

Truro Zoning Board of Appeals Agenda

Monday, November 21, 2022 – 5:30 pm www.truro-me go

1:36pm **RECEIVED** TOWN CLERK

Open Meeting

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

Citizens can join the meeting to listen and provide public comment by entering the meeting link; clicking on the Agenda's highlighted link; clicking on the meeting date in the Event Calendar; or by calling in toll free at 1-866-899-4679 and entering the access code 332-284-701# when prompted. Citizens will be muted upon entering the meeting until the public comment portion of the hearing. If you are joining the meeting while watching the television broadcast/live stream, please lower or mute the volume on your computer or television during public comment so that you may be heard clearly. Citizens may also provide written comment via postal mail or by emailing Liz Sturdy, Planning Department Administrator, at esturdy@truro-ma.gov.

Meeting link: https://meet.goto.com/332284701

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

2022-017/ZBA (VAR/SP) - Ebb Tide on the Bay Condominiums for property located at 538 Shore Road (Atlas Map 7, Parcel 7, Registry of Deeds title reference: Book 5671, Page 232). Applicant seeks a Variance under M.G.L. Ch. 40A §10 and §40.3.B.2/§30.9.C of the Truro Zoning Bylaw for a reduction in number of parking spaces (from 12 spaces to 9); Special Permit under M.G.L. Ch. 40A §6 and §30.7.A of the Truro Zoning Bylaw for the relocation of three nonconforming structures on a lot in the Beach Point Limited Business District. |Original Material in 9/26/2022 and 10/24/2022 packets

♦ Request to Continue to December 19, 2022

Public Hearing - New

2022-018/ZBA – Robert Christopher Anderson and Loic Rossignon, for property located at 8 Stick Bridge Road (Atlas Map 54, Parcel 89, Registry of Deeds Book 31230 and Page 33). Applicants seek: (1) Special Permit under §30.3.1.A.2 of the Truro Zoning Bylaw to exceed byright Total Gross Floor Area in the Seashore District; and (2) Special Permit under M.G.L. Ch. 40A §6 and §30.7.A of the Truro Zoning Bylaw for an addition to an existing dwelling, removal of second dwelling, and construction of garage/studio on non-conforming lot (frontage) in the Seashore District.

Minutes

♦ September 26, 2022

Next Meeting

♦ Monday, December 19, 2022 at 5:30 p.m.

NOV 15 2022

RECEIVED TOWN CLERK

<u>Adjourn</u>

STAFF MEMORANDUM

To: Truro Zoning Board of Appeals

From: Barbara Carboni, Town Planner and Land Use Counsel

Date: November 18, 2022

Re: Meeting November 18, 2022

2022-017/ZBA - Ebb Tide on the Bay Condominiums for property located at 538 Shore Road, seeking a variance under G.L. c. 40A, s. 10 and s. 40.3.B.2 and 30.9.C of the Zoning Bylaw for a reduction in number of parking spaces from 12 to 9; and a special permit under G.L. c. 40A s. 6 and s. 30.7 and s. 30.8 of the Zoning Bylaw for relocation of two nonconforming structures on lot in Beach Point.

<u>Update</u>: Counsel for the Applicant has submitted a request for a continuance to allow additional time for the Applicant to apply to the Planning Board for Site Plan Approval. I recommended to the Applicant, and recommend to the Board that the hearing be continued to the Board's December 19, 2022 meeting. (Although the Applicant may need additional time and an additional continuance, it is easier to keep track of an application's status if continued month to month rather than for longer periods). The Board may grant this request by motion.

2022-018/ZBA – Robert Christopher Anderson and Loic Rossignon for property located at 8 Stick Bridge Road. Applicants seek 1) a special permit under G.L. c. 40A, s. 6 and s. 30.7 of the Zoning Bylaw; and 2) a special permit to exceed Gross Floor Area in the Seashore District under Bylaw section 30.3.1.A.2, to allow demolition of an existing addition to an historic dwelling and construction of new addition; demolition of existing cottage and construction of a garage/studio on a nonconforming lot (frontage).

Existing Conditions and Proposed Project

The 3.66-acre parcel at 8 Stick Bridge Road in the Seashore District is nonconforming due to insufficient frontage. It is currently improved by an historic dwelling (constructed in 1781 per Assessors property card); a second dwelling (cottage; date of construction not indicated in Assessors records); and a barn-type structure constructed in 2020. The submitted site plan indicates that the current Gross Floor Area of the property is 2,359 square feet, comprised of 1,759 square feet in the historic residence and 600 square feet in the cottage.

-

¹ By decision dated September 2, 2020, the Board granted Residential Site Plan Approval for a project entailing removal of a cottage; moving a shed; and construction of a barn-type structure, usable for storage (no plumbing), with associated gravel parking.

The proposed project entails 1) demolition of the existing cottage, to be replaced by a garage/studio with two bedrooms; and 2) demolition of a an existing addition² to the historic dwelling, and construction of a new addition; and 3) construction of pool and spa with terrace and covered porch pavilion near the dwelling.

The submitted site plan indicates that proposed garage/studio will be located 15.6 feet from the northeastern lot line (within the required 25-foot setback). The footprint of the existing cottage is not clearly indicated, but it is represented that the new structure will be located within the same footprint as the existing cottage. The applicants may be asked to confirm, .

The site plan indicates that the current Gross Floor Area on the parcel is **2,359** square feet (historic dwelling: 1,759 square feet plus cottage 600 square feet). The proposed Gross Floor Area is **4,514** square feet, comprised of 3,338 square feet in the historic dwelling with addition, and 1,176 square feet in the garage/studio. This exceeds the parcel's as-of-right Gross Floor Area, necessitating a special permit under Bylaw section 30.3.1.A.2.

The height calculations on the site plan indicate that the height of the existing dwelling is **21.4 feet** (ridge elevation of 55'9" over average grade of 34.5'), and the height of the proposed dwelling is **28.5 feet** (ridge elevation of 63.3' over average grade of 34.8 feet). Sheet A2.2 of the submitted plans depicting the addition indicates a height of **24' 7".** Sheet A2.0 indicates a height of **27'2"**. All conform to zoning requirements, but this should be clarified.

The height calculations on the site plan indicate that the height of the existing cottage is 17.3 feet (ridge elevation of 54.2' above average grade of 36.9 feet), and the height of the proposed garage/studio is 23.8 feet (ridge elevation of 61.5 feet over average grade of 37.7 feet). From the site plan it appears that the proposed garage/studio will be constructed in the same location as existing cottage, so it is not clear why the average grade would differ from one to the other. This might be clarified as well.

Review by other boards

<u>Planning Board</u>: An application for a Residential Site Plan Review was submitted to the Planning Board; hearing opened on November 16, 2022 and was continued to December 2, 2022. As the Board is aware, the Planning Board's grant of Site Plan Review must precede this Board's decision on the special permits requested.

<u>Historic Commission</u>: An application was submitted to the Building Department for demolition of the cottage and of the addition to the historic structure. As is customary, the Building Department forwarded the demo application to the Historic Commission Chair and Vice Chair for review and determination of whether the Commission has jurisdiction to review the proposal for potential demolition delay under the Town's Preserving Historic Properties Bylaw. On behalf of the Commission, the Chair determined that while the main house would be considered a "significant" building subject to jurisdiction, neither the 1960s-era addition to the main house nor

² The age of this addition is not indicated in application, but Historic Commission correspondence suggests the 1960s for its construction as well as construction of the cottage.

the cottage meet the Bylaw's criteria for significance. The Chair advised that the proposed demolition is not subject to the Commission's review, "provided that the demolition is confined to the above structures and the main house is not compromised in the course of undertaking the project." See email of Matthew Kiefer (in packet) dated August 30, 2022.

<u>Conservation Commission</u>: The 2020 project received approval from the Conservation Commission in an Order of Conditions issued July 2, 2021. It appears that the proposed project will require review by the Conservation Commission. The Conservation/Health Agent has submitted comments regarding the proposed project by email dated November 16, 2022.

Special Permits

Special Permit to exceed Gross Floor Area under Bylaw Section 30.3.1

This Bylaw section, Residential Building Size Regulations, limits total Gross Floor Area on lots in the Seashore District. The as-of-right Gross Floor Area permitted on a lot of three acres is 3600 square feet, plus 200 sq. ft. for each additional contiguous acre. (See Section 30.1.A.1.a). For this 3.66-acre lot, the prorated as-of-right Gross Floor area is **3,732 square feet**.

This as-of-right Gross Floor Area may be exceeded by special permit under Bylaw s. 30.3.1.A.2. The Applicant proposes a Gross Floor Area of **4,514 square feet**, exceeding the **3,732** square feet allowed as-of-right by **782 square feet.** Section 30.1.A.2 does not provide a standard or criteria for the Board to apply in considering a request to exceed Gross Floor Area, but Section 30.8 of the Bylaw does provide a standard applicable to all special permits:

"Special permits may be approved only after a finding by the Board of Appeals or Planning Board (as applicable, see use table) that the proposed use is in the opinion of the Board in harmony with the general public good and intent of this bylaw. The approval shall be subject to any other applicable provision of this bylaw and the Board may impose conditions, safeguards, and limitations on time and use, which in the Board's opinion are necessary to comply with the intent and purpose of this bylaw." 3

Zoning Bylaw Section 30.8. It is recommended that the Board apply the above standard to the applicant's request to exceed the maximum permitted Gross Floor Area.

Special Permit standard under G.L. c. 40A s. 6 and s. 30.7 (alteration or extension of nonconforming structure/lot)

The lot is nonconforming as to frontage. Alteration, extension, or reconstruction of a dwelling on a nonconforming lot 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). In this case, the proposal is to alter and expand the existing dwelling, and add structures (sheds) with covered walkway at the front of the property.

The Board may grant a special permit under G.L. c. 40A, s. 6 if it finds that the proposed alternation and reconstruction "shall not be substantially more detrimental than the existing nonconforming [structure and] use to the neighborhood." Likewise, the Board may

grant a special permit under Section 30.7.A if it finds that:

"the alteration or extension will not be substantially more detrimental to the neighborhood than the existing nonconforming use or structure and that the alternation or extension will exist in harmony with the general purpose and intent of this bylaw."

In this case, the proposed garage/studio is larger than the existing cottage, and the proposed addition to the historic dwelling is larger than the existing addition. The pool area adds a porch pavilion topped by a sundeck; a raised patio, and a bridge connecting to the new house addition. These improvements considerably expand the existing structures and layout. However, the question is whether these alterations/extensions will *be "substantially more detrimental to the neighborhood"* than the existing nonconformities of the lot and structures, (as well as whether they can exist "in harmony with the general purpose and intent" of the Bylaw).

Elizabeth Sturdy

From:

office snowandsnowlaw.com <office@snowandsnowlaw.com>

Sent:

Wednesday, November 9, 2022 4:53 PM

To:

Elizabeth Sturdy

Cc: Subject: Barbara Carboni; 'Billy Rogers'; smcswee1@twcny.rr.com; office snowandsnowlaw.com

RE:

RE: 538 Shore Road - Ebb Tide on the Bay Condominiums

So Confirmed,

Chris

From: Elizabeth Sturdy <ESturdy@truro-ma.gov> Sent: Wednesday, November 9, 2022 3:49 PM

To: office snowandsnowlaw.com <office@snowandsnowlaw.com>

Cc: Barbara Carboni

bcarboni@truro-ma.gov>

Subject: RE: 538 Shore Road - Ebb Tide on the Bay Condominiums

Attorney Snow,

Please confirm that you would like to continue this Hearing to the next ZBA meeting being held on December 19. If so, I will note that on the Agenda.

Thank you,

Liz

From: office snowandsnowlaw.com < office@snowandsnowlaw.com >

Sent: Wednesday, November 9, 2022 2:37 PM **To:** Elizabeth Sturdy < ESturdy@truro-ma.gov> **Cc:** Barbara Carboni bcarboni@truro-ma.gov>

Subject: RE: 538 Shore Road - Ebb Tide on the Bay Condominiums

We will need to continue month to month as Barbara suggested as we have collectively determined that Planning Board filing needed .

Best.

Chris

From: Elizabeth Sturdy < ESturdy@truro-ma.gov>
Sent: Wednesday, November 9, 2022 12:28 PM

To: office snowandsnowlaw.com <office@snowandsnowlaw.com>

Cc: Barbara Carboni

carboni@truro-ma.gov>

Subject: 538 Shore Road - Ebb Tide on the Bay Condominiums

Attorney Snow,

At the last ZBA meeting, this case was continued to their November 21 mtg. Will you have any new materials for this mtg packet?

Please let me know by the 15th. Thank you,

Liz

<u>F</u>lizabeth Sturdy

Elizabeth Sturdy Planning Department Administrator Truro Town Hall 24 Town Hall Road, P.O. Box 2030 Truro, MA 02666

Tel: (508) 214-0935 Fax: (508) 349-5505

Email: esturdy@truro-ma.gov



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CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Elizabeth Sturdy

From:

Emily Beebe

Sent:

Wednesday, November 16, 2022 12:17 PM

To:

Elizabeth Sturdy; Barbara Carboni

Subject: 8 Stick Bridge Road review

Dear Barbara and Liz,

Please find comments and review of the proposed project at 8 Stick Bridge Road, relative to the jurisdiction of the Board of Health and the Conservation Commission.

- In June 2021 the Conservation Commission reviewed the proposed project at this location, and issued an Order of Conditions. "Site Plan ~ Showing Proposed Dwelling Addition & Proposed Garage/Studio" by Ryder & Wilcox, Inc., dated 5/19/2021, and "Preliminary Site Plan – Proposed Planting within 200' River Setback" by A. Gilson, dated 5/19/2021.
- Most of the project area is outside the jurisdiction of the Conservation Commission, and the proposal
 included an addition to the existing dwelling, reconfiguring the patio area and driveway and addition of native
 plantings to mitigate disturbance in the resource areas.
- 3. The Commission determined that the project could be permitted subject to special conditions, which include:
 - -Keeping the driveway pervious; all stormwater shall be managed on-site
 - -The re-configuration of the driveway shall ensure that on-site stormwater shall not impact the resource areas;
 - Notes on plans are specifically incorporated into the Order;
 - -Control of concrete overpour; all overpour shall be removed from the site;
 - Mitigation as proposed is required and not optional;
 - -The site will be inspected daily by the contractor to prevent wind-blown debris from entering the resource areas;
 - -Dumpsters shall be covered to prevent debris from blowing into the resource areas.
- 4. The September 2022 revision of the plans appears to have increased the amount of work done on the west side of the property, and a small portion is within the jurisdictional area. These changes (additional patio area and associated re-grading) have not yet been reviewed by the Conservation Commission. The changes do appear minor in nature as they occur at the outside edge of the Riverfront Area; the planting plan has been adjusted to accommodate for the additional work.
- 5. The property is developed with a single-family dwelling, studio cottage, shed and a new Barn. The septic system serving the property is designed for 5 Bedrooms. The system was inspected in September 2022 by a DEP licensed septic system inspector and passed the inspection. Our review of the proposed floor plans found that the bedroom count proposed does not exceed the design flow for the system.

Thank you for the opportunity to provide comment. Sincerely, Emily

Emily Beebe, RS Truro Health & Conservation Agent 24 Town Hall Road Truro, MA 02666

Benjamin E. Zehnder LLC

62 Route 6A, Suite B Orleans, Massachusetts 02653

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

October 21, 2022

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

Via hand delivery

Re:

New ZBA special permit application /

8 Stick Bridge Road (Assessor's Parcel ID 54-89)

Dear Ms. Fullerton:

On behalf of owners Rober Christopher Anderson and Loic Rossignon, please find enclosed for filing with the Board of Appeals one original and nine copies of a new special permit application for the property at 8 Stick Bridge Road. I have also enclosed payment in the amount of \$200.00 for the filing fee.

Thank you as always for your assistance. I remain -

Very truly yours,

Benjamin E. Zehnder

Enc.

cc via email only w/ attachments:

client

Alison Alessi

Barbara Carboni

Brian Carlstrom

Annie Gilson

David Lyttle

Lauren McKean

Elizabeth Sturdy



Town of Truro Zoning Board of Appeals P.O. Box 2030, Truro, MA 02666

APPLICATION FOR HEARING

To the Town Clerk of the Town of Truro, MA						Date _	October 21, 2022			
Th	e un	ders	signed here	eby files v	vith specific gr	ounds for thi	s application	i: (check all	that apply)
1.	GI	CNE	RAL INF	ORMAT	ION				-	
□ NOTICE OF APPEAL										
					<u>-</u>		obtain a peri	nit or enforce	ement ac	ction from the Building
Commissioner on (date) Applicant is aggrieved by order or decision of the Building Commissioner on (date) which he/she believes to be a violation of the Truro Zoning Bylaw or the Massachusetts Zoning										
								achusetts Zoning Act.		
	☐ PETITION FOR VARIANCE – Applicant requests a variance from the terms Section of the Truro Zoning Bylaw concerning (describe)									
	X	AF	PPLICAT	ION FOI	R SPECIAL P	ERMIT				,
		X								ne Truro Zoning Bylaw
			concerni	ng (descri	be) special perm	nit to exceed by-	right Seashore	District Total G	ross Floor	Area.
		X	under Se	ction 30.	7.A of the Tru	iro Zoning By	law and M.	G.L. Ch. 40A	, §6 con	forming structure or use cerning (describe) o on non-conforming lot.
Pro	per	ty A	ddress	8 Stick	Bridge Road			Map(s) and	Parcel(s	54-89
	gistı	v of	f Deeds tit	le referen	ce: Book	31230	, Page	33	,	or Certificate of Title
	N	umb	oer	N/A	and Lan	d Ct. Lot#_	N/A	and	Plan#	N/A
Ap	nlic	ant's	s Name		Robert	Christopher Ar	nderson and L	oic Rossignon	L	
Ap	plic	ant's	s Legal M	ailing Ad	dress 225 Con	mmercial Stree	t, Provinceto	wn, MA 02657	<i>'</i>	
Ap	plic	ant's	s Phone(s)	, Fax and	Email (508) 24	16-6225; rober	t.christopher.	anderson@gm	ail.com;	loicmarcross@gmail.com
					ng: (please chec			*Written Per	mission of	
		X	Owner		Prospective I	Buyer*	☐ Other*			
								(0.D.) (1	0 ' D	0.1 02652
	•				ldress					Orleans, MA 02653
Re	pres	enta	itive's Pho	ne(s), Fax	and Email	(508) 23	55-//66; bzer	nder@zehnde	riic.com	
2.	Th	e co urdy	mpleted a	pplication a.gov in i	shall also be ts entirety (inc	submitted ele cluding all pla	ctronically ans and attac	to the Plannii hments).	ng Depa	rtment Administrator at
•	De	part	oplicant is ment, He ation.	<i>advised</i> alth Dep	to consult wir artment, and/	th the Buildi or Historic	ng Commis Commission	sioner, Plann n, as applica	ing Dep able, pr	partment, Conservation ior to submitting this
Sig	gnat	ure	(s)		*		8	7		
_		A		amin E. Zeh Representati	nder ve <i>Primed</i> Name((s)				written permission
		-	Applicant	s)/Represer	tative Signature		10/ 7/	Öwner(s) Signat	ure or wri	tten permission



TOWN OF TRURO

MAY 19 2022 ASSESSOR'S OFFICE TOWN OF TRURO

Assessors Office Certified Abutters List Request Form

			DATE:	May 16, 2022
NAME OF APPLICANT:	Robert Christopher Anders	son and Loic Ros	signon	
NAME OF AGENT (if any):	Benjamin E. Zehnder			
MAILING ADDRESS:	62 Route 6A, Suite B, Orle	eans, MA 02653		
CONTACT: HOME/CELL	(508) 255-7766	EMAIL	bzehnder@ze	hnderllc.com
PROPERTY LOCATION:				
	(str	reet address)		
PROPERTY IDENTIFICATION 1	NUMBER: MAP 54	PARCE	L89	EXT(if condominium)
ABUTTERS LIST NEEDED FOR (please check <u>all</u> applicable)		y the application		.00 per checked item arrangements are made)
Board of Health ⁵ P	Planning Board (PB)		Zoning Boa	ard of Appeals (ZBA)
Cape Cod Commission	Special Permit ¹			pecial Permit ¹
Conservation Commission ⁴	XX Site Plan ²			ariance ¹
Licensing	Preliminary Subdiv	vision ³		
Type:	Definitive Subdivis	sion ³		
	Accessory Dwellin	g Unit (ADU) ²		
XX Other Historical Review	·	, ,		Fee: Inquire with Assessors)
	(Please Specify)			***************************************
Note: Per M.G.L., proces	ssing may take up to 10 cal	lendar days. Pl	ease plan acc	cordingly.
THIS SEC	CTION FOR ASSESSORS	S OFFICE USE	ONLY	l.
Date request received by Assessors:	5/19/2022	Date compl	eted: 2/19	1022
List completed by:		Date paid:	5/19/102	Cash Check

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

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

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

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

⁵Abutters sharing any boundary or corner in any direction – including land across a street, river or stream. <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: May 19, 2022

To: Benjamin WE. Zehnder, Agent for Robert Christopher Anderson

and Loic Rossignon

From: Assessors Department

Certified Abutters List: 8 Stick Bridge Road (Map 54, Parcel 89)

ZBA/ Special Permit

Attached is a combined list of abutters for the property located at 8 Stick Bridge Road.

The current owners are Robert Christopher Anderson and Loic Rossignon.

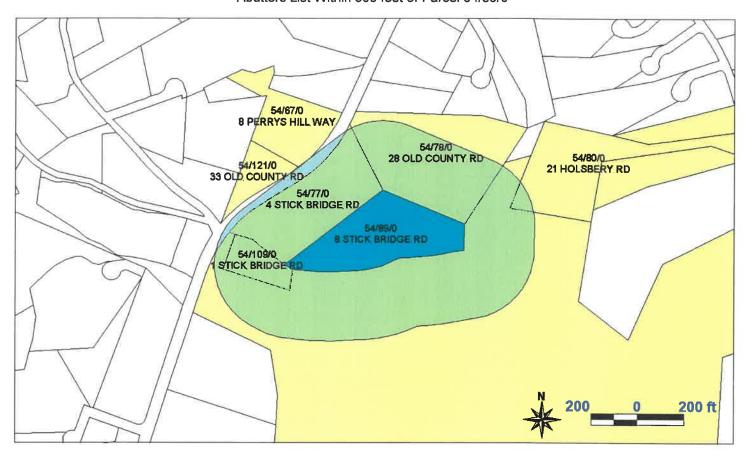
The names and addresses of the abutters are as of May 13, 2022 according to the most recent documents received from the Barnstable County Registry of Deeds.

Certified by:

Olga Farrell Assessing Clerk

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

Abutters List Within 300 feet of Parcel 54/89/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
7292	40-999-0-E	USA-DEPT OF INTERIOR Cape Cod National Seashore	0 CAPE COD NATIONAL SEASHORE	99 Marconi Site Rd	Wellfleet	MA	02667
3300	54-67-0-R	FRANK MARGARET G IRREV TR 2012 TRS: FRANK JEREMIAH D	8 PERRYS HILL WAY	23 CLEVELAND ST #2	ARLINGTON	MA	02474
3308	54-77-0-R	BLAKE SARAH I & WEINER JOSHUA	4 STICK BRIDGE RD	2808 CATHEDRAL ST	WASHINGTON	DC	20008
3309	54-78-0-R	SHENK GEOFFREY C,SHENK NOAH E SHENK EHREN G.A.	28 OLD COUNTY RD	PO BOX 530	TRURO	MA	02666
3311	54-80-0-R	IRWIN R REIN & MARSHA L REIN 2018 LIVING TRST DTD 7/16/18	21 HOLSBERY RD	TRS: MARSHA L & IRWIN R REIN 424 CARLTON RD	WYCKOFF	NJ	07481
3320	54-89-0-R	ANDERSON ROBERT CHRISTOPHER & ROSSIGNON LOIC	8 STICK BRIDGE RD	225 COMMERCIAL ST	PROVINCETOWN	MA	02657
5567	54-109-0-E	TRURO CONSERVATION TRUST TRS: BETSEY BROWN ET AL	1 STICK BRIDGE RD	PO BOX 327	NO TRURO	MA	02652-0327
7368	54-121-0-R	HAIDLE ANDREW & BALSKUS EMILY	33 OLD COUNTY RD	23 VILLAGE ST	SOMERVILLE	MA	02143

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

SHENK EHREN G.A.

TRURO, MA 02666

PO BOX 530

FRANK MARGARET G IRREV TR 2012 TRS: FRANK JEREMIAH D 23 CLEVELAND ST #2 ARLINGTON, MA 02474

BLAKE SARAH I & WEINER JOSHUA 2808 CATHEDRAL ST WASHINGTON, DC 20008

54-78-0-R

SHENK GEOFFREY C, SHENK NOAH E&

54-80-0-R

54-121-0-R

IRWIN R REIN & MARSHA L REIN 2018 LIVING TRST DTD 7/16/18 TRS: MARSHA L & IRWIN R REIN 424 CARLTON RD WYCKOFF, NJ 07481

54-89-0-R

ANDERSON ROBERT CHRISTOPHER & **ROSSIGNON LOIC** 225 COMMERCIAL ST PROVINCETOWN, MA 02657

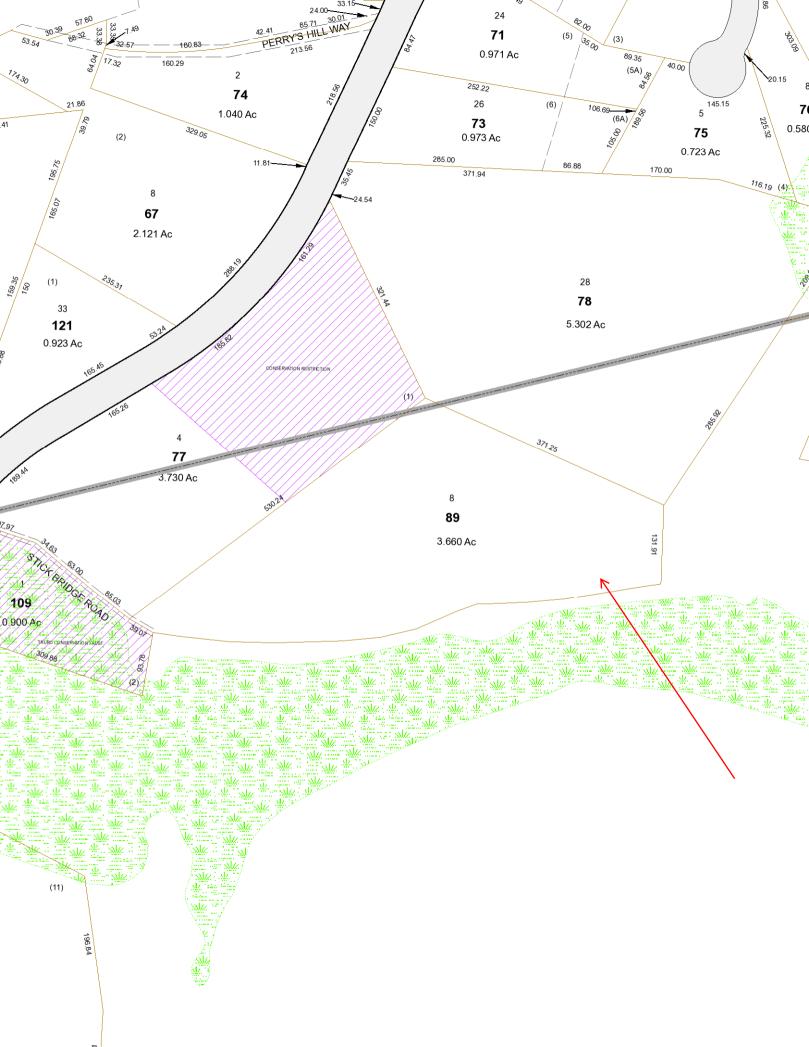
54-109-0-E

TRURO CONSERVATION TRUST TRS: BETSEY BROWN ET AL **PO BOX 327** NO TRURO, MA 02652-0327

HAIDLE ANDREW & BALSKUS EMILY 23 VILLAGE ST SOMERVILLE, MA 02143

Town of TRURO - Fiscal Year 2022 Key: 3320 9/15/2021 10:15 am SEQ #: 3,420 **CURRENT OWNER** PARCEL ID LOCATION CLASS CLASS% DESCRIPTION BN ID BN CARD 8 STICK BRIDGE RD 1090 100 MULTIPLE HSES 1 54-89-0 1 of 2 ANDERSON ROBERT CHRISTOPHER & ROSSIGNON LOIC TRANSFER HISTORY SALE PRICE PMT NO PMT DT DESC AMOUNT INSP BY 1st DOS BK-PG (Cert) TY % 225 COMMERCIAL ST 04/27/2018 V ANDERSON ROBERT CHRISTOPH 850,000 31230-33 20-281 10/05/2020 8 BARN 95.000 01/11/2021 LG 90 90 PROVINCETOWN, MA 02657 TUDOR LYNNE RAE GROVES-05/16/2003 J 100,000 16928-209+ 20-270 09/30/2020 5 DEMO 4.000 01/11/2021 LG 100 100 TUDOR LYNNE R GROVES- & 08/04/1978 2760-047+ 19-070 03/11/2019 4 REHAB 6,000 11/27/2019 LG 100 100 ADJ VALUE CD T AC/SF/UN Nbhd Infl1 Infl2 ADJ BASE SAF vc l CREDIT AMT Infl3 Lpi 100 0.775 16 1.00 1.00 1.00 431,840 1.00 1 1.00 SR2 1.60 334,680 300 2.885 16 1.00 1 1.00 1 1.00 32,960 1.00 1 1.00 SR2 1.60 95,090 D TOTAL 3.660 Acres ZONING NSD FRNT 39 ASSESSED CURRENT **PREVIOUS** N FY11 - SHF'S WERE CBN'S NOW IN DISUSE & USED LAND 429,800 429.800 Nbhd NAT'L SEASHORE O AS SHF'S; ST1 CHGD TO BLDG#2+CLASS CHG TO BUILDING 292.400 266,900 Infl1 T 109(BUT CODE 200 NEVER ADDED PER (B) USF 0.75 NO ADJ DETACHED 42,500 3,100 12 E FY11REVAL+DOR SPECS.FY12 ACRG INCR PER OTHER 103,300 89,900 Infl2 NO ADJ (C) BAS BAS 2010 PLAN. 13 TOTAL 868,000 789.700 (E) QUAL COND DIM/NOTE ΥB UNITS ADJ PRICE RCNLD PHOTO 11/27/2019 TY 29 SHF 1.00 A 0.75 8X12 96 14.91 1,100 SHF 1.00 A 0.75 5*6 30 300 Α 15.54 (A) USF 0.50 D BB2 1,143 E 1.80 E 1.00 24*33+13*27 2020 36.00 41,100 BAS F 13 33 43 29 29 (D) PAT 11 42 BLDG COMMENTS BUILDING CD ADJ DESC **MEASURE** 11/27/2019 LG RESIDENTIAL MODEL 1 LIST 7/12/2010 EST 1.20 OLD STYLE [100%] STYLE 7 B QUALITY Α 1.00 AVERAGE [100%] REVIEW 12/15/2010 MR U FRAME 1.00 WOOD FRAME [100%] ELEMENT CD DESCRIPTION ADJ S BAT T DESCRIPTION UNITS ΥB ADJ PRICE RCN TOTAL RCN YEAR BLT 1781 SIZE ADJ 1.010 423,788 CONDITION ELEM FOUNDATION 1.00 + BAS BAS AREA 235.18 269,049 CD 1,759 DETAIL ADJ 1.000 1,144 1781 **NET AREA** D 1.00 EXT. COVER 1 WOOD SHINGLES + USF UP-STRY FIN 112,684 615 1781 183.23 \$NLA(RCN) \$241 OVERALL 1.230 **ROOF SHAPE** 1 GABLE 1.00 + PAT N PATIO 13,162 1,296 10.16 CAPACITY ADJ 2 WOOD SHINGLES UNITS ROOF COVER 1.01 F11 O FPL 1S 10P 8,386.80 8,387 FLOOR COVER 2 SOFTWOOD 1.00 O FPL 2S 2OP STORIES(FAR) 1.00 F22 16,306.40 16,306 1.5 1 PLASTER INT. FINISH 1.00 1.00 ROOMS 0 HEATING/COOLING 2 HOT WATER 1.02 **BEDROOMS** 1.00 3 1 OIL **FUEL SOURCE** 1.00 **BATHROOMS** 2 1.00 **FIXTURES** \$4.200 6 EFF.YR/AGE 1985 / 35 UNITS 1.00 COND 31 31 % **FUNC** 0 **ECON** 0 DEPR 31 % GD 69 RCNLD \$292,400

Town of TRURO - Fiscal Year 2022 Key: 3320 9/15/2021 10:15 am SEQ #: 3,421 **CURRENT OWNER** PARCEL ID LOCATION CLASS CLASS% DESCRIPTION BN ID BN CARD 54-89-0 8 STICK BRIDGE RD 1090 100 MULTIPLE HSES 2 2 of 2 ANDERSON ROBERT CHRISTOPHER & ROSSIGNON LOIC TRANSFER HISTORY DOS SALE PRICE BK-PG (Cert) PMT NO PMT DT TY DESC AMOUNT INSP BY 1st % 225 COMMERCIAL ST PROVINCETOWN, MA 02657 ADJ VALUE CD T AC/SF/UN Nbhd Infl1 Infl2 ADJ BASE SAF Infl3 Lpi vc CREDIT AMT Ν D TOTAL ZONING FRNT ASSESSED CURRENT **PREVIOUS** LAND Nbhd BUILDING 103.300 Infl1 DETACHED OTHER (C) 5 WDK Infl2 TOTAL TY QUAL COND DIM/NOTE YB UNITS ADJ PRICE RCNLD PHOTO 01/11/202 (B) WDK (A) USF 0.50 BAS F 21 12 Interior access to upper floor via steep ladder/stair. BLDG COMMENTS BUILDING CD ADJ DESC **MEASURE** 11/27/2019 LG 11/27/19 Both floors currently used as storage, not RESIDENTIAL MODEL furnished. FY11 - CREATED DET BLDG AS EST LIST 7/12/2010 1.10 CAPE [100%] EST STYLE SEPARATE RENTAL. B QUALITY Α 1.00 AVERAGE [100%] REVIEW U FRAME 1.00 WOOD FRAME [100%] ELEMENT CD DESCRIPTION ADJ S BAT T DESCRIPTION UNITS ΥB ADJ PRICE RCN TOTAL RCN YEAR BLT SIZE ADJ 1.060 149,653 A BAS CONDITION ELEM CD FOUNDATION 1.00 BAS AREA 208.70 96,418 693 DETAIL ADJ 1.000 462 **NET AREA** D 1 WOOD SHINGLES EXT. COVER 1.00 A USF UP-STRY FIN 231 165.08 38,134 \$216 OVERALL \$NLA(RCN) 1.040 **ROOF SHAPE** 1 GABLE 1.00 + WDK N ATT WOOD DECK 10,934 312 35.04 CAPACITY UNITS ADJ ROOF COVER 2 WOOD SHINGLES O MASONRY STACK 1.01 MST 2,067.00 2,067 FLOOR COVER 99 N/A 1.00 STORIES(FAR) 1.00 1.5 INT. FINISH 99 N/A 1.00 ROOMS 1.00 13 NO HEAT HEATING/COOLING 0.93 **BEDROOMS** 1.00 8 NONE FUEL SOURCE 1.00 **BATHROOMS** 1.00 **FIXTURES** \$2,100 EFF.YR/AGE 1985 / 35 UNITS 1.00 COND 31 31 % **FUNC** 0 **ECON** 0 DEPR 31 % GD RCNLD \$103,300



Bk 31230 Pg33 #19607 04-27-2018 @ 02:11p

Property address: 8 Stick Bridge Road, Truro, Massachusetts 02666

QUITCLAIM DEED

I. Lynne Rae Groves Tudor, unmarried, of Framingham, Massachusetts,

for consideration paid of Eight Hundred Fifty Thousand and 00/100 (\$850,000.00) Dollars,

grant to Robert Christopher Anderson and Loic Rossignon, of 225 Commercial Street, Provincetown, Massachusetts 02657, as Joint Tenants,

with QUITCLAIM COVENANTS,

Lot 1 and Lot 2 as shown on a Plan entitled "Plan of Land in Truro as surveyed for Lynne Rae Groves Tudor, scale: 1 inch = 50 feet, May 2010, William N. Rogers, Professional Civil Engineers and Land Surveyors, 41 Off Cemetery Road, Provincetown, Massachusetts", recorded in the Barnstable County Registry of Deeds in Plan Book 635, Page 15.

Meaning and intending to convey the same premises set forth in the deeds recorded with the Barnstable County Registry of Deeds in Book 2760 Page 47 and Book 16928 Page 209 to which reference should be made for Grantor's title.

The Grantor, Lynne Rae Groves Tudor, hereby certifies under the pains and penalties of perjury she is unmarried, hereby waives and release any and all rights of homestead in the above property she may have or be able to claim pursuant to M.G.L. c. 188, and further certifies that no former spouses, partners or former partners in a civil union can claim the benefit of a homestead by court order or otherwise in said property.

MASSACHUSETTS STATE EXCISE TAX
BARNSTABLE COUNTY REGISTRY OF DEEDS

Ctl#: 1038 Doc#: 19607
Fee: \$2,907.00 Cons: \$850,000.00

Date: 04-27-2018 @ 02:11pm

BARNSTABLE COUNTY EXCISE TAX
BARNSTABLE COUNTY REGISTRY OF DEEDS

 8 Stick Bridge Road Deed – Page 2

Witness my hand and seal this 18th day of April 2018.

ynne Rae Groves Tudor

Commonwealth of Massachusetts Barnstable County

On this 18th day of April 2018, before me, the undersigned notary public, personally appeared Lynne Rae Groves Tudor, as aforesaid, proved to me through satisfactory evidence of identification, which was a Driver's License issued by a state government containing her photograph and her signature, to be the person whose name is signed on the preceding Quitclaim Deed, and acknowledged to me that she signed it as her free act and deed, and swore or affirmed to me under the pains and penalties of perjury the statements in said Deed as to marital status and homestead are true.

Notary Public: Harriet J. Hobbs

My Commission expires: July 17, 2020



Benjamin Zehnder

From:

Lynne Budnick <LBudnick@truro-ma.gov>

Sent:

Tuesday, September 27, 2022 1:49 PM

To:

Benjamin Zehnder

Cc: Subject: Rich Stevens 8 Stick Bridge Rd

Ben,

Please see the Historical Commission's email below regarding the Building Permit application that was sent to them for the proposed demolition at address: 8 Stick Bridge Rd.

Please call Rich tomorrow morning before 10:30 am or after 2 pm. He does leave at 2:30 pm and will not be back in the office until Monday, October 3, 2022.

Rich's direct line: 508-214-0927.

Best regards,

Lynne G. Budnick

Lynne & Budnick

Principal Office Assistant/Building/Conservation/Health Town of Truro P.O. Box 2030 24 Town Hall Road Truro, MA 02666 Phone: (508) 349-7004, ext. 131

Direct Line: (508) 214-0920

Fax: (508) 349-5508



From: Kiefer, Matthew J. < MKiefer@GOULSTONSTORRS.com>

Sent: Tuesday, August 30, 2022 2:41 PM
To: Lynne Budnick < LBudnick@truro-ma.gov>

Cc: Rich Stevens <rstevens@truro-ma.gov>; Chuck Steinman <c.e.steinman@comcast.net>; Barbara Carboni

<bcarboni@truro-ma.gov>
Subject: Re: 8 Stick Bridge Rd</br>

Lynne

The two structures proposed to be demolished—the former garage and the addition to the main house—appear to have been built in the 1960s and do not meet our age or significance criteria. We note, however, that the consultants for the Historical Commission's Community-wide Historic Survey found that the main house is individually eligible for National Register listing and that the "east ell and outbuildings do not detract from the integrity of the main house." Thus the main house would likely be considered a significant building under our by-law. Accordingly, the proposed demolition is not subject to our demolition delay review provided that the demolition is confined to the above structures and the main house is not compromised in the course of undertaking the project.

Please let us know if you have any questions. Thank you.

Matthew Kiefer, Chair Truro Historical Commission 617-816-6533

From: Lynne Budnick < LBudnick@truro-ma.gov > Date: Wednesday, August 24, 2022 at 4:08 PM

To: Chuck Steinman < c.e.steinman@comcast.net >, Kiefer, Matthew J. < MKiefer@GOULSTONSTORRS.com >

Cc: Rich Stevens < rstevens@truro-ma.gov>

Subject: 8 Stick Bridge Rd

Good afternoon,

Attached you will find an application for the **Demo/Rebuild** and **Addition** at address: **8 Stick Bridge Rd**. We have instructed the owner/contractor not to proceed until we have your decision on the property.

Thank you.

Best regards,

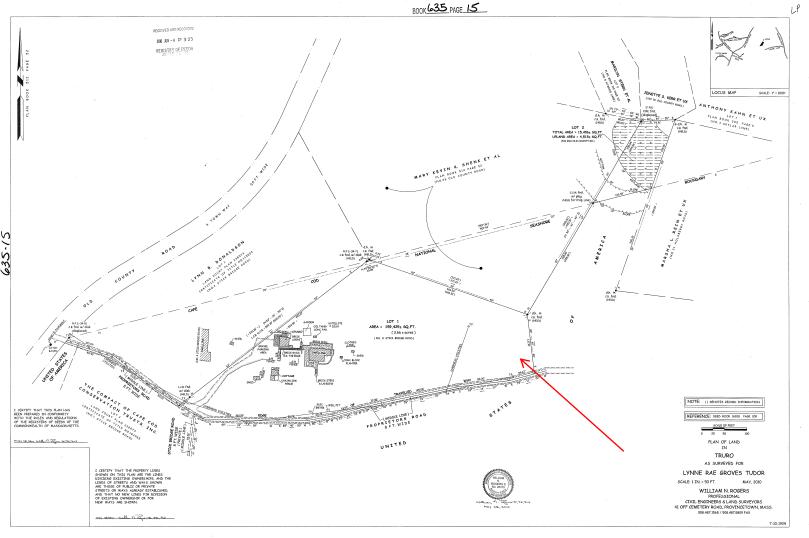
Lynne G. Budnick

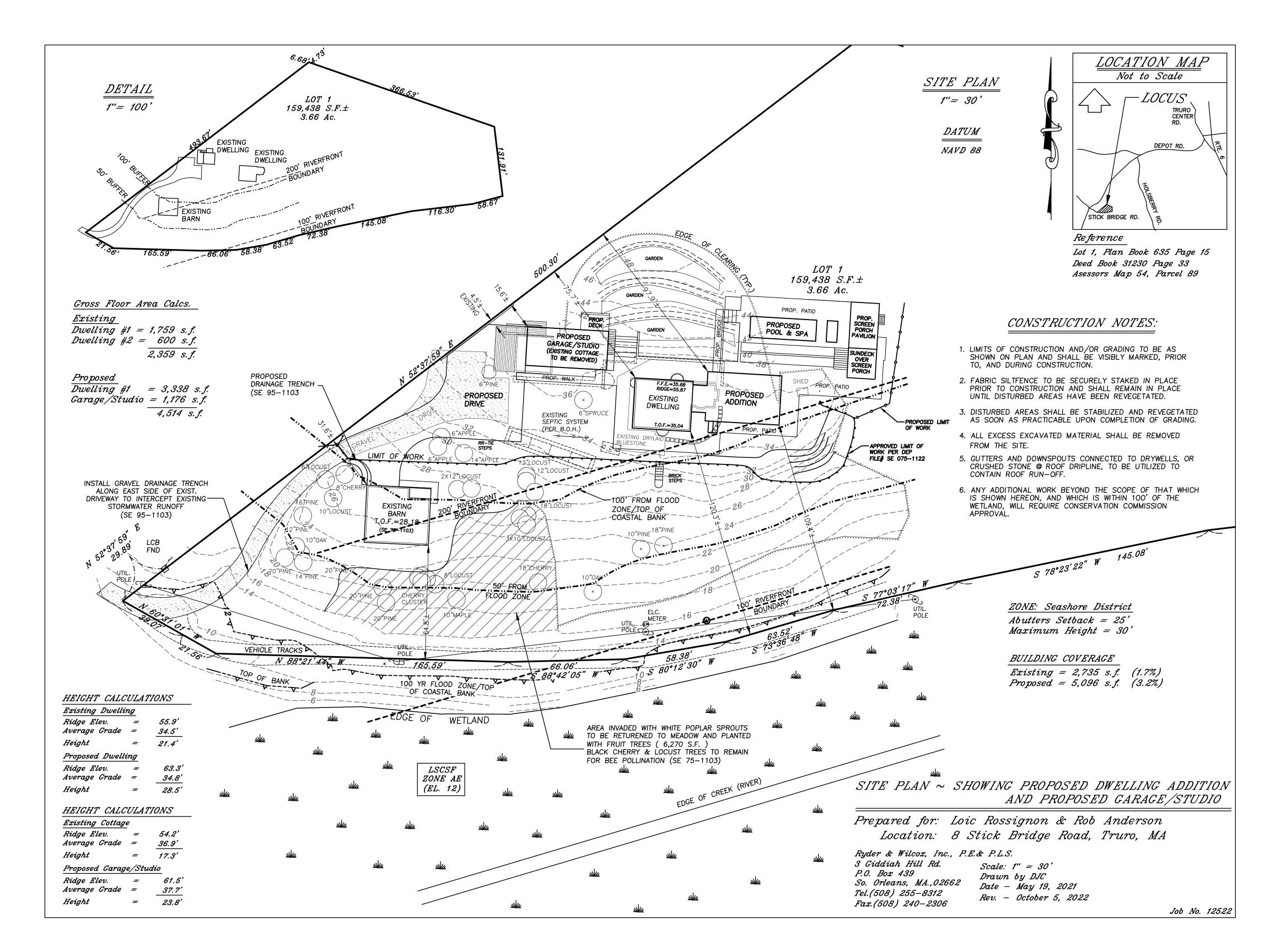
fynne & Budnick

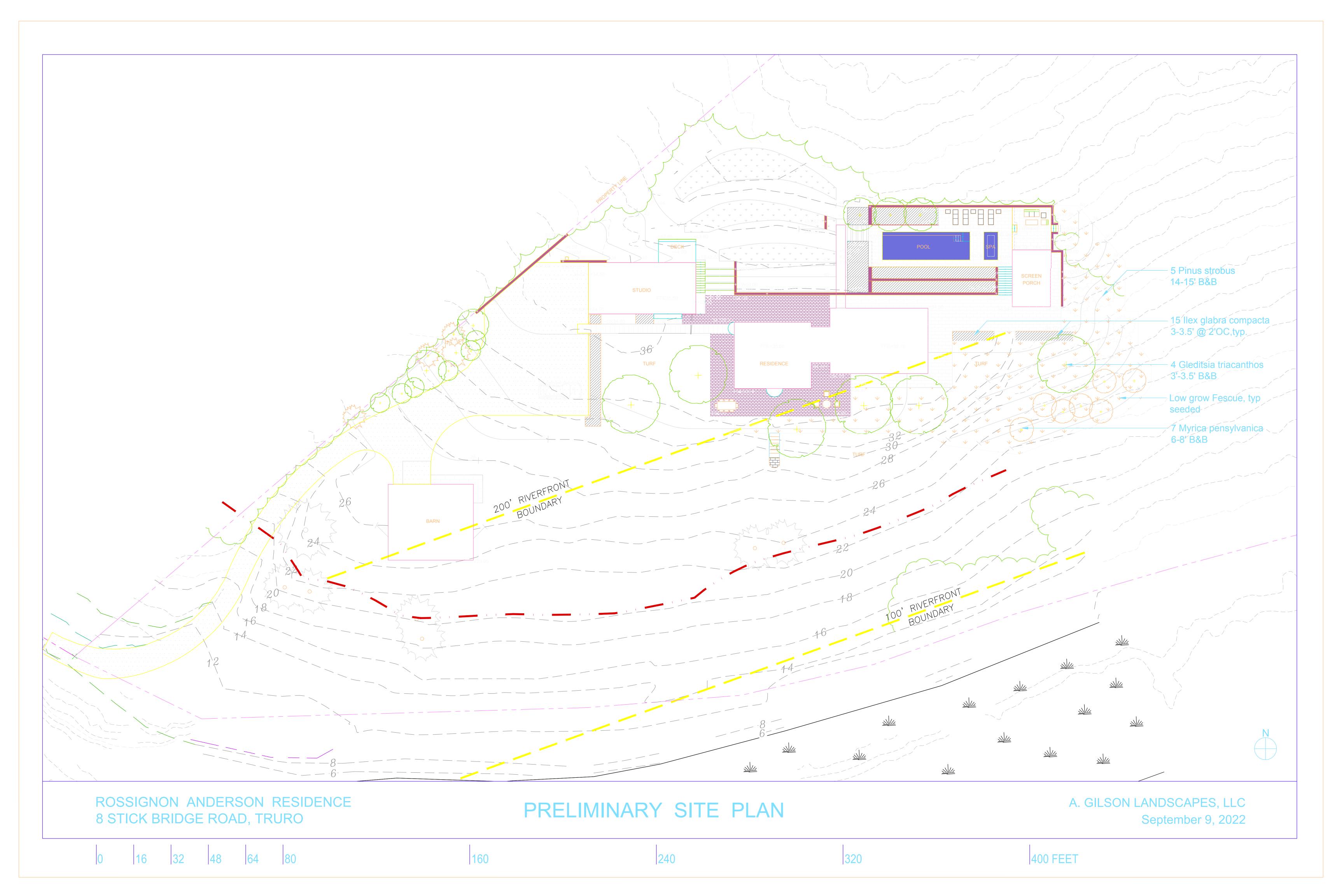
Principal Office Assistant/Building/Conservation/Health Town of Truro P.O. Box 2030 24 Town Hall Road Truro, MA 02666 Phone: (508) 349-7004, ext. 131

Phone: (508) 349-7004, ext. 131 Direct Line: (508) 214-0920

Fax: (508) 349-5508









SOUTH PERSPECTIVE - View from River



NORTH PERSPECTIVE - View from Garden

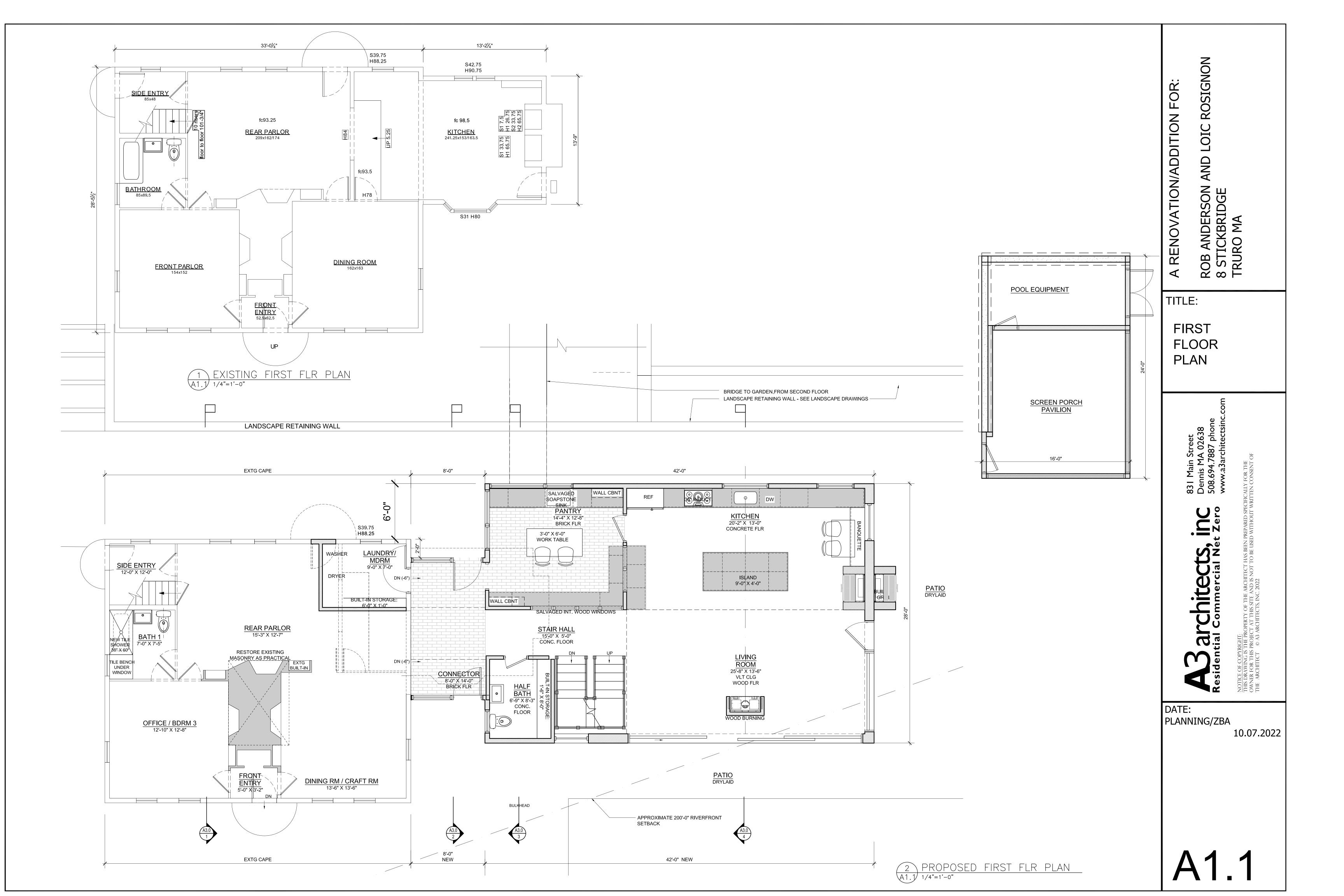
NEW CONSTRUCTION FOR:
ROB ANDERSEN & LOIC ROSSIGNON
8 STICKBRIDGE ROAD
TRURO MA

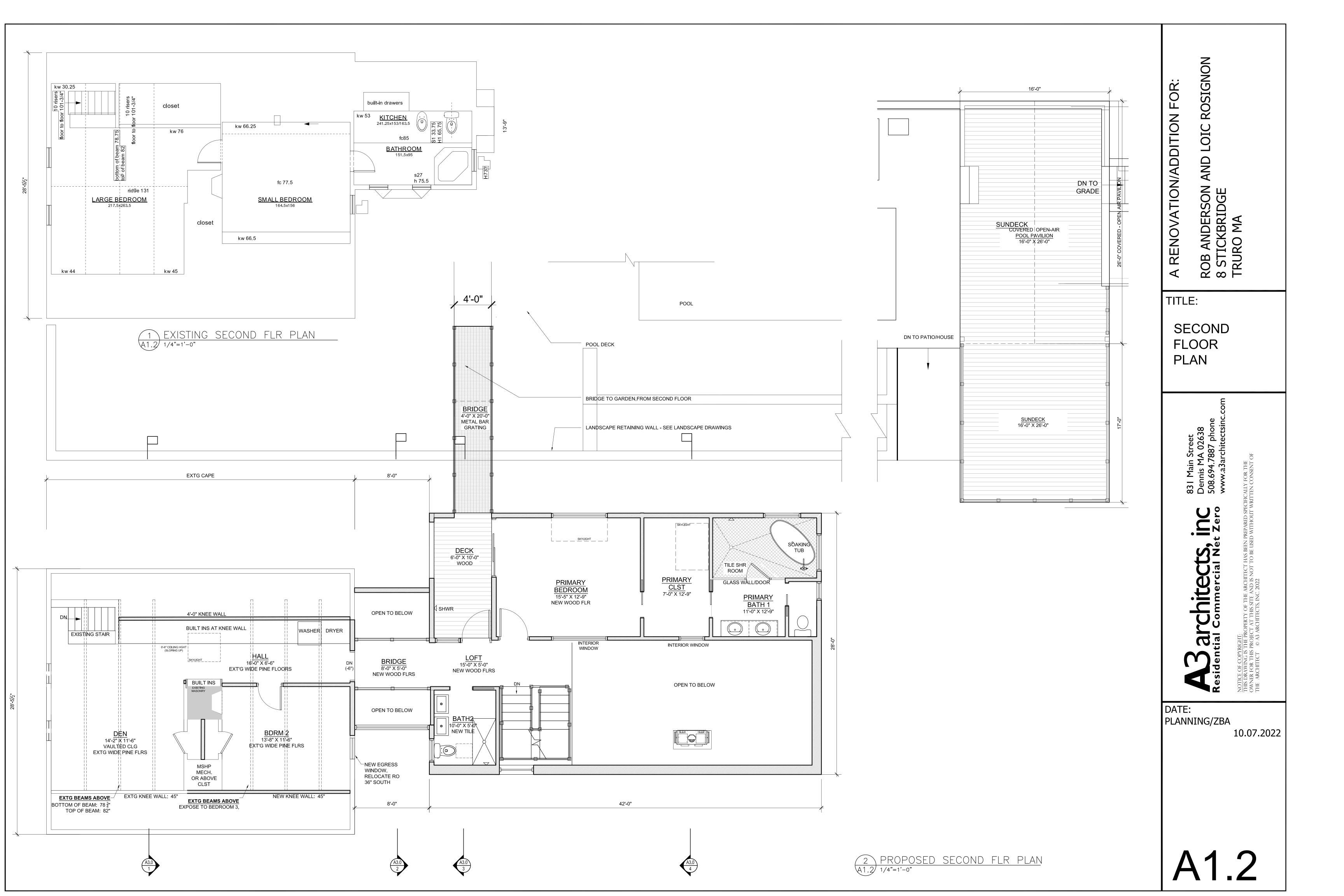
TITLE:
PERSPECTIVES

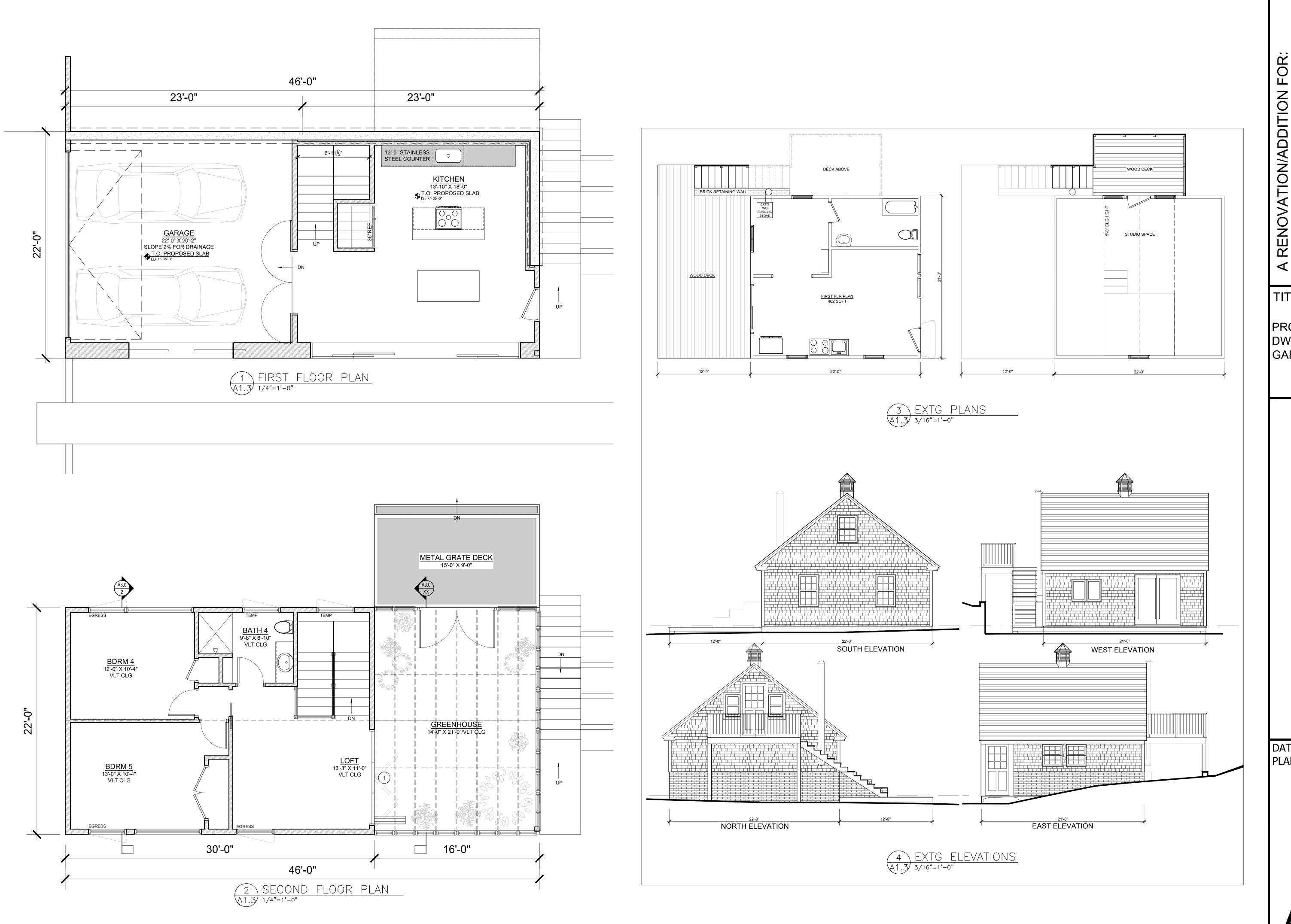
os Frain su eet
Dennis, MA 02638
508.694.7887 phone
www.a3architectsinc.com

A3 architects, inclesidential Commercial Net Zero

DATE: PLANNING/ZBA: 10.07.2022







ROB ANDERSON AND LOIC ROSIGNON 8 STICKBRIDGE TRURO MA

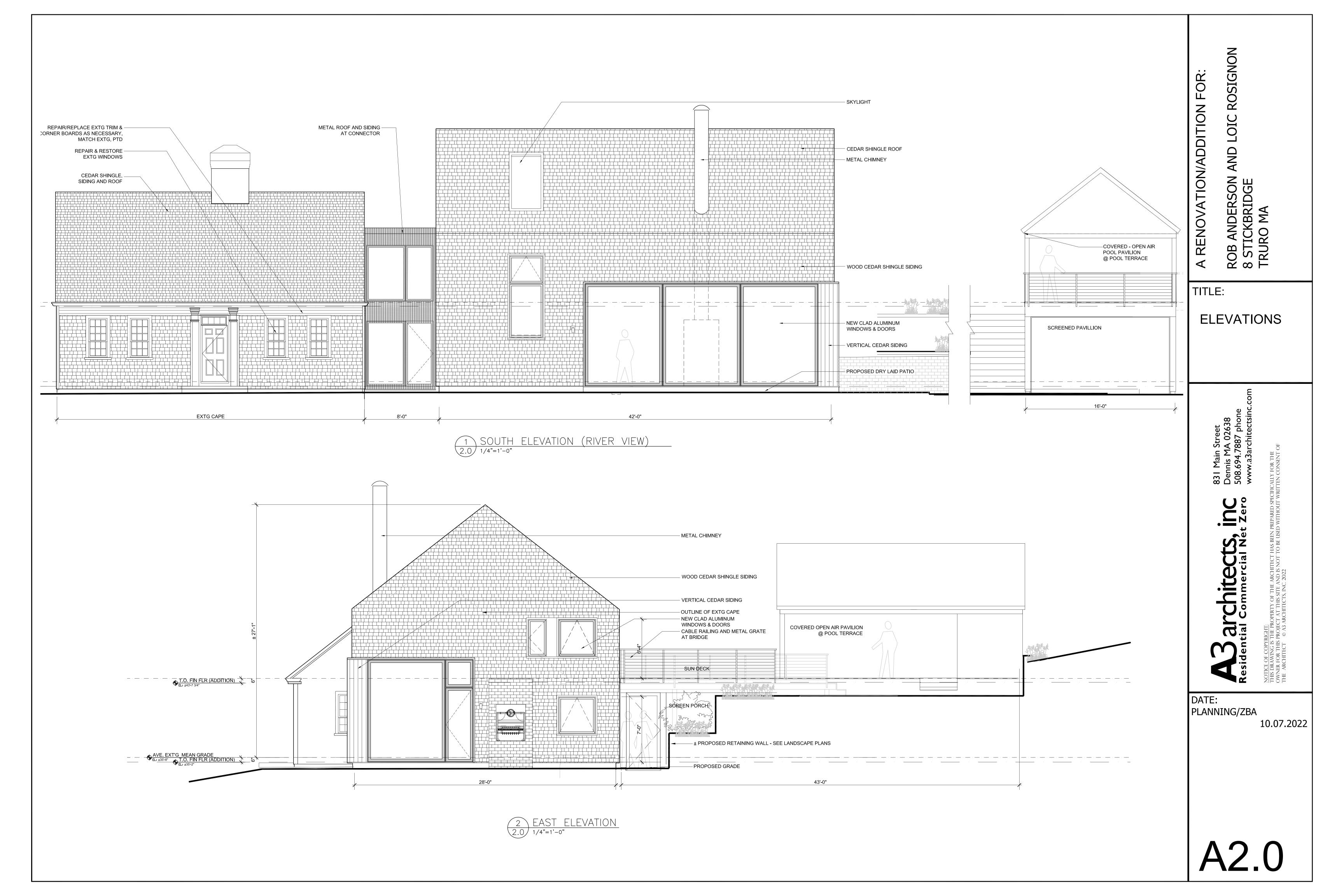
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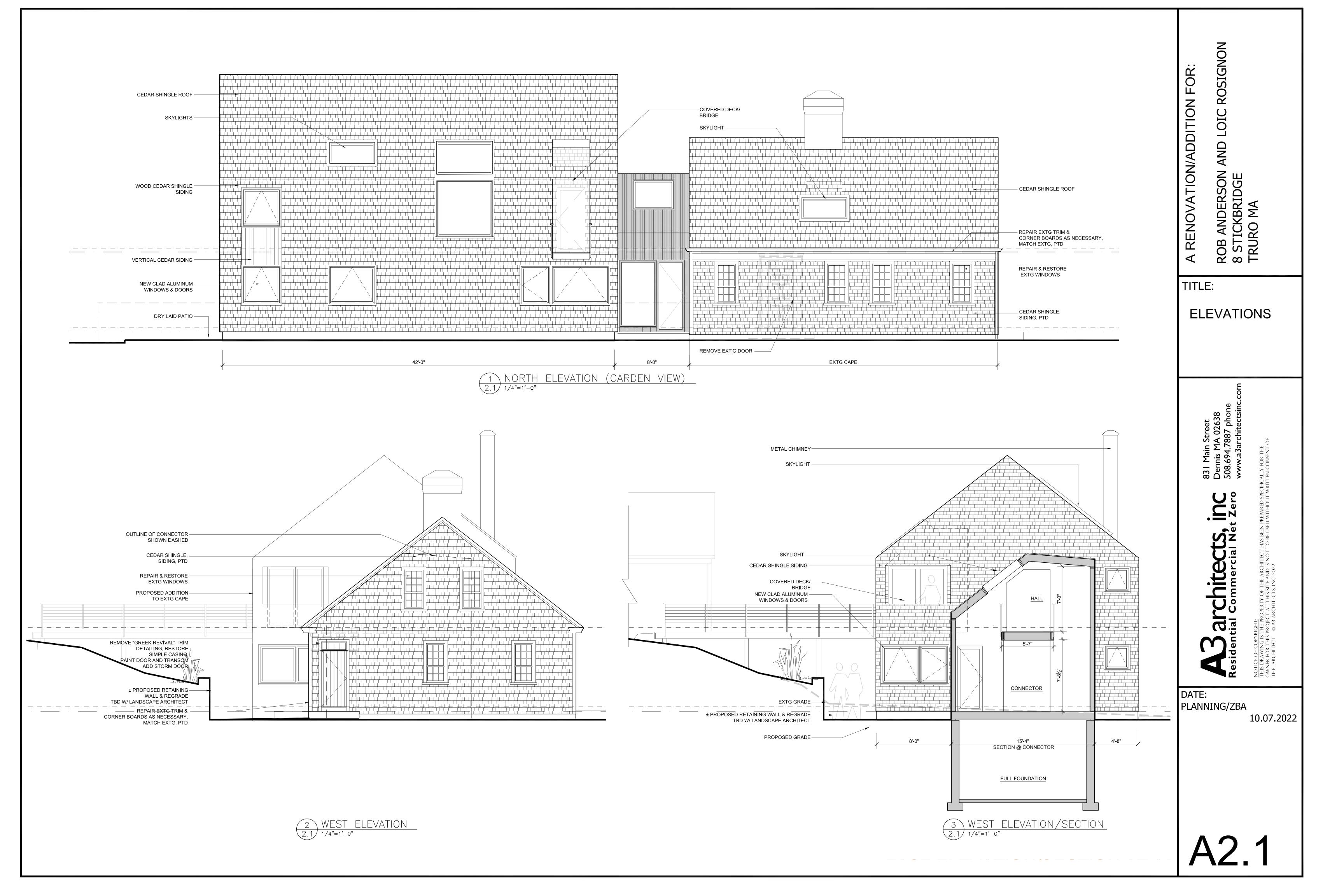
PROPOSED DWELLING 2 PLANS: GARAGE & STUDIO

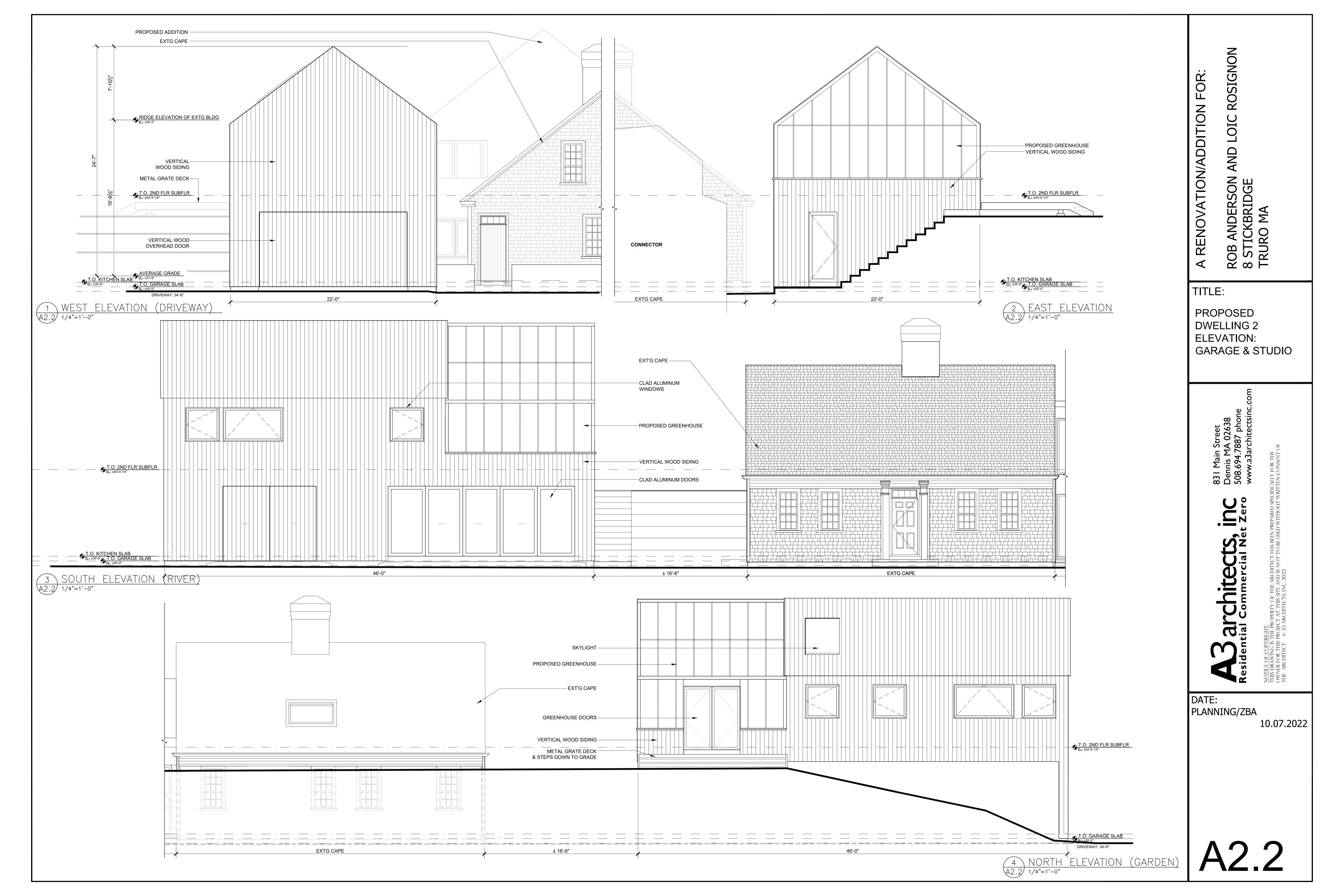
A3 architects, inc Residential Commercial Net Zero

DATE: PLANNING/ZBA

10.07.2022







© 2022 Kichler Lighting LLC. All Rights Reserved.

SPECIFICATIONS

Certifications/Qualifications	
Dark Sky Compliant	Yes www.kichler.com/warranty
Dimensions	
Base Backplate Extension Weight Height from center of Wall opening (Spec Sheet) Height Width	5.00 X 4.75 8.50" 1.25 LBS 4.00" 7.75" 5.75"
Light Source	
Lamp Included Lamp Type Light Source Max or Nominal Watt # of Bulbs/LED Modules Socket Type Socket Wire	Not Included BR40 Incandescent 120.00 1 Medium 150"
Mounting/Installation	
Interior/Exterior Location Rating	Exterior Wet

FIXTURE ATTRIBUTES

Mounting Style

Housing						
Primary Material	ALUMINUM					
Product/Ordering Information						
SKU Finish Style UPC	9236AZ Architectural Bronze Contemporary 783927923644					
Finish Options						
Architectural Bronze						

Wall Mount

LIGHT FIXTURE: A



ALSO IN THIS FAMILY







TYPE:	
CAT. #: LSW16-	

LIGHT FIXTURE:

LSW16 POLARIS



Shown w/ optional Conduit Hub (CHA)

The **LSW16** wall light is a state-of-the-art high performance LED luminaire. Machined entirely from solid brass bar and gasketed with durable silicone O-rings to ensure the fixture remains hermetically sealed under the most extreme conditions.

Features include:

- 3 Watts
- Cree XLAMP® (XP-L) LED
- 2700, 3000 or 4000K (CRI 80 typ.)
- Thermally Integrated® and Field Serviceable LED Module

MOUNT

[CHA] Conduit Hub, Aluminum w/PVC

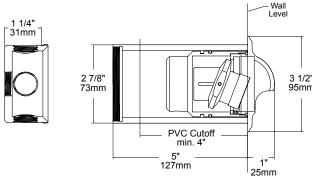
[CHB] Conduit Hub, Brass w/PVC

- IC Rated for Interior and Exterior Use
- Dimmable to <10% typ.
- 12 VAC Electronic or Magnetic
- Solid Brass Construction









Optional Conduit Hub

With 2 1/2" Sched. 40 PVC Sleeve (included)

ORDERING GUIDE: LSW16 L (LED) SW (STEP/WALL LIGHT) 16 (16 X 1/8 = 2")

☐ INDICATES REQUIRED FIELD () INDICATES OPTIONAL FIELD

LIGHT SOURCE [A] Adjustable [F] Fixed

OPTIC [N] 15° Narrow [M] 25° Medium

[W] 40° Wide [WF] 60° Wide Flood [A] All Optics Kit

LED COLOR [27D] 2700K [30D] 3000K

LENS

[F] Frosted

[C] Clear

[40D] 4000K

[D] = Dimmable

ACCESSORIES

(Select 4 unless LB is selected, limit 2 with LB):

[H] Hex Baffle [L] Linear Spread

[P] Prismatic Lens

[MP] Micro Prismatic

[F] Frost (Diffusion)

[R1, 2, 3 or 4] Red

[G1, 2, 3, or 4] Green

[B1, 2, 3, or 4] Blue

[Y1, 2, 3 or 4] Yellow

[LB] Linear Baffle (AR required if paired with second accessory)

[AR] Accessory Retainer

[PVC] PVC Sleeve (default)

FINISH [NAT] Natural

[BLP] Bronze Living Patina

[BLP-XD] BLP Extra Dark

[NI] Nickel PVD

[PC] Powder Coat- Specify Color



MOUNTS





Aluminum Conduit Hub

Provides up to 5 ports for multi-conduit entries





Lineal Bollard Illuminated Aluminum Bollard

LIGHT FIXTURE: C

PROJECT NAME:



High performance slender aluminum bollard with accent panel and configuration options.

FEATURES:

- Small 4" x 3" footprint
- Available with wood or aluminum front accent panel
- Multiple distribution options
- Concealed mounting hardware

SPECIFICATIONS:

CONSTRUCTION: Seamless aluminum housing comprised of 6005A-T61 extrusion and 6061-T6 end plates. Secures to an A36 steel base weldment. Gasketed handhole access behind accent panel.

ELECTRICAL: Powered by a Class P 120-277VAC primary integral power supply behind gasketed handhole cover behind accent panel. System is 0-10V dimmable. Minimum -40°C operating temperature.

OPTICAL SYSTEM: LED boards have solderless connections for field upgradability. Available in 2700K, 3000K, 3500k and 4000K color temperatures with >90 CRI. Optics are UV resistant molded PMMA in Type II and V distributions. Consult factory for additional lumen output, CCT, and optical distribution options.

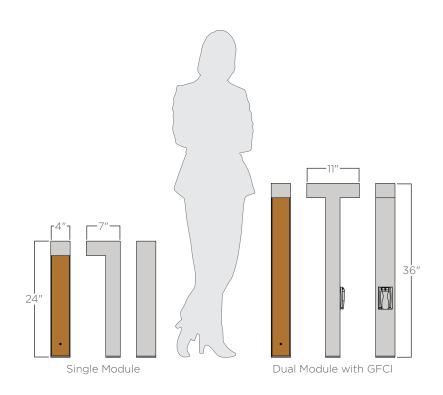
FINISHES AND MATERIALS: All exterior aluminum parts are polyester powder coat painted to AAMA-2604 standards. Wood pieces are finished with a low VOC waterborne matte exterior finish containing UV and mildew inhibitors. <u>Care and Maintenance</u>

HARDWARE: All luminaire hardware is stainless steel. Anchor bolt kit is hot dipped galvanized.

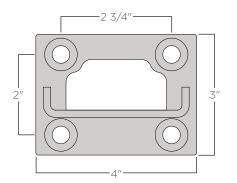


LISTINGS & RATINGS: Luminaire CSA listed according to CSA C22.2 No. 250.0-18/UL Standard 1598. Suitable for wet locations. LM-80 test reported L70 > 60,500 hours and calculated L70 > 154,000 hours.





		Standard Output		
Module	Type	Lumens ⁽¹⁾	Watts	
Single	Single II		11	
Single	IV	725	11	
Dual	Ш	1442	22	
Dual	IV	1450	22	
Dual	II/IV	1446	22	
Dual	IV/II	1446	22	







ORDERING GUIDE: EXAMPLE: LBL-S-36-L30S0-2-C5-P1/S3-UNV-STD



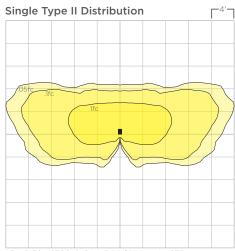
1	Series	5	Light Source ⁽³⁾	8	Panel Material ⁽⁵⁾
LBL	Lineal Bollard	so	Standard Output	P1/S* P2/C*	Wood (specify color) ⁽⁶⁾ Aluminum (specify color) ⁽⁶⁾
2	Module	6	Distribution ⁽⁴⁾		
s	Single	2	Type II	9	Voltage
D	Dual	4 2/4	Type IV Front Type II/Back IV	UNV	120-277V
3	Overall Height	4/2	Front Type IV/Back II	10	Options
24 36	24" 36"	7	Metal Finish	GFCI	GFCI Box ⁽⁷⁾
		C*	See color options on	11	Special
4 L27 L30 L35 L40 AMB	Light Color 2700K ⁽²⁾ 3000K ⁽²⁾ 3500K 4000K Amber	CSM	finishes technical sheet Custom Color	STD MOD	Standard Modified

- 1. Lumen output based upon 2700K color temperature.
 2. 2700K or 3000K color temperature required for IDA certification.
 3. Consult factory for other output options.
 4. BUG rating of 80-U1-G1
 5. Accent panel only on front side of bollard.
 6. See color options on finishes technical sheet.
 7. GFCI box requires 36" bollard height.

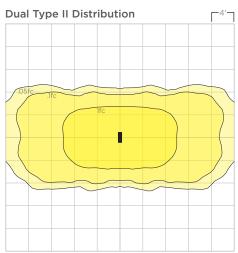
Lineal Bollard Illuminated Aluminum Bollard



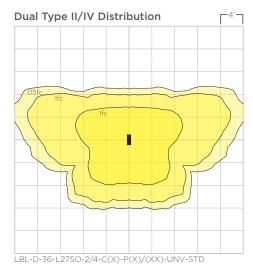
FIXTURE TYPE: _ PROJECT NAME: _

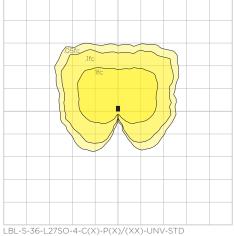


LBL-S-36-L27SO-2-C(X)-P(X)/(XX)-UNV-STD



LBL-D-36-L27SO-2-C(X)-P(X)/(XX)-UNV-STD

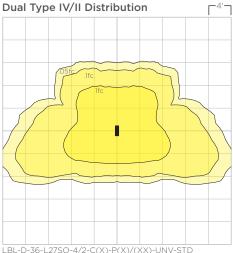




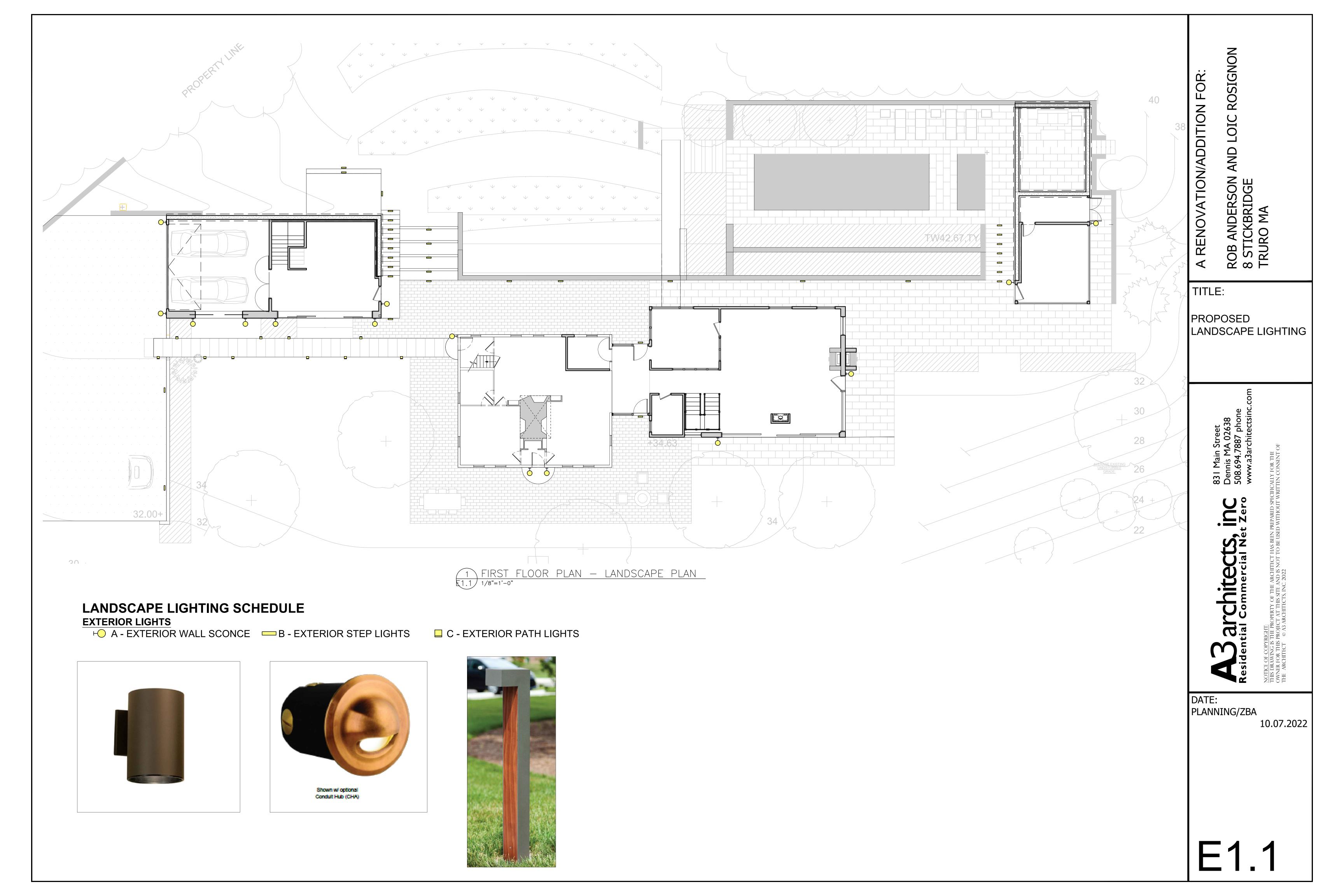
Single Type IV Distribution

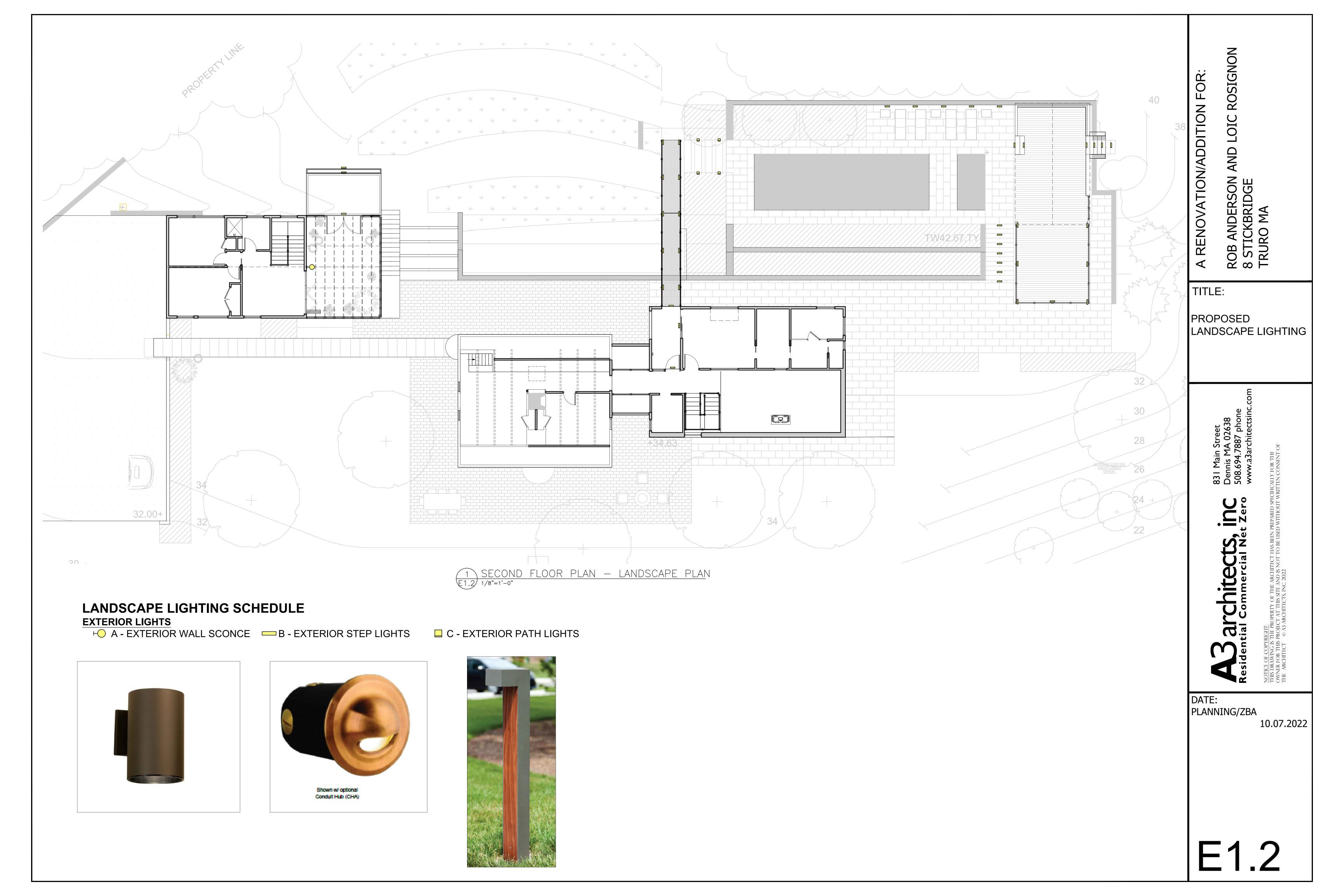
Dual Type IV Distribution

LBL-D-36-L27SO-4-C(X)-P(X)/(XX)-UNV-STD



LBL-D-36-L27SO-4/2-C(X)-P(X)/(XX)-UNV-STD







TOWN OF TRURO

ZONING BOARD OF APPEALS

Meeting Minutes
September 26, 2022 – 5:30 pm
REMOTE ZONING BOARD OF APPEALS MEETING

<u>Members Present (Quorum)</u>: Chris Lucy (Vice Chair); Darrell Shedd; Heidi Townsend; Virginia Frazier; Curtis Hartman (Alt.); Nancy Medoff (Alt.)

Members Absent: Art Hultin (Chair)

Other Participants: Barbara Carboni – Town Planner/Land Use Counsel; Liz Sturdy – Planning Department Administrator; Select Board Liaison John Dundas; Ben Zehnder (Attorney for Rachel Kalin – Trustee/Applicant); John Bologna (Coastal Engineering and Representative for Rachel Kalin – Applicant); Tim Cappuccino (Hutker Architects and Representative for Rachel Kalin – Applicant); Ben Zehnder (Attorney for Douglas Ambrose – Applicant); John Casale (MarJon Builders and Representative for Douglas Ambrose – Applicant); Robin Reid (Attorney for George M. Shimko – Applicant); Martin Kinnane (Cape Associates and Representative for Sam Lessin – Applicant); Paul Krueger (Architect and Representative for Sam Lessin – Applicant); Christopher J. Snow (Attorney and Applicant); Sally McSween (Representative for the Condominium Association); Ben Zehnder (Attorney and Representative for Abutters: Marie Belding and Pat Callinan); Marie Belding (Abutter); Pat Callinan (Abutter)

Remote meeting convened at 5:30 pm, Monday, September 26, 2022, by Town Planner/Land Use Counsel Carboni who announced that this was a remote meeting which is being broadcast live on Truro TV Channel 18 and is being recorded. Town Planner/Land Use Counsel Carboni also provided information as to how the public may call into the meeting or provide written comment. Vice Chair Lucy introduced the Members.

Public Comment Period

No public comments were made.

Public Hearings (Continued)

2022-006/ZBA (SP's) - Outer Shore Nominee Trust, Rachel Kalin, Trustee for property located at 17 Coast Guard Road (Atlas Map 34, Parcel 3, Registry of Deeds title reference: Book 34387, Page 1). Applicant seeks: (1) a Special Permit under M.G.L. Ch. 40A §6 and §30.3.l(A)2 of the Truro Zoning Bylaw to exceed total Gross Floor Area limit in the Seashore District; and (2) a Special Permit under M.G.L. Ch. 40A §6 and §30.7(A) of the Truro Zoning Bylaw to demolish 5 of 6 pre-existing, non-conforming cottages; construct new single-family dwelling; convert nonconforming cottage into an accessory pool structure in the Seashore District.

Vice Chair Lucy recognized Attorney Zehnder who provided background and an update to include highlighting the new modifications of the single-family structure which were submitted to the Town last month. Changes included: the reduced the gross floor area, an unfinished basement will now be a crawl space, a screen porch has been lowered in height, the railing heights have been significantly lowered, and the property will be significantly regraded to lower the structure.

Members and the Applicant's representatives discussed the following topics: the relevance and purpose of oversized structures in the Seashore District; and the appreciation for the Applicant's commitment to address the ZBA's concerns, reduce the structure's footprint, and modify the plan accordingly.

Vice Chair Lucy asked if any members of the public wanted to make any comments, in favor or opposition, and there were none.

Town Planner/Land Use Counsel Carboni advised that the four regular Members of the ZBA and one designated alternate Member (Hartman selected by Vice Chair Lucy) to vote on this matter.

Member Shedd made a motion to grant a Special Permit in the matter of 2022-006/ZBA to exceed the total Gross Floor Area limit in the Seashore District.

Member Frazier seconded the motion.

So voted, 5-0, motion carries.

Member Shedd made a motion to grant a Special Permit in the matter of 2022-006/ZBA for the demolition of 5 of 6 pre-existing, non-conforming cottages to construct a new single-family dwelling and convert a cottage into an accessory pool structure in the Seashore District. Member Frazier seconded the motion.

So voted, 5-0, motion carries.

2022-008/ZBA (SP/VAR)-Douglas Ambrose for property located at 49 Fisher Road (Atlas Map 53, Parcel 24, Registry of Deeds title reference: Book 21922/32678, Page 177/75). Applicant seeks a Special Permit under M.G.L. Ch. 40A §6 and §30.7(A) of the Truro Zoning Bylaw concerning demolition and reconstruction of dwelling on a pre-existing, non-conforming lot (minimum lot size). Applicant also seeks a Variance under M.G.L. Ch. 40A, §10 and §50.I(A) of the Truro Zoning Bylaw for minimum side yard setback distances to locate a replacement dwelling 18.1 feet from easterly property line, where 25 ft. are required.

Vice Chair Lucy recognized Attorney Zehnder who provided background and an update on this project. Attorney Zehnder said that the builder has identified a new location for the alternate staircase. The building inspector has determined that 4" short of the 25-foot requirement as *de minimis*.

Vice Chair Lucy asked if any member of the public would like to make any comments and Mr. Jack Riemer, speaking as a private citizen, expressed concerns about scale and mass of the structure (that Mr. Riemer noted was available for rental) with access to a public beach.

Vice Chair Lucy identified the four regular Members and one designated alternate Member (Hartman selected by Vice Chair Lucy) to vote on this matter. Town Planner/Land Use Counsel Carboni opined that the Members could vote on the Special Permit, and following that vote, the Applicant could request to withdraw the Variance request.

Member Shedd made a motion to grant a Special Permit in the matter of 2022-008/ZBA to demolish and reconstruct a dwelling on a non-conforming lot M.G.L. Ch. 40A §6.

Member Hartman seconded the motion.

So voted, 5-0, motion carries.

Attorney Zehnder made a request for the Members to consider a motion to grant the withdrawal for the Variance without prejudice.

Vice Chair Lucy made a motion to grant the withdrawal for the Variance without prejudice. Member Shedd seconded the motion.

So voted, 5-0, motion carries.

2022-015/ZBA (SP)- George M. Shimko for property located at 2 Moses Way (Atlas Map 40, Parcel 14, Registry of Deeds title reference: Book 21691, Page 299). Applicant seeks a Special Permit under §40.3 of the Truro Zoning Bylaw to convert a former 3-unit cottage colony to 3-unit year-round multifamily use (condominium).

Vice Chair Lucy recognized Attorney Reid who provided background and reviewed the conditions which were discussed at the previous hearing. The only condition that was not acceptable to the buyer was to designate one of the cottages for year-round rental only and in perpetuity.

Member Shedd offered a compromise of designating one of the cottages for year-round rental only and for five years and then expire. Before replying to the compromise, Attorney Reid texted the buyer and stated that she had just received a reply from the buyer that accepted the condition to designate one cottage for year-round rental only for a period five years and then expire.

Vice Chair Lucy identified the four regular Members and one designated alternate Member (Hartman selected by Vice Chair Lucy) to vote on this matter.

Member Hartman made a motion to grant a Special Permit under §40.3 of the Truro Zoning Bylaw in the matter of 2022-015/ZBA with the following conditions: 1. there will be no rentals for less than 12 months. 2. one cottage will be designated for year-round rental only for a term of five years. Member Shedd seconded the motion.

So voted, 5-0, motion carries.

Public Hearings

2022-016/ZBA (SP) - Mark Kinnane, Cape Associates Inc. for property located at 9 Bay View Road (Atlas Map 39, Parcel 21, Registry of Deeds title references: Book 32595, Page 147). Applicant seeks a Special Permit under M.G.L. Ch. 40A §6 and §30.7/§30.8 of the Truro Zoning Bylaw to demolish and reconstruct three cottages on new foundations in the Residential District.

Vice Chair Lucy recognized Mr. Kinnane who provided background on the proposed project as well as deed history of the property. Mr. Kinnane said that the proposed project adheres to the Local Comprehensive Plan and maintains the character of the neighborhood. Town Planner/Land Use Counsel Carboni noted that there she noted in her staff memorandum that according to an affidavit in the record the property had at one time been used as a cottage colony; therefore, the Applicant would have to apply for a Special Permit for a cottage colony conversion first. Town Planner/Land Use Counsel Carboni

further added that the Applicant could provide evidence to show that the property had not been used as a cottage colony since there is now factual dispute. Member Hartman and Member Shedd expressed their preference for the Members to deal with the issue of the cottage colony conversion to multifamily use prior to discussing the current Special Permit application at tonight's hearing. A discussion ensued among Members, Town Planner/Land Use Counsel Carboni, Mr. Kinnane, and Mr. Krueger as to the history of the property to include the affidavit stating that the property had been used previously as a cottage colony.

Vice Chair Lucy identified the four regular Members and one designated alternate Member (Medoff selected by Vice Chair Lucy) to vote on this matter.

Vice Chair Lucy made a motion to continue the matter of 2022-016/ZBA until October 24, 2022, to provide the Applicant an opportunity to provide additional information.

Member Medoff seconded the motion.

So voted, 5-0, motion carries.

2022-017/ZBA (VAR/SP)- Ebb Tide on the Bay Condominiums for property located at 538 Shore Road (Atlas Map 7, Parcel 7, Registry of Deeds title reference: Book 5671, Page 232). Applicant seeks a Variance under M.G.L. Ch. 40A § IO and §40.3.B.2/§30.9.C of the Truro Zoning Bylaw for a reduction in number of parking spaces (from 12 spaces to 9); Special Permit under M.G.L. Ch. 40A §6 and §30.7.A of the Truro Zoning Bylaw for the relocation of three nonconforming structures on a lot in the Beach Point Limited Business District.

Vice Chair Lucy recognized Attorney Snow who provided background on the proposed project. The plans submitted address the Conservation Commission's concerns and Attorney Snow requested a Variance for parking spaces and a Special Permit to relocate the three nonconforming structures towards Shore Road and closer to the 25' setback. Attorney Snow concluded that the Application included photographs of the property, the Order of Conditions from the Conservation Commission, and the Board of Health's decision on the innovative septic system to be installed.

Members and the Applicant discussed the following topics: the reduction of parking spaces, the property photographs from 2018 and 2019, previous foundation repairs, continuous erosion issues, and the governing and enforcement of the number of cars parked on the property during the summer season and limitations for owner/occupant parking spaces versus dedicated parking spaces for rental units.

Vice Chair Lucy invited the members of the public if they had any comments or questions and Vice Chair Lucy recognized Attorney Zehnder who represents abutters to the property. Attorney Zehnder objected to the proposed increased sizes of the structures which nearly double the current gross floor area and number of floors from 1-story to 2-story on two structures. A discussion ensued regarding the number of bedrooms in the units which would determine the correct number of parking spaces. One member of the public stated that one "bedroom" was not a bedroom as it didn't have a closet. Town Planner/Land Use Counsel Carboni asked the Applicant to provide a table, for each building, with the number of bedrooms along with the square footage for the current structures and for the proposed structures. Attorney Zehnder then asked for the Applicant to include the square footage for each room as it was unclear whether the gross floor area was measured from the interior or the exterior wall although the Applicant's engineer summarized the square footage in the submitted plan.

After Attorney Zehnder expressed his clients' concerns, Town Planner/Land Use Counsel Carboni said that she would write a memorandum to the Applicant listing the Members' and Attorney Zehnder's questions and concerns regarding this project. Town Planner/Land Use Counsel Carboni added that she would then provide guidance to the ZBA Members based upon the responses she received.

Vice Chair Lucy identified the four regular Members and one designated alternate Member (Medoff selected by Vice Chair Lucy) to vote on this matter.

Vice Chair Lucy made a motion to continue the matter of 2022-017/ZBA be continued until October 24, 2022, to give the Applicant time to provide additional requested information.

Member Shedd seconded the motion.

So voted, 5-0, motion carries.

Minutes

Vice Chair Lucy led the review of the minutes from July 25, 2022, for any corrections or edits and there were none. Member Medoff stated that she would abstain from these minutes as she was not present at the meeting.

Member Shedd made a motion to approve the minutes as presented. Vice Chair Lucy seconded the motion. So voted, 5-0, motion carries.

Vice Chair Lucy led the review of the minutes from August 22, 2022, for any corrections or edits and there were none. Member Frazier abstained as she was not present at the meeting.

Member Hartman made a motion to approve the minutes as presented. Member Shedd seconded the motion. So voted, 5-0, motion carries.

Member Shedd made a motion to adjourn at 7:51 pm. Member Townsend seconded the motion.

So voted, 6-0, motion carries.

Respectfully submitted,

Alexander O. Powers

Board/Committee/Commission Support Staff