

Robin B. Reid
Mediator
Attorney at Law

Mailing address: Post Office Box 1713
Provincetown, Massachusetts 02657

Telephone: (508) 487-7445
E-mail: Robin@RobinBReidEsq.com

July 21, 2022

Barbara Carboni
Town Planner
bcarboni@truro-ma.gov

Liz Sturdy
Planning Department Administrator
esturdy@truro-ma.gov

Town of Truro
Truro Town Hall

BY HAND

RE: 2 Moses Way

Special Permit Application

Dear Barbara and Liz:

Enclosed/attached please find an application to convert the former 3 unit cottage colony located at 2 Moses Way into a 3 unit year round condominium.

Enclosed please find the application and 9 copies. Specifically:

- i. the ZBA Application for a Hearing;
- ii. full scale copies of plans for the proposed condominium; and
- iii. a copy of the deed for 2 Moses Way.

Enclosed also please find a check for the \$150 filing fee.

Barbara Carboni
Liz Sturdy
Town of Truro

Re: 2 Moses Way
page 2 of 2

Please schedule the hearing on this application for the Zoning Board of Appeals meeting of August 22, 2022.

I have today submitted a Request for the Certified Abutters List to the Assessors Office.

And Barbara, would you be so kind as to add some notes to the application file, with respect to the pre-application inspection results, and the applicant's willingness to accept a condition in the Special Permit requiring compliance with building, health and safety codes through the planned renovations.

Thank you for your consideration in this matter. Please do not hesitate to call or email if you have any questions.

Yours truly,



Robin B. Reid, Esq.

cc. Lyn Plummer



Town of Truro Zoning Board of Appeals

P.O. Box 2030, Truro, MA 02666

APPLICATION FOR HEARING

To the Town Clerk of the Town of Truro, MA

Date July 21, 2022

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

1. GENERAL INFORMATION

NOTICE OF APPEAL

Applicant is aggrieved by his/her inability to obtain a permit or enforcement action from the Building Commissioner on *(date)* _____.

Applicant is aggrieved by order or decision of the Building Commissioner on *(date)* _____ which he/she believes to be a violation of the Truro Zoning Bylaw or the *Massachusetts Zoning Act*.

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

APPLICATION FOR SPECIAL PERMIT

Applicant seeks approval and authorization of uses under Section 40.3 of the Truro Zoning Bylaw concerning *(describe)* to convert a former 3 unit cottage colony to a 3 unit year round condominium

Applicant seeks approval for a continuation, change, or extension of a nonconforming structure or use under Section _____ of the Truro Zoning Bylaw and M.G.L. Ch. 40A, §6 concerning *(describe)* _____

Property Address 2 Moses Way Map(s) and Parcel(s) 40-14-0

Registry of Deeds title reference: Book 21691, Page 299, or Certificate of Title Number _____ and Land Ct. Lot # _____ and Plan # _____

Applicant's Name George M Shimko

Applicant's Legal Mailing Address POB 5118, Palm Springs, CA 92263

Applicant's Phone(s), Fax and Email _____

Applicant is one of the following: *(please check appropriate box)*

*Written Permission of the owner is required for submittal of this application.

Owner Prospective Buyer* Other*

Owner's Name and Address _____

Representative's Name and Address Robin B. Reid, Esq.

Representative's Phone(s), Fax and Email 508 487 7445; robin@RobinBReidEsq.com

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

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

Signature(s)

Robin B. Reid, Esq.

George M. Shimko

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

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

Applicant(s)/Representative Signature

Owner(s) Signature or written permission

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



TOWN OF TRURO

Assessors Office
Certified Abutters List
Request Form



DATE: July 21, 2022

NAME OF APPLICANT: George M. Shimko

NAME OF AGENT (if any): Robin B. Reid, Esq.

MAILING ADDRESS: POB 1713, Provincetown, MA 02657

CONTACT: HOME/CELL _____ EMAIL robin@RobinBREidEsq.com

PROPERTY LOCATION: 2 Moses Way
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP 40 PARCEL 14 EXT. 0
(if condominium)

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

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

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

THIS SECTION FOR ASSESSORS OFFICE USE ONLY

Date request received by Assessors: 7/22/2022 Date completed: 7/22/2022
List completed by: [Signature] Date paid: 7/22/2022 Cash/Check [Signature] # 196

¹ 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.

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

³ 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.

⁴ 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.

⁵ 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: July 22, 2022

To: Robin B. Reid, Esq., Agent for George M. Shimko

From: Assessors Department

Certified Abutters List: 2 Moses Way (Map 40, Parcel 14)

ZBA/Variance

Attached is a combined list of abutters for the property located at 2 Moses Way.

The current owner is George M. Shimko.

The names and addresses of the abutters are as of July 15, 2022 according to the most recent documents received from the Barnstable County Registry of Deeds.

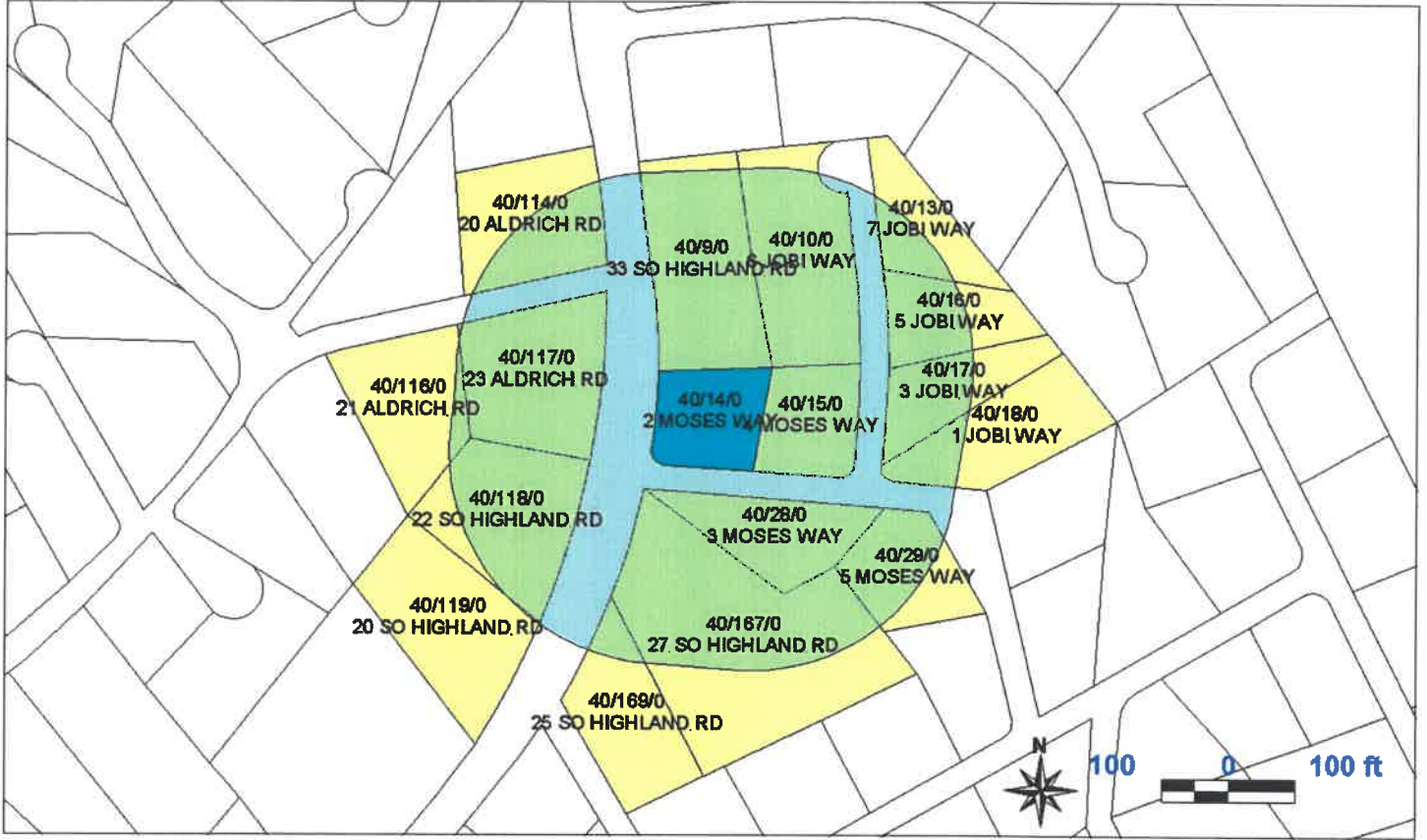
Certified by: _____

Olga Farrell
Assessing Clerk

2 Moses Way
 Map 40, Parcel 14
 ZBA/Special Permit

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

Abutters List Within 300 feet of Parcel 40/14/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
1435	40-9-0-R	THOMAS ROSENKAMPFF 2020 LIV TR KATHLEEN ROSENKAMPFF 2020 LIV	33 SO HIGHLAND RD	PO BOX 12	NO TRURO	MA	02652
1436	40-10-0-R	GOSHEN EDWARD JAMES & IRENE	6 JOBI WAY	PO BOX 616	NO TRURO	MA	02652
1438	40-13-0-R	MOTTA CAMILLE A & C/O CAMILLE MOTTA REVOCABLE TR	7 JOBI WAY	23 HALEY RD	MARBLEHEAD	MA	01945
1439	40-14-0-R	SHIMKO GEORGE M	2 MOSES WAY	PO BOX 5118	PALM SPRINGS	CA	92263
1440	40-15-0-R	DELGIZZI DANIEL R & DAVID J	4 MOSES WAY	3 BITTERSWEET LN	WESTON	MA	02493
1441	40-16-0-R	GROZIER JOEL L & LILLIAN A	5 JOBI WAY	PO BOX 408	NO TRURO	MA	02652-0408
1442	40-17-0-R	SAHAKIAN MICHAEL R	3 JOBI WAY	1280 BEAR ISLAND DRIVE	WEST PALM BEACH	FL	33409
1443	40-18-0-R	GOLDEN ERIN M	1 JOBI WAY	PO BOX 997	PROVINCETOWN	MA	02657
1453	40-28-0-R	SMITH WILLIAM C & KELLI L	3 MOSES WAY	PO BOX 739	NO TRURO	MA	02652-0739
1454	40-29-0-R	COUTU DEVIN C/O COUTU REVOCABLE TRUST	5 MOSES WAY	PO BOX 496	NO TRURO	MA	02652
1534	40-114-0-R	BERRY KAREN R & BARRETT CLARE ANGELA	20 ALDRICH RD	1 ROCK CREEK WOODS DRIVE	LAMBERTVILLE	NJ	08530
1536	40-116-0-R	GAVENDA LAURIE & HESS KAREN K	21 ALDRICH RD	70 BOSTON ST #305	SALEM	MA	01970
1537	40-117-0-R	HALE BRIAN R & MARIA	23 ALDRICH RD	270 HARDCRABBLE RD	NORTH SALEM	NY	10560
1538	40-118-0-R	DUARTE VINCENT A	22 SO HIGHLAND RD	PO BOX 157	PROVINCETOWN	MA	02657-0157
1539	40-119-0-R	MOTTA TODD H & CAROL A	20 SO HIGHLAND RD	PO BOX 262	NO TRURO	MA	02652-0262

Handwritten signature
 7/22/2022

Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
5947	40-167-0-E	TOWN OF TRURO	27 SO HIGHLAND RD	PO BOX 2030	TRURO	MA	02666-2030
6578	40-169-0-E	TOWN OF TRURO	25 SO HIGHLAND RD	PO BOX 2030	TRURO	MA	02666-2030

OW Repoloz

<p>40-9-0-R</p> <p>THOMAS ROSENKAMPPFF 2020 LIV TR KATHLEEN ROSENKAMPPFF 2020 LIV PO BOX 12 NO TRURO, MA 02652</p>	<p>40-10-0-R</p> <p>GOSHEN EDWARD JAMES & IRENE PO BOX 616 NO TRURO, MA 02652</p>	<p>40-13-0-R</p> <p>MOTTA CAMILLE A & C/O CAMILLE MOTTA REVOCABLE TR 23 HALEY RD MARBLEHEAD, MA 01945</p>
<p>40-14-0-R</p> <p>SHIMKO GEORGE M PO BOX 5118 PALM SPRINGS, CA 92263</p>	<p>40-15-0-R</p> <p>DELGIZZI DANIEL R & DAVID J 3 BITTERSWEET LN WESTON, MA 02493</p>	<p>40-16-0-R</p> <p>GROZIER JOEL L & LILLIAN A PO BOX 408 NO TRURO, MA 02652-0408</p>
<p>40-17-0-R</p> <p>SAHAKIAN MICHAEL R 1280 BEAR ISLAND DRIVE WEST PALM BEACH, FL 33409</p>	<p>40-18-0-R</p> <p>GOLDEN ERIN M PO BOX 997 PROVINCETOWN, MA 02657</p>	<p>40-28-0-R</p> <p>SMITH WILLIAM C & KELLI L PO BOX 739 NO TRURO, MA 02652-0739</p>
<p>40-29-0-R</p> <p>COUTU DEVIN C/O COUTU REVOCABLE TRUST PO BOX 496 NO TRURO, MA 02652</p>	<p>40-114-0-R</p> <p>BERRY KAREN R & BARRETT CLARE ANGELA 1 ROCK CREEK WOODS DRIVE LAMBERTVILLE, NJ 08530</p>	<p>40-116-0-R</p> <p>GAVENDA LAURIE & HESS KAREN K 70 BOSTON ST #305 SALEM, MA 01970</p>
<p>40-117-0-R</p> <p>HALE BRIAN R & MARIA 270 HARDCRABBLE RD NORTH SALEM, NY 10560</p>	<p>40-118-0-R</p> <p>DUARTE VINCENT A PO BOX 157 PROVINCETOWN, MA 02657-0157</p>	<p>40-119-0-R</p> <p>MOTTA TODD H & CAROL A PO BOX 262 NO TRURO, MA 02652-0262</p>
<p>40-167-0-E</p> <p>TOWN OF TRURO PO BOX 2030 TRURO, MA 02666-2030</p>	<p>40-169-0-E</p> <p>TOWN OF TRURO PO BOX 2030 TRURO, MA 02666-2030</p>	

FOR REGISTRY USE

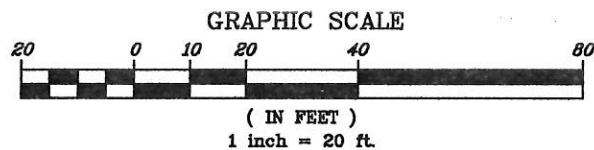
I CERTIFY THAT THIS PLAN FULLY AND ACCURATELY DEPICTS THE LOCATION AND DIMENSIONS OF THE BUILDING AS BUILT, AND FULLY LISTS THE UNITS CONTAINED THEREIN.

REGISTERED LAND SURVEYOR DATE

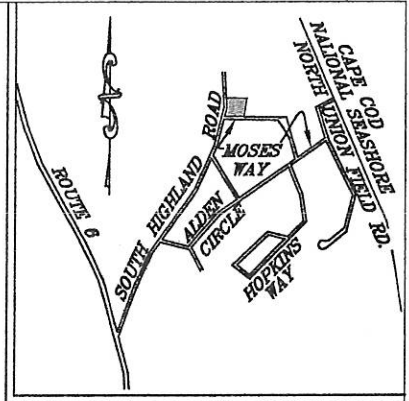
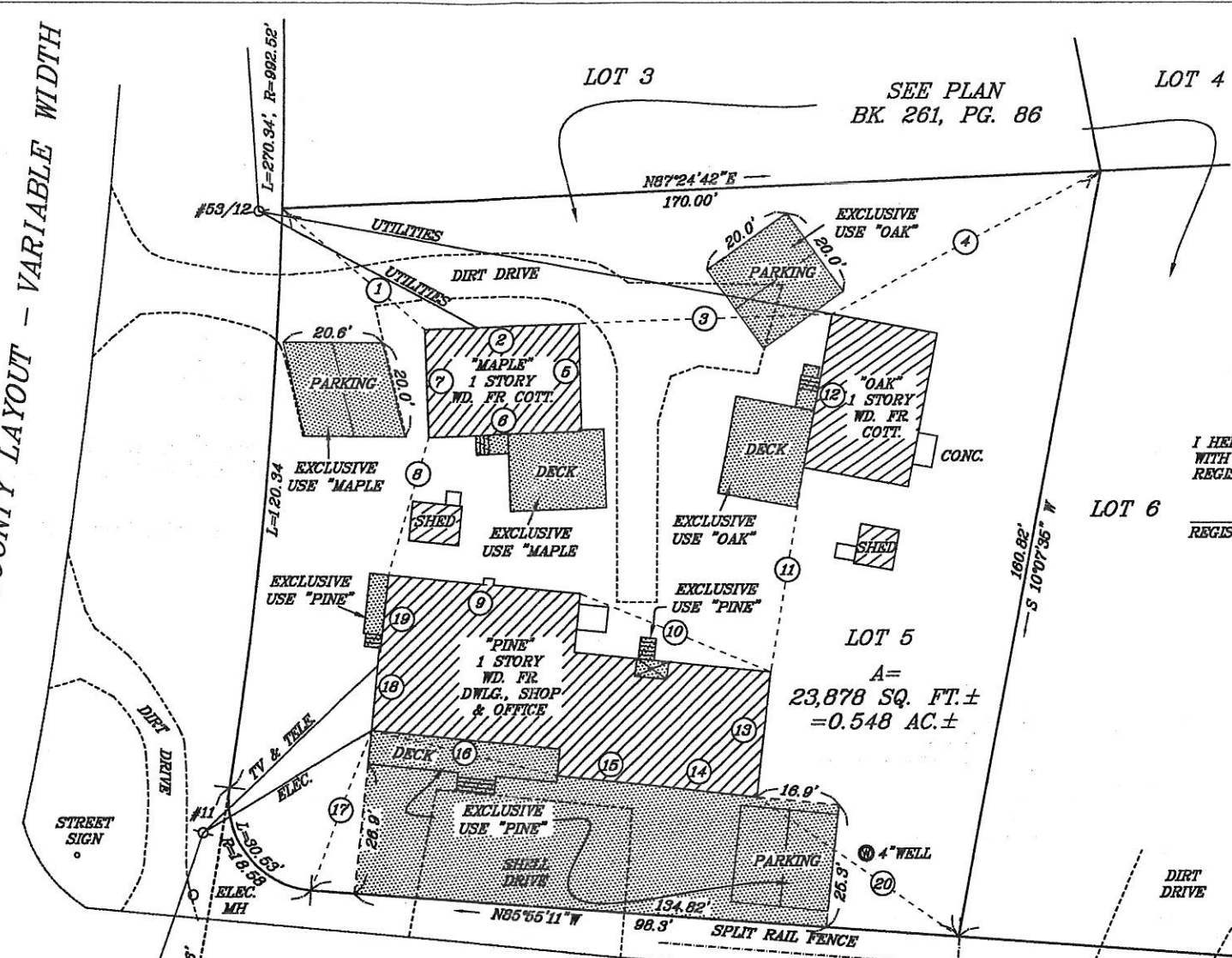
I HEREBY CERTIFY THAT THE PROPERTY LINES SHOWN ON THIS PLAN ARE THE LINES DIVIDING EXISTING OWNERSHIPS, AND THE LINES OF THE STREETS AND WAYS ARE THOSE OF PUBLIC OR PRIVATE STREETS OR WAYS ALREADY ESTABLISHED, AND THAT NO NEW LINES FOR THE DIVISION OF EXISTING OWNERSHIPS OR FOR NEW WAYS ARE SHOWN.

DATE REGISTERED LAND SURVEYOR

LINE	LENGTH	BEARING
1	38.79'	S49°50'26"E
2	32.40'	N87°53'22"E
3	52.36'	N87°56'20"E
4	62.89'	N61°54'28"E
5	22.27'	S01°47'30"E
6	32.09'	S87°45'40"W
7	22.34'	N02°35'09"W
8	29.89'	N18°00'00"E
9	40.27'	S84°31'11"E
10	42.79'	S87°36'26"E
11	42.85'	S08°38'34"W
12	32.25'	S10°23'45"W
13	25.97'	S05°44'18"W
14	20.25'	N83°38'25"W
15	21.43'	N84°11'39"W
16	39.85'	N76°26'41"W
17	35.15'	S20°25'06"W
18	16.28'	N04°44'48"E
19	16.10'	N08°21'15"E
20	50.94'	N55°36'23"W



SOUTH HIGHLAND ROAD - 1952 COUNTY LAYOUT - VARIABLE WIDTH



LOCUS IS SHOWN AS PARCEL 14 ON SHEET 40 OF THE TRURO ASSESSORS' ATLAS.

I HEREBY CERTIFY THAT I HAVE CONFORMED WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS IN PREPARING THIS PLAN.

REGISTERED LAND SURVEYOR DATE

MOSES WAY - PRIVATE - VARIABLE WIDTH

**WOODS CROSSING
CONDOMINIUM**
PLAN OF LAND IN TRURO
MADE FOR
GEORGE M. SHIMKO

SEE PLAN BK. 174, PG. 145

SCALE: 1"=20'
SLADE ASSOCIATES, INC.,
10 PINE POINT ROAD,

JULY 31, 2009
REGISTERED LAND SURVEYORS
WELLFLEET, MA 02867

■ DENOTES DRILL HOLE IN CONCRETE MONUMENT FOUND UNLESS OTHERWISE INDICATED.

- SHEET 1 OF 3 -

PLAN #2009-72A

I HEREBY CERTIFY THAT I HAVE CONFORMED WITH THE RULES AND REGULATIONS OF THE REGISTERED LAND SURVEYORS IN PREPARING THIS PLAN.

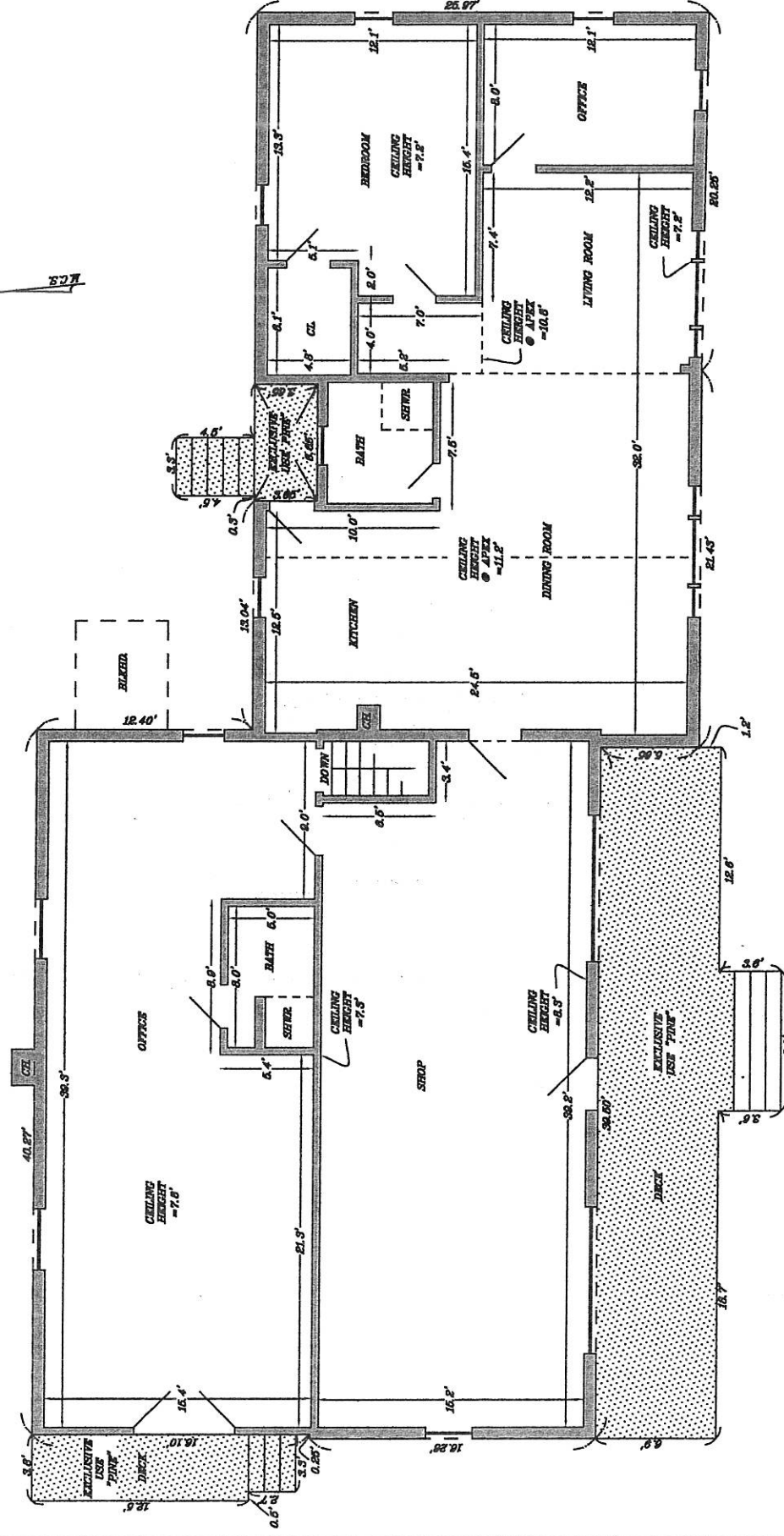
REGISTERED LAND SURVEYOR DATE _____

I HEREBY CERTIFY THIS PLAN FULLY AND ACCURATELY REFLECTS THE LAYOUT, LOCATION, UNIT NUMBER AND DIMENSIONS OF "PINE" IN "WOODS CROSSING CONDOMINIUM" AS BUILT.

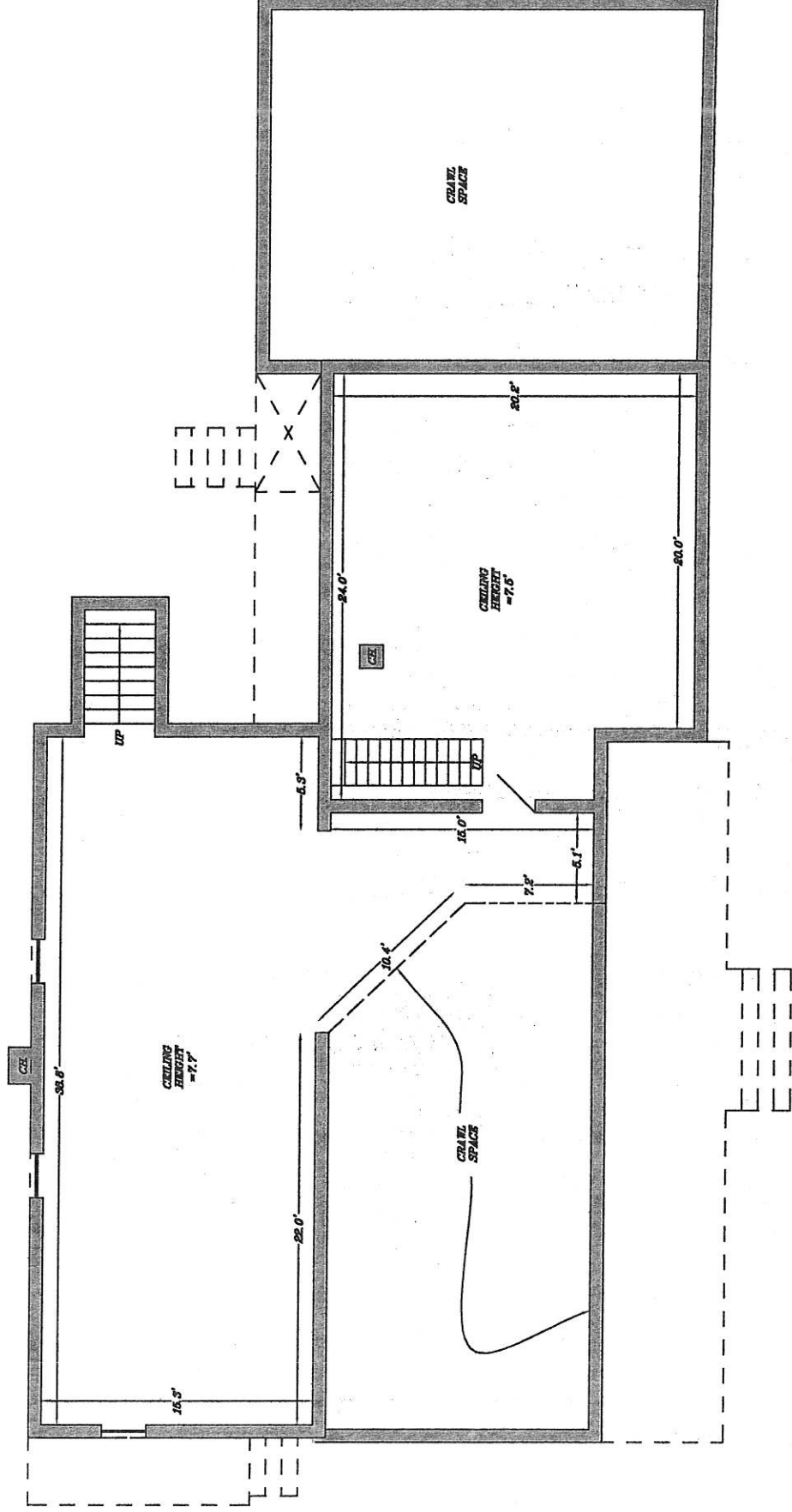
REGISTERED LAND SURVEYOR DATE _____



FOR REGISTERED USE



"PINE"
A=
2,335 SQ. FT. ±



"PINE"
BASEMENT
A=
1,352 SQ. FT. ±



WOODS CROSSING
CONDOMINIUMTM
PLAN OF LAND IN TRURO

MADE FOR

GEORGE M. SHIMKO

SCALE 1"=4'
STATE ASSOCIATES, INC.,
REGISTERED LAND SURVEYORS
10 PINE POINT ROAD,
WELLINGTON, MA 02457

SEPTEMBER 1, 2000

I HEREBY CERTIFY THAT I HAVE CONFORMED WITH THE RULES AND REGULATIONS OF THE REGISTERS OF DEEDS IN PREPARING THIS PLAN.

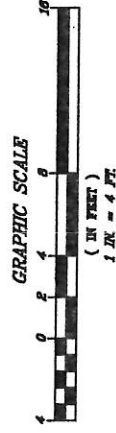
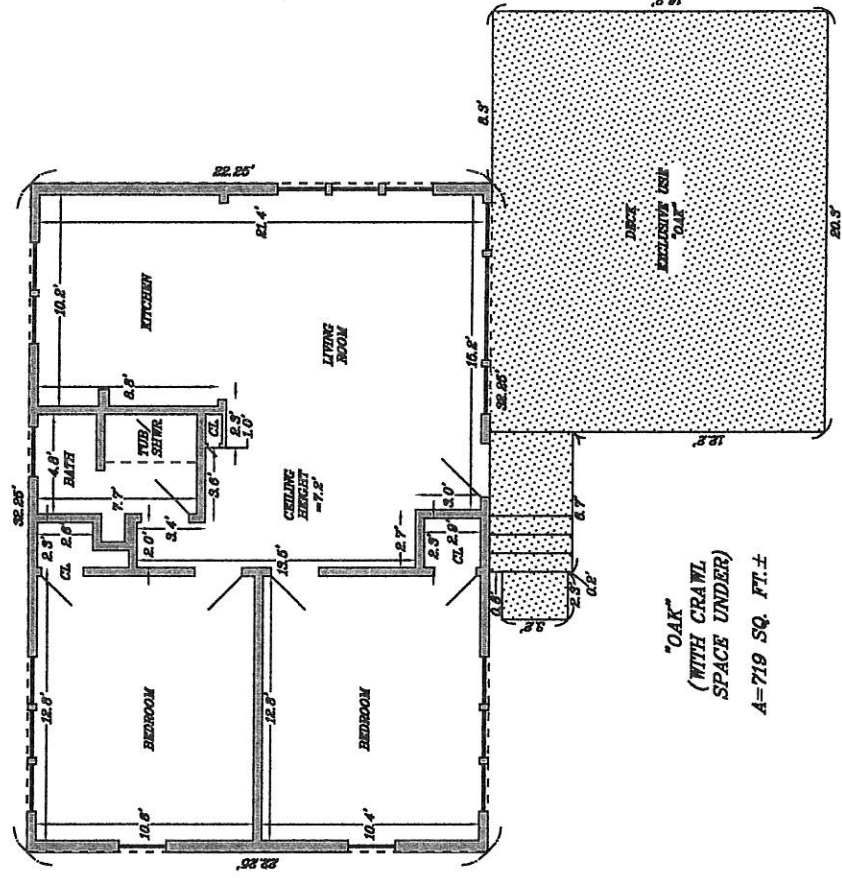
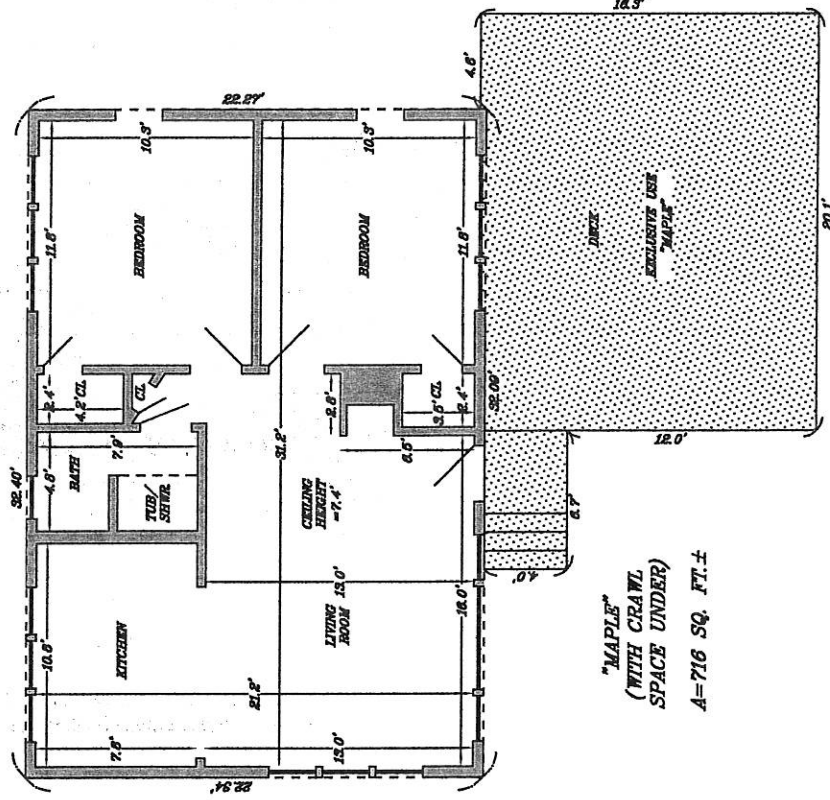
REGISTERED LAND SURVEYOR DATE _____

I CERTIFY THAT THIS PLAN TRULY AND ACCURATELY REFLECTS THE LAYOUT, LOCATION, UNIT NUMBER AND DIMENSIONS OF "MAPLE" AND "OAK" IN "WOODS CROSSING CONDOMINIUM" AS BUILT.

DATE _____

REGISTERED LAND SURVEYOR

FOR REGISTRY USE



**WOODS CROSSING
CONDOMINIUMTM**
PLAN OF LAND IN TRURO
MADE FOR
GEORGE M. SHIMKO

SCALE: 1"=4'
REGISTERED LAND SURVEYOR
10 FINE POINT ROAD,
WELLFLEET, MA 02667

SEPTEMBER 1, 2009

QUITCLAIM DEED

We, **STEPHEN O. LOCKE a/k/a STEPHEN H. LOCKE** of 5 Pamela Way, East Harwich, MA 02645 and **GARY L. LOCKE** of 29 South Highland Road, Truro, MA 02666, as Tenants in Common

For the full consideration of **SIX HUNDRED THOUSAND and no/100 (\$600,000.00) DOLLARS**, paid

grant to **GEORGE M. SHIMKO**, as an Individual, of 598 Grenfall Road, P.O. Box 5118, Palm Springs, CA 92263

WITH QUITCLAIM COVENANTS

A parcel of land in Truro, Barnstable County, Massachusetts in that part of Truro known as North Truro and shown as Lot #5 on plan hereinafter mentioned together with all buildings thereon and bounded and described as follows:

- NORTHERLY By Lot #3 as shown on said plan one hundred and seventy (170) feet;
- EASTERLY By Lot #6 as shown on said plan one hundred sixty and 82/100 (160.82) feet;
- SOUTHERLY By Moses Way, a private way 40 feet wide, one hundred thirty-four and 815/100 (134.815) feet;
- SOUTHWESTERLY By said Moses Way an arc distance of thirty and 54/100 (30.54) feet; and
- WESTERLY By South Highland Road, a Town Way, an arc distance of one hundred twenty and 34/100 (120.34) feet.

Containing .548 acre, more or less, and shown as Lot #5 on plan entitled "Jobi Hollow Subdivision plan of Land in North Truro made for Joseph A. Colliano and Willis C. Hastings, Scale 1 in. = 40 ft. June 1972, W. G. Slade, Surveyor Truro and Main Street, Wellfleet, Mass. 02667." recorded Barnstable Deeds Plan Book 261 Page 86.

Together with the use of all roads and ways as shown on said plan for all purposes for which roads and rights of way are commonly used in the Town of Truro.

Being a portion of premises conveyed by Richard H. Woodward to Joseph A. Colliano et al., dated April 17, 1972 and recorded Barnstable Deeds Book 1634, Page 242.

For Grantors' Title see the deed of Stephen H. Locke et al Executors dated May 13, 2005, recorded with the Barnstable County Registry of Deeds in Book 19844, Page 308. See also the deed of Joseph A. Colliano et al dated January 3, 1975, recorded with said Registry in Book 2140, Page 206. See also the Death Certificate for Levon Edmund Locke recorded with said Registry in Book 12555, Page 130, and the Estate of Elizabeth H. Locke, Barnstable Probate No. 03P1560EP-1.

Property Address: 2 Moses Way
Truro, MA 02666

WITNESS our hands and seals this *11th* day of *January*, 2007.

MASSACHUSETTS STATE EXCISE TAX
BARNSTABLE COUNTY REGISTRY OF DEEDS
Date: 01-12-2007 @ 11:33am
Ct1#: 644 Doc#: 2502
Fee: \$2,052.00 Cons: \$600,000.00

BARNSTABLE COUNTY EXCISE TAX
BARNSTABLE COUNTY REGISTRY OF DEEDS
Date: 01-12-2007 @ 11:33am
Ct1#: 644 Doc#: 2502
Fee: \$1,368.00 Cons: \$600,000.00

Stephen O. Locke

STEPHEN O. LOCKE
a/k/a STEPHEN H. LOCKE

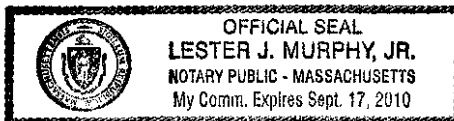
Gary L. Locke

GARY L. LOCKE

COMMONWEALTH OF MASSACHUSETTS

BARNSTABLE, ss.

On this *11th* day of *January*, 2007, before me, the undersigned notary public, personally appeared **STEPHEN O. LOCKE a/k/a STEPHEN H. LOCKE and GARY L. LOCKE**, proved to me through satisfactory evidence of identification, which were *personal knowledge*, to be the persons whose names are signed on the preceding or attached document; and acknowledged to me that they signed it voluntarily for its started purposes.



Lester J. Murphy, Jr.
Lester J. Murphy, Jr., Notary Public

My commission expires: September 17, 2010

C:\clients\Locke, Stephen\Quitclaim_Deed