in toll free at [1-877-309-2073](tel:1-877-309-2073) and entering the access code [841-874-277#](tel:841-874-277#) when prompted. Citizens will be muted upon entering the meeting until the public comment portion of the hearing. If you are joining the meeting while watching the television broadcast/live stream, please lower or mute the volume on your computer or television during public comment so that you may be heard clearly. Citizens may also provide written comment via postal mail or by emailing Liz Sturdy, Planning Department Administrator, at esturdy@truro-ma.gov.

Meeting link: <https://meet.goto.com/841874277>

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.

1. Planner Report

2. Chair Report

3. Minutes

- ◆ October 19, 2022 – Revised per December 14, 2022 Review (page 2)

Board Action/Review

- ◆ **Subdivision Pre-Submission Review – Mary Read and the Ladd Family** in the matter of a potential further subdivision of a large parcel on Keezer Court and a gift to the Truro Conservation Trust.



Board Action/Review (Continued)

- ◆ **2022-007/PB** – **Sylvia Russianoff** 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 47 Old County Road, Truro MA, Atlas Map 54, Parcel 11, Land Court Certificate of Title No. 174343.

and

2022-008/PB – **Sylvia Russianoff** 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 4 Fisher Hill Way, Truro MA, Atlas Map 54, Parcel 120, Registry of Deeds title reference: Book 18953, Page 155.

Public Hearing – Continued

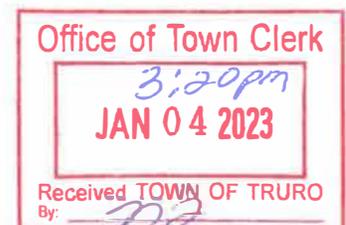
2022-012/SPR – **Katherine S. Cook and Christine Van Genderen**, for property located at 38 Cliff Road (Atlas Map 32, Parcel 19, Registry of Deeds Book 33307 and Page 344). Applicants seek approval of amended Site Plan to reflect construction not authorized by Residential Site Plan Approval granted in Case 2020-005/SPR, including enclosure of screened porch to create living room; altered basement and first floor layouts; and addition of second floor living space in place of deck, located in Seashore District. **[Material in 12/7/2022 packet]**

Potential Warrant Article Discussion

Next Work Session: Wednesday, January XX, 2023 at X:00 pm ?

Next Meeting: Wednesday, January 25, 2023 at 5:00 pm

Adjourn



STAFF MEMORANDUM

To: Truro Planning Board
From: Barbara Carboni, Town Planner/Land Use Counsel
Date: January 10, 2023
Re: January 11, 2023 meeting

Keezer Court - Mary Read and the Ladd Family - Subdivision Pre-Submission Review

Pursuant to Rule 2.3 of the Board's Rules and Regulations Governing the Subdivision of Land, the applicants seek the Board's review and discussion, prior to filing an application for subdivision approval, of a plan proposed to divide property at Keezer Court, which was the subject of an approved 1994 subdivision.

Counsel for the applicant met with Town staff and prepared the materials submitted consistent with advice provided. The proposed modification of the existing subdivision plan would be executed in conjunction with a donation of certain acreage to the Truro Conservation Trust, similar in concept to the Amity Lane subdivision approved by the Board in 2020. Certain other modifications to the 1994 Plan are proposed. This pre-submission review provides an opportunity for the Board to flag any issues and/or provide constructive comment to the applicants on the proposal.

2022-007/PB- Sylvia Russianoff seeks approval of Form A-Application for Determination that Plan Does Not Require Approval (ANR) with respect to property at **47 Old County Road**.

2022-008/PB - Sylvia Russianoff seeks approval of Form A -Application for Determination that Plan Does Not Require Approval (ANR) with respect to property at **4 Fisher Hill Way**.

This interesting application involves two ANR plans because the parcels from which two new lots will be formed includes both registered and recorded land. 47 Old County Road is registered land; it contains just over 3 acres; has approximately 369 feet of frontage on Old County Road; and an existing residence. 4 Fisher Hill Way is recorded land abutting and "interior" to 47 Old County Road; it contains 1.08 acres; is unimproved, and has frontage on Fisher Hill Way. The intent as explained in the narrative is to create two new lots ("house lot" and "vacant lot"), each having sufficient frontage on Old County Road and sufficient lot area.¹ This will be accomplished by 1) dividing 47 Old County Road into two lots (Parcel 9, containing the residence, having 150 feet of frontage on Old County, and Parcel 10, vacant and having 219

¹ As always, the Board's endorsement of these Plans would not constitute any finding that the new vacant lot is a buildable lot under the Zoning Bylaw.

feet of frontage on Old County); 2) dividing 4 Fisher Hill Way into two lots (Parcel B1 and B2); 3) combining Parcels 9 and B1 to create a new lot containing approximately 131,500 sq. ft. and the existing residence (house lot); and 4) combining Parcel 10 and B2 to create a new lot containing approximately 89,210 sq. ft. (vacant lot). Only the first two steps are before the Board at this point. Regarding the combinations in steps 3 and 4, the resulting parcels would be considered combined or "merged" for purposes of zoning (assuming they continued to be held under common ownership), but would remain separate parcels because of their separate status as registered and recorded land.²

Access to the residence lot (Parcels 9 and B1) would continue to be from Fisher Hill Way. Access to the vacant lot is proposed from Old County Road, via a driveway (depicted on the plan prepared for illustrative purposes).

The Board is requested to endorse, as Approval Not Required, the Plan dividing 47 Fisher Road into Parcel 9 (containing 56,780 sq. ft.) and Parcel 10 (containing 74, 720 sq. ft.). Both lots have sufficient (150+ feet) frontage on Old County Road, a public way.³ An ANR endorsement may be provided by the Board.

The Board is also requested to endorse, as ANR, the Plan dividing 4 Fisher Hill Road into Parcel B1 (32,480 sq. ft.) and Parcel B2 (14,900 sq. ft.). An ANR endorsement may be provided by the Board.

2022-012/SPR- Katherine S. Cook and Christine Van Genderen, for property located at 38 Cliff Road

The following is reproduced from a previous Staff memo.

The Applicants seek approval of amended Site Plan to reflect construction not authorized by Residential Site Plan Approval granted in Case 2020-005/SPR, including enclosure of screened porch to create living room; altered basement and first floor layouts; and addition of second floor living space in place of deck, located in Seashore District.

Project History

The property is nonconforming as to area (.64 acres in the Seashore District, where 3 acres required). By decision dated January 6, 2021, the Planning Board granted Residential Site

² At some future point, the owner could convey out Parcels 10 and B2 to a new owner; assuming these parcels continued to be held in common ownership, they would be considered merged for purposes of zoning. As noted above, the Board's ANR endorsement would not constitute any finding that the new vacant lot would be a buildable lot under the Zoning Bylaw.

³ The Form A submitted for the division of 47 Old County states that the total area is 4.09 acres, which appears to be an error. The total area of 47 Old County is 3.03 acres.

Plan approval for a project entailing the removal of most of a then-existing dwelling, and reconstruction with additions on an enlarged footprint. Prior to the renovations, the dwelling was nonconforming as to front setback (16.5 feet where 50 required) and contained a total of 1,389 square feet, plus a covered deck of 76 square feet.

The project as approved allowed for the construction of a screened porch of 296 square feet on the north side of the house, and the construction of an additional 213 square feet of living space on the east side of the house. As approved, the total Gross Floor Area of the dwelling was to be 1,767 square feet (1,253 square feet on the first floor; 515 square feet on the second), plus a porch/deck of 373 square feet. See Plan of Land (Outermost) dated October 23, 2020 and stamped plans dated October 26 2020 revised January 8 2021 (A1.1-A2.5). As is standard, the Board's decision included a condition that "[c]onstruction shall conform to the plans referenced in this decision."

As the project entailed alterations to a nonconforming structure on a nonconforming lot, a special permit under G.L. c. 40A, s. 6 and s. 30.7 of the Zoning Bylaw was required (and obtained) from the ZBA. The ZBA's decision also required that construction conform to the approved plans.

Project as constructed

The project as constructed deviates from the plans as approved by the Planning Board and ZBA. The screened porch was constructed as an enclosed living room. An unapproved dormer and additional living space was added on the second floor. The total as-built Gross Floor Area totals 2,697 square feet, as opposed to the 1,767 square feet approved. The first floor contains 1,527 square feet (1,253 approved); the second floor contains 1,170 square feet (515 approved). The basement and first floor layouts were evidently not constructed in conformity with the plans, since the application is for amendment of the Site Plan Approval "to change approved screened porch to living room, revise basement plan, revise interior first floor layout, remove second floor deck, and add second floor living space." (emphasis added). See also as built plans dated May 2, 2022 (A1.0-A2.4).

Applicable Standard

The Zoning Bylaw does not contain a provision for amending an approved Site Plan. The application should be reviewed as a new application would be.

ZBA Review

The ZBA opened hearing on the owners' application for a special permit at its December meeting but took no testimony. The ZBA will take the matter up at its meeting on January 23, 2023.

Additional materials

Applicants' counsel has submitted additional materials to the Board: emails dated January 2022 from the Building Department to the builder, stating that certain construction completed was unauthorized and required revisits to the ZBA and Planning Board (also reflecting a telephone conversation to that effect); and an "Existing 2nd Floor Plan" with an initialed notation of the Building Commissioner "Amended 2nd Floor Permit 2-28-22." The Building Commissioner has advised that this approval of the amended 2nd floor plan simply reflected the fact that the work had been completed, not that the work had been authorized or that it conformed to the ZBA and Planning Board decisions. The Building Commissioner further advised that no certificate of occupancy has issued, nor will one issue until Planning Board and ZBA approvals are obtained.



TOWN OF TRURO

PLANNING BOARD

Meeting Minutes

October 19, 2022 – 5:00 pm

REMOTE PLANNING BOARD MEETING

Members Present (Quorum): Anne Greenbaum (Chair); Rich Roberts (Vice Chair); Jack Riemer (Clerk); Paul Kiernan; Ellery Althaus; Caitlin Townsend

Members Absent:

Other Participants: Town Planner/Land Use Counsel Barbara Carboni; Select Board Liaison John Dundas; Katie Adams (Representative for Crown Castle – Applicant); William Rogers (Civil Engineer and Land Surveyor- Representative for Matthew Bramble and Murray Bartlett - Applicants); Karen Ruymann (Candidate for Potential Member on the Planning Board).

Remote meeting convened at 5:00 pm, Wednesday, October 19, 2022, by Chair Greenbaum who announced that this was a remote public meeting aired live on Truro TV Channel 18 and was being recorded. Town Planner/Land Use Counsel Carboni also provided information as to how the public may call into the meeting or provide written comment. Members introduced themselves to the public.

Public Comment Period

Public comment, for items not on the agenda, was opened by Chair Greenbaum and there were none.

Planner Report

Town Planner/Land Use Counsel Carboni announced that the Open Space Committee (OSC) has been working on the Open Space and Recreation Plan (OSRP). The OSC will hold a virtual meeting on October 27th, 2022, at 6 pm and there will be additional information on the Town's website. Town Planner/Land Use Carboni noted that the OSC could use community input as they prepare the OSRP. The Local Comprehensive Plan Committee (LCPC) held a successful event last week and Town Planner/Land Use Counsel Carboni invited Chair Greenbaum and Member Althaus to comment on the event.

Chair Greenbaum stated that the LCPC event was successful as there were 76 attendees in attendance in addition to the Members of the LCPC. Chair Greenbaum commented that there was great participation and wonderful ideas. Member Althaus concurred with Chair Greenbaum's comments. Chair Greenbaum added that the event was not recorded but notes were taken at the event and will be distributed.

Chair Report

Chair Greenbaum reported that she had attended the recent LCPC event. Chair Greenbaum further reported that she attended last week's Truro Housing Authority meeting to obtain their thoughts about

potential Warrant articles. Topics discussed were continuing to work on a Duplex Bylaw article, nonconforming lots for affordable housing, and multifamily housing.

Chair Greenbaum added that she will attend tomorrow's Charter Review Committee meeting to share the Members' comments about the length of term for the Planning Board.

Board Action/Review (Continued)

2022-005/PB - Regan McCarthy 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 35A Higgins Hollow Road, Truro MA, Atlas Map 47, Parcel 2, Registry of Deeds title reference: Book 20807, Page 42.

Chair Greenbaum announced that the Applicant has requested an extension until November 2nd, 2022, so there will be no action this evening.

Board Action/Review

2022-006/PB - Matthew Bramble and Murray Bartlett seek 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 31 and 33 Sylvan Lane, Truro MA, Atlas Map 43, Parcels 74 and 75, Registry of Deeds title reference: Books 33585/35191, Pages 120/48.

Chair Greenbaum recognized Mr. Rogers who provided background and elements of the application. Chair Greenbaum then added that Mr. Rogers had submitted information regarding the status of the road as requested by the Members. A brief discussion ensued between the Members and Mr. Rogers.

Prior to voting on the motion to endorse the ANR in this matter, Member Riemer commented and expressed concerns on the following: the length of this property from the access to the Town road was over 2,500 feet and the dead end road extends way beyond that; further development of the property; according to Town of Truro's Rules and Regulations Governing the Subdivision of Land 3.6.6 (Dead End Streets), the Planning Board does not look favorably upon anything longer than 1,000 feet with a dead end or a turnaround; and in conclusion, Member Riemer noted that the condition of the road was questionable.

Member Althaus made a motion to endorse the ANR in this matter.

Member Townsend seconded the motion.

So voted, 6-0, motion carries.

Chair Greenbaum congratulated Mr. Rogers who thanked the Members, Planning Department Administrator Liz Sturdy, and Town Planner/Land Use Counsel Carboni for their help.

2022-010/SPR – Crown Castle/DISH Wireless, on property located at 344 Route 6 (Atlas Map 39, Parcel 172). Applicant seeks a Special Permit under Section 40.5 of the Truro Zoning Bylaw, and as an Eligible

Facilities Request for a minor modification under Section 6409 and the rules of the Federal Communications Commission (“FCC”), to modify an existing tower: adding three (3) antennas, six (6) remote radio units, and one (1) over voltage protection device at the 122’ centerline height on the tower, three (3) DC power cables, three (3) fiber trunks and one (1) radio cabinet in the existing fenced compound.

Chair Greenbaum recognized Ms. Adams who provided background information and an update on the proposed low-profile tower as well as the Structural Analysis which was submitted to the Planning Board. The Structural Analysis concluded that the tower passes the Risk Category 3 criteria.

Town Planner/Land Use Counsel Carboni agreed with Vice Chair Roberts that a written confirmation by the engineer who conducted the Structural Analysis could be a condition for an endorsement of this application. Ms. Adams stated that she would coordinate this condition with Crown Castle.

Chair Greenbaum and Town Planner/Land Use Counsel Carboni reviewed the standard conditions with Members prior to entertaining a motion to endorse this application.

Vice Chair Roberts made a motion to approve a Special Permit for this work and an Eligibility Facilities Request (EFR) for the 344 Route 6 tower.

Member Kiernan seconded the motion.

So voted, 6-0, motion carries.

Chair Greenbaum thanked Ms. Adams who then thanked the Members before her departure. Town Planner/Land Use Counsel Carboni noted that Ms. Adams’ presentation was the best presentation on a modification of equipment, and it will be the standard by which she will judge any other modifications to the tower. Chair Greenbaum and Members concurred.

Development of Warrant Articles

Chair Greenbaum suggested that the development of Warrant articles be discussed at the next Work Session. Members concurred with this suggestion.

Interview of Potential Planning Board Members

Chair Greenbaum confirmed that the interviews for the potential Members of the Planning Board will occur next Tuesday, October 25th, 2022, at 3 pm. Chair Greenbaum then reviewed the standardized questions from Select Board Policy #13 with Town Planner/Land Use Counsel Carboni and the Members. Chair Greenbaum and the Members discussed additional potential questions which they would like to ask the candidates. The Members then discussed the process for the candidate interviews.

Chair Greenbaum recognized Ms. Ruymann who read an email that she had received from Town staff today regarding the October 25th, 2022, Planning Board interviews that included the list of questions but stated that the interviews would begin at 5 PM. Ms. Ruymann wanted the Members to be aware of the email and the information. Chair Greenbaum thanked Ms. Ruymann for the information.

Chair Greenbaum announced that there will be two additional questions asked of the candidates and Town Planner/Land Use Counsel Carboni added that the interview time will be clarified with Town staff prior to the interviews.

Minutes

Chair Greenbaum led the discussion and review of the minutes of the September 7th, 2022 meeting. There were no revisions or edits.

Vice Chair Roberts made a motion to approve the September 7, 2022, meeting minutes as submitted. Member Kiernan seconded the motion. So voted, 6-0, motion carries.

Chair Greenbaum led the discussion and review of the minutes of the September 28th, 2022 Work Session. There were no revisions or edits.

Member Kiernan made a motion to approve the September 28, 2022, minutes as submitted. Member Althaus seconded the motion. So voted, 6-0, motion carries.

Chair Greenbaum announced that the next work session was dependent upon Health and Conservation Agent Emily Beebe's availability and that she will know in a day or so. If Health and Conservation Agent Beebe was not available, there would not be a work session.

Member Riemer made a motion to adjourn the meeting at 6:20 pm. Vice Chair Roberts seconded the motion. So voted, 6-0, motion carries.

Respectfully submitted,



Alexander O. Powers
Board/Committee/Commission Support Staff

Robin B. Reid
Mediator
Attorney at Law

Mailing address: Post Office Box 1713
Provincetown, Massachusetts 02657

Telephone: (508) 487-7445
E-mail: Robin@RobinBReidEsq.com

November 28th, 2022

Liz Sturdy
Planning Department

Truro Town Hall

BY EMAIL & IN HAND

ESturdy@truro-ma.gov

RE: Subdivision Pre-Submission Review

Keezer Court

Dear Ms. Sturdy:

I represent Mary Read and the Ladd family in the matter of a potential further subdivision of a large parcel on Keezer Court and a gift to the Truro Conservation Trust.

I write to request that this matter be placed on the agenda of the Planning Board meeting scheduled for December 7 for a Subdivision Pre-Submission Review pursuant to §2.3 of the Truro Rules and Regulations Governing the Subdivision of Land.

I have attached here a proposed subdivision modification plan and several hand marked plans representing the parcel on Keezer Court, as follows:

- Plan A - outlines the entire parcel to be further subdivided;
- Plan B - outlines a small triangle to be made a part of 21 Hatch Road;

Liz Sturdy
Planning Department, Town of Truro

Re: Keezer Court
Subdivision Pre-submission Review

page 2 of 2

- Plan C - outlines the parcel to be retained,
intended to be the site of a single family dwelling;
and
- Plan D - outlines the parcel intended as a gift to
the Truro Conservation Trust

I have also attached here a copy of the Form D
Covenant, from the original 1994 Keezer Court Subdivision.

Finally, I have attached my narrative and notes on a
proposed covenant for this proposed further subdivision.

I will deliver 10 set of copies of the attachments
later this morning.

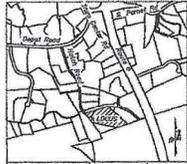
Thank you for your consideration in this matter.
Please do not hesitate to call or email if you have any
questions.

Yours truly,



Robin B. Reid, Esq.

cc. Mary Read
Barbara Carboni, Town Planner



Date of Preliminary Application N/A
 Date of Preliminary Approval N/A
 Date of Definitive Application _____
 Date of Definitive Approval _____
 Date of Definitive Endorsement _____

Town Board of Health
 Approved Date _____

LEWYNA BLADE, CLERK OF THE TOWN OF
 TURP, HEREBY CERTIFY THAT THE NOTICE
 OF APPROVAL OF THIS PLAN BY THE TOWN
 PLANNING BOARD HAS BEEN RECEIVED AND
 RECORDED AT THE CLERK'S OFFICE AND NO APPEAL
 HAS BEEN RECEIVED WITHIN THE TWENTY DAY
 AFTER SUCH RECEIPT AND RECORDING OF
 SUCH NOTICE.

TOWN CLERK

#142 Route 6
 Turp Conservation Trust
 Ctl. #157,589
 Lot 19, LCP 17925-1
 Assessors Map 51, Parcel B7

- Whereas requested from the Rules and Regulations
 Section 2.5.2
 a.5. Below first stage of drainage easements
 a.10. subdivision of 3 Road frontages
 a.11. Written statement regarding road construction
 a.6. Existing and proposed methods of drainage
 a.12. Plans of Land with 2" contours
 b.14. Base 1988 Survey
 b.15. Road grades, right-of-way and surface lips
 b.22. 2 benchmarks
 a.30. All measurements 1/4"
 c. All

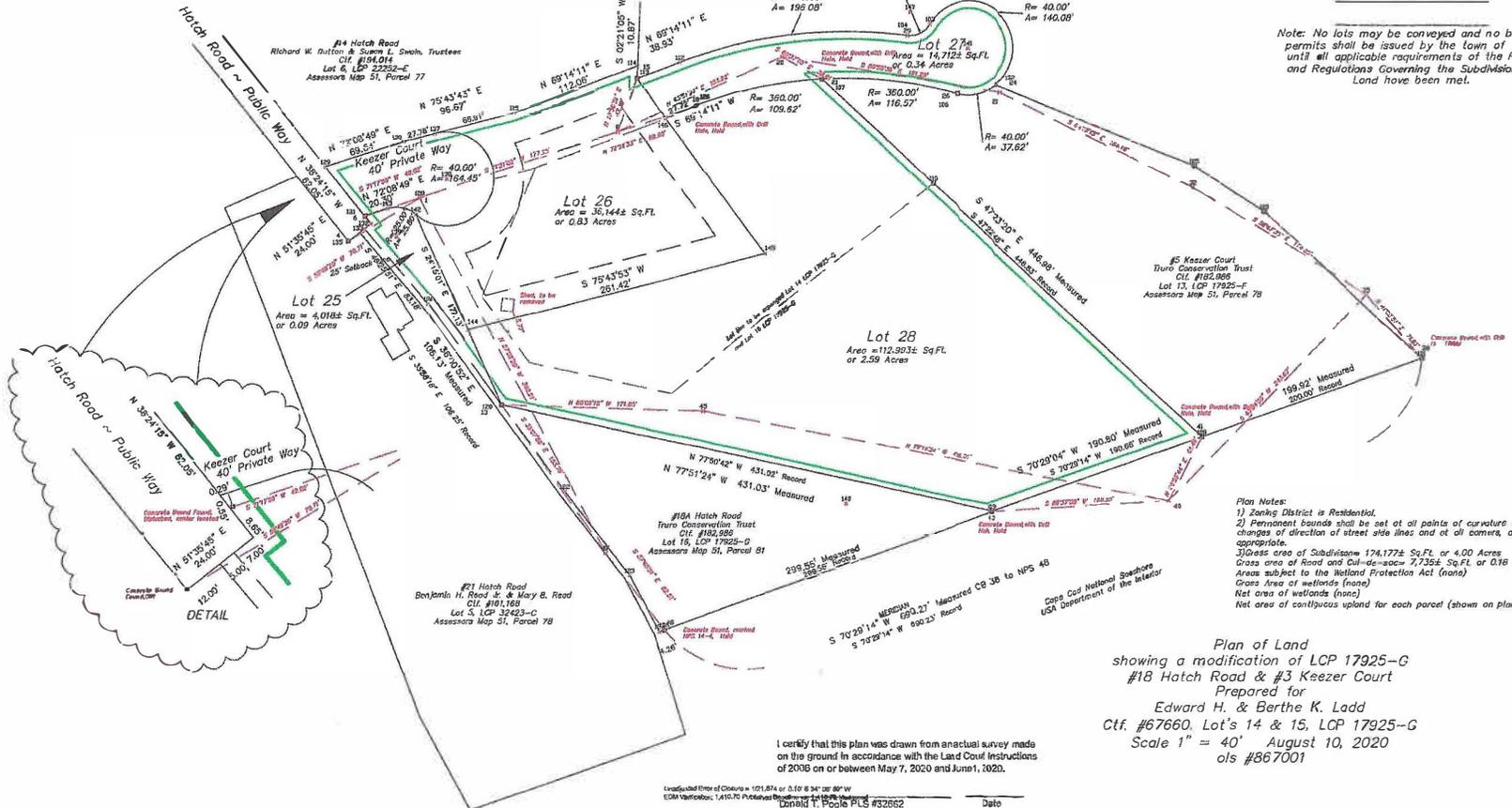
Lot 25 does not have sufficient frontage or
 area to be considered a building lot and is
 to become and remain a part of abutting
 land at #21 Hatch Road.

Lot 27 is the former right of way for
 Keezer Court and lacks sufficient frontage
 and area to be considered a building lot.

Lot 28 lack frontage and is not to
 be considered a building lot.

Town of Turp Planning Board
 Approval Date: _____

Note: No lots may be conveyed and no building
 permits shall be issued by the Town of Turp
 until all applicable requirements of the Rules
 and Regulations Governing the Subdivision of
 Land have been met.

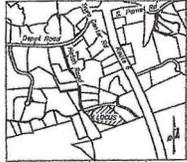


- Plan Notes:
 1) Zoning District is Residential.
 2) Permanent bounds shall be set at all points of curvature and changes of direction of street side lines and at all corners, as appropriate.
 3) Gross area of Subdivision 174,177± Sq.Ft. or 4.00 Acres
 Gross area of Road and Cul-de-sac= 7,735± Sq.Ft. or 0.18 Acres
 Areas subject to the Wetland Protection Act (none)
 Gross Area of wetlands (none)
 Net area of wetlands (none)
 Net area of contiguous upland for each parcel (shown on plan)

Plan of Land
 showing a modification of LCP 17925-G
 #18 Hatch Road & #3 Keezer Court
 Prepared for
 Edward H. & Berthe K. Ladd
 Ctl. #67660, Lot's 14 & 15, LCP 17925-G
 Scale 1" = 40' August 10, 2020
 o/s #867001

I certify that this plan was drawn from an actual survey made
 on the ground in accordance with the Land Court Instructions
 of 2008 on or between May 7, 2020 and June 1, 2020.

Unadjusted True of Closure = 1:01.874 or 0.00834" per 80' W
 EDM Variance: 1.61070 Probable Error: ± 0.18" per 100' W
 Donald T. Poole P.L.S. #32652 Date _____



Date of Preliminary Application N/A
 Date of Preliminary Approval N/A
 Date of Definitive Application _____
 Date of Definitive Approval _____
 Date of Definitive Endorsement _____

Truro Board of Health
 Approval Date _____

LOTTING BOARD, CLERK OF THE TOWN OF
 TRURO, HEREBY CERTIFY THAT THE NOTICE
 OF APPROVAL OF THIS PLAN BY THE TOWN
 PLANNING BOARD HAS BEEN RECEIVED AND
 RECORDED AT THIS OFFICE AND REAPPROVED
 WHERE REQUIRED DURING THE TWENTY (20) DAYS
 AFTER SUCH RECEIPT AND RECORDING OF
 SUCH NOTICE.

FORM 12345

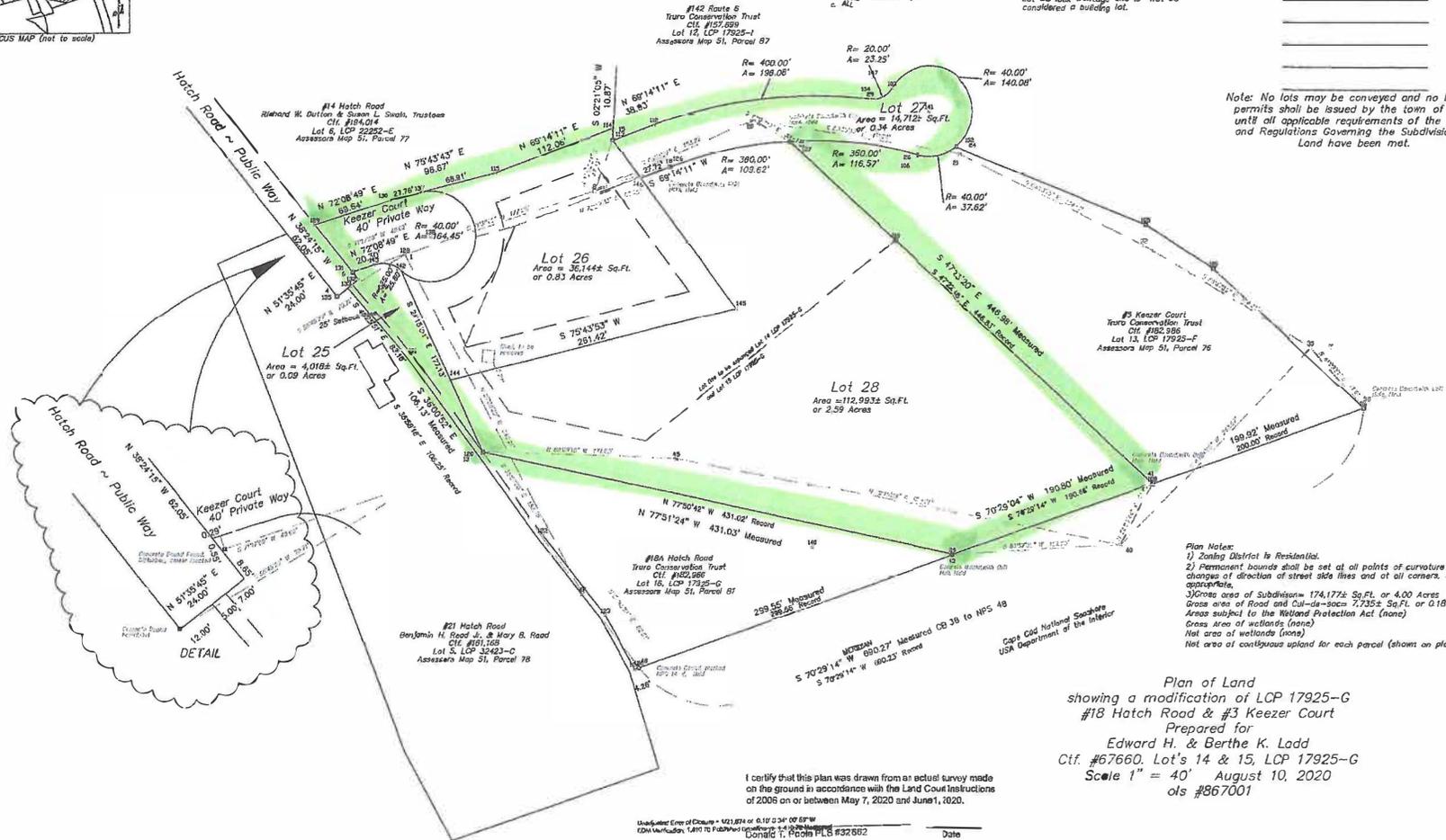
#142 Route 6
 Truro Conservation Trust
 Ctl. #157,699
 Lot 15, LCP 17925-1
 Assessor Map 51, Parcel 87

We've requested that the Rules and Regulations
 Section 2.5.2
 a.6. Water from reserved drainage easements
 a.10. maintenance of 3' Road curbs
 a.11. Written statement regarding road construction
 b.5. Existing and proposed methods of drainage
 b.10. Topography of Land with 2' contour
 b.14. State Road Elevation
 b.16. Road grades, sight distances, and surface type
 b.22. 3' benchmarks
 b.30. As transsecting 12'
 c. ALL

Lot 25 does not have sufficient frontage or
 area to be considered a building lot and is
 to become and remain a part of abutting
 land at #21 Hatch Road.
 Lot 27 is the former right of way for
 Keezer Court and lacks sufficient frontage
 and area to be considered a building lot.
 Lot 28 lacks frontage and is not to be
 considered a building lot.

Town of Truro Planning Board
 Approval Date: _____

Note: No lots may be conveyed and no building
 permits shall be issued by the town of Truro
 until all applicable requirements of the Rules
 and Regulations Governing the Subdivision of
 Land have been met.



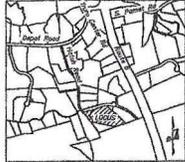
Plan Notes:
 1) Zoning District is Residential.
 2) Permanent bounds shall be set at all points of curvature and
 changes of direction of street side lines and at all corners, as
 appropriate.
 3) Gross area of Subdivision= 174,177± Sq.Ft. or 4.00 Acres
 Gross area of Road and Cul-de-sacs= 7,735± Sq.Ft. or 0.18 Acres
 Areas subject to the Wetland Protection Act (none)
 Gross Area of wetlands (none)
 Net area of wetlands (none)
 Net area of contiguous upland for each parcel (shown on plan)

Plan of Land
 showing a modification of LCP 17925-G
 #18 Hatch Road & #3 Keezer Court
 Prepared for
 Edward H. & Berthe K. Ladd
 Ctl. #67660, Lot's 14 & 15, LCP 17925-G
 Scale 1" = 40' August 10, 2020
 ats #867001

I certify that this plan was drawn from an actual survey made
 on the ground in accordance with the Land Court Instructions
 of 2006 on or between May 7, 2020 and June 1, 2020.

Uncollected Error of Closure = 121.874' or 6.12 3/4" @ 67° W
 (204' W x 14.81' N to Public Road) @ 121.874' or 6.12 3/4" @ 67° W
 Consult: 1. Plans PLS #32602 Date _____

PLAN X



Date of Preliminary Application N/A
 Date of Preliminary Approval N/A
 Date of Definitive Application _____
 Date of Definitive Approval _____
 Date of Definitive Endorsement _____

Town Board of Health
 Approval Date _____

LOTTMAN CLERK OF THE TOWN OF
 TOWN, HEREBY CERTIFY THAT THE NOTICE
 OF APPROVAL OF THIS PLAN BY THE BOARD
 PLANNING BOARD HAS BEEN RECORDED AND
 RECEIVED AT THIS OFFICE AND NO APPEAL
 HAS BEEN RECEIVED DURING THE TWENTY DAY
 AFTER SUCH RECEIPT AND RECORDING OF
 SUCH NOTICE.

Where requested from the Rules and Regulations
 Section 2.3.2
 a.6. Water Main required @ drainage easement
 a.10. Submission of 3 Road names
 a.11. Written agreement regarding Road easement
 b.5. Ejecting the proposed methods of easement
 b.10. Topography of Land with 2' contours
 b.14. Base Flood Elevation
 b.16. Road grades, sight distances and surface type
 b.22. 2 Encroachments
 b.30. All trees exceeding 1" c.
 c. All

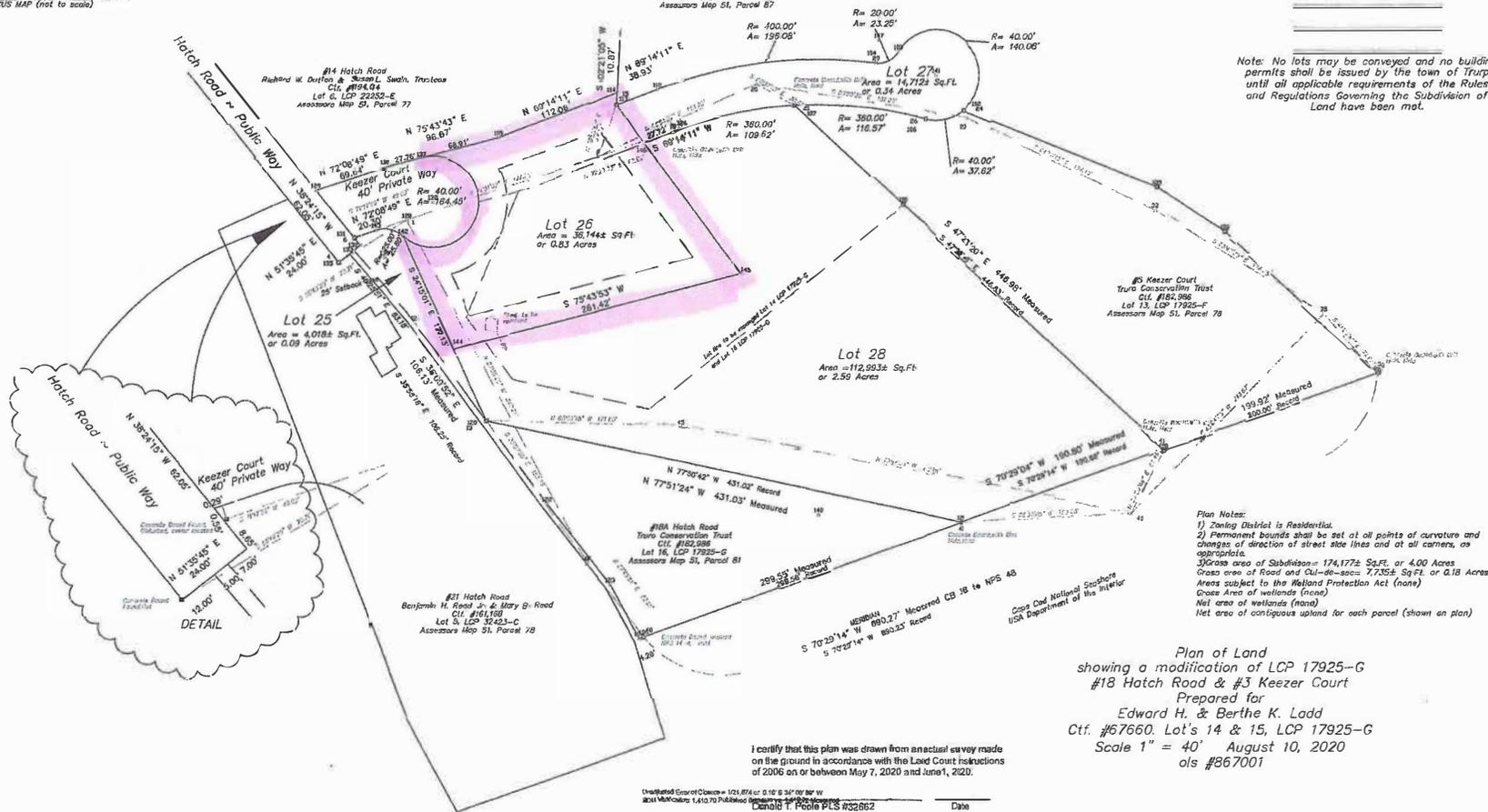
Lot 25 does not have sufficient frontage or
 area to be considered a building lot and is
 to become and remain a part of abutting
 land at #21 Hatch Road.

Lot 27 is the former right of way for
 Keezer Court and lacks sufficient frontage
 and area to be considered a building lot.

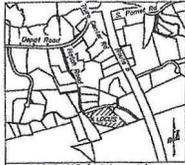
Lot 28 196k frontage and is not to
 be considered a building lot.

Town of Turo Planning Board
 Approval Date: _____

Note: No lots may be conveyed and no building
 permits shall be issued by the town of Turo
 until all applicable requirements of the Rules
 and Regulations governing the Subdivision of
 Land have been met.



PLAN C



Date of Preliminary Application N/A
 Date of Preliminary Approval N/A
 Date of Definitive Application _____
 Date of Definitive Approval _____
 Date of Definitive Endorsement _____

Town Board of Health
 Approval Date _____

I CERTIFY THAT, CLERK OF THE TOWN OF TRURO, HEREBY CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE TOWN PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO APPEALS HAVE BEEN RECEIVED SINCE THE TRUENT DATE AFTER SUCH RECEIPT AND RECORDING OF SUCH NOTICE.

#142 Rule 6
 Truro Conservation Trust
 Ctl. #87,599
 Lot 12, LCP 17925-1
 Assessor's Map 51, Parcel 87

- Spikes requested from the Rules and Regulations Section 2.5.2
- a.6. "Water" from proposed drainage calculations
 - a.12. subdivisions of 3 Road meters
 - a.11. Written statement regarding road construction
 - b.5. Existing and proposed methods of drainage
 - b.10. Topography of land with 2' contour
 - b.14. Base Road Elevation
 - b.16. Road grades, sight distances, and surface type
 - b.22. 2' boundaries
 - b.30. All trees $= 40'$
 - c. ALL

Lot 25 does not have sufficient frontage or area to be considered a building lot and is to become and remain a part of abutting land at #21 Hatch Road.

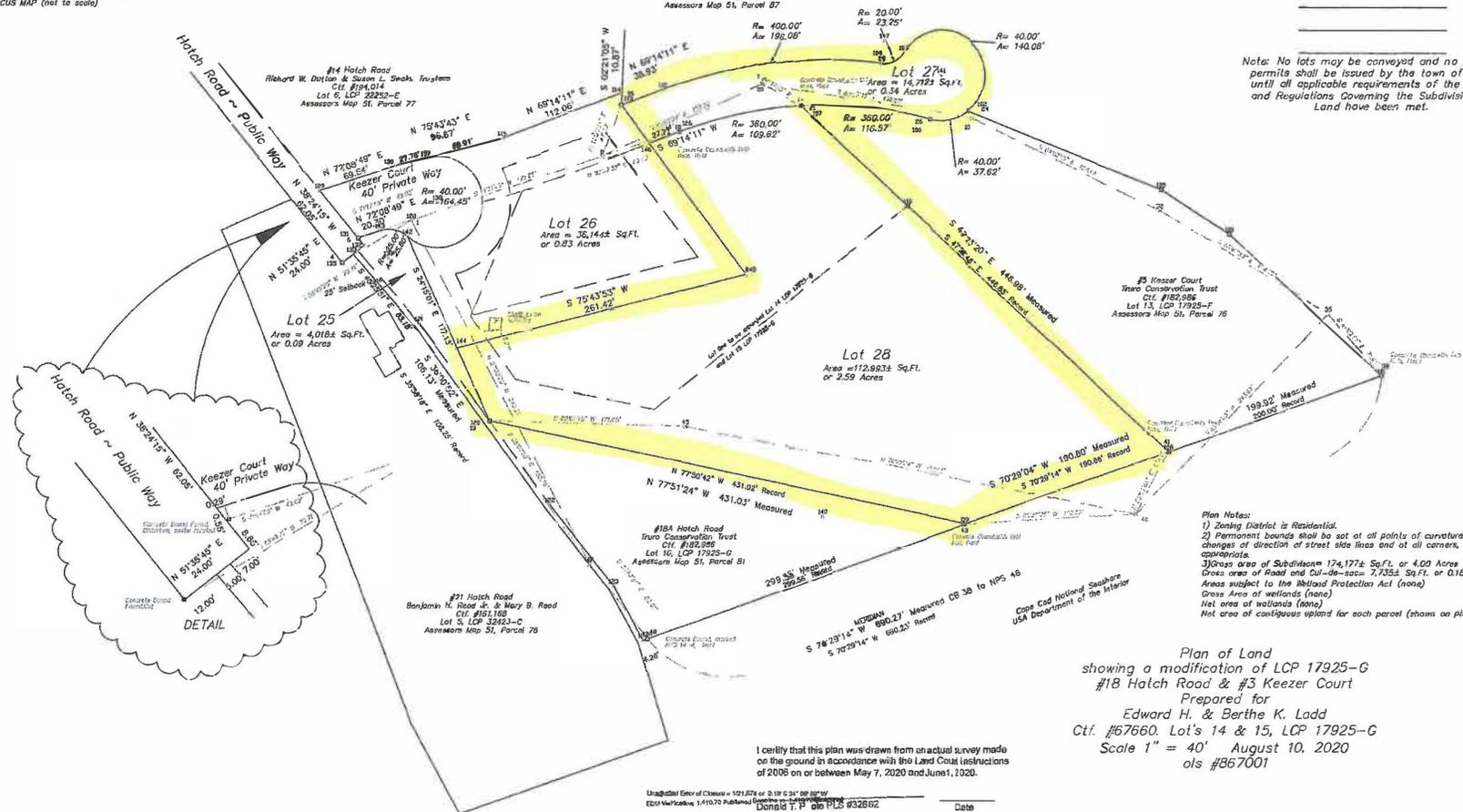
Lot 27 is the former right of way for Keezer Court and lacks sufficient frontage and area to be considered a building lot.

Lot 28 lack frontage and is not to be considered a building lot.

Town of Truro Planning Board

Approval Date: _____

Note: No lots may be conveyed and no building permits shall be issued by the town of Truro until all applicable requirements of the Rules and Regulations Governing the Subdivision of Land have been met.



PLAN D

KEEZER COURT

Narrative and Notes

Subdivision Pre-Submission Review re proposed modification of the subdivision at Keezer Court

- this proposal concerns a piece of a long held family property at the end of Hatch Road
 - 21 Hatch Road is jointly owned by Mary Read and Ben Read, brother and sister
 - and the Keezer Court land is owned by their aunt and uncle, Bertha and Ted Ladd
- original subdivision created 1994
 - recorded Form D included in packet
- one parcel already donated to Truro Conservation Trust
 - 5 Keezer Court
- as with the Amity Lane Subdivision from 2020
 - we seek to establish value in Lot 28 - in order to make a gift of Lots 27 and 28 to the Conservation Trust
- this is proposal to further subdivide the remaining Keezer Court land
- in my attachments
 - proposed Modification of Subdivision Plan
 - Plan A - outlines the entire parcel to be further subdivided
 - Plan B - outlines a small triangle to be made a part of 21 Hatch Road - to enable 21 Hatch to construct a conforming deck on the NE side of that structure

- Plan C - outlines the parcel to be retained by Mary Read, intended as the site of a future single family dwelling; and
 - Plan D - outlines the parcel intended as a gift to the Truro Conservation Trust
-
- as with the Amity Lane Subdivision from 2020
 - we seek to establish value in Lot 28 - in order to facilitate gifts of Lots 27 and 28 to the Truro Conservation Trust
-
- possible covenant terms
 - at such time that Lot 26 is improved by a residence, the cul de sac at the end of Hatch Road shall be constructed in accordance with Planning Board Rules and Regulations
 - at such time that Lot 28 is improved by a residence, Keezer Court shall be constructed in accordance Planning Board Rules and Regulations

FORM D
COVENANT

The undersigned, Edward H. Ladd & Berthe K. Ladd, of 125 Claybrook Rd., Dover, MA 02030, Norfolk County, Massachusetts, hereinafter called the "Covenantor", having submitted to the Truro Planning Board, a definitive plan of a subdivision, entitled "Plan of Land in Truro, Being a subdivision of Lot 12, LCP 17925F & Lot 2, LCP 22252C" dated April, 1994 made by Slade Associates, Inc. does hereby covenant and agree with said Planning Board and the successors in office of said Board, pursuant to G. L. (Ter. Ed.) C. 41, Sec. 81U, as amended, that:-

1. The covenantor is the owner of record of the premises shown on said plan;
2. This covenant shall run with the land and be binding upon the executors, administrators, heirs, assigns of the covenantor, and their successors in title to the premises shown on said plan;
3. The construction of ways and the installation of municipal services shall be provided to serve any lot in accordance with the applicable Rules and Regulations of said Board before such lot may be built upon or conveyed, other than by mortgage deed; provided that a mortgagee who acquires title to the mortgaged premises by foreclosure or otherwise and any succeeding owner of the mortgaged premises or part thereof may sell any such lot, subject only to that portion of this Covenant which provides that no lot so sold shall be built upon until such ways and services have been provided to serve such lot;
4. Nothing herein shall be deemed to prohibit a conveyance subject to this covenant by a single deed of the entire parcel of land shown on the subdivision plan or of all lots not previously released by the Planning Board without first providing such ways and services;
5. This covenant shall take effect upon the approval of said plan;
6. Reference to this covenant shall be entered upon said plan and this covenant shall be recorded when said plan is recorded.
7. see attachment

The undersigned, wife, husband, of the covenantor hereby agree that such interest as I, we, may have in said premises shall be subject to the provisions of this covenant and insofar as is necessary release all rights of tenancy by the courtesy, dower, homestead and other interest therein.

EXECUTED as a sealed instrument this 3 day of May 1994.

E.H. Ladd
B.K. Berthe Ladd

Norfolk, ss. COMMONWEALTH OF MASSACHUSETTS May 3, 1994

Then personally appeared, *Edward H. Ladd* and acknowledged the foregoing instrument as his free act and deed, before me



Linda Musto
Notary Public
My comm. expires: 11/10/2000

Ctfs. 67660 & 126733
Lots 14 & 15
Plan 17925-G

TRUR 14 & 15 17925-G

7. Attachment to Ladd Covenant

We, being a majority of the members of the Truro Planning Board present at a meeting held on May 4, 1994, hereby agree to waive certain requirements as set forth in Section IV, Design Standards, of our regulations, and to require the following improvements to be made to the way as shown on the aforementioned plan:

- The existing roadbed is to be cleared and hardened to a width of twelve feet from Hatch Road to the end of the cul-de-sac;
- A surface of processed stone, ten feet wide and 6 in. deep before compaction, shall be laid down over the hardened surface from Hatch Road to the end of the cul-de-sac;
- The cul-de-sac need not be constructed;
- All other requirements of the Board, including the installation of underground utilities, street sign and monuments shall be met;
- There shall be no more lots created using this way as frontage without first meeting all requirements as set forth in Section IV of our regulations.
- Lot 16 shall not be subject to the terms of this covenant.

agent for R.M.P.M.
Paul Kierney
James O'Neil

Betsey A. Brown
Vincent P. Rennery

The Truro Planning Board
Date MAY 13, 1994

COMMONWEALTH OF MASSACHUSETTS

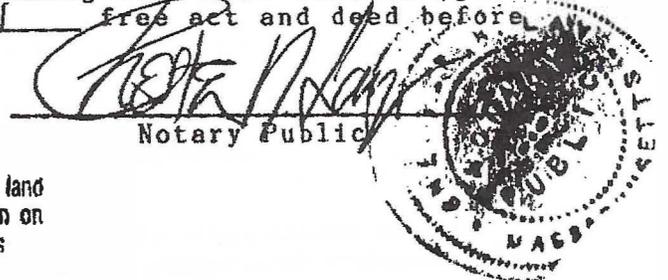
Barnstable ss.

MAY 13, 1994

Then personally appeared VINCENT P. RENNERY one of the aforesigned members of the Truro Planning Board and acknowledged the foregoing instrument to be his free act and deed before me.

My Commission expires:

NOV. 9, 1995



Notary Public

LAND COURT, BOSTON, The land herein described will be shown on our approved plan to follow as

JUL 26 1994

Plan 179256 Lot 5 14 + 15
(EXAMINED AS TO DESCRIPTION ONLY)

Louis A. Moore, Engineer

TJP

BARNSTABLE REGISTRY OF DEEDS

SENIE & ASSOCIATES, P.C.
ATTORNEYS AT LAW

15 Cape Lane
Brewster, MA 02631
Phone (774) 323-3027
Cell (508) 237-1664
vdalmas@senie-law.com
WWW.SENIE-LAW.COM

December 27, 2022

BY HAND DELIVERY

Town Clerk Kaci Fullerton
Town of Truro Town Hall
24 Town Hall Road
P.O. Box 2030
Truro, MA 02666

With email copy to: esturdy@truro-ma.gov

Re: New Planning Board Applications for Two Approval Not Required (“ANR”) Plan Endorsements; 47 Old County Road (Assessor’s Parcel ID 54-11-0), and 4 Fisher Hill Way (Assessor’s Parcel ID 54-120-0)

Dear Ms. Fullerton:

Please find enclosed for filing an original and nine copies of the above referenced two ANR applications (inclusive of plans and supporting information), which are submitted on behalf of our client Sylvia Russianoff (“Applicant”). Also enclosed are two checks made payable to the Town of Truro each in the amount of \$275.

Applicant owns two abutting parcels of land as follows: 47 Old County Road (a public way), which is registered land; and 4 Fisher Hill Way, which is recorded land. Applicant’s ownership of 47 Old County Road and 4 Fisher Hill Way is reflected in enclosed Certificate of Title #174343 and Fiduciary Deed Book 18953, page 155,¹ respectively. Also enclosed is assessor data for both such abutting properties.

Applicant’s overall objectives in the proposed ANR divisions of 47 Old County Road and abutting 4 Fisher Hill Way are as follows:

¹ Fiduciary Deed Book 18953, Page 155 shows Applicant’s ownership of 4 Fisher Hill Way. The reference to 5 Fisher Hill Way is due to Applicant’s prior division of 5 Fisher Hill way into two parcels (*see* enclosed endorsed ANR Plan Book 673, Page 90). Applicant has since retained ownership of 4 Fisher Hill Way (Parcel C1-B).

- create newly combined² parcels B2 and 10 for development of one single-family residence, provided, however, B2 will be made subject to an easement (in the first deed out of combined parcels B2 and 10) requiring that it be kept in its natural state for the benefit of B1 with exception of its limited use as necessary for septic integration for the new single-family residence development on parcel 10; and
- with Applicant’s retention of ownership of newly combined parcels B1 and 9, and on which parcel 9 the Applicant’s existing single-family residence is situated and with its historical access via a title-based easement.³

To achieve Applicant’s above objectives, the proposed ANR plan for the registered land parcel at 47 Old County Road reflects the advance review and feedback of the Massachusetts Land Court Survey/Engineering Division and sets out a division into two parcels as follows: parcel 9 (with a total area of 56,780± sq. ft. and 150 ft. of public way frontage); and parcel 10 (with a total area of 74,720± sq. ft., an upland area of 25,380± sq. ft., and 219± public way frontage).

Regarding the unregistered land at 4 Fisher Hill Way, the division also is of two parcels as follows: parcel B1 (with a total area of 32,480± sq. ft.) and parcel B2 (with a total area of 14,490± sq. ft. and upland area of 10,675± sq. ft.). Parcels B1 and B2 are not intended as standalone buildable lots, which is consistent with their existing (pre-division) status (as Parcel C1-B).

The resulting total area, upland area, and public way frontage, of the newly combined unimproved abutting parcels B2 and 10 will be as follows:

Parcel B2 & 10	Total Area – Sq. Ft.	Upland Area – Sq. Ft.	Public Way Frontage
10 – registered	74,720	25,380	219+
B2 – unregistered	14,490	10,675	-
Total (merged)	89,210	36,055	219+

Applicant’s objectives are illustrated in a site plan enclosed herewith (not for endorsement), which also shows the proposed driveway (at 10% slope) of newly combined unimproved abutting parcels B2 and 10.

² The reference to “combined” refers to the common law merger effect of the contemplated ANR divisions discussed herein.

³ Enclosed Certificate of Title 21010 sets out Lot 5’s existing title-based access easement, which was created at a prior time when current Lot 5 was previously referred to as Lot 2 (in part). See enclosed Land Court Plan #25187A, which shows historical Lot 1 over which there is an access easement to historical Lot 2, and Land Court Plan #25187B, which illustrates the later division of Lots 1 and 2 into Lots 3 & 4.

Town of Truro Planning Board
ANR Applications – 47 Old County Road & 4 Fisher Hill Way
December 27, 2022
Page 3

Once you have had the opportunity to review the applications and other enclosures, please contact me should you have any questions.

Thank you.

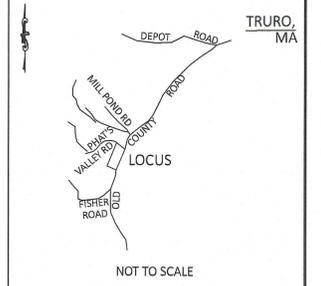
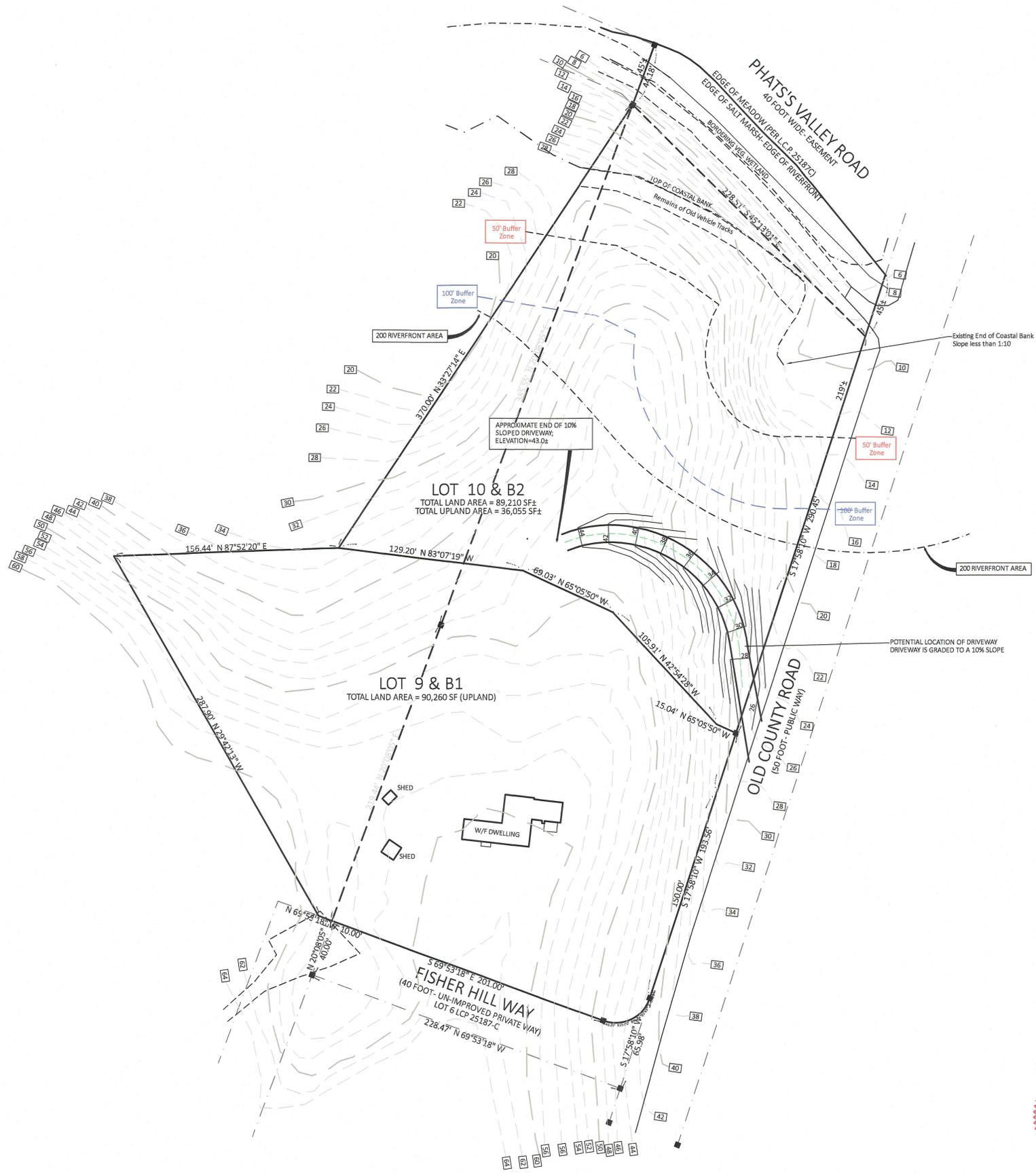
Sincerely,



Victoria A. Dalmas
Senie & Associates, P.C.

Cc: Sylvia Russianoff
John M. O'Reilly, P.E., P.L.S.
Christopher G. Senie, Esq.

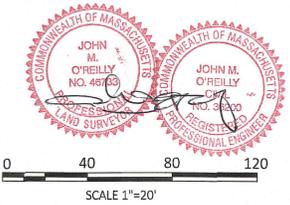
Enc. Ten ANR Applications w/Plans & Supporting Information



LAND COURT PLAN 25187-C
CERTIFICATE 174343
ASSESSORS' MAP 54 PARCEL 11

LEGEND

— 32 —	EXISTING CONTOUR
— 32 —	PROPOSED CONTOUR
— 24x5 —	EXISTING SPOT GRADE
— 24x5 —	PROPOSED SPOT GRADE
— W —	WATER SERVICE LINE
— OH —	OVERHEAD UTILITY SERVICE
— E —	ELECTRIC / COMM. SERVICE LINE
— G —	GAS SERVICE LINE
— T —	TEST HOLE / BORING LOCATION
ST	SEPTIC TANK
DB	DISTRIBUTION BOX
SAS	SOIL ABSORPTION SYSTEM
Reserve	RESERVED FOR FUTURE
U.P.	UTILITY POLE
CB	CATCH BASIN
FH	FIRE HYDRANT
W	WELL
DM	DRAINAGE MANHOLE
CB	CONCRETE BOUND, FOUND
— —	LIMIT OF WORK
— —	FENCE
— —	EDGE OF CLEARING



SYLVIA RUSSIANOFF
128 ROCHELLE AVENUE, PHILADELPHIA, PA 19128

SITE PLAN - LOT 9 & B1 AND LOT 10 & B2
SHOWING COMBINED LOTS AND DRIVE ACCESS FOR LOT 10 & B2

J.M. O'REILLY & ASSOCIATES, INC.
Professional Engineering & Land Surveying Services

1573 Main Street - Route 8A
P.O. Box 1773
Brewster, MA 02631 (508)896-6802 Fax

DATE:	SCALE:	BY:	CHECK:	JOB NUMBER:
11-18-2022	As Noted	jmo	JMO	JMO9144



Town of Truro Planning Board

P.O. Box 2030, Truro, MA 02666

FORM A

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

To the Planning Board of the Town of Truro, MA

Date: **December 27, 2022**

The undersigned owners of all the land described herein submitted the accompanying plan entitled: **Plan of Land in Truro MA 47 Old County Road** and dated November 18, 2022, requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required.

Property Location: **47 Old County Road**

Map(s) and Parcel(s): **54-11-0**

Number of Lots Created: **Two (2) parcels.**

Total Land Area: **178,470 sq. ft. (4.09 acres) +/-**

The owner's title to said land is derived under deed from the **Estate of Penelope P. Russianoff, dated August 7, 2004**, and recorded in the Barnstable Registry of Deeds Book and Page _____ or Land Court Certificate of Title **No. 174343** registered in Barnstable County.

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

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

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

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

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

(Printed Name of Owner)

(Signature)

(Printed Name of Owner)

(Signature)

(Address of Owner(s))

(Address of Owner(s))

VICTORIA DALMAS, Esq.

(Printed Name of Agent)

[Handwritten Signature]

(Signature)

Semi + Associates PC, 15 Cape Lane, Brewster MA 02631

(Address of Agent)

File twelve (12) copies each of this form and applicable plan(s) with the Town Clerk; and a complete copy, including all plans and attachments, submitted electronically to the Town Planner at planner1@truro-ma.gov

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

Address: 47 Old County Road **Applicant Name:** Sylvia Russianoff **Date:** December 27, 2022

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

Key: 3247

Town of TRURO - Fiscal Year 2023

9/1/2022 6:23 pm SEQ #: 3.353

LEGAL

CURRENT OWNER				PARCEL ID				LOCATION			
RUSSIANOFF SYLVIA 128 ROCHELLE AVE PHILADELPHIA, PA 19128				54-11-0				47 OLD COUNTY RD			
TRANSFER HISTORY				DOS	T	SALE PRICE	BK-PG (Cert)				
RUSSIANOFF SYLVIA				09/10/2004	99		(174343)				
RUSSIANOFF PENELOPE QPR T				04/22/1999	F		(152799+)				

CLASS	CLASS%	DESCRIPTION			BN ID	BN	CARD	
1010	100	SINGLE FAMILY				1	1 of 1	
PMT NO	PMT DT	TY	DESC	AMOUNT	INSP	BY	1st	%
05-055	04/29/2005	90	BP NVC	22,500	05/25/2007	JH	100	100
04-058	04/29/2004	90	BP NVC	2,400	05/25/2007	JH	100	100
98-083	05/01/1998	9	DECK	600	05/01/1999		100	100

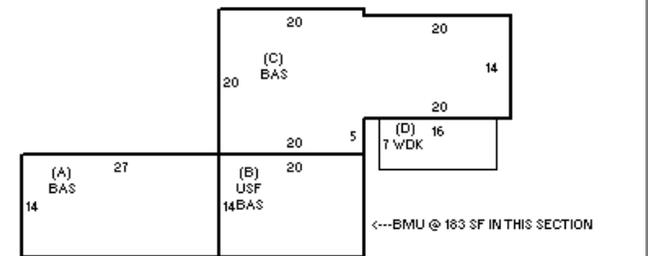
LAND

CD	T	AC/SF/UN	Nbhd	Inf1	Inf2	ADJ BASE	SAF	Inf3	Lpi	VC	CREDIT AMT	ADJ VALUE	
100	A	0.775	15	1.00	1	1.00	1	1.00	782,750	1.00	1	1.00	606,630
300	A	2.255	15	1.00	1	1.00	1	1.00	59,750	1.00	1	1.00	134,740
400	F	300	15	1.00	1	1.00	1	1.00	575	1.00	1	1.00	172,500

TOTAL	3.030 Acres	ZONING	RES	FRNT	484	ASSESSED	CURRENT	PREVIOUS	
Nbhd	SOUTH TRURO	N	FY08=CHGD SHF@100 SF TO ST1 PER 5/07 BP				LAND	913,900	789,100
Inf1	NO ADJ	O	INSPEC (=1 RM+WDK BUT NO KITCH). FY11 VW INCR				BUILDING	321,600	240,800
Inf2	NO ADJ	T	PER FIELD REV=DISTANT EXPANSIVE				DETACHED	7,500	7,200
		E	UNOBSTRUCTED OF BAY+POND.				OTHER	0	0
							TOTAL	1,243,000	1,037,100

DETAILED

TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD
ST1	A	1.00	A- 0.70 10*10		100	90.90	6,400
SHF	A	1.00	A- 0.70		48	16.28	500
WDK	A	1.00	A- 0.70 4*10 ATT TO		40	10.50	300
PTD	A	1.00	A 0.75 8*18+6*10		204	2.20	300



BUILDING

BUILDING	CD	ADJ	DESC	MEASURE	5/15/2019	LG
MODEL	1		RESIDENTIAL	LIST	9/26/2012	EST
STYLE	4	1.10	CAPE [100%]	REVIEW	12/10/2010	MR
QUALITY	A	1.00	AVERAGE [100%]			
FRAME	1	1.00	WOOD FRAME [100%]			

BLDG COMMENTS
Shares access drive with #53 and #55 Old County Rd.

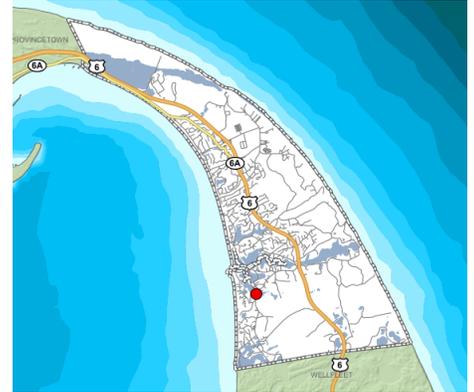
INDING

YEAR BLT	1955	SIZE ADJ	1.020	ELEMENT	CD	DESCRIPTION	ADJ	S	BAT	T	DESCRIPTION	UNITS	YB	ADJ PRICE	RCN	TOTAL RCN	479,994		
NET AREA	1,618	DETAIL ADJ	1.000	FOUNDATION			1.00	+	BAS	L	BAS AREA	1,338	1955	291.22	389,659				
\$NLA(RCN)	\$297	OVERALL	1.120	EXT. COVER	1	WOOD SHINGLES	1.00	B	USF	L	UP-STRY FIN	280	1955	232.68	65,150				
				ROOF SHAPE	1	GABLE	1.00	D	WDK	N	ATT WOOD DECK	112		58.15	6,513				
				ROOF COVER	1	ASPHALT SHINGLE	1.00		BMU	N	BSMT UNFINISHED	183		79.08	14,472				
				FLOOR COVER	2	SOFTWOOD	1.00												
				INT. FINISH	1	PLASTER	1.00												
				HEATING/COOLING	2	HOT WATER	1.02												
				FUEL SOURCE	1	OIL	1.00												
CAPACITY		UNITS	ADJ															TOTAL RCN	479,994
STORIES(FAR)		2	1.00															CONDITION ELEM	CD
ROOMS		0	1.00																
BEDROOMS		3	1.00																
BATHROOMS		2	1.00																
FIXTURES		6	\$4,200																
UNITS		0	1.00																
EFF.YR/AGE		1977 / 44																	
COND		33 33 %																	
FUNC		0																	
ECON		0																	
DEPR		33 % GD 67																	
RCNLD		\$321,600																	

TOWN OF TRURO - PROPERTY SUMMARY REPORT

PARCEL	54-11-0	KEY:	3247	LOCATION:	47 OLD COUNTY RD
---------------	---------	-------------	------	------------------	------------------

CURRENT OWNER		FY 2023 PARCEL VALUE	
RUSSIANOFF SYLVIA,		LAND VAL:	\$913,900.00
128 ROCHELLE AVE		BUILDING VAL:	\$321,600.00
		DETACH VAL:	\$7,500.00
PHILADELPHIA, PA 19128		APPR VAL:	\$1,243,000.00
		TAX VAL:	\$1,243,000.00



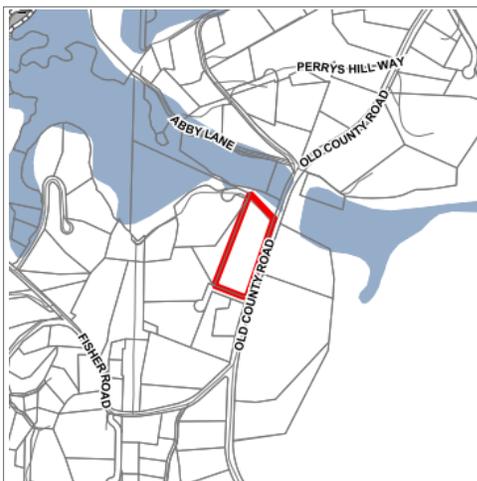
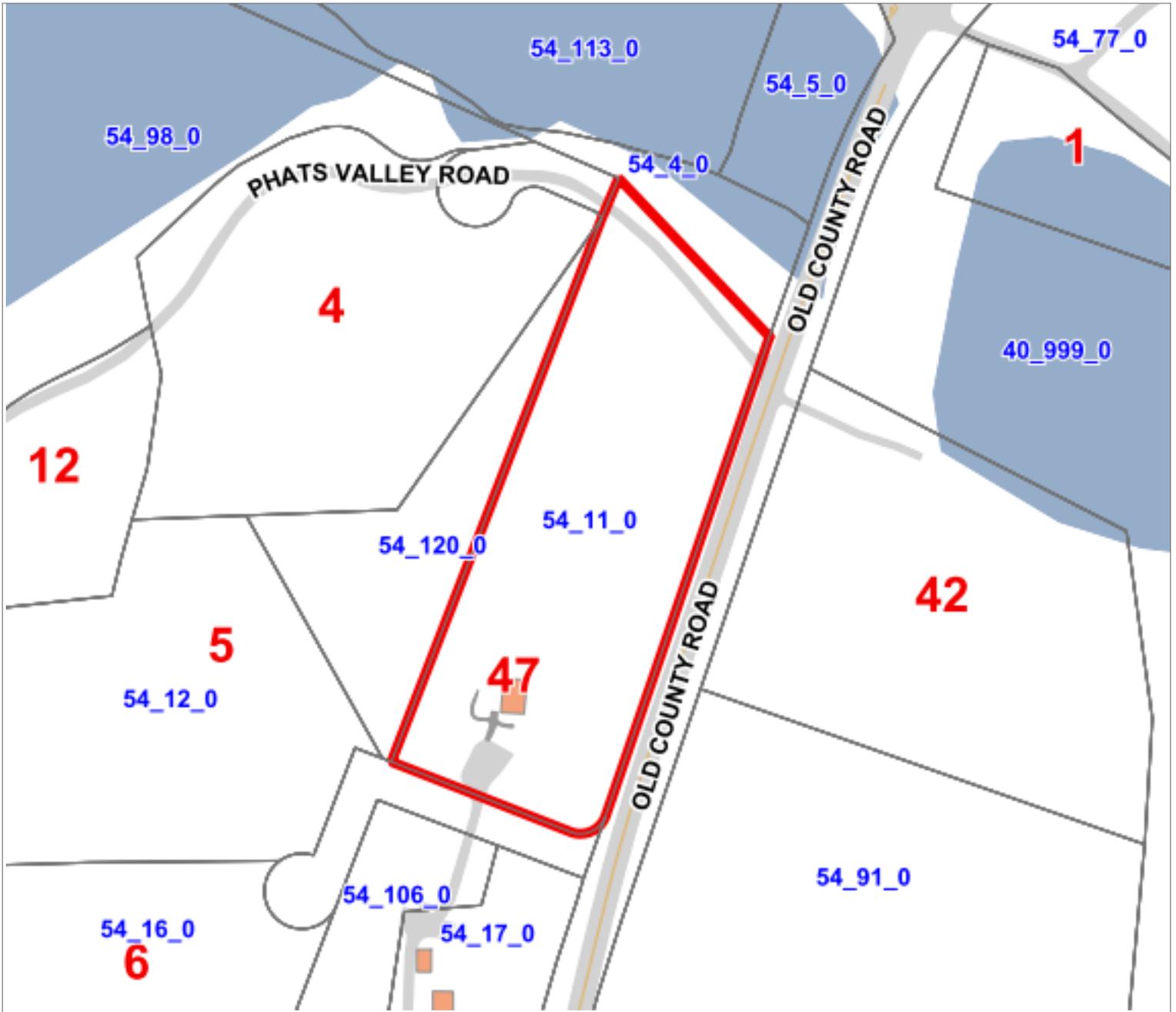
STATE CLASS:	1010	ZONING:	RESIDENTIAL
DESCRIPTION:	SINGLE FAMILY	BILL SQ FT:	131987

SALES HISTORY				
OWNER	SALE TYPE	BOOK / PAGE	SALE DATE	SALE PRICE
RUSSIANOFF SYLVIA	99	CTF 174343	10-Sep-2004	\$ 0
RUSSIANOFF PENELOPE QPR TR	F	CTF 152799+	22-Apr-1999	\$ 0

BUILDING	1	KEY:	3247	LOCATION:	47 OLD COUNTY RD
YEAR BUILT	1955				
STYLE	CAPE				
QUALITY	A				
NET SF	1618				

DATE MEASURED	15-May-2019
DATE LISTED	26-Sep-2012

ELEMENT	DESCRIPTION	CD	CAPACITY	UNIT
STORIES(FAR)		2		
EXT. COVER	WOOD SHINGLES	1	ROOMS	0
ROOF SHAPE	GABLE	1	BEDROOMS	3
ROOF COVER	ASPHALT SHINGLE	1	BATHROOMS	2
FLOOR COVER	SOFTWOOD	2	FIXTURES	6
INT. FINISH	PLASTER	1	UNITS	0
HEATING/COOL	HOT WATER	2		
FUEL SOURCE	OIL	1		



Doc. No. 979,581
Ctf. No. 174343

TRANSFER CERTIFICATE OF TITLE

From Certificate No. 152799, Originally Registered April 22,1999
in the Registry District of Barnstable County.

THIS IS TO CERTIFY that SYLVIA RUSSIANOFF, of 128 Rochelle Avenue, Philadelphia,
Pennsylvania 19128,

the owner(s) in fee simple,

of that land situated in TRURO

in the County of Barnstable and the Commonwealth of Massachusetts, described as
follows:

LOT 5

PLAN 25187-C

Said lot is subject to an electric cable easement as shown on said
plan.

So much of said lot as is included within the limits of Old
Cartway approximately shown on said plan is subject to the rights of all persons
lawfully entitled thereto in and over the same.

There is appurtenant to said lot a right of way over Lot 3 as
shown on said plan to be used as a means of access to said Lot 4, said right to be
used for all purposes for which rights of way are commonly used.

So much of said land as is included within the limits of
Proprietors Road approximately shown on said plan is subject to a right of way in
favor of land of Henry Varnum Poor and Bessie Brewer Poor as set forth in a
stipulation between the petitioners and Henry Varnum Poor filed with the papers in
this case on December 16, 1954 and to the rights of all persons lawfully entitled
thereto in and over the same.

And it is further certified that said land is under the operation and provisions of Chapter 185 of the General Laws, and that the title of said owner(s) to said land is registered under said Chapter, subject, however, to any of the encumbrances mentioned in Section forty-six of said Chapter, which may be subsisting

WITNESS KARYN F. SCHEIER, Chief Justice of the Land Court at Barnstable, in said County of Barnstable,

the tenth day of September in the year two thousand and four

at 11 o'clock and 24 minutes

Attest, with the Seal of said Court,

JOHN F. MEADE, Assistant Recorder.

MEMORANDA OF ENCUMBRANCES ON THE LAND DESCRIBED IN THIS CERTIFICATE

Ctf:174343

979,581

DOCUMENT NUMBER	KIND	RUNNING IN FAVOR OF	TERMS	DATE OF INSTRUMENT			SIGNATURE
				DATE AND TIME OF REGISTRATION	DISCHARGE		
48,754 1	N		SEE DECREE	07-25-1956 07-26-1956 9:00		<i>John F. Meade</i>	
48,755 1	N		STIPULATION	12-16-1954 07-26-1956 9:00		<i>John F. Meade</i>	
303,947 1	ES	BETSEY A BROWN (AS TR &O)	5 25187-C	11-27-1982 12-30-1982 2:19		<i>John F. Meade</i>	
532,005 1	ES	JENNY KAUFMANN	5 25187-C	07-02-1991 07-26-1991 2:57		<i>John F. Meade</i>	
1,164,433 1	N		AGREEMENT 5 & 6 25187-C	04-18-2011 04-20-2011 3:29		<i>John F. Meade</i>	
1,345,652 1	A		1,164,433 001	04-27-2018 05-07-2018 1:10		<i>John F. Meade</i>	
			Barnstable County Registry of Deeds A True Copy, Attest				
			<i>John F. Meade</i> John F. Meade, Register This Certificate is attested as to encumbrances with a date of registration prior to 02-25-2021 Encumbrances listed on this certificate after that date have not been fully verified and are not covered by the provisions of MGL Ch. 185 sec. 46.				

PLAN OF LAND IN TRURO

John R. Dyer, Surveyor

25187A

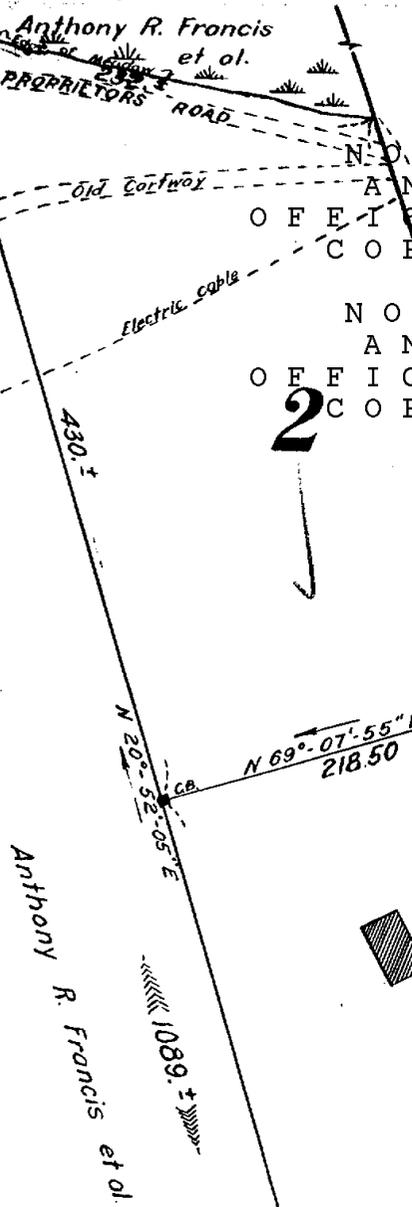
December, 1968
November 28, 1955

NOT AN OFFICIAL COPY
NOT AN OFFICIAL COPY

OFFICIAL COPY
NOT AN OFFICIAL COPY

2

1



John A. Mather et al.

Copy of part of plan filed in
LAND REGISTRATION OFFICE
JULY 20, 1968
Scale of this plan 60 feet to an Inch
O. W. Anderson, Engineer for Court /ch.
51-B-2

25187B

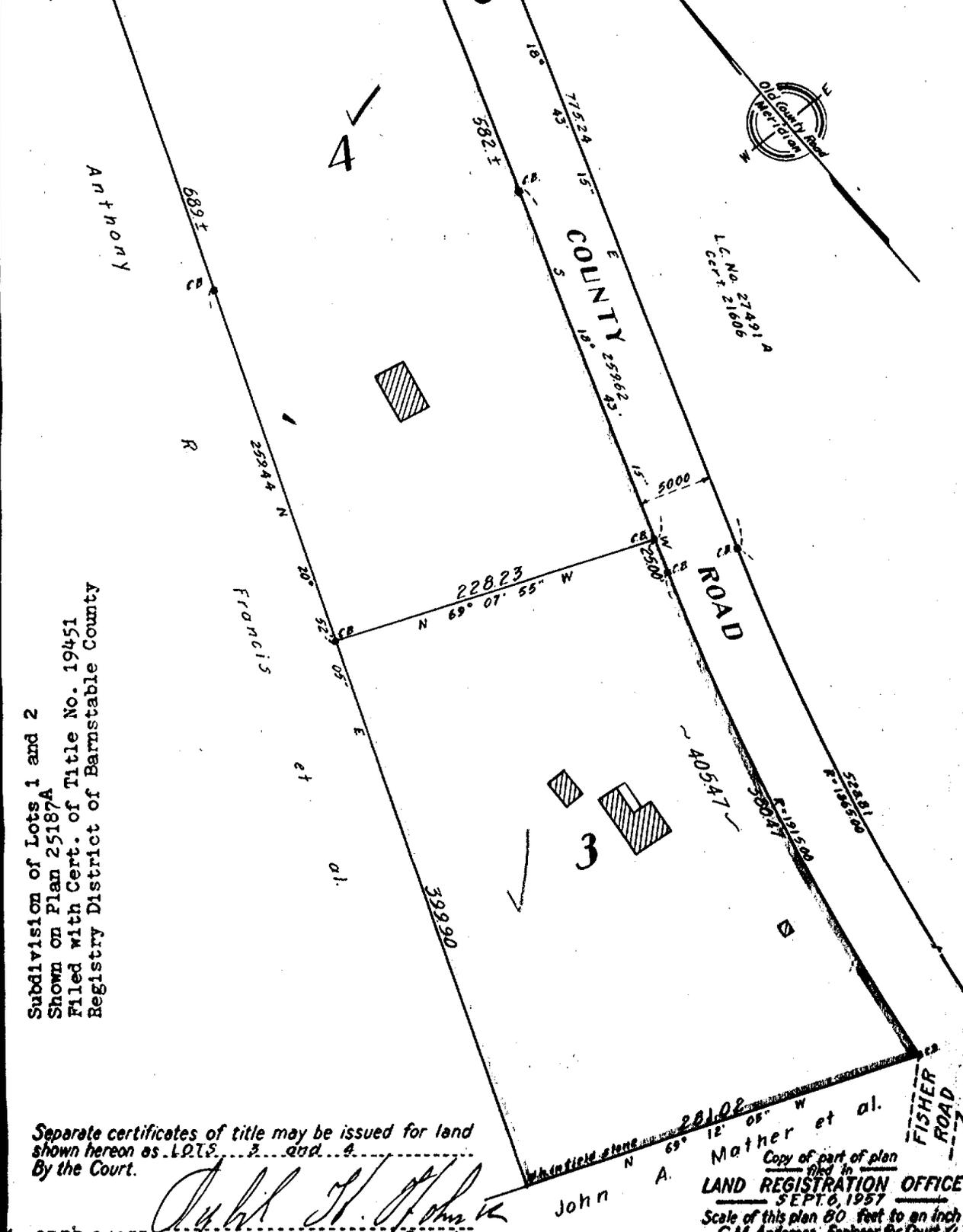
SUBDIVISION PLAN OF LAND IN TRURO

John R. Dyar N Surveyor
OFFICIAL
August, 1957
COPY

NOT AN OFFICIAL COPY

NOT AN OFFICIAL COPY

Anthony R. Francis et al.
Edge of Meadow
PROPRIETORS ROAD
Old Cartway
Electric Cable Fosement



Subdivision of Lots 1 and 2
Shown on Plan 25187A
Filed with Cert. of Title No. 19451
Registry District of Barnstable County

Separate certificates of title may be issued for land shown hereon as L.P.T.S. 3 and 4 By the Court.

John A. Mather
Recorder.

SEPT. 6, 1957

John A.

Mather et al.
Copy of part of plan filed in
LAND REGISTRATION OFFICE
SEPT. 6, 1957
Scale of this plan 80 feet to an inch
C.M. Anderson, Engineer for Court etc.

Plan See

SUBDIVISION PLAN OF LAND IN TRURO

25187C

Slade Associates, Surveyors

NOT
December 1976

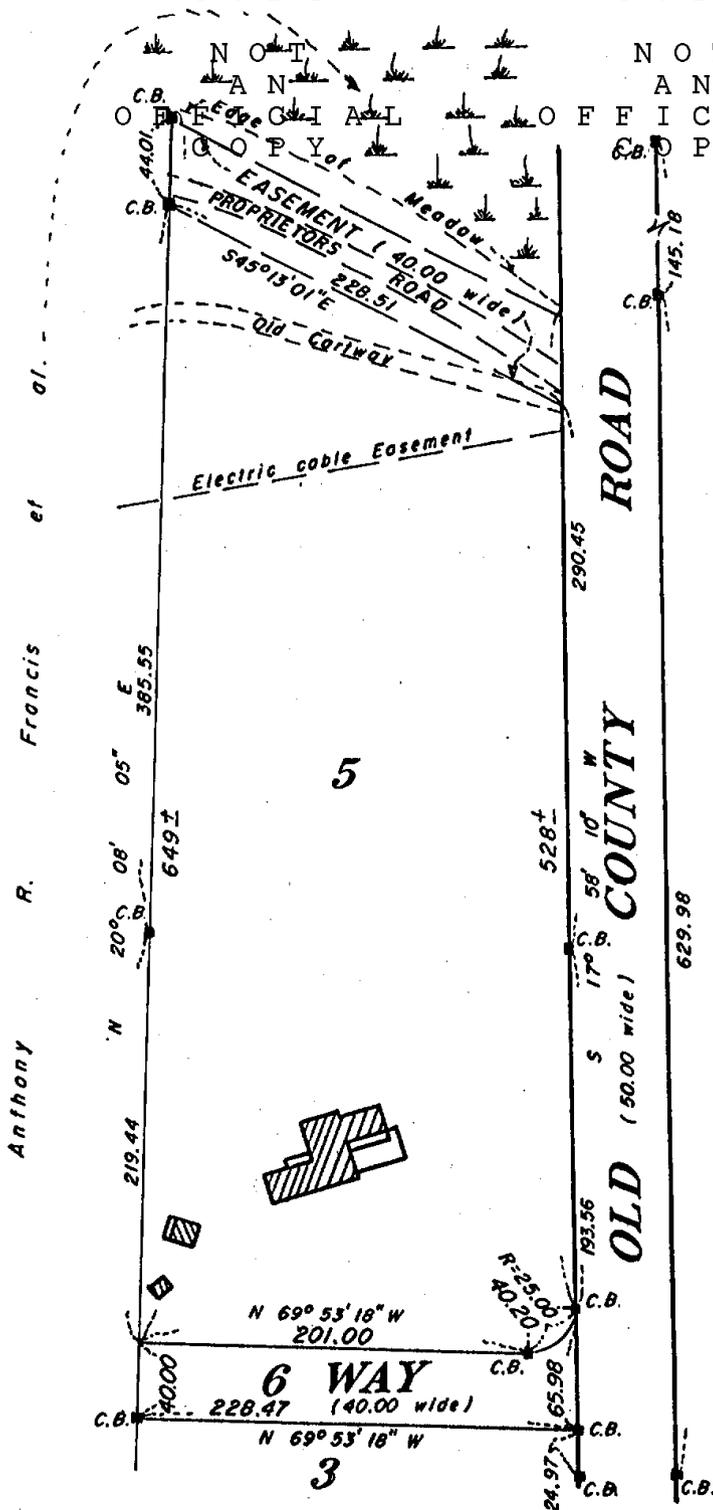
NOT
AN
OFFICIAL
COPY

OFFICIAL
COPY

OFFICIAL
COPY

NOT
AN
OFFICIAL
COPY

NOT
AN
OFFICIAL
COPY



L. C. No. 27491A — Cert. No. 21606

Subdivision of Lot 4
Shown on Plan 25187B
Filed with Cert. of Title No. 21010
Registry District of Barnstable County

Separate certificates of title may be issued for land
shown hereon as Lots 5 and 6
By the Court.

Copy of part of plan
filed in
LAND REGISTRATION OFFICE
MAY 27, 1977
Scale of this plan 80 feet to an inch
R.L. Woodbury, Engineer for Court

MAY 27, 1977
P.P.
Margaret M. Daly
Recorder.

NO DETERMINATION OF COMPLIANCE WITH ZONING REQUIREMENTS HAS BEEN MADE OR IS INTENDED

PURPOSE OF THIS PLAN IS TO DIVIDE LOT 5 AS SHOWN ON LAND COURT PLAN 25187-C INTO PARCEL 9 AND PARCEL 10. THE TWO PARCELS ARE TO BE COMBINED WITH PARCEL B1 AND PARCEL B2 RESPECTIVELY.

APPROVAL FROM THE TRURO PLANNING BOARD IS NOT REQUIRED

TRURO PLANNING BOARD

DATE _____

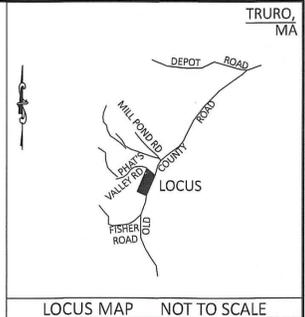


LEGEND:

- CB CONCRETE BOUND
- DH DRILL HOLE
- FND FOUND

ZONING INFORMATION:

DISTRICT: RESIDENTIAL (R)
 MINIMUM LOT SIZE: 33,750 SF
 MINIMUM FRONTAGE: 150 FEET
 SETBACKS:
 FRONT: 25 FEET
 SIDE: 25 FEET
 REAR: 25 FEET
 MAX. HEIGHT: 30 FEET



OWNER OF RECORD:

SYLVIA RUSSIANOFF
 128 ROCHELLE AVENUE
 PHILADELPHIA, PA 19128

LOCUS:

LOT 5
 47 OLD COUNTY ROAD
 TRURO, MA
 ASSR'S MAP 54, PARCEL 11
 LAND COURT PLAN 25187-C
 CERTIFICATE: 174,343 (DOC. # 979,581)

PLAN REFERENCE:

LAND COURT PLAN: 25187-C

EASEMENT REFERENCE:

40' EASEMENT ON THE NORTH:
 DOC# 303947
 DOC# 532005

Note:

- 1.) All dimensions were measured with an EDM.
- 2.) EDM calibration measurement is 1:437,430.4762; 918.6040' (Record Baseline) vs. 918.6061' recorded. Route 6 Baseline Ran January 20, 2022.
- 3.) The Section 2.1.3.4.8 'Checking Location Measurements' was complied with. Traverse points 8 and 10 were field measured using both tape and EDM.
- 4.) Traverse Closure:
 Closure Error Distance = 0.0132 feet; Azimuth of Error = 180°58'08"
 UNADJUSTED
 Closure Precision = 1 in 161551.7
 ADJUSTED
 Closure Precision = 1 in 34452.2
 Total Distance Traveled 2126.33
 Angular Error = 0°00'56"
- 5.) Lot Closure:
 Parcel 9: 1 in 43,196.7
 Parcel 10: 1 in 265,774.7

PLAN OF LAND

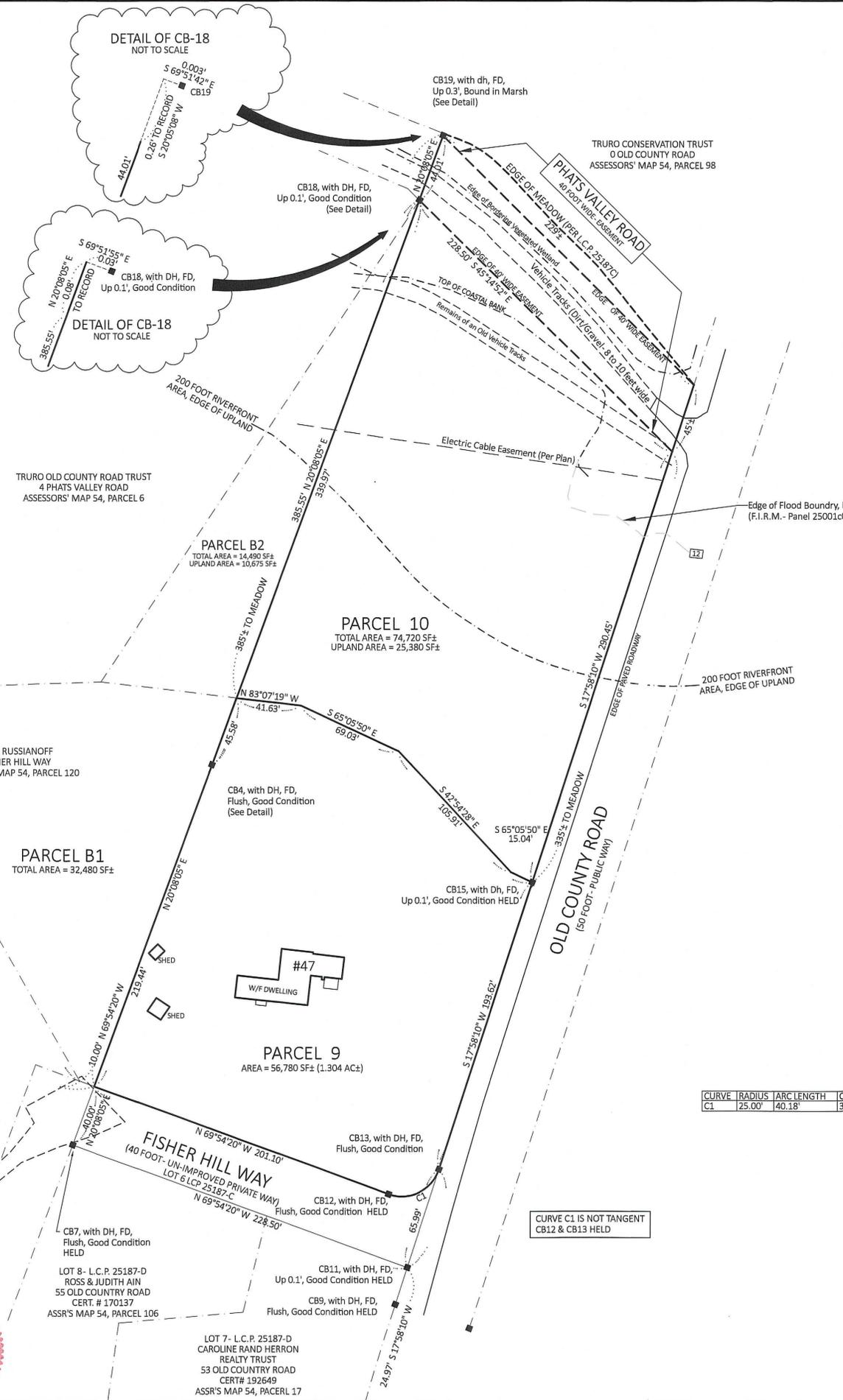
IN
 TRURO, MASSACHUSETTS
 47 OLD COUNTY ROAD
 AS SURVEYED AND PREPARED FOR
 SYLVIA RUSSIANOFF

PARCEL BEING SUBDIVIDED IS LOT 5 AS SHOWN ON L.C.P. 25187-C

0 40 80 120
 NOVEMBER 18, 2022 SCALE 1" = 40'

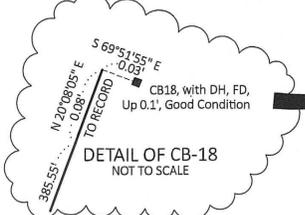
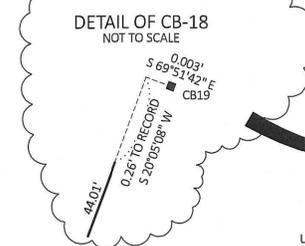
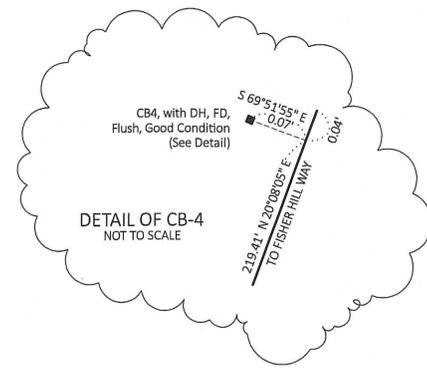


MADE BY
J.M. O'REILLY & ASSOCIATES, INC.
 1573 MAIN STREET, P.O. BOX 1773
 BREWSTER, MASSACHUSETTS 02631
 PHONE: (508) 896-6601
 WWW.JOREILLYASSOC.COM



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	40.18'	35.99'	N 63°57'52" E	92°04'38"

CURVE C1 IS NOT TANGENT
 CB12 & CB13 HELD



I HEREBY CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2006 ON FEBRUARY 24, 2022 AND MARCH 10 & 11, 2022.

DATE 11-18-2022
 P.L.S. [Signature]



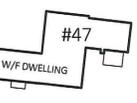
I HEREBY CERTIFY THAT THE CONDITIONS ON THE GROUND ARE THE SAME NOW AS AT THE TIME OF THE ORIGINAL SURVEY ON JANUARY AND MARCH 2022.

DATE 11-18-2022
 P.L.S. [Signature]



CB7, with DH, FD, Flush, Good Condition HELD
 LOT 8 - L.C.P. 25187-D
 ROSS & JUDITH AIN
 55 OLD COUNTRY ROAD
 CERT. # 170137
 ASSR'S MAP 54, PARCEL 106

LOT 7 - L.C.P. 25187-D
 CAROLINE RAND HERRON
 REALTY TRUST
 53 OLD COUNTRY ROAD
 CERT# 192649
 ASSR'S MAP 54, PARCEL 17



PARCEL 9
 AREA = 56,780 SF± (1.304 AC±)

PARCEL B1
 TOTAL AREA = 32,480 SF±

PARCEL B2
 TOTAL AREA = 14,490 SF±
 UPLAND AREA = 10,675 SF±

PARCEL 10
 TOTAL AREA = 74,720 SF±
 UPLAND AREA = 25,380 SF±

SYLVIA RUSSIANOFF
 4 FISHER HILL WAY
 ASSESSOR'S MAP 54, PARCEL 120

THE ROSS D. AIN REVOCABLE TRUST
 5 FISHER HILL WAY
 ASSESSOR'S MAP 54, PARCEL 12

TRURO OLD COUNTY ROAD TRUST
 4 PHATS VALLEY ROAD
 ASSESSOR'S MAP 54, PARCEL 6

CB15, with Dh, FD,
 Up 0.1', Good Condition HELD

CB4, with DH, FD,
 Flush, Good Condition
 (See Detail)

CB18, with DH, FD,
 Up 0.1', Good Condition
 (See Detail)

CB19, with dh, FD,
 Up 0.3', Bound in Marsh
 (See Detail)

TRURO CONSERVATION TRUST
 0 OLD COUNTY ROAD
 ASSESSOR'S MAP 54, PARCEL 98

OLD COUNTY ROAD
 (50 FOOT - PUBLIC WAY)

200 FOOT RIVERFRONT
 AREA, EDGE OF UPLAND

200 FOOT RIVERFRONT
 AREA, EDGE OF UPLAND

Edge of Flood Boundary, EL=12
 (F.I.R.M. - Panel 25001c0227)

Electric Cable Easement (Per Plan)

Remainder of an Old Vehicle Tracks

EDGE OF 40' WIDE EASEMENT

EDGE OF MEADOW (PER L.C.P. 25187-C)

40 FOOT WIDE EASEMENT

EDGE OF FLOOD BOUNDARY

PHATS VALLEY ROAD

DEPOT ROAD

MILL POND RD

FISHER HILL ROAD

LOCUS

TRURO, MA

SENIE & ASSOCIATES, P.C.
ATTORNEYS AT LAW

15 Cape Lane
Brewster, MA 02631
Phone (774) 323-3027
Cell (508) 237-1664
vdalmas@senie-law.com
WWW.SENIE-LAW.COM

December 27, 2022

BY HAND DELIVERY

Town Clerk Kaci Fullerton
Town of Truro Town Hall
24 Town Hall Road
P.O. Box 2030
Truro, MA 02666

With email copy to: esturdy@truro-ma.gov

Re: New Planning Board Applications for Two Approval Not Required (“ANR”) Plan Endorsements; 47 Old County Road (Assessor’s Parcel ID 54-11-0), and 4 Fisher Hill Way (Assessor’s Parcel ID 54-120-0)

Dear Ms. Fullerton:

Please find enclosed for filing an original and nine copies of the above referenced two ANR applications (inclusive of plans and supporting information), which are submitted on behalf of our client Sylvia Russianoff (“Applicant”). Also enclosed are two checks made payable to the Town of Truro each in the amount of \$275.

Applicant owns two abutting parcels of land as follows: 47 Old County Road (a public way), which is registered land; and 4 Fisher Hill Way, which is recorded land. Applicant’s ownership of 47 Old County Road and 4 Fisher Hill Way is reflected in enclosed Certificate of Title #174343 and Fiduciary Deed Book 18953, page 155,¹ respectively. Also enclosed is assessor data for both such abutting properties.

Applicant’s overall objectives in the proposed ANR divisions of 47 Old County Road and abutting 4 Fisher Hill Way are as follows:

¹ Fiduciary Deed Book 18953, Page 155 shows Applicant’s ownership of 4 Fisher Hill Way. The reference to 5 Fisher Hill Way is due to Applicant’s prior division of 5 Fisher Hill way into two parcels (*see* enclosed endorsed ANR Plan Book 673, Page 90). Applicant has since retained ownership of 4 Fisher Hill Way (Parcel C1-B).

- create newly combined² parcels B2 and 10 for development of one single-family residence, provided, however, B2 will be made subject to an easement (in the first deed out of combined parcels B2 and 10) requiring that it be kept in its natural state for the benefit of B1 with exception of its limited use as necessary for septic integration for the new single-family residence development on parcel 10; and
- with Applicant’s retention of ownership of newly combined parcels B1 and 9, and on which parcel 9 the Applicant’s existing single-family residence is situated and with its historical access via a title-based easement.³

To achieve Applicant’s above objectives, the proposed ANR plan for the registered land parcel at 47 Old County Road reflects the advance review and feedback of the Massachusetts Land Court Survey/Engineering Division and sets out a division into two parcels as follows: parcel 9 (with a total area of 56,780± sq. ft. and 150 ft. of public way frontage); and parcel 10 (with a total area of 74,720± sq. ft., an upland area of 25,380± sq. ft., and 219± public way frontage).

Regarding the unregistered land at 4 Fisher Hill Way, the division also is of two parcels as follows: parcel B1 (with a total area of 32,480± sq. ft.) and parcel B2 (with a total area of 14,490± sq. ft. and upland area of 10,675± sq. ft.). Parcels B1 and B2 are not intended as standalone buildable lots, which is consistent with their existing (pre-division) status (as Parcel C1-B).

The resulting total area, upland area, and public way frontage, of the newly combined unimproved abutting parcels B2 and 10 will be as follows:

Parcel B2 & 10	Total Area – Sq. Ft.	Upland Area – Sq. Ft.	Public Way Frontage
10 – registered	74,720	25,380	219+
B2 – unregistered	14,490	10,675	-
Total (merged)	89,210	36,055	219+

Applicant’s objectives are illustrated in a site plan enclosed herewith (not for endorsement), which also shows the proposed driveway (at 10% slope) of newly combined unimproved abutting parcels B2 and 10.

² The reference to “combined” refers to the common law merger effect of the contemplated ANR divisions discussed herein.

³ Enclosed Certificate of Title 21010 sets out Lot 5’s existing title-based access easement, which was created at a prior time when current Lot 5 was previously referred to as Lot 2 (in part). See enclosed Land Court Plan #25187A, which shows historical Lot 1 over which there is an access easement to historical Lot 2, and Land Court Plan #25187B, which illustrates the later division of Lots 1 and 2 into Lots 3 & 4.

Town of Truro Planning Board
ANR Applications – 47 Old County Road & 4 Fisher Hill Way
December 27, 2022
Page 3

Once you have had the opportunity to review the applications and other enclosures, please contact me should you have any questions.

Thank you.

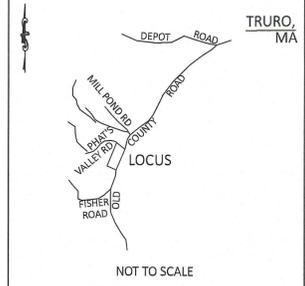
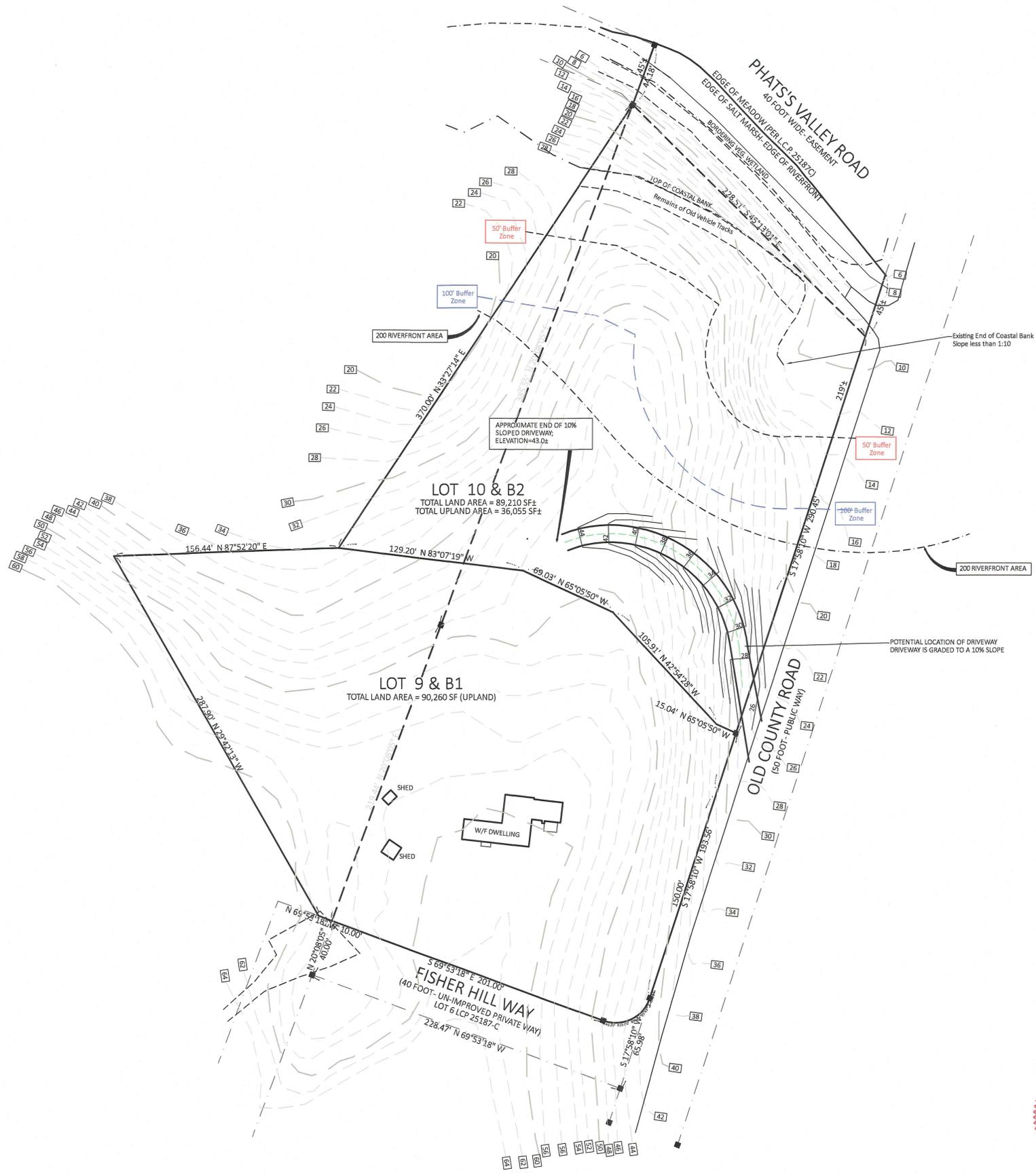
Sincerely,



Victoria A. Dalmas
Senie & Associates, P.C.

Cc: Sylvia Russianoff
John M. O'Reilly, P.E., P.L.S.
Christopher G. Senie, Esq.

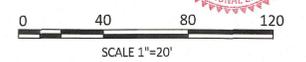
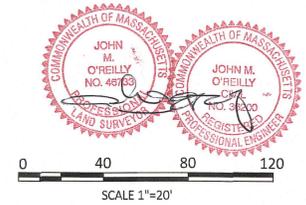
Enc. Ten ANR Applications w/Plans & Supporting Information



LAND COURT PLAN 25187-C
CERTIFICATE 174343
ASSESSORS' MAP 54 PARCEL 11

LEGEND

— 32 —	EXISTING CONTOUR
— 32 —	PROPOSED CONTOUR
— 12.34 —	EXISTING SPOT GRADE
— 24x5 —	PROPOSED SPOT GRADE
— W —	WATER SERVICE LINE
— OH —	OVERHEAD UTILITY SERVICE
— E —	ELECTRIC / COMM. SERVICE LINE
— G —	GAS SERVICE LINE
— T —	TEST HOLE / BORING LOCATION
ST	SEPTIC TANK
DB	DISTRIBUTION BOX
SAS	SOIL ABSORPTION SYSTEM
Reserve	RESERVED FOR FUTURE
U.P.	UTILITY POLE
CB	CATCH BASIN
FH	FIRE HYDRANT
W	WELL
DM	DRAINAGE MANHOLE
CB	CONCRETE BOUND, FOUND
— —	LIMIT OF WORK
— —	FENCE
— —	EDGE OF CLEARING



SYLVIA RUSSIANOFF
128 ROCHELLE AVENUE, PHILADELPHIA, PA 19128

SITE PLAN - LOT 9 & B1 AND LOT 10 & B2
SHOWING COMBINED LOTS AND DRIVE ACCESS FOR LOT 10 & B2

J.M. O'REILLY & ASSOCIATES, INC.
Professional Engineering & Land Surveying Services

1573 Main Street - Route 8A
P.O. Box 1773
Brewster, MA 02631 (508)896-6802 Fax

DATE:	SCALE:	BY:	CHECK:	JOB NUMBER:
11-18-2022	As Noted	jmo	JMO	JMO9144



Town of Truro Planning Board

P.O. Box 2030, Truro, MA 02666

FORM A

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

To the Planning Board of the Town of Truro, MA

Date: **December 27, 2022**

The undersigned owners of all the land described herein submitted the accompanying plan entitled: **Plan of Land in Truro MA 4 Fisher Hill Way** and dated November 18, 2022, requests a determination and endorsement by said Board that approval by it under the Subdivision Control Law is not required.

Property Location: **4 Fisher Hill Way, Truro, MA**

Number of Lots Created: **Two (2) parcels, though each intended to merge into their respective abutting registered land parcels that are the subject matter of another ANR application filed herewith.**

Map(s) and Parcel(s): **54-120-0**

Total Land Area: **46,970 sq. ft. (1.07 acres) +/-**

The owner's title to Parcel 54-120-0 is derived under deed from the Estate of Penelope P. Russianoff, dated August 7, 2004, and recorded in the Barnstable Registry of Deeds Book and Page 18953 and 155 (respectively).

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

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

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

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

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

(Printed Name of Owner)

(Signature)

(Printed Name of Owner)

(Signature)

(Address of Owner(s))

(Address of Owner(s))

VICTORIA DALMAS, Esq.

(Printed Name of Agent)

[Handwritten Signature]

(Signature)

Semi + Associates PC, 15 Cape Lane, Brewster MA 02631

(Address of Agent)

File twelve (12) copies each of this form and applicable plan(s) with the Town Clerk; and a complete copy, including all plans and attachments, submitted electronically to the Town Planner at planner1@truro-ma.gov

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

Address: 4 Fisher Hill Way Applicant Name: Sylvia Russianoff Date: December 27, 2022

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

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

Address: 4 Fisher Hill Way		Applicant Name: <u>Sylvia Russianoff</u>		Date: <u>Dec. 27, 2022</u>
No.	Requirement	Included	Not Included	Explanation, if needed
b.11	The statement "Approval under the Subdivision Control Law Not Required", and sufficient space for the date of the application submittal and the date of endorsement, docket number and the signatures of all Board members.	X		
b.12	The statement "Planning Board endorsement of this plan indicates only that the plan is not a subdivision under MGL, Chapter 41, Section 81-L and does not indicate that a lot is buildable or that it meets Zoning, Health or General Bylaw requirements."	X		

NOT
AN
OFFICIAL
COPY

NOT
AN
OFFICIAL
COPY

NOT
AN
OFFICIAL
COPY

NOT
AN
OFFICIAL
COPY

53,069.

4

Statute Form of
Quitclaim Deed

George Davis Herron, Jr.
et ux.

TO

Eric H. Pellacsek et ux.

Unstable Registry District

SEP 23 1957

RECEIVED FOR REGISTRATION
AT 11 O'CLOCK 45
BEING CERTIFICATE NO. 21010110
NOTED ON OFF. 1945121

_____ 19 ____

at _____ o'clock and _____ minutes _____ m.

Received and entered with _____

_____ Deeds

Book _____ Page _____

Attest:

Register.

FROM THE OFFICE OF

John R. Dyer, Jr.
North Panet Road
Truro, Mass.

LAND COURT, BOSTON. The land & parcels
herein described will be shown on
our approved plan to follow as

SEP 6 1957

Fee 25187^B Lit 4

(Examined as to date of registration)

C. M. Anderson, Engineer ACP

HOBBS & WARREN, INC.
PUBLISHERS STANDARD LEGAL FORMS
BOSTON - MASS.
Form 882

L.C.# 25187.

KNOW ALL MEN BY THESE PRESENTS

N O T

That We, George Davis Herren, Jr. and ~~Anna~~ Ruth Herren, husband and wife ~~as~~ ^{and} ~~joint~~ tenants by the entirety N O T
O F F I C I A L O F F I C I A L
C O P Y C O P Y

of Truro, Barnstable County, Massachusetts,
 being ~~un~~married, for consideration paid, grant to N O T
~~Eric H. Pollaczek and Penelope A. Pollaczek,~~ ^{Eric H. Pollaczek and Penelope A. Pollaczek,} N O T
 husband and wife, as joint ~~tenants~~ ^{tenants} A N
O F F I C I A L O F F I C I A L
C O P Y C O P Y

of 141 South Broadway, Irvington on Hudson,

State of New York
with quitclaim covenants

~~Whereby~~ Two certain parcels of land situate in Truro, in the County of Barnstable, and Commonwealth of Massachusetts, together with all buildings thereon, bounded and described as follows:

Parcel 1. Easterly by Old County Road two hundred fifty nine and 62/100 (259.62) feet;

Southerly by other land of these grantors or remaining portion of Lot 1. two hundred twenty eight and 23/100 (228.23) feet;

Westerly by land of Anthony R. Francis et al. two hundred fifty nine and 44/100 (259.44) feet and

Northerly by Parcel 2 of this conveyance or Lot 2 two hundred eighteen and 50/100 (218.50) feet.

Being a portion of Lot 1 of Land Court Case numbered 25187.

Parcel 2. Easterly by Old County Road three hundred twenty two (322) feet, more or less;

Southerly by Parcel 2 of this conveyance or Lot 1 two hundred eighteen and 50/100 (218.50) feet.

Westerly by land of Anthony R. Francis et al. four hundred thirty (430) feet, more or less, and

Northeasterly by land of Anthony R. Francis et al. about two hundred thirty two (232) feet.

Being Lot 2 of Land Court Case numbered 25187.

All of said boundaries are determined by the Court to be located as shown on a plan drawn by John R. Dyer, Surveyor, dated December 1948 and November 28, 1955 as modified and approved by the Court, filed in the Land Registration Office.

Also further plan by John R. Dyer, Surveyor dated August 1957 to be filed with the Land Registration Office.

Said lot 2 is subject to an electric cable easement as shown on plan 25187 A.

So much of said lot 2 as is included within the limits of Proprietors Read, approximately shown on said plan, is subject to a right of way in favor of land of Henry Vernon

* Individual - Joint Tenants - Tenants in Common - Tenants by the Entirety.

Truro, Mass. 4 1957 25187-187-1957 25187-187-1957

Peer and Bessie Brewer Peer as set forth in a stipulation between the grantors and Henry Varnum Peer, filed with the papers in this case on December 16, 1954 a copy of which has or will be filed with Barnstable County Registry of Deeds and to the rights of all other persons lawfully entitled thereto in and over the same.

NOT NOT

OFFICIAL OFFICIAL
COPY COPY

So much of said lot 2 as is included within the limits of the Old Cartway, approximately shown on said plan, is subject to the rights of all persons lawfully entitled thereto in and over the same.

NOT NOT

OFFICIAL OFFICIAL
COPY COPY

Also included in this conveyance is a right of way for all purposes for which rights of way are commonly used in, through and over that portion of Lot 1 not included in above described premises, to be used as a means of access to above described premises, all as shown on aforementioned plan dated August 1957.



160
SEP 23 57
8-137/159870

~~husband~~ ~~at said grantors~~
~~with~~

~~release in said grantors all rights of~~ ~~same day the conveyance~~ ~~and obtain instructions to~~
~~draw and to be executed~~

Witness OUR hands and seals this 31st day of August 19 57

George Davis Henson, Jr.
Ella Ruelle Henson

N O T
The Commonwealth of Massachusetts
O F F I C I A L
Barnstable
C s . O P Y

N O T
A N
O F F I C I A L
August
C O P Y 19 57

Then personally appeared the above named George Davis Herron, Jr. and Elsa Ruth Herron
A N
O F F I C I A L
C O P Y
and acknowledged the foregoing instrument to be their free act and deed, before me

A N
O F F I C I A L
C O P Y

John N. Dyer
Notary Public
My Commission expires _____



(THE FOLLOWING IS NOT A PART OF THE DEED, AND IS NOT TO BE RECORDED)

CHAPTER 183, SECTION 11, GENERAL LAWS

A deed in substance following the form entitled "Quitclaim Deed" shall when duly executed have the force and effect of a deed in fee simple to the grantee, his heirs and assigns, to his and their own use, with covenants on the part of the grantor, for himself, his heirs, executors, administrators and successors, with the grantee, his heirs, successors and assigns, that at the time of the delivery of such deed the premises were free from all encumbrances made by him, and that he will, and his heirs, executors and administrators shall, warrant and defend the same to the grantee and his heirs and assigns forever against the lawful claims and demands of all persons claiming by, through or under the grantor, but against none other.

Key: 7309

Town of TRURO - Fiscal Year 2023

9/1/2022 6:23 pm SEQ #: 4.497

LEGAL

CURRENT OWNER										PARCEL ID				LOCATION			
RUSSIANOFF SYLVIA 128 ROCHELLE AVE PHILADELPHIA, PA 19128										54-120-0				4 FISHER HILL WAY			
TRANSFER HISTORY										DOS	T	SALE PRICE	BK-PG (Cert)				
RUSSIANOFF SYLVIA										08/19/2004	99		18953-155				

CLASS	CLASS%	DESCRIPTION			BN ID	BN	CARD	
1300	100	DEV LAND					1 of 1	
PMT NO	PMT DT	TY	DESC	AMOUNT	INSP	BY	1st	%
SS20-3	01/23/2018	50	SPLIT SUB		06/28/2019	JN	100	100
SS13-6	04/20/2011	50	SPLIT SUB		12/31/2011		100	100
		30	CHECK DATA		11/19/2013	FC	100	100

LAND

CD	T	AC/SF/UN	Nbhd	Infl1	Infl2	ADJ BASE	SAF	Infl3	Lpi	VC	CREDIT AMT	ADJ VALUE
100	A	0.775 15	1.00 1	1.00 PR3	0.90	408,596	1.00 1	1.00 R07	1.45			316,660
300	A	0.303 15	1.00 1	1.00 1	1.00	34,655	1.00 1	1.00 R07	1.45			10,500

TOTAL	1.078 Acres	ZONING	RES	FRNT	0	ASSESSED	CURRENT	PREVIOUS
Nbhd	SOUTH TRURO	NOTE	FY20 SPLIT OUT OF 54-12			LAND	327,200	282,000
Infl1	NO ADJ		BUILDING	0	0			
Infl2	PAPER ROAD		DETACHED	0	0			
			OTHER	0	0			
			TOTAL	327,200	282,000			

DETACHED

TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD	PHOTO

BUILDING

BUILDING	CD	ADJ	DESC	MEASURE
MODEL				LIST
STYLE				REVIEW
QUALITY				
FRAME				

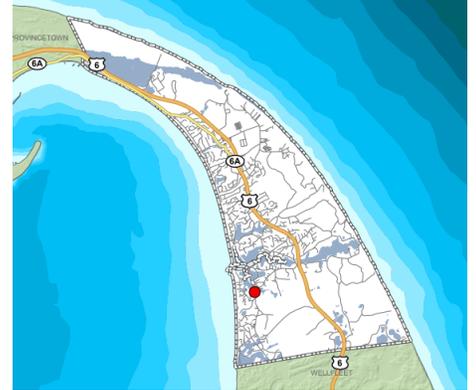
YEAR BLT	NET AREA	\$NLA(RCN)	SIZE ADJ	DETAIL ADJ	OVERALL	ELEMENT	CD	DESCRIPTION	ADJ	S	BAT	T	DESCRIPTION	UNITS	YB	ADJ PRICE	RCN

TOTAL RCN	
CONDITION ELEM	CD
EFF.YR/AGE	
COND	% GD
FUNC	
ECON	
DEPR	
RCNLD	

TOWN OF TRURO - PROPERTY SUMMARY REPORT

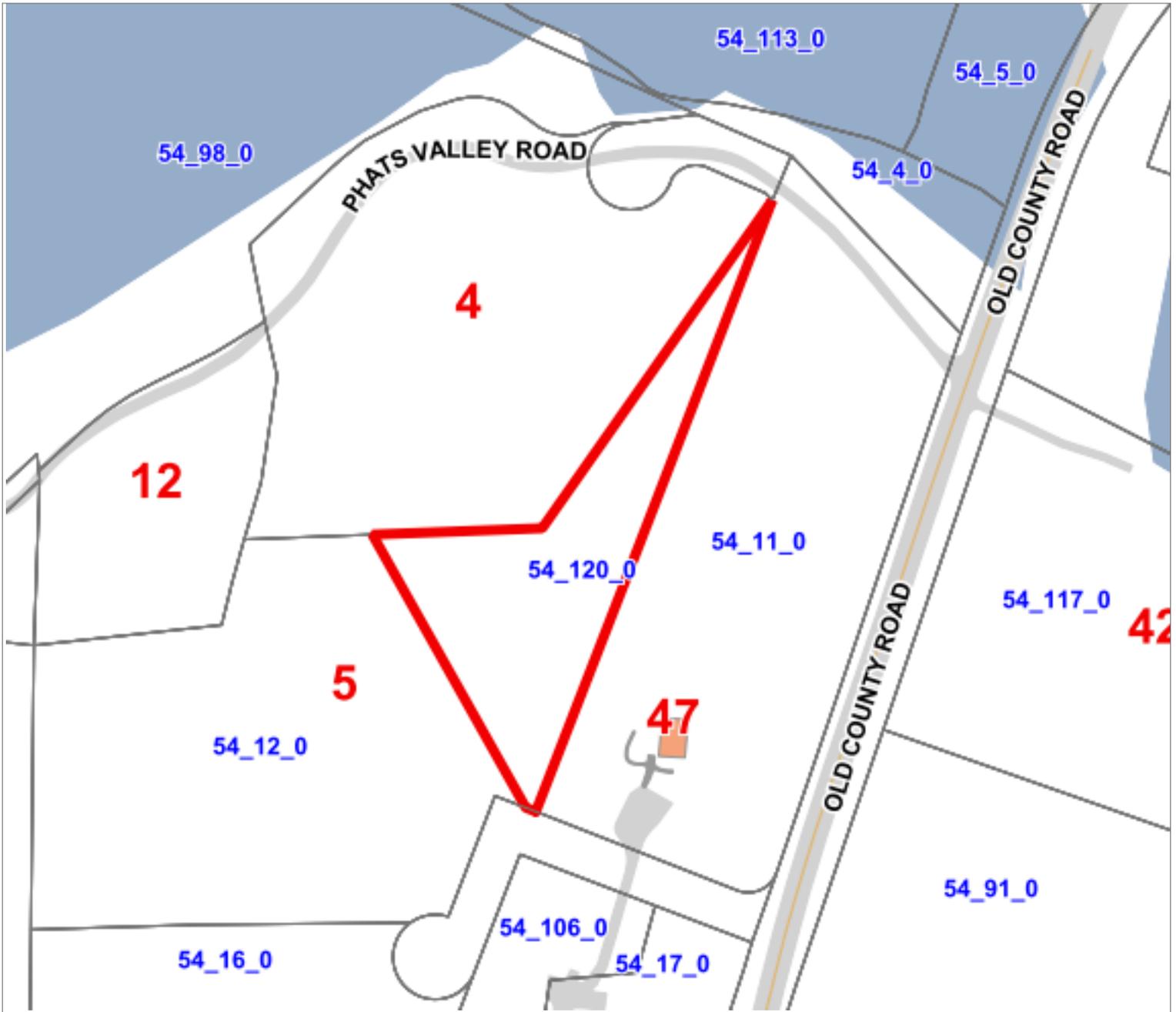
PARCEL	54-120-0	KEY:	7309	LOCATION:	4 FISHER HILL WAY
---------------	----------	-------------	------	------------------	-------------------

CURRENT OWNER		FY 2023 PARCEL VALUE	
RUSSIANOFF SYLVIA,		LAND VAL:	\$327,200.00
128 ROCHELLE AVE		BUILDING VAL:	\$0.00
		DETACH VAL:	\$0.00
PHILADELPHIA, PA 19128		APPR VAL:	\$327,200.00
		TAX VAL:	\$327,200.00



STATE CLASS:	1300	ZONING:	RESIDENTIAL
DESCRIPTION:	DEV LAND	BILL SQ FT:	46970

SALES HISTORY				
OWNER	SALE TYPE	BOOK / PAGE	SALE DATE	SALE PRICE
RUSSIANOFF SYLVIA	99	18953 / 155	19-Aug-2004	\$ 0



Southeasterly by the centerline of Bang's Creek and by land of said Newton Heirs and by land of Lurana H. Cook et al, a distance of seven hundred forty-two (742) feet, more or less, to a point on the westerly sideline of the Old County Road; thence

S 17°-58'-10" W by the westerly sideline of the Old County Road, a distance of one hundred thirty-seven (137) feet, more or less, to the edge of the upland of other land of the grantee, said land being Lot 4, as shown on Land Court Plan No. 25187^B; thence

Northwesterly by the edge of the upland of other land of the grantee, a distance of two hundred thirty-two (232) feet, more or less, to a concrete monument at the northeast corner of Parcel B as shown on the "Subdivision Plan" (as hereinafter defined); thence

N 66°-51'-39" W by said Parcel B, a distance of eight hundred forty-six and 37/100 (846.37) feet, to a point by land of Grace Deschamps et al; thence

N 00°-22'-47" E by land of said Deschamps, a distance of four hundred thirty-three and 27/100 (433.27) feet, to the point of commencement.

Reference is hereby made to the following:

(a) a plan entitled "Subdivision Plan of Land in Truro, Made for Penelope P. Russianoff and Harry Kahn, Scale: 1 In. = 80 Ft., Dec., 1976, by Slade Associates, Surveyors, Provincetown; Truro; & Main Street, Wellfleet, Massachusetts 02667", and recorded in the Barnstable County Registry of Deeds in Plan Book 313, Page 38 (referred to herein as the "Subdivision Plan"); and

(b) a plan entitled "Plan of Land in Truro, Made for Penelope P. Russianoff and Harry Kahn, Being a Division of Parcel B As Shown on a Plan entitled 'Subdivision Plan of Land in Truro, Made for Penelope P. Russianoff and Harry Kahn, Dated December, 1976, by Slade Associates, Surveyors,' dated February, 1977, by Slade Associates, Surveyors, East Main Street, Wellfleet, Massachusetts 02667," and recorded in the Barnstable County Registry of Deeds in Plan Book 313, Page 37 (referred to herein as the "Amendatory Plan").

The parcel described above (hereinafter referred to as "Parcel A") contains an area of 2.77 acres, more or less, and is shown as "Parcel A" on the Subdivision Plan referred to above.

There is appurtenant to Parcel A that certain easement for right of way purposes declared and created pursuant to that certain deed of even date herewith and to be recorded simultaneously herewith conveying from Harry Kahn and Penelope P. Russianoff to Harry Kahn the land described as "Parcel B" on the Amendatory Plan. Such easement permits access to Parcel A through and by means of such portions of such Parcel B as are described on the Subdivision Plan (a) as "Proprietors' Road" and (b) to be the right of way of former railroad lands running in a northerly direction along the western boundary of such Parcel B.

N O T Parcel III N O T
A N A N

Commencing at a concrete monument at the southwest corner of the premises by land of Harold C. Field and by Parcel C as shown on the Amendatory Plan referred to above; thence

N 13°-17'-15" E by land of said Field, a distance of thirty-nine and 73/100 (39.73) feet, to a concrete monument; thence

N 14°-15'-50" E by land of said Field, a distance of forty-two and 49/100 (42.49) feet, to a point by Parcel B as shown on the Amendatory Plan; thence

N 87°-52'-20" E by Parcel B, a distance of two hundred seventy-five and 11/100 (275.11) feet, to a concrete monument by Parcel C as shown on the Amendatory Plan; thence

S 72°-59'-48" W by Parcel C, a distance of three hundred seven and 98/100 (307.98) feet, to the point of commencement.

The parcel described above contains an area of 0.25 acres, more or less, and is shown as a triangular-shaped parcel labeled "This parcel to become part and remain part of Parcel C" on the Amendatory Plan.

For grantor's title see deed recorded in Barnstable County Registry of Deeds in Book 2577, Page 309. See also Estate of Penelope Russianoff (Barnstable Probate Docket No. 03P1210FE-1).

Executed as a sealed instrument this 7th day of August, 2004.

Sylvia Russianoff
Sylvia Russianoff, Executrix of the Will
of Penelope P. Russianoff

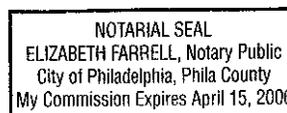
The Commonwealth of Massachusetts

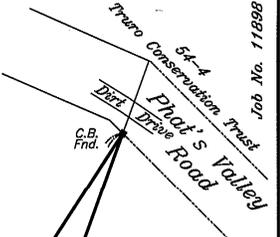
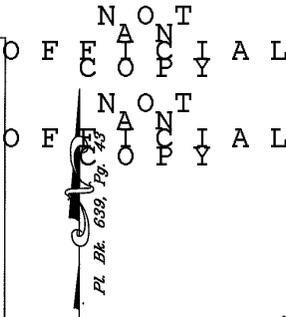
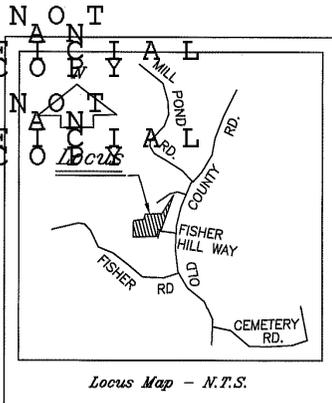
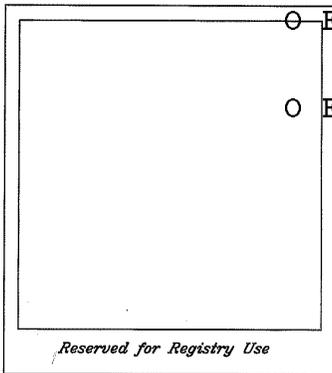
On this 7th day of Aug, 2004, before me, the undersigned notary public, personally appeared SYLVIA RUSSIANOFF, and proved to me through satisfactory evidence of identification, which were PA DRIVER'S, to be the person whose name is signed on the preceding or attached document, and acknowledged to me that she signed it voluntarily for its stated purposes.



Elizabeth Farrell
Notary Public
My Commission expires:

51276327_1.DOC 078633-00000
July 22, 2004 11:32 AM





RECORD OWNER AND APPLICANT:

Sylvia Russianoff

PLAN NOTE:

This plan is a division of Parcel C-1, Pl. Bk. 639 Pg. 43.

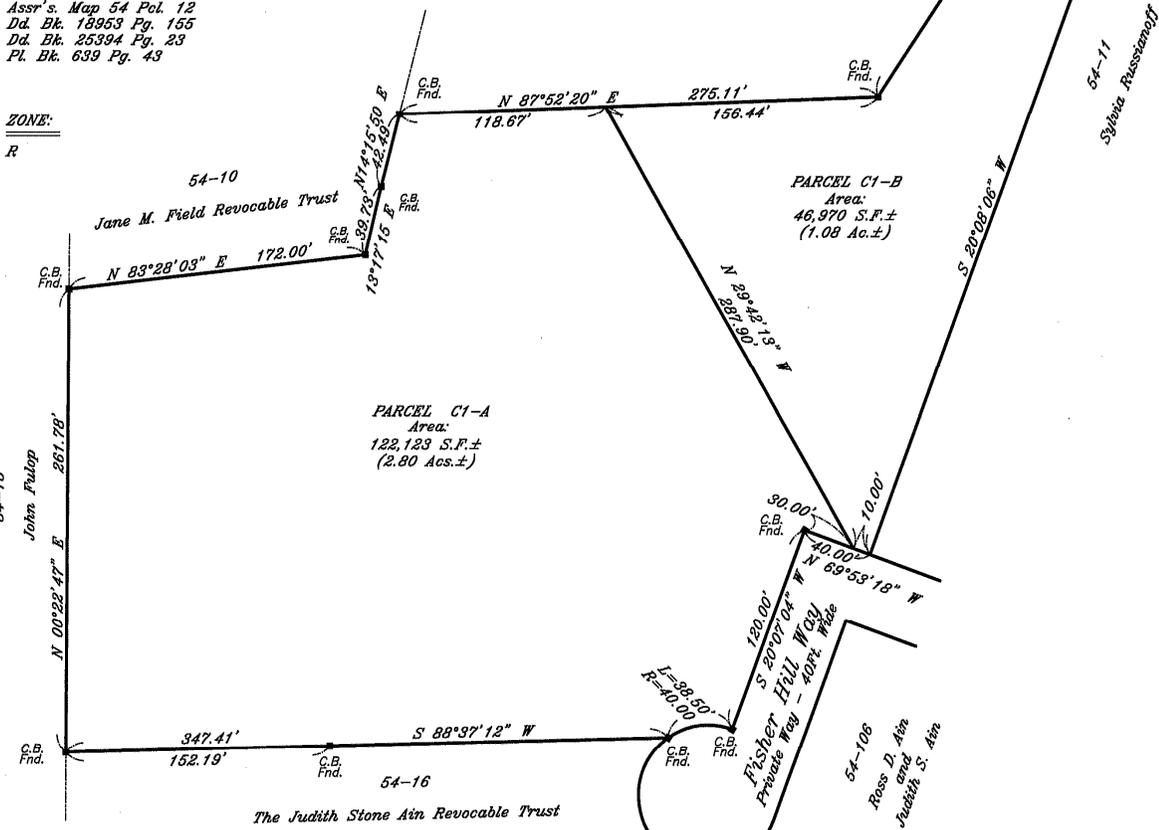
Parcel C1-B is not a buildable lot but is to be combined with abutting land owned by Sylvia Russianoff.

REFERENCES:

- Assr's. Map 54 Pol. 12
- Dd. Bk. 18953 Pg. 155
- Dd. Bk. 25394 Pg. 23
- Pl. Bk. 639 Pg. 43

ZONE:

R



TRURO PLANNING BOARD APPROVAL NOT REQUIRED

Date: Jan. 10, 2018

Henry Sallberg
Kevin Walsh
Paul Kerwan
Pat Hendley

Planning Board endorsement of this plan indicates only that the plan is not a subdivision under Section 81-L of the Massachusetts General Laws and does not indicate that the lot is buildable or that it meets Zoning, Health, Conservation or General By-Law requirements.

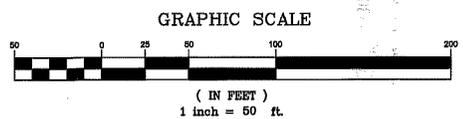
I certify that this plan has been prepared in conformity with the rules and regulations of the registers of deeds.

Philip P. Scholomiti Dec. 6, 2017
 Professional Land Surveyor Date



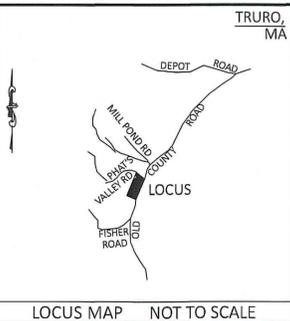
Division of Land
 in
 Truro, MA
 prepared for
 Sylvia Russianoff

Scale: 1" = 50' Date: December 6, 2017



Ryder & Wilcox, Inc.
 P.E. & P.L.S.
 So. Orleans, MA

RECEIVED AND RECORDED
 JAN 23 2 04 PM
 REGISTRY OF DEEDS
 JOHN HEADE



- LEGEND:**
- CB CONCRETE BOUND
 - DH DRILL HOLE
 - FND FOUND

ZONING INFORMATION:

DISTRICT: RESIDENTIAL (R)
 MINIMUM LOT SIZE: 33,750 SF
 MINIMUM FRONTAGE: 150 FEET
 SETBACKS:
 FRONT: 25 FEET
 SIDE: 25 FEET
 REAR: 25 FEET
 MAX. HEIGHT: 30 FEET

OWNER OF RECORD:

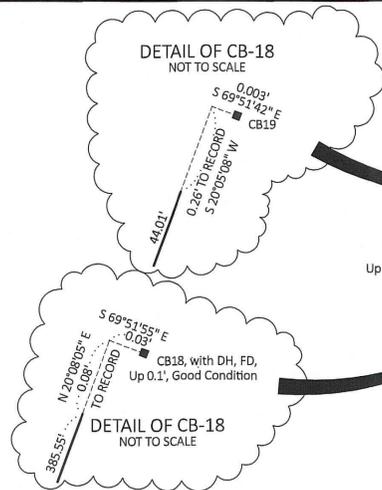
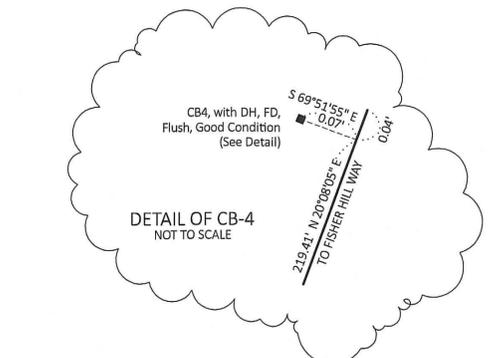
SYLVIA RUSSIANOFF
 128 ROCHELLE AVENUE
 PHILADELPHIA, PA 19128

LOCUS:

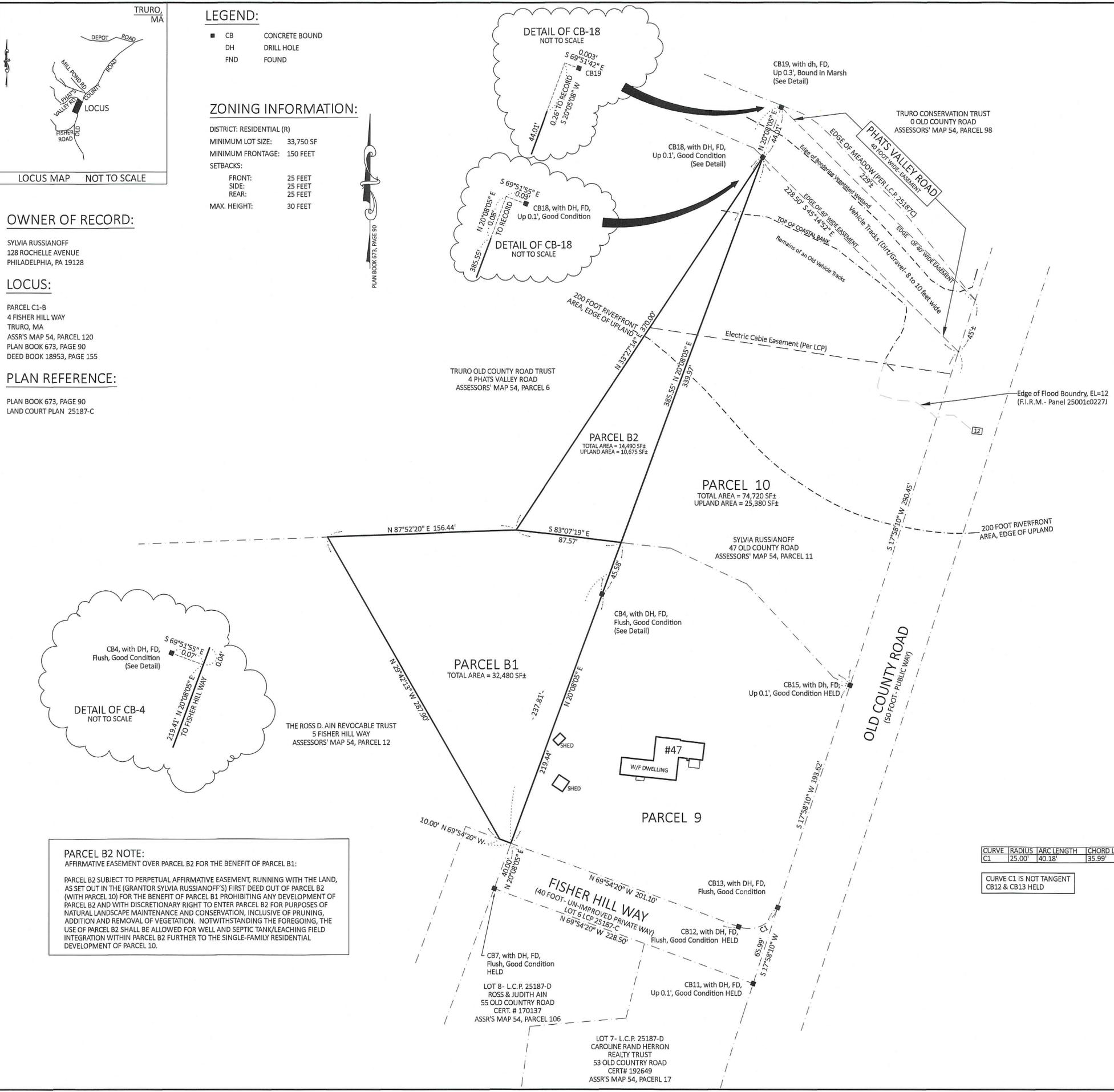
PARCEL C1-B
 4 FISHER HILL WAY
 TRURO, MA
 ASSR'S MAP 54, PARCEL 120
 PLAN BOOK 673, PAGE 90
 DEED BOOK 18953, PAGE 155

PLAN REFERENCE:

PLAN BOOK 673, PAGE 90
 LAND COURT PLAN 25187-C



PARCEL B2 NOTE:
 AFFIRMATIVE EASEMENT OVER PARCEL B2 FOR THE BENEFIT OF PARCEL B1:
 PARCEL B2 SUBJECT TO PERPETUAL AFFIRMATIVE EASEMENT, RUNNING WITH THE LAND, AS SET OUT IN THE (GRANTOR SYLVIA RUSSIANOFF'S) FIRST DEED OUT OF PARCEL B2 (WITH PARCEL 10) FOR THE BENEFIT OF PARCEL B1 PROHIBITING ANY DEVELOPMENT OF PARCEL B2 AND WITH DISCRETIONARY RIGHT TO ENTER PARCEL B2 FOR PURPOSES OF NATURAL LANDSCAPE MAINTENANCE AND CONSERVATION, INCLUSIVE OF PRUNING, ADDITION AND REMOVAL OF VEGETATION. NOTWITHSTANDING THE FOREGOING, THE USE OF PARCEL B2 SHALL BE ALLOWED FOR WELL AND SEPTIC TANK/LEACHING FIELD INTEGRATION WITHIN PARCEL B2 FURTHER TO THE SINGLE-FAMILY RESIDENTIAL DEVELOPMENT OF PARCEL 10.



CURVE	RADIUS	ARC LENGTH	CHORD LENGTH	CHORD BEARING	DELTA ANGLE
C1	25.00'	40.18'	35.99'	N 63°57'52" E	92°04'38"

CURVE C1 IS NOT TANGENT
 CB12 & CB13 HELD

FOR REGISTRY USE ONLY

I CERTIFY THAT THIS PLAN WAS PREPARED IN ACCORDANCE WITH THE RULES AND REGULATIONS OF THE REGISTRARS OF DEEDS EFFECTIVE JANUARY 1, 1976 AND AMENDED JANUARY 7, 1988.

DATE 11-18-2022
 P.L.S. [Signature]
 JOHN M. O'REILLY
 NO. 46733
 PROFESSIONAL LAND SURVEYOR

I HEREBY CERTIFY THAT THIS PLAN WAS DRAWN FROM AN ACTUAL SURVEY MADE ON THE GROUND IN ACCORDANCE WITH THE LAND COURT INSTRUCTIONS OF 2006 ON FEBRUARY 24, 2022 AND MARCH 10 & 11, 2022.

DATE 11-18-2022
 P.L.S. [Signature]
 JOHN M. O'REILLY
 NO. 46733
 PROFESSIONAL LAND SURVEYOR

NO DETERMINATION OF COMPLIANCE WITH ZONING REQUIREMENTS HAS BEEN MADE OR IS INTENDED
 PURPOSE OF THIS PLAN IS TO DIVIDE PARCEL C1-B AS SHOWN ON PLAN BOOK 673, PAGE 90 INTO PARCEL B1 AND PARCEL B2. THE TWO LOTS ARE UNBUILDABLE DUE TO LACK OF FRONTAGE AND LAND AREA AND ARE TO BE COMBINED WITH PARCEL 9 AND PARCEL 10 RESPECTIVELY.
 APPROVAL FROM THE TRURO PLANNING BOARD IS NOT REQUIRED

TRURO PLANNING BOARD

DATE _____

PLAN OF LAND
 IN
 TRURO, MASSACHUSETTS
 4 FISHER HILL WAY
 AS SURVEYED AND PREPARED FOR
 SYLVIA RUSSIANOFF

PARCEL BEING SUBDIVIDED IS PARCEL C1-B AS SHOWN ON PLAN BOOK 673, PAGE 90

0 40 80 120
 NOVEMBER 18, 2022 SCALE 1" = 40'

MADE BY
J.M. O'REILLY & ASSOCIATES, INC.
 1573 MAIN STREET, P.O. BOX 1773
 BREWSTER, MASSACHUSETTS 02631
 PHONE: (508) 896-6601
 WWW.JOREILLYASSOC.COM

Elizabeth Sturdy

From: Emily Beebe
Sent: Wednesday, December 14, 2022 1:41 PM
To: Elizabeth Sturdy
Subject: RE: Review of PB and ZBA Applications - 38 Cliff Road
Attachments: Message from Building Dept KM_C308

Good afternoon,

We have reviewed the files for this property, which includes a plan developed by Outermost Land survey in May 2021, and is attached.

The plan shows the jurisdiction of the Conservation Commission. There is a buffer zone to the Coastal Bank on the southeast side of the parcel, which extends approximately 12-15' onto the lot.

Based on the project narrative it does not appear that the proposed project will impact the wetland resource area, provided that all work is outside of the "limit of work" as shown on the plan.

The dwelling unit is served by a title 5 septic system, which passed its inspection in 2020. The 2 bedroom home is located on this 27,443 sf property, and therefore compliant with the nitrogen loading standards of title 5.

Thank you for the opportunity to comment.

-Emily Beebe

From: Elizabeth Sturdy <ESturdy@truro-ma.gov>
Sent: Tuesday, November 8, 2022 11:18 AM
To: Emily Beebe <EBeeBe@truro-ma.gov>; Rich Stevens <rstevens@truro-ma.gov>; Arozana Davis <ADavis@truro-ma.gov>; Jarrod Cabral <jcabral@truro-ma.gov>
Cc: Barbara Carboni <bcarboni@truro-ma.gov>
Subject: Review of PB and ZBA Applications - 38 Cliff Road

Emily, Rich, Zana, Jarrod:

The attached PB and ZBA Applications will be on upcoming meetings: PB December 21 and ZBA December 19.

Please respond with any comments you may have, or not. Appreciate any and all input.

Let me know if you have any questions. Thanks,

Liz

Elizabeth Sturdy

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

I hereby certify that the structures shown hereon are located as they exist on the ground.

Donald T. Poole PLS #32662 Date

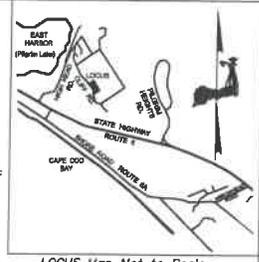
Cape Cod National Seashore
USA Dept. of the Interior



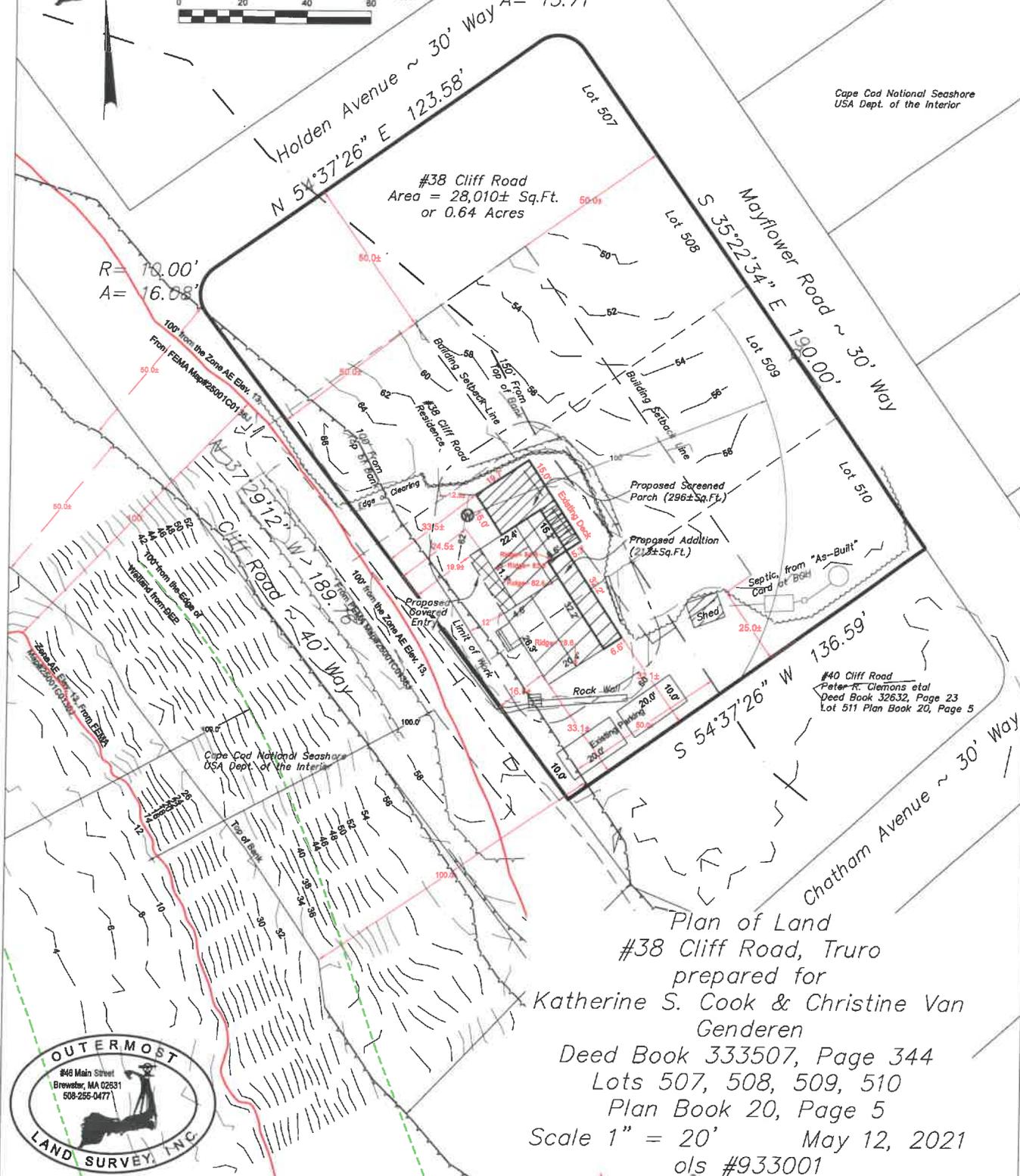
PLAN NOTES:

- 1) Property is located within the Seashore Zoning District
- 2) Bearings are based on MA Coordinate System NAD83
- 3) Elevations are based on NAVD88
- 4) Existing Grade = $61.8+60.5+63.0+63.3+63.5+64.1+63.0 = 439.2 / 7 = 62.7'$ NAVD88
- 5) Existing Ridge Height = $84.8' - 62.7' = 22.1'$
- 6) Proposed Ridge Height = Fin Flr ($65.9'$) + $22.9'$ (Proposed Ridge) = $88.8' - 62.7' = 26.1'$

$R = 10.00'$
 $A = 15.71'$



Cape Cod National Seashore
USA Dept. of the Interior



#38 Cliff Road
Area = 28,010± Sq.Ft.
or 0.64 Acres

$R = 18.00'$
 $A = 16.08'$

#40 Cliff Road
Peter R. Clemons et al
Deed Book 32632, Page 23
Lot 511 Plan Book 20, Page 5

Plan of Land
#38 Cliff Road, Truro
prepared for
Katherine S. Cook & Christine Van Genderen
Deed Book 333507, Page 344
Lots 507, 508, 509, 510
Plan Book 20, Page 5
Scale 1" = 20' May 12, 2021
ols #933001



Elizabeth Sturdy

From: McKean, Lauren <Lauren_McKean@nps.gov>
Sent: Wednesday, December 16, 2020 3:50 PM
To: Benjamin E. Zehnder; Elizabeth Sturdy; Barbara Huggins Carboni
Cc: Charles B. Zehnder; Ted Smith (tedsmitharchitect@gmail.com); Kaye McFadden (capetip1967@icloud.com); Carlstrom, Brian; Poole, Don (dpoole@outermostlandsurvey.com)
Subject: Re: [EXTERNAL] RE: Truro PB Site Plan Review application / 38 Cliff Road (Assessor's Parcel ID 32-19)

Barbara, Elizabeth, and Ben,

Our concerns are for the scale and massing in prominent viewpoint locations, such as High Head. We ask that the Truro boards give this issue due consideration in plan review. Additionally, our files yield:

This property has been found to be ineligible for a Certificate of Suspension from Condemnation as it was built after the Sept. 1, 1959 cutoff date established by the park's legislation.

The NPS can acquire the property without the owner's consent, and acquisition by the federal government would be at fair market value determined by a contracted appraisal.

In a quick review of our records, the house was expanded in 1977 and 1983. In 1983 a 240 square foot barn was constructed. A 80 square foot shed was constructed in 1985. And, another house expansion occurred in 1989.

As there is no Certificate of Suspension from Condemnation for this property because it is ineligible, we prefer to see adherence to the town zoning to the maximum extent.

Thank you,
Lauren

Lauren McKean, AICP
Park Planner
Cape Cod National Seashore
508-957-0731

From: Benjamin E. Zehnder <BZehnder@latanzi.com>
Sent: Tuesday, December 8, 2020 5:35 PM
To: Elizabeth Sturdy <ESturdy@truro-ma.gov>
Cc: Barbara Huggins Carboni <BHugginsCarboni@k-plaw.com>; Charles B. Zehnder <CZehnder@latanzi.com>; Ted Smith (tedsmitharchitect@gmail.com) <tedsmitharchitect@gmail.com>; Kaye McFadden (capetip1967@icloud.com) <capetip1967@icloud.com>; McKean, Lauren <Lauren_McKean@nps.gov>; Carlstrom, Brian <Brian_Carlstrom@nps.gov>; Poole, Don (dpoole@outermostlandsurvey.com) <dpoole@outermostlandsurvey.com>
Subject: [EXTERNAL] RE: Truro PB Site Plan Review application / 38 Cliff Road (Assessor's Parcel ID 32-19)

38 Cliff Road, Parcel 32-19

Planning Board Site Plan Review - 2020-005/SPR

Zoning Board of Appeals – 2020-007/ZBA

Prepared by B. Zehnder for Applicant



Supplemental Narrative – December 15, 2020

1. The existing foundation will be maintained as is and repaired if necessary. The existing foundation is a crawl space under the main portion of the house and a full 8' foundation under the north ell housing the furnace. The proposed screen porch will be constructed on sonotubes and the rear addition will be constructed on a new poured concrete 4' wall.
2. There will be no habitable space in the basement.
3. The work limit will be 12' around the rear of the new structure limits.
4. Existing vegetation within the work limit will be removed and following construction the area will be graded and seeded to prevent weed growth.
5. The area to the rear of the house on the southwest side will be regraded down to the level of the existing shed and seeded.

END

Benjamin E. Zehnder LLC

62 Route 6A, Suite B
Orleans, Massachusetts 02653

Benjamin E. Zehnder, Esq.
bzehnder@zehnderllc.com
Tel: (508) 255-7766

January 5, 2023

Town Clerk Kaci Fullerton
Truro Town Hall
24 Town Hall Road
P.O. Box 2012
Truro, MA 02666

Via hand delivery

Re: 38 Cliff Road (Assessor's Parcel ID 32-19)
2022-019/ ZBA
2022-012/SPR

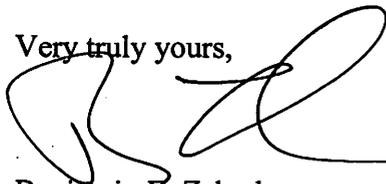
Dear Ms. Fullerton:

Please find enclosed for filing with each of the above-referenced matters 10 copies of the following supplemental materials as gleaned from the Truro Building office files:

1. Building Permit 21-191;
2. Email of L. Geiges dated January 19, 2022;
3. Email of R. Stevens dated January 24, 2022;
4. Email of R. Stevens dated January 26, 2022; and
5. Second Floor Plan with R. Stevens note.

Thank you as always for your assistance. I remain –

Very truly yours,



Benjamin E. Zehnder

Enc.
cc via email only w/ attachments:

client
Barbara Carboni
Brian Carlstrom
Lauren McKean
Elizabeth Sturdy

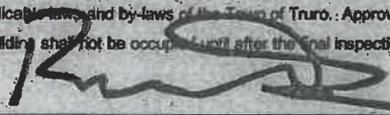


Town of Truro Building Permit

24 Town Hall Rd, Truro MA 02666
P: 508-349-7004 x131 F: 508-349-9508

Building Permit #	21-191	Map:	32 Parcel	19
Street Location:	38 CLIFF RD.			
Owner:	COOK			
Type of Work:	REBUILD / ADD.	HIC:	154231	
Builder:	CAPE TIP CONST.	CSL:	095333	
Date of Issue:	6-1-21			

This card shall be posted in a conspicuous place and shall not be covered or removed until all work associated with this permit is completed. Work shall be in compliance with 780 CMR and all applicable laws and by-laws of the Town of Truro. Approved plans shall be available on the job site. Where a Certificate of Occupancy is required, the building shall not be occupied until after the final inspection and after the Certificate of Occupancy has been issued.

BUILDING OFFICIAL: 

REQUIRED INSPECTIONS

** Permit Amended on 2/28/2022 2nd Floor Plan **

Footing - Rebar		Electrical Service		Final Gas	
Inspector	Date	Inspector	Date	Inspector	Date
_____		_____		_____	
Foundation - Rebar		Rough Wiring		Smoke/Fire Alarm	
_____		_____		_____	
Inspector	Date	Inspector	Date	Inspector	Date
Final Foundation		Final Wiring		Oil Furnace	
_____		_____		_____	
Inspector	Date	Inspector	Date	Inspector	Date
Cert. Foundation Plan		Low Voltage Rough		Sprinkler System	
_____		_____		_____	
Inspector	Date	Inspector	Date	Pressure	Date
Wind Connections		Low Voltage Final		Alarm	Date
_____		_____		_____	
Inspector	Date	Inspector	Date	Energy	Date
Frame		Underground Plumbing		_____	
_____		_____		_____	
Inspector	Date	Inspector	Date	Duct Test	Date
Insulation		Rough Plumbing		_____	
_____		_____		_____	
Inspector	Date	Inspector	Date	Blower Door	Date
Air Barrier		Final Plumbing		Final Building	
_____		_____		_____	
Inspector	Date	Inspector	Date	Inspector	Date
Chimney/Woodstove		Rough Gas		Cert. Of Occupancy	
_____		_____		_____	
Inspector	Date	Inspector	Date	Inspector	Date
_____		_____		_____	

Special Conditions:

EBA 2020-007

*PB/SPR 2020-005
HERS RATING TO BE 55
OR LESS*

Rich Stevens

From: Laura Geiges
Sent: Wednesday, January 19, 2022 2:31 PM
To: Rich Stevens
Subject: 38 Cliff Road - Need Plan for Upper Story
Attachments: K685b1p9.JPG; K685b1p10.JPG

Hi Rich:

This is a reminder about the to-be-finished upper story of 38 Cliff Road (32-19) – the right hand wing section that was not on the approved plan.

Thank you,

Laura

Rich Stevens

From: Rich Stevens
Sent: Monday, January 24, 2022 1:45 PM
To: Kaye McFadden
Cc: Lynne Budnick; Laura Geiges
Subject: 38 CLIFF ROAD

Good Afternoon Kaye,

I am following up on some concerns brought up by our field assessor regarding this project.

The area on the 2nd floor seems to exceed or differ from the plans that were submitted for permitting. Also, on an in person site visit by myself today, I noted a 2nd full dormer on the rear, east elevation which is not shown on the plans on file.

As this project was approved by both the ZBA and Planning Board according to the plans that they reviewed I have some obvious concerns.

Please get in touch in order that we can discuss.

Regards,

Richard Stevens
Building Commissioner

Rich Stevens

32/19

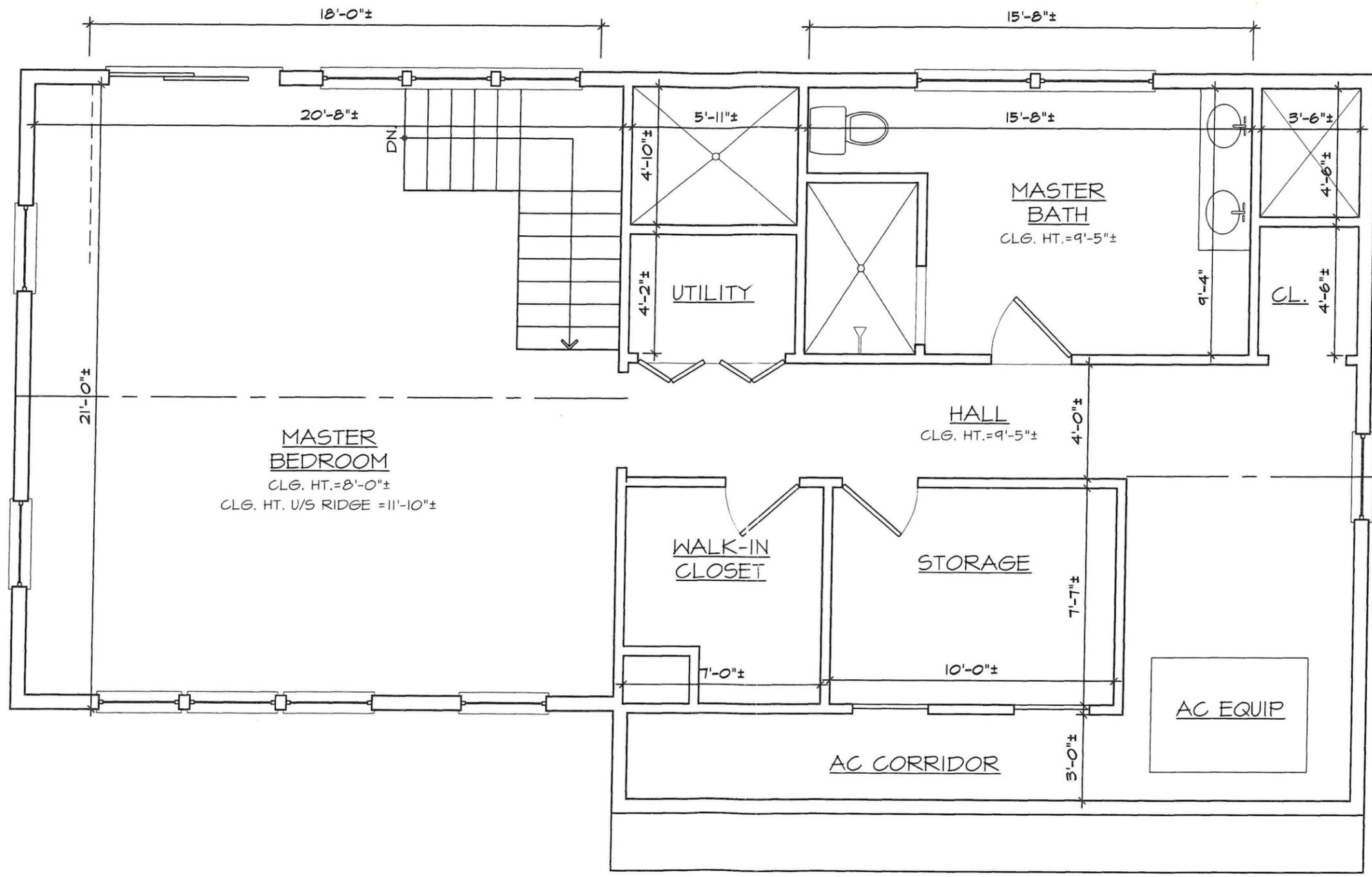
From: Rich Stevens
Sent: Wednesday, January 26, 2022 9:36 AM
To: Kaye McFadden
Cc: Lynne Budnick; Laura Geiges
Subject: 38 Cliff Road

Kaye,
Just following up on our phone conversation regarding the changes in construction at 38 Cliff Road.
You will be contacting both the Planning Board and the Zoning Board regarding these changes and whether or not either Board would like to re-visit this application.
Also, you will be providing this office with new architectural plans that reflect these changes.
Thank you in advance for your anticipated co-operation.
Regards,

Richard Stevens
Building Commissioner

32/119

~~43/120~~



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

AMMENDED 2ND Floor
 Permit 2-28-22
 R65

[Handwritten Signature]

FEBRUARY 02, 2022

RESIDENT
 38 CLIFF ROAD
 NORTH TRURO, MA



38 CLIFF ROAD
 NORTH TRURO, MA

EXISTING CONDITIONS

X2