



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 June 1, 2023

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

1. GENERAL INFORMATION

NOTICE OF APPEAL

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

XX

Applicant is aggrieved by order or decision of the Building Commissioner on *(date)* May 3, 2023, which he/she believes to be a violation of the Truro Zoning Bylaw or the *Massachusetts Zoning Act*.

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

APPLICATION FOR SPECIAL PERMIT

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

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

Property Address 100 Route 6 Truro, MA

Map 055-012-000

Registry of Deeds title reference: Book 34899, Page 326,

Applicant's Name Robert J Martin II and 100 Route 6 LLC are applicants

Applicant's Legal Mailing Address :Robert Martin-- P.O. Box 891, North Truro, MA 02652; 100 Route 6 LLC, c/o Andrew Aiken, 81 North Pamet Road, Truro MA 02666

Applicant's Phone(s), Fax and Email c/o William C. Henchy 165 Rte 6A Orleans MA 02653 508-255-1636 whenchy@henchylaw.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*

**Robert J. Martin II is the lessee in possession of 100 Route 6
100 Route 6 LLC is the owner of 100 Route 6**

Owner's Name and Address 100 Route 6 LLC c/o Andrew Aiken 81 North Pamet Road Truro, MA 02666

Representative's Name and Address William C. Henchy Esq. 165 Route 6A Orleans MA 02653

Representative's Phone(s), Fax and Email 508-255-1636 / 508-246-6776 (cell) whenchy@henchylaw.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).

i 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)

William C Hendry

100 Wte 6 LLC

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

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

W C Hendry

by [Signature]

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

From: andrewmaiken@me.com
Subject: 100 Route 6 LLC & Bobby Martin - Appeal
Date: June 1, 2023 at 1:34 PM
To: whenchy@henchylaw.com



To whom it my concern:

I authorize Robert J. Martin II and William C. Henchy, Esq. to appeal the Order of the Truro Building Inspector directed to my lessee, Mr. Martin, dated May 3, 2023.

Andrew Aiken
Manager
100 Route 6 LLC



TOWN OF TRURO

Building Department

24 Town Hall Road
P.O. Box 2030, Truro MA 02666
Tel: 508-349-7004, Ext. 131 Fax: 508-349-5508

May 3, 2023

Mr. Robert Martin
P.O. Box 891
North Truro, Ma. 02652

RE: 100 Route 6

By: REGULAR MAIL and by CERTIFIED MAIL # 7022 2410 0000 0167 9098

Mr. Martin,


Regrettably,
I am issuing a CEASE-and-DESIST order for the business that you are currently
operating at 100 Route 6 Truro, MA., commonly referred to as "Jack's Garage".

This operation is in violation of the Town of Truro Zoning Bylaws paragraph 30.3
Seashore District item 12 which states, "Lawfully pre-existing non-conforming
commercial uses and structures may continue, but in no case shall the use be altered or
converted to another commercial use". The current use is an alteration and intensification
of the prior use and therefore NOT ALLOWED.

This CEASE-and-DESIST order is effective immediately.

You have the right appeal this decision and if this office can assist you in that endeavor
please do not hesitate to contact us.

Regards,


Richard Stevens
Building Commissioner

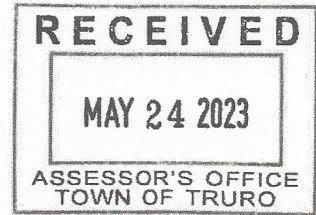


TOWN OF TRURO

Assessors Office

Certified Abutters List

Request Form



NAME OF APPLICANT: Robert Martin DATE: 5/24/23
 NAME OF AGENT (if any): William C. Henchy (whenchy@henchy.law.com)
 MAILING ADDRESS: 165 Rte 6A Orleans MA 02653
 CONTACT: HOME/CELL 508-255-1636 EMAIL whenchy@henchy.law.com
 PROPERTY LOCATION: 100 Rte 6
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP 055 PARCEL 012 EXT. 000
(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"/> Variance¹ |
| <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 checked="" type="checkbox"/> Other <u>ZBA - Appeal</u> | <input checked="" type="checkbox"/> <u>4 Bldg Inspection Order</u> | <small>(Fee: Inquire with Assessors)</small> |
| | <small>(Please Specify)</small> | |

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: 5/24/23 Date completed: 5/24/2023
 List completed by: Laura Geiges Date paid: 5/24/23 Cash/Check 1817

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

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

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

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

⁵Abutters sharing any boundary or corner in any direction – including land across a street, river or stream. **Note:** Responsibility of applicant to notify abutters and produce evidence as required.



TRURO ASSESSORS OFFICE
PO Box 2012 Truro, MA 02666
Telephone: (508) 214-0921
Fax: (508) 349-5506

Date: May 24, 2023

To: William C. Henchy, Agent for Robert Martin

From: Assessors Department

Certified Abutters List: 100 Route 6 (Map 55 Parcel 12)

ZBA Special Permit

Attached is a combined list of abutters for 100 Route 6 (Map 55 Parcel 12).

The current owner is 100 Route 6 LLC.

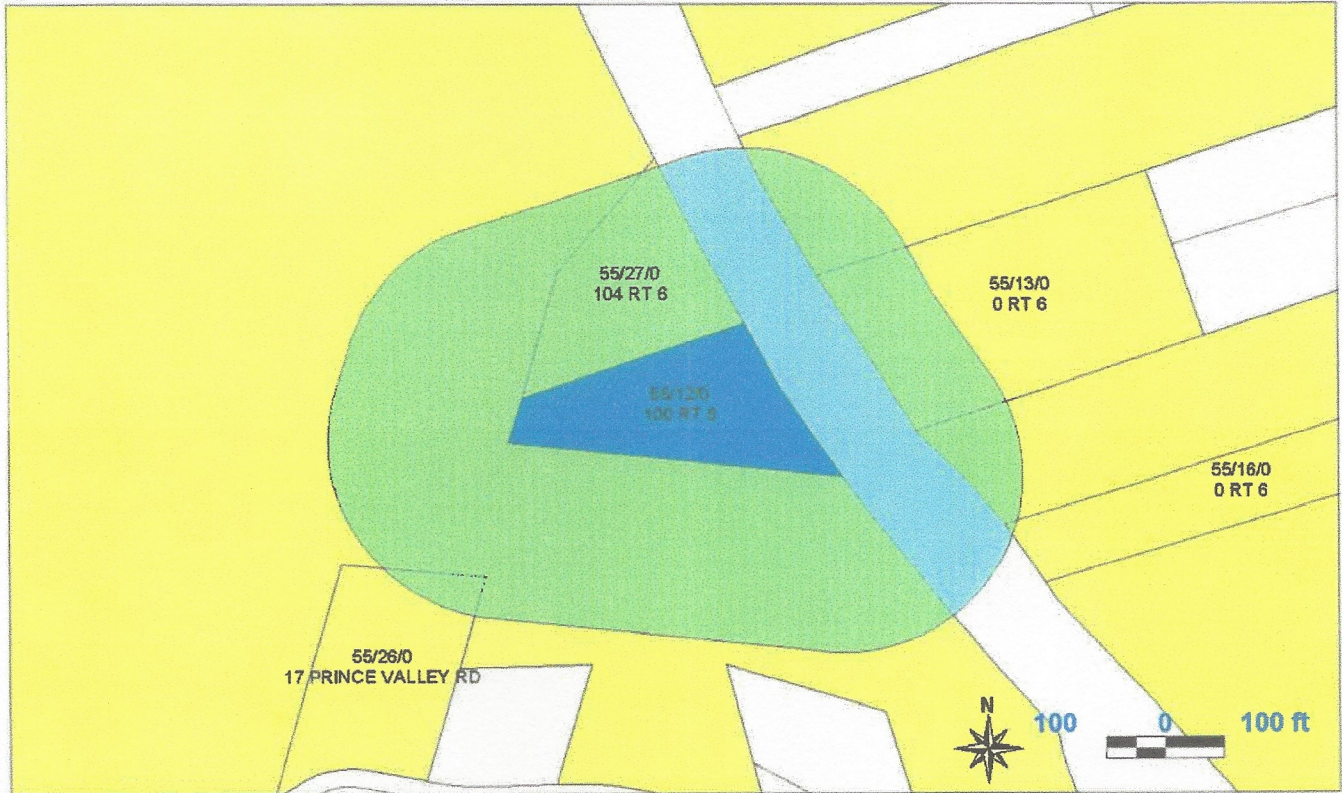
The names and addresses of the abutters are as of May 19, 2023 according to the most recent documents received from the Barnstable County Registry of Deeds.

Certified by: _____

Laura Geiges
Assistant Assessor / Data Collector

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

Abutters List Within 300 feet of Parcel 55/12/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
7292	40-999-0-E	USA-DEPT OF INTERIOR Cape Cod National Seashore	0 CAPE COD NATIONAL SEASHORE	99 Marconi Site Rd	Wellfleet	MA	02667
3351	55-12-0-R	100 ROUTE 6 LLC MGR: ANDREW M AIKEN	100 RT 6	54 FOUR MILE RD	WEST HARTFORD	CT	06107
3352	55-13-0-E	U S A DEPT OF THE INTERIOR	0 RT 6	CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
3355	55-16-0-E	U S A DEPT OF THE INTERIOR	0 RT 6	CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
3365	55-26-0-R	RICHARDSON ALBERT/JUDITH TR & BENNETT FREDERICK & JANE ET AL	17 PRINCE VALLEY RD	C/O CHRISTOPHER WHARFF 10 DEACON RD	YARMOUTH	MA	04096
3366	55-27-0-E	COMMONWEALTH OF MASS EXEC OFFICE OF TRANSPORTATION	104 RT 6	10 PARK PLAZA SUITE 3170	BOSTON	MA	02116

LG 5/24/2023

40-999-0-E

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

55-12-0-R

100 ROUTE 6 LLC
MGR: ANDREW M AIKEN
54 FOUR MILE RD
WEST HARTFORD, CT 06107

55-13-0-E

U S A
DEPT OF THE INTERIOR
CAPE COD NATIONAL SEASHORE
99 MARCONI SITE RD
WELLFLEET, MA 02667

55-16-0-E

U S A
DEPT OF THE INTERIOR
CAPE COD NATIONAL SEASHORE
99 MARCONI SITE RD
WELLFLEET, MA 02667

55-26-0-R

RICHARDSON ALBERT/JUDITH TR &
BENNETT FREDERICK & JANE ET AL
C/O CHRISTOPHER WHARFF
10 DEACON RD
YARMOUTH, MA 04096

55-27-0-E

COMMONWEALTH OF MASS
EXEC OFFICE OF TRANSPORTATION
10 PARK PLAZA
SUITE 3170
BOSTON, MA 02116

LG 5/24/2023