

Benjamin E. Zehnder LLC

62 Route 6A, Suite B
Orleans, Massachusetts 02653

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

November 4, 2022

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

Via hand delivery

Re: New ZBA application to amend special permit in Case No. 2020-007/ZBA
38 Cliff Road (Assessor's Parcel ID 32-19)

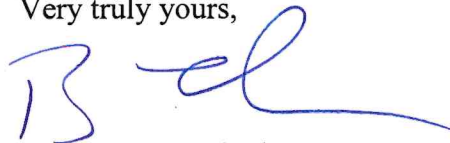
Dear Ms. Fullerton:

Please find enclosed an original application packet to the Board of Appeals on behalf of Katherine S. Cook and Christine Van Genderen for their property at 38 Cliff Road. The application seeks to amend a special permit issued in prior Case No. 2020-007/ZBA.

I have included nine additional copy sets as well as payment in the amount of \$200.00 for the application filing fee.

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 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 November 4, 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 _____ of the Truro Zoning Bylaw concerning *(describe)* _____

Applicant seeks approval for a continuation, change, or extension of a nonconforming structure or use under Section 30.7 of the Truro Zoning Bylaw and M.G.L. Ch. 40A, §6 concerning *(describe)* _____ amendment of special permit in Case No. 2020-007/ZBA to change previously approved design.

Property Address 38 Cliff 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 (508) 255-7766; bzehnder@zehnderllc.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)

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

[Signature]
Applicant(s)/Representative Signature

11/14/22
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

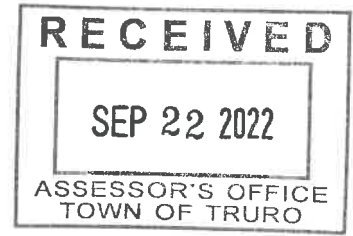


TOWN OF TRURO

Assessors Office

Certified Abutters List

Request Form



DATE: 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 bzehnder@zehnderllc.com

PROPERTY LOCATION: 38 Cliff Road
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP 32 PARCEL 19 EXT. _____
(if condominium)

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

- | | | |
|---|---|---|
| <input type="checkbox"/> Board of Health 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 _____ | | (Fee: Inquire with Assessors) |
- (Please Specify)

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

THIS SECTION FOR ASSESSORS OFFICE USE ONLY

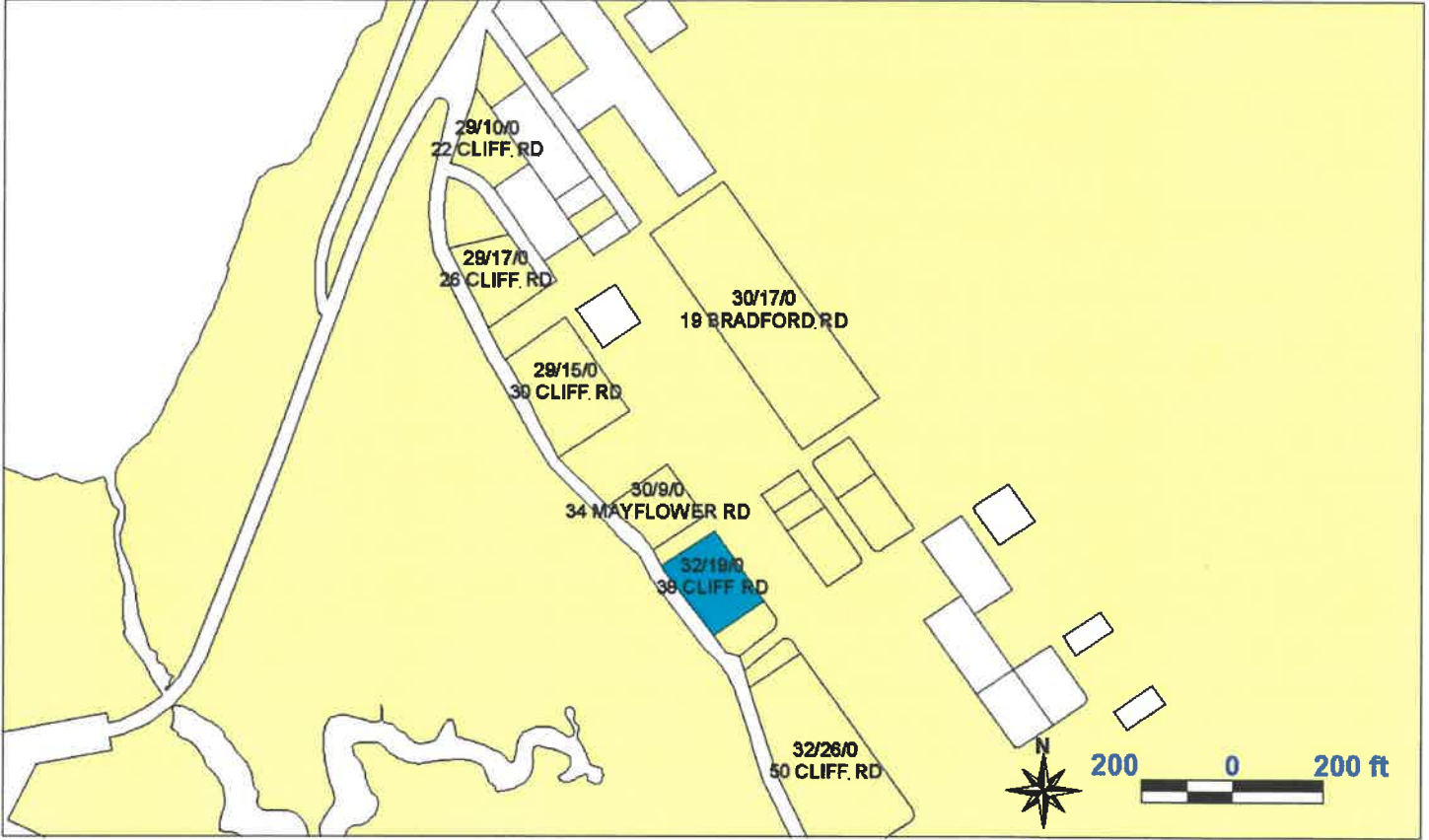
Date request received by Assessors: 9/22/2022 Date completed: 9/22/2022
List completed by: [Signature] Date paid: _____ Cash/Check [Signature]

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.

38 Cliff Road
 Map 32, Parcel 19
 Zoning Board of Appeals/
 Special Permit

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

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/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

WZa/p/2022
 9/22/2022

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

Handwritten signature
9/22/2022

29-8-0-R

TWENTY CLIFF ROAD NOM TRUST
TRS: GERARD PETER MICERA
141 STOWE DRIVE
POUGHQUAG, NY 12570

29-10-0-R

STELLO ROBERT & JENNIFER
PO BOX 762
SO CHATHAM, MA 02633

29-13-0-R

RESIKA PAUL & BLAIR
175 RIVERSIDE DR #6E
NEW YORK, NY 10024

29-15-0-E

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

29-17-0-E

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

30-9-0-E

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

30-10-0-E

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

30-11-0-E

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

30-12-0-E

TOWN OF TRURO
PO BOX 2030
TRURO, MA 02666-2030

30-13-0-E

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

30-14-0-E

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

30-17-0-E

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

32-19-A-R

CLEMONS PETER ET AL
15 KIDDER AVE
SOMERVILLE, MA 02143

32-24-0-R

CLEMONS PETER & BENSON MARIANNE
15 KIDDER AVE
SOMERVILLE, MA 02143

32-26-0-E

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)

Zoning Board of Appeals/ Special Permit

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

Key: 685

Town of TRURO - Fiscal Year 2022

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

LEGAL

CURRENT OWNER				PARCEL ID				LOCATION			
COOK KATHARINE S & VAN GENDEREN CHRISTINE 171 IMPERIAL AVE WESTPORT, CT 03840				32-19-0				38 CLIFF RD			
				TRANSFER HISTORY				DOS	T	SALE PRICE	BK-PG (Cert)
				COOK KATHARINE S & ERNEST N DICKINSON REV L				09/29/2020	QS	925,000	33307-344
DICKINSON ERNEST N				01/17/2002	99	14711-1					
DICKINSON ERNEST N				02/07/1995	99	9550-262					

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

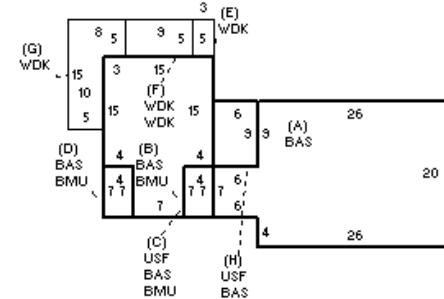
LAND

CD	T	AC/SF/UN	Nbhd	Inf1	Inf2	ADJ BASE	SAF	Inf3	Lpi	VC	CREDIT AMT	ADJ VALUE				
100	A	0.630	16	1.00	50	0.50	1	1.00	944,650	1.15	1	1.00	SV5	7.00		686,720

DETAILED

TOTAL	27,443 SF	ZONING	NSD	FRNT	0	ASSESSED	CURRENT	PREVIOUS
Nbhd	NAT'L SEASHORE	NOTE	INFL1=RESTRICTION TO 2 BEDROOM			LAND	686,700	1,373,400
Inf1	50%		BUILDING	192,600	172,600			
Inf2	NO ADJ		DETACHED	500	500			
			OTHER	0	0			
TOTAL						879,800	1,546,500	

TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD	PHOTO
SHF	A	1.00	P 0.45 8*10		80	14.91	500	12/08/2020



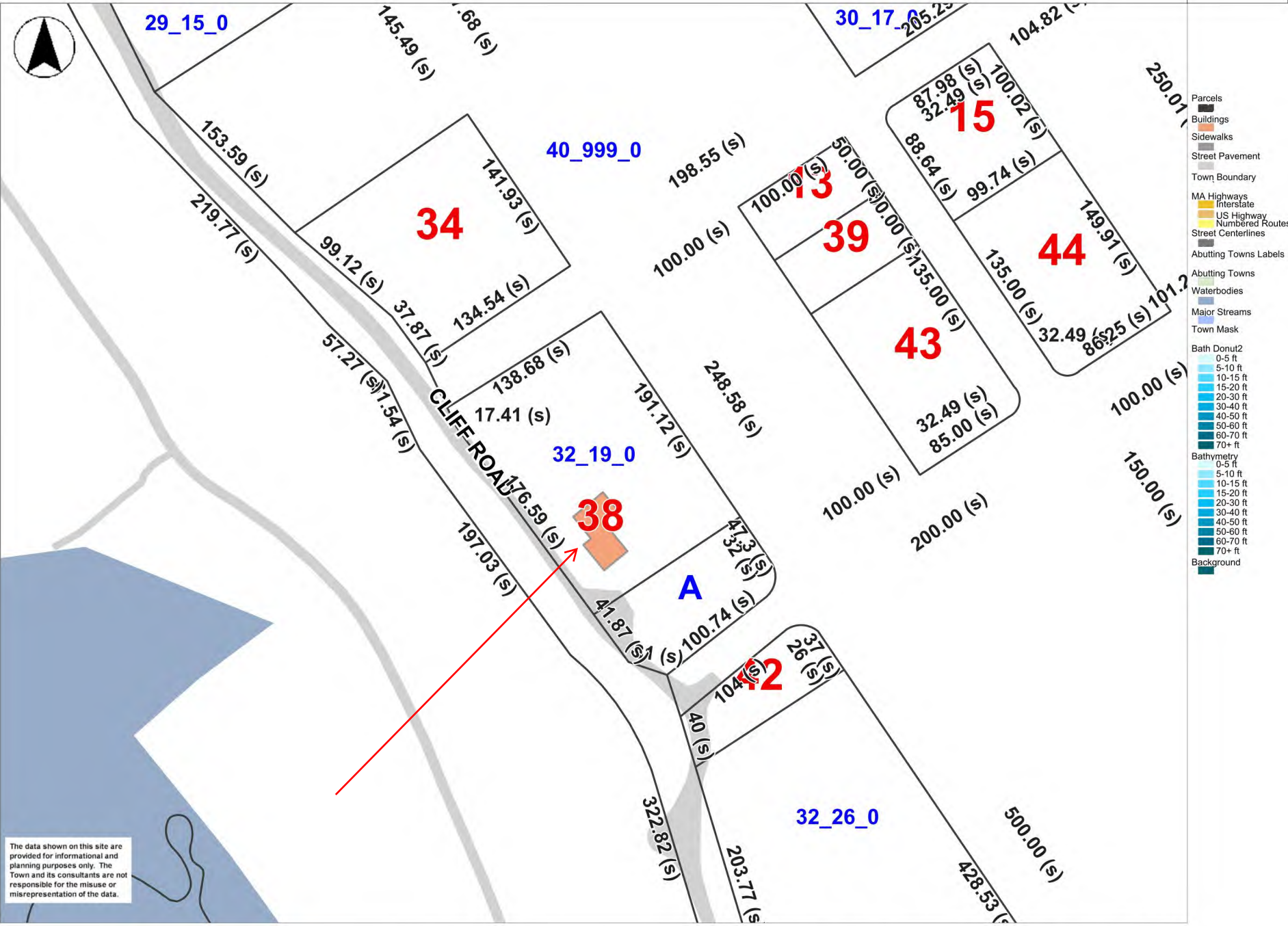
BLDG COMMENTS
Wood stove in living room. Upper floor is open loft.

BUILDING

BUILDING	CD	ADJ	DESC	MEASURE	12/8/2020	LG
MODEL	1		RESIDENTIAL	LIST	12/8/2020	LG
STYLE	4	1.10	CAPE [100%]	REVIEW	12/15/2010	MR
QUALITY	A	1.00	AVERAGE [100%]			
FRAME	1	1.00	WOOD FRAME [100%]			

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	ASPALT 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										

EFF.YR/AGE	1974 / 46
COND	35 35 %
FUNC	0
ECON	0
DEPR	35 % GD 65
RCNLD	\$192,600



The data shown on this site are provided for informational and planning purposes only. The Town and its consultants are not responsible for the misuse or misrepresentation of the data.

0 130 260 ft

Printed on 09/23/2022 at 10:54 AM

MapsOnline - Truro, MA

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:

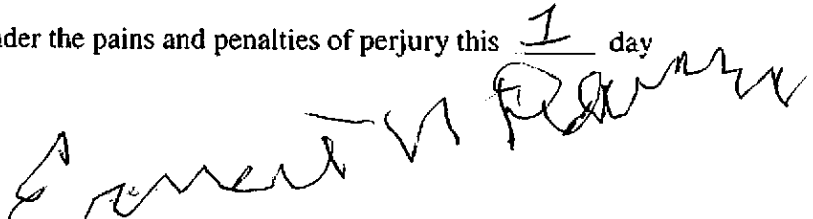
1. Said Trust is in full force and effect.
2. All beneficiaries are of full age.
3. All the beneficiaries are competent.
4. All the beneficiaries of said Trust have authorized and directed me as Trustee to convey the herein described premises for the consideration stated above.

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

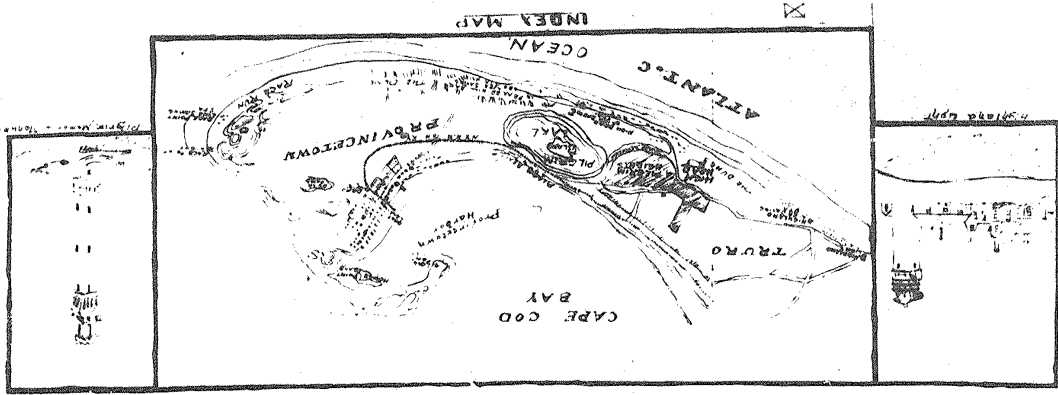
On the above date, before me, the undersigned Notary Public, personally appeared **ERNEST N. DICKINSON, Trustee as aforesaid**, who proved to me through satisfactory evidence of identification, which was Personnel Kabuki, to be the person whose name is signed on the preceding or attached document, and 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.

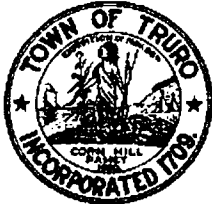


Notary Public: Massachusetts
My commission expires: 5/13/2022



PLAN BOOK 20 PAGE 5





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
- 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"
- Survey of 38 Cliff Road, Truro, Massachusetts, prepared by Ted Smith Architect, LLC, Scale 1"= 20' dated October 23, 2020
- "Site Plan for 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 (revised 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

Susan A. Joseph, Temporary Town Clerk, Town of Truro / January 11, 2021 / pages 1-4

A true copy, attest:

- 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.

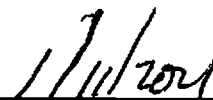
3. Lighting shall be installed and maintained so as to comply with the Truro of Truro Outdoor Lighting Bylaw, Chapter IV, Section 6 of the General Bylaws.
4. The Applicant must obtain a special permit from the Zoning Board of Appeals under Section 30.7 and 30.8, and G.L. c. 40A s. 6, to expand a nonconforming 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.

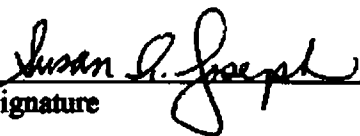


 Anne Greenbaum, Chair

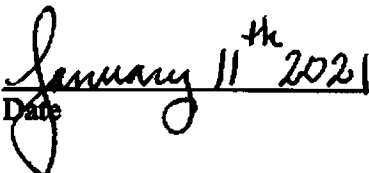


 Date

Received, Office of the Town Clerk:



 Signature



 Date







38

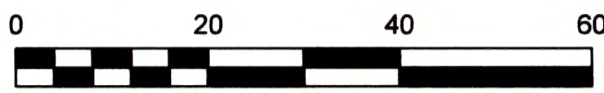




I hereby certify that the structures shown hereon are located as they exist on the ground.

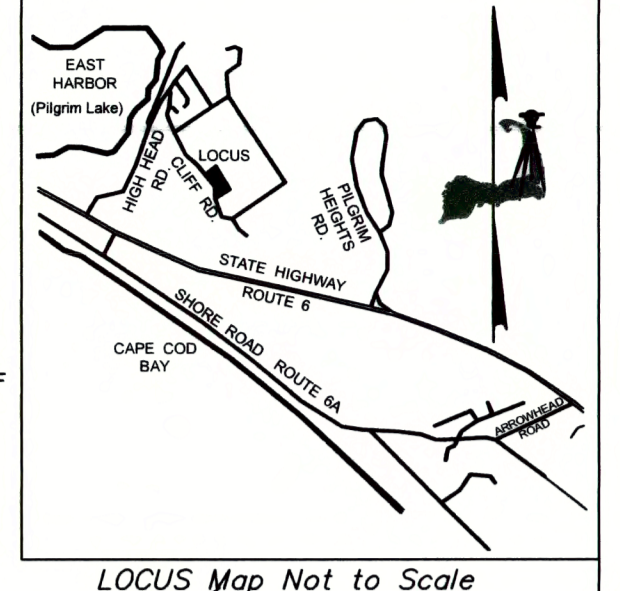
Donald T. Poole PLS #32662
Date 11/9/2020

Cape Cod National Seashore
USA Dept. of the Interior



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 = $61.8 + 60.5 + 63.0 + 63.3 + 63.5 + 64.1 + 63.0 = 439.2 / 7 = 62.7'$ NAVD88
- 5) Existing Ridge Height = $84.8' - 62.7' = 22.1'$
- 6) Proposed Ridge Height = Fin Flr (65.9') + 22.9' (Proposed Ridge) = $88.8' - 62.7' = 26.1'$



LOCUS Map Not to Scale

Cape Cod National Seashore
USA Dept. of the Interior

Holden Avenue ~ 30' Way
N 54°37'26" E 123.58'

#38 Cliff Road
Area = 28,010± 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

Cliff Road ~ 40' Way
N 37°29'12" W 189.76'

Mayflower Road ~ 30' Way
S 35°22'34" E 190.00'

#40 Cliff Road
Peter R. Clemons et al
Deed Book 32632, Page 23
Lot 511 Plan Book 20, Page 5

S 54°37'26" W 136.59'

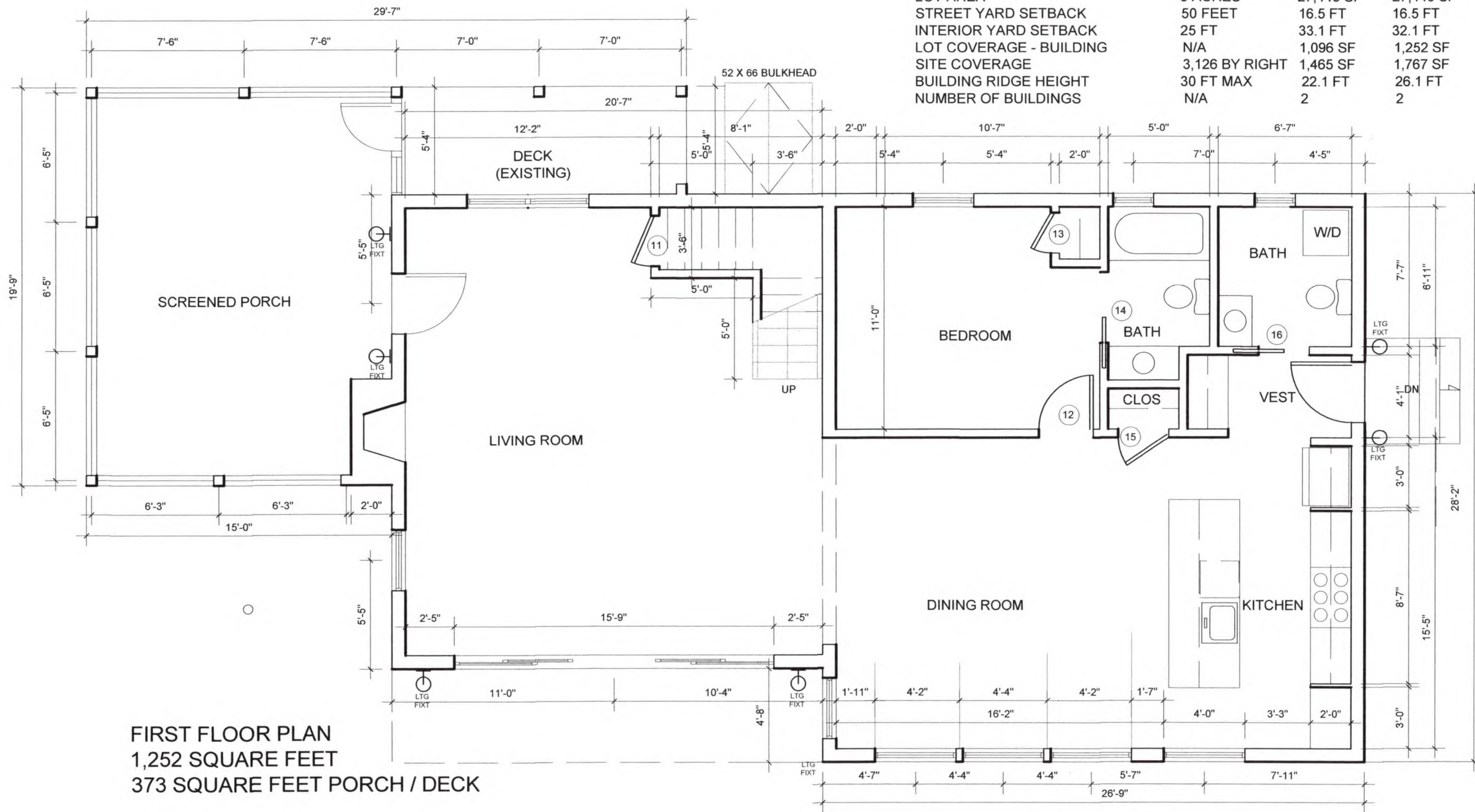
Chatham Avenue ~ 30' Way



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

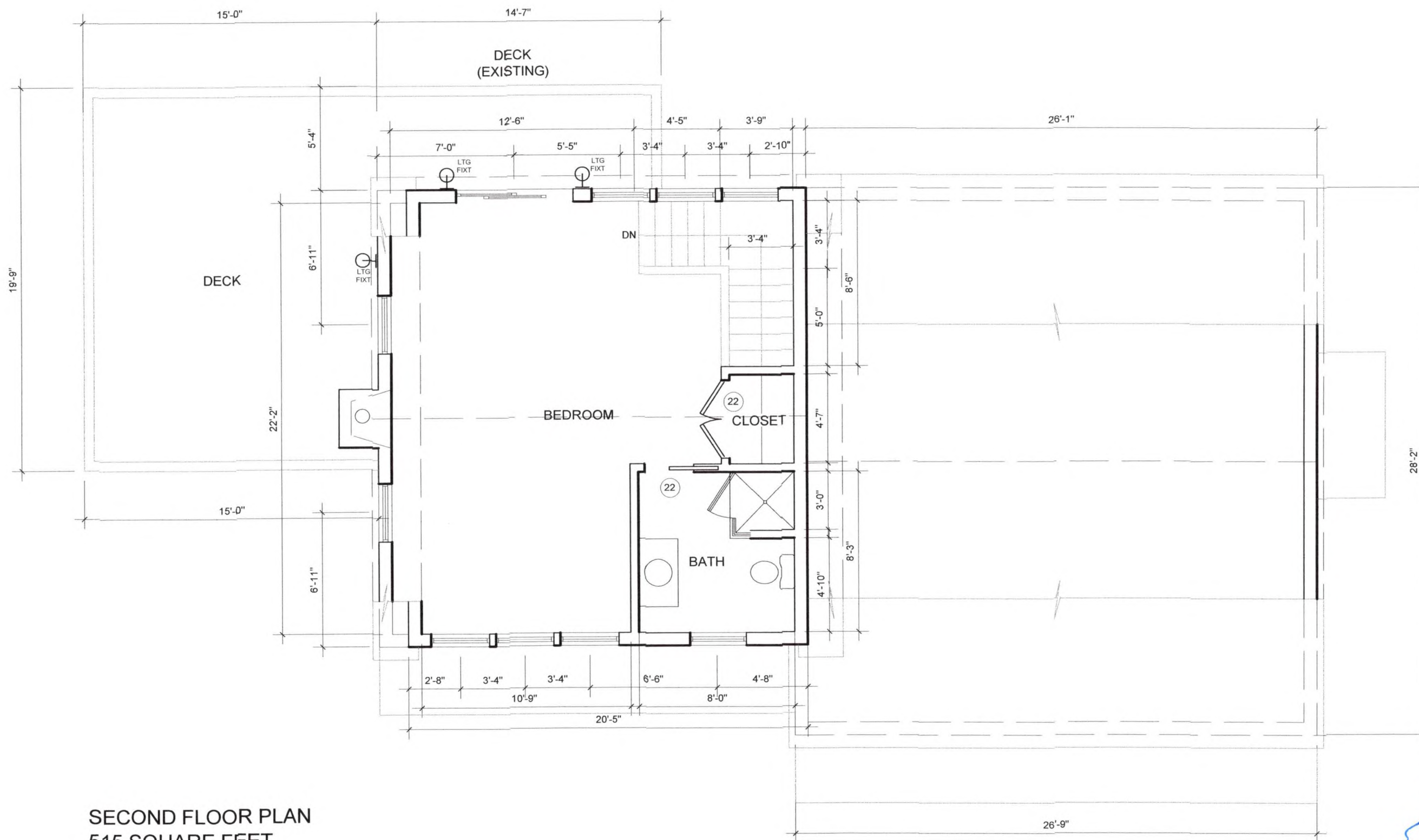


FIRST FLOOR PLAN
 1,252 SQUARE FEET
 373 SQUARE FEET PORCH / DECK



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 FIRST FLOOR PLAN	SCALE 3/16" = 1'-0"	SHEET NO. A1.1
			DATE 26 OCTOBER 2020 8 JANUARY 2021	

AS APPROVED

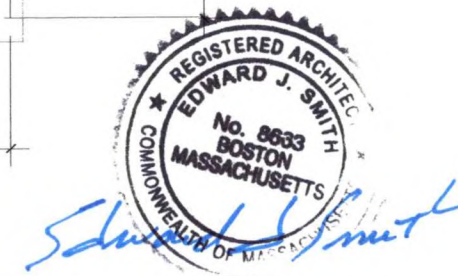
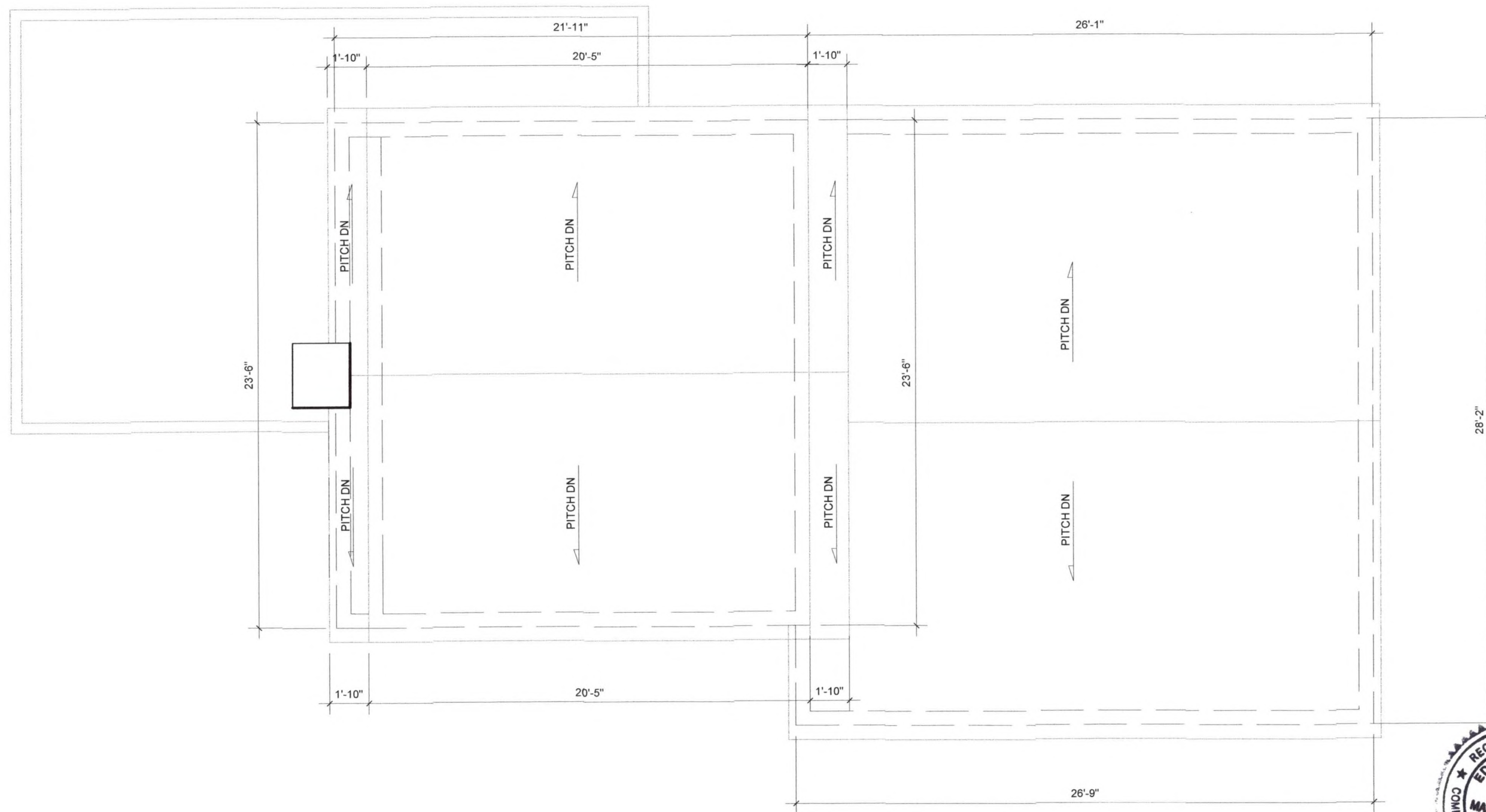


SECOND FLOOR PLAN
515 SQUARE FEET



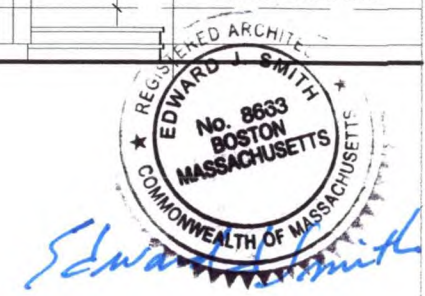
<p>TED SMITH Architect, LLC 12 Dartmouth Place, Boston 422 Commercial Street, Provincetown 617 . 247 . 0023 TEDSMITHARCHITECT@GMAIL.COM</p>	<p>PROJECT TITLE 38 CLIFF ROAD Truro, Massachusetts</p>	<p>DRAWING TITLE PROPOSED SECOND FLOOR PLAN</p>	<p>SCALE 3/16" = 1'-0" DATE 26 OCTOBER 2020 8 JANUARY 2021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



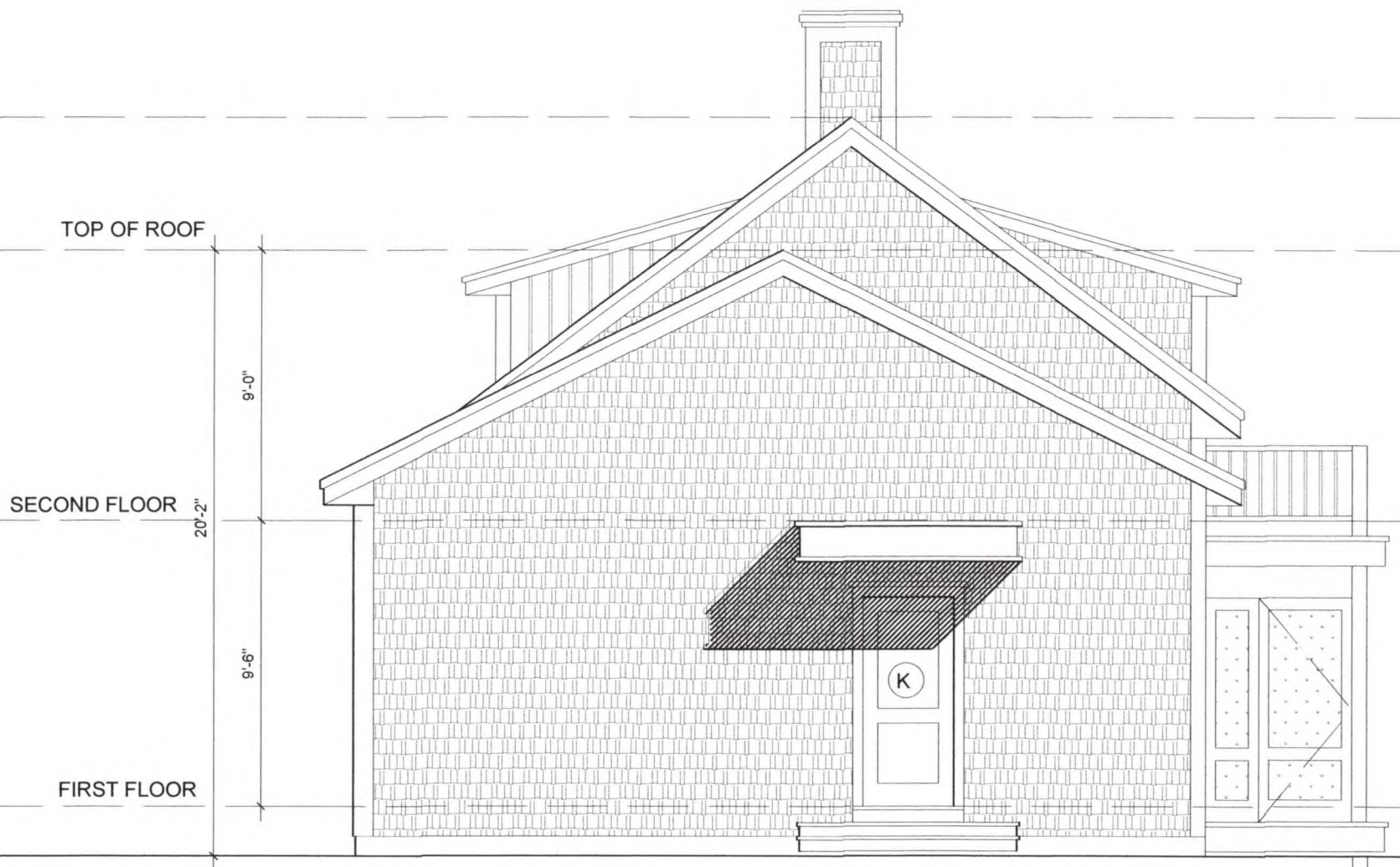
<p>TED SMITH Architect, LLC 12 Dartmouth Place . Boston 422 Commercial Street . Provincetown 617 . 247 . 0023 TEDSMITHARCHITECT@GMAIL.COM</p>	<p>PROJECT TITLE 38 CLIFF ROAD Truro, Massachusetts</p>	<p>DRAWING TITLE ROOF PLAN</p>	<p>SCALE 3/16" = 1'-0" DATE 26 OCTOBER 2020 8 JANUARY 2021</p>	<p>SHEET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



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422 Commercial Street . Provincetown
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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

TOP OF ROOF

SECOND FLOOR 24'-7"

FIRST FLOOR

13'-5"

9'-6"



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TEDSMITHARCHITECT@GMAIL.COM

PROJECT TITLE

38 CLIFF ROAD
Truro, Massachusetts

DRAWING TITLE

PROPOSED NORTH ELEVATION

SCALE

3/16" = 1'-0"

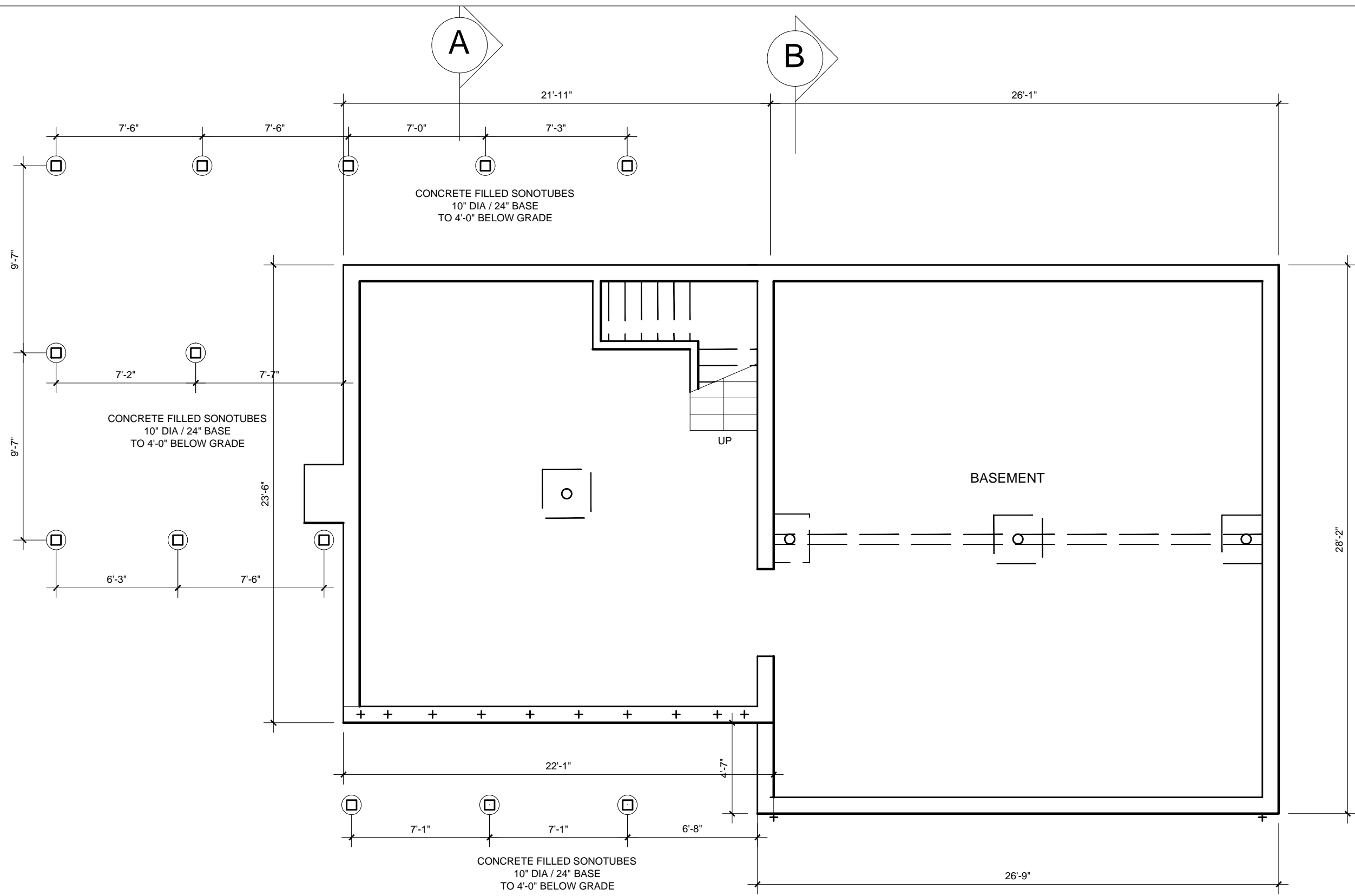
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26 OCTOBER 2020
8 JANUARY 2021

SHEET NO.

A2.5

AS BUILT



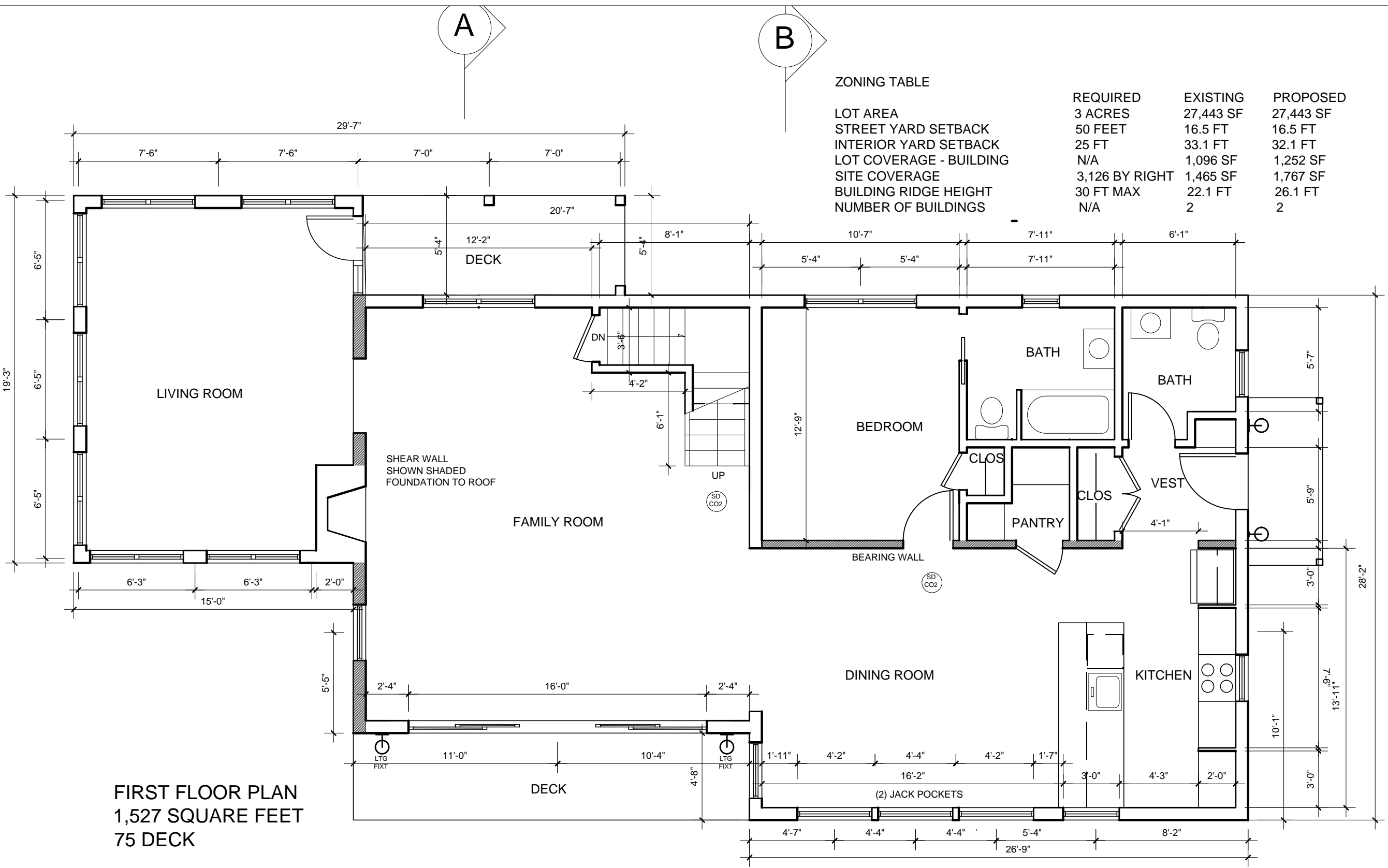
TED SMITH
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422 Commercial Street . Provincetown
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TEDSMITHARCHITECT@GMAIL.COM

PROJECT TITLE
38 CLIFF ROAD
Truro, Massachusetts

DRAWING TITLE
REVISED BASEMENT PLAN

SCALE
3/16" = 1'-0"
DATE
2 MAY 2022

SHEET NO.
A1.0



TED SMITH
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 12 Dartmouth Place . Boston
 422 Commercial Street . Provincetown
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 TEDSMITHARCHITECT@GMAIL.COM

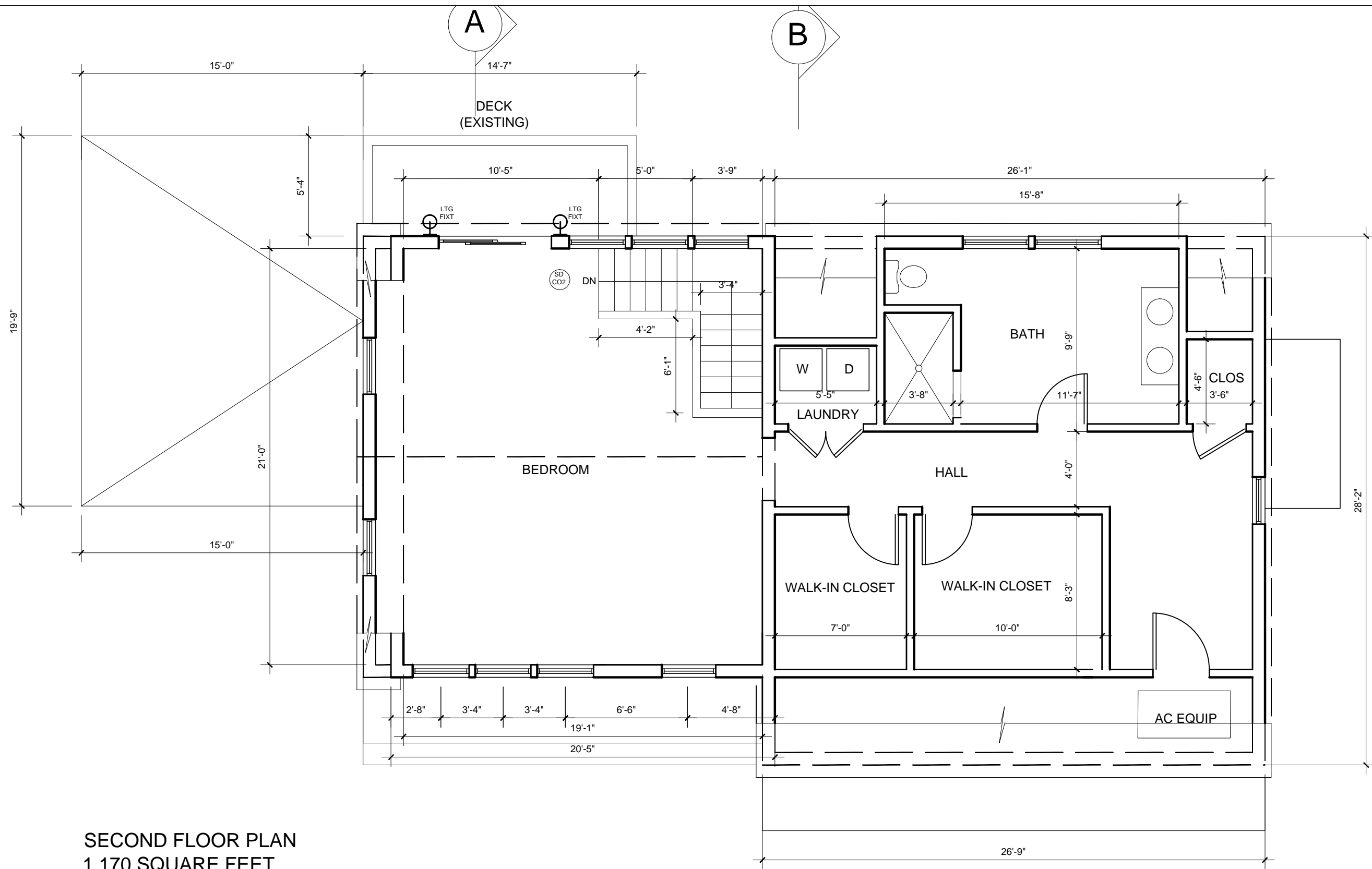
PROJECT TITLE
38 CLIFF ROAD
 Truro, Massachusetts

DRAWING TITLE
REVISED FIRST FLOOR PLAN

SCALE
 3/16" = 1'-0"
 DATE
 2 MAY 2022

SHEET NO.
A1.1

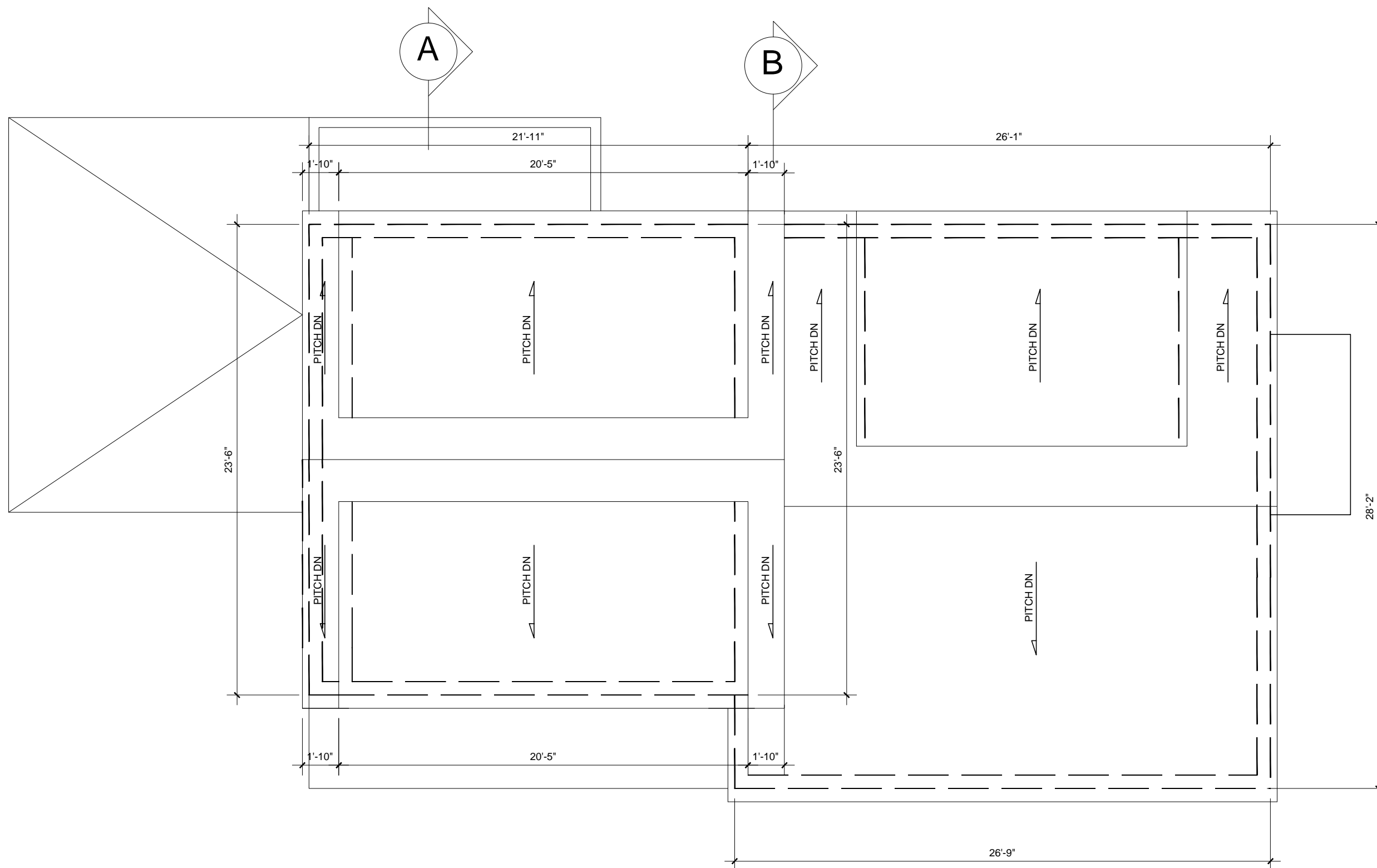
AS BUILT



SECOND FLOOR PLAN
1,170 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>REVISED SECOND FLOOR PLAN</p>	<p>SCALE</p> <p>3/16" = 1'-0"</p> <p>DATE</p> <p>2 MAY 2022</p>	<p>SHEET NO.</p> <p>A1.2</p>
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AS BUILT



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PROJECT TITLE
38 CLIFF ROAD
Truro, Massachusetts

DRAWING TITLE
REVISED ROOF PLAN

SCALE
3/16" = 1'-0"
DATE
2 MAY 2022

SHEET NO.
A1.3

AS BUILT

A

B

TOP OF ROOF

TOP OF ROOF

13'-5"

10'-9"

SECOND FLOOR

24'-11"

SECOND FLOOR

10'-0"

9'-6"

FIRST FLOOR

FIRST FLOOR



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PROJECT TITLE

38 CLIFF ROAD
Truro, Massachusetts

DRAWING TITLE

REVISED WEST ELEVATION

SCALE

3/16" = 1'-0"

DATE

2 MAY 2022

SHEET NO.

A2.1

AS BUILT



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PROJECT TITLE
38 CLIFF ROAD
Truro, Massachusetts

DRAWING TITLE
REVISED SOUTH ELEVATION

SCALE
3/16" = 1'-0"
DATE
2 MAY 2022

SHEET NO.
A2.2

AS BUILT



TED SMITH
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 12 Dartmouth Place . Boston
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PROJECT TITLE
38 CLIFF ROAD
 Truro, Massachusetts

DRAWING TITLE
REVISED EAST ELEVATION

SCALE
 3/16" = 1'-0"
 DATE
 2 MAY 2022

SHEET NO.
A2.3

AS BUILT

TOP OF ROOF

SECOND FLOOR

FIRST FLOOR

13'-5"

24'-7"

9'-6"



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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