



Truro Zoning Board of Appeals Agenda Remote Meeting

Monday, February 27, 2023 – 5:30 pm

www.truro-ma.gov

Open Meeting

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

Citizens can join the meeting to listen and provide public comment by entering the meeting link; clicking on the Agenda's highlighted link; clicking on the meeting date in the Event Calendar; or by calling in toll free at [1-866-899-4679](tel:1-866-899-4679) and entering the access code [481-067-445#](tel:481-067-445#) 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.

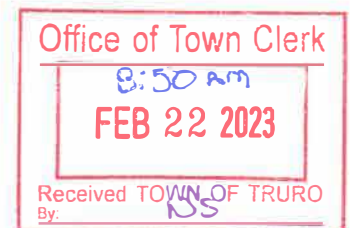
Meeting link: <https://meet.goto.com/481067445>

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.

Minutes

- ◆ November 21, 2022
- ◆ December 19, 2022



Public Hearings – 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 non-conforming structures on a lot in the Beach Point Limited Business District. **[Original material in 9/26/2022 and 10/24/2022 packets] {New material included in this packet}**

2022-020/ZBA – Jennifer Cabral (Nearen & Cubberly Nominee Trust), for property located at 491 Shore Road (Atlas Map 7, Parcel 4, Registry of Deeds Book 8309 and Page 131). Applicant seeks a special permit under G.L. c. 40A, s. 6 and s. 30.7 of the Zoning Bylaw for construction of a small workshop replacing existing garage structure on nonconforming lot in the Beach Point Limited Business District. ***[Original material in 12/19/2022 packet] {New material included in this packet}***

Public Hearing

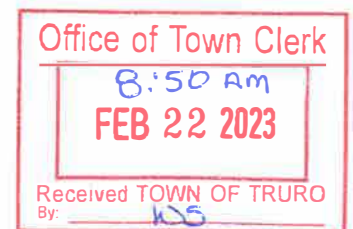
2023-001/ZBA – Jennifer Shapiro (Chisholm), Trustee, Beach Point Trust, 423 Shore Road (Atlas Map 9, Parcel 1) (Beach Point Limited Business District). Applicant seeks special permit for demolition and reconstruction of dwelling on pre-existing non-conforming lot (lot size; front yard setback).

Update on Housing Ad Hoc Group (Heidi Townsend)

Next Meeting

- ◆ Monday, March 27, 2023 at 5:30 p.m.

Adjourn



STAFF MEMORANDUM

To: Truro Zoning Board of Appeals
From: Barbara Carboni, Town Planner and Land Use Counsel
Date: February 24, 2023
Re: Meeting February 27, 2023

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.

Updates: At this Board's last meeting, the Board granted continued this hearing to February 27, 2023 without taking testimony. Planning Board hearing on the application for Commercial Site Plan Review opened February 8, 2022 and further testimony was heard on February 22, 2023. The hearing was continued to March 22, 2023.

The applicant has submitted additional materials that had been requested by the Planning Board, including the 1985 ZBA decision approving a condominium conversion; a 1986 site plan, and a February 2023 site plan depicting locations of proposed HVAC unit; septic system and stormwater management components.

On February 24, 2022, applicant's counsel requested a continuance to the Board's March 27, 2023 meeting.

The following is adapted from the September 2022 Staff Memo.

Existing Conditions and Proposed Project

Ebb Tide consists of 6 units in three buildings on a lot containing 14,224 square feet (nonconforming where 33,750 square feet required) and 100 feet of frontage (nonconforming, where 150 feet required) in the Beach Point Limited Business District.

Building 1 is single story, contains one unit and has a nonconforming setback of 7.16 feet from the eastern (side) lot line. **Building 2** is single story and contains one unit. **Building 3** is two stories, contains four units and has a nonconforming setback of 1.91 feet from the western (side) lot line. See Existing Site Plan SE.1. In this portion of the District, the minimum side yard setback is 5 feet per story. See note 4 to Zoning Bylaw Table 50.1. The front setback of **Building 1** is 22.24 feet; of Building 2 is 37.6 feet; and **Building 3** is 40.06 feet. The required front setback is 25 feet.

Currently, there is a row of nine parking spaces across the front of a lot, with a second row of three spaces behind the front row on the western side of the property. See Sheet SE-1, Detail of Existing Parking.

Due to erosion under the three buildings, the property owners began developing a plan in 2020 to retreat from the shore, reconstructing Buildings 1, 2 and 3 at a uniform distance of 25 feet from the front lot line. Among other impacts, this will result in a loss of the second row of three spaces. This will reduce the number of spaces per unit to 1.5, short of the 2 units per unit required under the Zoning Bylaw; hence the variance request before the ZBA.

Based on the plans provided, including tables (see SP-1 and SP-2), **Building 1** will increase from 1 to 1 ½ stories, and increase in Gross Floor Area from 883 square feet to 1681 square feet. **Building 2** will increase from 1 to 1 ½ stories, and increase in Gross Floor Area from 578 square feet to 1040 square feet. **Building 3** will remain a 2-story structure, decreasing in Gross Floor Area from 2016 square feet to 1917 square feet. Total Gross Floor Area will increase from 3,477 square feet to 4,638 square feet. (The Gross Floor Area limits applicable in the Residential and Seashore District do not apply in this zoning district, Beach Point Limited Business)

The side yard setback of **Building 1** will be increased from 7.16 feet to 8 feet. Because the building is increasing to 1 1/2 stories, the side yard setback requirement will increase as well. The Bylaw requires "five (5) feet per story" (see n. 4 to Table 50.1), but does not specify the required setback per half-story. The applicant suggests that the setback required for a 1 -1/2 story building is 7.5 feet (i.e., the additional half story requires an additional 2.5 feet). However, it could be argued that any additional *portion* of a story requires an additional 5 feet, which would result in a requirement of 10 feet for this side yard setback.¹ The side yard setback of **Building 3** will be increased from 1.91 feet to 3.3 feet, slightly more conforming to the 10 feet required.

¹ This interpretation is supported by the remaining language in note 4 to Table 50.1, that a structure less than a full story "shall meet the minimum 5 ft setback". The Building Commissioner will be consulted prior to the meeting for his interpretation of this Bylaw requirement. If the side yard requirement for the new 1 -1/2 story structure is 7.5 feet, then the structure will be conforming at 8 feet. If the side yard requirement for a 1 -1/2 story is 10 feet, however, the new structure will be *nonconforming* (8 feet where 10 required). Since the existing structure has a conforming setback (7.16 feet where 5 feet required), this project will create a new nonconformity. Under G.L. c. 40A, s. 6, a new nonconformity requires a variance rather than a special permit, but Bylaw section 30.7.A is more forgiving – the Board may grant relief under the special permit standard:

"Lawful, pre-existing, nonconforming uses and structures may, *when a variance would otherwise be required*, be altered or extended with a special permit if the Board of Appeals 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 alteration or extension will exist in harmony with the general purpose and intent of this bylaw." [emphasis added]

The front yard setback of **Building 1** will increase from 22.24 feet to a conforming 25 feet. The front setbacks of **Buildings 2 and 3** will be reduced but to a conforming 25 feet.

The height of **Building 1** will increase from 16.76 feet to 29 feet 10.49 inches. The height of **Building 2** will increase from 13 feet to 29 feet. The height of **Building 3** will increase from 24.23 feet to 29.95 feet. The structures must be elevated to meet requirements for building in the Flood Zone; see peak heights in tables on SP-2. Based on the average grade for each, it appears that the structures will not exceed the 30-foot height limit.

The distance between proposed **Building 2** and **Building 3** appears to be 8 feet. See Addendum to Site Plan, AD-1 (indicating 8 foot wide easement running between buildings and to the shore). This is narrower than the existing configuration. See 1986 Plan of Land (in recent submission) The distance between **Buildings 1 and 2** appears to be approximately 2 or 3 feet at its narrowest, where covered porches and stairs on the buildings meet a narrow boardwalk. This is also narrower than the existing configuration. Both the existing and proposed configurations are nonconforming with a Bylaw requirement of 30 feet between "units in cottage colonies or motor courts" (see Bylaw s. 50.1.D); the new configuration is more nonconforming.

The project will require Coastal Dune Restoration and a planting plan approved by the Conservation Commission. Septic improvements accommodating 11 bedrooms are intended, to be relocated furthest from shore. See SE-1 and SE-2. An existing eight foot wide easement from Shore Road to the beach is illustrated on the plans; it appears that a boardwalk will be removed. See SE-1 and SE-2.

Standard for Special Permit under G.L. c. 40A, s. 6 and Section 30.7 of the Zoning Bylaw

The lot is nonconforming as to area and frontage; the structures are nonconforming as they are within side setbacks. Alteration, extension, or reconstruction of a dwelling on a nonconforming lot increases the intensity of the existing nonconformity and requires a special permit under G.L. c. 40A, s. 6. Bjorklund v. Zoning Board of Appeals of Norwell, 450 Mass. 357 (2008).

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 structures as proposed – all three elevated and two closer to Shore Road – will have a different impact on the streetscape and neighboring properties than the existing configuration. This and other considerations are entrusted to the Board's judgment, based on its "intimate understanding of the immediate circumstances [and] of local conditions" Fitzsimonds v. Board of Appeals of Chatham, 21 Mass.App.Ct. 53, 55 (1985).

Standard for Variance from Parking Requirement

The parking schedule of s. 30.9.C requires 2 spaces per dwelling unit for multi-family use. The existing development complies with that requirement at 12 spaces for 6 units; the proposed modifications to the site will result in the loss of 3 spaces, leaving only 1.5 spaces per dwelling unit.

The requirement for a variance from parking requirements is the same as for variances from dimensional requirements. Under G.L. Chapter 40A, Section 10, a variance may be granted where a Board “specifically finds that:

[1] owing to circumstances relating to the soil conditions, shape, or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located,

[2] a literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and

[3] that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or by-law.”

The Board must find all three of the above to grant a variance.

The project narrative provides a sufficient basis upon which the Board *could* make the required findings and grant a variance, but of course this is a matter of judgment for the Board.

2022-20/ZBA - Jennifer Cabral (Nearen&Cubberly Nominee Trust) for property located at 491 Shore Road. Applicant seeks a special permit under G.L. c. 40A s. 6 and s. 30.7 of the Zoning Bylaw for construction of workshop replacing existing garage structure on nonconforming lot in Beach Point Limited Business District.

Update: On December 19, 2022 (day of ZBA meeting), an attorney representing abutting property owners raised the issue of whether the nonconforming use (garage use) had been abandoned. If that were the case, the rights of the current and any subsequent owners would be affected. Whether the use has been abandoned would be a question of fact for the ZBA.

On February 23, 2023, counsel for the applicant by email requested a withdrawal without prejudice; he will be attending the meeting.

2023-001/ZBA - Jennifer Shapiro (Chisholm), Trustee, Beach Point Trust for property located at 423 Shore Road. Applicant seeks a special permit for demolition and reconstruction of dwelling on pre-existing non-conforming lot (lot size; front yard setback) in Beach Point Limited Business District.

Existing Conditions and Proposed Project

423 Shore Road is a (nonconforming) 25,480 square foot lot in the Beach Point Limited Business District, with conforming frontage of 249.78 feet. A one-story cottage constructed circa 1920, with Gross Floor Area of 837 square feet and 14.3 feet in height, is sited very close to the front lot line (.3 ft setback, where 25 feet required). Side and rear setbacks are conforming. See Existing Conditions, C1.2.1 and Proposed Site Plan, C2.1.3 (Zoning Table).

A two-story residence with Gross Floor Area of 2,274 square feet and 29.3 feet in height is proposed with a front setback of 5 feet and conforming side and rear setbacks. See Proposed Site Plan, C1.2.3. The location is approximately the same as the existing residence. A driveway approximately 25 feet in width, east of the residence, is proposed, presumably to be used as a parking area. Elevations and other plans submitted show decks on the first and second floors on the northern and southern sides of the residence. A portion of the dwelling lies within a 100-foot buffer zone to a wetland resource to the rear of the lot; the location of this resource is presumably why the residence is not being moved farther away from the front lot line.

Standard for Special Permit under G.L. c. 40A, s. 6 and Section 30.7 of the Zoning Bylaw

The lot is nonconforming as to area; in addition, the existing and proposed dwellings are within the front setback (five feet from lot line). Alteration, extension, or reconstruction of a dwelling on a nonconforming lot increases the intensity of the existing nonconformity and requires a special permit under G.L. c. 40A, s. 6. Bjorklund v. Zoning Board of Appeals of Norwell, 450 Mass. 357 (2008).

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 two-story structure, while relatively modest, will have a different impact on the streetscape and neighboring properties than the existing structure. This and other considerations are entrusted to the Board’s judgment, based on its “intimate understanding of the immediate circumstances [and] of local conditions” Fitzsimonds v. Board of Appeals of Chatham, 21 Mass.App.Ct. 53, 55 (1985).

Review by other boards

Conservation Commission: hearing opened on February 6, 2023.

Board of Health: approval will be required.

Historical Commission: based on the age of the structure, the demolition permit application will be referred by the Building Commission to the Historical Commission. (The Commission will determine whether the building is “significant,” warranting a hearing on whether the building is “preferably preserved” and whether to impose a demolition delay).



TOWN OF TRURO

ZONING BOARD OF APPEALS

Meeting Minutes

November 21, 2022 – 5:30 pm

REMOTE ZONING BOARD OF APPEALS MEETING

Members Present (Quorum): Art Hultin (Chair); Darrell Shedd; Heidi Townsend; Curtis Hartman (Alt.), Nancy Medoff (Alt.)

Members Absent: Chris Lucy (Vice Chair)

Other Participants: Barbara Carboni – Town Planner/Land Use Counsel; Select Board Liaison John Dundas; Ben Zehnder (Attorney for Marie Belding and Pat Callinan – Abutters to 538 Shore Road); Marie Belding (Abutter to 538 Shore Road); Pat Callinan (Abutter to 538 Shore Road); Ben Zehnder (Attorney for Loic Rossignon – Applicant); Alison Alessi (A3 Architects and Architect for Loic Rossignon – Applicant); David Lyttle (Ryder & Wilcox, Land Surveyor for Loic Rossignon – Applicant)

Remote meeting convened at 5:30 pm, Monday, November 21, 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. Chair Hultin introduced the Members.

Public Comment Period

Chair Hultin invited the public to offer public comments, and none were made.

Chair Hultin recognized Member Shedd who inquired whether the habitable studio on the Dennis property on South Pamet Road had been moved by October 15th, 2022. Chair Hultin confirmed that there had been a deadline established but asked Town Planner/Land Use Counsel Carboni to provide an update. Town Planner/Land Use Counsel Carboni opined that this should not be discussed as it was not on the agenda but that there was an extension granted by the Building Commissioner. Town Planner/Land Use Counsel Carboni stated that she would be happy to report back to the Members and Member Shedd noted that he was satisfied.

Chair Hultin recognized Member Townsend who reported that she serves on an ad hoc committee to discuss housing issues and concerns. Member Townsend requested time for her to be added to the next ZBA meeting's agenda so she can provide a report to the Members regarding the housing issues. There were no objections.

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.

Chair Hultin announced that the ZBA had received a request from the Applicant to continue this matter to December 19th, 2022. Chair Hultin recognized Town Planner/Land Use Counsel Carboni who opined that the request was reasonable and understandable.

Chair Hultin made a motion to continue this matter to December 19th, 2022.

Member Shedd seconded the motion.

ROLL CALL VOTE:

Member Shedd – Aye

Chair Hultin – Aye

Member Hartman – Aye

Member Townsend – Aye

Member Medoff – Aye

So voted, 5-0, motion carries.

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.

Chair Hultin recognized Attorney Zehnder who introduced the Applicant's representatives who will assist with the Applicant's presentation. Attorney Zehnder noted that the project had received approval from the Conservation Commission. The project has been presented informally to the Historic Review Board through the Building Commissioner and no further action is required. The Planning Board reviewed the Applicant's checklist on November 16th, 2022, and requested additional information.

Attorney Zehnder then presented the project and the justification for the approval of the project. Attorney Zehnder concluded that he and the Applicant's representatives were ready to answer any questions from the Members.

Chair Hultin reminded the Members that the ZBA would not render a decision on this project until after the Planning Board had made its decision. Chair Hultin asked Members for comments and questions. Members and the Applicant's representatives discussed the plan regarding the primary dwelling and the second dwelling, the applicability of the Local Comprehensive Plan and existing Bylaws when considering this matter as this is a large structure in the National Seashore, whether the "cottage" was a legal dwelling previously, the accessory of an additional building (the garage/studio), the pool and structures (if any) surrounding the pool, any structures which are excluded in the square footage of the project, and the question of the sideline setback. Chair Hultin noted that many questions must still be answered by the Applicant before the ZBA would approve this plan as presented.

Attorney Zehnder replied that the Applicant will respond to the questions posed by the Members and provide the necessary documentation requested. Attorney Zehnder noted that a schematic of the pool

structure area and elevations. Chair Hultin added that these documents should also be provided to the Planning Board and Attorney Zehnder concurred.

Chair Hultin made Attorney Zehnder aware of a memorandum from Town Planner/Land Use Counsel Carboni that was in this evening's packet as there were discrepancies in figures which required attention. Attorney Zehnder replied that he had not seen the memorandum and Town Planner/Land Use Counsel Carboni stated that she would be happy to review the memorandum with Attorney Zehnder.

There were no additional comments or questions from the Members of the public.

Chair Hultin made a motion to continue this matter to December 19, 2022.

Member Hartman seconded the motion.

ROLL CALL VOTE:

Member Shedd – Aye

Chair Hultin – Aye

Member Hartman - Aye

Member Townsend – Aye

Member Medoff – Aye

So voted, 5-0, motion carries.

Minutes

Chair Hultin led the review of the minutes for September 26th, 2022, for edits and comments. No edits were made. Chair Hultin abstained as he was not present at that meeting.

Member Shedd made a motion to approve the meeting minutes from September 26, 2022, as submitted.

Member Medoff seconded the motion.

ROLL CALL VOTE:

Member Shedd – Aye

Chair Hultin - Abstained

Member Hartman – Aye

Member Townsend – Aye

Member Medoff – Aye

So voted, 4-0-1, motion carries.

Chair Hultin recognized Member Townsend who asked about the next step to replace former Member Virginia Frazier and fill the vacancy on the ZBA. Town Planner/Land Use Counsel Carboni stated that any interested Applicants for both the Full Member and Alternate Member positions (if a current Alternate Member was appointed to the Full Member vacancy) have a deadline of December 1st, 2022, to apply. The positions were also publicly posted. Chair Hultin encouraged anyone interested to apply.

Chair Hultin made a motion to adjourn at 6:14 pm.

Member Townsend seconded the motion.

ROLL CALL VOTE:

Member Shedd – Aye

Chair Hultin – Aye

Member Hartman – Aye

Member Townsend – Aye
Member Medoff – Aye
So voted, 5-0, motion carries.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alexander O. Powers". The signature is written in a cursive style with a large, sweeping initial "A".

Alexander O. Powers
Board/Committee/Commission Support Staff



TOWN OF TRURO

ZONING BOARD OF APPEALS

Meeting Minutes

December 19, 2022 – 5:30 pm

REMOTE ZONING BOARD OF APPEALS MEETING

Members Present (Quorum): Art Hultin (Chair); Chris Lucy (Vice Chair), Darrell Shedd; Nancy Medoff

Members Absent: Heidi Townsend, Joseph McKinnon (Alt.)

Other Participants: Barbara Carboni – Town Planner/Land Use Counsel; Select Board Liaison John Dundas; Sally McSween (Representative for Condominium Association for 538 Shore Road); Jennifer Cabral (Applicant for 491 Shore Road).

Remote meeting convened at 5:30 pm, Monday, December 21, 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.

Chair Hultin introduced the Members. Chair Hultin then announced that due to an absent Member, and a new alternate Member who was not yet sworn in, there would be no testimony taken for any scheduled hearings this evening.

Public Comment Period

Chair Hultin invited the Members and the public to offer public comments, and none were made.

Minutes

Chair Hultin led the review of the minutes for October 24, 2022, for edits and comments. No edits were made. Chair Hultin abstained as he did not read the minutes.

Member Shedd made a motion to approve the meeting minutes from October 24, 2022, as submitted. Vice Chair Lucy seconded the motion.

ROLL CALL VOTE:

Member Shedd – Aye

Chair Hultin – Abstained

Vice Chair Lucy - Aye

Member Medoff – Aye

So voted, 3-0-1, motion carries.

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.

Chair Hultin announced that the ZBA had received a request from the Applicant to continue this matter to January 23, 2023, at 5:30 pm as a decision was still needed by the Planning Board and additional documentation from the Applicant had not yet been received.

Vice Chair Lucy made a motion to continue this matter to January 23, 2023.

Member Shedd seconded the motion.

ROLL CALL VOTE:

Member Shedd – Aye

Chair Hultin – Aye

Vice Chair Lucy - Aye

Member Medoff – Aye

So voted, 4-0, motion carries.

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 by right 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.

Chair Hultin announced that a decision was still needed by the Planning Board, so the Applicant's attorney requested to continue this matter to January 23, 2023, at 5:30 pm.

Member Shedd made a motion to continue this matter to January 23, 2023.

Vice Chair Lucy seconded the motion.

ROLL CALL VOTE:

Member Shedd – Aye

Chair Hultin – Aye

Vice Chair Lucy - Aye

Member Medoff – Aye

So voted, 4-0, motion carries.

Public Hearing (New)

2022-019/ZBA- Katherine S. Cook and Christine Van Genderen, for property located at 38 Cliff Road (Atlas Map 32, Parcel 19, Registry of Deeds Book 33307 and Page 344). Applicants seek a Special Permit under G.L. c. 40A, s. 6 and s. 30. 7 of the Zoning Bylaw for alterations to a nonconforming structure (frontage; setback) to reflect construction not authorized by special permit granted in **2020-007 /ZBA**, including enclosure of screened porch to create living room and addition of second floor living space in place of deck, located in Seashore District.

Chair Hultin, with opinion provided by Town Planner/Land Use Counsel Carboni, opened the public hearing in this matter. Due to the lack of available Members to hear this matter, Chair Hultin asked for a motion to continue this matter to January 23, 2023, at 5:30 pm.

Vice Chair Lucy made a motion to continue this matter to January 23, 2023.

Member Shedd seconded the motion.

ROLL CALL VOTE:

Member Shedd – Aye

Chair Hultin – Aye

Vice Chair Lucy - Aye

Member Medoff – Aye

So voted, 4-0, motion carries.

2022-020/ZBA - Jennifer Cabral (Nearen & Cubberly Nominee Trust), for property located at 491 Shore Road (Atlas Map 7, Parcel 4, Registry of Deeds Book 8309 and Page 131). Applicant seeks a Special Permit under G.L. c. 40A, s. 6 and s. 30.7 of the Zoning Bylaw for construction of a small workshop replacing existing garage structure on nonconforming lot in the Beach Point Limited Business District.

Chair Hultin, with opinion provided by Town Planner/Land Use Counsel Carboni, opened the public hearing in this matter. Due to the lack of available Members to hear this matter, Chair Hultin asked for a motion to continue this matter to January 23, 2023, at 5:30 pm.

Member Shedd made a motion to continue this matter to January 23, 2023.

Member Medoff seconded the motion.

ROLL CALL VOTE:

Member Shedd – Aye

Chair Hultin – Aye

Vice Chair Lucy - Aye

Member Medoff – Aye

So voted, 4-0, motion carries.

After this vote, Town Planner/Land Use Counsel Carboni announced that she was available to answer any questions from all the Applicants whose matters had been continued to January 23, 2023.

Chair Hultin stated that the Members were scheduled to receive an update this evening on the Housing Ad Hoc Committee from Member Townsend but that would be postponed as she was not present.

Chair Hultin made a motion to adjourn at 5:45 pm.

Member Shedd seconded the motion.

ROLL CALL VOTE:

Member Shedd – Aye

Vice Chair Lucy - Aye

Chair Hultin – Aye

Member Medoff – Aye

So voted, 4-0, motion carries.

Respectfully submitted,



Alexander O. Powers

Board/Committee/Commission Support Staff

Elizabeth Sturdy

From: office snowandsnowlaw.com <office@snowandsnowlaw.com>
Sent: Friday, February 24, 2023 11:51 AM
To: Elizabeth Sturdy
Cc: Barbara Carboni; 'Billy Rogers'; smcswee1@twcny.rr.com; office snowandsnowlaw.com; 'Benjamin Zehnder'
Subject: Truro Board of Appeals Case No. 2022-017 ZBA - 538 Shore Road

Liz:

As we are still engaged in the Planning Board site plan review process and are scheduled to reappear before that Board on March 22nd, we are writing to request a continuance of Monday's hearing to the **March 27, 2023** meeting of the Board of Appeals.

Please confirm. Thank you.

Chris

Christopher J. Snow, Esq.
Law Offices of Snow and Snow
90 Harry Kemp Way
Post Office Box 291
Provincetown, MA 02657
(508) 487-1160
Fax (508) 487-2694
office@snowandsnowlaw.com
snowandsnowlaw.com

Confidentiality Notice: This electronic transmission and the information contained herein is being transmitted to and is intended for the use of the individuals to whom it is addressed. The information contained in this email is attorney/client privileged and may contain privileged or confidential information intended for the use of the individual or entity named above. If the reader of this message is not the intended recipient, or the employee or agent responsible to deliver it to the intended recipient, you are hereby notified that any dissemination, distribution or copying of this communication is strictly prohibited. If you have received this communication in error, immediately notify the sender by telephone at 508-487-1160 and return the original message to office@snowandsnowlaw.com. IRS CIRCULAR 230 DISCLOSURE: In compliance with IRS Regulations, we inform you that any U.S. tax advice contained in this communication is not intended or written to be used, for the purpose of avoiding tax penalties or in connection with marketing or promotional materials.

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.

EDWARD BRIGMAN et al

Clagwell 11/28 1985

copy made by Ed Slade 11/28

A copy of the minutes of the hearing is filed with this decision and available at the office of the Town Clerk.

I hereby certify this as a true and accurate record of the Board of Appeals.

DATE: November 26, 1985

Ed Slade
Truro Board of Appeals

NOT AN OFFICIAL COPY OF OFFICIAL COPY
Bk 15351 P 178 #60030
07-10-2002 @ 02:53p

Received office of the Town Clerk:

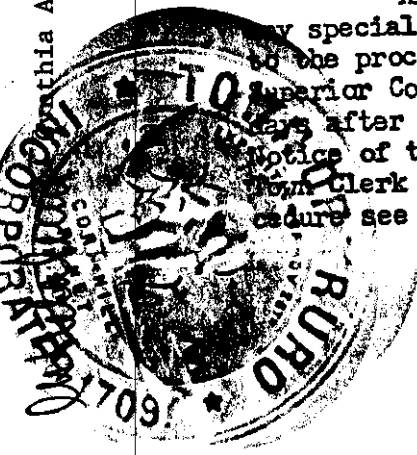
DATE: November 26 1985
11/26/85

Ann Slade DC
Town Clerk, Town of Truro

Property: 538 Shore Road N. Truro

Decision by Board of Appeals, Town of Truro, re: Edward Brigman, Elaine Tortora-Brigman and Frank M. Tortora, conversion to condominium, hearing date of November 21, 1985 - page 1 of 2.

A true copy, attest: *Ann Slade* 11/26/85
Town Clerk, Town of Truro



NOTICE:

Any person aggrieved by a decision of the Board of Appeals or any special permit granting authority, whether or not previously a party to the proceeding or any municipal officer or board may appeal to the Superior Court or to the Land Court by bringing action within 20 (twenty) days after the decision has been filed in the office of the Town Clerk. Notice of the action with a copy of the complaint shall be given to the Town Clerk so as to be received within 20 (twenty) days (for appeal procedure see Massachusetts General Laws, Chapter 40A, Section 17).

I hereby certify that this decision was filed with the office of Town Clerk on November 26 1985 and 20 (twenty) days have elapsed from the date of filing and no notice of appeal has been received by this office.

Ann Slade 11/26/85
Town Clerk, Town of Truro

NOT
TRURO, MASSACHUSETTS

The Board of Appeals, at a public hearing conducted on November 21, 1985

and in accordance with the provisions of Massachusetts General Law, Chapter 40A, and after considering the application by Edward Brigman, Elaine Tortora-Brigman and Frank M. Tortora for a special permit

for property located at Route 6A, North Truro approved/disapproved the Special Use Permit/Variance for conversion to condominium

by a vote of 5 for approval, 0 for disapproval, the members voting:

APPROVAL	DISAPPROVAL	PRESENT NOT VOTING
Bednarek	none	Connor
Cores		
Pope		
Rose		
Weinstein		

In reaching its decision, the Board made the following findings:

- The Board voted to approve the condominium conversion subject to the October 1985 revised process for conversions, and subject to Sect. VIII B of the zoning by-laws, with the condition that parking spaces be marked and assigned.

number of condominium units is limited to 4 units in the easterly building, 1 unit in the middle building, and 1 unit in the westerly building, for a total of 6 units.



A true copy, attest:

The Special Use Permit/Variance is approved subject to the following conditions and/or limitations: ABOVE Robert Bednarek Chm. Board of Appeals

Decision by Board of Appeals, Town of Truro, re: Edward Brigman, Elaine Tortora-Brigman and Frank M. Tortora, conversion to condominium, hearing date of November 21, 1985 - page 2 of 2

Patricia A. Slade, Town Clerk, Town of Truro/ July 2, 2002



WILLIAM N. ROGERS II, P.E., P.L.S.

PROFESSIONAL
CIVIL ENGINEERS & LAND SURVEYORS

41 OFF CEMETERY ROAD
P.O. Box 631
PROVINCETOWN, MASSACHUSETTS 02657

TEL: (508) 487-1565

FAX: (508) 487-5809

EMAIL: WMROGERS2@VERIZON.NET

STRUCTURAL CONSULTANT
DR. FRANK A. MARAFIOTI, P.E.

RUTH E. ROGERS
GARY L. LOCKE

TRANSMITTAL

DATE 02-09-23

TO BARBARA CARBONI

ATTN PLANNING BOARD

FROM GARY LOCKE @ BILLY'S

PROJECT No T-20-0773

PROJECT EBBTIDE ON THE BAY CONDOMINIUM

COPIES TO

WE ARE SENDING YOU VIA

- FAX US MAIL FED EX COURIER BY HAND OTHER _____
 HEREWITH PRINTS SUBMITTALS
 UNDER SEPARATE COVER TRACINGS SHOP DRAWINGS
 AS REQUESTED SPECIFICATIONS OTHER:

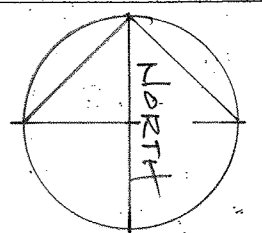
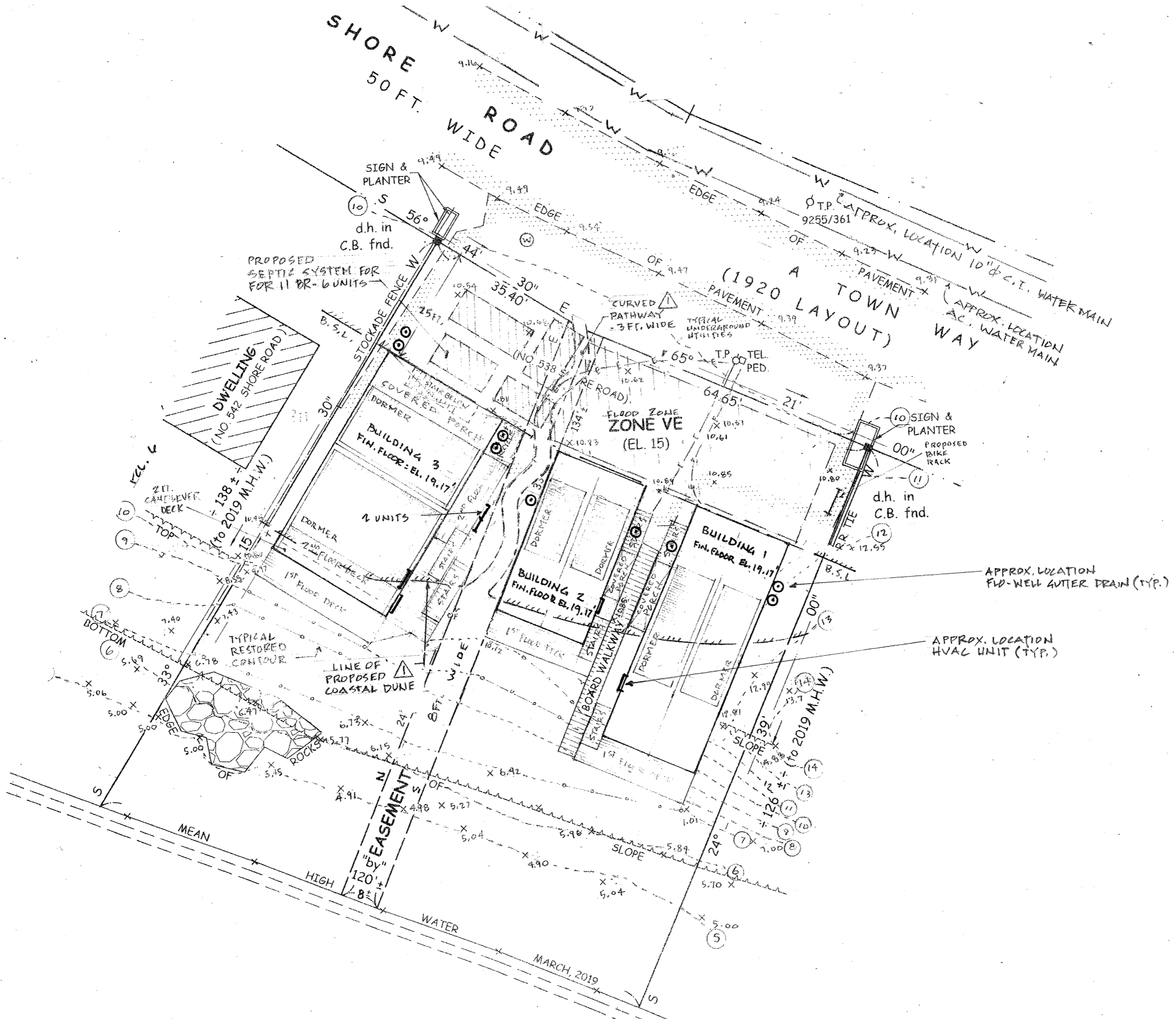
- FOR YOUR
 USE /
 DISTRIBUTION
 REVIEW
 RECORDS
 SIGNATURE

IF ITEMS LISTED BELOW ARE NOT RECEIVED, NOTIFY US AT ONCE.

COPIES	TITLE	DATED
1	ADDENDUM TO SITE PLAN SP.1 DEPICTING HVAC UNIT & FLO-WELL APPROX. LOCATIONS	02-09-23
1	ORIGINAL CONDOMINIUM SITE PLAN FLOWELL CUT SHEET	-

REMARKS

ANY QUESTIONS - GARY LOCKE 1-508-487-1565



EBBULDE ON THE BAY
 CONDOMINIUM
 NO. 538 SHORE ROAD
 NORTH TRURO, MA.
ADDENDUM 1
 TOLUS: ASSESSOR'S MAP 7, PARCEL 7

William N. Rogers II,
 Civil Engineers & Land Surveyors
 Building and Structural Design
 Planning
 41 Off Cemetery Road
 Provincetown MA 02657
 (508) 487-1565 / (508) 487-5809 fax
 Email: wimrogers2@verizon.net

ADDENDUM TO SITE PLAN SP. 1
 DEPICTING HVAC UNIT & FLD-WELL APPROXIMATE LOCATIONS

SCALE: 1" = 20'-0"
 DATE: 02-09-23
 DRAWN: AL
 JOB NO. T-20-0773
 REVISION:

AD-1

Plan Book 263 Page 56



ARTHUR C. STEWART ET UX
dwelling
overhang

EVANGELINE G. SUTTON
PLAN BOOK 263 PAGE 55

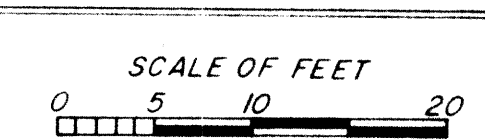
AREA = 15,882 ± sq. ft.

NOTE: A 6-in. WIDE AREA SURROUNDING THE UNITS (INCLUSIVE OF STAIRS) IS RESERVED TO THE UNITS FOR EXPANSION.

NOTE: ALL BUILDING OFFSETS ARE MEASURED PERPENDICULAR TO THE PROPERTY LINES.

REFERENCE: PLAN BOOK 263 PAGE 56
PLAN BOOK 348 PAGE 97
DEED BOOK 4386 PAGE 27

NOTE () DENOTES RECORD INFORMATION



PLAN OF LAND

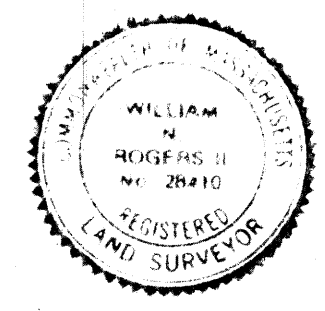
IN (NORTH) TRURO

as surveyed for
EDWARD BRIGMAN ET AL

depecting the
EBB TIDE ON THE BAY CONDOMINIUM

SCALE: 1 IN. = 10 FT. OCTOBER, 1986

WILLIAM N. ROGERS
REGISTERED
CIVIL ENGINEERS & LAND SURVEYORS
OFF CEMETERY ROAD, PROVINCETOWN, MASS.



I CERTIFY THAT THIS PLAN HAS BEEN PREPARED IN CONFORMITY WITH THE RULES AND REGULATIONS OF THE REGISTER OF DEEDS OF THE COMMONWEALTH OF MASSACHUSETTS.

I CERTIFY THAT THE PROPERTY LINE SHOWN ON THIS PLAN ARE THE LINE OF THE EXISTING OWNERSHIP AND THE LINES OF RECORD AND WAYS SHOWN ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED AND THAT NO NEW LINES FOR DIVISION OF EXISTING OWNERSHIP OR FOR NEW WAYS ARE SHOWN.

I CERTIFY THAT THIS PLAN FULLY AND ACCURATELY DEPICTS THE LOCATION AND DIMENSIONS OF THE BUILDINGS AS BUILT AND FULLY LISTS THE UNITS CONTAINED THEREIN.

FLO-WELL®: A BETTER DRY WELL

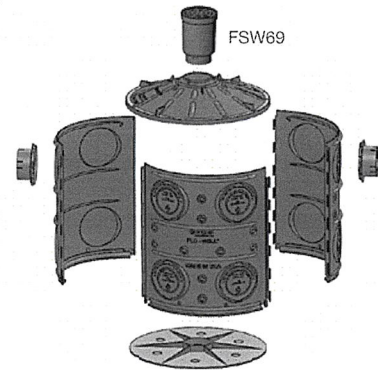
DRAINAGE



With the Flo-Well®, water can now be infiltrated into the subsoil rapidly and easily. Unlike competitive systems, there is no need for piping systems to transport stormwater to a far-off discharge point, large heavy equipment, considerable excavation of current landscaped areas, nor large labor costs that those systems incur. With Flo-Well, water infiltration is now easier than ever.

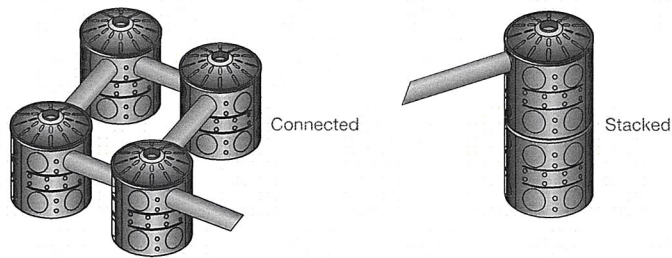
Options

Larger 9" or 12" grates can be added to Flo-Well to manage surface water.	Ideal as a stand-alone drain:	Ideal as a stand-alone reservoir:
<p>This option is ideal for draining:</p> <ul style="list-style-type: none"> Golf course areas prone to puddling Playground areas under slides and swings Outdoor drinking fountain runoff Outdoor showers at beaches Wash-down areas 	<ul style="list-style-type: none"> Disturbs only 4 square feet of turf to install Requires less than 10 cubic feet of soil removed to bury Measures only 24" in diameter by 28.75" high Weighs only 22 pounds Holds over 48 gallons. Or, connect to existing system for increased drainage capabilities 	<ul style="list-style-type: none"> Collect and hold rainwater for lawn and garden irrigation (used with a pump connected to a garden hose) Connect Flo-Well to rain gutters using a catch basin & grate below each downspout (see drawing) Ideal solution for arid areas impacted by drought Reservoir for pond and waterfall recirculation pumps

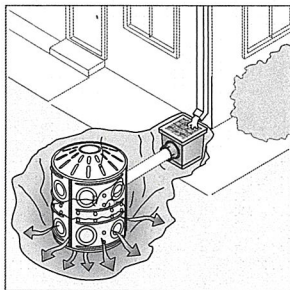


Stackable & Expandable

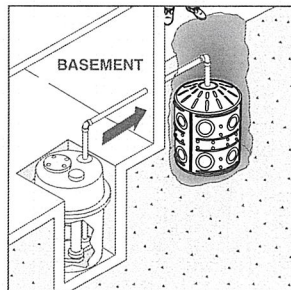
Flo-Well® can be used individually, connected in series or in any array, and can be stacked up to 4 units high (with center support pipe).



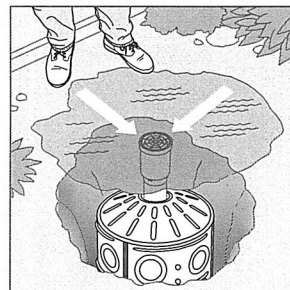
Applications



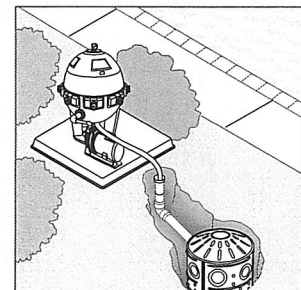
For gutters and downspouts



Install with sump pumps



Eliminates puddles



Backwash tank

Elizabeth Sturdy

From: Benjamin Zehnder <bzehnder@zehnderllc.com>
Sent: Thursday, February 23, 2023 1:28 PM
To: Elizabeth Sturdy
Cc: Barbara Carboni; Chris Snow (office@snowandsnowlaw.com); Christopher Agostino; Ian Urquhart
Subject: 491 Shore Road ZBA 2022-20

Hello Liz:

I represent the applicants in the above matter. Would you please transmit to the Board of Appeals this request that the matter be withdrawn without prejudice?

I will be on the line Monday to answer any questions that the Board may have.

Thank you and my regards,

Ben

Please note new email and contact information below and update your address book:

Benjamin E. Zehnder
Benjamin E. Zehnder, LLC
62 Route 6A, Unit B
Orleans, MA 02653
508.255.7766 – Office
508.246.4064 – Mobile
bzehnder@zehnderllc.com

This email message and any files transmitted with it contain PRIVILEGED AND CONFIDENTIAL INFORMATION and are intended only for the person(s) to whom this email message is addressed. As such, they are subject to attorney-client privilege and you are hereby notified that any dissemination or copying of the information received in this email message is strictly prohibited. If you have received this email message in error, please notify the sender immediately by telephone or email and destroy the original message without making a copy. Thank you.

EMAIL DISCLAIMER: We do not email Non-Public Confidential Information in a non-secure method. Accordingly, such confidential information, including account information and personally identifiable information should not be transmitted by non-encrypted email/email attachments. Use of non-encrypted email is inherently insecure. In no event shall we accept any responsibility for the loss, use or misuse of any information including confidential information, which is sent to us by email or an email attachment, nor can we guarantee receipt, accuracy or response to any email.

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.



Christopher R. Agostino, Esq.
Direct: 617-570-3501
E-mail: cra@riw.com

February 27, 2023

Via Email Only esturdy@truro-ma.gov

Truro Zoning Board of Appeals
c/o Liz Sturdy, Planning Director
24 Town Hall Road
Truro, MA 02666

Re: 491 Shore Road – 2022-020/ZBA – Withdrawal of Special Permit Application

Dear Chairman Hultin:

I was copied on an email from Attorney Benjamin Zehnder regarding 491 Shore Road, in which he requested that the 491 Shore Road special permit application be withdrawn “without prejudice.” G.L. c. 40A, § 16 provides that after publication of notice of a public hearing, a special permit application can only be withdrawn without prejudice if the zoning board grants permission to do so. If an application is withdrawn or dismissed *with prejudice*, the applicant must wait two years before it can receive a favorable ruling on any similar application, without supermajority approval. This rule is intended to discourage repetitive applications and protect the investment of time and expense incurred by the Town and abutters on account of applications for projects that are unlikely to receive approval.

Crow’s Nest Condominium respectfully requests that the Truro Zoning Board dismiss the 491 Shore Road application *with prejudice* so that the applicant can more thoughtfully consider what implications current zoning requirements have on its application. The Board and Crow’s Nest have both expended considerable time and resources pointing out the deficiencies in the 491 Shore Road application and arranging three continued public hearings on this matter. Dismissal of this application *with prejudice* will serve to protect this volunteer board’s valuable time and encourage the 491 Shore Road applicant to reach out to all abutters and stakeholders to better understand their concerns. Withdrawal without prejudice may result in another hastily arranged public hearing that does not address requirements of current zoning and that does not adequately address abutter concerns.

Based on the foregoing, Crow’s Nest Condominium respectfully requests that this Board dismiss the 491 Shore Road application *with prejudice* pursuant to G.L. c. 40A, § 16.

Respectfully yours,



CHRISTOPHER R. AGOSTINO

cc: Client (via email only)
Barbara Carboni, Esq. (via email only)



Christopher R. Agostino, Esq.
Direct: 617-570-3501
E-mail: cra@riw.com

January 23, 2023

Via Email Only esturdy@truro-ma.gov

Truro Zoning Board of Appeals
c/o Liz Sturdy, Planning Director
24 Town Hall Road
Truro, MA 02666

Re: 491 Shore Road – 2022-020/ZBA – Opposition to Special Permit Application

Dear Chairman Hultin:

As you may recall, this firm represents Crow's Nest Condominium Trust ("Crow's Nest") in opposition to the application of Jennifer Cabral and the Nearen & Cubberly Nominee Trust with respect to 491 Shore Road in Truro. I write in follow-up to my correspondence dated December 19, 2022. Enclosed please find the following in support of Crow's Nest's opposition to the 491 Shore Road application for a special permit:

1. Affidavit of James T. McCusker;
2. Affidavit of Stephen M. McHugh;
3. Affidavit of Jeffrey S. Wade;
4. Deed of Record for 491 Shore Road, Truro.

As explained in my correspondence dated December 19th, any proposal to alter 491 Shore Road must comply with current requirements of the Truro Zoning Bylaw because any prior use of the property has long since been abandoned. The affidavits submitted herewith further confirm the extended period of abandonment. Additionally, the deed for the property expresses an intent to abandon any protection that might be afforded to pre-existing non-confirming uses or structures in that it requires compliance with current zoning dating back to abandonment by the railroad in 1965.

For these reasons and for the reasons recited in my December 19th correspondence, the Board need not reach an inquiry into whether the proposed use is substantially more detrimental than any prior use because there is no prior use that can be referenced under Section 30.7 of the Zoning Bylaw. I look forward to discussing this matter in more detail this evening.

Respectfully yours,



CHRISTOPHER R. AGOSTINO

cc: Client (via email only)
Barbara Carboni, Esq. (via email only)

{01236607.DOCX/1}

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, ss.

IN RE 491 SHORE ROAD, TRURO
SPECIAL PERMIT APPLICATION

**AFFIDAVIT OF JAMES T. MCCUSKER IN OPPOSITION TO SPECIAL PERMIT
APPLICATION FOR 491 SHORE ROAD, TRURO, MASSACHUSETTS**

I, James T. McCusker, hereby depose and state as follows under the penalties of perjury:

1. I have personal knowledge of and I am competent to testify regarding the facts set forth herein.
2. I own the property known and numbered as 496 Shore Road, Unit #21 located in North Truro, Massachusetts (“my Property”).
3. I have owned my Property since approximately 2003.
4. My Property is located across from 491 Shore Road on the west side of Route 6A, approximately 110 feet from 491 Shore Road.
5. Since I have owned my Property I have actually resided at my Property full-time for an average of 3 months during any given year.
6. When I first purchased my Property in approximately 2003 I would stay at my Property for at least 5-6 nights per week for almost an entire year.
7. Additionally, I would also reside nearby at 596 Shore Road, which is approximately one-half mile away from 491 Shore Road.

8. Overall, while not actually residing at my Property full-time, I am actually at my property visiting, completing shores, staying for leisure or otherwise around for over 100 days per year.


9. While at my Property I am able to clearly observe the condition of 491 Shore Road and any activity that may occur at 491 Shore Road.

10. Since I purchased my Property in approximately 2003 I can state with certainty that 491 Shore Road has appeared abandoned during that entire time.

11. The only activity that I ever observed at 491 Shore Road was people looking in windows and more recently real estate agents and surveyors in or about.

12. I believe that 491 Shore Road has been abandoned since at least 2003.

Signed under the pains and penalties of perjury on 1/23/2023.

DocuSigned by:

22213D90A84646C...
James T. McCusker

*[Signature Page to Affidavit of James T. McCusker
in Opposition to 491 Shore Road Special Permit]*

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, ss.

IN RE 491 SHORE ROAD, TRURO
SPECIAL PERMIT APPLICATION

**AFFIDAVIT OF STEPHEN M. MCHUGH IN OPPOSITION TO SPECIAL PERMIT
APPLICATION FOR 491 SHORE ROAD, TRURO, MASSACHUSETTS**

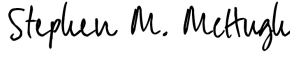
I, Stephen M. McHugh, hereby depose and state as follows under the penalties of perjury:

1. I have personal knowledge of and I am competent to testify regarding the facts set forth herein.
2. I own the property known and numbered as 496 Shore Road, Unit #10 located in North Truro, Massachusetts (“my Property”).
3. I have owned my Property for approximately 12 years.
4. My Property is located across from 491 Shore Road on the west side of Route 6A, approximately 110 feet from 491 Shore Road.
5. Since I have owned my Property I have actually resided at my Property full-time for an average of 2 months during any given year.
6. While not residing at my Property I visit to complete repairs, chores, management tasks and other activities at my Property.
7. While at my Property and visiting to complete tasks I am able to clearly observe the condition of 491 Shore Road and any activity that may occur at 491 Shore Road.
8. Since I purchased my Property in 2011 I can state with certainty that 491 Shore Road has appeared abandoned during that entire time.

9. The only activity that I ever observed at 491 Shore Road was occasional visitors looking in windows out of curiosity is my guess.

10. I believe that 491 Shore Road has been abandoned since at least as long as I have owned my unit.

Signed under the pains and penalties of perjury on 1/23/2023.

DocuSigned by:

622D377EC94C40E...

Stephen M. McHugh

*[Signature Page to Affidavit of Stephen M. McHugh
in Opposition to 491 Shore Road Special Permit]*

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, ss.

IN RE 491 SHORE ROAD, TRURO
SPECIAL PERMIT APPLICATION

**AFFIDAVIT OF JEFFREY S. WADE IN OPPOSITION TO SPECIAL PERMIT
APPLICATION FOR 491 SHORE ROAD, TRURO, MASSACHUSETTS**

I, Jeffrey S. Wade, hereby depose and state as follows under the penalties of perjury:

1. I have personal knowledge of and I am competent to testify regarding the facts set forth herein.

2. I own the property known and numbered as 496 Shore Road , Unit #2, located in North Truro, Massachusetts (“my Property”).

3. I have owned my Property since approximately 2003.

4. My Property is located across from 491 Shore Road on the west side of Route 6A, approximately 110 feet from 491 Shore Road.

5. Since I have owned my Property I have actually resided at my Property full-time an average of 2 months during any given year.

6. While not residing at my Property, from 2002 to 2015 I would frequently drive by my Property on a weekly basis as part of my job for Allied Waste and Cavossa Disposal.

7. While not residing at my Property I would also frequently visit to complete repairs, chores, management tasks and other activities at my Property.

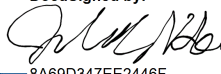
8. While at my Property I am able to clearly observe the condition of 491 Shore Road and any activity that may occur at 491 Shore Road.

9. Since I purchased my Property in approximately 2003 I can state with certainty that 491 Shore Road has appeared abandoned during that entire time.

10. The only activity that I ever observed at 491 Shore Road was the occasional visitor looking at the property.

11. I believe that 491 Shore Road has been abandoned since at least as early as 2002.

Signed under the pains and penalties of perjury on 1/23/2023.

DocuSigned by:

8A69D347EE2446F...

Jeffrey S. Wade

*[Signature Page to Affidavit of Jeffrey S. Wade
in Opposition to 491 Shore Road Special Permit]*

DOROTHY M. NEAREN and MARILYN CUBBERLEY OFFICIAL COPY

of Box 254, North Truro, Barnstable County, Massachusetts

being unmarried, for consideration paid, and in full consideration of ONE DOLLAR (\$1.00)

grant to DOROTHY M. NEAREN and MARILYN CUBBERLEY, Trustees of the Nearen and Cubberley Minnie Trust, OFFICIAL COPY *

of Box 254, North Truro, Massachusetts 02652 with quitclaim covenants

the land in Truro, Barnstable County, Massachusetts, as follows:

[Description and encumbrances, if any]

PARCEL I:

The land in Truro, in the County of Barnstable, with any buildings thereon, shown on a plan made a part hereof and recorded in Plan Book 354, Page 90 entitled: "New York, New Haven And Hartford Railroad Office Of Engineer - Real Estate Land in Truro, Mass. To Be Conveyed To Albert And Frances Annone Scale 1" = 40' Sept. 1964", and bounded and described as follows:

Beginning at the southeasterly corner of the herein described premises at a point distant 41.25 feet southwesterly, measured at right angles from Station 4343 + 21.88 of the monumented base line of the Grantors' railroad leading from Middleboro to Provincetown,

Thence northwesterly, bounding southwesterly on land of the Grantees, 200.04 feet to a point distant 41.25 feet southwesterly, measured at right angles from Station 4345 + 21.92 of said base line;

Thence northeasterly bounding northwesterly on remaining land of the Grantors, 82.51 feet to a point distant 41.25 feet northeasterly, measured at right angles from Station 4345 + 23.45 of said base line;

Thence southeasterly bounding northeasterly on State Highway Route 6, 200.04 feet to a point distant 41.25 feet northeasterly measured at right angles from Station 4343 + 23.41 of said base line, and

Thence southwesterly, bounding southeasterly on remaining land of the Grantors, 82.51 feet to the point of beginning; containing 16,503 square feet; or however otherwise said premises may be bounded and described; and be all or any of said measurements or distances more or less.

By the Acceptance of this Deed the Grantees acknowledge and agree that this conveyance is also subject to the following: 1) the existing zoning laws of the Town of Truro; and 2) the fact that this conveyance creates no access to the within premises either as a crossing or a right of way over remaining land now or formerly of Richard Joyce Smith, et ali, Trustee of the New York, New Haven, and Hartford Railroad Company either as a way of necessity or otherwise;

See also plan of land recorded in the Barnstable County Registry of Deeds, Plan Book 33, Page 127.

PARCEL II:

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

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

A certain lot of land with any buildings thereon, located on the North side of Route 6A (County Road) in said Truro having a frontage on said road of fifty-five (55) feet and extending easterly to the land of the Old Colony Railroad Co., the North and South lines of said parcel being extensions of the North and South lines of Lot 1, Section B on a plan of land hereinafter referred to.

PARCEL III:

A certain lot of land, with any buildings thereon, being a narrow strip of land in said Truro on the East side of the State Highway formerly known as the County Road and now known as Route 6A lying between land of New York, New Haven & Hartford Railroad Company and said Route 6A being fifty (50) feet wide and located directly opposite Lot Two (2), Section B as shown on Plan of Land recorded in Plan Book 33, Page 127.

PARCEL IV:

A lot of land, with any buildings thereon, located in said Truro, situated on the Eastern side of the State Highway known as Route 6A directly opposite Lot One (1), Section A on a Plan of Land hereinafter bounded and described as follows:

Beginning at a stake directly opposite to the first mentioned bound of Lot No. I, Section A on the line of said highway; thence running Easterly seventeen and 63/100 feet to land of the N.Y., N.H. & H.R.R. Company; thence Northerly along the line of said Railroad; thence in a westerly direction to the State Highway; thence along said Highway fifty-five feet to the point of beginning.

Also meaning and intending to convey any right, title and interest we may have in and to any way abutting the parcels herein expressly conveyed.

The Plan of Land referred to in Parcels II, III and IV above are recorded in Barnstable County Registry of Deeds Plan Book 33, Page 127.

For our title see Deed from Albert Annone and Frances Annone to us dated September 15, 1981, recorded with the Barnstable County Registry of Deeds on September 15, 1981, in Book 3360, Page 089.

NOT
AN
OFFICIAL
COPY

BOOK 8309 PAGE 133
NOT
AN
OFFICIAL
COPY

Witness our hands and seals this 5th day of November, 19 92

NOT
AN
OFFICIAL
COPY

Dorothy M. Nearen
Marilyn Cubberley
DOROTHY M. NEAREN
MARILYN CUBBERLEY

The Commonwealth of Massachusetts

BARNSTABLE, ss.

November 5, 19 92

Then personally appeared the above named Dorothy M. Nearen and Marilyn Cubberley

and acknowledged the foregoing instrument to be their free act and deed, before me

Christopher J. Snow
Notary Public — Justice of the Peace
CHRISTOPHER J. SNOW
My commission expires October 16, 19 98



CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration thereof, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.

RECORDED NOV 17 92

Elizabeth Sturdy

From: Rich Stevens
Sent: Tuesday, January 31, 2023 10:14 AM
To: Elizabeth Sturdy
Cc: Lynne Budnick; Nina Richey; Emily Beebe; Arozana Davis; Barbara Carboni
Subject: RE: Review of ZBA Application - 423 Shore Road

Good Morning,
Letter from M,L & S item 5 references required minimum lot size as 33,370 where actual required size is 33,750.
Demolition will require review or comment from Historic Commission.
All new construction to comply with Flood Zone provisions of the Building Code.
Hope you are well.
Regards,

Rich

From: Elizabeth Sturdy <ESturdy@truro-ma.gov>
Sent: Tuesday, January 31, 2023 8:59 AM
To: Emily Beebe <EBeeBe@truro-ma.gov>; Rich Stevens <rstevens@truro-ma.gov>; Arozana Davis <ADavis@truro-ma.gov>; Jarrod Cabral <jcabral@truro-ma.gov>
Cc: Barbara Carboni <bcarboni@truro-ma.gov>
Subject: Review of ZBA Application - 423 Shore Road

Emily, Rich, Zana, Jarrod:

The attached ZBA Application will be heard at the February 27 ZBA meeting.

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

Let me know if you have any questions. Thanks,

Liz

Elizabeth Sturdy

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



Elizabeth Sturdy

From: Emily Beebe
Sent: Monday, February 27, 2023 3:18 PM
To: Barbara Carboni; Elizabeth Sturdy
Cc: Bradford Malo
Subject: 423 Shore Road
Attachments: Shore Rd #423 BOH Variance 8-16-2022.doc

Good afternoon,

Please replace my email from Jan 31 with this email, regarding the project at 423 Shore Road.

Plans to replace the existing structure and update the septic system with an I/A system designed to accommodate 2 Bedrooms required review and approval of the Board of Health, and this process was completed in August. The approval letter from this Board meeting is attached for your reference.

This matter has been preliminarily reviewed by the Conservation Commission, and will be back before them on March 6, 2023.

Thanks very much,
Emily

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



TOWN OF TRURO

HEALTH DEPARTMENT

P.O. Box 2030, Truro MA 02666

Tel: 508-349-7004 x119 or x132 Fax: 508-349-5508

August 17, 2022

Coastal Engineering Co.
260 Cranberry Highway
Orleans, MA 02653

RE: 423 Shore Rd (9-1), Variance Request to Local Board of Health Regulations Section VI, Article 9; plan titled "Plan Showing Proposed Sewage Disposal System", drawn by Coastal Engineering, dated 8/4/2022

Dear Mr. Malo:

Please be advised that the Truro Board of Health at their regularly scheduled meeting on August 16, 2022 made a motion regarding the above-referenced variance request.

FOR YOUR INFORMATION THE MOTION STATED:

Mr. Silva motioned to approve the variance as requested.

Mr. Rose seconded.

Vote: 5-0-0, motion carries.

Truro BOH Regulations – Section VI, Article 9

1. SAS and septic tank less than 150' to wetland (0' provided for entire lot; 130' provided SAS to vegetated wetland, 20' requested)

Should you have any questions, please feel free to contact me at 774-383-3393 or at cwarren@truro-ma.gov.

Sincerely,

Courtney Warren
Assistant Health Agent

McGREGOR
LEGERE & STEVENS

ATTORNEYS AT LAW, P.C.

15 COURT SQUARE – SUITE 660
BOSTON, MASSACHUSETTS 02108
(617) 338-6464
FAX (617) 338-0737

NATHANIEL STEVENS ESQ.
E-mail: nstevens@mcgregorlaw.com
(617) 338-6464 ext. 120

January 26, 2023

Kaci Fullerton, Town Clerk
Town Clerk
Town of Truro
24 Town Hall road
Truro, MA 02666

**RE: Special Permit Application Package – 423 Shore Road, Truro
Our File No. 2922**

Dear Ms. Fullerton,

On behalf of Jennifer Shapiro (Chisolm), Trustee of the Beach Point Trust, please find enclosed for filing with the Zoning Board of Appeals one original and nine (9) copies a new special permit application for the property at 423 Shore Road, which application consists of:

1. Application for Hearing form;
2. McGregor Leger & Stevens PC letter to Zoning Board of Appeals;
3. “Plan Showing Existing Site Conditions”, sheet C1.2.1, by Coastal Engineering Company, June 23, 2021, stamped by John McElwee, P.L.S;
4. “Plan Showing Proposed Site Conditions”, sheet C2.1.2, by Coastal Engineering Company, January 26, 2023;
5. Architectural plans by R. Campbell Design, LLC; dated January 26, 2023, consisting of five sheets: A0.01 (Site Diagrams); A1.01 (Building Plan); A2.01 (Exterior Elevations); A2.02 (Exterior Elevations); and A5.01 (Building Sections);
6. “Planting Plan” by BlueFlax Design llc, January 12, 2023; and
7. Copy of the Certified Abutters List.

Also enclosed is a check for the application filing fee of \$200.

McGREGOR LEGERE & STEVENS

Thank you for your assistance with this matter.

Very truly yours,

Nathaniel Stevens

Nathaniel Stevens

Encls.

cc: L. Sturdy (w/ encls; via email only: esturdy@truro-ma.gov)



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 January 26, 2023

The undersigned hereby files with specific grounds for this application: *(check all that apply)*

1. GENERAL INFORMATION

NOTICE OF APPEAL

Applicant is aggrieved by his/her inability to obtain a permit or enforcement action 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 Act*.

PETITION FOR VARIANCE – Applicant requests a variance from the terms Section _____ of the Truro Zoning Bylaw concerning *(describe)* _____

APPLICATION FOR SPECIAL PERMIT

Applicant seeks approval and authorization of uses under Section _____ of the Truro Zoning Bylaw concerning *(describe)* _____

Applicant seeks approval for a continuation, change, or extension of a nonconforming structure or use under Section 30.7 of the Truro Zoning Bylaw and M.G.L. Ch. 40A, §6 concerning *(describe)* Demolition and reconstruction of dwelling on pre-existing non-conforming lot (lot size; front yard setback)

Property Address 423 Shore Road Map(s) and Parcel(s) 9 - 1

Registry of Deeds title reference: Book 10002/13943, Page 131/346, or Certificate of Title Number n/a and Land Ct. Lot # n/a and Plan # n/a

Applicant's Name Jennifer Shapiro (Chisholm), Trustee, Beach Point Trust

Applicant's Legal Mailing Address 51 Longfellow Road, Wellesley, MA 02481

Applicant's Phone(s), Fax and Email 617-435-1481; shapchiz@aol.com

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 Address _____

Representative's Name and Address Nathaniel Stevens, Esq., McGregor Legere & Stevens PC; 15 Court Square #660, Boston, MA

Representative's Phone(s), Fax and Email 857-449-2217 (phone); 617-338-0737 (fax); nstevens@mcgregorlaw.com

2. The completed application **shall also** be submitted **electronically** to the Planning Department Administrator at esturdy@truro-ma.gov in its entirety (including all plans and attachments).

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

Signature(s)

Nathaniel Stevens, Esq.

Applicant(s)/Representative *Printed* Name(s)

Nathaniel Stevens

Applicant(s)/Representative Signature

Owner(s) *Printed* Name(s) or written permission

Owner(s) Signature or written permission

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

McGREGOR
LEGERE & STEVENS

ATTORNEYS AT LAW, P.C.

15 COURT SQUARE – SUITE 660
BOSTON, MASSACHUSETTS 02108
(617) 338-6464
FAX (617) 338-0737

NATHANIEL STEVENS ESQ.
E-mail: nstevens@mcgregorlaw.com
(617) 338-6464 ext. 120

January 26, 2023

Arthur F. Hultin, Jr., Chair
Zoning Board of Appeals
Town of Truro
24 Town Hall road
Truro, MA 02666
esturdy@truro-ma.gov

**RE: Application for Special Permit – 423 Shore Road
Our File No. 2922**

Dear Mr. Hultin and Members of the Board:

On behalf of Jennifer Shapiro Chisolm, Trustee of the Beach Point Trust, we hereby request that the Zoning Board of Appeals issue a Special Permit under Section 30.7 of the Town's Zoning Bylaws to allow for the reconstruction of a single-family dwelling at 423 Shore Road in the Beach Point neighborhood of Truro (the "Project"). The lot is located between Shore Road and Route 6, with access off Shore Road. According to the Assessor's Office, the two-bedroom structure was constructed in 1920.

Included in this Special Permit application are the following documents:

1. "Plan Showing Existing Site Conditions", sheet C1.2.1, by Coastal Engineering Company, June 23, 2021, stamped by John McElwee, P.L.S;
2. "Plan Showing Proposed Site Conditions", sheet C2.1.2, by Coastal Engineering Company, January 26, 2023;
3. Architectural plans by R. Campbell Design, LLC; dated January 26, 2023, consisting of five sheets: A0.01 (Site Diagrams); A1.01 (Building Plan); A2.01 (Exterior Elevations); A2.02 (Exterior Elevations); and A5.01 (Building Sections);
4. "Planting Plan" by BlueFlax Design llc, January 12, 2023; and

McGREGOR LEGERE & STEVENS

5. Assessor's Card for 423 Shore Road.

The Project requires a Special Permit because the 25,480-square-foot lot does not meet the minimum lot size of 33,370 square feet for the Beach Point Limited Business zoning district. Also, the current dwelling does not meet the minimum front yard setback of 25 feet. The current structure extends to the front yard lot line onto Shore Road. The rebuilt structure will increase the front yard setback from 0 to 5 feet and meet all other yard setbacks. Please see plans by Coastal Engineering Company.

Ms. Chisholm obtained (in August 2022) a variance from the Board of Health to replace the existing cesspool with an Innovative/Alternative sewage treatment system located in the southeast corner of the lot, as far away as possible from the vegetated wetland to the north of the lot. Ms. Chisholm has filed a Notice of Intent with the Conservation Commission and the first public hearing is scheduled for February 6, 2023.



Photo 1: 423 Shore Road from Shore Road looking north (Photo by B. Malo, Coastal Engineering Company)

The Project will replace the existing wooden two-bedroom structure, which is in disrepair and has an unsafe foundation, with a new two-bedroom home on a foundation consisting of both

McGREGOR LEGERE & STEVENS

piles and a smaller full concrete foundation with flood vents. The proposed first-floor elevation is three (3) feet above the base flood elevation of the FEMA 100-year flood (the entire lot is within the 100-year floodplain). The replacement dwelling is designed to comply with FEMA/Mass Building Code requirements for flood zone construction. Please see plans by R. Campbell Design, LLC.

The Project will result in the net reduction of 1,993 square feet of impervious surface on the site. There are existing paved or concrete driveways, walkways and slabs located around the existing dwelling.



Photo 2: Rear of existing structure at 423 Shore Road (photo by B. Malo, Coastal Engineering Company)

In addition, the Project includes an extensive planting program, designed by BlueFlax Design, llc. This includes extensive invasive plant species management/removal as well as planting of native shrubs and perennials over 19,881 square feet of the 25,480 square-foot lot. See BlueFlax Design's plan.

McGREGOR LEGERE & STEVENS

The Project will be in harmony with the general public good and intent of the Zoning Bylaws, as required by Section 30.8.C and Section 9 of the Zoning Act, by promoting public health and safety. With its additional first-floor height and its foundation complying with state and local flood zone requirements, the replacement structure will reduce the potential of storm damage and flood damage to it, other structures in the neighborhood, and the public in general. The Project's significant reduction in impervious surfaces also helps reduce stormwater runoff while allowing for the planting of additional native vegetation.

Furthermore, the Project's new structure will help to conserve the value of land and buildings throughout the neighborhood. The Project's replacement of the existing cesspool with a modern septic disposal system will help protect the Town's waters as well as public health. The Project's reduction of impervious surface and extensive vegetation management and planting plan will help conserve natural resources.

The Project will not be substantially more detrimental to the neighborhood than the existing use. Residential use will continue in the same intensity as no additional bedrooms are proposed. The modernized structure, proposed vegetation management plan, and reduction in impervious surface will be a substantial improvement to the lot and neighborhood in general. Compliance with state and local flood zone requirements will also reduce rather than increase any detriment to the neighborhood (we do not believe there is any existing detriment).

The Project will not increase the nature or extent of the two zoning nonconformities. The nonconforming nature of the front yard setback does not increase but actually improves. The lot size does not change.

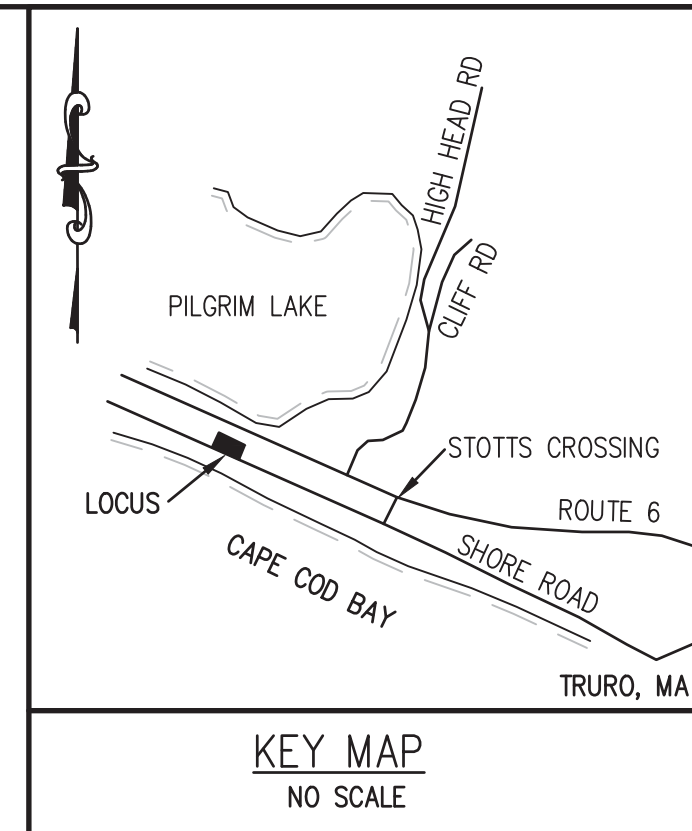
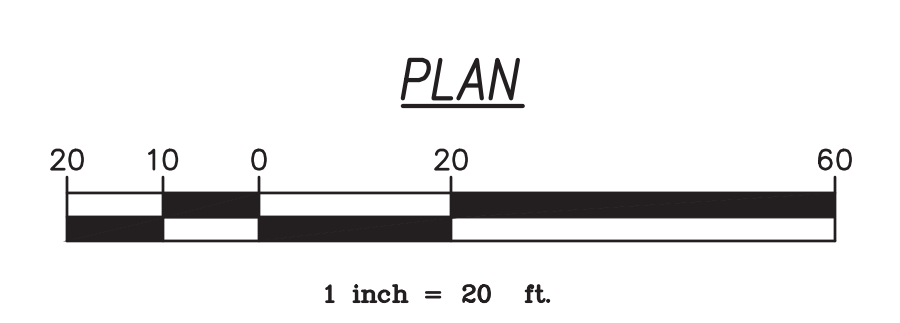
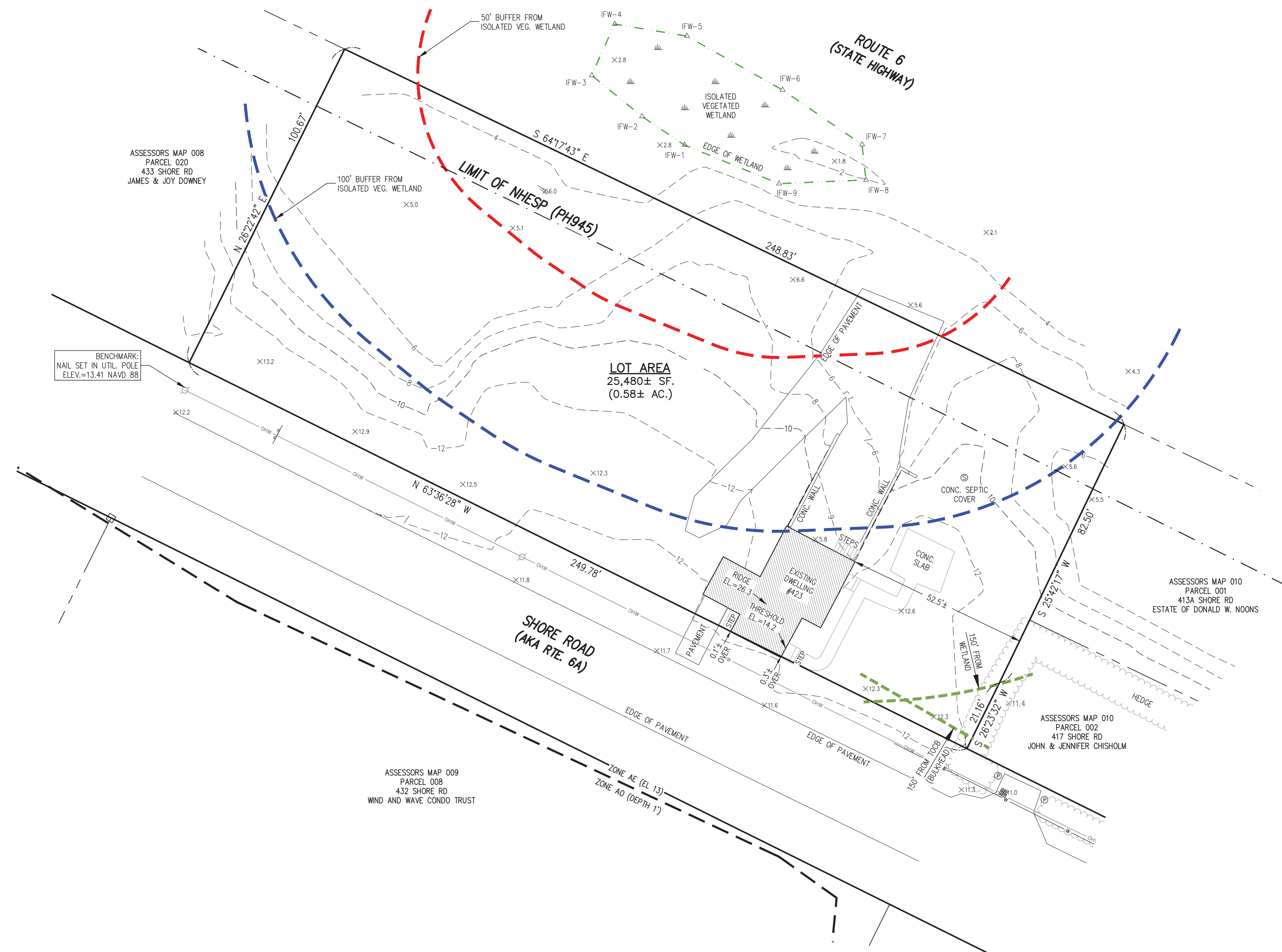
For the foregoing reasons, we respectfully request that the Zoning Board of Appeals grant a Special Permit for the reconstruction of the single-family dwelling at 423 Shore Road.

Thank you for considering this application.

Very truly yours,

Nathaniel Stevens

Nathaniel Stevens



REFERENCES:

ASSESSORS MAP 9, PARCEL 1
 DEED BOOK 13943, PAGE 346
 PLAN BOOK 268, PAGE 69

DATUM NOTE:

ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM 1988 (NAVD 1988)

FLOOD NOTE:

FLOOD ZONE AE (EL. 13) AS SHOWN ON FEMA FIRM PANEL #25001C0117J REVISED JULY 16, 2014

RESOURCE AREA NOTE:

THIS LOT LIES WITHIN LAND SUBJECT TO COASTAL STORM FLOWAGE (LSCSF/ FEMA AE FLOOD ZONE) AND THE BUFFER ZONE TO AN ISOLATED VEGETATED WETLAND.

UTILITY NOTES

- EXISTING UTILITIES, INCLUDING DRAINAGE FACILITIES, HAVE BEEN SHOWN WHENEVER POSSIBLE AND ARE SHOWN AS APPROXIMATE FROM EXISTING RECORDS.
- EXISTING UTILITIES, UNDERGROUND AND OVERHEAD, MAY EXIST IN ADDITION TO THE UTILITY INFORMATION SHOWN ON THIS PLAN.

LEGEND

- BOUND
- ▣ CATCH BASIN
- ⊗ WATER VALVE
- ⊕ MISC. SIGN
- ⊙ POST
- UTILITY POLE
- OHW— OVERHEAD UTILITY LINE
- - - - - CONTOUR
- X 11.5 SPOT GRADE
- NHESP BOUNDARY OF MASS GIS MAPPED PRIORITY HABITAT

I HEREBY CERTIFY THAT THE CONDITIONS SHOWN HEREON ARE LOCATED AS THEY EXISTED ON THE GROUND AS OF 5-27-2021.

DATE 6-23-2021



NO.	DATE	REVISION	BY

SEAL

PROJECT: JENNIFER CHISHOLM TRURO, MA
 423 SHORE ROAD
 SHEET TITLE: PLAN SHOWING EXISTING SITE CONDITIONS

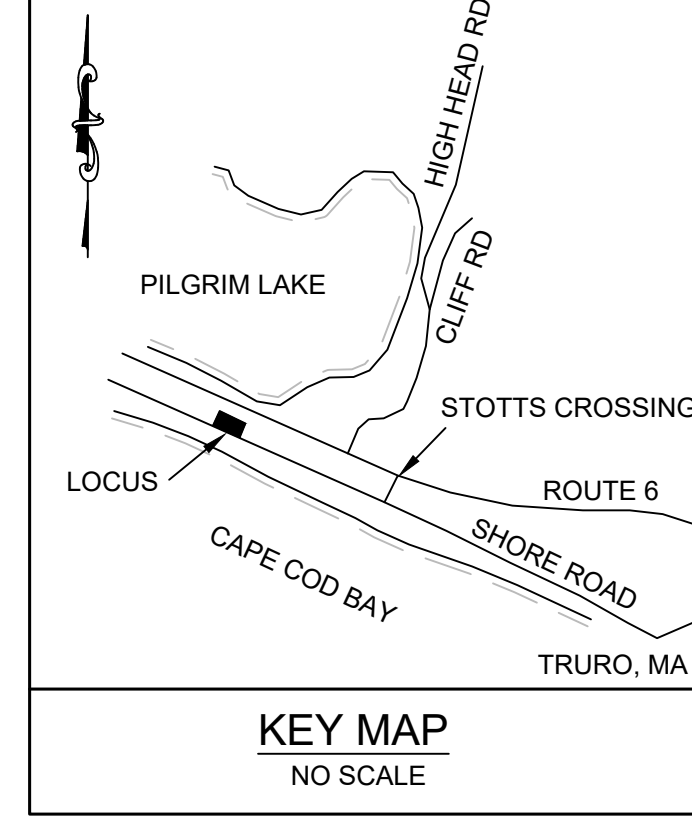
SCALE:	AS NOTED
DRAWING FILE:	C13065-04-EXCON.dwg
DATE:	6-23-2021
DRAWN BY:	JLH
CHECKED BY:	

PROJECT NO. C13065.04

C1.2.1

1 OF 1 SHEETS

F:\SDSK\PROJ\C13065\C13065-04-EXCON.dwg, Jun 23, 2021, 3:56pm



REFERENCE:

ASSESSORS MAP 9, PARCEL 1
DEED BOOK 13943, PAGE 346
PLAN BOOK 268, PAGE 69

EXISTING SITE CONDITIONS PLAN BY COASTAL ENGINEERING COMPANY, INC. DATED 6-23-21

SEE ARCHITECTURAL PLANS BY R. CAMPBELL DESIGN, LLC. DATED 1/26/2023

SEE C2.1.1 "PLAN SHOWING PROPOSED SEWAGE DISPOSAL SYSTEM" BY CEC DATED 8/4/2022, APPROVED BY BOH 8/16/2022

NOTES:

- VERTICAL DATUM IN U.S. SURVEY FEET REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) BASED UPON THE HEXAGON SMARTNET RTK NETWORK.
- EXISTING UTILITIES, UNDERGROUND AND OVERHEAD, MAY EXIST IN ADDITION TO THE UTILITY INFORMATION SHOWN ON THESE PLANS. THIS PLAN MUST NOT BE USED TO LOCATE UNDERGROUND UTILITIES. CALL DIG SAFE AT 811 PRIOR TO STARTING ANY EXCAVATION.
- THE SUBJECT PREMISES AS SHOWN LIES WITHIN FLOOD ZONE AE (EL. 13), AS INDICATED ON FLOOD INSURANCE RATE MAP NUMBER #25001C0117J FOR BARNSTABLE COUNTY MASSACHUSETTS WITH AN EFFECTIVE DATE OF JULY 16, 2014.

ZONING TABLE			
ZONING DISTRICT: LB BEACH POINT / USE GROUP: SINGLE FAMILY DWELLING			
SUBJECT	REQUIRED	EXISTING	PROPOSED
MIN LOT SIZE	33,750 S.F.	25,480 S.F.±	NO CHANGE
FRONTAGE	150 FT.	249.78 FT.	NO CHANGE
FRONT YARD SETBACK	25 FT.	0.3 FT. OVER	5 FT.±
SIDEYARD SETBACK (WEST)	10 FT.*	162 FT.±	144 FT.±
SIDEYARD SETBACK (EAST)	10 FT.*	53 FT.±	53 FT.±
BACKYARD SETBACK (NORTH)	10 FT.*	68 FT.±	57 FT.±
BUILDING HEIGHT	30 FT. (MAX)	14.3 FT.±	29.3 FT.±
GROSS FLOOR AREA	3,524 S.F.**	837 S.F.±	2,274 S.F.±***
NUMBER OF DWELLINGS/BUILDINGS	N/A	1	NO CHANGE
LOT COVERAGE (IMPERVIOUS)	N/A	3,749 S.F.± (14.7%)	1,756 S.F.± (6.9%)
BUILDING COVERAGE (IMPERVIOUS)	N/A	837 S.F.± (3.3%)	1,533 S.F.± (6.0%)
PAVEMENT COVERAGE (IMPERVIOUS)	N/A	2,390 S.F.± (9.4%)	0 S.F.± (0.0%)
LANDSCAPE COVERAGE (IMPERVIOUS)	N/A	522 S.F.± (2.0%)	30 S.F.± (0.1%)

*PER 50.1 A. (4) PROPOSED TWO-STORY DWELLING: 5 FT. PER STORY x 2 STORIES = 10 FT.
**PER 50.2 B. 1.b. MAX ALLOWABLE FLOOR AREA: 3,668 S.F. - [(1-0.52)(0.5) x 150 S.F./ACRE = 3,524 S.F.
*** GROSS FLOOR AREA CONSISTS THE SUM OF ALL HORIZONTAL FLOOR AREAS OF THE DWELLING FROM THE EXTERIOR FACES. EXCLUDES CELLAR/BASEMENT AREAS, GARAGES, PORCHES, DECKS, AND ATTICS (TRURO ZONING BY-LAW DEFINITION, APRIL 2021) - INFORMATION BY ARCHITECT

BUILDING HEIGHT CALCULATIONS:

AVERAGE EXISTING GRADE - EXISTING CONDITION:
(11.8 + 12.5 + 11.8 + 11.2 + 11.6 + 12.5 + 12.4 + 12.1 + 12.1 + 12.2) / 10 = 12.0± FT.

EXISTING RIDGE ELEVATION = 26.3 FT.

EXISTING BUILDING HEIGHT = 26.3 - 12.0 = 14.3± FT.

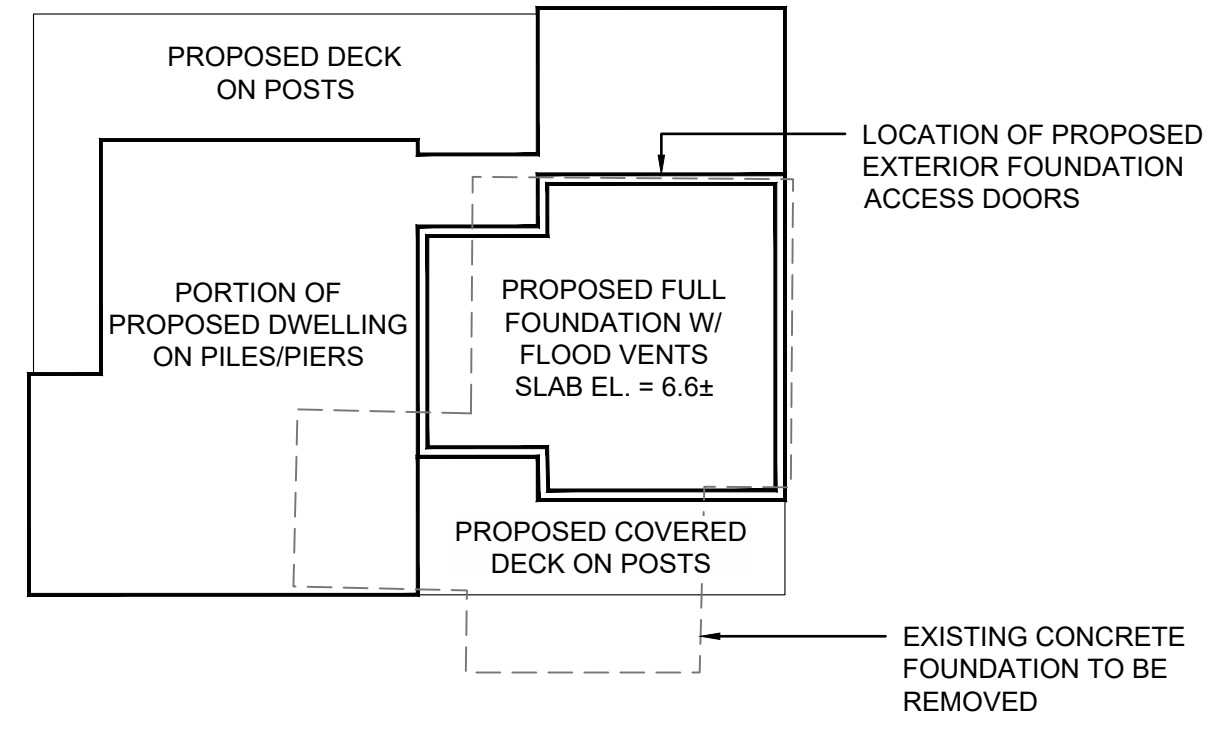
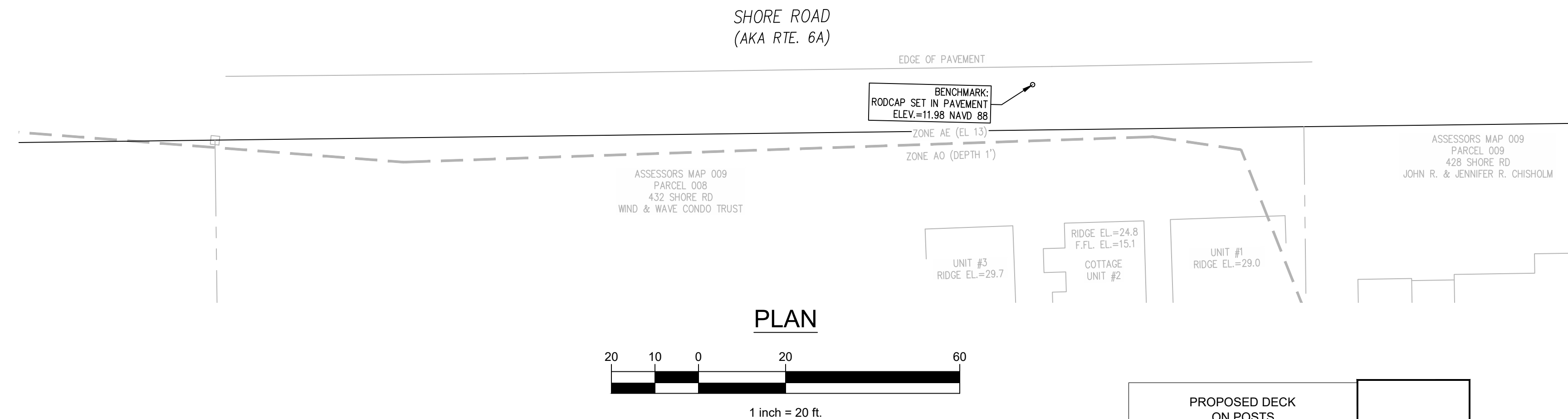
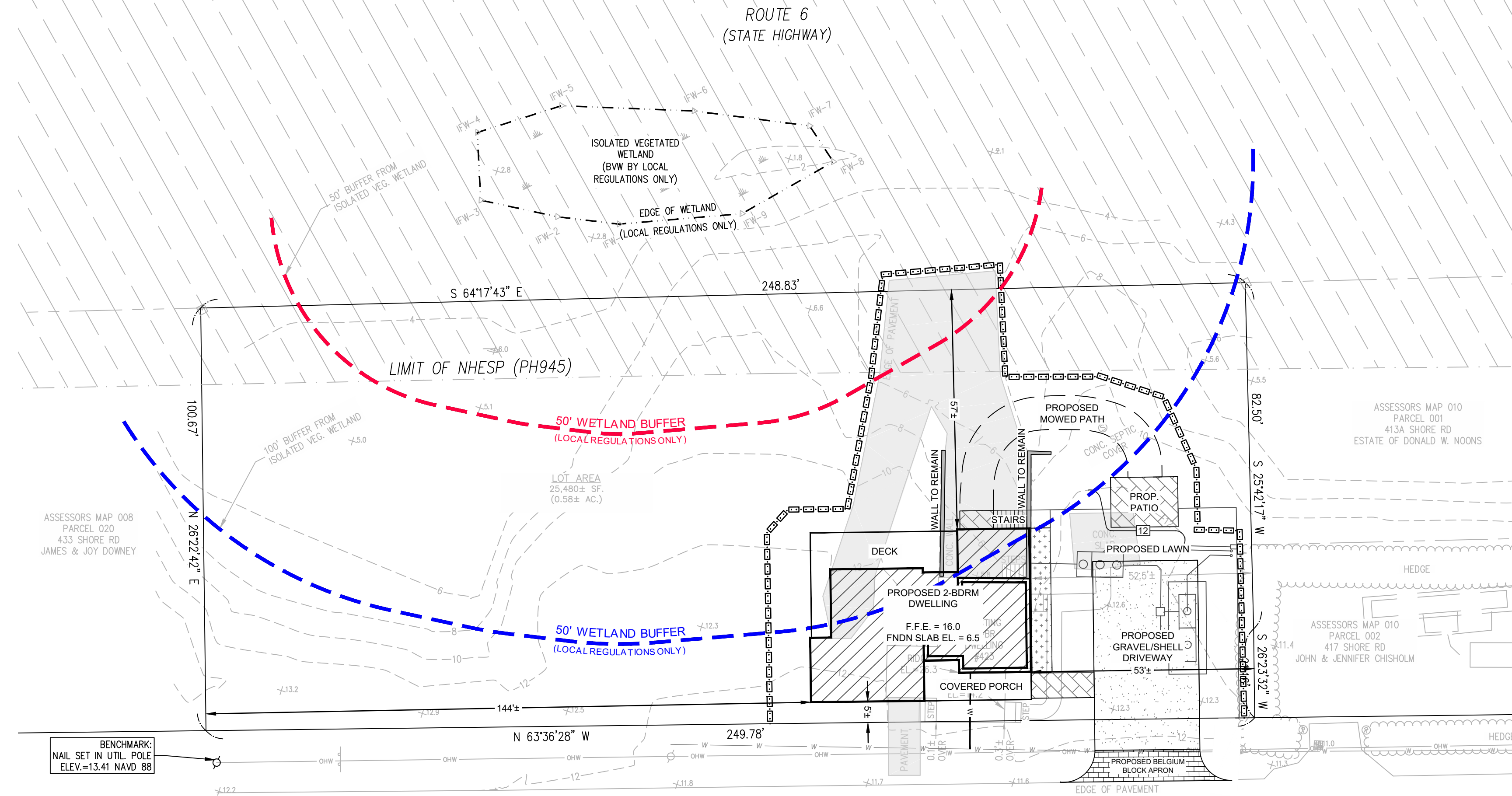
AVERAGE EXISTING GRADE - PROPOSED CONDITION:
(11.9 + 11.9 + 11.2 + 12.8) / 4 = 12.0± FT.

PROPOSED RIDGE ELEVATION = 41.3 FT.

PROPOSED BUILDING HEIGHT = 41.3 - 12.0 = 29.3± FT.

LEGEND

- EXISTING**
- BOUND
 - CATCH BASIN
 - WATER GATE
 - MISC. SIGN
 - POST
 - UTILITY POLE
 - OVERHEAD WIRES
 - CONTOUR
 - SPOT ELEV.
- PROPOSED**
- PROPOSED SPOT ELEVATION
 - PROPOSED CONTOUR
 - SEDIMENTATION BARRIER/WORK LIMIT
 - EXISTING PAVEMENT TO BE REMOVED
 - PERVIOUS PAVERS
 - PLANTING BED
 - EXISTING RETAINING WALL TO REMAIN



PLAN SHOWING EXTENTS OF FULL FOUNDATION
NOT TO SCALE

GENERAL NOTES:

- SEE "PLANTING PLAN" PREPARED BY BLUEFLAX DESIGN DATED 01/12/2023 FOR GROUND RESTORATION AND REPLANTED AREAS.
- WORK WITHIN THE NHESP PRIORITY HABITAT INCLUDES PAVEMENT/CONCRETE REMOVAL AND NATIVE PLANTING ACTIVITY ONLY.
- PROPOSED GRADE CHANGES ARE LESS THAN 2' IN AREA OF CONSTRUCTION.
- ALL CONSTRUCTION TO BE DESIGNED IN COMPLIANCE WITH APPLICABLE MASS STATE BUILDING CODES FOR FLOOD ZONE CONSTRUCTION.
- THE PROPOSED SEWAGE DISPOSAL SYSTEM WITH I/A TECHNOLOGY FOR THIS PROJECT WAS APPROVED BY THE TRURO BOH ON AUGUST 16, 2022.
- ALL ROOF RUNOFF TO BE CONTROLLED VIA GUTTERS TO DOWNSPOUTS + DRYWELL OR STONE DRIP EDGES.

ISSUED FOR ZONING BOARD OF APPEALS
REVIEW. NOT FOR CONSTRUCTION.
01-26-2023

BY	
REVISION	
DATE	
NO.	
SEAL	
PROJECT	BEACH POINT TRUST JENNIFER CHISHOLM, TRUSTEE
PROJECT NO.	423 SHORE ROAD
SHEET TITLE	PLAN SHOWING PROPOSED SITE IMPROVEMENTS
SCALE	AS NOTED
DRAWING FILE	C13065-06-CIV.dwg
DATE	01-26-2023
DRAWN BY	JJB
CHECKED BY	BPM
C2.1.3	
1 OF 1 SHEETS	
PROJECT NO.	C13065.06

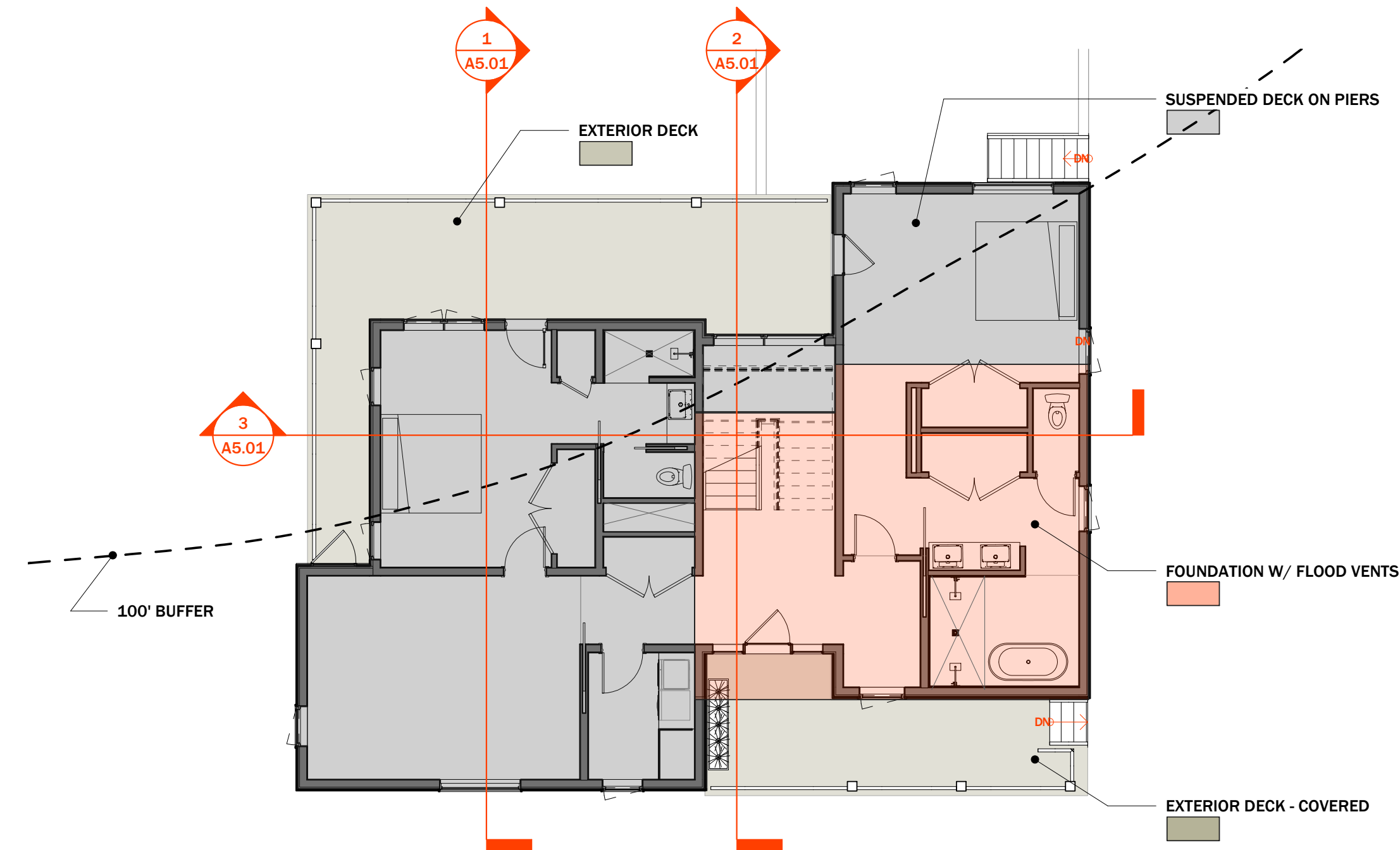
423 SHORE ROAD

Jennifer Chisholm
TRURO, MA



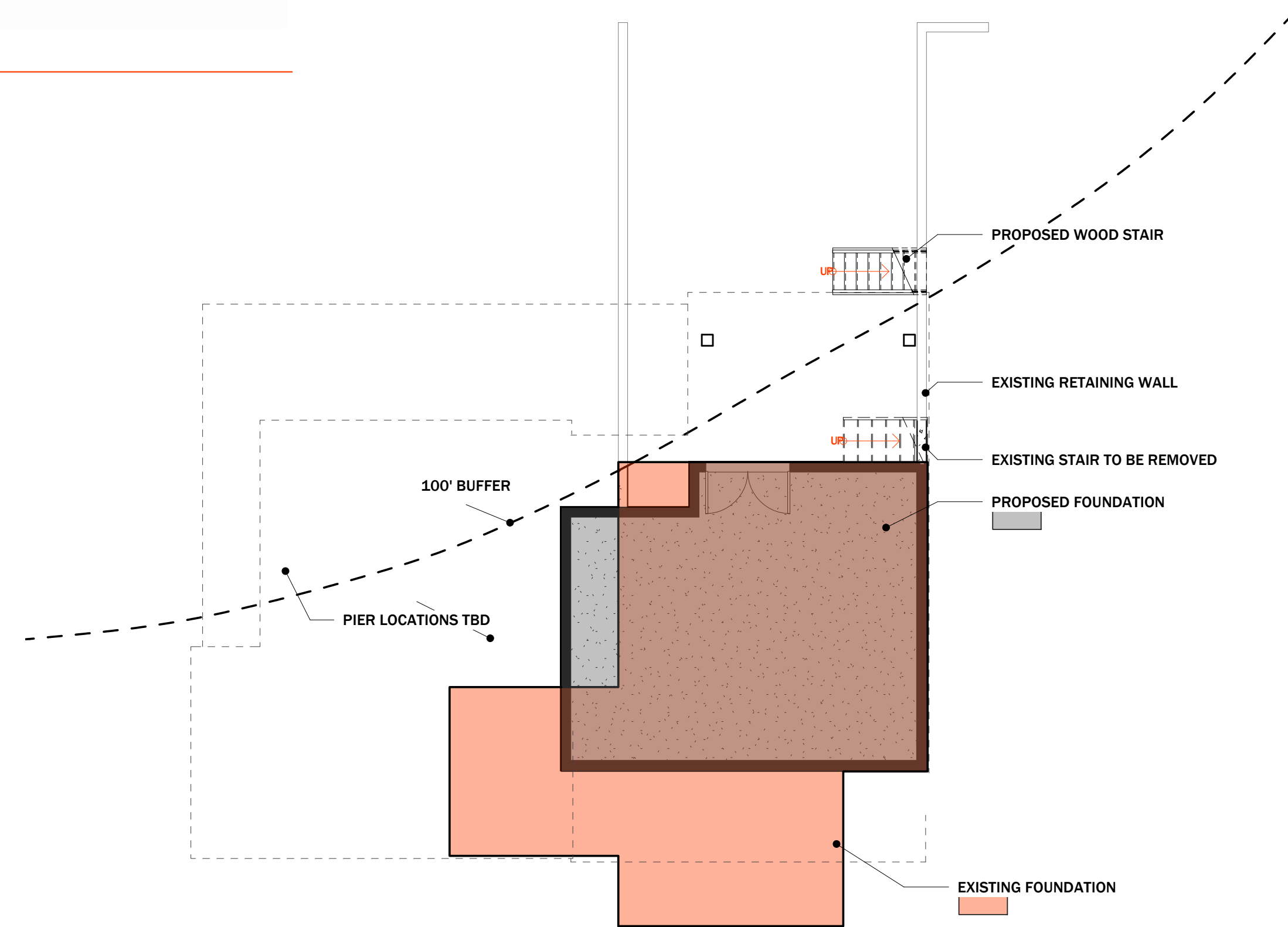
1 Plan - Level One - Site Diagram

SCALE: 1" = 20'-0"



2 Plan - Foundation Diagram

SCALE: 1/8" = 1'-0"



3 Foundation - Existing Overlay

SCALE: 1/8" = 1'-0"

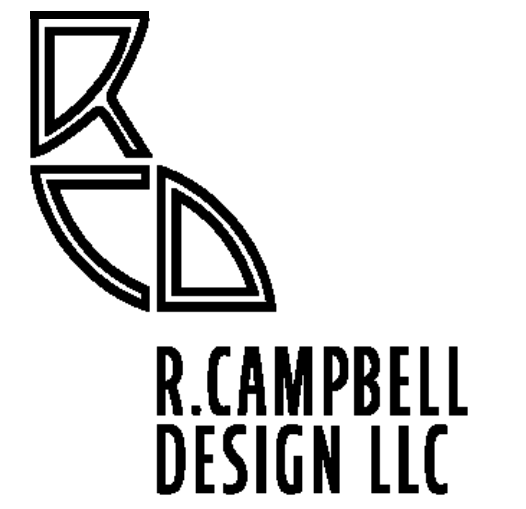
No.	Description	Date
1	Preliminary Design - Opt. 3	12/18/2022
2	Conservation Submission	1/13/2023
3	ZBA Submission	1/26/2023

Project Number	20220901
Date	Issue Date
Drawn By	Author
Checked By	Checker

Site Diagrams

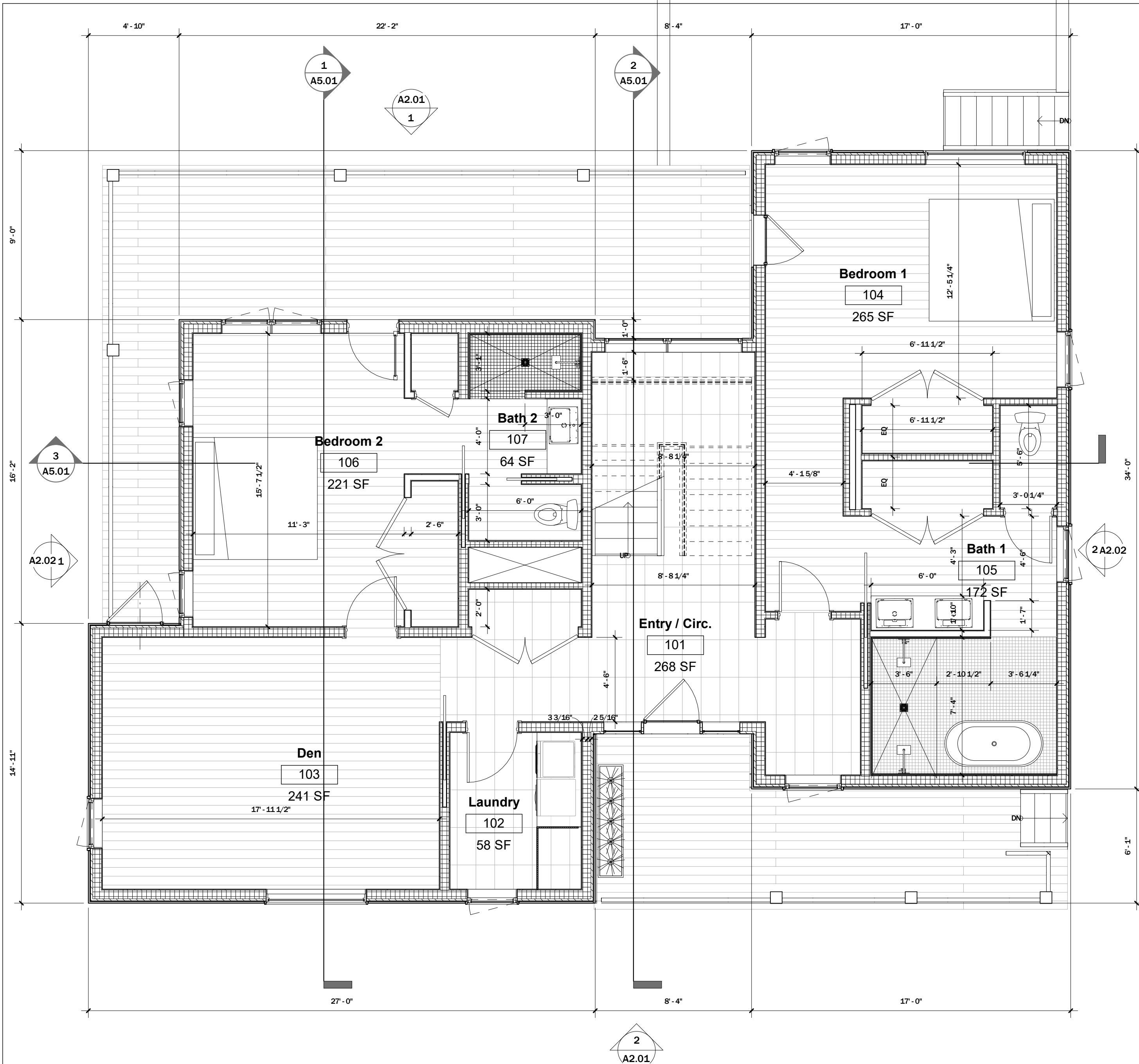
A0.01

Scale As indicated

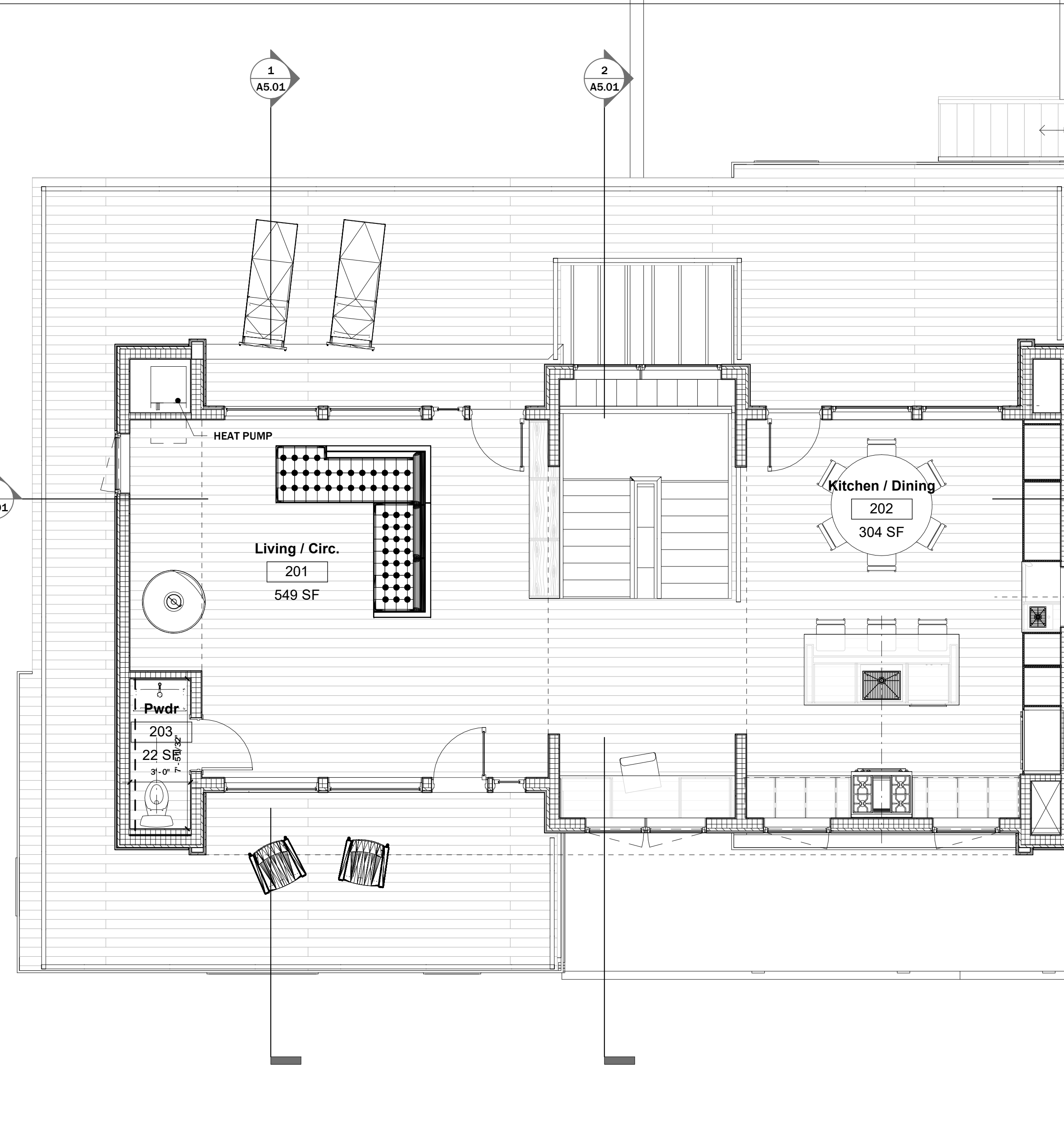


423 SHORE ROAD

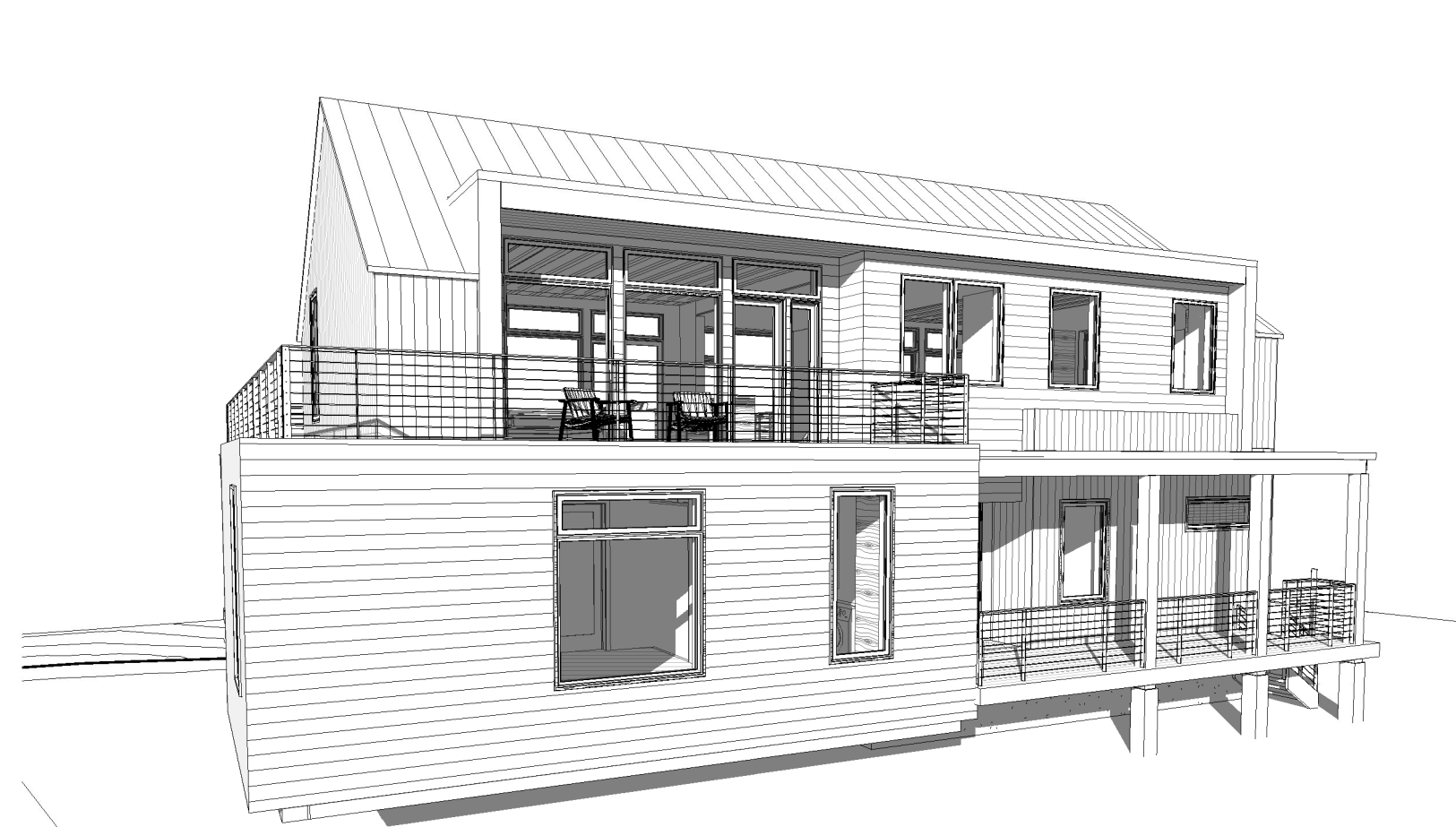
Jennifer Chisholm
TRURO, MA



1 Plan - Level One
SCALE: 1/4" = 1'-0"



2 Plan - Level Two
SCALE: 1/4" = 1'-0"



3 View from Southwest
SCALE:



4 View from Southeast
SCALE:

**PRELIMINARY -
NOT FOR CONSTRUCTION**

No.	Description	Date
1	Preliminary Design - Opt. 3	12/18/2022
2	ZBA Submission	1/26/2023

Project Number	20220901
Date	Issue Date
Drawn By	Author
Checked By	Checker

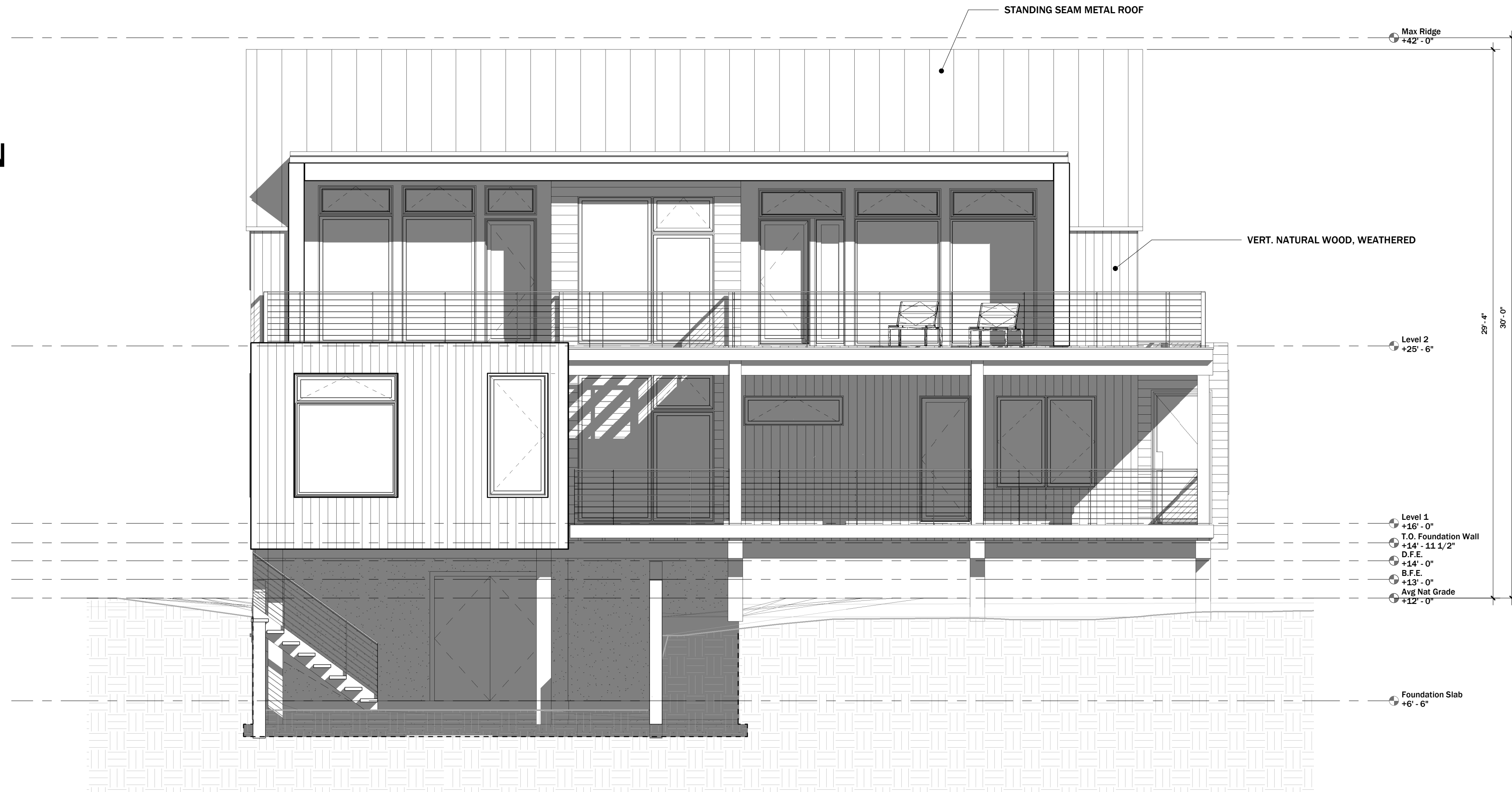
Building Plan

A1.01
Scale 1/4" = 1'-0"

© 2022 R. CAMPBELL DESIGN LLC

1/25/2023 5:15:22 PM

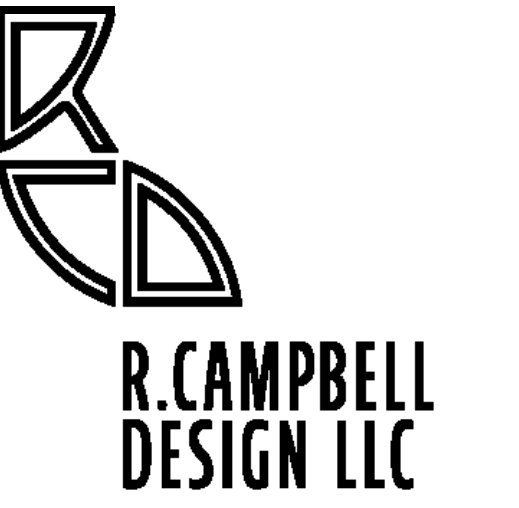
PRELIMINARY -
NOT FOR CONSTRUCTION



1 Elevation - North
SCALE: 1/4" = 1'-0"



2 Elevation - South
SCALE: 1/4" = 1'-0"



423 SHORE ROAD

Jennifer Chisholm
TRURO, MA

No.	Description	Date
1	Preliminary Design - Opt. 3	12/18/2022
2	Conservation Submission	1/13/2023
3	ZBA Submission	1/26/2023

Project Number	20220901
Date	Issue Date
Drawn By	Author
Checked By	Checker

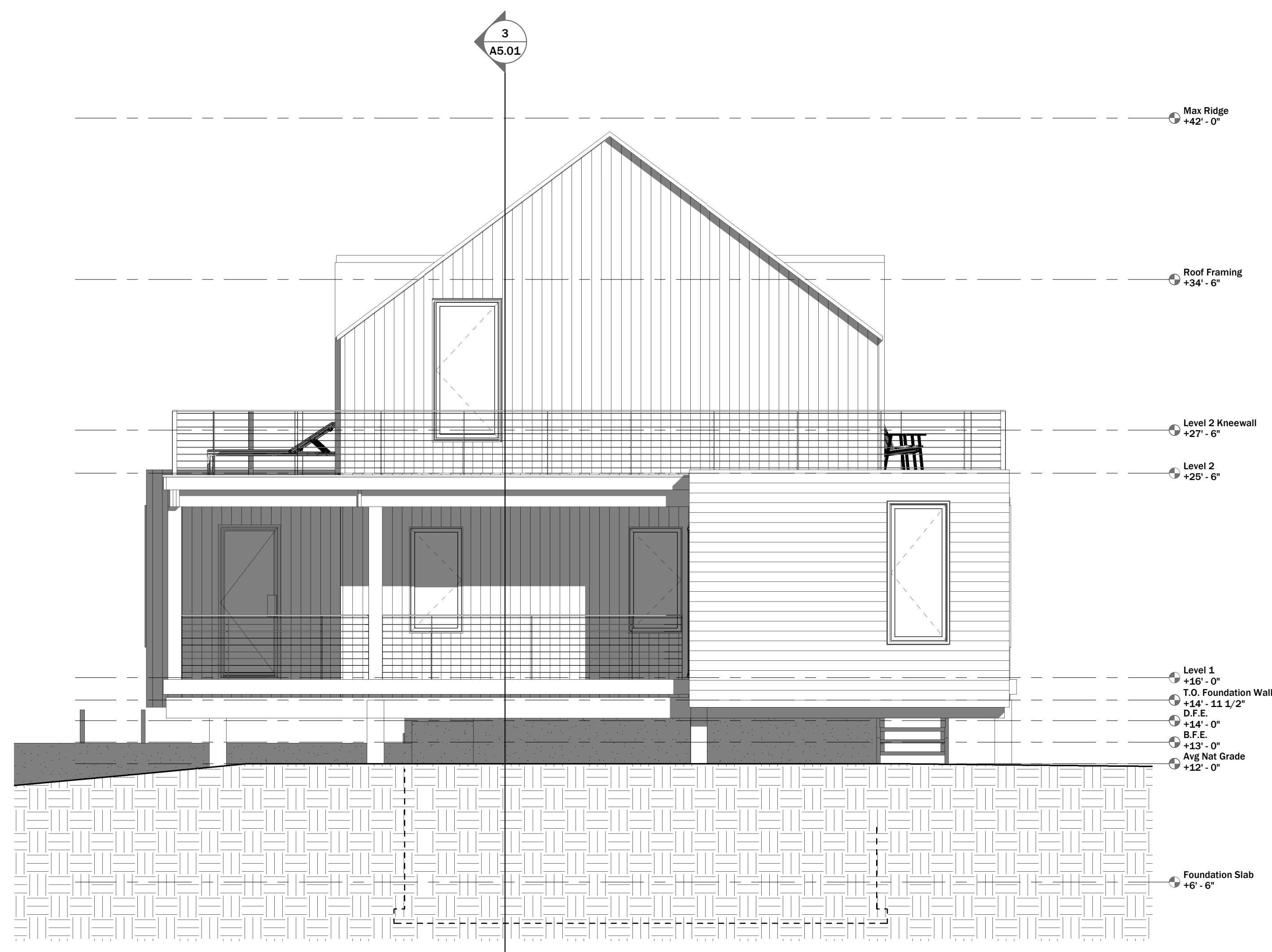
Exterior Elevations

A2.01
Scale 1/4" = 1'-0"

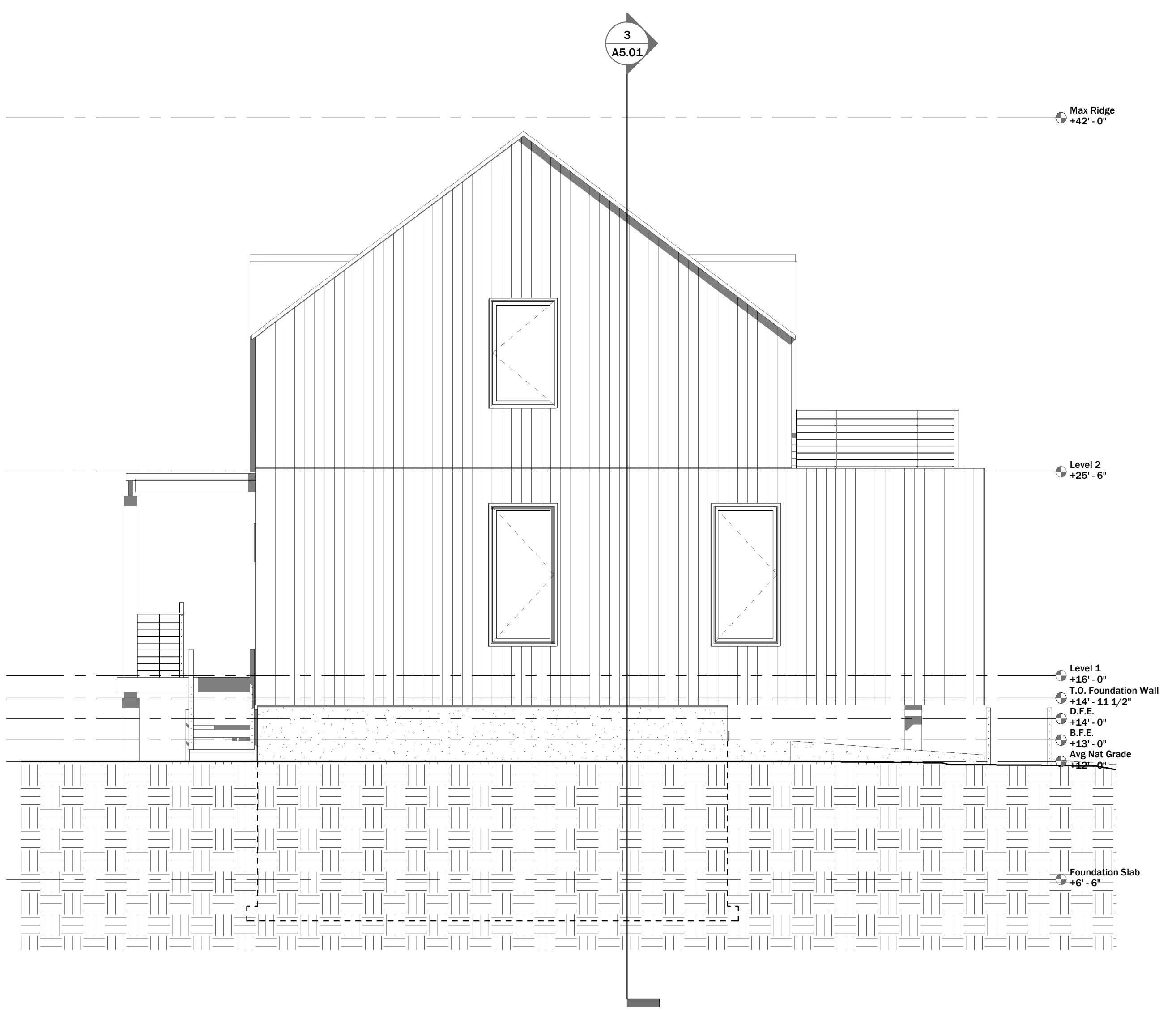
© 2022 R. CAMPBELL DESIGN LLC

423 SHORE ROAD

Jennifer Chisholm
TRURO, MA



1 Elevation - West
SCALE: 1/4" = 1'-0"



2 Elevation - East
SCALE: 1/4" = 1'-0"



3 View from Northeast
SCALE:



4 View from Northwest
SCALE:

**PRELIMINARY -
NOT FOR CONSTRUCTION**

No.	Description	Date
1	Preliminary Design - Opt. 3	12/18/2022
2	Conservation Submission	1/13/2023
3	ZBA Submission	1/26/2023

Project Number	20220901
Date	Issue Date
Drawn By	Author
Checked By	Checker

Exterior Elevations

A2.02
Scale 1/4" = 1'-0"

No.	Description	Date
1	Preliminary Design - Opt. 3	12/18/2022
2	Conservation Submission	1/13/2023
3	ZBA Submission	1/26/2023

Project Number	20220901
Date	Issue Date
Drawn By	Author
Checked By	Checker

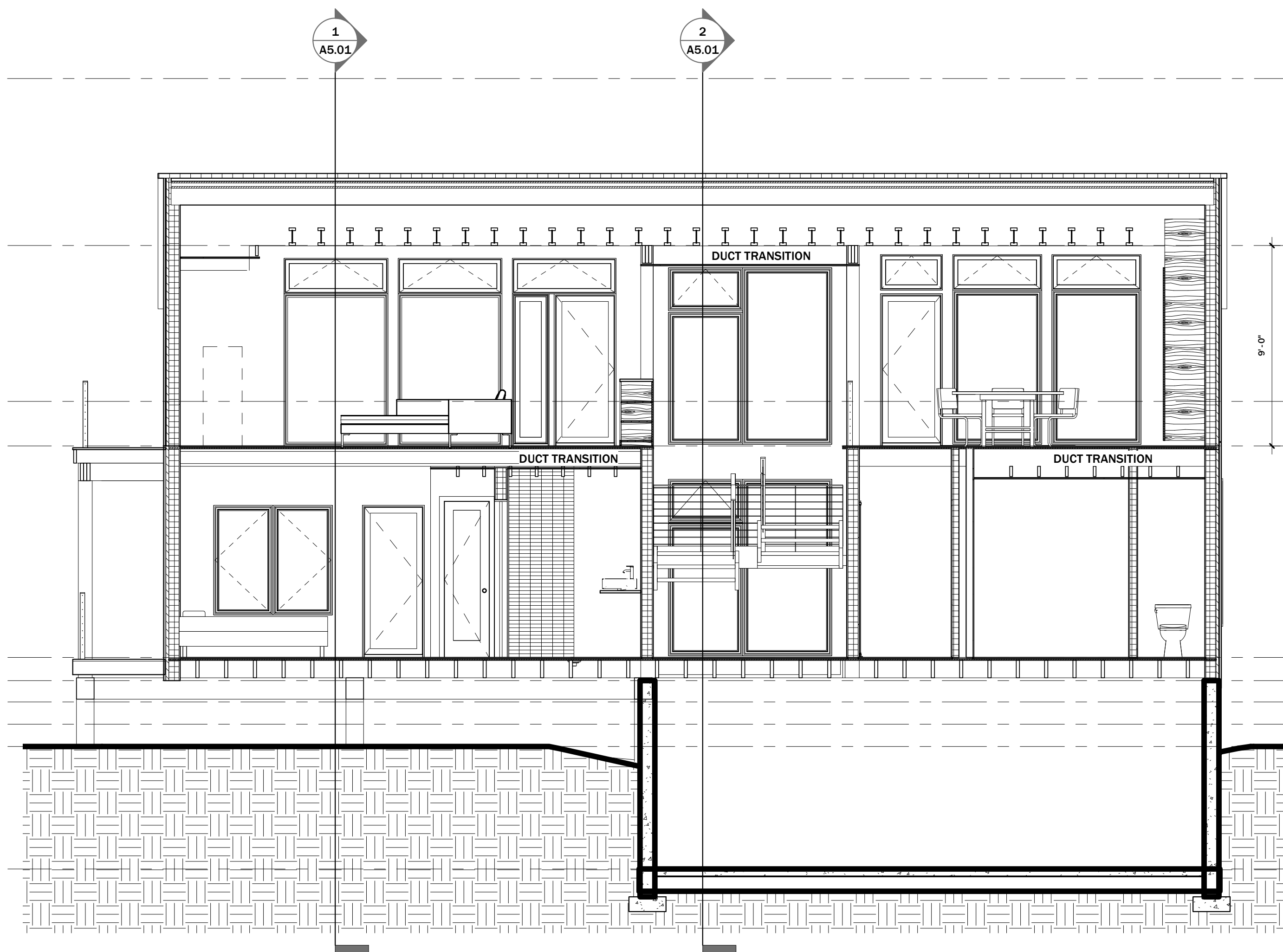
Building Sections

A5.01

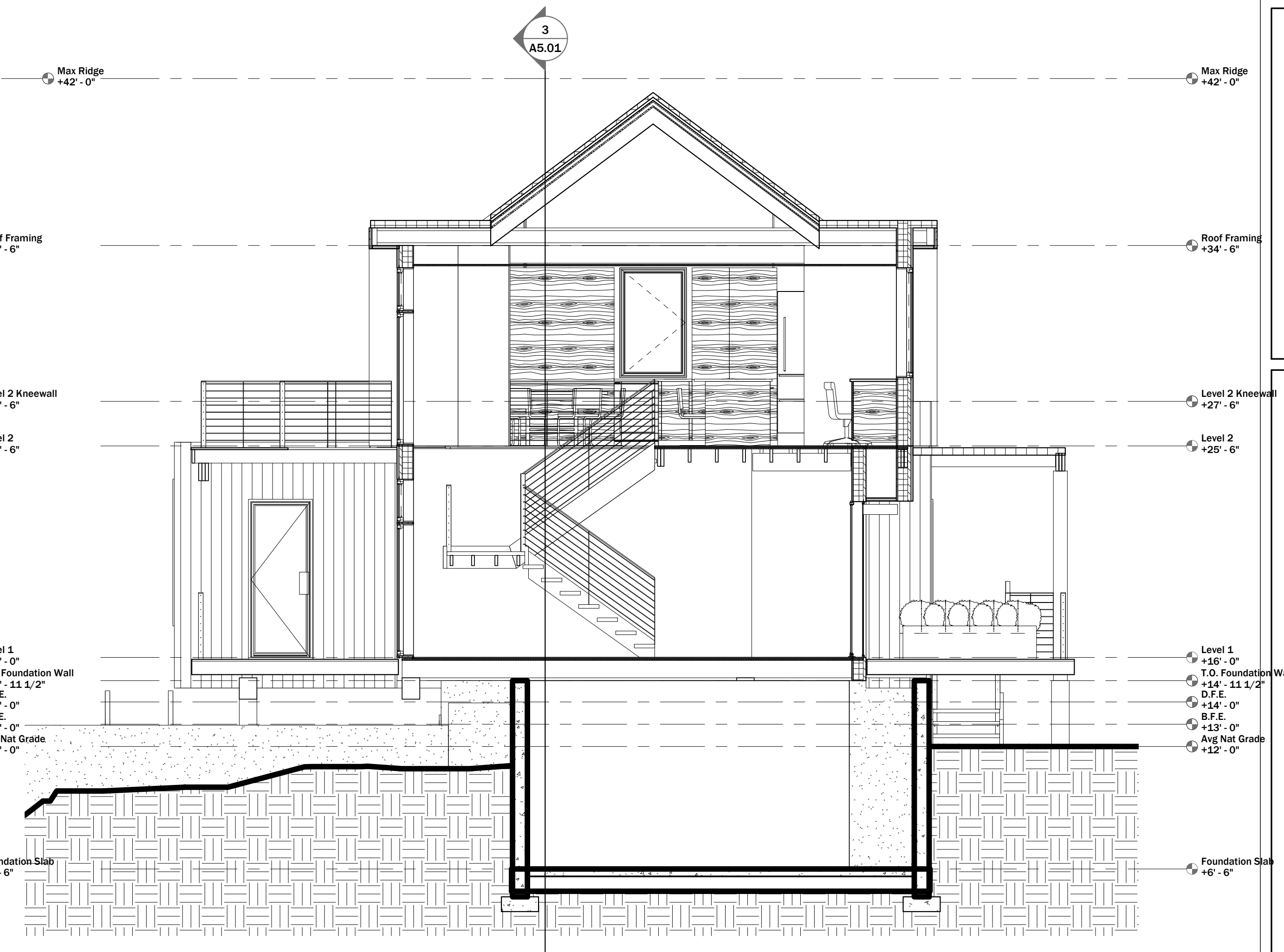
Scale As indicated

© 2022 R. CAMPBELL DESIGN LLC

1/25/2023 5:15:52 PM



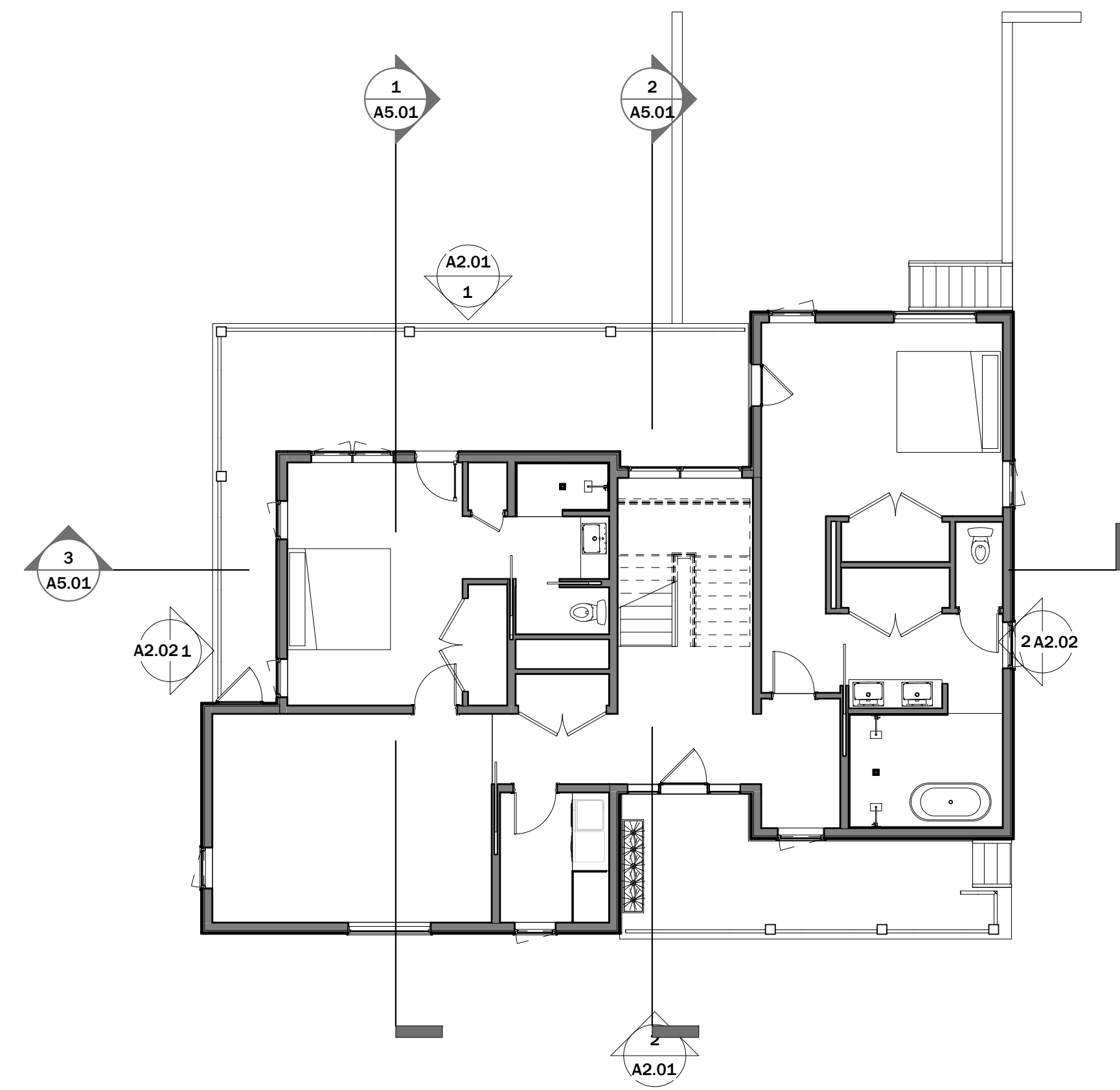
3 Section 8
SCALE: 1/4" = 1'-0"



2 Section 4
SCALE: 1/4" = 1'-0"

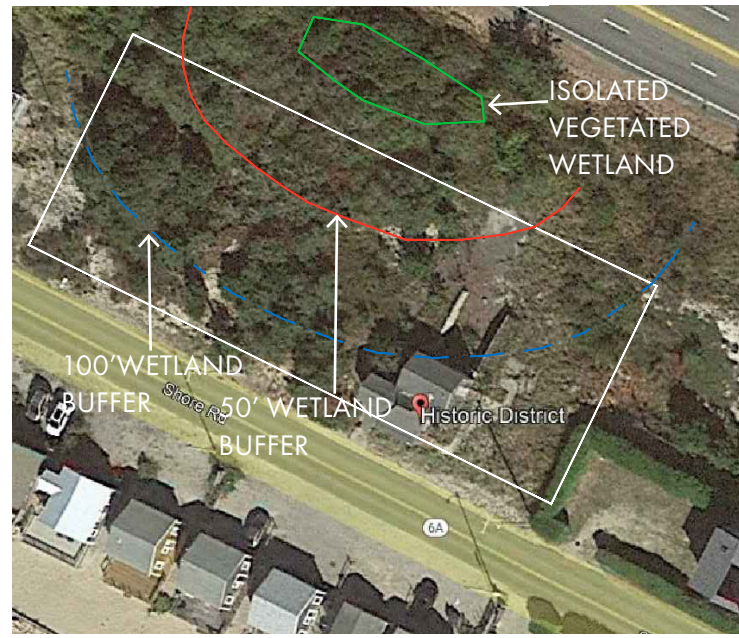


1 Section 1
SCALE: 1/4" = 1'-0"



4 Key Plan - Level 1
SCALE: 1/8" = 1'-0"

PROJECT AREA



Google Earth aerial image of 423 Shore Road, Truro, MA.

PLAN NOTES

- Site plan provided by Coastal Engineering.
- This plan proposes mitigation for the increase in structure in the form of concrete surface removal and invasive vegetation management restoration in a total area of approximately 19,881 square feet.
- Invasive species on site that will be managed/removed include Asiatic bittersweet (*Celastrus orbiculatus*), autumn olive (*Eleagnus umbellata*) and shrub honeysuckle (*Lonicera spp.*). Invasive plants will be selectively treated with an EPA-approved systemic herbicide and removed mechanically or by hand.
- After invasive species removal the project area will be seeded with a native grass and wildflower mix (see below).
- Native vegetation that was damaged by invasive species or historic pruning may be regeneratively pruned using best management practices to promote healthy regeneration and vigorous growth.
- All vegetation debris will be removed from the site and brought to an off-site disposal area.
- Temporary drip irrigation will be required for the first two to three growing seasons while plants establish. Once plants are established irrigation will be removed.
- Follow up invasive species management will be ongoing over the next three growing seasons to ensure proper management and successful restoration.

PLANTING SCHEDULE

PLANT SCHEDULE

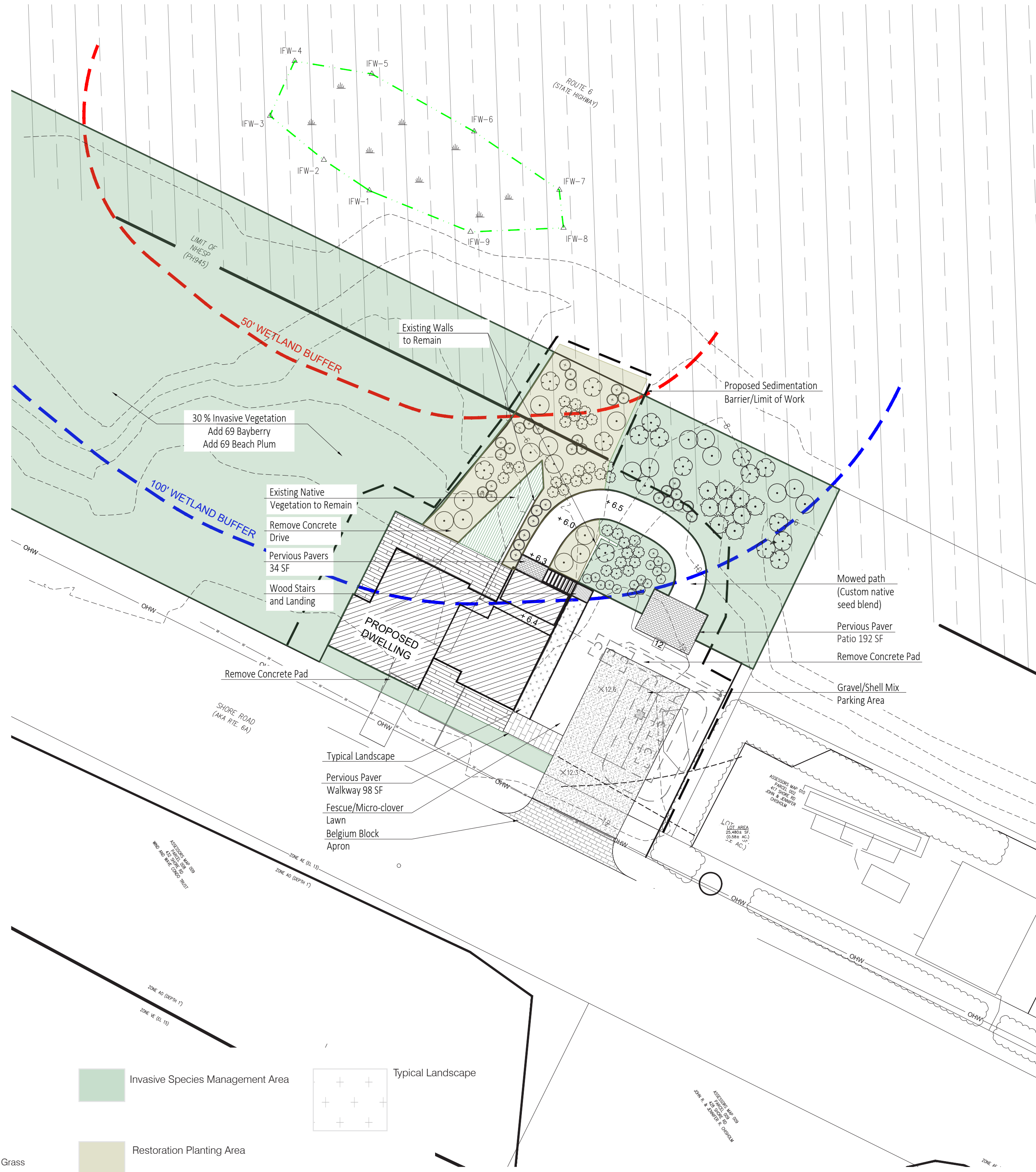
SHRUBS	BOTANICAL / COMMON NAME	CONT	QTY
○	Morella pensylvanica / Northern Bayberry	3 gal	89
⊙	Prunus maritima / Beach Plum	3 gal	85
⊙	Rosa carolina / Carolina Rose	1 gal	33
⊙	Rosa virginiana / Virginia Rose	1 gal	9
PERENNIALS	BOTANICAL / COMMON NAME	CONT	QTY
⊕	Asclepias tuberosa / Butterfly Milkweed	1 gal	16
⊕	Solidago sempervirens / Seaside Goldenrod	1 gal	32

CUSTOM NATIVE SEED BLEND

Bouteloua gracilis / Blue Oats Grama
 Bouteloua curtipendula/ Side Oats Grama
 Microclover/ Trifolium repens
 Festuca ovina / Sheep Fescue
 Festuca rubra / Red Fescue
 Juncus tenuis / Path Rush
 Schizachyrium scoparium / Little Bluestem Grass

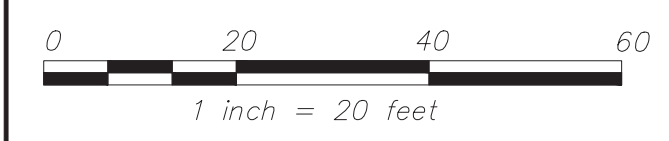
GRASS & WILDFLOWER SEED MIX

Agrostis perennans / Autumn Bentgrass
 Asclepias tuberosa / Butterfly Milkweed
 Echinacea purpurea / Purple Coneflower
 Festuca ovina / Sheep Fescue
 Festuca rubra / Red Fescue
 Juncus tenuis / Path Rush
 Rudbeckia hirta / Black-eyed Susan
 Schizachyrium scoparium / Little Bluestem Grass



PLANTING PLAN

01/12/23
 CHISHOLM RESIDENCE
 423 SHORE RD.
 TRURO, MA



DATE	REVISION	INITIALS

Key: 281

Town of TRURO - Fiscal Year 2023

9/1/2022 6:23 pm SEQ #: 209

LEGAL

CURRENT OWNER				PARCEL ID				LOCATION			
BEACH POINT TR TRS: SHAPIRO J R 51 LONGFELLOW RD WELLESLEY, MA 02481-5220				9-1-0				423 SHORE RD			
TRANSFER HISTORY				DOS	T	SALE PRICE	BK-PG (Cert)				
BEACH POINT TR				06/15/2001	G	5,000	13943-346+				
BEACH POINT TR & CALOMIRIS ANGELA J ESTATE				01/04/1996	H	110,000	10002-131				
				08/07/1995	99		9788-103				

CLASS	CLASS%	DESCRIPTION			BN ID	BN	CARD
1010	100	SINGLE FAMILY				1	1 of 1
PMT NO	PMT DT	TY	DESC	AMOUNT	INSP	BY	1st %

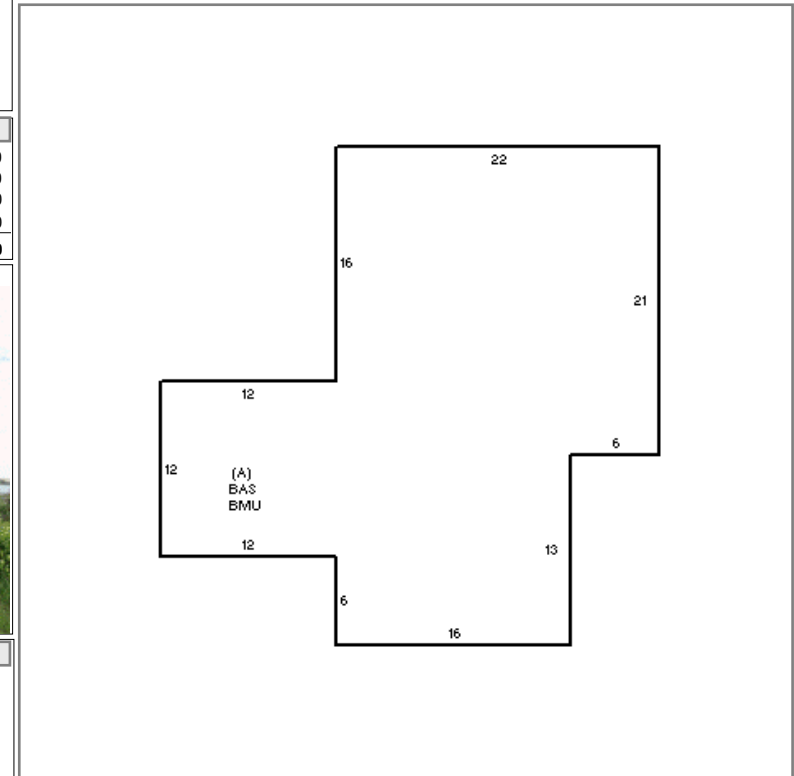
LAND

CD	T	AC/SF/UN	Nbhd	Infl1	Infl2	ADJ BASE	SAF	Infl3	Lpi	VC	CREDIT AMT	ADJ VALUE
100	A	0.580	10	1.00	1	547,925	1.22	1	1.00	V7	1.75	388,320

TOTAL	25,265 SF	ZONING	LBP	FRNT	0	ASSESSED	CURRENT	PREVIOUS
Nbhd	BEACH POINT	N	FY05=CHGD ACRES FROM 0.47 TO 0.58 PER PLAN	LAND	388,300	306,100		
Infl1	NO ADJ	O	(INCLUDES 0.11 AC STRIP IN REAR PER	BUILDING	77,800	59,000		
Infl2	NO ADJ	T	BK13943/346). BACKS UP TO RT 6. FY11=ADDED VW	DETACHED	0	0		
		E	(EAST HARBOR+PEEKS OF BAY) PER FIELD REVIEW.	OTHER	0	0		
				TOTAL	466,100	365,100		

DETACHED

TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD



BUILDING

BUILDING	CD	ADJ	DESC	MEASURE	6/1/2017	LG
MODEL	1		RESIDENTIAL	LIST	7/2/2009	EST
STYLE	1	1.00	RANCH [100%]	REVIEW	11/10/2010	MR
QUALITY	-	0.75	AVE-/LOW+ [100%]			
FRAME	1	1.00	WOOD FRAME [100%]			

BLDG COMMENTS
FY11 CHGS PER 7/09 CYCL INSPEC.

YEAR BLT	1920	SIZE ADJ	1.050	ELEMENT	CD	DESCRIPTION	ADJ	S	BAT	T	DESCRIPTION	UNITS	YB	ADJ PRICE	RCN	TOTAL RCN	210,381
NET AREA	814	DETAIL ADJ	1.000	FOUNDATION	4	BSMT WALL	1.00	A	BMU	N	BSMT UNFINISHED	814		49.08	39,950	CONDITION ELEM	CD
\$NLA(RCN)	\$258	OVERALL	1.020	EXT. COVER	1	WOOD SHINGLES	1.00	A	BAS	L	BAS AREA	814	1920	206.80	168,332		
CAPACITY				ROOF SHAPE	1	GABLE	1.00										
STORIES(FAR)	1	1.00		ROOF COVER	1	ASPHALT SHINGLE	1.00										
ROOMS	0	1.00		FLOOR COVER	99	N/A	1.00										
BEDROOMS	1	1.00		INT. FINISH	1	PLASTER	1.00										
BATHROOMS	1	1.00		HEATING/COOLING	3	RADIANT	1.02										
FIXTURES	3	\$2,100		FUEL SOURCE	3	ELECTRIC	1.00										
UNITS	0	1.00															
EFF.YR/AGE 1950 / 71																	
COND 63 63 %																	
FUNC 0																	
ECON 0																	
DEPR 63 % GD 37																	
RCNLD \$77,800																	



TOWN OF TRURO

Assessors Office

Certified Abutters List

Request Form



DATE: January 18, 2023

NAME OF APPLICANT: Beach Point Trust; Jennifer Shapiro, Trustee

NAME OF AGENT (if any): Nathaniel Stevens, Esq.

MAILING ADDRESS: McGregor Legere & Stevens PC, 15 Court Square - Suite 660, Boston, MA 02108

CONTACT: HOME/CELL 857-449-2217 EMAIL nstevens@mcgregorlaw.com

PROPERTY LOCATION: 423 Shore Road, Truro
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP 9 PARCEL 1 EXT. _____
(if condominium)

ABUTTERS LIST NEEDED FOR: **FEE: \$15.00 per checked item**
(please check all applicable) (Fee must accompany the application unless other arrangements are made)

<input type="checkbox"/> Board of Health ⁵	<input type="checkbox"/> Planning Board (PB)	<input type="checkbox"/> Zoning Board of Appeals (ZBA)
<input type="checkbox"/> Cape Cod Commission	<input type="checkbox"/> Special Permit ¹	<input checked="" type="checkbox"/> Special Permit ¹
<input type="checkbox"/> Conservation Commission ⁴	<input type="checkbox"/> Site Plan ²	<input type="checkbox"/> Variance ¹
<input type="checkbox"/> Licensing	<input type="checkbox"/> Preliminary Subdivision ³	
Type: _____	<input type="checkbox"/> Definitive Subdivision ³	
	<input type="checkbox"/> Accessory Dwelling Unit (ADU) ²	
<input type="checkbox"/> Other _____		

(Please Specify) (Fee: Inquire with Assessors)

Note: Per M.G.L., processing may take up to 10 calendar days. Please plan accordingly.

THIS SECTION FOR ASSESSORS OFFICE USE ONLY

Date request received by Assessors: 1/18/2023

Date completed: 1/19/2023

List completed by: J. Frank

Date paid: 1/18/2023 Cash/Check online CC

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. **Note:** 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. **Note:** 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: January 19, 2023

To: Nathaniel Stevens, Esq., Agent for Jennifer Shapiro, Trustee of Beach Point Trust

From: Assessors Department

Certified Abutters List: 423 Shore Road (Map 9, Parcel 1)

Zoning Board of Appeals/ Special Permit

Attached is a combined list of abutters for the property located at 423 Shore Road.

The current owner is Beach Point Trust, J.R. Shapiro, Trustee.

The names and addresses of the abutters are as of January 13, 2023 according to the most recent documents received from the Barnstable County Registry of Deeds.

Certified by:

Olga Farrell
Assessing Clerk

Abutters List Within 300 feet of Parcel 9/1/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	Zip/Cd/Country
261	8-16-0-R	TREE HOLDINGS 445 LLC RES AGT: ERIC SHAPIRO	445 SHORE RD	141 PARKER ST, SUITE 305	MAYNARD	MA	01754
262	8-17-0-R	454 SHORE ROAD RLTY TR TRS: GOEDICKE PAULINE F	443 SHORE RD	5 LINDBERGH AVE	W NEWTON	MA	02465
263	8-18-0-R	ALTOMARE GEORGE & CAMPBELL VERA A	439 SHORE RD	60 1ST AVE APT 16C	NEW YORK	NY	10009-7339
264	8-19-0-R	OWNER UNKNOWN	439-A SHORE RD	439 A SHORE RD	TRURO	MA	02666
265	8-20-0-R	DOWNEY JAMES T & JOY F	433 SHORE RD	PO BOX 743	NO TRURO	MA	02652-0743
281	9-1-0-R	BEACH POINT TR TRS: SHAPIRO J R	423 SHORE RD	51 LONGFELLOW RD	WELLESLEY	MA	02481-5220
282	9-2-0-R	454 SHORE ROAD RLTY TR TRS: GOEDICKE PAULINE F	454 SHORE RD	5 LINDBERGH AVE	W NEWTON	MA	02465
283	9-3-0-R	GRISWOLD WILLIAM F JR & SUSAN C MCGUANE SHERRY G	452 SHORE RD	463 WOODLAND ST	SO GLASTONBURG	CT	06073
284	9-4-0-R	ALTOMARE GEORGE & CAMPBELL VERA A	450 SHORE RD	60 1ST AVE APT 16C	NEW YORK	NY	10009-7339
285	9-5-0-R	DOWNEY JAMES T	448 SHORE RD	PO BOX 743	NO TRURO	MA	02652-0743
286	9-6-0-R	YOUNG MARK R & SULLIVAN GARY J	446 SHORE RD	27 SALCOMBE ST, UNIT 2	DORCHESTER	MA	02125
287	9-7-0-R	SHAPIRO JOSEPH & CLARK LYNN	444 SHORE RD	59 DWIGHT ST	BOSTON	MA	02118
6978	9-8-0-E	WIND & WAVE CONDO TRUST	432 SHORE RD	432 SHORE RD	NO TRURO	MA	02652
288	9-8-1-R	SHAPIRO MARTIN J REV TRUST TRS: SHAPIRO MARTIN J & BETTE J	432 SHORE RD	77 FLORENCE ST UNIT 111	CHESTNUT HILL	MA	02467
289	9-8-2-R	BEACH POINT TR TRS: SHAPIRO J R	432 SHORE RD	51 LONGFELLOW RD	WELLESLEY	MA	02481-5220

Handwritten signature
 1/19/2023

Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
290	9-8-3-R	MORENO VITO & MARIA	432 SHORE RD	95 WINDY HILL DR	SO WINDSOR	CT	06074
291	9-8-4-R	MORENO VITO & MARIA	432 SHORE RD	95 WINDY HILL DR	SO WINDSOR	CT	06074
292	9-8-5-R	LAURIE LLC MEMBER: DAVID M LAURIE ET AL	432 SHORE RD	C/O MICHAEL LAURIE 2892 LONG HILL RD	GUILFORD	CT	06437
293	9-8-6-R	UNIT 6 WIND & WAVE CONDO TRUST TRS: CATER GLORIA J & WILLIE J	432 SHORE RD	559 CHESTNUT HILL AVE	BROOKLINE	MA	02445-4113
294	9-8-7-R	STRITTER TIMOTHY J	432 SHORE RD	167 OCEAN BLVD WEST	HOLDEN BEACH	NC	28462
295	9-8-8-R	ZUKOWSKI TRAVIS D & ANNE	432 SHORE RD	149 NELSON ROAD	PETERSHAM	MA	01366
296	9-9-0-R	CHISHOLM JOHN R & JENNIFER R	428 SHORE RD	51 LONGFELLOW RD	WELLESLEY	MA	02481-5220
297	10-1-0-R	NOONS DONALD W ESTATE OF	413-A SHORE RD	PO BOX 23	NO TRURO	MA	02652-0023
298	10-2-0-R	CHISHOLM JOHN R & JENNIFER R	417 SHORE RD	51 LONGFELLOW RD	WELLESLEY	MA	02481-5220
299	10-3-0-R	NOONS-ROSE LINDA J & NOONS DEBRA	413 SHORE RD	PO BOX 175	NO TRURO	MA	02652
300	10-4-0-R	JOLLY DAY LLC MGR: MARCIA BRILL	407 SHORE RD	25 MINETTA LANE, UNIT 4FG	NEW YORK	NY	10012
313	10-18-0-R	NOONS-ROSE LINDA J & NOONS DEBRA	426 SHORE RD	PO BOX 175	NO TRURO	MA	02652
314	10-19-0-R	MARCIA BRILL FIVE YEAR TRUST & MARCIA BRILL SIX YEAR TRUST	420 SHORE RD	TRS: MARCIA & ANTHONY BRILL 25 MINETTA LANE, UNIT 4F	NEW YORK	NY	10012-1253

MB 1/19/2023