



Truro Planning Board Agenda

Remote Meeting

Wednesday, July 13, 2022 – 5:00 pm

www.truro-ma.gov

Open Meeting

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

Citizens can join the meeting to listen and provide public comment by entering the meeting link; clicking on the Agenda's highlighted link; clicking on the meeting date in the Event Calendar; or by calling in toll free at [1-866-899-4679](tel:1-866-899-4679) and entering the access code [210-053-589#](tel:210-053-589#) when prompted. Citizens will be muted upon entering the meeting until the public comment portion of the hearing. If you are joining the meeting while watching the television broadcast/live stream, please lower or mute the volume on your computer or television during public comment so that you may be heard clearly. Citizens may also provide written comment via postal mail or by emailing Liz Sturdy, Planning Department Administrator, at esturdy@truro-ma.gov.

Meeting link: <https://meet.goto.com/210053589>

Public Comment Period

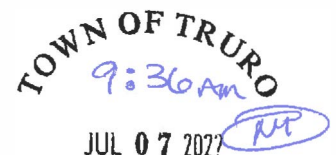
The Commonwealth's Open Meeting Law limits any discussion by members of the Board of an issue raised to whether that issue should be placed on a future agenda. Speakers are limited to no more than 5 minutes.

1. Planner Report

2. Chair Report

3. Temporary Sign Permit Applications

Chuck Steinman – Friends of the Truro Meeting House, requesting one (1) sign, 3' x 9'8", to be located at 3 First Parish Lane and Town Hall Road. The sign will be installed on July 11th and removed August 30th.



Public Hearings – Continued

2022-004/SPR – Outer Shore Nominee Trust, Rachel Kalin, Trustee for property located at 17 Coast Guard Road (Atlas Map 34, Parcel 3, Registry of Deeds title reference: Book 34387, Page 1). Applicant seeks Residential Site Plan Review under §70 of the Truro Zoning Bylaw for a lot in the Scashore District. Demolition of 5 of 6 pre-existing, non-conforming cottages (multiple dwellings on a lot) and associated structures; construction of a new one-story single-family dwelling with pool and landscaping; renovation of remaining cottage. [Material in 4/20/2022, 5/18/2022, 6/8/2022, and 6/22/2022 packets] {New material included in this packet}

Potential Warrant Articles

- ◆ Outreach


Minutes

- ◆ May 18, 2022

Work Session: Wednesday, July 20, 2022 at 5:00 pm

Next Meeting: Wednesday, July 27, 2022 at 5:00 pm

Adjourn

TOWN OF TRURO
9:36 Am
JUL 07 2022 
RECEIVED
TOWN CLERK



TOWN OF TRURO

Planning Department
P.O. Box 2030, Truro, MA 02666
508-214-0928 Fax: 508-349-5505

To: Truro Planning Board

From: Barbara Carboni, Town Planner and Land Use Counsel

Date: July 12, 2022

Re: July 13, 2022 meeting

CONTINUED PUBLIC HEARING:

2022-004/SPR –Outer Shore Nominee Trust, Rachel Kalin, Trustee, for property located at 17 Coast Guard Road (Map 34, Parcel 3). Applicants seek Residential Site Plan Review under s. 70 of the Zoning Bylaw for a lot in the Seashore District. Applicants propose demolition of 5 of 6 nonconforming cottages (multiple dwellings on a lot) and associated structures; construction of a new one-story single-family dwelling with pool and landscaping; and renovation of remaining cottage.

Recap: At its meeting on June 22, 2022, the Board reviewed revised plans submitted by the applicant on May 11, 2022, which depicted the dwelling as containing a reduction in Gross Floor Area (from 5,260 sq. ft. to 4,779 sq ft.); the square footage of the structure itself did not change. The Board was not inclined to approve this version, and applicant’s counsel asked for a continuance until this meeting date to revisit design. It was noted that plans depict a railing on top of the upper floor exceeding the Bylaw height limit, which would require a variance from the ZBA.

Update: Revised Plans

On July 5, 2022, the applicant submitted revised site plans, elevations, floor plans and grading calculations. In this iteration of the project, areas around the foundation will be regraded so as “to decrease lower level wall exposure . . . reduc[ing] the amount of the structure exposed and visible, thereby reducing visible massing.” See letter from counsel dated July 5, 2022, p.1. Certain areas on the lower level previously identified as mechanical areas are now “crawl space,” and lower level bedroom walkouts have been eliminated. Counsel suggests that “[t]he habitable portion of the structure above ground and most visible is reduced to under 3,000 square feet, and the majority of the lower level is effectively screened by grading.” See July 5, 2022 letter at p.2. Counsel further states that a screen porch on the main level has been reduced in area by 224 feet (dimensions not indicated on floor plans) and roof lowered by 2’6””; in addition, the roof deck has been relocated to the top of this screen porch. Counsel states that the height of the railing is 22’6” above average grade and thus a height variance is no longer needed.

In a memo to the Building Commissioner, counsel states that with the proposed regrading, three of the four walls of the lower floor will have “not more than one-half of [their] height above mean ground level.” See Memo from applicant’s counsel to Building Commissioner dated July 5, 2022. Counsel suggests that this will render the lower floor a “basement” as defined in the Zoning Bylaw.¹ Counsel further suggests that “as a basement, none of the lower floor area is counted as Seashore District Total Gross Floor Area.” See Memo dated July 5, 2022. This argument is premised on language in the Bylaw definition, which excludes “cellar and basement floor area” from calculation of Gross Floor Area.² As suggested by counsel, if the lower level is not included, the Gross Floor Area of the dwelling is 2,990 square feet, under the by-right limit.³ See July 5, 2022 memo at p.2.

The Building Commissioner does not share this view. See email to counsel dated July 6, 2022. In the Commissioner’s view, finished, habitable space in a basement is included in calculating Seashore District Gross Floor Area. This means that a special permit is required to exceed the by-right Gross Floor Area of 4,260. See n.3 below. According to the zoning table provided on sheet C2.1.2, the Gross Floor Area of the dwelling – presumably including the habitable area of the lower level – is 4,760 square feet (500 square feet over by-right maximum).

However, the issue of whether Gross Floor Area may be exceeded is before the ZBA, and to an extent, the argument above regarding Bylaw interpretation is a distraction. The issue before this Board is whether the proposal meets the Review Criteria of Bylaw s. 70.4.D.

¹ “**Basement**. An area which may have its full height above ground level on not more than one side, and which may have not more than one-half of its height above mean ground level on any other side. A basement shall not be counted as a story.”

² “**Seashore District Total Gross Floor Area**. The aggregate gross floor area of the dwelling and accessory structures on a lot within the Seashore District, shall consist of the sum of the horizontal areas of the floor(s) of a building measured from the exterior faces of the exterior walls of the building, without deduction for hallways, stairs, closets, and thickness of walls, columns or other features used or intended to be used for living, sleeping, sanitation, cooking or eating purposes, **excluding cellar and basement floor area**, garage, porches, decks, attics, barns, sheds, greenhouses and agricultural buildings. For the purposes of computing floor area, any portion of the floor area measuring less than five feet from the finished floor to the finished ceiling shall not be included in the computation of floor area.” [emphasis added]

Counsel contrasts this with the Bylaw definition of Total Gross Floor Area for the Residential District, which excludes “cellar, **unfinished** basement floor area” [emphasis added].

³ Counsel’s memo states that the property allows a by-right total gross floor area of 5,260 square feet. See July 5, 2022 memo at p.2. This is incorrect; as previously stated by counsel (and as indicated in the zoning table on sheet C2.1.2), the by-right figure is 4,260 square feet (3600 as of right plus 660 based on 3.2 additional acres over 3.0). With a special permit from the ZBA, the maximum Gross Floor Area is 5,260.

Application of Review Criteria under s. 70.4.D

The Board has in its discussions focused on s. 70.4.D.2:

“Building Design and Landscaping. Proposed development shall be consistent with the prevailing character and scale of the buildings and structures in the neighborhood through the use of appropriate scale, massing, building materials, screening, lighting and other architectural techniques.”

In this case, the applicant’s most recent proposal is an effort to address the size and scale of the dwelling in relation to the neighborhood. It does so, as the Bylaw suggests, through “the use of appropriate. . . architectural techniques,” specifically, reducing the visible massing of the structure through regrading around the foundation and lower level; relocating/lowering the roof deck; and reducing volume of the screen porch. See s. 70.4.D.2 above and elevations on sheet A201. In combination with the already low profile of the building, these changes constitute appropriate use of “architectural techniques” to modify the visual impact of the structure consistent with the Zoning Bylaw. In consideration such modifications to the visible impact of the structure, the Board may also consider the size of the parcel (over 6 acres) and lack of visibility from the street.

TOWN OF TRURO
Chk # 823
\$ 50.00



TOWN OF TRURO

PLANNING BOARD

JUL 06 2022

Application for Temporary Sign Permit

Pursuant to Section 11 of the Truro Sign Code

Fee: \$25.00

RECEIVED
TOWN CLERK
Applicant Name: _____

Friends of the Truro Meeting House

Date: July 5, 2022

Applicant Contact Information: _____

PO Box 149, Truro, MA 02666

617-974-1613

Mailing Address
c.e.steinman@comcast.net

Phone

Email

Number of Signs Requested: _____

one

Temporary Sign Dimensions: Height _____

3'0"

Width _____

9'8"

Please attach a "to scale" copy
of the proposed sign(s)

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

3 First Parish Lane at Town Hall Road

Map(s): _____

46

Parcel(s): _____

278-0

Please use additional sheet(s) for multiple locations

Date(s) of the Event in Which the Sign is Intended: _____

July 11, 18 and 24

Date When Sign(s) will be Installed: _____

July 11, 2022

Removed: _____

July 31, 2022

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

First Congregational Parish

PO Box 149, Truro, MA 02666

Name

781-875-1884 (cell 617-763-3163)

Mailing Address

jonnarts1@gmail.com

Phone

Email

Applicant Signature

July 5, 2022

Applicant Printed Name

Charles E. Steinman

Date

Owner Signature

(which also authorizes the use of the property).

July 5, 2022

Owner Printed Name

Jonna Sundberg, Moderator

Date

Planning Board Action: **Approved** _____

Approved w/Conditions _____

Denied _____

Conditions: _____

Board Signature: _____

Title

Date: _____

cc: Building Commissioner, Select Board

Revised August 2019

TOWN OF TRURO
TOWN OF TRURO



PLANNING BOARD

JUL 06 2022

Application for Temporary Sign Permit

Pursuant to Section 11 of the Truro Sign Code

Fee: \$25.00

RECEIVED
TOWN CLERK
Applicant Name: _____

Friends of the Truro Meeting House

Date: July 5, 2022

Applicant Contact Information: _____
PO Box 149, Truro, MA 02666

617-974-1613
Mailing Address: c.e.steinman@comcast.net

Phone: _____ Email: _____

Number of Signs Requested: one

Temporary Sign Dimensions: Height 3'0" Width 9'8" *Please attach a "to scale" copy of the proposed sign(s)*

Location(s) of Proposed Temporary Sign(s): 3 First Parish Lane at Town Hall Road

Map(s): 46 Parcel(s): 278-0 *Please use additional sheet(s) for multiple locations*

Date(s) of the Event in Which the Sign is Intended: Month of August (1, 8, 14, and 21)

Date When Sign(s) will be: Installed: August 1, 2022 Removed: August 30, 2021

Name and Address of Property Owner(s) Where Temporary Sign(s) to be located:
First Congregational Parish PO Box 149, Truro, MA 02666

Name: 781-875-1884 (cell 617-763-3163) Mailing Address: jonnarts1@gmail.com

Phone: _____ Email: _____

Applicant Signature: *Charles E. Steinman* July 5, 2022
Applicant Printed Name: Charles E. Steinman Date

Owner Signature: *Jonna B. Sundberg* July 5, 2022
(which also authorizes the use of the property) Date
Owner Printed Name: Jonna Sundberg, Moderator

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

Conditions: _____

Board Signature: _____ Title _____ Date: _____

cc: Building Commissioner, Select Board



TOWN OF TRURO

Meeting House Proposed Sign Location

Truro, MA



June 19, 2021

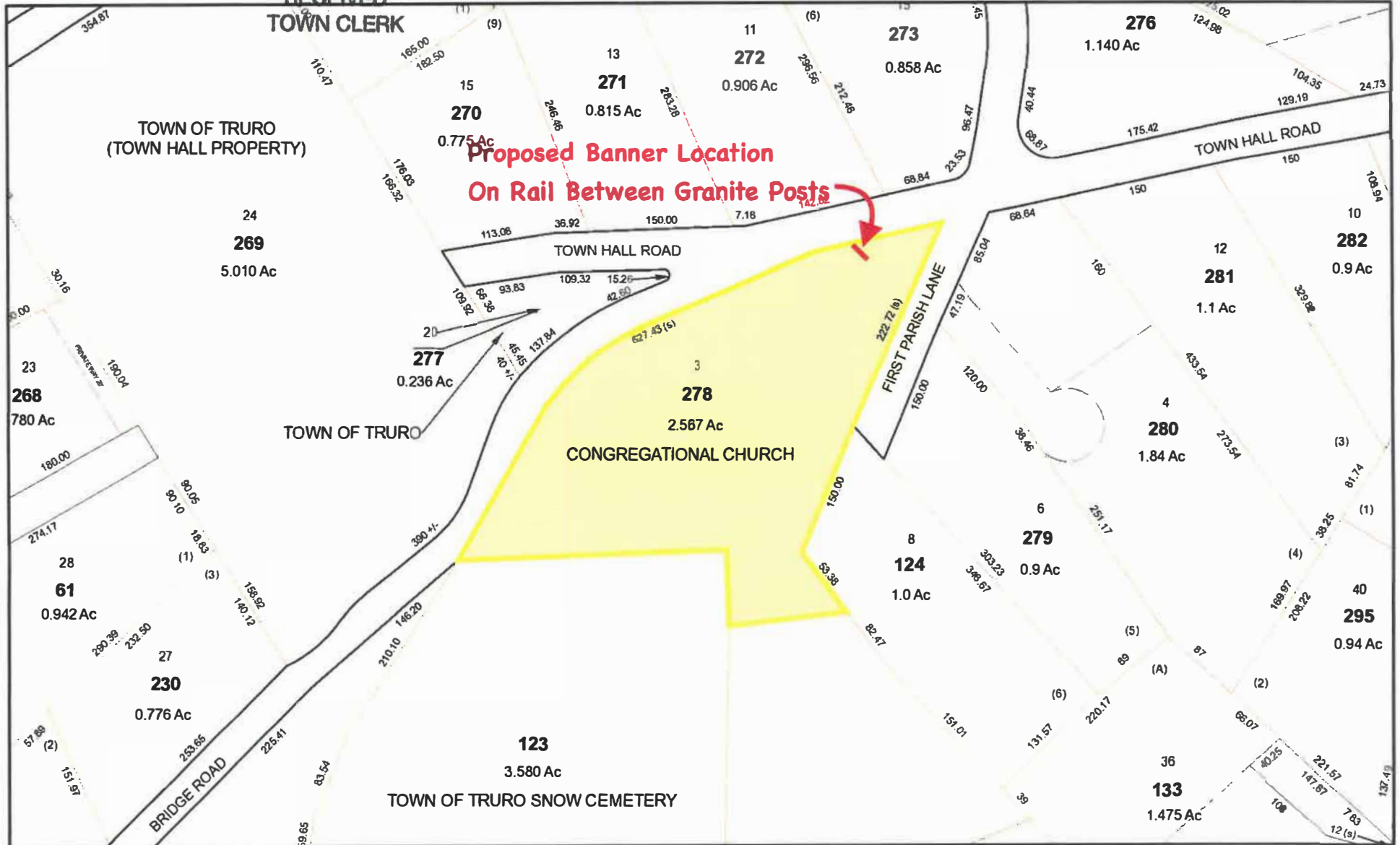
JUL 06 2022

1 inch = 139 Feet

www.cai-tech.com



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TOWN CLERK

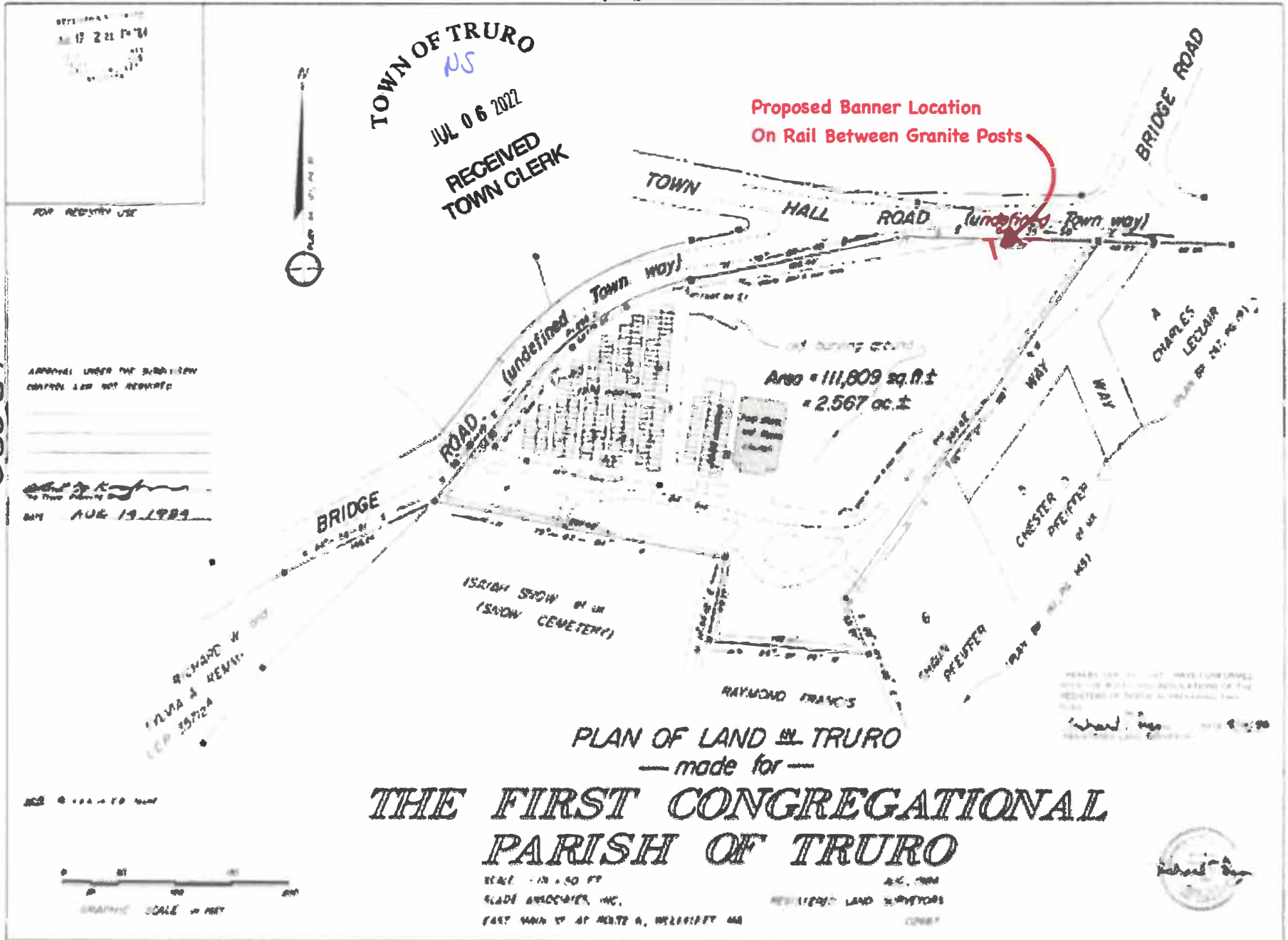


Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

**Friends of the Truro Meeting House Proposed Banner Location,
3 First Parish Lane at Town Hall Road**

BOOK **386** PAGE **34**

386-34



9' 8"

3' 0"



Summer 2022 Events at the Meeting House

Monday July 11, 7 pm: Concert
Sentimental Journey Big Band

Monday, July 18, 5 pm: Book Readings
Sign up on our website to participate

Sunday, July 24, 5 pm: Talk
Richard Hersh: Failure of Higher Education

Monday, Aug 1, 7 pm: Talk
Tim Richards: Truro Tide Mill

Monday, Aug 8, 7 pm: Talk
Stephen Kendrick: "Nine Days to Save the Life of Martin Luther King and Win the 1960 Election"

Sunday, Aug 14, 7 pm: Talk
David Corn: Our Nation in Crisis

Sunday, Aug 21, 7 pm: Concert
Hyannis Sound: college a cappella singers

For more information, go to:

www.truromeeetinghousefriends.com/events/

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JUL 06 2022

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TOWN CLERK



Elizabeth Sturdy

From: Barbara Carboni
Sent: Monday, July 11, 2022 12:09 PM
To: Elizabeth Sturdy
Subject: FW: Some text I was working on before

Hi Liz,

Below is an opinion from Rich in response to query by Ben on gross floor area for 17 Coast Guard. Could you please distribute and add to packet?

Thanks
Barbara

Barbara Carboni
Truro Town Planner and Land Use Counsel
(508) 214 0928

From: Benjamin Zehnder <bzehnder@zehnderllc.com>
Sent: Wednesday, July 6, 2022 10:06 AM
To: Rich Stevens <rstevens@truro-ma.gov>
Cc: Barbara Carboni <bcarboni@truro-ma.gov>; Arozana Davis <ADavis@truro-ma.gov>; Lynne Budnick <LBudnick@truro-ma.gov>; Nina Richey <nrichey@truro-ma.gov>
Subject: Re: Some text I was working on before

Thanks Rich. Ben

Ben Zehnder
Benjamin E. Zehnder LLC
62 Route 6A, Unit B, Orleans, MA 02653
508.255.7766- office
508.246.4064 - mobile
bzehnder@zehnderllc.com
Sent from my iPhone

On Jul 6, 2022, at 9:10 AM, Rich Stevens <rstevens@truro-ma.gov> wrote:

Good Morning Ben,
Thank you for all that info. It seems that this is a moot point if the total " Habitable " space is under what would be allowed by right and no relief would be required.
However, I think your argument regarding " basement " is misguided.
Generally, a " basement " is the lowest UNFINISHED area of a dwelling containing utilities etc. and contains no Habitable space. The fact that habitable space happens to be in part of a Basement or Cellar area does not negate including that calculation in overall square foot calculations in any zoning district. The Seashore District Total Gross Floor Area definition states in part : shall consist of the sum of " other features used or intended to be used for living, sleeping, sanitation, cooking or eating purposes " . Traditional " Basement " and " Cellar " areas (unfinished) would not be included in gross floor Area calculations. However, once finished, in my opinion that area is to be included in the calculation just as any other habitable floor area would be.

Again, a moot point if total sq. ft. (including “ basement “) is below what is allowed by right.....pew!

Regards,

Richard Stevens
Building Commissioner

From: Benjamin Zehnder <bzehnder@zehnderllc.com>

Sent: Tuesday, July 5, 2022 3:00 PM

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

Cc: Barbara Carboni <bcarboni@truro-ma.gov>; Arozana Davis <ADavis@truro-ma.gov>

Subject: RE: Some text I was working on before

Hi Rich:

Please see my letter to the Planning Board and my memo to you attached. I will call you about this request for your determination whether this project needs zoning relief as revised.

My best,

Ben

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

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

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Benjamin E. Zehnder LLC

62 Route 6A, Suite B
Orleans, Massachusetts 02653

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

July 5, 2022

Kaci Fullerton, Town Clerk
Anne Greenbaum, Chair – Truro Planning Board
Truro Town Hall
24 Town Hall Road
Truro, MA 02666 Via Hand Delivery

Re: 2022-004/SPR- Outer Shore Nominee Trust, Rachel Kalin, Trustee
17 Coast Guard Road (34-3)

Dear Ms. Fullerton and Ms. Greenbaum:

I have enclosed ten copies of the following supplemental filing materials regarding the above matter in advance of the July 13, 2022 continued hearing of the matter by the Planning Board:

1. Revised Site Plan dated 7.5.22.
2. Revised elevations and floor plans dated 7.5.22.
3. Engineer's stamped grading calculations.

Revisions to the project as described in these materials include the following:

1. Revised grading at the south and west sides of the new foundation in order to maintain grades at the foundation to decrease lower level wall exposure. This reduces the amount of the structure exposed and visible, thereby reducing visual massing;
2. 2,208 square feet of the previous full foundation "Unfinished Mechanical" sections of the lower level have been revised to comprise crawl space with a height above floor of approximately 5'1.75." This is an approximately 80% reduction in usable foundation area and reduces the overall mass of the full foundation. 447 square feet of foundation has been retained as mechanical space.
3. Lower level bedroom walkouts have been eliminated. This will reduce activity on the south side of the dwelling.
4. The north/south side main level screen porch has been reduced in size by 224 square feet and its roof has been lowered by 2'6." This reduces the volume of the screen porch by 40% and breaks up the visual mass of the

main level. This reduction also eliminates the deck overhang on the west side of the building.


5. The main level roof deck has been relocated to the top of the lowered screen porch, thereby lowering the roof deck top of railing to 22'6" above average grade. This obviates the need for any zoning variance as well as lowers the visual element of the roof deck and railing.

The habitable portion of the structure above ground and most visible is reduced to under 3,000 square feet on this very large lot, and the majority of the lower level is effectively screened by grading. Additionally, I believe that the grading revisions eliminate the lower level habitable floor areas from the technical National Seashore Total Gross Floor Area calculations. This brings the dwelling in at 1,270 square feet below the by-right allowance of 4,260 square feet and well within size parameters established by the Bylaw. I have attached my separate memo to the Building Commissioner for your review in connection with your upcoming hearing.

We are hopeful that with these several revisions to reduce the size and massing of the dwelling, in addition to the prior reduction of approximately 400 square feet in the first floor area, the Planning Board will find that the current proposal on this uniquely large (6.30 Ac) lot with minimal to no visibility from public street or beach, is consistent with the Bylaw requirements and will approve a Residential Site Plan Review Special Permit at its July 13 hearing.

Thank you for your attention.

Very truly yours,



Benjamin E. Zehnder

ENC.

cc via email only:

client

Richard Stevens, Building Commissioner


Barbara Carboni, Land Use Counsel / Town Planner

Benjamin E. Zehnder LLC

62 Route 6A, Suite B
Orleans, Massachusetts 02653

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

MEMO

TO: Richard Stevens, Truro Building Commissioner
FROM: Ben Zehnder 
DATE: July 5, 2022
RE: Outer Shore Nominee Trust, Rachel Kalin, Trustee
17 Coast Guard Road (34-3)

Hello Rich:

This project has obtained Conservation Commission approval and is in the process of seeking Planning Board Residential Site Plan Review approval. Our clients have redesigned this project to address Planning Board concerns about the size of the dwelling. In this effort they have also proposed to adjust grading at the foundation/lower floor level. I have attached elevations and civil engineered calculations showing that there will be one wall fully exposed and the remaining three walls will have no more than one-half their height above mean ground level.

I believe that with these adjustments, the lower level meets the definition of "basement" as set forth in the Truro Zoning Bylaw as follows:

Basement. An area which may have its full height above ground level on not more than one side, and which may have not more than one-half of its height above mean ground level on any other side. A basement shall not be counted as a story.

I also believe that as a basement, none of the lower level floor area is counted as Seashore District Total Gross Floor Area, which is defined in the Bylaw as:

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

The definition clearly excludes all basement floor area from the calculation, in comparison

to the Bylaw definition of Total Gross Floor Area for the Residential District:

Total Gross Floor Area for the Residential District. The aggregate gross floor area of any dwelling and accessory structures on a Residential District lot within the Town of Truro, shall consist of the sum of the horizontal areas of the floor(s) of a building measured from the exterior faces of the exterior walls of the building, without deduction for hallways, stairs, closets, and thickness of walls, columns or other features used or intended to be used for living, sleeping, sanitation, cooking or eating purposes, excluding cellar, unfinished basement floor area, detached garages, porches, decks, attics, barns, greenhouses, sheds, and structures used for agricultural purposes only. (emphasis added)

The property size calculates a permissible by-right total gross floor area of 5,260 square feet. If the basement floor area is not included, the Seashore District Total Gross Floor Area of the dwelling is 2,990 square feet. As this is under the by-right allowance, and since the project meets use, lot area, frontage height and setback requirements, I believe that the project does not require any Board of Appeals approval.

We have a continued Planning Board hearing on this matter on July 13, 2022 and I would very much appreciate your determination in this regard for the Board's review.

Please call or email me anytime.

My thanks and regards,



Ben Zehnder

ENC.

cc via email only:

client

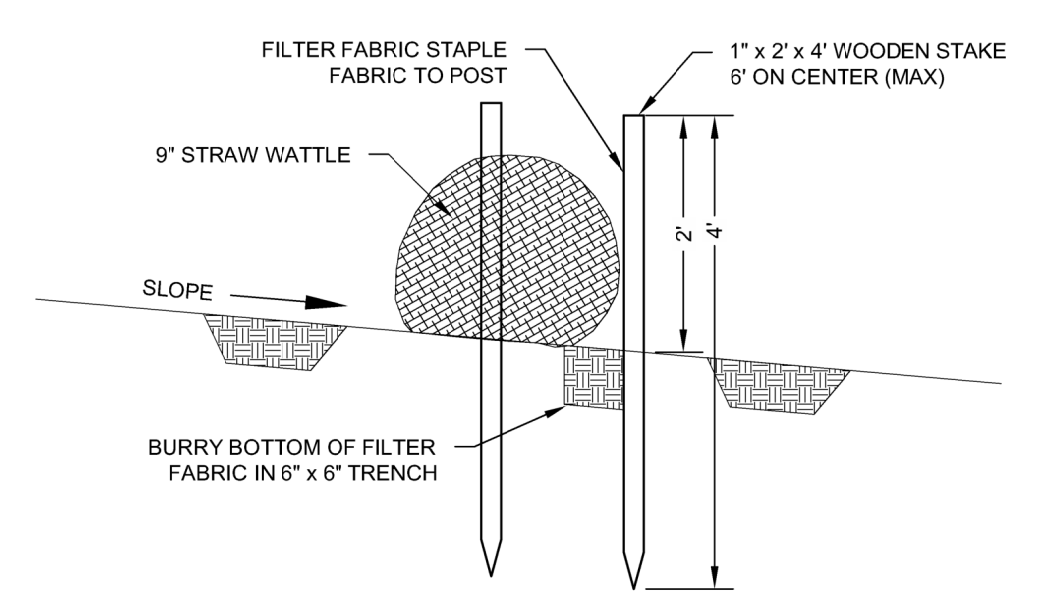
Richard Stevens, Building Commissioner

Barbara Carboni, Land Use Counsel / Town Planner

ZONING TABLE

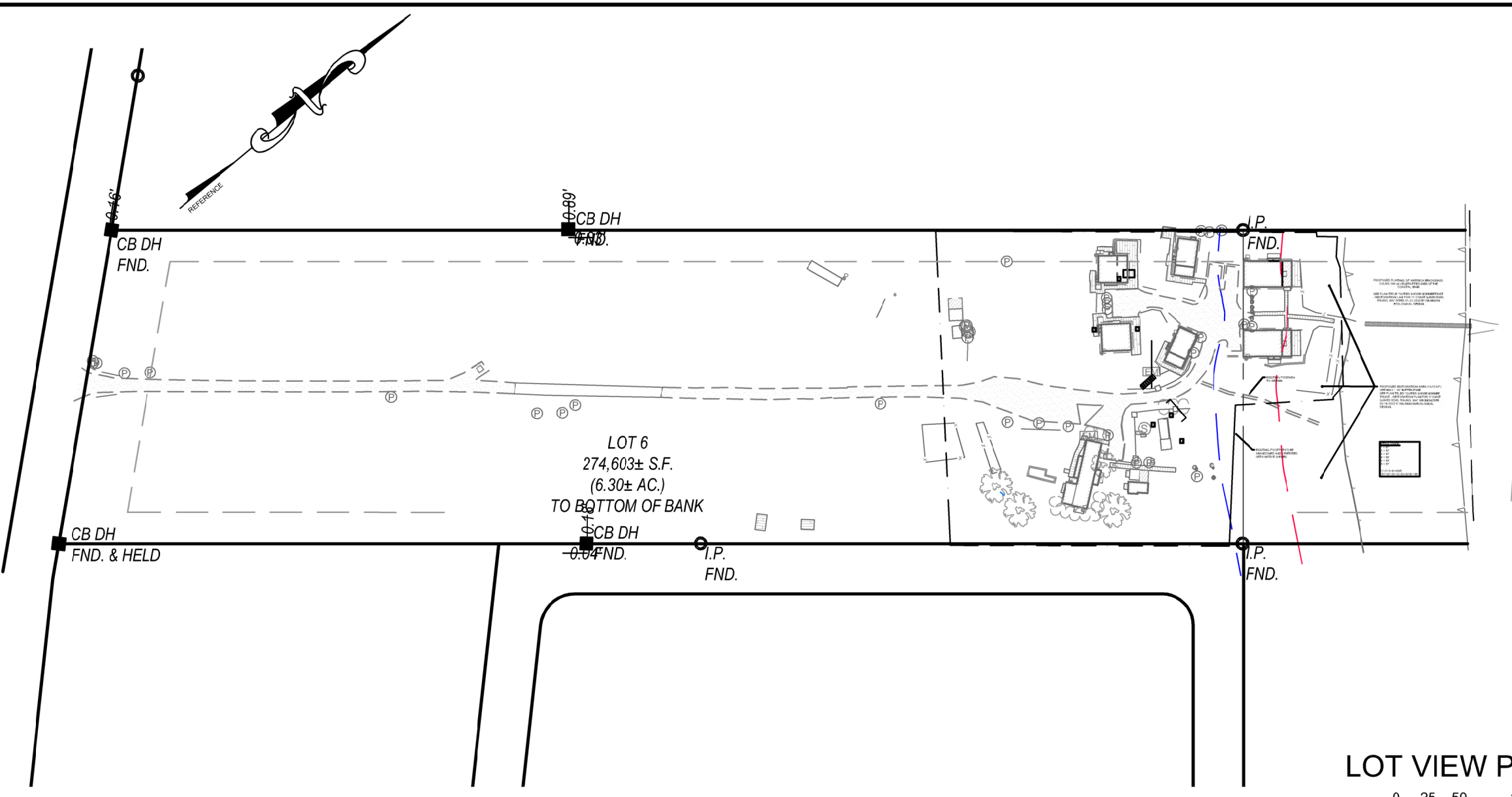
ZONING DISTRICT: NSD-SEASHORE		ASSESSORS MAP 34 PARCEL 3	
SUBJECT	REQUIRED	EXISTING	PROPOSED
LOT AREA ¹	3 ACRES	274,603± S.F. ⁵ (6.30± ACRES)	NO CHANGE
FRONTAGE - COAST GUARDS ROAD	150 FT.	253.51 FT.	NO CHANGE
SETBACK - COAST GUARDS ROAD ²	50 FT.	555.6± FT. (CAMPER)	715.2± FT. (GARAGE)
SETBACK - KIMBERLY LANE ²	50 FT.	27.8± FT. (MOBILE HOME)	59.1± FT. (DWELLING)
SIDE SETBACK - NORTH ²	25 FT.	6.1± FT. (COTTAGE #2)	24.4± FT. ⁶ (COTTAGE #6)
SIDE SETBACK - SOUTH ²	25 FT.	27.8± FT. (MOBILE HOME)	59.1± FT. (DWELLING)
BUILDING COVERAGE ³	-	6,204± S.F.	5,759± S.F.
GROSS FLOOR AREA ⁴	5,260 S.F. ⁷	N/A	4,760 S.F. ^{7,9}
BUILDING HEIGHT ⁴	2 STY. OR 23 FT. MAX.	N/A	22.6± FT.

- PER TRURO ZONING BYLAW SECTION 50.1.A NOTE 8
- PER TRURO ZONING BYLAW SECTION 50.1.A
- BUILDING COVERAGE INCLUDES MOBILE HOME AND CAMPER
- PER TRURO ZONING BYLAW SECTION 50.1.A NOTE 5a. EXISTING AVERAGE GRADE ELEVATION = 66.0
- REFER TO COASTAL ENGINEERING "PLAN SHOWING EXISTING SITE CONDITIONS" PLS STAMPED 05-20-2021
- PER TRURO ZONING BYLAW SECTION 30.3.1.A.2
- 5,260 S.F. ALLOWED WITH A SPECIAL PERMIT
- EXISTING NON-CONFORMING SIDE SETBACK AT COTTAGE #6
- 4,760 S.F. IS DWELLING

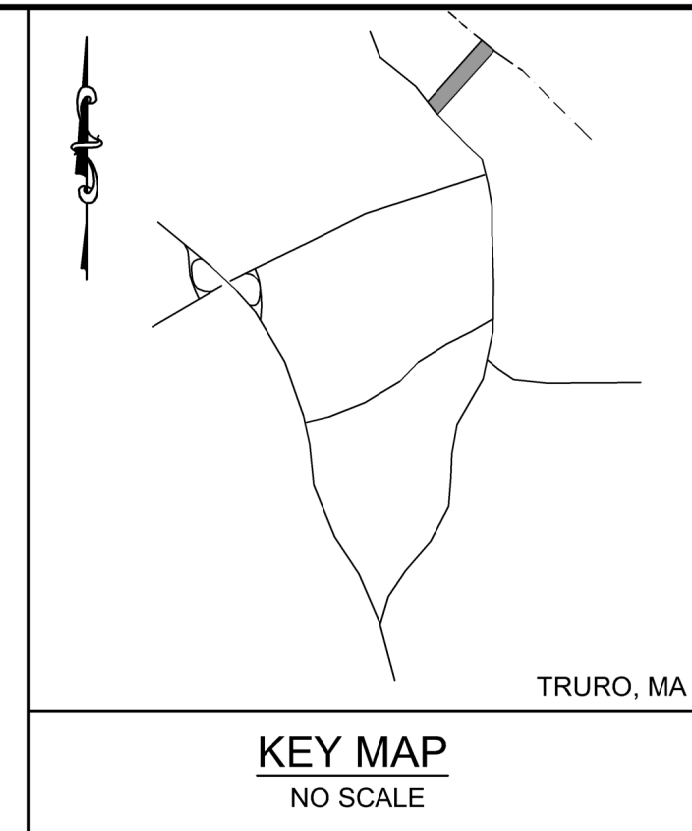


WATTLE SILT BARRIER DETAIL
NOT TO SCALE

- EROSION & SEDIMENTATION CONTROL NOTES:**
- THE SEDIMENT CONTROL BARRIER SHALL BE INSTALLED PRIOR TO THE START OF CONSTRUCTION AND MAINTAINED UNTIL STABILIZATION AND RE-VEGETATION OF DISTURBED AREAS.
 - DURING CONSTRUCTION, THE CONTRACTOR SHALL BE RESPONSIBLE FOR EROSION CONTROL AND SHALL PROTECT THE CONSTRUCTION SITE FROM EROSION UNTIL COMPLETION OF SITE WORK AND ESTABLISHMENT OF VEGETATIVE GROUND COVER.
 - THE CONTRACTOR SHALL PRACTICE GOOD HOUSEKEEPING MEASURES DURING THE DAY TO DAY OPERATION AT THE SITE. THE SITE SHOULD BE POLICED DAILY TO REMOVE ANY LITER OR DEBRIS.
 - MATERIAL STOCKPILES THAT ARE IN PLACE FOR AN EXTENDED PERIOD OF TIME SHALL BE STABILIZED WITH VEGETATION MULCHING, EROSION CONTROL BLANKETS, AND OTHER MEASURES THAT ARE NECESSARY TO PREVENT THE DISCHARGE OF SEDIMENT FROM PROJECT SITE.



LOT VIEW PLAN
0 25 50 100
1" = 100'



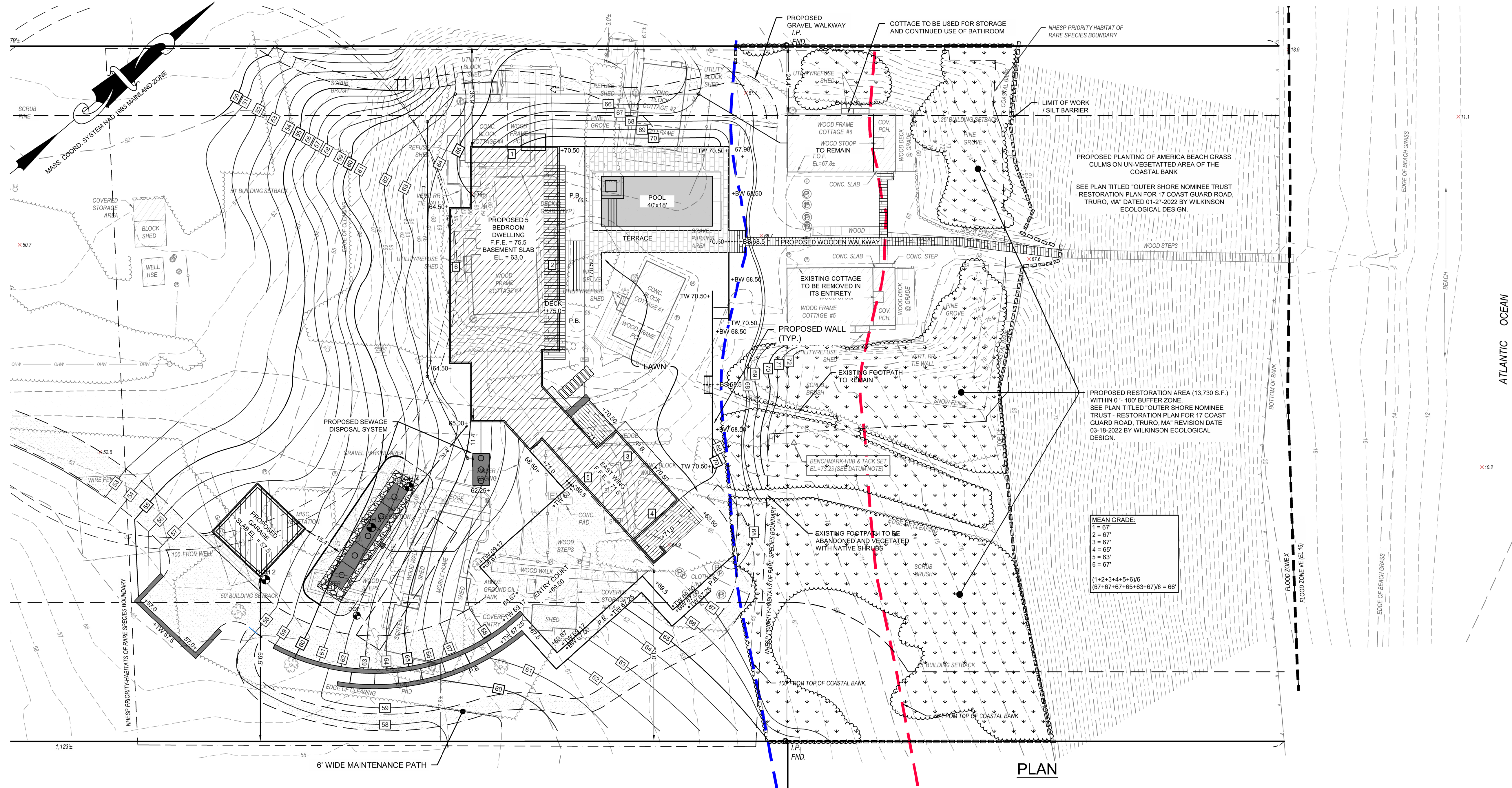
REFERENCE:
ASSESSORS MAP 34, PARCEL 3
PLAN BOOK 103, PAGE 99
PLAN BOOK 143, PAGE 51

FLOOD ZONE:
FLOOD ZONE VE (EL 16) AND ZONE X SHOWN ON THIS DRAWING ARE A DIRECT REPRESENTATION OF THE GRAPHIC FLOOD ZONE BOUNDARIES SHOWN ON FEMA FIRM PANEL #25001C0137J EFFECTIVE JULY 16, 2014. PLEASE NOTE THAT SITE SPECIFIC FLOODPLAIN BOUNDARIES MAY VARY DUE TO DIFFERENT INTERPRETATIONS OF THESE BOUNDARIES. USERS ARE ADVISED TO VERIFY LOCATION OF THESE BOUNDARIES WITH THE DESIGNATED COMMUNITY FLOODPLAIN MANAGERS AND/OR FEMA PRIOR TO SITING ANY PROPOSED STRUCTURES.

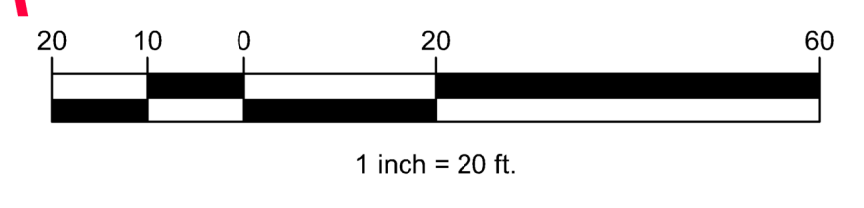
DATUM:
ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD 1988)

COTTAGE #6 UTILITY NOTE:

- EXISTING WATER SERVICE TO REMAIN.
- EXISTING ELECTRIC SERVICE TO REMAIN.
- EXISTING CESSPOOL SHALL BE ABANDONED IN ACCORDANCE WITH TITLE 5 AND BOTH REQUIREMENTS. PLUMBING CONNECTED TO THE EXISTING CESSPOOL SHALL BE CONNECTED TO A NEW SEPTIC SYSTEM USING 4" SCH 40 PIPING. THE 4" SCH 40 PIPING SHALL BE FIELD-LOCATED AT THE WEST SIDE OF COTTAGE #6 WITHIN A 1-FOOT WIDE TRENCH.



PLAN



LEGEND

- BOUND
- IRON PIPE
- ⊙ SEPTIC MANHOLE
- ⊗ WATER GATE
- ⊕ IRRIGATION
- ⊖ UTILITY POLE
- GUY WIRE
- ⊕ ELECTRIC METER
- ⊙ PROPANE TANK
- ⊙ POST
- ⊖ MISC. SIGN
- WIRE/SNOW FENCE
- SPLIT RAIL FENCE
- STOCKADE FENCE
- UNDERGROUND ELECTRIC SERVICE
- ELECTRIC SERVICE
- CONTOUR
- ⊙ SPOT ELEV.
- ⊙ CONIFER TREE
- ⊙ DECIDUOUS TREE

PERMIT PLAN
NOT FOR CONSTRUCTION



NO.	DATE	REVISION	BY
2	07-05-2022	REVISED HOUSE	WGM
1	06-14-2022	REVISED HOUSE	WGM

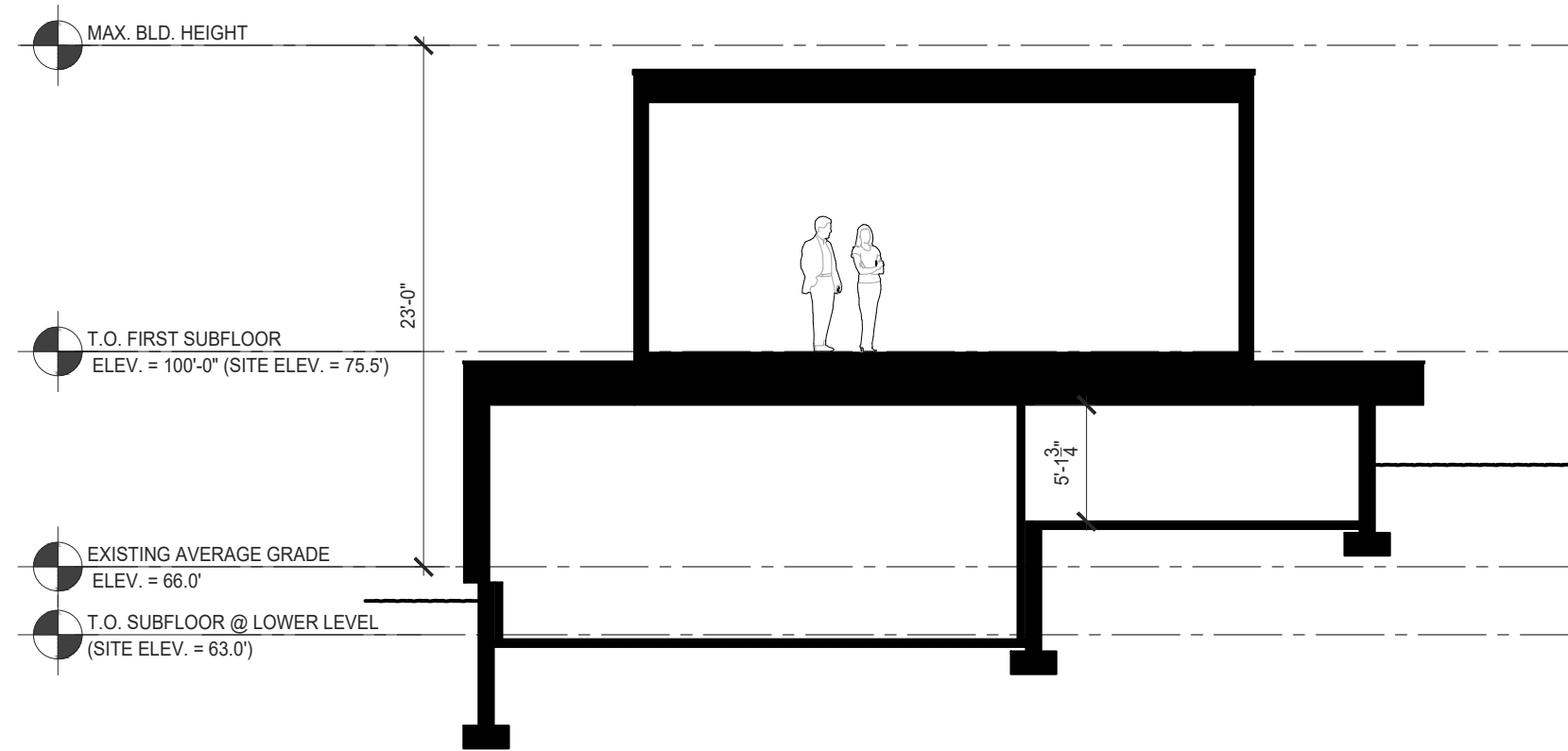
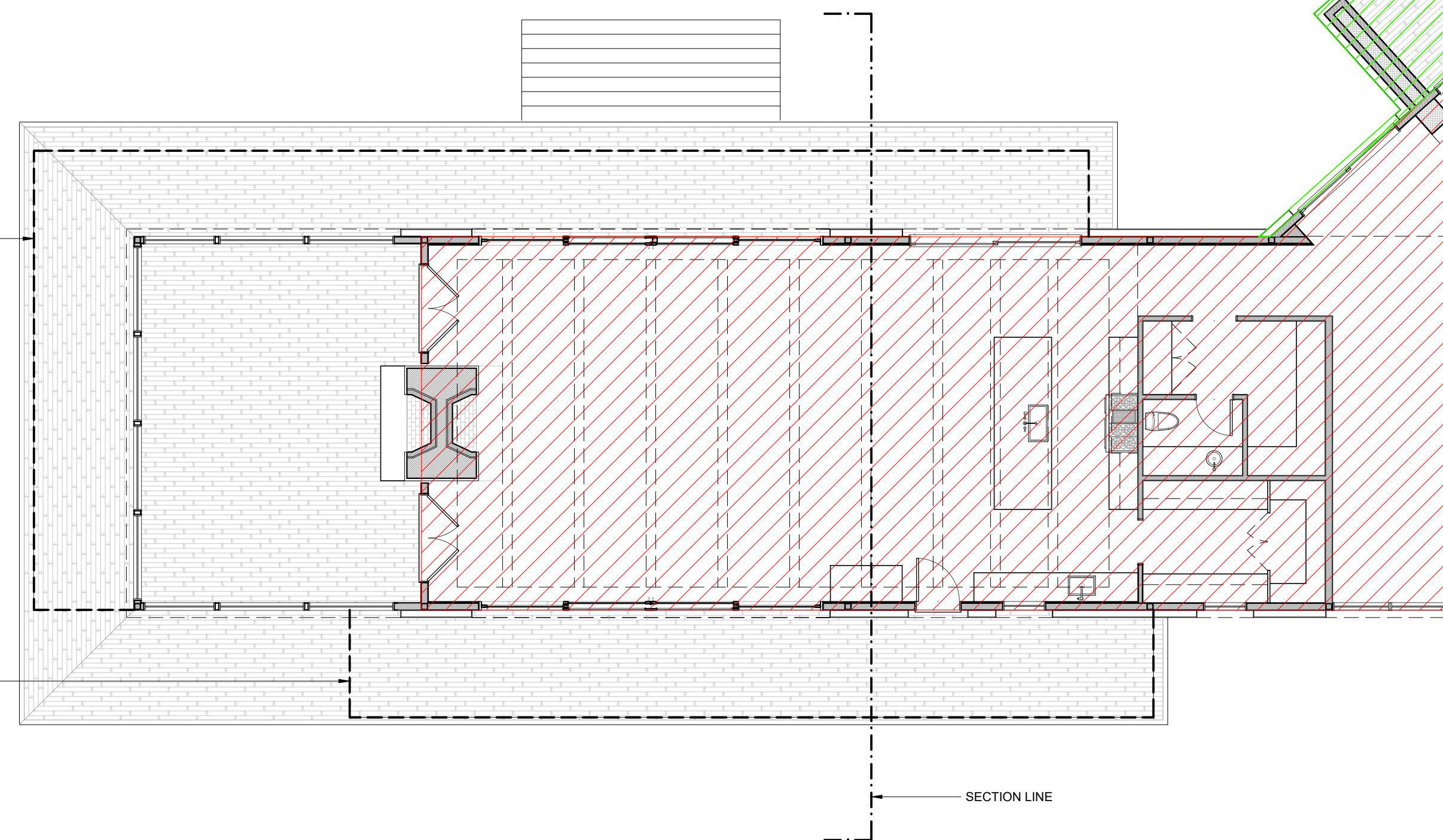
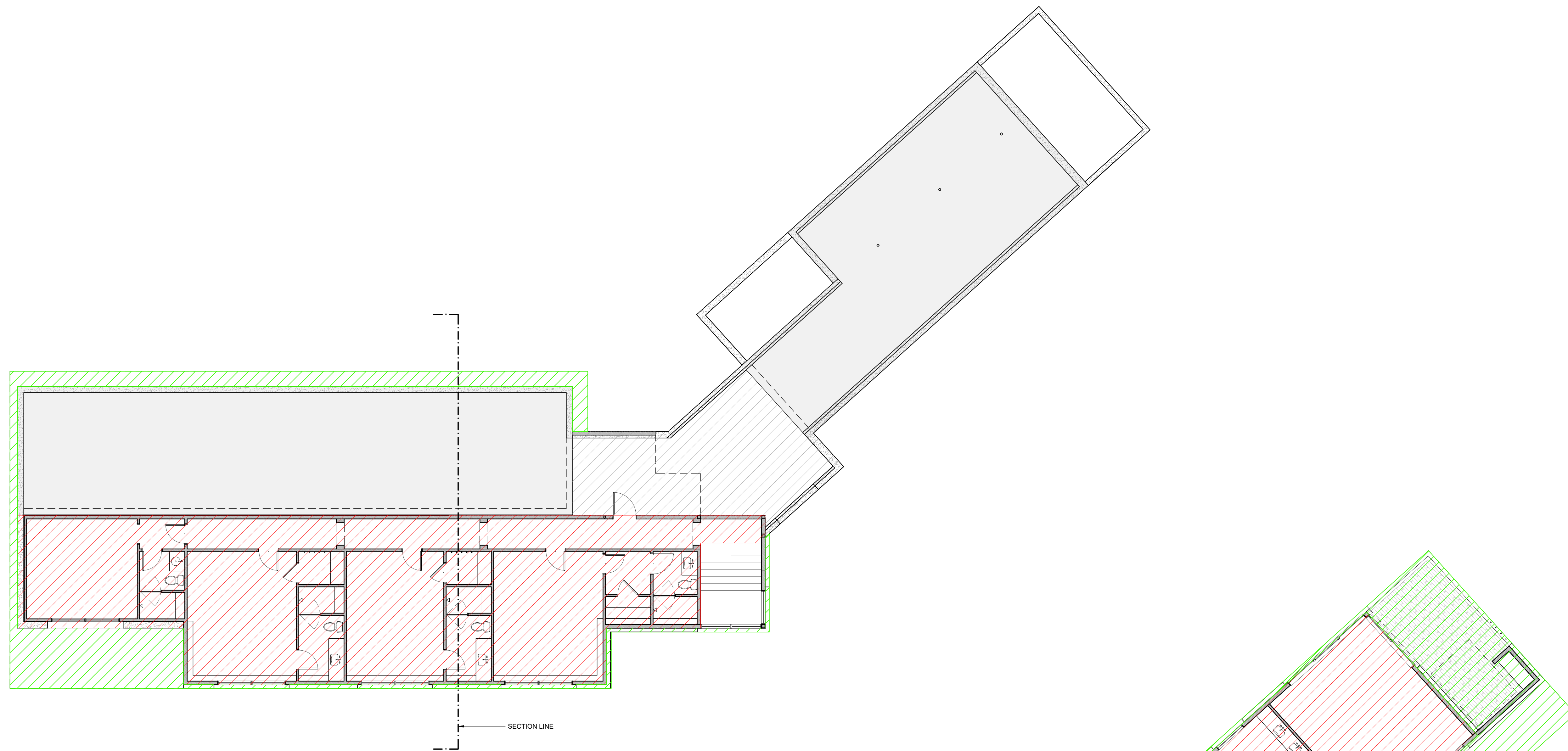


OUTER SHORE NOMINEE TRUST
17 COAST GUARD ROAD
TRURO, MA

PLAN SHOWING PROPOSED DWELLING AND SITE IMPROVEMENTS

SCALE: 1" = 20'
DRAWING FILE: C19600-CIV
DATE: 06-14-2022
DRAWN BY: DAV/WGM
CHECKED BY: BJW

C2.1.2
1 OF 1 SHEETS
PROJECT NO. C19600.00



KEY	
HABITABLE FLOOR AREA	[Red Hatched]
DECKS & OVERHANGS	[Green Hatched]
UNFINISHED FULL BASEMENT	[Green Hatched]
UNFINISHED CRAWL SPACE	[Grey Hatched]

FIRST FLOOR	2990	
LOWER LEVEL	1770	
TOTAL HABITABLE FLOOR AREA	4760	REDUCTION OF 364

DECKS & OVERHANGS	1117	REDUCTION OF 1965
UNFINISHED FULL BASEMENT	447	REDUCTION OF 2279
UNFINISHED CRAWL SPACE	2208	

2022.01.05	PROGRESS FLOOR PLAN
2022.02.02	PROGRESS FLOOR PLAN
2022.02.03	ZONING REVIEW
2022.03.17	PLANNING BOARD
2022.03.30	STRUCTURAL REVIEW
2022.05.06	PROGRESS
2022.05.10	PLANNING/ZONING
2022.06.03	PROGRESS
2022.06.13	PLANNING BOARD REVISION
2022.07.05	PLANNING BOARD REVISION

HUTKER
ARCHITECTS

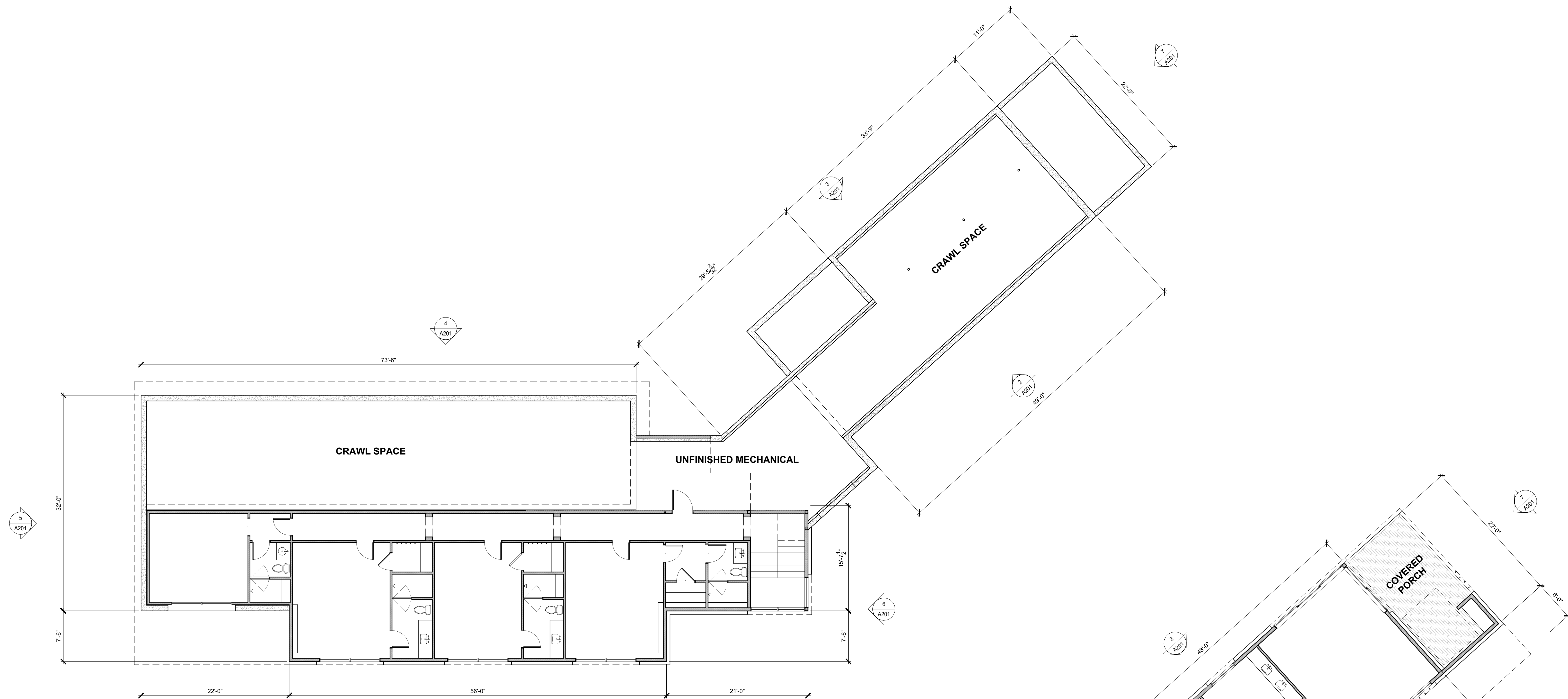


NOT FOR
CONSTRUCTION

OUTER SHORE
NOMINEE TRUST
17 COAST GUARD ROAD
TRURO, MA

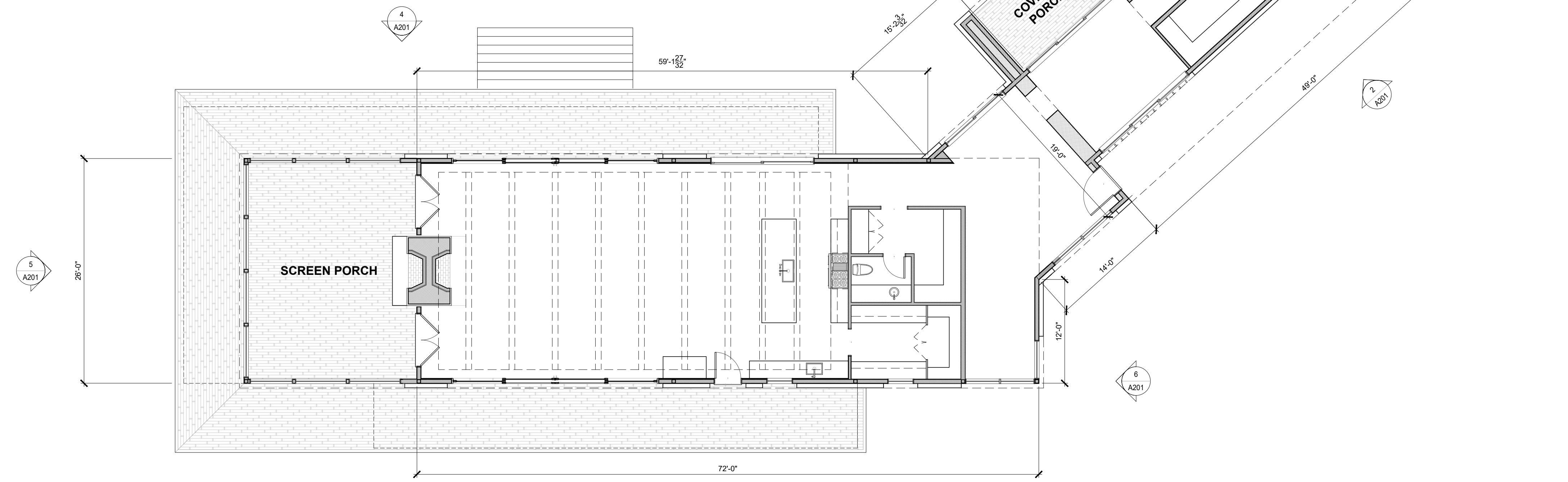
ZONING

A001



1 LOWER LEVEL PLAN

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



2 FIRST FLOOR PLAN

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

2022.01.05	PROGRESS FLOOR PLAN
2022.02.02	PROGRESS FLOOR PLAN
2022.02.03	ZONING REVIEW
2022.03.17	PLANNING BOARD
2022.03.30	STRUCTURAL REVIEW
2022.05.06	PROGRESS
2022.05.10	PLANNING/ZONING
2022.06.03	PROGRESS
2022.06.13	PLANNING BOARD REVISION
2022.07.05	PLANNING BOARD REVISION

HUTKER
ARCHITECTS

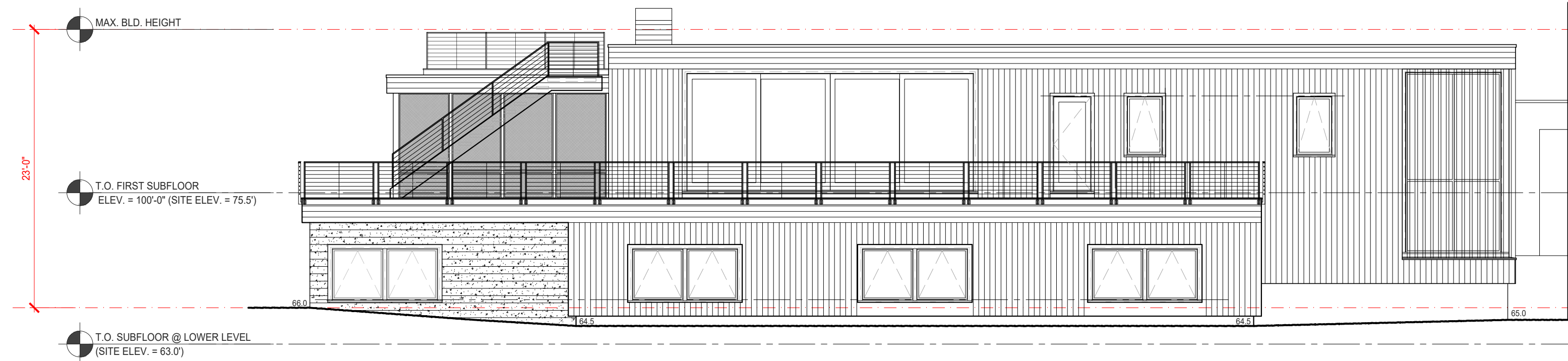


NOT FOR
CONSTRUCTION

OUTER SHORE
NOMINEE TRUST
17 COAST GUARD ROAD
TRURO, MA

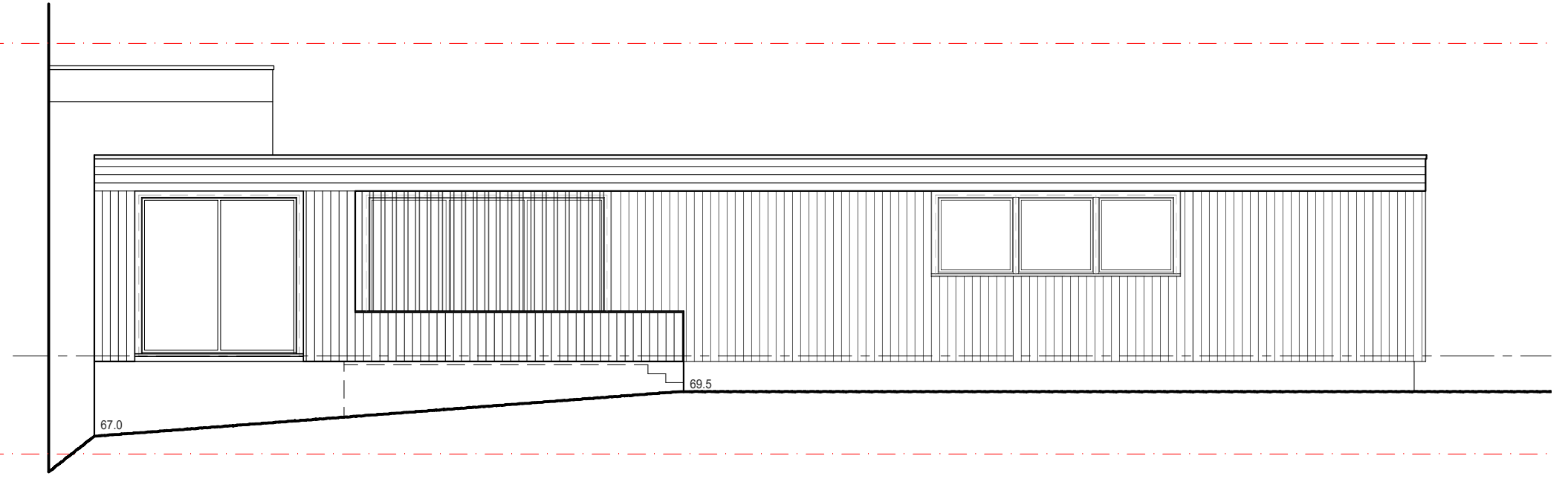
ZONING FLOOR
PLANS

A101



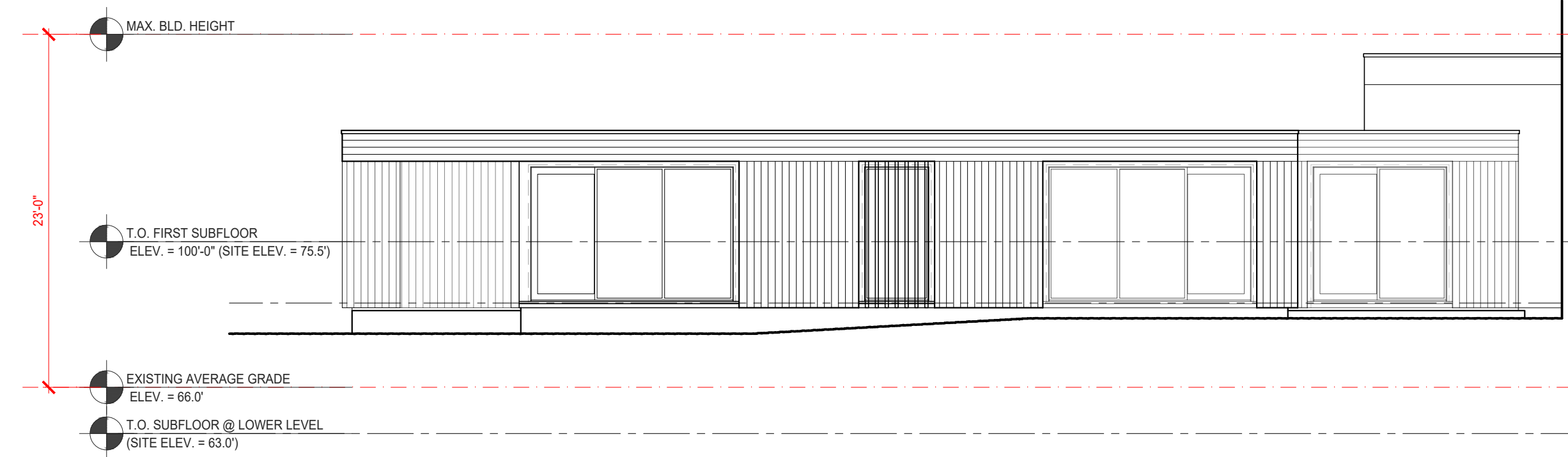
1 PARTIAL SOUTH ELEVATION

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



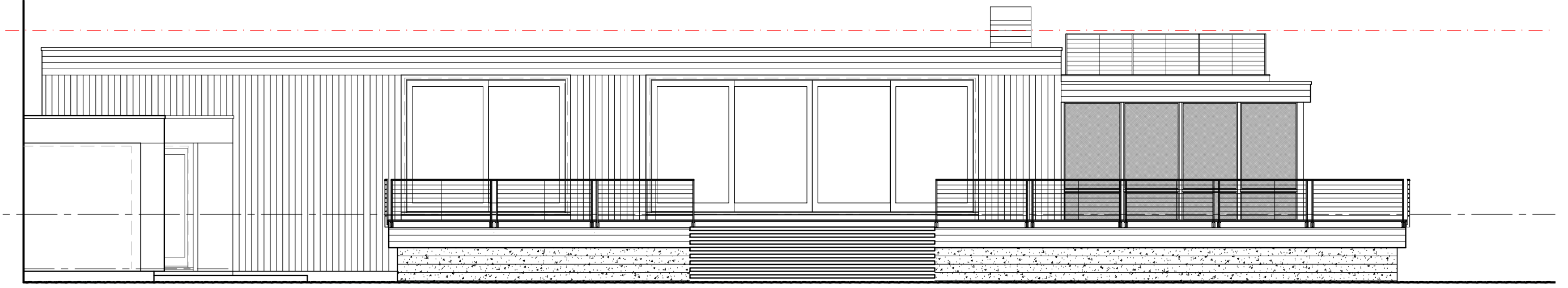
2 PARTIAL SOUTH ELEVATION

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



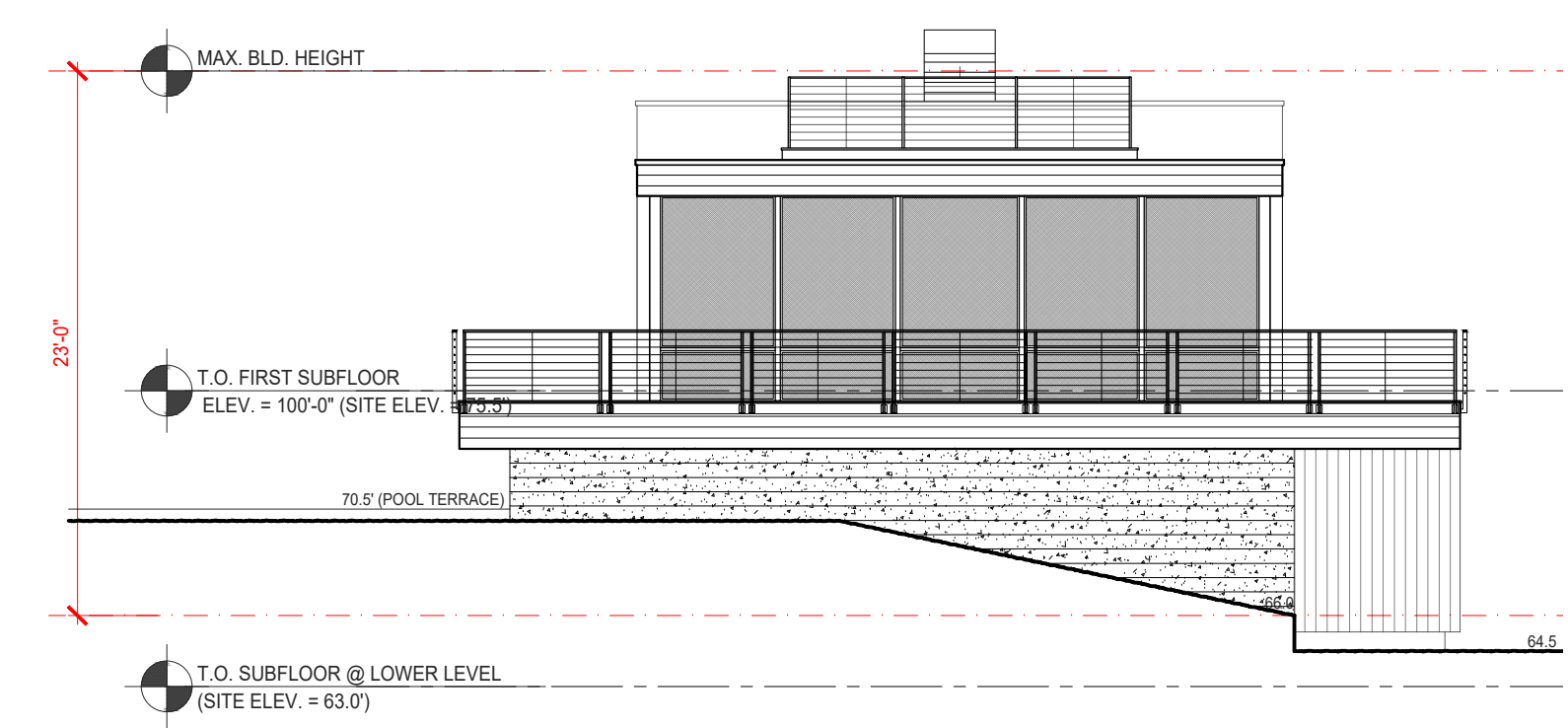
3 PARTIAL NORTH ELEVATION

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



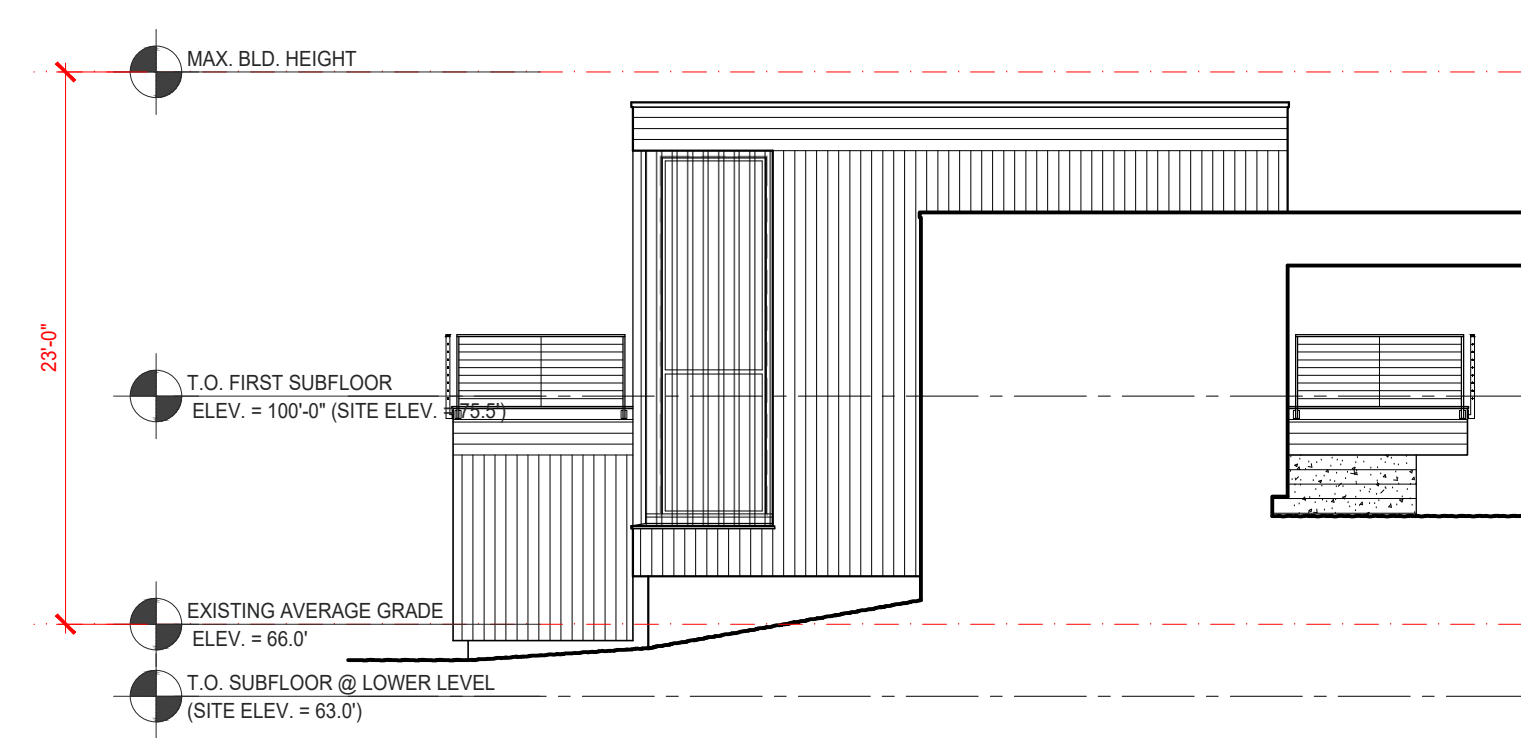
4 PARTIAL NORTH ELEVATION

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



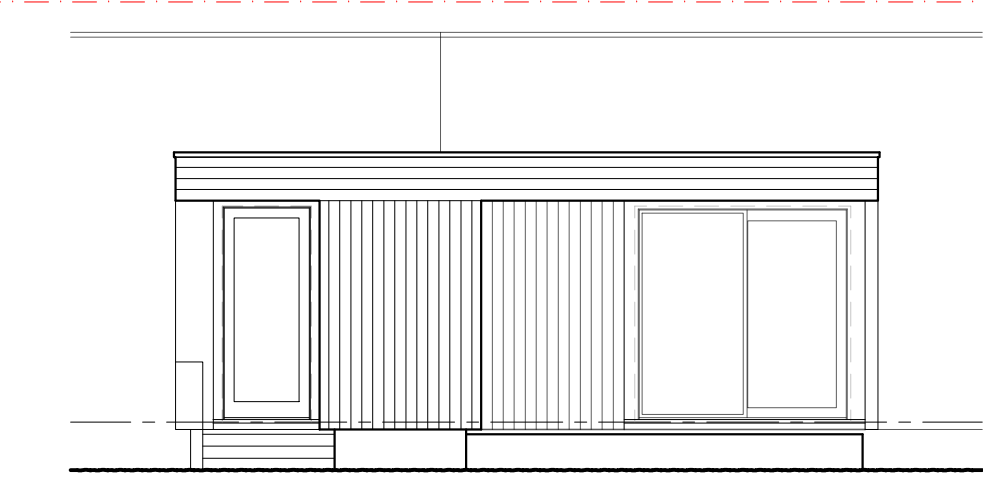
5 WEST ELEVATION

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



6 PARTIAL EAST ELEVATION

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



7 PARTIAL EAST ELEVATION

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

2022.01.05	PROGRESS FLOOR PLAN
2022.02.02	PROGRESS FLOOR PLAN
2022.02.03	ZONING REVIEW
2022.03.17	PLANNING BOARD
2022.03.30	STRUCTURAL REVIEW
2022.05.06	PROGRESS
2022.05.10	PLANNING/ZONING
2022.06.03	PROGRESS
2022.06.13	PLANNING BOARD REVISION
2022.07.05	PLANNING BOARD REVISION

HUTKER ARCHITECTS



NOT FOR CONSTRUCTION

OUTER SHORE NOMINEE TRUST
17 COAST GUARD ROAD
TRURO, MA

BUILDING ELEVATIONS

A201



TOWN OF TRURO

PLANNING BOARD

Meeting Minutes

May 18, 2022 – 5:00 pm

REMOTE PLANNING BOARD MEETING

Members Present (Quorum): Anne Greenbaum (Chair); Rich Roberts (Vice Chair – Elect); Jack Riemer (Clerk); R. Bruce Boleyn; Ellery Althaus; Caitlin Townsend

Members Absent: Paul Kiernan

Other Participants: Town Planner/Land Use Counsel Barbara Carboni; Planning Department Administrator Liz Sturdy; Select Board Liaison John Dundas; Benoit Allehaut and Elizabeth Allehaut (Applicants); Brad Malo (Coastal Engineering and Representative for Benoit Allehaut and Elizabeth Allehaut); Ben Zehnder (Attorney and Representative for Rachel Kalin); Bryan Weiner (Coastal Engineering and Representative for Rachel Kalin); Jim Cappuccino (Hutker Architects and Representative for Rachel Kalin); Arthur Bosworth and Stephanie Rein (Applicants); Michael Fee (Attorney for Arthur Bosworth and Stephanie Rein); Karen Ruymann (Resident); David Reid (Attorney for Jay, Patty, and David Wilson, Mitchell Glassman, and Arien Mack – Abutters to 21 and 23 Old Bridge Road)

Remote meeting convened at 5:02 pm, Wednesday, May 18, 2022, by Chair Greenbaum who announced that this was a remote public meeting aired live on Truro TV Channel 18 and was being recorded. Town Planner/Land Use Counsel Carboni also provided information as to how the public may call into the meeting or provide written comment. Members introduced themselves to the public.

Public Comment Period

Public comment, for items not on the agenda, was opened by Chair Greenbaum who recognized Ms. Ruymann. Ms. Ruymann requested that the Members, at a future meeting, appoint a representative to shepherd the follow-up of the draft Stormwater Bylaw.

Chair Greenbaum thanked Ms. Ruymann and then closed the public comment period as no other members of the public asked to be recognized.

Chair Greenbaum then reviewed tonight's agenda aloud with the Members and the public.

Planner Report

Town Planner/Land Use Counsel Carboni reported that it is a very bad year for ticks and welcomed Member Townsend to the Planning Board.

Chair Report

Chair Greenbaum reiterated that it was a very bad year for ticks. Chair Greenbaum welcomed Member Townsend and asked her to provide background in terms of her education at Massachusetts Maritime Academy and Member Townsend did. Chair Greenbaum said that at last night's Select Board meeting, she reiterated to the Select Board that she and the PB Members were committed to improving the working relationship with the Select Board.

Board Action/Review

2022-004 Rel/Cov John B. Rice, 6 Hatch Road, Map SO/Parcel 284, Lot 14. Discussion and approval of a full covenant release from the Town of Truro "Form F - Certification of Completion & Release of Municipal Interest in Subdivision Performance Security".

Town Planner/Land Use Counsel Carboni who announced that Mr. Donald Poole, representative for the Applicant and scheduled to present tonight, was unable to attend this meeting due to family issues. Town Planner/Land Use Counsel Carboni stated that all the requirements for the covenant release have been met and she did not see any obstacles for the approval of the covenant release.

Member Boleyn made a motion to approve a full covenant release in this matter.

Member Althaus seconded the motion.

So voted, 5-0-1, motion carries.

Chair Greenbaum led the discussion for the election of the following Planning Board officers: Chair, Vice Chair, and Clerk.

Member Riemer made a motion to nominate Chair Greenbaum to continue as Chair.

Member Roberts seconded the motion.

So voted, 6-0, motion carries.

Member Boleyn made a motion to nominate Member Roberts as Vice Chair.

Member Riemer seconded the motion.

So voted, 6-0, motion carries.

Chair Greenbaum made a motion to nominate Member Riemer to continue as Clerk.

Vice Chair Roberts seconded the motion.

So voted, 6-0, motion carries.

Chair Greenbaum led the discussion of the appointment of a Planning Board representative to the Local Comprehensive Planning Committee (LCPC) and she said that she would be very interested in serving in the role. No other Members expressed interest in this role.

Chair Greenbaum made a motion to nominate herself as the Planning Board's LCPC representative.

Member Althaus seconded the motion.

So voted, 6-0, motion carries.

Chair Greenbaum noted that if Members had any topics which they wanted to discuss at the upcoming Work Session to email those topics to her and Planning Department Administrator Sturdy.

Minutes

Chair Greenbaum announced that Member Townsend would not vote on any of the minutes as she was not yet on the Planning Board.

Chair Greenbaum led the review of the Planning Board minutes from March 2, 2022, for edits or corrections. Members noted several corrections to be made with Chair Greenbaum.

Member Riemer made a motion to approve the minutes as amended.

Member Boleyn seconded the motion.

So voted, 5-0, motion carries.

Chair Greenbaum led the review of the Planning Board minutes from April 6, 2022, for edits or corrections. No corrections or edits were noted.

Member Riemer made a motion to approve the minutes as written.

Member Boleyn seconded the motion.

So voted, 5-0, motion carries.

Chair Greenbaum led the review of the Planning Board minutes from April 13, 2022, for edits or corrections. No corrections or edits were noted.

Vice Chair Roberts made a motion to approve the minutes as written.

Member Riemer seconded the motion.

So voted, 5-0, motion carries.

Upon the conclusion of the acceptance of the Planning Board minutes, Chair Greenbaum recognized Town Planner/Land Use Counsel Carboni who said that Attorney Ben Zehnder, attorney for the Applicants in the continued public hearings on this evening's agenda, was not yet available to appear. Chair Greenbaum then proceeded to hear the public hearings and postponed the continued public hearings for later this evening when Attorney Zehnder was available.

Public Hearings

2022-005/SPR - Arthur Bosworth and Stephanie Rein, Out There Grown, LLC (High Dune Craft Cooperative) for property located at 21 and 23 Old Bridge Road (Atlas Map 50, Parcel 232, Registry of Deeds title reference: Book 377, Page 44). Applicant seeks a Residential Site Plan Review under §70 and §100 of the Truro Zoning Bylaw for a Recreational Marijuana Establishment (RME).

2022-006/SPR - Debra Hopkins, Pure Joy Farm, LLC (High Dune Craft Cooperative) for property located at 21 and 23 Old Bridge Road (Atlas Map 50, Parcel 232, Registry of Deeds title reference: Book 377, Page 44). Applicant seeks a Residential Site Plan Review under §70 and §100 of the Truro Zoning Bylaw for a Recreational Marijuana Establishment (RME).

Chair Greenbaum announced that these hearings would be conducted simultaneously as they both involve the owners of High Dune Craft Cooperative but are separate actions. Chair Greenbaum reviewed the process of this evening's hearings and reiterated that no decision would be made this evening in

accordance with the current Planning Board policy. Chair Greenbaum gave Attorney Fee the opportunity to present on behalf of the Applicants.

Attorney Fee provided background information, reviewed the Site Plan C2.1.1 dated April 15, 2022, and stated the Applicants' views towards adherence to the Town's bylaw. Attorney Fee concluded that he was happy to answer any questions and review the submitted Applicants' checklists with Members. Chair Greenbaum announced the review of the Applicants' checklists would take place prior to hearing from the members of the public in this matter.

Chair Greenbaum, Town Planner/Land Use Counsel Carboni, Members, Attorney Fee, and the members of the public discussed: odor control, hours of operation, status of the security plan with the Truro police chief, road condition, road traffic, the legal allowance (state law and the Truro bylaw) of this enterprise to operate in the residential district, the executed Host Community Agreement, compliance of perimeter lighting (in accordance with the security plan), and hedges along the right of way.

Chair Greenbaum then opened the hearing for members of the public to express their opinions and she recognized Attorney Reid. Attorney Reid cited a letter on behalf of Abutters Wilson, Glassman, and Mack that he sent to the Members dated March 13, 2022, which was circulated by Planning Department Administrator Sturdy. Attorney Reid provided his clients' point of view regarding odor mitigation and other zoning concerns. Attorney Reid asked the Members to disapprove the Applications in this matter.

Chair Greenbaum called upon members of the public who expressed several concerns including safety, odor mitigation, potential of decreased property values, and the overall tranquility of the neighborhood. Members of the public who spoke generally expressed opposition to the Applicants' applications.

Upon the completion of public comments, Chair Greenbaum recognized Town Planner/Land Use Counsel Carboni who read aloud the legal definition of a craft cooperative. Town Planner/Land Use Counsel Carboni stated that the Planning Board only operated under the law and offered to answer any questions from the members of the public regarding zoning issues in this matter. No members of the public nor Members of the Planning Board had any questions.

Chair Greenbaum thanked the members of the public for their thoughtful comments and that the Planning Board will work through the issues raised this evening.

Member Althaus made a motion to continue these matters to June 8, 2022.

Vice Chair Roberts seconded the motion.

So voted, 6-0, motion carries.

Chair Greenbaum recognized Town Planner/Land Use Counsel Carboni who asked if Chair Greenbaum wanted to provide any guidance to the Applicants prior to the next meeting. Chair Greenbaum told Attorney Fee that odor and road conditions would be topics further discussed at the next meeting as well as the marijuana harvesting process. Attorney Fee said that he understood and thanked Chair Greenbaum before leaving the meeting.

Before the continued public hearings on this evening's agenda were heard, Chair Greenbaum asked Town Planner/Land Use Counsel Carboni if there was an update to Attorney Ben Zehnder's attendance for tonight's meeting. Town Planner/Land Use Counsel Carboni replied that he would be available in a

few minutes. Mr. Cappuccino announced that Attorney Zehnder would not be available this evening and he will represent Attorney Zehnder this evening.

Public Hearings (Continued)

2022-003/SPR - Benoit Allehaut and Elizabeth Allehaut for property located at 40 South Pamet Road (Atlas Map 51, Parcel 40, Registry of Deeds title reference: Book 33897, Page 73). Applicant seeks Residential Site Plan Review under §70 of the Truro Zoning Bylaw for a nonconforming (area) lot in the Seashore District. Applicants propose removal of existing additions, construction of new addition, and to relocate and reconstruct an existing shed into a two-story shed with attached carport.

Chair Greenbaum recognized Town Planner/Land Use Counsel Carboni who stated that the Applicants will redesign the project, so it is not elevated, and that the Applicants are seeking a continuance from the Planning Board and ZBA. Town Planner/Land Use Counsel Carboni suggested a continuance to June 8, 2022.

Member Riemer made a motion to continue these matters to June 8, 2022.

Member Althaus seconded the motion.

So voted, 6-0, motion carries.

Prior to the continued hearing for **2022-004/SPR – Outer Shore Nominee Trust, Rachel Kalin**, Chair Greenbaum noted that new Member Townsend had watched the video of the first hearing in this matter and Member Townsend was eligible to hear and vote on this matter.

2022-004/SPR - Outer Shore Nominee Trust, Rachel Kalin, Trustee for property located at 17 Coast Guard Road (Atlas Map 34, Parcel 3, Registry of Deeds title reference: Book 34387, Page 1). Applicant seeks Residential Site Plan Review under §70 of the Truro Zoning Bylaw for a lot in the Seashore District. Demolition of 5 of 6 pre-existing, non-conforming cottages (multiple dwellings on a lot) and associated structures; construction of a new one-story single-family dwelling with pool and landscaping; renovation of remaining cottage.

Chair Greenbaum recognized Mr. Cappuccino who said that the supplemental information, requested at the previous meeting, to include dimensioned floor plans, clearly noted unfinished mechanical areas in the basement, and a floor plan for Cabin #6 had been submitted. Vice Chair Roberts inquired about elevations and Mr. Cappuccino replied that information can be provided to the Members.

Attorney Zehnder joined the meeting.

Chair Greenbaum welcomed and recognized Attorney Zehnder who addressed Vice Chair Roberts' concern about the Applicant exceeding the 5,260 square foot limit and Attorney Zehnder said that he would be agreeable to that as a condition for approval of the application.

Chair Greenbaum reviewed the items requested by the Members, so Attorney Zehnder requested a continuance to June 8, 2022, at 5 pm.

Member Riemer made a motion to continue this matter to June 8, 2022.

Member Boleyn seconded the motion.

So voted, 6-0, motion carries.

Chair Greenbaum announced the continuance and Attorney Zehnder thanked the Members before his departure.

Chair Greenbaum asked Members if there was anything to add to the next meeting's agenda or topics for the Work Session. Member Althaus suggested the possibility of amending, or creating a new Special Permit, to address the issue of Applicants submitting projects which reach maximum allowable square footage. Member Althaus stated that the current Bylaw may not achieve the desired purpose or outcome as written. Town Planner/Land Use Counsel Carboni thanked Member Althaus for mentioning this and said that it would be appropriate to have further discussions in the future.

Member Riemer made a motion to adjourn the meeting at 7:51 pm.

Member Boleyn seconded the motion.

So voted, 6-0, the motion carries.

Respectfully submitted,

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

Alexander O. Powers

Board/Committee/Commission Support Staff