

TRURO PLANNING BOARD AGENDA
TUESDAY, May 16, 2017 – 6:00 p.m.
Truro Town Hall, 24 Town Hall Road, Truro

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.

Temporary Sign Permit

Sustainable CAPE: Educational Farmers' Market – seeks approval for one application for a Temporary Sign Permit pursuant to §11 of the Truro Sign Code for four (4) Temporary Signs for the Farmers' Market to be held at Pamet Park (Veterans Memorial Field), 20 Truro Center Road to run from June 13 through September 5, 2016. Signs would be installed on the Friday afternoon before and removed on the Monday afternoon following the event. Four banners (3 will be 72" x 36" and one will be 36" x 27") are proposed per the locus plan on file.

Temporary Sign Permit

Friends of Truro Meeting House – seeks approval seeks approval for one application for a Temporary Sign Permit pursuant to §11 of the Truro Sign Code for two (2) Temporary Signs for events being held between June 20 and August 20, 2017. Signs would be installed in front of the First Parish Congregational Church and 3Harbors Realty, 11 Truro Center Road five days in advance of the event and removed the day after the event. The signs would be 30" by 24" wide.

Release of Covenant – Approved Definitive Subdivision Plan

2012-001PB William and Patricia Berger, seek a final release of Form D Covenant for Lot 23, 1 Capt. William's Way, (L.C.P. No. 17658-H) and execution of Form F, Certificate of Completion & Release of Municipal Interest in Subdivision Performance Security.

Determination that Approval is Not Required (ANR)

20117-001PB Audrey Schirmer and Joseph M. Schirmer and Nguyen Huu An for land located at 9 Castle Terrace and 1 Amity Lane for the reconfiguration of two (2) existing lots with frontage on Amity Lane, Map 46, Parcels 8 & 12.

Preliminary Discussion – Commercial Site Plan Review

Truro Vineyard, LLC discussion of potential acquisition of parcel located at 9 Shore Road (Map 39 Parcel 303) for agricultural purposes.

Re-organization of Planning Board – Election of Officers (Chair, Vice Chair and Clerk)

Review and Approval of Meeting Minutes

May 2, 2017 Regular Meeting

Reports from Board Members and Staff

Meeting Dates and Other Important Dates

June 6, 2017 (Tues.) – Regular Meeting

June 27, 2017 (Tues.) – Regular Meeting

Adjourn

DRAFT

TRURO PLANNING BOARD

Meeting Minutes

TUESDAY, May 2, 2017 – 6:00 p.m.

Truro Town Hall

Planning Board Members present: Bruce Boleyn, Peter Herridge, Paul Kiernan, Jack Riemer, Steve Sollog. Absent (excused): Mike Roderick

Other Participants: Jason Silva, Deanna Ruffer, Town Planner

Public Comment Period

Mr. Kiernan asked the Town Planner to work on applications regarding the two new bylaws passed at Town Meeting: the Accessory Dwelling Unit and the Seashore House Size limits.

Mr. Boleyn thanked Mr. Kiernan for gathering and assembling a directory of current building bylaws in Truro as a reference for Planning Board members.

Temporary Sign Permits

Payomet Performing Arts Center, seeks approval of five Applications for Temporary Sign Permits pursuant to §11 of the Truro Sign Code. The applicant requests permission to place one temporary 9” high (48” above ground) by 39” wide signs during five successive 30-day periods from June 1st through October 31st for various events. The signs would be located at the intersection of South Highland and Old Dewline Roads.

Mr. Sollog offered to recuse himself since he works for Payomet. Mr. Boleyn, Mr. Herridge and Mr. Kiernan said they did not think it was necessary. Mr. Herridge made a motion to approve the application submitted by Payomet for a temporary sign permit to install a 39” wide by 9” high directional sign at the intersection of South Highland and Old Dewline Roads. The signs would be in place for five thirty day periods from June 1 through October 31, 2017. Mr. Boleyn seconded the motion. It was clarified that this is a directional sign as opposed to the sandwich board sign Payomet also uses. So voted, 5-0.

Temporary Sign Permits

Truro Historical Society, seeks approval of four Applications for Temporary Sign Permits pursuant to §11 of the Truro Sign Code. The applicant requests permission to place one 48” high by 36” wide directional sign during four successive 30 day periods from June 1st through September 28th. The signs would be located at the intersection of Route 6 and S. Highland Road.

Mr. Herridge made a motion to approve the application submitted by the Truro Historical Society for a temporary sign permit to install a 36” wide by 48” high sandwich style directional sign at the intersection of South Highland Road and Route 6. The signs would be in place for five thirty day periods from June 1 through September 30, 2017. Mr. Boleyn seconded the motion. So voted, 5-0.

Review of As-built Site Plan

2013-006 SPR Silva Family Heritage Trust have submitted an As-Built Plan and requested Final Planning Board Review of the approved site plan for the construction of three dwelling units for a Cottage Colony pursuant to Section 70.2 of the Truro Zoning Bylaws for property located at 231-237 Shore Road, Map 17, Parcels 5, 6 and 21.

Jason Silva brought in the storm water report and the drainage calculations to add to the file. He also brought in the new plan showing changes that were discussed during the site visit. The planting is continuing and he will bring in the documentation when it is complete. Mr. Kiernan asked Ms. Ruffer for her overview. She suggested a conditional approval of the plan to allow for review of the newly received documents and any amendments that are necessary. The Fire chief has been able to go out and he agrees with those members who suggested that no parking signs be placed on the rear side of the cottages. Mr. Silva will do that. Ms. Ruffer suggested if the Planning Board is inclined to accept the field changes that were talked about that they accept the as-built plan dated March 21, 2017, and conditionally approve the plan and supporting materials, subject to the property owner completing the infiltration basins and plantings within thirty days, with photographic documentation. Mr. Kiernan asked the applicant if he feels he can complete the work in thirty days. Mr. Silva said yes, absolutely.

Mr. Kiernan moved to accept the As-Built Site Plan, dated 3-21-2017 and stamped by John Z. Demarest, Jr, Professional Land Surveyor; and conditionally approve this Plan and supporting materials submitted by Jason Silva on April 18, 2017 as demonstrating completion of the site plan improvements as approved by the Planning Board subject to the property owner completing the infiltration basins and plantings and installing no parking signs on the rear of the cottages as well as completing the other remaining items as noted in the April 26 2017 memo from the Town Planner within thirty (30) days with photographic documentation of the completed work to be submitted for the Planning Board's files. Mr. Boleyn seconded. Mr. Kiernan asked Ms. Ruffer to let the Board know when all items are completed. So voted, 5-0.

Request for Continuance - Continued Public Hearing - Commercial Site Plan Review

2016-008SPR Maria Kuliopulos seeks approval of a Modification to a Commercial Development Site Plan pursuant to §70.3 of the Truro Zoning By-Law for consolidation of units to reduce the number of units on the property by four. Plans include construction of a replacement building containing 17 rentable units and a hospitality room in the same location as a previously demolished fire damaged structure. The property is located at 706 Shore Road, White Sands Beach Club, Atlas Map 39 Parcels 131, 158. Continued from March 7, 2017. **Applicant has requested a further continuance to June 6, 2017 as a result of ZBA continuance to May 22nd.**

Mr. Herridge moved to grant the continuance to June 6, 2017. Mr. Boleyn seconded. So voted, 5-0.

Request for Continuance - Residential Site Plan Review

2017-005 SPR Anne Labouisse Peretz c/o Benjamin Zehnder, La Tanzi, Spaulding & Landreth, P.C., seeks approval of a Site Plan Review pursuant to §70.3 of the Truro Zoning By-law for removal of an existing single family dwelling and construction of a new residential dwelling at a location away from the coastal bank. Property is a 143,776 s.f. pre-existing, non-conforming developed lot in the Seashore zoning district north of

Ballston Beach. The property is located at 112 North Pamet Road, Atlas Map 48, Parcel 1. **Applicant has requested a continuance to June 6, 2017 to allow for redesign in response to comments from ZBA.**

Ms. Ruffer said the members of the Zoning Board of Appeals were uncomfortable with the request for a special permit, waiving the maximum height of 30 feet from existing grade, and so the applicant decided to seek a continuance in order to redesign. The applicant will be back in front of ZBA on May 22, 2017.

Ms. Ruffer cautioned the Board to have a very limited discussion since counsel and the applicant are not present.

Mr. Keirnan asked when this applicant was first before the Planning Board. Ms. Ruffer said that this would have been the first hearing.

Mr. Kiernan asked if the recently passed Seashore bylaw will be in effect for this application. Ms. Ruffer said it will not. It was submitted prior. Mr. Kiernan asked if it was submitted prior to the first advertisement of the new Seashore bylaw. Ms. Ruffer will check on that. Mr. Kiernan said that we have been given elevations, but not dimensions. Ms. Ruffer said that in the narrative section there were dimensions noted. If the new Seashore bylaw is applicable, she will discuss it with the applicant's attorney.

Mr. Sollog commented that since the applicant is going to the ZBA before coming before the Planning Board, if there is a question about size limits, they should bring it up with the ZBA.

Ms. Ruffer stated that the applicant is reducing the size of the foot print of the house in the redesign. She will pass on the Board's concerns to the applicant.

Mr. Sollog asked about the rule that the bylaw goes into effect from the date of the first advertisement. Ms. Ruffer said that once the bylaw is approved by the Attorney General's office, then those dates go into effect. They are not active dates until the Attorney General provides approval.

Mr. Herridge moved to grant the continuance to June 6, 2017. Mr. Boleyn seconded. So voted, 5-0.

Discussion of Planning Board Appointee to Local Comprehensive Plan Committee

Ms. Ruffer asked that the Planning Board to appoint someone tonight to this committee so that the Board of Selectman can confirm the appointment when others are confirmed.

Mr. Sollog asked what to expect for meeting times. Ms. Ruffer said she would expect no less than once a month, with guidance given to staff to work on between meetings. She thinks it would be a year or two commitment. Mr. Sollog asked if it could be put off until the next meeting. Mr. Sollog will do some research on this before the next meeting.

Mr. Kiernan brought up the fact that there may be a new Planning Board member by the next meeting. No one has taken out papers, but there may be a write in candidate on the day of the election. Ms. Ruffer cautioned the board not to discuss the matter further.

Review and Approval of Meeting Minutes

April 11, 2017 Regular Meeting

Mr. Kiernan's name is misspelled on the first page. On the 3rd page, Mr. Boleyn pointed out that Mr. Kiernan asked about what Eastham has done regarding a street program "so that we don't have to reinvent the wheel." He asked if anything has been received on that? Ms. Ruffer is not aware of anything as of yet. Mr. Sollog made a motion to approve the minutes as amended, Mr. Herridge seconded. So voted 5-0.

April 19, 2017 Special Meeting

Mr Boleyn moved to approve the minutes as written, Peter seconded. So voted 5-0.

Reports from Board Members and Staff

Scheduling of site visit for 112 N. Pamet Road in advance of June 6th meeting.
Ms. Ruffer suggested Monday, June 5th, 3 pm.

Ms. Ruffer reviewed the agenda for next meeting and the one following. Mr. Kiernan asked if the large agenda on the 6th could be broken up. Ms. Ruffer will see what she can do. Some of agenda items are continuances to date certain, so they would require a further continuance.

Mr. Boleyn made a motion to adjourn, Mr. Herridge seconded. So voted , 5-0. Meeting adjourned, 6:35 pm.

Respectfully submitted,

Katherine Black



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Tel: (508) 349-7004, Ext. 127 Fax: (508) 349-5505

druffer@truro-ma.gov

To: Planning Board
From: Deanna Ruffer, Town Planner
Date: May 11, 2017
Re: Temporary Sign Requests

The Board has received the following requests for temporary signs pursuant to Section 11 of the Truro Sign Code. The new Section 11 approved at the April Annual Town Meeting states:

The Planning Board may issue permits for temporary signs. Any such permit shall be limited to holiday or special events, and shall be limited to a period of fifteen (15) days, for events lasting one day or two days. For said events having multiple dates such permits shall be limited to a period of thirty (30) days. Not more than four (4) signs shall be erected with respect to any such event. Any such sign shall be firmly attached to a supporting device and shall not present a hazard to the public. Posters intended for window display are exempt from this provision.

In both instances, the applicants have only submitted one application for signage for events with multiple dates over more than a thirty day period. **The Board may wish to discuss**, as has been done by other organizations, if the applicants need to submit multiple applications given the wording of the bylaw, which states "For said events having multiple dates such permits shall be limited to a period of thirty (30) days." If this is the Board's desire, each applicant should be asked to submit two additional applications (one for each month of events) and the Board could condition its approval upon receipt of the additional applications.

Sustainable CAPE: Educational Farmers' Market

Sustainable CAPE is requesting approval for one temporary sign permit for four (4) banners in connection with the Farmers' Market to be held at Pamet Park (Veterans Memorial Field), 20 Truro Center Road on Monday mornings (8AM to noon) from June 12 through August 28, 2017. Signs would be installed on the Friday afternoon before and removed on the Monday afternoon following each weekly event. Four banners (three will be 72" x 36" and one will be 36" x 27") per the included locus plan.

Possible motion: To approve the application(s) submitted by Sustainable CAPE for a temporary sign permit(s) to install four banners (three to be 72" x 36" and one 36" x 27") at the locations shown on the provided locus plan. Signs to be installed on the Friday afternoon before and removed on the Monday afternoon following each weekly event, from June 12 through August 28, 2017.

Friends of Truro Meeting House

The Friends of Truro Meeting House are requesting approval for one temporary sign permit for

two signs in connection with a series of events between June 20 and August 20, 2017. The signs would be installed in advance of each event and taken down the day after the event. A series of seven events are scheduled from June 15th to August 17, 2017. The signs would be 30" x 24" wide. A sketch of the proposed sign has not been provided.

Possible motion: To approve the application(s) submitted by the Friends of Truro Meeting House for a temporary sign permit(s) to install two signs (30" x 24" wide) in front of First Parish Congregational Church and 3Harbors Realty, 11 Truro Center Road. Signs to be installed five days in advance of each event and taken down the day after the event for seven events scheduled between June 15 and August 17, 2017.

TOWN OF TRURO



PLANNING BOARD

Office of Town Clerk
Treasurer - Tax Collector
MAY - 9 2017
\$25.00 Fee Paid
Received TOWN OF TRURO
By M. Stevens

Application for Temporary Sign Permit

Pursuant to Section 11 of the Truro Sign Code

Fee: \$25.00

Applicant Name: Friends of Truro Meeting House Date: May 9, 2017

Applicant Contact Information: Box 149 Truro, MA 02666
Mailing Address

Phone _____ Email _____

Number of Signs Requested: 2

Temporary Sign Dimensions: Height 30" Width 24" Please attach a "to scale" copy of the proposed sign(s).

Location(s) of Proposed Temporary Sign(s): 1) Parish Lane and Town Hall Road
2) 11 Truro Center Rd.

Map(s): _____ Parcel(s): _____ Please use additional sheet(s) for multiple locations

Date(s) of the Event in Which the Sign is Intended: See attached.

Date When Sign(s) will be: Installed: See attached Removed: See attached

Name and Address of Property Owner(s) Where Temporary Sign(s) to be located:

- 1) First Parish Congregational Church Box 149 Truro, MA 02666 (3 Parish Lane)
- 2) 3 Harbors Realty 11 Truro Center Rd.

Name _____ Mailing Address _____
2) 508-349-2600
Phone _____ Email _____

Joana B. Sundberg (Moderator of First Parish Church) May 9, 2017
2) Nathan Norman 5/9/17
Applicant Signature _____ Date _____

1) Joana B. Sundberg May 9, 2017
Owner Signature (which also authorizes the use of the property) _____ Date _____
2) Nathan Norman 5/9/17

Planning Board Action: Approved _____ Approved w/Conditions _____ Denied _____

Conditions: _____

Board Signature: _____ Title _____ Date: _____

CC: Building Commissioner, Board of Selectmen

Date of Event

Installed

Removed

June 20 (Atlantic Ensemble)

June 15

June 21

July 3 (Celebration)

June 26

July 4

July 11 (Lecture: S. Kinzer)

July 4

July 12

July 23 (Chamber Singers)

July 16

July 24

August 7 (Swing Band)

Aug. 1

Aug. 8

Aug. 16 (Lecture: R. Allison)

Aug. 9

Aug. 17

Aug. 20 (Soloist B. Resika)

Aug. 17

Aug. 21

TOWN OF TRURO



PLANNING BOARD

Office of Town Clerk
Treasurer - Tax Collector
MAY - 1 2017
Pd. \$25.00
Received TOWN OF TRURO
By *M. Stern*

Application for Temporary Sign Permit

Pursuant to Section 11 of the Truro Sign Code

Fee: \$25.00

Applicant Name: Sustainable CAPE: Educational Farmers' Market

Date: April 10, 2017

Applicant Contact Information: PO Box 1004, Truro, MA 02666

Mailing Address

508-246-3112
Phone

info@sustainablecape.org
Email

Number of Signs Requested: 4 banners

Temporary Sign Dimensions: Height 72" Width 36" Please attach a "to scale" copy of the proposed sign(s).
Salty's Market Sign: 36" x 27"

Location(s) of Proposed Temporary Sign(s):

Three on highway and one at Veterans Memorial Field. Please see attached map.

W1EVOIX Map(s): 50 **Parcel(s):** _____ Please use additional sheet(s) for

multiple locations **Date(s) of the Event in Which the Sign is Intended:** Mondays 6/12 - 8/28, 2017.

Date When Sign(s) will be: Installed: Friday afternoon Removed: Monday afternoon **Name and**

Address of Property Owner(s) Where Temporary Sign(s) to be located: Town of Truro and

State of MA and Salty's Market, 2 Highland Road N. Truro, MA 02653

Name

Mailing Address

774-383-3169
Phone

bmalicoat@comcast.net
Email

[Signature] 4/10/2017 *Bronwyn Malicoat*
Applicant Signature Date

[Signature] 4/10/2017
Owner Signature (which also authorizes the use of the property) Date

Planning Board Action: **Approved** _____ **Approved w/Conditions** _____ **Denied** _____

Conditions: _____

Board Signature: _____ **Date:** _____
Title

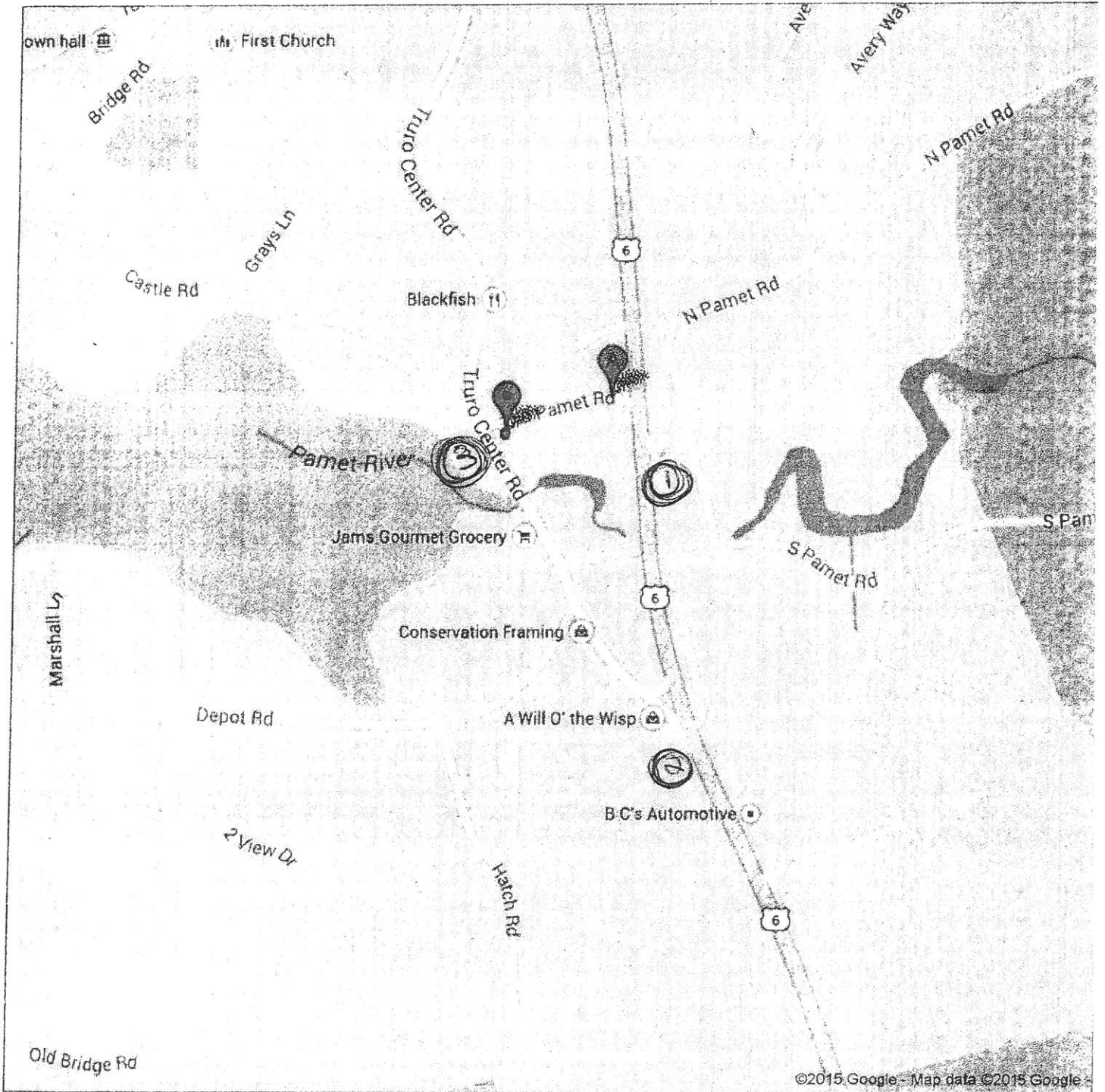
CC: Building Commissioner, Board of Selectmen

2017



Address Truro, MA

SUSTAINABLE CAPE, SIGNS 1-3

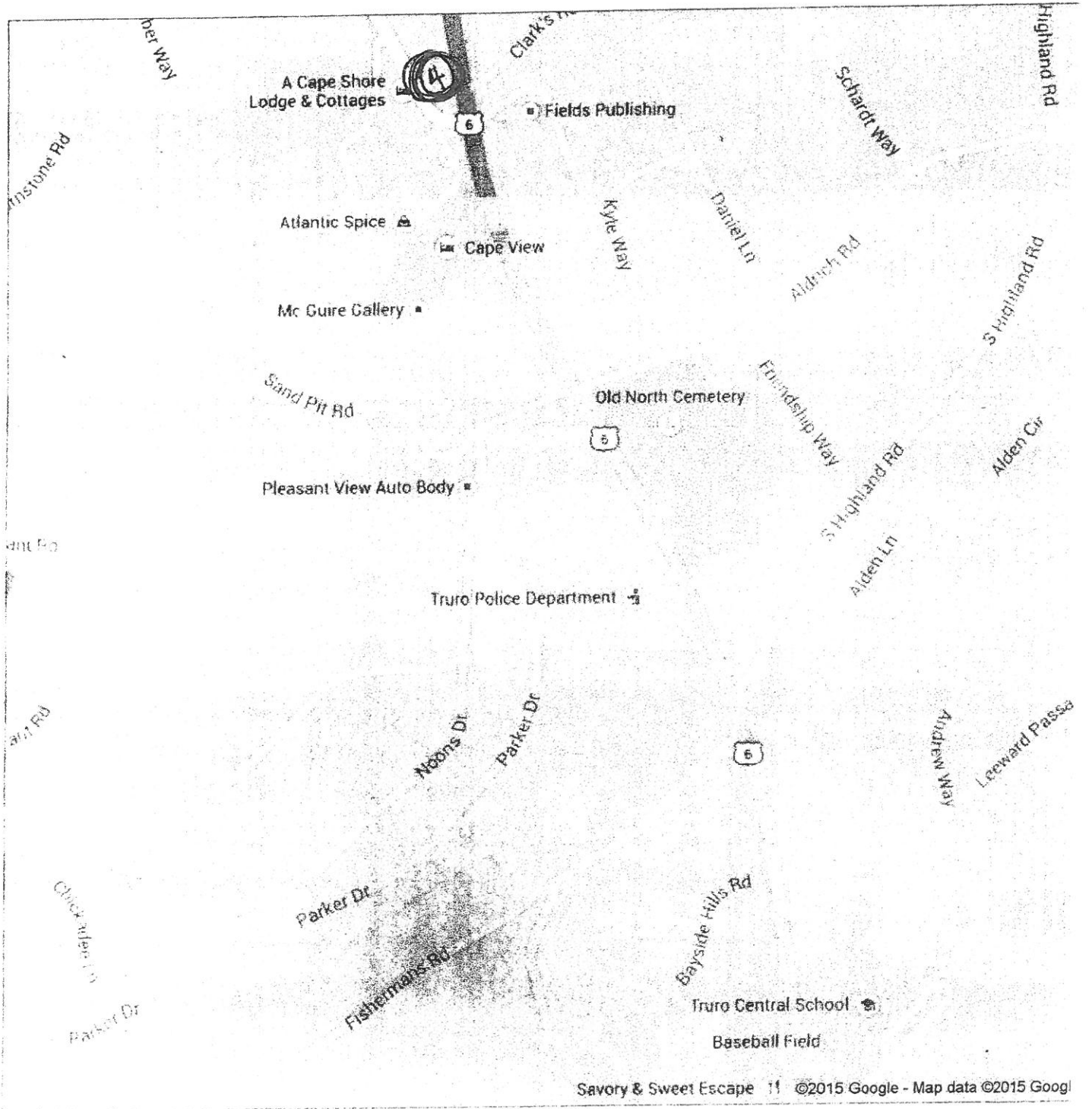


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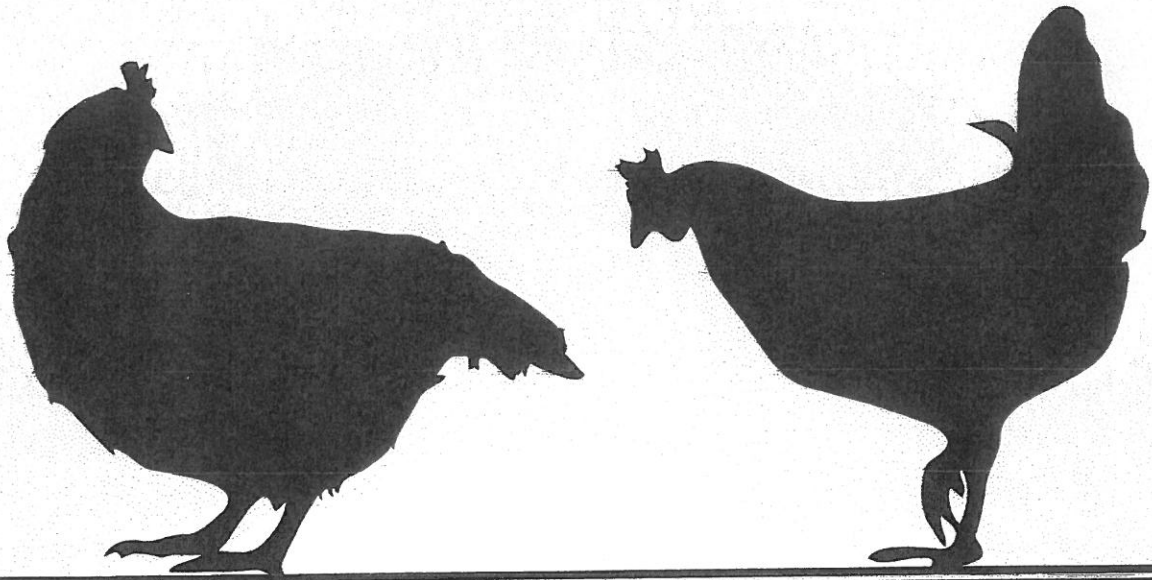


Address Truro, MA

Sustainable CAPE, Sign 4



Savory & Sweet Escape 11 ©2015 Google - Map data ©2015 Google



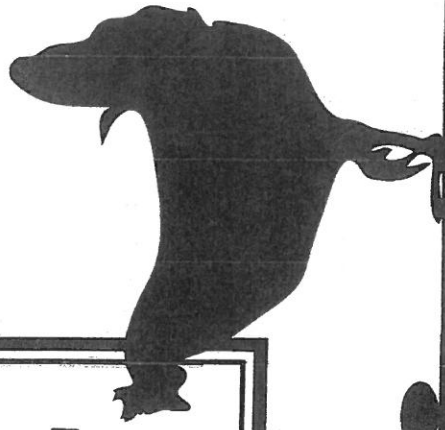
TRURO FARMERS' MARKET

Monday 8-12

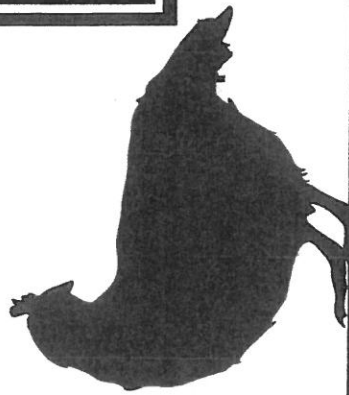
Truro Center

*(the other
one!)*

TRUORO, FARMERS' MARKET



Monday 8-12





TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666

Tel: (508) 349-7004, Ext. 127

Fax: (508) 349-5505

druffer@truro-ma.gov

Memorandum

To: Planning Board
Fr: Deanna Ruffer, Town Planner
Date: May 11, 2017
Re: Release of Covenant

2012-001PB William and Patricia Berger seek the final release of Form D Covenant for Lots 20, 21 & 22, 1 Captain William's Way, (L.C.P. No. 17658-H) and execution of Form F, Certificate of Completion & Release of Municipal Interest in Subdivision Performance Security.

Background

The subject lots are three of the four lots created by a subdivision approved in 2006, with ANRs filed in 2011 and 2012 to adjust lot lines. Capt. William's Way is called Rose-Lee Way on the approved plans. The road design was approved under standards in effect in 2006. When the Planning Board considered the ANR in 2011, they also granted a waiver for the grade requirement not to exceed 10% between stations 0+95 and 1+65 and between stations 3+40 and 3+60.

In December 2016 the Planning Board released lot 23. The recorded Form F for this release is attached. As noted at that time, the as built plan shows a traveled way that is 22 feet, which is wider than the approved road profile. At that time, Truro DPW Director Jarrod Cabral inspected the road and found the road was constructed as shown on the As Built plan; with the only differences being the increased width noted above. The As-Built plan also showed the location of certain utilities not shown on the approved profile.

The applicant has provided an updated stamped as built plan, a supplemental showing the monuments that have been set, and a letter signed by a Registered Land Surveyor and Registered Land Surveyor and Professional Engineer, per section 2.5.7 of the Rules and Regulations Governing the Subdivision of Land.

Planning Board Action

If the Board so chooses to release the covenant associated with the Lots 20, 21 and 22, a possible motion to this effect follows:

In consideration of performance of road construction consistent with the requirements of section 2.5.4 of the Rules and Regulations Governing the Subdivision of Land, vote to execute Form F Certification of Completion and Release of Municipal Interest in Subdivision Performance Security with respect to the covenant recorded with the Barnstable Land Court Registry, document 1,195,003 for Lots 20, 21 and 22 (LCP 17658-H).

**SLADE ASSOCIATES, INC.
REGISTERED LAND SURVEYORS**

P.O. BOX 592
WELLFLEET, MASSACHUSETTS 02667
508-349-3110
FAX 508-349-7577



ASSOCIATES:

RICHARD F. LAY, R.L.S.
CHESTER N. LAY, R.L.S.

E-MAIL: SLADE@SLADE-ASSOCIATES.COM
CHET.LAY@SLADE-ASSOCIATES.COM
RICHARD.LAY@SLADE-ASSOCIATES.COM

April 24, 2017

Deanne Ruffer, Town Planner
Town of Truro
P.O. Box 2030
Truro, MA 02666

Re: **2012-001PB** William and Patricia Berger – Release of Covenant

Dear Deanne,

Please accept this as a formal request for a final release of covenant for Lots 20, 21 and 22, Captain William's Way. This is to certify that all monuments are set as shown on the accompanying plan.

Should you require further information please let me know.

Sincerely,

Chester N. Lay
Registered Land Surveyor

Encls.

CNL/jd

TOWN OF TRURO



PLANNING BOARD

FORM F
CERTIFICATION OF COMPLETION & RELEASE OF MUNICIPAL INTEREST
IN SUBDIVISION PERFORMANCE SECURITY

Date: March 19, 2017
Subdivision Name: Berger - Capt. William's Way Location Capt. William's Way
Owner: William R. Berger & Patricia Berger
Owner address: 14 Hadden Road, Scarsdale, NY 10583
Applicant: same as owner
Applicant address:
Barnstable County Registry of Deeds, Plan Book, Page
Barnstable County Land Registry, L.C.P. No. 17658H
Form D Covenant Doc. No. 1,195,003 Book Page

The undersigned, being a majority of the Planning Board of the Town of Truro, Massachusetts, hereby certify that the construction of ways and the installation of municipal services for the subdivision cited above have been fully and satisfactorily completed in accordance with the Planning Board Rules and Regulations to serve the following lots: all lots

Pursuant to MGL c.41, §81-U and in consideration of said construction and installation, the Town of Truro a Massachusetts municipal corporation, acting through its Planning Board, hereby release its interest in the performance security for the subdivision cited above.

Truro Planning Board
Date:

COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.

On this day of, 20 17, before me, the undersigned notary public, personally appeared, one of the above signed members of the Truro Planning Board, proved to me through satisfactory evidence of identification, which were, to be the person whose name is signed on the preceding or attached document in my presence.

By commission expires:

Notary Public



TOWN OF TRURO

Planning Department
P.O. Box 2030, Truro, MA 02666
Tel: (508) 349-7004, Ext. 127 Fax: (508) 349-5505
druffer@truro-ma.gov

To: Planning Board
From: Deanna Ruffer, Town Planner
Date: May 11, 2017
Re: 2017-001PB Application for ANR endorsement
9 Castle Terrace/1 Amity Lane; Map 46, Parcels 8 & 12

The property owners have filed an application and plan seeking the Board's endorsement that Approval is Not Required (ANR) under the Town of Truro Rules and Regulations Governing the Subdivision of Land for property located at 9 Castle Terrace/1 Amity Lane (Map 46, Parcel 8 & 12). The application states this plan is a reconfiguration of two existing lots to Lot 1 (A=151,425 sf) and Lot 2 (A=290,309 sf). Lots 1 & 2 are shown as having in excess of 150 feet of frontage each on Amity Lane.

The application indicates that this division 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 by-law 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 way shown on a plan theretofore approved and endorsed in accordance with the subdivision control law, namely Amity Lane, approved on January 18, 1966.

The Board does not need to open this as a public hearing. The Chair simply has to read into the record that the agenda item before the Board. The application was filed on April 27, 2017. By statute, a decision by the Board must be rendered within 21 days. The Board has four options available:

1. Vote to determine that Amity Lane shown on the ANR plan, provides safe and adequate access and to endorse the plan entitled "Plan of Land in Truro" prepared for Audrey Schirmer and Joseph M. Schirmer and Nguyen Huu An by Schofield Brothers of Cape Cod., dated April 26, 2017 at scale 1"=60', stamped by Robert John Freeman on April 27, 2017, as Approval Not Required, and to file said decision with the Town Clerk.
2. Deny endorsement of the plan stating the reason(s) for such denial and recording said decision with the Town Clerk.
3. Allow the applicant or the representative to request a withdrawal without prejudice of the application.
4. The Board can simply take no action and following the expiration of the 21-days and the period of extension; the Town Clerk certifies and signs the plan.

TOWN OF TRURO



PLANNING BOARD

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

Date: 4/27/17

To The Planning Board of the Town of Truro Massachusetts,

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

PLAN OF LAND IN TRURO, MASS. PREPARED FOR
AUDREY SCHIRMER AN JOSEPH M. SCHWITZKY, NGUYEN AN and dated APRIL 26, 2017, requests a
determination and endorsement by said Board that approval by it under the Subdivision Control Law is not
required.

Property Location: 9 CASTLE TERRACE
1 AMITY LANE Map(s) and Parcel(s): MAP 46 PARCELS 8 & 12

Number of Lots Created: 2 Total Land Area: 10.14 ACRES +
SCHIRMER REALTY TRUST

The owner's title to said land is derived under deed from ESTATE OF ABIGAIL BONNE SCHIRMER
11/08/2001 14422/164
dated 12/29/2006, and recorded in the Barnstable Registry of Deeds Book and Page: 21657/322

or Land Court Certificate of Title No. registered in Barnstable
County.

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

- The accompanying plan is not a subdivision because the plan does not show a division of land.
The division of the tract of land shown on the accompanying plan is not a subdivision because every lot
shown on the plan has frontage of at least such distance as is presently required by the Truro zoning by-law
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
a way shown on a plan theretofore approved and endorsed in accordance with the subdivision
control law, namely AMITY LANE on JAN. 18, 1966 and subject to the following
conditions; or
a private way in existence on December 8, 1955, the date when the subdivision control law
became effective in the Town of Truro having, in the opinion of the Planning Board, sufficient width,
suitable grades, and adequate construction to provide for the needs of vehicular traffic in relation to the
proposed use of the land abutting thereon or served thereby, and for the installation of municipal services
to serve such land and the buildings erected or to be erected thereon, namely

- The division of the tract of land shown on the accompanying plan is not a "subdivision" because it shows a

proposed conveyance/other instrument, namely _____ which adds to/takes away from/changes the size and shape of, lots in such a manner that no lot affected is left without frontage as required by the Truro zoning bylaw under Section 50.1 (A), which requires 150 feet.

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

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

THE PLAN SHOWS A RE-CONFIGURATION OF TWO EXISTING LOTS WITH FRONTAGE ON AMITY LAKE.

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

JOSEPH SCHIRMER
(Printed Name of Owner)

Joseph Schirmer
(Signature)

AUDREY SCHIRMER
(Printed Name of Owner)

SEE ATTACHED
(Signature)

NGUYEN HUU AN
(Address of Owner(s))

SEE ATTACHED
(Address of Owner(s))

ROBERT J. FREEMAN
(Printed Name of Agent)

Robert J. Freeman
(Signature)

SCHOFIELD BROTHERS OF CAPE COD

P.O. BOX 101, ORLEANS, MA 02653
508-255-2098 (Address of Agent)

SCHUBRO@capecod.net

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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.

<u>AUDREY SCHIRMER</u> (Printed Name of Owner)	<u>Audrey Schirmer</u> (Signature)
_____ (Printed Name of Owner)	_____ (Signature)
<u>4618 JEANNE MANCE</u> <u>MONTREAL, QUEBEC</u> <u>H2V4J4 CANADA</u> (Address of Owner(s))	_____ (Address of Owner(s))
_____ (Printed Name of Agent)	_____ (Signature)
_____ (Address of Agent)	

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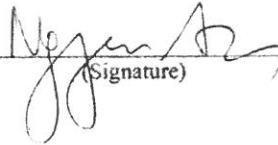
proposed conveyance/other instrument, namely _____ which adds to/takes away from/changes the size and shape of, lots in such a manner that no lot affected is left without frontage as required by the Truro zoning bylaw under Section 50.1 (A), which requires 150 feet.

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.

NGUYEN AN
(Printed Name of Owner)


(Signature)

(Printed Name of Owner)

(Signature)

26 JAY ST.
(Address of Owner(s))

(Address of Owner(s))

CAMBRIDGE, MA 02139
(Printed Name of Agent)

(Signature)

(Address of Agent)

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