

# Truro Planning Board Agenda Remote Meeting Wednesday, October 21, 2020 – 6:00 pm www.truro-ma.gov

#### **Open Meeting**

This will be a remote meeting. Citizens can view the meeting on Channel 18 in Truro and on the web on the "Truro TV Channel 18" button under "Helpful Links" on the homepage of the Town of Truro website (<u>www.truro-ma.gov</u>). Click on the green "Watch" button in the upper right corner of the page. Please note that there may be a slight delay (approx. 15-30 seconds) between the meeting and the television broadcast/live stream.

Citizens can join the meeting to listen and provide public comment via the link below, which can also be found on the calendar of the Board's webpage along with the meeting Agenda and Packet, or by calling in toll free at <u>1-866-899-4679</u> and entering the following access code when prompted: <u>208-987-653</u>. Citizens will be muted upon entering the meeting until the public comment portion of the hearing. If you are joining the meeting while watching the television broadcast/live stream, please lower or mute the volume on your computer or television during public comment so that you may be heard clearly. Citizens may also provide written comment via postal mail or by emailing the Town Planner at *planner1@truro-ma.gov*.

Meeting link: global.gotomeeting.com/join/208987653

#### **Public Comment Period**

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

#### Public Hearing - Continued

**2020-003/SPR** – William J. Marsh for property located at 30 Longnook Road (Atlas Map 43, Parcel 121, Registry of Deeds title reference: Book 32127, Page 302). Applicant seeks a Residential Site Plan Review under Section 70 of the Truro Zoning Bylaw for the demolition and reconstruction of a pre-existing single-family residence with a slightly enlarged footprint in the Seashore District.

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#### **Public Hearing**

**2020-010/PB Abigail B. Schirmer, Audrey Schirmer, and Joseph M. Schirmer** seek approval of a Definitive Subdivision Plan of Land, pursuant to G.L. c. 41, §81L and §2.5 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at Route 6 and Amity Lane, Truro MA, Map 46, Parcel 8, containing 6.66 acres.

**2020-004/SPR – Daniel F. Roche, Jr.** for property located at 7 Coast Guard Road, Truro MA (Atlas Map 34, Parcel 5, Registry of Deeds title reference: Book 13174, Page 177). Applicant seeks a Residential Site Plan Review under Section 70 of the Truro Zoning Bylaw for a 2-story addition to an existing 3,018 net sq. ft. residence on a lot located in the Seashore District containing three acres.

#### **Board Action/Review**

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

Discussion of Certified Abutters List Request Form.

Cloverleaf update.

Discussion for setting goals for FY2021.

Discussion for setting dates for future Board public workshops.

#### **Minutes**

None

#### Next Meeting

Wednesday, November 4, 2020, at 5:00 p.m. (Note time change)

#### Adjourn



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To:	Truro	Planning	Board
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From: Barbara Carboni, Interim Town Planner/Town Counsel, KP Law

Date: October 18, 2020

Re: Meeting October 21, 2020

# **2020-003/SPR – 30 Longnook Road (Map 43, Parcel 121).** Application of William J. Marsh for Residential Site Plan Review - CONTINUED FROM OCTOBER 7, 2020

The Board held a Site Visit on October 6, 2020, and opened public hearing on the application on October 7, 2020. The proposed project entails demolition and reconstruction of a nonconforming single-family dwelling on a lot located in the Seashore District. The lot is nonconforming as to lot area, containing 32,265+- square feet (3 acres required) and nonconforming as to front setback (29.6 feet to the single-family dwelling where 50 feet required). A second detached structure contains a garage and a two-bedroom, one-bath apartment recently renovated by the property owner

The existing ranch-style house is 1,236 square feet; proposed is a 1,627 square foot house of one and a half-stories within, more or less, the footprint of the existing house. The front setback will remain essentially unchanged (30 feet). The proposed dwelling creates no new nonconformities.

As discussed at the Board's previous meeting, the proposal requires a special permit from the Zoning Board of Appeals because it increases the nonconformity of the existing dwelling.<sup>1</sup> The ZBA approved the special permit on August 24, 2020, but the decision has not yet issued. The *draft* decision<sup>2</sup> contains the following conditions:

- 1. Construction shall conform to the plans referenced in this decision.
- 2. The Applicant must obtain Residential Site Plan Approval from the Planning Board pursuant to Bylaw Section 70.4 prior to the exercise of this Special Permit.
- 3. The Applicant may maintain the existing kitchen facilities in the garage apartment during the time the single-family dwelling is being constructed on the property. Prior to issuance of the certificate of occupancy for the single-family dwelling, the kitchen

<sup>&</sup>lt;sup>1</sup> Although the Bylaw calls for Residential Site Plan Review prior to other Town permitting, the Applicant states that he was advised by the previous Town Planner to file with the ZBA first because the Planning Board was not at that time meeting.

<sup>&</sup>lt;sup>2</sup> Provided with the permission of the ZBA Chairman.

facilities in the garage apartment must be removed, such that the structure conforms to the definition of an Habitable Studio under the Bylaw.

4. The Applicant must obtain an administrative determination from the Health Agent, and, if necessary, approval by the Board of Health, of any improvements to the existing septic system needed to provide adequate service for all bedrooms on the property.

#### Issues raised at October 7, 2020 hearing

#### Septic

A concern was raised regarding the legality of five bedrooms on a parcel of 32,265 square feet; Board of Health regulations require 10,000 square feet buildable upland for each 110 gpd of design flow). The record for this hearing contains an email dated September 3, 2020 from Emily Beebe, Health Agent, stating:

- "This application appears to be in order; there is no increase in flow and the septic for the property was reviewed updated in 2010 and passed inspection in 2018.
- No changes are proposed for the apartment, only the main dwelling"

It is not clear whether the property is "grandfathered," or why otherwise permitted to vary from the BOH regulation, but this issue is within the jurisdiction of that Board. The ZBA's decision requires the applicant to obtain a determination from the Health Agent or BOH that the existing system is adequate – admittedly, a separate question.

#### MESA review

Another concern raised was whether the work is within the jurisdiction of NHESP and requires any approvals from that program within the Division of Fisheries & Wildlife. The property lies within mapped Priority Habitat (PH945).

The Applicant has corresponded with a representative of NHESP and has received advice that if work is limited to areas of the property already developed, then the project would be exempt from MESA review pursuant to 321 CMR 10.14. A representative *from the Applicant* responded to NHESP that the work is within the existing lawn. See emails dated October 9, 2020, included in meeting packet. It does not appear that NHESP has in fact eyeballed the project and made a formal determination as to whether the exemption applies. It would be reasonable for the Board to require a determination of exemption, in writing, by NHESP itself.

#### Limit of Work depiction

The Board requested, and the Applicant has provided a revised plan showing the limit of work. See "Proposed Conditions," L1.2, dated October 8, 2020.

The Board may determine based on the site visit, upcoming hearing, and further knowledge of the area whether the project meets the applicable Criteria, including Building Design and Landscaping, and Preservation of Landscape. This is particularly important given the undersized lot. **2020-010/PB – 1 Amity Lane (Map 46, Parcel 8).** Application of Abigail B. Schirmer Audrey Schirmer, and Joseph M. Schirmer for approval of definitive subdivision plan.

On July 22, 2020, the Board voted to approve a preliminary plan of this subdivision, subject to certain conditions. As record of the Board's approval, and for reference for when the Applicants returned with a definitive plan, the Board reviewed and approved a document containing these conditions and several findings on August 5, 2020. This document is included in the meeting packet.

As described and depicted in the definitive plan application, three lots are proposed:

- Lot 3, containing an existing single-family house with frontage on the depicted Amity Lane and an unnamed "Way"
- Lot 4, containing184,203 sq.ft, vacant, with frontage on the unnamed "Way"; and
- Lot 5, containing 33,169 sq. ft, lacking frontage on any way.

The Applicants represent that Lot 4 and Lot 5 will be conveyed to the Truro Conservation Trust. As proposed, the unnamed "Way" will not be constructed at this time.

It is not entirely clear what portion of Lot 4, once conveyed to the Truro Conservation Trust, would be developed. According to the Plan, Lot 4 contains 2.75 acres of upland and has 158.68 feet of frontage on the unnamed "Way." It is seemingly intended to be a buildable lot, and in approving the preliminary plan, the Board included the following condition:

At such time that Lot 4 is improved by a residence, Amity Lane and the unnamed "Way" shall be constructed in conformance with the Planning Board Rules and Regulations Governing the Subdivision of Lane.

The intentions for Lot 4 might be clarified.

The Applicants report that eleven trees on Amity Lane identified by the Fire Chief as requiring removal, have been removed.

#### Conservation Commission proceedings

As reported by the Health Agent, the Board of Health reviewed and approved the proposal at a meeting on October 5, 2020. That Board required that the property owner upgrade the septic system serving the existing dwelling on Lot 3. The Board of Health accepted and signed off on the terms of a conservation restriction [*to be held by whom?*] which was recently approved by the Select Board.

#### Form C and Definitive Plan Review Checklist/Waivers

The Applicants have submitted a Definitive Subdivision Plan and a Topography Plan. These Plans appear to conform to the applicable submission requirements of the Checklist, with the substantial exception of requirements relating to construction of drainage and roadway improvements. <sup>3</sup> The Applicants have not submitted plans relating to drainage improvements or

<sup>&</sup>lt;sup>3</sup> Except that 1) it is not entirely clear what frontage serves abutting parcel 9 Castle, owned by Audrey and Joseph M. Schirmer and An Nguyen Huu, see Section 2.5.b.3; and 2) information regarding Amity Lane is not complete under Section 2.5.b.16.

roadway improvements, as the Applicants seek a waiver of requirements to improve either Amity Lane or the unnamed Way at this time.

This concept was contemplated and accepted by the Board in approving the preliminary subdivision plan. The Board could impose the same condition contained in approving the preliminary plan - that when Lot 4 is developed, Amity Lane and the unnamed Way be improved to Planning Board standards – and the Applicants have included this condition on the Definitive Plan. Waivers of Planning Board requirements relating to drainage and roadway improvements may be granted if the Board remains of this mind.

The Applicants request a waiver of the Planning Board requirement of identifying all trees of diameter of 10" or more (2.5.b.30), on the grounds that no clearing for roadway or drainage construction is to take place at this time.

Conformity with the Board's preliminary plan approval.

The Definitive Plan includes the notations directed by the Board in approving the preliminary plan:

At such time that Lot 4 is improved by a residence, Amity Lane and the unnamed "Way" shall be constructed in conformance with the Planning Board Rules and Regulations Governing the Subdivision of Lane.

Any further subdivision of land depicted on the Plan, or division of such land pursuant to G.L. c. 41, s. 81P shall require a modification of this subdivision plan.

Lot 5 is labeled as "unbuildable" as directed by the Board.

#### Additional information and requirements

Staff suggests that some additional information regarding the current condition of Amity Lane be noted on the Plan. See 2.5.b.16. A Plan note states that the roadway within Amity Lane is 8 feet +- but "the physical condition of the roadway. . . surface type, depth of surface materials and condition of the road surface" are not.

Confirmation from the Applicant might be requested that no additional topographical information is available for Lot 5.

More information regarding the intended conveyance of lots 4 and 5 to the Truro Conservation Trust, and the conservation restriction might be requested.

More information regarding the intended development of Lot 4 might be requested. As noted above, it is not entirely clear what portion of Lot 4, once conveyed to the Truro Conservation Trust, would be developed. Lot 4 contains 2.75 acres of upland and has 158.68 feet of frontage on the unnamed Way.

**2020-004/SPR – 7 Coast Guard Road (Map 34, Parcel 5).** Application of Daniel F. Roche, Jr. for Residential Site Plan Review

#### Existing Conditions and Proposed Project.

A two-story addition is proposed for a single-family residence on this elongated 3-acre parcel in the Seashore District. The lot is nonconforming as to frontage, having 43.38 feet where 150 feet are required. The three-bedroom single-family house, located close to the rear of the property, was constructed in 2003<sup>4</sup>; as provided by the applicant, the net square footage of the house is 3,018 sq. ft.

A second building near the front of the property, labelled as a "cottage," has a side-yard setback of 14.3 feet (nonconforming). Assessor's records identify the cottage as constructed in 1959 and containing one bedroom and one bath. The gross floor area of this cottage is not identified on the Site Plan. Neither the cottage, nor a shed of 106 square feet are proposed to be altered.

The description of the project is "residential 2-story addition 744sf footprint to an existing 3018 net sf home, adds family room  $1^{st}$  fl & bedroom with bath above." The Site Plan depicts an addition of 24' x 31' extending toward the center of the property.

If the addition is constructed, it appears that the property will contain five bedrooms. Plans depict "Ex.Bedroom #1" on the first floor; "Bedroom #2" and "New Bedroom" on the second floor, and "Bedroom #3" in the basement level. The cottage contains a fifth bedroom.

#### Sufficiency of Application

The Applicant has submitted a single page Site Plan depicting the 3-acre parcel required scale (1"=40'). The Site Plan provides limited information on the existing structures, i.e, square footage, length, and width of the house and cottage are not identified. A separate page, containing a portion of a 2001 Site & Sewage Plan with some dimensions indicated and handwritten notes, is included. It would be reasonable for the Board to require that this information be provided on a more conventional and stamped plan.

The Zoning Table does not provide all information required. See 3a.2. For example, it provides setbacks for the single-family house, but not for the cottage. A single Gross Floor area of 2,741 square feet is provided; it is not clear whether this applies to the house alone, or represents the combined Gross Floor Area of the house and cottage. The Gross Floor Area of the house and cottage should be separately provided so that the existing Total Gross Floor Area may be identified. Total square footage for the existing three structures is not provided, nor the total as proposed.

<sup>&</sup>lt;sup>4</sup> As the lot is nonconforming, this construction was presumably pursuant to a variance, or was a reconstruction of a nonconforming structure.

There is a note on the Plan that "Locus falls within the NHESP Estimated Habitats of Rare Wildlife and the NHESP Priority Habitats of Rare Species," but the Checklist entry is "NA." Locus lies NHESP identified PH945.

Information provided on existing structures and conditions is limited. No existing lighting is indicated; a single exterior light is indicated on the proposed southwest elevation. See 3a.13. If lighting currently exists, or is proposed for the driveway, it is not depicted. Depictions of existing landscape features (vegetative and structural, see 3a.14.) are limited to several aerial photographs presumably included for neighborhood context, see 3d. The Board is conducting a site visit and may gather sufficient information at that time. The limit of work is not indicated on the plan. See 3a.15

The elevations provided combine existing and proposed conditions; the same is true of floor plans provided. The presentation would benefit from larger-scale depictions of the addition structure, as detail is lost. The elevations do not indicate the height of the existing or proposed house. See 3b. As shown on the Site Plan, the addition will consume some of the gravel driveway. It appears that the Applicant intends to expand the driveway area; this should be indicated and described, including a revegetation/landscaping plan. See 3e. The Review Criteria submission indicates "new parking" and "vegetation removal limited to meadow grasses").

#### Review Criteria under Section 70.4D

The Application adequately addresses the Review Criteria of Section 70.4D. The Board may determine based on its site visit and further knowledge of the area whether the project meets applicable Criteria.

#### Zoning Compliance

#### Seashore District Total Gross Floor Area

Total Gross Floor Area in the Seashore District is limited on a 3-acre parcel to 3600 square feet, as of right. See Section 30.3.1.A.1. By special permit from the Zoning Board of Appeals, Total Gross Floor Area may be increased to a maximum of 4,600 square feet. Section 30.3.1.A.2 and B. Seashore District Gross Floor Areas is defined the Bylaw:

"The aggregate gross floor area of the dwelling and accessory structures on a lot within the Seashore District, shall consist of the sum of the horizontal areas of the floor(s) of a building measured from the exterior faces of the exterior walls of the building, without deduction for hallways stairs, closets and thickness of walls, columns or other features used or intended to be used for living, sleeping, sanitation, cooking or eating purposes, excluding cellar and basement floor area, garage, porches, decks, attics, barns, sheds, greenhouses and agricultural buildings. For the purpose of computing floor area, any portion of the floor area measuring less than five feet from the finished floor to the finished ceiling shall not be including in the computation of floor area."

(emphasis supplied). In this case, the existing *aggregate* Gross Floor Area is the sum of the Gross Floor Area of the single-family dwelling and the cottage. The existing Gross Floor Area

provided on the Site Plan Zoning Table is 2,741 square feet, but as noted above it is not clear whether this applies to the house only, or the house and cottage combined. The proposed Gross Floor Area provided in the Table is 4,066 square feet, but this is subject to adjustment upward if the cottage was not included in calculation of the Gross Floor Area.

Whether the proposed Gross Floor Area is 4,066 square feet or some greater number, it appears that a special permit is required under Section 30.3.1.A.2 to allow square footage over the 3,600 sq.ft. limit. Pursuant to Section 30.3.1.B, this special permit may be sought from the ZBA following Site Plan Review approval.

#### Expansion of a Nonconforming Structure

Alteration of a dwelling on a lot nonconforming as to *area* increases the existing nonconformity and requires a special permit under G.L. c. 40A, s. 6. <u>Bjorklund v. Zoning Board of Appeals of Norwell</u>, 450 Mass. 357 (2008). It is not clear whether such alteration on a lot nonconforming as to *frontage* (but not area) increases the existing nonconformity and requires a special permit. This question will be resolved as the project undergoes Site Plan Review and anticipated special permit proceedings before the Board.

**2020-011/PB – 23 Perry Road (Map 45, Parcel 131).** Application of Samantha Perry, Hillside Farm, LLC for a determination that submitted Plan does not require approval under the Subdivision Control Law (endorsement as "Approval Not Required" under G.L. c. 41, s. 81)

#### **Application**

The submitted Form A identifies the subject property as a 9.7 +- acre parcel on Hardings Road, a private way. Three lots are proposed: Lot 1, containing 5.58+- acres, having 324.36 feet of frontage on Perry Road, as well as 242.94 feet of frontage on a cul-de-sac at the end of Hardings Road; Lot 2, containing 3.23+- acres and having over 600 feet of frontage on Hardings Road, and Lot 3, containing .88 acres (38,300+- square feet), with 163.44 feet of frontage on Hardings Road.

The Application includes an unsigned "Memorandum: Title History for Properties of Perry Road, Truro." This Memorandum contains a narrative regarding the history of this parcel and of adjacent land held by various members of the Perry family, including a recitation of numerous conveyances and other changes in title (see pp. 2-6 of Memorandum). Sketches and various recorded plans are attached. The Memorandum and attachments do not conform to the standards or conventions of a title report, and it is not possible to confirm the conveyances through the documents provided (and without considerable and skilled research).

The Memorandum seeks to establish a distinction between land held by family members to the north of Perry Road, and "a contiguous area of land to the *south* of Perry Road and the *east* of the Little Pamet River." See Memorandum at p. 1, para. 4 (emphasis in the original). More specifically, the Memorandum distinguishes between the 27.84 acre northerly parcel, previously subdivided, and the contiguous 9.70 acre parcel here petitioned for ANR endorsement. Memorandum at p. 1, para. 5. Most pointedly, the Memorandum seeks to establish that "the two different land areas have not been held in common ownership, either before or after the

September 30, 1994 cutoff date for Cape Cod Commission mandatory referrals for parcels containing thirty or more acres of land area." Memorandum a p. 1, para. 5. See also p. 6 ("at no time from September 30, 1994 to the present date has there been common title ownership of the former John B. Perry and Mary J. Perry farmlands north of Perry Road and the former Joseph farmlands south of Perry Road, nor has there been common title ownership of an area of land equal to or more than 30.00 acres").

#### Development of Regional Impact (DRI) and Prior Applications

As the Board is aware, one of the thresholds requiring referral of a development proposal to the Cape Cod Commission as a Development of Regional Impact (DRI)<sup>5</sup> is:

"(c) Any development that proposes to divide parcel(s) of land totaling 30 acres or more in common ownership or control on or after September 30, 1994, including assembly and recombination of lots. ..."

From Section 3, "Developments Presumed to be Developments of Regional Impact (DRI Review Thresholds)" of the <u>Regulations Governing Review of Developments of Regional Impact</u>.

Planning Department records indicate that Perry properties have been the subject of a number of applications to the Board under the Subdivision Control Law, and on at least two occasions, the applications were referred to the Commission as DRIs. Correspondence between the former Interim Town Planner (Jessica Bardi, Esq.) and Jonathon Idman, the Commission's Chief Regulatory Officer, indicates that in 2018, an application of "Claire Perry – Preliminary Plan", 2018-004PB, was before the Board. At that time, Mr. Idman advised Ms. Bardi:

"The land that is the subject of that proposed preliminary plan was once part of a larger assemblage of land, in excess of 30 contiguous acres, owned by John S. and Lucy Perry. That larger assemblage of land was the subject of two cases previously referred by the planning board to the Cape Cod Commission for development of regional impact review. I've attached copies of the Commission's files in those two cases (1995 and 2000), both of which were withdrawn from consideration  $\dots$ .<sup>6</sup>

I believe that, under the foregoing review threshold, the Commission maintains (as it did in the earlier cases for which I provide you the case files) mandatory jurisdiction over division of the land proposed in the above referenced matter before the Planning Board

<sup>6</sup> The packet provided by Mr. Idman contains approximately 50 pages, which can be distributed at the Board's request.

<sup>&</sup>lt;sup>5</sup> As defined in the Cape Cod Commission Act, a Development of Regional Impact is defined as:

<sup>&</sup>quot;a development which, because of its magnitude or the magnitude of its impact on the natural or built environment, is likely to present development issues significant to or affecting more than one municipality, and which conforms to the criteria established in the applicable standards and criteria for developments of regional impact pursuant to section twelve."

because that proposal involves the division of land that is part of a larger assemblage of contiguous land exceeding 30 acres held in single or common ownership on or after September 30, 1994."

Email dated September 13, 2018 from Jonathon Idman to Jessica Bardi. A week later, Attorney Bardi advised Mr. Idman that the applicant had decided to withdraw the application for a preliminary subdivision plan, counsel explaining that he would "be conducting a title search of the parcels to determine ownership of the parcels in or around September 1994." Email from Jessica Bardi to Jonathon Inman dated September 20, 2018. The Memorandum submitted with the 23 Perry Road ANR application is presumably the fruit of those efforts.

I spoke with Mr. Idman last week and there has been no change in his approach to these properties and DRI referral. Mr. Idman did note (as he had in his September 13, 2018 email) that matters are complicated by the fact that the Planning Board has, since 2000, approved several ANRS and subdivisions of Perry land, including the creation of new road layouts.<sup>7</sup> These proposals were not referred to the Commission, and following the approvals, lots have been conveyed out and current ownership of the once-larger assemblage of land is now checkerboarded.

#### Conclusions and Recommendations

The members of this Board are of course familiar with these properties and the history of proposed (and occasionally granted) divisions of land. I defer to the Board's knowledge of this history.

At the same time, I do not believe that Board can conclude, based on the Memorandum submitted, that the land subject to the ANR proposal has not been in common ownership or control on or after September 30, 1994, with additional acreage totaling 30 contiguous acres or more. It may be that the applicant can make such a case, but as noted above, the Memorandum is not a title report and cannot be relied upon as such.

Where prior divisions of Perry land have been referred to the Commission as a DRI pursuant to this regulatory threshold; and where the Applicant has not demonstrated with the necessary foundation that the particular land subject to the ANR proposal has not been held in common ownership since September 30, 1994 with other land totaling 30+ acres, it appears that DRI referral is called for under Section 3(c) of the Regulations governing the Commission's Review of Developments of Regional Impacts.

As an alternative, the Board might avail itself of Section 2(c) of the Commission's Regulations, Jurisdictional Determinations:

"(c) Jurisdictional Determinations (i) Any Municipal Agency or Applicant for a development permit, whose application has not been referred to the Commission by a Municipal Agency or taken up by the Commission for review under Section 12(h) of the Act, may apply to the Commission for a Jurisdictional Determination as to whether a development is or is not a DRI under the Act, and/or as to whether the development is exempt from Commission review under Section 22 of the Act."

<sup>&</sup>lt;sup>7</sup> Several such recorded plans are included in the attachments to the Applicant's Memorandum.

### Cheeseman, Melany (FWE) melany.cheeseman@state.ma.us <u>via</u> mass.gov

Oct 9, 2020, 2:55 PM (3 days ago)

to me

Gordon,

Your email regarding the project at 30 Longnook Rd. in Truro was forwarded to me by Eve Schluter. I am not sure what you discussed with her about the proposed project but based on the provided photos and plans the project may be exempt from MESA review. Per 321 CMR 10.14 the following projects are exempt from review:

(4) the maintenance, repair, or replacement, or additions, including the construction of a driveway for an existing single family or two family home within existing paved and lawfully developed and maintained lawns or landscaped areas, provided there is no expansion of such existing paved, lawn and landscaped areas;

Will all work (construction, staging, access, landscaping, etc.) occur within the previously developed and maintained lawn/landscaped area of the property?

#### **Melany Cheeseman**

Endangered Species Review Assistant

Natural Heritage & Endangered Species Program

Massachusetts Division of Fisheries & Wildlife

1 Rabbit Hill Road, Westborough, MA 01581

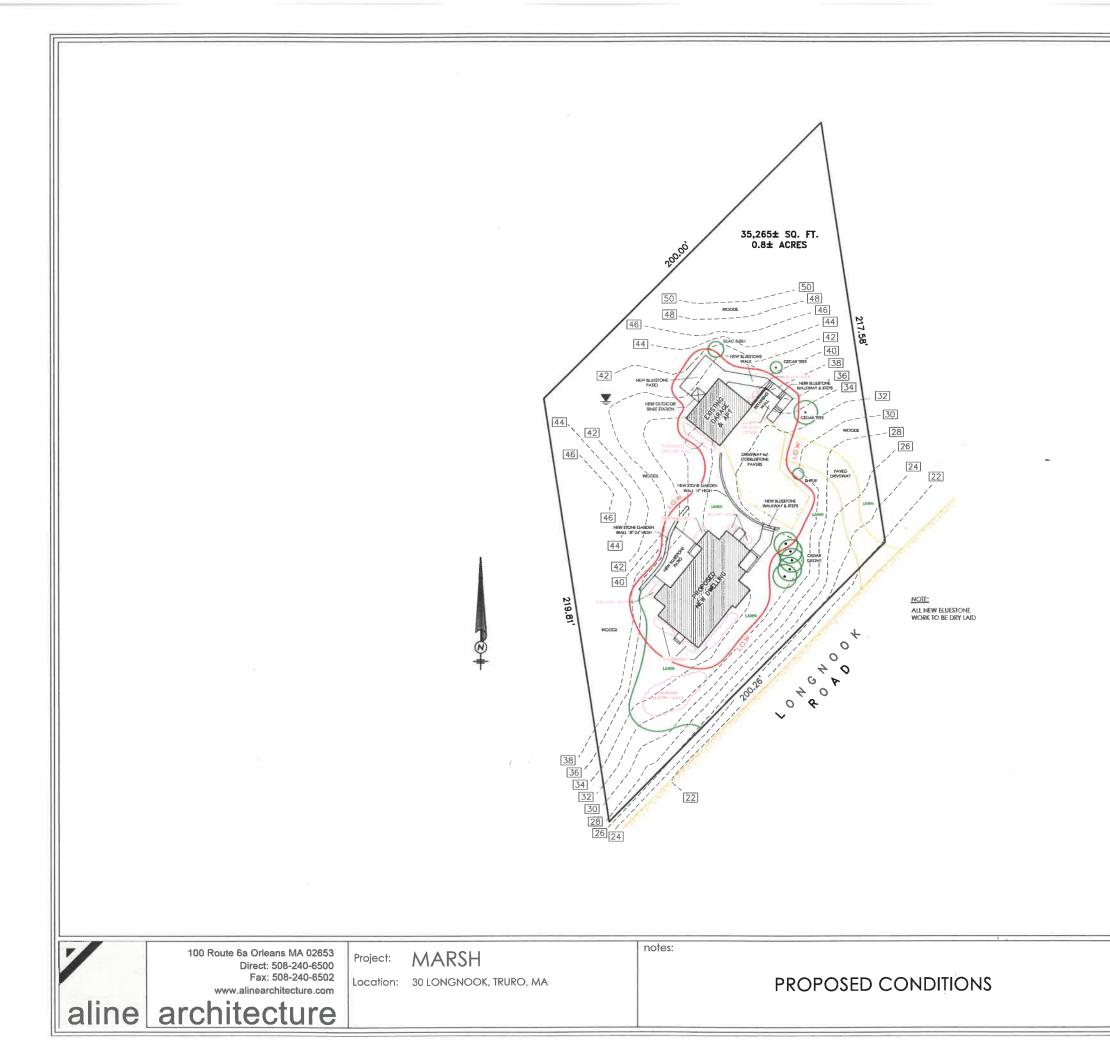
melany.cheeseman@mass.gov | www.mass.gov/nhesp



gordon peabody <gordonpeabody@gmail.com> Oct 9, 2020, 3:03 PM (3 days ago)

to Melany

Thank you so very much for the professional turn around time. Yes, you are correct that the existing lawn and not much of it, will be utilized for the limited activity here. I enjoy working with MA NHESP and hope to continue being in contact with you in the future. regards, Gordon Peabody



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#### TOWN OF TRURO PLANNING BOARD

#### FINDINGS AND CONDITIONS OF APPROVAL OF PRELIMINARY SUBDIVISION PLAN

#### 1 AMITY LANE (SCHIRMER)

The Planning Board met on July 22, 2020 to review the preliminary plan submitted for 1 Amity Lane. The Board makes the following findings:

- 1. The Plan shows Lot 3, containing an existing single-family house, with frontage on the depicted Amity Lane and unnamed "Way"; Lot 4, vacant, with frontage on the unnamed "Way"); and Lot 5, which lacks frontage on any way and is not a buildable lot.
- 2. The Applicant represents that Lots 4 and 5 will be conveyed to the Truro Conservation Trust.
- 3. The Applicant represents that neither will Amity Lane be improved nor will the unnamed "Way" be constructed until such time that Lot 4 is improved by a residence.
- 4. The Applicant represents that the trees identified by the Truro Fire Chief for removal as shown on the plan will be removed prior to application for a Definitive Subdivision of Land.

The Planning Board voted to approves the Preliminary Subdivision Plan subject to the following modifications and conditions:

- 1. Lot 5 shall be labeled "not a buildable lot."
- 2. Further detail in conformity with the Planning Board Rules and Regulations shall be provided on any definitive plan submitted.
- 3. At such time that Lot 4 is improved by a residence, Amity Lane and the unnamed "Way" shall be constructed in conformance with the Planning Board Rules and Regulations Governing the Subdivision of Lane.
- 4. Any further subdivision of land depicted on the Plan, or division of such land pursuant to G.L. c. 41, s. 81P shall require a modification of this subdivision plan.

This record approved by the Board on August 5, 2020.

#### **Elizabeth Sturdy**

From: Sent: To: Subject: Tim Collins Thursday, October 15, 2020 1:35 PM Elizabeth Sturdy RE: Schirmer Definitive Plan

Liz I had met with our planner Jeff over this I have been out to that location with our first due fire engine with him and there were some trees that needed to be removed to meet our by law those trees have since been removed allowing for better access for a fire engine. Should you have any additional questions feel free to contact me.

#### Respectfully,

Timothy Collins Fire Chief/EMD Truro Fire Department 508-487-6589 TCollins@Truro-Ma.gov

Confidentiality Notice: This fax/e-mail transmission, with accompanying records, is intended only for the use of the individual or entity to which it is addressed and may contain confidential and/or privileged information belonging to the sender, including individually identifiable health information subject to the privacy and security provisions of HIPAA. This information may be protected by pertinent privilege(s), e.g., attorney-client, doctor-patient, HIPAA etc., which will be enforced to the fullest extent of the law. If you are not the intended recipient, you are hereby notified that any examination, analysis, disclosure, copying, dissemination, distribution, sharing, or use of the information in this transmission is strictly prohibited. If you have received this message and associated documents in error, please notify the sender immediately for instructions. If this message was received by e-mail, please delete the original message and destroy any hard copies you may have created. The sender does not accept any liability for any errors or omissions in the contents of this message that arise as a result of email transmission. Thank you.

From: Elizabeth Sturdy <ESturdy@truro-ma.gov> Sent: Thursday, October 15, 2020 11:37 AM To: Tim Collins <TCollins@truro-ma.gov> Cc: Barbara Huggins Carboni <BHugginsCarboni@k-plaw.com> Subject: FW: Schirmer Definitive Plan

Chief Collins,

When reviewing the Definitive Subdivision packet (Schirmer – 1 Amity Lane) previously forwarded to you, would it be possible for you to comment as per John O'Reilly's message below? Thank you for your assistance.

Liz

From: John O'Reilly <a>joreilly@imoreillyassoc.com</a> Sent: Wednesday, September 16, 2020 10:18 AM To: Barbara Huggins Carboni <<u>BHugginsCarboni@k-plaw.com</u>> Cc: Elizabeth Sturdy <<u>ESturdy@truro-ma.gov</u>> Subject: Schirmer Definitive Plan

Barbara,

I am reaching out to hopefully facilitate the Police and Fire review of the proposed definitive plan for the Schirmer family. The family is hoping to receive approval for the plan in the month of November to facilitate the sale of the parcels to the Trust prior to the end of the year.

Specifically, I am hoping to have the fire chief, review the road, again, and provide a letter that indicates his position on the roadway relative to the bylaw that one planning board member was fixated on. The trees have been removed as required as part of the Prelim. plan process.

Can you let me know when the plans were submitted to the chief so I can contact him directly? If I am over stepping the line, please let me know.

Thank you again John

John M. O'Reilly, P.E., P.L.S. Principal

### J.M. O'REILLY & ASSOCIATES, INC

1573 MAIN STREET P.O. BOX 1773 BREWSTER, MA 02631 OFFICE: 508-896-6601 FAX: 508-896-6602

#### **Elizabeth Sturdy**

From:Jamie CaliseSent:Thursday, October 15, 2020 11:55 AMTo:Elizabeth SturdySubject:RE: Review of Definitive Subdivision for 1 Amity Lane

Thanks Liz. I looked through and have no comments at this time.

From: Elizabeth Sturdy <ESturdy@truro-ma.gov> Sent: Thursday, October 15, 2020 11:47 AM To: Jamie Calise <JCalise@truro-ma.gov> Cc: Barbara Huggins Carboni <BHugginsCarboni@k-plaw.com> Subject: FW: Review of Definitive Subdivision for 1 Amity Lane Importance: High

Chief Calise,

Should I forward the below email message for comment to someone else in your organization or is this something you would like to handle?

John O'Reilly, the engineer, had stated in a previous email "*I am reaching out to hopefully facilitate the Police and Fire review of the proposed definitive plan for the Schirmer family. The family is hoping to receive approval for the plan in the month of November to facilitate the sale of the parcels to the Trust prior to the end of the year.*" The hearing for this case is next Wednesday, October 21, and I would like to provide the Planning Board with comments from appropriate Town Departments for this meeting.

Please let me know if you need additional information or if I could be of further service. Thank you,

Liz

From: Elizabeth Sturdy Sent: Tuesday, October 13, 2020 4:04 PM To: Emily Beebe <<u>EBeeBe@truro-ma.gov</u>>; Rich Stevens (<u>rstevens@truro-ma.gov</u>) <<u>rstevens@truro-ma.gov</u>>; Jarrod Cabral <<u>icabral@truro-ma.gov</u>>; Tim Collins <<u>TCollins@truro-ma.gov</u>>; Jamie Calise <<u>JCalise@truro-ma.gov</u>>; Distribution list - Select Board <<u>selectboard@truro-ma.gov</u>> Cc: Barbara Huggins Carboni <<u>BHugginsCarboni@k-plaw.com</u>>; Anne Greenbaum (<u>agreenbaum@truro-ma.gov</u>) <<u>agreenbaum@truro-ma.gov</u>> Subject: RE: Review of Definitive Subdivision for 1 Amity Lane Importance: High

Good afternoon,

At your earliest convenience, could you please take a look at the previous attachment and respond to me no later than this Friday, October 16 as this will be heard by the Planning Board at their meeting next week. Let me know whether you have a comment or not so I will know that it has been reviewed by your Department.

Thank you for your time – appreciate it.

Liz

From: Elizabeth Sturdy Sent: Tuesday, September 15, 2020 1:50 PM To: Emily Beebe <<u>EBeeBe@truro-ma.gov</u>>; Rich Stevens (<u>rstevens@truro-ma.gov</u>) <<u>rstevens@truro-ma.gov</u>>; Jarrod Cabral <<u>icabral@truro-ma.gov</u>>; Tim Collins <<u>TCollins@truro-ma.gov</u>>; Jamie Calise <<u>JCalise@truro-ma.gov</u>>; Distribution list - Select Board <<u>selectboard@truro-ma.gov</u>> Cc: Barbara Huggins Carboni <<u>BHugginsCarboni@k-plaw.com</u>>; Anne Greenbaum (<u>agreenbaum@truro-ma.gov</u>) <<u>agreenbaum@truro-ma.gov</u>> Subject: Review of Definitive Subdivision for 1 Amity Lane

Hello everyone,

A Definitive Subdivision (Form C) has come into the Planning Department and Board of Health for 1 Amity Lane. A Preliminary Subdivision was approved with conditions by the Planning Board on July 22, 2020 [see Findings and Conditions attached].

Please review the attached application packet and respond back to me with your comments/questions/concerns. Appreciate your time. Thank you,

Liz

Elizabeth Sturdy

Elizabeth Sturdy, Office Assistant Truro Town Hall 24 Town Hall Road, P.O. Box 2030 Truro, MA 02666 Tel: (508) 214-0935 Fax: (508) 349-5505 Email: <u>esturdy@truro-ma.gov</u>



#### **Elizabeth Sturdy**

From:	Emily Beebe
Sent:	Friday, October 16, 2020 10:03 AM
То:	Elizabeth Sturdy
Cc:	Barbara Huggins Carboni
Subject:	RE: Review of Definitive Subdivision for 1 Amity Lane

Dear Liz and Barbara,

The Board of Health reviewed and approved this definitive subdivision at their meeting of October 5, 2020. They also required that the property owner upgrade the septic system serving the existing dwelling on the property.

The Conservation Commission reviewed the plans and conducted an on-site of the property. They accepted and signed off on the terms of the conservation restriction, which was recently approved (10/13) by the Select Board.

Thanks very much,

Emily

From: Elizabeth Sturdy <ESturdy@truro-ma.gov>
Sent: Thursday, October 15, 2020 12:44 PM
To: Emily Beebe <EBeeBe@truro-ma.gov>
Cc: Barbara Huggins Carboni <BHugginsCarboni@k-plaw.com>
Subject: FW: Review of Definitive Subdivision for 1 Amity Lane
Importance: High

Emily,

Could you also please comment on the findings of the Board of Health meeting on October 6? Thanks,

Liz

From: Elizabeth Sturdy Sent: Tuesday, October 13, 2020 4:04 PM To: Emily Beebe <<u>EBeeBe@truro-ma.gov</u>>; Rich Stevens (<u>rstevens@truro-ma.gov</u>) <<u>rstevens@truro-ma.gov</u>>; Jarrod Cabral <<u>jcabral@truro-ma.gov</u>>; Tim Collins <<u>TCollins@truro-ma.gov</u>>; Jamie Calise <<u>JCalise@truro-ma.gov</u>>; Distribution list - Select Board <<u>selectboard@truro-ma.gov</u>> Cc: Barbara Huggins Carboni <<u>BHugginsCarboni@k-plaw.com</u>>; Anne Greenbaum (<u>agreenbaum@truro-ma.gov</u>) <<u>agreenbaum@truro-ma.gov</u>> Subject: RE: Review of Definitive Subdivision for 1 Amity Lane Importance: High

Good afternoon,

At your earliest convenience, could you please take a look at the previous attachment and respond to me no later than this Friday, October 16 as this will be heard by the Planning Board at their meeting next week. Let me know whether you have a comment or not so I will know that it has been reviewed by your Department.

Thank you for your time - appreciate it.

Liz

From: Elizabeth Sturdy
Sent: Tuesday, September 15, 2020 1:50 PM
To: Emily Beebe <<u>EBeeBe@truro-ma.gov</u>>; Rich Stevens (<u>rstevens@truro-ma.gov</u>) <<u>rstevens@truro-ma.gov</u>>; Jarrod
Cabral <<u>icabral@truro-ma.gov</u>>; Tim Collins <<u>TCollins@truro-ma.gov</u>>; Jamie Calise <<u>JCalise@truro-ma.gov</u>>;
Distribution list - Select Board <<u>selectboard@truro-ma.gov</u>>
Cc: Barbara Huggins Carboni <<u>BHugginsCarboni@k-plaw.com</u>>; Anne Greenbaum@truro-ma.gov)
<agreenbaum@truro-ma.gov>
Subject: Review of Definitive Subdivision for 1 Amity Lane

Hello everyone,

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Please review the attached application packet and respond back to me with your comments/questions/concerns. Appreciate your time. Thank you,

Liz

Elizabeth Sturdy

Elizabeth Sturdy, Office Assistant Truro Town Hall 24 Town Hall Road, P.O. Box 2030 Truro, MA 02666 Tel: (508) 214-0935 Fax: (508) 349-5505 Email: <u>esturdy@truro-ma.gov</u>



#### **Elizabeth Sturdy**

From:	Jarrod Cabral
Sent:	Thursday, October 15, 2020 1:51 PM
То:	Elizabeth Sturdy
Subject:	RE: Review of Definitive Subdivision for 1 Amity Lane

Hi Liz, I have no comment - Thanks - Jarrod

From: Elizabeth Sturdy <ESturdy@truro-ma.gov>
Sent: Tuesday, October 13, 2020 4:04 PM
To: Emily Beebe <EBeeBe@truro-ma.gov>; Rich Stevens <rstevens@truro-ma.gov>; Jarrod Cabral <jcabral@truro-ma.gov>; Tim Collins <TCollins@truro-ma.gov>; Jamie Calise <JCalise@truro-ma.gov>; Distribution list - Select Board <selectboard@truro-ma.gov>
Cc: Barbara Huggins Carboni <BHugginsCarboni@k-plaw.com>; Anne Greenbaum <agreenbaum@truro-ma.gov>
Subject: RE: Review of Definitive Subdivision for 1 Amity Lane
Importance: High

Good afternoon,

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Thank you for your time – appreciate it.

Liz

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Hello everyone,

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Please review the attached application packet and respond back to me with your comments/questions/concerns. Appreciate your time. Thank you,

Liz

<u>Flizabeth</u> Sturdy

#### **Elizabeth Sturdy**

From:	Rich Stevens
Sent:	Wednesday, October 14, 2020 10:13 AM
То:	Elizabeth Sturdy
Subject:	RE: Review of Definitive Subdivision for 1 Amity Lane

Good Morning Liz, No Comments from Building Department. Thank You,

Rich

From: Elizabeth Sturdy <ESturdy@truro-ma.gov> Sent: Tuesday, October 13, 2020 4:04 PM To: Emily Beebe <EBeeBe@truro-ma.gov>; Rich Stevens <rstevens@truro-ma.gov>; Jarrod Cabral <jcabral@truroma.gov>; Tim Collins <TCollins@truro-ma.gov>; Jamie Calise <JCalise@truro-ma.gov>; Distribution list - Select Board <selectboard@truro-ma.gov> Cc: Barbara Huggins Carboni <BHugginsCarboni@k-plaw.com>; Anne Greenbaum <agreenbaum@truro-ma.gov> Subject: RE: Review of Definitive Subdivision for 1 Amity Lane Importance: High

. .

Good afternoon,

At your earliest convenience, could you please take a look at the previous attachment and respond to me no later than this Friday, October 16 as this will be heard by the Planning Board at their meeting next week. Let me know whether you have a comment or not so I will know that it has been reviewed by your Department.

Thank you for your time – appreciate it.

Liz

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To: Emily Beebe <<u>EBeeBe@truro-ma.gov</u>>; Rich Stevens (<u>rstevens@truro-ma.gov</u>) <<u>rstevens@truro-ma.gov</u>>; Jarrod
Cabral <<u>icabral@truro-ma.gov</u>>; Tim Collins <<u>TCollins@truro-ma.gov</u>>; Jamie Calise <<u>JCalise@truro-ma.gov</u>>; Distribution list - Select Board <<u>selectboard@truro-ma.gov</u>>
Cc: Barbara Huggins Carboni <<u>BHugginsCarboni@k-plaw.com</u>>; Anne Greenbaum@truro-ma.gov)
<agreenbaum@truro-ma.gov>
Subject: Review of Definitive Subdivision for 1 Amity Lane

Hello everyone,

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Please review the attached application packet and respond back to me with your comments/questions/concerns. Appreciate your time. Thank you,



# J.M. O'Reilly & Associates, Inc.

PROFESSIONAL ENGINEERING, LAND SURVEYING & ENVIRONMENTAL SERVICE

Office of Town Clerk Treasurer - Tax Collector 2020-010/PB SEP 25 2020 Supermental

Site Development • Property Line • Subdivision • Sanitary • Land Court • Environmental Permitting

September 8, 2020

JMO-2216A

Truro Planning Board 24 Town Hall Road Truro, MA 02666

RE: Definitive Subdivision Plan Application 1 Amity Lane, Truro

Dear Board Members,

On behalf of our clients, the Schirmer Family, J.M. O'REILLY & ASSOCIATES, INC. is submitting the attached Application for Approval of a Definitive Plan (Form C), Definitive Subdivision Plan of Land and associated paperwork for the above referenced property.

The Schirmer's having received preliminary approval from the Planning Board earlier this past summer, are now seeking the definitive approval of the division of land. The division includes the creation of three lots, Lots 3, 4 and 5, and a 40 foot Right of Way. For the Planning Board information, the following is a description of the project and lots that are to be created:

- <u>Amity Lane</u>: Amity Lane is a private way in which the Schirmer family owns the fee within the roadway. Amity Lane was created and laid out on a Plan of Land in Truro for the Schirmer family in 1966. Plan Book 200, page 51 (2 sheets). Copy of the 1966 subdivision plan is attached for your review.
  - The existing gravel/ dirt road is about 8 to 10 feet wide.
  - The existing eleven (11) trees along the roadway of Amity Lane, identified during the preliminary plan review by the Truro Fire Department for removal, have been removed.
  - o There are no drainage improvements proposed within Amity Lane
  - Amity Lane currently serves three properties, 1 Amity Lane (Lot 3); 5 Amity and 7 Amity Lane. A total of three homes will continue to be served by the existing roadway.
- <u>Way:</u> The Private Way is 40 feet in width and contains 16,035 sf. The proposed Way is not to be constructed, at this time.
  - o The Application is seeking not to construct the Way.
  - o Lots 4 & 5 are to be conveyed to the Truro Conservation Trust.
  - o There are no drainage improvements proposed within the Way.
- Lot 3: The Lot 3 will be retained by the Schirmer Family. Lot 3 contains an existing small old cottage, which will remain. The lot gains the required 150 feet of frontage along both Amity Lane and the proposed Private Way. The parcel will contain 73,200 sf+/- of land area. The entirety of Lot 3 is upland and contains no wetland resources or flood areas. Lot 3 will retain the address of 1 Amity Lane.

- Lot 4: The Lot 4, once created, will be transferred over to the Truro Conservation Trust. The lot contains a total area of 184,203 sf. Lot 4 does contain about 47,905 sf of an old bog and is subject to a 100 year flood boundary. The frontage for Lot 4 is gained by the Way.
- Lot 5: The Lot 5, once created, will be transferred to the Truro Conservation Trust. The lot contains 33,169 sf of land area and has no frontage along the Way or Amity Lane. As Such Lot 5 is considered unbuildable due to lack of frontage and lot area.

The Schirmer's will be looking for several waivers from the Planning Board upon the filing of the Definitive Subdivision Plan. The waivers requested include:

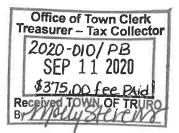
• Waiver from all improvements to the Way and Amity Lane. The Way provides frontage for both Lot 3 and Lot 4 of the division. The Schirmer's will retain the fee within the Way and provide access rights to Lot 4.

We look forward to meeting with the Board on October 21, 2020 to answer any questions the Board may have.

Very truly yours,

John M. O'Reilly, P.E.,P.L.S. Principal

CC: Town Clerk Emily Beebe, Health Agent Client



#### **Town of Truro Planning Board**

P.O. Box 2030, Truro, MA 02666

#### FORM C

#### APPLICATION FOR APPROVAL OF A DEFINITIVE PLAN

To the Planning Board of the Town of Truro, MA

Date 9/4/2020

The undersigned, being the applicant as defined under Chapter 41, Section 81-L, for approval of a proposed subdivision shown on a plan entitled Definitive Subdivision Plan of Land in Truro, MA Abigail B. Schirmer, Audrey Schirmer and Joseph M. Schirmer at Route 6 and Amity Lane by J.M. O'Reilly & Associates, Inc. dated 9/4/2020 and described as follows:

Located: 1 Amity Lane

Number of Lots Proposed: <sup>3 plus</sup> Way

Assessor's Map(s) and Parcel(s): 46 / 8 Total Acreage of Tract: 289,230 SF (6.64 ac +/-)

Said applicant hereby submits said plan as a *Definitive* subdivision plan in accordance with the Rules and . Regulations of the Truro Planning Board and makes application to the Board for approval of said plan.

The undersigned's title to said land is derived under deed from Book 14422, Page 64 , dated 8-31-2001 , and recorded in the Barnstable Registry of Deeds Book and Page or Land Court Certificate of Title No. registered in Barnstable County, and said land is free of encumbrances except for the following:

Said plan has/has not (circle appropriate) evolved from a preliminary plan submitted to the Board on and approved/approved with modifications/disapproved (circle appropriate) on

Applicant:

Joseph M. Schirmer

(Signature of Applicant

(Printed Name of Applicant) Applicant's Telephone Number(s) 608-345-1002

Applicant's Legal Mailing Address 17 Raymond Circle, Peabody, MA 01960

Owner's Signature if not the applicant or applicant's authorization if not the owner:

Joseph M. Schirmer, et al (Printed Name)

(Signature)

Owner's Legal Mailing Address Abigail B. Schimer, Audrey Schimer and Joseph M. Schimer - 17 Raymond Circle, Peabody, MA 01980

Surveyor Name/Address John M. O'Reilly, J.M. O'Reilly & Associates, Inc., P.O. Box 1773 Brewster, MA 02631 (508) 896-6601 (or person responsible for preparation of the plan)

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 <u>planner1@truro-ma.gov</u>

Form C - June 3, 2020

#### John O'Reilly

From: Sent: To: Cc: Subject: AnNguyen96@comcast.net Wednesday, September 9, 2020 12:13 PM John O'Reilly; Joe Schirmer Schirmer Nick RE: signature

Hi John,

This is to confirm Joe Schirmer (my brother-in-law, brother of my deceased wife, Abigail Schirmer) can sign our application to the Truro Planning Board to transfer land to the conservation trust.

Regards,

Nguyen An

On 09/08/2020 4:16 PM John O'Reilly <joreilly@jmoreillyassoc.com> wrote:

Joe, are you able to overnight the signed application?

John

From: Joe Schirmer <jschirmer48@gmail.com> Sent: Tuesday, September 8, 2020 11:50 AM To: John O'Reilly <joreilly@jmoreillyassoc.com> Cc: NGUYEN AN <AnNguyen96@comcast.net>; Schirmer Nick <nick.schirmer@gmail.com> Subject: signature

#### John O'Reilly

From:	nick schirmer <nick.schirmer@gmail.com></nick.schirmer@gmail.com>
Sent:	Wednesday, September 9, 2020 8:52 AM
То:	Joe Schirmer
Cc:	NGUYEN AN; John O'Reilly
Subject:	Re: Authorization for SIGNATURE NEEDED

#### Mark

this is to confirm Joe Schirmer (my uncle, brother of my deceased mother audrey schirmer) can sign our application to the Truro Planning Board to transfer land to the conservation trust I will try my best to send you the act of death kind regards nick

On Tue, Sep 8, 2020 at 11:39 AM Joe Schirmer < jschirmer48@gmail.com > wrote:

Hi Nick and An, Our surveyor John O'Reilly, continues to work on the plan to transfer ownership of land on the marsh side of the hill between the shed and the main house to the Conservation Trust. When this is done, we will get a tax break and The Commonwealth of Massachusetts will pay us some cash as financial compensation for the transfer.

The Town of Truro Planning Board approved the preliminary plan and Mr. O'Reilly is preparing to submit the application for the final plan this week.

Will you please reply to all on this message to give your approval for me to sign the application to submit the final plan to the Town as our representative of the three branches of the family that own the land?

Thank you!

Joe Schirmer

Begin forwarded message:

From: John O'Reilly <joreilly@jmoreillyassoc.com> Subject: SIGNATURE NEEDED Date: September 8, 2020 at 10:08:15 AM CDT To: Joe Schirmer <jschirmer48@gmail.com> Cc: Alyson Konkol <a href="mailto:akonkol@jmoreillyassoc.com">akonkol@jmoreillyassoc.com</a>

Addre	Address: 1 AMITY LANE, TRURO Applicant Name: SCHIRMER FAMILY		Date:		
No.	Requirement	Included	Not Included	Explanation, if needed	
2.5.2 S	ubmission Requirements for Definitive Plans				
a.	General - The following documentation shall be submitted along with a Definitive Plan; to the Planning Board:		F		
a.1	A properly executed application for Definitive Subdivision Plan Review. (Form C).				
a.2	A list of the names and addresses of all abutters, as defined in Section 1.6 and as certified by the Deputy Assessor.	$\checkmark$			
a.3	Twelve (12) paper prints of the plan.	$\checkmark$			
a.4	Twelve (12) copies of all plans, profiles and cross-sections, showing proposed design and location of streets, drainage and utilities.		$\checkmark$	Waiver for Road Construction is Requested	
a.5	Two (2) copies of the subdivision plan prepared at a scale of 1 inch = $100'$ feet. The plan shall include the lot numbers and lot areas in acres and square footage. Distances and bearing need not be shown.	V			
a.6	Two (2) copies of drainage calculations based on a fifty (50) year storm, stamped and signed by an engineer, along with a topographic plan delineating contributing areas.		$\checkmark$	Waiver for Drainage Improvements is requested	
a.7	A list of requested waivers from these Rules and Regulations consistent with §1.5, if applicable, and a narrative explanation detailing the reasons for such waivers and the bases for finding that such waivers are in the public interest.	$\checkmark$		Refer to Cover Letter and Definitive Plan	
a.8	A digital copy of the subdivision application and accompanying plans in PDF format. This digital copy shall be sent to the Planning Department within 1 business day of the paper filing at the Town Clerk's Office. In addition, the Board and/or its consultants may require submission of the plans and other relevant documents in CAD or other formats.	~			

Addres	s: Applicant Name:		Da	te:
No.	Requirement	Included	Not Included	Explanation, if needed
a.9	A traffic impact and access study shall be required, for all developments that propose to create ten (10) or more buildable lots, at the developments access to existing roadway networks. The study shall be based on standards traffic engineering guidelines developed by the Massachusetts Environmental Protection Act (MEPA). The Planning Board may also require a traffic study if in their determination one is warranted because of public safety concerns.		$\checkmark$	Not Applicable
a.10	Three proposed road name(s) for each new street. The Board reserves the right to reject proposed street names.		V	Way is not to be Constructed, 1 Amity Lane will Remain for the existign cottage
a.11	A written statement stating the time within which the applicant/subdivider agrees to complete the proposed ways and to install all utilities required by the Board. The Board may decline to approve any plan unless the applicant agrees to complete the way shown thereon and install the utilities aforesaid within an agreed upon period after the date of endorsement. In the event the work is not completed within the time set forth, or as extended, the Board may rescind its approval and require a new public hearing.		$\checkmark$	Waiver is requested for road and draiange improvements.
Ъ.	Contents of Plan - A Definitive Plan shall be prepared by a land surveyor, shall be clearly and legibly drawn in permanent ink upon a reproducible film, and shall comply with the recording requirements of the Registry of Deeds and/or Land Court, whichever is applicable. Final plans and profiles submitted for approval shall be the following sizes: 24 inches by 36 inches maximum, 11 inches by 17 inches minimum, with a <sup>1</sup> / <sub>4</sub> -inch border. If multiple sheets are used, they shall be accompanied by an index showing the entire subdivision. Cross-sections shall be provided for all streets.	V		
	The following information shall be shown:			
b.1	The subdivision name, date of the plan, scale, north arrow, assessor' s map and parcel numbers of all land shown on the plan, legend and the title "Definitive Plan".	$\checkmark$		
b.2	A locus plan containing sufficient information to locate the proposed subdivision, such as streets bounding or providing access to the property.	$\checkmark$		

Addres	Address: Applicant Name:			
No.	Requirement	Included	Not Included	Explanation, if needed
- h 3 - I	The boundaries, area, frontage, and dimensions of each lot and of any contiguous lot(s) in common ownership.	$\checkmark$		
h/1	The name(s) and address of the owner(s) of record and of the applicant, and the name, address, seal and signature of the land surveyor who prepared the plan.	$\checkmark$		
b.5	The existing and proposed methods of providing road drainage and utilities.	$\checkmark$		See Notes of Definitive Plan
b.6	The following information shall be noted on the plan:			
	Gross area of the subdivision in square feet and acres.	$\checkmark$		
	Gross area of roads and cul-de-sacs, in square feet and acres.	$\checkmark$		
	• Area(s) subject to the Wetlands Protection Act and approval and/or restriction(s) of the Conservation Commission or the Board.	$\checkmark$		
	• Gross area of wetlands, in square feet and acres, for the entire subdivision.	$\checkmark$		
	• Net area of wetlands within each lot or parcel, in square feet and percentage.	$\checkmark$		
	• Net area of contiguous upland of each lot or parcel, in square feet and percentage.	$\checkmark$		
b7	Easements, covenants, rights-of-way, and/or restrictions applicable to the area shown on the plan.	$\checkmark$		
hX I	The existing and proposed lines of streets, ways, lots, easements and any public or common areas within the subdivision.	$\checkmark$		
b.9	The existing and proposed lines of any easements access or other purposes. The location, ownership and expiration date(s) of any conservation restrictions or easements.	~		
610	The topography of the land, using two (2) foot contours, derived from an actual survey or photogrammetry based on USGS Datum. This may be shown on a separate plan.	$\checkmark$		See Seperate Topogrpahy Plan for the Schirmer Family
	Zoning classification (including overlay districts) and the location of any zoning district boundaries that lie within the subdivision boundaries.	$\checkmark$		
Ь 12	The location and setbacks of all existing buildings and other structures on the land to be subdivided.	$\checkmark$		
b.13	The location of any wetlands on the land to be subdivided or within one hundred (100) feet of its boundaries.	$\checkmark$		

Addres	Address: Applicant Name:		Date:		
No.	Requirement	Included	Not Included	Explanation, if needed	
b.14	Base flood elevation data, as shown on the Flood Insurance Rate Map, as most recently revised, published by the U.S. Department of Housing and Urban Development. The Base Flood Elevation date shall be provided for all proposals where any portion of the subject property lies within the 100-year flood plain.	V		Flood Boundary, the 12 and 13 foot contours were mapped by JM OReilly & ASSOC., along the bottom of the slope, refer to Def. Plan and Topo Plan	
b.15	Sufficient data to determine the location, direction and length of every way, lot lines and boundary lines including lengths and radii of all curves, to establish and reproduce these lines on the ground, and to comply with the requirements of the Registry of Deeds and/or Land Court.	~			
b.16	For all ways involved in access for the proposed subdivision, whether within, abutting or without the subdivision, the grade and width of road layout, the location of the roadway within the layout, sight distances at intersections, and the physical condition of the roadway including actual width, surface type, depth of surface materials and condition of the road surface.		V	Construction of Way and Improvements to Amity Lane are requested to be waived	
b.17	A notation on the plan indicating that permanent bounds shall be set at all points of curvature and changes in direction of street side lines and at all lot comers, as appropriate.	$\checkmark$			
I NIX I	A notation on the plan indicating any waiver to these Rules and Regulations being requested.	$\checkmark$			
ו הוע ו	Suitable space to record the action of the Board and the signatures of the Board members.	$\checkmark$			
b.20	Suitable space for noting the following dates shall be provided:				
	Date of Preliminary Application				
	Date of Preliminary Approval				
	Date of Definitive Application				
	Date of Definitive Approval				
	Date of Definitive Endorsement				

Address: Applicant Name:			Date:	
No.	Requirement	Included	Not Included	Explanation, if needed
b.21	All plans shall have the following notation lettered adjacent to the record of Board's approval as a condition of approval: "No lots may be conveyed and no building permits shall be issued by the Town of Truro until all applicable requirements of the <i>Rules and Regulations Governing the Subdivision of Land</i> have been met."		$\checkmark$	Waiver of road and Drainage improvements are requested
b.22	Two benchmarks taken from U.S.G.S. datum shall be established within the subdivision. Selection of the benchmark location shall be a point that will not be disturbed during construction operations.	$\checkmark$		refer to Topogrpahy Plan
b.23	Names of all direct abutters as they appear in the most recent tax list and approximate location of intersecting boundary lines of the abutting land.	$\checkmark$		
b.24	All information required on a preliminary plan.	$\checkmark$		
b.25	All deed references and plan references of the subdivision area and abutting properties.	$\checkmark$		
b.26	A place on the plan shall be reserved for the noting of the approval and/or restrictions of the Board of Health.	$\checkmark$		
b.27	Lot numbers to be noted on the plan.			
b.28	Legend.	$\checkmark$		
b.29	Notes indicating that all "Utilities shall be underground".	$\checkmark$		
	All trees with an outside bark diameter of ten $(10)$ inches or greater measured four and one-half $(4\frac{1}{2})$ feet above existing grade on the uphill side of the tree and all specimen trees (including but not limited to holly trees, cedar trees, etc.), shall be shown on the plan, and the species of the tree shall be identified. This may be shown on a separate plan.		V	Waiver of Road and Drainage Improvements are requested, no clearing at this time.
b.31	Location of ancient ways, historic walls, foundations, or other similar structures.			Not Applicable
c.	Content of Plan and Profiles, and Cross-sections - The Construction Plan and Profile of proposed street(s), prepared by an engineer and with all elevations referred to the U.S.G.S. datum, shall include:		~	Waiver requested
c.1	Horizontal scale of one (1) inch to forty (40) feet.		$\checkmark$	Waiver requested
c.2	Vertical scale of one (1) inch to four (4) feet.		$\checkmark$	Waiver requested
c.3	Existing centerline elevations every fifty (50) feet.		$\checkmark$	Waiver requested

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Address: Applicant Name: Date			:e:	
No.	Requirement	Included	Not Included	Explanation, if needed
c.4	Existing right side line.		$\checkmark$	Waiver requested
c.5	Existing left side line.		$\checkmark$	
c.6	Proposed centerline grades and elevations, with elevations at every fifty (50) foot station, except that in vertical curves elevations shall be shown at twenty-five (25) foot stations and at PVC and PVT (point of vertical curve and point of vertical tangent).		$\checkmark$	
c.7	Proposed right and left side lines.		$\checkmark$	
c.8	Gradient of traveled surface.		$\checkmark$	
c.9	Spot elevations at centerline of each intersecting street or driveway.		$\checkmark$	,
c.10	All existing intersecting walks and driveways.		$\checkmark$	·
c.11	The limits of clearing to accommodate the road layout, utilities and shoulders.		$\checkmark$	·····
c.12	Size and location of existing and proposed water mains and their appurtenances, if any, and surface drains and their appurtenances.		$\checkmark$	
c.13	Profiles shall show vertical locations of water lines, drainage lines and other utilities. Sizes of all pipes shall be shown as well as inverts of all pipes at each manhole or catch basin, together with invert elevation and rim elevation of each manhole or catch basin.		~	
c.14	Cross sections shall show cuts, fill, subgrade, finished surface, shoulders, curbs or berms, and slopes.		$\checkmark$	
c.15	A detailed landscape plan, which may be included on the plan and profile or as a separate plan, showing:		$\checkmark$	
	a. Location, size and species of proposed streets trees, if any and other plantings associated with all areas to be disturb.		$\checkmark$	
	b. Existing trees, as described in §2.5.2.b.30, which are proposed to be removed.		$\checkmark$	
	c. Method of final slope stabilization.		$\checkmark$	
c.16	An erosion control plan, which may be included on the plan and profile or as a separate plan or in conjunction with the landscape plan described in item #15, shall include the following:		$\checkmark$	
	a. Topographical contours at two-foot intervals.		$\checkmark$	

Address	Applicant Name:	Date:		
No.	Requirement	Included	Not Included	Explanation, if needed
ł	Drainage patterns and watershed boundaries, if any.		V	Waiver requested
c	. Existing vegetation.		$\checkmark$	
C	. Proposed limit of clearing.		$\checkmark$	
1	. The location, identification and narrative description with detailed drawings of all emporary and permanent erosion and sediment control Best management Practices.		$\checkmark$	
1	Temporary driveway apron to serve during all phases of site preparation and onstruction that shall consist of <sup>3</sup> / <sub>4</sub> " crushed stone 3" thick or bituminous binder 2-1/2" hick.		$\checkmark$	
14	Narrative description of the construction schedule and the concurrent sequencing nd timing of erosion control measures as shown on the plan.		$\checkmark$	
2.5.3 Sta	king of Proposed Subdivision			
a f	n order to facilitate on-site review by the various reviewing boards, the applicant shall, t the time of filing of a Definitive Plan, stake and brush cut to a minimum of three (3) eet wide the centerline of all proposed ways in the subdivision and shall stake all points where lot lines intersect rights-of-way.	~		Centerline of Way shall be staked for Planning Boiard viewing.

#### Bk 14422 Ps64 #83874 11-08-2001 8 10=14α

# QUITCLAIM DEED

We Abigail B. Schirmer of Cambridge, Massachusetts and Joseph M. Schirmer of Madison, Wisconsin, Trustees of the Schirmer Realty Trust of December 28, 1990, recorded with Barnstable County Registry of Deeds, Book 7413, Page 122, in consideration paid of One (\$1.00) Dollar grant to Abigail B. Schirmer of 26 Jay Street, Cambridge, Massachusetts 02139, Audrey Schirmer of 4618 Jeanne Mance, Montreal, Canada H2V4J4 and Joseph M. Schirmer of 607 Clemons Avenue, Madison, Wisconsin 53704, as tenants in common

#### with QUITCLAIM COVENANTS

a certain parcel of real estate with the buildings thereon situated in Truro, Massachusetts, located off Castle Road and Massachusetts State Highway-Route 6, shown as Lot 1; and a 40' wide Private Way all shown on a plan of land entitled "Plan of Division of Land in Truro, Mass. as surveyed and prepared for Daniel B. Schirmer and Margaret F. Schirmer Scale 1 in. = 60 FT. March 16, 1990 Schofield Brothers, Inc. Engineering Surveying Planning 161 Cranberry Highway P.O. Box 101 Orleans, Mass. 02653 (508)-255-2098" recorded with the Barnstable Registry of Deeds on August 29, 1990, in Plan Book 475, Page 3; and land of Daniel B. Schirmer located at the North east corner of Lot 1 on said plan.

Said land containing an area of approximately 10.63 acres.

For our title see deed from Daniel B. Schirmer and Margaret F. Schirmer dated December 28, 1990 and recorded with the Barnstable Registry of Deeds in Book 7413, Page 134.

Witness my hand and seal this  $3/5^{47}$  day of

HUGUST ,2001. **B.** Schirmer, Trustee

d'<sup>ar</sup>

(

#### COMMONWEALTH OF MASSACHUSETTS

August 31,2001

SUFFOLK, SS.

Then personally appeared the above-named Abigail B. Schirmer, individually and Trustees as aforesaid and acknowledged the foregoing instrument to be her free act and deed, before me.

Notary Public: Walter J. My Comm. Expires: 06

14422 Ps65 #83874 Bk

,2001.

Witness my hand and seal this 2/ day of

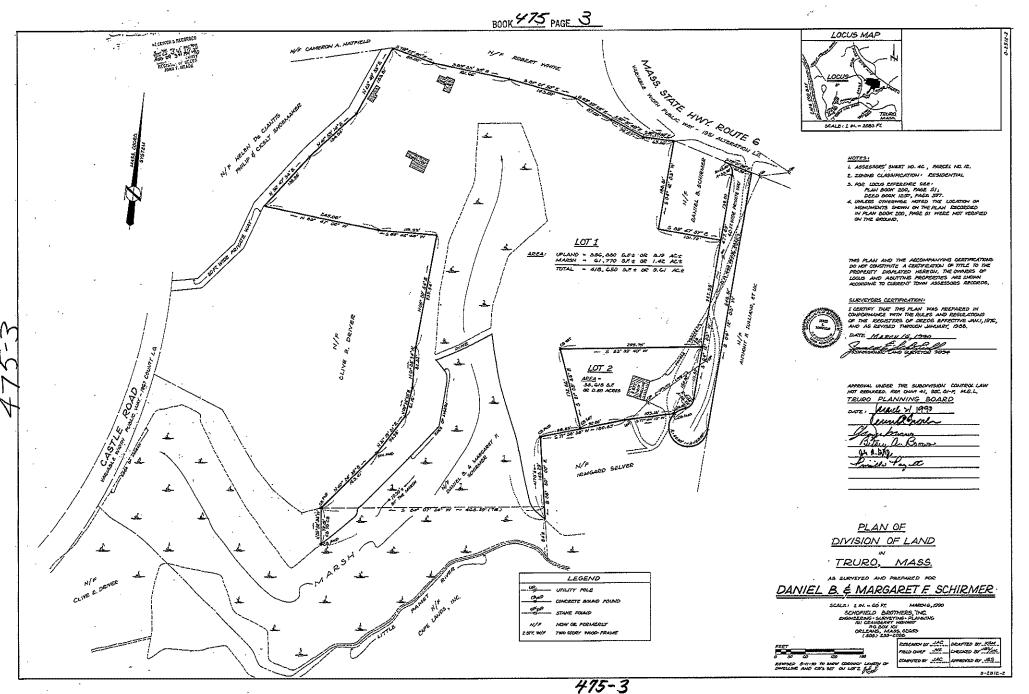
September Joseph M. Schirmer, Trustee

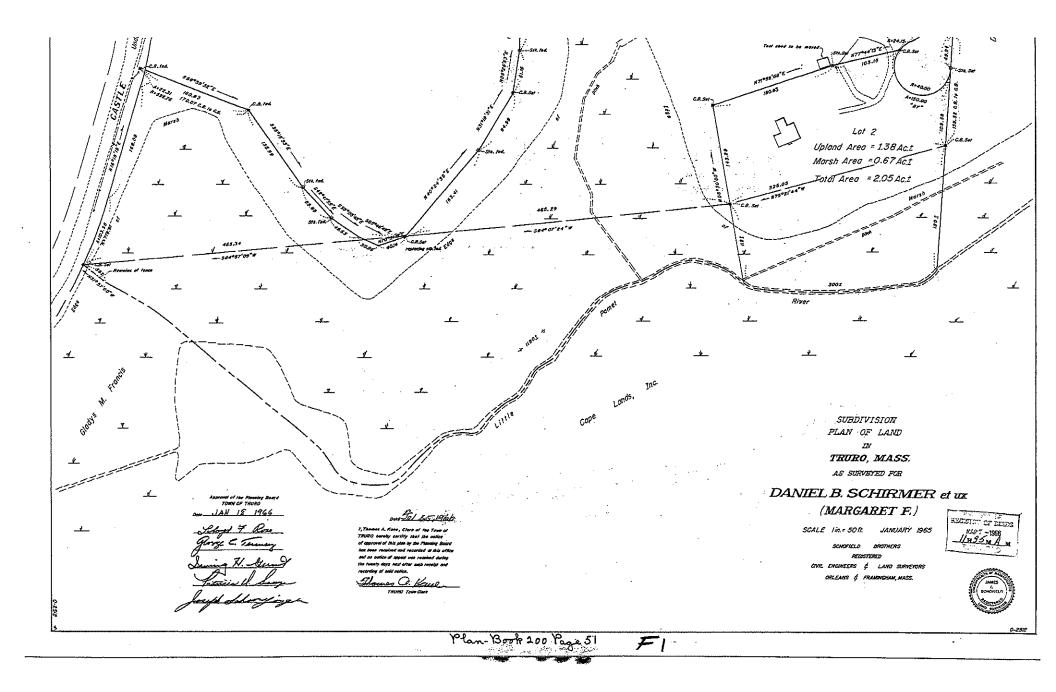
#### STATE OF WISCONSIN

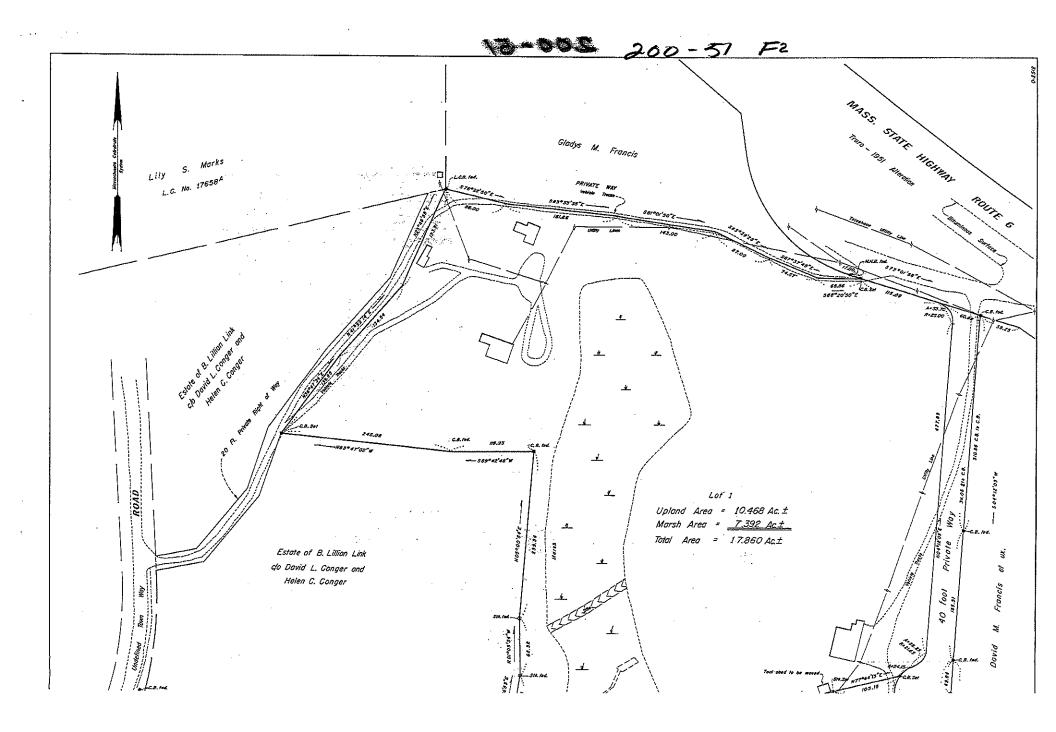
DANE , SS. September 21 , 2001

Then personally appeared the above-named Joseph M. Schirmer, Trustees as aforesaid and acknowledged the foregoing instrument to be his free act and deed, before ment

Charmone. Porham Notary Public: Charge My Comm. Expires:









TRURO ASSESSORS OFFICE PO Box 2012 Truro, MA 02666 Telephone: (508) 214-0921 Fax: (508) 349-5506

Date: September 3, 2020
To: JM O'Reilly & Associates, Inc. (on behalf of Joseph Schirmer)
From: Assessors Department
Certified Abutters List: 1 Amity Lane, Map 46 Parcel 8
Planning Board – Definitive Subdivision

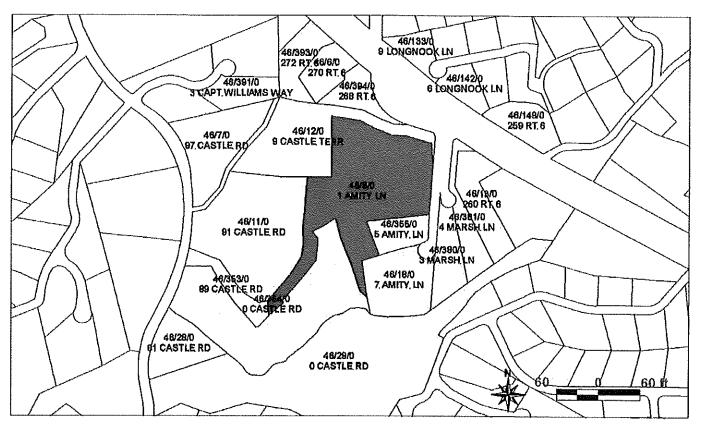
Attached is a combined list of abutters for the property located at 1 Amity Lane. The current owners are Audrey & Joseph M. Schirmer and Huu An Hguyen.

The names and addresses of the abutters are as of August 28, 2020 according to the most recent documents received from the Barnstable County Registry of Deeds.

Certified by:

Laura Geiges Assistant Assessor 1 Amity Lane Map 46 Parcel 8 Planning Board - Definitive Subdivision

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



Custom Abutters List

(ey	Parcel (D	Owner	Location	Meiling Street	Mailing City	ST	ZipCd/Country
	46-6-0-R	KING WILLIS L & HANNAH S	270 RT 6	P0 BOX 189	TRURO	MA	02660
2235	46-7-0-R	DECIANTIS JONATHAN C ET AL	97 CASTLE RD	C/O SHOEMAKER CICELY 825 ASCOT LANE	RALEIGH	NC	27615
239	46-11-0-R	TABAKIN STEWART & FIUMARA SALVATORE	91 CASTLE RD	PO BOX 874	TRURO	МА	02666
	46-12-0-R	SCHIRMER AUDREY & JOSEPH M & AN NGUYEN HUU	9 CASTLE TERR	17 RAYMOND CIRCLE	PEABODY	MA	01960
241	46-13-0-R	GUARNOTTA BRIAN & HEATHER	260 RT 6	62 DUNSTER RD #2	JAMAICA PLAIN	MA	02130
246	46-18-0-R	SELVER IRENE B -LE & SELVER VERONICA E	7 AMITY LN	390 RIVERSIDE DR APT 2F	NEW YORK	NY	10025
256	46-28-0-R	TABAKIN STEWART & FIUMARA SALVATORE	81 CASTLE RD	PO BOX 874	TRURO	MA	02666
257	46-29-0-E	TRURO CONSERVATION TRUST TRS: BETSEY BROWN ET AL	0 CASTLE RD	PO BOX 327	NO TRURO	MA	02652-0327
355	46-133-0-R	ESTATE OF ELEANOR M NUNES PERS REP: OLIVER F NUNES JR	9 LONGNOOK LN	29 HARRIMAN RD	HUDSON	MA	D1749
364	46-142-0-R	WALLACE THOMAS J & ANNE F	6 LONGNOOK LN	10 KNOLLWOOD ROAD	WHIPPANY	Ŋ	07951
371	46-149-0-R	EDWARDS NANCY R	259 RT 6	PO BOX 27	TRURO	 MA	02666-0027
558	46-353-0-R	TABAKIN STEWART & FIUMARA SALVATORE	69 CASTLE RD	PO BOX 874	TRURO	МА	02655
559	46-354-0-E	TRURO CONSERVATION TRUST TRS: BETSEY BROWN ET AL	0 CASTLE RD	PO 80X 327	NO TRURO	MA	02652-0327
560	46-355-0-R	SELVER IRENE B -LE RMNDR: SELVER-KASSELL ANNA&EVE	5 AMITY LN	390 RIVERSIDE DR APT 2F	NEW YORK	NY	10025
778	46-380-0-R	KILLAM JONATHAN L & BERNA GIOIAMARIA B	3 MARSH LN	56 INDIGO TRAIL	MADISON	СТ	06443

16 9/3/2020

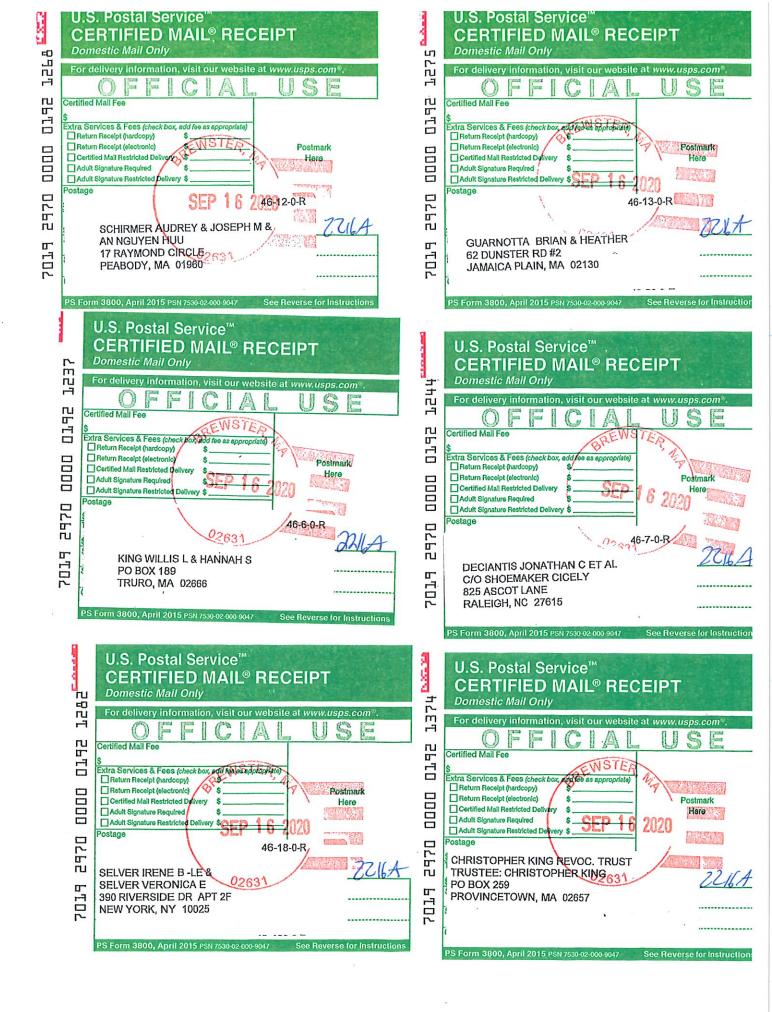
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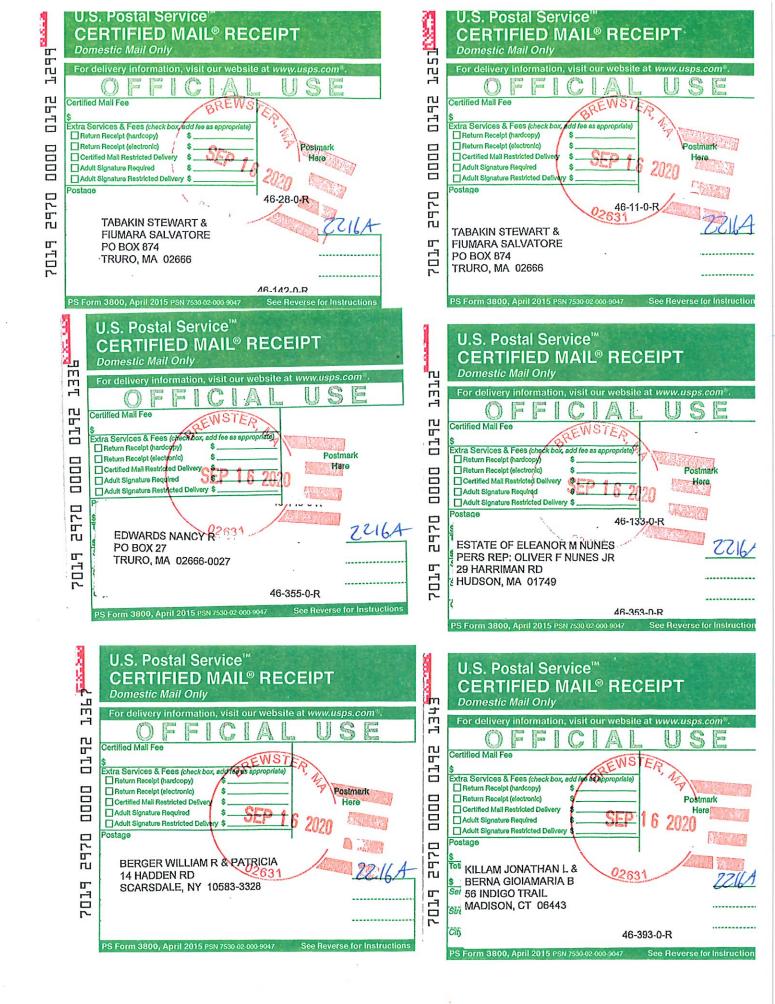
Көу	Parcel ID	Owner	Location	Mailing Street	Meiling City	ST ZhC	d/Country
5779	46-381-0-R	LORD MICHAEL A & AMBER B	4 MARSH LN	PO BOX 624	TRURO	MA 02	666
6792	46-391-0-R	<b>BERGER WILLIAM R &amp; PATRICIA</b>	3 CAPT WILLIAMS WAY	14 HADDEN RD	SCARSDALE		583-3328
6859	46-393-0-R	CHRISTOPHER KING REVOC, TRUST TRUSTEE: CHRISTOPHER KING	272 RT 6	PO BOX 259	PROVINCETOWN	MA 02	657
6861	46-394-0-R	CHRISTOPHER KING REVOC, TRUST TRUSTEE: CHRISTOPHER KING	268 RT 6	PO BOX 259	PROVINCETOWN	MA 02	667

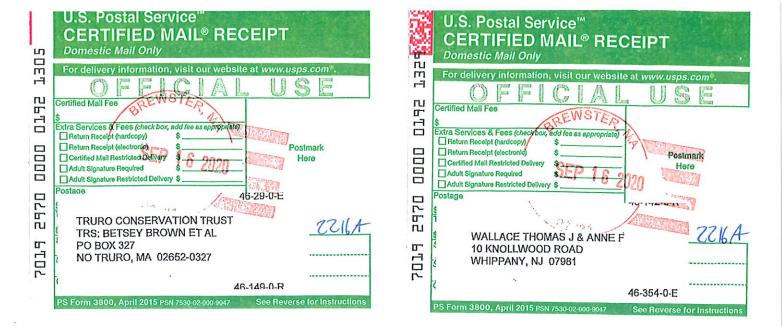
16 9/3/2020

46-6-0-R	46-7-0-R	46-11-0-R
KING WILLIS L & HANNAH S PO BOX 189 TRURO, MA 02666	DECIANTIS JONATHAN C ET AL C/O SHOEMAKER CICELY 825 ASCOT LANE RALEIGH, NC 27615	TABAKIN STEWART & FIUMARA SALVATORE PO BOX 874 TRURO, MA 02666
46-12-0-R	46-13-0-R	46-18-0-R
SCHIRMER AUDREY & JOSEPH M & AN NGUYEN HUU 17 RAYMOND CIRCLE PEABODY, MA 01960	GUARNOTTA BRIAN & HEATHER 62 DUNSTER RD #2 JAMAICA PLAIN, MA 02130	SELVER IRENE B -LE & SELVER VERONICA E 390 RIVERSIDE DR APT 2F NEW YORK, NY 10025
46-28-0-R	46-29-0-E	46-133-0-R
TABAKIN STEWART & FIUMARA SALVATORE PO BOX 874 TRURO, MA 02666	TRURO CONSERVATION TRUST TRS: BETSEY BROWN ET AL PO BOX 327 NO TRURO, MA 02652-0327	ESTATE OF ELEANOR M NUNES PERS REP: OLIVER F NUNES JR 29 HARRIMAN RD HUDSON, MA 01749
46-142-0-R	46-149-0-R	46-353-0-R
WALLACE THOMAS J & ANNE F 10 KNOLLWOOD ROAD WHIPPANY, NJ 07981	EDWARDS NANCY R PO BOX 27 TRURO, MA 02666-0027	TABAKIN STEWART & FIUMARA SALVATORE PO BOX 874 TRURO, MA 02666
46-354-0-E	46-355-0-R	. 46-380-0-R
TRURO CONSERVATION TRUST TRS: BETSEY BROWN ET AL PO BOX 327 NO TRURO, MA 02652-0327	SELVER IRENE B -LE RMNDR: SELVER-KASSELL ANNA&EVE 390 RIVERSIDE DR APT 2F NEW YORK, NY 10025	KILLAM JONATHAN L & BERNA GIOIAMARIA B 56 INDIGO TRAIL MADISON, CT 06443
46-381-0-R	46-391-0-R	46-393-0-R
LORD MICHAEL A & AMBER B PO BOX 624 TRURO, MA 02666	BERGER WILLIAM R & PATRICIA 14 HADDEN RD SCARSDALE, NY 10583-3328	CHRISTOPHER KING REVOC. TRUST TRUSTEE: CHRISTOPHER KING PO BOX 259 PROVINCETOWN, MA 02657
46-394-0-R		Ň
CHRISTOPHER KING REVOC. TRUST TRUSTEE: CHRISTOPHER KING PO BOX 259 PROVINCETOWN, MA 02657		

16 9/3/2020









TRURO, MA ZONING: ZONE: RESIDENTAL AREA FRONTAGE 33,750 SF (MINIMUM) FRONTAGE 350 FEET (MINIMUM) SIDE SETABOX SIDE SETABOX 25 FEET (MINIMUM) REAR SETABOX 25 FEET (MINIMUM) HEIGHT 25 TORY-30 FEET (MAX REFERENCES: LOT2: PLAN BOOK 670, PAGE 36 DEED BOOK 14422, PAGE 64 PLAN BOOK 200, PAGE 51 LCB (FND) OWNERS: ABIGAIL B. SCHIRMER 26 JAY STREET CAMBRIDGE, MA 02139 Williams Rd. LOCUS LOCUS: AUDREY SCHIRMER 4618 JEANNE MANCE MONTREAL, CANADA HCV4J4 LOT2 AS SHOWN ON PLAN BOOK 670, PAGE 36 TOTAL LOT AREA = 290,309 SF± (6.66 AC±) TOTAL WETLAND AREA = 47,905 SF± (1.10 AC±) JOSEPH M. SCHIRMER 607 CLEMONS AVENUE MADISON, WI 53701 
 PROPOSED PARCELS:

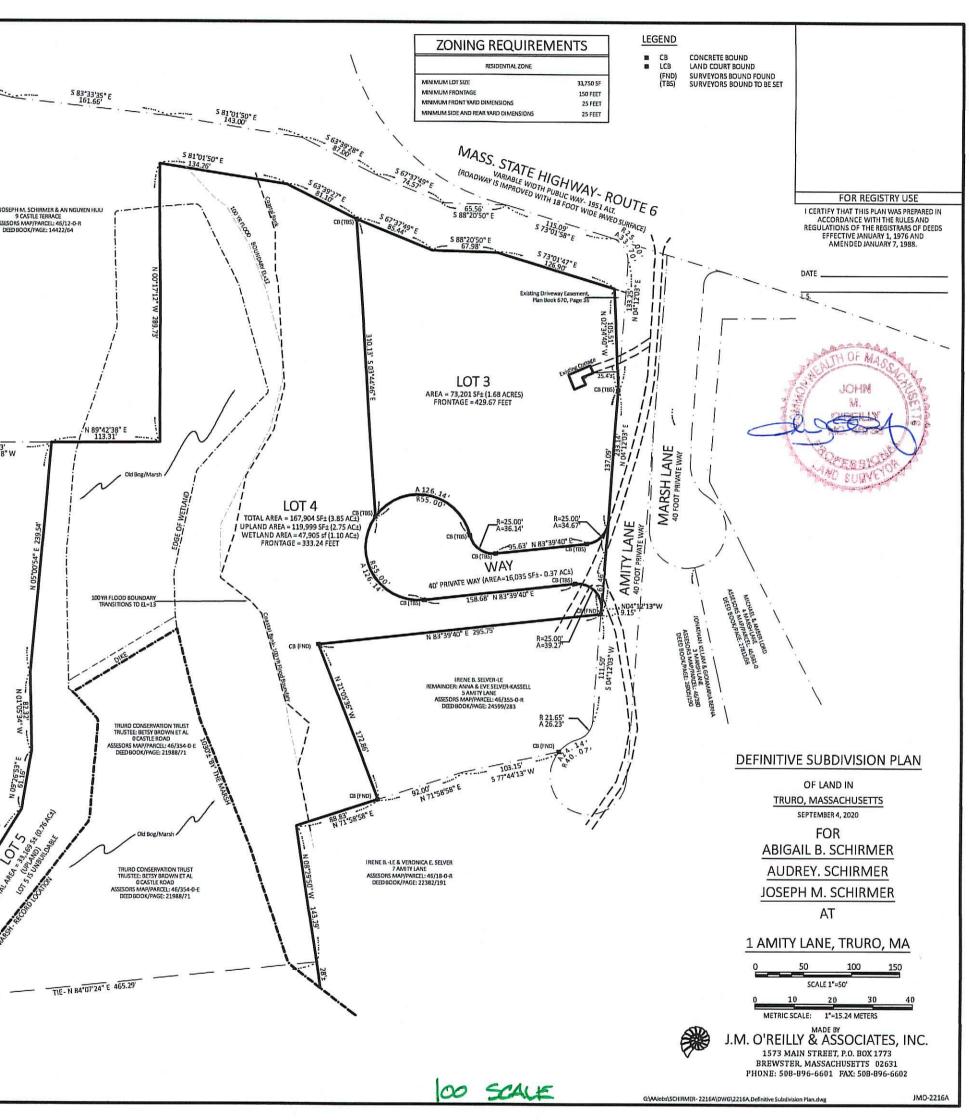
 LOT3:
 TOTAL AREA = 73201 SF± (1.58 AC±)- NO WETLANDS

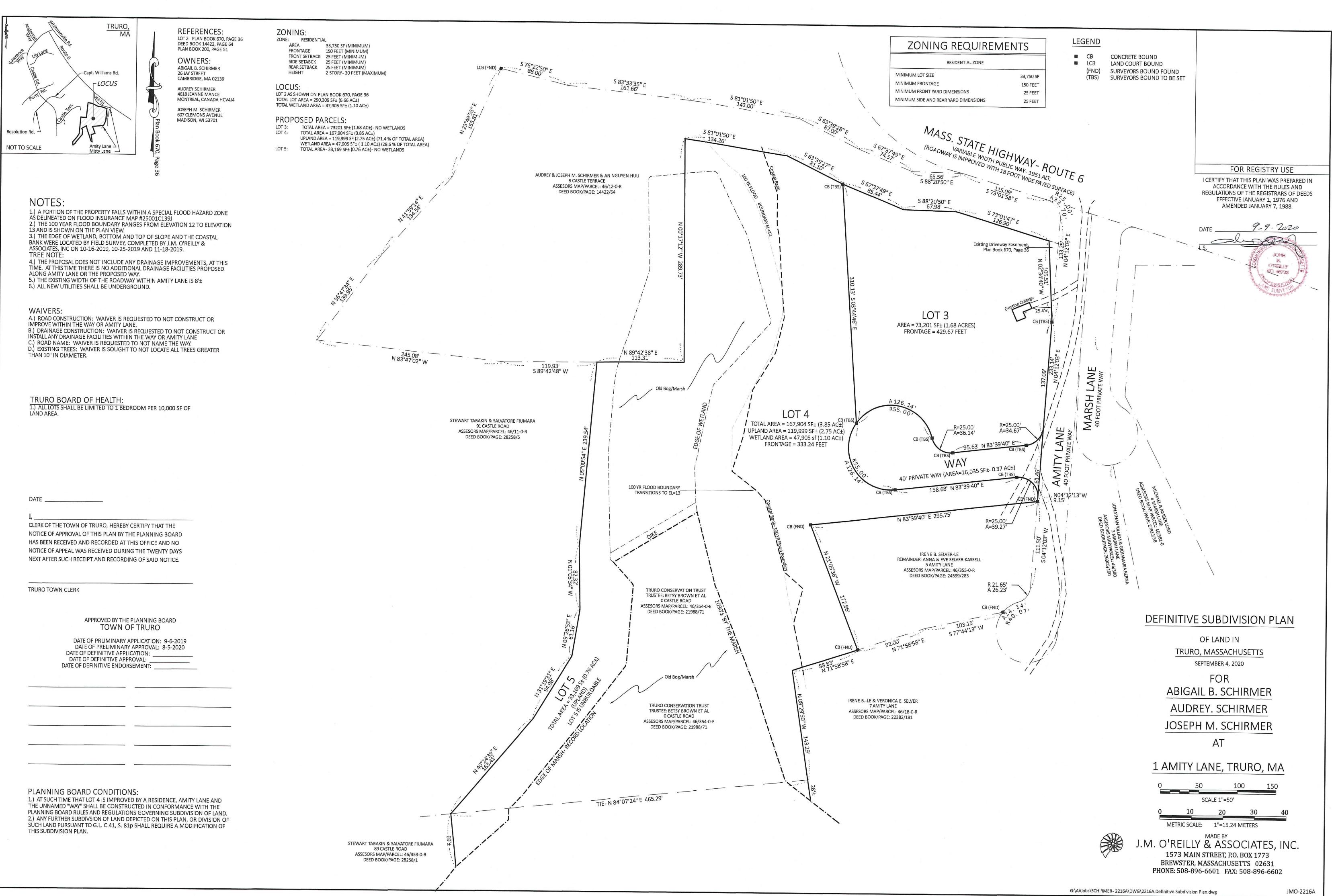
 LOT4:
 TOTAL AREA = 167,904 SF± (3.85 AC±)

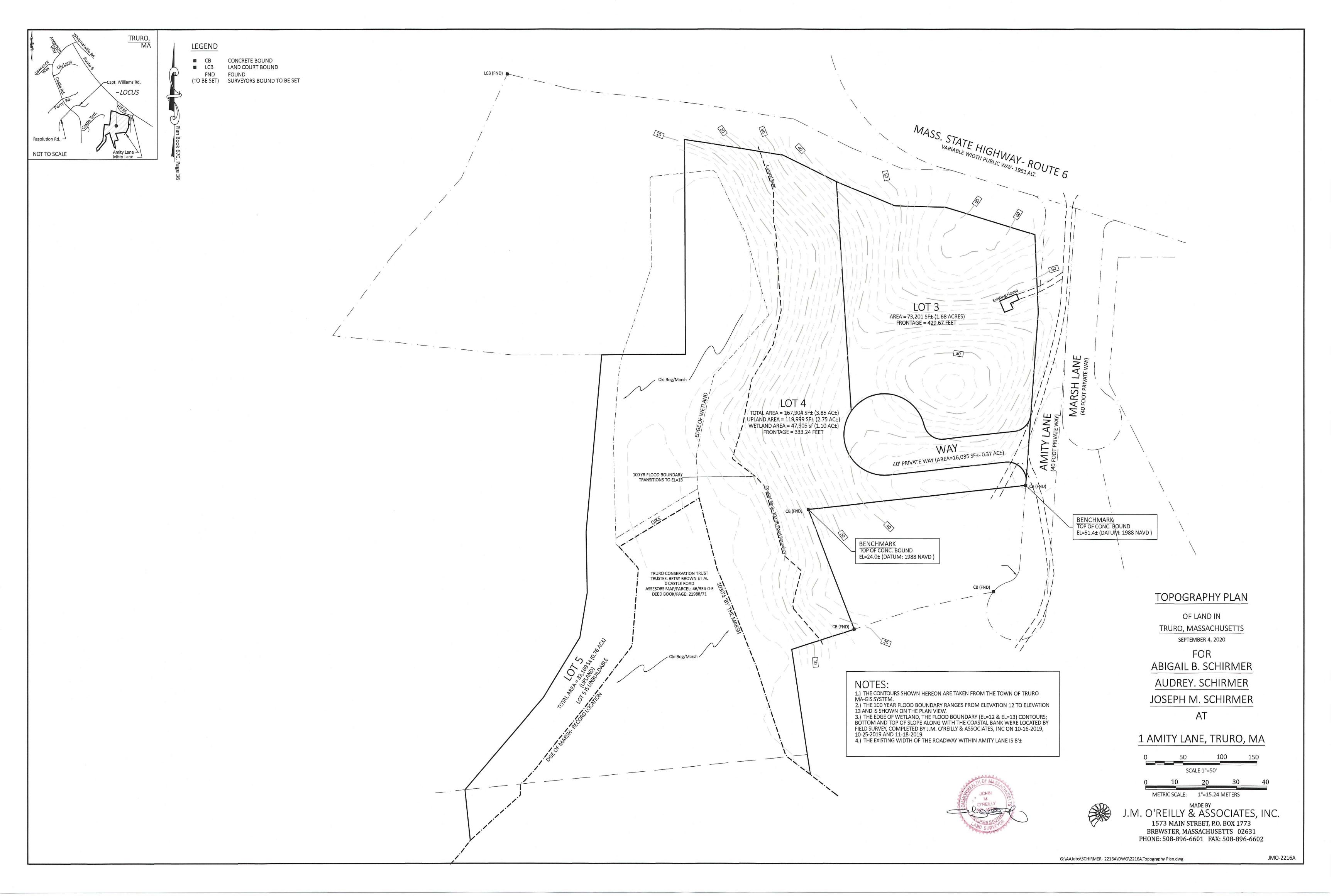
 UPMADAREA = 119,999 SF± (3.25 AC±) (71.4 % DF TOTAL AREA)

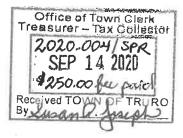
 WETLANDAREA = 47,905 SF± (1.10 AC±) (28.6% OF TOTAL AREA)

 UDT5:
 TOTAL AREA = 33,169 SF± (0.76 AC±)- NO WETLANDS
 N 23.99 NOT TO SCALE AUDREY & JOSEPH M. SCHIRMER & AN 9 CASTLE TERRACE ASSESORS MAP/PARCEL: 46/12-O-R DEED BOOK/PAGE: 14422/64 NOTES: NOTES: 1.) A PORTION OF THE PROPERTY FALLS WITHIN A SPECIAL FLOOD HAZARD ZONE AS DELINEATED ON FLOOD DINSURANCE MAP #25001C139) 2.) THE 100 YEAR FLOOD BOUNDARY RANGES FROM ELEVATION 12 TO ELEVATION 13 AND IS SHOWN ON THE PLAN VIEW. 3.) THE EDGE OF WETLAND, BOTTOM AND TOP OF SLOPE AND THE COASTAL BANK WERE LOCATED BY FIELD SURVEY, COMPLETED BY J.M. O'REILLY & ASSOCIATES, INC ON 10-16-2019, 10-25-2019 AND 11-18-2019. TREE NOTE: 4.) THE PROPOSAL DDES NOT INCLUDE ANY DRAINAGE IMPROVEMENTS, AT THIS TIME. AT THIS TIME THERE IS NO ADDITIONAL DRAINAGE FACILITIES PROPOSED ALONG AMITY LANE OR THE PROPOSED WAX. 5.) THE EXISTING WIDTH OF THE ROADWAY WITHIN AMITY LANE IS B'± 6.) ALL NEW UTILITIES SHALL BE UNDERGROUND. WAIVERS: WAIVENS: A.) ROAD CONSTRUCTION: WAIVER IS REQUESTED TO NOT 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 IS REQUESTED TO NOT NAME THE WAY. D.) EXISTING TREES: WAIVER IS SOUGHT TO NOT LOCATE ALL TREES GREATER THAN 10° IN DIAMETER. 245.08' N 83"47'02" W 5 89"42'48" W 89"42'38" E 113.31' TRURO BOARD OF HEALTH: 1.) ALL LOTS SHALL BE LIMITED TO I BEDROOM PER 10,000 SF OF LAND AREA. STEWART TABAKIN & SALVATORE FIUMARA 91 CASTLE ROAD ASSESORS MAP/PARCEL: 46/11-0-R DEED BOOK/PAGE: 28258/5 100 YR FLOOD BOUNDARY TRANSITIONS TO EL=13 DATE \_ CLERK OF THE TOWN OF TRURO, HEREBY CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO NOTICE OF APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE. TRURO CONSERVATION TRUST TRUSTEE: BETSY BROWN ET AL O CASTLE ROAD ASSESORS MAP/PARCEL: 46/354-0 DEED BOOK/PAGE: 21988/71 TRURO TOWN CLERK APPROVED BY THE PLANNING BOARD TOWN OF TRURO DATE OF PRLIMINARY APPLICATION; 9-6-2019 DATE OF PRELIMINARY APPROVAL: 8-5-2020 DATE OF DEFINITIVE APPLICATION; DATE OF DEFINITIVE APPROVAL: DATE OF DEFINITIVE ENDORSEMENT; 9 TRURO CONSERVATION TRUST TRUSTEE: BETSY BROWN ET AL 0 CASTLE ROAD SSESORS MAP/PARCEL: 46/354-0-E TIE- N 84\*07'24" E 465.29 PLANNING BOARD CONDITIONS: LANTITUNG BOARD CONUTITIONS:
 1.) AT SUCH TIME THAT LOT 4 IS IMPROVED BY A RESIDENCE, AMITY LANE AND THE UNNAMED "WAY" SHALL BE CONSTRUCTED IN CONFORMANCE WITH THE PLANNING BOARD RULES AND REGULATIONS GOVERNING SUBDIVISION OF LAND.
 2.) ANY FURTHER SUBDIVISION OF LAND DEPICTED ON THIS PLAN, OR DIVISION OF SUCH LAND PURSUANT TO G.L. C41, S. 81p SHALL REQUIRE A MODIFICATION OF THIS SUBDIVISION PLAN. -STEWART TABAKIN & SALVATORE FIUMARA 89 CASTLE ROAD ASSESORS MAP/PARCEL: 46/353-0-R DEED BOOK/PAGE: 28258/1











### **Town of Truro Planning Board**

P.O. Box 2030, Truro, MA 02666

### APPLICATION FOR RESIDENTIAL SITE PLAN REVIEW

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

Date 12 Sept 2020

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

Site Plan Review pursuant to §70 of the Truro Zoning Bylaw

Waiver of Site Plan Review pursuant to §70.9 of the Truro Zoning Bylaw (Note: Site Plan Review shall <u>not</u> be waived in the Seashore District)

1. General Information	
Description of Property and Proposed Project residential 2-story addition 744sf footprint to an existing 30	18 net sfhome
adds family room 1st fl & bedroom with bath above. Site is	
Property Address 7 Coast Guard Rd	Map(s) and Parcel(s) 34-5-0
Registry of Deeds title reference: Book 13174 , Pag	te 177 or Certificate of Title
Number and Land Ct. Lot #	and Plan #
Applicant's Name Daniel F Roche	
Applicant's Legal Mailing Address 287 Dedham St Dover MA	02030
Applicant's Phone(s), Fax and Email #212 203-8565 c dfr5000(	@yahoo.com
Applicant is one of the following: (please check appropriate box)	*Written Permission of the owner is
🖾 Owner 🗖 Prospective Buyer* 🗖 Oth	required for submittal of this application.
Owner's Name and Addressabove	
Representative's Name and Address Patrick Coffey, Pratt Constru-	action, PO Box 731 MM MA 02648
Representative's Phone(s), Fax and Email 508 280-4688 c patricl	k@pratt.construction
2. Waiver(s) Request - The Planning Board may, upon the requ	est of the applicant, pursuant to \$70.4 E main

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

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

Signature(s)	
Patrick Coffey	Daniel Roche
Applicant(s)/Representative Printed Name(s)	Owner(s) Printed Name(s) or written permission
&7 Celly	see attached
Applicant(s)/Representative Signature(k)	Owner(s) Signature(s) or written permission

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

## PRATT

### CONSTRUCTION CO. BUILDING & REMODELING CONTRACTORS

PO Box 731 ♦ Marstons Mills MA 02648 Tel (508) 420-9333 ♦ Fax (508)420-9733

1:0

5 Aug 2020

To: Rich Stevens, Truro Building Commissioner

From: Patrick Coffey, Pratt Construction

Re: ADDITION BLDG PERMIT APPLICATION, 7 COAST GUARD RD

### 24X31 2-STORY ADDITION PROPOSED

#### [PARDON ALL CAPS !!! LUNCH STUCK IN THE KEYBOARD ?!]

- PAPER SUBMISSION TOMORROW TO INCLUDE OWNER AUTH SIGNATURE & SMOKES/CO
- STRUCTURALS PER ARCHITECT S1 & S2 AND PRESCIPTIVE
- NOTE FOUNDATION CLADDING CHANGED TO VENEER STONE SHELF AND FAT FNDTN ELIM, WALLS TO BE POURED 10"
- ENERGY COMPLIANCE: VALUES ON PLAN: WALLS R20 FG, FLOORS R30 FG, ROOF R50 CLOSED CELL. WINDOWS & DOORS MARVIN LO E
- BEDROOM WINDOW EGRESS IN SCHEDULE
- PROPOSED ADDITION IS IN PRESENT GRAVEL PARKING, NORTH OF EXISTING HOME
- WE HOPE TO BREAK GROUND DAY AFTER LABOR DAY, 8 SEPT, 5 WEEKS HENCE
- ANYTHING I DON'T KNOW ABOUT SEASHORE NOTIFICATION? IT'S NEW TO ME

GLAD TO BE BACK IN GOD'S COUNTRY, NORTH TRURO. SEE YOU SOON

PATRICK COFFEY <u>PATRICK@PRATT.CONSTRUCTION</u> 5082804688 C



CONSTRUCTION CO. BUILDING & REMODELING CONTRACTORS

### MICHAEL BROOKE

c 617.721.1369 o 508.420.9333 f 508.420.9733 mikeondarkstar@aol.com 153 Lovell's Lane/Box 731 Marstons Mills MA 02648



**BUILDING & REMODELING CONTRACTORS** 

#### PATRICK COFFEY

c 508.280.4688 o 508.420.9333 f 508.420.9733

patrick@pratt.construction 153 Lovell's Lane/Box 731 Marstons Mills, MA 02648

	Building Permit Application       Town of Truco         Massachusetts State Building Code, 780 CMR, 9 <sup>th</sup> Edition       Building Department         Permit #:       Fee:         Permit #:       Fee:					
	SITE INFORMATION					
	Assessors Map & Parcel: 34-5-0 Zoning District: SCASHORE					
	Outside Flood Zone					
05710	Setbacks: Front: 165 Left Side: 720 Right Side: 46 Rear: 80					
	Lot Area (sq. ft.) $\exists A c e t$ Frontage: Subject to Policy 28: Curb Cut?					
	Water Supply: Private Public If Yes, please attach a copy of the approval to this application.					
	SUBJECT TO NHESP/MESA REVIEW? I Y IN * IF YES, PLEASE ATTACH A COPY OF THE APPROVAL.					
	PROPERTY OWNERSHIP					
	Owner of Record: DANIEL F. ROCHE					
	Mailing Address: 257 DEDHAM ST. DOVER MA 02030					
	Phone: 7817490060 E-mail: DFR 5000 CMH00. COM					
	Property Owner Authorization					
	Signature: PNDG Date:					
	PROJECT INFORMATION					
	Image: 1 & 2 Family Home       Commercial / Other than       Image: Commercial / Other than       Image: Commercial / Other than         Image: 1 & 2 Family Home       Image: Commercial / Other than       Image: Commercial / Other than       Image: Commercial / Other than         Image: 1 & 2 Family Home       Image: Commercial / Other than       Image: Commercial / Other than       Image: Commercial / Other than         Image: 1 & 2 Family Home       Image: Commercial / Other than       Image: Commercial / Other than       Image: Commercial / Other than         Image: 1 & 2 Family Home       Image: Commercial / Other than       Image: Commercial / Other than       Image: Commercial / Other than         Image: 1 & 2 Family Home       Image: Commercial / Other than       Image: Commercial / Other than       Image: Commercial / Other than         Image: 1 & 2 Family Home       Image: Commercial / Other than       Image: Commercial / Other than       Image: Commercial / Other than         Image: 1 & 2 Family Home       Image: Commercial / Other than       Image: Commercial / Other than       Image: Commercial / Other than         Image: 1 & 2 Family Home       Image: Commercial / Other than       Image: Commercial / Other than       Image: Commercial / Other than         Image: 1 & 2 Family Home       Image: Commercial / Other than       Image: Commercial / Other than       Image: Commercial / Other than         Image: 1 & 2 Family Home       Image: Comme					
	* BUILDINGS IN EXCESS OF 35,000 CU. FT. MUST MEET CONTROL CONSTRUCTION REGULATIONS (780 CMR 116). ADDENDUM TO PERMIT APPLICATION AVAILABLE IN BUILDING DEPARTMENT.					
	New Dwelling: # of units					
	Addition Alteration Mechanical					
	Accessory Structure: (type) Other:					
	Detailed Description of Proposed Work: 					

	507,000	Debris Disposal: (Landfill or Company Name) NAUSET
Floor Area: (Proposed Work Only)		ished CRAUL finished 1758
1 <sup>st</sup> flr: 744 2 <sup>nd</sup> flr:	700	Porch/Deck: 50 Other:
#fireplaces: N/A #chimne		#bathrooms: existing 3,5_ proposed
#bedrooms: existing p		
Type of Heating System: VIA	200 AIR	Type of Cooling System: COOL ALR
*HOMEOWNER'S AFFIDAVIT REG	CONTRACTOR I	NFORMATION* OING THEIR OWN WORK (RESIDENTIAL PROJECTS ONLY)
	1	TION COMPANY INC
	LLSLH/Pa	Box 731 MM 02648
Phone:	613 721 131	BOX 731 MM 02648 Email: 9 MICHAEL CPROTT. CONSTR
CSL#: CS - 28 94	55 HIC #C	170619 1000
- ///	OFFIC	
	01 R 5000	Date: 0200 PARTIE
BUILDING COMMISSIONER Re	eview & Approval:	
Signature:		Issuance Date:

## PRATT

CONSTRUCTION CO. BUILDING & REMODELING CONTRACTORS

PO Box 731 Marstons Mills MA 02648 Tel (508) 420-9333 Fox (508)420-9733

### TRANSMITTAL

13 Sept 2020

To: Town Clerk, Town of Truro

Town Planner, Town of Truro

### Re: APPLICATION FOR RESIDENTIAL SITE PLAN REVIEW

7 Coast Guard Rd, Daniel Roche residence, addition

Attached please find docs for residential site plan review: forms, checklist, criteria addressed, existing site plan, architectural plans, Town map, google earth shots, assessors card, fee check scan.

We are submitting by Monday 14 Sept noon for 21 Oct hearing date

Not included w/ this E-transmittal are new site plan, calcs, abutter certified list

All to be submitted on paper, 15 copies, a.m. tomorrow

Thank you for your attention to this matter

Patrick Coffey

patrick@pratt.construction

5082804688 c



### **Town of Truro Planning Board**

P.O. Box 2030, Truro, MA 02666

### APPLICATION FOR RESIDENTIAL SITE PLAN REVIEW

To the Town Clerk and the Planning Board of the Town of Truro, MA	Date	12 Sept 2020
The undersigned hereby files an application with the Truro Planning Board for the	followin	g:

Site Plan Review pursuant to §70 of the Truro Zoning Bylaw

□ Waiver of Site Plan Review pursuant to §70.9 of the Truro Zoning Bylaw (Note: Site Plan Review shall <u>not</u> be waived in the Seashore District)

1. Conversible formation
1. General Information
Description of Property and Proposed Project
residential 2-story addition 744sf footprint to an existing 3018 net sf home
adds family room 1st fl & bedroom with bath above. Site is 3 acres
Property Address 7 Coast Guard Rd Map(s) and Parcel(s) 34-5 0
Registry of Deeds title reference: Book 13174 , Page 177 , or Certificate of Title
Number and Land Ct. Lot # and Plan #
Applicant's Name Daniel F Roche
Applicant's Legal Mailing Address 287 Dedham St Dover MA 02030
Applicant's Phone(s), Fax and Email
Applicant is one of the following: (please check appropriate box) *Written Permission of the owner is required for submittal of this application.
Owner Prospective Buyer* Other*
Owner's Name and Addressabove
Representative's Name and Address Patrick Coffey, Pratt Construction, PO Box 731 MM MA 02648
Representative's Phone(s), Fax and Email 508 280-4688 c patrick@pratt.construction
2. Waiver(s) Request – The Planning Board may, upon the request of the applicant, pursuant to \$70.4.F. waiv

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

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

nature(s)	
Patrick Coffey	Daniel Roche
Applicant(s)/Representative Printed Name(s)	Owner(s) Printed Name(s) or written permission
PTCelly	see attached
Applicant(s)/Representative Signature(s)	Owner(s) Signature(s) or written permission
ipping (c), up is a set of the pp	o merto bianani eto or mineri permission

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

Owner : Daniel Roche Mailing Address: 287 Dedham St Dover MA 02030 Phore: 212-203-8565 Email DFT2 5000 & Yahoo.com August 6, 2020 Building Permit Sub: 7 Coast Guard Rd Truro Pratt Construction is authorized to prodered as general contractor Daniel Roche -LAN

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

Address: <u>7 Coast Guard Rd</u> Applicant Name: <u>DF Roche</u> Date: <u>12 Sept 20</u> .				
No.	Requirement	Included	Not Included	Explanation, if needed
<u>C. Pro</u>	cedures and Plan Requirements			
la.	An original and 14 copies of the Application for Site Plan Review	X		
lb.	15 copies of the required plans and other required information including this Checklist	X		
lc.	Completed Criteria Review	X		
ld.	Certified copy of the abutters list obtained from the Truro Assessors Office	X		
le	Applicable filing fee	X		
	Site Plans			
2a.	Site Plans shall be prepared, stamped and signed by a Registered Land Surveyor and Professional Engineer	x		
2b.	Site Plans shall be prepared at a scale of one inch equals forty feet (1"=40') or larger	X		3 ac does not fit page
3	Site Plan shall include the following:			
3a. 1	North Arrow and a locus plan containing sufficient information to locate the subject property, such as streets bounding or providing access to the property.	х		
3a. 2	Zoning Information: All applicable Zoning Bylaw information regarding the site's development, both existing and proposed conditions. This information shall be placed in a table format which must list all setbacks; percent of lot coverage, broken out between building, pavement, landscape coverage, etc.; number of buildings; total amount of square feet; and any other applicable zoning information necessary for the proper review of the site plan.	x		
	Existing:			
	All setbacks	<u> </u>		
	Percent (%) of lot coverage broken out between building, pavement, landscape	Х		
	coverage, etc.;			
	Number of buildings	X		
	Total number of square feet	X		
	Any other applicable zoning information necessary for the proper review of the site plan	х		

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

Address: 7 Coast Guard Rd Applicant Name: DF Roche Date: 12 Sept 20				
No.	Requirement	Included	Not Included	Explanation, if needed
	Proposed:			
	All setbacks			
	Percent (%) of lot coverage broken out between building, pavement, landscape			
	coverage, etc.;	-/		
	Number of buildings			
	Total number of square feet			
	Any other applicable zoning information necessary for the proper review of the site plan			
	Assessor and Deed Information: The Truro Assessors Atlas Map(s) and Parcel(s) numbers	1		
3a. 3	and all plan and deed references.			
3a. 4	Graphic Scale			
3a. 5	Title Block - Including:	/		
	name and description of the project;	7		
	address of the property;	<b>7</b>		
	names of the record owner(s) and the applicant(s); and			
	date of the preparation of the plan(s) and subsequent revision dates			
3a. 6	Legend of All Symbols			
3a. 7	Property boundaries, dimensions and lot area			
3a. 8	Topography and grading plan			
3a. 9	Location, including setbacks of all existing and proposed buildings and additions			
3a. 10	Septic system location	/		
3a. 11	Location of (as applicable):			
	wetlands			
	the National Flood Insurance Program flood hazard elevation, and			NA
	Massachusetts Natural Heritage Endangered Species Act jurisdiction			NA
3a. 12	Driveway(s) and driveway opening(s)			existing
3a. 13	Existing and proposed lighting			
3a. 14	Existing landscape features both vegetative and structural			level parking area
3a. 15	Limit of work area (area to be disturbed during construction, including parking and storage of vehicles and equipment) and work staging area(s)			parking gravel & meadow

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

Addre	ss: 7 Coast Guard Rd Applicant Name: DF Roche	Date: <u>12 Sept 20</u> .		
No.	Requirement	Included	Not Included	Explanation, if needed
	Architectural Plans			
3b.	Architectural plans with all dimensions at a scale of no less than $1/8^{\circ} = 1^{\circ}-0^{\circ}$ , including:	J,		
	elevations			
	floor plans			
3c.	Lighting specification, including style and wattage(s)	5		100w equiv door sconce
	Neighborhood Context:			
3d.	Photographs or other readily available data concerning the location and size of buildings on lots adjacent to or visible from the lot under consideration in order to provide a neighborhood context for the property under consideration	х		google earth & town
3e.	Re-vegetation/Landscaping plan, including both vegetative and structural features		x	present parking area, level

### **ADDRESSING THE REVIEW CRITERIA**

### § 70.1 PURPOSE

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

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

### §70.4D – REVIEW CRITERIA

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

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

proposed 744sf addition footprint on north of existing home is on level existing gravel parking area. No topo change. East & west sides body of addition max solar gain and wind orientation. New construction to be code + foam insulation & lo-E Marvin fenestration for energy conservation

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

2 agent aita in in	mana maishhanhaa	d of lance	late mith for	. compressed house
5 acre sile is in s	sparse neignbornoo	d of large	lots with lew	, separated homes.
•	F			, F

design & material of addition work is a match for existing and is consistent with,

complimentary to, neighboring distant structures; shingle style New England

gambrel. This home & addition is invisible to the public way, masked by 500'

setback/top/vegetation: new lighting is nil: 1/100w equivalent door sconce.

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

proposed addition is to be in area of adjacent level gravel parking lot. new parking,
gravel, to be to north in near level meadow area - 2' contour in 200'

site disruption is limited to crawl space foundation, no contour grading,

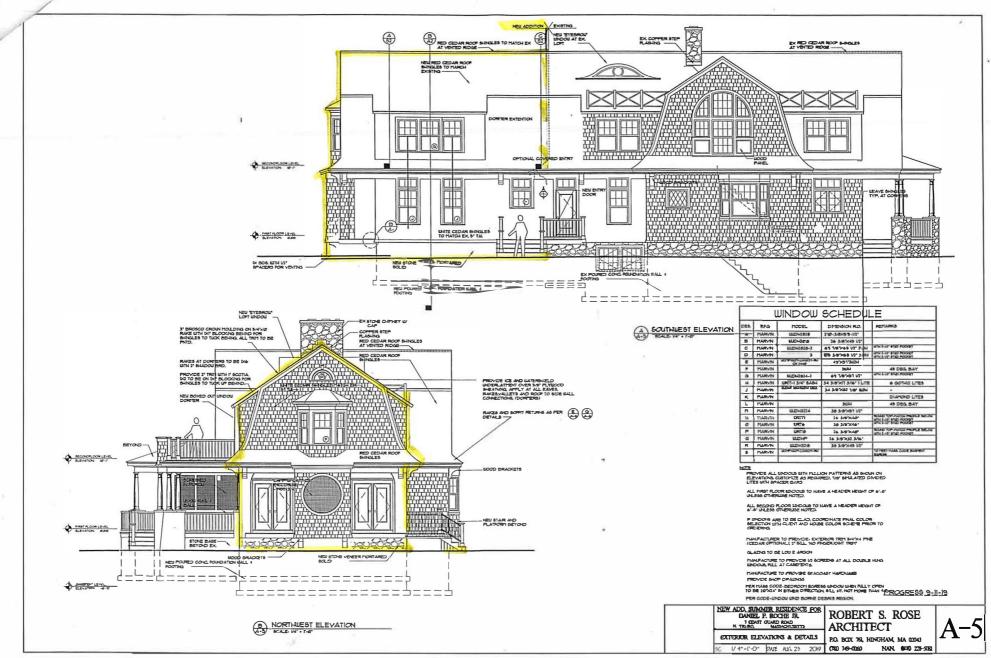
vegetation removal limited to meadow grasses

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

existing 1959 curb cut onto traveled way serves well with no modification necessary

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

lighting proposed is limited to code required new addition main entrance door sconce: 1/100w equivalent door sconce

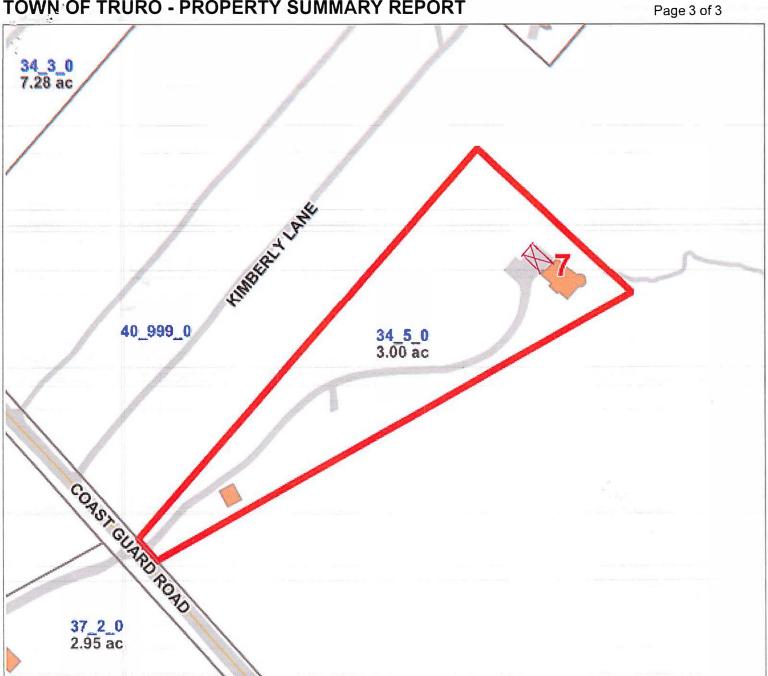


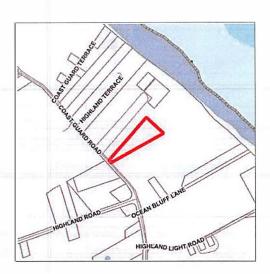
21

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TOWN OF TRURO - PROPERTY SUMMARY REPORT









Historic District

3

Historic District MONOMOY NATIONAL WILDLIFE REFUGE

Feature 7

puəbəŋ

Technologies

e Earth

G

202

2020 Goog

State of the second

40 ft

N

### TOWN OF TRURO - PROPERTY SUMMARY REPORT

PARCEL	34-5-0	KEY:	742	LOCATION:	7 COAST GUARD	RD
CURRENT O	WNER	The second secon	FY	2020 PARCEL	VALUE	
ROCHE DAN	IEL F JR,		LAN	D VAL:	\$1,767,300.00	
287 DEDHAN	1 STREET		BUI	DING VAL:	\$776,700.00	
			DET	ACH VAL:	\$1,400.00	
DOVER, MA	02030		APF	PR VAL:	\$2,545,400.00	
			TAX	VAL:	\$2,545,400.00	
	1. * 1. *			19 (c)		

14			- / 4
STATE CLASS:	1090	ZONING:	NAT'L SEASHORE
DESCRIPTION:	MULTIPLE HSES	BILL SQ FT:	130680

SALES HISTORY						
OWNER	SALE TYPE	BOOK / PAGE	SALE DATE	SALE PRICE		
ROCHE DANIEL F JR	QS	13174 / 177	10-Aug-2000	\$ 430,000		
NEWBOLD HOPE M ESTATE OF	99	CTF UNRECRD	01-Oct-1999	\$ O		
NEWBOLD HOPE M ESTATE OF	99	6834 / 188	07-Aug-1989	\$ 0		

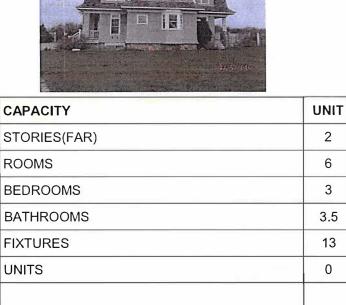
BUILDING	1 <b>KEY</b> : 742	LOCATION: 7 COAST GUARD RD
YEAR BUILT	2003	
STYLE	COLONIAL	
QUALITY	V	
NET SF	3018	
DATE MEASU	IRED 17-Oct-2012	

ELEMENT	DESCRIPTION	CD
FOUNDATION	BSMT WALL	4
EXT. COVER	WOOD SHINGLES	1
ROOF SHAPE	GAMBRELL	3
ROOF COVER	WOOD SHINGLES	2
FLOOR COVER	SOFTWOOD	2
INT. FINISH	PLASTER	1
HEATING/COOL	WARM/COOL AIR	9
FUEL SOURCE	N/A	99

17-Oct-2012

DATE LISTED

Ŀ.



Page 1 of 3



Owner information is required for ev page.

# Commonwealth of Massachusetts Title 5 Official Inspection Form

Subsurface Sewage Disposal System Form - Not for Voluntary Assessments

MA	02666	8/20/2020
State	Zip Code	Date of Inspection

Inspection results must be submitted on this form. Inspection forms may not be altered in any way. Please see completeness checklist at the end of the form.

Important: When filling out forms on the computer, use only the tab key to move your cursor - do not use the return key.



### A. Inspector Information

Nathan Brintnall		
Name of Inspector		
John F. Noons, Inc.		
Company Name		
PO Box 23		
Company Address		
North Truro	MA	02652
City/Town	State	Zip Code
508-487-1199	SI13981	
Telephone Number	License Number	

### **B.** Certification

I certify that: I am a DEP approved system inspector in full compliance with Section 15.340 of Title 5 (310 CMR 15.000); I have personally inspected the sewage disposal system at the property address listed above; the information reported below is true, accurate and complete as of the time of my inspection; and the inspection was performed based on my training and experience in the proper function and maintenance of on-site sewage disposal systems. After conducting this inspection I have determined that the system:

- 1. 🛛 Passes
- 2. Conditionally Passes
- 3. I Needs Further Evaluation by the Local Approving Authority
- 4. 🗌 Fails

Inspector's Signature

8/20/2020 Date

The system inspector shall submit a copy of this inspection report to the Approving Authority (Board of Health or DEP) within 30 days of completing this inspection. If the system has a design flow of 10,000 gpd or greater, the inspector and the system owner shall submit the report to the appropriate regional office of the DEP. The original form should be sent to the system owner and copies sent to the buyer, if applicable, and the approving authority.

Please note: This report only describes conditions at the time of inspection and under the conditions of use at that time. This inspection does not address how the system will perform in the future under the same or different conditions of use.



### Commonwealth of Massachusetts Title 5 Official Inspection Form

Subsurface Sewage Disposal System Form - Not for Voluntary Assessments

page.	City/Town	State	Zip Code	Date of Inspection	
information is required for every	Truro	MA	02666	8/20/2020	
Owner	Owner's Name				
7223	Daniel Roche				
C	Property Address				
	7 Coast Guard Road			2	

### C. Inspection Summary

Inspection Summary: Complete 1, 2, 3, or 5 and all of 4 and 6.

#### 1) System Passes:

I have not found any information which indicates that any of the failure criteria described in 310 CMR 15.303 or in 310 CMR 15.304 exist. Any failure criteria not evaluated are indicated below.

Comments:

### 2) System Conditionally Passes:

One or more system components as described in the "Conditional Pass" section need to be replaced or repaired. The system, upon completion of the replacement or repair, as approved by the Board of Health, will pass.

Check the box for "yes", "no" or "not determined" (Y, N, ND) for the following statements. If "not determined," please explain.

The septic tank is metal and over 20 years old\* or the septic tank (whether metal or not) is structurally unsound, exhibits substantial infiltration or exfiltration or tank failure is imminent. System will pass inspection if the existing tank is replaced with a complying septic tank as approved by the Board of Health.

\* A metal septic tank will pass inspection if it is structurally sound, not leaking and if a Certificate of Compliance indicating that the tank is less than 20 years old is available.

ΠΥ N ND (Explain below):



### **Commonwealth of Massachusetts** Title 5 Official Inspection Form

Subsurface Sewage Disposal System Form - Not for Voluntary Assessments

information is	Owner's Name	02666	8/20/2020
Owner	Owner's Name		
	Daniel Roche		
0	Property Address		
	7 Coast Guard Road		

### C. Inspection Summary (cont.)

2)	System Conditionally Passes (cont.):	
	Pump Chamber pumps/alarms not operational. System will pass with Board of Health a pumps/alarms are repaired.	pproval if

Observation of sewage backup or break out or high static water level in the distribution box due to broken or obstructed pipe(s) or due to a broken, settled or uneven distribution box. System will pass inspection if (with approval of Board of Health):

	broken pipe(s) are replaced	Δ Υ	🗌 N	D (Explain below):
	obstruction is removed	Π Υ	🗌 N	ND (Explain below):
	distribution box is leveled or replaced	□ Y	🗆 N	ND (Explain below):
	stem required pumping more than 4 time will pass inspection if (with approval of t			
	will pass inspection if (with approval of t		d of Hea	lth):
	will pass inspection if (with approval of t broken pipe(s) are replaced	he Board	d of Hea	Ith):
	will pass inspection if (with approval of t broken pipe(s) are replaced	he Board	d of Hea	Ith):
	will pass inspection if (with approval of t broken pipe(s) are replaced	he Board	d of Hea	Ith):

### 3) Further Evaluation is Required by the Board of Health:

Conditions exist which require further evaluation by the Board of Health in order to determine if the system is failing to protect public health, safety or the environment.

a. System will pass unless Board of Health determines in accordance with 310 CMR 15.303(1)(b) that the system is not functioning in a manner which will protect public health, safety and the environment:



### **Commonwealth of Massachusetts** Title 5 Official Inspection Form

Subsurface Sewage Disposal System Form - Not for Voluntary Assessments

page.	City/Town	State	Zip Code	Date of Inspection	
information is required for every	Truro	MA	02666	8/20/2020	F
Owner	Owner's Name				
	Daniel Roche				
)	Property Address				
	7 Coast Guard Road				1.2

### C. Inspection Summary (cont.)

П Cesspool or privy is within 50 feet of a surface water

Cesspool or privy is within 50 feet of a bordering vegetated wetland or a salt marsh  $\square$ 

b. System will fail unless the Board of Health (and Public Water Supplier, if any) determines that the system is functioning in a manner that protects the public health, safety and environment:

The system has a septic tank and soil absorption system (SAS) and the SAS is within 100 feet of a surface water supply or tributary to a surface water supply.

The system has a septic tank and SAS and the SAS is within a Zone 1 of a public water supply.

The system has a septic tank and SAS and the SAS is within 50 feet of a private water supply well.

The system has a septic tank and SAS and the SAS is less than 100 feet but 50 feet or more from a private water supply well\*\*.

Method used to determine distance:

\*\* This system passes if the well water analysis, performed at a DEP certified laboratory, for fecal coliform bacteria indicates absent and the presence of ammonia nitrogen and nitrate nitrogen is equal to or less than 5 ppm, provided that no other failure criteria are triggered. A copy of the analysis must be attached to this form.

c. Other:

4) System Failure Criteria Applicable to All Systems:

You must indicate "Yes" or "No" to each of the following for all inspections:

Yes	No	
	$\boxtimes$	Backup of sewage into facility or system component due to overloaded or clogged SAS or cesspool
	$\boxtimes$	Discharge or ponding of effluent to the surface of the ground or surface waters due to an overloaded or clogged SAS or cesspool



## **Commonwealth of Massachusetts** Title 5 Official Inspection Form Subsurface Sewage Disposal System Form - Not for Voluntary Assessments

Owner Owner's Name	information is	Truro	MA	02666	8/20/2020	
Daniel Roche				02666	8/20/2020	
	Owner					
7 Coast Guard Road	0	Property Address				

### C. Inspection Summary (cont.)

### 4) System Failure Criteria Applicable to All Systems: (cont.)

	Yes	No			
		$\boxtimes$	Static liquid level in the distribution box above outlet invert due to an overloaded or clogged SAS or cesspool		
		$\boxtimes$	Liquid depth in cesspool is less than 6" below invert or available volume is less than $\frac{1}{2}$ day flow		
		$\boxtimes$	Required pumping more than 4 times in the last year <i>NOT</i> due to clogged or obstructed pipe(s). Number of times pumped:		
		$\boxtimes$	Any portion of the SAS, cesspool or privy is below high ground water elevation.		
		$\boxtimes$	Any portion of cesspool or privy is within 100 feet of a surface water supply or tributary to a surface water supply.		
		$\boxtimes$	Any portion of a cesspool or privy is within a Zone 1 of a public water supply well.		
		$\boxtimes$	Any portion of a cesspool or privy is within 50 feet of a private water supply well.		
			Any portion of a cesspool or privy is less than 100 feet but greater than 50 feet from a private water supply well with no acceptable water quality analysis. [This system passes if the well water analysis, performed at a DEP certified laboratory, for fecal coliform bacteria indicates absent and the presence of ammonia nitrogen and nitrate nitrogen is equal to or less than 5 ppm, provided that no other failure criteria are triggered. A copy of the analysis and chain of custody must be attached to this form.]		
		$\boxtimes$	The system is a cesspool serving a facility with a design flow of 2000 gpd- 10,000 gpd.		
			The system <u>fails</u> . I have determined that one or more of the above failure criteria exist as described in 310 CMR 15.303, therefore the system fails. The system owner should contact the Board of Health to determine what will be necessary to correct the failure.		
de Fo	Large Systems: To be considered a large system the system must serve a facility with a design flow of 10,000 gpd to 15,000 gpd. For large systems, you must indicate either "yes" or "no" to each of the following, in addition to the questions in Section C.4.				

No	
	the system is within 400 feet of a surface drinking water supply
	the system is within 200 feet of a tributary to a surface drinking water supply
	the system is located in a nitrogen sensitive area (Interim Wellhead Protection Area – IWPA) or a mapped Zone II of a public water supply well
	No

5)



### **Commonwealth of Massachusetts Title 5 Official Inspection Form**

Subsurface Sewage Disposal System Form - Not for Voluntary Assessments

page.	City/Town	State	Zip Code	Date of Inspection	
information is required for every	Truro	MA	02666	8/20/2020	
Owner	Owner's Name				0
	Daniel Roche				
0	Property Address				
	7 Coast Guard Road			2	

### C. Inspection Summary (cont.)

If you have answered "yes" to any question in Section C.5 the system is considered a significant threat, or answered "yes" to any question in Section C.4 above the large system has failed. The owner or operator of any large system considered a significant threat under Section C.5 or failed under Section C.4 shall upgrade the system in accordance with 310 CMR 15.304. The system owner should contact the appropriate regional office of the Department.

### 6. You must indicate "yes" or "no" for each of the following for all inspections:

Yes	No	
$\boxtimes$		Pumping information was provided by the owner, occupant, or Board of Health
	$\boxtimes$	Were any of the system components pumped out in the previous two weeks?
$\boxtimes$		Has the system received normal flows in the previous two week period?
	$\boxtimes$	Have large volumes of water been introduced to the system recently or as part of this inspection?
$\boxtimes$		Were as built plans of the system obtained and examined? (If they were not available note as N/A)
$\boxtimes$		Was the facility or dwelling inspected for signs of sewage back up?
$\boxtimes$		Was the site inspected for signs of break out?
$\boxtimes$		Were all system components, excluding the SAS, located on site?
		Were the septic tank manholes uncovered, opened, and the interior of the tank inspected for the condition of the baffles or tees, material of construction, dimensions, depth of liquid, depth of sludge and depth of scum?
		Was the facility owner (and occupants if different from owner) provided with information on the proper maintenance of subsurface sewage disposal systems? The <b>size and location of the Soil Absorption System (SAS)</b> on the site has been determined based on:
$\boxtimes$		Existing information. For example, a plan at the Board of Health.
$\boxtimes$		Determined in the field (if any of the failure criteria related to Part C is at issue approximation of distance is unacceptable) [310 CMR 15.302(5)]



	7 Coast Guard Road							
	Property Address							
Owner	Daniel Roche							
information is	Owner's Name Truro	MA	02666	8/20/2020				
required for every page.	City/Town	State	Zip Code	Date of Inspecti	on			
page.	D. System Information							
	1. Residential Flow Conditions:							
	Number of bedrooms (design):		Number of bed	rooms (actual):		4		
	DESIGN flow based on 310 CMR 15.20	)3 (for examp	ole: 110 gpd x # 0	of bedrooms):		660		
	Description:							
	Number of current residents:					2		
	Does residence have a garbage grinde	r?				Yes	$\boxtimes$	No
	Does residence have a water treatment	unit?				Yes	$\boxtimes$	No
	If yes, discharges to:							
	Is laundry on a separate sewage syster information in this report.)	n? (Include la	aundry system ir	spection		Yes	$\boxtimes$	No
	Laundry system inspected?					Yes		No
	Seasonal use?				$\boxtimes$	Yes		No
	Water meter readings, if available (last	2 years usag	e (gpd)):					
	Detail: well water							
	Sump pump?					Yes	$\boxtimes$	No
	Last data of occurancy:				curr	rent		
	Last date of occupancy:				Date	•		



	7 C	oast Guard Road								
10 <sup>10</sup>	- 12 STR	perty Address				-				
Owner		niel Roche				(*** ***				
information is		ner's Name	MA	00	2666	0/20/202	0			
required for every page.	Tru City	/Town	Stat		o Code	8/20/202 Date of Ins				
page.		System Information (cont.)		- 1,1-1-						
	2.	Commercial/Industrial Flow Conditions:								
		Type of Establishment:								
		Design flow (based on 310 CMR 15.203):			Gallons pe	er day (gpd)				
		Basis of design flow (seats/persons/sq.ft., et	tc.):							
		Grease trap present?						Yes		No
		Water treatment unit present?						Yes		No
		If yes, discharges to:								
		Industrial waste holding tank present?						Yes		No
		Non-sanitary waste discharged to the Title 5	ō sys	tem?				Yes		No
		Water meter readings, if available:								
		Last date of occupancy/use:			Date					
		Other (describe below):								
±′ +										
	3.	Pumping Records:								
		Source of information:	_	7/21/2016	Health Dep	partment				
		Was system pumped as part of the inspectio				۵	🛛 Yes	<u>ч</u>	١o	
		If yes, volume pumped:	9	1500 gallo <sub>gallons</sub>						
		How was quantity pumped determined?	-	gauge on		tion				
		Reason for pumping:		maintenar	ice / inspec	uon				



	Property Address				
	Daniel Roche Owner's Name				
on is	Truro		MA	02666	8/20/2020
for every	City/Town		State	Zip Code	Date of Inspection
	D. System	Information (cont.)	•		·
	4. Type of Sy	stem:			
	$\boxtimes$	Septic tank, distribution bo	x, soil abs	orption system	
		Single cesspool			
		Overflow cesspool			
		Privy			
		Shared system (yes or no)	(if yes, att	ach previous in	spection records, if any)
		Innovative/Alternative tech maintenance contract (to b inspection of the I/A syster	e obtained	from system c	owner) and a copy of latest
		Tight tank. Attach a copy c	f the DEP	approval.	
		Other (describe):			
	_				
	October 200 Were sewa	e age of all components, date in 02 as-built card on file ge odors detected when arriving			urce of information:
	October 200 Were sewa	02 as-built card on file		e?	🗌 Yes 🖾 No
	October 200 Were sewa	02 as-built card on file ge odors detected when arriving ewer (locate on site plan):		e? 4 fi	🗌 Yes 🖾 No
	October 200 Were sewa 5. Building So Depth below	02 as-built card on file ge odors detected when arriving ewer (locate on site plan):		e?	🗌 Yes 🖾 No
	October 200 Were sewa 5. Building So Depth below	02 as-built card on file ge odors detected when arriving <b>ewer</b> (locate on site plan): w grade: construction:		e? <u>4</u> fi	🗌 Yes 🖾 No
	October 200 Were sewa 5. Building S Depth below Material of Cast iron	02 as-built card on file ge odors detected when arriving <b>ewer</b> (locate on site plan): w grade: construction:	g at the site	e? 4 fi feet explain):	☐ Yes ⊠ No
	October 200 Were sewa 5. Building Se Depth below Material of Cast iron Distance fro	02 as-built card on file ge odors detected when arriving ewer (locate on site plan): w grade: construction:	g at the site	e? <u>4 fi</u> feel explain): e: <u>fee</u> l	☐ Yes ⊠ No



		Coast Guard Road				. Cas 1	1 mg
)		perty Address					
Owner	_	niel Roche				1	
information is		ner's Name		MA	02666	0/20/20/	20
required for every		uro //Town		State	Zip Code	8/20/202 Date of In:	V2
page.		. System Inforr	nation (cont.)	otato		Bate of m	
		. System mon	nation (cont.)				
	6.	Septic Tank (locate	on site plan):				
		Depth below grade:			3 fe	ft 6 in et	
		Material of construct	tion:				
		🔀 concrete	metal	☐ fiberglas	s 🗌 po	lyethylene	other (explain)
		to or the or test of					
		If tank is metal, list a	ade.				
			.901		ує	ars	
		Is age confirmed by	a Certificate of Cor	npliance? (atta	ach a copy of	certificate)	🗌 Yes 🗌 No
		Dimensions:				1500 gallon l	H 10
		Dimensione.				3 in	
		Sludge depth:			-	5 111	
		Distance from top of	f sludge to bottom o	of outlet tee or	baffle	23 in	
		anon albudabaan araasan iyo karaataa karaa				3 in	
		Scum thickness					
		Distance from top of	f scum to top of out	let tee or baffle	9 -	6 in	
		Distance from botto	m of scum to bottor	n of outlet tee	or haffle	9 in	
		Distance norn botto				tono monour	
		How were dimensio	ns determined?			tape measur	e
		liquid levels as relat	ed to outlet invert, e of leaking. The con	evidence of lea crete is in good	akage, etc.):		on, structural integrity, pesent with gas baffle.



	7 Coast Guard Roa	d				
0	Property Address					
Owner	Daniel Roche Owner's Name					
information is	Truro		MA	02666	8/20/202	0
required for every page.	City/Town		State	Zip Code	Date of Ins	
	D. System In	formation (cont	i.)			
	-					
	7. Grease Trap (I	ocate on site plan):				
	Depth below gr	ade:		fe	et	
	Material of cons	struction:				
	Concrete	🗌 metal	☐ fiberglas	s 🗌 po	lyethylene	other (explain):
	Dimensions:					
	Scum thickness	3				
	Distance from t	op of scum to top of c	outlet tee or baffle			
	Distance from b	oottom of scum to bot	tom of outlet tee o	r baffle —		
	Date of last pur	nning.				
		pumping recommend	lations, inlet and o		<sup>ate</sup> Iffle conditior	n structural integrity.
		related to outlet inver				, en detaien megnig,
	8. Tight or Holdin	<b>ng Tank</b> (tank must b	e pumped at time	of inspection)	(locate on s	ite plan):
	Depth below gr	ade:		_		
	Material of cons	struction:				
	concrete	🗌 metal	☐ fiberglas	s 🗌 po	lyethylene	other (explain):
	Dimensions:					
	Capacity:		_			
	5 400		g	allons		
	Design Flow:		g	allons per day		

Title 5 Official Inspection Form: Subsurface Sewage Disposal System • Page 11 of 18



	7 (	Coast Guard Road					
ALL STATE	- APC	Coast Guard Road					
		aniel Roche					
Owner	_	ner's Name					
information is		uro	MA	02666	8/20/2	8/20/2020	
required for every page.	_	y/Town	State	Zip Code	Date of Inspection		
	D	. System Information (cont.)	1 and	f de s	1.1		
	8.	Tight or Holding Tank (cont.)					
		Alarm present:		Yes	No		
		Alarm level:		Alarm in working	order:	🗌 Yes	🗌 No
		Date of last pumping:		Date	5		
		Comments (condition of alarm and float s	witches, e	etc.):			
		* Attach copy of current pumping contract	(required	d). Is copy attache	d?	☐ Yes	🗌 No
	9.	Distribution Box (if present must be ope	ned) (loca	ate on site plan):			
		Depth of liquid level above outlet invert		0			
		Comments (note if box is level and distrib evidence of leakage into or out of box, etc The D-box is 3 feet deep with the cover b not impeding waster flow at this time. Ro vegetation. Attached is a new as-built dra	c.): uilt to gra ots may c	de. The D-b 5 ha	ad some	root infiltratio	on but it is



A CONTRACTOR	7 Coast Guard						
	Property Address Daniel Roche						
Owner nformation is	Owner's Name					·	
required for every	Truro City/Town		MA	02666 Zip Code	8/20/2020 Date of Inspection		
bage.		n Information (cont.)	State		Date of hispe		
	D. Oysten						
	10. Pump Cha	amber (locate on site plan):					
	Pumps in	working order:			🗌 Yes	□ No*	
	Alarms in	working order:			🗌 Yes	□ No*	
	Comments	s (note condition of pump cha	mber, conditi	on of pumps ar	nd appurtenan	ces, etc.):	
	* If pumps	or alarms are not in working	order, system	n is a conditiona	al pass.		
		mation Custom (CAC) (least	on oite alon	every etien net	re autre d'u		
	11. Soll Abso	orption System (SAS) (locate	e on site plan,	excavation not	requirea):		
	If SAS not	located, explain why:					
	Туре:						
		leaching pits		number:			
		leaching chambers		number:		·	
		leaching galleries		number:			
	$\boxtimes$	leaching trenches		number,	length:	5 trenches	
		leaching fields		number,	dimensions:		
		overflow cesspool		number:			
		innovative/alternative sy	stem				
		Type/name of technolog	y:				



## **Commonwealth of Massachusetts Title 5 Official Inspection Form**

Subsurface Sewage Disposal System Form - Not for Voluntary Assessments

page.	City/Town	State	Zip Code	Date of Inspection	
information is required for every	Truro	MA	02666	8/20/2020	
Owner	Owner's Name				
	Daniel Roche				
	Property Address				
	7 Coast Guard Road			C	

### D. System Information (cont.)

#### 11. Soil Absorption System (SAS) (cont.)

Comments (note condition of soil, signs of hydraulic failure, level of ponding, damp soil, condition of vegetation, etc.):

The leach field consists of 5 trenches 15 feet x 50 feet long. I did not excavate the trenches but there are no signs of any failure; no ponding or break-out and no back-up to the D-box.

12. Cesspools (cesspool must be pumped as part of inspection) (locate on site plan):

Number and configuration

Depth - top of liquid to inlet invert

Depth of solids layer

Depth of scum layer

Dimensions of cesspool

Materials of construction

Indication of groundwater inflow

Yes No No

Comments (note condition of soil, signs of hydraulic failure, level of ponding, condition of vegetation, etc.):



## **Commonwealth of Massachusetts** Title 5 Official Inspection Form Subsurface Sewage Disposal System Form - Not for Voluntary Assessments

	7 Coast Guard Road				
	Property Address				
	Daniel Roche				
Owner	Owner's Name				
information is required for every	Truro	MA	02666	8/20/2020	
page.	City/Town	State	Zip Code	Date of Inspection	
age.	D. System Information (cont.)	1 F*6	1		
	13. Privy (locate on site plan):				
	Materials of construction:	1 2 <del></del>		a taka seri ter	
	Dimensions				
	Depth of solids				

Comments (note condition of soil, signs of hydraulic failure, level of ponding, condition of vegetation, etc.):



## **Commonwealth of Massachusetts** Title 5 Official Inspection Form Subsurface Sewage Disposal System Form - Not for Voluntary Assessments

	7 Coast Guard Road				
	Property Address				
	Daniel Roche				
Dwner	Owner's Name				
information is required for every	Truro	MA	02666	8/20/2020	
page.	City/Town	State	Zip Code	Date of Inspection	

### D. System Information (cont.)

### 14. Sketch Of Sewage Disposal System:

Provide a view of the sewage disposal system, including ties to at least two permanent reference landmarks or benchmarks. Locate all wells within 100 feet. Locate where public water supply enters the building. Check one of the boxes below:

hand-sketch in the area below drawing attached separately



	7 Coast Guar	d Road			
	Property Address				
Owner	Daniel Roche Owner's Name				
information is	Truro		MA	02666	8/20/2020
required for every page.	City/Town		State	Zip Code	Date of Inspection
	D. Syster	n Information (cont.)			
	15. Site Exam	n:			
	🛛 Chec	< Slope			
	🛛 Surfa	ce water			
	🛛 Checl	< cellar			
	🛛 Shallo	ow wells			
	Estimated	l depth to high ground water:		botton feet	n of SAS =/- 65 feet
	Please inc	dicate all methods used to deterr	nine the hig	h ground wate	er elevation:
	$\boxtimes$	Obtained from system design	plans on re	cord	
		If checked, date of design plan	n reviewed:	Felco pla Date	an dated Dec 2001
		Observed site (abutting prope	rty/observa	tion hole withi	n 150 feet of SAS)
		Checked with local Board of H	lealth - exp	lain:	
		Checked with local excavators	s, installers	- (attach docu	mentation)
		Accessed USGS database - e	explain:		
	Elevation	t describe how you established th taken from the Felco plan dated red while excavating the test hole	2001 which	n cites USGS (	

Before filing this Inspection Report, please see Report Completeness Checklist on next page.



## **Commonwealth of Massachusetts** Title 5 Official Inspection Form

Subsurface Sewage Disposal System Form - Not for Voluntary Assessments

Owner information is required for every	Truro	MA	02666	8/20/2020	
	Owner's Name				
	Daniel Roche				
)	Property Address				
	7 Coast Guard Road				

### E. Report Completeness Checklist

#### Complete all applicable sections of this form inclusive of:

- A. Inspector Information: Complete all fields in this section.
- B. Certification: Signed & Dated and 1, 2, 3, or 4 checked
- C. Inspection Summary:
  - 1, 2, 3, or 5 completed as appropriate

4 (Failure Criteria) and 6 (Checklist) completed

D. System Information:

For 8: Tight/Holding Tank - Pumping contract attached

For 14: Sketch of Sewage Disposal System drawn on pg. 16 or attached

For 15: Explanation of estimated depth to high groundwater included



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#### **Commonwealth of Massachusetts Title 5 Official Inspection Form** Subsurface Sowage Disposal System Form - Not for Voluntary Assessments

information is required for every

Ŋ	Truro	MA	02666	8/20/2020
	City/Town	State	Zp Code	Date of Inspection
	Daniel Roche Owner's Name			

.....

Inspection results must be submitted on this form. Inspection forms may not be altered in any way. Please see completeness checklist at the end of the form.



#### A. Inspector Information

7 Coast Guard Road

Nathan Brintnall		
Name of Inspector		
John F. Noons, Inc		
Company Name		
PO Box 23		
Company Address		
North Truro	MA	02652
City/Town	State	Zip Code
508-487-1199	SI13981	
Telephone Number	License Number	

#### **B.** Certification

I certify that: I am a DEP approved system inspector in full compliance with Section 15.340 of Title 5 (310 CMR 15.060); I have personally inspected the sewage disposal system at the property address listed above; the information reported below is true, accurate and complete as of the time of my inspection; and the inspection was performed based on my training and experience in the proper function and maintenance of on-site sewage disposal systems. After conducting this inspection I have determined that the system:

1. 🛛 Passes

- 2. [] Conditionally Passes
- 3. 
  Needs Further Evaluation by the Local Approving Authority

4. 🛛 Faits

Genera dat • Nev. 1/26/2018

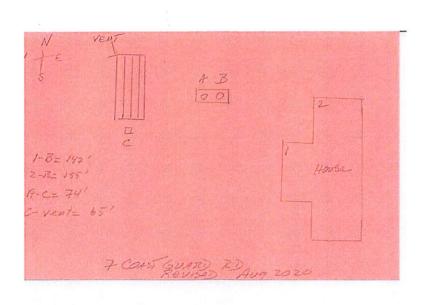
Netto Buntack

8/20/2020 Data

The system inspector shall submit a copy of this inspection report to the Approving Authority (Board of Health or DEP) within 30 days of completing this inspection. If the system has a design flow of 10,000 gpd or greater, the inspector and the system owner shall submit the report to the appropriate regional office of the DEP. The original form should be sent to the system owner and copies sent to the buyer, if applicable, and the approving authority.

Please note: This report only describes conditions at the time of inspection and under the conditions of use at that time. This inspection does not address how the system will perform in the future under the same or different conditions of use.

Talle & Official Inspection Form: Subsurface Sevege Disposal Bystem - Page 1 of 18



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TO THE TREE	TOWN OF TRU Assessors Office Certified Abutters Li Request Form	
		DATE: 4507 20
	PANIEL ROCH	
NAME OF AGENT (if any):	PATRICK COFFEY	PRATT CONSTRUCTION
MAILING ADDRESS:	DBOX 731 MARET	FRATT CONSTRUCTION
CONTACT: HOME/CELL	508 280 4688 EMAIL	COFFEY 7 + MSN. COM
	7 COASTGUARD (street address	
	(street address	)
PROPERTY IDENTIFICATIO	ON NUMBER: MAP $34$ PA	RCEL <u>5</u> EXT. <u>O</u> (if condominium)
ABUTTERS LIST NEEDED F (please check <u>all</u> applicable)	OR: (Fee must accompany the app	FEE: \$15.00 per checked item lication unless other arrangements are made)
Board of Health <sup>5</sup>	Planning Board (PB)	Zoning Board of Appeals (ZBA)
Cape Cod Commission	Special Permit <sup>1</sup>	Special Permit <sup>1</sup>
Conservation Commission <sup>4</sup>	Site Plan <sup>2</sup>	Variance <sup>1</sup>
Licensing	Preliminary Subdivision <sup>3</sup>	
Electioning Type:		
Type:	Accessory Dwelling Unit (A	ADU) <sup>2</sup>
Other		(Fee: Inquire with Assessors)
	(Please Specify)	
<u>Note</u> : Per M.G.L., p	rocessing may take up to 10 calendar do	ays. Please plan accordingly.

	THIS SEC	TION FOR ASSESS	ORS OFFICE USE ONLY
Date request received by List completed by:	Assessors:	9/4/2020	Date completed: 9/4/2020 Date paid: 9/4/2020 Cash/Check 8959

<sup>&</sup>lt;sup>1</sup>Abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line.

<sup>&</sup>lt;sup>2</sup>Abutters to the subject property, abutters to the abutters, and owners of properties across the street from the subject property.

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

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

<sup>&</sup>lt;sup>5</sup>Abutters sharing any boundary or corner in any direction – including land across a street, river or stream. <u>Note</u>: Responsibility of applicant to notify abutters and produce evidence as required.



TRURO ASSESSORS OFFICE PO Box 2012 Truro, MA 02666 Telephone: (508) 214-0921 Fax: (508) 349-5506

Date: September 9, 2020
To: Daniel Roche

c/o Patrick Coffey-Pratt Construction
PO Box 761
Marston Mills, MA 02648

From: Assessors Department
Certified abutters list application for: 7 Coast Guard Rd Map 34 Parcel 5.

Planning Board:

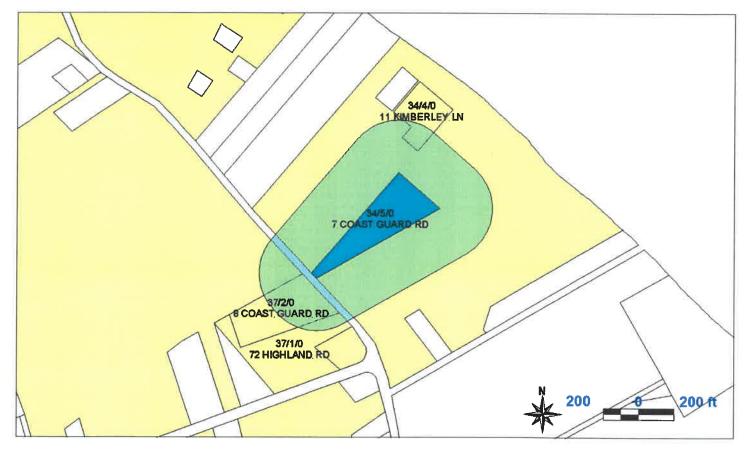
Attached is a list of Truro abutters for the property located at 7 Coast Guard Rd. This includes-abutters to the subject parcel, land owners across the streets and ways, and land owners within 300feet-a reasonable distance of abutters within the National Seashore. The current owner is the Daniel Roche The names and addresses of the abutters are as of August 28, 2020 according to the most recent documents received from the Barnstable County Registry of Deeds.

Certified by:

Jon Nahas Principal Assessor Town of Truro 24 Town Hall Rd PO Box 2012 Truro, MA 02666 508.214.0917 jnahas@truro-ma.gov 7 COAST GUARD RD MAP 34 PARCEL 5 PLANNING BOARD

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

Abutters List Within 300 feet of Parcel 34/5/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
741	34-4-0-R	REZNIKOFF JOHN M	11 KIMBERLEY LN	83 BELDEN HILL RD	WILTON	СТ	06897
742	34-5-0-R	ROCHE DANIEL F JR	7 COAST GUARD RD	287 DEDHAM STREET	DOVER	MA	02030
1107	37-1-0-R	HIGHLAND REAL ESTATE NOM TR TRS: FRANCIS EDGAR W III	72 HIGHLAND RD	PO BOX 826	NO TRURO	MA	02652-0826
1108	37-2-0-R	ANDREWS JANE A	8 COAST GUARD RD	PO BOX 761	NO TRURO	MA	02652-0761
7292	40-999-0-E	USA-DEPT OF INTERIOR Cape Cod National Seashore	0 CAPE COD NATIONAL SEASHORE	99 Marconi Site Rd	Wellfieet	MA	02667

1

REZNIKOFF JOHN M 83 BELDEN HILL RD WILTON, CT 06897 ROCHE DANIEL F JR 287 DEDHAM STREET DOVER, MA 02030

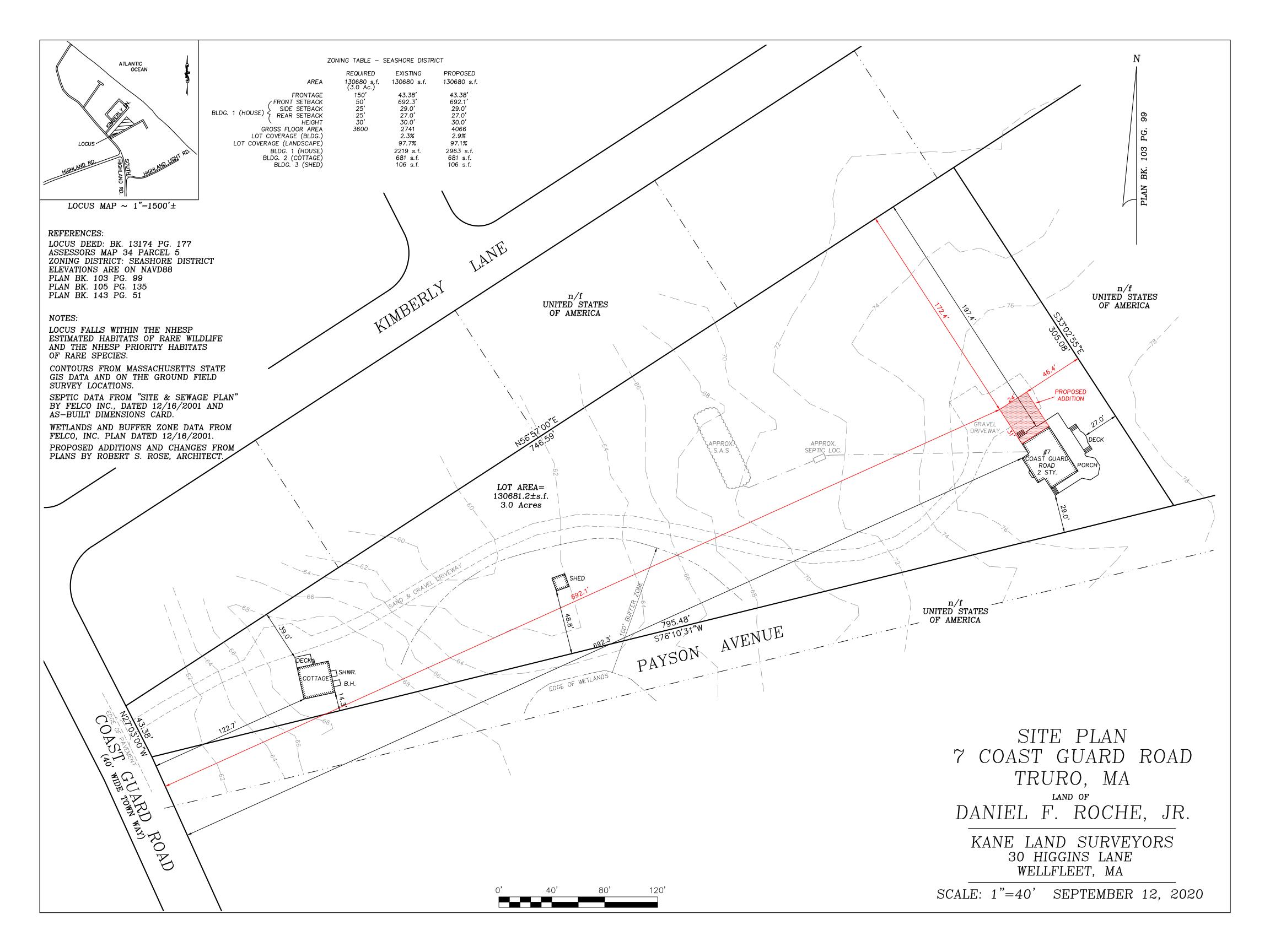
37-2-0-R

ANDREWS JANE A PO BOX 761 NO TRURO, MA 02652-0761 USA-DEPT OF INTERIOR Cape Cod National Seashore 99 Marconi Site Rd Wellfleet, MA 02667

HIGHLAND REAL ESTATE NOM TR TRS: FRANCIS EDGAR W III PO BOX 826 NO TRURO, MA 02652-0826

40-999-0-E

34-5-0-R



#### CONCRETE

- L THE BOTTOM SURFACE OF EACH FOOTING SHALL REST ON UNDISTURBED MATERIAL, WITH 2 T/SF BEARING CAPACITY. 2. NO BACKFILL SHALL BE PLACED AGAINST FOUNDATION WALLS RETAINING EARTH UNLESS WALLS ARE SUFFICIENTLY BRACED TO PREVENT MOVEMENT OR STRUCTURAL DAMAGE
- 3. CONCRETE SHALL HAVE COMPRESSIVE STRENGHT OF AT LEAST 3000
- PSI AT 28 DATS.
- 4. MAXIMUM GLUMP GHALL BE 4"
- 5. CONCRETE SHALL HAVE A 4% AIR ENTRAINED AND SHALL CONFORM TO ASTM C94.
- 6. CONCRETE SHALL CONFORM TO THE LATEST ACL

FC

AT BUBP OUT

- 7. REBAR SHALL CONFORM TO ASTM 615 4 305 F5-24,000 PSI.
- 6. WELDED WIRE MESH SHALL CONFORM TO ASTM 185.
- & SLABS SHALL HAVE A SMOOTH STEEL, TROUBL FINISH.

#### NOTES

ALL CONCRETE WORK SHALL REST ON SOLID BEARING (THIN CAPACITY # 27/8F.) WHERE RESTING ON FILL, SUCH FILL SHALL BE COMPACTED GRANULAR FILL CORPORING TO SECTION 1233.) (COMPACTED GRANULAR FILL), OF THE MASSACHUSETTS BUILDING CODE. NOTIFY ARCHITECT FLESSER CAPACITY MATERIAL IS ENCOUNTERED

COOPERATE WITH ALL OTHER TRADES TO COORDINATE THE INSTALLATION OF SLEEVES, INSERTS, CHASES ETC.

ALL CONCRETE WORK SHALL CONFORM TO THE LATEST ACI STANDARDS, CONCRETE SHALL HAVE A MININUT CONFRESSIVE STRENGTH OF 3000 P31, 0 28 DATS, REBARS SHALL CONFORM TO ASTM 105 1 303, F51.2000 P31, UELDED WIRE MESH SHALL CONFORM TO ASTM 105, SLABS SHALL HAVE A STEEL TROUEL FINISH.

NOTES:

PROVIDE SAW CUTS IN SLAB FOR CONTROL JOINTS

#### STRUCTURAL NOTES:

L THESE NOTES SHALL GOVERN ON ALL STRUCTURAL ELEMENTS INLESS OTHERWISE NOTED ON PLANS. 2. CONTRACTOR SHALL VERITY ALL DIMENSIONS AND CONDITIONS IN THE FIELD, FRICR TO THE START OF CONSTRUCTION ANY DISCREPANCIES SHALL BE EROLISHINT TO THE ATTENTION OF THE ARCHITECT (IN WRITNG) BEFORE PROCEEDING WITH THE AFTECTO PORTICION EWDER, THIS TO INCLUDE BUT LIMITED TO CONTRES SETUEDN STRUCTURAL AND ARCHITECTURAL DRAWINGS & SPECIFICATIONS. ALL MORE THIS INTO A DEALER SHOLL ON ANY DRAWING AND CONSTRUCTIONS SETUEDN STRUCTURAL AND ARCHITECTURAL DRAWINGS & SPECIFICATIONS. SETUEDN STRUCTURAL AND ARCHITECTURAL DRAWINGS & SPECIFICATIONS. SE CONSIDERED TYPICAL FOR ALL SITUAR CONDITIONS SE CONSIDERED TYPICAL FOR ALL SITUAR CONDITIONS. ALL NOUSSTRY SPECIFICATIONS TO BE OF THE LATEST ADDITION. GENERAL NOTES-

LOOD

I STRUCTURAL LIMBER SHALL HAVE A MINIMUM ALLOWAGLE BENDING STREAS (TRU OF 1902) FRI A HORIZONTAL, SHEAR STREAS (TE SH ADD A MINIMUM HOOLLIS OF ELASTICITY (E) OF 1902/920 FRI CORPORATE THE USE OF ALSTICTIVE OF 1902/920 FRI NCORPORATE THE USE OF AUSTI MANAGERS, FRAME JOINTS TO BE A MINIMUM OF 144 ABOVE LVI, OR STELL BEAMS, FROM DE OTHER SIMPSON STROKE THE CORECTONS AS RECOMPEDED BY MANUFACTURER USAN A MINIMUM OF HARVESTER OR RECOMPEDED BY MANUFACTURER USAN A MINIMUM OF HARVESTER OF RECOMPEDED BY MANUFACTURER USAN A MINIMUM OF HARVESTER TO AN ADVISION OF A PROVIDE DOUBLE JOINTS WORKSTER A MINIMUM OF LAND AND HARVESTER THE AND MINIMUM AND OF DOUBLE JOINTS WORKSTER STREAM REMOVED DOUBLE JOINTS WORKSTER THE ARCHITECT. BY THEOR WIETTEN CONSENT FROM THE ARCHITECT.

PRE-ENGINEERED LUMBER

ERED LUTICES I. LATINATED THERE BEAMS (MICRO-LAM OR EQUIVOLENT) SHALL BE NALED WITH THO ROUS OF Kol NALES AT I INCRES ON CENTER 2. PROVIDE WEAVY DUTY CONNECTORS FOR ANY LAMINATED THEBRE BEAMS THAT ARE RUSH REAMED, BUSHT PROPOSED CONNECTORS FOR APPROVAL 3. PROVIDE 3-12 INCRES MINIMUM BEARING WORK LATINATED THEBRE BEAMS, INLESS RUSH FRAMED, SHALL HAVE A MINIMUM ALCULASLE BEADING STRESS (FIS) OF 32620 PSI AND A MINIMUM MODILUS OF ELASTICITY 5° (CF 32002000 PSI. 5. PRO-ENGINEERED LUTIDER GHALL BE PROTECTED FROM MOSTINE DURING CONSTRUCTION.

6. PROVIDE NECESSARY BRACING DURING ERECTION TO KEEP MEMBERS MUMB AND SECURE.

STEEL

L STEEL SHALL BE IN CONFORMANCE WITH THE FOLLOWING: AND SPECIFICATIONS AND SPECIFICATIONS 2. ROLLED SHAPES SHALL BE ASTI A 36 AND SHOP PRIMED WITH THEYEC 38 RED TSTAL, PRIMER CR APPROVED EALAL. 3. WELDS ARE TO BE EXECUTED BY A CERTIFIED WELDER.

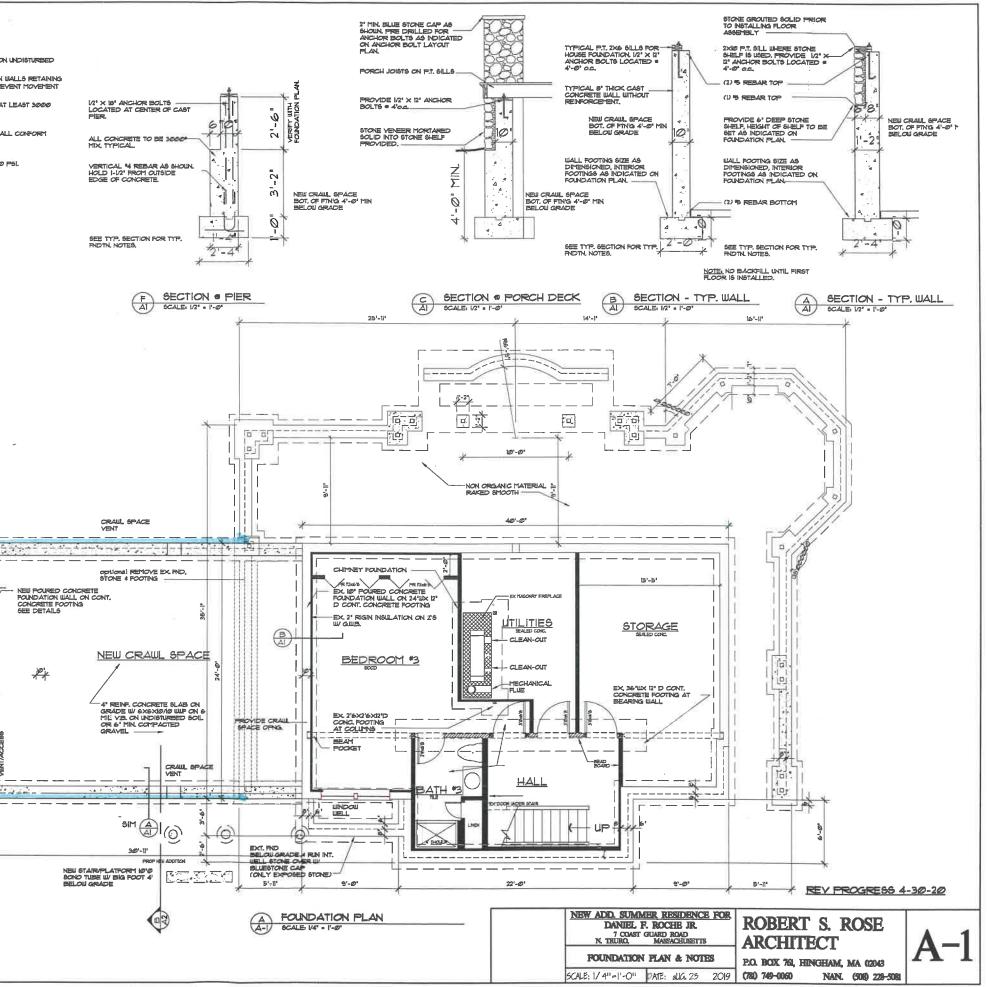
CONCRETE

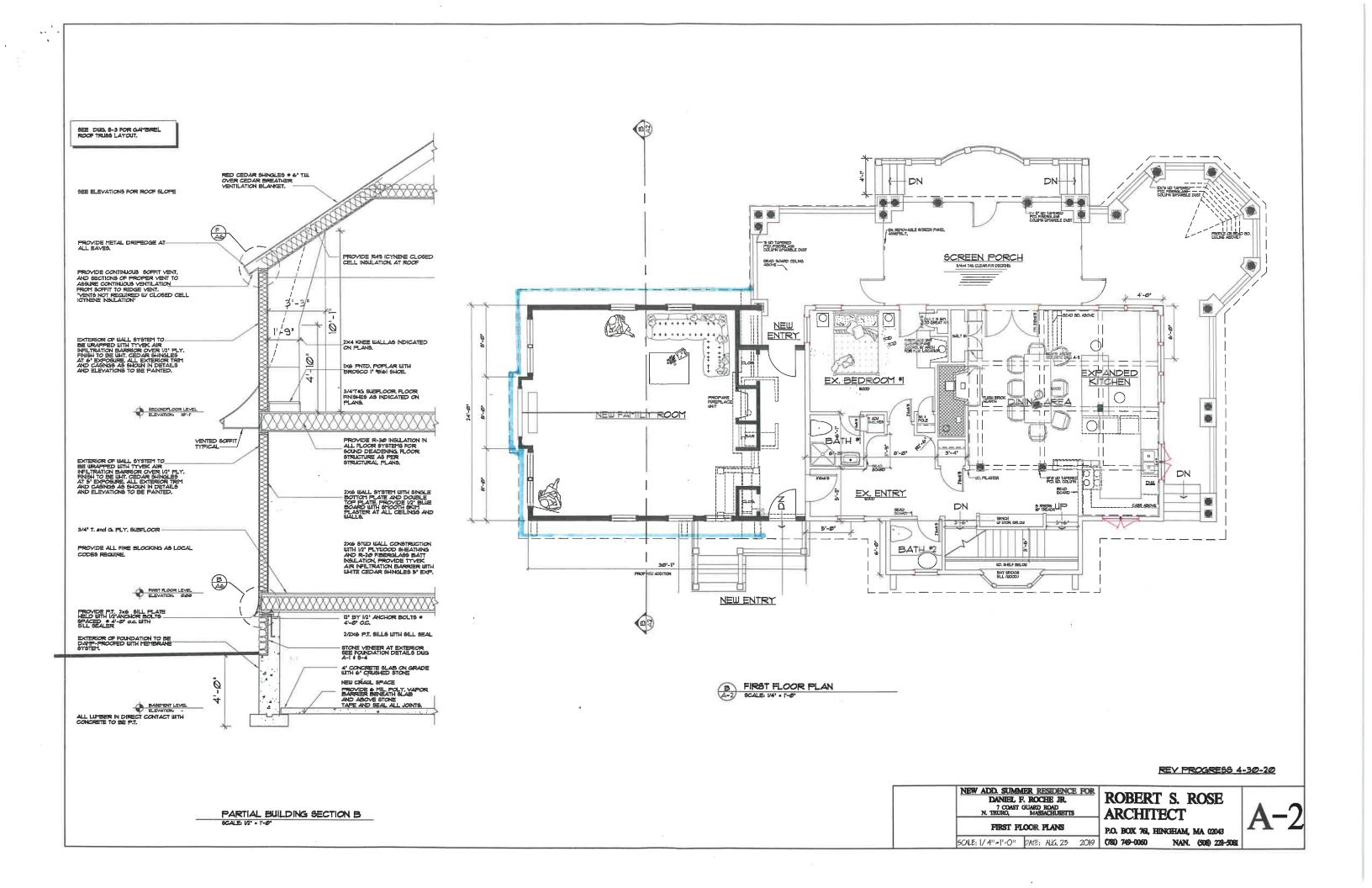
LINE BOTTOM SURFACE OF EACH FOOTING SHALL REST ON UNDISTURSED MATERIAL, WITH 3 THE BEARING CAPACITY. 2. NO BACKFILL SHALL BE PLACED AGANGT FOUNDATION WALLS RETAINING EARTH ULDES WALLS ARE SUFFICIENT. DRACED TO PREVENT MOVEMENT OR STRUCTURED HALL HAVE COMPRESSIVE STRENGHT OF AT LEAST 3000 PS AT 20 DATS. 4. TAORTST ULTIP SHALL BE 4' 5. CONFERENCE HALL HAVE COMPRESSIVE STRENGHT OF AT LEAST 3000 B. CONFERENCE HALL HAVE COMPRESSIVE STRENGHT OF AT LEAST 3000

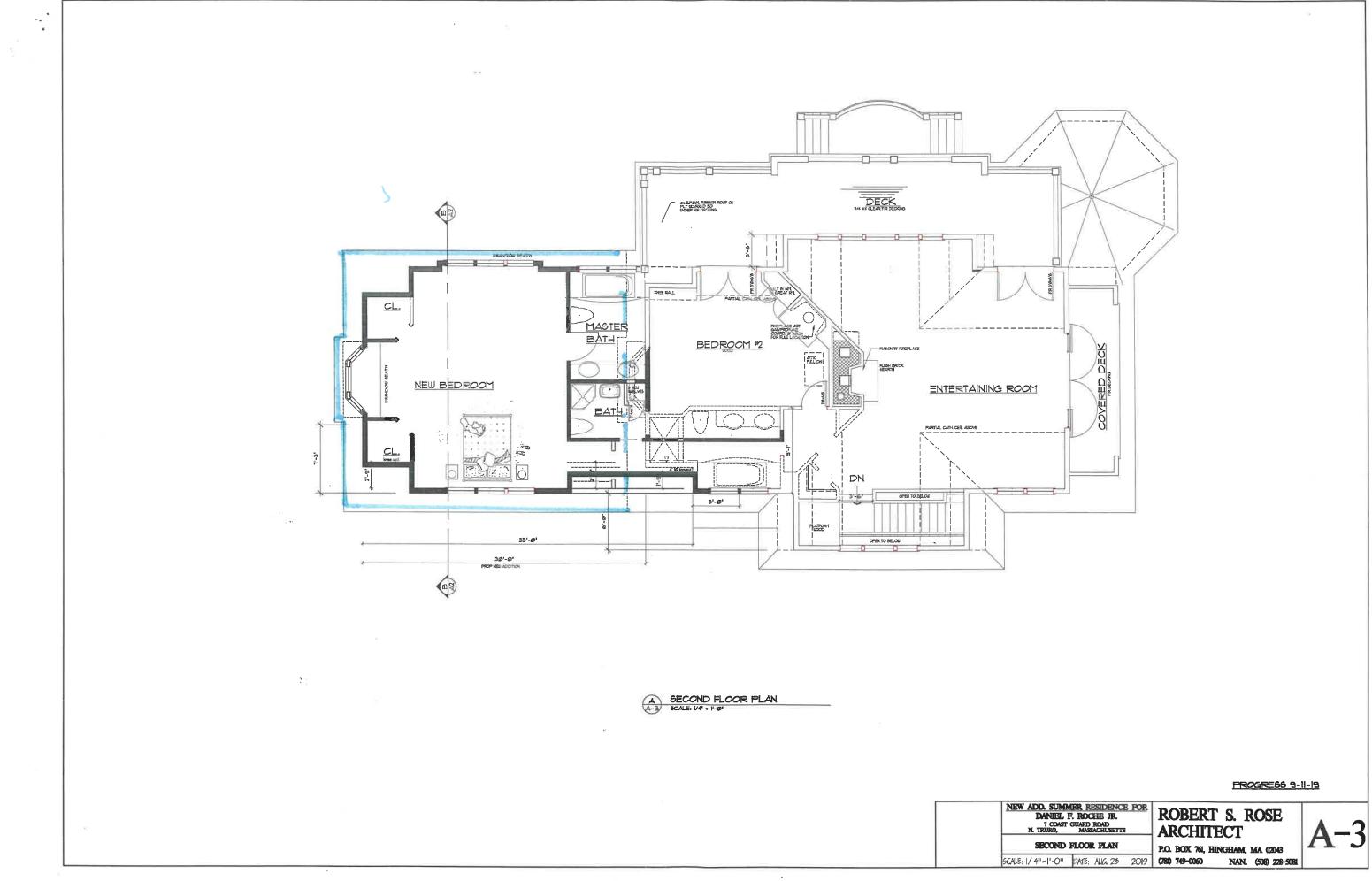
to Asim CS4. 6. Concrete Bhall conform to the latest ACI. 1. Rebar Shall conform to Asim As 4 305 F6-24000 PSI. 8. Welded Wire Hebh Shall conform to Asim As. 5. SLABS Shall have A shooth Stell Roule Finish.

FOUNDATION

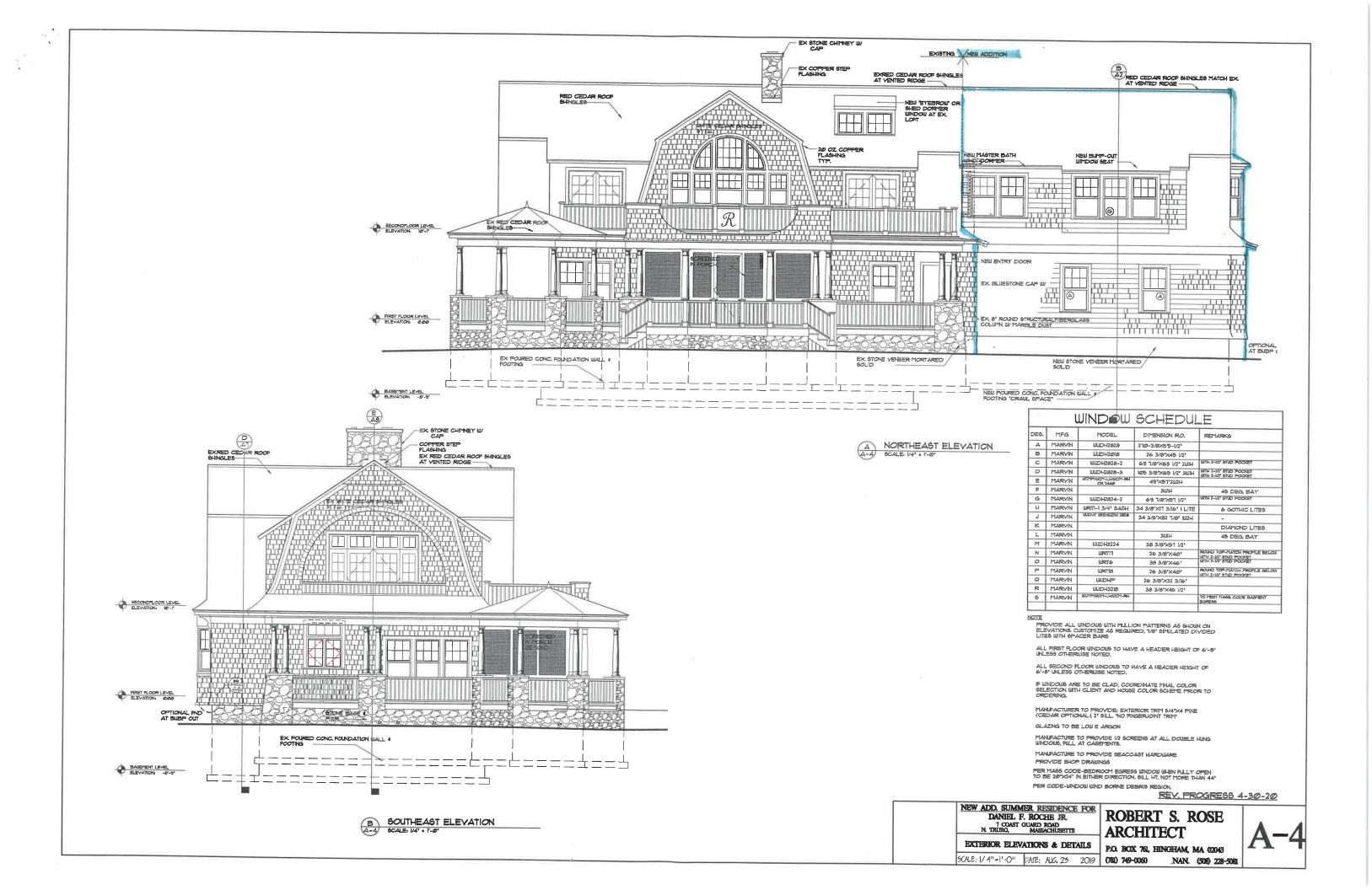
L ROOTINGS SHALL BE CARRIED TO ELEVATIONS SHOWN ON DRAWINGS AND DEERER FINCESSARY TO OBTAIN A SAFE BEARING OF 2 TONS FER SQUARE ROOT. 2. ALL DECANATIONS AND FOUNDATION CONSTRUCTION IS TO BE IN THE DRY AND NO CONCRETE SHALL BE FILACED IN WATER. 3. NO FOOTING SHALL BE FILACED ON WATER. 4. WHERE IT IS NECESSARY TO RAIBE THE GRADE BELOW SLAS, FILL SHALL BE FILACED IN IS LATERS CONFIGLING.

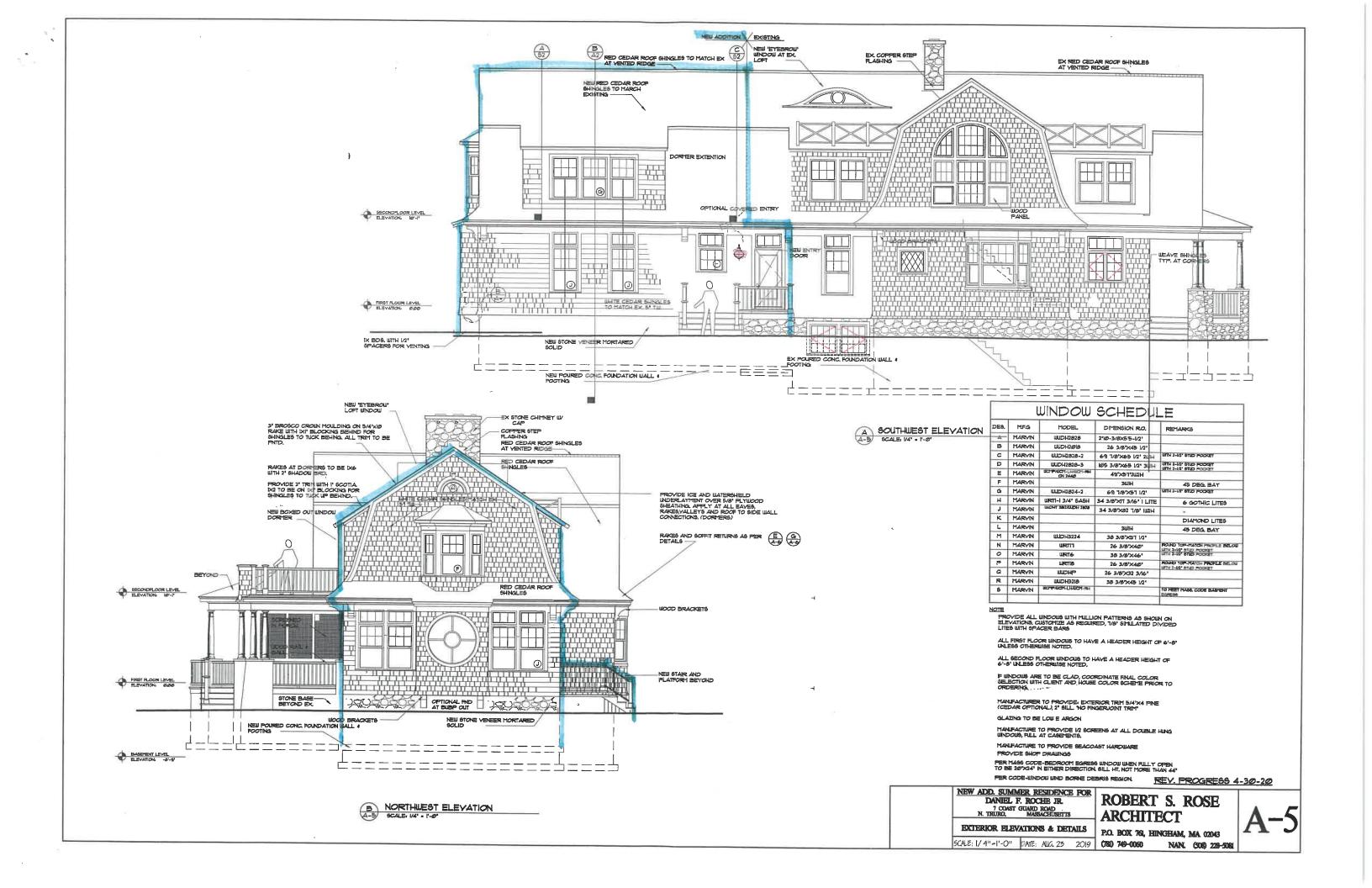






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SCALE:	V	4"=	I'-C







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 September 10, 2020
The undersigned owners of all the land described herei Plan of Land 23 Perry Road Truro MA	n submitted the accompanying plan entitled:
determination and endorsement by said Board that appr	and dated <u>August 10, 2020</u> , requests a oval by it under the Subdivision Control Law is not required.
Property Location: 23 Perry Road	Map(s) and Parcel(s): Map 45 Parcel 131
Number of Lots Created: 3	Total Land Area: 9.7 +/- acres
The owner's title to said land is derived under deed from dated 5/6/19	The Claire A. Perry Living Trust Agreement
dated 5/6/19, and recorded in the Barnstab	or le Registry of Deeds Book and Page or
Land Court Certificate of Title No.	registered in Barnstable County.
Section 50.1(A) which requires 150 feet for erection has such frontage on:	
, or	a public way, hamely
a way shown on a plan theretofore approved an namely Harding's Road on PB 630 Page	d endorsed in accordance with the subdivision control law, 58 and subject to the following conditions ; or
in the Town of Truro having, in the opinion of adequate construction to provide for the needs of	the date when the subdivision control law became effective the Planning Board, sufficient width, suitable grades, and f vehicular traffic in relation to the proposed use of the land installation of municipal services to serve such land and the ely
proposed conveyance/other instrument, namely	ompanying plan is not a "subdivision" because it shows a which adds to/takes away anner that no lot affected is left without frontage as required 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.

Pric HAYd B. Perry (Printed Name of Owner)	Ficher & faring
<u>Cynthia J Perry</u> (Printed Name of Owner)	Cynthin Perry (Signature)
15Petry Rd PD. Box 127 TARNO #A. (Address of Owner(s)) 03666	15 Perry Rd POEox 132 Tourie MA. 0366-E (Address of Operation)
Hilkide Farm UC	Samantha Repey
	P.O. BOX 228, TRURO MA 02666

(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 <u>planner1@truro-ma.gov</u>

Form A - June 3. 2020

Page 2 of 2

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E.q

### 1. <u>Overview</u>:

The hillside lands off of Perry Road have been used for farming since the 1880s, when John B. Perry and his wife, Mary J. Perry, began farming the lands to the north and west of the Little Pamet River. John had purchased the lands from his wife's stepfather, Manuel Silva, who also left interests in the lands to Mary.

John B. and Mary had a son, Manuel J. Perry, who ran the family farm with his second wife Barbara. Manuel and his first wife, Adeline, had previously had two sons, John S. Perry and Mason E. Perry, and a daughter, Pulsenia J. Rowell.

Although John B. and Mary's son Manuel Perry, and their grandson John S. Perry, each worked the family farm, neither of them inherited it after John B. and Mary died. Instead, Mary left the farmland to left her great-grandchildren, Stephen R. Perry and Richard B. Perry (who were the sons of Mary's grandson, John S. Perry), with only life estates to use the land in Manuel J. Perry and John S. Perry. As a later confirmation plan endorsed by the Massachusetts Land Court shows, the historic farmland which Stephen and Richard inherited contained a total of 27.84 acres of land area, including both upland and wetlands.

Because they did not own any farmland of their own, in the 1950s John S. Perry and his wife Lucy J. Perry purchased a contiguous area of land to the *south* of Perry Road and the *east* of the Little Pamet River. This land came out of a completely separate chain of title from the land which Stephen R. Perry and Richard B. Perry inherited from their great-grandmother Mary, and had instead been owned by Frances Joseph and then his son, Frank R. Joseph. Likewise, Stephen and Richard never owned the land which John and Lucy owned.

Because Manuel J. Perry and his son John S. Perry both worked the farmland to the north, and John S. Perry and Lucy J. Perry owned the farmland to the south, the area has often been referred to as a single entity, "Perry Farm." However, the two different land areas have not been held in common ownership, either before or after the September 30, 1994 cutoff date for Cape Cod Commission mandatory referrals for parcels containing thirty or more acres of land area.

The 27.84 acre northerly parcel which Stephen and Richard owned has been subdivided and there is now a contiguous 9.70 acre parcel owned in equal parts by Hillside Farm, LLC and The Perry Family Limited Partnership. Those two owners have filed an ANR plan to subdivide that parcel into three lots, so that the next generation may live in Truro and continue to farm the land.

### 1. <u>Record title to Stephen R. Perry and Richard B. Perry's land prior to and as of</u> <u>September 30, 1994</u>:

John B. Perry died intestate in 1938 and Mary J. Perry died testate in 1949. Under her will, Mary left life estates for the use of land she and John owned to their son, Manuel J. Perry, and their grandson, John S. Perry. See BCP 31696. Mary left the fee ownership to her great-grandsons, Stephen R. Perry and Richard B. Perry.

Manuel J. Perry died in 1965. To clear Stephen and Richard's title and John S. Perry's life estate, in the 1970s the surviving members of Manuel's family gave a series of deeds to them, releasing any claim to the farmland they may have had:

from Pulsenia J. Rowell	2362-171	1976
from Elizabeth Keehlwetter	2392-345	1976
from Donald S. Perry	2579-270	1977
from Mason E. Perry	2579-271	1977
from Daisy Houghton	2836-308	1978
from Manuel J. Perry et al.	2850-347	1979
from John S. Perry	2850-348	1979
from Manuel J. Perry et al.	2850-349	1979

Stephen and Richard subsequently sought confirmation without registration of their title to the land they inherited, as shown on January 8, 1997 Petitioner's Plan 43230-A. Per plan, the parcel the brothers sought to confirm contains 25.02 acres of upland and 2.82 acres of lowland, for a total land area of 27.84 acres. The plan also shows that the farmland to the south and east was not owned or claimed by Stephen and Richard, but was owned by their parents, John S. Perry and Lucy J. Perry.

On August 31, 2007 the Court confirmed Stephen and Richard's title, as shown on their Petitioner's Plan, as of January 15, 1997 (the date of filing). See also Plan Book 619, Pages 97 and 98. However, the brothers' title was unchanged since they inherited it in 1949 and they received release deeds in the 1970s, and Stephen R. Perry and Richard B. Perry therefore were the only fee owners of the former John B. Perry and Mary J. Perry land as of September 30, 1994. The area they owned is depicted as Parcel 2 on the sketch showing record title as of September 30, 1994 filed herewith.

### 2. <u>Record title to John S. Perry and Lucy J. Perry's land prior to and as of</u> September 30, 1994:

Between January 22 and February 14, 1955, John S. Perry and Lucy J. Perry took title to an assemblage of lands to the south of Perry Road and the east of the Little Pamet River. See deeds recorded in Book 900, Page 159; Book 915, Page 212; Book 915, Page 214. Their title was given by Gertrude F. Joseph, widow of former owner Frank R. Joseph, as well as the descendants of Manuel Joseph and Frances Joseph. It was originally subject to a life estate in Gertrude, however, that life estate was released by her in 1967 (see Book 1381, Page 47).

The land that John and Lucy took title to in the 1950s was adjacent to the land John's sons owned, but its title history was distinct, having been owned by the Joseph family since the 1870s and having coming out of that chain.

As of September 30, 1994, title to the southerly lands was in John S. Perry and Lucy J. Perry, as tenants by the entirety. The land they owned contained approximately 13.69 acres of area, including a large area of lowlands abutting the Little Pamet River. The area they owned is depicted as Parcel 1 on the sketch showing record title as of September 30, 1994 filed herewith.

#### 3. <u>Record title conveyances from September 30, 1994 to present:</u>

Beginning in 1997, the owners of the northerly farmlands and the owners of the southerly farmlands have made a number of conveyances of their respective properties. These include subdivisions of the two parcels, subsequent conveyances of subdivided lots out to third parties, and conveyances of retained lands into trusts and other entities, and conveyances out to family members. However, none of these conveyances increased the area of ownership in Stephen R. Perry and Richard B. Perry above the 27.84 acres they originally owned or increased the area of ownership in John S. Perry and Lucy J. Perry above the 13.69 acres they originally owned. Instead, the conveyances decreased the respective northerly and southerly areas of ownership.

In chronological order, the post September 30, 1994 title conveyances are as follows below. The recorded plans showing the listed lots are included herewith for reference.

- 1. 1997: John S. Perry releases his life estate interest in Stephen R. Perry and Richard B. Perry's land (Book 10569, Page 200).
- 2. 1998: Lucy J. Perry releases her interests in Stephen R. Perry and Richard B. Perry's land (Book 11187, Page 164).
- 3. 2000: John S. Perry and Lucy J. Perry their land to Lucy J. Perry, individually (Book 13395, Page 108).
- 4. 2006: Lucy J. Perry deeds Lot 2 606/100 to Thomas J. Nadeau (Book 20969, Page 297).
- 5. 2007: Stephen R. Perry and Richard B. Perry deed Lot 6 596/91 to Thomas J. Nadeau (Book 21771, Page 276).
- 2009: Stephen R. Perry and Richard B. Perry deed Lot 5B 630/57 to Kristin A. Perry (Book 23885, Page 152).

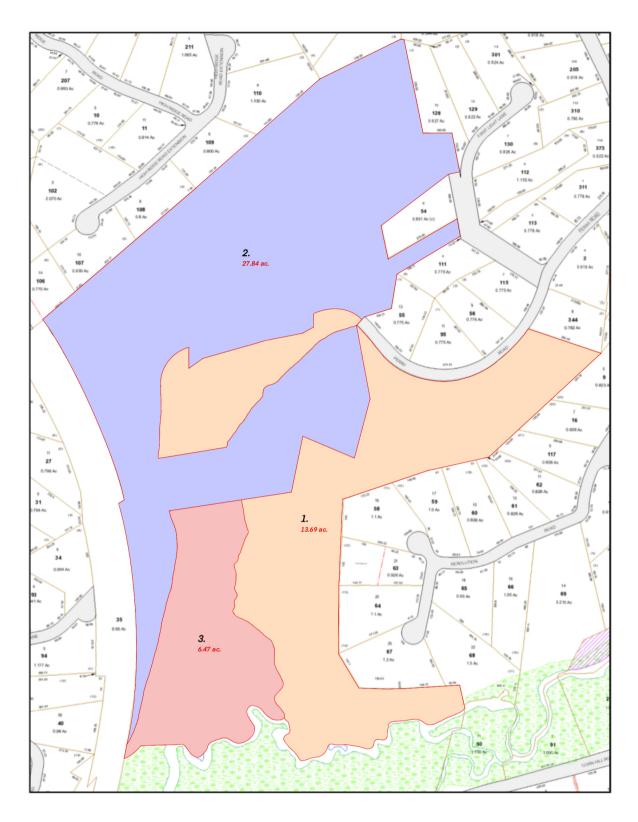
- 2009: Stephen R. Perry and Richard B. Perry deed Lot 14 632/56 to Richard B. Perry and Cynthia J. Perry, husband and wife as tenants by the entirety (Book 24169, Page 112).
- 8. 2009: Stephen R. Perry and Richard B. Perry deed Lot 9, Lot 10 630/58 to Stephen R. Perry, individually (Book 24169, Page 114).
- 9. 2011: Stephen R. Perry deeds Lot 9, Lot 10 630/58 to Claire A. Perry as Trustee of The Stephen R. Perry Living Trust Agreement Dated March 23, 2011 (Book 25441, Page 147).
- 2011: Stephen R. Perry deeds <u><sup>1</sup>/<sub>2</sub> interest</u> in Lot 7 596/91, Lot 5A 630/57, Lot 3A, Lot 7, Lot 11, Lot 12 630/58, Lot 13 632/56 to Claire A. Perry as Trustee of The Stephen R. Perry Living Trust Agreement Dated March 23, 2011. The other <sup>1</sup>/<sub>2</sub> interest in those lots remains in Richard B. Perry (Book 25441, Page 151).
- 2011: Lucy J. Perry deeds P.1 P.6 to Claire A. Perry as Trustee of The Lucy J. Perry Living Trust Agreement Dated June 14, 2011 (Book 25515, Page 20).
- 12. 2012: Richard B. Perry and Cynthia J. Perry deed Lot 14 632/56 to The Perry Family Limited Partnership (Book 26582, Page 28).
- 2013: Claire A. Perry as Trustee of The Stephen R. Perry Living Trust Agreement Dated March 23, 2011 deeds Lot 10 630/58 to Claire A. Perry as Trustee of The Claire A. Perry Living Trust Agreement Dated March 23, 2011 (Book 27251, Page 265).
- 2013: Claire A. Perry as Trustee of The Stephen R. Perry Living Trust Agreement Dated March 23, 2011 deeds <u>1/2 interest</u> in Lot 11, Lot 12 630/58, Lot 13 632/56 to Claire A. Perry as Trustee of The Claire A. Perry Living Trust Agreement Dated March 23, 2011. The other 1/2 interest in those lots remains in Richard B. Perry (Book 27251, Page 265).
- 15. 2013: Claire A. Perry as Trustee of The Stephen R. Perry Living Trust Agreement Dated March 23, 2011 deeds <u>½ interest</u> in Lot 7 596/91 (section of road) to Claire A. Perry as Trustee of The Claire A. Perry Living Trust Agreement Dated March 23, 2011. The other ½ interest in that section of road remains in Richard B. Perry (Book 27277, Page 343).
- 2014: Richard B. Perry, individually, and Claire A. Perry as Trustee of The Stephen R. Perry Living Trust Agreement Dated March 23, 2011, deed Lot <u>5A 630/57</u> to David W. Shapiro and Lee A. Shapiro (Book 28525, Page 64).
- 17. 2016: Claire A. Perry as Trustee of The Stephen R. Perry Living Trust Agreement Dated March 23, 2011 deeds Lot 9 630/58 to Claire A. Perry as Trustee of The Claire A. Perry Living Trust Agreement Dated March 23, 2011 (Book 30141, Page 60).

- 2016: Claire A. Perry as Trustee of The Claire A. Perry Living Trust Agreement Dated March 23, 2011 deeds Lot 9 630/58 to Scott W. Perry (Book 30141, Page 64).
- 2017: Richard B. Perry (as to ½ interest) and Claire A. Perry as Trustee of The Claire A. Perry Living Trust Agreement Dated March 23, 2011 (as to other ½ interest) deed Parcel A 672/35 to Claire A. Perry as Trustee of The Claire A. Perry Living Trust Agreement Dated March 23, 2011 (Book 30798, Page 235).
- 20. 2017: Claire A. Perry as Trustee of The Claire A. Perry Living Trust Agreement Dated March 23, 2011 deeds Lot 10B 672/35 to Claire A. Perry as Trustee of The Claire A. Perry Living Trust Agreement Dated March 23, 2011 and Samantha E. Perry as joint tenants with rights of survivorship (Book 30798, Page 238).
- 21. 2017: Claire A. Perry as Trustee of The Lucy J. Perry Living Trust Agreement Dated June 14, 2011 deeds <u>1/2 interest</u> in <u>Parcel B 672/35</u> to Richard B. Perry, and <u>1/2 interest</u> in <u>Parcel B 672/35</u> to Claire A. Perry as Trustee of The Claire A. Perry Living Trust Agreement Dated March 23, 2011, all as tenants in common (Book 30798, Page 240).
- 22. 2018: Claire A. Perry as Trustee of The Lucy J. Perry Living Trust Agreement Dated June 14, 2011 deeds <u>1/2 interest</u> in <u>Parcel D 672/35</u> to Richard B. Perry, and <u>1/2 interest</u> in <u>Parcel D 672/35</u> to Claire A. Perry as Trustee of The Claire A. Perry Living Trust Agreement Dated March 23, 2011, all as tenants in common (Book 31174, Page 72).
- 23. 2018: Claire A. Perry as Trustee of The Lucy J. Perry Living Trust Agreement Dated June 14, 2011 deeds Lot 2 674/90 to Thomas J. Nadeau (Book 31204, Page 59).
- 24. 2018: Richard B. Perry deeds a <u>½ interest</u> in each of the following parcels to The Perry Family Limited Partnership: Lot <u>3A 630/58 (Parcel 3 672/35)</u>, Lot <u>12 630/58 (Parcel D 672/35)</u>, Lot <u>11 630/58 (Parcel D 672/35)</u>, Lot <u>13 632/56</u> (same on 672/35), Parcel B 672/35, 17 Harding's Way (Lot 7 630/58?). Note that other halves remain with respective owners (Book 31699, Page 134).
- 25. 2019: Claire A. Perry as Trustee of The Claire A. Perry Living Trust Agreement Dated March 23, 2011 deeds a <u>½ interest</u> in each of the following parcels to Hillside Farm, LLC: <u>Parcel C 672/35</u>, <u>Parcel D 672/35</u>, <u>Lot 11</u> <u>630/58</u>, <u>Lot 13 632/56</u> (note that deed incorrectly states Lot 13 630/58; corrective affidavit recorded at 33001-176). Note that other halves remain with respective owners (Book 31999, Page 350).

- 26. 2019: Claire A. Perry as Trustee of The Lucy J. Perry Living Trust Agreement Dated June 14, 2011 deeds Lot 1 606/100, fresh meadow 512-277, triangle 395-20, garden and upland to the following persons: ½ interest to Richard B. Perry; 1/12 to Cheryl A. Costa; 1/12 to Debra Perry Locke; 1/12 to Scott W. Perry; 1/12 to Samantha E. Perry; 1/12 to Stephen O. Perry; 1/12 to Brandon Perry (Book 32407, Page 180, and corrective affidavit and deed recorded at Book 32944, Page 265 and Book 32944, Page 267).
- 2020: Claire A. Perry as Trustee of The Stephen R. Perry Living Trust Agreement Dated March 23, 2011, Richard B. Perry and Cynthia J. Perry, and The Perry Family Limited Partnership deed <u>LOT 7 630/58</u> to David W. Shapiro and Lee A. Shapiro.

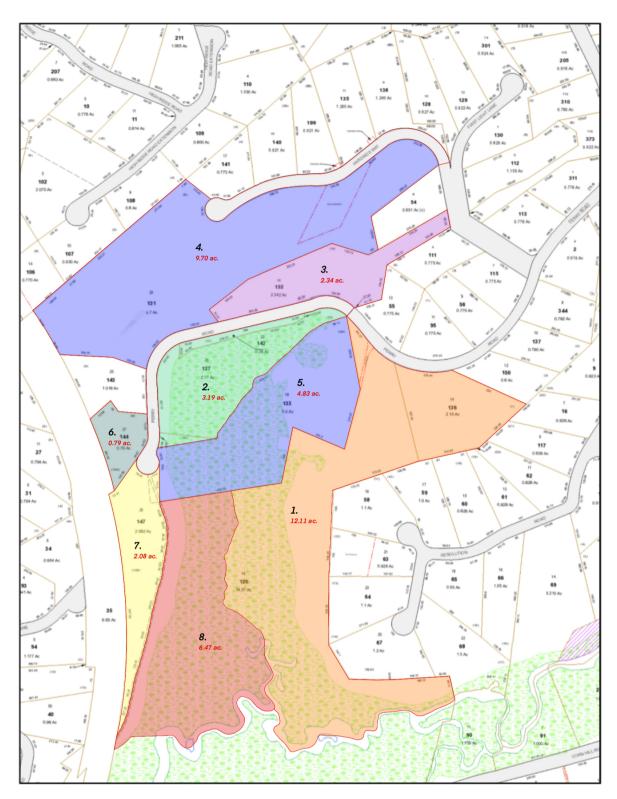
As a result of these conveyances, current record title to the remaining land in the northerly and southerly parcels originally owned by Stephen R. Perry and Richard B. Perry, and by John S. Perry and Lucy J. Perry, respectively, is as depicted and listed in chart form on the sketch of total lot areas and record title as of September 28, 2020 filed herewith. As the title history and sketches show, at no time from September 30, 1994 to the present date has there been common title ownership of the former John B. Perry and Mary J. Perry farmlands north of Perry Road and the former Joseph farmlands south of Perry Road, nor has there been common title ownership of an area of land equal to or more than 30.00 acres.

- END -



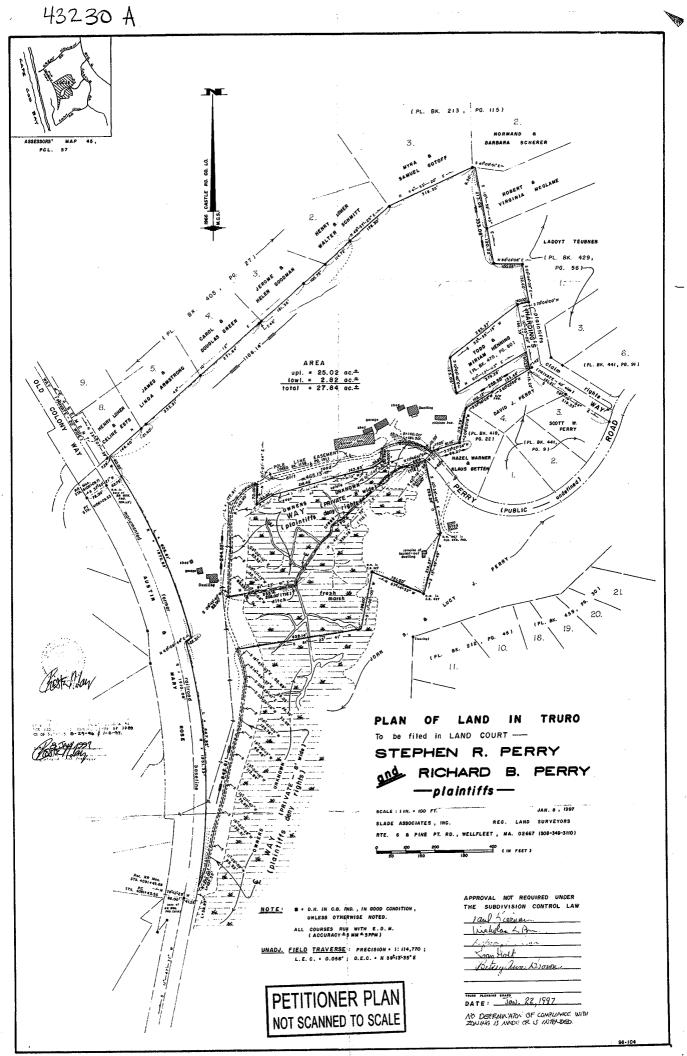
### Total Lot Areas and Record Title as of September 30, 1994:

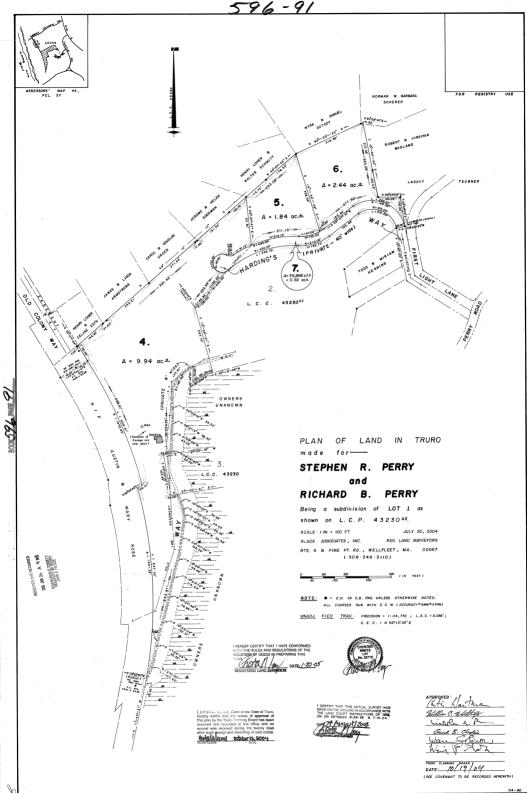
- 1. 13.69 ac. John S. Perry & Lucy J. Perry
- 2. 27.84 ac. Stephen R. Perry & Richard B . Perry
- 3. 6.47 ac. owners unknown

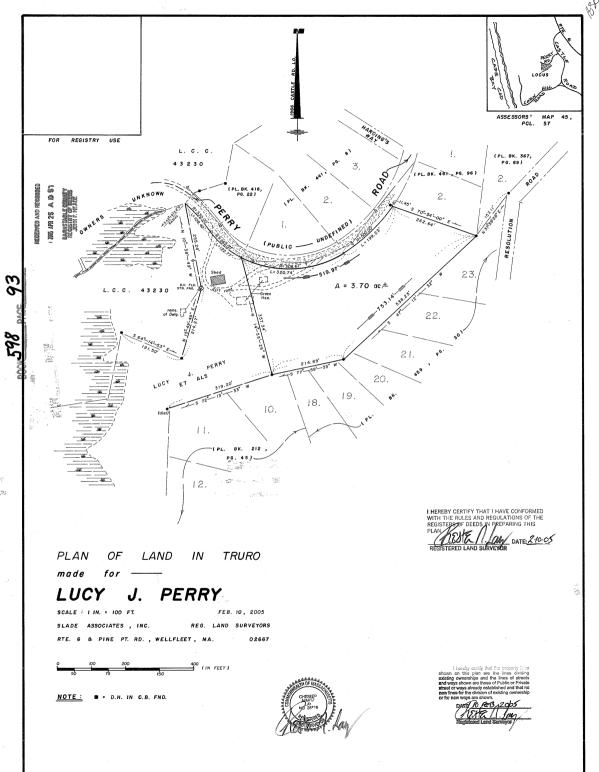


Total Lot Areas and Record Title as of September 28, 2020:

1.	12.11 ac.	(1/2) (1/12) (1/12) (1/12) (1/12) (1/12) (1/12)	Richard B. Perry Cheryl A. Costa Debra Perry Locke Scott W. Perry Samantha E. Perry Stephen O. Perry Brandon Perry
2.	3.19 ac.	(1/2) (1/2)	Hillside Farm, LLC Richard B. Perry
3.	2.34 ac.	The Per	ry Family Limited Partnership
4.	9.70 ac.	(1/2) (1/2)	Hillside Farm, LLC The Perry Family Limited Partnership
5.	4.83 ac.	(1/2) (1/2)	Hillside Farm, LLC The Perry Family Limited Partnership
6.	0.79 ac.	Claire A	. Perry as Trustee of The Claire A. Perry Living Trust
7.	2.08 ac.		. Perry as Trustee of The Claire A. Perry Living Trust & ha E. Perry
8.	6.47 ac.	owners	unknown

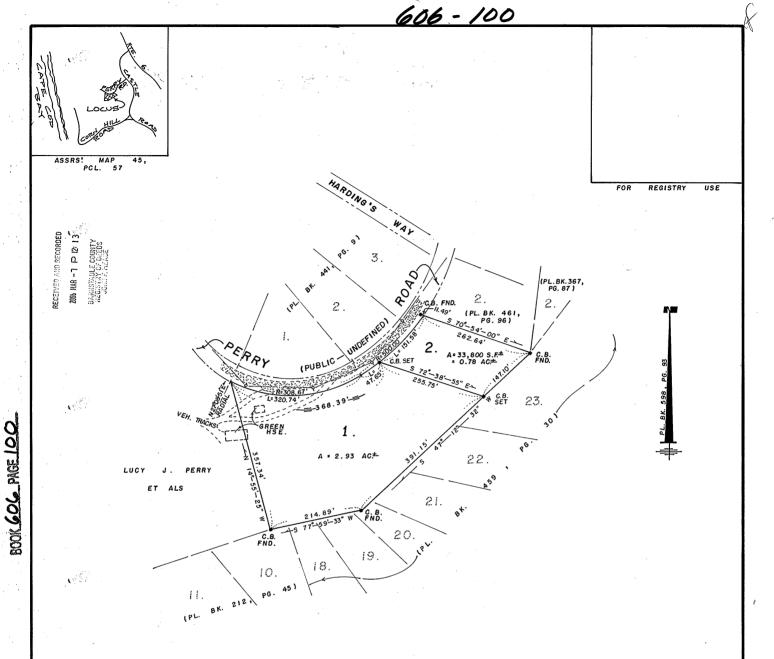






EB-865

05-12



## PLAN OF LAND IN TRURO

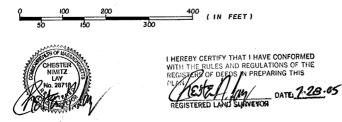
Being a division of land as shown in PLAN BK. 598, PG. 93. made for ------

## LUCY J. PERRY

0

19.E.

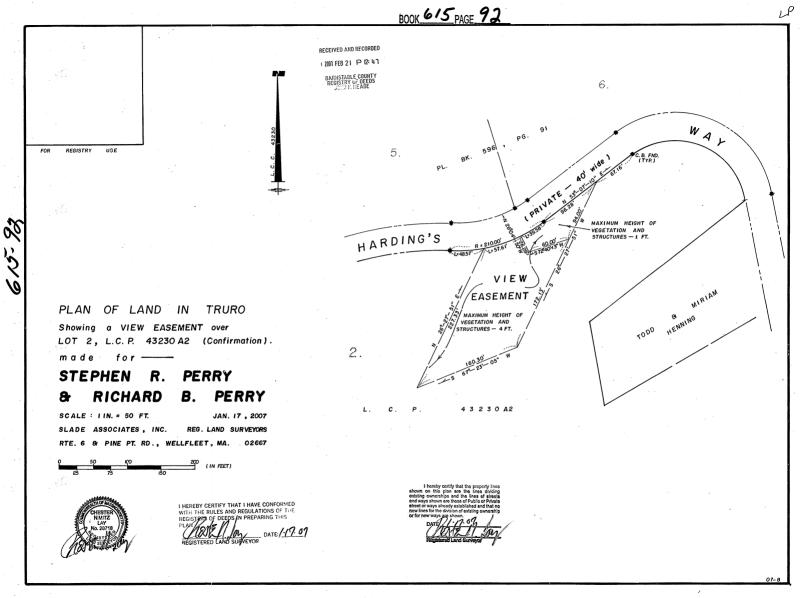
SCALE : I IN. = 100 FT.JULY 28,2005SLADE ASSOCIATES, INC.REG. LAND SURVEYORSRTE. 6 & PINE PT. RD., WELLFLEET, MA.02667

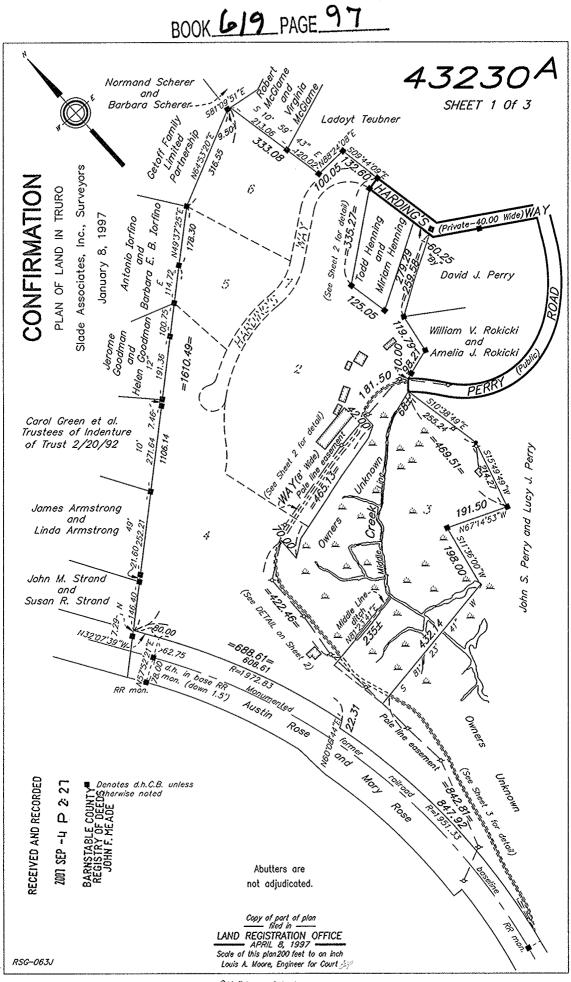


Plenning Bosrd Approval Under Subdivision Control Law Not Required. No Determination Of Compliance With Zoning Requirements Has Been Made Or In Internet

DATE Of Agent 2005

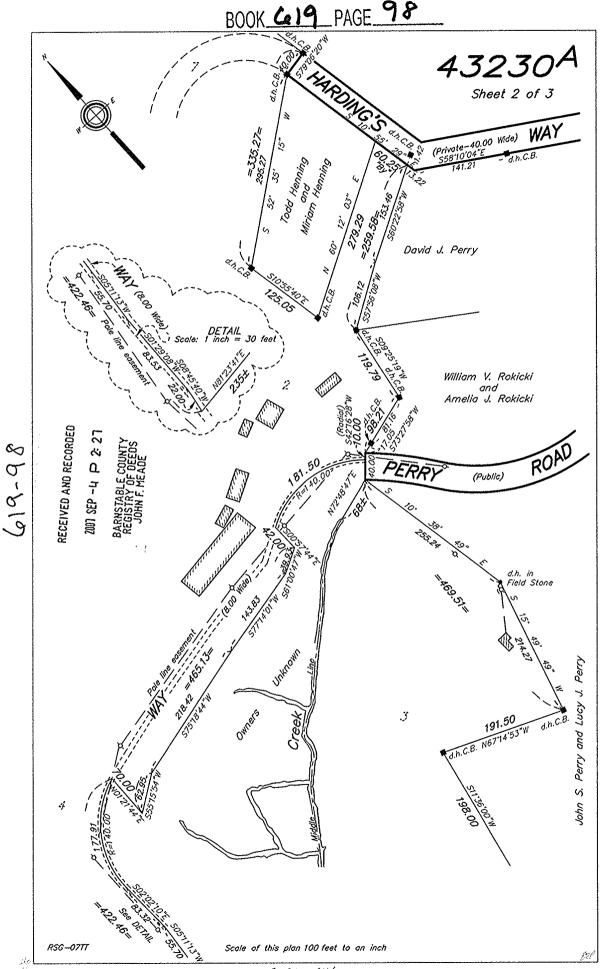
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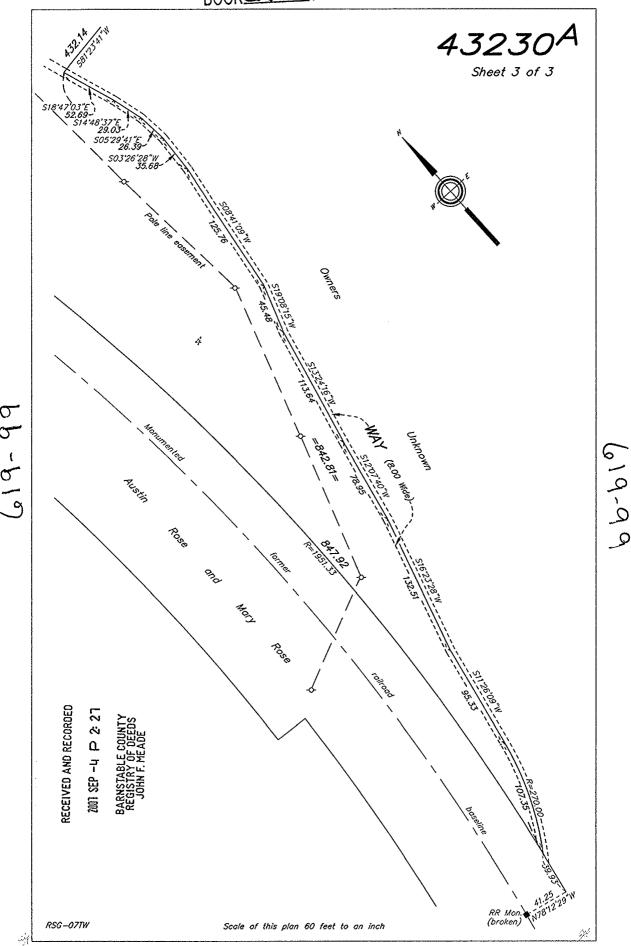
619-97

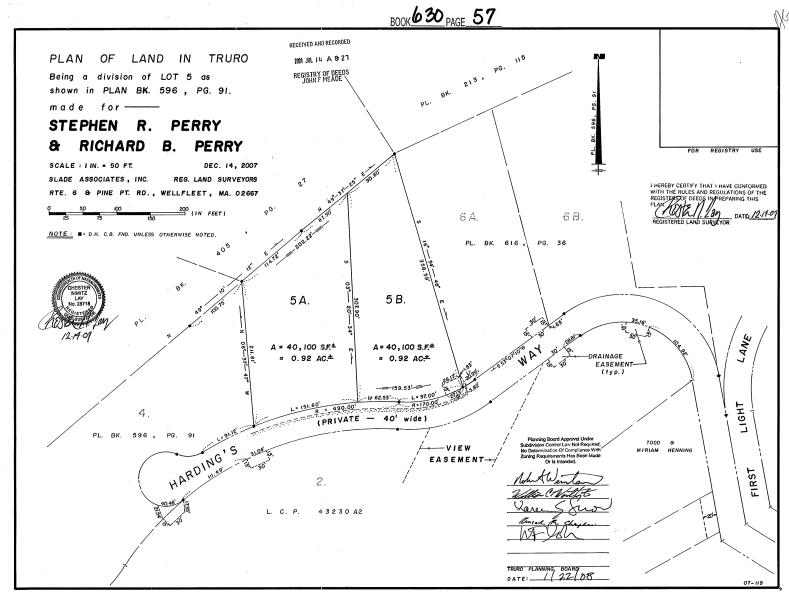


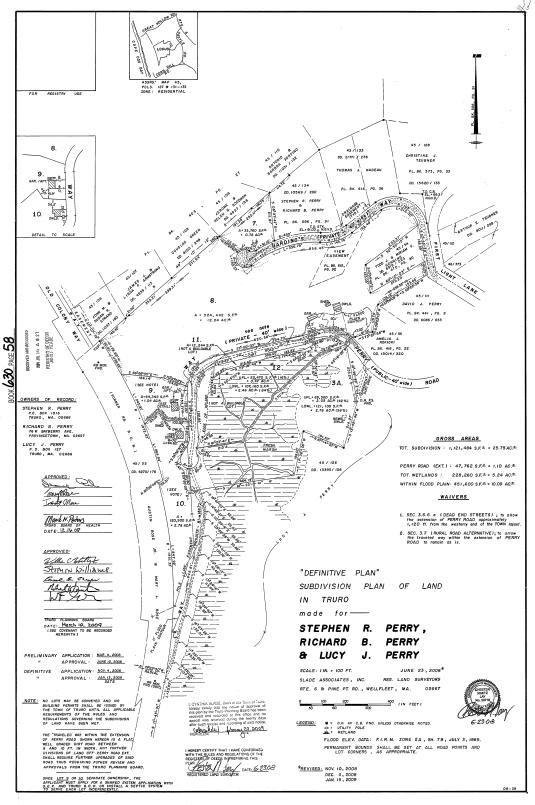
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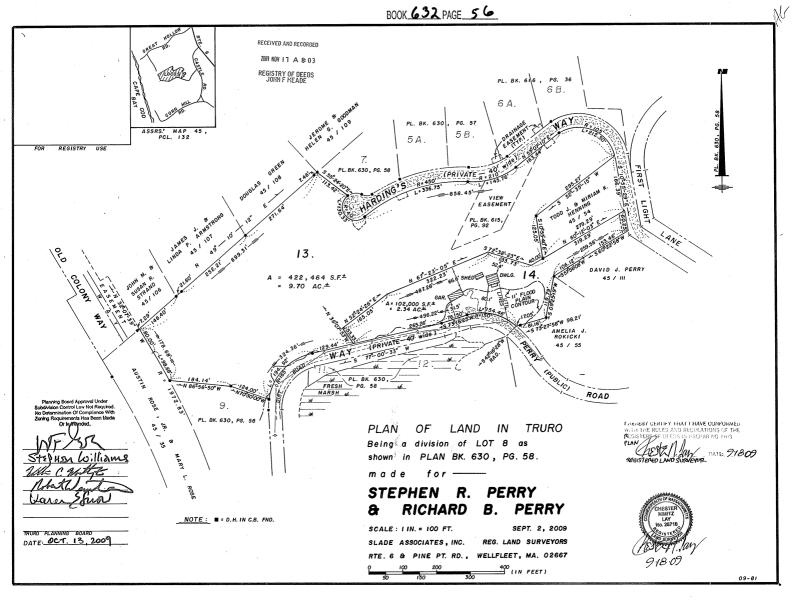
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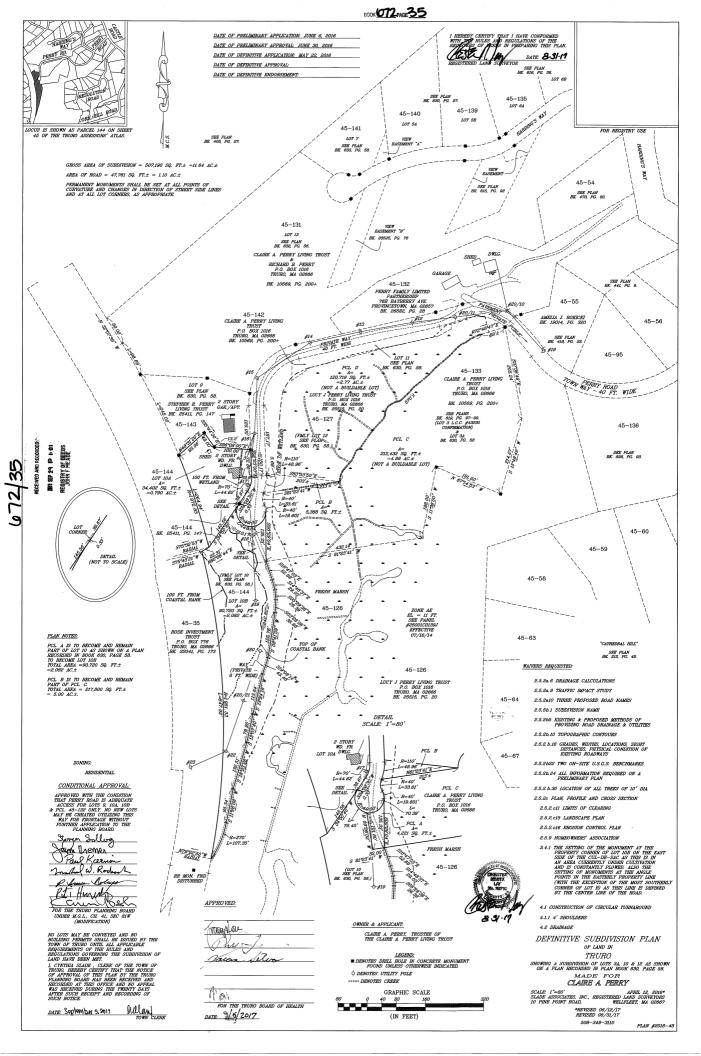
BOOK 6 19 PAGE 99

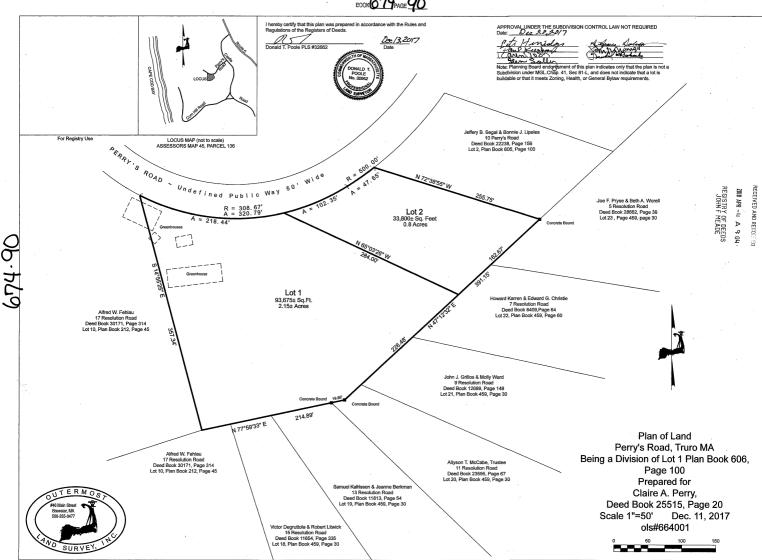




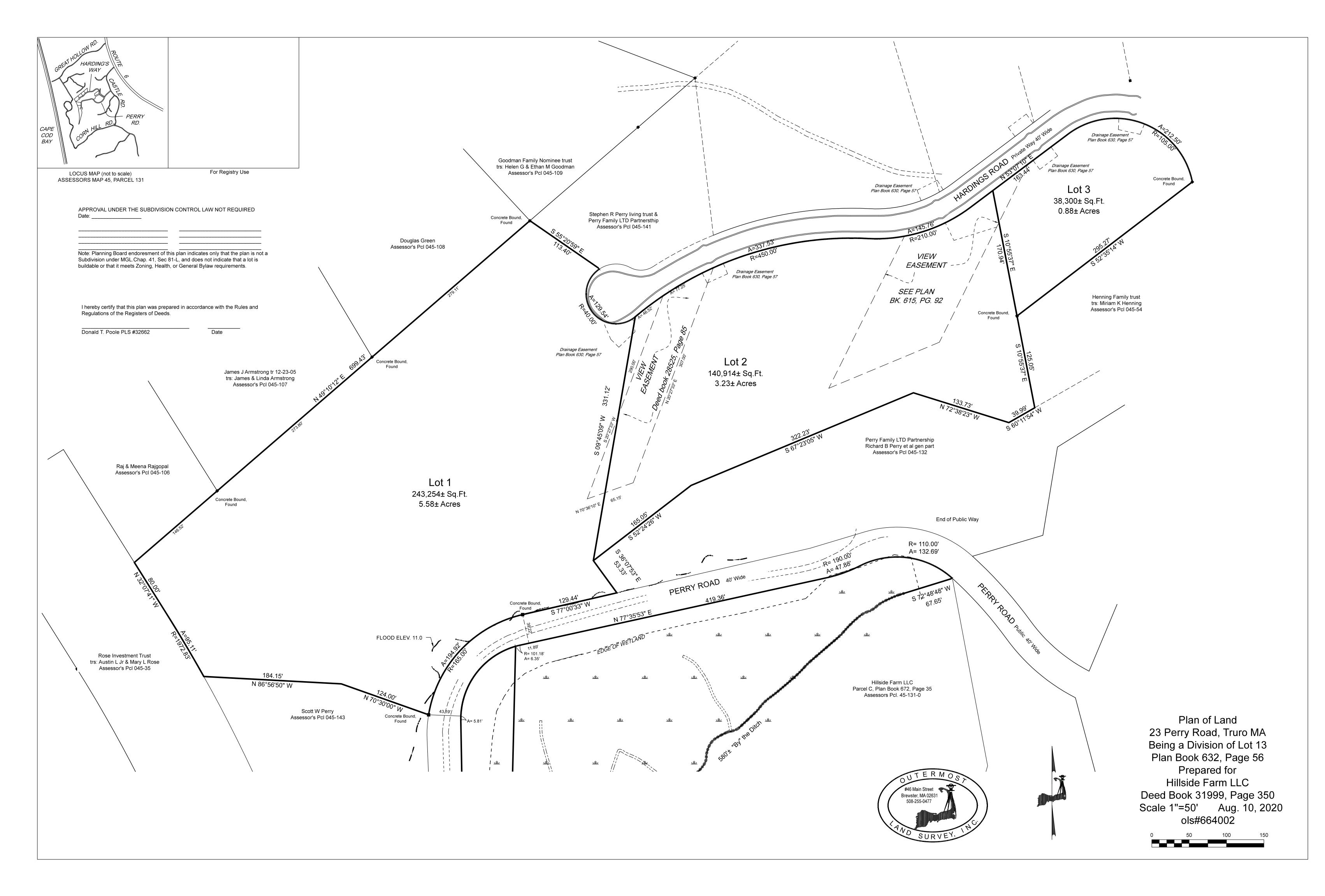








EOOK 674 PAGE 90



T T T T T T T T T T T T T T	COWN OF TRURO Assessors Office Certified Abutters List Request Form	
		DATE:
NAME OF APPLICANT:		
NAME OF AGENT (if any):		
MAILING ADDRESS:		
	EMAIL	
PROPERTY LOCATION:		
	(street address)	
PROPERTY IDENTIFICATION	NUMBER: MAP PARCEL	EXT (if condominium)
ABUTTERS LIST NEEDED FOR (please check <u>all</u> applicable)	<b>R:</b> (Fee must accompany the application	FEE: \$15.00 per checked item unless other arrangements are made)
	Planning Board (PB)	Zoning Board of Appeals (ZBA)
Cape Cod Commission Conservation Commission <sup>4</sup>	Special Permit <sup>1</sup> Site Plan <sup>2</sup>	Special Permit <sup>1</sup> Variance <sup>1</sup>
Licensing	Preliminary Subdivision <sup>3</sup>	
Licensing Type:	Definitive Subdivision <sup>3</sup>	
Type	Accessory Dwelling Unit (ADU) <sup>2</sup>	
Other	· · ·	(Fee: Inquire with Assessors)
	(Please Specify)	
<u>Note</u> : Per M.G.L., proce	essing may take up to 10 calendar days. Ple	ase plan accordingly.

THIS	<b>SECTION FOR</b>	ASSESSORS	OFFICE	USE	ONLY
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Date request received by Assessors:	Date completed:	
List completed by:	Date paid:	Cash/Check

<sup>&</sup>lt;sup>1</sup>Abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within 300 feet of the property line.

<sup>&</sup>lt;sup>2</sup>Abutters to the subject property, abutters to the abutters, and owners of properties across the street from the subject property.

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

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

<sup>&</sup>lt;sup>5</sup>Abutters sharing any boundary or corner in any direction – including land across a street, river or stream. <u>Note</u>: Responsibility of applicant to notify abutters and produce evidence as required.