



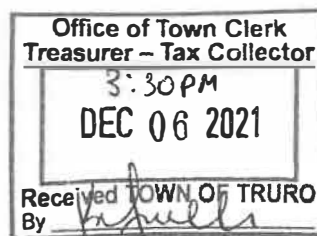
TOWN OF TRURO

PLANNING BOARD

Meeting Minutes

November 4, 2020 – 5:00 pm

REMOTE PLANNING BOARD MEETING



Members Present (Quorum): Anne Greenbaum (Chair); Karen Tosh (Vice Chair); Jack Riemer (Clerk); Steve Sollog; Paul Kiernan; R. Bruce Boleyn; Peter Herridge

Members Absent:

Other Participants: Barbara Carboni – Interim Town Planner and Counsel; Liz Sturdy – Truro Office Assistant; Joseph M. Schirmer – Applicant; Jay Murphy – Attorney for Joseph M. Schirmer; John O'Reilly – Owner of J.M. O'Reilly and Associates and civil engineer for Joseph M. Schirmer; Patrick Coffey – Owner of Pratt Construction and builder for Daniel F. Roche, Jr.

Remote meeting convened at 5:02 pm, Wednesday, November 4, 2020, by Chair Greenbaum who announced that this was a remote meeting which is being broadcast live on Truro TV Channel 18 and is being recorded. Interim Town Planner and Counsel Carboni also provided information as to how the public may call into the meeting or provide written comment.

Public Comment Period

Public comment, for things not on the agenda, and there were none. Truro Office Assistant Sturdy announced that Lisa Peets was on the call and Ms. Peets said that she didn't have any comment to make. Truro Office Assistant Sturdy introduced Mr. and Mrs. Jim Zablocki and they also stated that they had no comment to make. Caller #05 called in, was not identified, and did not speak.

Public Hearing – Continued

2020-010/PB – Abigail B. Schirmer, Audrey Schirmer, and Joseph M. Schirmer seek a Definitive Subdivision Plan of Land for that property pursuant to G.L. c. 41, §81L and §2.5 of the Town of Truro Rules and Regulations Governing Subdivision of Land for property located at Route 6 and Amity Lane, Truro, MA, Map 46, Parcel 8, containing 6.66 acres. Chair Greenbaum noted that this was a continuation of a preliminary hearing held previously and Interim Town Planner and Counsel Carboni reviewed the Members' concerns from the last meeting to include the approval of a subdivision when there were no engineering plans for a roadway that would not be built, and the authority of the Board to endorse a subdivision plan if there wasn't enough frontage. Interim Town Planner and Counsel Carboni further stated that she has worked on the draft language of a resolution with the Schirmer's attorney and that would be agreeable to the Planning Board. Vice Chair Tosh announced that she would continue her recusal in this matter as she is on the Board of the Truro Conservation Trust. Member Kiernan thanked Interim Town Planner and Counsel Carboni for her work which identified the proper language in terms of the findings, conditions, and covenants were on point. Member Boleyn agreed as well. Interim Town Planner and Counsel Carboni stated that she prepared a draft decision for the Board and a draft Form D Covenant executed by the owners (applicants). Interim Town Planner and Counsel Carboni addressed

what the minimum is required frontage for Lot #3 should it be subdivided in the future, and after reviewing the bylaw, opined that the Planning Board can approve the subdivision plan even if the lots don't show sufficient frontage and she provided case laws which supported these determinations. Mr. Murphy addressed the issue of timing and announced that unfortunately Audrey Schirmer passed away late last year and now awaiting an appointment of an individual to oversee her estate through the Probate Court of Barnstable County. Mr. Murphy stated that until that court decision has been made is that the deed can't be signed over but emphasized that the parties involved agree and will work hard to complete the donation of the property. Mr. Murphy further stated that Audrey Schirmer resided in Canada and that may add a delay in the process as well. Mr. Murphy asked the Board for approval of the plan. Chair Greenbaum asked Interim Town Planner and Counsel Carboni for her input and Interim Town Planner and Counsel Carboni opined that it was not necessary to delay approval but suggested that the applicant provide an updated pledge agreement from the applicants so that there is something on record since it will be over 60 days before the court can render a decision and signatures for the deed transfer will occur. Chair Greenbaum asked Members to take a few minutes to review Interim Town Planner and Counsel Carboni's draft agreement and covenant. Member Sollog asked about the references to Abigail Schirmer in the plan and if the waivers had to be approved now. Interim Town Planner and Counsel Carboni opined that she will make those edits and that the Board would not grant any waivers today. Member Kiernan stated that he had a problem that there is no proposed no name for the road and asked if the Board could name the road Abby Way in honor of Abigail Schirmer. Mr. Schirmer stated that he would prefer the road be named Peggy and Boone Way after his parents who wanted the legacy gift to the Truro Conservation Trust. Chair Greenbaum asked if Schirmer Way would be an appropriate alternate and Mr. Schirmer agreed. Chair Greenbaum asked for a motion to approve the plan, the draft agreement, and the covenant.

Member Boleyn made a motion to approve the subdivision plan, the draft agreement, and the covenant.

Member Sollog seconded the motion.

So voted, 6-0-1 (recusal by Vice Chair Tosh), motion carries.

Chair Greenbaum thanked Mr. Schirmer for his patience and generous contribution. Mr. Murphy thanked the Planning Board and the Select Board. Mr. Murphy and Mr. Schirmer thanked the Planning Board and left the meeting.

2020-004/SPR – Daniel F. Roche, Jr. seeks a Residential Site Plan Review for a 2-story addition to an existing 3,018 net square foot residence in the Seashore District containing three acres for property located at 7 Coast Guard Road, Truro, MA (Atlas Map 34, Parcel 5, Registry of Deeds title reference: Book 13174, Page 177). Interim Town Planner and Counsel Carboni updated the Board that the applicant had submitted additional documentation which answered the Board's previous concerns about the gross floor area determined by the assessor's calculations. Chair Greenbaum stated that the gross floor area by her calculations exceed 4,000 square feet which is beyond the limit even with a special permit. Chair Greenbaum asked if Mr. Coffey was on the call and attempts to contact him were made by Truro Office Assistant Sturdy. Member Kiernan stated that he agreed with the gross floor area figures provided by the applicant as Member Kiernan noted that the assessor's figure included the basement that identified a living space. Truro Town Assistant Sturdy announced that Mr. Coffey would call in and join the hearing shortly. Mr. Coffey announced that he had joined the hearing. Chair Greenbaum stated that there is confusion and Interim Town Planner and Counsel Carboni opined that measurements should be taken and be put on the signed plan. Mr. Coffey stated that architect determined the measurements and that the assessor's measurements were excluded. Interim Town Planner and Counsel Carboni stated

that on the original plan it included the assessor's measurements. Mr. Coffey stated that the assessor's measurements included the cottage to which there will no improvement. Interim Town Planner and Counsel Carboni stated that it would be acceptable if the architect would verify the measurements and stamp the document. Member Kiernan stated that he would go along with the applicant's numbers and would limit the gross floor area to 4,330 square feet. Member Riemer stated that he thought the lots was under 3 acres and Mr. Coffey commented that the lot was 3 acres +/- 1 foot. Chair Greenbaum asked Mr. Coffey to include the existing gross floor area for each structure as well as the proposed gross floor area on the plan and stamp it. Mr. Coffey added that measurements from inside walls are required in the Seashore District. Mr. Coffey agreed to submit the plan with the architect's plan with the stamp. Chair Greenbaum further commented that the new plan must include the gross floor area for each room. Interim Town Planner and Counsel Carboni asked if the gravel parking area was being expanded into the meadow area as it would fall under the review of the National Heritage and Endangered Species Program (NHESP) requirements. Mr. Coffey stated that during the NHESP review that he told the NHESP reviewer, Ms. Cheatham, that the gravel parking lot would be extended, and she replied that he was exempt. Interim Town Planner and Counsel Carboni opined that the legal term "lawn" and "meadow" are not consistent in the plan and may result in limitations. Chair Greenbaum commented that the Board is trying to understand what is being proposed and that the applicant not providing consistency has resulted in delays and further questions. Chair Greenbaum asked Board to examine the review checklist and gave the Members an opportunity to discuss other concerns. Chair Greenbaum noted that Mr. Coffey had done research on the Historical District and Mr. Coffey confirmed that he had reviewed the Historical District requirements and that the structure is not 75 years old or older, so it does not apply. Chair Greenbaum asked if there were any new questions and there were none. Chair Greenbaum asked Mr. Coffey if he had any questions and asked which meeting would suit him best. Interim Town Planner and Counsel Carboni asked for Mr. Coffey to include in the new plan the heights of all structures as well and Mr. Coffey agreed. Chair Greenbaum summarized that the new plan will include the requested measurements, signed, and stamped by the architect by the next Planning Board meeting so a decision can be rendered.

Member Sollog made a motion to continue this hearing on Wednesday, November 18, 2020.

Member Boleyn seconded the motion.

So voted, 6-0-1 (Vice Chair Tosh no longer on call), motion carries.

Mr. Coffey thanked the Board and left the meeting.

Board Action/Review

Chair Greenbaum opened the review and discussion of the Marijuana Application Packet and asked the Members for any questions or input. Chair Greenbaum noted that the Board still needs input from the police chief on the security plan. Chair Greenbaum also added that there is a question raised by citizens as to how long the public will have access to the plan prior to town approval. Chair Greenbaum asked Ms. Peets for her input. Ms. Peets commented that she abuts a property that will grow marijuana and she seeks sufficient time (to include those who are part-time residents) to review the plan to ensure the safety of her property, family, and children. Chair Greenbaum asked Truro Office Assistant Sturdy how long in advance would an abutter receive a notice and Truro Office Assistant Sturdy noted that it is generally two weeks. Vice Chair Tosh noted that the town should consider emailing notices to part-time residents versus mailing the notice to the address of record that may be Truro. Chair Greenbaum asked Ms. Peets if a notification and complete application was provided in two weeks would that be sufficient. Ms. Peets replied that three weeks notification by email would be helpful. Member Kiernan suggested

that everything that has been asked is eye opening and notification via email may be helpful to get much more public input on an application. Mrs. Zablocki added that she agreed with Ms. Peets' suggestion. Chair Greenbaum asked Interim Town Planner and Counsel Carboni to coordinate with the police chief on the security plan and Interim Town Planner and Counsel Carboni agreed and offered to speak with other Cape Cod towns to learn about what they are considering. Chair Greenbaum agreed and continued the checklist review. Interim Town Planner and Counsel Carboni commented that 100.5 Applicability of Regulations that A, B, and C may be hard for the applicant to satisfy so the Board may want to remove those, but D should stay in. After a brief discussion with Members, Chair Greenbaum determined to remove A and C so B and D will remain on the checklist. Ms. Peets asked if there will be an opportunity to see the deployed security plan as an abutter with a balance to safeguard the confidential details of the security plan and Chair Greenbaum added that would be discussed with the chief of police. A review of the Site Plan Review (100), Additional Provisions for Cultivation (100.8), Review Criteria (70.4D), Site Plan Review and Special Permit Criteria (100.9) ended with no questions or concerns voiced by the Members.

Chair Greenbaum led the discussion of Certified Abutters List Request Form and reviewed the feedback via email from Jon Nahas of the Assessor's Office. Mr. Nahas suggested adding notifications to any *"school, church, or hospital within 500' from premises"* and Member Herridge noted that a school should be notified but not a church or hospital. Chair Greenbaum noted that Mr. Nahas also thought that the within 300' notifications, not 100', should occur in the Beach Point area and Members agreed. Interim Town Planner and Counsel Carboni offered to contact Emily Beebe at the Board of Health regarding the suggestion of including a marijuana farm's restrictions dispensing into a river, a lake, or a body of water. Chair Greenbaum also noted that she will contact the ZBA to provide input. Chair Greenbaum commented that there are still challenges for the definition of abutters to abutters and wondered if the definition of abutters to abutters for the marijuana application could be applied more broadly. Chair Greenbaum will coordinate with Town Office Assistant Sturdy and Mr. Nahas have a phone call to create a draft to address this as well as email notification.

Chair Greenbaum asked Interim Town Planner and Counsel Carboni a brief Cloverleaf update. Interim Town Planner and Counsel Carboni said that there is a continued public hearing tomorrow and worked through most of Cloverleaf's zoning waivers. There was a letter received from the Cape Cod Commission inquiring about the new wastewater system and Interim Town Planner and Counsel Carboni expects that to be discussed tomorrow. Member Kiernan asked Interim Town Planner and Counsel Carboni if anyone from the ZBA has spoken to anyone from MicroBiotics the company that will install the new wastewater system. Interim Town Planner and Counsel Carboni stated that there was no direct communication with the ZBA. Member Kiernan noted that on the company website's first page it only guarantees its system for 12-18 months which is something to be concerned about. Interim Town Planner and Counsel Carboni opined that the ZBA can be made aware of this, but it should not be her that notifies the ZBA.

Member Kiernan made a motion to adjourn at 7:07 pm.

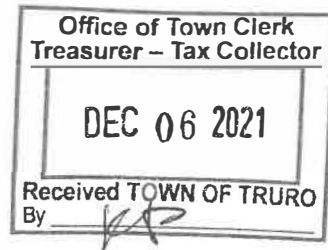
Member Herridge seconded the motion.

So voted, 6-0-1, motion carries.

Respectfully submitted,



Alexander O. Powers
Board/Committee/Commission Support Staff





Planning Board

Town of Truro

24 Town Hall Road
Truro, MA 02666
(508) 349-7004

DECISION OF THE PLANNING BOARD

Definitive Subdivision

Case Reference No.: 2020-010/PB

Atlas Map 46, Parcel 8

Address: 1 Amity Lane

Title Reference: Barnstable County Registry of Deeds Book 14422, Page 64

Owners: Abigail B. Schirmer, Audrey Schirmer, and Joseph M. Schirmer

Applicant: Joseph M. Schirmer

Hearing Dates: October 21, 2020; November 4, 2020

Decision Date: November 4, 2020

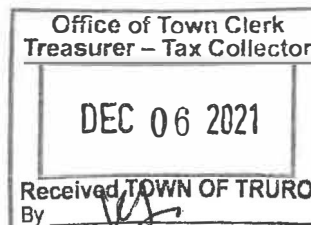
Vote: 6-0

Sitting: Anne Greenbaum, Chair; Jack Riemer, Clerk; Paul Kiernan; Bruce Boleyn; Steve Sollog; Peter Herridge (Karen Tosh, Vice Chair, Recused)

At a duly posted and noticed public hearing opened on October 21, 2020 and continued to November 4, 2020, the Town of Truro Planning Board, acting in the matter of Reference Number 2020-010/PB, and pursuant to G.L. c. 41, s. 81T and s. 81U and s. 25 of the Town of Truro Rules and Regulations Governing Subdivision of Land, voted to approve/deny waivers and to conditionally approve a Definitive Plan entitled "Definitive Subdivision Plan of Land in Truro, MA for Abigail B. Schirmer, Audrey Schirmer and Joseph M. Schirmer at 1 Amity Lane, Truro, MA, Scale 1" = 50,'" prepared by J.M. O'Reilly & Associates and dated September 4, 2020. The Board's vote was 6-0 to approve the Definitive Plan.

In the Planning Board's deliberations, the following plans and submittals were reviewed:

1. Form C Application for Approval of a Definitive Plan, dated September 4, 2020, with attachments
2. Letter from J.M. O'Reilly and Associates dated September 8, 2020 re: Definitive Subdivision Plan Application, 1 Amity Lane, Truro, describing proposed Subdivision and requested waivers
3. Definitive Subdivision Plan Review Checklist
4. Certified Abutters List



2020-010/PB

Page 1 of 5

See Plan recorded in Plan Book 640, Page 4
A true copy, attest: Susan A. Joseph, Temporary Town Clerk, Town of Truro / February 23, 2021 / pages 1-5

5. Definitive Subdivision Plan of Land in Truro, MA for Abigail B. Schirmer, Audrey. Schirmer and Joseph M. Schirmer at 1 Amity Lane, Truro, MA, Scale 1" = 50,'" prepared by J.M. O'Reilly & Associates and dated September 4, 2020
6. Topography Plan of Land in Truro, Massachusetts for Abigail B. Schirmer, Audrey. Schirmer and Joseph M. Schirmer at 1 Amity Lane, Truro, MA, Scale 1" = 50,'" prepared by J.M. O'Reilly & Associates and dated September 4, 2020
7. Quitclaim Deed
8. "Plan of Division of Land in Truro, Mass." prepared for Daniel B & Margaret F. Schirmer, endorsed by Truro Planning Board as Approval Not Required on March 21, 1990, recorded Barnstable Registry of Deeds Book 475, Page 3
9. "Subdivision Plan of Land in Truro, Mass." as surveyed for Daniel B. Schirmer et ux (Margaret F.), endorsed by Truro Planning Board on January 18, 1966, recorded Barnstable Registry off Deeds Plan Book 200 Page 51
10. "Findings and Conditions of Approval of Preliminary Subdivision Plan, 1 Amity Lane (Schirmer)," dated August 5, 2020
11. Email from Fire Chief Tim Collins dated October 15, 2020
12. Email from Police Chief Jamie Calise dated October 15, 2020
13. Email from Conservation/Health Agent Emily Beebe dated October 16, 2020
14. Email from DPW Director Jarrod Cabral
15. Email from Building Inspector Rich Stevens

Findings

After discussion and testimony by the applicant and the applicant's representatives, the Planning Board deliberated on the merits of the request for approval of the three-lot Definitive Plan. In its deliberations, the Board found:

1. The applicant seeks to create a three-lot subdivision on property (6.64 acres) off Amity Lane; a private-way created on a Subdivision Plan for the Schirmer family, approved by the Board in 1966. The existing road is unpaved and approximately eight to ten feet wide. Amity Lane currently serves three properties, 1 Amity Lane (Lot 3 on the proposed Plan, containing a cottage and to be retained by the Schirmer family); 5 Amity Lane, and 7 Amity Lane. Amity Lane will continue to serve these properties.
2. The proposed Subdivision creates Lot 3 (containing 73,201 square feet); Lot 4 (containing 167,904 square feet); Lot 5 (33,169 square feet) and a 40-foot Way off Amity Lane, containing 16,035 square feet. As depicted on the Plan, Lot 3 obtains frontage on Amity Lane and the Way. Lot 4 obtains frontage on the Way. Lot 5 lacks frontage and is not a buildable lot.
3. The applicant's stated intent is to retain Lot 3 in the Schirmer family.
4. The applicant's stated intent is that following approval of the Subdivision Plan, Lots 4 and 5 will be conveyed to the Truro Conservation Trust.

5. Lots 4 and 5 abut land held by the Truro Conservation Trust. Approximately 47,905 square feet of Lot 4 is an old bog. The Conservation Agent reports that the Conservation Commission has reviewed the proposed Plans, inspected the property, and approved the terms of a conservation restriction, also approved by the Select Board.
6. The Board of Health has reviewed the proposed Plans and has required that the owner upgrade the septic system serving the existing dwelling.
7. The applicant will retain the ownership in fee within Amity Lane and within the Way, and to provide access rights to Lot 4.
8. The applicant seeks waivers from all requirements to improve Amity Lane and to construct the unnamed Way at this time. The applicant has not submitted plans relating to drainage improvements or roadway improvements.
9. The Board approved a related Preliminary Subdivision Plan on July 22, 2020. Among other conditions of this approval was that at such time that Lot 4 is improved by a residence, Amity Lane and the Way shall be constructed in conformance with the Truro Rules and Regulations Governing the Subdivision of Land.
10. Another condition of this approval was that any further subdivision of land depicted on that Plan, or division of land pursuant to G.L. c. 41, s. 81P, would require modification of the Subdivision Plan.
11. Eleven trees on Amity Lane identified by the Fire Chief as requiring removal have been removed.

Decision

The Applicant requests the following Waivers:

- A. **Roadway Construction:** Waiver is requested not to construct or improve within the Way or Amity Lane
- B. **Drainage Construction:** Waiver is requested to not construct or install any drainage facilities within the Way or Amity Lane
- C. **Road Name:** Waiver was requested not to name the Way. Subsequently, the Applicant agreed to name the Way "Schirmer Way"
- D. **Existing Trees:** Waiver is sought not to locate all trees greater than 10' in diameter.

The Board understands the applicant to be requesting waiver of the above requirements *at this time*. The applicant's stated intent is that improvement of Amity Lane and the Way to conform

to Planning Board Rules and Regulations will not occur until such time as Lot 4 is developed and/or Lot 3 is further divided.

The Board grants, *at this time*, relief from any requirement to construct or improve the Amity Lane or the Way; relief from any requirement to install drainage facilities within Amity Lane or the Way; relief from the requirement to name the Way; and relief from the requirement to locate all trees greater than 10' in diameter. The Board does not waive such requirements. At such time that Lot 4 is developed and/or Lot 3 is further divided, the Board will consider any requests for waiver of specific requirements of the Truro Rules and Regulations Governing Subdivision of Land.

Conditions

On a motion by Mr. Boleyn, seconded by Mr. Sollog, the Board voted to approve the Definitive Plan pursuant to G.L. c. 41, s. 81T and s. 81U and Section 2.5 of the Town of Truro Rules and Regulations Governing Subdivision of Land subject to the following conditions:

1. Lot 5 as shown on the Plan is not a buildable lot under the Truro Zoning Bylaws.
2. At such time that Lot 4 is improved by a residence, Amity Lane and the Way shall be constructed in conformance with the Truro Rules and Regulations Governing the Subdivision of Land, subject to any such waivers as may be granted by the Board.
3. Lot 3 as shown on the Plan may not be subdivided or otherwise divided pursuant to G.L. c. 41, s. 81P, unless and until Amity Lane, and the Way shown on the Plan, are designed and constructed in conformance with the Truro Rules and Regulations Governing the Subdivision of Land, as approved by the Planning Board, subject to any such waivers as may be granted by the Board.
4. Any further subdivision of land depicted on the Plan, or division of land pursuant to G.L. c. 41, s. 81P, requires modification of the Plan here approved pursuant to G.L. c. 41, s. 81W.


Board Vote

The Board's vote on the motion to conditionally approve the Definitive Plan was 6 in favor, 0 opposed.

Pursuant to G.L. c. 41, s. 81BB, any person aggrieved by this decision may appeal to Barnstable Superior Court or to the Land Court, provided that such appeal is entered within twenty days after this decision has been recorded in the office of the Town Clerk, and notice of such appeal is given to the Town Clerk so as to be received within such twenty days.



Anne Greenbaum, Chair

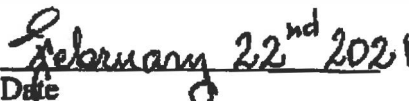


Date

Received, Office of the Town Clerk:



Signature



Date



Planning Board

Town of Truro

24 Town Hall Road
Truro, MA 02666
(508) 349-7004

DECISION OF THE PLANNING BOARD

Definitive Subdivision

Case Reference No.: 2020-010/PB

Atlas Map 46, Parcel 8

Address: 1 Amity Lane

Title Reference: Barnstable County Registry of Deeds Book 14422, Page 64

Owners: Abigail B. Schirmer, Audrey Schirmer, and Joseph M. Schirmer

I hereby certify that this decision was filed with the Office of the Town Clerk on February 22nd 2021 and 20 (twenty) days have elapsed since the date of filing, and:

☒ No Appeal has been filed.

☐ An Appeal has been filed and received in this office on: _____

Susan A. Joseph
Signature

May 10th 2021
Date

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

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

A true copy, attest: Susan A. Joseph Susan A. Joseph, Temporary Town Clerk, Town of Truro / May 10, 2021 / 6 pages



Town of Truro Planning Board

P.O. Box 2030, Truro, MA 02666

FORM D

COVENANT

The undersigned Joseph M Schirmer, Nguyen Huu An and Nicholas Schirmer, Personal Representative of the Estate of Audrey Schirmer, of Barnstable County, Massachusetts, hereinafter called the "Covenantors", having submitted to the Truro Planning Board a definitive plan of a subdivision entitled Definitive Subdivision of Land in Truro, MA for Abigail B. Schirmer et al dated September 4, 2020 made by J.M. O'Reilly & Associates, Inc. for property located at Amity Lane and showing 3 proposed lots, does hereby covenant and agree with said Planning Board and the successors in office of said Board, pursuant to MGL c.41, §81U, as amended that:

1. The Covenantors are the owner of record of the premises shown on said plan.
2. This Covenant shall run with the land and be binding upon the executor, administrator, heirs and assigns of the Covenantors, and their successors in title to the premises shown on said Plan.
3. Lot 5 as shown on the Plan is not a buildable lot under the Truro Zoning Bylaws.
4. At such time that Lot 4 is improved by a residence, Amity Lane and the Way shall be constructed in conformance with the Truro Rules and Regulations Governing the Subdivision of Land, subject to any such waivers as may be granted by the Board.
5. Lot 3 as shown on the Plan may not be subdivided or otherwise divided pursuant to G.L.c. 41, s. 81P, unless and until Amity Lane, and the Way shown on the Plan, are designed and constructed in conformance with the Truro Rules and Regulations Governing the Subdivision of Land, as approved by the Planning Board, subject to any such waivers as may be granted by the Board.
6. Any further subdivision of land depicted on the Plan, or division of land pursuant to G.L. c. 41, s. 81P, requires modification of the Plan here approved pursuant to G.L. c. 41, s. 81W.
7. This Covenant shall take effect upon approval of said plan by the Planning Board.
8. Reference to this Covenant shall be entered upon said plan and this covenant shall be recorded at the Registry of Deeds or the Land Court when said Plan is recorded. A copy of the recorded covenant shall be returned to the Planning Board.

The undersigned Evelyn Brochu (EVELYNE BROCHU, 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.

Witness my hand and seal this 22 day of FEBRUARY, 2021.

Nicholas Schirmer
Nicholas Schirmer, Personal Representative (Signature of Owner)

See Plan Recorded in Plan Book 690, Page 4

The undersigned N/A 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.

Witness my hand and seal this 19th day of February, 2021.

Nguyen Huu An
 Nguyen Huu An (Signature of Owner)

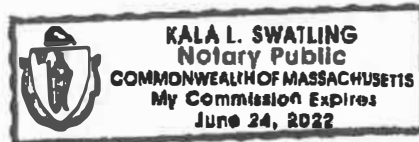
COMMONWEALTH OF MASSACHUSETTS

COUNTY OF Barnstable

On this 19th day of February, 2021, before me, the undersigned notary public, personally appeared
Nguyen Huu An, proved to me through satisfactory evidence of identification, which were
MA D.C., to be the person whose name is signed on the preceding or attached document in my
 presence and acknowledged the foregoing instrument to be his/her free act and deed before me.

My Commission Expires June 24, 2022

Kala L. Swatling
 NOTARY PUBLIC Kala L. Swatling



The undersigned John B. Schirmer ^{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.

Witness my hand and seal this 22 day of February, 2021.

Joseph M. Schirmer
 Joseph M. Schirmer (Signature of Owner)

STATE OF WISCONSIN

COUNTY OF Dane

On this 22 day of February, 2021, before me, the undersigned notary public, personally appeared
Joseph M. Schirmer, proved to me through satisfactory evidence of identification, which were
Deanna's license, to be the person whose name is signed on the preceding or attached document in my
 presence and acknowledged the foregoing instrument to be his/her free act and deed before me.

Caleb Hein
 NOTARY PUBLIC



Signed before me by
Joseph Schirmer

My Commission expires
August 27th 2024

The following are further agreements and/or conditions of approval:

Planning Board Signatures:

[Signature]
[Signature]
[Signature]

Date:

4/7/2021
[Signature]
[Signature]

