

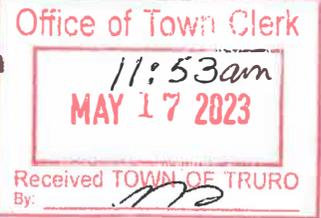


Truro Zoning Board of Appeals Agenda

Remote Meeting

Monday, May 22, 2023 – 5:30 pm

www.truro-ma.gov



Open Meeting

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

Citizens can join the meeting to listen and provide public comment by entering the meeting link; clicking on the Agenda's highlighted link; clicking on the meeting date in the Event Calendar; or by calling in toll free at [1-866-899-4679](tel:1-866-899-4679) and entering the access code [979-751-285#](tel:979-751-285#) when prompted. Citizens will be muted upon entering the meeting until the public comment portion of the hearing. If you are joining the meeting while watching the television broadcast/live stream, please lower or mute the volume on your computer or television during public comment so that you may be heard clearly. Citizens may also provide written comment via postal mail or by emailing Liz Sturdy, Planning Department Administrator, at esturdy@truro-ma.gov.

Meeting link: <https://meet.goto.com/979751285>

Public Comment Period

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

Minutes

- ◆ March 27, 2023

Public Hearings – Continued

2022-017/ZBA (VAR/SP) – Ebb Tide on the Bay Condominiums for property located at 538 Shore Road (Atlas Map 7, Parcel 7, Registry of Deeds title reference: Book 5671, Page 232). Applicant seeks a Variance under M.G.L. Ch. 40A §10 and §40.3.B.2/§30.9.C of the Truro Zoning Bylaw for a reduction in number of parking spaces (from 12 spaces to 9); Special Permit under M.G.L. Ch. 40A §6 and §30.7.A of the Truro Zoning Bylaw for the relocation of three non-conforming structures on a lot in the Beach Point Limited Business District. **[Original material in 9/26/2022, 10/24/2022, and 2/27/2023 packets] {New material included in this packet}**

- ◆ Request to Continue to July 24, 2023 meeting

2023-001/ZBA (SPs) – Jennifer Shapiro (Chisholm), Trustee, Beach Point Trust for property located at 423 Shore Road (Atlas Map 9, Parcel 1) (Beach Point Limited Business District). Applicant seeks special permits for: (1) demolition and reconstruction of dwelling on pre-existing non-conforming lot (lot size; front yard setback), and (2) to exceed the maximum building height of dwelling (2 ft.). [Original material in 2/27/2023 and 4/24/2023 packets] {New material included in this packet}

Public Hearings – New

2023-003/ZBA (SP) – Susan Hanway for property located at 59 South Pamet Road (Atlas Map 51, Parcel 51). Applicant seeks Special Permit approval to exceed Seashore District Total Gross Floor Area (4,252 sq. ft.) in two residential structures.

2023-004/ZBA (SPs) – Truro Atlantic View Realty Trust, Bruce A. Jacobson, Trustee for property located at 12 Ocean Bluff Lane (Atlas Map 37, Parcel 6). Applicant seeks: (1) Special Permit to approve construction on non-conforming lot, including (completed) construction unauthorized by earlier permit, and additional square footage; and (2) Special Permit to exceed Gross Floor Area in Seashore District.

- ◆ Request to Continue to June 26, 2023 meeting

Topics of Discussion:

- ◆ Discussion of Zoning Bylaw Enforcement
- ◆ Special Permit Criteria; M.G.L. Chapter 40A – Zoning Act

Future Topics of Discussion

Next Meeting

- ◆ Monday, June 26, 2023 at 5:30 p.m.

Adjourn



STAFF MEMORANDUM

To: Truro Zoning Board of Appeals

From: Barbara Carboni, Town Planner and Land Use Counsel

Date: April 20, 2023

Re: Meeting April 24, 2023

2022-017/ZBA (VAR/SP) – Ebb Tide on the Bay Condominiums for property located at 538 Shore Road. Applicant seeks a variance for a reduction in the number of parking spaces (from 12 to 8) and a special permit for reconstruction of three nonconforming structures (dwellings) in Beach Point Limited Business District.

Update: A Revised Parking Plan has been submitted by the applicant. It depicts eight parking spaces (one eliminated from the nine originally proposed); a bike rack location; and wheel stops as requested by the Planning Board. The Planning Board reviewed this plan, as well as the Vibrations Analysis Report at its meeting on May 10, 2023. No vote was taken on the application, as not all members of the Board were in attendance and the applicant opted to continue the hearing until June 28, 2023 (the next date all members expected to be in attendance).

The applicant has requested a continuance to the ZBA's July 24, 2023 meeting, as the ZBA's next meeting is on June 26th (prior to the June 28th Planning Board meeting).

2023-001/ZBA - Jennifer Shapiro (Chisholm), Trustee, Beach Point Trust for property located at 423 Shore Road. Applicant seeks a special permit for demolition and reconstruction of dwelling on pre-existing non-conforming lot (lot size; front yard setback) in Beach Point Limited Business District. Applicant also seeks a special permit to exceed the height limit of the Zoning Bylaw by two feet.

Update:

At the last meeting, the Board reviewed revised plans reflecting relocation of the house to a conforming setback 25 feet from the street. Due to different grade levels at the new location, the roof peak height of the dwelling exceeded the Bylaw limit of 30 feet by two feet. At this meeting, members questioned the applicant's method of determining grade and building height. The applicant agreed to seek the opinion of the Building Commissioner regarding the proper method and values used to determine building height.

The applicant's project manager spoke to and submitted materials to the Building Commissioner on the subject. The applicant calculated the "average of the existing undisturbed grade at each corner of the proposed building" for use in determining

building height. This calculation resulted in an average existing grade of 10.3 feet. See letter dated May 1, 2023 from Coastal Engineering. The Building Commissioner indicated his agreement with this method for calculating building height. See email dated May 2, 2023. The applicant also lowered the roof height through redesign by 1.5 feet. See letter dated May 11, 2023 from McGregor. Per applicant's building height calculations, the building height is now 29.7 feet. See Plan Showing Proposed Improvements, C2.1.3, revision date May 10, 2023. Where the building height is now conforming, the relief applied for (special permit to exceed height) is no longer needed.

The original special permit applied for – to reconstruct dwelling on a nonconforming lot – is still required.

The following is adapted from the February and April staff memos.

Existing Conditions and Proposed Project

423 Shore Road is a (nonconforming) 25,480 square foot lot in the Beach Point Limited Business District, with conforming frontage of 249.78 feet. A one-story cottage constructed circa 1920, with Gross Floor Area of 837 square feet and 14.3 feet in height, is sited just over the front lot line (where 25 feet required). Side and rear setbacks are conforming. See Existing Conditions, C1.2.1.

The current proposal locates the new dwelling at a conforming 25 feet from Shore Road. As discussed above, the building height is now conforming. No new nonconformities are created in the current proposal. See Zoning Table, Plan Showing Proposed Improvements, C2.1.3, revision date May 10, 2023.

Special Permit under G.L. c. 40A, s. 6 and Section 30.7 of the Zoning Bylaw

The lot is nonconforming as to area; in addition, the existing and proposed dwellings are within the front setback (five feet from lot line). Alteration, extension, or reconstruction of a dwelling on a nonconforming lot increases the intensity of the existing nonconformity and requires a special permit under G.L. c. 40A, s. 6. Bjorklund v. Zoning Board of Appeals of Norwell, 450 Mass. 357 (2008).

The Board may grant a special permit under G.L. c. 40A, s. 6 if it finds that the proposed alternation and reconstruction “shall not be substantially more detrimental than the existing nonconforming [structure and] use to the neighborhood.”

Likewise, the Board may grant a special permit under Section 30.7.A if it finds that: “the alteration or extension will not be substantially more detrimental to the neighborhood than the existing nonconforming use or structure and that the alternation or extension will exist in harmony with the general purpose and intent of this bylaw.”

In this case, the proposed two-story structure, while relatively modest, will have a different impact on the streetscape and neighboring properties than the existing structure. This and other considerations are entrusted to the Board's judgment, based on its “intimate understanding of the immediate circumstances [and] of local conditions” Fitzsimonds v. Board of Appeals of Chatham, 21 Mass.App.Ct. 53, 55 (1985).

2023-003/ZBA (SP) – Susan Hanway for property located at 59 South Pamet Road.

Applicant seeks special permit to exceed Seashore District Gross Floor Area in two residential structures.

Note: this project is before the Planning Board on Residential Site Plan Review. Hearing opened on May 10, 2023 and is continued to June 21, 2023.

Existing conditions and proposed project

The lot is conforming as to frontage and area (3.053 acres) in the Seashore District. It is currently improved by a two-bedroom dwelling containing 725 square feet of Seashore District Gross Floor Area (see Zoning Notes on Existing Site Plan). This dwelling is 19.8 feet in height and located at a nonconforming 40.66 feet from South Pamet Road. Two garages, a hot tub and a pump house are also located on property.

Applicants propose to convert the two-bedroom dwelling to an habitable studio, and to construct a new five-bedroom dwelling at the rear of the lot (at a conforming setback). No new curb cut is proposed; the new dwelling will be served by an internal driveway. The Gross Floor Area of the proposed dwelling is 3,544 square feet, and Gross Floor Area of the (converted) habitable studio is 725 square feet, for a Total Seashore District Gross Floor Area of **4,252** square feet. See Zoning Notes on Proposed Site Plan. The height of the new dwelling is proposed at 26.17 feet, according to the Zoning Notes (see below). No new nonconformities are proposed.

The Zoning Bylaw limits Total Gross Floor Area in the Seashore District to 3,600 square feet for a lot containing three acres. A special permit may be granted to exceed this as-of-right limit by up to 1,000 square feet under Zoning Bylaw section 30.3.1.A.2. In this case, approval of an additional **642** square feet is sought (4,252 – 3,600).

Section 30.1.A.2 does not provide a standard or criteria for the Board to apply in considering a request to exceed Gross Floor Area, but Section 30.8 of the Bylaw does provide a standard applicable to all special permits:

“Special permits may be approved only after a finding by the Board of Appeals or Planning Board (as applicable, see use table) that the proposed use is in the opinion of the Board in harmony with the general public good and intent of this bylaw. The approval shall be subject to any other applicable provision of this bylaw and the Board may impose conditions, safeguards, and limitations on time and use, which in the Board’s opinion are necessary to comply with the intent and purpose of this bylaw.” 3

Zoning Bylaw Section 30.8. It is recommended that the Board apply the above standard to the applicant’s request to exceed the maximum permitted Gross Floor Area.

2023-004/ZBA (SPs) Truro Atlantic View Realty Trust, Bruce A. Jacobson, Trustee for property located at 12 Ocean Bluff Lane. Applicants seek 1) a special permit to approve construction on nonconforming lot, including completed construction unauthorized by earlier

permit, and additional square footage; and 2) a special permit to exceed Gross Floor Area in the Seashore District.

Note: The applicant is requesting a continuance to this Board's June 26, 2023 meeting.

The Planning Board opened public hearing on Site Plan Review for this project on May 10, 2023, and hearing is continued to June 7, 2023. Several issues are to be resolved prior to that date. The application to the Planning Board (and the ZBA) currently lack site plans and zoning tables for existing and proposed conditions. The applicant will be submitting these to the Planning Board (and this Board). In addition, applicant's counsel is researching title issues relating to the ownership of Ocean Bluff Lane and adjacent land.



TOWN OF TRURO

ZONING BOARD OF APPEALS

Meeting Minutes

March 27, 2023 – 5:30 pm

REMOTE ZONING BOARD OF APPEALS MEETING

Members Present (Quorum): Art Hultin (Chair); Chris Lucy (Vice Chair), Darrell Shedd; Nancy Medoff; Heidi Townsend, Joseph McKinnon (Alt.), Dave Crocker (Alt.)

Members Absent:

Other Participants: Barbara Carboni – Town Planner/Land Use Counsel; Select Board Liaison John Dundas; Christopher J. Snow (Attorney and Applicant); Ben Zehnder (Attorney for Abutters: Marie Belding and Pat Callinan); Christopher J. Snow (Attorney and Trustee); Nathaniel Stevens - Attorney for Jennifer Shapiro (Chisholm) and Applicant; Jennifer Shapiro (Chisholm) – Applicant; Steven and Deborah Dillon (Applicants)

Remote meeting convened at 5:30 pm, Monday, March 27, 2023, by Town Planner/Land Use Counsel Carboni who announced that this was a remote meeting which is being broadcast live on Truro TV Channel 18 and is being recorded.

Chair Hultin introduced the Members.

Public Comment Period

Chair Hultin invited the Members and the public to offer public comments, and none were made.

Minutes

Chair Hultin led the review of the minutes for January 23, 2023, for corrections and edits. None were made.

Chair Hultin made a motion to approve the minutes for January 23, 2023, as written.

Member Shedd seconded the motion.

ROLL CALL VOTE:

Member Townsend - Aye

Member Shedd – Aye

Vice Chair Lucy - Aye

Member Medoff – Aye

Member McKinnon - Aye

Chair Hultin – Aye

So voted, 6-0-0, motion carries.

Chair Hultin led the review of the minutes for February 27, 2023, for corrections and edits. None were made.

Chair Hultin made a motion to approve the minutes for February 27, 2023, as written.

Member Townsend seconded the motion.

ROLL CALL VOTE:

Member Townsend – Aye

Member Shedd – Aye

Vice Chair Lucy - Aye

Member Medoff - Aye

Member McKinnon - Aye

Chair Hultin - Aye

So voted, 6-0-0, motion carries.

Public Hearings (Continued)

2022-017/ZBA (VAR/SP) - Ebb Tide on the Bay Condominiums for property located at 538 Shore Road (Atlas Map 7, Parcel 7, Registry of Deeds title reference: Book 5671, Page 232). Applicant seeks a Variance under M.G.L. Ch. 40A §10 and §40.3.B.2 §30.9.C of the Truro Zoning Bylaw for a reduction in number of parking spaces (from 12 spaces to 9); Special Permit under M.G.L. Ch. 40A §6 and §30.7.A of the Truro Zoning Bylaw for the relocation of three nonconforming structures on a lot in the Beach Point Limited Business District.

Chair Hultin recognized Town Planner/Land Use Counsel Carboni who noted that the Applicants' hearing with the Planning Board had been approved for a continuance to April 26, 2023, so the Applicants requested a continuance in this ZBA matter until May 22, 2023. No representative of the Applicant, nor the Applicant, were present at this hearing.

Members commented on this matter and highlighted the following topics: the actual placement of the new structures in relation to what exists on both sides of it now, the usefulness of the artist's renderings of the project (to include elevations) to assist in visualization of the project.

Member Shedd made a motion to continue this matter to May 22, 2023, at 5:30 pm.

Member Medoff seconded the motion.

ROLL CALL VOTE:

Member Townsend – Aye

Member Medoff – Aye

Member Shedd – Aye

Vice Chair Lucy - Aye

Member McKinnon - Aye

Chair Hultin - Aye

So voted, 6-0-0, motion carries.

2023-001/ZBA - Jennifer Shapiro (Chisholm), Trustee, Beach Point Trust, 423 Shore Road (Atlas Map 9, Parcel 1) (Beach Point Limited Business District). Applicant seeks special permit for demolition and reconstruction of dwelling on pre-existing non-conforming lot (lot size; front yard setback).

Chair Hultin announced that the Applicant had requested a continuance in this matter. Chair Hultin recognized Attorney Stevens who requested a continuance to April 24, 2023, due to the necessity of another application for a special permit to address the height of the project exceeding the Bylaw's height limit. Proper notification to Abutters and a public notice have not yet been accomplished.

Chair Hultin made a motion to continue this matter to May 22, 2023, at 5:30 pm.

Member Shedd seconded the motion.

ROLL CALL VOTE:

Member Townsend – Aye

Member Medoff – Aye

Member Shedd – Aye

Vice Chair Lucy - Aye

Member McKinnon - Aye

Chair Hultin - Aye

So voted, 6-0-0, motion carries.

Public Hearing

2023-002/ZBA - Steven and Deborah Dillon, 19 Highland A venue (Atlas Map 32, Parcel 3). Applicant seeks variances for construction of shed on pre-existing non-conforming lot within 15 feet of rear lot line and 5 feet of side lot line, where 25 ft. are required.

Chair Hultin recognized Mr. Dillon who provided information on this project and several Members expressed support for the application. Members also discussed with Town Planner/Land Use Counsel Carboni if there was a need for a special permit for a detached accessory building. Town Planner/Land Use Counsel Carboni opined that a special permit was not required but it could be, so it was left up to the Members.

Chair Hultin commented that the Application did not satisfy the three criteria required in the granting of a variance but that the Applicant had thus far received general support from the Members.

Town Planner/Land Use Counsel Carboni requested two motions on this matter as she opined these were two separate reliefs, but it was up to the Members. Chair Hultin announced that only the 5 full Members would vote on any motions in this matter.

Member Shedd made a motion to grant a variance in the matter of 2023-002/ZBA for relief of the rear setback to 19' with the following conditions that it never have water, not be used for habitation of any kind, no expansion beyond the dimensions submitted, and remain simply as a storage shed.

Vice Chair Lucy seconded the motion.

Prior to the roll call vote, Members had a brief discussion. Chair Hultin noted that there should be conditions as the Applicant had stated that electricity would be in the shed. Members discussed conditions such as no internal water, a heating source, or expansion of the building.

ROLL CALL VOTE:

Member Townsend – Aye

Member Medoff – Aye

Member Shedd – Aye

Vice Chair Lucy - Aye

Chair Hultin - Abstained

So voted, 4-0-1, motion carries.

Member Shedd made a motion to grant a variance in the matter of 2023-002/ZBA for sideline relief of 5' with the following conditions that it never have water, not be used for habitation of any kind, no expansion beyond the dimensions submitted, and remain simply as a storage shed.

Vice Chair Lucy seconded the motion.

ROLL CALL VOTE:

Member Townsend – Aye

Member Medoff – Aye

Member Shedd – Aye

Vice Chair Lucy - Aye

Chair Hultin - Abstained

So voted, 4-0-1, motion carries.

Following the votes, Members discussed the strictness of current ZBA Bylaws which appeared to be very restrictive especially regarding sheds.

Chair Hultin led the discussion to add a mechanism at the end of each meeting for the Members to discuss Bylaw enforcement that they would like to add to the next meeting's agenda. Members expressed unanimous support for this suggestion and Town Planner/Land Use Counsel Carboni will coordinate with Planning Department Administrator Liz Sturdy to add this item to the meeting agendas moving forward.

Update on Housing Ad Hoc Group

Member Townsend noted that there had not been any additional meetings.

Chair Hultin made a motion to adjourn at 6:21 pm.

Member Townsend seconded the motion.

ROLL CALL VOTE:

Member Townsend – Aye

Member Medoff – Aye

Member Shedd – Aye

Member Brock - Aye

Vice Chair Lucy - Aye

Member McKinnon - Aye

Chair Hultin - Aye

So voted, 7-0-0, motion carries.

Respectfully submitted,



Alexander O. Powers

Board/Committee/Commission Support Staff



April 10, 2023

CEC Project Number: C23035.01

William N. Rogers Professional Civil Engineers & Land Surveyors
Attn: Billy Rogers, P.E., P.L.S.
41 Off Cemetery Road
Provincetown, MA 02657
VIA EMAIL: billsier@verizon.net

**RE: Vibrations Analysis Report
Ebb Tide on the Bay Condominium
538 Shore Road, Truro, MA**

Dear Mr. Rogers:

Pursuant to your request and subsequent authorization, Coastal Engineering Company, Inc. (CEC) has conducted a review of the proposed construction at the above referenced property relative to the potential impact on the neighboring structures. Per the plans provided to CEC by William N. Rogers Professional Civil Engineers & Land Surveyors (Rogers), the proposed project includes the replacement of the three (3) existing residential building structures onsite with three (3) new structures. The plans made available for CEC review include:

- *"Existing Site Plan of Land in (North) Truro"*, dated September 2020 (revised December 2022), sheet "SE.1"
- *"Proposed Site Plan of Land in (North) Truro"*, dated September 2020 (latest revision April 2022), sheets "SP.1" and "SP.2"
- *"Building #1"*, dated December 2019, sheets "1-A.1" through "1-A.5"
- *"Building #2"*, dated December 2019, sheets "2-A.1" through "2-A.5"
- *"Building #3"*, dated December 2019, sheets "3-A.1" through "3-A.6"

As shown on the drawings provided noted above, Building 1 will be reconstructed approximately 8 feet back towards Shore Road compared to its current location. Building 2 and 3 will be reconstructed approximately 12 and 15 feet, respectively, towards Shore Road, from their current locations. The new structures will be supported by a timber pile foundation, with piles embedded into the subgrade protruding approximately six to nine feet above the subgrade depending on the elevation of the grade below. The superstructure of these buildings will be conventionally wood framed, set on timber pile caps.

Timber piles are generally installed with a pile driving hammer attached to an excavator, crane, or other type of heavy machinery used to "blow" the top of the pile to drive it into the subgrade. The number of blows and time it takes to install a timber pile to the proper (designed) depth below the subgrade is dependent on the required minimum embedment length, the load carried by the piles, and the composition of the soil amongst other factors.

CEC did not conduct a complete soil investigation as part of this report, however, due to our knowledge of the project site and the surrounding area, the soils are assumed to loose sand (ranging from loamy to coarse as the depth increases).

CEC visited the site on March 27, 2022, to review the existing building positions, the general site layout, and the composition of the top layer of the soil. CEC did not review the interior of the existing building structures onsite, nor the neighboring structures.

The overall purpose of this report is to review the potential impact of the proposed construction on the immediate neighboring structure located at 542 Shore Road. Per the provided site plan, the existing residential dwelling at 542 Shore Road will be located approximately 14 feet from the proposed location of Building 3. This assessment was completed with reference to Ninth Edition of the Massachusetts State Building Code, Residential Volume (780 CMR 51.00) amendments to the 2015 International Residential Code for One- and Two-Family Dwellings [Code].

This report does not include an exhaustive investigation of the neighboring existing building structure in question, nor a review of the building drawings provided. It is beyond the scope of this report to evaluate the impact of the installation of every timber pile may have on every surrounding building, therefore the piles for which the installation is assumed to have the greatest impact on the adjacent buildings will be reviewed.

Analysis

The potential impact of construction activities to a given entity is determined by the force (known as attenuation) of vibrations caused by the installation of the structural elements. The attenuation of ground vibrations from construction equipment/operations can be measured as the peak particle velocity (PPV) which is presented in inches per second. The PPV varies based on the distance from the cause of the vibration to the element in question. The closer the target object is to the source, the greater the impact. This impact varies logarithmically between the source and the target.

Given the site plan, the source (pile driving activities) is shown to be approximately 14 feet away from the target (the residential structure located at 542 Shore Road). The installation of other piles onsite may still have an impact, but potentially far less than the installation of the immediate adjacent piles.

Equation 1 (*Assumed Vibration – Pile Driving*) shown below, describes the PPV as a function of the distance (D) in feet, “n” which is a function of the soil class, and the load rating of the equipment used. The equation is as derived and described in a paper by Andrews, Buehler, Gill and Bender titled, “*Transportation and Construction Vibration Guidance Manual*”.

$$PPV_{IPD} = 0.65 * \left(\frac{25}{D}\right)^n * \left(\frac{E_{IPD,Equip}}{36,000}\right)^{0.5}$$

Equation 1: Assumed Vibration – Pile Driving

The value " $E_{IPDEquip}$ " in Equation 1 is meant to be the rated energy of the impact pile in foot-pounds. The equipment of construction is not known at this time, but it can be assumed that a pile driver with a rated energy of 9,000 foot-pounds. This value is assumed to be an appropriate load rating for pile installation of this type. The value "n" noted above can be taken from Figure 1 "Soil Class for PPV" below based on the presumed composition of the soil.

Soil Class	Description of Soil Material	"n"
I	Weak or soft soils: loose soils, dry or partially saturated peat and muck, loose beach sand, and dune sand, recently plowed ground, soft spongy forest or jungle floor, organic soils, top soil. (shovel penetrates easily)	1.4
II	Competent soils: most sands, sandy clays, silty clays, gravel, silts, weathered rock. (can dig with shovel)	1.3
III	Hard soils: dense compacted sand, dry consolidated clay, consolidated glacial till, some exposed rock. (cannot dig with shovel, need pick to break up)	1.1
IV	Hard, competent rock: bedrock, freshly exposed rock. (difficult to brake with hammer)	1.0

Figure 1: Soil Class for PPV

Since the soil is loose beach sand, n can be taken to be equal to 1.4. Given this information, the PVV for the pile installation for the piles closest to the existing structure at 542 Shore Road can be calculated to approximately $PPV_{pp} = 0.73$ inches per second.

The impact to building structures and humans occupying those building structures can be summarized in the below chart (Figure 2) prepared by the U.S. Department of Transportation (USDOT). The effect varies based on the Peak Particle Velocity.

Peak Particle Velocity (in/sec)	Effects on Humans	Effects on Buildings
<0.005	Imperceptible	No effect on buildings
0.005 to 0.015	Barely perceptible	No effect on buildings
0.02 to 0.05	Level at which continuous vibrations begin to annoy in buildings	No effect on buildings
0.1 to 0.5	Vibrations considered unacceptable for people exposed to continuous or long-term vibration	Minimal potential for damage to weak or sensitive structures
0.5 to 1.0	Vibrations considered bothersome by most people, however tolerable if short-term in length	Threshold at which there is a risk of architectural damage to buildings with plastered ceilings and walls. Some risk to ancient monuments and ruins.
1.0 to 2.0	Vibrations considered unpleasant by most people	U.S. Bureau of Mines data indicates that blasting vibration in this range will not harm most buildings. Most construction vibration limits are in this range.
>3.0	Vibration is unpleasant	Potential for architectural damage and possible minor structural damage

Figure 2: Effects of Construction Vibration

Based on the above chart and the calculated PPV of 0.73 inches per second, the effect of the pile driving felt could be considered bothersome by most people, however it may be tolerable if the construction activities are short-term in length. The piles directly adjacent to the building structure will likely be placed in a single day and therefore may not be considered long term. The USDOT states that the level at which vibrations become annoying to people is approximately 0.64 inches per second. The calculated PPV is above this number and therefore the vibrations may be annoying to people, but tolerable given the short-term nature of the installation.

The calculated PPV is within the range which there is a risk of architectural damage to a building with plastered ceilings or walls (per Figure 2). Generally, this is taken as a 5% chance that the target structure will show any potential damage. Given the age of the adjacent structure CEC assumes that plastered walls and/or ceilings exist in the structure.

Based on the drawings provided, there will likely be nine (9) piles that will be installed approximately 14 feet from the structure which will produce the above calculated PPV in the area of the existing structure closest to the pile installation. The next "row" of piles (grid line D) will be approximately 23 feet from the structure at 542 Shore Road. The PPV at the existing building from the installation of these piles would be approximately 0.37 inches per second. The installation of piles along grid lines C and B would have PPV of approximately 0.23 and 0.16 inches per second, respectively. Per Figure 2, the installation of these piles carries minimal potential for damage to weak or sensitive structures.

The above calculations assume a consistent soil classification through the pile embedded depth (i.e. the source) and through the cross section to the adjacent structure (i.e. the target) and that equipment with a rated energy of the impact pile of 9000 foot-lbs or less is used for installation. If these assumptions are found to be incorrect, the calculations above must be revisited for potential further impact to the existing adjacent building structure(s).

Recommendations and Conclusion

The calculations shown above show that there is a low potential for damage to the plastered finishes inside the structure at 542 Shore Road (or any other further structures). This does not mean that there is *no* potential for damage to these structures. Given the unknown parameters of construction it is still possible that damage can occur as a result of construction activities if the PPV would increase to 1.8 inches per second or above at the target (the existing building structure). There is a potential risk of minor architectural/structural damages (loosening plaster, hairline cracks in foundations, lengthening of old cracks). As stated above, this can be taken as 5% chance that any damage would be done. Structural damage generally occurs with PPV numbers above 3.0.

Since most pile driving activities are generally in the mid- to upper-frequency range, they are unlikely to cause any structural damage as opposed to earthquakes which produce vibrations at a (very) low frequency which bring a greater chance of architectural and/or structural damage.

Given slight potential for architectural damage in the structure, and the potential for annoyance during some of the pile installation activities, CEC would recommend the following steps to limit potential damage or impact felt by the adjacent properties:

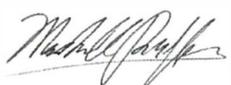
1. Document the existing building structure at 542 Shore Road before and after construction (with permission from the owner). Existing cracks in plaster should be noted and measured to ensure they are not worsened by the pile driving operations.
2. Coordinate with the owners of the adjacent properties the optimal date and time to conduct pile driving activities closest to the existing structure.
3. Take steps to limit vibrations (use a small pile driving hammer, provide a pile cushion, etc.). These steps to limit vibrations may reduce the PPV felt on the adjacent buildings.
4. Monitor and record ground vibrations onsite during pile driving operations. Cease pile driving operations if the field measured PPV exceeds 1.8 inches per second.

Based on the assumed means and methods of construction, the pile driving activities onsite will likely be the greatest source of vibrations throughout the project. As stated above, while damage from these vibrations is unlikely, the above recommendations should be followed to ensure that negative impact is realized in the neighboring structures.

Please do not hesitate to call our office if you have any questions concerning this report.

Very truly yours,

COASTAL ENGINEERING CO., INC.



Marshall H. Puffer, P.E.
Structural Division Manager



ASSESSOR'S MAP 7, PARCEL 7 = VOLVS

Zoning Notes - Proposed:

- This Property lies within: Beach Point Limited Business Zone
- No. of Proposed Principal Buildings: 3 / No. of Proposed Accessory Buildings: 0
*to replace the 3 Existing Buildings currently on Lot.
- Lot Coverage: (Per Section 10(4) - Definitions, Truro Zoning Bylaws) = 29.5%
Buildings - total = 2904 s.f. - (Bldg. 1 = 1092 s.f. / Bldg. 2 = 710 s.f. / Bldg. 3 = 1102 s.f.)
Decks (Including Covered Porches) - total = 1190 s.f.
Wood Boardwalks = 104 s.f. Note: Lot Area = 14,224 s.f. +/-
- Gross Floor Area: (Per Section 10(4) - Definitions)
Building 1 = 1681 s.f. (1020 s.f. @ 1st Floor - 661 s.f. @ 2nd Floor)
Building 2 = 1048 s.f. (656 s.f. @ 1st Floor - 392 s.f. @ 2nd Floor)
Building 3 = 1917 s.f. (1091 s.f. @ 1st Floor - 826 s.f. @ 2nd Floor)
- Mean Ground Level: (Per Section 10(4) - Definitions) - (Datum = 1988 NAVD)
Building 1 = El. 10.49' / Building 2 = El. 10.88' / Building 3 = El. 10.49'
- Building Height/Stories: (Per Section 10(4) - Definitions)
Building 1 = 29.0' - 1 Story / Building 2 = 29.0' - 1 Story / Building 3 = 29.95' - 2 Story
- Building Setbacks:
Frontyard: (25 ft. Required) - Building 1 = 25.0' / Building 2 = 25.0' / Building 3 = 25.0'
Sideyard: (5 ft./story Required) - Building 1 @ NE corner = 8.0' / @ SE corner = 8.0'
- Building 2 :Distance to Building 1 = 4.0' (-15ft. Req'd.) :Distance to Building 3 = 8.0'
- Building 3 @ NW corner = 3.30' / @ SW corner = 3.30'
To 2019 M.H.W.: (From Decks) - Bldg. 1 = 42' +/- / Bldg. 2 = 60' +/- / Bldg. 3 = 51' +/-

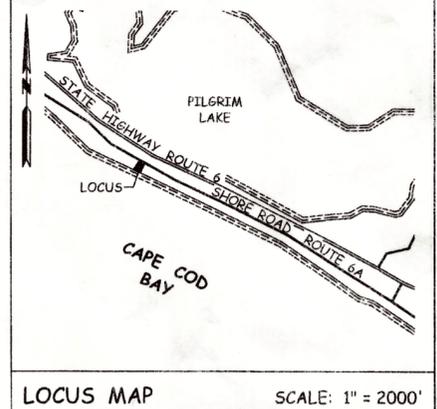
ZONING NOTES (CONTINUED)

- Bedrooms: Building 1 = 3 / Building 2 = 2 / Building 3 = 6* Total = 11 Bedrooms
* Unit 3 = 2 BR / Unit 4 = 1 BR / Unit 5 = 2 BR / Unit 6 = 1 BR
- Parking Spaces: (2 spaces per Unit Required) = 9 Total*
* Building 1 (Unit 1) = 2 / Building 2 (Unit 2) = 2 / Building 3 = 4 (Unit 3 = 1 - Unit 4 = 1 - Unit 5 = 1 - Unit 6 = 1)

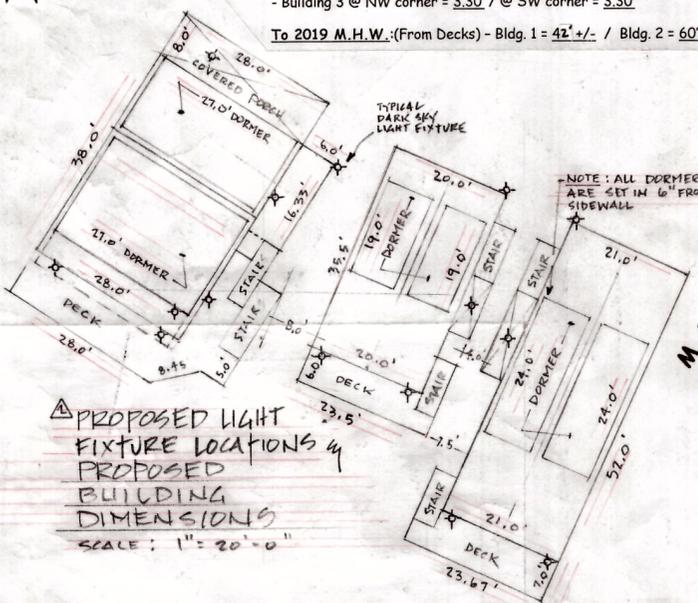
*NOTE: REFER TO SHEET SP.1 FOR BUILDING SETBACKS & BUILDING - EXISTING & PROPOSED COMPARISON TABLES

GENERAL NOTES:

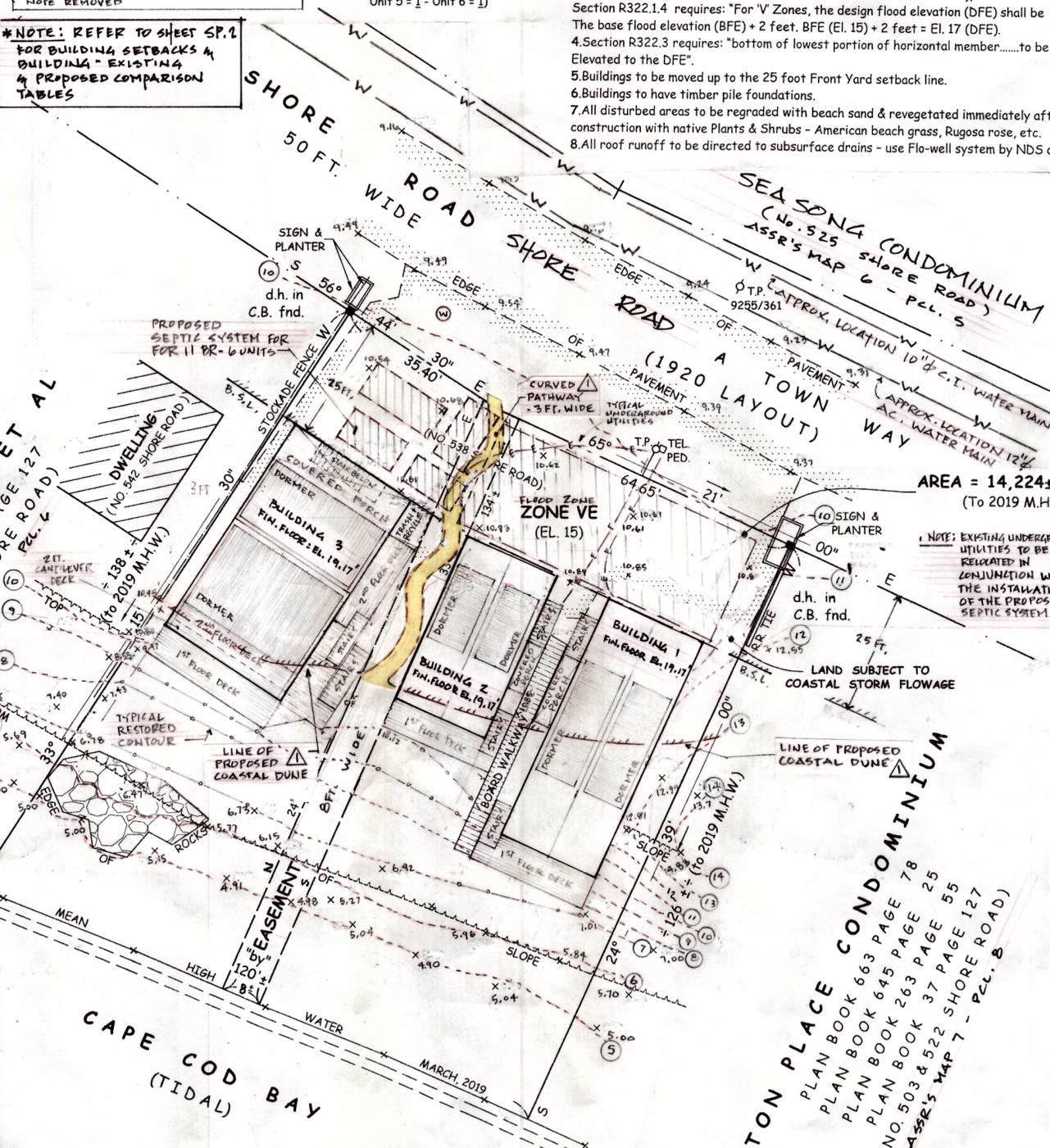
- Datum = 1988 N.A.V.D.
- Buildings 1, 2 & 3 to be raised in accordance with MA. State Building Code, 9th Edition (2015 IRC & IBC w/ MA. Amendments), 2018 AWC Prescriptive Residential Wood Deck Construction Guide, 2015 IECC, FEMA Technical Bulletin 348 - Protecting Building Utilities From Flood Damage & FEMA Technical Bulletin 449 - Home Builder's Guide To Coastal Construction.
- MA. State Building Code, 9th Edition (2015 IRC w/MA. Amendments), Section R322.1.4 requires: "For 'V' Zones, the design flood elevation (DFE) shall be the base flood elevation (BFE) + 2 feet. BFE (El. 15) + 2 feet = El. 17 (DFE).
- Section R322.3 requires: "bottom of lowest portion of horizontal member.....to be Elevated to the DFE".
- Buildings to be moved up to the 25 foot Front Yard setback line.
- Buildings to have timber pile foundations.
- All disturbed areas to be regraded with beach sand & revegetated immediately after construction with native Plants & Shrubs - American beach grass, Rugosa rose, etc.
- All roof runoff to be directed to subsurface drains - use Flo-well system by NDS or Equal.



PLAN BOOK 431 PAGE 93



MARIE BELDING ET AL
PLAN BOOK 37 PAGE 127
ASSESSOR'S MAP 7 - PCL. 4
(NO. 542 SHORE ROAD)



SUTTON PLACE CONDOMINIUM
PLAN BOOK 663 PAGE 78
PLAN BOOK 645 PAGE 78
PLAN BOOK 263 PAGE 25
PLAN BOOK 37 PAGE 55
ASSESSOR'S MAP 7 - PCL. 8
(NO. 503 & 522 SHORE ROAD)

- NOTE: ALL PROPOSED PLANTINGS TO BE NATIVE PLANTS, GRASSES & SHRUBS.
- NOTE: EXISTING AND PROPOSED USE: RESIDENTIAL.
- NOTE: ALL EXTERIOR LIGHTING TO BE DARK SKY COMPLIANT.
- NOTE: ALL ROOF RUNOFF TO BE DIRECTED TO SUBSURFACE DRAINAGE STRUCTURES (FLOW-WELL SYSTEMS, OR EQUAL).
- NOTE: FLOOD ZONES AS SHOWN ON FLOOD INSURANCE RATE MAP NO. 25001C0117J FOR THE TOWN OF TRURO COMMUNITY NO. 235222 DATED JULY 16, 2014.
- NOTE: THIS PROPERTY IS SERVED BY UNDERGROUND ELECTRIC SERVICE
- NOTE: x 14.55' DENOTES SPOT ELEVATION.
- NOTE: ALL BUILDING OFFSETS ARE MEASURED PERPENDICULAR TO THE PROPERTY LINES.
- NOTE: DATUM = 1988 N.A.V.D.
- REFERENCE: PLAN BOOK 431 PAGE 93
PLAN BOOK 348 PAGE 97
PLAN BOOK 263 PAGE 56
DEED BOOK 30288 PAGE 288

REVISED: 12-29-2022 ZONING NOTES + SCALE OF FEET
0 10 20 40
REVISED: APRIL 19, 2022

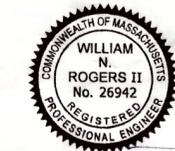
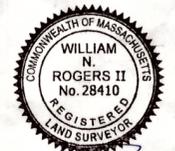
PROPOSED
SITE PLAN OF LAND
IN
(NORTH) TRURO
AS PREPARED FOR
EBB TIDE ON THE BAY
CONDOMINIUM
(NO. 538 SHORE ROAD)

SCALE: 1 IN. = 20 FT. SEPTEMBER, 2020

WILLIAM N. ROGERS **SP.1**
PROFESSIONAL
CIVIL ENGINEERS & LAND SURVEYORS
41 OFF CEMETERY ROAD, PROVINCETOWN, MASS.
508.487.1565 / 508.487.5809 FAX



NOTE: LIMIT OF WORK ARE THE EAST & WEST PROPERTY LINES AT ALONG BOTTOM OF OLD SLOPE LINE AND IN FRONT OF ROCKS - CONTRACTOR TO STAKE STRAW BALES AT SLOPE FENCE ALONG PROPERTY LINES & BOT. OF SLOPE AND MAINTAIN SAID LIMIT OF WORK DURING CONSTRUCTION.



SEPTEMBER 14, 2020 SEPTEMBER 14, 2020

538 Shore Road COMPARISON TABLE Δ			
Building #3	Existing	Proposed	COMMENTS
Stories:	2	2	NO CHANGE
Building (Sq.Ft.): (FOOTPRINT)	1200	1102	REDUCTION OF 98 S.F. = 8.17%
Deck/s:	651	586	REDUCTION OF 65 S.F.
Covered Porch:	211	224	INCREASE OF 13 S.F.
Gross Floor Area* (Sq.Ft.):	1139 - 1 st Floor	1091 - 1 st Floor	REDUCTION OF 48 S.F.
*Per Section 10(4)-Definitions	877 - 2 nd Floor	826 - 2 nd Floor	REDUCTION OF 51 S.F.
	Total = 2016	Total = 1917	TOTAL REDUCTION OF 99 S.F. = 4.91%
Mean Ground Level*(Datum = 1988 NAVD) El. 9.39'		El. 10.49*	
*Per Section 10(4)-Definitions		*At Proposed Location	
Peak Height :	El. 33.09'	El. 40.45' (+7.36')	INCREASE OF 7'-4"
First Floor:	El. 10.6'	El. 19.17' (+8.57')	INCREASE OF 8'-6"
Building Height*:	24.23' (24'-3")	29.95' (29'-11") (+5.72')	INCREASE OF 5'-9"
*Per Section 10(4)-Definitions		*Building = 21.28' (21'-3")	
		*Pile Foundation = 8.67' (8'-8")	
Sideyard Setback* (East)			
At NW Corner:	1.91' (1'-11")	3.3' (3'-4") (+1.39')	INCREASE OF 1'-4"
At SW Corner:	2.37' (2'-3")	3.3' (3'-4") (+1.39')	INCREASE OF 1'-4"
*5Ft. Per Story - 10 Ft. Req'd.			
Frontyard Setback (25 Ft. Req'd.):	40.06' (40'-1")	25 Ft. (-15.06')	REDUCTION OF 15'-0"
Distance From 2019 Mean High Water			
Building :	39'+/-	60'+/-	INCREASE OF 21'-0"
Deck:	30'+/-	51'+/-	
Number of Bedrooms:	Unit 3 = 2	2	
	Unit 4 = 1	1 = 6 Total	NO CHANGE
	Unit 5 = 2	2	
	Unit 6 = 1	1	
Number of Parking Spaces	8	4 = 1 Space per Unit Δ	REDUCTION OF 4 SPACES Δ



- NOTE: x 14.55' DENOTES SPOT ELEVATION.
- NOTE: ALL BUILDING OFFSETS ARE MEASURED PERPENDICULAR TO THE PROPERTY LINES.
- NOTE: DATUM = 1988 N.A.V.D.
- REFERENCE: PLAN BOOK 431 PAGE 93
PLAN BOOK 348 PAGE 97
PLAN BOOK 263 PAGE 56
DEED BOOK 30288 PAGE 288

538 Shore Road COMPARISON TABLE Δ			
Building #2	Existing	Proposed	COMMENTS
Stories:	1	1.5	INCREASES BY 1/2 STORY
Building (Sq.Ft.): (FOOTPRINT)	628	710	INCREASE OF 82 S.F. = 13%
Deck/s:	102	167	DECK INCREASES BY 65 S.F.
Covered Porch:	-	-	
Gross Floor Area* (Sq.Ft.):	578	656 - 1 st Floor	
*Per Section 10(4)-Definitions, Truro ZBA Bylaws		392 - 2 nd Floor	470 S.F. INCREASE IN FLOOR AREA = 81.3%
		Total = 1048	
Mean Ground Level*(Datum = 1988 NAVD) El. 10.07'		El. 10.88*	
*Per Section 10(4)-Definitions		*At Proposed Location	
Peak Height :	El. 23.39'	El. 39.88' (+16.49')	INCREASE OF 16'-6"
First Floor:	El. 12.79'	El. 19.17' (+6.38')	INCREASE OF 6'-4"
Building Height* :	13.0' (13'-0")	29.0' (29'-0") (+16.0')	INCREASE OF 16'-0"
*Per Section 10(4)-Definitions		*Building = 20.71' (20'-8 1/2")	
		*Pile Foundation = 8.29' (8'-3 1/2")	
Sideyard Setback:	N/A	N/A	SEE NOTE **
Frontyard Setback (25 Ft. Req'd.):	37.6' (37'-7")	25 Ft. (-12.6')	REDUCTION OF 12'-1"
Distance From 2019 Mean High Water:			
Building :	54'+/-	66'+/- (+12.0')	INCREASE OF 12'-0"
Deck:	48'+/-	60'+/-	
Number of Bedrooms:	2	2	NO CHANGE
Number of Parking Spaces	2	2	NO CHANGE
** NOTE: BUILDING TO BUILDING DISTANCE (EXCLUDING ENTRY DECKS): BUILDING 2 TO BUILDING 1 = 11'-0" (11.0')			

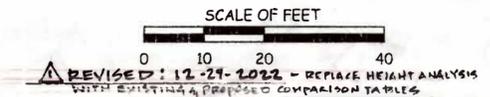
538 Shore Road COMPARISON TABLE Δ			
Building #1	Existing	Proposed	COMMENTS
Stories:	1	1.5	INCREASES BY 1/2 STORY
Building (Sq.Ft.): (FOOTPRINT)	952	1092	INCREASE OF 140 S.F. = 14.7%
Deck/s:	184	213	DECK INCREASES BY 29 S.F. COVERED PORCH ELIMINATED
Covered Porch:	261	-	
Gross Floor Area* (Sq.Ft.):	883	1020 - 1 st Floor	
*Per Section 10(4)-Definitions, Truro ZBA Bylaws		661 - 2 nd Floor	790 S.F. INCREASE IN FLOOR AREA = 90.4%
Total = 1681			
Mean Ground Level*(Datum = 1988 NAVD) El. 10.24'		El. 10.49*	
*Per Section 10(4)-Definitions		*At Proposed Location	
Peak Height :	El. 26.48'	El. 40.34' (+13.86')	INCREASE OF 13'-10"
First Floor:	El. 12.92'	El. 19.17' (+6.25')	INCREASE OF 6'-3"
Building Height* :	16.76' (16'-9")	29.0' (29'-0") (+12.24')	INCREASE OF 12'-3"
*Per Section 10(4)-Definitions		*Building = 21.17' (21'-2")	
		*Pile Foundation = 7.83' (7'-10")	
Sideyard Setback* (East)			
At NE Corner:	7.16' (7'-2")	8.0' (8'-0") (+.84')	INCREASE OF 10"
At SE Corner:	7.82' (7'-10")	8.0' (8'-0") (+.18')	INCREASE OF 2"
*5Ft. Per Story - 7.5 Ft. Req'd.			
Frontyard Setback (25 Ft. Req'd.):	22.24' (22'-3")	25 Ft. (+2.76')	INCREASE OF 2'-9"
Distance From 2019 Mean High Water			
Building :	41'+/-	50'+/- (+9.0')	INCREASE OF 9'-0"
Deck:	33'+/-	42'+/-	
Number of Bedrooms:	3	3	NO CHANGE
Number of Parking Spaces	2	2	NO CHANGE

SITE PLAN
DEPICTING
BUILDING SETBACKS
SCALE: 1" = 20'-0"

Δ REVISED: 4-18-2023: RECONFIGURE PARKING - REMOVE 'FLEX' SPACE
TOTAL: 8 SPACES - RELOCATE BIKE RACK



William N. Rogers II, PLS
SEPTEMBER 14, 2020
William N. Rogers II, PE
SEPTEMBER 14, 2020



REVISÉ: 12-24-2022 - REPLACE HEIGHT ANALYSIS WITH EXISTING & PROPOSED COMPARISON TABLES
PROPOSED BUILDING SETBACKS EXISTING & PROPOSED COMPARISON TABLES IN

(NORTH) TRURO
AS PREPARED FOR
EBB TIDE ON THE BAY
CONDOMINIUM
(NO. 538 SHORE ROAD)

SCALE: 1 IN. = 20 FT. SEPTEMBER, 2020

WILLIAM N. ROGERS II
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41 OFF CEMETERY ROAD, PROVINCETOWN, MASS.
508.487.1565 / 508.487.5809 FAX

SP.2

McGREGOR
LEGERE & STEVENS

ATTORNEYS AT LAW, P.C.

15 COURT SQUARE – SUITE 660
BOSTON, MASSACHUSETTS 02108
(617) 338-6464
FAX (617) 338-0737

NATHANIEL STEVENS ESQ.
E-mail: nstevens@mcgregorlaw.com
(617) 338-6464 ext. 120

May 11, 2023

Arthur F. Hultin, Jr., Chair
Zoning Board of Appeals
Town of Truro
24 Town Hall Road
Truro, MA 02666
esturdy@truro-ma.gov

**RE: Application for Special Permit – 423 Shore Road
Truro File No. 2023-001/ZBA
(Our File No. 2922)**

Dear Mr. Hultin and Members of the Board:

On behalf of Jennifer Shapiro Chisolm, Trustee of the Beach Point Trust, and based on the discussions at the Board's April 24, 2023 hearing, we submit the following documents for the Board's consideration at its May 22, 2023 meeting¹:

1. Correspondence between Brad Malo, Coastal Engineering, Inc. and Richard Stevens, Truro Building Commissioner concerning determining the "average existing grade" (to determine building height);
2. Architectural plans by R. Campbell Design, LLC; dated January 26, 2023 and revised through May 10, 2023, consisting of four sheets: A1.01 (Building Plan); A2.01 (Exterior Elevations); A2.02 (Exterior Elevations); and A5.01 (Building Sections); and
3. "Plan Showing Proposed Site Conditions", sheet C2.1.2, by Coastal Engineering Company, January 26, 2023, revised thru May 10, 2023, and stamped by Sean M. Riley, P.E.

¹ Previously submitted and still part of the application for the Board's consideration are the "Plan Showing Existing Site Conditions", sheet C1.2.1, by Coastal Engineering Company, June 23, 2021, stamped by John McElwee, P.L.S.; and the "Planting Plan" by BlueFlax Design llc, January 12, 2023, revised March 21, 2023.

McGREGOR LEGERE & STEVENS

At the Board's April 24, 2023 hearing, to address the one remaining issue (building height), it was agreed that we would consult the Truro Building Commissioner on how to calculate the "average existing grade" which is needed to determine whether the proposed house exceeded the Zoning Bylaw's height limit, and, if so, by how much. Brad Malo of Coastal Engineering provided Building Commissioner Stevens with three possible approaches to calculate the average existing grade (copy enclosed) and then spoke with him by phone. Building Commissioner Stevens confirmed that the outermost corners of the proposed building were the points to use (copy of confirmation email enclosed). This results in an "average existing grade" of 10.3 feet, meaning the proposed dwelling reviewed at the Board's April 24, 2023 meeting would exceed the height limit by 1.1 feet.

Based on this conversation with the Building Commissioner and feedback from Board members at its last meeting, Ryan Campbell worked to lower the height of the two-bedroom home by at least 1.1 feet. He was able to lower the overall height (measured at the roof ridgeline) almost 1.5 feet by redesigning the building's framing system, reducing the height of the gabled roof, and redistributing HVAC components, all without lowering the first-floor elevation or changing the overall exterior design of the house. Please see enclosed revised architectural plans from Ryan Campbell Design, LLC.

Coastal Engineering has revised the "Zoning Table" in its Proposed Site Conditions plan to incorporate the revised house height and the Building Commissioner's guidance on determining "average existing grade."

In response to the Board's comments, the proposed project as revised now avoids creating a new nonconformity (exceeding height) and rectifies perhaps the more serious of the two nonconformities of the existing dwelling – the front yard setback will be 25 feet (as required by the Zoning Bylaws) whereas it is now 0 feet.

Should the Board vote to approve this revised project and grant a special permit for demolition and reconstruction of a dwelling on a pre-existing non-conforming lot (lot size), we expect that we would then request to withdraw the pending special permit application to exceed height.

The Project will be in harmony with the general public good and intent of the Zoning Bylaws, as required by Section 30.8.C and Section 9 of the Zoning Act, by promoting public health and safety. With its extra height above the base flood elevation and its piling foundation complying with state and local flood zone requirements, the proposed structure will reduce the potential of storm damage and flood damage to it, other structures in the neighborhood, and the public in general. The Project's significant (1,993 square feet) reduction in impervious surfaces also helps reduce stormwater runoff while allowing for the planting of additional native vegetation.

McGREGOR LEGERE & STEVENS

Furthermore, the Project's new structure will help to conserve the value of land and buildings throughout the neighborhood. The Project's replacement of the existing cesspool with a modern sewage disposal system with I/A treatment will help protect the Town's waters as well as public health. The Project's reduction of impervious surface and extensive vegetation management and planting plan will help conserve natural resources.

The Project will not be substantially more detrimental to the neighborhood than the existing use. There will not be a change in use and as no additional bedrooms are proposed, residential use will continue in the same intensity. The modernized structure and sewage disposal system with I/A treatment, proposed vegetation management plan, and reduction in impervious surface will be a substantial improvement to the lot and neighborhood in general. Compliance with state and local flood zone requirements will also reduce rather than increase any detriment to the neighborhood (we do not believe there is any existing detriment).

The Project will not increase the nature or extent of the existing two zoning nonconformities and, in fact, cures the most significant of the two (the front yard setback). The lot size does not change.

For the foregoing reasons, we respectfully request that the Zoning Board of Appeals grant a Special Permit for the reconstruction of the single-family dwelling at 423 Shore Road.

Thank you for considering this application for Special Permit.

Very truly yours,

Nathaniel Stevens

Nathaniel Stevens



RE: 423 Shore Road- Average Grade for Building Height- ZBA

1 message

Rich Stevens <rstevens@truro-ma.gov> Tue, May 2, 2023 at 10:45 AM
To: Bradford Malo <bmalo@coastalengineeringcompany.com>
Cc: Lynne Budnick <LBudnick@truro-ma.gov>, Nina Richey <nrichey@truro-ma.gov>, Nathaniel Stevens <nstevens@mcgregorlaw.com>, Jennifer Chisholm <shapchiz@aol.com>, Ryan Campbell <ryan@rcampbelldesign.com>

Good Morning Brad,
Thank You and this looks fine for calculating the height.
Regards,

Richard Stevens
Building Commissioner

From: Bradford Malo <bmalo@coastalengineeringcompany.com>
Sent: Monday, May 1, 2023 3:58 PM
To: Rich Stevens <rstevens@truro-ma.gov>
Cc: Lynne Budnick <LBudnick@truro-ma.gov>; Nina Richey <nrichey@truro-ma.gov>; Nathaniel Stevens <nstevens@mcgregorlaw.com>; Jennifer Chisholm <shapchiz@aol.com>; Ryan Campbell <ryan@rcampbelldesign.com>
Subject: Re: 423 Shore Road- Average Grade for Building Height- ZBA

Hi Rich-

Thank you for speaking with me today and reviewing the average grade approach for 423 Shore Rd.
Please see the attached letter, sketch, and calculation to confirm my understanding of our discussion.

From this average grade "baseline", we will be able to plan our building ridge design with confidence, and complete our presentation to the ZBA.

Thank you again.

Sincerely,

Brad

Bradford P. Malo.
Senior Civil Project Manager


Mailing Address: 260 Cranberry Highway, Orleans, MA 02653
Orleans | Sandwich | Nantucket | Waltham | Smithfield, RI
O: 508-255-6511 x350 M: 508-237-4988


INADVERTENT DISCLOSURE – The information contained in this e-mail is confidential and privileged, intended for the sole use of the addressee. Unauthorized use, distribution, copying or disclosure of this information is prohibited. If you are not the addressee and have inadvertently received this communication, please contact the sender at (508) 255-6511.

On Mon, May 1, 2023 at 8:37 AM Rich Stevens <rstevens@truro-ma.gov> wrote:



May 1, 2023

Project #C13065.06

Building Department
Attn: Richard Stevens, Building Commissioner
24 Town Hall Road
Truro, MA 02666

By Mail and email

Re: Average Grade Calculation – Proposed House Building Height

Proposed Replacement Dwelling
Jennifer Chisholm, Trustee
Beach Point Trust
423 Shore Road
Truro, MA
Map 9 Parcel 1

Dear Mr. Stevens:

Thank you for speaking with me today.

As a follow-up to our telephone conversation today, I have attached a sketch and calculation summary used in determining the average existing undisturbed grade for the subject project.

My understanding of our discussion today is that you agree with "Alt A" on the attached summary enclosure, to represent the "average of the existing undisturbed grade at each corner of the [proposed] building", for use in determining the proposed building height. Specifically, we have averaged the existing ground elevations at each corner of the proposed dwelling location, which computes to Elevation 10.3 feet.

Please contact me if you are not in agreement with my understanding stated above.

Very truly yours,

COASTAL ENGINEERING CO., INC.

Bradford P. Malo, Sr. Project Manager

Enclosures (plan view and computation)

BPM/bpm

cc: Beach Point Trust, Jennifer Chisholm, Trustee
Nathaniel Stevens, Attorney
Ryan Campbell, Architect

BUILDING HEIGHT CALCULATIONS:

AVERAGE EXISTING GRADE - EXISTING CONDITION:

$$(11.8 + 12.5 + 11.8 + 11.2 + 11.6 + 12.5 + 12.4 + 12.1 + 12.1 + 12.2) / 10 = 12.0\pm \text{ FT.}$$

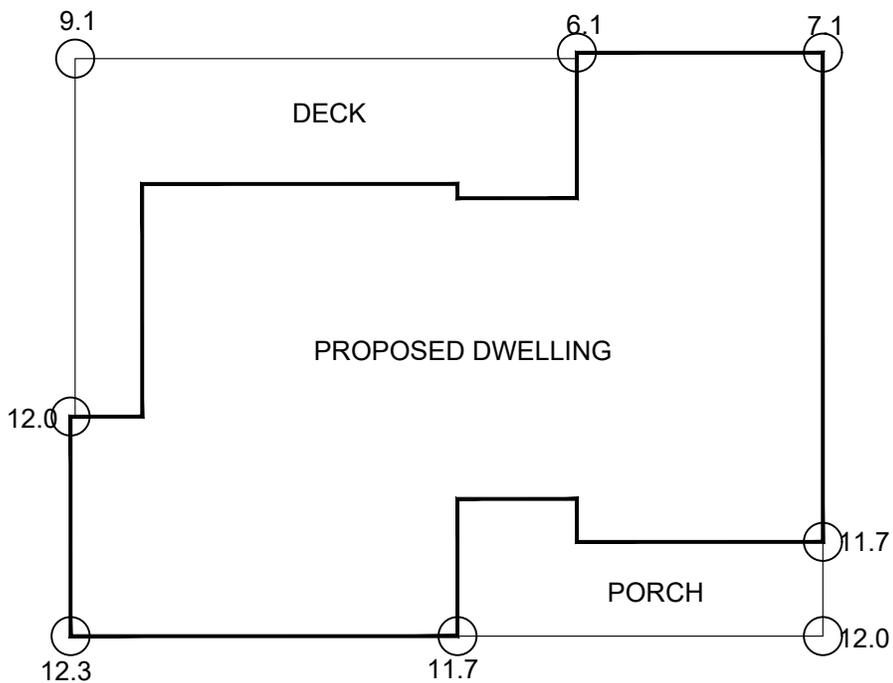
EXISTING RIDGE ELEVATION = 26.3 FT.

$$\text{EXISTING BUILDING HEIGHT} = 26.3 - 12.0 = 14.3\pm \text{ FT.}$$

AVERAGE EXISTING GRADE - PROPOSED CONDITION:

○ $(9.1 + 6.1 + 7.1 + 11.7 + 12.0 + 11.7 + 12.3 + 12.0) / 8 = 10.3\pm \text{ FT.}$

ALT A



No.	Description	Date
1	Preliminary Design - Opt. 3	12/18/2022
2	ZBA Submission	1/26/2023
3	Rev 1 - Foundation	2/3/2023
4	Rev 2 - ZBA Building Relocation	3/20/2023
5	Rev 3 - Building Height	5/10/2023

Project Number	20220901
Date	Issue Date
Drawn By	Author
Checked By	Checker

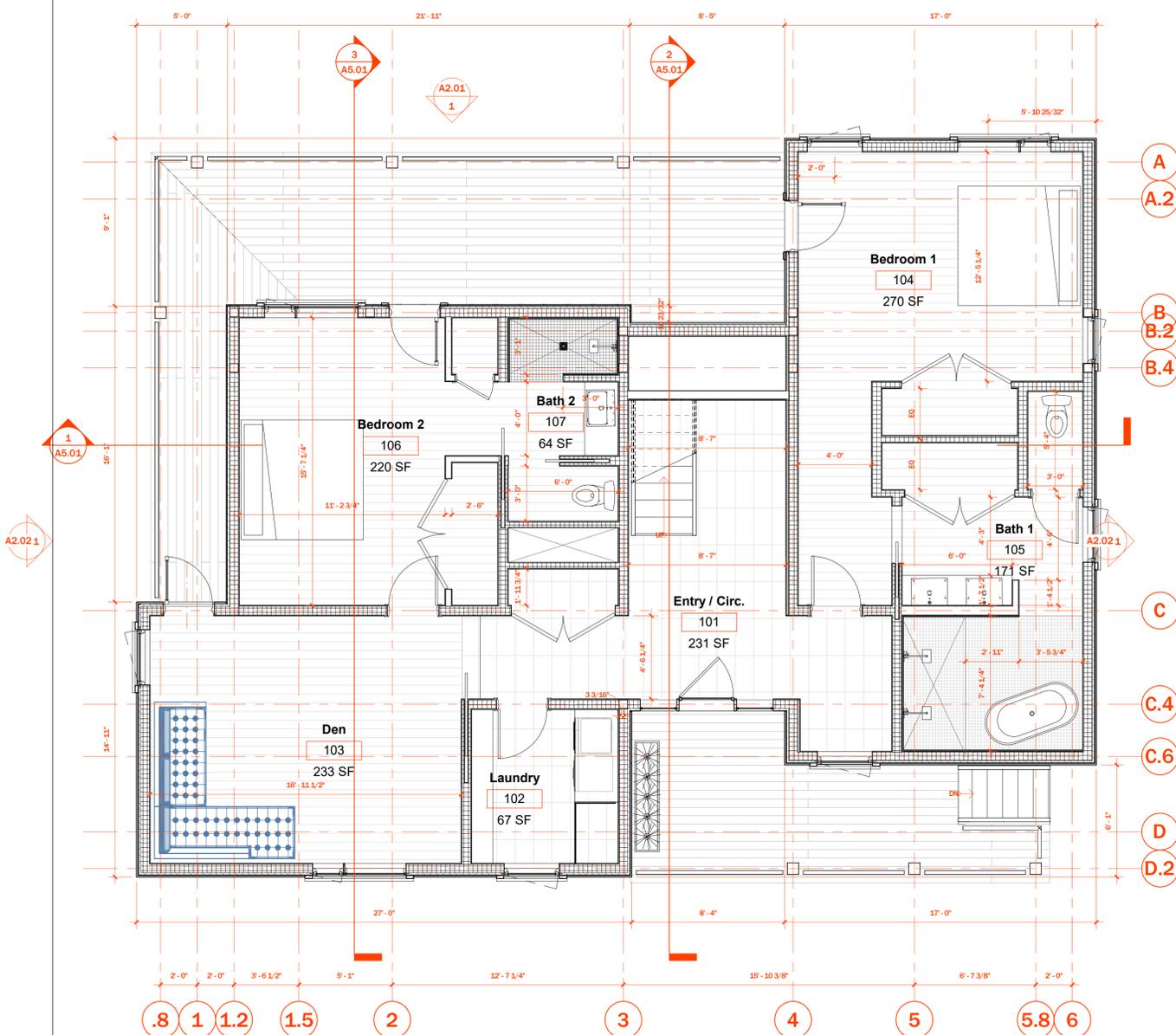
Building Plan

A1.01

Scale 1/4" = 1'-0"

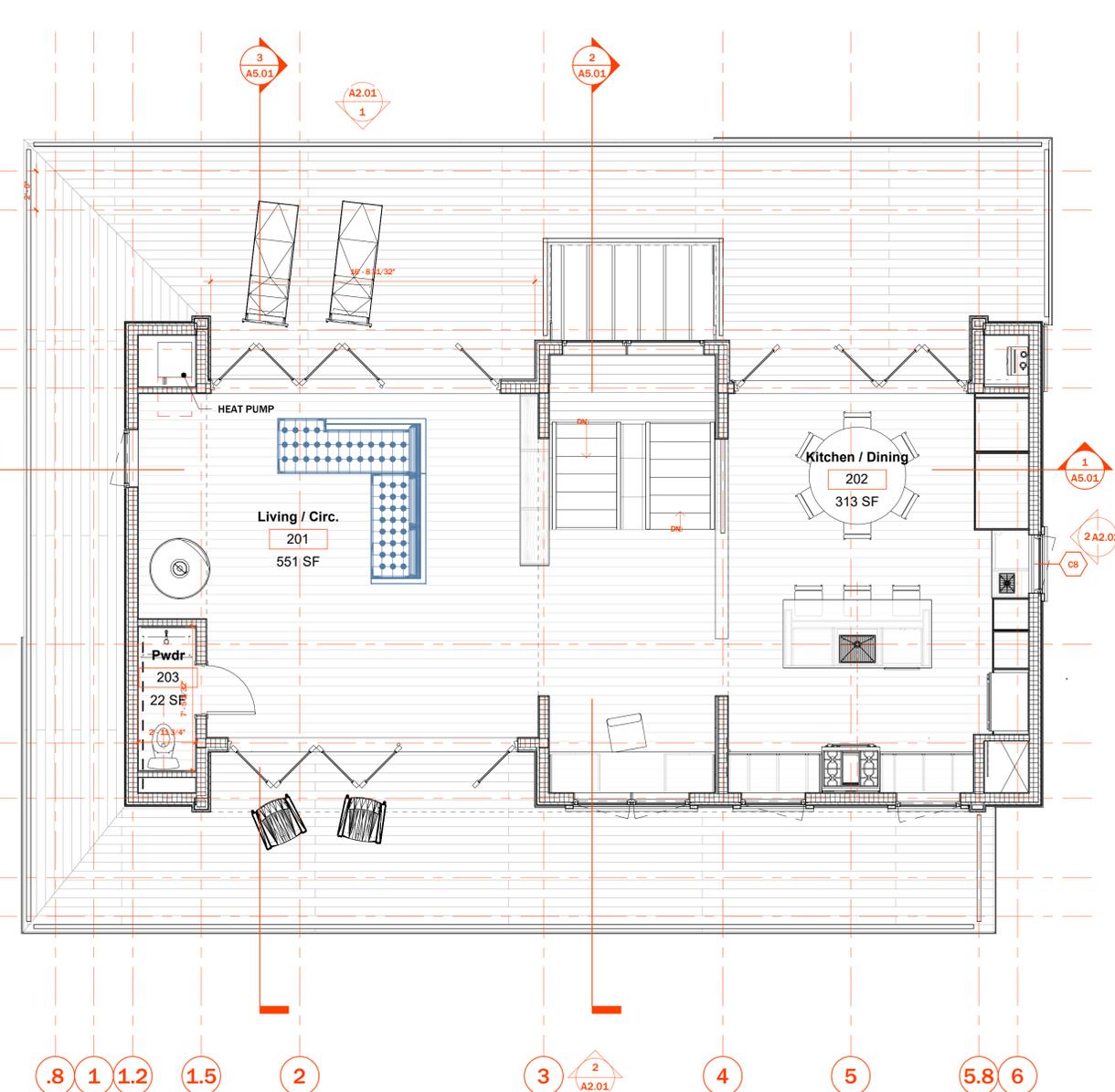
© 2022 R. CAMPBELL DESIGN LLC

5/11/2023 8:47:59 AM



1 Plan - Level One

SCALE: 1/4" = 1'-0"



2 Plan - Level Two

SCALE: 1/4" = 1'-0"



3 View from Southwest

SCALE:

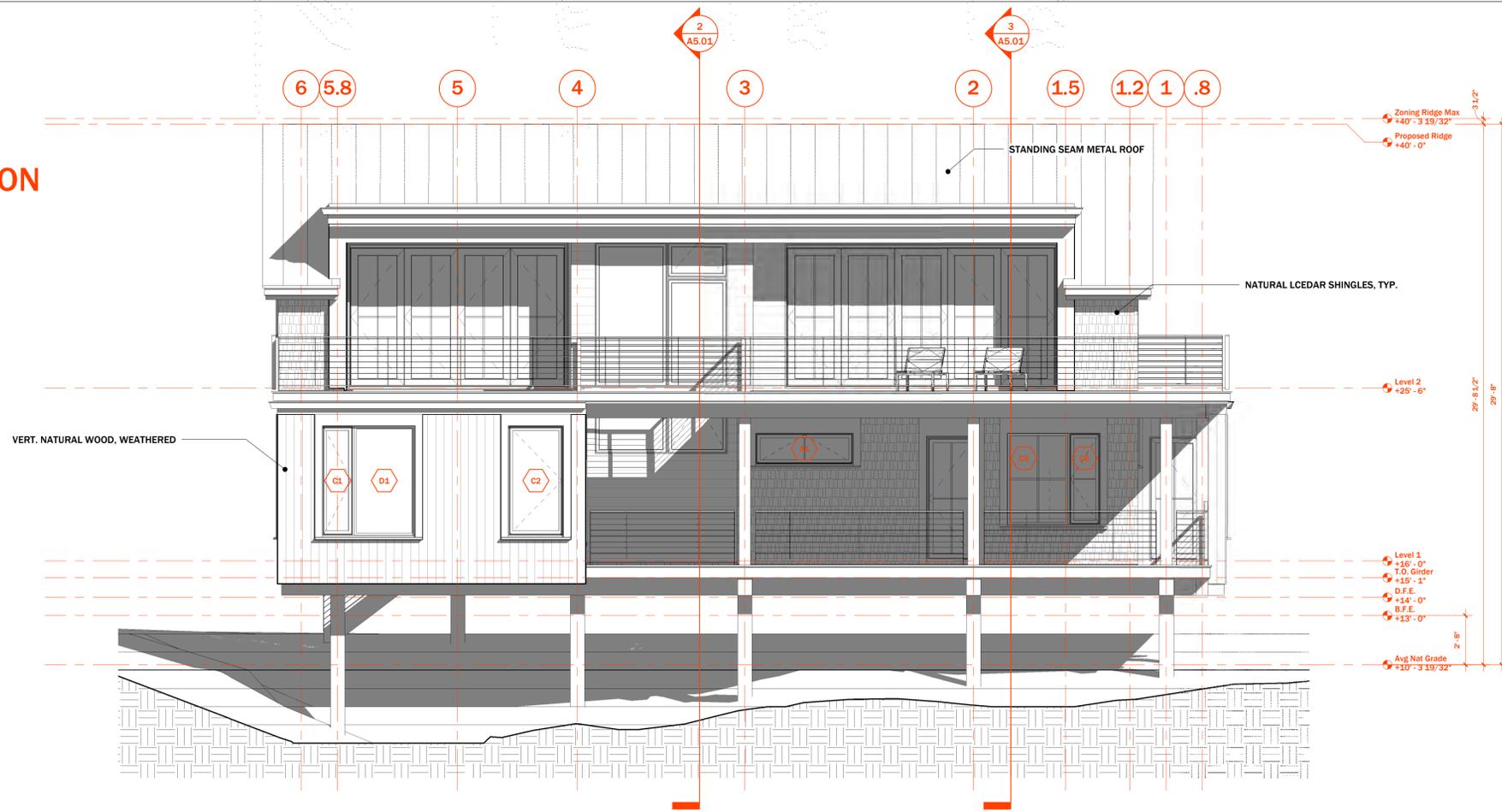


4 View from Southeast

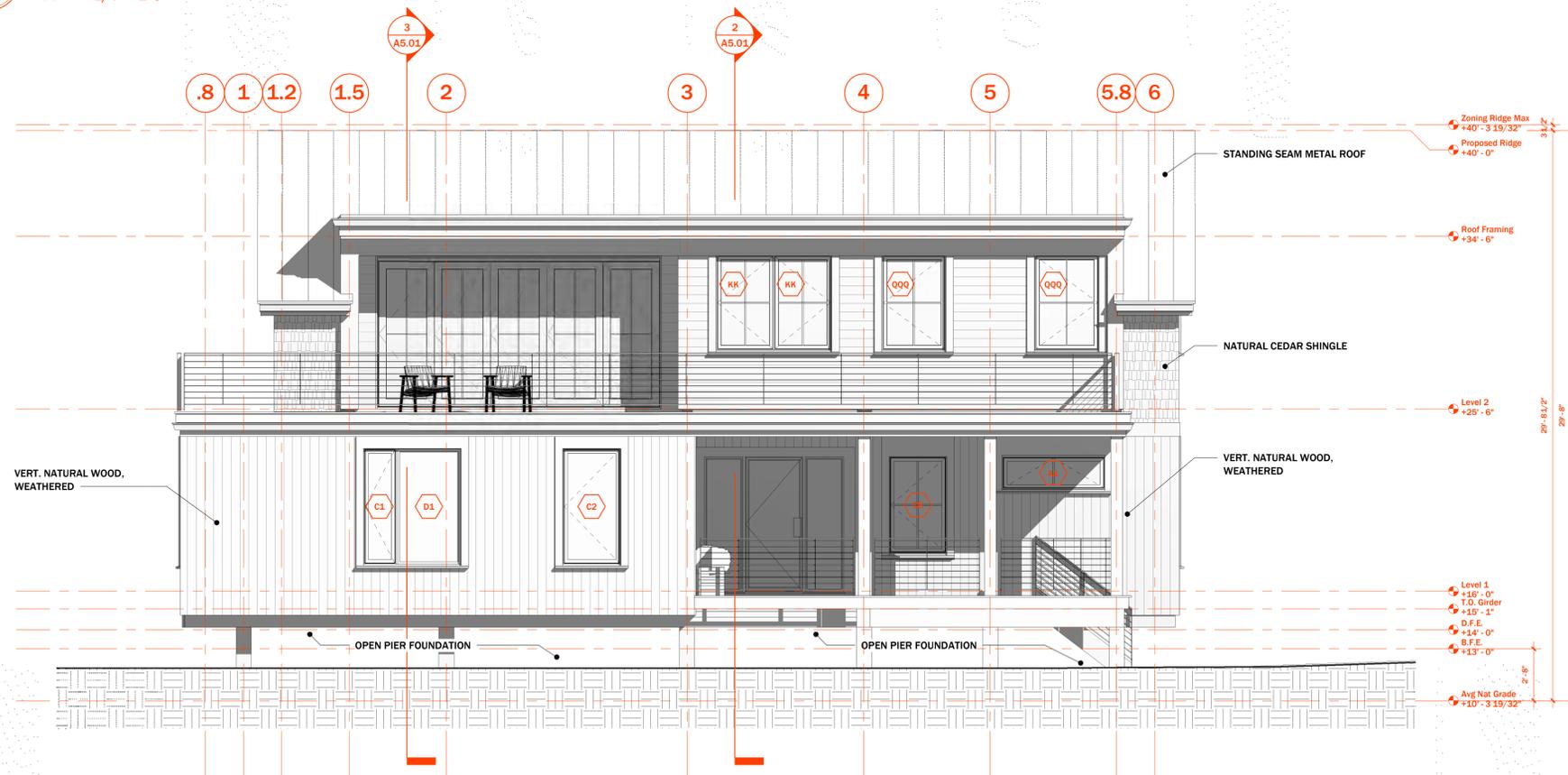
SCALE:

**PRELIMINARY -
NOT FOR CONSTRUCTION**

**PRELIMINARY -
NOT FOR CONSTRUCTION**



1 Elevation - North
SCALE: 1/4" = 1'-0"



2 Elevation - South
SCALE: 1/4" = 1'-0"



423 SHORE ROAD

Jennifer Chisholm
TRURO, MA

No.	Description	Date
1	Preliminary Design - Opt. 3	12/18/2022
2	Conservation Submission	1/13/2023
3	ZBA Submission	1/26/2023
4	Rev 1 - Foundation	2/3/2023
5	Rev 2 - ZBA Building Relocation	3/20/2023
6	Rev 3 - Building Height	5/10/2023

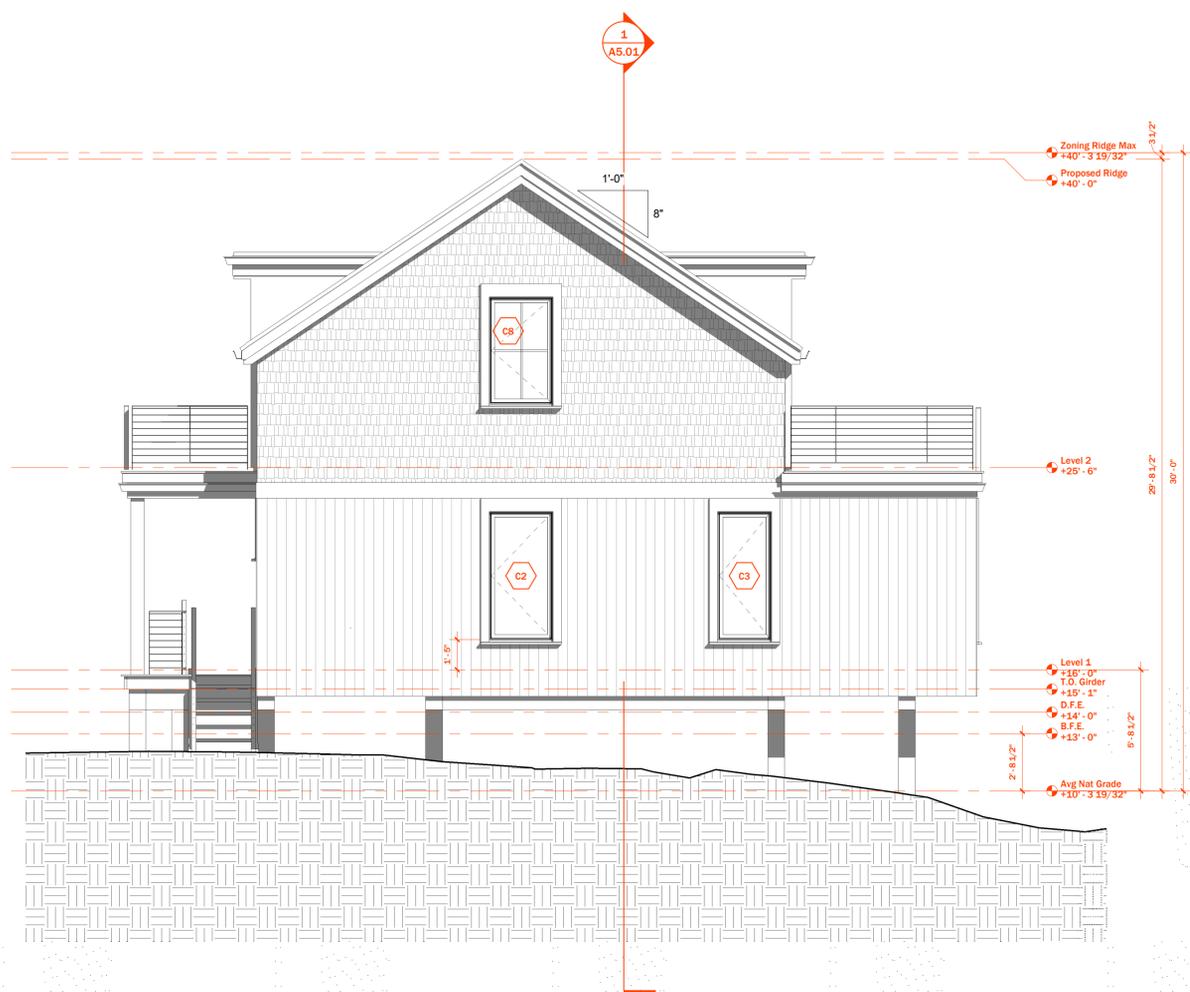
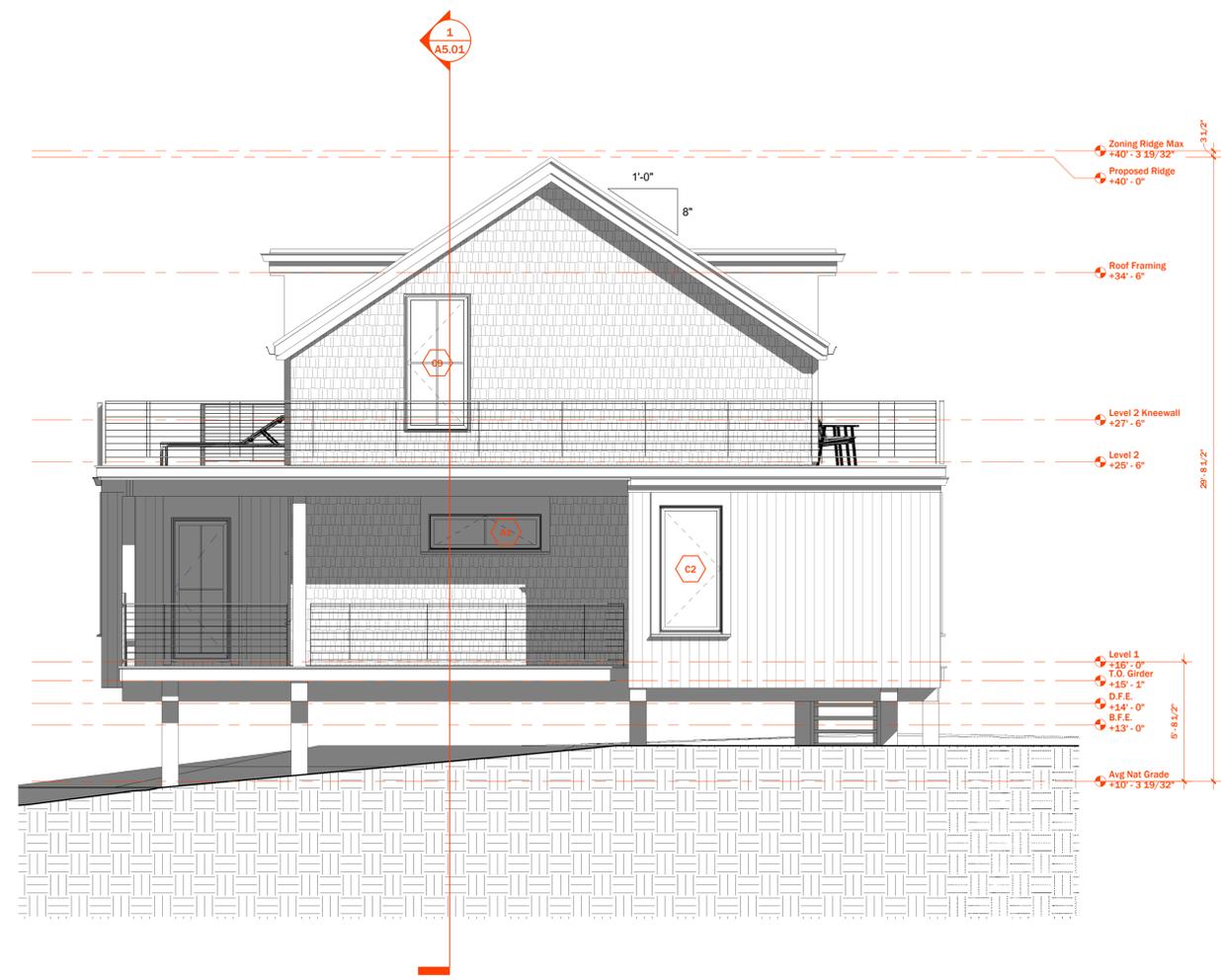
Project Number	20220901
Date	Issue Date
Drawn By	Author
Checked By	Checker

Exterior Elevations

A2.01
Scale 1/4" = 1'-0"

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5/11/2023 8:48:10 AM



1 Elevation - West
SCALE: 1/4" = 1'-0"

2 Elevation - East
SCALE: 1/4" = 1'-0"



3 View from Northeast
SCALE:



4 View from Northwest
SCALE:

**PRELIMINARY -
NOT FOR CONSTRUCTION**

No.	Description	Date
1	Preliminary Design - Opt. 3	12/18/2022
2	Conservation Submission	1/13/2023
3	ZBA Submission	1/26/2023
4	Rev 1 - Foundation	2/3/2023
5	Rev 2 - ZBA Building Relocation	3/20/2023
6	Rev 3 - Building Height	5/10/2023

Project Number	20220901
Date	Issue Date
Drawn By	Author
Checked By	Checker

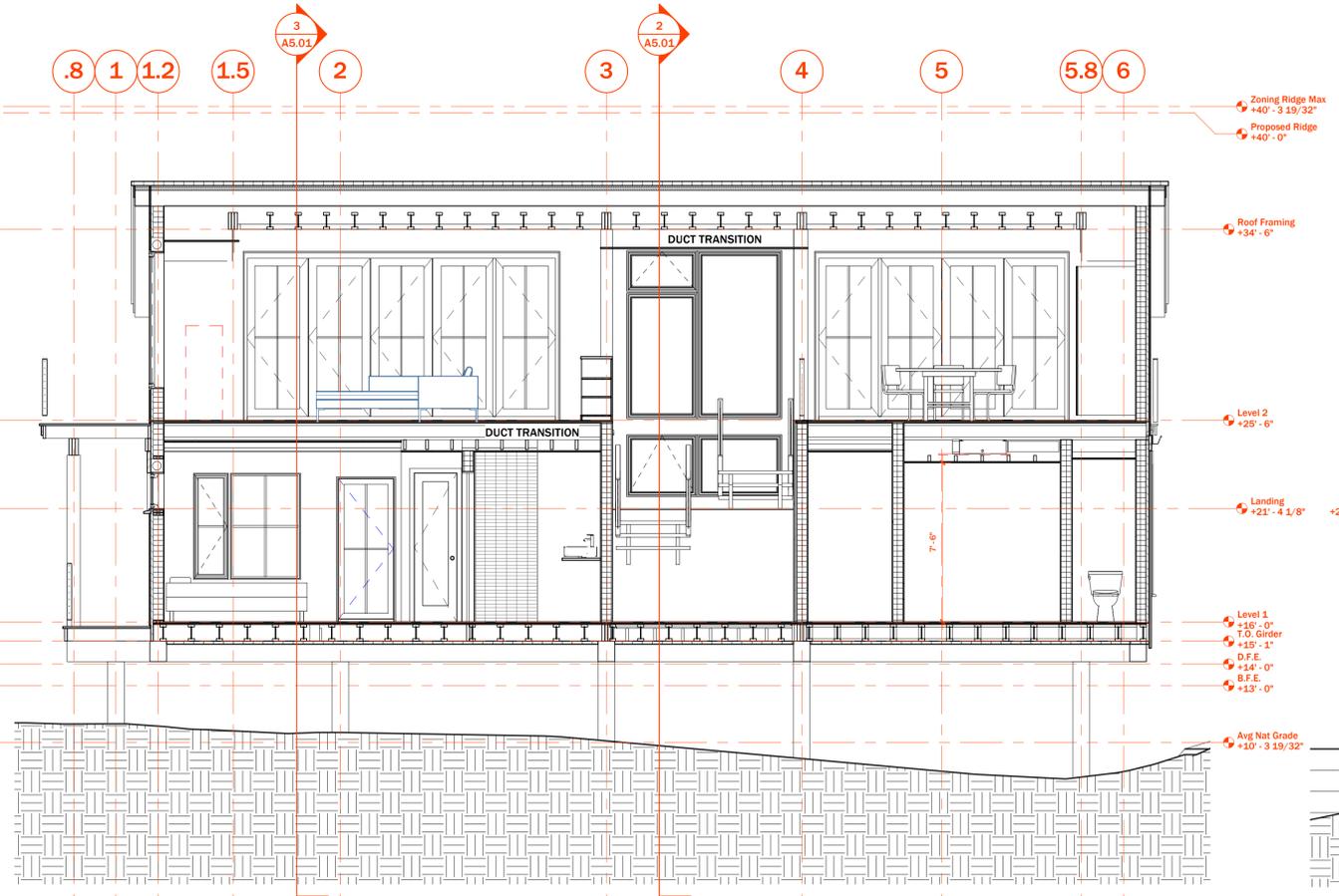
Exterior Elevations

A2.02
Scale 1/4" = 1'-0"

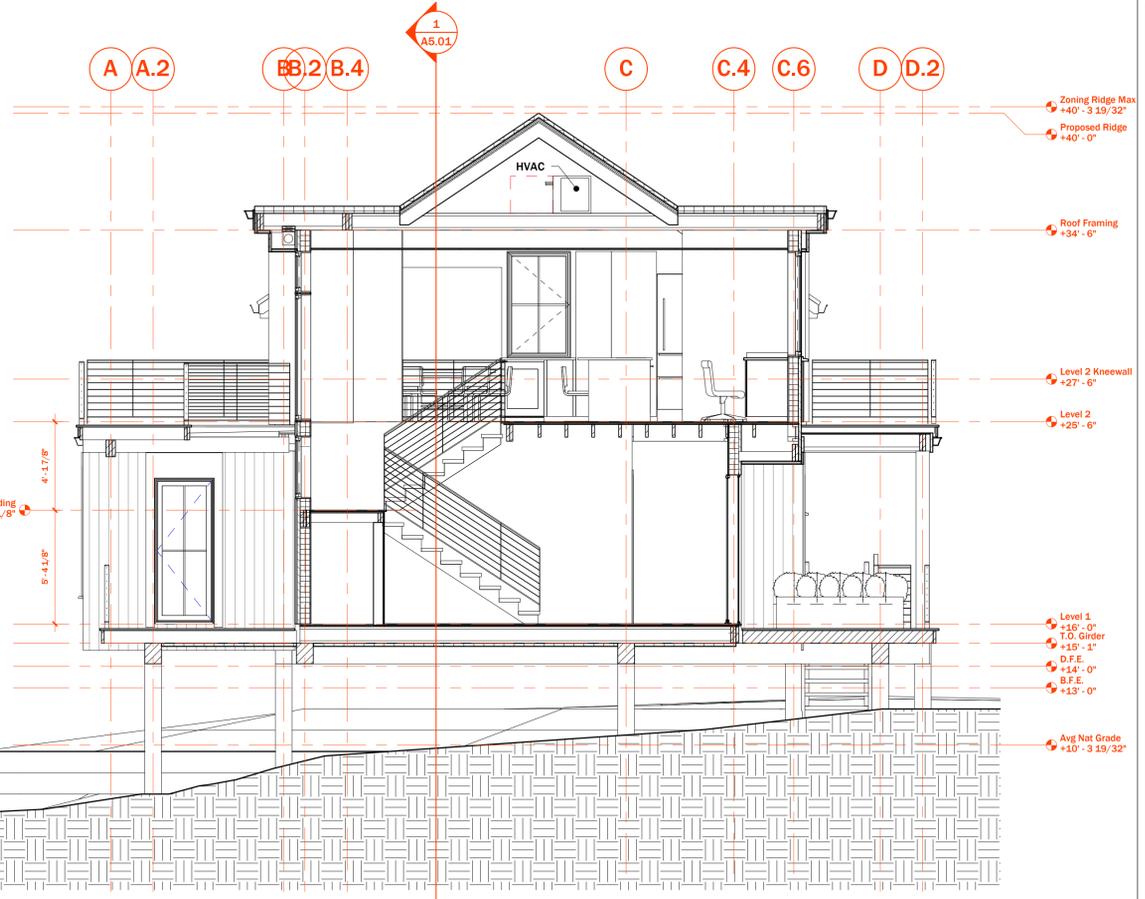


423 SHORE ROAD

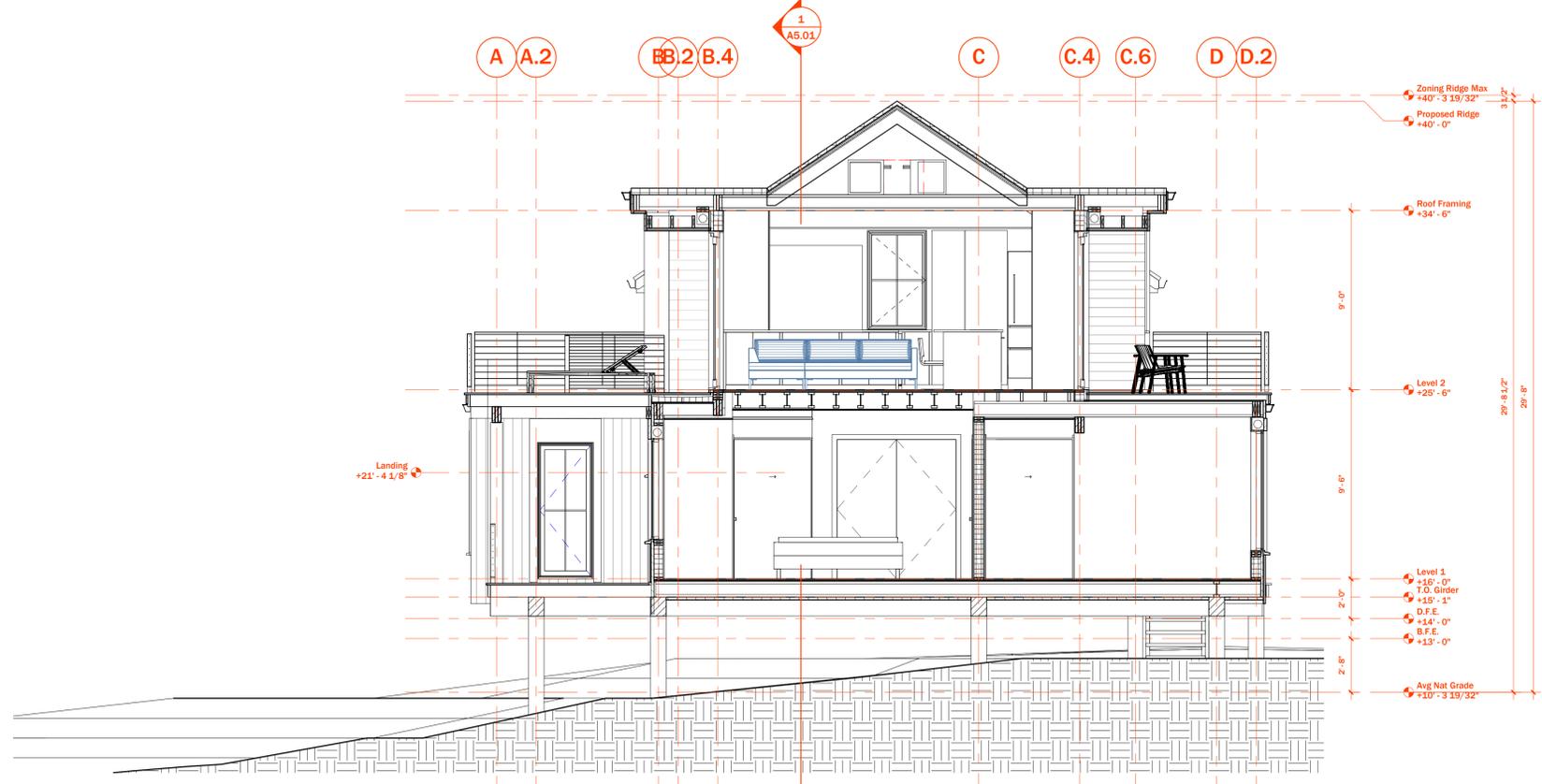
Jennifer Chisholm
TRURO, MA



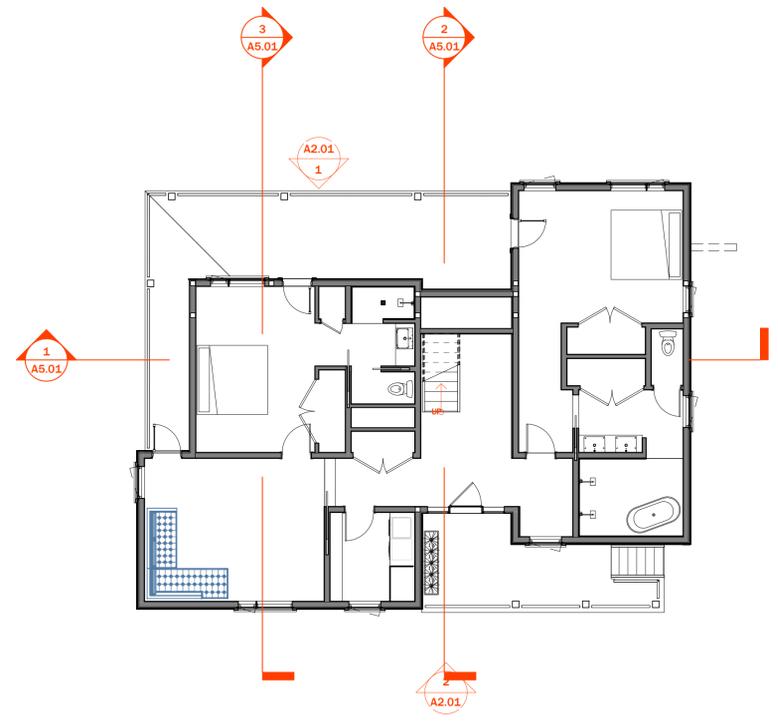
1 Section 8
SCALE: 1/4" = 1'-0"



2 Section 4
SCALE: 1/4" = 1'-0"



3 Section 1
SCALE: 1/4" = 1'-0"



4 Key Plan - Level 1
SCALE: 1/8" = 1'-0"

No.	Description	Date
1	Preliminary Design - Opt. 3	12/18/2022
2	Conservation Submission	1/13/2023
3	ZBA Submission	1/26/2023
4	Rev 1 - Foundation	2/3/2023
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6	Rev 3 - Building Height	5/10/2023

Project Number	20220901
Date	Issue Date
Drawn By	Author
Checked By	Checker

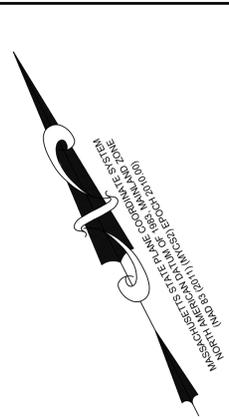
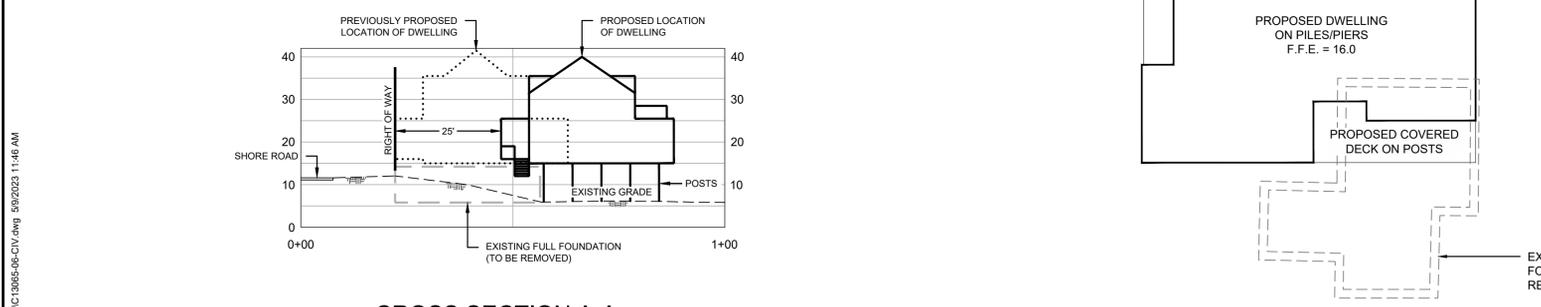
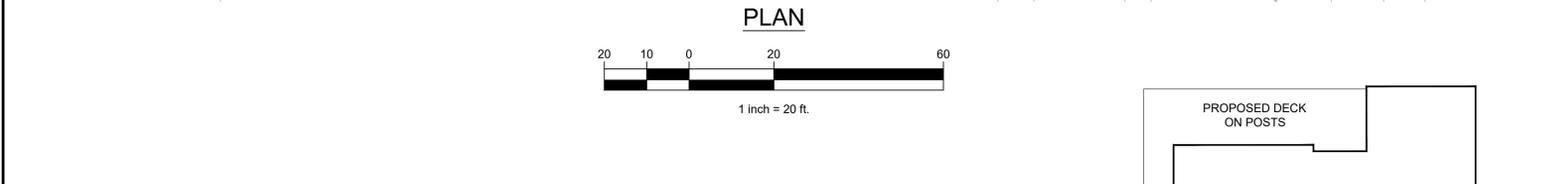
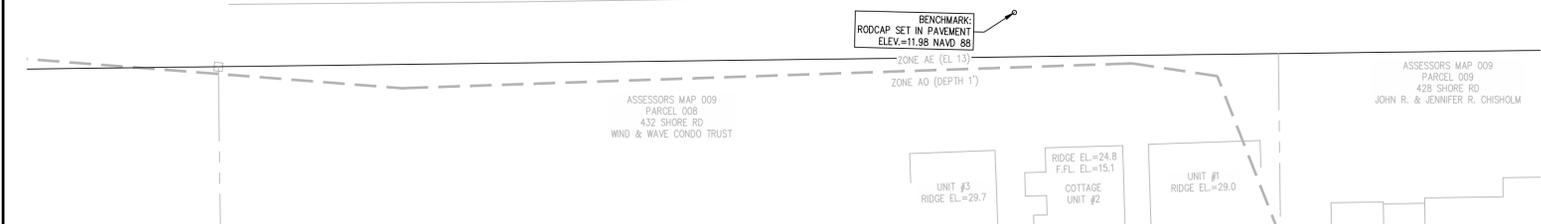
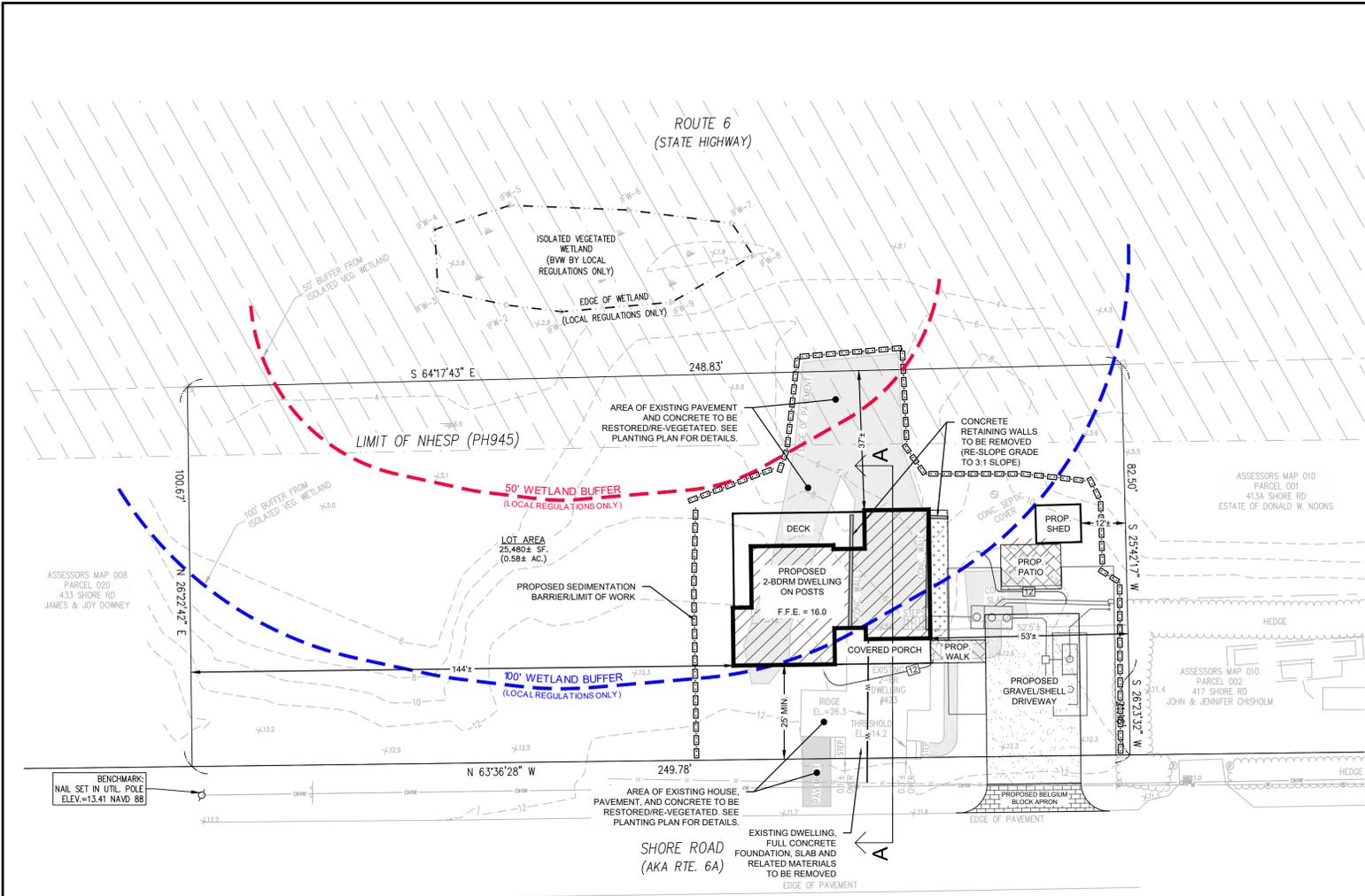
Building Sections

A5.01

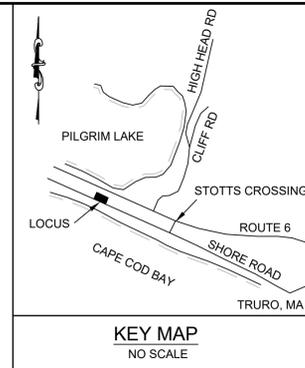
Scale As indicated

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5/11/2023 8:48:40 AM



- GENERAL NOTES:**
- SEE "PLANTING PLAN" PREPARED BY BLUEFLAX DESIGN FOR GROUND RESTORATION AND REPLANTED AREAS.
 - WORK WITHIN THE NHESP PRIORITY HABITAT INCLUDES PAVEMENT/CONCRETE REMOVAL AND NATIVE PLANTING ACTIVITY ONLY.
 - PROPOSED GRADE CHANGES ARE LESS THAN 2" OUTSIDE OF THE BUILDING FOOTPRINT.
 - ALL CONSTRUCTION TO BE DESIGNED IN COMPLIANCE WITH APPLICABLE MASS STATE BUILDING CODES FOR FLOOD ZONE CONSTRUCTION.
 - THE PROPOSED SEWAGE DISPOSAL SYSTEM WITH I/A TECHNOLOGY FOR THIS PROJECT WAS APPROVED BY THE TRURO BOH ON AUGUST 16, 2022.
 - THIS PROJECT WAS APPROVED BY THE TRURO CONSERVATION COMMISSION ON 3/6/2023. SEE PLAN NUMBER C2.1.2 DATED 3/2/2023.
 - ALL ROOF RUNOFF TO BE CONTROLLED VIA GUTTERS TO DOWNSPOUTS + DRYWELL OR STONE DRIP EDGES.

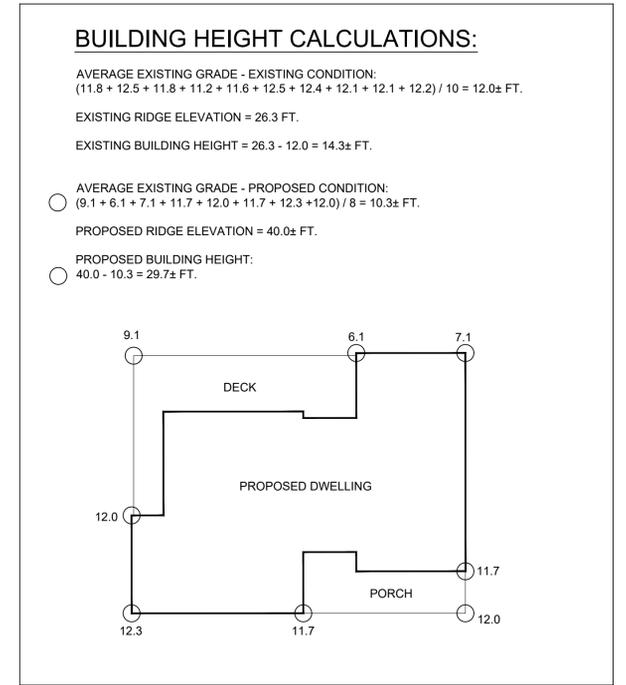


REFERENCE:
 ASSESSORS MAP 9, PARCEL 1
 DEED BOOK 13943, PAGE 346
 PLAN BOOK 268, PAGE 69

EXISTING SITE CONDITIONS PLAN BY COASTAL ENGINEERING COMPANY, INC. DATED 6-23-21
 SEE ARCHITECTURAL PLANS BY R. CAMPBELL DESIGN, LLC. DATED 2/3/2023 & REVISED 5/10/2023
 SEE C2.1.1 "PLAN SHOWING PROPOSED SEWAGE DISPOSAL SYSTEM" BY CEC DATED 8/4/2022. APPROVED BY BOH 8/16/2022

- NOTES:**
- VERTICAL DATUM IN U.S. SURVEY FEET REFERENCED TO THE NORTH AMERICAN VERTICAL DATUM OF 1988 (NAVD88) BASED UPON THE HEXAGON SMARTNET RTK NETWORK.
 - EXISTING UTILITIES, UNDERGROUND AND OVERHEAD, MAY EXIST IN ADDITION TO THE UTILITY INFORMATION SHOWN ON THESE PLANS. THIS PLAN MUST NOT BE USED TO LOCATE UNDERGROUND UTILITIES. CALL DIG SAFE AT 811 PRIOR TO STARTING ANY EXCAVATION.
 - THE SUBJECT PREMISES AS SHOWN LIES WITHIN FLOOD ZONE AE (EL. 13), AS INDICATED ON FLOOD INSURANCE RATE MAP NUMBER #25010117J FOR BARNSTABLE COUNTY MASSACHUSETTS WITH AN EFFECTIVE DATE OF JULY 16, 2014.

*PER 50.1 A. (4), PROPOSED TWO-STORY DWELLING: 5 FT. PER STORY x 2 STORIES = 10 FT.
 **PER 50.2 B. 1.b., MAX ALLOWABLE FLOOR AREA: 3,668 S.F. - [(1-0.52)/0.5] x 150 S.F./ACRE = 3,524 S.F.
 *** GROSS FLOOR AREA CONSISTS THE SUM OF ALL HORIZONTAL FLOOR AREAS OF THE DWELLING FROM THE EXTERIOR FACES. EXCLUDES CELLAR/BASEMENT AREAS, GARAGES, PORCHES, DECKS, AND ATTICS (TRURO ZONING BY-LAW DEFINITION, APRIL 2021) - INFORMATION BY ARCHITECT



- LEGEND**
- EXISTING**
- BOUND
 - CATCH BASIN
 - WATER GATE
 - MISC. SIGN
 - POST
 - UTILITY POLE
 - OVERHEAD WIRES
 - CONTOUR
 - SPOT ELEV.
- PROPOSED**
- PROPOSED SPOT ELEVATION
 - PROPOSED CONTOUR
 - SEDIMENTATION BARRIER/WORK LIMIT
 - EXISTING PAVEMENT TO BE REMOVED
 - PERVIOUS PAVERS
 - PLANTING BED

COASTAL engineering co.
 260 Cranberry Hwy., Orleans, MA 02653
 508.255.6511 P. 508.255.6700 F

PROJECT: BEACH POINT TRUST TRURO, MA
 JENNIFER CHISHOLM, TRUSTEE
 423 SHORE ROAD
 SHEET TITLE: PLAN SHOWING PROPOSED SITE IMPROVEMENTS

SCALE: AS NOTED
 DRAWING FILE: C13065-06-CIV.dwg
 DATE: REV 2 - 05-10-2023
 DRAWN BY: JJB
 CHECKED BY: BPM

C2.1.3
 1 OF 1 SHEETS
 PROJECT NO. C13065.06

Professional Engineer Seal: SEAN R. CHISHOLM, REGISTERED PROFESSIONAL ENGINEER, LICENSE # 16715, EXPIRES 07/16/2024

F:\SDSKPROJ\C13000\C13065\C13065-06-CIV.dwg 5/9/2023 11:48 AM

ISSUED FOR ZONING BOARD OF APPEALS REVIEW
 NOT FOR CONSTRUCTION 05-10-2023



MASSWILDLIFE

DIVISION OF FISHERIES & WILDLIFE

1 Rabbit Hill Road, Westborough, MA 01581

p: (508) 389-6300 | f: (508) 389-7890

MASS.GOV/MASSWILDLIFE

March 08, 2023

Susan Hanway
42239 Lake Timber Drive
Babcock Ranch FL 33982-5019

RE: Project Location: 59 South Pamet Road, Truro
Project Description: Dwelling, driveway and landscaping
NHESP File No.: 23-41679

Dear Applicant:

Thank you for submitting the MESA Project Review Checklist, site plans (dated March 2023) and other required materials to the Natural Heritage and Endangered Species Program of the MA Division of Fisheries & Wildlife (the "Division") for review pursuant to the Massachusetts Endangered Species Act (MESA) (MGL c.131A) and its implementing regulations (321 CMR 10.00).

Based on a review of the information that was provided and the information that is currently contained in our database, the Division has determined that this project, as currently proposed, **will not result in a prohibited Take** of state-listed rare species. This determination is a final decision of the Division of Fisheries & Wildlife pursuant to 321 CMR 10.18. Any changes to the proposed project or any additional work beyond that shown on the site plans may require an additional filing with the Division pursuant to the MESA. This project may be subject to further review if no physical work is commenced within five years from the date of issuance of this determination, or if there is a change to the project.

Please note that this determination addresses only the matter of state-listed species and their habitats. If you have any questions regarding this letter please contact Melany Cheeseman, Endangered Species Review Assistant, at (508) 389-6357.

Sincerely,

A handwritten signature in black ink that reads "Everose Schlüter".

Everose Schlüter, Ph.D.
Assistant Director

cc: Paul Shea, IEC

MASSWILDLIFE

LAW OFFICES OF
WILLIAM C. HENCHY LLC

165 CRANBERRY HIGHWAY
ROUTE 6A
ORLEANS, MA 02653

TELEPHONE: (508) 255-1636
FACSIMILE: (508) 255-1325
INTERNET: whenchy@alumni.tufts.edu
www.henchylaw.com

By Hand Delivery

March 29, 2023

Town of Truro
Kaci Fullerton
Town Clerk
Truro Town Hall
P.O. Box 2030
Truro, MA 02666

RE: Susan Hanway, 59 South Pamet Road (Assessor's Map 51, lot 51)

Dear Ms. Fullerton:

Please find enclosed for filing 10 sets of the following:

1. Application for Special Permit;
2. Certified Abutters' List;
3. WAC Lighting Dark Sky SODOR Model WS-W157 LED Outdoor cut sheet;
4. Plan set by Ambrose Homes, Inc,(4 of 4) consisting of the following:
 - (a) Hanway Residence 59 South Pamet Road, East & South Elevations;
 - (b) Hanway Residence 59 South Pamet Road, West & North Elevations;
 - (c) Hanway Residence 59 South Pamet Road, Proposed First Floor;
 - (d) Hanway Residence 59 South Pamet Road, Proposed Second Floor;
5. Plan set by Ambrose Homes, Inc, (1 of 1) Hanway Residence 59 South Pamet Road, Existing Dwelling Proposed Conversion to Habitable Studio;
6. Septic Plan (previously approved) by William N. Rogers II, P.E. dated November,

2022;

7. Existing Conditions plan by William N. Rogers II ,P.E. dated October, 2021;
8. Proposed Site Plan by William N. Rogers, II, P.E. dated November, 2022 with Zoning Table
9. Proposed Landscaping, Stormwater, Grading and Limit of work plan by William N. Rogers II, P.E. dated October, 2021.
10. Filing fee of \$200.00

Thank you for your courtesy and attention to this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'WCH', with a long, sweeping underline that extends to the right.

William C. Henchy

Wch/
Enc.

Cc, Susan Hanway
William N. Rogers II P.E.
Ezra Ambrose
esturdy@truro-ma.gov



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

Office of Town Clerk
2023-003/284
MAR 29 2023
Paid \$200.00
Received TOWN OF TRURO
By: [Signature]

Date March 29, 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) _____.
- 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

X APPLICATION FOR SPECIAL PERMIT

- Applicant seeks approval and authorization of uses under Section 30.3.1.2 of the Truro Zoning Bylaw concerning (*describe*) Conversion of an existing 2 BR home to a Habitable Studio and construction of a new home on a parcel of 3.053 acres +/-, totaling 4,252 square feet of gross floor area (maximum by right 3,600 sq. ft., and by Special Permit maximum 4,600 square feet) within the Seashore District.
- 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 59 South Pamet Road Truro MA 02666 _____ Map(s) and Parcel(s) 51, Parcel 51 _____

Registry of Deeds title reference: Book 31325, Page 107, or Certificate of Title
Number _____ and Land Ct. Lot # _____ and Plan # _____

Applicant's Name Susan Hanway _____

Applicant's Legal Mailing Address 59 South Pamet Road, Truro, MA 02666 _____

Applicant's Phone(s), Fax and Email c/o William C. Henchy, Esq. _____

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 c/o Susan Hanway, 59 South Pamet Road, Truro, MA 02666 _____

Representative's Name and Address _____

Representative's Phone(s), Fax and Email William C. Henchy Esq. 165 Cranberry Highway Orleans, MA 02653
(508) 255-1636 (w) (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).

- 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. Henchy, Esq.

Susan Hanway

Applicant(s)/Representative Printed Name(s)

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

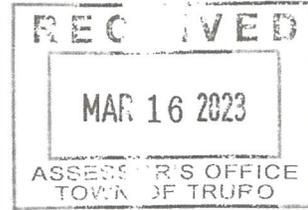
Applicant(s)/Representative Signature

Owner(s) Signature or written permission

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



TOWN OF TRURO
Assessors Office
Certified Abutters List
Request Form



DATE: 3/16/23

NAME OF APPLICANT: Susan Hanway

NAME OF AGENT (if any): William C. Henchy

MAILING ADDRESS: 165 Cranberry Highway Orleans MA 02653

CONTACT: HOME/CELL 508-255-1636 EMAIL Whenchy@henchylaw.com

PROPERTY LOCATION: 59 South Pond Rd Truro MA
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP 051 PARCEL 051 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 checked="" type="checkbox"/> Special Permit ¹ |
| <input type="checkbox"/> Conservation Commission ⁴ | <input checked="" 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"/> Other _____ | <input type="checkbox"/> Accessory Dwelling Unit (ADU) ² | |

(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: 3/16/2023

Date completed: 3/17/2023

List completed by: [Signature]

Date paid: 3/16/2023 Cash/Check # 1785

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: March 17, 2023

To: William C. Henchy, Agent for Susan Hanway

From: Assessors Department

Certified Abutters List: 59 South Pamet Road (Map 51, Parcel 51)

Zoning Board of Appeals/ Special Permit

Attached is a combined list of abutters for the property located at 59 South Pamet Road.

The current owner is Susan Hanway.

The names and addresses of the abutters are as of March 10, 2023 according to the most recent documents received from the Barnstable County Registry of Deeds.

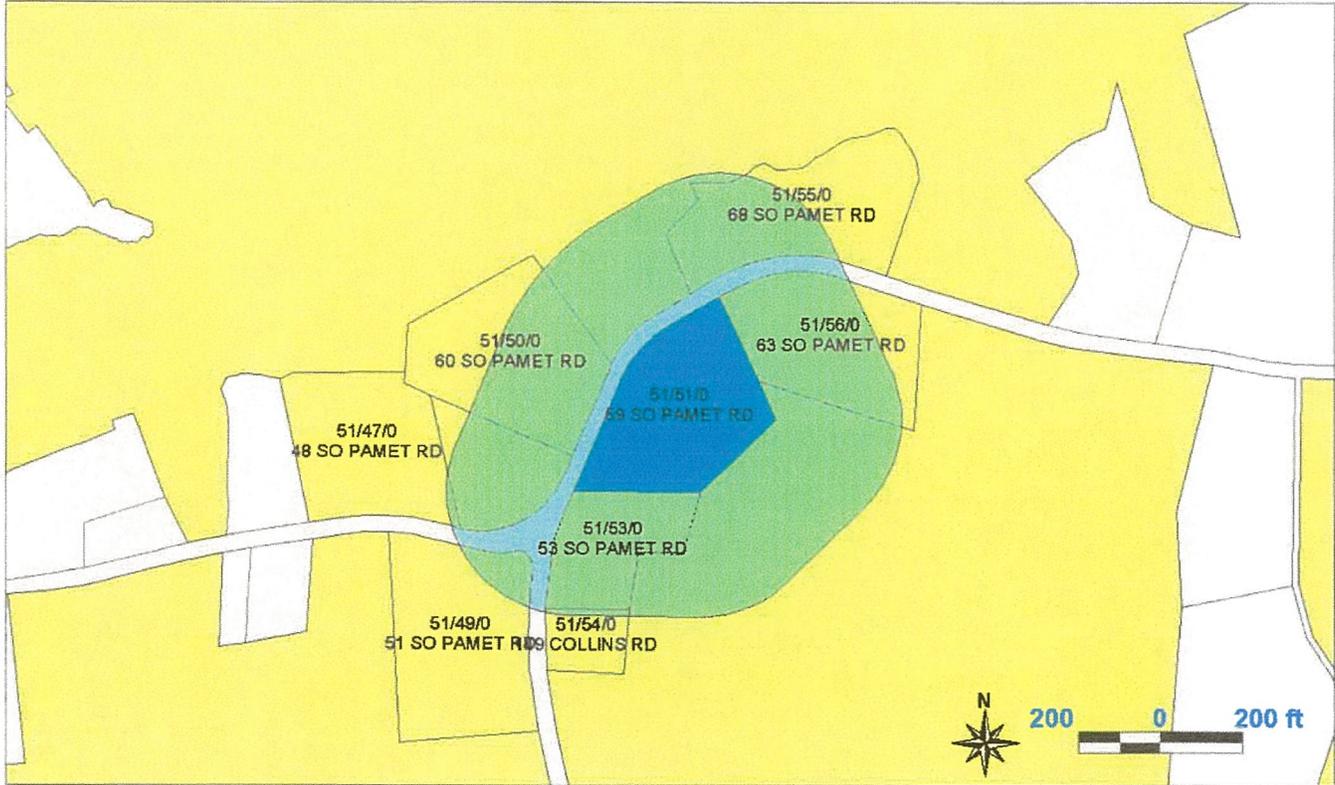
Certified by: _____

Olga Farrell
Assessing Clerk

59 South Pamet Road
 Map 51, Parcel 51
 ZBA/ Special Permit

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

Abutters List Within 300 feet of Parcel 51/51/0



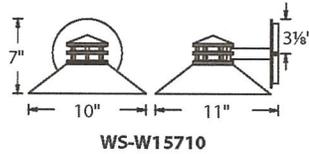
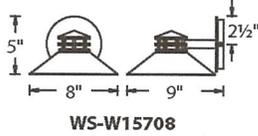
Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
7292	40-999-0-E	USA-DEPT OF INTERIOR Cape Cod National Seashore	0 CAPE COD NATIONAL SEASHORE	99 Marconi Site Rd	Wellfleet	MA	02667
3093	51-47-0-R	ANTHONY ELLEN ROE & PETER DEAN	48 SO PAMET RD	PO BOX 712	TRURO	MA	02666
3095	51-49-0-R	DENTON FAMILY REVOC TRUST TRS: DENTON JEFFREY B &	51 SO PAMET RD	DENTON APRIL A 8018 MOUNT HURON TRAIL	COLORADO SPRINGS	CO	80924
3096	51-50-0-R	KAHN ELY JACQUES III & SILVESTER LESLEY	60 SO PAMET RD	243 WEST 60TH ST APT 7D	NEW YORK	NY	10023
3097	51-51-0-R	HANWAY SUSAN	59 SO PAMET RD	42239 LAKE TIMBER DR	BABCOCK RANCH	FL	33982-5019
3099	51-53-0-R	KOCH JOHN & SHARON	53 SO PAMET RD	PO BOX 1192	TRURO	MA	02666
3100	51-54-0-R	PAISNER DANIEL & MEDOFF NANCY	149 COLLINS RD	16 WARWICK RD, UNIT 1	BROOKLINE	MA	02445
3101	51-55-0-R	MOONEY GEORGE M & JANET E (LE) RMNDR: MOONEY ELIZABETH A ETAL	68 SO PAMET RD	PO BOX 787	TRURO	MA	02666-0787
3102	51-56-0-R	MOONEY GEORGE M & JANET E (LE) RMNDR: MOONEY ELIZABETH A ETAL	63 SO PAMET RD	PO BOX 787	TRURO	MA	02666-0787

JW 3/17/2023

<p>40-999-0-E</p> <p>USA-DEPT OF INTERIOR Cape Cod National Seashore 99 Marconi Site Rd Wellfleet, MA 02667</p>	<p>40-999-0-E</p>	<p>51-47-0-R</p> <p>ANTHONY ELLEN ROE & PETER DEAN PO BOX 712 TRURO, MA 02666</p>	<p>51-47-0-R</p>	<p>51-49-0-R</p> <p>DENTON FAMILY REVOC TRUST TRS: DENTON JEFFREY B & DENTON APRIL A 8018 MOUNT HURON TRAIL COLORADO SPRINGS, CO 80924</p>	<p>51-49-0-R</p>
<p>51-50-0-R</p> <p>KAHN ELY JACQUES III & SILVESTER LESLEY 243 WEST 60TH ST APT 7D NEW YORK, NY 10023</p>	<p>51-50-0-R</p>	<p>51-51-0-R</p> <p>HANWAY SUSAN 42239 LAKE TIMBER DR BABCOCK RANCH, FL 33982-5019</p>	<p>51-51-0-R</p>	<p>51-53-0-R</p> <p>KOCH JOHN & SHARON PO BOX 1192 TRURO, MA 02666</p>	<p>51-53-0-R</p>
<p>51-54-0-R</p> <p>PAISNER DANIEL & MEDOFF NANCY 16 WARWICK RD, UNIT 1 BROOKLINE, MA 02445</p>	<p>51-54-0-R</p>	<p>51-55-0-R</p> <p>MOONEY GEORGE M & JANET E (LE) RMNDR: MOONEY ELIZABETH A ETAL PO BOX 787 TRURO, MA 02666-0787</p>	<p>51-55-0-R</p>	<p>51-56-0-R</p> <p>MOONEY GEORGE M & JANET E (LE) RMNDR: MOONEY ELIZABETH A ETAL PO BOX 787 TRURO, MA 02666-0787</p>	<p>51-56-0-R</p>

SODOR – model: WS-W157
 dwelLED™ LED Outdoor

WAC LIGHTING
 Responsible Lighting®



Fixture Type:

Catalog Number:

Project: _____

Location: _____

PRODUCT DESCRIPTION

A Steamwork inspired approach to a traditional lantern design. Sodor is constructed with a solid die cast aluminum shade that provides fantastic glare cutoff and a weather resistant powder coated finish. The light engine is factory sealed for maximum protection against the harshest elements.

FEATURES

- Weather resistant powder coated finishes
- Heavy aluminum shade provides great glare cutoff
- Light engine is factory sealed for maximum protection from the elements
- Die-cast aluminum construction
- No transformer or driver required
- Color Temp: 3000K
- CRI: 90
- Dimming: 100% - 5% ELV
- Rated Life: 54,000 hours
- Input: 120V

SPECIFICATIONS

Construction: Aluminum and White Diffuser Lens

Light Source: High output LED.

Finish: Bronze (BZ), Graphite (GH)

Standards: ETL & cETL wet location listed. IP 65. Dark Sky Friendly

ORDER NUMBER

		Watt	LED Lumens	Delivered Lumens	Finish
8"	WS-W15708	9W	750	315	BZ Bronze 
10"	WS-W15710	11.5W	1200	560	GH Graphite 

Example: **WS-W15708-GH**

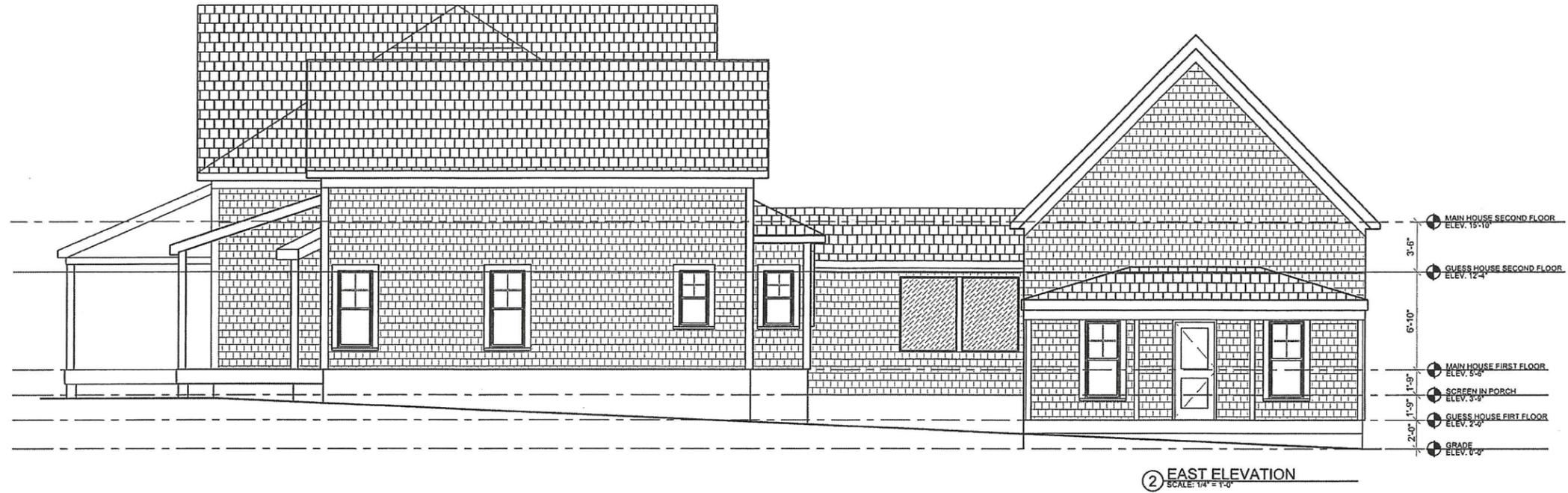
wacighting.com
 Phone (800) 526.2588
 Fax (800) 526.2585

Headquarters/Eastern Distribution Center
 44 Harbor Park Drive
 Port Washington, NY 11050

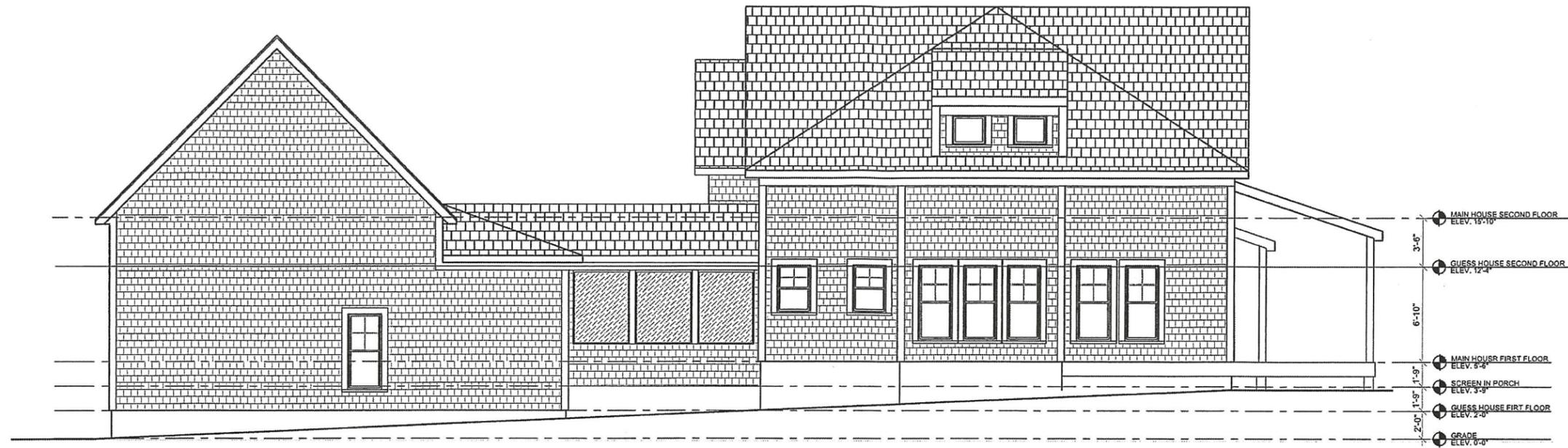
Central Distribution Center
 1600 Distribution Ct
 Lithia Springs, GA 30122

Western Distribution Center
 1750 Archibald Avenue
 Ontario, CA 91760

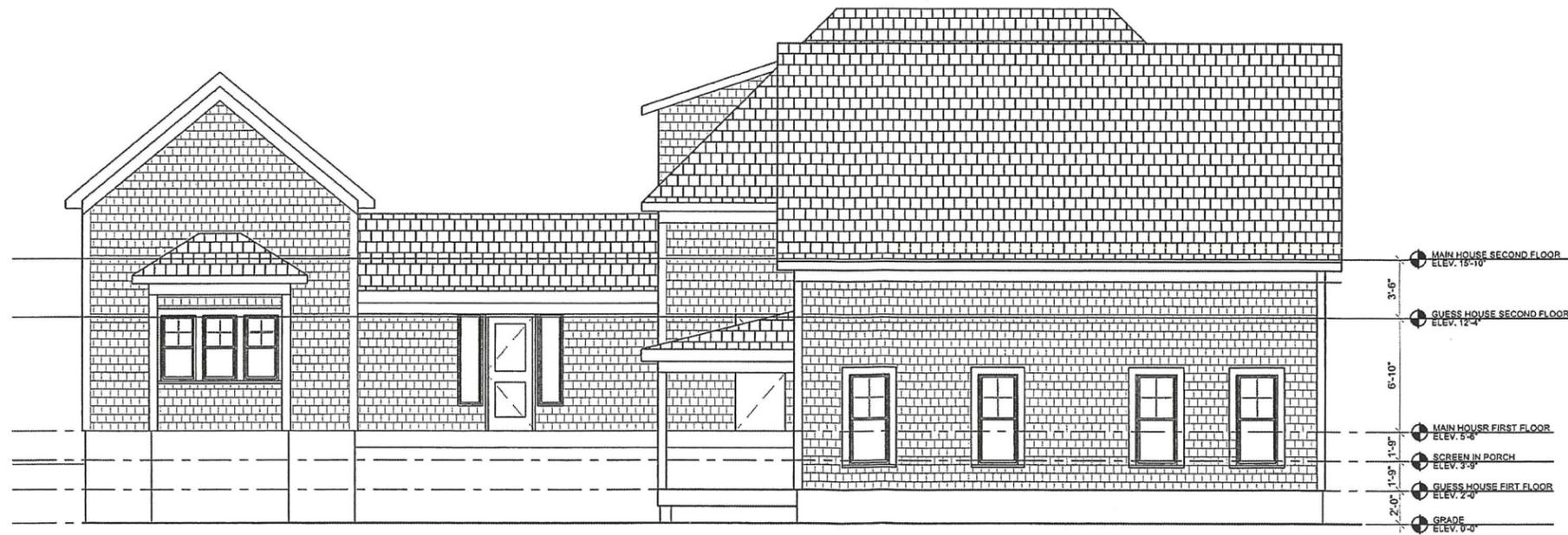
WAC Lighting retains the right to modify the design of our products at any time as part of the company's continuous improvement program.



AMBROSE HOMES INC. 2766 RTE 6, WELLFLEET, MA 508-349-8252 www.AMBROSEHOMES.com		Date: 8/13/2021 Revision: 7/21/2022 Project ID: K10989 Drawing Code: CAD File Name: Plot Date: 00/00/00	Issue Notes
Designed By: AMBROSE HOMES, INC. Drawn By: ASA Checked By: Reviewed By: Submitted By: Project Manager: EFA/ASA	Project Title: HANWAY RESIDENCE 59 SOUTH PAMET ROAD TRURO, MA	Drawing Title: EAST & SOUTH ELEVATIONS	No.
Scale: Sheet Scale	Drawing No.: 1 of 4	Date	Issue Notes



② WEST ELEVATION
SCALE: 1/4" = 1'-0"



① NORTH ELEVATION
SCALE: 1/4" = 1'-0"



Design Firm
AMBROSE HOMES INC.
 2766 RTE 6, WELFLEET, MA
 508-349-8252
 www.AMBROSEHOMES.com

Project Title
 HANWAY RESIDENCE
 59 SOUTH PAMET ROAD
 TRURO, MA

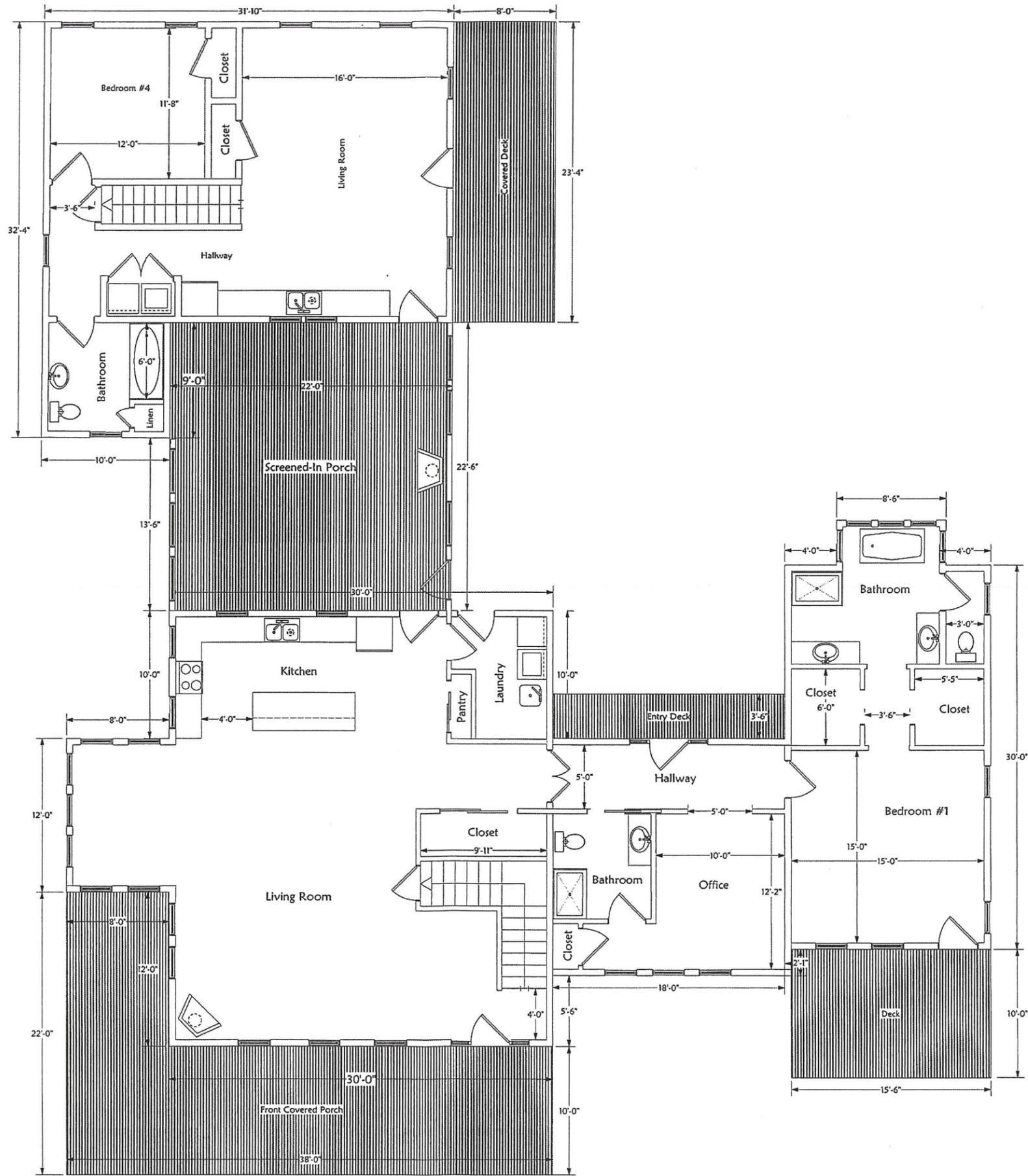
Drawing Title
 WEST & NORTH ELEVATIONS

Scale
 Sheet Scale

Drawing No.
 2
 of
 4

Designed By AMBROSE HOMES, INC.	Date 8/13/2021
Drawn By ASA	Revision 7/21/2022
Checked By	Project ID K10989
Reviewed By	Drawing Code
Submitted By	CAD File Name
Project Manager EFA/ASA	Plot Date 00/00/00

No.	Date	Issue Notes



Design Firm
AMBROSE HOMES INC.
 2766 RTE 6, WELFLEET, MA
 508-349-8252
 www.AMBROSEHOMES.com

Project Title
HANWAY RESIDENCE
59 SOUTH PAMET ROAD
TRURO, MA

Drawing Title
PROPOSED FIRST FLOOR

Scale: 1/4" = 1'

Drawing No.
3
 of
4

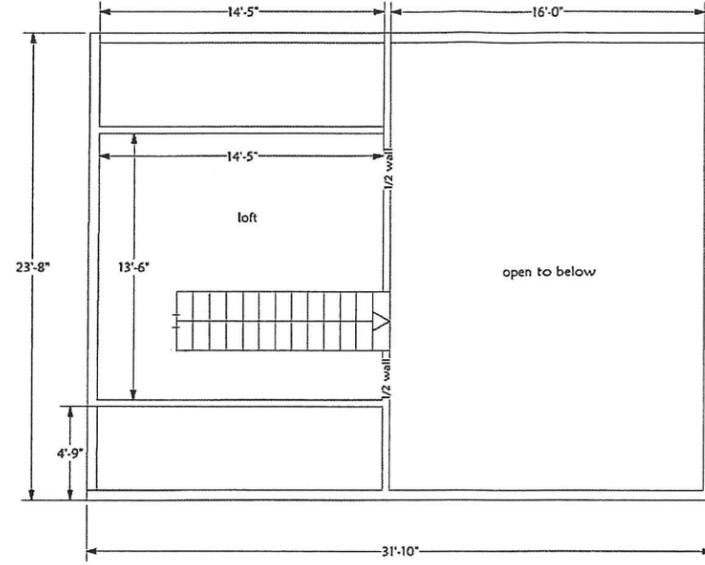
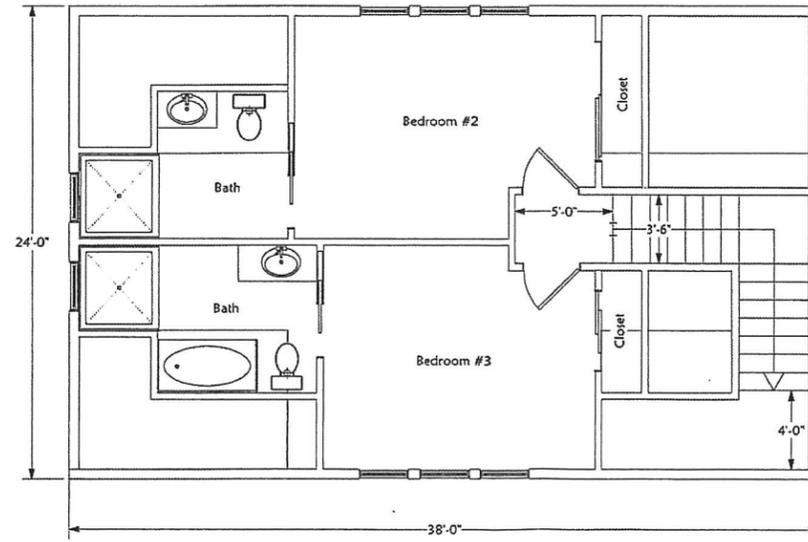
Designed By
AMBROSE HOMES, INC.
 Drawn By
ASA
 Checked By
ASA
 Reviewed By
ASA
 Submitted By
EFA/ASA
 Project Manager
EFA/ASA

Date
8/13/2021
 Revision
9/15/2022
 Project ID
K10989
 Drawing Code

 CAD File Name

 Plot Date
00/00/00

No.
 Date
 Issue Notes



Project Title
**HANWAY RESIDENCE
 59 SOUTH PAMET ROAD
 TRURO, MA**



Design Firm
AMBROSE HOMES, INC.
 2766 RTE 6, WELLFLEET, MA
 508-349-8252
 www.AMBROSEHOMES.com

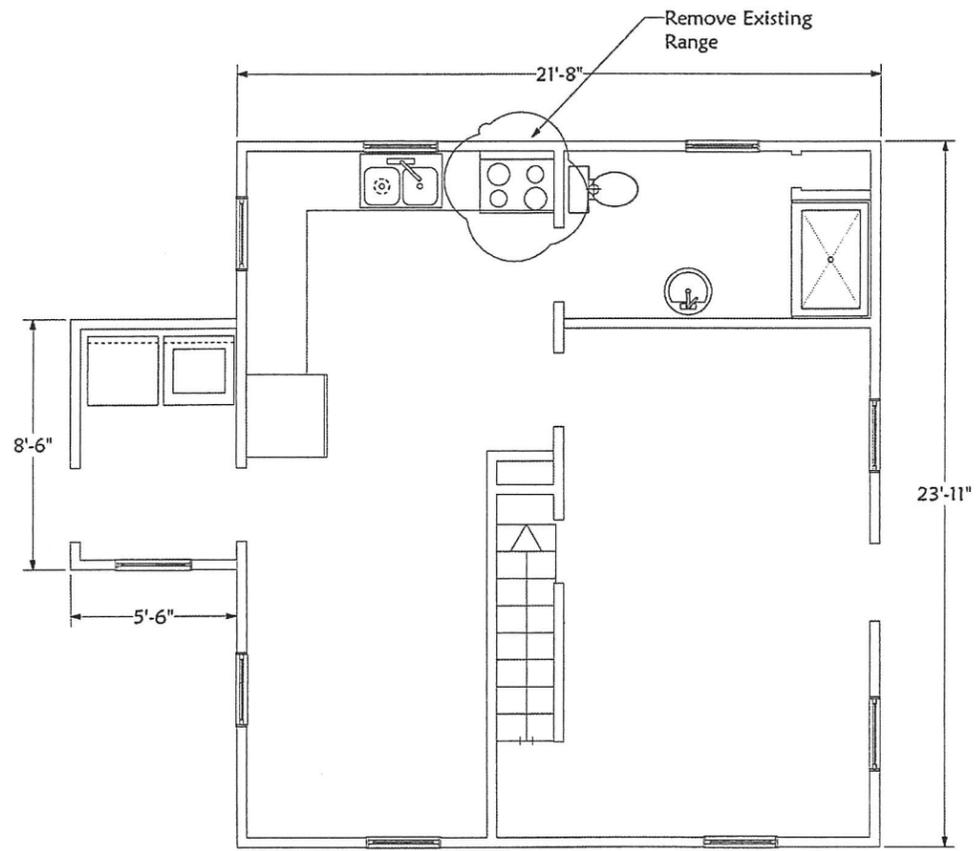
Drawing Title
PROPOSED SECOND FLOOR

Scale
 Scale: 1/4" = 1'

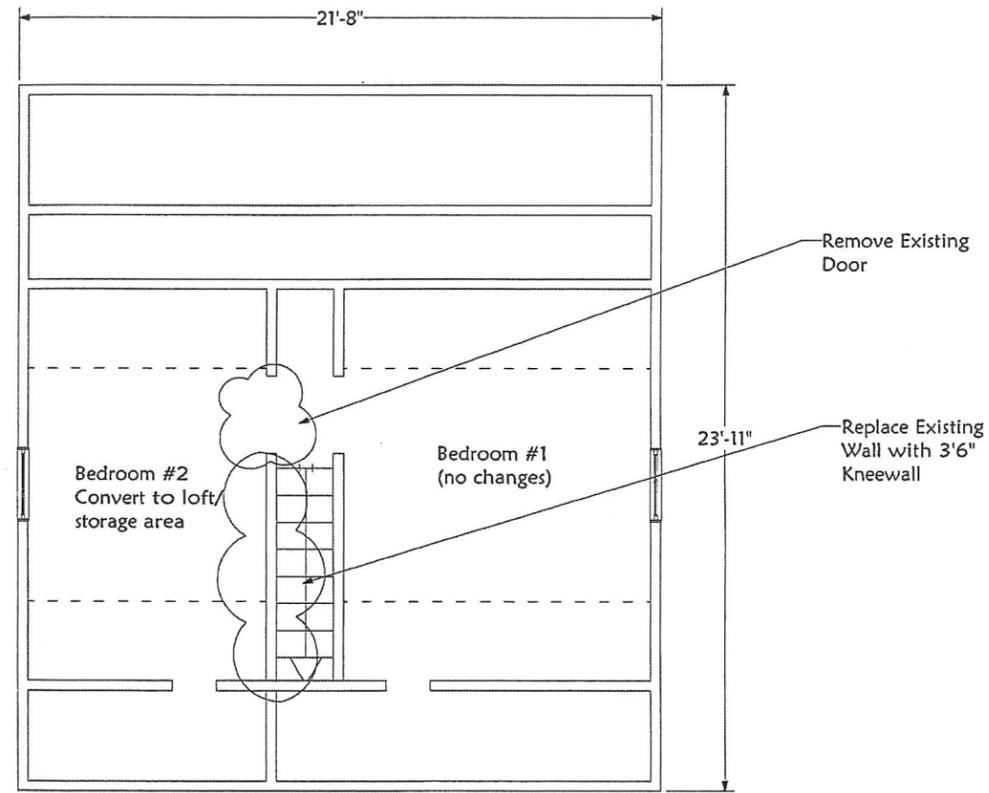
Drawing No.
4
 of
4

Designed By AMBROSE HOMES, INC.	Date 8/13/2021
Drawn By ASA	Revision 9/15/2022
Checked By	Project ID K10989
Reviewed By	Drawing Code
Submitted By	CAD File Name
Project Manager EFA/ASA	Plot Date 00/00/00

No.	Date	Issue Notes



1ST FLOOR



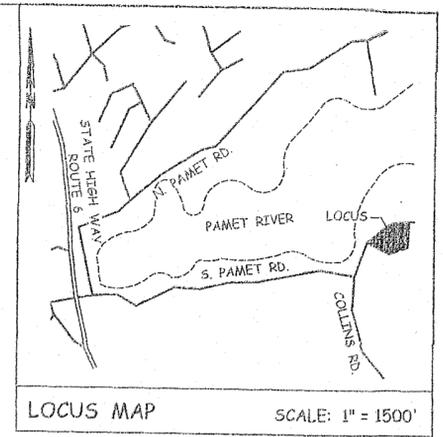
2ND FLOOR

AMBROSE HOMES INC. 2766 RTE 6, WELLFLEET, MA 508-349-8252 www.AMBROSEHOMES.com		Date: 9/15/2022 Revision: Project ID: K10989 Drawing Code: CAD File Name: Plot Date: 00/00/00	No. _____ Date _____ Issue Notes _____
Project Title: HANWAY RESIDENCE 59 SOUTH PAMET ROAD TRURO, MA	Drawing Title: EXISTING DWELLING PROPOSED CONVERSION TO HABITABLE STUDIO	Design Firm: AMBROSE HOMES INC.	Project Manager: EFA/ASA
Scale: Sheet Scale		Drawing No. 1 of 1	

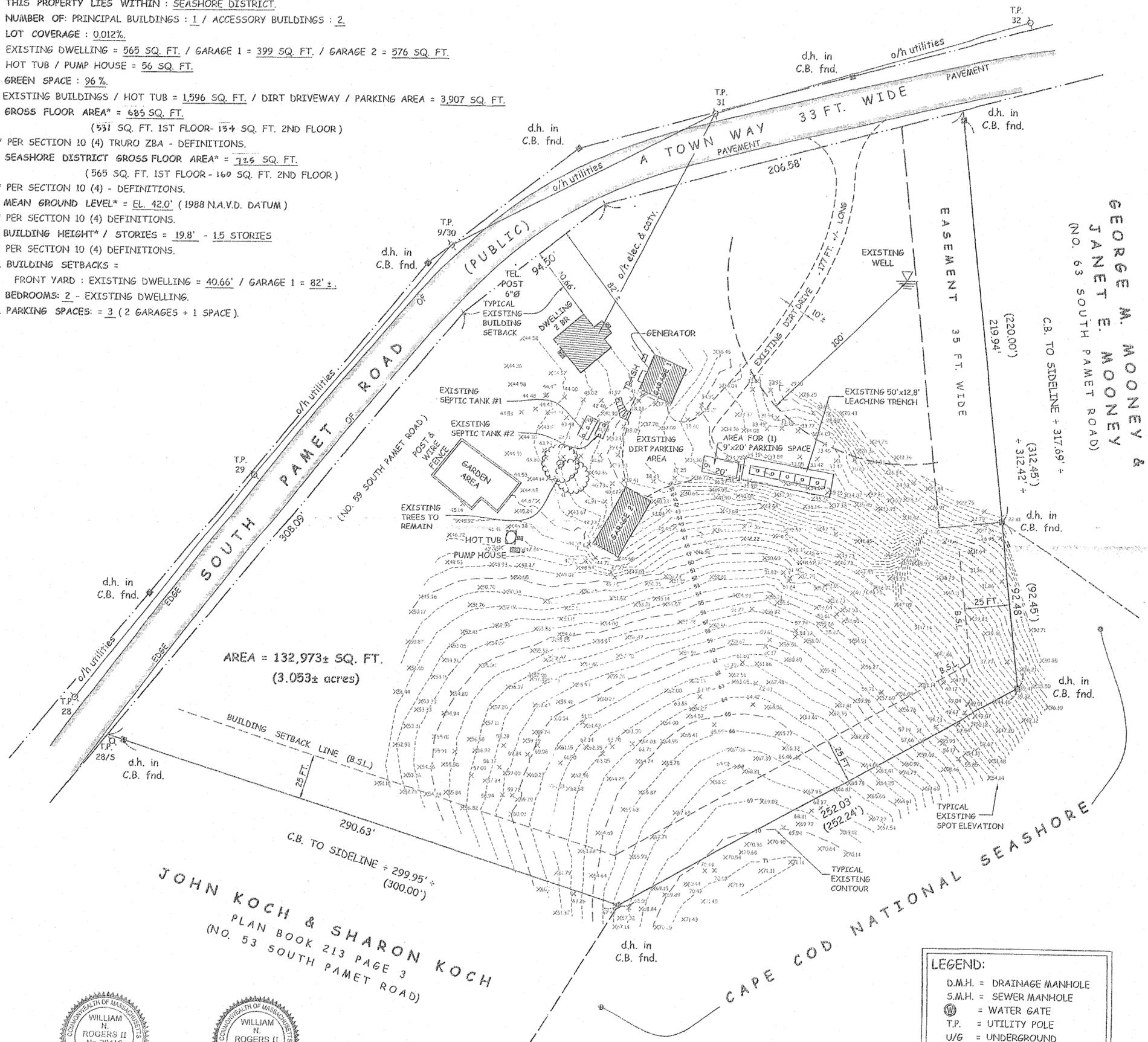
PLAN BOOK 606 PAGE 66

ZONING NOTES - EXISTING

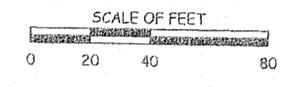
1. LOT AREA = 132,973 ± SQ. FT. (3.053 ± AC.)
2. THIS PROPERTY LIES WITHIN : SEASHORE DISTRICT.
3. NUMBER OF PRINCIPAL BUILDINGS : 1 / ACCESSORY BUILDINGS : 2.
4. LOT COVERAGE : 0.012%
EXISTING DWELLING = 565 SQ. FT. / GARAGE 1 = 399 SQ. FT. / GARAGE 2 = 576 SQ. FT.
HOT TUB / PUMP HOUSE = 56 SQ. FT.
5. GREEN SPACE : 96 %
EXISTING BUILDINGS / HOT TUB = 1,596 SQ. FT. / DIRT DRIVEWAY / PARKING AREA = 3,907 SQ. FT.
6. GROSS FLOOR AREA* = 685 SQ. FT.
(531 SQ. FT. 1ST FLOOR- 154 SQ. FT. 2ND FLOOR)
* PER SECTION 10 (4) TRURO ZBA - DEFINITIONS.
7. SEASHORE DISTRICT GROSS FLOOR AREA* = 715 SQ. FT.
(565 SQ. FT. 1ST FLOOR- 160 SQ. FT. 2ND FLOOR)
* PER SECTION 10 (4) - DEFINITIONS.
8. MEAN GROUND LEVEL* = EL. 42.0' (1988 N.A.V.D. DATUM)
* PER SECTION 10 (4) DEFINITIONS.
9. BUILDING HEIGHT* / STORIES = 19.8' - 1.5 STORIES
* PER SECTION 10 (4) DEFINITIONS.
10. BUILDING SETBACKS =
FRONT YARD : EXISTING DWELLING = 40.66' / GARAGE 1 = 82' ±.
11. BEDROOMS : 2 - EXISTING DWELLING.
12. PARKING SPACES : = 3 (2 GARAGES + 1 SPACE).



LOCUS MAP SCALE: 1" = 1500'



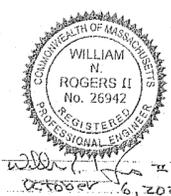
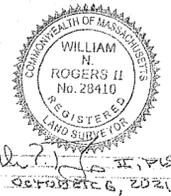
- NOTE: DATUM: 1988 N.A.V.D.
- NOTE: x 34.55' DENOTES SPOT ELEVATION.
- NOTE: ALL BUILDING OFFSETS ARE MEASURED PERPENDICULAR TO THE PROPERTY LINES.
- NOTE: () DENOTES RECORD INFORMATION.
- REFERENCE: PLAN BOOK 606 PAGE 66
BEED BOOK 31325 PAGE 107



EXISTING SITE PLAN
IN
TRURO
(NO. 59 SOUTH PAMET ROAD)
AS PREPARED FOR
SUSAN HANWAY
SCALE: 1 IN. = 40 FT. OCTOBER, 2021
WILLIAM N. ROGERS
PROFESSIONAL
CIVIL ENGINEERS & LAND SURVEYORS
41 OFF CEMETERY ROAD, PROVINCETOWN, MASS.
508.487.1565 / 508.487.5809 FAX

- LEGEND:**
- D.M.H. = DRAINAGE MANHOLE
 - S.M.H. = SEWER MANHOLE
 - ⊕ = WATER GATE
 - T.P. = UTILITY POLE
 - U/G = UNDERGROUND
 - L.P. = LIQUID PROPANE
 - o/h = OVERHEAD
 - d.h. = DRILL HOLE
 - 64--- = EXISTING CONTOUR

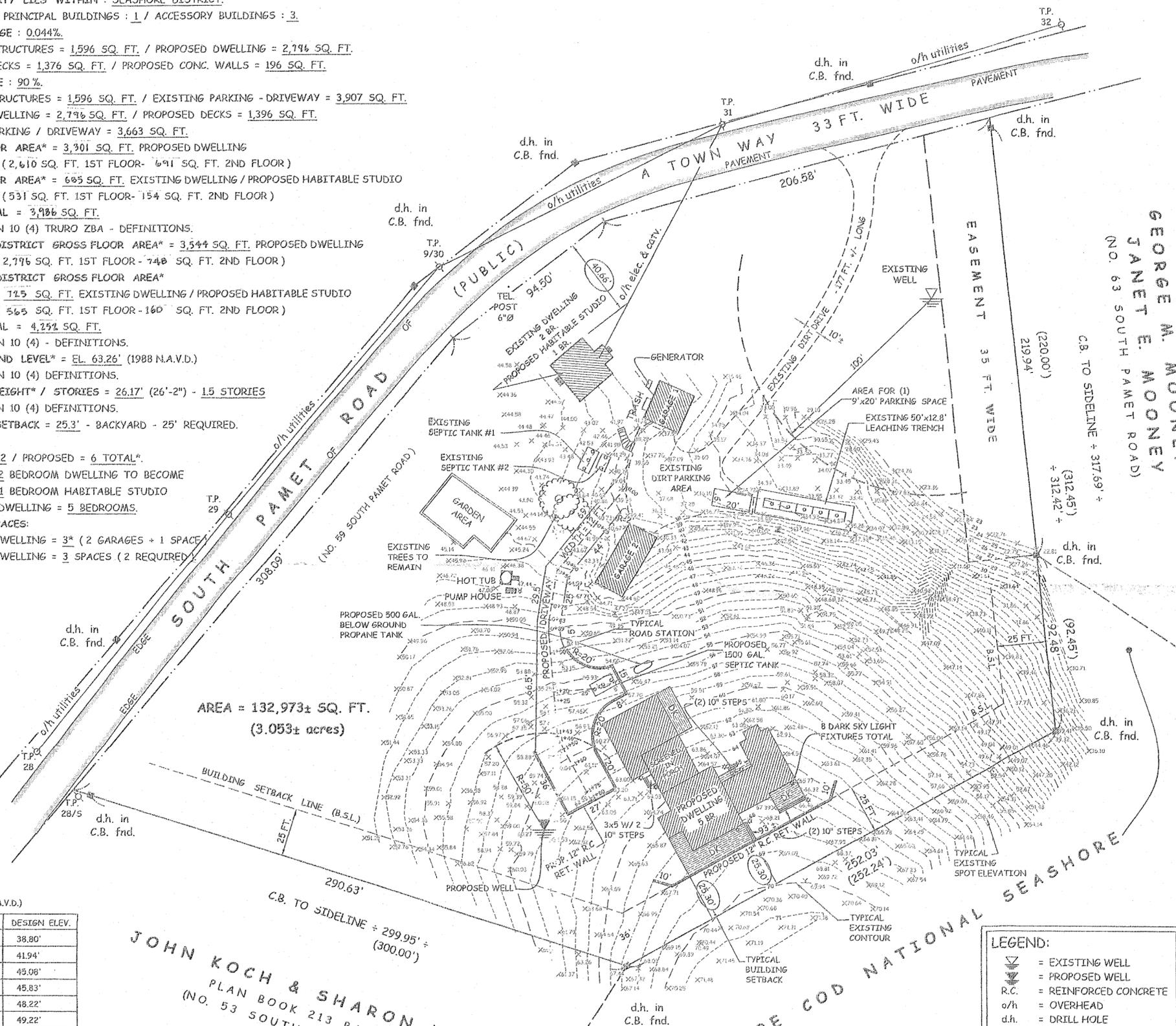
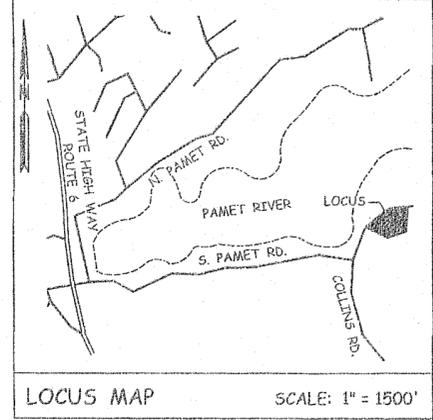
JOHN KOCH & SHARON KOCH
PLAN BOOK 213 PAGE 3
(NO. 53 SOUTH PAMET ROAD)



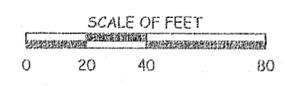
ASSESSOR'S MAP 51 PARCEL 51 = LOCUS

ZONING NOTES - PROPOSED

1. LOT AREA = 132,973 ± SQ. FT. (3.053 ± AC.)
2. THIS PROPERTY LIES WITHIN : SEASHORE DISTRICT.
3. NUMBER OF PRINCIPAL BUILDINGS : 1 / ACCESSORY BUILDINGS : 3.
4. LOT COVERAGE : 0.044%.
EXISTING STRUCTURES = 1,596 SQ. FT. / PROPOSED DWELLING = 2,796 SQ. FT.
PROPOSED DECKS = 1,376 SQ. FT. / PROPOSED CONC. WALLS = 196 SQ. FT.
5. GREEN SPACE : 90%.
EXISTING STRUCTURES = 1,596 SQ. FT. / EXISTING PARKING - DRIVEWAY = 3,907 SQ. FT.
PROPOSED DWELLING = 2,796 SQ. FT. / PROPOSED DECKS = 1,396 SQ. FT.
PROPOSED PARKING / DRIVEWAY = 3,663 SQ. FT.
6. GROSS FLOOR AREA* = 3,901 SQ. FT. PROPOSED DWELLING
(2,610 SQ. FT. 1ST FLOOR - 691 SQ. FT. 2ND FLOOR)
GROSS FLOOR AREA* = 665 SQ. FT. EXISTING DWELLING / PROPOSED HABITABLE STUDIO
(531 SQ. FT. 1ST FLOOR - 134 SQ. FT. 2ND FLOOR)
TOTAL = 3,986 SQ. FT.
* PER SECTION 10 (4) TRURO ZBA - DEFINITIONS.
7. SEASHORE DISTRICT GROSS FLOOR AREA* = 3,544 SQ. FT. PROPOSED DWELLING
(2,796 SQ. FT. 1ST FLOOR - 748 SQ. FT. 2ND FLOOR)
SEASHORE DISTRICT GROSS FLOOR AREA*
= 715 SQ. FT. EXISTING DWELLING / PROPOSED HABITABLE STUDIO
(565 SQ. FT. 1ST FLOOR - 150 SQ. FT. 2ND FLOOR)
TOTAL = 4,252 SQ. FT.
* PER SECTION 10 (4) - DEFINITIONS.
8. MEAN GROUND LEVEL* = EL. 63.26' (1988 N.A.V.D.)
* PER SECTION 10 (4) DEFINITIONS.
9. BUILDING HEIGHT* / STORIES = 26.17' (26'-2") - 1.5 STORIES
* PER SECTION 10 (4) DEFINITIONS.
10. BUILDING SETBACK = 25.3' - BACKYARD - 25' REQUIRED.
11. BEDROOMS:
EXISTING = 2 / PROPOSED = 6 TOTAL.
* EXISTING 2 BEDROOM DWELLING TO BECOME
1 BEDROOM HABITABLE STUDIO
* PROPOSED DWELLING = 5 BEDROOMS.
12. PARKING SPACES:
EXISTING DWELLING = 3* (2 GARAGES + 1 SPACE)
PROPOSED DWELLING = 3 SPACES (2 REQUIRED)



- NOTE: ALL NEW UTILITY SERVICE TO BE UNDERGROUND.
- NOTE: PROPOSED DRIVEWAY - 12 FT. WIDE - SHALL HAVE PERMEABLE SURFACE.
- NOTE: PROPOSED 2 FT. CURBING - STATION 1+00 TO STATION 1+46 ON EAST SIDE OF DRIVEWAY.
- NOTE: ALL PROPOSED PLANTINGS TO BE NATIVE PLANTS, GRASSES & SHRUBS.
- NOTE: EXISTING AND PROPOSED USE: RESIDENTIAL.
- NOTE: ALL EXTERIOR LIGHTING TO BE DARK SKY COMPLIANT.
- NOTE: ALL ROOF RUNOFF TO BE DIRECTED TO SUBSURFACE DRAINAGE STRUCTURES (FLOW-WELL SYSTEMS OR EQUAL).
- NOTE: DATUM: 1988 N.A.V.D.
- NOTE: x 34.55' DENOTES SPOT ELEVATION.
- NOTE: ALL BUILDING OFFSETS ARE MEASURED PERPENDICULAR TO THE PROPERTY LINES.
- NOTE: () DENOTES RECORD INFORMATION.
- REFERENCE: PLAN BOOK 606 PAGE 66
BEED BOOK 31325 PAGE 107



PROPOSED SITE PLAN
IN
TRURO
(NO. 59 SOUTH PAMET ROAD)
AS PREPARED FOR
SUSAN HANWAY
SCALE: 1 IN. = 40 FT. NOVEMBER, 2022
WILLIAM N. ROGERS
PROFESSIONAL
CIVIL ENGINEERS & LAND SURVEYORS
41 OFF CEMETERY ROAD, PROVINCETOWN, MASS.
508.487.1565 / 508.487.5809 FAX

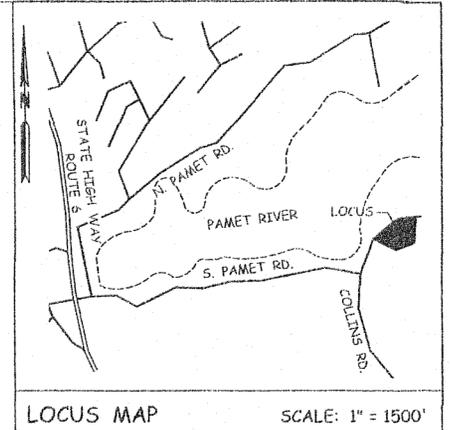
ROAD GRADES (1988 N.A.V.D.)

STATION	ELEV.	DESIGN ELEV.
0+00	38.80'	38.80'
0+25	41.50'	41.94'
0+50	44.75'	45.08'
0+56	45.50'	45.83'
0+75	48.50'	48.22'
0+83	49.75'	49.22'
0+89	50.19'	49.97'
1+00	52.02'	51.35'
1+20	55.72'	53.86'
1+25	56.38'	54.49'
1+43	58.61'	55.80'
1+50	59.42'	56.31'
1+60	60.46'	57.04'
1+75	61.95'	58.13'
1+80	62.50'	58.50'

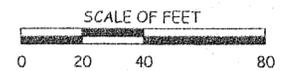
JOHN KOCH & SHARON KOCH
PLAN BOOK 213 PAGE 3
(NO. 53 SOUTH PAMET ROAD)
WILLIAM N. ROGERS II
No. 28410
REGISTERED LAND SURVEYOR
WILLIAM N. ROGERS II
No. 26942
REGISTERED PROFESSIONAL ENGINEER
January 12, 2023

- LEGEND:
- ⊖ = EXISTING WELL
 - ⊕ = PROPOSED WELL
 - R.C. = REINFORCED CONCRETE
 - o/h = OVERHEAD
 - d.h. = DRILL HOLE
 - D.M.H. = DRAINAGE MANHOLE
 - S.M.H. = SEWER MANHOLE
 - ⊙ = WATER GATE
 - ⊖ = UTILITY POLE
 - U/G = UNDERGROUND
 - L.P. = LIQUID PROPANE
 - DK = COVERED DECK
 - ⊙ = PROPOSED DARK SKY LIGHT FIXTURE
 - 46--- = EXISTING CONTOUR

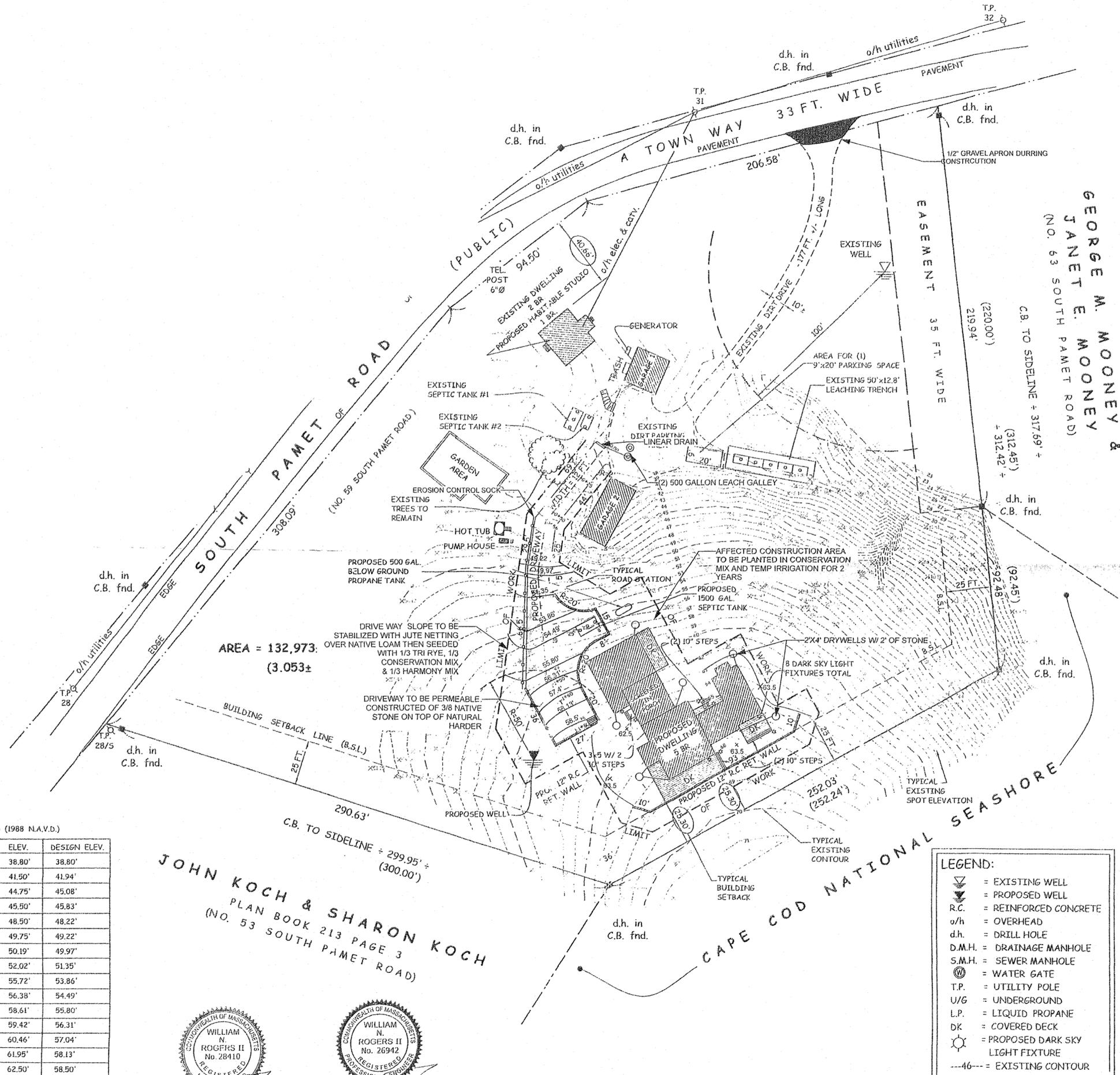
PROPOSED- LANDSCAPING, STORM WATER, GRADING AND LIMIT OF WORK



- NOTE: ALL NEW UTILITY SERVICE TO BE UNDERGROUND.
- NOTE: PROPOSED DRIVEWAY - 12 FT. WIDE - SHALL HAVE PERMEABLE SURFACE.
- NOTE: PROPOSED 2 FT. CURBING - STATION 1+00 TO STATION 1+46 ON EAST SIDE OF DRIVEWAY.
- NOTE: ALL PROPOSED PLANTINGS TO BE NATIVE PLANTS, GRASSES & SHRUBS.
- NOTE: EXISTING AND PROPOSED USE: RESIDENTIAL.
- NOTE: ALL EXTERIOR LIGHTING TO BE DARK SKY COMPLIANT.
- NOTE: ALL ROOF RUNOFF TO BE DIRECTED TO SUBSURFACE DRAINAGE STRUCTURES (FLOW-WELL SYSTEMS OR EQUAL).
- NOTE: DATUM: 1988 N.A.V.D.
- NOTE: x 34.55' DENOTES SPOT ELEVATION.
- NOTE: ALL BUILDING OFFSETS ARE MEASURED PERPENDICULAR TO THE PROPERTY LINES.
- NOTE: () DENOTES RECORD INFORMATION.
- REFERENCE: PLAN BOOK 606 PAGE 66
BEED BOOK 31325 PAGE 107



PROPOSED SITE PLAN
IN
TRURO
(NO. 59 SOUTH PAMET ROAD)
AS PREPARED FOR
SUSAN HANWAY
SCALE: 1 IN. = 40 FT.
WILLIAM N. ROGERS
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ROAD GRADES (1988 N.A.V.D.)

STATION	ELEV.	DESIGN ELEV.
0+00	38.80'	38.80'
0+25	41.50'	41.94'
0+50	44.75'	45.08'
0+56	45.50'	45.83'
0+75	48.50'	48.22'
0+83	49.75'	49.22'
0+89	50.19'	49.97'
1+00	52.02'	51.35'
1+20	55.72'	53.86'
1+25	56.38'	54.49'
1+43	58.61'	55.80'
1+50	59.42'	56.31'
1+60	60.46'	57.04'
1+75	61.95'	58.13'
1+80	62.50'	58.50'

JOHN KOCH & SHARON KOCH
PLAN BOOK 213 PAGE 3
(NO. 53 SOUTH PAMET ROAD)

- LEGEND:
- = EXISTING WELL
 - = PROPOSED WELL
 - = REINFORCED CONCRETE
 - = OVERHEAD
 - = DRILL HOLE
 - = DRAINAGE MANHOLE
 - = SEWER MANHOLE
 - = WATER GATE
 - = UTILITY POLE
 - = UNDERGROUND
 - = LIQUID PROPANE
 - = COVERED DECK
 - = PROPOSED DARK SKY LIGHT FIXTURE
 - = EXISTING CONTOUR
 - = PROPOSED CONTOUR

Benjamin E. Zehnder LLC

62 Route 6A, Suite B
Orleans, Massachusetts 02653

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

April 24, 2023

Truro Town Clerk Kaci Fullerton
Truro Town Hall
24 Town Hall Road
Truro, MA 02666

Via hand delivery & email

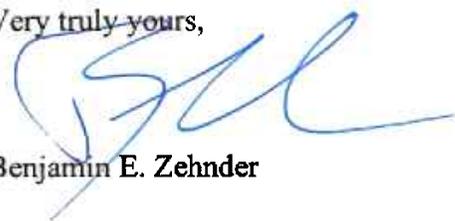
Re: New Board of Appeals special permit application /
12 Ocean Bluff Lane (Assessor's Parcel ID 37-6) /
Truro Atlantic View Realty Trust, Bruce A. Jacobson, Trustee

Dear Ms. Fullerton:

Please find enclosed for filing with the Board of Appeals one original and 9 copies of a new application requesting a special permit for the property at 12 Ocean Bluff Lane, as well as payment in the amount of \$200.00.

Thank you as always for your assistance. I remain –

Very truly yours,


Benjamin E. Zehnder

Enc.
cc. via email only:
client
Stefan Angelovski
Michael Brooke
Barbara Carboni
Patrick Coffey
Keith LeBlanc
Jill Neubauer
Gregory Sanford
Liz 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 April 24, 2023

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

I. 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 30.3.1.A.2 of the Truro Zoning Bylaw concerning *(describe)* a special permit to exceed the Seashore District Total Gross Floor area limit by approximately 31 sq. ft. on 117,113 sq. ft. lot (3,537 sq. ft. allowed by right 3,568 sq. ft. proposed).

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)* alteration of a pre-existing, non-conforming dwelling to add an addition and new section of covered porch.

Property Address 12 Ocean Bluff Lane Map(s) and Parcel(s) 37-6

Registry of Deeds title reference: Book 34281, Page 342, or Certificate of Title Number N/A and Land Ct. Lot # N/A and Plan # N/A

Applicant's Name Truro Atlantic View Realty Trust, Bruce A. Jacobson, Trustee

Applicant's Legal Mailing Address P.O. Box 954, No. Truro, MA 02652

Applicant's Phone(s), Fax and Email (215) 852-2785; bruce.jacobson2@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 _____

Representative's Name and Address Benjamin E. Zehnder 62 Route 6A, Suite B, Orleans, MA 02652

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)

Applicant(s)/Representative Printed Name(s)

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

Applicant(s)/Representative Signature

Owner(s) Signature or written permission

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

Key: 1112

Town of TRURO - Fiscal Year 2023

9/1/2022 6:23 pm SEQ #: 1.080

LEGALS

CURRENT OWNER		PARCEL ID		LOCATION	
TRURO ATLANTIC VIEW RLTY TRUST		37-6-0		12 OCEAN BLUFF LN	
TRS: BRUCE A JACOBSON		TRANSFER HISTORY		DOS	T
PO BOX 954		TRURO ATLANTIC VIEW RLTY		07/09/2021	V
NO TRURO, MA 02652		KUCHIN KENNETH S		03/31/2017	O
		SMALL NEAL E ESTATE OF		09/24/2013	A
				SALE PRICE	BK-PG (Cert)
				4,300,000	34281-342
				1,200,000	30391-167
				587-175	

CLASS	CLASS%	DESCRIPTION		BN ID	BN	CARD	
1010	100	SINGLE FAMILY			1	1 of 2	
PMT NO	PMT DT	TY	DESC	AMOUNT	INSP	BY	1st %
19-369	11/13/2019	2	ADDITION	27,000	03/16/2022	JN	100 100
19-246	08/19/2019	2	ADDITION		03/16/2022	JN	100 100
18-220	07/10/2018	1	SINGLE FAM R	935,000	09/18/2019	LG	100 100
18-198	06/14/2018	5	DEMO	9,000	08/21/2018	LG	100 100

LAND

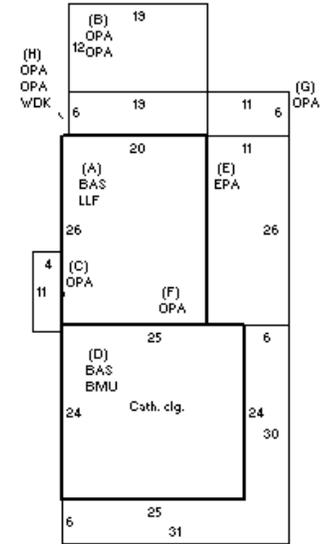
CD	T	AC/SF/UN	Nbhd	Inf1	Inf2	ADJ BASE	SAF	Inf3	Lpi	VC	CREDIT AMT	ADJ VALUE
100	A	0.775 16 1.00	E50	0.50 1 1.00	1,174,125	1.00 1	1.00	SW1	7.50			909,950
300	A	1.795 16 1.00	1 1.00 1 1.00	179,250	1.00 1	1.00	SW1	7.50				321,750

TOTAL	2.570 Acres	ZONING	NSD	FRNT	0	ASSESSED	CURRENT	PREVIOUS
Nbhd	NAT'L SEASHORE	NOTE	LAND	1,231,700	1,061,700			
Inf1	EROSION		BUILDING	840,500	510,800			
Inf2	NO ADJ		DETACHED	0	0			
			OTHER	444,100	233,600			
			TOTAL	2,516,300	1,806,100			

DETACHED

TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD	PHOTO
								12/20/2019





BUILDING	CD	ADJ	DESC	MEASURE	9/18/2019	LG
MODEL	1		RESIDENTIAL	LIST	9/18/2019	LG
STYLE	1	1.00	RANCH [100%]	REVIEW		
QUALITY	V	1.55	VERY GOOD [100%]			
FRAME	1	1.00	WOOD FRAME [100%]			

YEAR BLT	2018	SIZE ADJ	1.020	ELEMENT	CD	DESCRIPTION	ADJ	S	BAT	T	DESCRIPTION	UNITS	YB	ADJ PRICE	RCN
NET AREA	1,640	DETAIL ADJ	1.000	FOUNDATION	3	CONTIN WALL	1.00	A	LLF	L	LOWER LEVEL FIN	520	2018	289.98	150,792
\$NLA(RCN)	\$528	OVERALL	1.040	EXT. COVER	1	WOOD SHINGLES	1.00	+	BAS	L	BAS AREA	1,120	2018	423.31	474,104
				ROOF SHAPE	2	HIP	1.00	+	OPA	N	OPEN PORCH	1,124		81.51	91,620
				ROOF COVER	2	WOOD SHINGLES	1.01	D	BMU	N	BSMT UNFINISHED	600		113.83	68,295
				FLOOR COVER	1	HARDWOOD	1.00	E	EPA	N	ENCL PORCH	286		173.88	49,730
				INT. FINISH	2	DRYWALL	1.00	H	WDK	N	ATT WOOD DECK	114		83.70	9,542
				HEATING/COOLING	9	WARM/COOL AIR	1.03	FPL	O	FPL, FIREPLACE	1		16,772.90	16,773	
				FUEL SOURCE	2	GAS	1.00	ODS	O	OUT DOOR SHOWER			0.00		

BUILDING

TOTAL RCN	866,455
CONDITION ELEM	CD
EFF.YR/AGE	2018 / 3
COND	03 03%
FUNC	0
ECON	0
DEPR	3 % GD 97
RCNLD	\$840,500



12 Ocean Bluff Lane

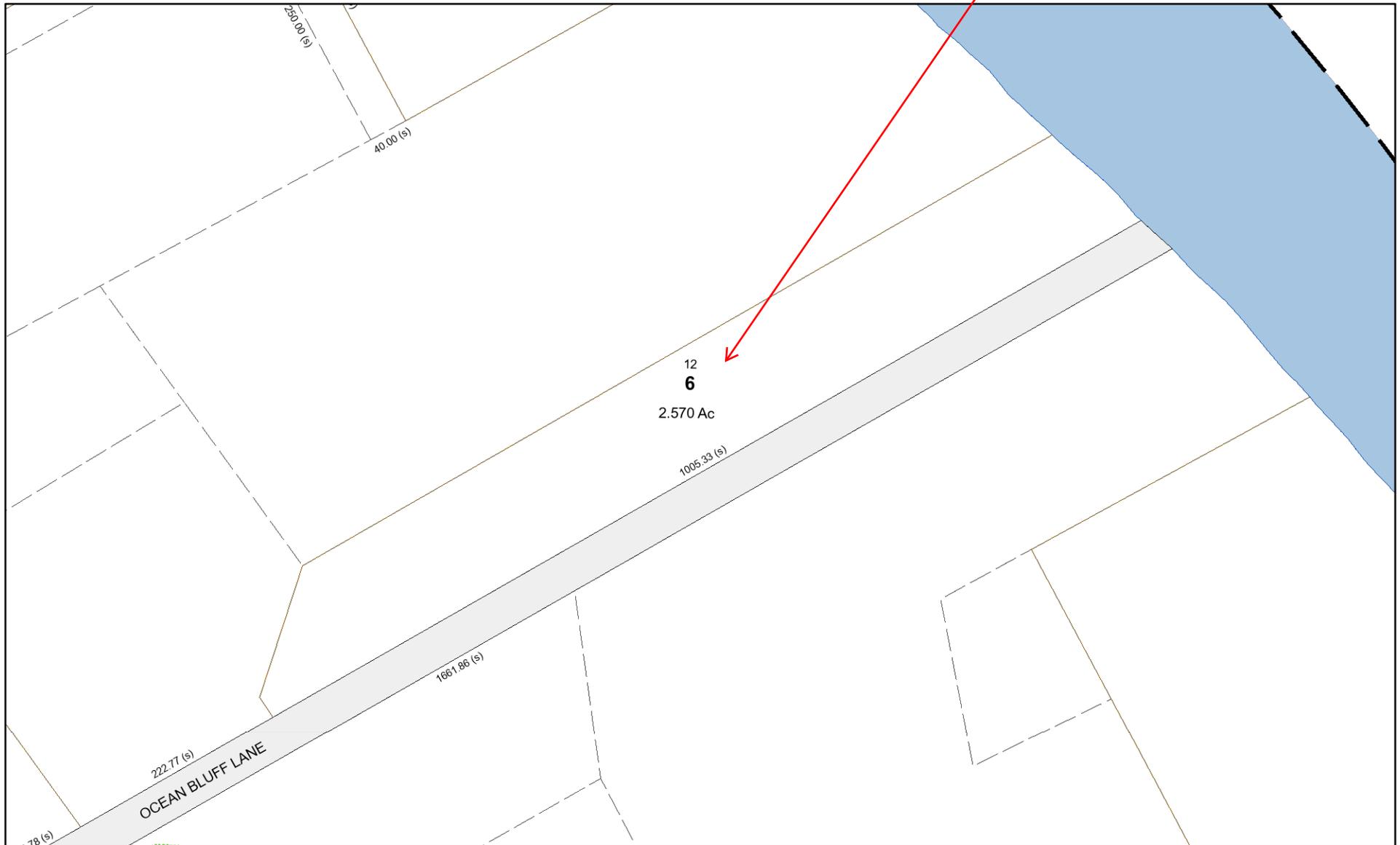
Truro, MA



February 1, 2023

1 inch = 139 Feet

www.cai-tech.com



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

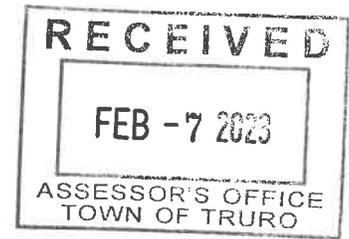


TOWN OF TRURO

Assessors Office

Certified Abutters List

Request Form



DATE: February 2, 2023

NAME OF APPLICANT: Truro Atlantic View Realty Trust, Bruce A. Jacobson, Trustee

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

MAILING ADDRESS: 62 Route 6A, Suite B, Orleans, MA 02653

CONTACT: HOME/CELL (508) 255-7766 EMAIL bzehnder@zehnderllc.com

PROPERTY LOCATION: 12 Ocean Bluff Lane
(street address)

PROPERTY IDENTIFICATION NUMBER: MAP 37 PARCEL 6 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: 2/7/2023 Date completed: 2/9/2023
List completed by: [Signature] Date paid: 2/7/2023 Cash/Check # 001166

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: February 9, 2023

To: Benjamin E. Zehnder, Agent for Truro Atlantic View Realty Trust, Bruce A.

Jacobson, Trustee

From: Assessors Department

Certified Abutters List: 12 Ocean Bluff Lane (Map 37, Parcel 6)

Zoning Board of Appeals/ Special Permit

Attached is a combined list of abutters for the property located at 12 Ocean Bluff Lane.

The current owner is Truro Atlantic View Realty Trust, Bruce A. Jacobson, Trustee.

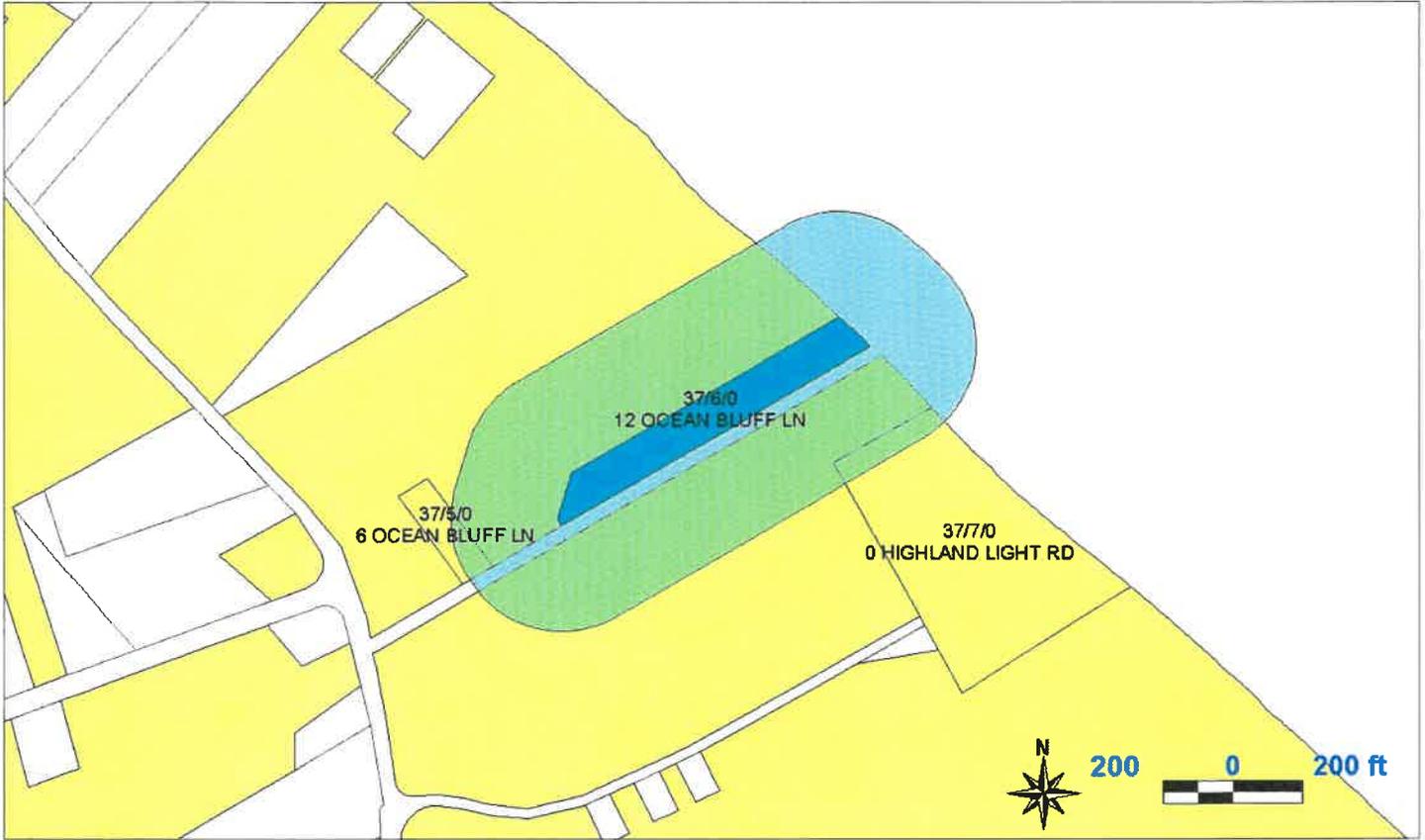
The names and addresses of the abutters are as of February 3, 2023 according to the most recent documents received from the Barnstable County Registry of Deeds.

Certified by: _____

Olga Farrell
Assessing Clerk

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

Abutters List Within 300 feet of Parcel 37/6/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
1111	37-5-0-R	TRURO ATLANTIC VIEW RLTY TRUST TRS: BRUCE A JACOBSON	6 OCEAN BLUFF LN	PO BOX 954	NO TRURO	MA	02652
1112	37-6-0-R	TRURO ATLANTIC VIEW RLTY TRUST TRS: BRUCE A JACOBSON	12 OCEAN BLUFF LN	PO BOX 954	NO TRURO	MA	02652
1113	37-7-0-E	U S COAST GUARD	0 HIGHLAND LIGHT RD	37 MAIN ST	CHATHAM	MA	02633
1128	37-22-0-E	U S A DEPT OF THE INTERIOR	10 HIGHLAND LIGHT RD	CAPE COD NATIONAL SEASHORE 99 MARCONI SITE RD	WELLFLEET	MA	02667
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: JACOBSON

37-5-0-R

TRURO ATLANTIC VIEW RLTY TRUST
TRS: BRUCE A JACOBSON
PO BOX 954
NO TRURO, MA 02652

37-6-0-R

TRURO ATLANTIC VIEW RLTY TRUST
TRS: BRUCE A JACOBSON
PO BOX 954
NO TRURO, MA 02652

37-7-0-E

U S COAST GUARD
37 MAIN ST
CHATHAM, MA 02633

37-22-0-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

MASSACHUSETTS STATE EXCISE TAX
BARNSTABLE COUNTY REGISTRY OF DEEDS
Date: 07-09-2021 @ 11:05am
Ct1#: 321 Doc#: 45877
Fee: \$14,706.00 Cons: \$4,300,000.00

BARNSTABLE COUNTY EXCISE TAX
BARNSTABLE COUNTY REGISTRY OF DEEDS
Date: 07-09-2021 @ 11:05am
Ct1#: 321 Doc#: 45877
Fee: \$13,158.00 Cons: \$4,300,000.00

QUITCLAIM DEED

We, **Kenneth S. Kuchin and William Tyler Morgan**, unmarried, both of 2 E. 61st Street, New York City, New York 10065 ("Grantors"),

in consideration of FOUR MILLION THREE HUNDRED THOUSAND and 00/100 Dollars (\$4,300,000.00), paid,

grant to **Bruce A. Jacobson, Trustee of the Truro Atlantic View Realty Trust** (w/d/t dated June 21, 2021), recorded prior hereto, with a mailing address of P.O. Box 954, N. Truro, MA 02652 ("Grantee"),

with **QUITCLAIM COVENANTS**,

The land and buildings thereon situated in Truro, Barnstable County, Massachusetts, bounded and described as follows:

Lot 1

The land together with the buildings thereon, situated in Truro, Barnstable County, Commonwealth of Massachusetts, currently referred to as 6 Ocean Bluff Lane, bounded and described as follows:

Beginning on the Northwest corner thereof by land now or formerly of George L. Hemond et ux, and land now or formerly of William L. Beaudoin et ux; thence

Easterly by land now or formerly of said Beaudoin one hundred (100) feet to land now or formerly of Richard P. Sandstorm et ux; thence

Southerly by land now or formerly of said Sandstorm three hundred (300) feet, more or less to stake by the line of a private way, known as Ocean Bluff Lane; thence

Westerly by the line of said Ocean Bluff Lane one hundred (100) feet to land now or formerly of Hemond; thence

Northerly by land now or formerly of Hemond three hundred (300) feet more or less, to the point of beginning.

Containing 30,000 square feet of land, more or less.

Together with the right in common with others of using a thirty (30) foot wide road known as Ocean Bluff Lane as a right of way for all purposes of which rights of way are commonly used for both to and from a Town Way known as Highland Road and to and from the Atlantic Ocean.

Subject to Deed Restriction of the Town of Truro Board of Health relative to installation of a tight tank, recorded at Book 31322 Page 303.

Property Address: 6 & 12 Ocean Bluff Lane, Truro, Massachusetts 02666

Lot 2

The land with buildings thereon situated in Truro, Barnstable County, Commonwealth of Massachusetts, currently referred to as 12 Ocean Bluff Lane, bounded and described as follows:

Beginning at a bound set in the path which climbs the hill from the farmhouse, the line running forty feet N 16° 30' W, then 137.7 feet. N 30° 35' E, then on line of land formerly owned by C. F Crowell et al, N 73° 30' E to the Atlantic Ocean which bounds the front. Returning to the first named bound the line runs N 70° 30' E to the Atlantic Ocean and thence to the other parallel line above mentioned.

The above-described premises being Parcel 6 as shown on Truro's Assessor's Map 37.

There is appurtenant to the above-described premises the easement rights, set forth in the grant of George L. Hemond et ux dated July 1, 1955, recorded with the Barnstable County Registry of Deeds in Book 913, Page 30.

The Grantors hereby certify under the pains and penalties of perjury they are unmarried and waive and release any and all rights of homestead in the above property they may have or be able to claim pursuant to M.G.L. c. 188, and further certify that no former spouses, partners or former partners in a civil union can claim the benefit of a homestead by court order or otherwise in said property. The Grantors further certify that the premises conveyed by this deed was not a homestead property and is not the principal residence of the Grantors or any other person.

Subject to and together with all matters of record insofar as the same are now in force and applicable.

Meaning and intending to convey the same premises set forth in the deed from Gordon F. Snyder Jr. and Diane D. Snyder to Kenneth S. Kuchin and William Tyler Morgan dated December 8, 2017 and recorded December 13, 2017 with the Barnstable County Registry of Deeds in Book 30959 Page 191 with regard to Lot 1, 6 Ocean Bluff Lane, above.

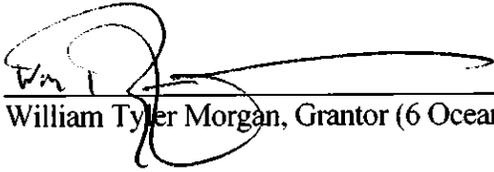
Meaning and intending to convey the same premises set forth in the deed from Thomas K. Small and Lucy J. Small, as Personal Representatives, et al, to Kenneth S. Kuchin, dated March 2, 2017, and recorded March 31, 2017 with the Barnstable County Registry of Deeds in Book 30391 Page 167 with regard to Lot 2, 12 Ocean Bluff Lane, above.

Deed of 6 & 12 Ocean Bluff Lane
Page 3

Witness our hands and seals this 2nd day of July 2021.



Kenneth S. Kuchin, Grantor (6 & 12 Ocean Bluff Lane)



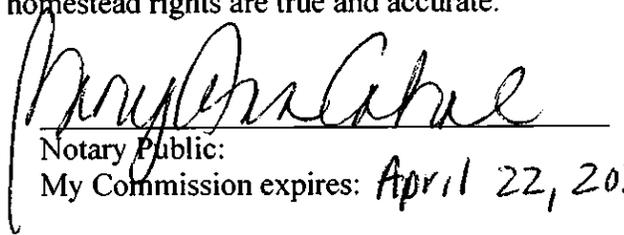
William Tyler Morgan, Grantor (6 Ocean Bluff Lane)

Commonwealth of Massachusetts
Barnstable County

On this 2nd day of July 2021, before me, the undersigned notary public, personally appeared, Kenneth S. Kuchin and William Tyler Morgan each proved to me through satisfactory evidence of identification, which was a state issued driver's license containing his photograph and his signature to be the person whose name is signed on the preceding document, and acknowledged to me that he signed it voluntarily as his free act and deed as and swore and affirmed that the contents of this document as to marital status and homestead rights are true and accurate.



MARY ANN CABRAL
Notary Public
Commonwealth of Massachusetts
My Commission Expires
April 22, 2027


Notary Public:
My Commission expires: April 22, 2027

DECISION/MOTION OF THE ZONING BOARD OF APPEALS OF TRURO, MA.

Property Owner(s) and/or Applicant(s): Kevin S. Kuchin, by agt/atty Benjamin Zehnder,

**a/k/a Kenneth S. Kuchin*

Property Location: 12 Ocean Bluff Lane

Atlas Sheet: 37 Parcel(s): 6 (2017-015/ZBA)

Hearing Date: Monday, October 30, 2017

Special Permit	<input checked="" type="checkbox"/>	Vote: <u>5</u> Approve
Variance (amendment)	<input type="checkbox"/>	<u>0</u> Disapprove
Building Commissioner Decision	<input type="checkbox"/>	<u> </u> Abstain
& Other	<input type="checkbox"/>	

Motion (Todd, 2nd Perkel): In the matter of 2017-015/ZBA, Kevin S. Kuchin, by agt/atty Benjamin Zehnder, for property located at 12 Ocean Bluff Lane, (Atlas Sheet 37, Parcel 6)(Reg. of Deeds title ref: Book 30391, Page 167) to grant a Special Permit, w/ref. to Sec. 30.7. of the Zoning Bylaw for the alteration/construction of a pre-existing, non-conforming structure(cottage) and construction of an accessory garage structure, as per plans filed, on a pre-existing, non-conforming lot, with non-conforming elements of the existing setbacks on the southern property line and lack of frontage issue on Ocean Bluff Lane. The ZBA finds no increase in non-conformity and further Finds said Grant is not more substantially detrimental to the neighborhood and in keeping with the intent of the Turo Zoning Bylaw.

I hereby certify this as a true and accurate record of the Zoning Board of Appeals:

Bertram Perkel chair
 Signature Bertram Perkel, Chair Date 11/1/17

Received, Office of the Town Clerk:

Cynthia A. Slade
 Signature Cynthia A. Slade, Town Clerk Date November 2, 2017

I hereby certify that this decision was filed with the Office of the Town Clerk on November 2, 2017 and 20 (twenty) days have elapsed since the date of filing, and:

No Appeal has been filed.
 An Appeal has been filed and received in this office on: _____

Cynthia A. Slade
 Signature Cynthia A. Slade, Town Clerk Date November 29, 2017

NOTE: Any person aggrieved by a decision of the Zoning Board of Appeals may appeal to the Superior or Land Court by bringing action within twenty days after the decision has been filed with the Town Clerk of Truro. (Massachusetts General Laws, Chapter 40A, Section 17.)

NOTE (2): APPLICANT/AGENT MUST ACT ON THIS DECISION WITHIN A YEAR

THE COPY OF THIS DECISION PROVIDED BY THE TOWN CLERK MUST BE FILED WITH THE REGISTER OF DEEDS OF BARNSTABLE COUNTY BY THE APPLICANT.

Cynthia A. Slade, Town Clerk, Town of Truro, December 4, 2017

A true copy, attest: *[Signature]*



TOWN OF TRURO

Planning Board

P.O. Box 2030, Truro, MA 02666
Tel: (508) 849-7004 Fax: (508) 849-5505

RESIDENTIAL DEVELOPMENT SITE PLAN REVIEW DECISION

Atlas Map 37 Parcel 6

Address: 11 Ocean Bluff Lane

Case Reference No: 2017-010SPR

Applicant: Kenneth S, Kuchin

Hearing Date: December 6, 2017, May 23, 2018

Decision Date: December 6, 2017, May 23, 2018

Barnstable County Registry of Deeds Plan Book 30391, Page 167

At a duly posted and noticed Truro Planning Board hearing held December 6, 2017 and then reopened on May 23, 2018, the Board voted to approve with conditions an application for Residential Development Site Plan Review pursuant to §70.4 of the Truro Zoning By-law for the removal and replacement of an existing cottage dwelling with a new dwelling and construction of a new garage accessory structure. Property is a pre-existing, non-conforming developed residential parcel in the Seashore zoning district. The property is located at 12 Ocean Bluff Lane, Map 37, Parcel 6.

The Board's vote was based on testimony by the applicant's representatives, Benjamin Zehnder, Esq. on December 6, 2017 and May 23, 2018 and Deborah Paine, Builder on December 6, 2017; and a review of the application and plans filed on October 16, 2017 and on April 18, 2018 as further described below:

Following materials were submitted to Town Clerk on October 16, 2017 and April 18, 2018:

- Application for Site Plan Review (Residential)
- Certified Abutters List
- Fee (\$250.00)
- Warranty and Fiduciary Deed for 12 Ocean Bluff Lane, North Truro, MA
- Map of Nearby properties and Assessors information on nearby properties
- Plan information and photographs
- Proposed Planting Schedule
- Images of Hardscaping – stone steps, stone paving, gravel paving, stonedust pathway
- Lighting information and photographs
- SK 1 Bolder wall section for 12 Ocean Bluff Lane dated 10/13/17 prepared by LeBlanc Jones Landscape architects, Inc.
- L1.0 Landscape Plan for 12 Ocean Bluff Lane dated 10/12/17 prepared by LeBlanc Jones Landscape architects, Inc.
- L2.0 Planting Plan for 12 Ocean Bluff Lane dated 10/12/17 prepared by LeBlanc Jones Landscape architects, Inc.

A true copy, attested by Cynthia A. Slade, Town Clerk, Town of Truro / June 12, 2018 / pages 1-4



- **Site Plan of Land in Truro as prepared for Kenneth S. Kuchin depicting existing conditions (No. 12 Ocean Bluff Lane), dated 10/11/17, scale 1" to 30' prepared by William N. Rogers**
- **A-201 Floor plans for the basement for 12 Ocean Bluff Lane (11/2/2017), prepared by Schulz/Peabody Design Group**
- **A-202 Floor plans for the first floor for 12 Ocean Bluff Lane (11/2/2017), prepared by Schulz/Peabody Design Group**
- **G-102 Garage Elevations and Sections for 12 Ocean Bluff Lane (9/5/2017), prepared by Schulz/Peabody Design Group**
- **G-101 Garage Plans for 12 Ocean Bluff Lane (11/2/2017), prepared by Schulz/Peabody Design Group**
- **G-101 Garage and lighting plans for 12 Ocean Bluff Lane (9/20/2017), prepared by Schulz/Peabody Design Group**
- **A-203 Roof Plan for 12 Ocean Bluff Lane (9/5/2017), prepared by Schulz/Peabody Design Group**
- **A-301 Elevations of the Cottage for 12 Ocean Bluff Lane (9/5/2017), prepared by Schulz/Peabody Design Group**
- **A-401 Cottage Sections for 12 Ocean Bluff Lane (9/5/2017), prepared by Schulz/Peabody Design Group**
- **L1.0 Supplemental Driveway and Landscape Plan for 12 Ocean Bluff Lane, prepared by East Cape Engineering, Scale 1" to 10', dated 4/18/18.**

It is important to note that the applicant did not receive written permission from the National Park Service to build the short driveway to the habitable studio as shown on the following plans:

- **Site Plan of Land in Truro as prepared for Kenneth S. Kuchin depicting existing conditions (No. 12 Ocean Bluff Lane), dated 10/11/17, scale 1" to 30' prepared by William N. Rogers**
- **L1.0 Landscape Plan for 12 Ocean Bluff Lane dated 10/12/17 prepared by LeBlanc Jones Landscape architects, Inc.**
- **L2.0 Planting Plan for 12 Ocean Bluff Lane dated 10/12/17 prepared by LeBlanc Jones Landscape architects, Inc.**

The plan titled, "L1.0 Supplemental Driveway and Landscape Plan for 12 Ocean Bluff Lane, prepared by East Cape Engineering, Scale 1" to 10', dated 4/18/18" was presented to the Board at the May 23rd reopened hearing to show the location of the new driveway, new parking layout, and new landscaping plans.

A site visit took place on November 14, 2017 to allow the Planning Board to view site in the context of the surrounding area.

The existing dwelling is pre-existing nonconforming in that it does not conform to the following Sections of the Zoning Bylaw:

- **10.4 Definition of Street: Ocean Bluff Lane does not conform to the definition of street and therefore the lot does not have technical frontage on a street as is required**
- **50.1.A – Dimensional Requirements: The lot size is 2.86 acres where a minimum of 3 acres is required in the Seashore District**

On October 30, 2017, the Zoning Board of Appeals granted a special permit for the alteration/construction of a pre-existing, non-conforming structure (cottage) and construction of an accessory garage on a pre-existing, non-conforming lot with non-conforming elements of the existing setbacks on the southern property line and lack of frontage on Ocean Bluff Lane.

The applicant requires a determination on demolition delay from the Truro Historic Review Commission. The Historical Commission Hearing took place on January 20, 2018. The Historical Commission voted to waive demolition delay based on the Applicant's agreement to abide by the conditions discussed at the January 20th hearing.

Dan Sanders and Darcee Vorndran spoke against the project on December 6, 2017. Ms. Vorndran wrote a letter in opposition to the project before the May 23, 2018 hearing

Board Vote:

On May 23, 2018, Mr. Herridge made a motion, seconded by Mr. Boleyn, to approve the request of 2017-010SPR Kenneth S. Kuchin for Residential Site Plan approval pursuant to §70.4 of the Truro Zoning Bylaw for removal and replacement of an existing cottage dwelling with a new dwelling and construction of a new garage accessory structure on property located at 12 Ocean Bluff Lane, Map 37, Parcel 6 based on the following findings of fact:

- Proposed development relates to the existing terrain and lot, and shall provide a solar and wind orientation which encourages energy conservation;
- 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;
- The landscape is preserved in its natural state insofar as practicable by minimizing any grade changes and removal of vegetation and soil;
- Curb cuts and driveways shall be safe and convenient and shall be consistent with Chapter I, Section 9 of the General Bylaws of the Town of Truro;
- Lighting is consistent with Chapter IV, Section 6 of the General Bylaws of the Town of Truro. There shall be protection of adjacent properties and the night sky from intrusive lighting.

This decision is subject to the following conditions to be met prior to issuance of a Certificate of Occupancy:

- The site shall be designed to contain all runoff within the site from a 100-year storm
- The applicant will verify the lumens of the outdoor lighting with the Planning Board
- The applicant will hide the retaining walls with facing, vegetation, etc.
- The outdoor lighting will be reviewed by the Building Commissioner
- The applicant will schedule a site visit with the Planning Board 1 year from project completion
- The dwelling above the garage is a habitable studio and the applicant shall refer to it as such on all plans
- The applicant will provide a septic system for the habitable studio in the parking area and it shall be approved by the Truro Board of Health

The Board approved the plan titled, "L1.0 Supplemental Driveway and Landscape Plan for 12 Ocean Bluff Lane, prepared by East Cape Engineering, Scale 1" to 10", dated 4/18/18" showing the new location of the driveway, new parking layout, and new landscaping plan.

So voted, 6-0-1 (Mr. Herridge, Mr. Boleyn, Mr. Roderick, Mr. Riemer, Ms. Tosh, and Mr. Sollog in favor, Mr. Kiernan abstained).

Waivers:

On the submitted plans, the applicant did not show the septic system for the habitable studio above the garage. The Planning Board granted the applicant a waiver for showing the location of the septic system for the habitable studio. The Board also conditioned that the septic be installed and approved by the Board of Health. On December 6, 2017, Mr. Herridge made a motion to approve the waivers, Mr. Boleyn seconded. So voted, 6-0 (Mr. Herridge, Boleyn, Roderick, Riemer, Kiernan, and Sollog).

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

Pursuant to §70.6 of the Truro Zoning Bylaw, it shall be the responsibility of the applicant to obtain a true attested copy of the decision from the Town Clerk. The applicant shall be responsible for recording the Planning Board Residential Site Plan decision at the Barnstable Registry of Deeds or Land Court, as applicable. Prior to the issuance of a building permit, the applicant shall present evidence of such recording to the Building Commissioner and the Planning Board Secretary.

Steve Sollog 6/6/18
Chairman, Truro Planning Board Date

Received, Office of the Town Clerk:

[Signature] JUN 27 2018
Signature Date



CALL US
877.445.4486
 Mon-Fri 6am-6pm PT
 Sat 7am-5pm PT

Finn Outdoor Wall Sconce

By Kichler

IN STOCK Ships within 2 business days.

We're here to help. [Chat](#) or [call us. 877.445.4486.](#)



Shown in Small size

FREE SHIPPING on orders over \$75.

Size:



Small

Medium

Large



HT: 13 1/4" x 9" (H x W)

Details

The Kichler Finn Outdoor Wall Sconce has classic appeal with the traditional broad 'roof' above a cylindrical glass shade. Simple in design and very iconic, the illumination diffuses through the opaque glass, creating an ambient lit atmosphere in your outdoor living space. The glass shade is juxtaposed against dark metalwork, providing a cage for the glass as well as decoration.

Since 1938, Cleveland-based Kichler Lighting has created exceptional lighting in a variety of styles, finishes, colors and designs. With a diverse collection of indoor and outdoor lighting in classic and contemporary styles, Kichler Lighting always focuses on making home lighting that is both beautiful and functional.

The Finn Outdoor Wall Sconce is available with the following:

Details:

- Designed in 2017
- Finish: Black
- Material: Aluminum
- Shade Material: Glass
- Dimmable when used with Standard dimmers(not included)
- ETL Listed Wet
- Made In China

Options:

- Size: Small, Medium, Large

Lighting:

- Small Option: One 72 Watt (1490 Lumens) 120 Volt E26 Medium Base Halogen Lamp(s) (Not Included)
- Medium Option: One 72 Watt (1490 Lumens) 120 Volt E26 Medium Base Halogen Lamp(s) (Not Included)
- Large Option: One 150 Watt (2670 Lumens) 120 Volt E26 Medium Base Incandescent Lamp(s) (Not Included)

Compare Brightness:



[VIEW CHART](#)

Dimensions:

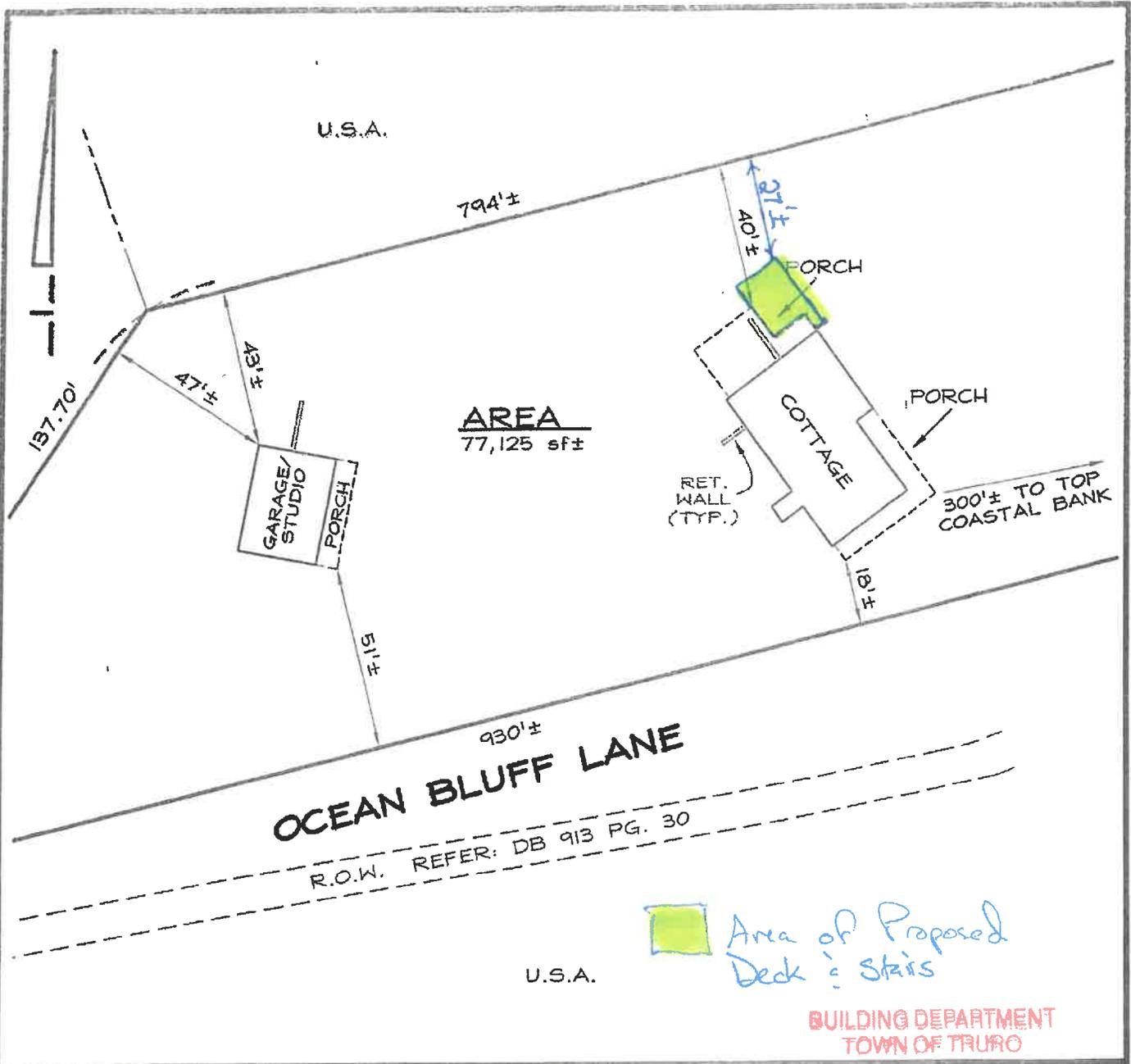
- Large Option Backplate: Diameter 7"
- Large Option Fixture: Width 11", Height 16.25", Depth 12.25", Weight 5.2Lbs

Zoning Table

Rev. 4/13/2023

Zoning District: NSD - Seashore
Assessor's Map 37 Parcel 6

	<u>Prior Approvals</u>	<u>Existing</u>	<u>Proposed</u>
Lot Area	117,113 s.f. (2.689 ac.)	no change	no change
Setback - South	17.04'	17.04'	appr. 9'
Number of Buildings	2	2	2
<u>Lot Coverage:</u>			
Buildings	1,841 s.f.	2,150 s.f.	2,422 s.f.
Decks	1,013 s.f.	860 s.f.	1,406 s.f.
Parking Areas and Driveways	2,824 s.f.	2,824 s.f.	2,824 s.f.
Walkways	1,370 s.f.	1,370 s.f.	1,450 s.f.
Total:	<hr/> 7,048 s.f. (6.0%)	<hr/> 7,204 s.f. (6.2%)	<hr/> 8,102 s.f. (6.9%)
<u>Seashore District T.G.F.A.:</u>			
House (Basement)	0	658 s.f.	1,116 s.f.
House (1st)	1,182 s.f.	1,483 s.f.	1,782 s.f.
Studio / Garage (Basement)	0	0	0
Studio / Garage (1st)	660 s.f.	670 s.f.	670 s.f.
Total:	<hr/> 1,842 s.f.	<hr/> 2,811 s.f.	<hr/> 3,568 s.f.



 Area of Proposed Deck & Stairs

**BUILDING DEPARTMENT
TOWN OF TRURO**

- EXISTING CONDITIONS PLAN -

MAR 28 2023

RECEIVED BY:

LOCATION: 12 OCEAN BLUFF LANE
TRURO, MA

PREPARED FOR: _____

KENNETH KUCHIN

SCALE: 1" = 40' DATE: 1-23-20

REFERENCE: ASSR'S MAP 37 PARCEL 6

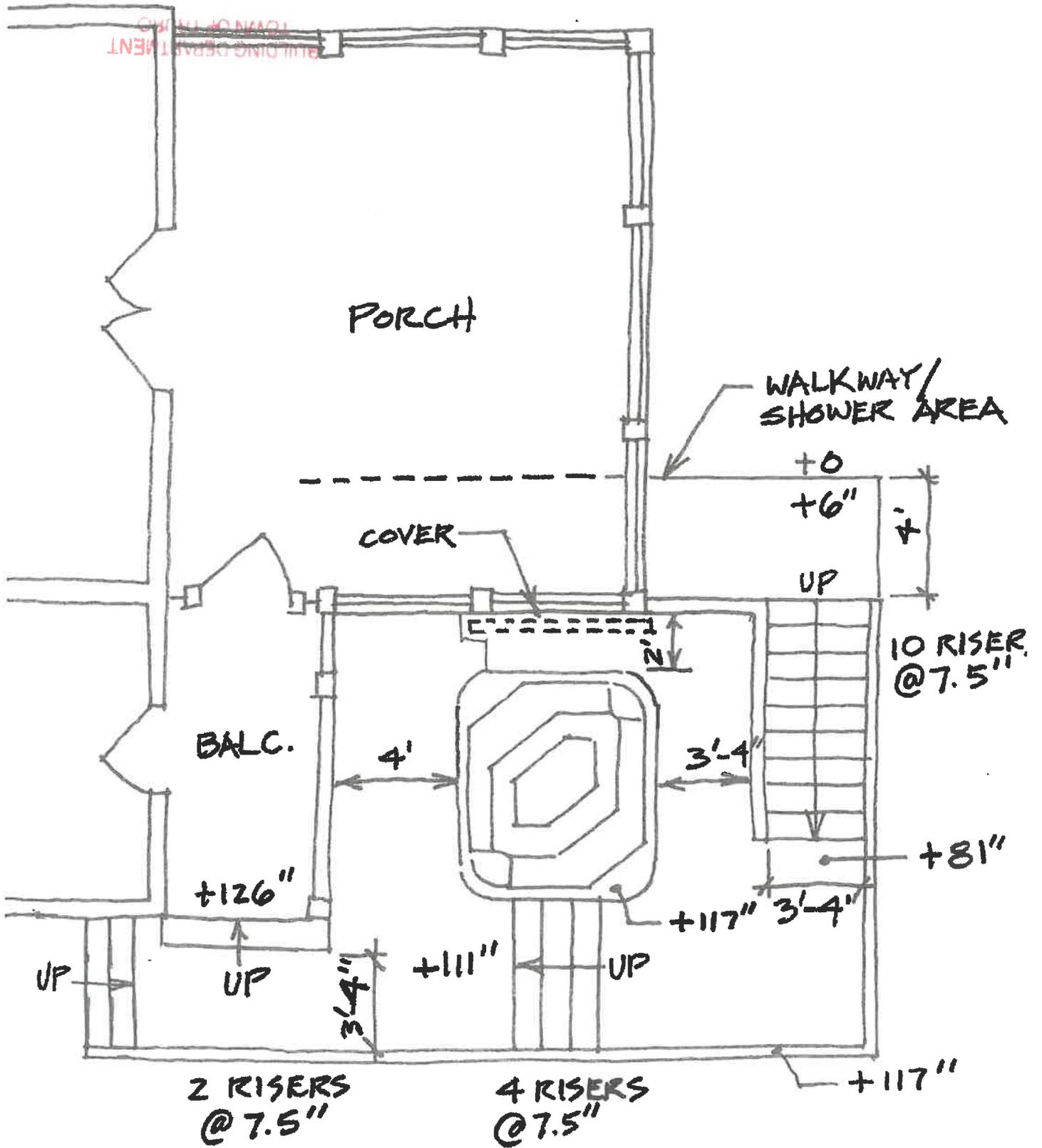
I HEREBY CERTIFY THAT THE BUILDINGS SHOWN ON THIS PLAN ARE LOCATED ON THE GROUND AS SHOWN HEREON.

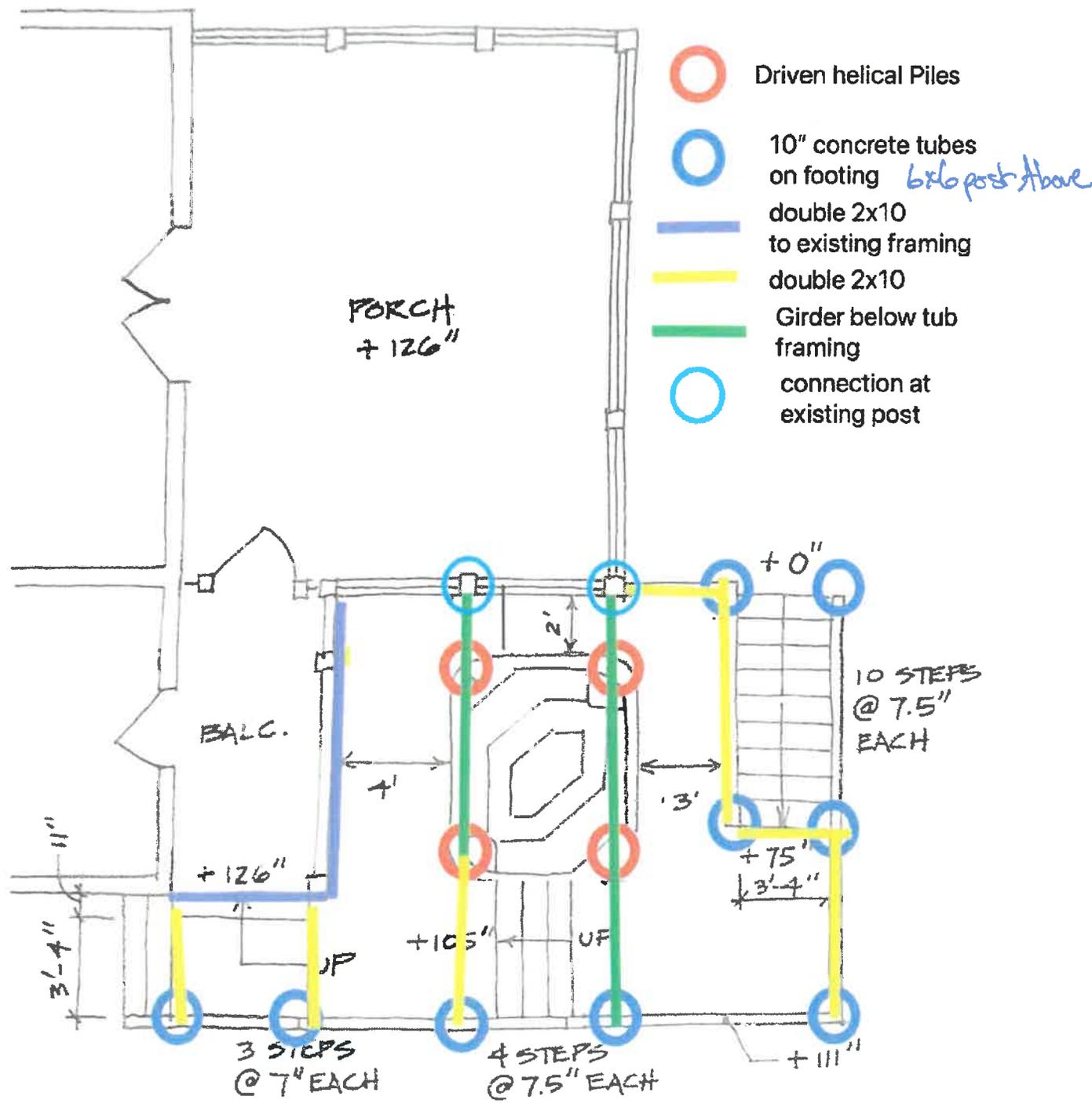
EAST CAPE ENGINEERING INC.
CIVIL ENGINEERS
LAND SURVEYORS
44 RTE. 26 ORLEANS, MASS.
(508) 255-7120


Timothy J. Brady
TIMOTHY J. BRADY P.L.C. DATE

DWG: 1707951T
JOB#: 17-079

RECEIVED BY:
MAR 28 2023
BUILDING DEPARTMENT
TOWN OF HAVEN





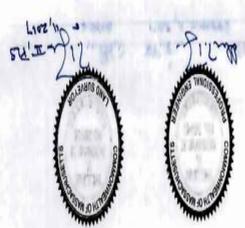
BUILDING DEPARTMENT
TOWN OF TRURO

MAR 28 2023

RECEIVED BY:







STATE OF FLORIDA
 PROFESSIONAL ENGINEER
 LICENSE NO. 12345
 EXPIRES 12/31/2018

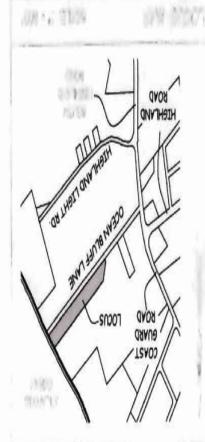
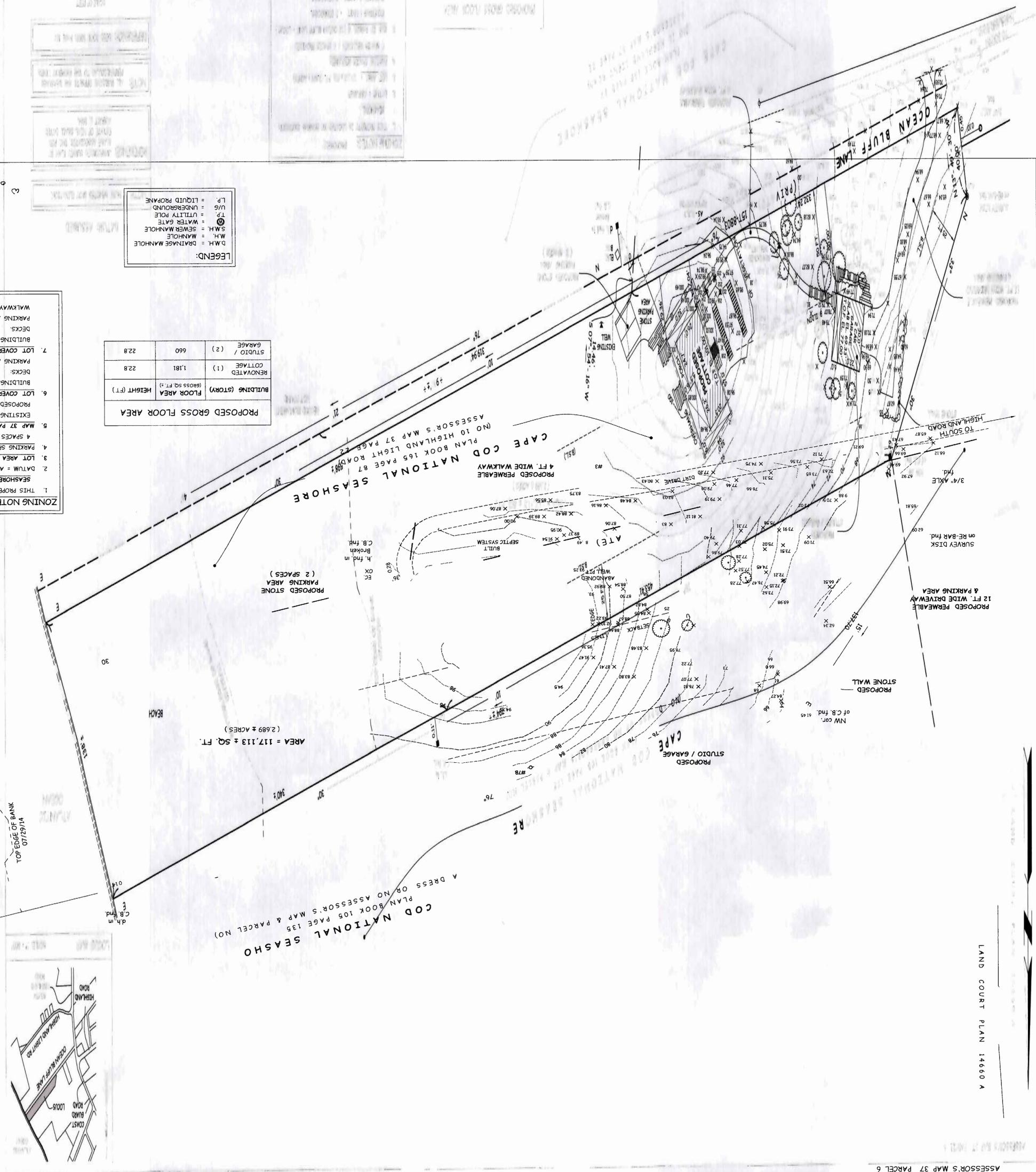
1. PROPOSED PERMITS	1. PERMITS FOR CONSTRUCTION
2. PERMITS FOR UTILITIES	2. PERMITS FOR UTILITIES
3. PERMITS FOR SEWER	3. PERMITS FOR SEWER
4. PERMITS FOR WATER	4. PERMITS FOR WATER
5. PERMITS FOR EROSION CONTROL	5. PERMITS FOR EROSION CONTROL
6. PERMITS FOR TRAFFIC CONTROL	6. PERMITS FOR TRAFFIC CONTROL
7. PERMITS FOR LANDSCAPING	7. PERMITS FOR LANDSCAPING
8. PERMITS FOR SIGNAGE	8. PERMITS FOR SIGNAGE
9. PERMITS FOR FLOOD CONTROL	9. PERMITS FOR FLOOD CONTROL
10. PERMITS FOR HISTORIC PRESERVATION	10. PERMITS FOR HISTORIC PRESERVATION

1. PROPOSED PERMITS	1. PERMITS FOR CONSTRUCTION
2. PERMITS FOR UTILITIES	2. PERMITS FOR UTILITIES
3. PERMITS FOR SEWER	3. PERMITS FOR SEWER
4. PERMITS FOR WATER	4. PERMITS FOR WATER
5. PERMITS FOR EROSION CONTROL	5. PERMITS FOR EROSION CONTROL
6. PERMITS FOR TRAFFIC CONTROL	6. PERMITS FOR TRAFFIC CONTROL
7. PERMITS FOR LANDSCAPING	7. PERMITS FOR LANDSCAPING
8. PERMITS FOR SIGNAGE	8. PERMITS FOR SIGNAGE
9. PERMITS FOR FLOOD CONTROL	9. PERMITS FOR FLOOD CONTROL
10. PERMITS FOR HISTORIC PRESERVATION	10. PERMITS FOR HISTORIC PRESERVATION

LEGEND:
 DMH = DRAINAGE MANHOLE
 SMH = SEWER MANHOLE
 MH = MANHOLE
 WG = WATER GATE
 UP = UTILITY POLE
 U/G = UNDERGROUND
 LP = LIQUID PROPANE

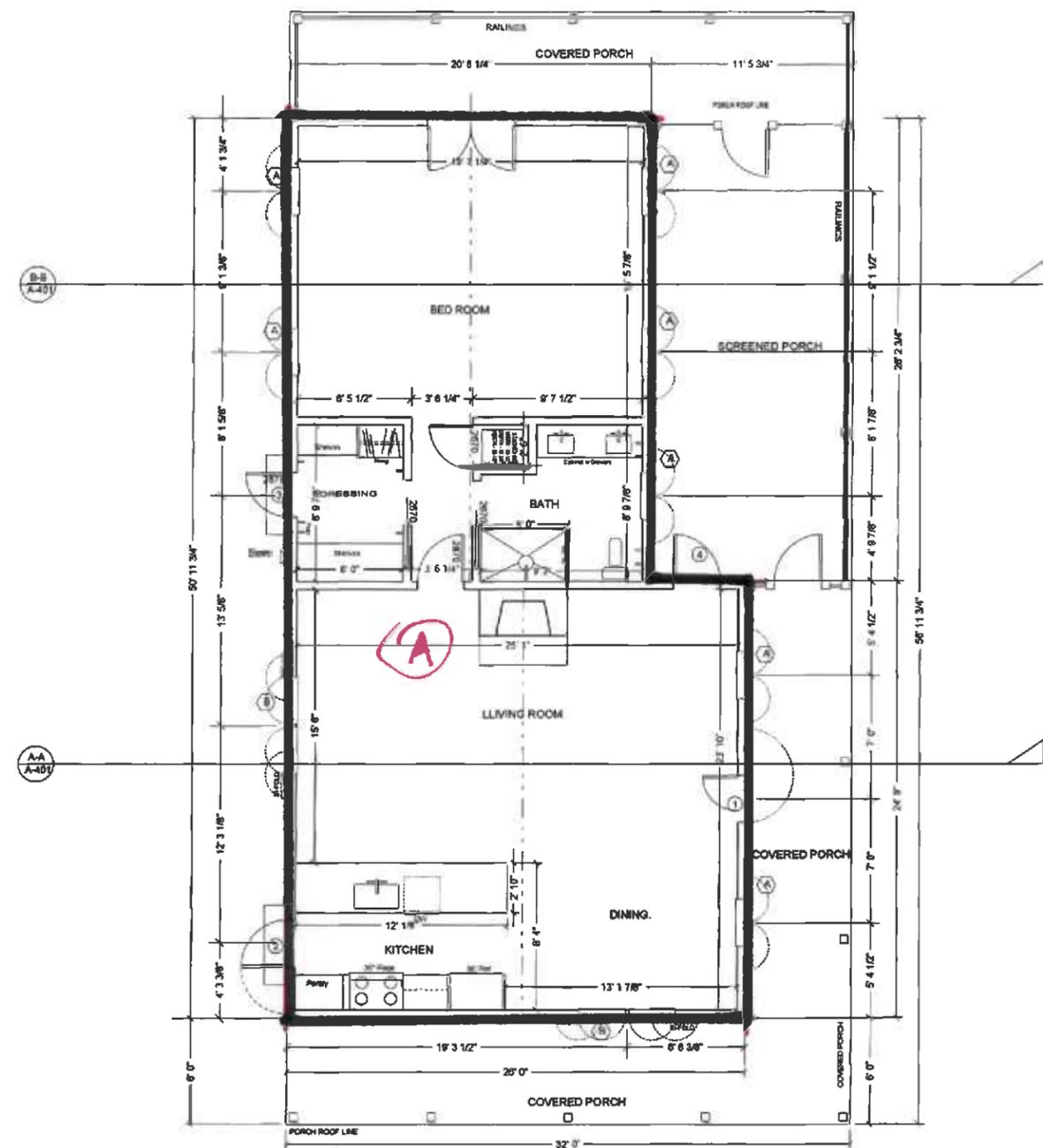
PROPOSED GROSS FLOOR AREA	FLOOR AREA HEIGHT (FT.)	STUDIO / GARAGE (2)	660	22.8
		RENOVATED COTTAGE (1)	1,181	22.8

- ZONING NOTES:**
1. THIS PROPERTY
 2. DATUM = ASSUMED
 3. LOT AREA = 11
 4. PARKING SPACES
 5. MAP 37 PARCEL
 6. EXISTING 1 UN
 7. PROPOSED 2 UN
 8. LOT COVERAGE
 9. BUILDINGS
 10. DECKS
 11. PARKING AREA
 12. BUILDINGS
 13. DECKS
 14. PARKING AREA
 15. BUILDINGS
 16. DECKS
 17. PARKING AREA
 18. BUILDINGS
 19. DECKS
 20. PARKING AREA
 21. BUILDINGS
 22. DECKS
 23. PARKING AREA
 24. BUILDINGS
 25. DECKS
 26. PARKING AREA
 27. BUILDINGS
 28. DECKS
 29. PARKING AREA
 30. BUILDINGS
 31. DECKS
 32. PARKING AREA
 33. BUILDINGS
 34. DECKS
 35. PARKING AREA
 36. BUILDINGS
 37. DECKS
 38. PARKING AREA
 39. BUILDINGS
 40. DECKS
 41. PARKING AREA
 42. BUILDINGS
 43. DECKS
 44. PARKING AREA
 45. BUILDINGS
 46. DECKS
 47. PARKING AREA
 48. BUILDINGS
 49. DECKS
 50. PARKING AREA



LAND COURT PLAN 14660 A

1



1,182 sq

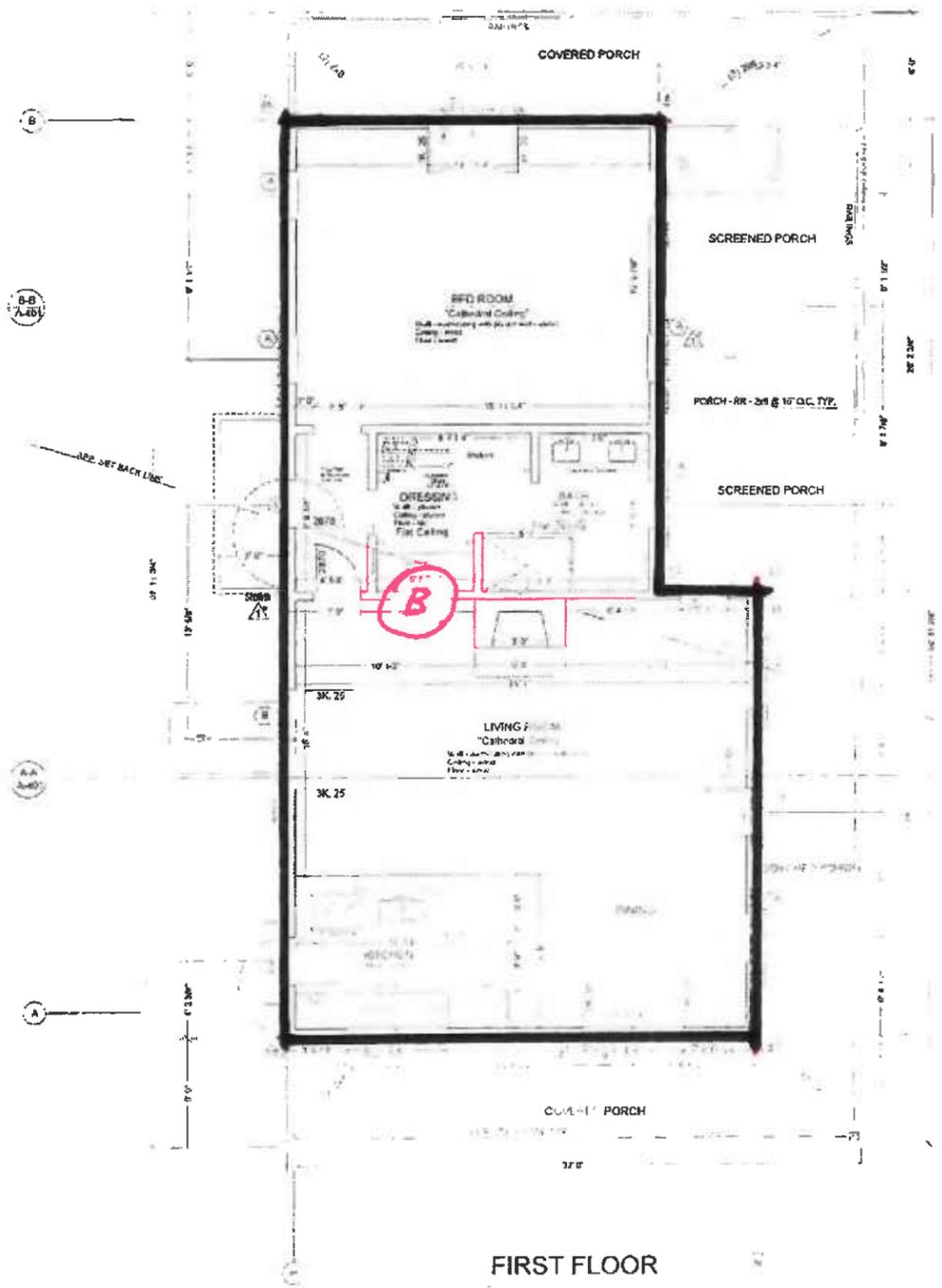
FIRST FLOOR

COTTAGE BASEMENT	1,182 SQ FT
COTTAGE 1ST	1,182 SQ FT
COVERED PORCH AREA	650 SQ FT

9/5/2017

SCHULZ / PHABODY Design Group P.O. BOX 2307 SOUTHAMPTON, NEW YORK 11969 (516) 283-7351 (EMAIL: MPPHAB@aol.com)		DATE
Kuchin/Morgan Residence 12 Ocean Bluff Lane Truro, MA.		2017/04/07 2017/04/18 2017/05/08 2017/09/05
FIRST FLOOR		SHEET
SCALE 1/8" = 1'		A-202

3



1,182

FIRST FLOOR

NOTES: - PORCH FRAM -
WIND DESIGN 110MPH EXPC.

5/20/2018

SLIHL/ ARCHY Design Group
P.O. BOX 110
SOUTHAMPTON, NEW YORK 11969
(516) 467-1111 FAX: (516) 467-1101

Kurbin/Morgan Residence
12 Ocean Bluff Lane
Truro, MA.

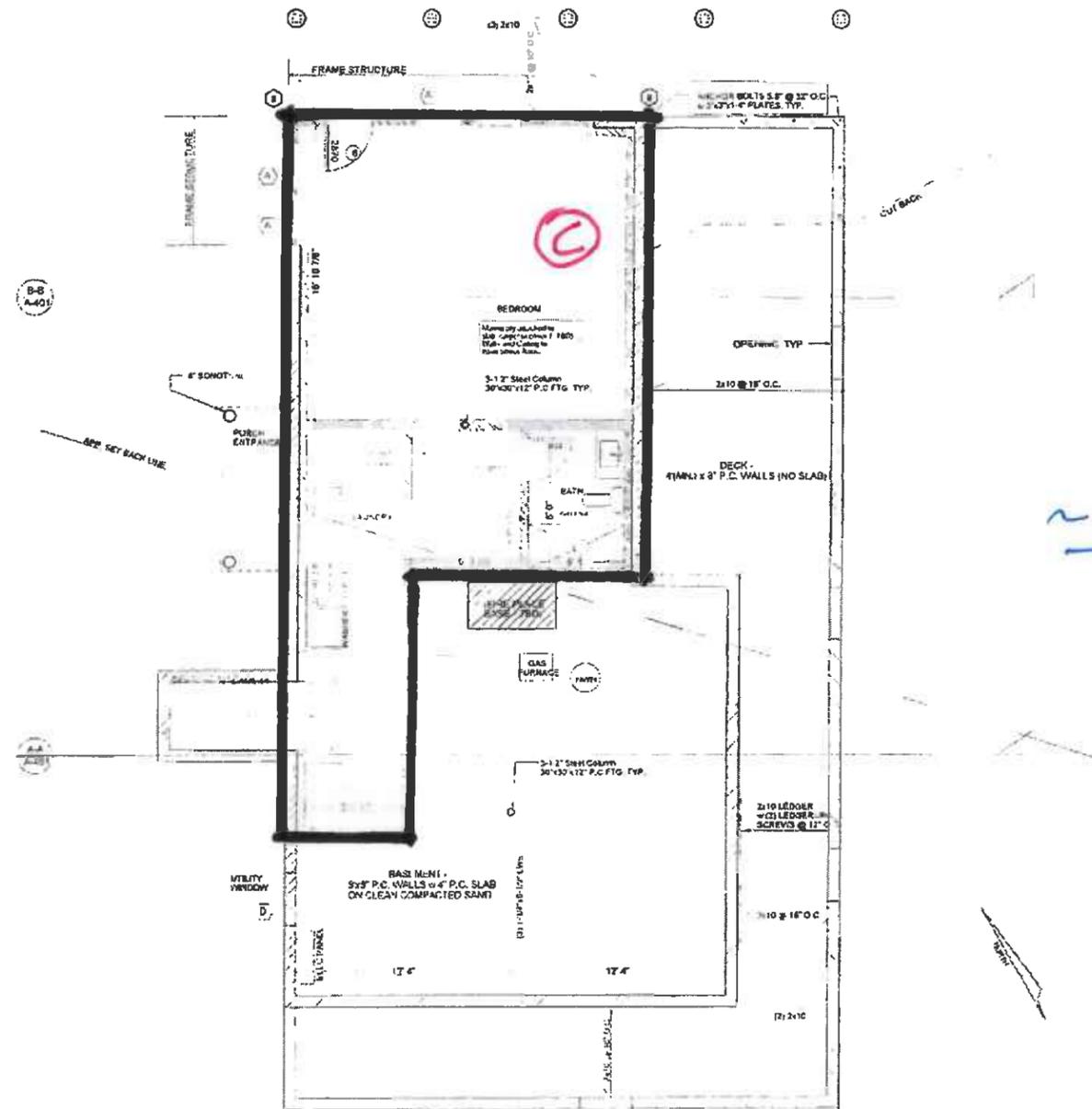
DATE
10/20/07
02/04/10
2017 08 26
2017 09 13
2017 11 30
2018 03 15
2018 05 20

FIRST FLOOR

SCALE 1/4" = 1'-0"

SHEET
A-20

4



BASEMENT PLAN

NOTES: - PORCH FRAM -
WIND DESIGN 110MPH EXPC

5/20/2018

SCHULTZ PLANNING ENGINEERS
P.O. BOX 2507
SOUTHAMPTON, NEW YORK 11967
(516) 284-7244 FAX (516) 284-7244

Kuchin/Morgan Residence
17 Ocean Bluff Lane
Truro, MA.

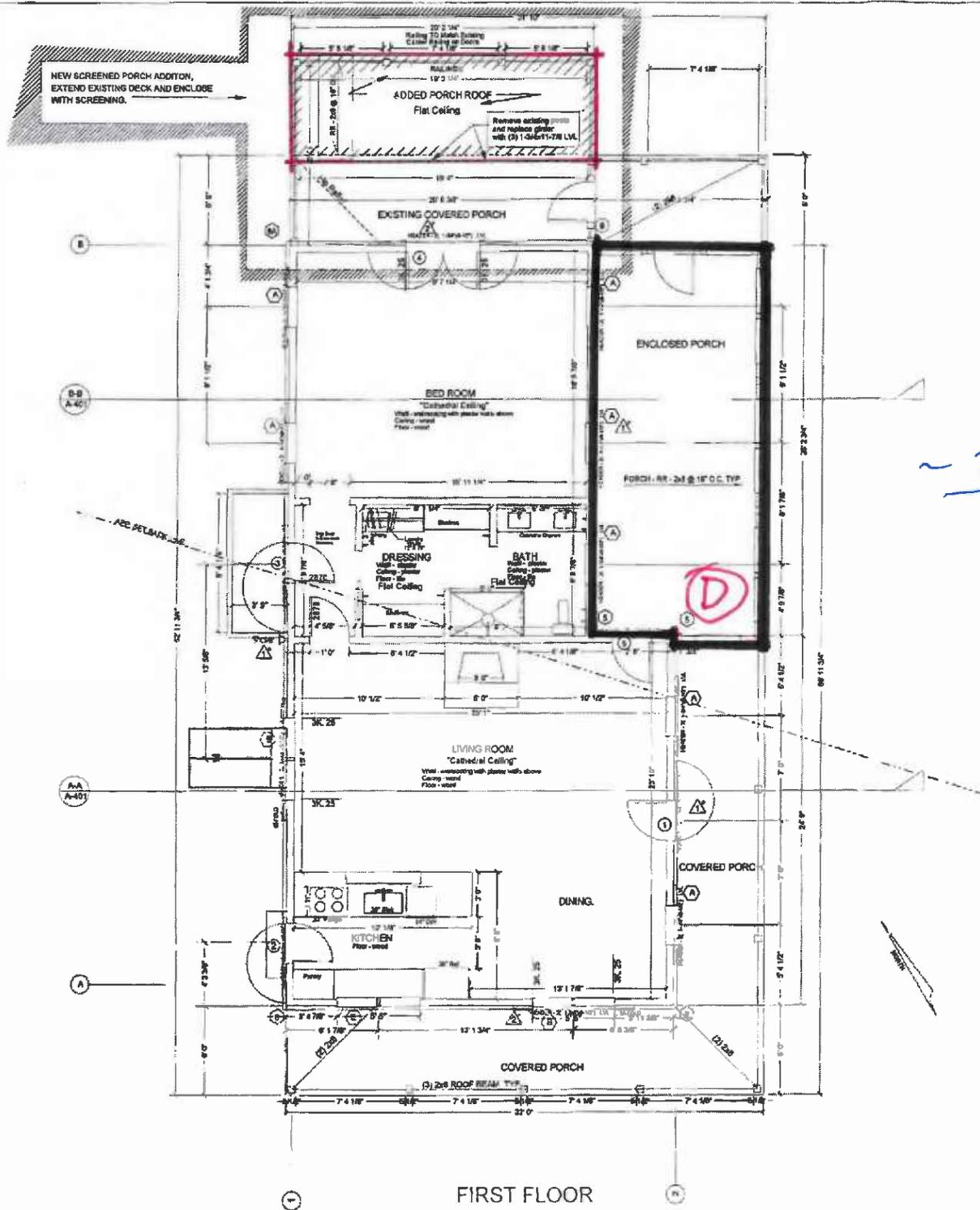
DATE
20170407
20170516
20170830
20170913
20171130
20180115
20180420

BASEMENT PLAN

SCALE 1" = 4'

B-1607
A-200a

5.

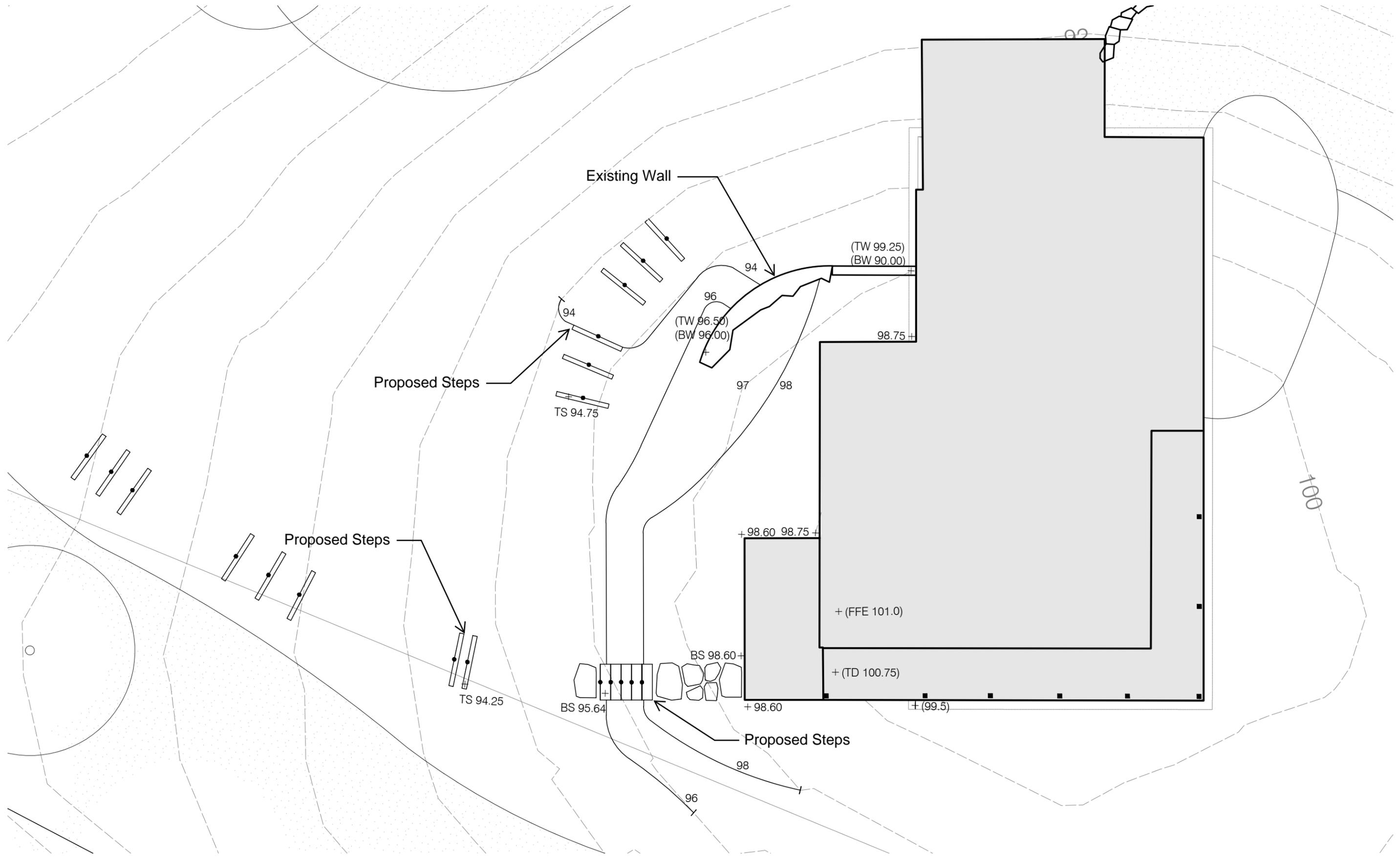


~ 301

FIRST FLOOR

10/9/2019

SCHULZ / PEABODY Design Group P.O. BOX 2307 SOUTHAMPTON, NEW YORK 11969 (631) 285-9251 (EMAIL: info@schulzpea.com)	
Kuchin/Moran Residence 12 Ocean Bluff Lane Truro, MA.	DATE 20170407 20170418 20170520 20170913 20171120 20180316 20180520 20181008
FIRST FLOOR	



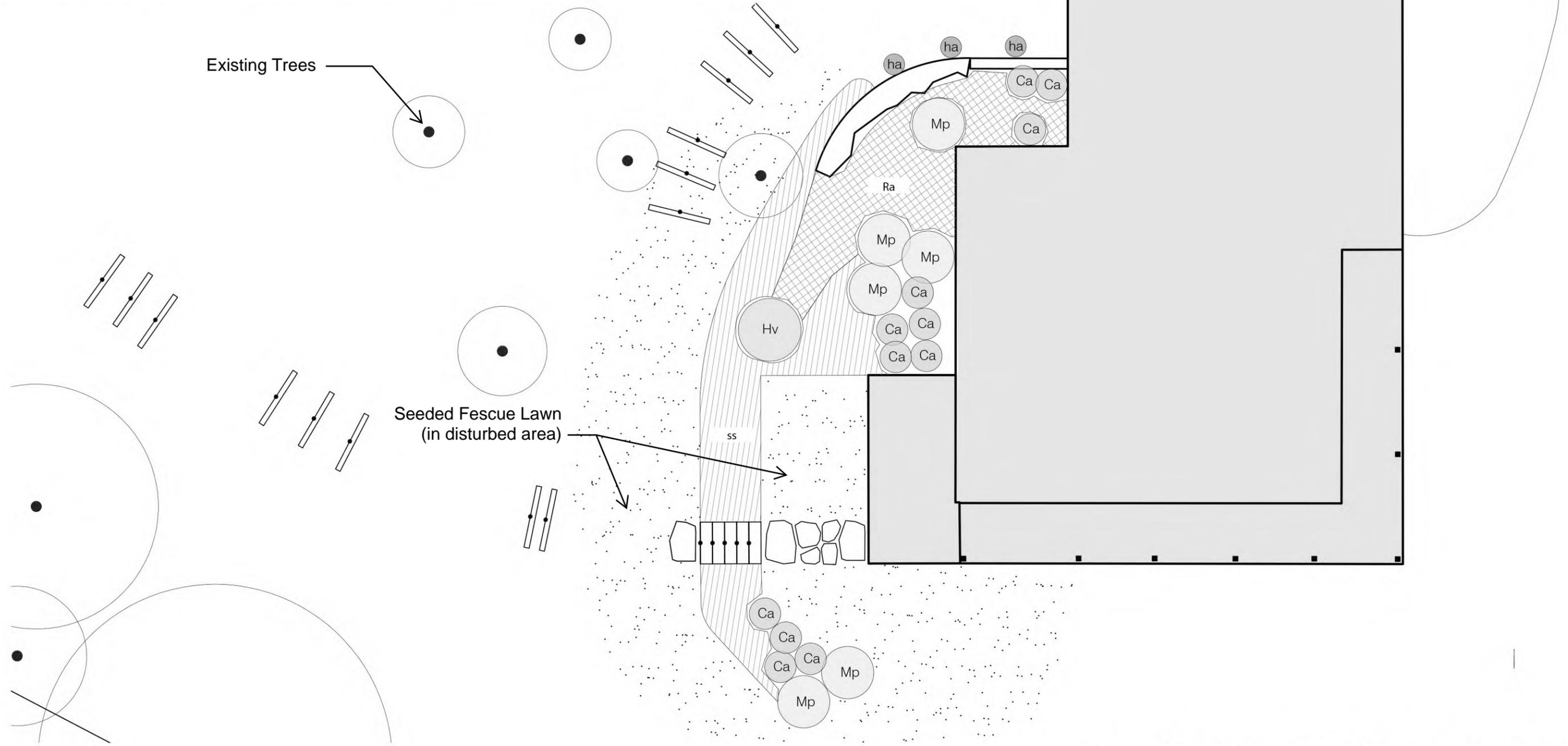
GRADING PLAN
 Rowe Jacobson
 12 Ocean Bluff Lane
 Truro, MA
 March 27, 2023

LJ LEBLANC JONES LANDSCAPE ARCHITECTS, INC.
 535 Albany Street No 5A | Boston, MA 02118 | 617.426.6475 | leblancjones.com

Scale 1" = 10'

0' 10' 15'

PLANT LIST						
DECIDUOUS SHRUBS						
CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	SPACING
Ca	12	<i>Clethra alnifolia</i> 'Hummingbird'	Hummingbird Summersweet	#5	cont.	3' o.c.
Hv	1	<i>Hamamelis virginiana</i>	Common Witch-hazel	4' Ht.	cont.	6' o.c.
Mp	6	<i>Myrica pensylvanica</i>	Northern Bayberry	#5	cont.	5' o.c.
Ra	15	<i>Rhus aromatica</i> 'Grow Low'	Grow Low Sumac	#1	cont.	36" o.c.
VINES AND GRASES						
CODE	QTY	BOTANICAL NAME	COMMON NAME	SIZE	CONDITION	SPACING
ha	3	<i>Hydrangea anomala petiolaris</i>	Climbing Hydrangea	#1	cont.	
ss	50	<i>Schizachyrium scoparium</i>	Little Bluestem		plug	18" o.c.

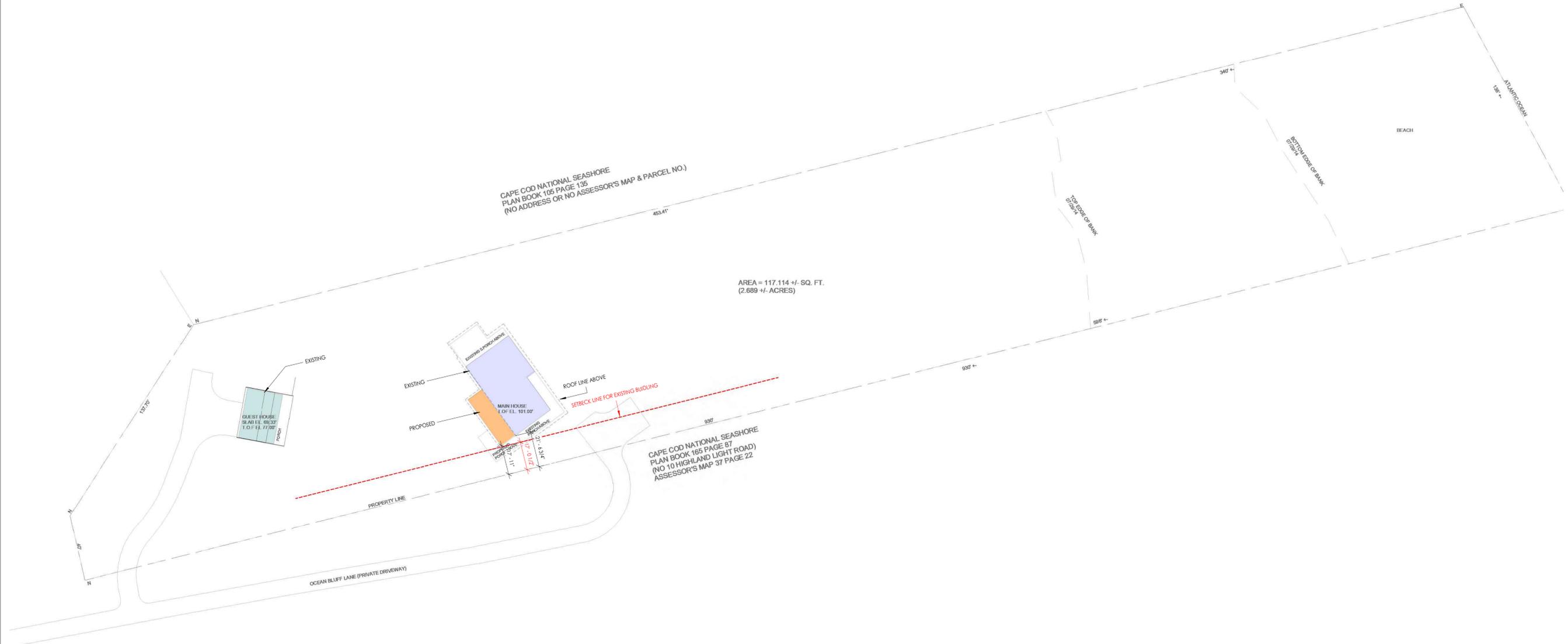


PLANTING PLAN
 Rowe Jacobson
 12 Ocean Bluff Lane
 Truro, MA
 March 27, 2023

LEBLANC JONES LANDSCAPE ARCHITECTS, INC.
 535 Albany Street No 5A | Boston, MA 02118 | 617.426.6475 | leblancjones.com

Scale 1" = 10'

0' 10' 15'



ROWE JACOBSON
12 Ocean Bluff, North Truro MA

ISSUE DATES:

PERMIT SET: 09/07/22
IFC: 09/07/22

REVISIONS:

2	10.13.22	Issue for Permitting
3	11.29.22	Revision
4	12.21.22	Revision

DRAWN BY: SA
CHECKED BY: JN

ARCHITECTURAL
SITE PLAN

ISSUE DATES:

PERMIT SET: 09/07/22

IFC 09/07/22

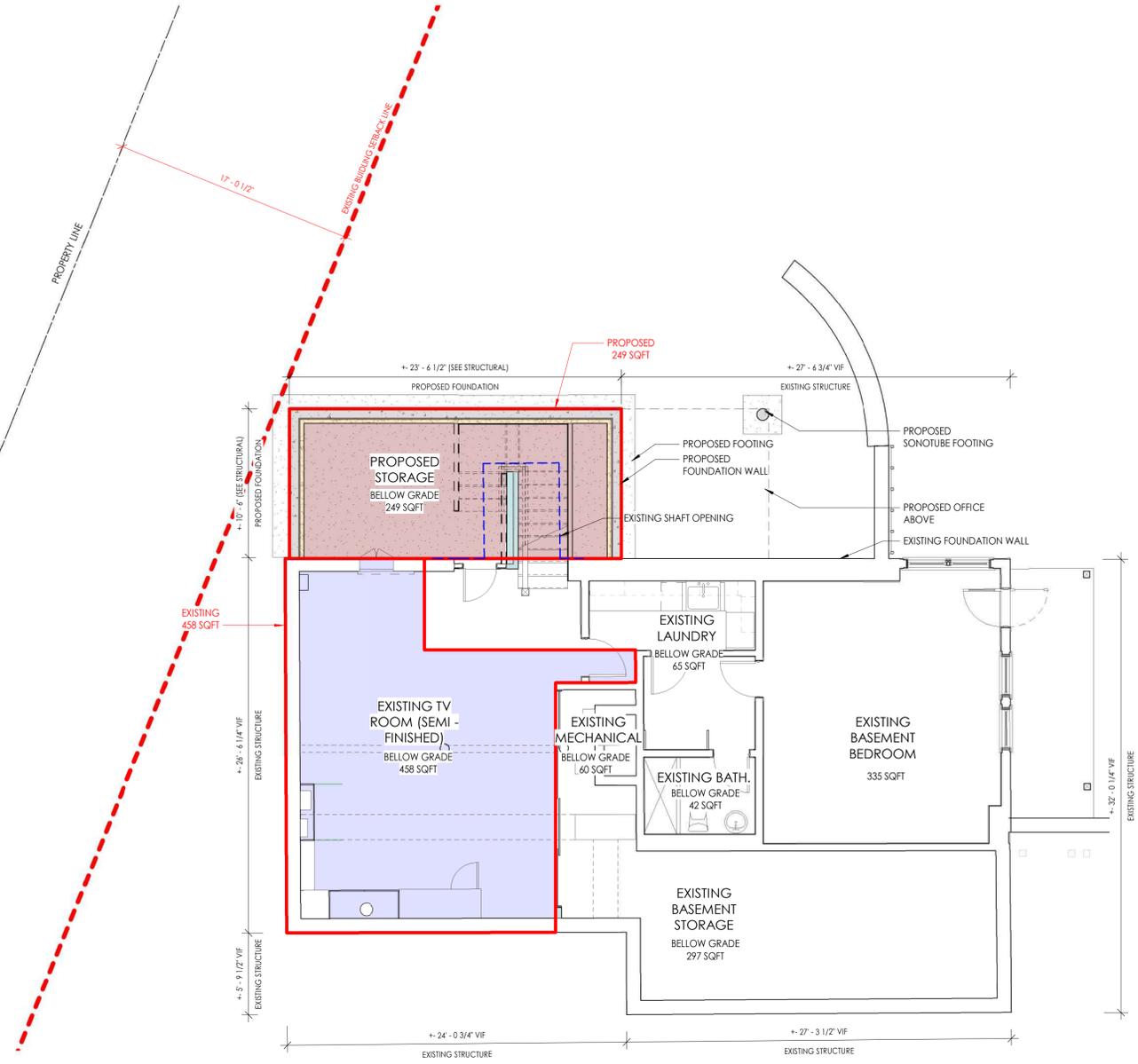
REVISIONS:

1	09.07.22	Issue for Permitting
2	10.13.22	Issue for Permitting
3	11.29.22	Revision
4	12.21.22	Revision

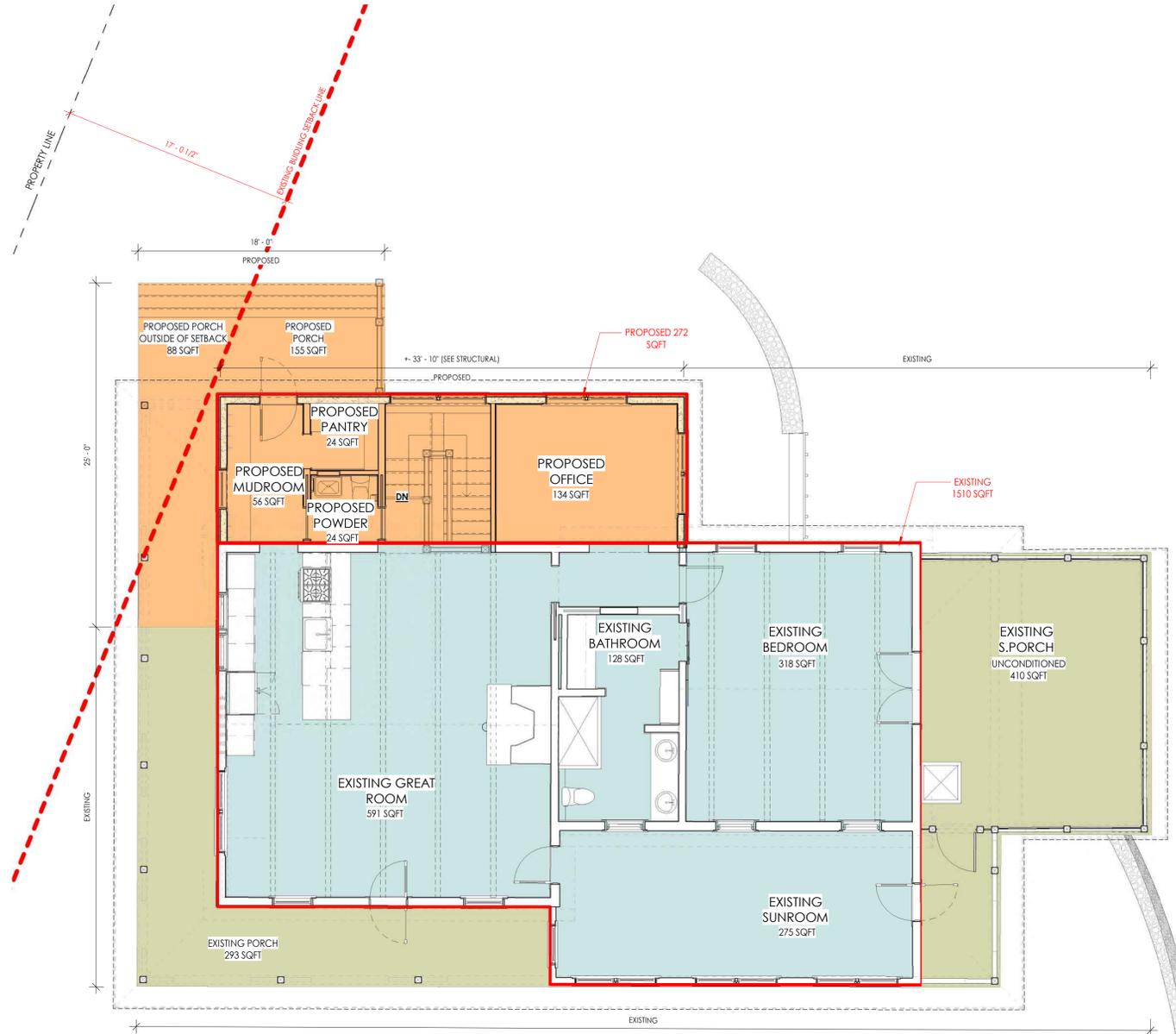
DRAWN BY: SA
CHECKED BY: JN

MAIN HOUSE
AREA STUDY

A030

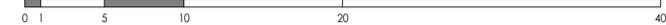


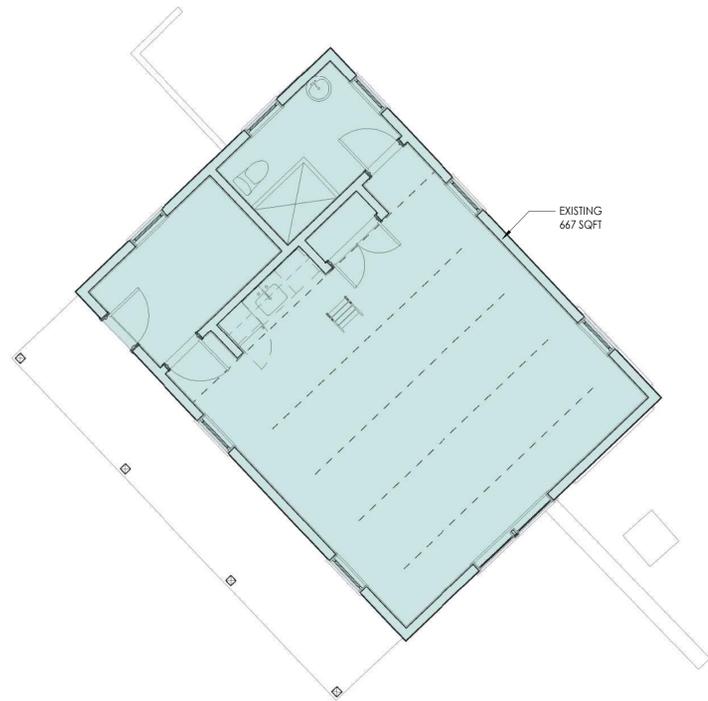
2 MAIN HOUSE AREA STUDY BASEMENT PLAN
3/16" = 1'-0"



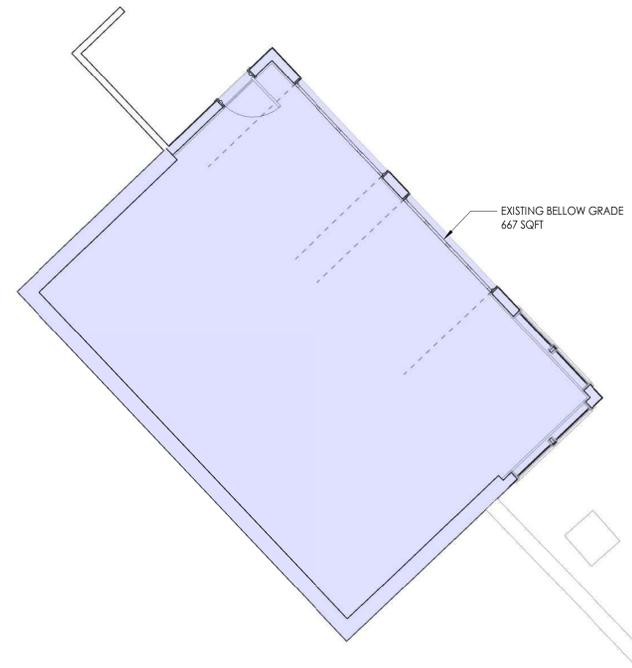
1 MAIN HOUSE AREA STUDY FIRST FLOOR
3/16" = 1'-0"

3/16" = 1'-0"

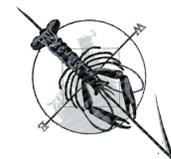
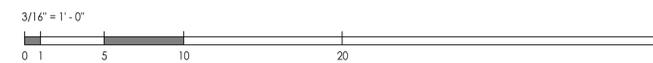




② GUEST HOUSE AREA STUDY FIRST FLOOR
3/16" = 1'-0"



① GUEST HOUSE AREA STUDY GARAGE
3/16" = 1'-0"



ROWE JACOBSON
12 Ocean Bluff, North Truro MA

ISSUE DATES:

PERMIT SET:	09/07/22
IFC:	09/07/22

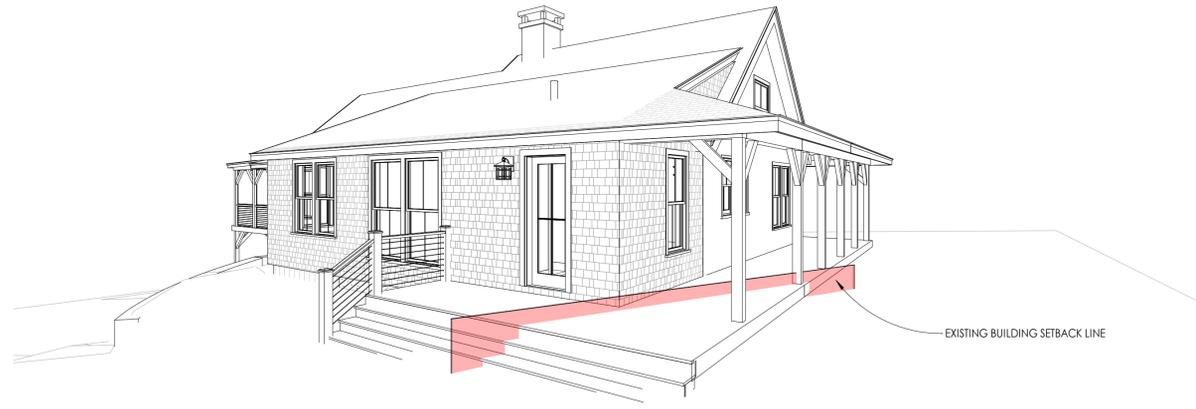
REVISIONS:

2	10.13.22	Issue for Permitting

DRAWN BY: SA
CHECKED BY: JIN

GUEST HOUSE
AREA STUDY

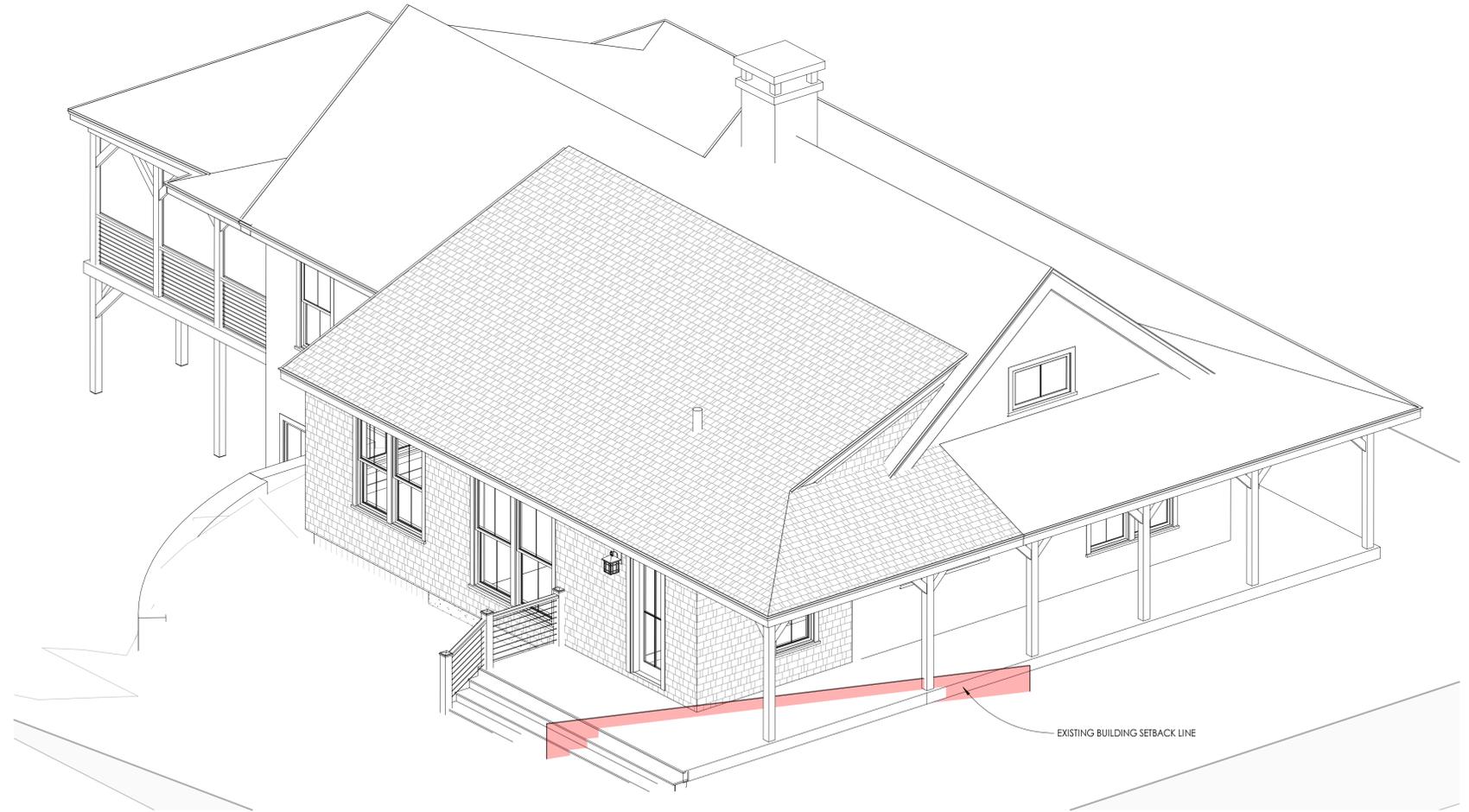
A031



3 EXTERIOR PERSPECTIVE 2 W. SETBACK LINE



2 EXTERIOR PERSPECTIVE 1 W. SETBACK LINE



1 AXONOMETRIC VIEW 1 W. SETBACK LINE

ROWE JACOBSON
12 Ocean Bluff, North Truro MA

ISSUE DATES:
PERMIT SET: 09/07/22
IFC: 09/07/22

REVISIONS:	
1	09.07.22 Issue for Permitting
2	10.13.22 Issue for Permitting
4	12.21.22 Revision

DRAWN BY: SA
CHECKED BY: JN

3D VIEWS
EXTERIOR

A040

14/07/22 2:13:27 PM

11 BENTON AVENUE
FAUCONIA, MA 02446
508-548-9107
jill@jillneubauer.com
jillneubauer.com

ROWE JACOBSON
12 Ocean Bluff, North Truro MA

ISSUE DATES

PERMIT SET	08/07/22
PC	08/07/22

REVISIONS

1	10.12.22	Issue for Planning
2	11.29.22	Revision
3	12.27.22	Revision
4		
5		
6		
7		
8		
9		
10		

DRAWN BY: SA
CHECKED BY: JN



ARCHITECTURAL
SITE PLAN

A020

