



# Truro Planning Board Agenda

## Remote Meeting

Wednesday, February 8, 2023 – 5:00 pm  
[www.truro-ma.gov](http://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](http://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 [1-877-309-2073](tel:1-877-309-2073) and entering the access code [684-494-733#](tel:684-494-733#) 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](mailto:esturdy@truro-ma.gov).

Meeting link: <https://meet.goto.com/684494733>

### 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.

#### 1. Planner Report

#### 2. Chair Report

#### 3. Minutes

- ◆ December 7, 2022

### Public Hearing

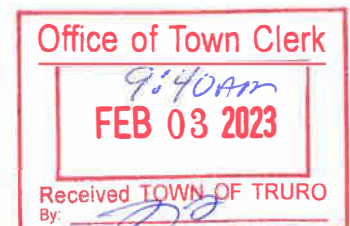
**2023-001/SPR – Ebb Tide on the Bay Condominiums**, for property located at 538 Shore Road (Atlas Map 7, Parcel 7, Registry of Deeds Book 5671 and Page 232). Applicants seek Commercial Site Plan approval for project involving move of three buildings shoreward; relocation of septic system; and related modifications to site; on property located in the Beach Point Limited Business District.

### Warrant Article Discussion

Next Work Session: Discussion

Next Meeting: Wednesday, February 22, 2023 at 5:00 pm

### Adjourn



## STAFF MEMORANDUM

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To: Truro Planning Board  
From: Barbara Carboni, Town Planner/Land Use Counsel  
Date: February 7, 2023  
Re: February 8, 2023 meeting

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**2022-017/ZBA - Ebb Tide on the Bay Condominiums for property located at 538 Shore Road,** seeking Commercial Site Plan Review for project entailing reconstruction of three residential structures on nonconforming lot in Beach Point. Commercial Site Plan Review required as this is construction “other than that of single or two family residences.”

*Note:* This project is before the ZBA on applications for 1) 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 2) 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 the structures. Hearing has been stayed by the ZBA pending the filing and opening of public hearing on Commercial Site Plan Review.

The Conservation Commission issued an Order of Conditions (included in the packet) dated May 19, 2022. Conservation/Health Agent Emily Beebe will be attending the Planning Board meeting on February 8, 2023.

### 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 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 lot line. See Existing Site Plan SE.1 Zoning Notes. In this portion of the District, the setback is 5 feet per story of the structure in question. 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 stores 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. The side setbacks of Buildings 1 and 3 will be increased by inches. The height of Building 1 will increase from 16.76 feet to 29 feet 10.49 feet) 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.

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

### Review

As the Board is aware, the review criteria/design guidelines for Commercial Site Plan Review are extensive (see Bylaw s. 70.3(F)(1)-(16)). However, some of these may be appropriate for waiver (e.g., the requirement of a bicycle rack, (F)(16); and some may be addressed by the Conservation Commission and Board of Health review of the project.



# TOWN OF TRURO

## PLANNING BOARD

Meeting Minutes

December 7, 2022 – 5:00 pm

REMOTE PLANNING BOARD MEETING

**Members Present (Quorum):** Anne Greenbaum (Chair); Rich Roberts (Vice Chair); Jack Riemer (Clerk); Paul Kiernan; Ellery Althaus; Caitlin Townsend; Virginia Frazier

### **Members Absent:**

**Other Participants:** Town Planner/Land Use Counsel Barbara Carboni (via phone); Select Board Liaison John Dundas; Planning Board Administrator Liz Sturdy; Victoria Dalmas (Attorney for Regan McCarthy – Applicant); Kiernan Healy (BSC Group Surveyor for Regan McCarthy – Applicant); Ben Zehnder (Attorney for Loic Rossignon – Applicant); Loic Rossignon (Applicant); Alison Alessi (A3 Architects for Loic Rossignon – Applicant); David Lyttle (Site Engineer at Ryder & Wilcox for Loic Rossignon – Applicant); Ben Zehnder (Attorney for Katherine Cook and Christine Van Genderen – Applicants); Katherine Cook (Applicant); Christine Van Genderen (Applicant); Kaye McFadden (Cape Tip Construction and Builder for Katherine Cook and Christine Van Genderen – Applicants)

Remote meeting convened at 5:10 pm, Wednesday, December 7, 2022, by Chair Greenbaum who announced that this was a remote public meeting aired live on Truro TV Channel 18 and was being recorded. Vice Chair Roberts also provided information as to how the public may call into the meeting or provide written comment. Members introduced themselves to the public.

### **Public Comment Period**

Public comment, for items not on the agenda, was opened by Chair Greenbaum and there were none.

### **Minutes**

Chair Greenbaum led the discussion and review of the minutes of the October 25, 2022, Special Joint Selection Board and Planning Board meeting. Member Frazier could not vote on these minutes.

**Member Riemer made a motion to approve the October 25, 2022, meeting minutes as submitted.**

**Member Kiernan seconded the motion.**

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

### **Planner Report**

Town Planner/Land Use Counsel Carboni had nothing to report.

## **Chair Report**

Chair Greenbaum stated that the Members' Housing Production Plan (HPP) comments are due December 19, 2022, to Chair Kevin Grunwald of the Housing Authority. The consultant will then consolidate all the comments and submit them in a document to the Planning Board for a vote.

## **Board Action/Review (Continued)**

**2022-005/PB - Regan McCarthy** seeks approval of Form A- Application for Determination that Plan Does Not Require Approval (ANR) pursuant to Section 2.2 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at 35A Higgins Hollow Road, Truro MA, Atlas Map 47, Parcel 2, Registry of Deeds title reference: Book 20807, Page 42.

Chair Greenbaum announced this matter was continued until January 2023. No vote was taken.

## **Public Hearing (Continued)**

**2022-011/SPR - 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 Residential Site Plan approval under Section 70 of the Truro Zoning Bylaw for addition to historic dwelling; demolition of cottage, and construction of new garage/studio; with landscaping and pool with porch pavilion, on a 3.66-acre non-conforming property (frontage), located in the Seashore District.

Chair Greenbaum recognized Attorney Zehnder who provided an update in this matter to include the submission of a supplemental package and highlighting the following:

- an overview of the pool area and pool house in relation to the addition to the historic dwelling
- the existing landform with three retaining walls
- a basement plan
- a landscape plan
- a revision of the Site Plan to address the setbacks
- shared current photographs from Old County Road facing the property (to include existing dwelling and barn) and the neighborhood facing west towards the Pamet River
- provided Assessor's GIS data and BAS information for 25 homes in the area from the Applicant's site in all directions along with Attorney Zehnder's analysis that determined the average of net floor area per home was 2,812 square feet and the average percentage of net floor area of these 25 homes to lot area was 4.08%
- use of a summer kitchen
- use of a greenhouse attached to the cottage

Attorney Zehnder was assisted in his presentation with comments provided by Ms. Alessi who described the architectural design and Mr. Lyttle who explained the drainage system for the project.

Following Attorney Zehnder's presentation the Members and the Applicants' representatives discussed the project in greater detail to include pool safety equipment, the effect on the wetlands, the impact of

tidal flushing, buffer zones, approval of this project by the Conservation Commission, need for zoning relief from the ZBA for the project, clarification of the retaining wall near the top of the driveway, and the retaining wall around the patio and pool area.

Chair Greenbaum opened the discussion for public comments and there were none.

Members and the Applicants' representatives discussed adherence to the "Night Sky" Bylaw, the landscape lighting plan, and conditions required for Planning Board approval for this project.

**Member Riemer made a motion to close the hearing.**

**Member Townsend seconded the motion.**

**So voted, 7-0, motion carries.**

Chair Greenbaum recognized Town Planner/Land Use Counsel Carboni who added the approval of zoning relief by the ZBA as required and cautioned the Members about too many specific conditions. Member Kiernan announced that he would abstain from voting due to the river front issue.

**Member Townsend made a motion to approve the matter of 2022-011/SPR with the identified conditions.**

**Member Frazier seconded the motion.**

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

Attorney Zehnder thanked the Members.

### **Public Hearing**

**2022-012/SPR- 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 approval of amended Site Plan to reflect construction not authorized by Residential Site Plan approval granted in Case **2020-005/SPR**, including enclosure of screened porch to create living room; altered basement and first floor layouts; and addition of second floor living space in place of deck, located in Seashore District.

Chair Greenbaum recognized Town Planner/Land Use Counsel Carboni who cited her memorandum which highlighted the construction was not authorized by the residential Site Plan previously approved. Town Planner/Land Use Counsel Carboni noted that there is also an issue of noncompliance.

Chair Greenbaum recognized Attorney Zehnder who stated that this was an issue of an honest mistake. Attorney Zehnder noted the differences between the approved Site Plan and what was constructed. The total floor area now on the second floor went from 515 square feet to 1,170 square feet, an increase of 655 square feet, without changing the outline of the house. The total floor area of the house is 2,697 square feet now which is an increase of 1,767 square feet but still below the "by right" of the permissible 3,120 square feet total floor area. The house has the same scale, mass, height, outline, and setbacks but it does have more total floor area.

Attorney Zehnder asked Ms. McFadden to explain the process as to what happened and Ms. McFadden noted that this was her first construction project within Truro's National Seashore District. Ms. McFadden stated that there was no malicious intent on her behalf or the Applicants.

Chair Greenbaum noted that there would not be a vote today on this matter in accordance with the Planning Board's policy.

Chair Greenbaum then invited Members to comment on this matter. Vice Chair Roberts expressed concern that the increase in the total floor area was 50% more and that this situation was problematic as the construction was completed after a Site Plan Review was previously approved. Vice Chair Roberts also noted that there wasn't an established mechanism in the Bylaw to address or remedy this situation.

Member Riemer agreed with Chair Roberts' concerns and he would like to see the change orders which occurred after construction began. Member Kiernan agreed with Vice Chair Roberts' concerns and he would like to see the additional building permits issued after construction began. Member Althaus was interested in what interactions occurred with the Building Department once construction began.

Attorney Zehnder stated that he will create a timeline with Building Commissioner Rich Stevens' input, in affidavit format, and submit it to Town Planner/Land Use Counsel Carboni prior to the next meeting. Attorney Zehnder noted that this issue likely arose prior to the approval of the Certificate of Occupancy (CO).

Town Planner/Land Use Counsel Carboni genuinely thanked Attorney Zehnder for his offer but stated that she would work directly with Building Commissioner Stevens in creating a timeline as it would be more appropriate.

Attorney Zehnder stated that he will create a timeline, in affidavit format, with the input from the Applicants and Ms. McFadden so there could be a thorough review of the Applicants' sequence of events and the Town's sequence of events. Attorney Zehnder added that he will obtain "as built" plans for the next meeting.

Town Planner/Land Use Counsel Carboni stated that the Members should consider what they need to grant approval for a Site Plan Review in this matter and she will consider any legal issues.

A discussion ensued between the Members and Applicants' representatives on the following topics which require additional information needed for a Site Plan Review: a new Site Plan visit, the parking area, a concrete wall replacing a stone wall, and confirmation that all Abutters have been notified.

**Member Kiernan made a motion to continue this matter until January 11<sup>th</sup>, 2022, at 5:00 pm.**

**Member Riemer seconded the motion.**

**So voted, 7-0, motion carries.**

Attorney Zehnder thanked the Members and departed the meeting.

**Warrant Article Discussion**

Chair Greenbaum also announced that the next Work Session will be held next Wednesday, December 14, 2022, at 4 pm, with a focus on the “*street*” definition and the Duplex Bylaw. The Ad Hoc Committee meets tomorrow to discuss Affordable Housing Units on undersized lots.

A brief discussion ensued among Members to consider the changes carefully with Truro’s future in mind.

**Member Riemer made a motion to adjourn the meeting at 7:27 pm.**

**Vice Chair Roberts seconded the motion.**

**So voted, 7-0, motion carries.**

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Alexander O. Powers". The signature is fluid and cursive, with a large initial "A" and a long horizontal stroke extending to the right.

Alexander O. Powers

Board/Committee/Commission Support Staff





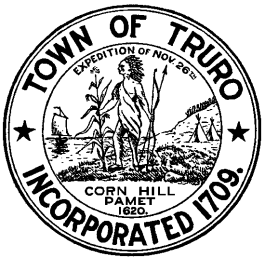
TOWN OF TRURO  
HEALTH & CONSERVATION DEPARTMENT  
24 Town Hall Road, Truro 02666  
508-349-7004 x119

Memo to: William Rogers, PE RLS  
From Emily Beebe, Health & Conservation Agent  
Date: December 11, 2020  
Re: **538 Shore Road, EBB TIDE Condominiums**

This memo is sent to provide the process details required by the Truro Conservation Commission to address the perennial storm damage issues at the Ebbtide Condominiums.

The absence of a frontal coastal dune, and the presence of a very narrow beach at this location exacerbates the vulnerability of the 3 buildings to storm damage, as the entire property is located within a FEMA Velocity Zone.

In May 2019 the Conservation Commission issued an Order of Conditions for temporary repairs to make the buildings safe following storm damage that occurred the previous winter. As part of that Order, the Commission specifically conditioned the requirement that the condominium association have plans developed reflecting a project that would address the recurrent problem of storm damage. The Condominium Association was required to file a new Notice of Intent for permanent repairs to include **relocating the buildings back towards Shore Road and elevating them to meet the flood zone requirements.** The proposal was to be submitted on permittable drawings to all relevant regulatory boards in order to secure permits rapidly, in anticipation of the damage from future storms and in order to expedite the support of the restoration of the coastal dune.



**TOWN OF TRURO**  
HEALTH DEPARTMENT  
P.O. Box 2030, Truro MA 02666  
Tel: 508-241-0202 Fax: 508-349-5508

October 6, 2021

William N. Rogers II  
41 Off Cemetery Rd  
PO Box 631  
Provincetown, MA 02657

**RE: 538 Shore Rd (7-7), Ebbitide Condominiums, V#2021-11**

Dear Mr. Rogers,

Please be advised that on August 17, 2021 at the regularly scheduled meeting of the Truro Board of Health a motion was made regarding the above-referenced variance request.

**FOR YOUR INFORMATION, THE MOTION STATED:**

**Mr. Silva moved to approve the variances as requested with the following conditions: (1.) The plan shall be revised to show the use of an Innovative Alternative system, (2.) Approval of these variances is conditional, and the Board of Health in approving these variances reserves the right to require or order the owners to participate in or connect to an alternative treatment option. The Board also reserves the right to require and enter into an Administrative Consent Order with the property owners regarding future wastewater treatment options for this property.**

**310 CMR 15.211(1)**

- 1.) Pump chamber and proposed SAS to be located less than 10' from the property line.**

**310 CMR 15.405(1)(c)**

- 2.) 25% reduction of the SAS.**

**Board of Health Regulations, Section 6, Article 9**

- 3.) Septic tanks, pump chamber, and SAS to be located less than 100' and 150' from the resource area/wetland.**

**Mr. Koll seconded. Vote: 5-0-0, motion carries.**

Should you have any questions, please feel free to contact me at 508-214-0202.

Sincerely,

Arozana Davis  
Assistant Health & Conservation Agent

**TOWN OF TRURO—ORDER OF CONDITIONS**  
**538 Shore Rd; Map 7, Parcel 7**  
**DEP file # SE 75-1133**  
**Ebbtide Condominiums, APPLICANT/OWNER**

**DOCUMENTS**

1. Notice of Intent application; wetland fee transmittal form; project description; variance request; locus map; abutters list; abutters notice and proof of certified mailing.
2. DEP notice of file number
3. **Coastal Dune Restoration and Planting Plan** and **Construction Protocol** by Independent Environmental Consultants (IEP) dated 2/25/2022.
4. **Letter from Stan Humphries**, 2/4/2022
5. **Emails between IEP & the Truro Conservation Agent** dated 2/15/2022 and 2/26/2022
6. **Email from Janis Baker, et al to the Truro Conservation Commission** dated 2/7/2022
7. **Existing Site Plan of Land** by William N. Rogers, dated September 14, 2020, revised 10/25/2021 with I/A and PD; and Site Plan with revision dated April 14, 2022 showing the access path and Coastal Dune improvements
8. **Plan of Land** by William N. Rogers, dated 5/14/2021.
9. **Elevation & Floor Plans** by William N. Rogers, dated December 2019, 1A.1 thru 1A.5; 2A.1 thru 2A.5; 3A.1 thru 3A.6.

**PROJECT DESCRIPTION**

1. The area of this waterfront property on Cape Cod Bay is ~15,681 sf, and it is currently developed with three residential condominium buildings. These 3 buildings are located furthest seaward than other dwellings in their vicinity.
2. Over the past 12 year, the buildings at this location have been impacted by significant storms that have damaged the foundations and have required emergency permitting from the Town to facilitate repairs to the structures. The owners have also added compatible beach sand to the areas adjacent to the foundations annually. Because of these conditions the Commission finds that they can approve the variance request.
3. The work approved includes the demolition of the existing buildings and the construction of new buildings that are elevated to conform with current flood zone standards.
4. The resource areas include the Barrier Beach, Coastal Dune, Coastal Beach and Land Subject to Coastal Storm Flowage.

The Commission determined that the project could be permitted subject to the following special conditions. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

**CONDITIONS**

**A. Pre-construction**

1. Notice of a work start date shall be given to the Commission in writing at least 48 hours prior to the commencement of work. The applicant or contractor shall provide the name and contact information of the person responsible on site for compliance with this Order.
2. **Prior to the commencement of work the following activities shall be completed:**
  - The Order of Conditions shall be recorded at the Barnstable County registry of deeds and a stamped copy shall be submitted to the Conservation office.
  - A sign shall be conspicuously displayed at the site showing the DEP file number assigned to this project. The sign shall be 2-3 square feet in size, separately staked and read **only: MA DEP file # SE 75-1133**. Lettering/numbering shall be clearly and permanently printed, and at least 2" in height.

- A **pre-construction site visit** shall be scheduled by the applicant's representative and include the project Contractor and the Conservation Agent. During this site visit the Order of Conditions, construction protocols, work limit, access plans and site plan details shall be reviewed.
3. Members of the Commission, its Agent or the Department of Environmental Protection (DEP) reserve the right to enter and inspect the property at all reasonable times, until a Certificate of Compliance is issued, to evaluate compliance with this Order of Conditions, the Act, 310 CMR 10.00 and Town regulations, and may acquire any information, measurements, photographs, observations, and/or materials, or may require the submittal of any data or information deemed necessary by the Commission for that evaluation.

**B. Construction & Revegetation**

1. The Coastal Dune Restoration & Planting plan, along with the Construction Protocol, are specifically incorporated into this Order. Annual reporting to the Commission about the Coastal Dune activities are required for the first 3 years after it is established.
2. During the demolition process, all demo materials, such as concrete shall be removed from the site. Any sandbags used during this process, or placed on the site previously, shall also be removed. This condition shall be an ongoing condition to ensure that any debris from this site and from this project shall be removed from the site, and the beach as it's exposed.
3. All project materials shall be delivered and stockpiled within the existing driveway area.
4. The site shall be inspected daily to prevent any wind-blown material from entering the resource area, and all debris or construction material shall be contained in either a covered truck or a covered dumpster to prevent materials from blowing into the resource area.
5. The easement area may be maintained, but activities in this area must occur in conformance with the performance standards of the coastal dune.
6. The proposal to use driven piles is approved. If the Applicant's engineer finds that they can use a less intrusive and impactful method, such as helical piles, then they shall inform the Commission of the change, in writing.
7. The restricted timeframe for the driving of the piles shall be from Nov 1 to April 1.
8. A construction protocol for driving the piles and ensuring the safety of the neighbor's property, shall be submitted to the Building Commissioner prior to the start of work.
9. The mitigation to reestablish a healthy and functioning Coastal Dune on this property is a required part of this project. At a minimum, annual maintenance to add sand, jute netting, snow fencing and beachgrass to maintain and periodically restore the Dune is expected, and annual sand nourishment volumes must be reported to the Conservation department.
10. The parking area at this location shall remain pervious, using crushed stone.
11. All roof run-off shall be channeled to gutters and downspouts and drywells. Drywells must be listed with proper setback from the septic leaching area.
12. The area under the buildings may not be enclosed and may only be used for seasonal/ temporary storage.

**C. General Conditions**

1. Prior to the commencement of work or pre-construction site meeting, the form provided at the end of this Order (part G. "Recording Information") shall be completed and stamped at the appropriate Registry of Deeds, after the expiration of the 10-day appeal period and if no request for appeal has been filed with the Department of Environmental Protection.
2. This document shall be included in all construction contracts, subcontracts, and specifications dealing with the work proposed and shall supersede any conflicting contract

requirements. It is the responsibility of the Applicant, Owner, General Contractor and/or successor(s) to ensure that all Conditions of this Order of Conditions are complied with. A copy of this Order shall be available at the work site, during normal work hours, or posted, until the work is complete.

3. Work shall be halted on the site if the Commission, Conservation Agent or DEP determines that any of the work is not in compliance with this Order of Conditions. Work shall not resume until the Commission is satisfied that the work will comply and has so notified the applicant in writing.
4. **Any changes** in the work described in the Notice of Intent or in the plans and specifications submitted to the Commission shall be submitted to the Commission in writing for a determination of whether the change is significant enough to the interests of the Act to require a new Notice of Intent. **No changes shall be made or implemented in the field** prior to the Commission's determination. Should issuance of additional permits result in a change in the project, the applicant shall promptly submit such changes to the Commission for evaluation under this provision.
5. This Order shall apply to any successor in control or successor in interest of the property described in the Notice of Intent and accompanying plans. These obligations shall be expressed in covenants in all deeds to succeeding owners of portions of the property.
6. Upon completion of this project the applicant shall submit a request to the Conservation Commission to receive a Certificate of Compliance. The Applicant or Owner shall certify in writing that the work was completed as shown on the plans and documents referenced above. The applicant is required to submit an as-built plan from a registered professional Engineer, Land surveyor or Sanitarian certifying that the work has been conducted as shown on the plan(s) and documents referenced above and as conditioned by the Commission for the public record.

LAW OFFICES OF  
**SNOW AND SNOW**  
90 HARRY KEMP WAY  
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JOHN CLIFFORD SNOW (1920-1985)  
CHRISTOPHER J. SNOW  
RONALD E. FRIESE

TELEPHONE  
(508) 487-1160  
487-1980  
FAX: 487-2894  
REFER TO FILE NO.

4130

January 4, 2023

**Hand Delivery**

Kaci Fullerton, Town Clerk  
Town of Truro  
24 Town Hall Road  
Truro, Massachusetts 02666

**Re: Truro Planning Board Site Plan Review  
Ebb Tide By The Bay  
538 Shore Road**

Dear Town Clerk Fullerton:

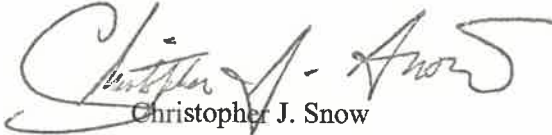
Enclosed regarding the above referenced property, please find the original and nine (9) copies of the following:

1. Town of Truro Planning Board Site Plan Review Application with Checklist and Criteria Review;
2. Permission Letter from owner;
3. Abutters List;
4. Full size Site Plans;
5. Full size Building Plans;
6. Photographs;
7. Truro Conservation Commission Order of Conditions;
8. Dark Sky Light Fixture Specification Sheet; and
9. Our check made payable to the Town of Truro in the amount of \$250.00 representing the required filing fee.

Kaci Fullerton, Town Clerk  
Town of Truro  
January 4, 2023  
Page 2

Kindly place this matter on the agenda for the **February 8, 2023** scheduled meeting of the Truro Planning Board. Thank you.

Very truly yours,



Christopher J. Snow

CJS:lk

Enclosures

Cc: Ms. Sally McSween

Barbara Carboni, Esq.

Truro Town Planner/Land Use Counsel

Elizabeth Sturdy, Truro Planning Department Administrator

William N. Rogers II, P.E., R.L.S. (**All Via Email Only**)(w/encs.)



# Town of Truro Planning Board

P.O. Box 2030, Truro, MA 02666

## APPLICATION FOR COMMERCIAL SITE PLAN REVIEW

To the Town Clerk and the Planning Board of the Town of Truro, MA Date January 4, 2023

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

- Site Plan Review** pursuant to §70 of the Truro Zoning Bylaw
- Waiver of Site Plan Review** pursuant to §70.9 of the Truro Zoning Bylaw  
(Note: *Site Plan Review shall not be waived in the Seashore District*)

### 1. General Information

Description of Property and Proposed Project Ebb Tide on the Bay Condominiums consists of three buildings and severe erosion has undermined all the buildings requiring emergency repairs. The project will move the buildings shoreward, provide proper waterfront side support and relocate the septic system.

Property Address 538 Shore Road Map(s) and Parcel(s) 7-7

Registry of Deeds title reference: Book 5671, Page 232, or Certificate of Title Number \_\_\_\_\_ and Land Ct. Lot # \_\_\_\_\_ and Plan # \_\_\_\_\_

Applicant's Name Christopher J. Snow, Esq. for Ebb Tide on the Bay Condominiums

Applicant's Legal Mailing Address Snow and Snow, P.O. Box 291, Provincetown, MA 02657

Applicant's Phone(s), Fax and Email 508-487-1160 - Fax: 508-487-2694 - office@snowandsnowlaw.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 Ebb Tide on the Bay Condominiums

Representative's Name and Address Sally M. McSween - 240 Dale Street, Syracuse, NY 13208

Representative's Phone(s), Fax and Email 508-487-1160 - Fax: 508-487-2694 - office@snowandsnowlaw.com

**2. Waiver(s) Request** – The Planning Board may, upon the request of the applicant, pursuant to §70.3.E, waive requirements of §70.3.D, provided that in the opinion of the Planning Board such a waiver would not be detrimental to the public interest, cause the Town any expense, or be inconsistent with the intent and purpose of this Bylaw. A request for a waiver by the applicant shall be accompanied by a reasonable explanation as to why the waiver is being requested. If multiple waivers are requested, the applicant shall explain why each waiver is requested.

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

Signature(s)

Christopher J. Snow  
Applicant(s)/Representative Printed Name(s)

See Written Permission

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

Christopher J. Snow

Applicant(s)/Representative Signature(s)

See Written Permission

Owner(s) Signature(s) or written permission

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



**70.3 - COMMERCIAL SITE PLAN REVIEW CHECKLIST - Applicant**

**Address:** 538 Shore Road, North Truro      **Applicant Name:** Ebb Tide On The Bay Condominium      **Date:** 12-28-2022

No.	Requirement	Included	Not Included	Explanation, if needed
<b>D. Procedures and Plan Requirements</b>				
1a.	An original and 9 copies of the Application for Site Plan Review	✓		
1b.	10 copies of the required plans and other required information including this Checklist	✓		
1c.	Completed Criteria Review	✓		
1d.	Certified copy of the abutters list obtained from the Truro Assessors Office	✓		
1e.	3 copies of drainage calculations stamped by a Professional Engineer		✓	N/A – Existing Pervious Surface
1f.	Applicable filing fee			
1g.	Any other information that may be applicable or required by the Planning Board	✓		
	<b>Site Plans</b>			
2a.	Site Plans shall be prepared, signed and stamped by a Registered Land Surveyor and Professional Engineer	✓		
2b.	Site Plans shall be prepared at a scale of one inch equals forty feet (1"=40') or larger	✓		
3a.	General - Submitted plans shall contain the following:			
3a. 1	North Arrow/Location Map: A north arrow and a locus plan containing sufficient information to locate the subject property, such as streets bounding or providing access to the property.	✓		
3a. 2	Zoning Information: All applicable Zoning Bylaw information regarding the site's development, both existing and proposed. This information shall be placed in a table format which must list all parking; setbacks; percent of lot coverage, broken down by parking, walkways, building(s), etc.; number of dwelling units; total amount of square feet; size of signs, and any other applicable zoning information necessary for the proper review of the site plan.	✓		
	<b>Existing:</b>	✓		
	All parking	✓		
	All setbacks	✓		
	Percent (%) of lot coverage broken down by parking, walkways, building(s), etc.	✓		
	Number of dwelling units	✓		
	Total amount of square feet	✓		

**70.3 - COMMERCIAL SITE PLAN REVIEW CHECKLIST - Applicant**

Address: <u>538 Shore Road, North Truro</u> Applicant Name: <u>Ebb Tide On The Bay Condominium</u> Date: <u>12-28-2022</u>				
No.	Requirement	Included	Not Included	Explanation, if needed
	Size of signs	✓		Existing 5'4"x3'9" Sign - 6'+/- high
	Any other applicable zoning information necessary for the proper review of the site plan	✓		
	<u>Proposed:</u>	✓		
	All parking	✓		
	All setbacks	✓		
	Percent (%) of lot coverage broken down by parking, walkways, building(s), etc.	✓		
	Number of dwelling units	✓		
	Total amount of square feet			
	Size of signs		✓	No Signs Proposed
	Any other applicable zoning information necessary for the proper review of the site plan	✓		
3a. 3	Assessor and Deed Information: The Truro Assessors Atlas Map(s) and Parcel(s) numbers and all plan and deed references.	✓		
3a. 4	Graphic Scale	✓		
3a. 5	Title Block - Including:	✓		
	Name and description of the project	✓		
	Address of the property	✓		
	Names of the record owner(s) and the applicant(s)	✓		
	Date of the preparation of the plan(s) and subsequent revision dates	✓		
3a. 6	Legend of all symbols	✓		
3b.	Existing Conditions Plan - showing the following:	✓		
3b. 1	Total area and dimensions of the lot shown on a surveyed plan conforming to the requirements of the Barnstable County Registry of Deeds.	✓		
3b. 2	Location of existing buildings (including the number of stories, overall height in feet, and gross floor area in square feet of all existing buildings), parking, drives, walks, lighting service areas, all utilities, drainage facilities, easements, and other appurtenances, including setbacks from property lines.	✓		
	Location of existing buildings	✓		
	Number of stories	✓		

**70.3 - COMMERCIAL SITE PLAN REVIEW CHECKLIST - Applicant**

Address: <u>538 Shore Road, North Truro</u> Applicant Name: <u>Ebb Tide On The Bay Condominium</u> Date: <u>12-28-2022</u>				
No.	Requirement	Included	Not Included	Explanation, if needed
	Overall height in feet	✓		
	Gross floor area in square feet	✓		
	Parking	✓		
	Drives		✓	N/A
	Walks	✓		
	Lighting service areas	✓		
	All utilities	✓		
	Draining facilities		✓	N/A - Pervious Surface
	Basements	✓		
	Other appurtenances	✓		
	Setback from property lines	✓		
3b. 3	Existing contours based on two foot (2') contour intervals.	✓		1 Ft. Contours shown
3b. 4	General location of trees having a caliper of ten (10) inches or more diameter at breast height (DBH), all resource areas as defined in M.G.L. Chapter 131, Section 40, landscaping and other significant natural features.		✓	No Existing Trees on Lot – Beach
3b. 5	Respective floor areas and/or square footage of existing uses of buildings and/or the property.	✓		
3b. 6	Existing location(s) of any freestanding sign(s).	✓		
3b. 7	National Flood Insurance Program flood hazard elevation.	✓		
3b. 8	Massachusetts Natural Heritage Endangered Species Act jurisdiction.		✓	CC Order of Conditions -5-19-22
3c.	Proposed Conditions Plan - showing the following:	✓		
3c. 1	Building Location: Identification of all building(s) to be located on the site. The number of stories, overall height in feet and gross floor area in square feet of all buildings shall be indicated.	✓		
3c. 2	Building Elevation: A drawing(s) of the exterior of all building(s), as viewed from all sides, including dimensions, at a scale of no smaller than 1/8" = 1'-0". This drawing must be at least 8" x 11" in size.	✓		

**70.3 - COMMERCIAL SITE PLAN REVIEW CHECKLIST - Applicant**

Address: <u>538 Shore Road, North Truro</u> Applicant Name: <u>Ebb Tide On The Bay Condominium</u> Date: <u>12-28-2022</u>				
No.	Requirement	Included	Not Included	Explanation, if needed
3c. 3	Location of Parking/Walkways: Identification of the location of all parking and walkways, including curb cuts that will be used for site access from adjacent roadways or access points. Parking shall be consistent with the requirements outlined in §30.9.	✓		
3c. 4	Easements/Legal Conditions: Identification of legal encumbrances(s), including easements, that are related to the site's physical development, and a listing of any condition(s) placed upon the site by the Zoning Board of Appeals, Planning Board, Conservation Commission, Board of Health or any other public body or agency with the authority to place conditions on the site's development.	✓		
3c. 5	Stormwater Drainage: All storm water drainage facilities utilized by the site shall be shown on the site plan. Storm water drainage calculations, which support the design of the control facilities shown on the plan, shall be calculated using a 2, 10, and 50-year storm events.		✓	
3c. 6	Grades: Topography and a grading plan of the site.	✓		N/A – Pervious Surface
3c. 7	Location of Walls: Identification of the location, height, length, and materials to be used for all retaining walls to be located on the site.		✓	No Walls Proposed
3c. 8	Signs: Identification of the location, height and materials to be used for all signs to be located on the site. Signs will be reviewed using the Town of Truro Sign Code section of the zoning bylaw.		✓	No Signs Proposed
3c. 9	Location of Streets/Drives: Identification of all streets and driveways including the type and dimensions of curbs and gutters. Distances to all the nearest streets and/or curb cuts shall be shown for both sides of any street which is adjacent to the site.	✓		
3c. 10	Outdoor Storage/Display Areas: Identification of the location and type of outdoor storage and display areas on the site.		✓	N/A
3c. 11	Refuse Areas: Identification of the location of each outdoor refuse storage area, including the method of storage and screening. All refuse areas must be fully enclosed.	✓		

**70.3 - COMMERCIAL SITE PLAN REVIEW CHECKLIST - Applicant**

Address: <u>538 Shore Road, North Truro</u> Applicant Name: <u>Ebb Tide On The Bay Condominium</u> Date: <u>12-28-2022</u>				
No.	Requirement	Included	Not Included	Explanation, if needed
3c. 12	Lighting Facilities: Identification of all illumination, including numbers and locations, indicating the direction and the degree of illumination offered by the lighting facilities and including specifications of the light fixture(s) to be used. (Also see General Bylaws Ch. IV §6.)	✓		
3c. 13	Location of Wetlands and Other Resource Areas: All resource areas as defined in M.G.L. Chapter 131, Section 40. (If applicable, the applicant shall file a Notice of Intent with the Truro Conservation Commission concurrently with the application to the Planning Board for Site Plan Review.)	✓		
3c. 14	Location and Description of Utilities. Identification of all utilities, including sewer line locations and profiles and storm drainage systems.	✓		
3c. 15	Parking and Driveway Cross Section: a cross section identifying the proposed construction of driveways and parking areas on the site.		✓	Existing gravel Parking Area to be maintained
3c. 16	Limit of work area (area to be disturbed during construction, including parking and storage of vehicles and equipment) and work staging area(s).	✓		
3d.	Proposed landscape schedule for, and identification of, the location of all perimeter and interior landscaping – showing the following:		✓	Existing Beachfront Site to be maintained
	Proposed paving materials for walkways		✓	N/A
	Fences		✓	N/A
	Stonewalls		✓	N/A
	All planting materials to be placed on the site		✓	No Proposed Plantings
	All existing trees over 10 inches diameter at breast height (DBH) to be saved or removed shall be shown on the site plan		✓	N/A
3e.	Building Plans – at a scale of no less than 1/8" = 1'-0" showing the following:	✓		
3e. 1	Elevations showing exterior materials and features including but not limited to doors, windows, trim, roof, lighting and including the height of the building(s).	✓		
3e. 2	Floor plans with dimensions.	✓		
3f.	Project Estimate:		✓	
	Estimated date of initiation		✓	Unknown at this time
	Estimated time required to complete the proposed project and any and all phases thereof		✓	Unknown at this time
	Written cost estimate with a breakdown of the building(s) and all site improvements		✓	Unknown at this time

**ADDRESSING THE REVIEW CRITERIA**

**§ 70.1 PURPOSE**

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

**Instructions: Please provide the Planning Board with a short explanation of how your application meets each of the review criteria of §70.3F of the Truro Zoning Bylaw. If you require extra space for your answers, please attach the additional information to your application in no more than two pages.** This is to provide the Planning Board with an overview of your rationale prior to the meeting.

**§70.3F – REVIEW CRITERIA/DESIGN GUIDELINES**

The Planning Board will review applications and their supporting information based on the following:

1. The proposal is in conformity with all applicable provisions of the Zoning Bylaw because:  
The existing site has pre-existing, nonconforming buildings situated on it and the relocation of the buildings will reduce the sideline setback noncompliance for buildings 1 and 3. The green space will also be increased.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
2. The proposal provides for the protection of abutting properties and the surrounding area from detrimental site characteristics and from adverse impact from excessive noise, dust, smoke, or vibration higher than levels previously experienced from permitted uses because:  
The project will not utilize a vibratory hammer but will use a double acting drop air hammer with a rated energy of 5000 ft./pounds. Its impact zone is approximately 8 feet with no shaking. The plan is to pre-drill (auger) 8-10 feet to minimize hammer use.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
  
3. The proposal provides for the protection of adjacent properties and the night sky from intrusive lighting, including parking lot and building exterior lighting. Lighting must be consistent with Chapter IV, Section 6 of the General Bylaws of the Town of Truro because:  
See Dark Sky Light Fixture cut sheet included with application.  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

4. The proposal provides for the protection of significant or important natural, historic, or scenic features because:

See Order of Conditions from Truro Conservation Commission submitted with application.

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5. The building sites shall minimize obstruction of scenic views from publicly accessible locations; minimize tree, vegetation, and soil removal and grade changes; and maximize open space retention because:

The building site has no publicly accessible locations in the vicinity. Pile foundations will minimize soil removal and the dune will be rebuilt per Truro Conservation Commission Order of Conditions.

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6. The proposal adequately provides for refuse disposal because:

The existing refuse area at the condominium located in a stockade fence enclosure has adequately served the property over the past 30 years and will continue to do so. The refuse area is shown on the plans.

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7. The proposed sewage disposal and water supply systems within and adjacent to the site shall be adequate to serve the proposed use because:

Board of Health approval received in December, 2021.

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8. The proposed drainage system within the site shall be adequate to handle the runoff resulting from the development. Drainage run-off from the project shall not: damage any existing wellfield(s) or public water supply; damage adjoining property; overload, silt up or contaminate any marsh, swamp, bog, pond, stream, or other body of water; or interfere with the functioning of any vernal pool because:

The existing gravel parking area is a pervious surface and the remainder of the lot is sand.

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9. A soil erosion plan shall adequately protect all steep slopes within the site and control runoff to adjacent properties and streets both during and after construction because:

See Truro Conservation Commission Order of Conditions submitted with application. See also Project Narrative/

Construction protocol attached to Order of Conditions.

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10. The proposal shall provide for structural and/or landscaped screening or buffers for storage areas, loading docks, dumpsters, rooftop or other exposed equipment, parking areas, utility buildings and similar features viewed from street frontages and residentially used or zoned premises because:

Not applicable.

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11. Buildings and structures within the subject site shall relate harmoniously to each other in architectural style, site location, and building exits and entrances. Building scale, massing, materials, and detailing should be compatible with the surrounding area because:

Buildings are "Cape Cod" style buildings as shown on proposed plans.

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12. Electric, telephone, cable, and other such utility lines and equipment shall be placed underground because:

All utilities are presently existing underground.

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13. The project shall not place excessive demands on Town services because:

There are no changes to the existing residential use and no change in the number of bedrooms thus no additional Town services will be needed.

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14. The location and number of curb cuts shall be minimized to reduce turning movements and hazardous exits and entrances. Where appropriate and allowable, access to adjoining properties shall be provided. Joint access driveways between adjoining properties shall be encouraged because:

The existing parking area will be maintained with the existing curb cut (no proposed changes). The entire existing frontage provides access to the property.

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15. Convenience and safety of vehicular and pedestrian movement within the site and in relation to adjacent and other ways serving the project shall be maximized. Traffic patterns for vehicles and pedestrians must show safe and adequate circulation within and access to and from the site because:

Not applicable as the existing parking area and traffic pattern will be maintained.

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16. A bicycle rack(s) shall be provided on the site and shall be located near the entrance to the building(s) because:

Proposed bike rack located near existing sign as shown on plan.

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Ebb Tide By The Bay Condominiums  
c/o Sally M. McSween  
240 Dale Street  
Syracuse, NY 13208

December 15, 2022

Barbara Carboni, Esq. Town Planner/Land Use Counsel  
Town of Truro  
24 Town Hall Road  
Truro, Massachusetts 02666

**Re: Truro Site Plan Review Application**  
**Ebb Tide By The Bay Condominium**  
**538 Shore Road**

Dear Town Planner Carboni:

Please treat this correspondence as permission on behalf of Ebb Tide by the Bay Condominiums, 538 Shore Road, Truro for Attorney Christopher J. Snow, the Law Offices of Snow and Snow and/or William N. Rogers II, P.E., P.L.S. to act on behalf of the Condominium in all respects concerning the filing and presentation of a site plan review application with the Truro Planning Board.

Thank you.

Very truly yours,

*And Counsel for*  
*Sally M. McSween (TRUSTEE)*

Sally M. McSween for

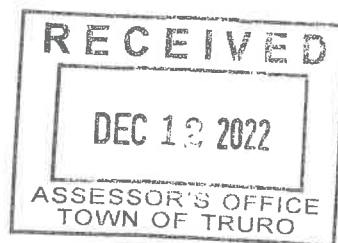
Ebb Tide by the Bay Condominiums



# TOWN OF TRURO

## Assessors Office Certified Abutters List Request Form

# COPY



DATE: \_\_\_\_\_

NAME OF APPLICANT: Christopher J. Snow, Esq. for Ebb Tide by the Bay

NAME OF AGENT (if any): \_\_\_\_\_

MAILING ADDRESS: P. O. Box 291, Provincetown, MA 02657

CONTACT: HOME/CELL 508-487-1160 EMAIL office@snowandsnowlaw.com

PROPERTY LOCATION: 538 Shore Road  
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP 7 PARCEL 7 EXT. 7  
(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 <sup>5</sup>         | <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 <sup>1</sup>                | <input type="checkbox"/> Special Permit <sup>1</sup>   |
| <input type="checkbox"/> Conservation Commission <sup>4</sup> | <input checked="" type="checkbox"/> Site Plan <sup>2</sup>          | <input type="checkbox"/> Variance <sup>1</sup>         |
| <input type="checkbox"/> Licensing                            | <input type="checkbox"/> Preliminary Subdivision <sup>3</sup>       |  |
| Type: _____   | <input type="checkbox"/> Definitive Subdivision <sup>3</sup>        |  |
|   | <input type="checkbox"/> Accessory Dwelling Unit (ADU) <sup>2</sup> |  |
| <input type="checkbox"/> Other _____                          | (Fee: Inquire with Assessors)                                       |  |
- (Please Specify)

**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: 12/12/2022

Date completed: 12/12/2022

List completed by: [Signature]

Date paid: 12/12/2022 Cash/Check # 23594

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

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

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

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

<sup>5</sup>Abutters 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:** December 12, 2022

**To:** Christopher J. Snow, Esq., Agent for Ebb Tide on the Bay

**From:** Assessors Department

**Certified Abutters List:** 538 Shore Road (Map 7, Parcel 7, Ext. 7)

**Planning Board- Site Plan**

Attached is a combined list of abutters for the property located at 538 Shore Road.

The current owner is Ebb Tide on the Bay Condo Trust.

The names and addresses of the abutters are as of December 9, 2022 according to the most recent documents received from the Barnstable County Registry of Deeds.

Certified by:

Olga Farrell  
Assessing Clerk

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
6560	6-5-1-R	GRACIA JAMES & ELIZABETH	525 SHORE RD	100 COUNTRY WAY	TAUNTON	MA	02780
6561	6-5-2-R	CORMIER NICOLE MARIE	525 SHORE RD	82 RT 6A	ORLEANS	MA	02653
6562	6-5-3-R	AMARAL BETTYANN & TEDFORD ANDREA J	525 SHORE RD	6 SEAN DR	MANSFIELD	MA	02048
6563	6-5-4-R	HARRINGTON LILY M	525 SHORE RD	5751 TUXEDO TERRACE	HOLLYWOOD	CA	90068
6564	6-5-5-R	TINKER MARSHA JO	525 SHORE RD	4081 SOUTH RIVERSIDE DRIVE	LANEXA	VA	23089
6565	6-5-6-R	BAKER JANIS V & RONALD R	525 SHORE RD	PO BOX 951	NORTH TRURO	MA	02652
6566	6-5-7-R	SILVERNAIL CHERYL & PAUL	525 SHORE RD	PO BOX 889	NORTH TRURO	MA	02652
6964	6-5-8-E	SEASONG CONDO TRUST	525 SHORE RD	525 SHORE RD	NO TRURO	MA	02652
238	7-6-0-R	BELDING-CALLINAN REVOC TRUST BELDING MARIE ET AL	542 SHORE RD	18 BACON ST	WINCHESTER	MA	01890-3809
6759	7-8-1-R	WAYSIDE ONE REALTY TRUST TRS: AGIN WARREN	522 SHORE RD	1 DEVONSHIRE PLACE, APT 2913	BOSTON	MA	02109
6760	7-8-2-R	BOYNTON EMILY	522 SHORE RD	PO BOX 339	PROVINGETOWN	MA	02657
6761	7-8-3-R	JANE M LONGDEN REVOC TRUST TRS: JANE LONGDEN	522 SHORE RD	4 BRIDGEVIEW TERRACE	KITTERY	ME	03904
6762	7-8-4-R	SCOUTS LLC	522 SHORE RD	PO BOX 1107	SO ORLEANS	MA	02662
6763	7-8-5-R	MCCUNE RICHARD & BRIAN CARROLL BEAVER THOMAS & MANGAUDIS PAUL	522 SHORE RD	621 NE 22ND DRIVE	WILTON MANORS	FL	33305
6764	7-8-6-R	GALLAGHER REALTY TRUST TRS:GALLAGHER JOSEPH M & DIANE	522 SHORE RD	120 PAGE ROAD	BEDFORD	MA	01730

*JW* 12/12/2022

Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
6765	7-8-7-R	SHAPIRO ERIC D & JULIE ANN	522 SHORE RD	PO BOX 608	LEXINGTON	MA	02420
6766	7-8-8-R	SHAPIRO ERIC D & JULIE ANN	522 SHORE RD	PO BOX 608	LEXINGTON	MA	02420
6758	7-8-9-R	SHAPIRO ERIC D & JULIE ANN	522 SHORE RD	PO BOX 608	LEXINGTON	MA	02420
6767	7-8-10-R	PASCALE LISA A & BISESI JOANN	522 SHORE RD	14 CAPT JOHN JACOBS RD APT 106	EAST PROVIDENCE	RI	02914
6768	7-8-11-R	ALBERGHETTI PAUL G	522 SHORE RD	4046 WOKING WAY	LOS ANGELES	CA	90027
6769	7-8-12-R	MALER WILLIAM STEVEN & LIQUORI ANTHONY	522 SHORE RD	45 WEST 3RD ST, UNIT 511	BOSTON	MA	02127
6770	7-8-13-R	MALER WILLIAM S & LIQUORI ANTHONY P	522 SHORE RD	45 WEST THIRD ST, UNIT 511	BOSTON	MA	02127
6771	7-8-14-R	SULLIVAN EDWARD & PAMELA	522 SHORE RD	110 FIRST AVE#601	CHARLESTOWN	MA	02129
6772	7-8-15-R	SHEA DENNIS M & SCHNELLER KAREN K	522 SHORE RD	218 LOWELL ST	READING	MA	01867
6773	7-8-16-R	GONSALVES LISA M	522 SHORE RD	69 SHERIDAN ST	JAMAICA PLAIN	MA	02130
6774	7-8-17-R	SEA GLASS WATERVIEW, LLC RES AGT: MARYANN TAORMINA	522 SHORE RD	1148 HIGHLAND GREENS DR	VENICE	FL	34265
6775	7-8-18-R	STUART S FAY TRUST & BEATRICE M FAY TRUST	522 SHORE RD	580 PEARL HILL ROAD	FITCHBURG	MA	01420
6973	7-8-19-E	SUTTON PLACE CONDO TRUST	522 SHORE RD	522 SHORE RD	NO TRURO	MA	02652

*OK 12/12/2022*

	6-5-1-R		6-5-2-R		6-5-3-R
	GRACIA JAMES & ELIZABETH 100 COUNTRY WAY TAUNTON, MA 02780		CORMIER NICOLE MARIE 82 RT 6A ORLEANS, MA 02653		AMARAL BETTYANN & TEDFORD ANDREA J 6 SEAN DR MANSFIELD, MA 02048
	6-5-4-R		6-5-5-R		6-5-6-R
	HARRINGTON LILY M 5751 TUXEDO TERRACE HOLLYWOOD, CA 90068		TINKER MARSHA JO 4081 SOUTH RIVERSIDE DRIVE LANEXA, VA 23089		BAKER JANIS V & RONALD R PO BOX 951 NORTH TRURO, MA 02652
	6-5-7-R		6-5-8-E		7-6-0-R
	SILVERNAIL CHERYL & PAUL PO BOX 889 NORTH TRURO, MA 02652		SEASONG CONDO TRUST 525 SHORE RD NO TRURO, MA 02652		BELDING-CALLINAN REVOC TRUST BELDING MARIE ET AL 18 BACON ST WINCHESTER, MA 01890-3809
	7-8-1-R		7-8-2-R		7-8-3-R
	WAYSIDE ONE REALTY TRUST TRS: AGIN WARREN 1 DEVONSHIRE PLACE, APT 2913 BOSTON, MA 02109		BOYNTON EMILY PO BOX 339 PROVINCETOWN, MA 02657		JANE M LONGDEN REVOC TRUST TRS: JANE LONGDEN 4 BRIDGEVIEW TERRACE KITTERY, ME 03904
	7-8-4-R		7-8-5-R		7-8-6-R
	SCOUTS LLC PO BOX 1107 SO ORLEANS, MA 02662		MCCUNE RICHARD & BRIAN CARROLL BEAVER THOMAS & MANGAUDIS PAUL 621 NE 22ND DRIVE WILTON MANORS, FL 33305		GALLAGHER REALTY TRUST TRS:GALLAGHER JOSEPH M & DIANE 120 PAGE ROAD BEDFORD, MA 01730
	7-8-7-R		7-8-8-R		7-8-9-R
	SHAPIRO ERIC D & JULIE ANN PO BOX 608 LEXINGTON, MA 02420		SHAPIRO ERIC D & JULIE ANN PO BOX 608 LEXINGTON, MA 02420		SHAPIRO ERIC D & JULIE ANN PO BOX 608 LEXINGTON, MA 02420
	7-8-10-R		7-8-11-R		7-8-12-R
	PASCALE LISA A & BISESI JOANN 14 CAPT JOHN JACOBS RD APT 106 EAST PROVIDENCE, RI 02914		ALBERGHETTI PAUL G 4046 WOKING WAY LOS ANGELES, CA 90027		MALER WILLIAM STEVEN & LIQUORI ANTHONY 45 WEST 3RD ST, UNIT 511 BOSTON, MA 02127
	7-8-13-R		7-8-14-R		7-8-15-R
	MALER WILLIAM S & LIQUORI ANTHONY P 45 WEST THIRD ST, UNIT 511 BOSTON, MA 02127		SULLIVAN EDWARD & PAMELA 110 FIRST AVE#601 CHARLESTOWN, MA 02129		SHEA DENNIS M & SCHNELLER KAREN K 218 LOWELL ST READING, MA 01867
	7-8-16-R		7-8-17-R		7-8-18-R
	GONSALVES LISA M 69 SHERIDAN ST JAMAICA PLAIN, MA 02130		SEA GLASS WATERVIEW, LLC RES AGT: MARYANN TAORMINA 1148 HIGHLAND GREENS DR VENICE, FL 34285		STUART S FAY TRUST & BEATRICE M FAY TRUST 580 PEARL HILL ROAD FITCHBURG, MA 01420
	7-8-19-E				
	SUTTON PLACE CONDO TRUST 522 SHORE RD NO TRURO, MA 02652				

ASSESSOR'S MAP 7 - PARCEL 7 - LOCUS

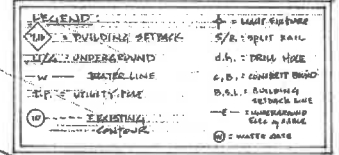
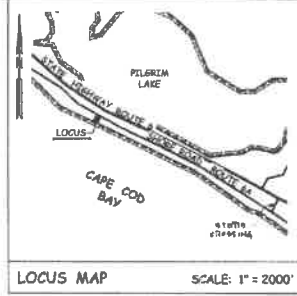
PLAN BOOK 431 PAGE 93

Zoning Notes - Existing:

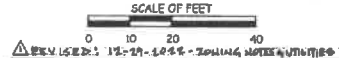
- This Property lies within Beach Point Limited Business Zone.
- Number of Principal Buildings: 3 / Number of Accessory Buildings: 0
- Lot Coverage: (Per Section 10(4) - Definitions, Truro Zoning Bylaws) = 31.4%  
Buildings - total = 3786 s.f. - (Bldg. 1 = 982 s.f. / Bldg. 2 = 628 s.f. / Bldg. 3 = 1200 s.f.)  
Decks (Including Covered Porches) - total = 1409 s.f.  
Wood Boardwalks = 420 s.f. - LOT AREA = 14,224 s.f.
- Gross Floor Area: (Per Section 10(4) - Definitions)  
Building 1 = 883 s.f. - Building 2 = 578 s.f.  
Building 3 = 2016 s.f. (1132 s.f. @ 1<sup>st</sup> Floor - 877 s.f. @ 2<sup>nd</sup> Floor)
- Mean Ground Level: (Per Section 10(4) - Definitions) - (Datum = 1988 MVD)  
Building 1 = EL 10.24' / Building 2 = EL 10.07' / Building 3 = EL 9.32'
- Building Height/Stories: (Per Section 10(4) - Definitions)  
Building 1 = 16.72' - 1 Story / Building 2 = 13.0' - 1 Story / Building 3 = 24.22' - 2 Story
- Building Setbacks:  
Frontyard: (25 ft. Required) - Building 1 = 22.24' / Building 2 = 37.0' / Building 3 = 40.00'  
Sideyard: (5 ft./story Required) - Building 1 @ NE corner = 7.18' / @ SE corner = 7.82'  
- Building 2: Distance to Building 1 = 9.08' (10ft. Req'd.) - Distance to Building 3 = 13.28'  
- Building 3 @ NW corner = 1.91' / @ SW corner = 2.37'  
To 2019 Mean High Water: (From Decks) - Building 1 = 33' +/- / Building 2 = 48' +/- / Building 3 = 30' +/-

Zoning Notes - Existing: (Continued)

- Bedrooms: Building 1 = 3 / Building 2 = 2 / Building 3 = 6\* Total = 11 Bedrooms  
\* Unit 3 = 2 BR / Unit 4 = 1 BR / Unit 5 = 2 BR / Unit 6 = 1 BR
- Parking Spaces: (2 spaces per Unit Required) = 22 Total\*  
\* Building 1 (Unit 1) = 2 / Building 2 (Unit 2) = 2 / Building 3 - (Unit 3 = 2 - Unit 4 = 2 - Unit 5 = 2 - Unit 6 = 2)



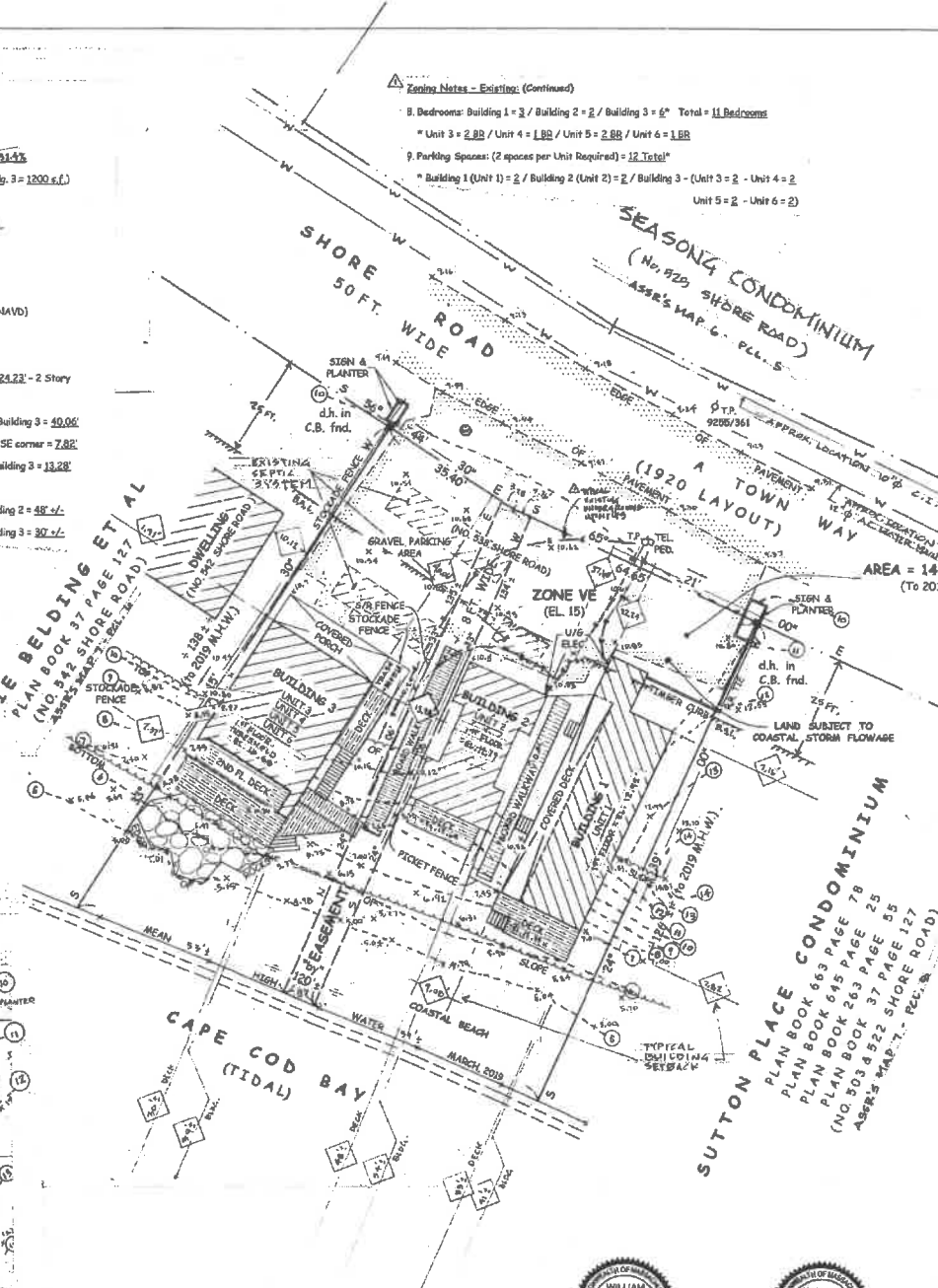
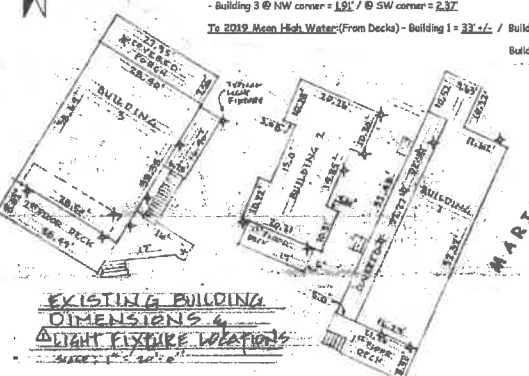
- NOTE: FLOOD ZONES AS SHOWN ON FLOOD INSURANCE RATE MAP NO. 25001G0117J FOR THE TOWN OF TRURO COMMUNITY NO. 235222 DATED JULY 16, 2014.
- NOTE: \* 14.58' DENOTES SPOT ELEVATION.
- NOTE: ALL BUILDING OFFSETS ARE MEASURED PERPENDICULAR TO THE PROPERTY LINES.
- NOTE: DATUM = 1988 MVD.
- REFERENCE: PLAN BOOK 431 PAGE 93  
PLAN BOOK 348 PAGE 97  
PLAN BOOK 263 PAGE 56  
DEED BOOK 30288 PAGE 288



EXISTING  
SITE PLAN OF LAND  
IN  
(NORTH) TRURO  
AS PREPARED FOR  
EBB TIDE ON THE BAY  
CONDOMINIUM  
(NO. 538 SHORE ROAD)  
SCALE: 1 IN. = 20 FT. SEPTEMBER, 2018

WILLIAM N. ROGERS  
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SE.1



1807  
WILLIAM N. ROGERS II  
SEP 11 2018



ASSESSOR'S MAP 7, PARCEL 7 - 14249

Zoning Notes - Proposed:

- This Property lies within **Beach Point Limited Business Zone**
- No. of Proposed Principal Buildings: **3** / No. of Proposed Accessory Buildings: **0**  
\*to replace the 3 Existing Buildings currently on Lot.
- Lot Coverage: (Per Section 10(4) - Definitions, Truro Zoning Bylaws) = **29.5%**  
Buildings - total = **2904 s.f.** - (Bldg. 1 = **1092 s.f.** / Bldg. 2 = **710 s.f.** / Bldg. 3 = **1102 s.f.**)  
Decks (Including Covered Porches) - total = **1190 s.f.**  
Wood Boardwalks = **104 s.f.** Note: Lot Area = **14,224 s.f.** +/-
- Gross Floor Area: (Per Section 10(4) - Definitions)  
Building 1 = **1681 s.f.** (1020 s.f. @ 1<sup>st</sup> Floor - **661 s.f.** @ 2<sup>nd</sup> Floor)  
Building 2 = **1048 s.f.** (656 s.f. @ 1<sup>st</sup> Floor - **392 s.f.** @ 2<sup>nd</sup> Floor)  
Building 3 = **1917 s.f.** (1091 s.f. @ 1<sup>st</sup> Floor - **826 s.f.** @ 2<sup>nd</sup> Floor)
- Mean Ground Level: (Per Section 10(4) - Definitions) - (Datum = 1988 NAVD)  
Building 1 = **EL 10.42'** / Building 2 = **EL 10.88'** / Building 3 = **EL 10.42'**
- Building Height/Stories: (Per Section 10(4) - Definitions)  
Building 1 = **29'0"** - 1 Story / Building 2 = **29'0"** - 1 Story / Building 3 = **29'0"** - 2 Story
- Building Setbacks:  
Frontyard: (25 ft. Required) - Building 1 = **25'0"** / Building 2 = **25'0"** / Building 3 = **25'0"**  
Sideyard: (5 ft./story Required) - Building 1 @ NE corner = **5'0"** / @ SE corner = **5'0"**  
- Building 2 @ distance to Building 1 = **4'0"** (-15ft. Req'd.) - @ distance to Building 3 = **5'0"**  
- Building 3 @ NW corner = **3'30"** / @ SW corner = **3'30"**  
To 2019 M.H.W. (From Decks) - Bldg. 1 = **4'11"** / Bldg. 2 = **6'0"** / Bldg. 3 = **5'11"**

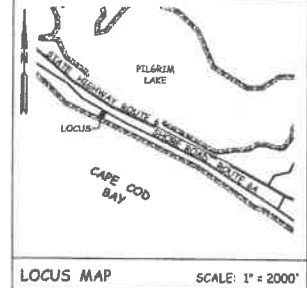
Zoning Notes (Continued)

- Bedrooms: Building 1 = **2** / Building 2 = **2** / Building 3 = **2** Total = **11 Bedrooms**  
\* Unit 3 = **2 BR** / Unit 4 = **1 BR** / Unit 5 = **2 BR** / Unit 6 = **1 BR**
- Parking Spaces: (2 spaces per Unit Required) = **9 Total**  
\* Building 1 (Unit 1) = **2** / Building 2 (Unit 2) = **2** / Building 3 = **5** (Unit 3 = 1 - Unit 4 = 1 - Unit 5 = 1 - Unit 6 = 1)  
\* Note: 1 Parking Space to be flexed between Units

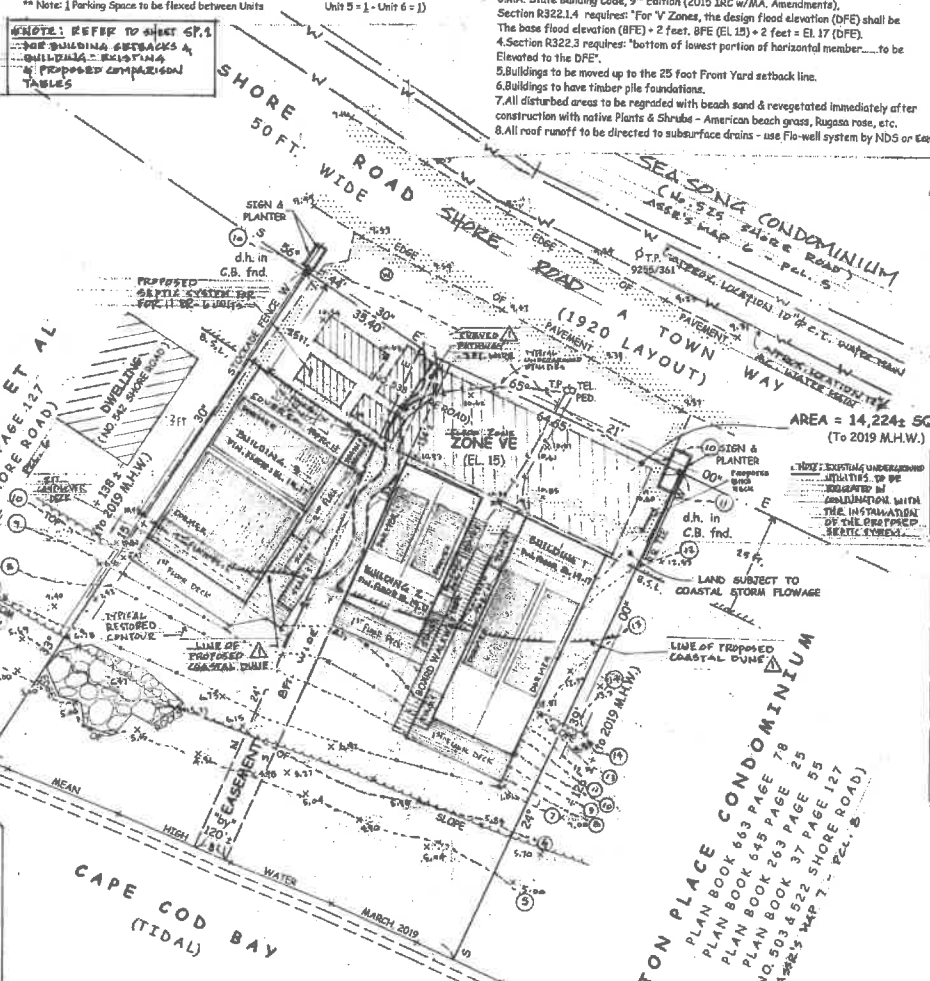
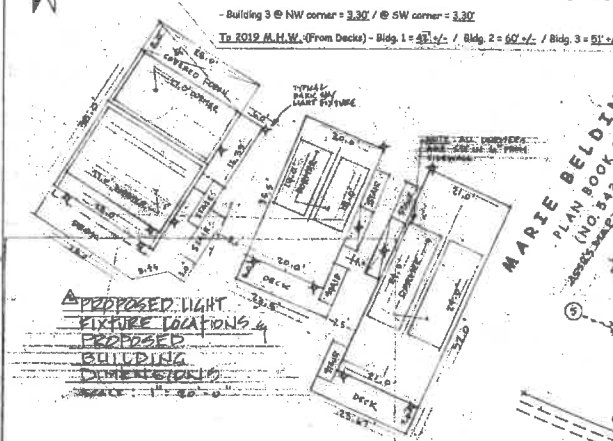
NOTE: REFER TO SHEET SP.1 FOR BUILDING SETBACKS & UTILITIES & PROPOSED COMPARISON TABLES

GENERAL NOTES:

- Datum = 1988 N.A.V.D.
- Buildings 1, 2 & 3 to be noted in accordance with MA. State Building Code, 9<sup>th</sup> Edition (2015 IRC & IBC w/ MA. Amendments), 2018 AWC Prescriptive Residential Wood Deck Construction Guide, 2019 IECC, FEMA Technical Bulletin 348 - Protecting Building Utilities From Flood Damage & FEMA Technical Bulletin 449 - Home Builder's Guide To Coastal Construction.
- MA. State Building Code, 9<sup>th</sup> Edition (2015 IRC w/ MA. Amendments), Section R322.1.4 requires: "For 'V' Zones, the design flood elevation (DFE) shall be the base flood elevation (BFE) + 2 feet. BFE (EL 13) + 2 feet = EL 17 (DFE)." Section R322.3 requires: "bottom of lowest portion of horizontal member...to be Elevated to the DFE."
- Buildings to be moved up to the 25 foot Front Yard setback line.
- Buildings to have timber pile foundations.
- All disturbed areas to be regraded with beach sand & revegetated immediately after construction with native Plants & Shrubs - American beach grass, Ruggosa rose, etc.
- All roof runoff to be directed to subsurface drains - use Flo-well system by NDS or Equal.



- NOTE: ALL PROPOSED PLANTINGS TO BE NATIVE PLANTS, GRASSES & SHRUBS.
- NOTE: EXISTING AND PROPOSED USE: RESIDENTIAL
- NOTE: ALL EXTERIOR LIGHTING TO BE DARK SKY COMPLIANT.
- NOTE: ALL ROOF RUNOFF TO BE DIRECTED TO SUBSURFACE DRAINAGE STRUCTURES (FLOW-WELL SYSTEMS, OR EQUAL).
- NOTE: FLOOD ZONES AS SHOWN ON FLOOD INSURANCE RATE MAP NO. 25001G0117 FOR THE TOWN OF TRURO COMMUNITY NO. 235222 DATED JULY 16, 2014.
- NOTE: THIS PROPERTY IS SERVED BY UNDERGROUND ELECTRIC SERVICE.
- NOTE: X 14.55' DENOTES SPOT ELEVATION.
- NOTE: ALL BUILDING OFFSETS ARE MEASURED PERPENDICULAR TO THE PROPERTY LINES.
- NOTE: DATUM = 1988 N.A.V.D.
- REFERENCE: PLAN BOOK 431 PAGE 93  
PLAN BOOK 348 PAGE 97  
PLAN BOOK 263 PAGE 56  
DEED BOOK 30288 PAGE 288



LEGEND:

- (---) EXISTING CONTOUR
- (---) PROPOSED CONTOUR
- (---) WATER LINE
- (---) UTILITY LINE
- (---) DRIVE HOLE
- (---) CONCRETE FOUND
- (---) BUILDING SETBACK LINE
- (---) WATER TABLE
- (---) UNDERGROUND GAS & CABLE
- (---) PROPOSED DARK SKY LIGHT FIXTURE

NOTE: LIMIT OF WORK ARE THE EAST & WEST PROPERTY LINES & ALONG BOTTOM OF OLD SLOPE LINE AND IN FRONT OF ROCKS - CONTOURS OF STAGE STREAM DICES & SIX FENCE ALONG PROPERTY LINES & OUT OF MAP AND MAINTAIN SAID LIMIT OF WORK DURING CONSTRUCTION.



REVISION: 12-25-2022, ZONING NOTES & SCALE: 1/4" = 10' FEET  
 REVISION: APRIL 19, 2024  
**PROPOSED**  
 SITE PLAN OF LAND IN (NORTH) TRURO AS PREPARED FOR EBB TIDE ON THE BAY CONDOMINIUM (NO. 538 SHORE ROAD)  
 SCALE: 1 IN. = 20 FT. SEPTEMBER, 2020  
**WILLIAM N. ROGERS SP.1**  
 PROFESSIONAL  
 CIVIL ENGINEERS & LAND SURVEYORS  
 41 OFF CEMETERY ROAD, PROVINCETOWN, MASS.  
 508.487.1565 / 508.487.5809 FAX  
 SHEET 1 OF 2 SHEETS T-20-0773 E

538 Shore Road COMPARISON TABLE			
Building #1	Existing	Proposed	COMMENTS
Stories:	2	2	NO CHANGE
Building (Sq.Ft.): (Footprint)	1200	1302	INCREASE OF 82.2% + 7.5%
Deck/s:	653	586	REDUCTION OF 67.7%
Covered Porch:	213	226	INCREASE OF 6.1%
Gross Floor Area* (Sq.Ft.):	1389 - 1 <sup>st</sup> Floor	1091 - 1 <sup>st</sup> Floor	REDUCTION OF 20.8%
*Per Section 10(4)-Definitions	877 - 2 <sup>nd</sup> Floor	820 - 2 <sup>nd</sup> Floor	REDUCTION OF 6.1%
	Total = 2266	Total = 1917	REDUCTION OF 15.4%
Mean Ground Level* (Datum = 1988 NAVD) El. 8.59'		El. 10.48'	
*Per Section 10(4)-Definitions		*At Proposed Location	
Peak Height:	El. 33.09'	El. 40.45' (+7.36')	INCREASE OF 7'-4"
First Floor:	El. 10.6'	El. 19.37' (+8.77')	INCREASE OF 8'-0"
Building Height*:	22.49' (21'-9")	29.85' (29'-11") (+7.36')	INCREASE OF 8'-0"
*Per Section 10(4)-Definitions		*Building = 21.25' (21'-3")	
		*Pile Foundation = 8.67' (8'-8")	
Sideward Setback* (East)			
At NW Corner:	1.21' (1'-1")	8.0' (8'-0") (+6.79')	INCREASE OF 7'-4"
At SW Corner:	2.37' (2'-4")	3.3' (3'-4") (+1.93')	INCREASE OF 1'-4"
*5 FT. Per Story - 30 FT. Req'd.			
Frontyard Setback (25 Ft. Req'd.):	40.00' (40'-0")	25 FT. (-15.00')	REDUCTION OF 37.5%
Distance From 2019 Mean High Water:			
Building:	33%/-	60%/-	INCREASE OF 27'-0"
Deck:	30%/-	51%/-	INCREASE OF 21'-0"
Number of Bedrooms:	Unit 3 = 1	2	
	Unit 4 = 1	1 = 6 Total	NO CHANGE
	Unit 5 = 2	2	
	Unit 6 = 1	1	
Number of Parking Spaces	8	5 = 3 Space per Unit + 2 SPACE PLANNED BETWEEN UNITS	REDUCTION OF 37.5%



**SITE PLAN**  
**DEPICTING**  
**BUILDING SETBACKS**  
 SCALE: 1/4" = 1'-0"

- NOTE: x 14.55' DENOTES SPOT ELEVATION.
- NOTE: ALL BUILDING OFFSETS ARE MEASURED PERPENDICULAR TO THE PROPERTY LINES.
- NOTE: DATUM = 1988 N.A.V.D.
- REFERENCE: PLAN BOOK 431 PAGE 93  
 PLAN BOOK 348 PAGE 97  
 PLAN BOOK 263 PAGE 56  
 DEED BOOK 30288 PAGE 288

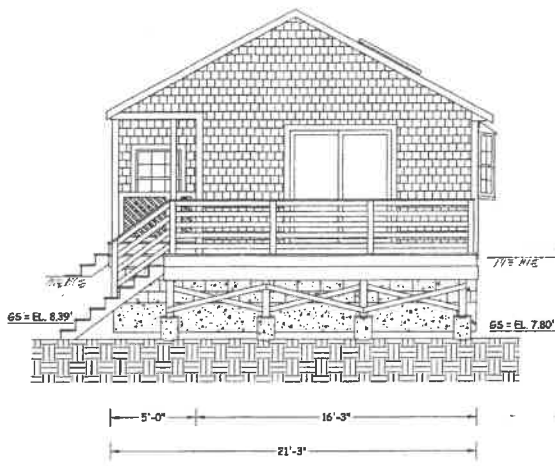
538 Shore Road COMPARISON TABLE			
Building #2	Existing	Proposed	COMMENTS
Stories:	1	1.5	INCREASE BY 50% STORY
Building (Sq.Ft.): (Footprint)	628	710	INCREASE OF 12.9% + 1.9%
Deck/s:	102	107	DECK INCREASE BY 4.9%
Covered Porch:			
Gross Floor Area* (Sq.Ft.):	578	656 - 1 <sup>st</sup> Floor	
*Per Section 10(4)-Definitions, Truro ZBA Bylaws		392 - 2 <sup>nd</sup> Floor	+170 S.F. INCREASE IN GROSS AREA = 29.4%
Total = 3048			
Mean Ground Level* (Datum = 1988 NAVD) El. 10.07'		El. 10.88'	
*Per Section 10(4)-Definitions		*At Proposed Location	
Peak Height:	El. 23.39'	El. 38.88' (+15.49')	INCREASE OF 15'-0"
First Floor:	El. 12.79'	El. 19.17' (+6.38')	INCREASE OF 5'-0"
Building Height*:	13.07' (13'-0")	26.07' (26'-0") (+12.99')	INCREASE OF 13'-0"
*Per Section 10(4)-Definitions		*Building = 20.71' (20'-8 1/2")	
		*Pile Foundation = 8.23' (8'-3 1/2")	
Sideward Setback:	N/A	N/A	SEE NOTE #3
Frontyard Setback (25 Ft. Req'd.):	37.6' (37'-7")	25 FT. (-12.6')	REDUCTION OF 33.5%
Distance From 2019 Mean High Water:			
Building:	54%/-	56%/- (+1.1%)	INCREASE OF 1'-0"
Deck:	48%/-	60%/-	INCREASE OF 12'-0"
Number of Bedrooms:	2	2	NO CHANGE
Number of Parking Spaces	2	2	NO CHANGE

NOTE: DIMENSIONS TO BUILDING DISTANCE (EXCLUDING WATER DECKS); DIMENSIONS TO BUILDING = 11'-0" (SEE NOTE #3)

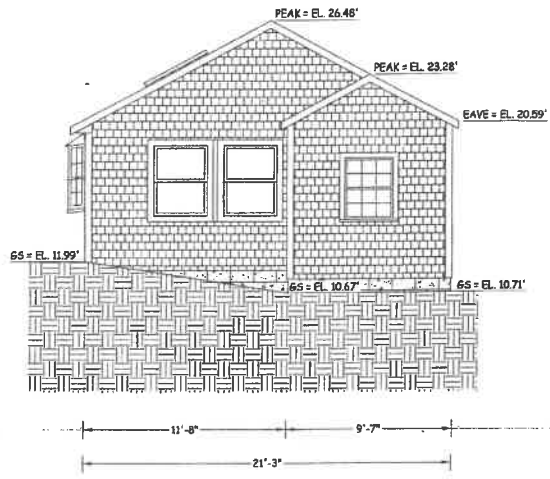
538 Shore Road COMPARISON TABLE			
Building #1	Existing	Proposed	COMMENTS
Stories:	1	1.5	INCREASE BY 50% STORY
Building (Sq.Ft.): (Footprint)	552	1092	INCREASE OF 100% + 14.1%
Deck/s:	184	213	DECK INCREASE BY 15.2% COVERED PORCH ESTIMATED
Covered Porch:	261		
Gross Floor Area* (Sq.Ft.):	883	1020 - 1 <sup>st</sup> Floor	
*Per Section 10(4)-Definitions, Truro ZBA Bylaws		661 - 2 <sup>nd</sup> Floor	+170 S.F. INCREASE IN GROSS AREA = 20.4%
Total = 1883			
Mean Ground Level* (Datum = 1988 NAVD) El. 10.24'		El. 10.48'	
*Per Section 10(4)-Definitions		*At Proposed Location	
Peak Height:	El. 26.48'	El. 40.34' (+13.86')	INCREASE OF 13'-0"
First Floor:	El. 12.82'	El. 19.17' (+6.35')	INCREASE OF 6'-0"
Building Height*:	13.66' (13'-8")	29.17' (29'-1") (+15.51')	INCREASE OF 15'-0"
*Per Section 10(4)-Definitions		*Building = 23.17' (23'-2")	
		*Pile Foundation = 7.93' (7'-10")	
Sideward Setback* (East)			
At NE Corner:	7.36' (7'-2")	8.0' (8'-0") (+0.64')	INCREASE OF 10"
At SE Corner:	7.82' (7'-10")	8.0' (8'-0") (+0.18')	INCREASE OF 2"
*5 FT. Per Story - 7.5 FT. Req'd.			
Frontyard Setback (25 Ft. Req'd.):	23.24' (23'-3")	25 FT. (+1.76')	INCREASE OF 5'-0"
Distance From 2019 Mean High Water:			
Building:	41%/-	50%/- (+9.0%)	INCREASE OF 9'-0"
Deck:	33%/-	45%/-	INCREASE OF 12'-0"
Number of Bedrooms:	3	3	NO CHANGE
Number of Parking Spaces	2	2	NO CHANGE



SCALE OF FEET  
 0 10 20 40  
 A REVISION: 12.21.2020 - PERFORM MEAN ANALYSIS WITH EXISTING A PROPOSED COMPARISON TABLE.  
**PROPOSED BUILDING SETBACKS EXISTING A PROPOSED COMPARISON TABLES IN**  
 (NORTH) TRURO  
 AS PREPARED FOR  
**EBB TIDE ON THE BAY CONDOMINIUM**  
 (NO. 538 SHORE ROAD)  
 SCALE: 1 IN. = 20 FT. SEPTEMBER, 2020  
**WILLIAM N. ROGERS II SP.2**  
 PROFESSIONAL  
 CIVIL ENGINEERS & LAND SURVEYORS  
 41 OFF CEMETERY ROAD, PROVINCETOWN, MASS  
 508.487.1565 / 508.487.5809 FAX  
 SHEET 1 OF 2 SHEETS T-20-0773 E



**SOUTH ELEVATION**  
SCALE: 3/16" = 1'-0"



**NORTH ELEVATION (FRONT)**  
SCALE: 3/16" = 1'-0"  
DATUM = MBB M.A.V.D.  
AVERAGE GRADE = EL. 9.72'

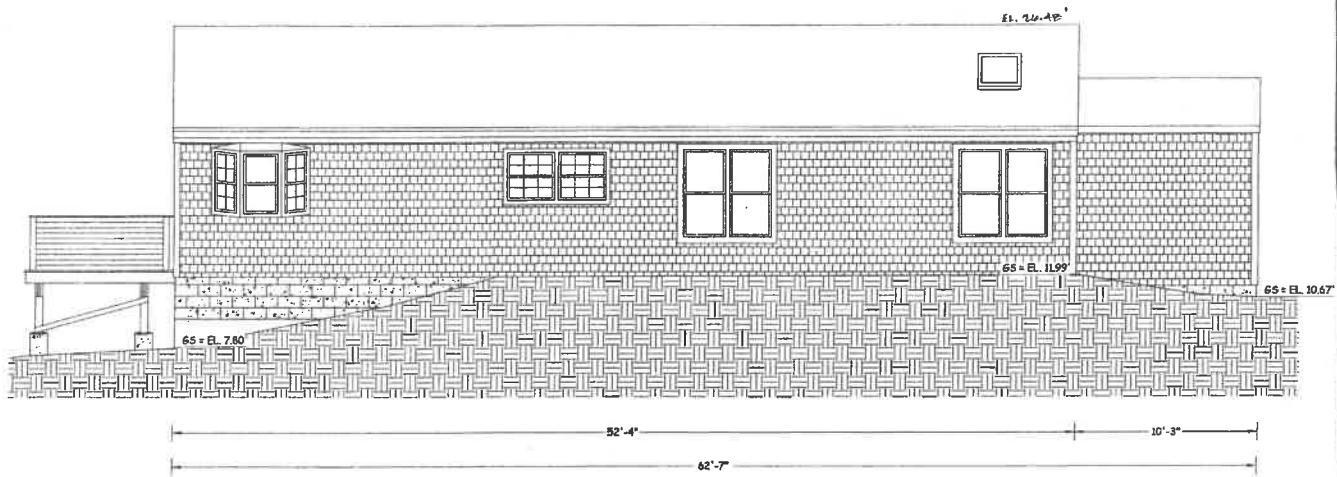
SUBDIVISION ON THE "BAY"  
 CONDOMINIUM  
 110.553 B. SHORE ROAD  
 ABERTH TOWN, MA.  
 TAXES: ASSESSED MAP 7, PARCEL 7

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: wimrogers@wvcticon.net

EXISTING  
 ELEVATIONS  
 NORTH &  
 SOUTH

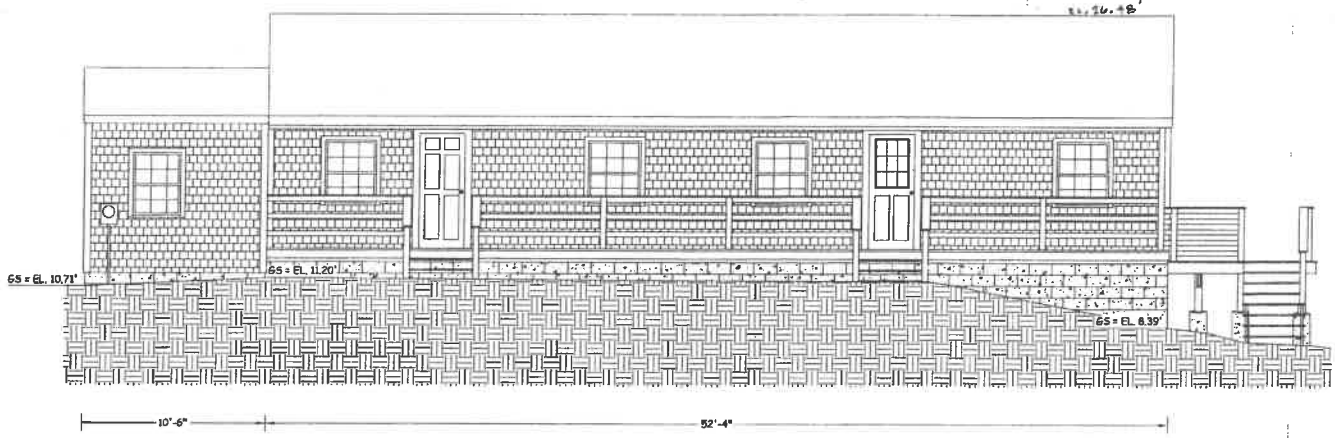
SCALE: 3/16" = 1'-0"  
 DATE: 09-27-2022  
 DRAWN: AL  
 JOB NO.: T-22-0773  
 REVISION:

1-E.1



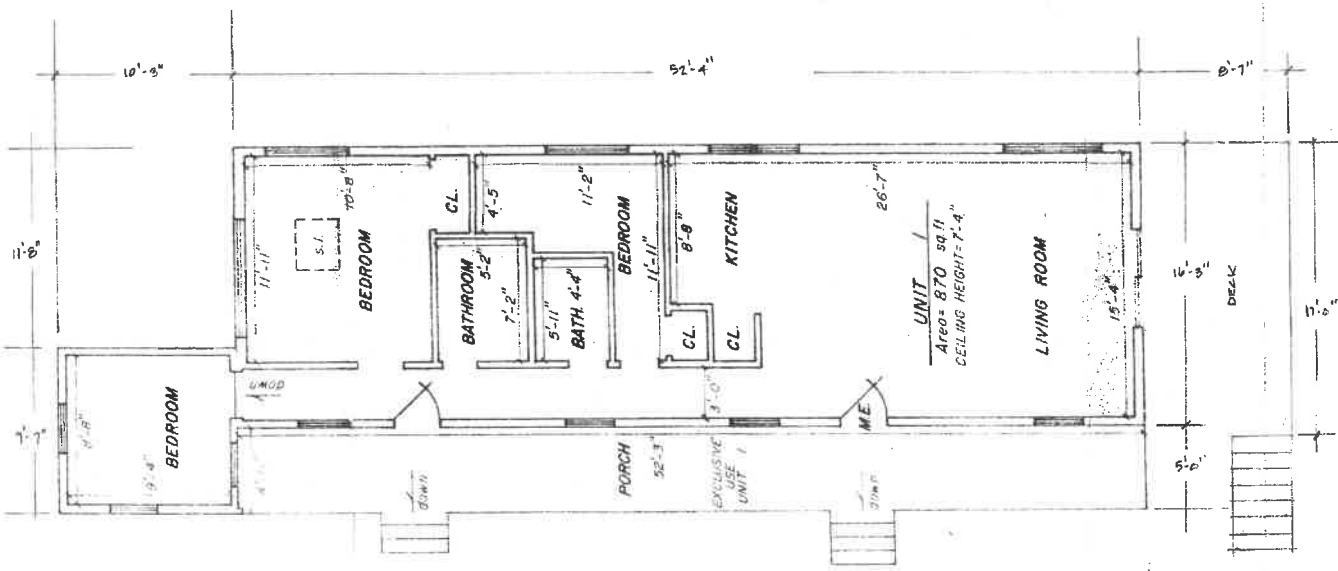
**EAST ELEVATION**  
 SCALE: 3/16" = 1'-0"

WILHELM N. ROGERS II Civil Engineers & Land Surveyors Building and Structural Design Planning 41 Off Caneley Road Provincetown MA 02657 (508) 487-1565 / (508) 487-5809 fax Email: wnr@verizon.net	
SERVICE ON THE "BAY" CONDOMINIUM NO. 53B, CLOUSE ROAD ROBERT TOWN, MA. PAGES: ASSES605, MAP 7, PARCEL 1	
EXISTING EAST ELEVATION	
SCALE: 3/16" = 1'-0" DATE: 09-17-2022 DRAWN: AL JOB NO.: T-22-07130 REVISION:	
1-E.2	



**WEST ELEVATION**  
 SCALE: 3/16" = 1'-0"

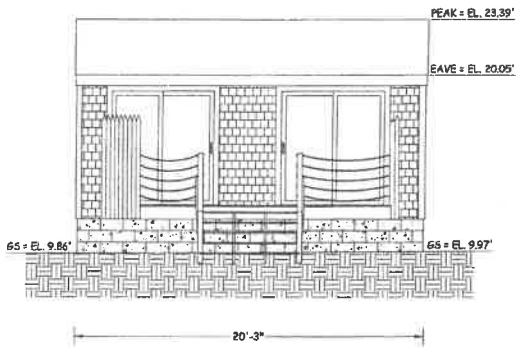
<p>ERRIDGE ON THE BAY          CONDOMINIUM          NO. 55 B SHORE ROAD          NBRETT TOWN, MA.          MA01938</p>
<p>William N. Rogers II          Civil Engineers &amp; Land Surveyors          Building and Structural Design          Planning          41 Off Cemetery Road          Provincetown MA 02657          (508) 487-1565 / (508) 487-5809 fax          Email: wnrogers2@verizon.net</p>
<p>EXISTING          WEST          ELEVATION</p>
<p>SCALE: 3/16" = 1'-0"          DATE: 09-29-2022          DRAWN: AL          JOB NO.: T-22-07110          REVISION:</p>
<p>1-E.3</p>



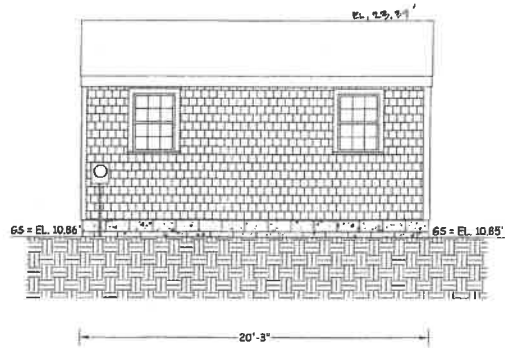
**FIRST FLOOR PLAN**  
SCALE: 3/16" = 1'-0"



<p>RESIDE ON THE BAY CONDOMINIUM 100 53<sup>RD</sup> GLOBE ROAD ROBERT TOWN, MA BUILDING # 1 ROOMS 1, 4, 6, 603, 604, 605, 606, 607, 608, 609</p>
<p>William N. Rogers II Civil Engineers &amp; Land Surveyors Building and Structural Design Planning 41 Off Cantery Road Provincetown MA 02657 (508) 487-1565 / (508) 487-5809 fax Email: wvrogers2@verizon.net</p>
<p>EXISTING 1<sup>ST</sup> FLOOR PLAN</p>
<p>SCALE: 3/16" = 1'-0" DATE: 09-23-2022 DRAWN: AL JOB NO.: T-22-273 REVISION:</p>
<p>1-E4</p>



**SOUTH ELEVATION**



**NORTH ELEVATION (FRONT)**

SCALE : 3/16" = 1'-0"  
 DATUM = 1988 NAVD  
 AVERAGE GRADE = EL. 10.89'

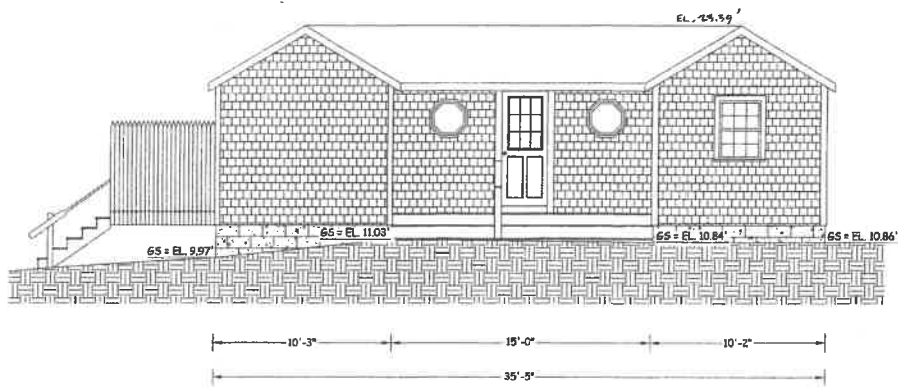
ESTATE ON THE WAY  
 CONDOMINIUM  
 NO. 55 B WILROSE ROAD  
 NORTH TRURO, MA.  
**BUILDING #1**  
 PLOTS : ASSESSED MAP T, PARCEL T

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 : wnr02@verizon.net

EXISTING  
 ELEVATIONS  
 NORTH of  
 SOUTH

SCALE : 3/16" = 1'-0"  
 DATE : 09-29-2022  
 DRAWN : AL  
 JOB NO. : T-22-07730  
 REVISIONS

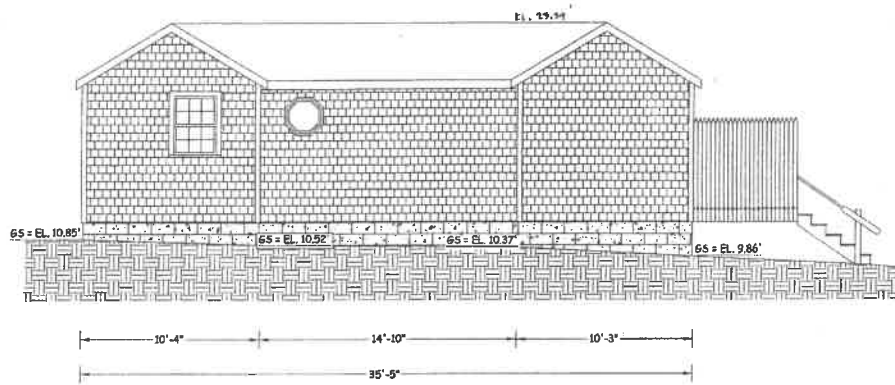
L.E.1



**EAST ELEVATION**  
SCALE: 3/16" = 1'-0"

<p>EDWILDE ON THE BAY CONDOMINIUM NO. 538 OLMORE ROAD NORFOLK TOWNSHIP, N.J. <b>BUILDING #1</b> MAPS: ASSESSOR'S MAP 7, ENCL. 1</p>
<p>William N. Rogers II Civil Engineers &amp; Land Surveyors Building and Structural Design Planning 41 Cliff Cemetery Road Provincetown MA 02657 (508) 487-1565 / (508) 487-5809 fax Email: wnr02s2@verizon.net</p>
<p>EXISTING EAST ELEVATION</p>
<p>SCALE: 3/16" = 1'-0" DATE: 09-09-2022 DRAWN: JAL JOB NO.: T-21-07730 REVISION:</p>
<p>2-E.2</p>





**WEST ELEVATION**

SCALE: 3/16" = 1'-0"

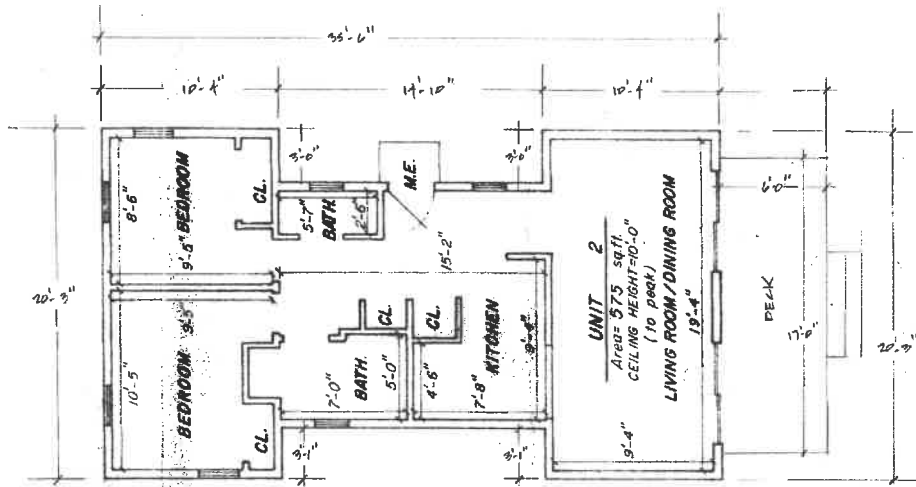
SPRINGS ON THE BAY  
CONDOMINIUM  
110.538 - SPRING ROAD  
ABBEY TOWNSHIP, PA.  
MAPS: 48966083 MAP 7, PARCEL 1

William N. Rogers II  
Civil Engineers & Land Surveyors  
Building and Structural Design  
Planning and Structural  
41 Off Cemetery Road  
Provincetown MA 02657  
(508) 487-1565 / (508) 487-5809 fax  
Email: wnr02657@verizon.net

EXISTING  
WEST  
ELEVATION


SCALE: 3/16" = 1'-0"  
DATE: 09-23-2022  
DRAWN: AL  
JOB NO.: 11-0713  
REVISION:

2-E.3



FIRST FLOOR PLAN  
SCALE: 1/16" = 1'-0"





SEASIDE ON THE BAY  
CONDOMINIUM

510.538.6100  
1001.1.48855@verizon.net

NO. 538 SEASIDE ROAD  
NORFOLK COUNTY, MA  
BUILDING # 1

---

William N. Rogers II  
Civil Engineers & Land Surveyors  
Building and Structural Design  
Planning  
41 Off Cemetery Road  
Provincetown MA 02657  
(508) 487-1555 / (508) 487-5809 fax  
Email: wnr0gers2@verizon.net

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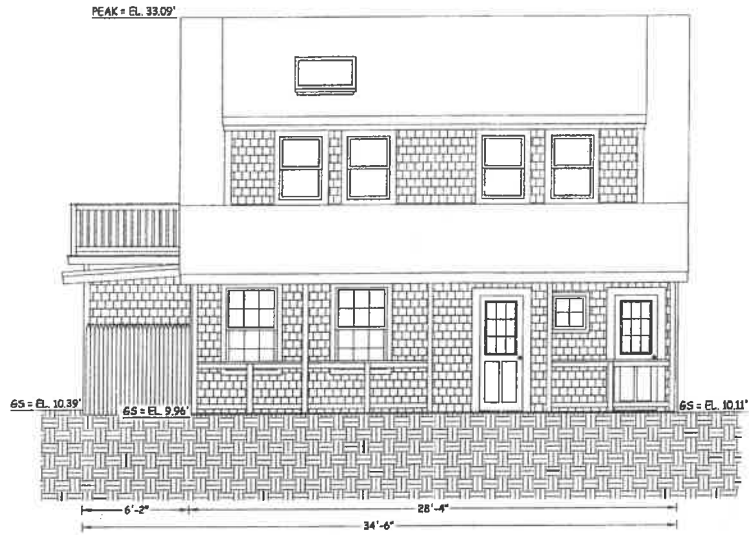
EXISTING  
1ST FLOOR  
PLAN

---

SCALE: 1/16" = 1'-0"  
DATE: 09-23-2022  
DRAWN: AL  
JOB NO.: T-21-0775  
REVISION:

---

2-E.4



**NORTH ELEVATION (FRONT)**

SCALE: 3/16" = 1'-0"  
 DATUM: 1988 NAVD  
 AVERAGE GRADE: EL. 9.06'

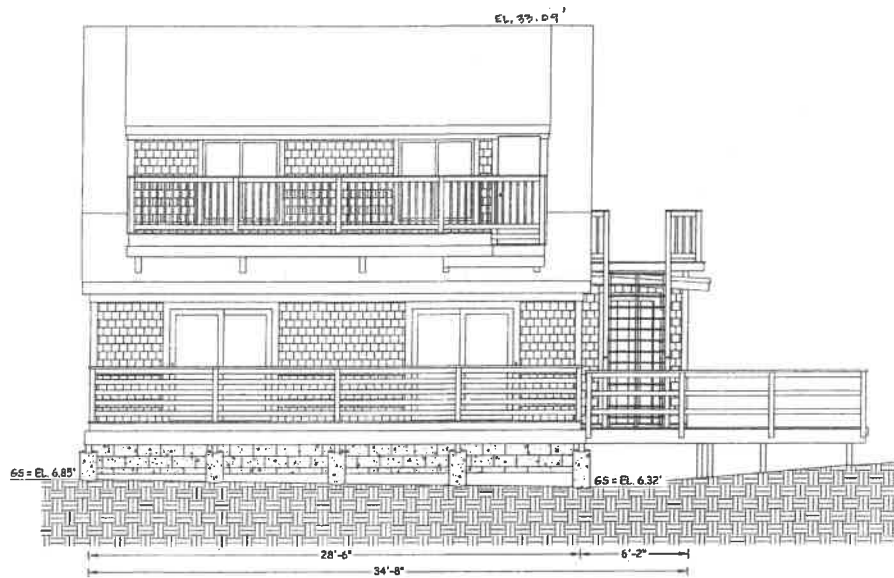
ERRIDGE ON THE BAY  
 CONDOMINIUM  
 NO. 538 SHORE ROAD  
 ABETH TRURO, MA  
 BUILDING #3  
 ROOM: ASSESSOR'S MAP 7, PARCEL 7

William N. Rogers II  
 Civil Engineers & Land Surveyors  
 Building and Structural Design  
 Planning  
 41 Old Cemetery Road  
 Provincetown MA 02657  
 (508) 487-1565 / (508) 487-5809 fax  
 Email: wnr02@verizon.net

EXISTING  
 NORTH  
 ELEVATION

SCALE: 3/16" = 1'-0"  
 DATE: 09.23.2022  
 DRAWN: AL  
 JOB NO.: J-22-0775  
 REVISION:

3-E.1



**SOUTH ELEVATION**  
SCALE: 3/16" = 1'-0"

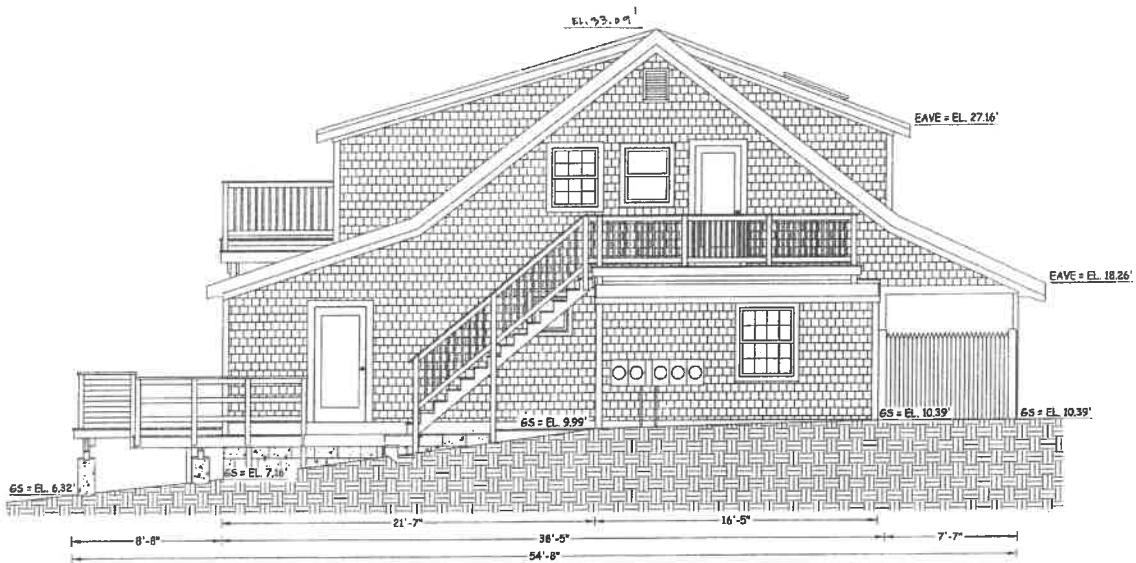
WILHELM N. ROGERS II.  
 Civil Engineers & Land Surveyors  
 Building and Structural Design  
 Planning  
 41 Off Cemetery Road  
 Provincetown MA 01957  
 (508) 487-1563 / (508) 487-5809 fax  
 Email: wvrogers2@verizon.net

EXISTING  
 SOUTH  
 ELEVATION

SCALE: 3/16" = 1'-0"  
 DATE: 09-15-2022  
 DRAWN: AL  
 JOB NO.: T-12-0775  
 REVISION:

3-E, 2

BERLIDE ON THE BAY  
 CONDOMINIUM  
 150 55th AVENUE ROAD  
 MARBLEHEAD, MA.  
 BUILDING # 3  
 1004 : ASSESSORS MAP T, PLOT 1



**EAST ELEVATION**

SCALE: 3/16" = 1'-0"

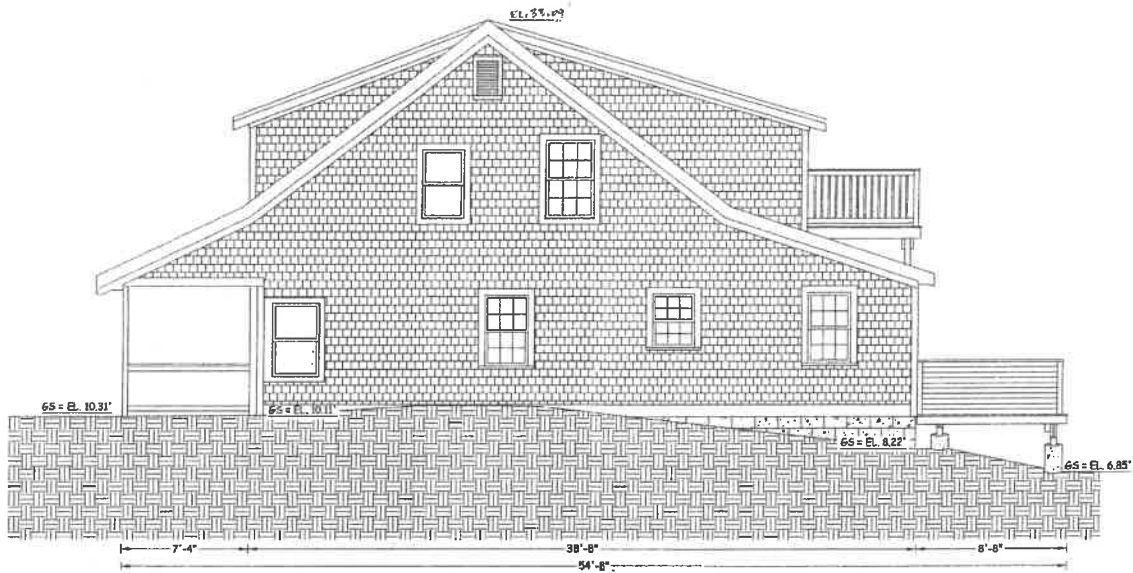
SEASIDE ON THE BAY  
CONDOMINIUM  
NO. 530 SEASIDE ROAD  
NORTH TUNNETT, MA  
BUILDING # 3  
LADDS: 1855003-1467, PAGE 7

William N. Rogers II  
Civil Engineers & Land Surveyors  
Building and Structural Design  
Planning  
41 Old Cemetery Road  
Provincetown MA 02657  
(508) 487-1565 / (508) 487-5509 fax  
Email: wvrogers2@verizon.net

EXISTING  
EAST  
ELEVATION

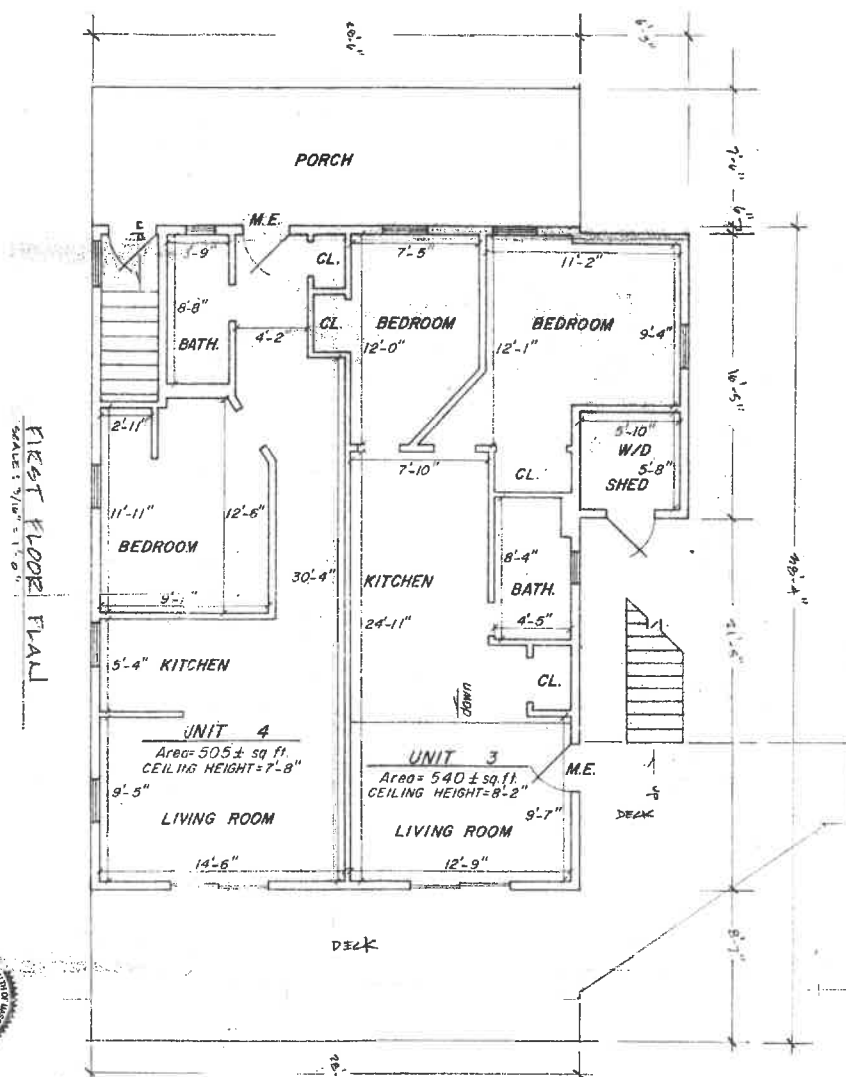
SCALE: 3/16" = 1'-0"  
DATE: 09-13-2022  
DRAWN: AL  
JOB NO.: T-22-0773  
REVISION:

3 E.3

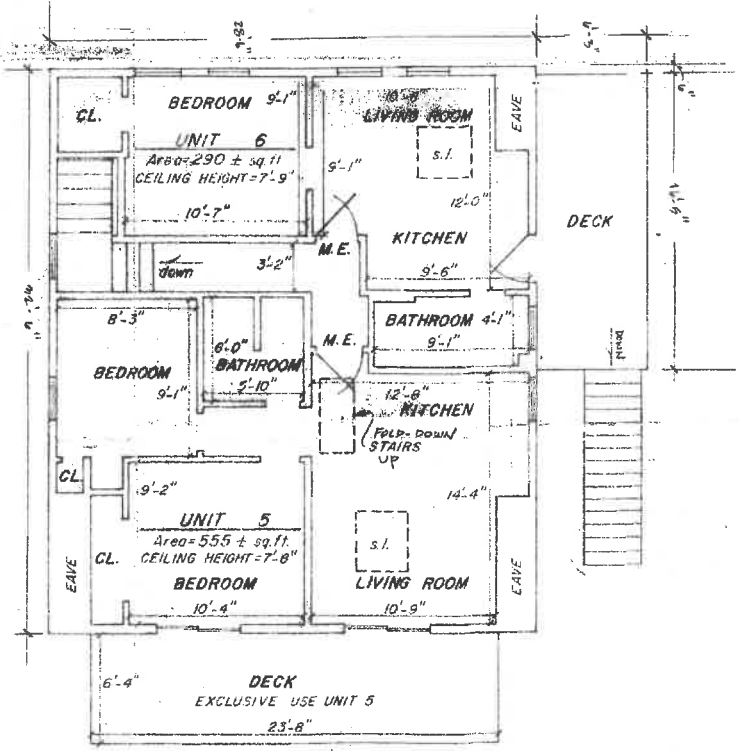
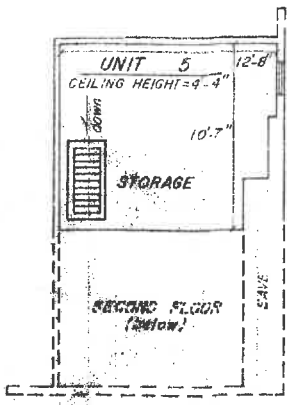


**WEST ELEVATION**  
SCALE: 3/16" = 1'-0"

ERBIDE ON THE BAY CONDOMINIUM NO. 538 GLOBE ROAD WAREHOUSING, MA. <b>BUILDING #15</b> DRAW: 48655063.PAR 7, MODEL 1	
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: wnrogers2@verizon.net	EXISTING WEST ELEVATION
SCALE: 3/16" = 1'-0" DATE: 09-23-2022 DRAWN: AL JOB NO.: T-22-0773 REVISION:	3-E.4



<p>7-E-5</p>	<p>EXISTING 1<sup>st</sup> FLOOR PLAN</p>	<p>William N. Rogers II Civil Engineers &amp; Land Surveyors Building and Structural Design Planning 41 Off Cemetery Road Provincetown MA 02657 (508) 487-1565 / (508) 487-5809 fax Email : wnr Rogers2@verizon.net</p>	<p>EBBtide ON THE BAY CONDOMINIUM NO. 53B SHORE ROAD NORTH TRURO, MA. <b>BUILDING #3</b> LOCAL : ASSESSOR'S MAP 7, PARCEL 1</p>	
		<p>SCALE: 3/16" = 1'-0" DATE: 07-29-2022 DRAWN: WNR JOB NO.: 17-073 REVISION:</p>		



W.E.B. 3/16" = 1'-0" SECOND FLOOR PLAN	SCALE: 3/16" = 1'-0" DATE: 04-25-2021 DRAWN: AL JOB NO.: T-21-0773 REVISION:	EXISTING 2/10 FLOOR PLAN	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: wmrogers2@verizon.net	EBBLIDE ON THE BAY CONDOMINIUM NO. 532 SHORE ROAD NORTH TRURO, MA. <b>BUILDING #3</b> LOCUS: ASSESSOR'S MAP 7, PARCEL 1	
	DECK EXCLUSIVE USE UNIT 5 23'-8"				





ESBIDE ON THE WAY  
COMMUNITY

401.93 B. SHORE ROAD  
NORFOLK TOWNSHIP, MA.

PROPOSED ELEVATIONS  
NORTH & SOUTH

SCALE: 1/16" = 1'-0"

DATE: DEC. 2017

BRANCH: AT

JOB NO.: 17-071

REVISION:

1-A

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: wnr@ngen2@verizon.net

PEAK EL. 40.81

2nd FLOOR EL. 26.11

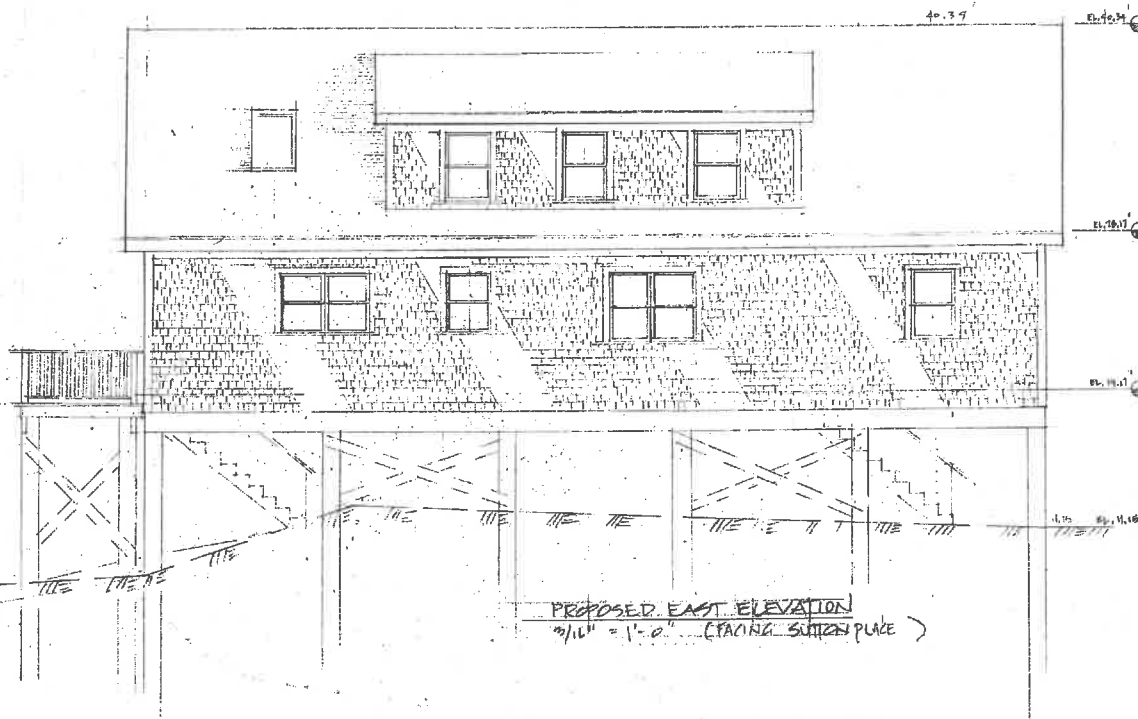
1st FLOOR EL. 15.11

GRADE



PROPOSED WEST ELEVATION  
 (FACING BUILDING # 2)  
 9/16" = 1'-0"

WILMINGTON BEACH CONDOMINIUM NO. 53 B SHORE ROAD NORTH TRURO, MA. <b>BUILDING # 1</b> 408.487.5655	WILMINGTON BEACH CONDOMINIUM NO. 53 B SHORE ROAD NORTH TRURO, MA. <b>BUILDING # 1</b> 408.487.5655
William N. Rogers II. Civil Engineer & Land Surveyor Building & Structural Design 41 Old Church Road Provincetown MA 01957 (508) 487-1565 / (508) 487-5609 fax Email: wnrogas2@verizon.net	William N. Rogers II. Civil Engineer & Land Surveyor Building & Structural Design 41 Old Church Road Provincetown MA 01957 (508) 487-1565 / (508) 487-5609 fax Email: wnrogas2@verizon.net
PROPOSED WEST ELEVATION	
SCALE 9/16" = 1'-0" DATE DEC 2019 DRAWN ZL JOB NO. T-19-0779 REVISION	
T.A.L.	



PROPOSED EAST ELEVATION  
 3/16" = 1'-0" (FACING SUTZEN PLACE)

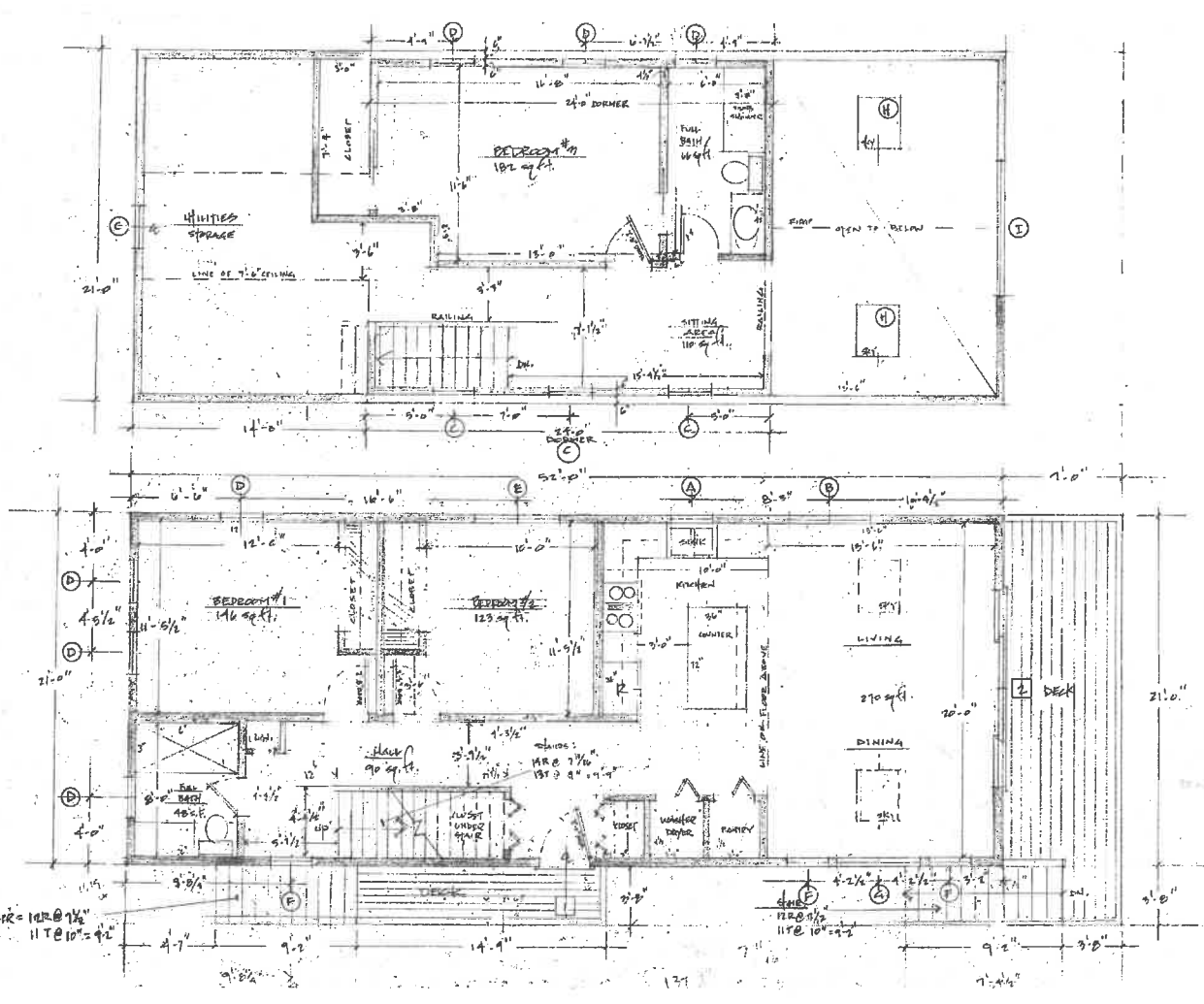
SEBRIDGE ON THE WAY  
 4000 HILLWAY  
 NO. 53 B BRIDGE ROAD  
 NORTH TRURO, MA  
 PAULDINA #1  
 4005-1-AR85928-7AP 7, PAGE 7


William N. Rogers II,  
 Civil Engineers & Land Surveyors  
 Building and Structural Design  
 Planning  
 41 Off Camerley Road  
 Provincetown MA 02657  
 (508) 487-5565 / (508) 487-5609 fax  
 Email: wnrogers2@verizon.net

PROPOSED  
 EAST  
 ELEVATION

SCALE 3/16" = 1'-0"  
 DATE DEC 2017  
 DRAWN GZ  
 JOB NO. T-13-0173D  
 REVISION

I.A.M.





**North**

**PROPOSED  
1st & 2nd  
FLOOR PLANS**

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

DATE: DEC. 2019  
DRAWN BY: T-19-DTSD  
REVISION:

**1-A**

---

**ERRSIDE ON THE BAY**  
CONDOMINIUM  
RD. 93B GUNPOLE ROAD  
NORFOLK TOWNSHIP, VA.  
**BUILDING #1**  
SUITE 4555552001, BLDG #1

---

William N. Rogers II,  
Civil Engineers & Land Surveyors  
Building and Structural Design  
Planning  
41 Off Cemetery Road  
Provincetown MA 02657  
(508) 487-1565 / (508) 487-5009 fax  
Email: wnr02a2@verizon.net



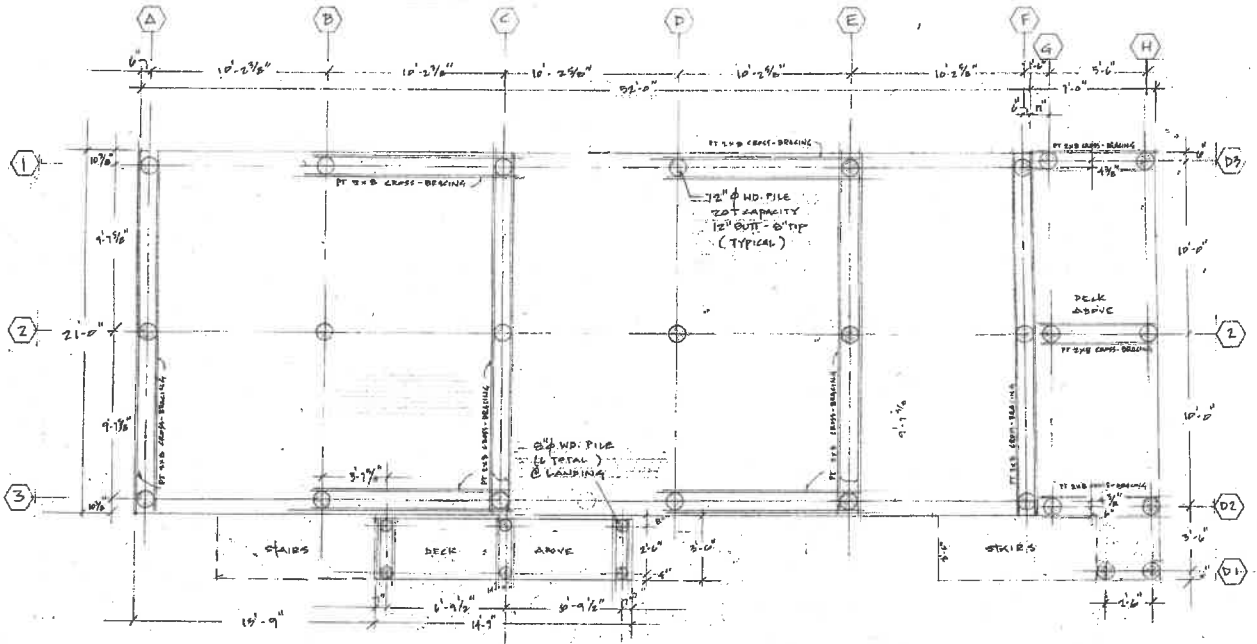
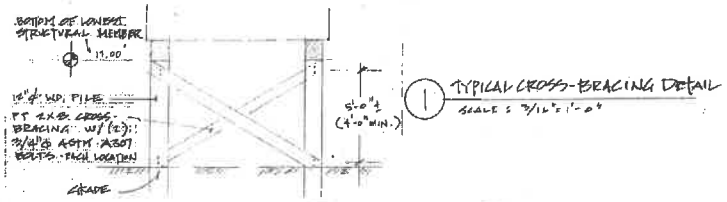
BRIDGE ON THE WAY  
 COMPLETION  
 NO. 53 B SHORE ROAD  
 NORTH TRURO, MA.  
 BUILDING #1  
 LEGS: 489502447, PAGE 7

William H. Rogers II,  
 Civil Engineer & Land Surveyor  
 Building and Structural Design  
 Planning  
 41 Off Centre Road  
 Provincetown MA 02557  
 (508) 487-1565 / (508) 487-5809 fax  
 Email: whrogers2@verizon.net

FOUNDATION  
 PLAN OF  
 DETAILS

SCALE: AS NOTED  
 DATE: DEC. 2019  
 DRAWN: JKL  
 JOB NO.: 19-0773D  
 REVISION:

1-A.5



**PROPOSED TIMBER PILE FOUNDATION**  
 SCALE: 3/16" = 1'-0"

14.4



ERBSTEDE ON THE BAY  
 CONDOMINIUM  
 NO. 539 SHORE ROAD  
 NORTHEAST TOWN, MA.  
**BUILDING #2**  
 MAP: 4892988374P.7, PAGES 7

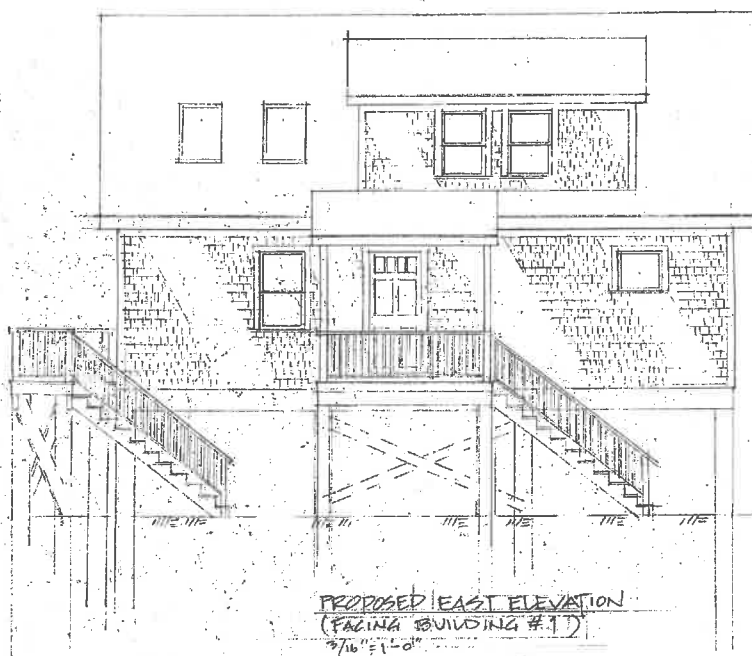
William N. Rogers II,  
 Civil Engineers & Land Surveyors  
 Building and Structural Design  
 Planning  
 41 Off Cemetery Road  
 Provincetown MA 02657  
 (508) 487-1565 / (508) 487-5809 fax  
 Email: wnr02983@verizon.net

**PROPOSED ELEVATIONS NORTH & SOUTH**

SCALE: 3/16" = 1'-0"  
 DATE: DEC. 2019  
 DRAWN: GAV  
 JOB NO.: T-19-07750  
 REVISIONS:

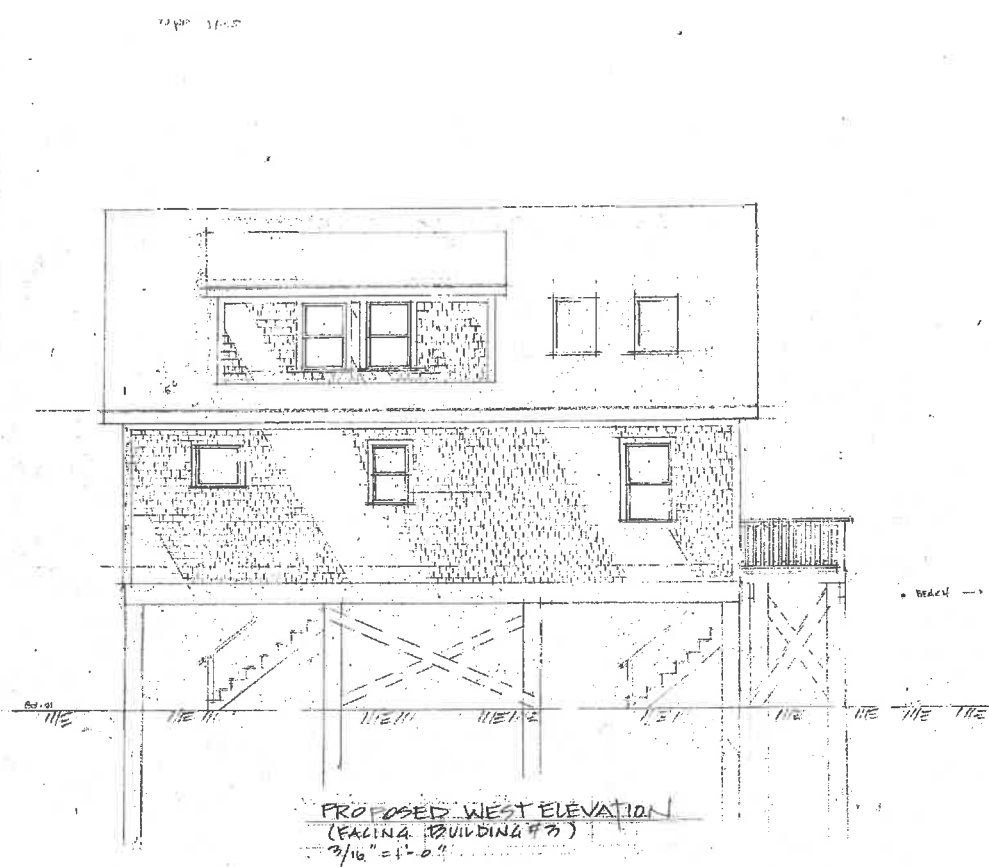
**2-A.1**

me 8  
1908/7



PROPOSED EAST ELEVATION  
 (FACING BUILDING #1)  
 7/16" = 1'-0"

<p>ESTABLISHED ON THE BAY          CONDOMINIUM          NO. 538 GUNPORE ROAD          NORTH TOWN, MA.  <b>BUILDING #1</b>          12051-48859824 YAP 7, REG. 1</p>	<p>William H. Rogers II          Civil Engineers &amp; Land Surveyors          Building and Structural Design          Planning          41 Off Cemetery Road          Provincetown MA 02657          (508) 487-1565 / (508) 487-5809 fax          Email: wmrsg2@verizon.net</p>
<p>PROPOSED          EAST          ELEVATION</p>	
<p>SCALE: 3/16" = 1'-0"          DATE: DEC. 2019          DRAWN: ZL          JOB NO.: 19-0771D          REVISION:</p>	
<p>Z.A.Z</p>	



SEATTLE ON THE BAY  
CONDOMINIUM  
NO. 535 GHOSE ROAD  
NORTH TRURO, MA.  
BUILDING #1

William N. Rogers II  
Civil Engineer & Land Surveyors  
Building and Structural Design  
Planning  
41 Old Cemetery Road  
Provincetown, MA 02657  
(508) 487-1565 / (508) 487-5809 fax  
Email: wnrog2@verizon.net

PROPOSED  
WEST  
ELEVATION

SCALE OF FEET  
0 4 8

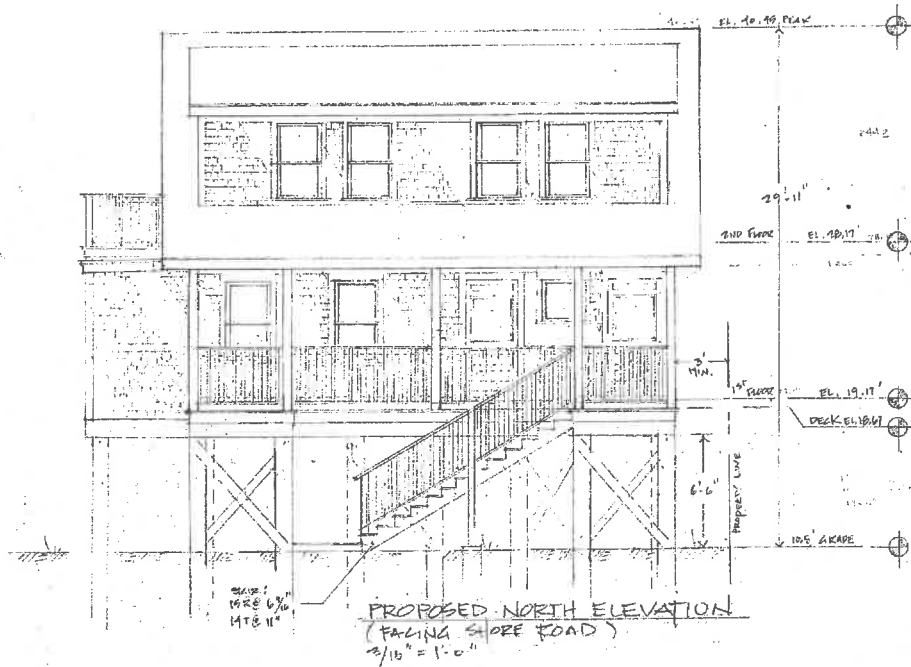
SCALE: 3/16" = 1'-0"  
DATE: Dec. 2018  
DRAWN: [initials]  
JOB NO. T-18-0713D  
REVISION:

2-A-3

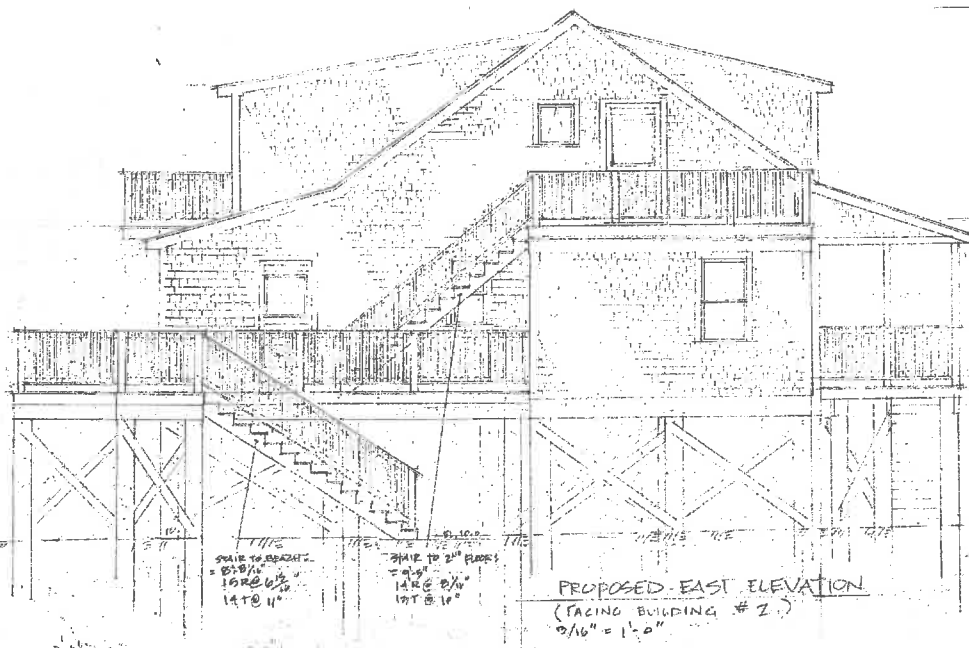








WILFRED N. ROGERS II Civil Engineers & Land Surveyors Building and Structural Design Planning 41 Off Cemetery Road Provincetown MA 02657 (508) 487-1565 / (508) 487-5009 fax Email: wnrrogers2@verizon.net	EBBETTS ON THE BAY CONDOMINIUM NO. 538 RELEASE ROAD NORTON TERRACE, MA BUILDING # 7 RAUF: A3855065-NM-7, MODEL 1
<b>PROPOSED NORTH ELEVATION</b>	
SCALE: 3/16" = 1'-0" DATE: DEC. 2019 DRAWN: JL JOB NO.: T-19-00773-D REVISION:	
<b>B-A.1</b>	



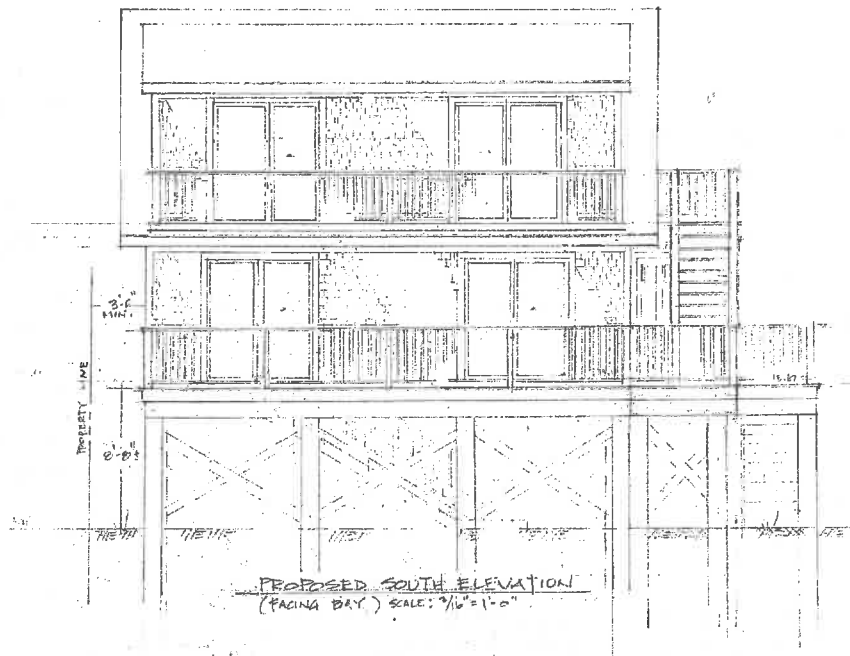
ERBIDE ON THE BAY  
 CONSULTANT  
 NO. 53B ERIE ROAD  
 WILMINGTON, MA.  
 BUILDING # 3  
 DATE: 4/10/19

William N. Rogers II,  
 Civil Engineer & Land Surveyor  
 Building and Structural Design  
 Planning  
 41 Off Cemetery Road  
 Provincetown MA 02657  
 (508) 487-1565 / (508) 487-5009 fax  
 Email: wnr0gers2@verizon.net

PROPOSED  
 EAST  
 ELEVATION

SCALE: 3/16" = 1'-0"  
 DATE: DEC. 2019  
 DRAWN: AL  
 JOB NO. T-19-0779D  
 REVISION:

3-A.2



EBERTIDE OF THE BAY  
 CONDOMINIUM  
 NO. 535 SHORE ROAD  
 NORTON TOWN, MA  
 BUILDING # 3

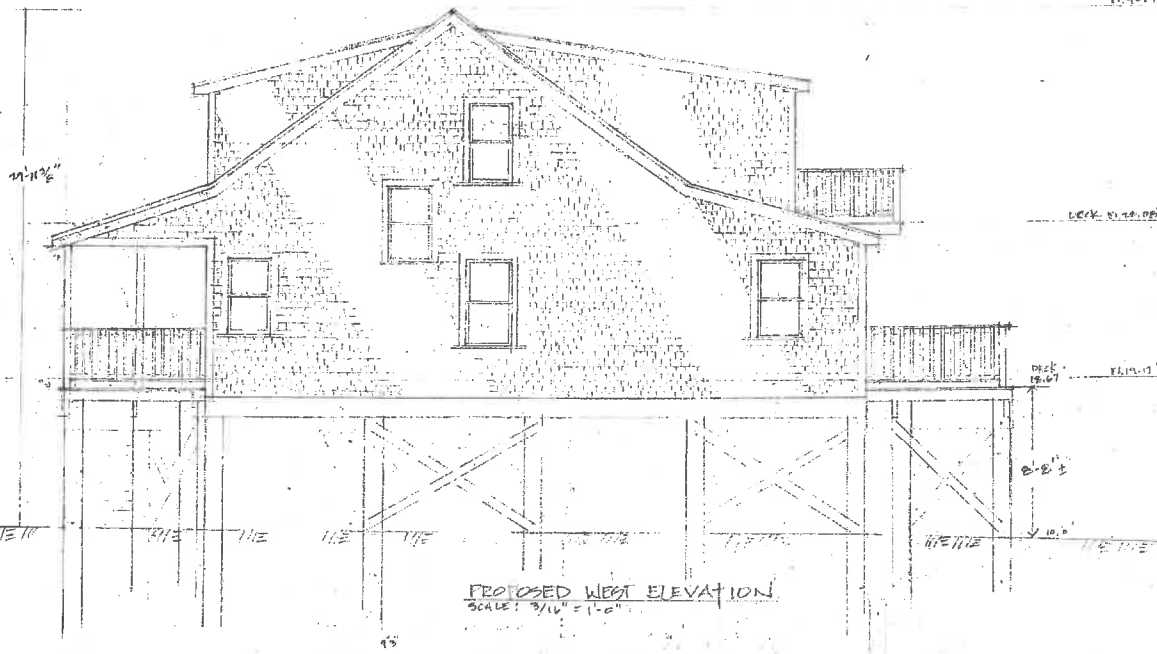
William N. Rogers II,  
 Civil Engineer & Land Surveyor  
 Building and Structural Design  
 Planning  
 41 Old Cemetery Road  
 Provincetown, MA 02657  
 (508) 487-1565 / (508) 487-5809 Fax  
 Email: wnr02@evr-inc.com

PROPOSED  
 SOUTH  
 ELEVATION

SCALE OF FEET  
 0 5 10 15 20

SCALE: 3/16" = 1'-0"  
 DATE: DEC. 2019  
 DRAWN: 41  
 JOB NO.: T-19-0773 D  
 REVISION:

3-A.3



PROPOSED WEST ELEVATION  
SCALE: 3/16" = 1'-0"

EBBETIDE ON THE BAY  
COMBINATION  
NO. 53 B HORSE ROAD  
NORTH TRURO, MA.  
BUILDING # 22  
LAWS: 469-5503, PAR 7, PARCEL 1

William N. Rogers II  
Civil Engineers & Land Surveyors  
Building and Structural Design  
Planning  
41 Off Cemetery Road  
Provincetown, MA 02657  
(508) 487-1565 / (508) 487-5609 fax  
Email: wnr02@verizon.net

PROPOSED  
WEST  
ELEVATION

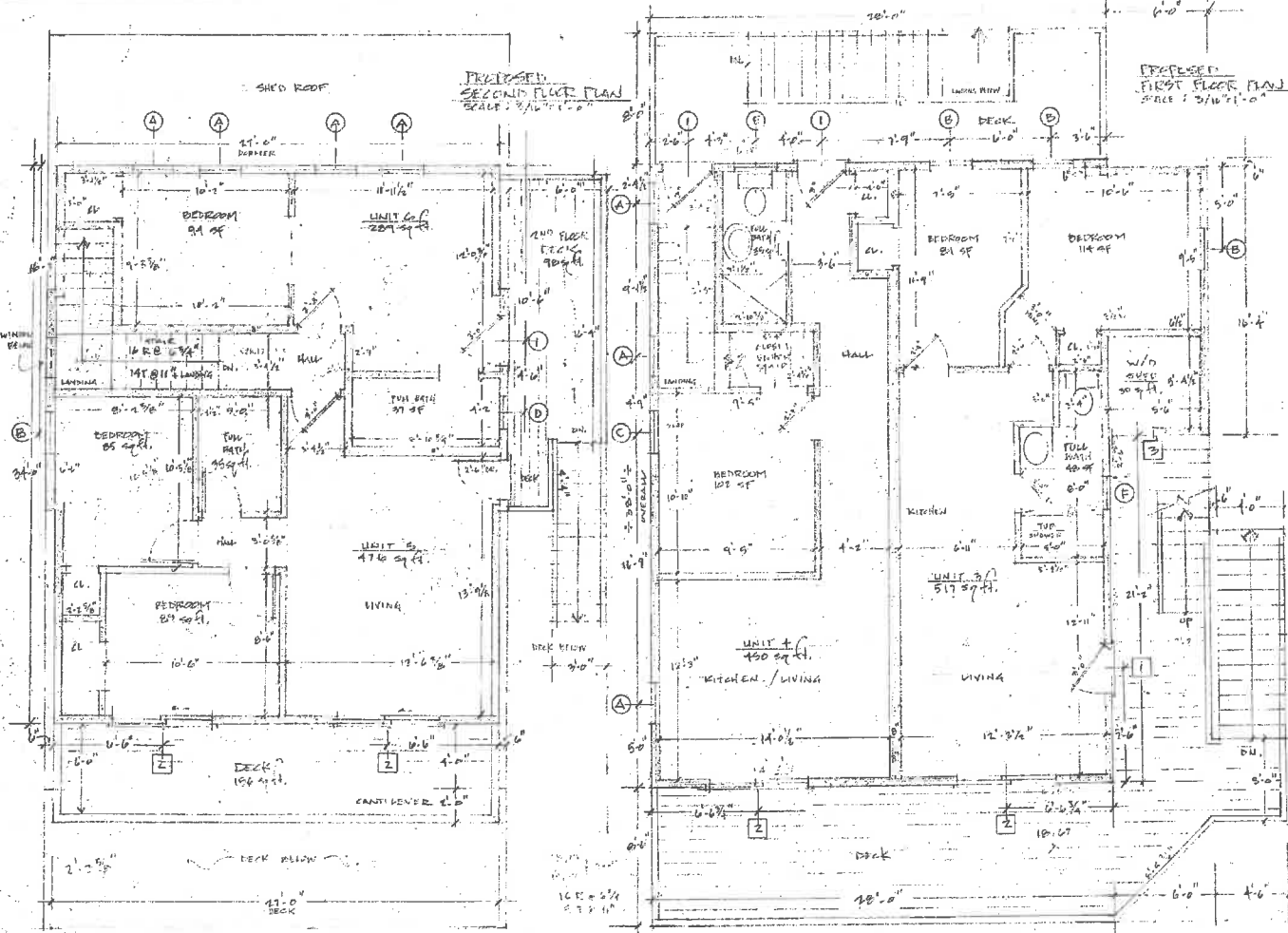
SCALE IN FEET  
0 10 20

SCALE: 3/16" = 1'-0"  
DATE: DEC. 2019  
DRAWN: ZL  
JOB NO.: T-19-07730  
REVISION:

3-A.4

PROPOSED SECOND FLOOR PLAN  
SCALE: 3/16" = 1'-0"

PROPOSED FIRST FLOOR PLAN  
SCALE: 3/16" = 1'-0"



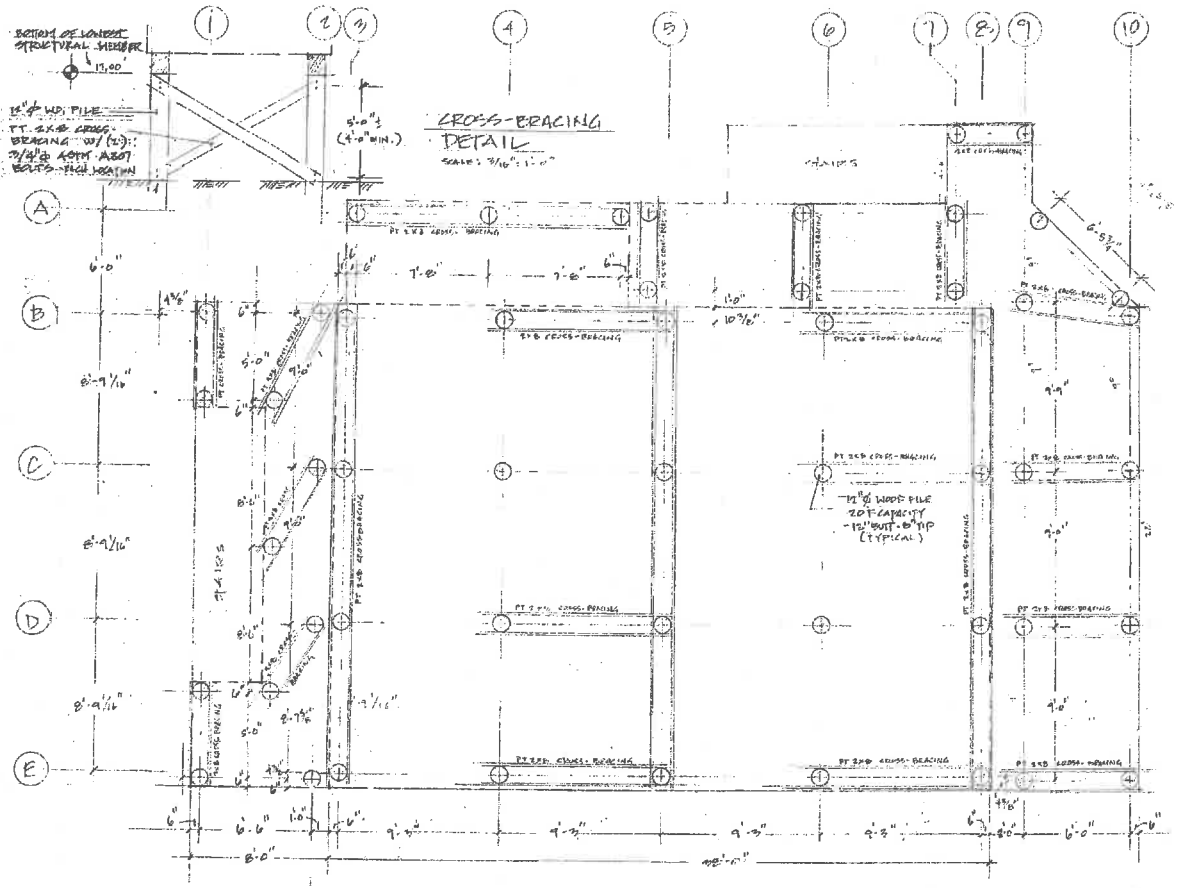
ESTATE ON THE BAY  
 CONDOMINIUM  
 NO. 55B, SHORE ROAD  
 WOBURN TOWN, MA.  
 BUILDING # 7  
 UNIT # 202

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: wnr02@verizon.net

PROPOSED  
 1<sup>ST</sup> & 2<sup>ND</sup>  
 FLOOR PLANS

SCALE: 3/16" = 1'-0"  
 DATE: FEB. 2019  
 DRAWN: AL  
 JOB NO. T-19-0773.D  
 REVISION:

M.A.S



PROPOSED TIMBER PILE FOUNDATION  
SCALE: 3/16" = 1'-0"

North

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**ESTRIDE ON THE BAY**  
 COMMONWEALTH  
 414 95th SHORE ROAD  
 NORFOLK TRURO, MA.  
 BUILDING # 5  
 SCALE: 3/8" = 1'-0"

---

William N. Rogers II  
 Civil Engineers & Structural Surveyors  
 Building and Structural Design  
 Planning  
 41 Off Cemetery Road  
 Provincetown MA 01957  
 (508) 487-1565 / (508) 487-5809 fax  
 Email: wnr02@verizon.net

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**PROPOSED  
 FOUNDATION  
 PLAN**

---

SCALE OF FOOT  
 0 1 2 3 4 5 6 7 8 9 10

SCALE: 3/16" = 1'-0"  
 DATE: DEC. 2019  
 DRAWN: JH  
 JOB NO.: T-19-0773D  
 REVISION:

---

7-A, 6



BUILDING 1  
JAN. 28, 2018



BUILDING 1  
JAN. 9, 2018

538 SHORE ROAD  
DAMAGE PHOTOS 2018 ①



NOTE: EMERGENCY SHORING IN PLACE



BUILDING 1  
JAN. 28, 2018



BUILDING 1  
JAN. 28, 2018

BUILDING 3  
MARCH 18, 2019



13

BUILDING 3  
MARCH 18, 2019



• 538 SHORE ROAD ②  
DAMAGE PHOTO'S 2019



BUILDING 3  
MARCH 18, 2019



BUILDING 2  
MARCH 18, 2019

538 SHORE ROAD  
DAMAGE PHOTOS 10/22 (3)



BUILDING 3 FOUNDATION DAMAGE 12-27-22



BUILDING 3 FOUNDATION DAMAGE FACING BEACH



BETWEEN BLDG. 2 & BLDG. 3 12-27-2022



BUILDING 3 REMAINS OF DECK 12-27-2022



BUILDING 2 FOUNDATION DAMAGE FACING BEACH



BUILDING 1 FOUNDATION DAMAGE - EAST SIDE



BUILDING 2 FOUNDATION DAMAGE - WEST



BUILDING 3 LOOKING WEST - NOTE HOW CLOSE TIDE IS TO BUILDING



BUILDING 1 - LOOKING EAST

**TOWN OF TRURO—ORDER OF CONDITIONS**  
**538 Shore Rd; Map 7, Parcel 7**  
**DEP file # SE 75-1133**  
**Ebbtide Condominiums, APPLICANT/OWNER**

**DOCUMENTS**

1. Notice of Intent application; wetland fee transmittal form; project description; variance request; locus map; abutters list; abutters notice and proof of certified mailing.
2. DEP notice of file number
3. Coastal Dune Restoration and Planting Plan and Construction Protocol by Independent Environmental Consultants (IEP) dated 2/25/2022.
4. Letter from Stan Humphries, 2/4/2022
5. Emails between IEP & the Truro Conservation Agent dated 2/15/2022 and 2/26/2022
6. Email from Janis Baker, et al to the Truro Conservation Commission dated 2/7/2022
7. Existing Site Plan of Land by William N. Rogers, dated September 14, 2020, revised 10/25/2021 with I/A and PD; and Site Plan with revision dated April 14, 2022 showing the access path and Coastal Dune improvements
8. Plan of Land by William N. Rogers, dated 5/14/2021.
9. Elevation & Floor Plans by William N. Rogers, dated December 2019, 1A.1 thru 1A.5; 2A.1 thru 2A.5; 3A.1 thru 3A.6.

**PROJECT DESCRIPTION**

1. The area of this waterfront property on Cape Cod Bay is ~15,681 sf, and it is currently developed with three residential condominium buildings. These 3 buildings are located furthest seaward than other dwellings in their vicinity.
2. Over the past 12 year, the buildings at this location have been impacted by significant storms that have damaged the foundations and have required emergency permitting from the Town to facilitate repairs to the structures. The owners have also added compatible beach sand to the areas adjacent to the foundations annually. Because of these conditions the Commission finds that they can approve the variance request.
3. The work approved includes the demolition of the existing buildings and the construction of new buildings that are elevated to conform with current flood zone standards.
4. The resource areas include the Barrier Beach, Coastal Dune, Coastal Beach and Land Subject to Coastal Storm Flowage.

The Commission determined that the project could be permitted subject to the following special conditions. To the extent that the following conditions modify or differ from the plans, specifications, or other proposals submitted with the Notice of Intent, these conditions shall control.

**CONDITIONS**

**A. Pre-construction**

1. Notice of a work start date shall be given to the Commission in writing at least 48 hours prior to the commencement of work. The applicant or contractor shall provide the name and contact information of the person responsible on site for compliance with this Order.
2. Prior to the commencement of work the following activities shall be completed:
  - The Order of Conditions shall be recorded at the Barnstable County registry of deeds and a stamped copy shall be submitted to the Conservation office.
  - A sign shall be conspicuously displayed at the site showing the DEP file number assigned to this project. The sign shall be 2-3 square feet in size, separately staked and read only: MA DEP file # SE 75-1133. Lettering/numbering shall be clearly and permanently printed, and at least 2" in height.

- A pre-construction site visit shall be scheduled by the applicant's representative and include the project Contractor and the Conservation Agent. During this site visit the Order of Conditions, construction protocols, work limit, access plans and site plan details shall be reviewed.
- 3. Members of the Commission, its Agent or the Department of Environmental Protection (DEP) reserve the right to enter and inspect the property at all reasonable times, until a Certificate of Compliance is issued, to evaluate compliance with this Order of Conditions, the Act, 310 CMR 10.00 and Town regulations, and may acquire any information, measurements, photographs, observations, and/or materials, or may require the submittal of any data or information deemed necessary by the Commission for that evaluation.

**B. Construction & Revegetation**

1. The Coastal Dune Restoration & Planting plan, along with the Construction Protocol, are specifically incorporated into this Order. Annual reporting to the Commission about the Coastal Dune activities are required for the first 3 years after it is established.
2. During the demolition process, all demo materials, such as concrete shall be removed from the site. Any sandbags used during this process, or placed on the site previously, shall also be removed. This condition shall be an ongoing condition to ensure that any debris from this site and from this project shall be removed from the site, and the beach as it's exposed.
3. All project materials shall be delivered and stockpiled within the existing driveway area.
4. The site shall be inspected daily to prevent any wind-blown material from entering the resource area, and all debris or construction material shall be contained in either a covered truck or a covered dumpster to prevent materials from blowing into the resource area.
5. The easement area may be maintained, but activities in this area must occur in conformance with the performance standards of the coastal dune.
6. The proposal to use driven piles is approved. If the Applicant's engineer finds that they can use a less intrusive and impactful method, such as helical piles, then they shall inform the Commission of the change, in writing.
7. The restricted timeframe for the driving of the piles shall be from Nov 1 to April 1.
8. A construction protocol for driving the piles and ensuring the safety of the neighbor's property, shall be submitted to the Building Commissioner prior to the start of work.
9. The mitigation to reestablish a healthy and functioning Coastal Dune on this property is a required part of this project. At a minimum, annual maintenance to add sand, jute netting, snow fencing and beachgrass to maintain and periodically restore the Dune is expected, and annual sand nourishment volumes must be reported to the Conservation department.
10. The parking area at this location shall remain pervious, using crushed stone.
11. All roof run-off shall be channeled to gutters and downspouts and drywells. Drywells must be listed with proper setback from the septic leaching area.
12. The area under the buildings may not be enclosed and may only be used for seasonal/ temporary storage.

**C. General Conditions**

1. Prior to the commencement of work or pre-construction site meeting, the form provided at the end of this Order (part G. "Recording Information") shall be completed and stamped at the appropriate Registry of Deeds, after the expiration of the 10-day appeal period and if no request for appeal has been filed with the Department of Environmental Protection.
2. This document shall be included in all construction contracts, subcontracts, and specifications dealing with the work proposed and shall supersede any conflicting contract

requirements. It is the responsibility of the Applicant, Owner, General Contractor and/or successor(s) to ensure that all Conditions of this Order of Conditions are complied with. A copy of this Order shall be available at the work site, during normal work hours, or posted, until the work is complete.

3. Work shall be halted on the site if the Commission, Conservation Agent or DEP determines that any of the work is not in compliance with this Order of Conditions. Work shall not resume until the Commission is satisfied that the work will comply and has so notified the applicant in writing.
4. **Any changes** in the work described in the Notice of Intent or in the plans and specifications submitted to the Commission shall be submitted to the Commission in writing for a determination of whether the change is significant enough to the interests of the Act to require a new Notice of Intent. **No changes shall be made or implemented in the field** prior to the Commission's determination. Should issuance of additional permits result in a change in the project, the applicant shall promptly submit such changes to the Commission for evaluation under this provision.
5. This Order shall apply to any successor in control or successor in interest of the property described in the Notice of Intent and accompanying plans. These obligations shall be expressed in covenants in all deeds to succeeding owners of portions of the property.
6. **Upon completion of this project the applicant shall submit a request to the Conservation Commission to receive a Certificate of Compliance.** The Applicant or Owner shall certify in writing that the work was completed as shown on the plans and documents referenced above. The applicant is required to submit an as-built plan from a registered professional Engineer, Land surveyor or Sanitarian certifying that the work has been conducted as shown on the plan(s) and documents referenced above and as conditioned by the Commission for the public record.



Massachusetts Department of Environmental Protection  
Bureau of Resource Protection - Wetlands

**WPA Form 5 – Order of Conditions**

Massachusetts Wetlands Protection Act M.G.L. c. 131, §40

Provided by MassDEP;  
SE# 76-1133  
MassDEP File #

eDEP Transaction #

Truro

City/Town

**E. Signatures**

This Order is valid for three years, unless otherwise specified as a special condition pursuant to General Conditions #4, from the date of issuance.

May 19, 2022

1. Date of Issuance

Please indicate the number of members who will sign this form.

This Order must be signed by a majority of the Conservation Commission.

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2. Number of Signers

The Order must be mailed by certified mail (return receipt requested) or hand delivered to the applicant. A copy also must be mailed or hand delivered at the same time to the appropriate Department of Environmental Protection Regional Office, if not filing electronically, and the property owner, if different from applicant.

[Signature]  
Signature

Robert M. White  
Printed Name

[Signature]  
Signature

[Signature]  
Printed Name

[Signature]  
Signature

DIANE MASSINGYM  
Printed Name

[Signature]  
Signature

[Signature]  
Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

Signature

Printed Name

by hand delivery on

by certified mail, return receipt requested, on

Date

May 19, 2022  
Date

Project Narrative / Construction Protocol  
Ebb Tide Condominium, 538 Shore Road, North Truro

The proposed project at 538 Shore Road will follow all of the approved Conditions and Special Conditions required by the Truro Conservation Commission. Prior to the commencement of any work activities, the project contractor, the project engineer, and the Truro Conservation Commission Agent will meet onsite to review the approved site plans and the approved Order of Conditions. No work will commence until this onsite meeting occurs with the Truro Conservation Commission Agent.

1. Installation of erosion controls at the limit of work lines, and the installation of temporary plastic fencing to prevent debris from blowing into the coastal dune, coastal beach, and the marine/tidal waters of Cape Cod Bay.
2. The existing pedestrian easement and pathway leading to the coastal beach and Cape Cod Bay, which is located at the location of the 3 buildings within this property will be maintained, kept open, to provide safe pedestrian access to the coastal beach and Cape Cod Bay, for all of the subject property owners and guests (Ebb Tide), and all of the abutting property owners, who have rights to this subject pathway area leading to the coastal beach and Cape Cod Bay. There will be no obstruction of this access pathway to the beach, from any construction activities associated with the building construction located at 538 Shore Road (Ebb Tide Condominium). The beach access path must remain clear and open at all times.
3. All access for construction workers, vehicles, and equipment will be from Shore Road, for this proposed project. All construction workers must stay off of the primary coastal dune wetland resource areas.
4. Demolition and removal of the three existing buildings onsite at 538 Shore Road will be completed first within this site. All construction equipment required for the required demolition of the existing buildings and the removal of the demolished building materials from the property will access the site from Shore Road. A large front-end loader and large dump truck will be utilized to remove the old building structures. The removal of all demolished building materials includes the use of a dump truck to take the materials to a proper off-property location (upland location), for the proper disposal of the construction materials and debris.
5. Proper installation of the required piles for the new flood-compliant structures will occur next. Construction of the 3 new flood-compliant buildings, and wooden decks will follow after the installation of the required pilings.
6. Proper removal of old septic system components will occur next. Proper installation of the proposed Title 5 septic system (FAST system) and leaching field, located as close to Shore Road as possible will be completed next.
7. Installation of the new sand and shell parking area located landward of the buildings towards Shore Road will be done next.



8. Restoration of the primary coastal dune, and the dune profile located just seaward of the new buildings and pilings, showing existing and proposed dune elevations, the volume of sand required to match the contours at the property lines and at the existing easement area (beach access), with suitable sand (color, grain size, texture), planting of the dune with American Beach Grass, Bayberry shrubs, and Beach Plum shrubs. A plan for monitoring and maintaining the primary coastal dune within this subject property. Match the existing elevations of the coastal dune located at the property lines. Monitoring of the new coastal dune and the native dune plantings will occur next, with annual reports submitted to the Truro Conservation Commission.

9. The project contractor is responsible for making sure that the subject building site is kept clean and free of trash and debris. It is the responsibility of the project contractor to keep the building site clean on a daily basis, to prevent any trash and/or debris from blowing into the abutting property owners lands, into Shore Road and the properties (Sutton Place) located on the other side of Shore Road, or into the protected coastal wetland resource areas and/or wetland buffer zones, including the primary coastal dune, the coastal beach, and the marine/tidal waters of Cape Cod Bay.

10. At the completion of the project, a Request for a Final Certificate of Compliance will be submitted to the Truro Conservation Commission.



# Bayport Collection Dark Sky 7 3/4" High Outdoor Porch Wall Light

ADD TO CART

Home / Outdoor Lighting / Wall Light / 10 in. high or less / Bronze / Style # M5911



## Bayport Collection Dark Sky 7 3/4" High Outdoor Porch Wall Light

4 Reviews

FREE SHIPPING & FREE RETURNS\* | [Low Price Guarantee](#)

[Ships in 6 to 10 Days](#)

1

ADD TO CART

SAVE

### Good To Know

Dark Sky



DESIGN CHAT

### Product Details

The Bayport Dark Sky outdoor porch light comes in a rich bronze finish and is Dark Sky rated.

#### Additional Info:

The Bayport Collection of exterior lighting offers subtle, handsome styling. This design was created according to Dark Sky standards for preserving the nighttime environment. Bayport lights offer casual charm with a seaside feel. This outdoor wall light features a bronze finish. Illuminate your outdoor spaces with this simple, distinctive fixture.

*Designers Fountain*  
Distinctive Lighting

[Shop all Designers Fountain](#)

- 7 3/4" high x 7" wide. Extends 8" from the wall.
- Uses one maximum 100 watt standard-medium base bulb (not included).
- Bayport Collection outdoor wall light from Designers Fountain. Features an industrial or barn light look.
- Bronze finish. Cast aluminum construction.
- Wet location outdoor rated, Dark Sky compliant.

### SPECIFICATIONS

#### PRODUCT ATTRIBUTES

Finish	Bronze
Style	Farmhouse
Brand	Designers Fountain
Dark Sky	Yes

#### TECHNICAL SPECIFICATIONS

Height	7.75 inches
Width	7.00 inches