



TOWN OF TRURO

P.O. Box 2030, Truro, MA 02666
Tel: 508-349-7004 Fax: 508-349-5505

ZONING BOARD OF APPEALS Agenda

DATE OF MEETING: Monday, June 22, 2020
TIME OF MEETING: 5:30 pm
LOCATION OF MEETING: Remote Meeting
www.truro-ma.gov

Open Meeting

This will be a remote meeting. Citizens can view the meeting on Channel 18 in Truro and on the web via 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 of the page. To provide comment during the meeting please call in toll free at 1-877-309-2073 and enter the following access code when prompted: 731-502-061. Please note that there may be a slight delay (15-30 seconds) between the meeting and the live stream and television broadcast. If you are watching the meeting and calling in, please lower the volume on your computer or television during public comment so that you may be heard clearly. We ask that you identify yourself when calling in to help us manage multiple callers effectively. Citizens may also provide public comment for this meeting by emailing the Town Planner at jribeiro@truro-ma.gov with your comments.

Public Hearing – Continued

2020-001/ZBA – Charles Silva for property located at 379 Shore Road (Atlas Map 10, Parcel 10, Registry of Deeds title reference: Book 24602, Page 48). Applicant seeks a Special Permit under Section 30.7.A of the Truro Zoning Bylaw for the demolition and reconstruction of a pre-existing, non-conforming cottage.

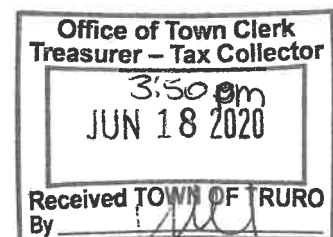
Board Action/Review

Discussion of future meeting dates.

Approval of Minutes

November 5, 2018
November 26, 2018
May 18, 2020

Adjourn



FY1 ZONING BOARD OF APPEALS

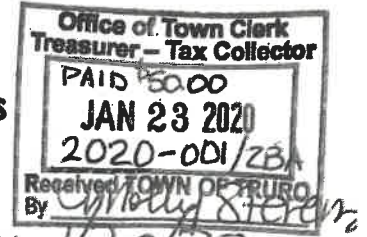
cc: Jeffrey Ribeiro - planner
Richard Stevens - building

TOWN OF TRURO



BOARD OF APPEALS

APPLICATION FOR HEARING



To the Town Clerk of the Town of Truro, MA

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

☒ 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 By-law or the Massachusetts Zoning Act.

☐ PETITION FOR VARIANCE - Applicant requests a variance from the terms Section _____ of the Truro Zoning By-law concerning (describe) _____.

☒ APPLICATION FOR SPECIAL PERMIT

☐ Applicant seeks approval and authorization of uses under Section _____ of the Truro Zoning By-law concerning (describe) _____.

☒ Applicant seeks approval for a continuation, change, or extension of a nonconforming structure or use under

Section 30.7A of the Truro Zoning By-law and M.G.L. ch.40A, §6 concerning (describe) Removal of red flat roof cottage, rebuild story and half House using existing foundations

Property Address 379 Shore Rd.

Map(s) and Parcel(s) 10-10

Registry of Deeds title reference: Book 241002, Page 48

or Certificate of Title Number _____

and Land Ct. Lot # _____ and Plan # _____

Applicant's Name Charles Silva

Applicant's Legal Mailing Address 39 Shaps way rd Provincetown MA 02657

Applicant's Phone(s), Fax and Email 774-722-1467, CTS Framing@hotmail.com

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

☒ Owner

☐ Prospective Buyer*

☐ Other*

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

Owner's Name and Address _____

Representative's Name and Address _____

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

Applicant(s)/Representative Signature _____

Owner(s) Signature or written permission _____

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

Applications must be typed or printed clearly with black or blue ink.

PROJECT at 379 SHORE ROAD

The cottage at 379 Shore Road was moved from Highland Light in 1980. Flimsy construction and deterioration from the environment over years has made the building unrepairable. We are asking to carefully demolish cottage but keep existing foundation. We will rebuild cottage as story and half, insulated year round capable building, according to plans provided and in keeping with the neighborhood.

Demolition will be done by hand and with an excavator to move debris into dumpsters. Along East facing wall are couple hedge bushes and a scrub pine that will need to be removed or cut flush to ground to allow construction. Along this wall and North wall I propose a 7 foot work limit delineated with orange plastic fence to stop debris movement. Facing the street is small row of Regosa Rose and remnants of a fence. I am asking to remove both to allow access to building and also increase parking space away from busy street by only four (4) feet.

Along the West wall is a wooden retaining wall that needs replacement with similar structure timber wall as shown on Plan. This area is overgrown and I am asking to clear brush back to be in line with back of building. It was this way but overgrown in last ten (10) years.

During construction all materials will be stored in front parking area or within building. A dumpster will be onsite during work at all times and covered at night to prevent debris being blown away.

I plan to install gutters and downspouts to either dry wells or small French drain system.

In 2009 I submitted the exact same plans and were fully approved by this Board all in favor. I'm not increasing bedrooms or footprint and using existing foundation. There should be no excavation or fill needed on this job. This Plan is identical to what was approved in 2009.

Thank you for your consideration.

Chuck Silva



TOWN OF TRURO

Assessors Office Certified Abutters List Request Form

RECEIVED

JAN 21 2020

ASSESSOR'S OFFICE
TOWN OF TRURO

NAME OF APPLICANT:

Charles Silva

DATE:

1/20/20

NAME OF AGENT (if any):

MAILING ADDRESS:

39 Ships Wy & D. Ptown MA 02657

CONTACT:

HOME/CELL

774 722 1467

EMAIL

ctsframes@hotmail.com

PROPERTY LOCATION:

379 Shore Rd.

(street address)

PROPERTY IDENTIFICATION NUMBER: MAP

10

PARCEL

10

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)

☐ Board of Health⁵

☐ Planning Board (PB)

☐ Zoning Board of Appeals (ZBA)

☐ Cape Cod Commission

☐ Special Permit¹

☒ Special Permit¹

☐ Conservation Commission⁴

☐ Site Plan²

☐ Variance¹

☐ Licensing

☐ Preliminary Subdivision³

Type:

☐ Definitive Subdivision³

☐ Accessory Dwelling Unit (ADU)²

☐ Other

(Please Specify)

(Fee: Inquire with Assessors)

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

THIS SECTION FOR ASSESSORS OFFICE USE ONLY

Date request received by Assessors:

Jan 21, 2020

Date completed:

Jan 21, 2020

List completed by:

[Signature]

¹Abutters, owners of land directly opposite on any public or private street or way, and abutters to the abutters within three hundred 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.

⁴All abutters within 300 feet of parcel, except Beach Point between Knowles Hgts Rd & 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: January 21, 2020

To: Charles Silva

From: Assessors Department

Certified Abutters List: 379 Shore Road, Map 10 Parcel 10

Special Permit, Zoning Board of Appeals

Attached is a combined list of abutters for the property located at 379 Shore Road. The current owner is Charles T. Silva.

The names and addresses of the abutters are as of January 17, 2020 according to the most recent documents received from the Barnstable County Registry of Deeds.

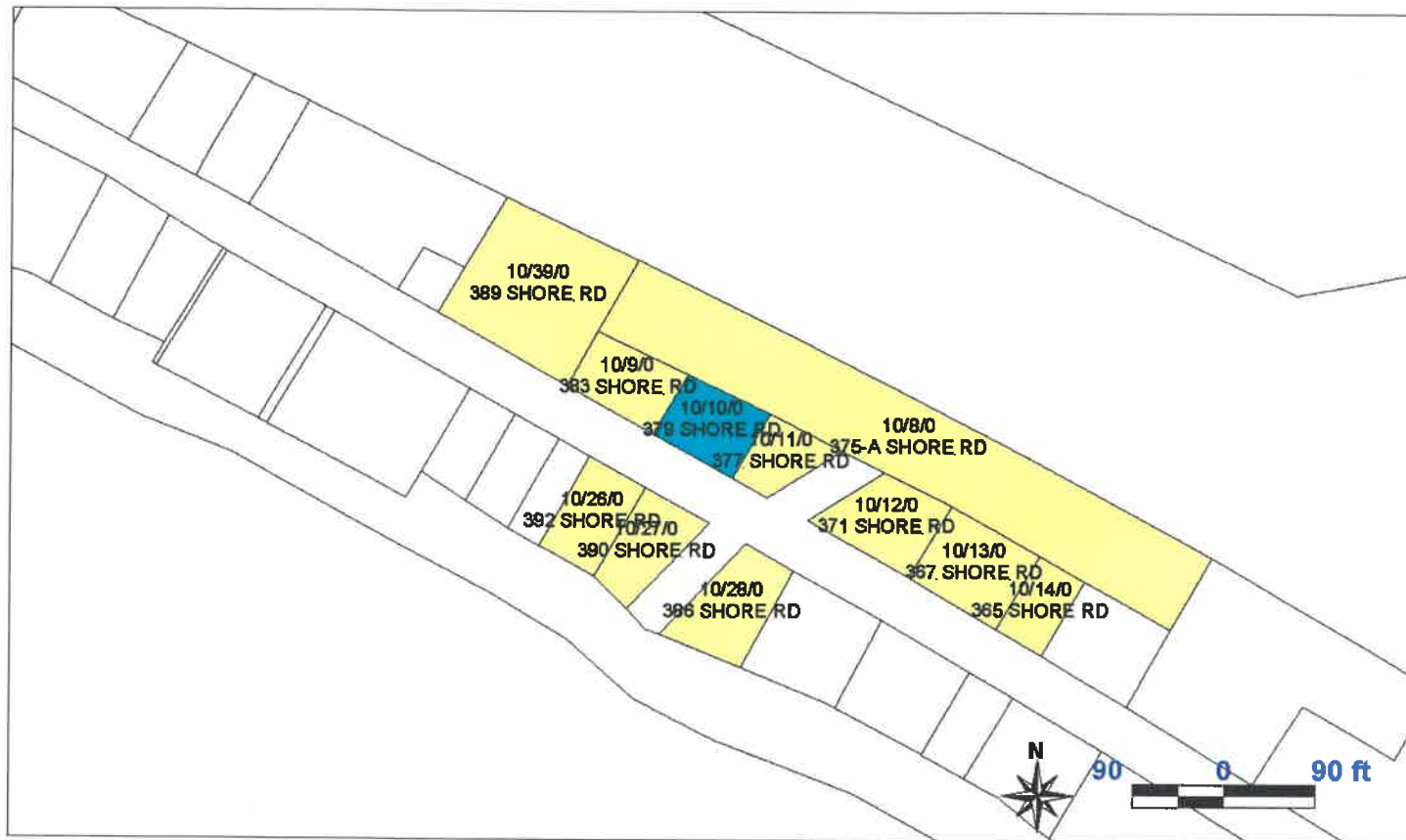
Certified by: _____

Laura Geiges
Assistant Assessor

379 Shore Road
 Special Permit, Zoning Board of Appeals
 Map 10 Parcel 10

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

Custom Abutters List



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
303	10-8-0-R	HIGHLAND MOORS 20 REALTY TRUST TRS: SILVA CHARLES W & HELEN T	375-A SHORE RD	39 SHIPS WAY ROAD	PROVINCETOWN	MA	02657
304	10-9-0-R	WILLIAM & BLANCHE SHANLEY TRST TRS: SHANLEY WILLIAM & BLANCHE	383 SHORE RD	326 COUNTRY CLUB RD	AVON	CT	06001
306	10-11-0-R	390 SHORE ROAD REALTY TRUST TRS: WILLIAM J SEMPOLINSKI	377 SHORE RD	98 BEACH ST	QUINCY	MA	02170
307	10-12-0-R	HIGHLAND MOORS 20 REALTY TRUST TRS: SILVA CHARLES W & HELEN T	371 SHORE RD	39 SHIPS WAY ROAD	PROVINCETOWN	MA	02657
308	10-13-0-R	RIDOLFI EDWARD JR & CHRISTINE	367 SHORE RD	140 W NEWTON ST	BOSTON	MA	02118
309	10-14-0-R	GAROFALO ANGELO A	365 SHORE RD	P O BOX 3249	SPRING HILL	FL	34611-3249
321	10-26-0-R	GOLDBERG RICHARD	392 SHORE RD	95 MILL HILL RD	WELLFLEET	MA	02667
322	10-27-0-R	390 SHORE ROAD REALTY TRUST TRS: WILLIAM J SEMPOLINSKI	390 SHORE RD	98 BEACH ST	QUINCY	MA	02170
323	10-28-0-R	386 SHORE ROAD REALTY TRUST TRS: SILVA CHARLES W & HELEN T	386 SHORE RD	39 SHIPS WAY RD	PROVINCETOWN	MA	02657
332	10-39-0-R	STEPHEN P BERNARDI TRUST 2013 BERNARDI STEPHEN P & DIANE M	389 SHORE RD	250 GROVE ST	FRAMINGHAM	MA	01701

LG 1/21/20

10-8-0-R

HIGHLAND MOORS 20 REALTY TRUST
TRS: SILVA CHARLES W & HELEN T
39 SHIPS WAY ROAD
PROVINCETOWN, MA 02657

10-9-0-R

WILLIAM & BLANCHE SHANLEY TRST
TRS: SHANLEY WILLIAM & BLANCHE
326 COUNTRY CLUB RD
AVON, CT 06001

10-11-0-R

390 SHORE ROAD REALTY TRUST
TRS: WILLIAM J SEMPOLINSKI
98 BEACH ST
QUINCY, MA 02170

10-12-0-R

HIGHLAND MOORS 20 REALTY TRUST
TRS: SILVA CHARLES W & HELEN T
39 SHIPS WAY ROAD
PROVINCETOWN, MA 02657

10-13-0-R

RIDOLFI EDWARD JR & CHRISTINE
140 W NEWTON ST
BOSTON, MA 02118

10-14-0-R

GAROFALO ANGELO A
P O BOX 3249
SPRING HILL, FL 34611-3249

10-26-0-R

GOLDBERG RICHARD
95 MILL HILL RD
WELLFLEET, MA 02667

10-27-0-R

390 SHORE ROAD REALTY TRUST
TRS: WILLIAM J SEMPOLINSKI
98 BEACH ST
QUINCY, MA 02170

10-28-0-R

386 SHORE ROAD REALTY TRUST
TRS: SILVA CHARLES W & HELEN T
39 SHIPS WAY RD
PROVINCETOWN, MA 02657

10-39-0-R

STEPHEN P BERNARDI TRUST 2013
BERNARDI STEPHEN P & DIANE M
250 GROVE ST
FRAMINGHAM, MA 01701

LG 1/21/20



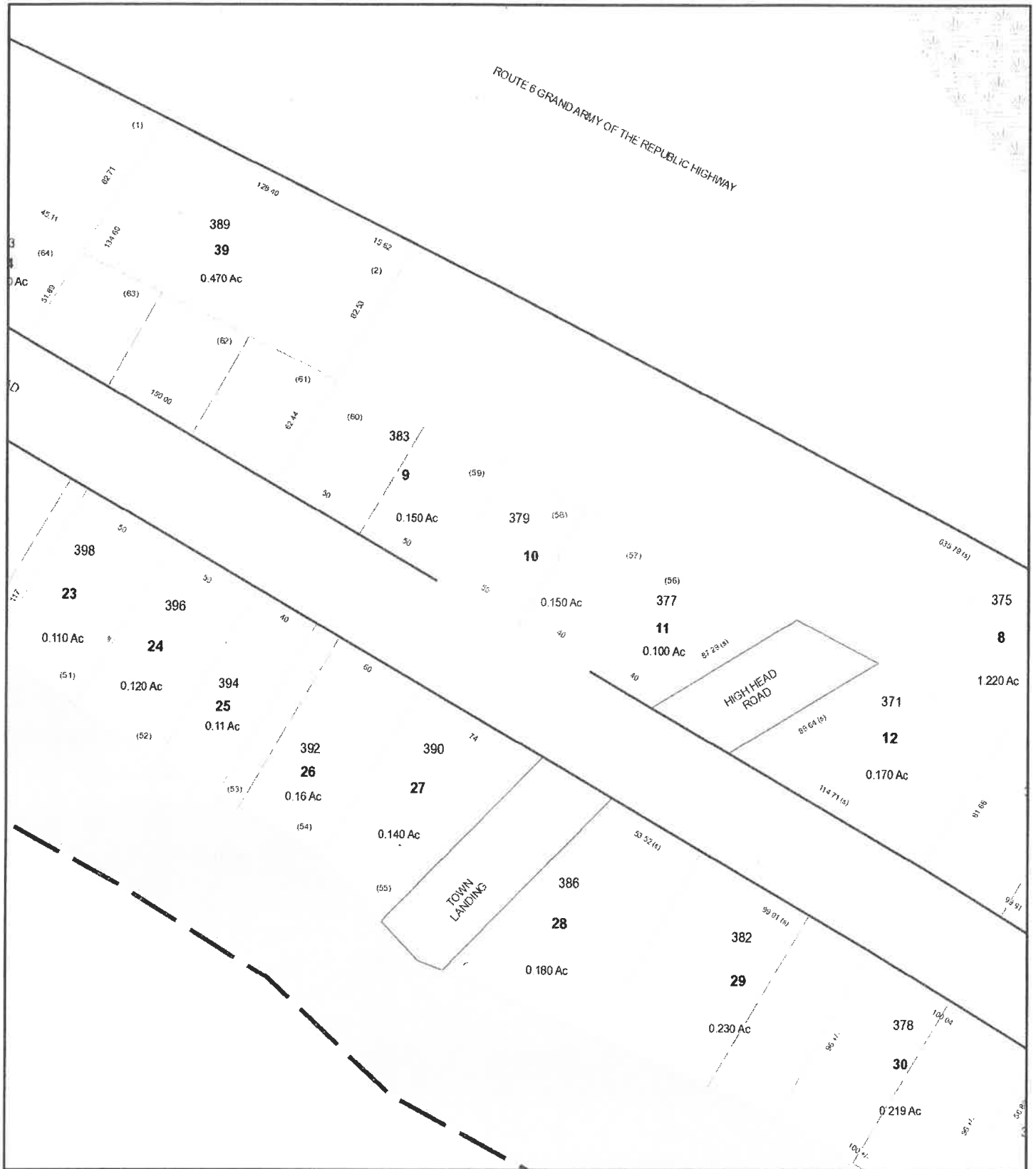
379 Shore Rd

Truro, MA

1 inch = 69 Feet



January 21, 2020




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.

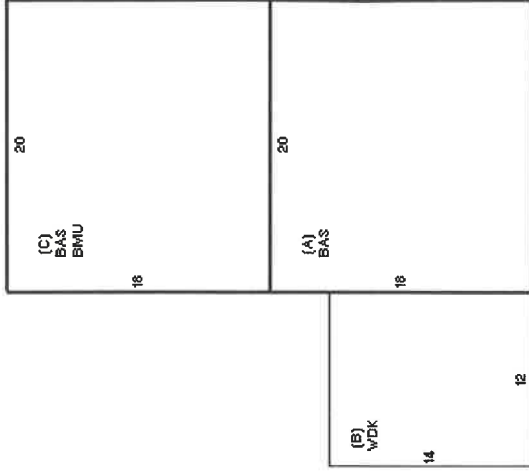
Town of TRURO - Fiscal Year 2020

Key: 305

9/30/2019 2:06 pm SEQ #: 230

CURRENT OWNER		PARCEL ID		LOCATION								
SILVA CHARLES T		10-10-0		379 SHORE RD								
39 SHIPS WAY RD		TRANSFER HISTORY		DOS T SALE PRICE BK-PG (Cert)								
PROVINCETOWN, MA 02657												
CD	T	AC/SF/UN	Nbhd	Inf1	Inf2	ADJ BASE	SAF	Inf3	Lpi	VC	CREDIT AMT	ADJ VALUE
TOTAL		ZONING		FRNT		ASSESSED		CURRENT		PREVIOUS		
Nbhd		N				LAND		28,200				
Inf1		O				BUILDING						
Inf2		T				DETACHED						
		E				OTHER						
		TOTAL										
TY	QUAL	COND	DIM/NOTE	YB	UNITS	ADJ PRICE	RCNLD	PHOTO 12/13/2018				
												
BLDG COMMENTS								12/13/18 Left door tag for List.				
BUILDING	CD	ADJ	DESC	MEASURE		12/13/2018	LG					
MODEL	1		RESIDENTIAL	LIST		7/2/2009	JH					
STYLE	6	0.80	COTTAGE/BUNG (100%)	REVIEW		11/10/2010	MR					
QUALITY	L	0.65	LOW COST (100%)									
FRAME	1	1.00	WOOD FRAME (100%)									
YEAR BLT	1955	SIZE ADJ	1.000	ELEMENT		CD	DESCRIPTION	ADJ				
NET AREA	720	DETAIL ADJ	1.000	FOUNDATION		4	BSMT WALL	1.00				
\$NLA(RCN)	\$98	OVERALL	0.730	EXT. COVER		1	WOOD SHINGLES	1.00				
CAPACITY		UNITS	ADJ	ROOF SHAPE		4	FLAT/SHED	1.00				
STORIES(FAR)		1	1.00	ROOF COVER		7	ROLL	1.00				
ROOMS		0	1.00	FLOOR COVER		99	N/A	1.00				
BEDROOMS		2	1.00	INT. FINISH		5	OTHER	1.00				
BATHROOMS		1	1.00	HEATING/COOLING		13	NO HEAT	0.93				
FIXTURES		3	\$2,100	FUEL SOURCE		8	NONE	1.00				
UNITS		0	1.00									
TOTAL RCN		70,577		CONDITION ELEM		CD						
COND		60		FUNC		0						
ECON		0		DEPR		60						
RCNLD		\$28,200		EFF. YR/AGE		1950 / 68						
COND		60		FUNC		0						
ECON		0		DEPR		60						
RCNLD		\$28,200										

PER 1009 M-L COND=AVG- FOR EXT+POOR FOR INT+KITCH+AVG FOR BATH; WINDOW'S BROKEN OUT;
TENANT SAYS SFR WILL BE REBUILT NEXT YR (ROOF LEAKS+HAS AMTS)



DECISION/MOTION OF THE BOARD OF APPEALS OF TRURO, MASSACHUSETTS

Property Owner(s) and/or Applicant(s): Charles Silva

Property Location: 379 Shore Road

Bk 23885 Pg 109 #40431
07-13-2009 @ 03:57p

Atlas Sheet: 10 Parcel(s): 10 (2009-009/ZBA)

Hearing Date: Mon., May 18, 2009 as continued from April 27, 2009

Special Permit	<input checked="" type="checkbox"/>	Vote: 4	Approve	<input checked="" type="checkbox"/>
Variance	<input type="checkbox"/>	0	Disapprove	<input type="checkbox"/>
Building Commissioner Decision	<input type="checkbox"/>		Abstain	<input type="checkbox"/>
& Other	<input type="checkbox"/>			

(Motion Carries)

Motion (Althaus; 2nd Allee): To grant to Charles Silva, for property located at 379 Shore Rd., (Atlas Sheet 10, Parcel 10), a Special Permit in order to rebuild a structure and add ½ story (w/ref. to Sec. 10.4 Cottage Col., 50.1 A and 30.7A of the zoning bylaw), with reference to plans submitted and citing renovation plans as drawn by Peter J. Coneen, LLC, and dated February 18, 2009 as submitted to the ZBA and Building Inspector. The ZBA Finds said proposal is not more detrimental to the neighborhood, and is in keeping with the intent of the Zoning Bylaw.

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

Keith Althaus
Signature

May 26, 2009
Date

Received, Office of the Town Clerk:

Cynthia A. Slade
Signature

May 27, 2009
Date

I hereby certify that this decision was filed with the Office of the Town Clerk on

May 27, 2009

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:

W. Althaus
Signature

Jun 22, 2009
Date

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.)

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

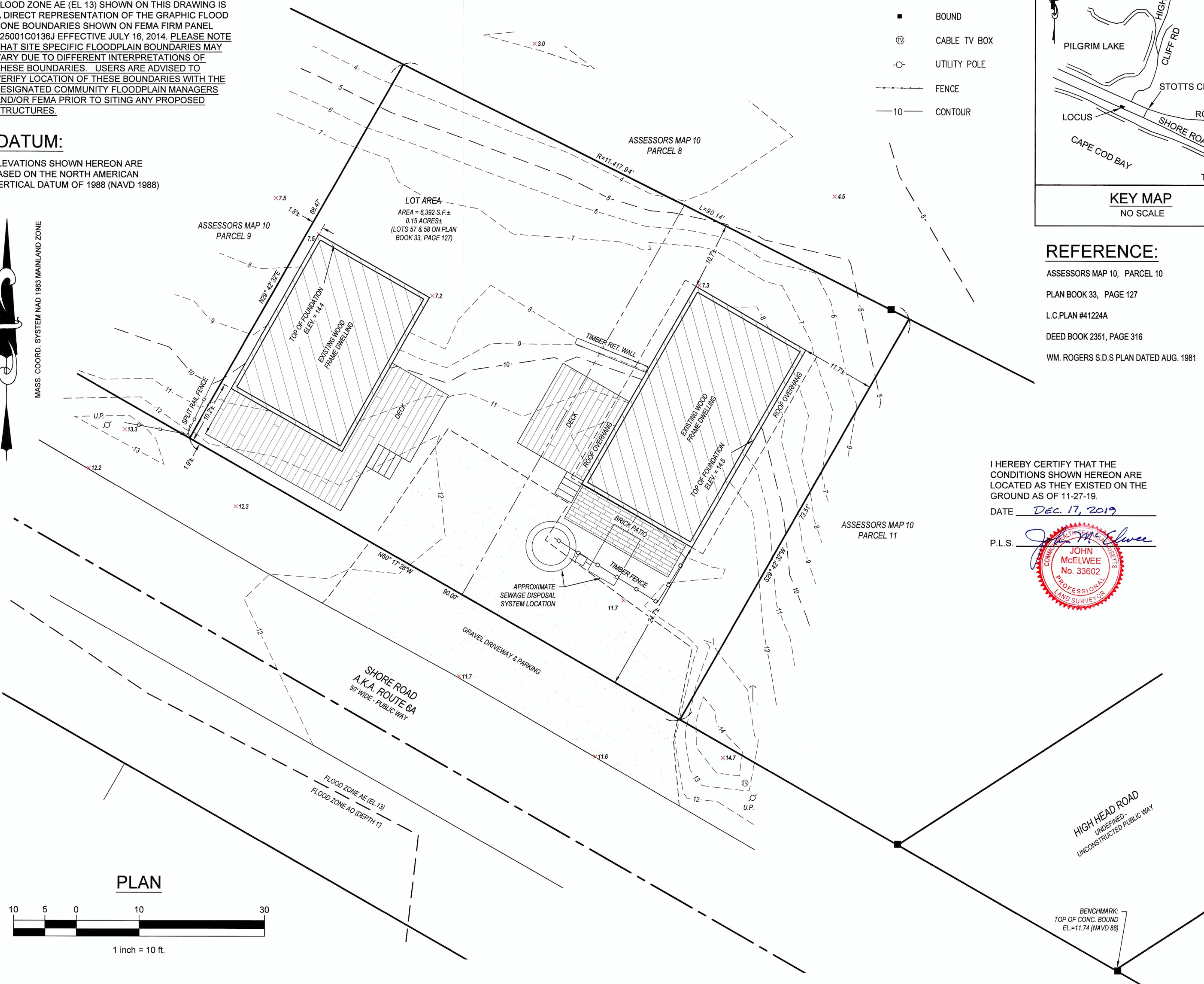
Cynthia A. Slade, Town Clerk, Town of Truro/ June 22, 2009

A true copy, attest:

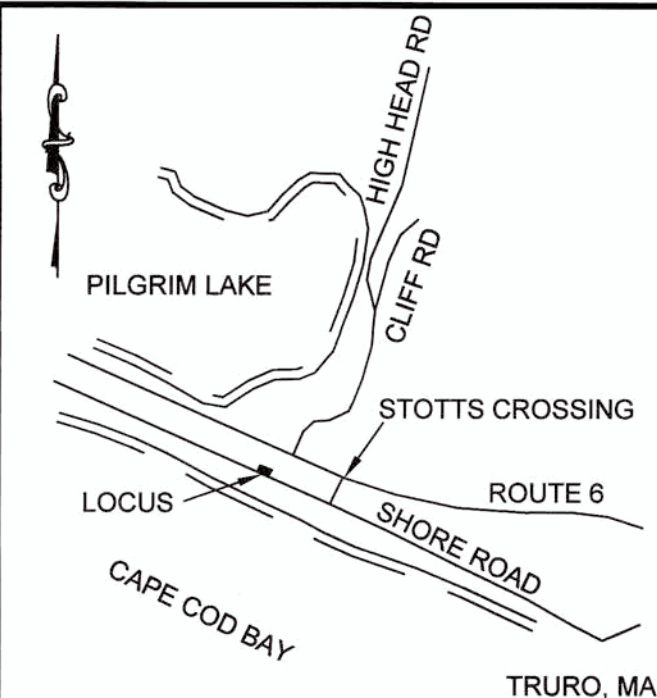
FLOOD ZONE AE (EL 13) SHOWN ON THIS DRAWING IS A DIRECT REPRESENTATION OF THE GRAPHIC FLOOD ZONE BOUNDARIES SHOWN ON FEMA FIRM PANEL #25001C0136J EFFECTIVE JULY 16, 2014. PLEASE NOTE THAT SITE SPECIFIC FLOODPLAIN BOUNDARIES MAY VARY DUE TO DIFFERENT INTERPRETATIONS OF THESE BOUNDARIES. USERS ARE ADVISED TO VERIFY LOCATION OF THESE BOUNDARIES WITH THE DESIGNATED COMMUNITY FLOODPLAIN MANAGERS AND/OR FEMA PRIOR TO SITING ANY PROPOSED STRUCTURES.

ELEVATIONS SHOWN HEREON ARE
BASED ON THE NORTH AMERICAN
VERTICAL DATUM OF 1988 (NAVD 1988)

MASS. COORD. SYSTEM NAD 1983 MAINLAND ZONE



■ BOUND
 (TV) CABLE TV BOX
 ○ UTILITY POLE
 —●—●—●—●— FENCE
 —10— CONTOUR



KEY MAP
NO SCALE

ASSESSORS MAP 10, PARCEL 10
PLAN BOOK 33, PAGE 127
L.C.PLAN #41224A
DEED BOOK 2351, PAGE 316
WM. ROGERS S.D.S PLAN DATED AUG. 1981

I HEREBY CERTIFY THAT THE
CONDITIONS SHOWN HEREON ARE
LOCATED AS THEY EXISTED ON THE
GROUND AS OF 11-27-19.

DATE DEC. 17, 2019

P.L.S.



COASTAL
engineering co.

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

NO.	DATE	REVISION	BY

SEAL

TRURO, MA

SILVA

SHORE ROAD TRURO, N

SHEET TITLE

PLAN SHOWING EXISTING SITE CONDITIONS

PROJECT

SCALE $1'' = 10'$

DRAWING FILE C17012-V.dwg

DATE	12-17-19
------	----------

DRAWN BY J. H.

CHECKED BY	JDM
------------	-----

C1.2.1

1 OF 1 SHEETS

PROJECT NO.	C17012.00
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FLOOD ZONE AE (EL 13) SHOWN ON THIS DRAWING IS A DIRECT REPRESENTATION OF THE GRAPHIC FLOOD ZONE BOUNDARIES SHOWN ON FEMA FIRM PANEL #25001C0136J EFFECTIVE JULY 16, 2014. PLEASE NOTE THAT SITE SPECIFIC FLOODPLAIN BOUNDARIES MAY VARY DUE TO DIFFERENT INTERPRETATIONS OF THESE BOUNDARIES. USERS ARE ADVISED TO VERIFY LOCATION OF THESE BOUNDARIES WITH THE DESIGNATED COMMUNITY FLOODPLAIN MANAGERS AND/OR FEA PRIOR TO SITING ANY PROPOSED STRUCTURES.

ELEVATIONS SHOWN HEREON ARE
BASED ON THE NORTH AMERICAN
VERTICAL DATUM OF 1988 (NAVD 1988)



ZONING DISTRICT: BEACH POINT - LIMITED BUSINESS; RESIDENTIAL-USE ALLOWED

SUBJECT	REQUIRED	EXISTING	PROPOSED
MINIMUM LOT AREA	5,000 S.F.	6,392± S.F.	6,392± S.F. (NO CHANGE)
MINIMUM LOT FRONTAGE	50 FT	90 FT	90 FT (NO CHANGE)
MINIMUM FRONT YARD SETBACK	25 FT	10.2± / 24.7± FT	(NO CHANGE)
MINIMUM SIDE YARD SETBACK	5 FT/STORY	1.8± / 11.7± FT	(NO CHANGE)
MINIMUM BACK YARD SETBACK	5 FT/STORY	10.7± FT	(NO CHANGE)

NOTE: MEAN GRADE AROUND PROPOSED HOUSE = $(11.9 + 12.1 + 7.3 + 7.3)/4 = 9.7$
 TOP OF FOUNDATION EL. = 14.5
 PROPOSED RIDGE EL. = $14.5 + 23^* = 37.5$
 PROPOSED BUILDING HT. = $37.5 - 9.7 = 27.8$ FT

* 23' IS BASED UPON THE SCALED DISTANCE FROM TOP OF FOUNDATION TO RIDGE
ON THE 12/18/19 PLANS BY PETER J. CONEEN, LLC.



ASSESSORS MAP 10, PARCEL 10






PLAN BOOK 33, PAGE 127

L.C.PLAN #41224A

DEED BOOK 2351, PAGE 316

WM. ROGERS S.D.S PLAN DATED AUG. 1981

EXISTING

-  BOUND
 CABLE TV BOX
 UTILITY POLE
 FENCE
 10 CONTOUR

PROPOSED

- P.A. PLANTING AREA (BEACH GRASS)
- DRY WELL (TYP.)



A					2
					2
					2
					2
					2



PROJECT	CHUCK SILVA		TRURO, MA
	379 SHORE ROAD		
SHEET TITLE		PLAN SHOWING PROPOSED SITE IMPROVEMENTS	
SCALE	1" = 10'		
DRAWING FILE	C17012-C.dwg		
DATE	03-13-2020		
DRAWN BY	CEM		
CHECKED BY			
<div>C2.1.2</div> <div><u>1</u> OF <u>1</u> SHEETS</div>			
PROJECT NO.	C17012.00		

SILVA RESIDENCE

379 SHORE RD.
N. TRURO, MA

GENERAL STRUCTURAL NOTES

- ALL CONSTRUCTION IS TO BE IN ACCORDANCE WITH THE MASSACHUSETTS STATE BUILDING CODE FOR ONE- AND TWO- FAMILY DWELLINGS, NINETH EDITION (780 CMR), AND ALL AMENDMENTS, WHICH IS BASED ON THE 2015 INTERNATIONAL RESIDENTIAL CODE.
- THE WIND DESIGN CRITERIA FOR THIS BUILDING IS IN ACCORDANCE WITH AMERICAN FOREST AND PAPER ASSOCIATION (AF&PA), "WOOD FRAME CONSTRUCTION MANUAL FOR ONE- AND TWO- FAMILY DWELLINGS (WFCM)," AND THE "MINIMUM DESIGN LOADS FOR BUILDINGS AND OTHER STRUCTURES (ASCE7-10)." THE BASIC WIND SPEED FOR THE DESIGN OF THIS STRUCTURE IS 140 MILES PER HOUR (ULTIMATE) WITH EXPOSURE CATEGORY 'C'.
- THE CONTRACTOR IS RESPONSIBLE FOR CONTACTING THE LOCAL BUILDING OFFICIAL FOR THE STRUCTURAL FRAMING INSPECTION(S). IF THE BUILDING OFFICIAL REQUIRES THAT THE INSPECTION(S) BE COMPLETED BY THE ENGINEER OF RECORD, THE CONTRACTOR SHALL CONTACT THE ENGINEER OF RECORD 72 HOURS PRIOR TO THE TIME WHEN THE INSPECTION(S) IS TO BE PERFORMED. THE CONTRACTOR SHALL INSURE THAT ALL STRUCTURAL MEMBERS AND CONNECTIONS ARE VISIBLE FOR INSPECTION. IF DURING THE INSPECTION, ANY PORTION OF THE STRUCTURE IS DEEMED NOT VISIBLE OR IS INACCESSIBLE FOR INSPECTION, FINAL APPROVAL OF THE ENTIRE STRUCTURE WILL NOT BE GIVEN UNTIL THIS CONDITION IS CORRECTED AT THE CONTRACTOR'S EXPENSE.
- ALL WOOD CONSTRUCTION CONNECTORS AS SPECIFIED ON THESE CONSTRUCTION DOCUMENTS TO BE SIMPSON STRONG-TIE IN ACCORDANCE WITH CATALOG C-2014. IT IS THE RESPONSIBILITY OF THE CONTRACTOR TO INSTALL ALL CONNECTORS IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.
- ALL ENGINEERED LUMBER PRODUCTS TO BE I-LEVEL TRUS JOIST (OR EQUAL) INSTALLED IN ACCORDANCE WITH MANUFACTURER'S SPECIFICATIONS.

ROOF FRAMING CONNECTIONS

- ATTACH OPPOSING RAFTERS AT THE RIDGE OVER THE TOP OF THE RIDGE WITH (1) LSTA 18 TENSION STRAP AT 16" O.C. STRAP TO BE INSTALLED OVER ROOF SHEATHING INTO RAFTERS W/ 10d COMMON NAILS TO RAFTERS.
- ATTACH THE END OF EACH RAFTER/TRUSS TO THE DOUBLE TOP PLATE OF THE EXTERIOR WALL WITH (1) H2.5A CONNECTOR. CONNECTOR TO BE APPLIED DIRECTLY TO 2X TOP PLATES ON OUTSIDE FACE OF WALL. ALTERNATE: USE (1) H2A FROM EVERY RAFTER TO WALL STUD BELOW. TSP CONNECTOR PER NOTE '1'. "WALL FRAMING UPLIFT CONNECTIONS" IS NOT REQUIRED WHEN USING (1) H2A AT EVERY RAFTER.
- BLOCKING TO BE PROVIDED ABOVE THE DOUBLE TOP PLATE OF THE EXTERIOR WALL AT THE ROOF WITH ROOF SHEATHING NAILED TO THE BLOCKING AT 6" O.C. PROVIDE 'V' NOTCH IN BLOCKING TO PROVIDE ADEQUATE VENTILATION AS REQUIRED. BLOCKING TO BE ATTACHED DIRECTLY TO DOUBLE TOP PLATE OF THE EXTERIOR WALL W/ (1) RBC CONNECTOR.

FLOOR FRAMING CONNECTIONS

- PROVIDE (2) 1 3/4" WIDE LVL'S UNDER INTERIOR SHEARWALLS WHEN PARALLEL TO THE FLOOR FRAMING DIRECTION. IF CS 16 COIL STRAPS ARE SPECIFIED AS HOLDDOWNS AT THE END OF THE SHEARWALL, WRAP THE STRAP(S) AROUND THE (2) 1 3/4" WIDE LVL'S AS SPECIFIED, WRAPPING THE STRAPS AROUND THE LVL'S. IF HOLDDOWN AT END OF SHEARWALL IS A HDU TYPE, SUBSTITUTE (2) 1 3/4" WIDE LVL'S WITH 3 1/2" WIDE PARALLAM (MIN). SEE DETAIL (HDC). ALL BEAMS HERE UNLESS OTHERWISE SHOWN ON PLANS.
- PROVIDE 3 1/2" WIDE PARALLAM PSL BLOCKING OR (2) 1 3/4" WIDE LVL BLOCKING UNDER INTERIOR SHEARWALLS WHEN JOISTS BELOW ARE PERPENDICULAR TO SHEARWALL. PAD WEB OF TJI JOISTS AS NECESSARY.
- ATTACH THE DOUBLE TOP PLATE OF THE EACH EXTERIOR WALL TO THE RIM BOARD OF THE FLOOR ABOVE WITH (1) LTP5 CONNECTOR AT 24" O.C. OR W/ (2) 10d TOE NAILS PER 12".

GENERAL STRUCTURAL NOTES

WALL FRAMING CONNECTIONS

- ATTACH EXTERIOR WALL STUDS TO THE DOUBLE TOP PLATE AT THE ROOF WITH (1) TSP CONNECTOR AT 32" O.C. PROVIDE (9) 10d x 1 1/2" NAILS TO THE STUD AND (6) 10d NAILS TO THE DOUBLE TOP PLATE. CONNECTOR TO BE APPLIED DIRECTLY TO 2x FRAMING. **NOTE: NOT REQUIRED WHEN USING H2A CONNECTOR PER NOTE ON (HDC)**
- EXTERIOR WALL STUDS OF UPPER FLOORS TO BE ATTACHED TO STUDS ON THE FLOOR BELOW ACROSS THE RIM BOARD WITH (1) CS16 COIL STRAP AND (7) 10d NAILS AT EACH END OF STRAP, W/ A STRAP CUT LENGTH OF 18" + THE CLEAR SPAN ACROSS RIM BOARD. STRAPS TO BE SPACED AT 32" O.C. (EVERY OTHER STUD). STRAP IS NOT REQUIRED AT SHEARWALL HOLDDOWN LOCATIONS. CS16 COIL STRAPS MAY BE APPLIED OVER PLYWOOD SHEATHING.
- EXTERIOR WALL STUDS THAT ARE ABOVE BEAMS IN THE FLOOR FRAMING SHALL BE ATTACHED TO THE BEAM WITH (1) LTS12 TWIST STRAP AT 16" O.C. (CUT SMALL SLOT IN FLOOR SHEATHING FOR STRAP). STRAP IS APPLIED DIRECTLY TO 2x FRAMING.
- ATTACH FIRST FLOOR STUD TO RIM BOARD WITH (1) CS16 STRAP AT 32" O.C. PROVIDE (6) 10d NAILS TO STUD AND (6) 10d NAILS TO RIM BOARD. ATTACH RIM BOARD TO FOUNDATION SILL PLATE WITH (1) DSP CLIP AT 32" O.C.
- CONNECTIONS FOR WALL OPENING ELEMENTS** (REFER TO DETAIL (HDC))

HEADER SIZE	HEADER TO JACK STUD	JACK STUD TO SOLE PLATE
L= 1'-0" TO 4'-0"	(1) LSTA 9	(1) SP4 *
L= 4'-1" TO 6'-0"	(2) LSTA 9	(2) SP4 *
L= 6'-1" TO 8'-0"	(2) LSTA 12	(2) SP4 *
L= 8'-1" TO 10'-0"	(2) LSTA 15	(2) SPH6 *

***ALTERNATE:** THE CONNECTOR SHOWN FOR THE JACK STUD TO SOLE PLATE CAN BE SUBSTITUTED WITH THE SAME CONNECTOR SHOWN FOR THE JACK STUD TO HEADER. ATTACH CONNECTOR WITH HALF OF THE REQUIRED NAILS TO THE JACK STUD AND HALF OF THE REQUIRED NAILS TO THE FOUNDATION RIMBOARD. CONNECTOR TO BE ATTACHED DIRECTLY TO 2x FRAMING AND RIMBOARD. ALTERNATE CAN NOT BE USED WHEN SOLE PLATE IS ATTACHED DIRECTLY TO FOUNDATION STEM WALL OR CONCRETE SLAB.

NOTE:

- HEADERS 4'-1" AND LARGER REQUIRE (2) JACK STUDS AT EACH END OF THE HEADER (EXCEPT HERE NOTED).
- PROVIDE (1) SSP FROM EACH KING STUD TO DOUBLE TOP PLATE OF THE WALL, WITH (3) 10d NAILS TO DOUBLE TOP PLATE AND (4) 10d NAILS TO KING STUD. FOR SECOND FLOOR (OR ANY LEVEL WITH TIMBER FRAMED WALLS BELOW) HEADERS, PROVIDE (1) CS 16 FROM EACH KING STUD ACROSS THE RIM BOARD TO A STUD IN THE WALL BELOW. FOR CS 16 STRAP SIZE REFER TO NOTE "2" ABOVE. FOR LOWEST LEVEL HEADERS PROVIDE (1) SSP CONNECTOR FROM EACH KING STUD TO THE SILL PLATE.
- KING STUD TO RIMBOARD CONNECTION SPECIFIED IN NOTE 'D' AND ABOVE IS NOT REQUIRED WHERE A SHEARWALL HOLDDOWN IS ADJACENT TO THE OPENING.

SHEARWALL SCHEDULE

WALL TYPE SCHEDULE

- 1 3/2" PLYWOOD - (EDGES BLOCKED)
8d COMMON OR GALVANIZED BOX NAILS @ 6" O.C. EDGES AND 12" O.C. FIELD.
- 1 3/2" PLYWOOD - (EDGES BLOCKED)
8d COMMON OR GALVANIZED BOX NAILS @ 3" O.C. EDGES AND 12" O.C. FIELD.
- 1 3/2" PLYWOOD - (EDGES BLOCKED)
8d COMMON OR GALVANIZED BOX NAILS @ 2" O.C. EDGES AND 12" O.C. FIELD. FRAMING AT ADJOINING PANEL EDGES SHALL BE 3" NOMINAL OR WIDER AND NAILS SHALL BE STAGGERED.

NOTE: FOR PLYWOOD SHEAR WALL TYPES 1, 2, AND 3 LISTED ABOVE, 8d COMMON OR GALVANIZED BOX NAILS = (0.131 x 2 1/2"). GUN NAILS MATCHING THE NAIL DIAMETER AND LENGTH MAY BE USED AS A SUBSTITUTE.

SOLE PLATE CONNECTION SCHEDULE

CONNECTION TO FLOOR RIM BOARD

WALL TYPE	SOLE PLATE CONNECTION TO RIM BOARD
1	(3) - 16d COMMON WIRE NAILS PER 16"
2	(4) - 16d COMMON WIRE NAILS PER 16"
3	(3) - SIMPSON SDS25312 (5/8" x 3 1/2") WOOD SCREWS PER 16"

CONNECTION TO CONCRETE FOUNDATION

FOUNDATION SILL PLATE CONNECTION TO CONCRETE
5/8" dia. ANCHOR BOLTS AT 32" o.c.

NOTE: ANCHOR BOLTS REFERENCED ABOVE TO BE 5/8" DIAMETER A307 STEEL ANCHOR BOLTS WITH 3"x 3"x 1/4" PLATEWASHER WITH 7" MINIMUM EMBEDMENT INTO CONCRETE.
ALTERNATE: TITEN HD BOLTS WITH 3"x 3"x 1/4" PLATEWASHER

SHEARWALL CONSTRUCTION

- ALL SHEARWALLS TO HAVE DOUBLE TOP PLATES AND DOUBLE 2X STUDS AT EACH END OF THE WALL.
- FACE NAIL DOUBLE TOP PLATES W/ 16d NAILS AT 16" O.C. USE (12) - 16d NAILS AT EACH SIDE OF LAP SPLICES IN TOP PLATES. SPLICE LENGTH TO BE A MINIMUM OF 4'-0" LONG.
- NAILING FOR PERFORATED SHEARWALLS TO BE CONTINUED ABOVE AND BELOW ALL OPENINGS IN SHEARWALL.
- ATTACH DOUBLE 2X STUDS AND BUILT-UP CORNER STUDS AT SHEARWALL ENDS WITH (2) 16d NAILS AT 4" O.C.
- REFER TO HOLDDOWN SCHEDULE FOR TIE DOWNS AT SHEARWALL ENDS.

SHEARWALL HOLDDOWN SCHEDULE

STRAP HOLDDOWNS

- (1) - CS 16 COIL STRAP W/ (26) 10d (0.148" x 3" LONG) NAILS WHEN STRAP IS APPLIED OVER PLYWOOD SHEATHING. SAME NUMBER OF 8d (0.131 x 2 1/2" LONG) NAILS MAY BE USED WHEN APPLIED DIRECTLY TO 2x FRAMING. APPLY HALF THE NUMBER OF NAILS (13) TO EACH END OF STRAP *.

FOUNDATION & HDU HOLDDOWNS

- HDU8-SDS2.5 W/ SSTB28 ANCHOR BOLT**. ATTACH HDU TO 4 1/2" (MIN) OF 2X OR GREATER FRAMING MATERIAL AND 7/8" THREADED ROD. CONNECT THREADED ROD TO ANCHOR BOLT WITH CNW 1/2" COUPLER NUT.

* * ALL HDU HOLDDOWN ANCHOR BOLTS TO BE ATTACHED TO FORMWORK PRIOR TO CONCRETE POUR. USE APPROPRIATE ANCHORMATE DEVICE.

LEGEND

- 1 SHEARWALL TYPE
- 1 SHEARWALL HOLDDOWN TYPE
- SHEARWALL HOLDDOWN
- SHEARWALL
- 1 PERFORATE SHEARWALL. CONTINUE PLYWOOD ABOVE AND BELOW OPENING WITH NAILING ACCORDING TO SPECIFIED SHEARWALL TYPE.
- XK XJ # OF KING AND JACK STUDS AT OPENINGS

SHEARWALL COVER SHEET

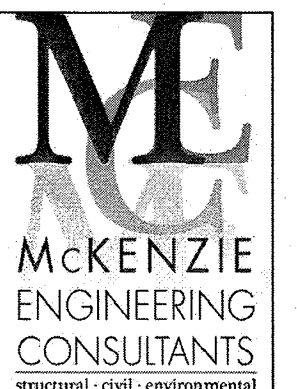
PROJECT:

SILVA RESIDENCE

NO.	REVISION/ISSUE	DATE

PROJECT ADDRESS:

379 SHORE RD.
N. TRURO, MA

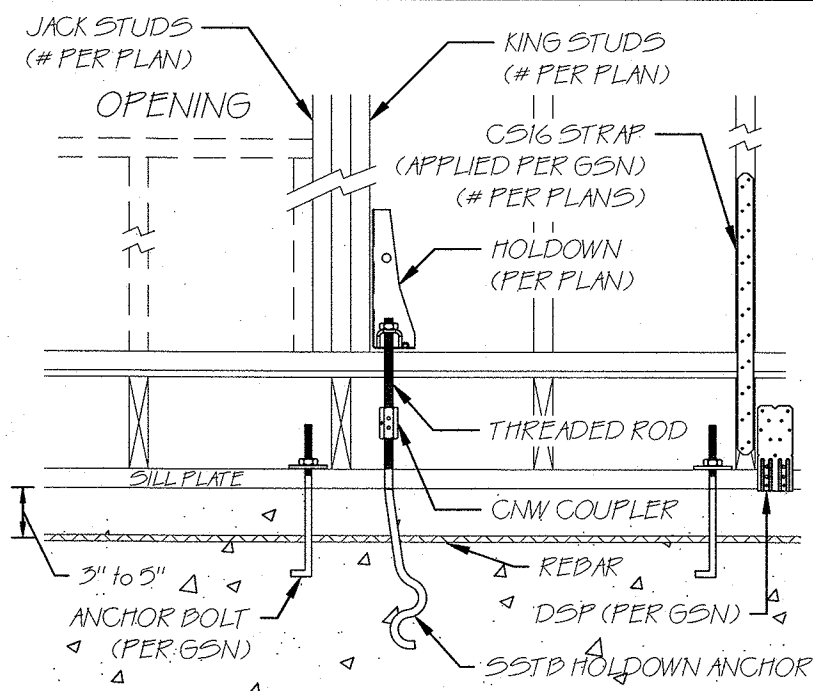


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[Signature] 1/13/20

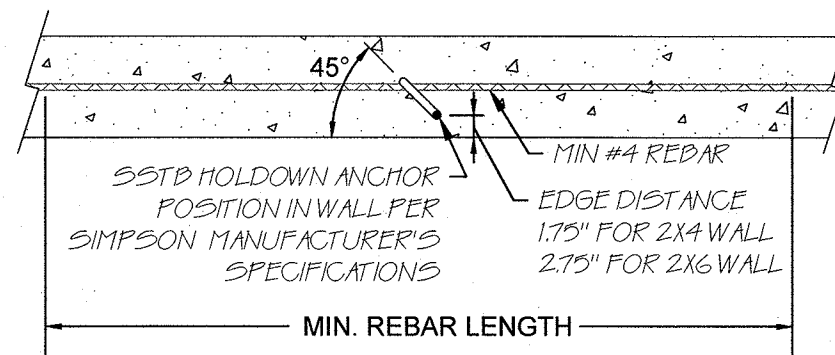
JOB#: 09-198	SHEET
DATE: 01-13-2020	G1.0
SCALE: NONE	



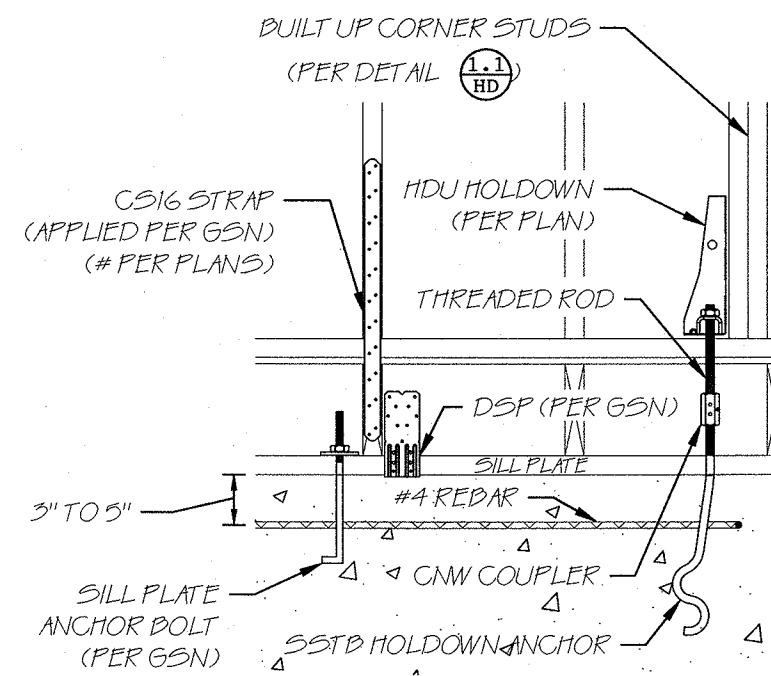
SECTION VIEW

MODEL #	DIA.	MIN. EMBED.	MIN. REBAR LENGTH
SSTB16	5/8	12 1/2"	50"
SSTB20	5/8	16 1/2"	58"
SSTB24	5/8	20 1/2"	66"
SSTB28	7/8	24 1/2"	74"
SSTB34	7/8	28 1/2"	82"
SB1x30	1	24"	96"

NOTE: #4 REBAR TO BE CENTERED ON HOLDDOWN AND LOCATED 3" TO 5" DOWN FROM TOP OF FOUNDATION WALL PER SIMPSON MANUFACTURER'S SPECIFICATIONS.



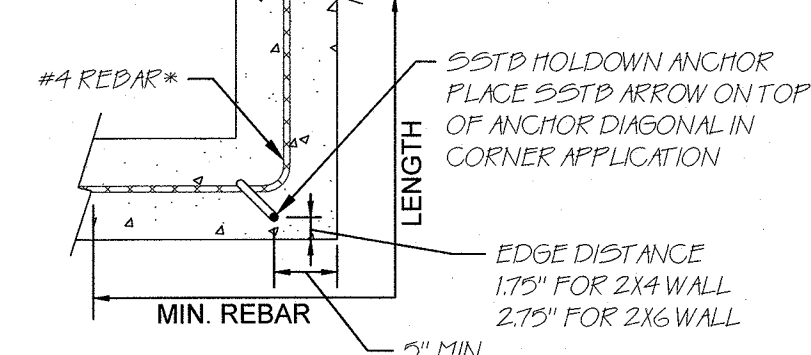
PLAN VIEW



SECTION VIEW

MODEL #	DIA.	MIN. EMBED.	MIN. REBAR LENGTH
SSTB16	5/8	12 1/2"	50"
SSTB20	5/8	16 1/2"	58"
SSTB24	5/8	20 1/2"	66"
SSTB28	7/8	24 1/2"	74"
SSTB34	7/8	28 1/2"	82"
SB1x30	1	24"	96"

NOTE: #4 REBAR TO BE CENTERED ON HOLDDOWN AND LOCATED 3" TO 5" DOWN FROM TOP OF FOUNDATION WALL PER SIMPSON MANUFACTURER'S SPECIFICATIONS.



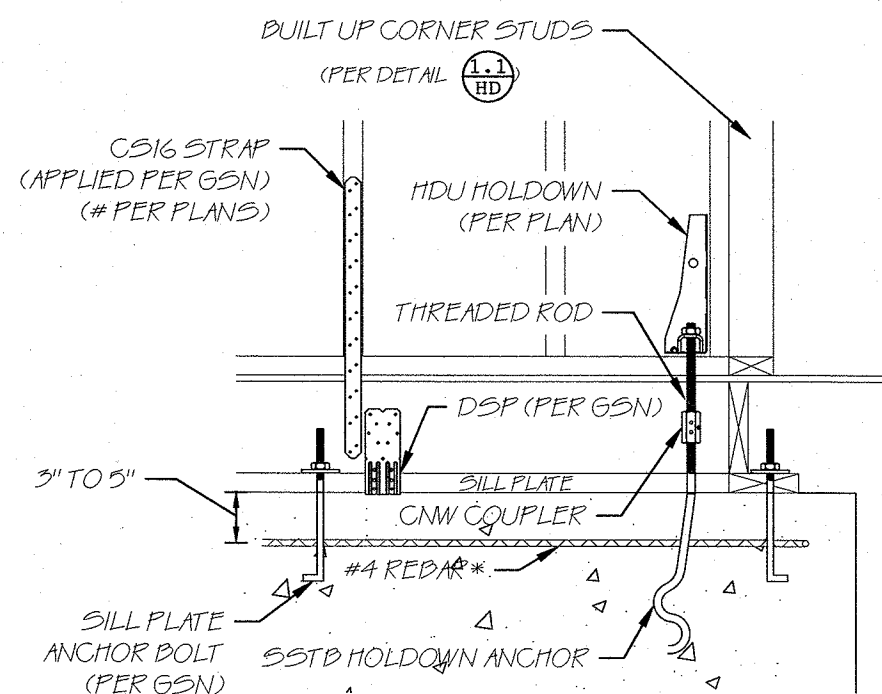
PLAN VIEW

1.1
HD

HOLD DOWN AT WINDOW OR DOOR OPENING

1.2
HD

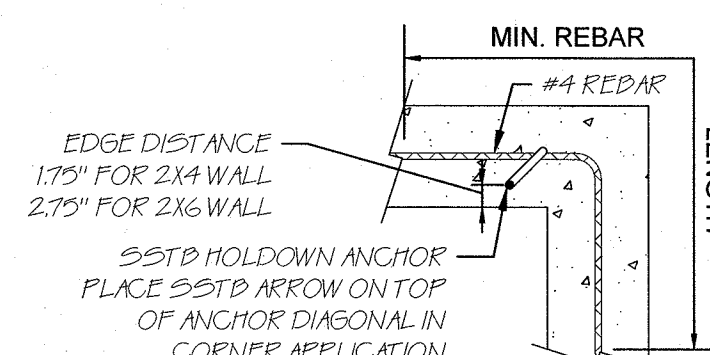
HOLD DOWN AT EXTERIOR BUILDING CORNER



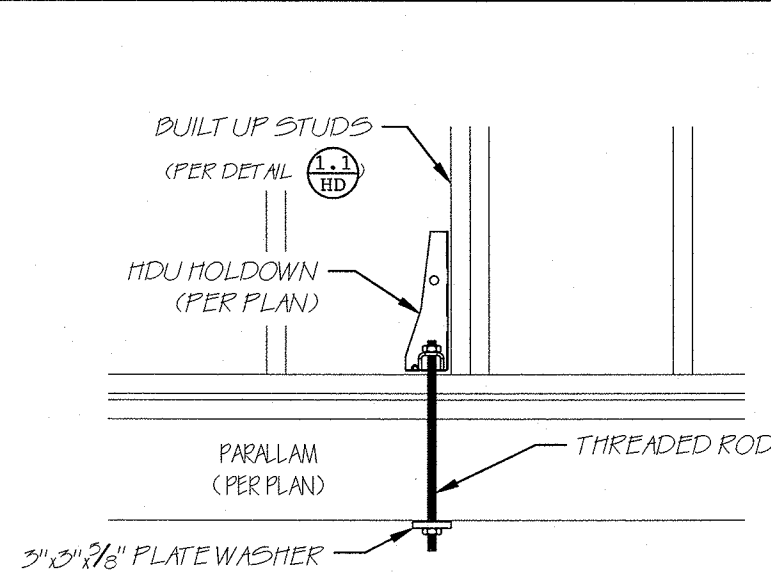
SECTION VIEW

MODEL #	DIA.	MIN. EMBED.	MIN. REBAR LENGTH
SSTB16	5/8	12 1/2"	50"
SSTB20	5/8	16 1/2"	58"
SSTB24	5/8	20 1/2"	66"
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SSTB34	7/8	28 1/2"	82"
SB1x30	1	24"	96"

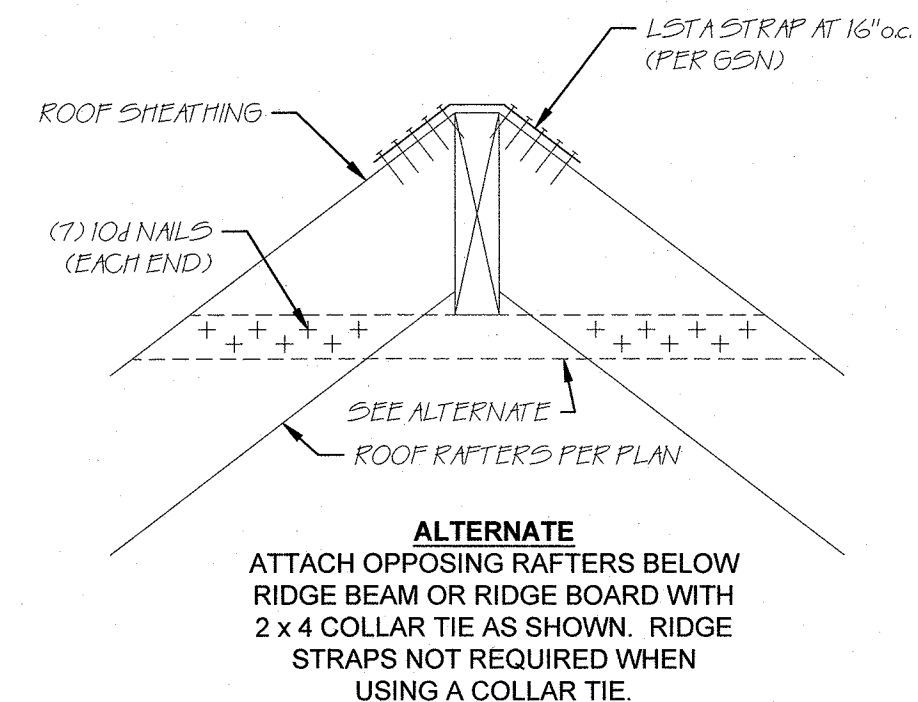
NOTE: #4 REBAR TO BE CENTERED ON HOLDDOWN AND LOCATED 3" TO 5" DOWN FROM TOP OF FOUNDATION WALL PER SIMPSON MANUFACTURER'S SPECIFICATIONS.



PLAN VIEW



*NOTE
DRILL HOLE FOR THREADED ROD THROUGH PARALLAM AND ATTACH W/ NUT AND 3"x3"x1/4" PLATE WASHER



ALTERNATE
ATTACH OPPOSING RAFTERS BELOW RIDGE BEAM OR RIDGE BOARD WITH 2 x 4 COLLAR TIE AS SHOWN. RIDGE STRAPS NOT REQUIRED WHEN USING A COLLAR TIE.

1.3
HD

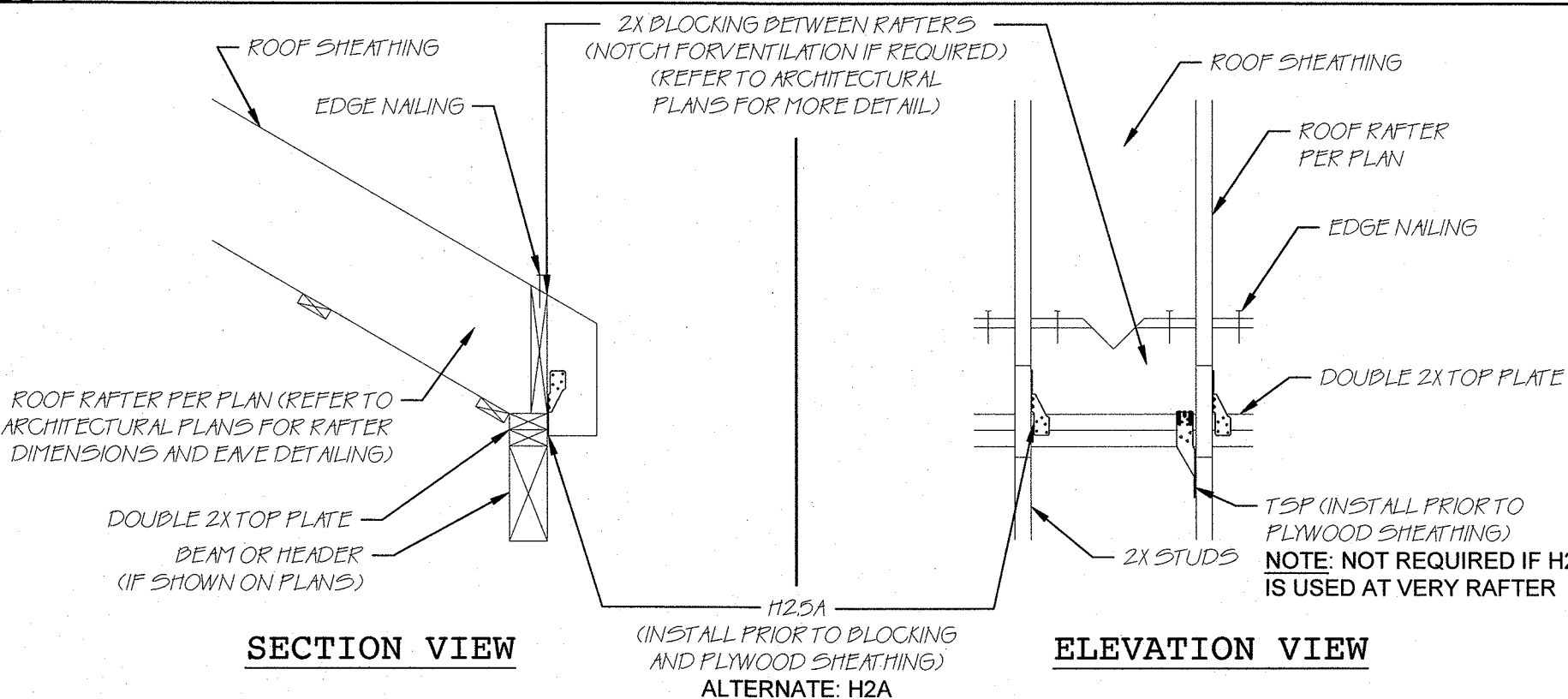
HOLD DOWN AT INTERIOR BUILDING CORNER

1.4
HD

INTERIOR HOLD DOWN INTO BEAM IN FLOOR FRAMING

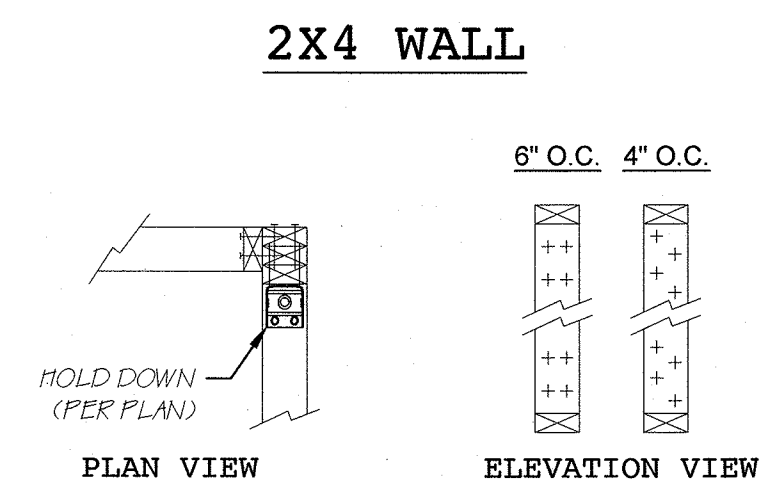
1.5
RF

STRUCTURAL RIDGE BEAM



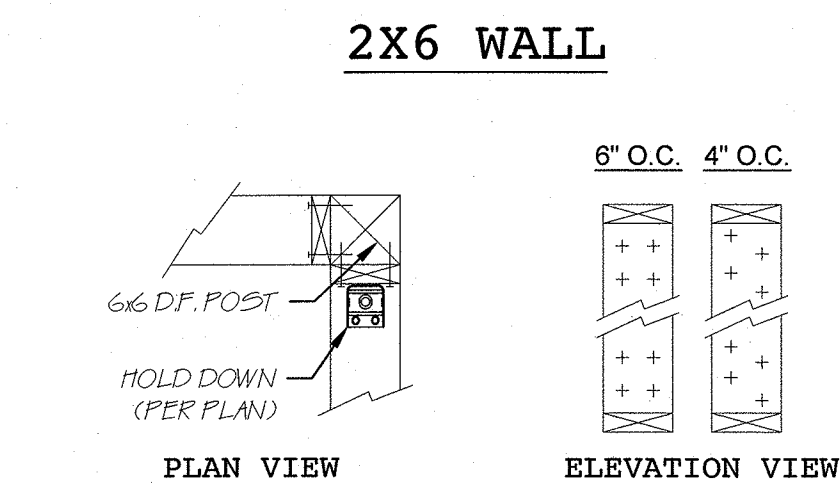
SECTION VIEW

ELEVATION VIEW



NOTES

1. ATTACH STUDS AT BUILT-UP CORNER TOGETHER WITH (2) ROWS OF 16d (0.162"x3.5") NAILS AT 6" O.C. FOR 2ND STORY SHEARWALLS.
2. ATTACH STUDS AT BUILT-UP CORNER TOGETHER WITH (2) ROWS OF 16d (0.162"x3.5") NAILS AT 4" O.C. STAGGERED FOR 1ST STORY SHEARWALLS.



NOTES

1. ATTACH STUDS AT BUILT-UP CORNER TOGETHER WITH (2) ROWS OF 16d (0.162"x3.5") NAILS AT 6" O.C. FOR 2ND STORY SHEARWALLS.
2. ATTACH STUDS AT BUILT-UP CORNER TOGETHER WITH (2) ROWS OF 16d (0.162"x3.5") NAILS AT 4" O.C. STAGGERED FOR 1ST STORY SHEARWALLS.

1.6
RF

RAFTER TO TOP PLATE

1.7
WF

BUILT-UP CORNER AT END OF SHEARWALL

STRUCTURAL DETAILS 1

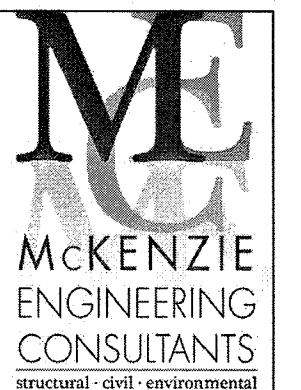
PROJECT:

SILVA RESIDENCE

NO.	REVISION/ISSUE	DATE

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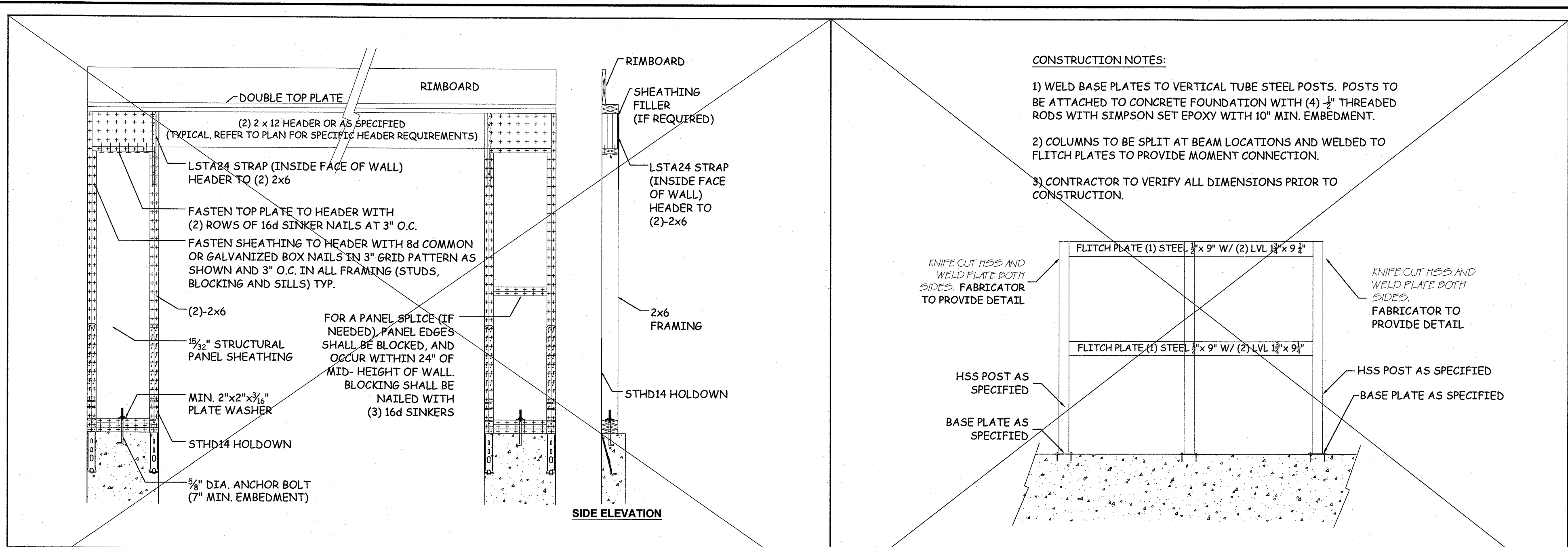
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BREWSTER, MA 02631
(774) 353-2144



JOB#: 09-198	SHEET
DATE: 01-13-2020	G1.1
SCALE: NONE	



2.1
PW

APA PORTAL WALL
(NOT TO SCALE, FOR EXAMPLE ONLY! SUBSERVIENT TO TT-100F)

2.2
MF

STEEL MOMENT FRAME : EXTERIOR WALLS
(NOT TO SCALE, FOR EXAMPLE ONLY!)

OPTION #1

HEADER SIZE	A	B	C	D	E
L= 1'-0" TO 4'-0"	(1) LSTA 9	(1) SP4	(1) SSP PER KING	(1) CS 16 - (6) 8d NAILS EACH END OF STRAP PER EACH KING STUD (SEE NOTE '4')	STRUCTURAL PLYWOOD SHEATHING TO MATCH ELSEWHERE. NAIL DOUBLE ROW OF 8d NAILS AT 3" O.C. TOP AND BOTTOM OF PANEL INTO DOUBLE TOP PLATE AND HEADER
L= 4'-1" TO 6'-0"	(2) LSTA 9	(2) SP4	(1) SSP PER KING		
L= 6'-1" TO 8'-0"	(2) LSTA 12	(2) SP4	(1) SSP PER KING		
L= 8'-1" TO 10'-0"	(2) LSTA 15	(2) SPH6	(1) SSP PER KING		
L= 10'-1" TO 16'-0"	(2) ST2122	(2) SPH6	(1) SSP PER KING		

OPTION #2

HEADER SIZE	A	B	C	D	E
L= 1'-0" TO 4'-0"	(1) - CS 16 W/ (5) 8d EACH END	SEE NOTE '3'	(1) SSP PER KING	(1) CS 16 - (6) 8d NAILS EACH END OF STRAP PER EACH KING STUD (SEE NOTE '4')	STRUCTURAL PLYWOOD SHEATHING TO MATCH ELSEWHERE. NAIL DOUBLE ROW OF 8d NAILS AT 3" O.C. TOP AND BOTTOM OF PANEL INTO DOUBLE TOP PLATE AND HEADER
L= 4'-1" TO 6'-0"	(2) - CS 16 W/ (5) 8d EACH END		(1) SSP PER KING		
L= 6'-1" TO 8'-0"	(2) - CS 16 W/ (6) 8d EACH END		(1) SSP PER KING		
L= 8'-1" TO 10'-0"	(2) - CS 16 W/ (8) 8d EACH END		(1) SSP PER KING		
L= 10'-1" TO 16'-0"	(2) ST2122		(1) SSP PER KING		

SECTION VIEW

PLAN VIEW

2.3
WF

FRAMING AT WINDOW AND DOOR OPENINGS

2.4
MF

MOMENT FRAME BASE PLATES
(NOT TO SCALE, FOR EXAMPLE ONLY!)

STRUCTURAL DETAILS 2

PROJECT:

SILVA RESIDENCE

NO.	REVISION/ISSUE	DATE

PROJECT ADDRESS:

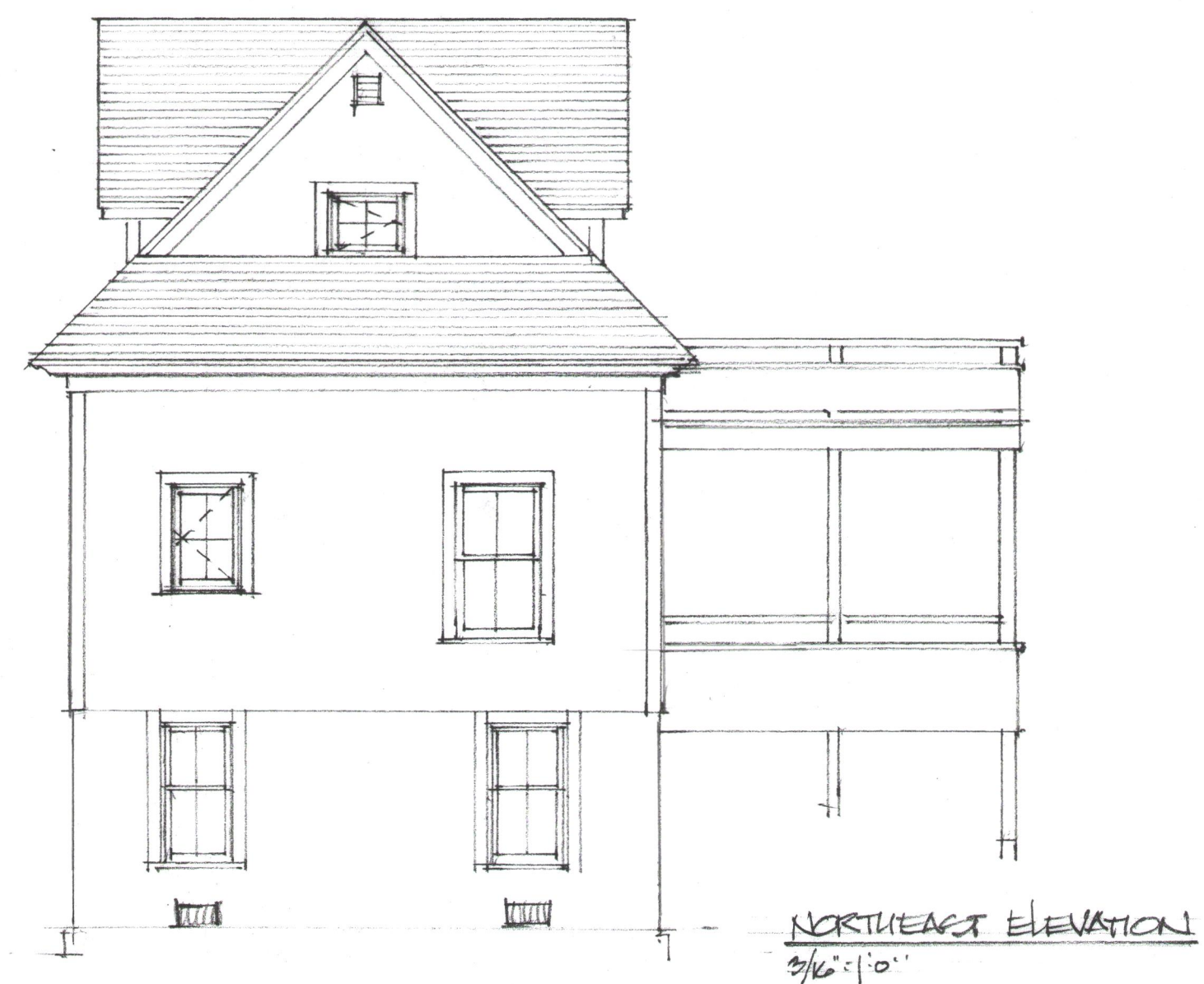
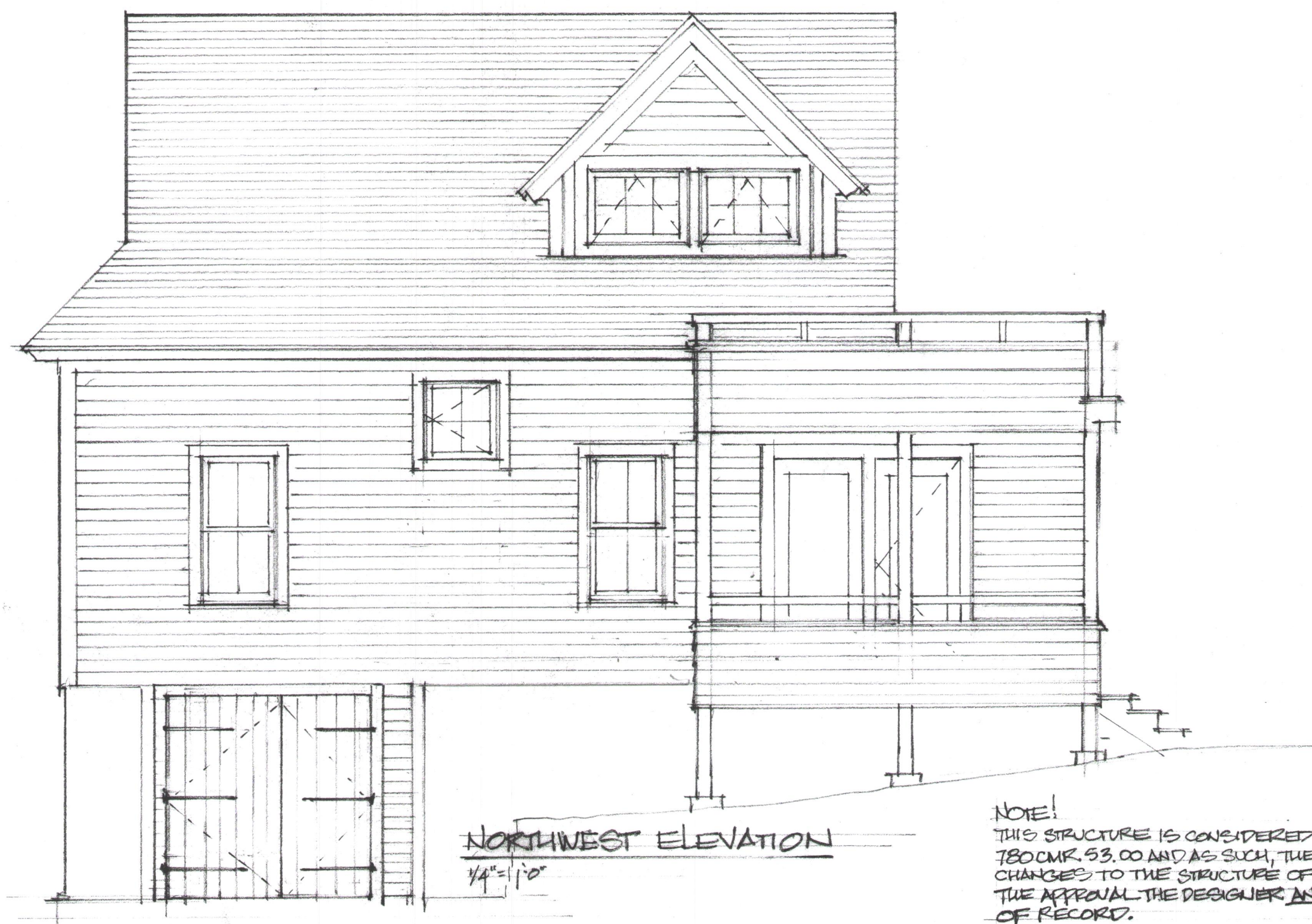
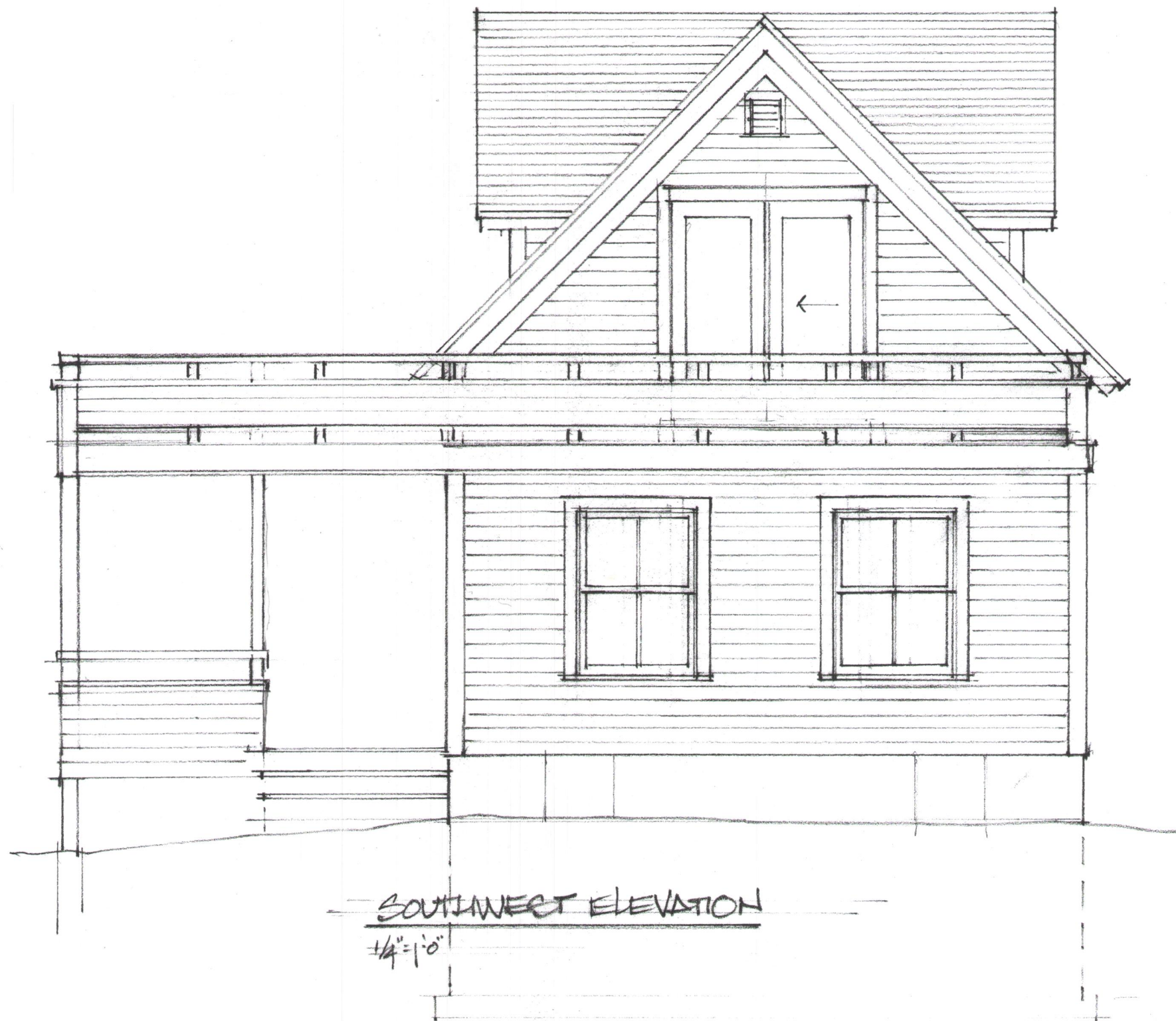
379 SHORE RD.
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McKENZIE ENGINEERING CONSULTANTS
structural · civil · environmental

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Mark A. McKenzie
1/13/20

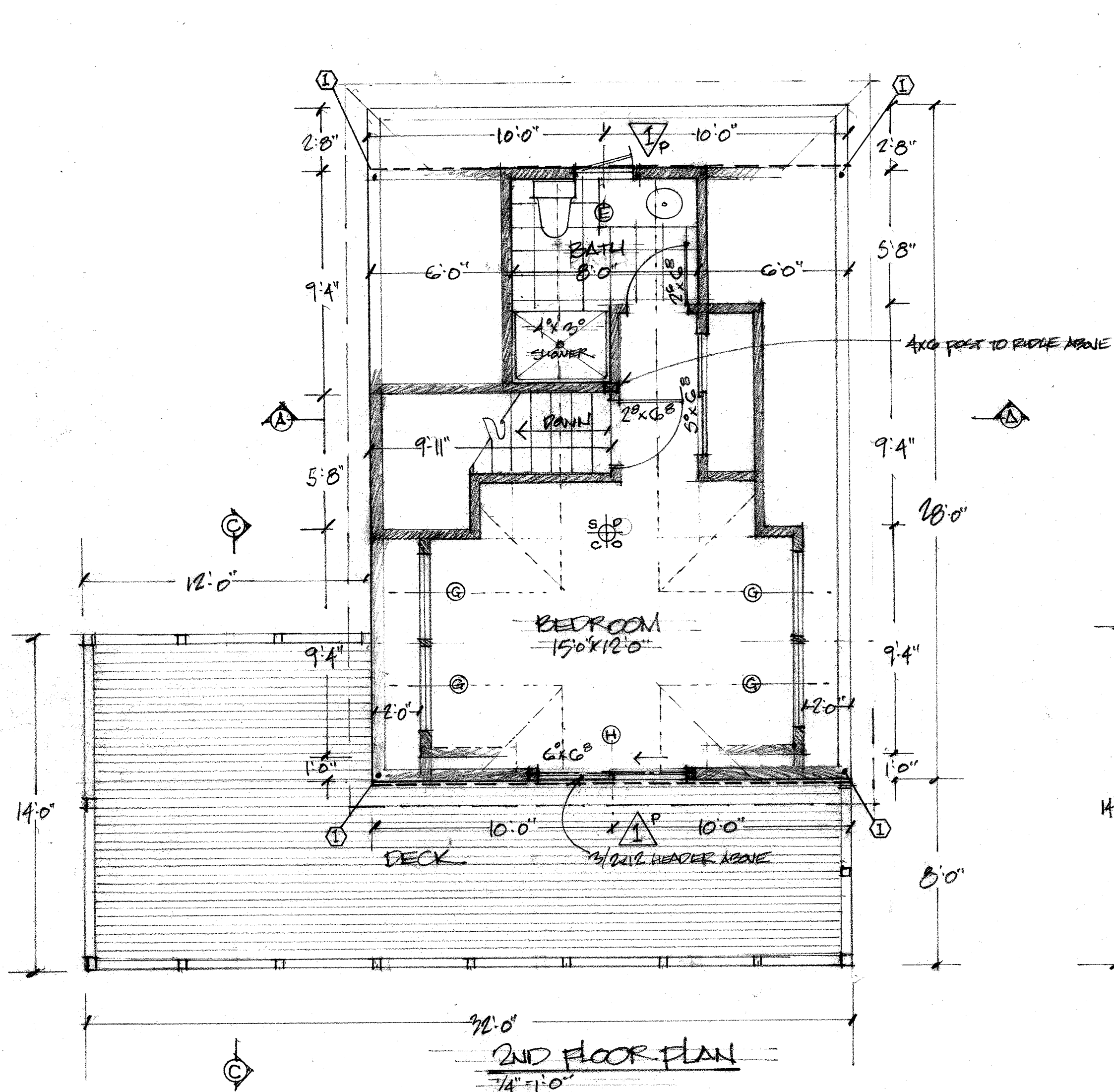
JOB#:	SHEET
09-198	G1.2
DATE: 01-13-2020	
SCALE: NONE	



NOTE!
THIS STRUCTURE IS CONSIDERED AS EXPOSURE C PER
780CMR 53.00 AND AS SUCH, THERE ARE TO BE NO
CHANGES TO THE STRUCTURE OF THE BUILDING WITHOUT
THE APPROVAL THE DESIGNER AND STRUCTURAL ENGINEER
OF RECORD.

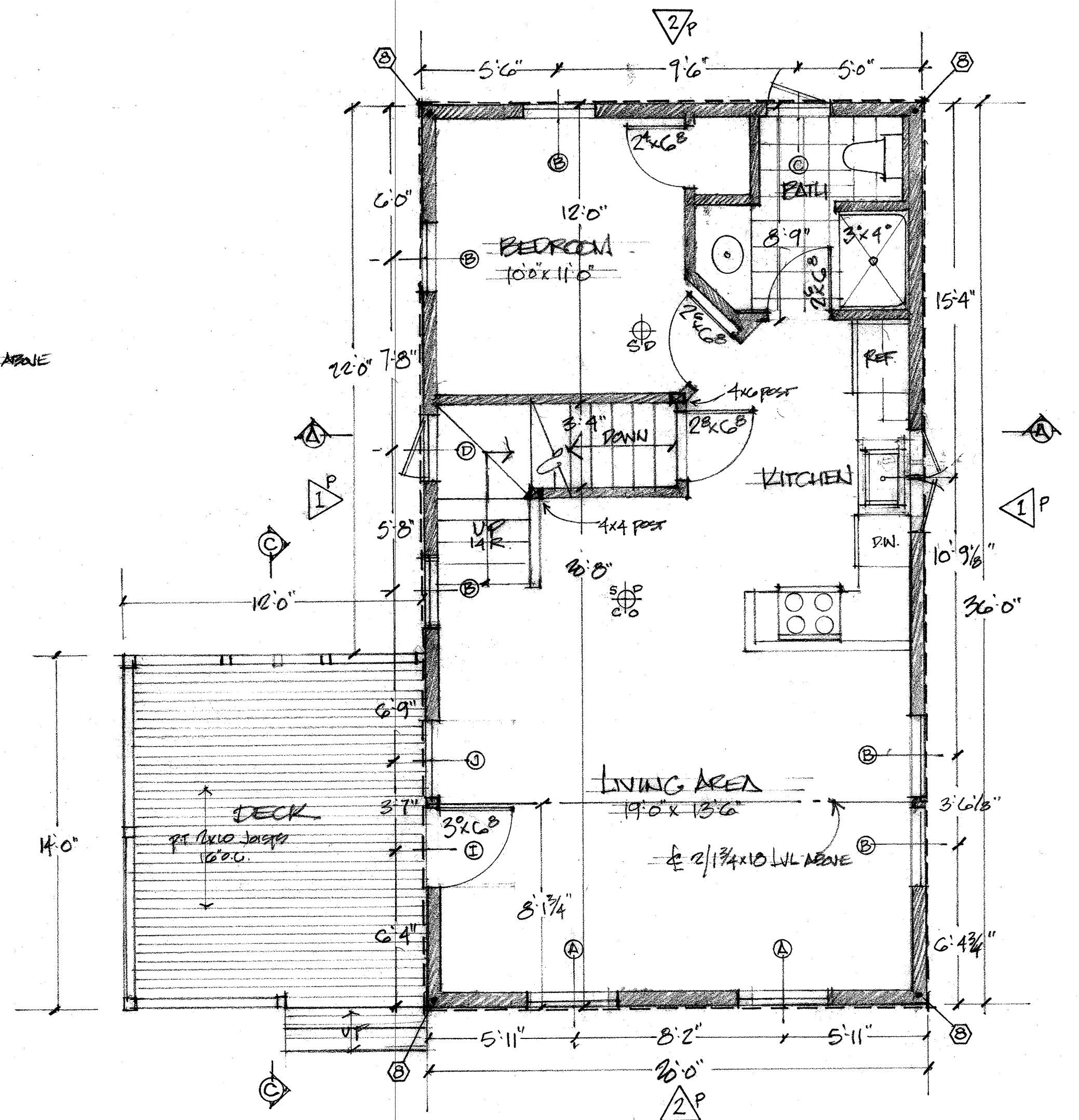


RENOVATION FOR:
MR. CHARLES SILVA
319 SHORE ROAD, NORTH TRURO, MA
FEBRUARY 18, 2009
AUGUST 10, 2009
DECEMBER 18, 2019



EXTERIOR WINDOW & DOOR SCHEDULE

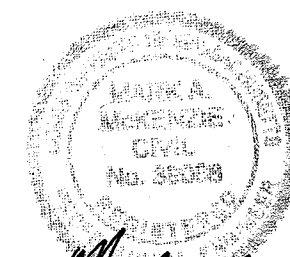
KEY	ROUGH OPENING	TYPE	SF. GLZ	Nº REED	MANUFACTURER	Nº	NOTES
A	3'10 1/8" x 5'4 1/8"	DOUBLE HUNG	15.1	2	ANDERSEN	TW 3852	TW "STORM WATCH GLAZING" & GUMMED AS SHOWN
B	3'0 1/8" x 5'0 7/8"	"	10.4	5		TW 210410	
C	2'8" x 3'5 3/8"	CASEMENT	6.8	1 LH		CX 135	
D	2'8" x 3'0 1/2"		5.9	1 LH		CX 13	
E	2'4 1/8" x 2'0 5/8"		3.2	1 RH		CW 12	
F	4'0 1/2" x 3'5 3/8"	PULE	9.9	1		C235	
G	3'5 3/8" x 2'4 1/8"	AWNING	6.0	4		AW 351	
H	6'0" x 6'8"	G' SUDER	23.7	1		FNGT606BR	
I	3'1" x 6'11"	PATIO DOOR	11.4	1		FNH 31G11A	
J	3'1" x 6'11"	FIXED PATIO DOOR	11.4	1		FNH 31G11S	
K	7'1/2" x 7'1"	WYOM DOOR	0	0		SEE DESIGNER FOR DETAILS	



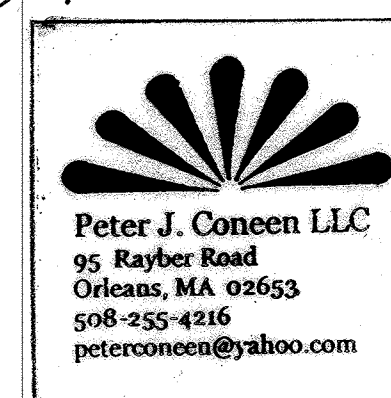
1ST FLOOR PLAN

SQUARE FOOTAGE DATA

EXISTING 1ST FLOOR LIVING AREA	720 SF
NEW 2ND " " "	353 SF
TOTAL	1,073 SF
EXISTING 1ST FLOOR DECK	168
NEW 2ND " " "	328
EXISTING FULL BASEMENT	440
" CRAWL SPACE	280
SMOKE / CARBON MONOXIDE DETECTOR	3x10
SMOKE DETECTOR	3x10



1/13/20
Michael Strobel

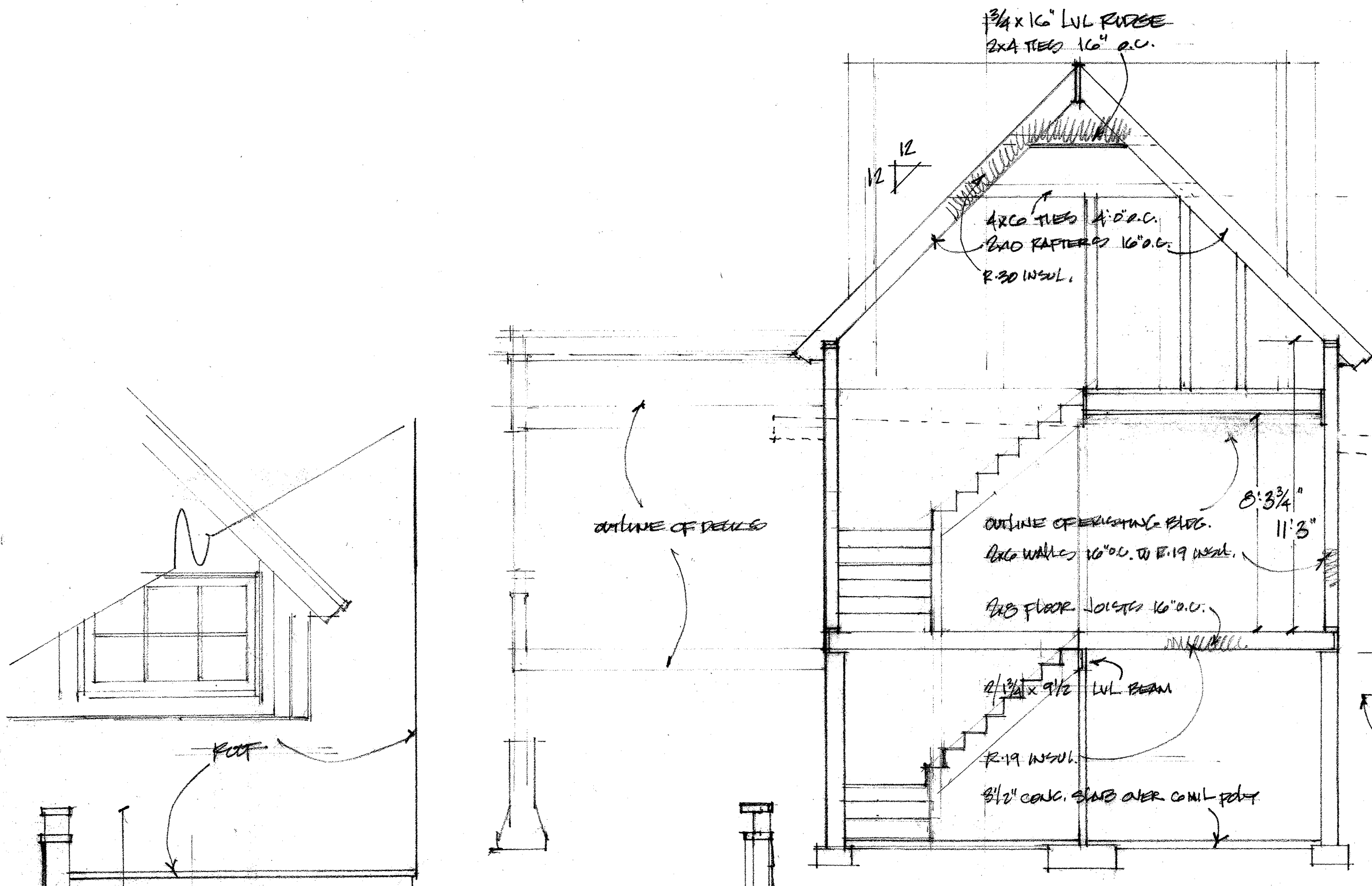


A RENOVATION FOR:
MR. CHARLES SILVA
379 SHORE ROAD, NORTH TRURO, MA
FEBRUARY 15, 2009
AUGUST 20, 2009
DECEMBER 15, 2019

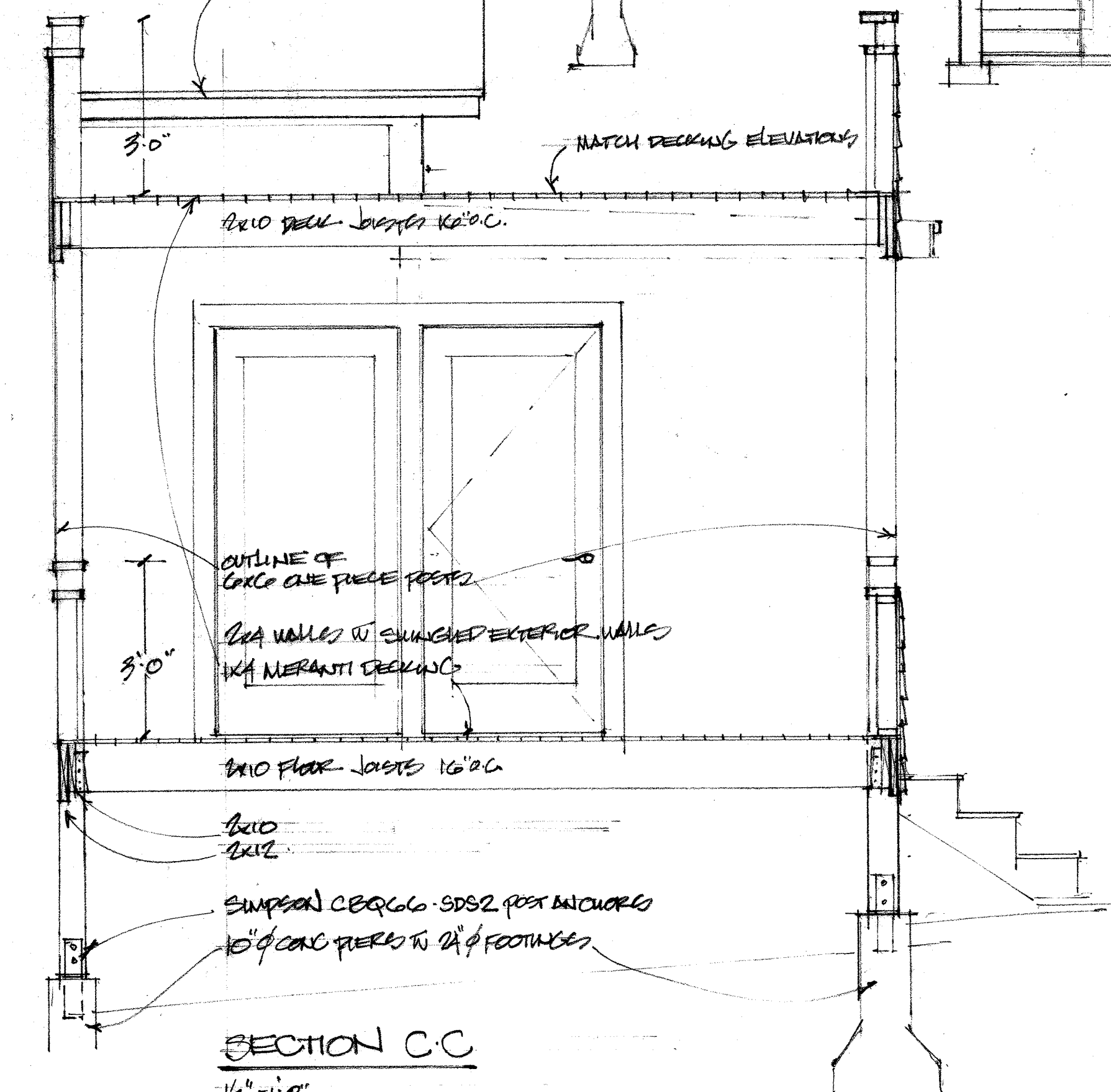
2

OF 4

0813

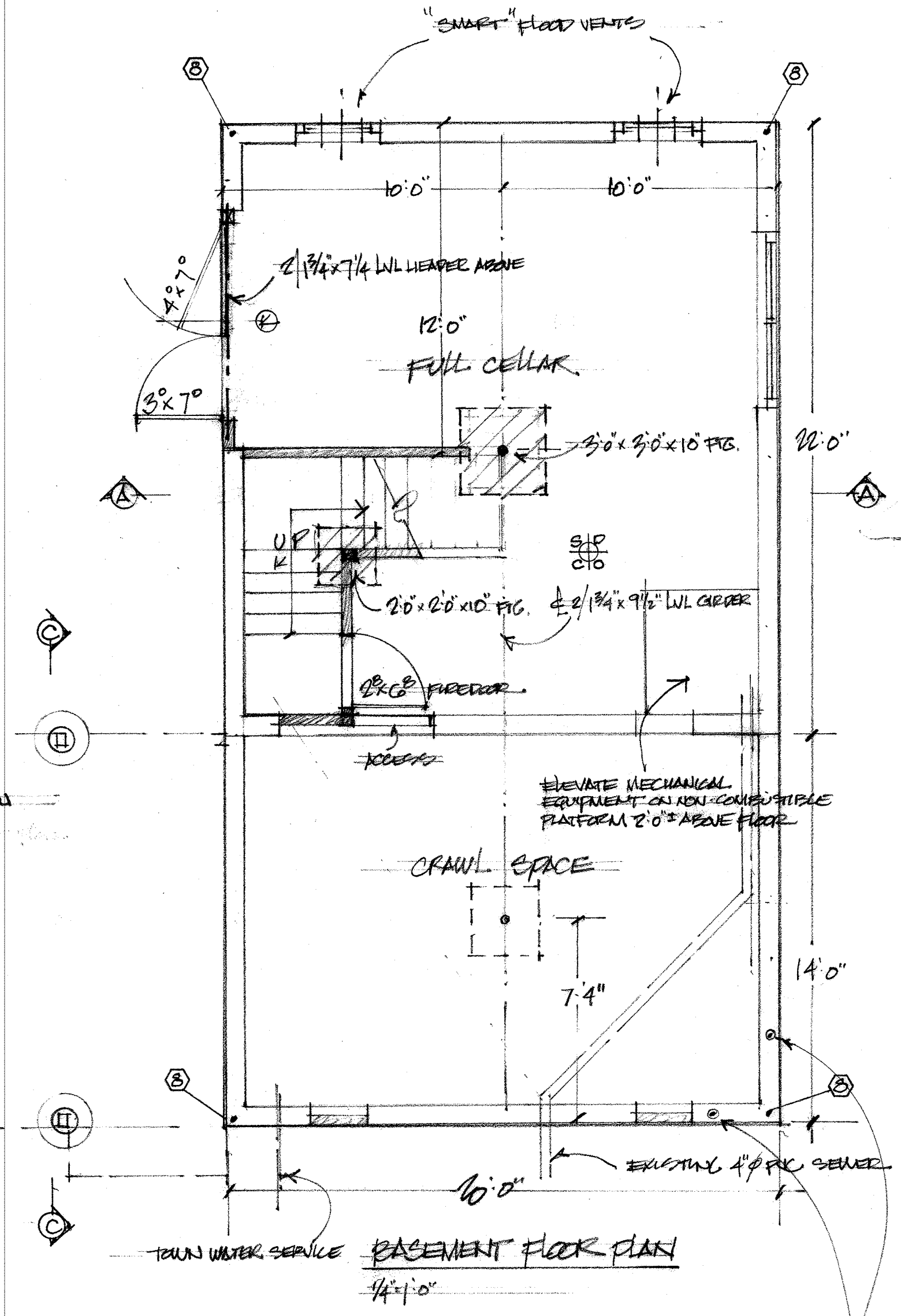


SECTION A-A
1/4" = 1'-0"



SECTION C-C
1/2" = 1'-0"

14.5 T.O. FIN.
13.0
FIND FLOOR PLANS



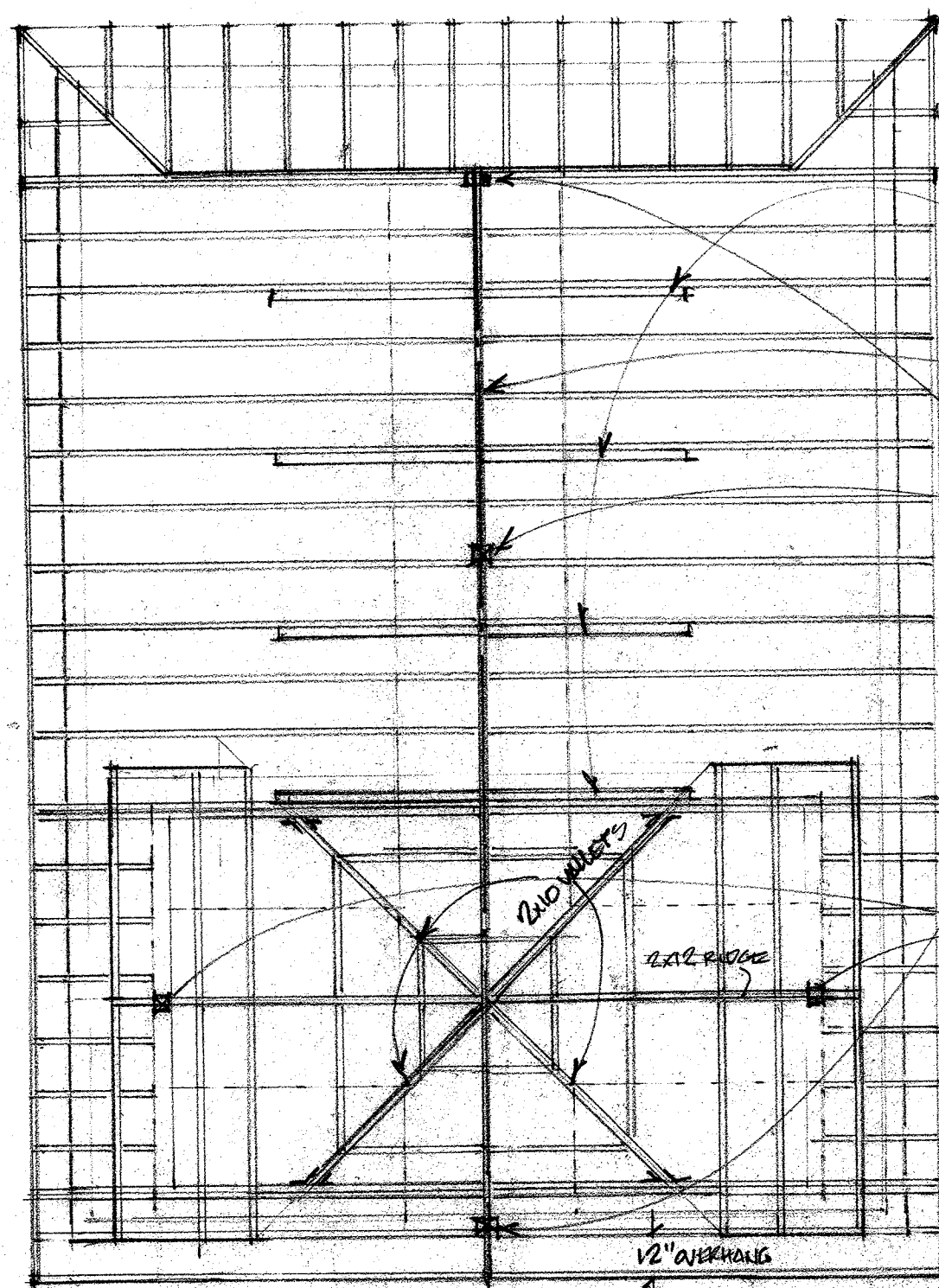
BASEMENT FLOOR PLAN
1/4" = 1'-0"

NOTE: PROVIDE SILL FASTENING 3'-0" O.C. WITH 1/2" x 5" WEDGE BOLTS AS NEEDED PER EXISTING CONDITIONS

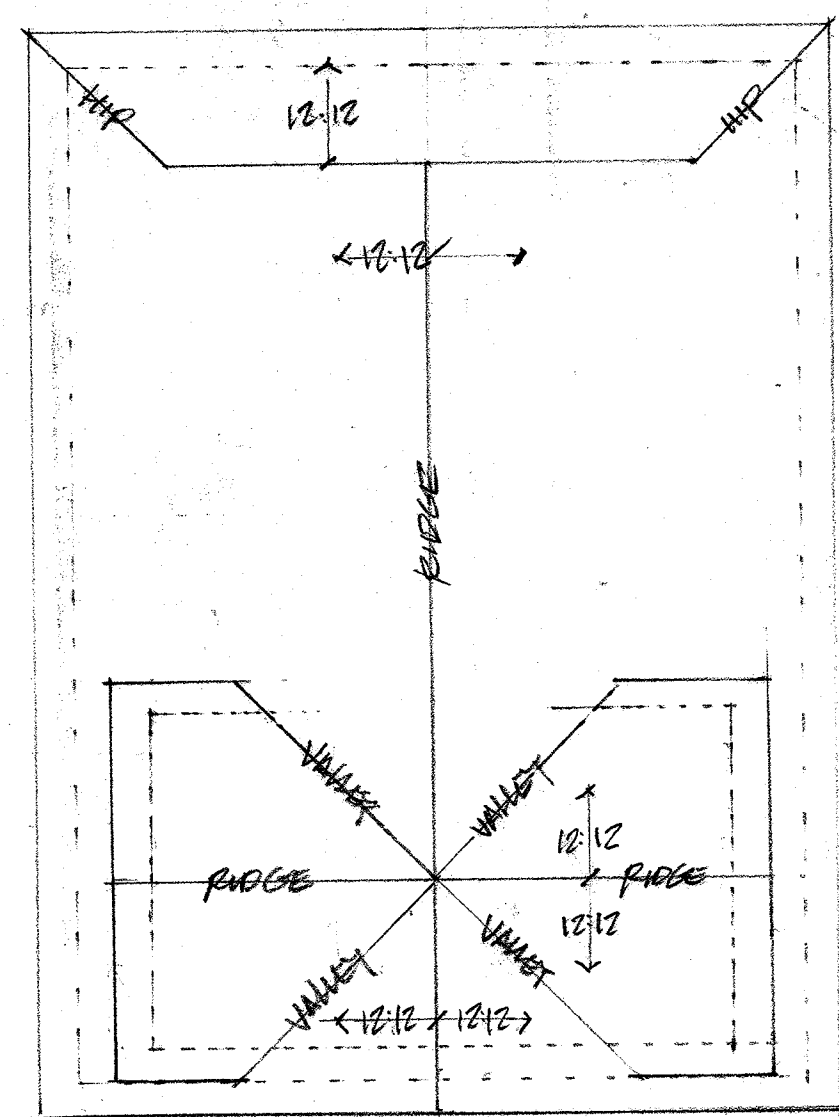
Stamp: MARK A. WICKENZ CIVIL No. 38008
Signature: [Signature] 1/20/20
shwchul

Peter J. Concen LLC
95 Rayber Road
Orleans, MA 02653
508-255-4216
peterconcen@yahoo.com

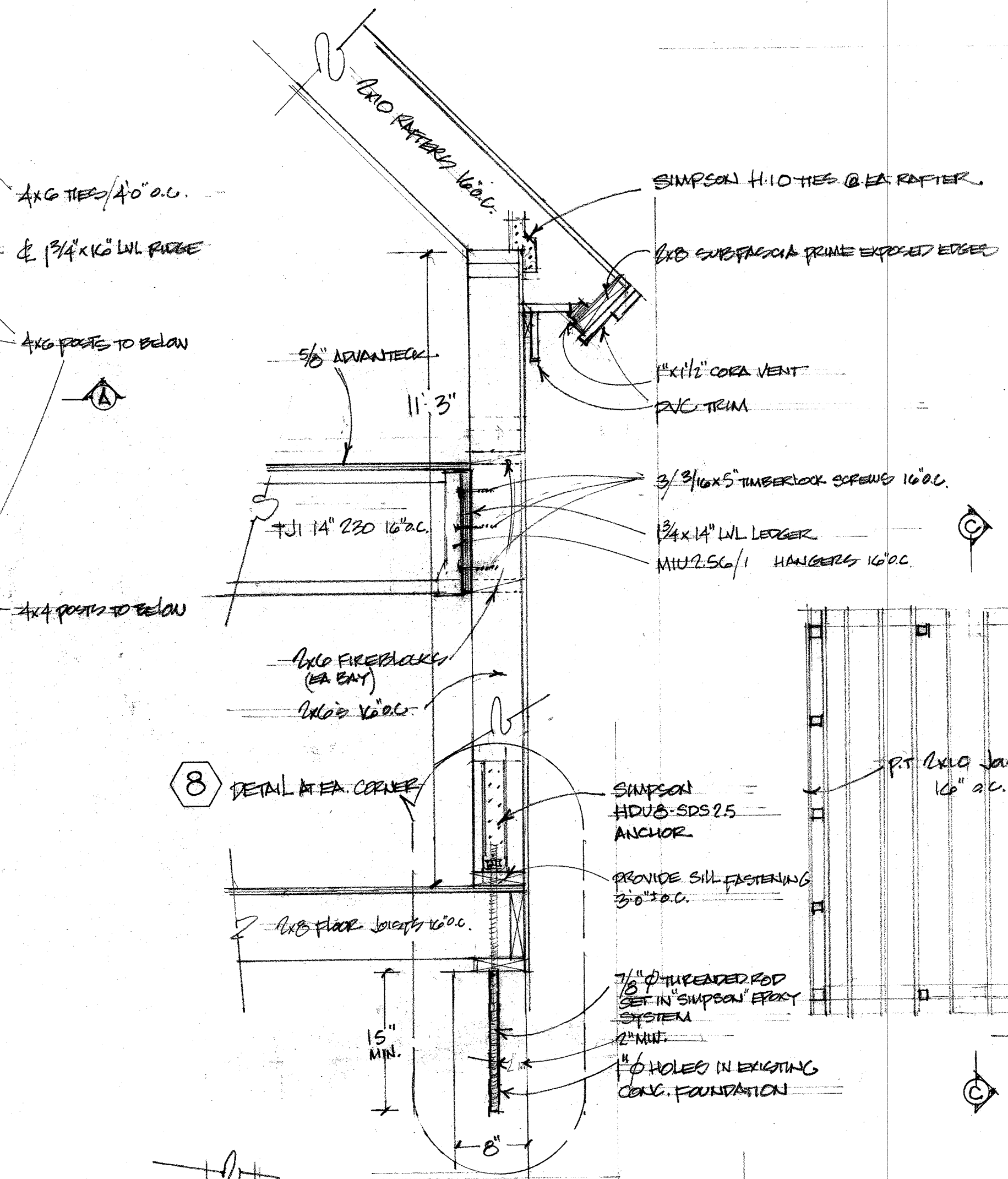
RENOVATION FOR:
MR. CHARLES SILVA
319 SHORE ROAD, NORTH TRURO, MA.
FEBRUARY 18, 2009
AUGUST 20, 2009
DECEMBER 18, 2019



ROOF FRAMING PLAN
1/4" = 1'0"

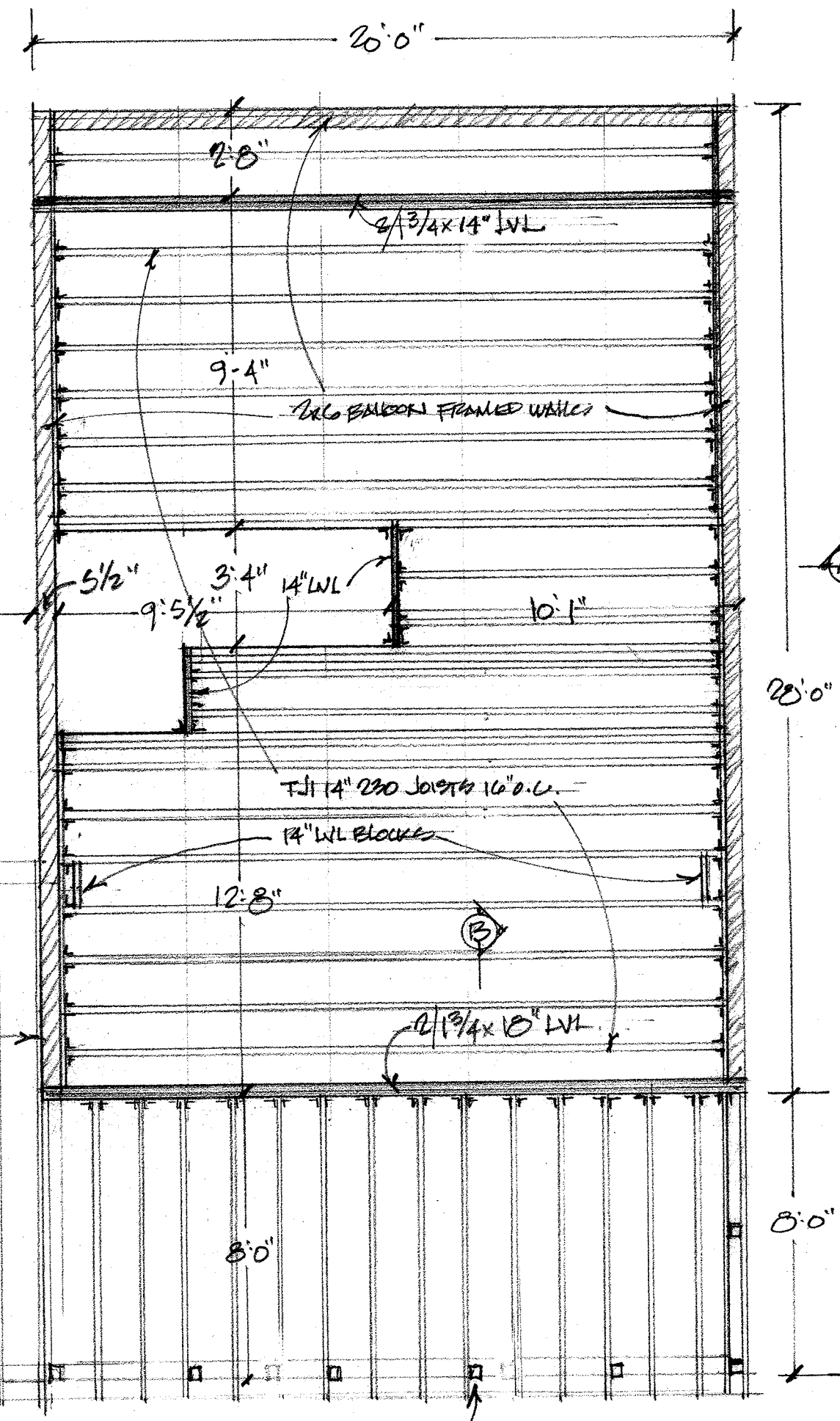


ROOF PLAN
1/16" = 1'0"



DETAIL @ SECTION A-A
1" = 1'0"

SECTION B-B
1" = 1'0"

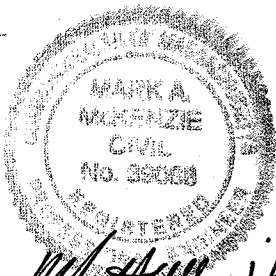


2ND FLOOR FRAMING PLAN
1/4" = 1'0"

EDG TO JOISTS W 2 1/2" Ø EA.
METAL DRIP EDGE
PVC TRIM
SEPTIC VENT



RENOVATION FOR:
MR. CHARLES SILVA
379 SHORE ROAD, NORTH TRURO, MA
AUGUST 20, 2009
DECEMBER 18, 2019



W/office 11/13/20
Sketch

**TOWN OF TRURO
ZONING BOARD OF APPEALS
MEETING MINUTES
November 5, 2018
TRURO TOWN HALL**

Members Present: Chair-Bertram Perkel, Art Hultin, Chris Lucy, John Dundas, Fred Todd, Alternate-Susan Areson

Members Absent: John Thornley

Others Present: Interim Town Planner-Jessica Bardi, Atty. Benjamin Zehnder, Yvette Dubinski, Richard Sullivan, Joanne Barkin, Roland Letendre, Joan Holt

Chair Perkel called the meeting to order at 5:30 pm.

Continuation – 2018-002/ZBA – Timsneck LLC, by Atty. Benjamin Zehnder, for property located at 10 Thornley Meadow Road (Atlas Sheet 53, Parcel 87, title reference: Book 30529, Page 134). Applicants are seeking a Special Permit and/or Variance, whichever the Board deems appropriate, w/ref to Sections 10.4 and 30.7B of the Truro Zoning Bylaw for additions to a pre-existing, non-conforming single-family dwelling.

Atty. Zehnder approached the Board.

Chair Perkel stated that he'd just been handed an email from Atty. David Reid stating that he was dealing with a family medical emergency and would not be able to attend the Zoning Board meeting. Atty. Reid asked for the Public Hearing to be postponed. Chair Perkel's first instinct is to say no. Atty. Zehnder asked to be heard. He stated that Atty. Reid has submitted extensive written materials and his arguments are laid out in writing. This meeting was specifically scheduled for two reasons:

1. To be able to hear this in the absence of other cases.
2. To work around the availability of the complaining abutters.

Atty. Zehnder (and his clients) would like to get this heard. They respect whatever decision the Board makes, and he respects Atty. Reid.

Chair Perkel polled the Board.

Member Areson would be inclined to rely on the materials submitted and go forward with the hearing. Member Todd agreed. The Board has received a lot of material. He would like to have some exchange with Atty. Reid if possible.

Members Lucy and Dundas would like to move forward.

Member Hultin certainly understands the reasons for wanting to go forward, however in fairness to counsel, Atty. Reid should be allowed to be heard. There is a lot of material to review and Member Hultin is not sure he wants to vote on something without having the "back-and-forth" opportunity to speak with Atty. Reid.

Chair Perkel suggests continuing the meeting over at the Public Safety Facility.

Member Lucy made a motion to continue the meeting at the Public Safety Facility with a fifteen-minute recess. They will reconvene at 5:50pm.

Member Hultin seconded.

So voted; 5-0-0, motion carries.

Meeting reconvened at the Public Safety Facility at 5:50pm.

Chair Perkel stated that the Board would continue their discussion which they started at the Town Hall before they moved over to the Public Safety Facility. He reiterated that the Board had just been given a letter from Atty. Reid stating that he would be unable to attend the meeting and was asking for a postponement. He's inclined to grant the postponement.

Yvette Dubinski came up (Atty. Reid is her lawyer), she's representing the abutters who are questioning the granting of this special permit. Moving forward would leave the abutters without Counsel, which doesn't appear to be fair. Member Dundas asked if Ms. Dubinski represented all the abutters when she says the public hearing should not take place tonight and be continued. She responded that she felt confident that all the abutters felt the same way.

Richard Sullivan came up to speak, he lives at 2 Sandpiper Road and is not an abutter. He stated the paperwork has been filed, it's been reviewed by the ZBA, and he feels they should be able to move forward.

Joanne Barkin came up to speak. She noted that everyone has come back multiple times, and she feels the ZBA has been very generous in granting continuances. Now that Atty. Reid has a genuine reason for not being able to attend, the ZBA is debating whether or not to move forward. She feels that's outrageous. She wants the ZBA to be fair. The side opposing the special permit deserves representation and the Board should continue, out of fairness.

Roland Letendre came up to speak. He explained the reason for a couple of the continuances. He noted that he is paying his lawyer constantly. He feels Atty. Reid's argument is laid out, and he thinks the Board should be able to move forward. He doesn't think Atty. Reid is going to come up with anything that isn't already written out.

Atty. Zehnder suggested that the Board open the hearing and allow him to make his presentation. The Board will be able to hear the presentation, hear comments from abutters, and not close the hearing tonight. Atty. Reid will be able to watch the recording of the meeting and then come in and rebut anything Atty. Zehnder puts forward. The Board will then be able to ask questions of Atty. Reid. Instead of waiting, if they move forward tonight it will give interested parties and counsel some time to review testimony. This will also give Atty. Zehnder some indication from the Board where they stand on this request. Chair Perkel feels that Atty. Zehnder's proposal is reasonable.

Chair Perkel stated that they would now proceed with the variance application:

2018-012/ZBA - Timsneck LLC, by Atty. Benjamin Zehnder, for property located at 10 Thornley Meadow Road (Atlas Sheet 53, Parcel 87, title reference: Book 30529, Page 134). Applicant seeks a Variance w/ref to Sections 10.4 and 50.1A of the Truro Zoning Bylaw for 14.27 feet of lot frontage on Button Hill Road or in the alternative, 45.82 feet of lot frontage on Thornley Meadow Road.

Member Lucy wished to make a disclosure before discussion started. In 2002 he worked for the Dubinski's as a landscaper, and in 2008 he worked for the Thornley's (when they owned this property) as a landscaper. This disclosure will not hinder his ability to make a decision which will be determined on the merits of the case.

Atty. Zehnder stated that there are two applications before the Board. They will be asking the Board to vote on an Application for Special Permit for alteration of the structure on 10 Thornley Meadow Road, the more recently filed is an application for a variance for lot frontage requirements for alterations of a residence at 10 Thornley Meadow Road. The plans which have been submitted consist of:

- A site plan dated January 26, 2018, revised March 22, 2018.
- A planting plan dated June 13, 2018.
- Several existing plans (basement, first floor, second floor, roof).

- Elevation plan.
- Proposed basement plan, proposed first floor plan, proposed second floor plan, two sheets of proposed elevation plans.

Atty. Zehnder described the lot regarding measurements/frontage. The Board has been provided with a sketch plan done by Ryder & Wilcox which shows the frontage of 10 Thornley Meadow Road. He asked that the Board make that part of the record. What's being proposed, in addition to the existing structure, is to add another section to this house on the south side of the structure. This proposal would create a 7-bedroom dwelling with a 9-bedroom septic system. It would remain a single-family dwelling and there would be no change to the location of the driveway. Without granting the variance, the structure will be frozen the way it is, which he believes creates a substantial hardship to the applicant. He also feels that the Board cannot make a finding that the replacement of this house with a larger house will be a substantial detriment to the public good. Chair Perkel asked how large the house currently is. Atty. Zehnder replied that it's approximately 7400 sq. ft. in floor area. Atty. Zehnder went on to state that the lot size is 4.75 times larger than the minimum lot size in Truro. The lot coverage is 2.03 percent while the average lot size in the neighborhood is 4.94 percent.

Member Areson had a question regarding a second kitchen in the guest house, above the garage. Is it allowable? Atty. Zehnder was not sure. He stated it's the Building Commissioner's position that you cannot have a cooking facility, as that would create a separate dwelling. They would accept a condition that there be no kitchen.

Member Todd had a question about the height calculations, specifically in the exercise room, and does that constitute a story. If it is considered a story then the height would be considered excessive. Atty. Zehnder had two responses;

1. The specifically asked their engineer to provide a height calculation. Looking at the site plan itself there is a proposed ridge elevation and an average existing grade elevation, and a height. The Engineer has done those calculations as required by the bylaw. They have the house at 29.4 feet including the entirety of the structure, including the exercise room.
2. In response to whether this is a three story house. He read from the bylaw as to how a basement is handled. Only two corners of the basement are exposed, and those belong to the exercise room. The remainder of the basement of the structure, as you go around the house, is shielded by grade level.

Member Hultin asked if Atty. Zehnder had any information on the creation of Thornley Meadow Road and Button Hill Road, and their evolution. He stated the appeal arose out of the Building Inspector's determination that Thornley Meadow was a non-conforming road, and Member Hultin wonders if it is in fact a non-conforming road then how can Button Hill be conforming? Atty. Zehnder wonders the same thing. He stated that in 1994 a subdivision plan was approved by the Planning Board which created this division of land into 4 or 5 lots. The road was vetted at that time by the Planning Board and they granted certain waivers from requirements. This was for Thornley Meadow and Button Hill at the same time. Member Hultin then stated that Thornley Meadow Road is a private way, owned by the abutters to the road, and was created at the same time as Button Hill Road. He then asked if Button Hill Road was owned by the abutters to that road. Atty. Zehnder believes that when the Thornley's divided up the property, the ownership of the lots included ownership of the road. The point Member Hultin is getting as is; are these two roads or one road with two names? Atty. Zehnder thinks it's one road and that the 2nd name was given only for the reason to create frontage for the Dubinski lot. Member Hultin thinks that's an important item to determine. Atty. Zehnder stated that if the Board finds that this is one road, then he does not think they need a variance.

Member Todd stated that in looking at the 2015 street inventory, Button Hill has a date of 1994 and Thornley Meadow 1993. Atty. Zehnder said that the subdivision plan, dated November 1993, showed Button Hill Road. Ms. Dubinski came up and stated that there was a whole other side of this which they

needed their attorney for. Chair Perkel informed her that Atty. Reid would have an opportunity to present the information. Atty. Zehnder added that Mr. Letendre wished to remind the Board that there is not a road up there, just entrances to driveways. Chair Perkel stated the Board has been up there and they have seen the location.

Member Lucy wished to go back to what Member Hultin was questioning. He wonders if they all still have the minutes from the Planning Board back in 1993. Those minutes address what will be paved, what will be crushed stone, etc. It was given waivers to not be constructed as "full spec". He asked Atty. Zehnder if there is access to the profiles of the original road. There is an old plan for Thornley Meadow that shows stations, and it takes you up to 1100 feet and that's the end of Thornley Meadow. It does not show Button Hill. The other plan (1993-110) will show that profile and define whether there are 1 or 2 roads.

Chair Perkel presently feels that the hardship is probably proven and he could see the conditioning of the lot being required. There is a third element which concerns him. If the applicant is granted a variance without conditions it becomes a totally lawful lot. With that, the owner could put the pool back, and do any number of things. Chair Perkel had asked legal counsel if the ZBA had the power to put conditions if they approved. Legal counsel had responded, stating that the ZBA did have the power to condition the variance. Chair Perkel then asked members of the ZBA for suggestions on conditions if they approved the variance:

- Member Todd not only had concerns with the size of the structure, but also the amount of light spilling out from the structure. He does not know the answer but certainly feels it's a matter for discussion.
- Member Hultin feels that if there are going to be limits, they have to be reflective of what is before them. He would consider items which are concerning to him, such as the use. Is the structure for family use, or a conference center? There could be restrictions on the possibility of rentals. As to the size, he does not feel it's the job of the ZBA to determine. If the restrictions don't pass at Town Meeting, then they don't apply for the ZBA. It is not their job to do what Town Meeting doesn't accomplish.
- Member Dundas concurs with Member Hultin. His concern is that the coverage of the structure vs. the size of the lot does not belong in front of the ZBA, he believes that is a Town decision.
- Member Lucy agrees. He does not feel they should consider the size when there is no bylaw about anything of that nature. He also pointed out that in the matter of use, whether an Airbnb or a conference center, the Town does not have anything on the books regarding that. He wonders if the house slowly increases in size. Right now it's 4000+ square feet, and they are proposing 7000+. Will the next owner come along and propose increasing to 9,000+? That is something he would consider a condition on.

Chair Perkel suggested that this will require four out of five votes, and it's something Counsel should consider. Member Areson noted that some of the neighbors have expressed concern over the berm that's going to be removed, where the exercise room will be. The berm acts as a "screen" to the neighboring property. Atty. Zehnder stated there are two issues.

1. What project does the ZBA feel is appropriate for the granting of a variance.
2. What project does certain interested parties feel is appropriate.

The owner immediately removed the swimming pool at the request of the abutter. Atty. Zehnder also had a conversation with Atty. Reid two or three days ago, asking if there was something they could do to manage the project in such a way that would be acceptable to the client. Atty. Reid responded that he did not think so.

Ms. Dubinski came back before the Board. She stated that the issue has to do with the amount of land that the Letendre's have on this road which is much less than what Atty. Zehnder has suggested. According to the bylaws, you have to have a certain amount of frontage on a road to increase a

structure and this house does not have that. She thinks the Letendre's have asked for this lis pendens action to the Thornley's. The Letendre's know they do not have enough frontage, and they are asking the ZBA to make an exception. Chair Perkel stated that they are allowed to ask for the exception. He reassured Ms. Dubinski that Atty. Reid will be able to come and make his presentation.

Joan Holt came up to speak. She'd like to discuss the question of the detriment to the neighborhood. She feels the Board has mostly served the applicants, and it's rare that they have acted on behalf of the abutters. She asked the Board to look at the audience. It's a community of mostly small homes. The Dubinski's property has several buildings but they are small, and separated. She stated that suddenly there are people coming into the community with no idea what the surrounding homes look like. Her house is 1800 square feet. The large structure proposed will change the look of the entire neighborhood. She implored the Board to think about the community.

Member Hultin could not disagree more with the speaker. The Board, over the years, has done a very good job at representing the Town, the neighborhoods, and the individual property owners by the Zoning Bylaws. If the residents want different Zoning Bylaws, then it's their job. The Zoning Board of Appeals job is to enforce, interpret, and to make exceptions to the Zoning Bylaw as needed.

Atty. Zehnder asked for a continuance to the November 26, 2018 meeting of both the Special Permit and the Variance Public Hearing.

Member Todd made a motion to continue Public Hearing 2018-002/ZBA and Public Hearing 2018-012/ZBA - Timsneck LLC to the November 26, 2018 meeting.

Member Dundas seconded.

So voted; 5-0-0, motion carries.

Chair Perkel adjourned at 8:25pm.

**Respectfully Submitted,
Noelle L. Scoullar**

**TOWN OF TRURO
ZONING BOARD OF APPEALS
MEETING MINUTES
November 26, 2018
TRURO TOWN HALL**

Members Present: Chair-Bertram Perkel, Art Hultin, John Dundas, Fred Todd, John Thornley, Alternate-Susan Areson

Members Absent: Chris Lucy

Others Present: Interim Town Planner-Jessica Bardi, Atty. Sarah Turano-Flores, Atty. Benjamin Zehnder, Yvette Dubinski, Richard Sullivan, Joanne Barkin, Roland Letendre, Joan Holt, Atty. Justin Perrotta

Chair Perkel called the meeting to order at 5:30 pm.

Continuation-2018-013/ZBA – Kenneth Shapiro, for property located at 405 Shore Road (Atlas Sheet 10, Parcel 5, title reference: Book, 25631, Page 201). Applicant seeks a Special Permit w/ref to Section 30.7 of the Truro Zoning Bylaw for the alteration of a pre-existing, non-conforming garage by replacing the existing structure with a new dwelling and garage structure.

Interim Planner Bardi stated that a continuance was requested for December 17, 2018 via an email.

Member Hultin made a motion to continue the Public Hearing for 2018-013/ZBA to December 17, 2018.

Chair Perkel seconded.

So voted; 5-0-0, motion carries.

Continuation-2018-003/ZBA – Susan Lewis Solomont, by Atty Sarah Turano-Flores, for property located at 37 Stephens Way (Atlas Sheet 58, Parcel 1, title reference: Book 10986, Page 185). Applicant is seeking to overturn the Building Commissioner's decision to not issue a permit and is also requesting a Special Permit and/or Variance, whichever the Board deems appropriate, w/ref. to Sec. 10.2 and 50.1A of the Truro Zoning Bylaw to construct a single-family dwelling.

Member Hultin noted he was recusing himself from this hearing and would sit in the audience.

Atty. Sarah Turano-Flores came before the Board. She is representing her client, Susan Lewis Solomont. With her is David Michniewicz, from Coastal Engineering, who designed the site plan, and also Mr. Chet Lay, who came out of retirement to submit an affidavit outlining the process that was followed in 1993 and 1994, relative to the creation of the approval of the subdivision plan back then. The affidavit was submitted after the last time they were before the ZBA, which was August 26th. Atty. Turano-Flores believes the affidavit puts into context the nature of those proceedings. She continued to list some additional information which had been submitted upon request of the Board. She would like to give a brief overview of the three forms of relief. Chair Perkel stated that the hard issue before the Board is the variance and he'd like her to address that first.

Atty. Turano-Flores said that if the Board does not feel it's buildable of-right, and if they don't believe it's eligible for a Special Permit, then she believes it's eligible for a variance. The variance standard is in the State Statute 40A, Section 10, and is three-pronged.

1. The need for the variance is owing to circumstances related to soil conditions, shape, or topography that especially affect this lot and not the neighborhood as a whole. With respect to this prong, they feel that both the soil conditions and the topography are at issue here. That is illustrated in the affidavit provided by Mr. Lay. The topography leading down into the wetland is very steep and is depicted on the affidavit as well.
2. If the variance is not given, Ms. Solomont would suffer substantial hardship. An itemized list has been provided in their narrative.
3. Whether desirable relief can be granted without substantially derogating from the purpose and intent of the Zoning Bylaw. Atty. Turano-Flores believes it's best to go back to the Special Permit criteria which also speaks to whether it will be substantially more detrimental to the neighborhood.

Chair Perkel asked what Variances they are looking for. Atty. Turano-Flores stated that first the ZBA would vote that they agree with the Building Commissioner that there is no frontage. As a result of that vote they would need a variance from the frontage requirement.

Member Areson is troubled by the appearance of the road. When you drive up it, it does not appear to be suitable for building. Atty. Turano-Flores said that the owner has an easement in the full extent of the subdivision plan that created this lot. They could, in theory, go out tomorrow (assuming the Conservation Commission gave approvals where needed) and construct to the full 40-foot width.

Member Areson understands, but it would still be near the wetlands, and they would need Conservation Commission approval. Atty. Turano-Flores agreed, if they are within 100 feet, however it was moved to over 100 feet from that wetland and the constructed portion in that location and does not need Conservation approval. The plan profile was revised to be located outside the 100-foot buffer zone to the inland wetland. Chair Perkel asked, assuming they get the variance for moment, where would the house be placed? Atty. Turano-Flores produced a plan and designated the location to the Board. Chair Perkel addressed the audience and asked if anyone would like to speak to the project, in opposition.

Atty. Justin Perrotta approached the Board. He represents the abutting property owners at 21 Cooper Rd. He had attended the last meeting addressing this project. On the variance request, he thinks the problem is; if they approve a variance here, they will have everyone coming in to get a variance because their property is near a wetland, or they're on a road with a little rise in it. He does not feel this property is unique enough to grant a variance. He added that thinking a lot is buildable when it isn't, is not a sufficient hardship to grant a variance. Atty. Perrotta included that counsel left off one of the key elements of the bylaw which is to ensure roads with adequate access of 40-feet in width. Granting a variance on a much smaller road doesn't satisfy the spirit of the bylaw. For the reasons mentioned, they do not feel a variance should be granted.

Joanne Barkin came up to speak. She lives on Stephens Way. She referred to the Klein case in 2008 where Susan Solomont was one of the plaintiffs and she thinks the record will show that Ms. Solomont signed various documents indicating that she believed Stephens Way was unsafe. She would like to ask whoever is in a position to speak for her, perhaps her lawyer, to speak to this. She feels there is an important contradiction there, and she would like that clarified.

Chair Perkel then asked if there was anyone in the audience to speak in favor of the project. No one came forth.

Chair Perkel closed the evidentiary portion of the public hearing to audience comments and announced that the Board would go into the deliberative portion of the hearing.

Member Areson stated that they had competing opinions from different Building Inspectors, and Town Counsel. Chair Perkel has a problem with the recounting of people's thoughts, and what they said, from 20 years ago. Member Areson believes there is some hardship shown, as Ms. Solomont has paid taxes on this property, as a buildable lot, since she purchased it.

Member Todd feels the same way. He's looking at the property as a buildable lot.

Member Dundas agrees that it is a buildable lot based upon the evidence presented before the Board. He thinks that if they're going to list the criteria, then absolutely it's a hardship. The applicant pays taxes on this lot.

Member Thornley has always felt this was a buildable lot, by-right.

Chair Perkel stated it appears that the Board is of the same opinion on the hardship side. He wished to discuss the effect of the variance by topography which is unique to the site.

Member Todd thinks it's a toss-up. He thinks there are a lot of sites in the area where wetlands and topography are involved. He does not find it compelling. Member Areson agrees with what Member Todd stated.

Member Dundas confirmed that the structure would take up 3 percent of the 3-acre lot. He believes the owner is taking great care and consideration to the effect it would have.

Member Thornley reiterated that he believes the lot is buildable by-right.

After a five-minute break, deliberation continued.

Chair Perkel stated in order to say it's a buildable lot by-right, they needed to find 150 feet of frontage, and it doesn't exist. If they find 150 feet of frontage, then they can overturn the decision of the Building Commissioner. Without finding that frontage, they would need to discuss whether the property is entitled to a Special Permit.

Chair Perkel believes there are three items the Board needs to determine in order them to grant a frontage variance.

1. The unique issues presented by the topography.
2. Hardship.
3. Purpose and intent of the bylaw, which is derogation of the neighborhood.

When it comes to the hardship, Chair Perkel thinks there is substantial opinion. At least 4 members (probably 5) would impose a hardship. He then asked if the topography is such that it's unique to this property. He does feel there are a lot of topographical issues. There was substantial agreement among the Board members that there were unique topographical issues.

A 15-minute break was taken to allow Counsel to draft a motion.

Chair Perkel made a motion to recess for fifteen minutes.

No second.

So voted; 5-0-0, motion carries.

Chair Perkel called the Board back in session at 6:32pm. He went over the drafted motion and made some amendments. Chair Perkel would like to propose the following; see if the Board has any more discussion on the variance issue and then he'd like to ask for a vote, incorporating the Principals and text (where relevant) in the document they are currently reviewing. He also feels they should draft an opinion which will come back to them at their next meeting for signing. That would moot the two applications before them (the building permit and the special permit), and they should deny both. Member Todd asked if they would need an extension. Interim Planner Bardi stated she would ask the applicant's counsel for an extension.

Member Todd made a motion in the matter of 2018-003/ZBA-Susan Lewis Solomont, for property located at 37 Stephens Way, to grant the applicant's request for a Variance from frontage requirements set forth in Section 50.1 of the Truro Zoning Bylaw requiring 150 feet of frontage on a street, as defined in Section 10.4 of said bylaw based on the plans submitted with the application and the following findings;

1. There are circumstances relating to soil conditions and topography that especially affects such land, but not effecting generally the zoning district in which it is located including, but not limited to, steep slope and a wetland on the property which both effected the ability of the property owner to fully construct the road to the extent shown on the 1994 Definitive Subdivision Plan which created the lot.
2. Literal enforcement of the provisions of the Bylaw in this case would result in a substantial hardship, financial or otherwise, by Ms. Solomont including, but not limited to the fact that she first purchased the property in 1997 and has been paying taxes on it as a buildable lot ever since, and would be left with an unbuildable lot if the Variance is not granted. Note that two prior Building Commissioners opined that the lot was buildable.
3. Desirable relief may be granted without substantial detriment to the public good, and without nullifying or substantially derogating from the intent or purpose of the Bylaw, including but not limited to, the fact that a single-family home is a use allowed by-right in the underlining zoning district. The proposed construction shall be three (3) percent of the lot area, and the proposed house is situated on the lot outside the 100-foot buffer zones to the adjacent wetlands.

Member Thornley seconded.

So voted; 5-0-0, motion carries.

Chair Perkel announced that the other two applications before the Board were essentially mooted.

Chair Perkel made a motion to deny the application and to reverse the Building Commissioner's decision.

Member Dundas seconded.

So voted; 5-0-0, motion carries.

Member Dundas made a motion in the matter of 2018-003/ZBA-Susan Lewis Solomont, for the property located at 37 Stephens Way to deny the applicant's request for a Special Permit pursuant to G.L. Chapter 40A Section C, Paragraph 1 in the Truro Zoning Bylaws Section 30.7A because the lot is not lawfully pre-existing, non-conforming, and the lot will not be used in the same manner for the purpose previously used and/or the single-family dwelling will be substantially more detrimental to the neighborhood than the existing non-conforming lot and/or the proposed single-family dwelling will not exist under the general purpose and intent of the bylaw.

Chair Perkel seconded.

So voted; 5-0-0, motion carries.

Continuation – 2018-002/ZBA – Timsneck LLC, by Atty. Benjamin Zehnder, for property located at 10 Thornley Meadow Road (Atlas Sheet 53, Parcel 87, title reference: Book 30529, Page 134). Applicants are seeking a Special Permit and/or Variance, whichever the Board deems appropriate, w/ref to Sections 10.4 and 30.7B of the Truro Zoning Bylaw for additions to a pre-existing, non-conforming single-family dwelling.

2018-012/ZBA - Timsneck LLC, by Atty. Benjamin Zehnder, for property located at 10 Thornley Meadow Road (Atlas Sheet 53, Parcel 87, title reference: Book 30529, Page 134). Applicant seeks a Variance w/ref to Sections 10.4 and 50.1A of the Truro Zoning Bylaw for 14.27 feet of lot frontage on Button Hill Road or in the alternative, 45.82 feet of lot frontage on Thornley Meadow Road.

Chair Perkel stated that he was in receipt of a letter from Counsel asking to withdraw both proceedings without prejudice.

Member Hultin made a motion to allow without prejudice both 2018-002/ZBA-Timsneck LLC, and 2018-012/ZBA-Timsneck LLC.

Member Thornley seconded.

So voted; 5-0-0, motion carries.

Member Thornley made a motion to adjourn at 6:50pm.

Chair Perkel seconded.

So voted; 5-0-0, motion carries.

**Respectfully Submitted,
Noelle L. Scoullar**

TOWN OF TRURO
ZONING BOARD OF APPEALS
Meeting Minutes
May 18, 2020 – 5:30 pm
REMOTE MEETING

Present (Quorum): Arthur Hultin (Chair); Fred Todd (Vice Chair); Chris Lucy (Clerk); John Dundas; John Thornley; Darrell Shedd (Alternate); Heidi Townsend (Alternate)

Absent: None

Other Participants: Jeffrey Ribeiro, AICP – Truro Town Planner

Meeting convened at 5:30 pm by Chair Hultin.

Town Planner, Jeffrey Ribeiro, detailed where to watch this meeting, how to access it, and to provide comment during the meeting by calling toll free (877) 309-2073 and entering the access code 802-400-861. The telephone number and access code were repeated, and he noted that a slight delay of 15 to 30 seconds between the meeting and the live stream television broadcast might be experienced. He also noted that if you are calling in to please lower the volume on your computer or television during public comments so you may be heard clearly and to also identify yourself so multiple callers can be managed effectively. Citizens may provide public comment for this meeting by emailing jribeiro@truro-ma.gov with your comments, and he will be checking the emails live during the meeting.

Public Hearing – Continued

2020-001/ZBA – Charles Silva for property located at 379 Shore Road (Atlas Map 10, Parcel 10, Registry of Deeds title reference: Book 24602, Page 48). Applicant seeks a Special Permit under Section 30.7.A of the Truro Zoning Bylaw for the demolition and reconstruction of a pre-existing, non-conforming cottage.

Chair Hultin stated that this is a procedural only motion that will be made to continue to June 22, 2020. Town Planner, Jeffrey Ribeiro, stated that at this time they are just making a motion to continue to the regularly scheduled meeting of June 22. Chair Hultin moved to continue this hearing to the meeting on June 22, 2020 at 5:30 pm, either at Truro Town Hall or online. Member Thornley seconded the motion. Chair Hultin asked if there were any further discussion by any Board Members; there were none. Chair Hultin asked for a roll call vote. Voted all in favor. So voted: 7-0. Motion passes unanimously to continue to the 22nd.

Board Action/Review

Chair Hultin asked Town Planner Ribeiro to explain the provisions for the first Agenda item regarding conducting meetings, hearings, and site visits. Town Planner Ribeiro stated the Governor came out today providing more information. Currently the recommendation from staff and counsel for the Town is still to hold off on conducting virtual hearings for now. Reasons being

that it is not ideal for the general public to participate because of tech issues, connectivity issues in Truro, lack of broadband/internet. Another issue is site visits and ways to do that – small groups, socially distanced, masks, video, individual drive-bys. Chair Hultin suggested waiting for guidance from higher authorities regarding future meetings and public hearings.

Town Planner Ribeiro addressed the next Agenda item: Vote to authorize the Chair to schedule or reschedule public hearings. He stated that the Municipalities Bill that the Legislature passed allows for the Board to authorize the Chair to schedule and reschedule public hearings as needed. Chair Hultin asked Town Planner Ribeiro if this preempts any public notice, is this a complete exemption to that notice, or is there some limitation to that? Town Planner Ribeiro replied that it does require posting on the Town's website ahead of time. His recommendation is to stay with their normal practice, but if needed, Chair Hultin could move a hearing to a later date. Chair Hultin stated that this is for extraordinary circumstances. Chair Hultin asked for a motion. Member Dundas moved to authorize the Chair to schedule or reschedule public hearings in accordance with Chapter 53 of the Acts of 2020, *An Act to Address Challenges Faced by Municipalities and State Authorities Resulting from COVID-19*. Seconded by Member Thornley. Chair Hultin asked if there were any further discussion by any Board Members; there were none. Chair Hultin asked for a roll call vote. Voted all in favor; Chair Hultin abstained. So voted: 6-0, one abstained.

Town Planner Ribeiro addressed the next Agenda item: Cloverleaf project. He stated that they were not going to be able to move forward on the 28th as the applicant's engineer is also working in a limited capacity, and they have not yet received the revised plans. Once received, the plans will need to go to Horsley Witten for the peer review again. They are working on the timeline. The meeting on May 28 will be a continuance.

Approval of Minutes

Chair Hultin reiterated the July 29, 2019 minutes. Hearing no changes offered, Chair Hultin moved to accept the minutes as written. Clerk Lucy seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Member Dundas abstained. So voted: 6-0, one abstained. Motion is approved, and the minutes are accepted.

Chair Hultin stated the August 26, 2019 minutes were from executive session. Hearing no changes offered, Chair Hultin moved to approve the minutes as written. Member Thornley seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Member Lucy abstained. So voted: 6-0, one abstained. Motion is approved, and the minutes are accepted.

Chair Hultin reiterated the December 5, 2019 minutes. Hearing no changes offered, Chair Hultin moved to accept the minutes as written. Vice Chair Todd seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Member Lucy abstained. So voted: 6-0, one abstained. Motion is approved, and the minutes are accepted.

Chair Hultin reiterated the December 12, 2019 minutes. Hearing no changes offered, Chair Hultin moved to approve the minutes as written. Vice Chair Todd seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor. So voted: 7-0. Motion is approved, and the minutes are accepted.

Chair Hultin reiterated the December 19, 2019 minutes. Hearing no changes offered, Chair Hultin moved to accept the minutes as written. Vice Chair Todd seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Member Thornley abstained. So voted: 6-0, one abstained. Motion is approved, and the minutes are accepted.

Chair Hultin reiterated the January 16, 2020 minutes. Hearing no changes offered, Chair Hultin moved to accept the minutes as written. Vice Chair Todd seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Member Thornley abstained. So voted: 6-0, one abstained. Motion is approved, and the minutes are accepted.

Chair Hultin reiterated the January 27, 2020 minutes. Hearing no changes offered, Chair Hultin moved to accept the minutes as written. Member Shedd seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Vice Chair Todd, Clerk Lucy and Members Dundas and Shedd abstained. So voted: 3-0, four abstained. Motion is approved, and the minutes are accepted.

Chair Hultin reiterated the February 24, 2020 minutes. Hearing no changes offered, Chair Hultin moved to accept the minutes as written. Vice Chair Todd seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Member Dundas abstained. So voted: 6-0, one abstained. Motion is approved, and the minutes are accepted.

Chair Hultin reiterated the March 12, 2020 minutes. Hearing no changes offered, Chair Hultin moved to accept the minutes as written. Vice Chair Todd seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Member Dundas abstained. So voted: 7-0. Motion is approved, and the minutes are accepted.

Chair Hultin reiterated the March 23, 2020 minutes and affirmed with Town Planner Ribeiro that they adhered to the special procedures at this meeting. Hearing no changes offered, Chair Hultin moved to accept the minutes as written. Vice Chair Todd seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Clerk Lucy abstained. So voted: 6-0, one abstained. Motion is approved, and the minutes are accepted.

Chair Hultin reiterated the April 2, 2020 minutes. Hearing no changes offered, Chair Hultin moved to accept the minutes as written. Vice Chair Todd seconded. No further discussion. Chair Hultin asked for a roll call vote. Voted all in favor; Clerk Lucy abstained. So voted: 6-0, one abstained. Motion is approved, and the minutes are accepted.

Chair Hultin asked the Board Members if there was any other business that needed to be taken care of right now; there being none, Chair Hultin moved for a motion to adjourn. Clerk Lucy seconded the motion. No further discussion. Chair Hultin asked for a vote. Voted all in favor. So voted: 7-0. Meeting adjourned.

Respectfully submitted,

Elizabeth Sturdy