

Benjamin E. Zehnder LLC

62 Route 6A, Suite B
Orleans, Massachusetts 02653

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

October 28, 2022

Town Clerk Kaci Fullerton
Truro Town Hall
24 Town Hall Road
P.O. Box 2012
Truro, MA 02666

Via hand delivery

Re: New Planning Board application to amend approval in Case No. 2020-005/SPR
38 Cliff Road (Assessor's Parcel ID 32-19)

Dear Ms. Fullerton:

On behalf of owners Katherine S. Cook and Christine Van Genderen, please find enclosed for filing with the Planning Board an original plus 9 copies of a new application for Site Plan Review, as well as payment in the amount of \$250.00 for the filing fee. The application seeks to amend the approval granted in Case No. 2020-005/SPR.

Thank you as always for your assistance. I remain –

Very truly yours,


Benjamin E. Zehnder

Enc.

cc via email only w/ attachments:

client
Barbara Carboni
Brian Carlstrom
Lauren McKean
Donald T. Poole
Ted Smith
Elizabeth Sturdy



Town of Truro Planning Board

P.O. Box 2030, Truro, MA 02666

APPLICATION FOR RESIDENTIAL SITE PLAN REVIEW

To the Town Clerk and the Planning Board of the Town of Truro, MA

Date October 28, 2022

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 Amendment of Residential Site Plan Review approval granted in Case No. 2020-005/SPR to change approved screened porch to living room, revise basement plan, revise interior first floor layout, remove approved second floor deck, and add second floor living space.

Property Address 3 8Cliff Road Map(s) and Parcel(s) 32- 19

Registry of Deeds title reference: Book 33307, Page 344, or Certificate of Title Number N/A and Land Ct. Lot # N/A and Plan # N/A

Applicant's Name Katherine S. Cook and Christine Van Genderen

Applicant's Legal Mailing Address 171 Imperial Avenue, Westport, CT 03840

Applicant's Phone(s), Fax and Email (203) 247-7242; cvangen171@gmail.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 (same)

Representative's Name and Address Benjamin E. Zehnder 62 Rte. 6A, Suite B, Orleans, MA 02653

Representative's Phone(s), Fax and Email (908) 255-7766; bzezhnder@zehnderllc.com

2. Waiver(s) Request – The Planning Board may, upon the request of the applicant, pursuant to §70.4.F, waive requirements of §70.4.C, 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)

Katherine S. Cook and Christine Van Genderen

Applicant(s)/Representative Printed Name(s)

Katherine S. Cook and Christine Van Genderen

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

Applicant(s)/Representative Signature(s)

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.

70.4 - RESIDENTIAL SITE PLAN REVIEW CHECKLIST - Applicant

Address: 38 Cliff Road					Applicant Name: Katherine S. Cook and Christine Van Genderen					Date: 10/28/2022				
No.	Requirement	Included	Not Included	Explanation, if needed										
C. Procedures and Plan Requirements														
1a.	An original and 9 copies of the Application for Site Plan Review	X												
1b.	10 copies of the required plans and other required information including this Checklist	X												
1c.	Completed Criteria Review	X												
1d.	Certified copy of the abutters list obtained from the Truro Assessors Office	X												
1e.	Applicable filing fee	X												
	Site Plans													
2a.	Site Plans shall be prepared, stamped and signed by a Registered Land Surveyor and Professional Engineer	X												
2b.	Site Plans shall be prepared at a scale of one inch equals forty feet (1"=40') or larger	X												
3	Site Plan shall include the following:													
3a. 1	North Arrow and a locus plan containing sufficient information to locate the subject property, such as streets bounding or providing access to the property.	X												
3a. 2	Zoning Information: All applicable Zoning Bylaw information regarding the site's development, both existing and proposed conditions. This information shall be placed in a table format which must list all setbacks; percent of lot coverage, broken out between building, pavement, landscape coverage, etc.; number of buildings; total amount of square feet; and any other applicable zoning information necessary for the proper review of the site plan.	X												
	<u>Existing:</u>													
	All setbacks	X												
	Percent (%) of lot coverage broken out between building, pavement, landscape coverage, etc.;	X												
	Number of buildings	X												
	Total number of square feet	X												
	Any other applicable zoning information necessary for the proper review of the site plan													

70.4 - RESIDENTIAL SITE PLAN REVIEW CHECKLIST - Applicant

Address: 38 Cliff Road Applicant Name: Katherine S. Cook and Christine Van Genderen Date: 10/28/2022 .				
No.	Requirement	Included	Not Included	Explanation, if needed
	<u>Proposed:</u>			
	All setbacks	X		
	Percent (%) of lot coverage broken out between building, pavement, landscape coverage, etc.;	X		
	Number of buildings	X		
	Total number of square feet			
	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.	X		
3a. 4	Graphic Scale	X		
3a. 5	Title Block - Including:	X		
	name and description of the project;	X		
	address of the property;	X		
	names of the record owner(s) and the applicant(s); and	X		
	date of the preparation of the plan(s) and subsequent revision dates	X		
3a. 6	Legend of All Symbols		X	Standard symbols used.
3a. 7	Property boundaries, dimensions and lot area	X		
3a. 8	Topography and grading plan		X	Waiver requested.
3a. 9	Location, including setbacks of all existing and proposed buildings and additions	X		
3a. 10	Septic system location	X		
3a. 11	Location of (as applicable):			
	wetlands	X		
	the National Flood Insurance Program flood hazard elevation, and	X		
	Massachusetts Natural Heritage Endangered Species Act jurisdiction		X	None.
3a. 12	Driveway(s) and driveway opening(s)	X		
3a. 13	Existing and proposed lighting		X	No change from prior permit.
3a. 14	Existing landscape features both vegetative and structural		X	No change from prior permit.
3a. 15	Limit of work area (area to be disturbed during construction, including parking and storage of vehicles and equipment) and work staging area(s)		X	No change from prior permit.

70.4 - RESIDENTIAL SITE PLAN REVIEW CHECKLIST - Applicant

Address: <u>38 Cliff Road</u> Applicant Name: <u>Katherine S. Cook and Christine Van Genderen</u> Date: <u>10/28/2022</u> .				
No.	Requirement	Included	Not Included	Explanation, if needed
	Architectural Plans			
3b.	Architectural plans with all dimensions at a scale of no less than 1/8" = 1'-0", including:	X		
	elevations	X		
	floor plans	X		
3c.	Lighting specification, including style and wattage(s)		X	No change from prior permit.
	Neighborhood Context:			
3d.	Photographs or other readily available data concerning the location and size of buildings on lots adjacent to or visible from the lot under consideration in order to provide a neighborhood context for the property under consideration		X	Submitted for prior permit.
3e.	Re-vegetation/Landscaping plan , including both vegetative and structural features		X	No change from prior permit.

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 §70.4D 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.

§70.4D – REVIEW CRITERIA

The Planning Board shall review Residential Site Plans and their supporting information. It is the intent of Residential Site Plan Review that all new construction shall be sited and implemented in a manner that is in keeping with the scale of other buildings and structures in its immediate vicinity in order to preserve the characteristics of existing neighborhoods. Such an evaluation shall be based on the following standards and criteria:

1. Relation of Buildings and Structures to the Environment. Proposed development relates to the existing terrain and lot and provides for solar and wind orientation which encourages energy conservation because:

The applicants do not propose any change to the placement or orientation of the dwelling or to the existing terrain and topography as permitted in Case No. 2020-005/SPR.

2. Building Design and Landscaping. Proposed development is 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 because:

The applicants' revised proposal will continue to be appropriate for and compatible with the prevailing character and scale of buildings in the High Head area. The only exterior changes compared to the previously approved design are the construction of living space instead of the approved screened porch, removal of the second floor deck which would have been located above the screened porch, the addition of three windows and a revised entryway design on the south elevation, and the addition of a second floor dormer and reconfiguration of windows and doorways on the east elevation. The applicants do not propose any change in vegetative screening or lighting.

3. Preservation of Landscape. The landscape will be preserved in its natural state insofar as practicable by minimizing any grade changes and removal of vegetation and soil because:

The applicants intend to preserve the landscape in its existing condition. They do not propose any grade changes or vegetation or soil removal, other than the minimal removals necessary for construction.

4. Circulation. Curb cuts and driveways will be safe and convenient and will be consistent with Chapter I, Section 9 of the General Bylaws of the Town of Truro because:

The property and existing dwelling have a simple driveway which is accessed via Cliff Road, a dirt way. The existing access is safe and convenient for the neighborhood, and the applicants do not propose any new curb cuts, driveways, or changes to the existing road conditions.

5. Lighting. Lighting will be consistent with Chapter IV, Section 6 of the General Bylaws of the Town of Truro. There will be protection of adjacent properties and the night sky from intrusive lighting because:

The applicants do not propose any change in lighting from that approved in their previous Site Plan Review permit.



TOWN OF TRURO

Assessors Office

Certified Abutters List

Request Form



DATE: September 16, 2022

NAME OF APPLICANT: Katherine S. Cook and Christine Van Genderen

NAME OF AGENT (if any): Benjamin E. Zehnder

MAILING ADDRESS: Benjamin E. Zehnder LLC 62 Rte. 6A, Suite B, Orleans, MA 02653

CONTACT: HOME/CELL (508) 255-766 EMAIL bzezhnder@zehnderllc.com

PROPERTY LOCATION: 38 Cliff Road
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP 32 PARCEL 19 EXT. (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 type="checkbox"/> Special Permit ¹
<input type="checkbox"/> Conservation Commission ⁴	<input checked="" type="checkbox"/> XX 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"/> Other _____	<input type="checkbox"/> Accessory Dwelling Unit (ADU) ²	

(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: 9/22/2022

Date completed: 9/22/2022

List completed by: [Signature]

Date paid: 9/22/2022 Cash/Check [Signature]

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.

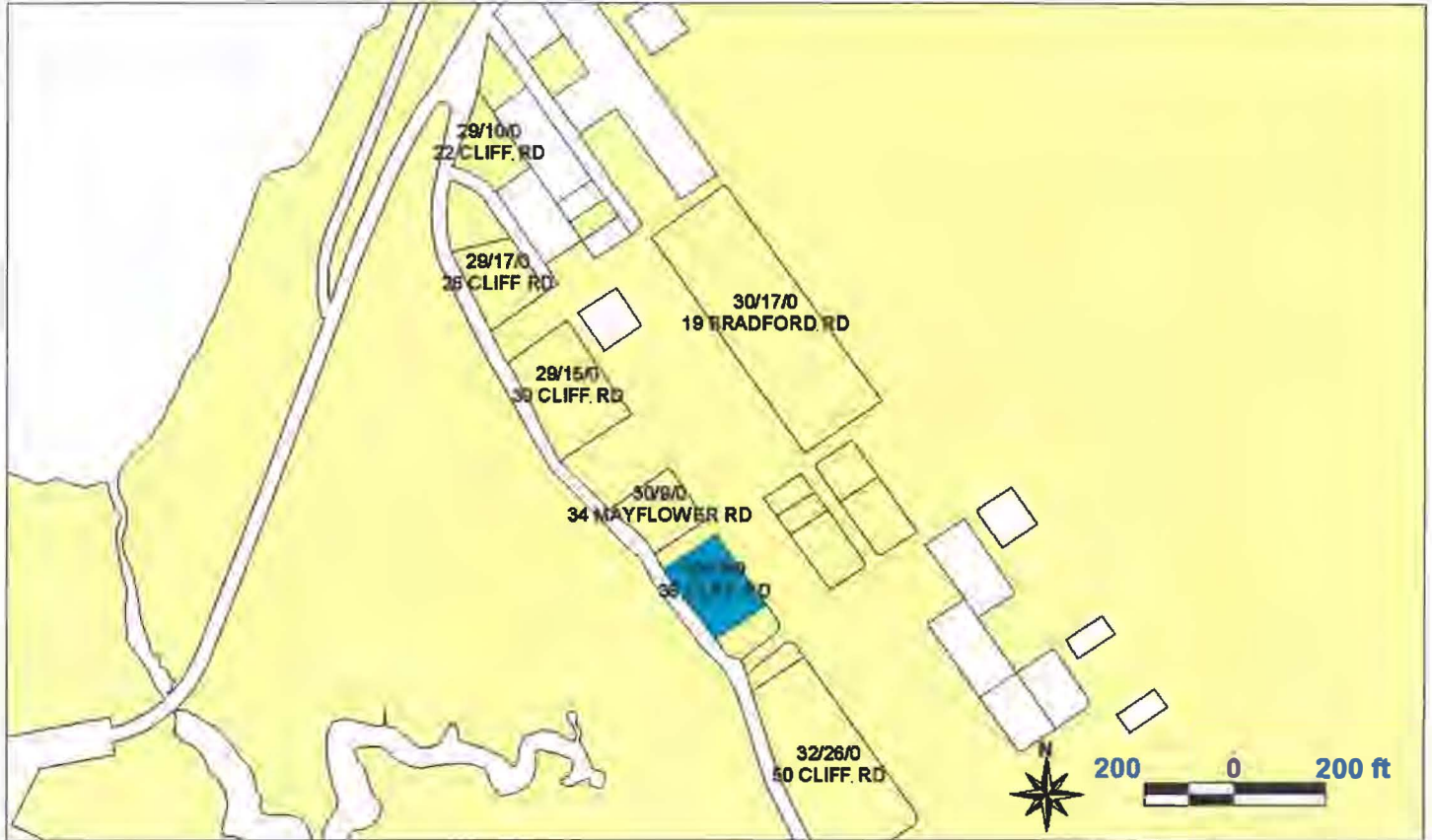
²Abutters to the subject property, abutters to the abutters, and owners of properties across the street from the subject property.

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.

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	Zip/Cd/Country
643	29-8-0-R	TWENTY CLIFF ROAD NOM TRUST TRS: GERARD PETER MICERA	20 CLIFF RD	141 STOWE DRIVE	POUGHQUAG	NY	12570
645	29-10-0-R	STELLO ROBERT & JENNIFER	22 CLIFF RD	PO BOX 762	SO CHATHAM	MA	02633
648	29-13-0-R	RESIKA PAUL & BLAIR	24 CLIFF RD	175 RIVERSIDE DR #6E	NEW YORK	NY	10024
650	29-15-0-E	U S A DEPT OF THE INTERIOR	30 CLIFF RD	CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
6294	29-17-0-E	U S A DEPT OF THE INTERIOR	26 CLIFF RD	CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
659	30-9-0-E	U S A DEPT OF THE INTERIOR	34 MAYFLOWER RD	CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
660	30-10-0-E	U S A DEPT OF THE INTERIOR	13 HOLDEN AVE	CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
661	30-11-0-E	U S A DEPT OF THE INTERIOR	15 HOLDEN AVE	CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
662	30-12-0-E	TOWN OF TRURO	39 ALDEN RD	PO BOX 2030	TRURO	MA	02666-2030
663	30-13-0-E	U S A DEPT OF THE INTERIOR	43 ALDEN RD	CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
664	30-14-0-E	U S A DEPT OF THE INTERIOR	44 ALDEN RD	CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
667	30-17-0-E	U S A DEPT OF THE INTERIOR	19 BRADFORD RD	CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
700	32-19-A-R	CLEMONS PETER ET AL	40 CLIFF RD	15 KIDDER AVE	SOMERVILLE	MA	02143
691	32-24-0-R	CLEMONS PETER & BENSON MARIANNE	42 CLIFF RD	15 KIDDER AVE	SOMERVILLE	MA	02143
693	32-26-0-E	U S A DEPT OF THE INTERIOR	50 CLIFF RD	CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667

02/24/2022

Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	Zip Cd/County
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

Handwritten signature
9/22/2022

29-8-0-R	29-10-0-R	29-13-0-R
TWENTY CLIFF ROAD NOM TRUST TRS: GERARD PETER MICERA 141 STOWE DRIVE POUGHQUAG, NY 12570	STELLO ROBERT & JENNIFER PO BOX 762 SO CHATHAM, MA 02633	RESIKA PAUL & BLAIR 175 RIVERSIDE DR #6E NEW YORK, NY 10024
29-15-0-E	29-17-0-E	30-9-0-E
U S A DEPT OF THE INTERIOR CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD WELLFLEET, MA 02667	U S A DEPT OF THE INTERIOR CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD WELLFLEET, MA 02667	U S A DEPT OF THE INTERIOR CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD WELLFLEET, MA 02667
30-10-0-E	30-11-0-E	30-12-0-E
U S A DEPT OF THE INTERIOR CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD WELLFLEET, MA 02667	U S A DEPT OF THE INTERIOR CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD WELLFLEET, MA 02667	TOWN OF TRURO PO BOX 2030 TRURO, MA 02666-2030
30-13-0-E	30-14-0-E	30-17-0-E
U S A DEPT OF THE INTERIOR CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD WELLFLEET, MA 02667	U S A DEPT OF THE INTERIOR CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD WELLFLEET, MA 02667	U S A DEPT OF THE INTERIOR CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD WELLFLEET, MA 02667
32-19-A-R	32-24-0-R	32-26-0-E
CLEMONS PETER ET AL 15 KIDDER AVE SOMERVILLE, MA 02143	CLEMONS PETER & BENSON MARIANNE 15 KIDDER AVE SOMERVILLE, MA 02143	U S A DEPT OF THE INTERIOR CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD WELLFLEET, MA 02667
40-999-0-E		
USA-DEPT OF INTERIOR Cape Cod National Seashore 99 Marconi Site Rd Wellfleet, MA 02667		



TRURO ASSESSORS OFFICE

PO Box 2012 Truro, MA 02666

Telephone: (508) 214-0921

Fax: (508) 349-5506

Date: September 22, 2022

To: Benjamin E. Zehnder, Agent for Katherine S. Cook and Christine Van Genderen

From: Assessors Department

Certified Abutters List: 38 Cliff Road (Map 32, Parcel 19)

Planning Board/ Site Plan

Attached is a combined list of abutters for the property located at 38 Cliff Road.

The current owners are Katherine S. Cook and Christine Van Genderen.

The names and addresses of the abutters are as of September 16, 2022 according to the most recent documents received from the Barnstable County Registry of Deeds.

Certified by: _____

Olga Farrell
Assessing Clerk

9/15/2021 10:15 am SEQ #: 603

CLASS	CLASS%	DESCRIPTION			BN ID	BN	CARD	
1010	100	SINGLE FAMILY				1	1 of 1	
PMT NO	PMT DT	TY	DESC	AMOUNT	INSP	BY	1st	%
21-191	06/01/2021	5	DEMO	625,000	08/20/2021	LG	100	100
21-191	06/01/2021	1	SINGLE FAM R	625,000		LG	0	0
12-172	07/10/2012	90	BP NVC	5,700	02/06/2013	FC	100	100
89-019	03/03/1989	2	ADDITION		12/31/1989	SW	100	100

The diagram illustrates a multi-processor system architecture. It features a central block (A) labeled 'BAS' with a value of 26. To its left is a block (B) labeled 'BAS' with a value of 4. Below (B) is a block (C) labeled 'USF BAS BMU' with a value of 4. To the left of (C) is a block (D) labeled 'BAS BMU' with a value of 4. Above (B) is a block (E) labeled 'WDK' with a value of 3. To the left of (E) is a block (F) labeled 'WDK' with a value of 15. To the left of (F) is a block (G) labeled 'WDK' with a value of 15. The diagram also includes various numerical values and labels such as '8', '5', '3', '5', '5', '15', '10', '5', '6', '3', '26', '20', '4', '7', '7', '7', '6', '6', '4', '26', and '3'.

The diagram illustrates a multi-processor system architecture. It features a central block (A) labeled 'BAS' with a value of 26. To its left is a block (B) labeled 'BAS' with a value of 4. Below (B) is a block (C) labeled 'USF BAS BMU' with a value of 4. To the left of (C) is a block (D) labeled 'BAS BMU' with a value of 4. Above (B) is a block (E) labeled 'WDK' with a value of 3. To the left of (E) is a block (F) labeled 'WDK' with a value of 15. To the left of (F) is a block (G) labeled 'WDK' with a value of 15. The diagram also includes various numerical values and labels such as '8', '5', '3', '5', '5', '15', '10', '5', '6', '3', '26', '20', '4', '7', '7', '7', '6', '6', '4', '26', and '3'.

The diagram illustrates a multi-processor system architecture. It features a central block (A) labeled 'BAS' with a value of 26. To its left is a block (B) labeled 'BAS' with a value of 4. Below (B) is a block (C) labeled 'USF BAS BMU' with a value of 4. To the left of (C) is a block (D) labeled 'BAS BMU' with a value of 4. Above (B) is a block (E) labeled 'WDK' with a value of 3. To the left of (E) is a block (F) labeled 'WDK' with a value of 15. To the left of (F) is a block (G) labeled 'WDK' with a value of 15. The diagram also includes various numerical values and labels such as '8', '5', '3', '5', '5', '15', '10', '5', '6', '3', '26', '20', '4', '7', '7', '7', '6', '6', '4', '26', and '3'.

YEAR BLT	1950	SIZE ADJ	1.030	ELEMENT	CD	DESCRIPTION	ADJ	S	BAT	T	DESCRIPTION	UNITS	YB	ADJ PRICE	RCN	TOTAL RCN	296,280
NET AREA	1,274	DETAIL ADJ	1.000	FOUNDATION	4	BSMT WALL	1.00	+	BAS	L	BAS AREA	946	1950	218.39	206,597	CONDITION ELEM	CD
\$NLA(RCN)	\$233	OVERALL	1.120	EXT. COVER	1	WOOD SHINGLES	1.00	+	BMU	N	BSMT UNFINISHED	330		58.69	19,367		
				ROOF SHAPE	1	GABLE	1.00	+	USF	L	UP-STRY FIN	328	1950	172.75	56,661		
				ROOF COVER	1	ASPHALT SHINGLE	1.00	+	WDK	N	ATT WOOD DECK	195		40.99	7,992		
				FLOOR COVER	1	HARDWOOD	1.00	MST	O	MASONRY STACK	1		2,163.00	2,163			
				INT. FINISH	2	DRYWALL	1.00										
				HEATING/COOLING	2	HOT WATER	1.02										
				FUEL SOURCE	1	OIL	1.00										
CAPACITY				UNITS	ADJ												
STORIES(FAR)		1.75	1.00														
ROOMS		5	1.00														
BEDROOMS		2	1.00														
BATHROOMS		1.5	1.00														
FIXTURES		5	\$3,500														
UNITS		1	1.00														
EFF.YR/AGE 1974 / 46																	
COND		35	35 %														
FUNC		0															
ECON		0															
DEPR		35	% GD	65													
RCNLD		\$192,600															

MASSACHUSETTS STATE EXCISE TAX
BARNSTABLE COUNTY REGISTRY OF DEEDS
Date: 09-29-2020 @ 01:39pm
Ctl#: 1039 Doc#: 52080
Fee: \$3,163.50 Cons: \$925,000.00

BARNSTABLE COUNTY EXCISE TAX
BARNSTABLE COUNTY REGISTRY OF DEEDS
Date: 09-29-2020 @ 01:39pm
Ctl#: 1039 Doc#: 52080
Fee: \$2,830.50 Cons: \$925,000.00

QUITCLAIM DEED

I, ERNEST N. DICKINSON, Trustee of the Restatement of the Ernest N. Dickinson Revocable Living Trust Agreement, said Restatement dated December 10, 1999 and recorded with Barnstable County Registry of Deeds in Book 14710, Page 338, with a mailing address of 36 Trask Road, Vienna, ME 04360, ("Grantor")

for consideration paid in the amount of **NINE HUNDRED TWENTY-FIVE THOUSAND and 00/100 (\$925,000.00) DOLLARS**,

grant to **KATHARINE S. COOK and CHRISTINE VAN GENDEREN**, a married couple, as Tenants by the Entirety, with a mailing address of 171 Imperial Avenue, Westport, CT 03840, ("Grantees"),

WITH QUITCLAIM COVENANTS, the land in Truro, Barnstable County, Massachusetts, together with the buildings thereon, described as follows:

PARCEL I - the land in Truro, Barnstable County, Massachusetts being shown as **Lots 507 and 508** on a plan hereinafter mentioned and being bounded and described as follows:

Beginning at Cliff Road and running in an Easterly direction by Lot 509 one hundred (100) feet more or less to Mayflower Road, thence;

NORTHERLY along said Mayflower Road one hundred (100) feet more or less, thence;

WESTERLY one hundred (100) feet more or less to said Cliff Road and thence;

SOUTHERLY one hundred (100) feet more or less along said Cliff Road to the point of beginning.

Said Lots shown as 507 and 508 on Plan of Pilgrim Heights at High Head in Truro, Massachusetts, dated June, 1924, by John S. Crossman, filed at the Barnstable Registry of Deeds.

PARCEL II - the land in Truro, Barnstable County, Massachusetts being shown as **Lot 510** on a plan hereinafter mentioned as Plan of Pilgrim Heights at High Head in Truro, Massachusetts, dated June 1924, by John S. Crossman, which plan is filed in Barnstable Registry of Deeds and bounded and described as follows beginning at the point of intersection of Cliff Road and Chatham Avenue as shown on said plan, thence;

EASTERLY along said Chatham Avenue one hundred (100) feet more or less to the intersection of Chatham Avenue and Mayflower Road, thence;

Property Address: 38 Cliff Road, Truro, Massachusetts 02666

NORTHERLY along said Mayflower Road one hundred (100) feet more or less, thence;
WESTERLY by land now or formerly of Frank Rich one hundred feet (100 ft) more or less to said Cliff Road, and thence;
SOUTHERLY one hundred (100) feet more or less along Cliff Road.

PARCEL III - the land in Truro, Barnstable County, Massachusetts, being **Lot 509** on plan of Pilgrim Heights at High Head in Truro, Massachusetts, dated June, 1924 by John S. Crossman recorded in Barnstable Registry of Deeds and bounded and described as follows:

Beginning at Cliff Road, thence;

EASTERLY by Lot 510 one hundred (100) feet more or less to Mayflower Road, thence;
NORTHERLY along said Mayflower Road fifty (50) feet more or less, thence;
WESTERLY by Lot 508 one hundred (100 feet) more or less to said Cliff Road, and thence;
SOUTHERLY fifty (50) feet more or less along said Cliff Road to the point of beginning.

The undersigned Trustee hereby certifies that:

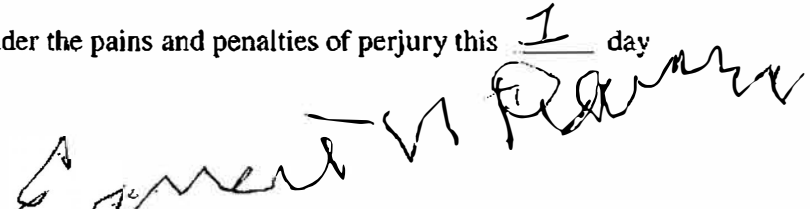
1. Said Trust is in full force and effect.
2. All beneficiaries are of full age.
3. All the beneficiaries are competent.
4. All the beneficiaries of said Trust have authorized and directed me as Trustee to convey the herein described premises for the consideration stated above.

Meaning and intending to convey those same premises described in deed dated December 10, 2001 and recorded with Barnstable County Registry of Deeds in Book 14711, Page 1.

Grantor hereby releases any and all rights of homestead in the above property, created either automatically by operation of law or by written declaration that is recorded, and further certifies under the pains and penalties of perjury that there are no other individuals entitled to homestead rights to the property conveyed herein.

SIGNATURE ON FOLLOWING PAGE

Executed as a sealed instrument under the pains and penalties of perjury this 1 day
of September, 2020.



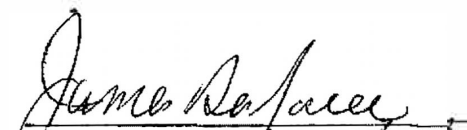
ERNEST N. DICKINSON, Trustee

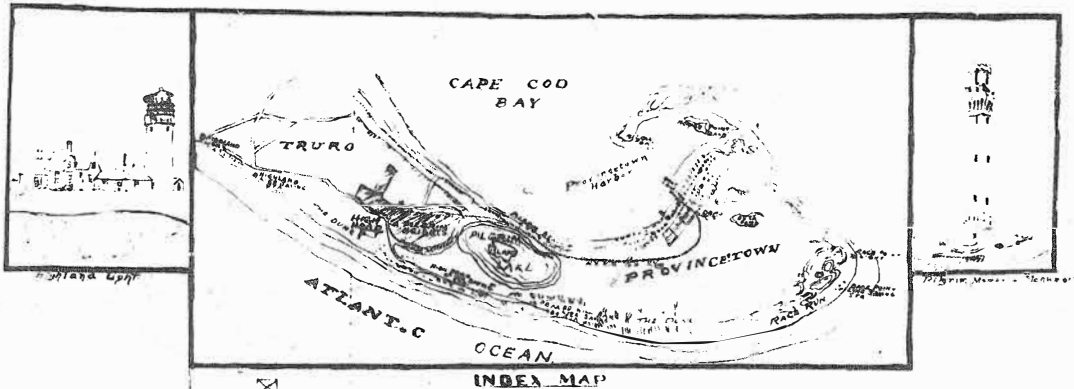
COMMONWEALTH OF MASSACHUSETTS

Barnstable, ss.
County

September 1, 2020

On the above date, before me, the undersigned Notary Public, personally appeared **ERNEST N. DICKINSON, Trustee as aforesaid**, who proved to me through satisfactory evidence of identification, which was Personal Knowledge to be the person whose name is signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose and who swore or affirmed to me that the contents of the attached document are truthful and accurate to the best of his knowledge and belief.


Notary Public: Massachusetts
My commission expires: 5/13/2022



PLAN of **PILGRIM HEIGHTS.** AT HIGH HEAD IN TRURO MASS.



SCALE ONE INCH = 100 FT.

PILGRIM HEIGHTS TRUST
 PROVINCETOWN MASS
 OWNERS AND DEVELOPERS
 JULY, 1926

JOHN S. CROSSMAN
 ARCHITECT & C.E.
 667 TREMONT ST.
 BOSTON

Member
 of
 National Association Real Estate Boards

CHATHAM AVE				CLIFF			
571	562	553	544	531	522	513	504
570	561	550	543	530	521	512	503
569	560	551	542	529	520	511	502
568	559	550	541	528	519	510	501
567	558	549	540	527	518	509	500
487	486	485	484	526	517	508	499
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474	473	472	471	513	504	495	486
473	472	471	470	512	503	494	485
472	471	470	469	511	502	493	484
471	470	469	468	510	501	492	483
470	469	468	467	509	500	491	482
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465	464	463	462	504	495	486	477
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312	311	310	309	351	342	333	324</



Planning Board

Town of Truro

24 Town Hall Road
Truro, MA 02666
(508) 349-7004

DECISION OF THE PLANNING BOARD

Residential Development Site Plan Review

Atlas Map 32 Parcel 19

Address: 38 Cliff Road

Case Reference No.: 2020-005/SPR

Applicants: Katherine S. Cook and
Christine Van Genderen

Hearing Dates: December 16, 2020; January 6, 2021

Decision Date: January 6, 2021

Sitting: Anne Greenbaum, Chair; Steve Sollog, Vice Chair; Jack Riemer,
Clerk; Paul Kiernan; Bruce Boleyn; Peter Herridge

Following duly posted and noticed Truro Planning Board hearings held on December 16, 2020, and January 6, 2021, the Board voted to approve the application for Residential Development Site Plan Review pursuant to Section 70.4 of the Truro Zoning Bylaw for additions to an existing residence on property located at 38 Cliff Road, Map 32, Parcel 19, in the Seashore District.

The following materials were submitted as part of the complete application for review:

- Application for Site Plan Review (Residential)
- Certified Abutters List
- Map of Land, #38 Cliff Road, Truro, prepared for Katherine S. Cook & Christine Van Genderen, Deed Book 333507, Page 344, Lots 507, 508, 509, 510, Plan Book 20, Page 5"
- Survey of 38 Cliff Road, Truro, Massachusetts, prepared by Ted Smith Architect, LLC, Scale 1"= 20' dated October 23, 2020
- Survey of 38 Cliff Road, Truro, Massachusetts, prepared by Ted Smith Architect, LLC, Scale 1"= 20' dated October 26, 2020, Sheets E1.1-E1.2; E2.1-E2.4, inclusive; A1.1 dated December 12, 2020, A1.2 (revised December 12, 2020); A2.1, A2.s, A2.3, A2.5
- "38 Cliff Road – Planning Board Site Plan Review Zoning Table" dated November 9, 2020
- Review Criteria form, completed
- Residential Site Plan Review Checklist
- Product specifications for lighting fixture
- Town of Truro Assessor's Records and photographs

- Pilgrim Heights Plan
- Quitclaim Deed

The following additional material was submitted:

- Email from Lauren McKean, AICP, Park Planner, Cape Cod National Seashore dated December 16, 2020

Board Vote:

At the January 6, 2021 meeting, Mr. Boleyn made a motion, seconded by Mr. Kiernan, to approve the application for residential development site plan. Vote was 5-1 in favor.

In favor of the Motion: Anne Greenbaum, Chair; Steve Sollog, Vice Chair; Jack Riemer, Clerk; Paul Kiernan; Bruce Boleyn

Opposed to the Motion: Peter Herridge

The application of Katherine S. Cook and Christine Van Genderen for Residential Site Plan approval pursuant to s. 70.4 of the Truro Zoning Bylaw was granted by the Planning Board.

This decision is pursuant to the following facts and conditions:

Findings:

1. This is an application by Katherine S. Cook and Christine Van Genderen for Residential Site Plan Review pursuant to Section 70.4 of the Truro Zoning Bylaw ("Bylaw"). Residential Site Plan Review is required under Section 70.4 of the Zoning Bylaw, as the project is an addition to an existing single-family dwelling in the Seashore District.
2. The Property is located at 38 Cliff Road and is shown on Truro Assessor's Map 32, Parcel 19. The Property contains .64 acres and is located in the Seashore District. The lot is nonconforming as to lot area where three acres are required, and as to front setback from Cliff Road (16.5 feet where 50 feet required).
3. The existing single-family house is located toward the southwest corner of the property. It contains a total of 1,389 square feet, plus a 76 foot covered deck. The first floor contains 1,020 square feet plus the deck; the second floor contains 369 square feet.
4. The proposed project removes most of the existing dwelling and reconstructs it on a somewhat enlarged footprint. A screened porch of 296 square feet will be constructed on the north side of the house, and an additional 213 square feet of living space will be constructed on the east side of the house (rear). The total Gross Floor Area will be 1,767 square feet plus a 373 square foot porch/deck. The first floor will contain 1,252 square

feet, plus the deck; the second floor will contain 515 square feet. The height of the dwelling will increase from an existing ridge height of 22.1 feet above grade to 26.1 feet above grade.

5. No additional alterations to the property are proposed.
6. The Board has reviewed all plans with respect to this Application and has found that they comply with all requirements set forth in Section 70.4(C) of the Bylaw.
7. The Board found that the house will be reconstructed in a manner that is in keeping with the scale of the existing building and other buildings in the neighborhood. This contributes to preserving the characteristics of the Seashore District.
8. Pursuant to Section 70.4(D) of the Bylaw, the Board found:
 - a. Relation of Buildings and Structures to the Environment. The Board finds that the reconstructed dwelling relates to the existing terrain and lot, as it modestly expands the footprint of the existing house and preserves the scale of the existing building.
 - b. Building Design and Landscaping. The Board finds that the reconstructed house is in an updated vernacular style consistent with other dwellings in the Seashore District and complementary to the landscape, particularly in its compactness on an undersized Seashore lot. The materials are likewise complementary and appropriate to the location.
 - c. Preservation of Landscape. The Board finds that the landscape will be preserved as the house is being expanded only modestly and no new parking areas or other appurtenances will be created.
 - d. Circulation. The Board finds that the existing driveway and parking area will adequately and safely serve the expanded house.
 - e. Lighting. The Board finds that as conditioned below, the lighting proposed for the structure will be consistent with General Bylaw Chapter IV, Section 6, and that adjacent properties and the night sky will be protected from intrusive lighting.

Conditions

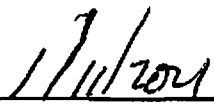
1. The use of the Property shall be in strict conformance with the Town of Truro Bylaw.
2. Construction shall conform to the plans referenced in this decision.

3. Lighting shall be installed and maintained so as to comply with the Truro of Truro Outdoor Lighting Bylaw, Chapter IV, Section 6 of the General Bylaws.
4. The Applicant must obtain a special permit from the Zoning Board of Appeals under Section 30.7 and 30.8, and G.L. c. 40A s. 6, to expand a nonconforming structure.
5. Prior to issuance of a Building Permit, the Applicant shall submit to the Board revised, stamped architectural plans with a complete zoning table that includes all required dimensions, including but not limited to Gross Floor Area, that conforms to this Decision.
6. Prior to issuance of an occupancy permit, the Applicant shall submit a stamped, As-Built Plan of the residence confirming that the residence conforms to the above limits and dimensions indicated on the Plans.


This Site Plan Approval for a Residential Site Plan shall expire two (2) years from the date of approval.

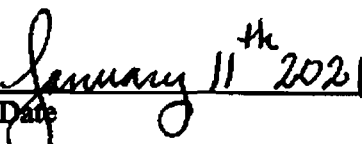
Pursuant to Zoning Bylaw Section 70.6, it is the responsibility of the applicant to obtain a true attested copy of this decision from the Town Clerk and to record this decision in the Barnstable Registry of Deeds or Land Court, as applicable. Prior to the issuance of building permit, the applicant shall present evidence of such recording to the Building Commissioner and the Planning Board Secretary.


 Anne Greenbaum, Chair


 Date

Received, Office of the Town Clerk:


 Signature


 Date











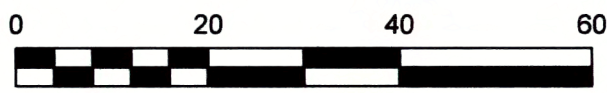
I hereby certify that the structures shown hereon are located as they exist on the ground.

Donald T. Poole PLS #32662

Cape Cod National Seashore
USA Dept. of the Interior

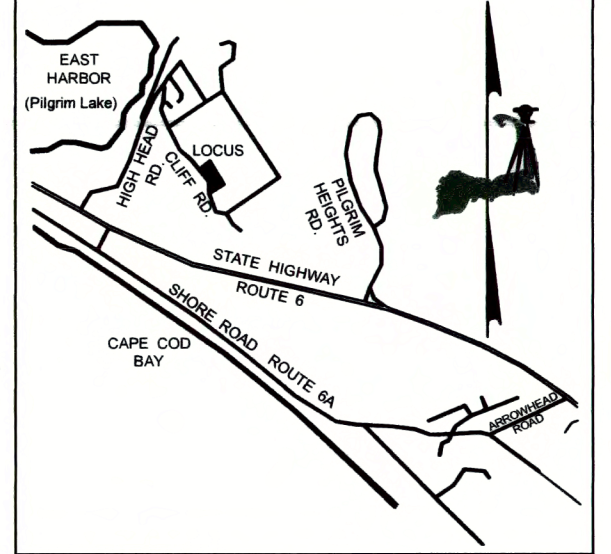


11/9/2020
Date



PLAN NOTES:

- 1) Property is located within the Seashore Zoning District
- 2) Bearings are based on MA Coordinate System NAD83
- 3) Elevations are based on NAVD88
- 4) Existing Grade = $61.8 + 60.5 + 63.0 + 63.3 + 63.5 + 64.1 + 63.0 = 439.2 / 7 = 62.7' \text{ NAVD88}$
- 5) Existing Ridge Height = $84.8' - 62.7' = 22.1'$
- 6) Proposed Ridge Height = $\text{Fin Flr } (65.9') + 22.9' \text{ (Proposed Ridge)} = 88.8' - 62.7' = 26.1'$



LOCUS Map Not to Scale

Cape Cod National Seashore
USA Dept. of the Interior

#38 Cliff Road
Area = $28,010 \pm \text{Sq.Ft.}$
or 0.64 Acres

$R = 10.00'$
 $A = 16.08'$

100' from the Zone AE Elev. 13
From FEMA Map #25001C0136J

100' from the Edge of
Wetland from DEP

Zone AE Elev. 13, From FEMA
Map #25001C0136J

Cape Cod National Seashore
USA Dept. of the Interior

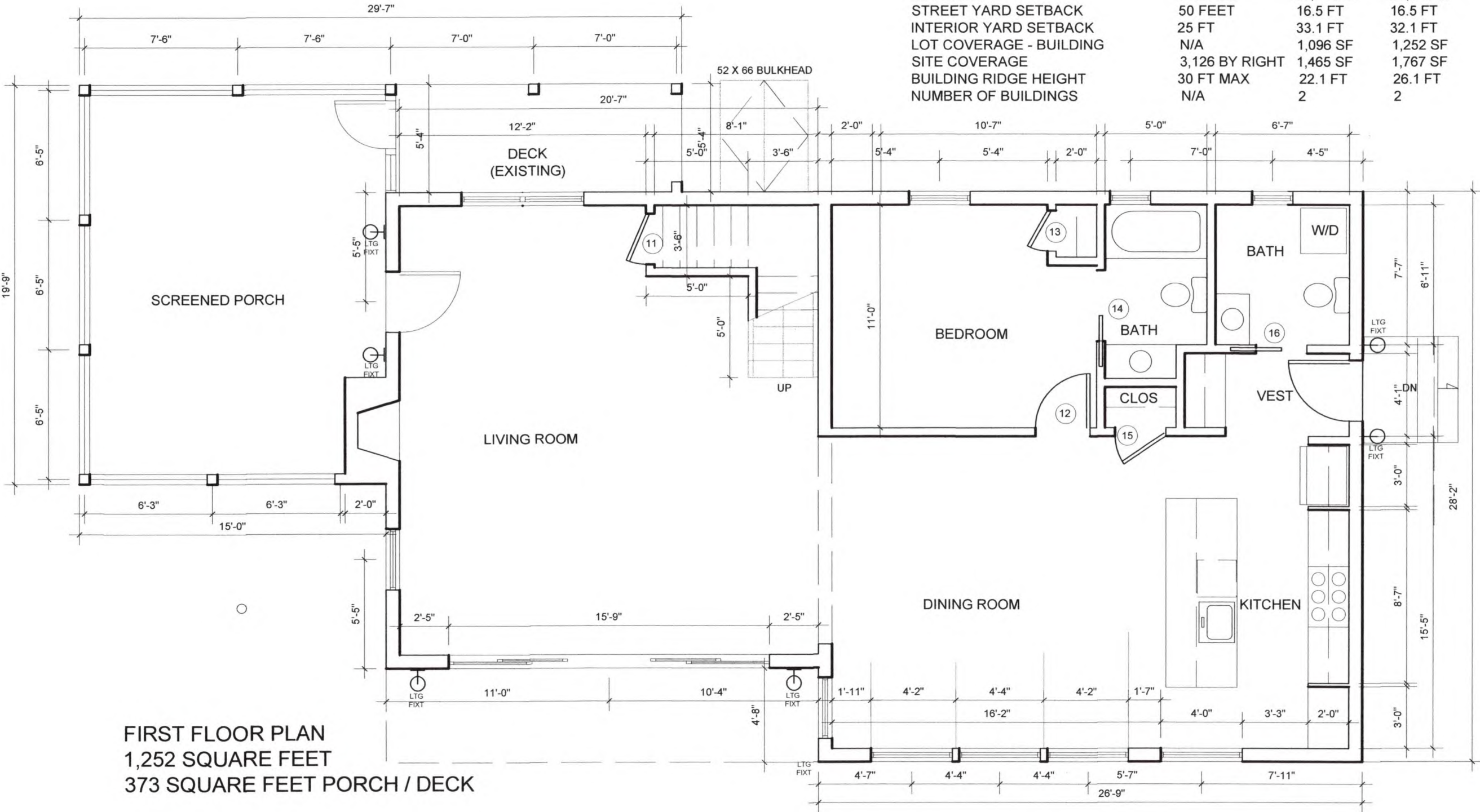
Top of Bank



Plan of Land
#38 Cliff Road, Truro
prepared for
Katherine S. Cook & Christine Van Genderen
Deed Book 333507, Page 344
Lots 507, 508, 509, 510
Plan Book 20, Page 5
Scale 1" = 20' Oct 23, 2020
ols #933001

ZONING TABLE

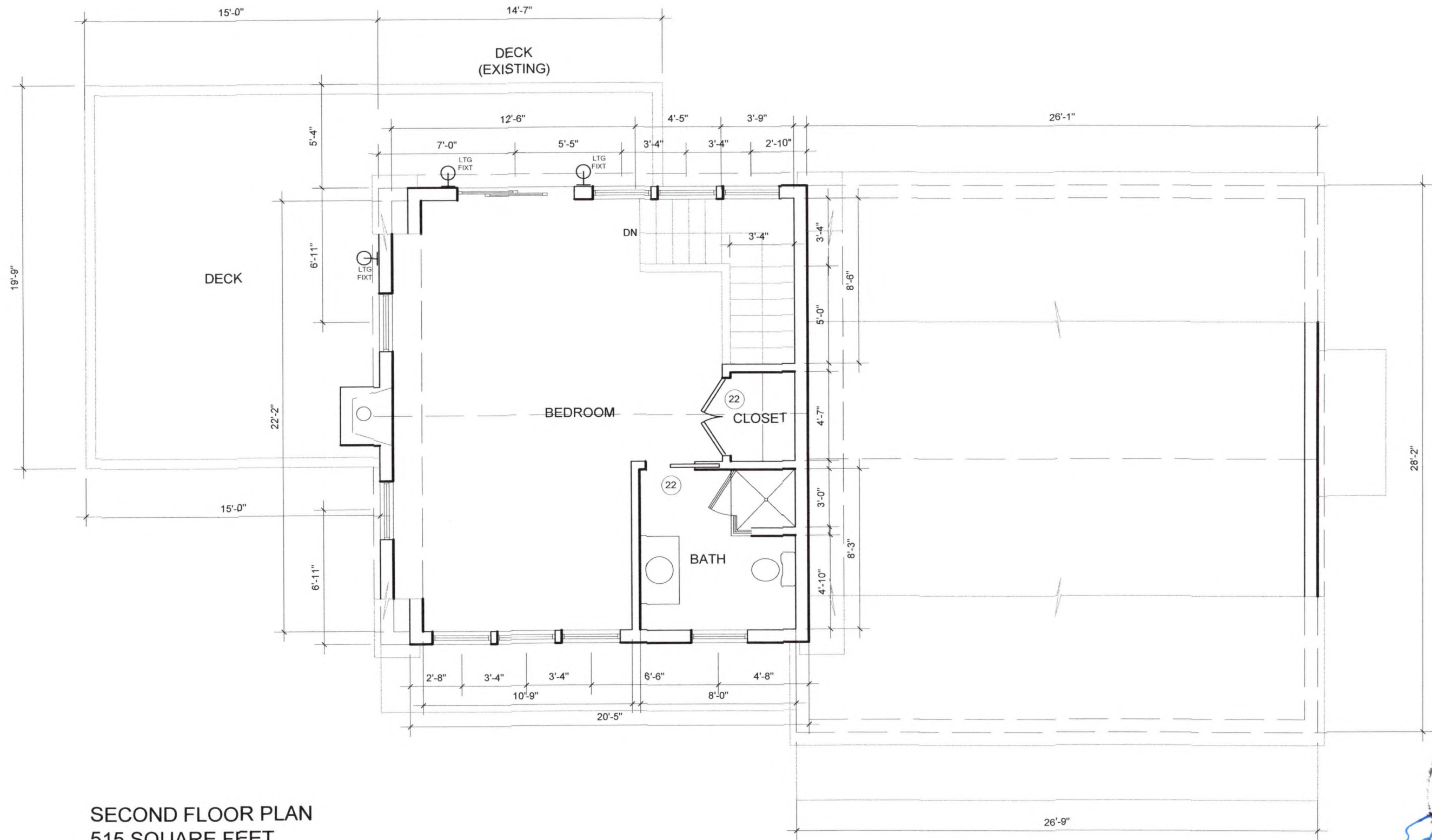
	REQUIRED	EXISTING	PROPOSED
LOT AREA	3 ACRES	27,443 SF	27,443 SF
STREET YARD SETBACK	50 FEET	16.5 FT	16.5 FT
INTERIOR YARD SETBACK	25 FT	33.1 FT	32.1 FT
LOT COVERAGE - BUILDING	N/A	1,096 SF	1,252 SF
SITE COVERAGE	3,126 BY RIGHT	1,465 SF	1,767 SF
BUILDING RIDGE HEIGHT	30 FT MAX	22.1 FT	26.1 FT
NUMBER OF BUILDINGS	N/A	2	2



FIRST FLOOR PLAN
1,252 SQUARE FEET
373 SQUARE FEET PORCH / DECK



AS APPROVED

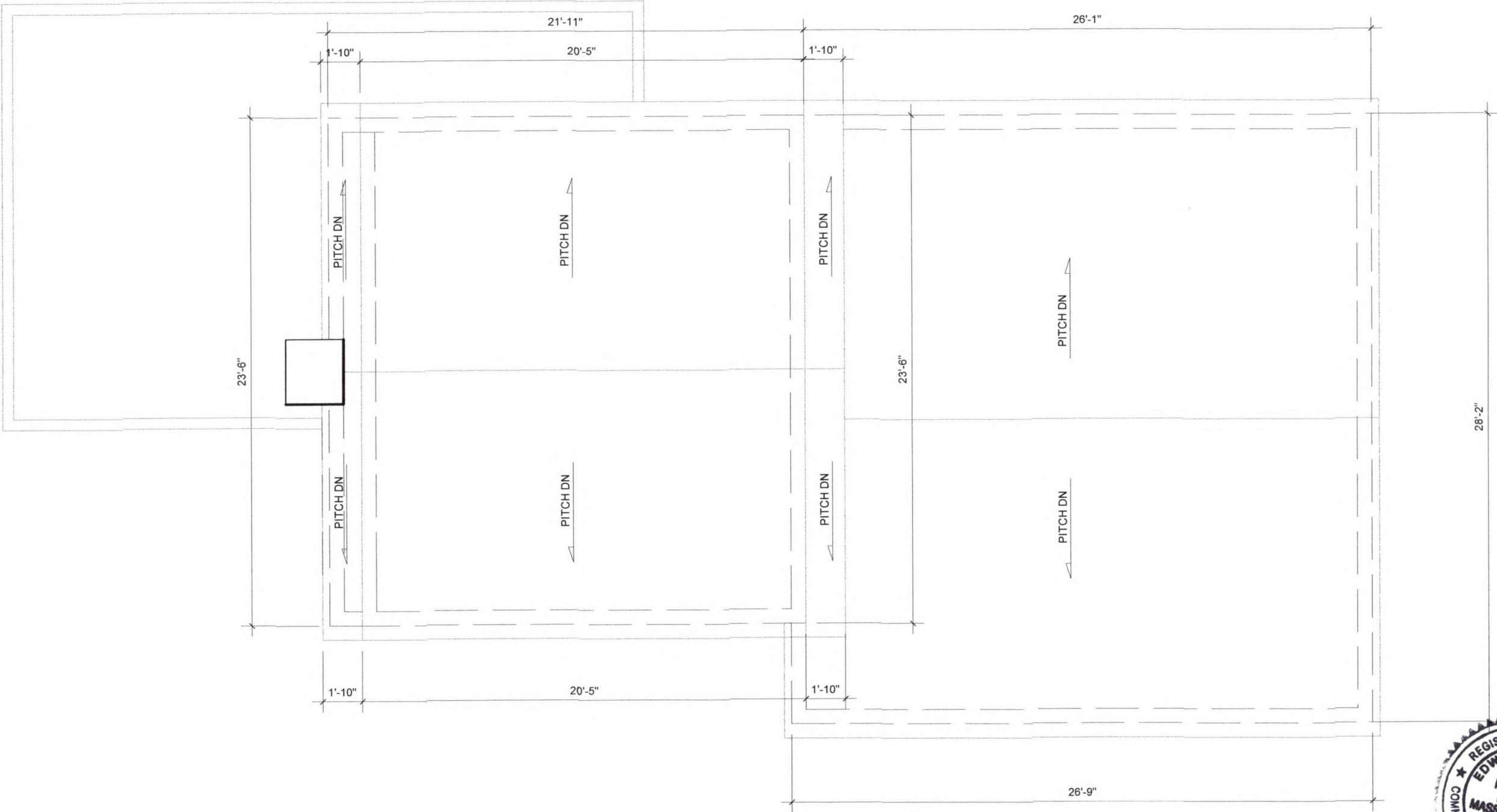


SECOND FLOOR PLAN
515 SQUARE FEET

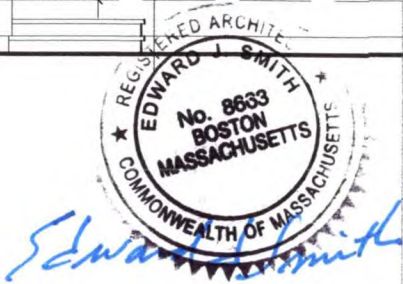


<p>TED SMITH Architect, LLC 12 Dartmouth Place, Boston 422 Commercial Street, Provincetown 617 . 247 . 0023 TEDSMITHARCHITECT@GMAIL.COM</p>	<p>PROJECT TITLE</p> <p>38 CLIFF ROAD Truro, Massachusetts</p>	<p>DRAWING TITLE</p> <p>PROPOSED SECOND FLOOR PLAN</p>	<p>SCALE</p> <p>3/16" = 1'-0"</p> <p>DATE</p> <p>26 OCTOBER 2020 8 JANUARY 2021</p>	<p>SHEET NO.</p> <p>A1.2</p>
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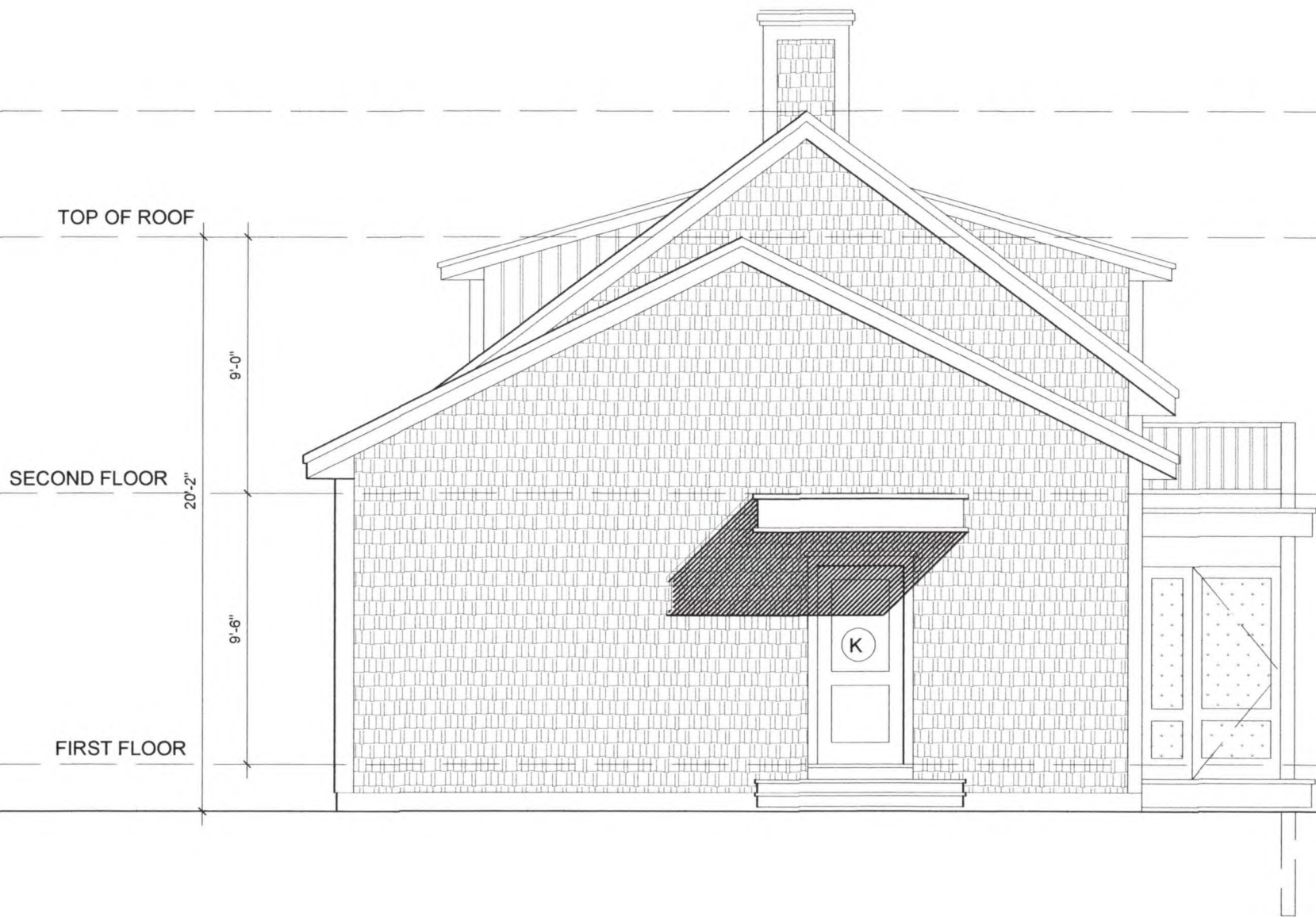
AS APPROVED



TED SMITH Architect, LLC 12 Dartmouth Place, Boston 422 Commercial Street, Provincetown 617 . 247 . 0023 TEDSMITHARCHITECT@GMAIL.COM	PROJECT TITLE 38 CLIFF ROAD Truro, Massachusetts	DRAWING TITLE ROOF PLAN	SCALE 3/16" = 1'-0"	SHEET NO. A1.3
			DATE 26 OCTOBER 2020 8 JANUARY 2021	



<p>TED SMITH Architect, LLC 12 Dartmouth Place . Boston 422 Commercial Street . Provincetown 617 . 247 . 0023 TEDSMITHARCHITECT@GMAIL.COM</p>	<p>PROJECT TITLE</p> <p>38 CLIFF ROAD Truro, Massachusetts</p>	<p>DRAWING TITLE</p> <p>PROPOSED WEST ELEVATION</p>	<p>SCALE</p> <p>3/16" = 1'-0"</p> <p>DATE</p> <p>20 OCTOBER 2020 8 JANUARY 2021</p>	<p>SHEET NO.</p> <p>A2.1</p>
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Edward J. Smith

TED SMITH
Architect, LLC
12 Dartmouth Place . Boston
422 Commercial Street . Provincetown
617 . 247 . 0023
TEDSMITHARCHITECT@GMAIL.COM

PROJECT TITLE

38 CLIFF ROAD
Truro, Massachusetts

DRAWING TITLE

PROPOSED SOUTH ELEVATION

SCALE

3/16" = 1'-0"

DATE

26 OCTOBER 2020
8 JANUARY 2021

SHEET NO.

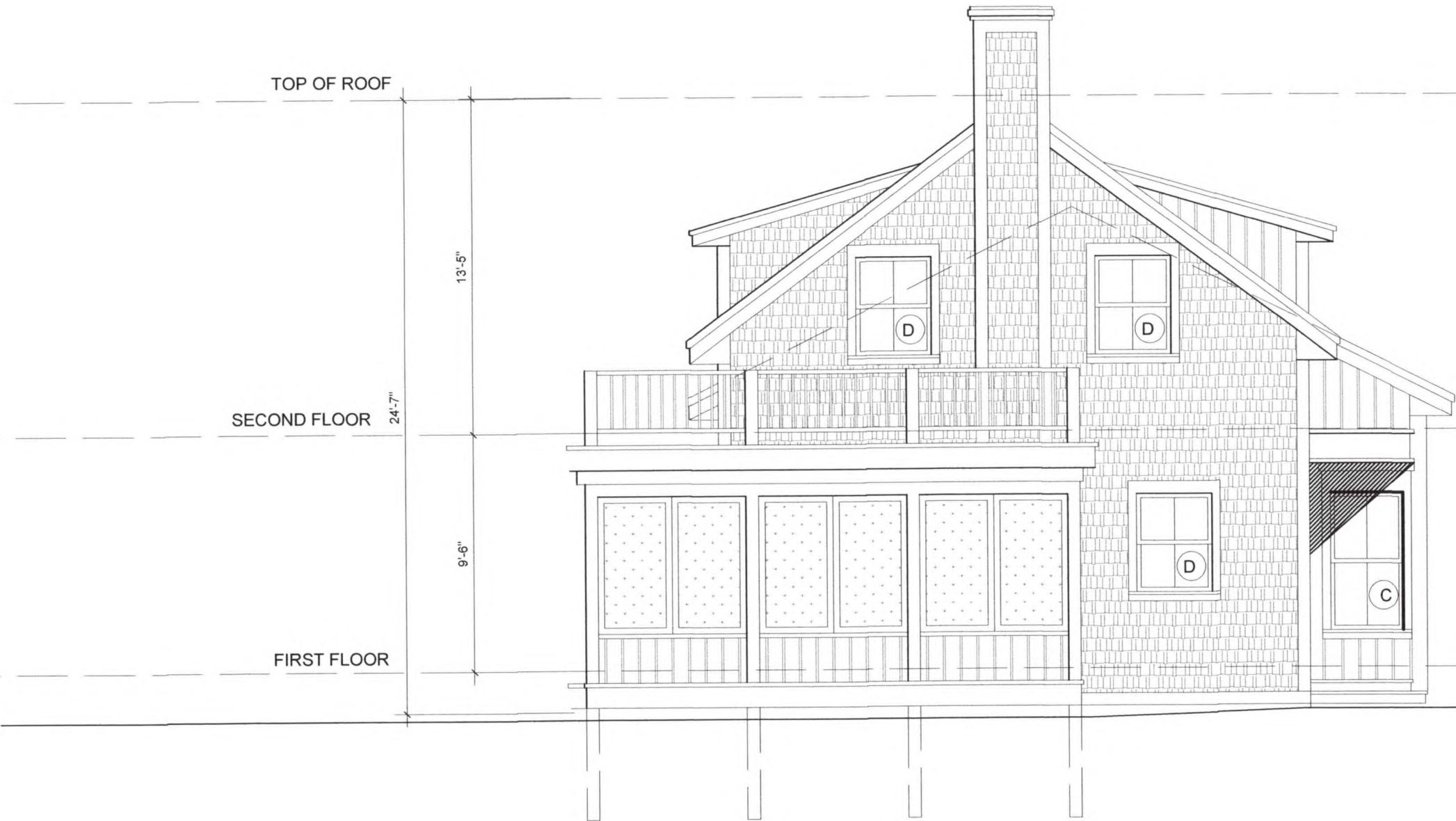
A2.2

AS APPROVED

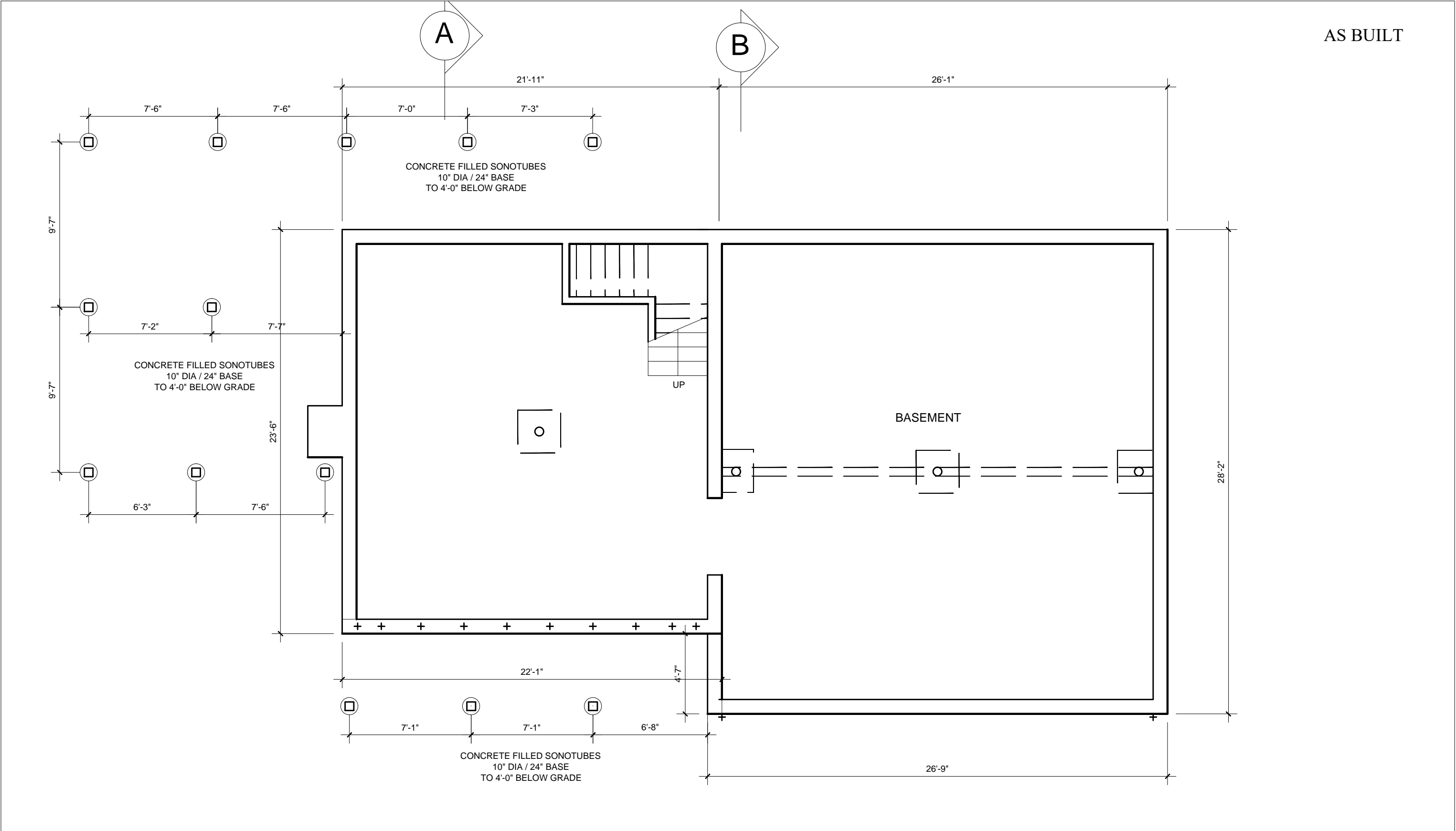


<p>TED SMITH Architect, LLC 12 Dartmouth Place . Boston 422 Commercial Street . Provincetown 617 . 247 . 0023 TEDSMITHARCHITECT@GMAIL.COM</p>	<p>PROJECT TITLE</p> <p>38 CLIFF ROAD Truro, Massachusetts</p>	<p>DRAWING TITLE</p> <p>PROPOSED EAST ELEVATION</p>	<p>SCALE</p> <p>3/16" = 1'-0"</p> <p>DATE</p> <p>26 OCTOBER 2020 8 JANUARY 2021</p>	<p>SHEET NO.</p> <p>A2.3</p>
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AS APPROVED



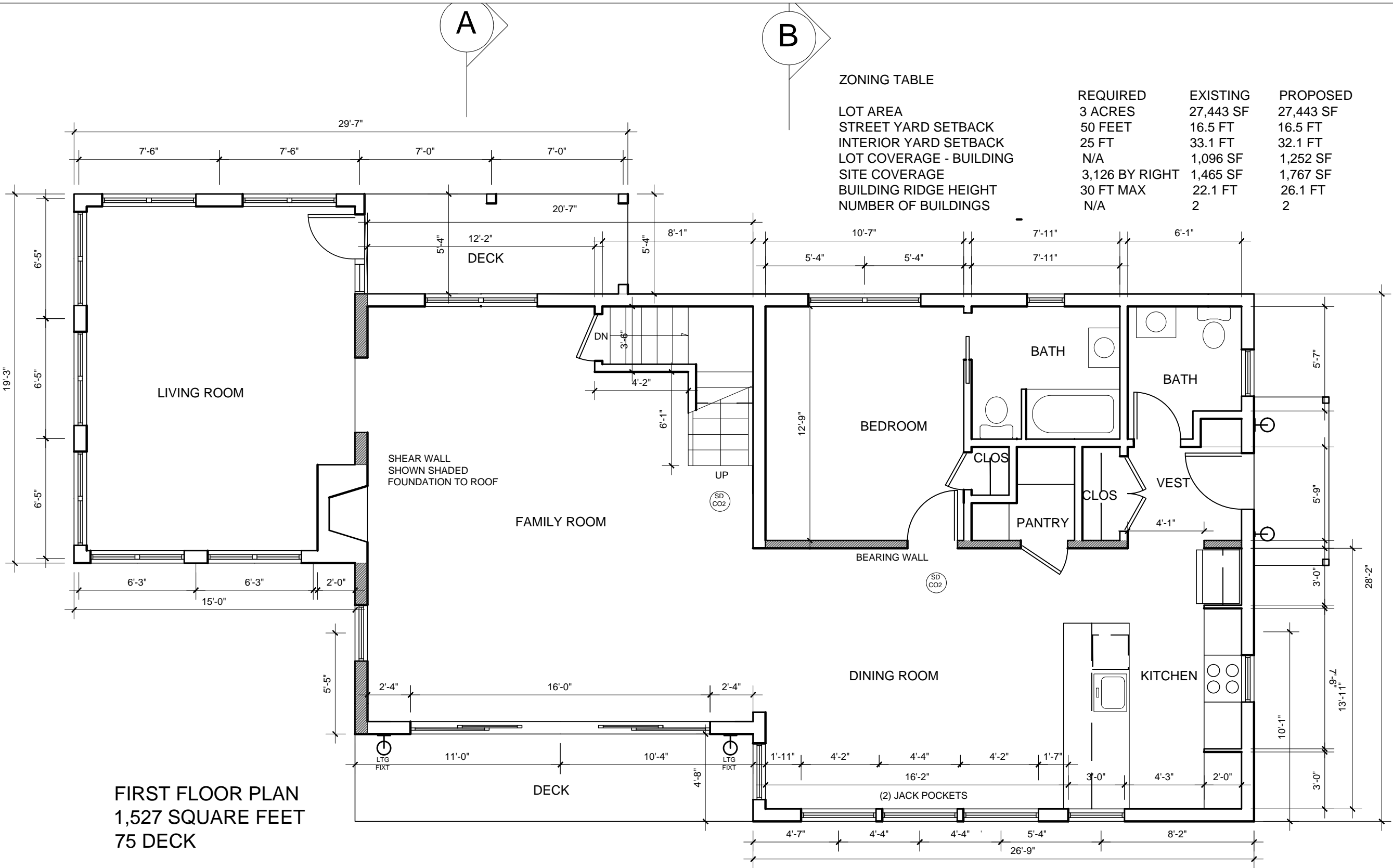
<p>TED SMITH Architect, LLC 12 Dartmouth Place, Boston 422 Commercial Street, Provincetown 617 . 247 . 0023 TEDSMITHARCHITECT@GMAIL.COM</p>	<p>PROJECT TITLE</p> <p>38 CLIFF ROAD Truro, Massachusetts</p>	<p>DRAWING TITLE</p> <p>PROPOSED NORTH ELEVATION</p>	<p>SCALE</p> <p>3/16" = 1'-0"</p> <p>DATE</p> <p>26 OCTOBER 2020 8 JANUARY 2021</p>	<p>SHEET NO.</p> <p>A2.5</p>
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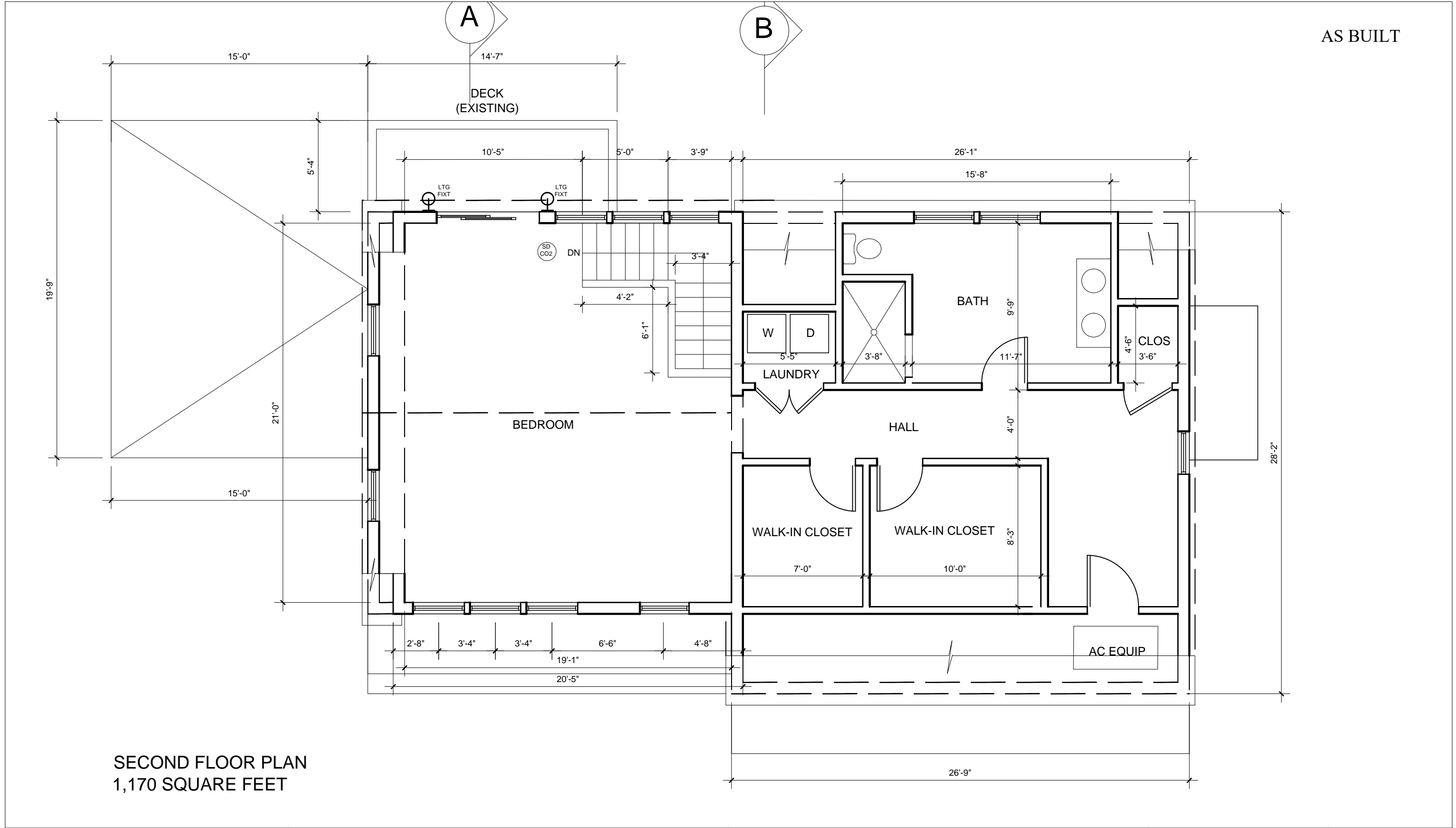
<div>TED SMITH Architect, LLC 12 Dartmouth Place . Boston 422 Commercial Street . Provincetown 617 . 247 . 0023 TEDSMITHARCHITECT@GMAIL.COM</div>	<div>PROJECT TITLE</div> <div>38 CLIFF ROAD Truro, Massachusetts</div>	<div>DRAWING TITLE</div> <div>REVISED BASEMENT PLAN</div>	<div>SCALE</div> <div>3/16" = 1'-0"</div>	<div>SHEET NO.</div> <div>A1.0</div>
			<div>DATE</div> <div>2 MAY 2022</div>	

ZONING TABLE

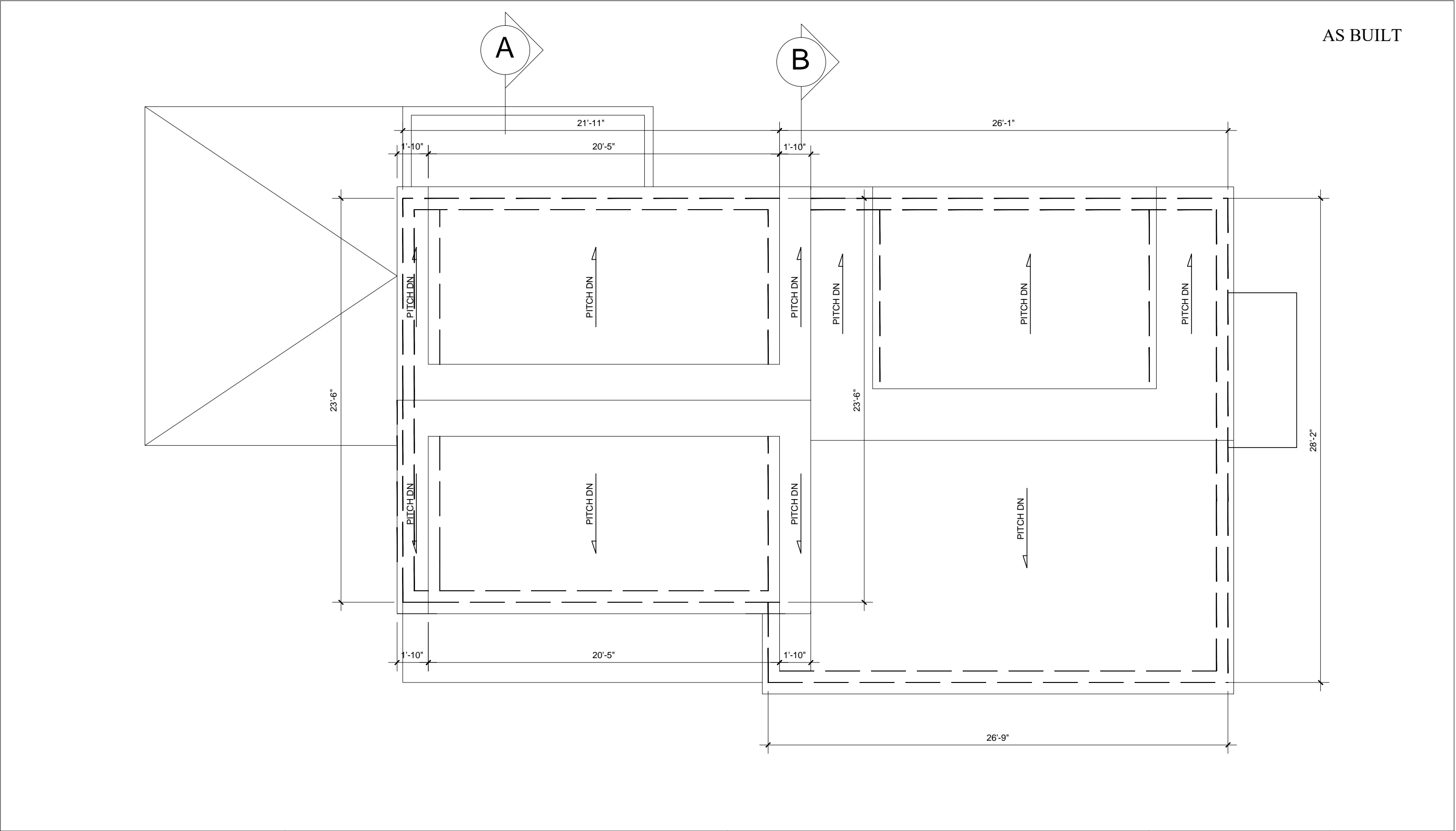
	REQUIRED	EXISTING	PROPOSED
LOT AREA	3 ACRES	27,443 SF	27,443 SF
STREET YARD SETBACK	50 FEET	16.5 FT	16.5 FT
INTERIOR YARD SETBACK	25 FT	33.1 FT	32.1 FT
LOT COVERAGE - BUILDING	N/A	1,096 SF	1,252 SF
SITE COVERAGE	3,126 BY RIGHT	1,465 SF	1,767 SF
BUILDING RIDGE HEIGHT	30 FT MAX	22.1 FT	26.1 FT
NUMBER OF BUILDINGS	N/A	2	2



FIRST FLOOR PLAN
1,527 SQUARE FEET
75 DECK



TED SMITH Architect, LLC 12 Dartmouth Place . Boston 422 Commercial Street . Provincetown 617 . 247 . 0023 TEDSMITHARCHITECT@GMAIL.COM	PROJECT TITLE 38 CLIFF ROAD Truro, Massachusetts	DRAWING TITLE REVISED SECOND FLOOR PLAN	SCALE 3/16" = 1'-0"	SHEET NO. A1.2
			DATE 2 MAY 2022	



<div>TED SMITH Architect, LLC 12 Dartmouth Place . Boston 422 Commercial Street . Provincetown 617 . 247 . 0023 TEDSMITHARCHITECT@GMAIL.COM</div>	<div>PROJECT TITLE</div> <div>38 CLIFF ROAD Truro, Massachusetts</div>	<div>DRAWING TITLE</div> <div>REVISED ROOF PLAN</div>	<div>SCALE</div> <div>3/16" = 1'-0"</div>	<div>SHEET NO.</div> <div>A1.3</div>
			<div>DATE</div> <div>2 MAY 2022</div>	



AS BUILT



TED SMITH Architect, LLC 12 Dartmouth Place . Boston 422 Commercial Street . Provincetown 617 . 247 . 0023 TEDSMITHARCHITECT@GMAIL.COM	PROJECT TITLE 38 CLIFF ROAD Truro, Massachusetts	DRAWING TITLE REVISED SOUTH ELEVATION	SCALE 3/16" = 1'-0"	SHEET NO. A2.2
			DATE 2 MAY 2022	



TED SMITH Architect, LLC 12 Dartmouth Place . Boston 422 Commercial Street . Provincetown 617 . 247 . 0023 TEDSMITHARCHITECT@GMAIL.COM	PROJECT TITLE 38 CLIFF ROAD Truro, Massachusetts	DRAWING TITLE REVISED EAST ELEVATION	SCALE 3/16" = 1'-0"	SHEET NO. A2.3
			DATE 2 MAY 2022	

AS BUILT



TED SMITH
Architect, LLC
12 Dartmouth Place . Boston
422 Commercial Street . Provincetown
617 . 247 . 0023
TEDSMITHARCHITECT@GMAIL.COM

PROJECT TITLE

38 CLIFF ROAD
Truro, Massachusetts

DRAWING TITLE

REVISED NORTH ELEVATION

SCALE

3/16" = 1'-0"

DATE

2 MAY 2022

SHEET NO.

A2.4