

SK

**TOWN OF TRURO**  
**TRURO ZONING BOARD OF APPEALS**  
**Minutes**  
**Monday, November 6, 2017, 7 PM**  
**Truro Town Hall,**  
**(TO RECONVENE AT POLICE FACILITY)**  
**Truro Police Facility**  
**344 Route 6**  
**Truro, MA 02666**

**Continuation -- 2017-007/ZBA -- White Sands Beach Club, Maria Kuliopulos**, by agt/atty Edward T. Patten, for property located at 706 Shore Rd., (Atlas Sheet 1, Parcel 5)(Reg. of Deeds title ref: Bk. 415, Pgs. 57-62.) Applicant seeks a Special Permit (ref: Zoning Bylaw Sec. 30.7.A. to reconstruct a 17- unit motel building (resulting in 47 total units at the motel site), as per plans filed (cont'd. 4/24/17; 5/22/17; 6/26/17; 7/31/17; 8/28/17; 9/20/17; 10/4/17; 10/30/17 (w/time waivers).

(Quorum Present): B. Perkel (Chmn); F. Todd (V. Chair); A. Hultin (Clerk); J. Dundas ; J. Thornley; S. Areson (Alt). Meeting reconvened at 7:25 by Chmn. Perkel, who reminded members the Evidentiary Portion had been closed. He continued, an outline of two possible decisions with notes by him and Mr. Todd had been prepared. The ZBA would have to consider whether or not the applicants are entitled to a Special permit with Conditions. Those Voting would be: Todd; Hultin; Perkel; Thornley; Dundas. He added, even though she was not voting, member Areson could participate in discussion.

Members provided their input on a proposed decision. Mr. Todd said under review, he felt in general a Special Permit is warranted and concerns could be addressed in Conditions for said Special Permit. Mr. Hultin noted he felt the applicants could qualify for a Special Permit if they can satisfy the conditions to a Special Permit; Mr. Dundas voiced his support as did Mr. Thornley.

Chmn. Perkel noted they would discuss draft conditions and would like to discuss each point of the draft provided, which was in triple space for notes. Mr. Hultin spoke of his problem with the plan references and plan numbers; the prospective plan numbers did not line up with the list and he asked about a list somewhere with clarification. Mr. Todd noted there was confusion in trying to compare plans; he had reviewed plans received as an "official set" and he tried to make a list of what was provided at the last meeting. Mr. Hultin noted they had been provided one Coastal Engineering set of drawings and one set from Felco. He referred to the Felco plan dated December 2010 called "drawings, 2010 'existing 1<sup>st</sup> floor plans" dated 4/14/08. He added sheet 2 has a different date. Mr. Hultin continued and noted, it is important they have a complete set; he also referenced a 2<sup>nd</sup> floor plan dated 12/22/05 and a 1<sup>st</sup> floor plan of 12/10/2010. He reiterated the ZBA needs the correct designation on that 2<sup>nd</sup> floor plan; he spoke of renumbered plans and spoke of the Felco set called "Bldg. #1 which referenced "2<sup>nd</sup> floor plan West Side of Building" and a reference to "New Building #4." He continued, the plan as presented originally was mismarked and he stressed the importance for the applicant to "get it right."

Mr. Todd spoke of having another set of drawings and referred to Coastal Engineering's proposed conceptual unit plan layout dated 12/28/15. Mr. Hultin also spoke of separate Coastal Plans C2.1.1 and elevations A-6.0 dated 11/23/16. Elevations were reviewed and reference was made to Coastal Engineering conceptual dated 8/28/17 as well as proposed floor plan of building by Bruce Ronayne Hamilton Architects, reference: A-1.0a, and A-2.0a "east side of building" and plan of 8/27/16 Bruce, Ronayne and plan dated 11/27/16 A-6-0 and A.2-0, ref. to existing building and sheets 1-7, Avalon Building latest date of 2/9/16. After review Mr. Hultin urged members not to refer to anything else.

It was noted the draft decision will contain the notation they (the motel) shall not exceed 47 units there unless there is anything under Planning Board site plan review that affects said number of units.

Mr. Todd said they did not have an acceptable site plan that meets the zoning requirements; the site plan will be changed to be compliant. It was asked there be no waiver of parking spaces allowed.

It was noted by Mr. Perkel he was prepared to accept a Motion and documents will be kept exclusively apart from other records and there would be one vote on the final version.

There were no final comments from the applicants and the following Motion was made:

**Motion: (Hultin, 2<sup>nd</sup> Dundas):** In the matter of 2017-007 ZBA Maria Kuliopulos/White Sands Resort (location 706 Shore Road, Map 1, Parcel 5), the Truro Zoning Board of Appeals moves to grant a special permit, with conditions, per 30.7 of the Truro Zoning Bylaw, for alteration of a legally pre-existing non-conforming property [replacement of a fire damaged structure, fire occurred on October 30, 2014]. The project is described in the following drawings as submitted; substantial deviation from these plans shall require re-submittal to the Truro Zoning Board of Appeals. These plans and building numbers are identified in Appendix A of this decision. The special permit for alteration and construction of up to 45 motel units and 2 manager units (up to total 47 units) is subject to the following conditions:

1. The number of units in the final design shall not exceed 47 and to be determined by a site plan and parking plan approved by the Planning Board that meets all parking design requirements as outlined in Section 30.9G and H and 50.1G., If the resulting design includes less than the number of parking spaces required for the dwelling and apartment units and the motel units as shown, the number of motel units shall be reduced sufficiently to bring the parking spaces into compliance.
2. To qualify as motel units as defined in Section 10 of the Truro Zoning Bylaw, units shall have a minimum clear opening width of 5 feet 6 inches from floor to ceiling between areas and no doors shall be installed in these openings.
3. Unit 70 is shown on plan A-2.0a as a 3 bedroom unit is not allowed. The unit shall be reconfigured as a single room unit with a width of 5 foot 6 inch opening from floor to ceiling between separated areas, as provided in Condition #2.
4. The proposed new building shall be no more than two stories and shall conform to height regulations. All HVAC units shall be enclosed by a minimum 4 foot high fence as shown on Coastal Engineering C 2.2.1. Balconies and HVAC units shall not be located within the required setback. Final plantings and materials are subject to Truro Planning Board and Conservation Commission requirements.
5. Unit 46 is shown as a 2 bedroom staff apartment and shall not be used as a rental for a motel unit.
6. Unit 47 is shown as a 4 bedroom owner's unit and shall not be used as a rental for a motel unit.
7. The second floor of renovated exercise/storage unit (as shown on Bruce Ronayne Hamilton Architects Plan A 2.0, Existing Exterior Elevations) is only for storage and shall not be used for occupancy.
8. No dumpsters shall be located within the required setback area and shall be enclosed and landscaped.
9. The scale of the project requires controlled construction administration according to the provisions of section 107.6 of the Massachusetts State Building Code. The applicant has identified Joseph Luna, Registered Architect MA #07010 of Luna Design Group, as executive architect overseeing renovation of existing units and construction of new units. If there is a change in the Executive Architect, the applicant shall notify the Chair of the Truro Zoning Board of Appeals and the Building Commissioner in writing within 10 business days of the change to that fact.
10. No certificate of occupancy for the new building shall be issued until renovation of Buildings #2 and #3 (as renumbered by the Truro Zoning Board of Appeals) have been completed in accordance with the plans submitted to this board (Appendix A).
11. A condition of this special permit is that the applicant agrees in writing directed to the Building Commissioner confirming that he has the right of unannounced access to the premises for the purpose of verifying continuing compliance with this special permit.

In accord with the above, the Board finds that granting the special permit is not substantially more detrimental to the surrounding neighborhood and is in harmony with the intent of the Truro Zoning Bylaw.

Voted in Favor: Perkel, Hultin, Todd, Thornley, Dundas. Voted Against: None. Motion Carries: 5/Yes; 0/No, Unanimous.

APPENDIX A:

The Board reviewed every plan submitted by the applicant and made an official set of plans upon which they formed their decision:

Felco, Inc. (Existing Dwelling and Apartment)

- Sheet 1 of 4, Building Design Plan (Building #1), dated 12/1/2010
- Sheet 1 of 2, Existing First Floor Plans, dated 4/14/2008
- Sheet 3 of 5, Second Floor Plans, dated 12/22/2005
- Sheet 3 of 4, Second Floor Apartment, dated 12/1/2010

Luna Design Group

- Sheet A2, Proposed Reception Desk Cabinetry, dated 2/5/2017

Coastal Engineering Co.

- C 0.0.1 , Proposed Site Plan for Replacement of Fire Damaged Building, dated 6/6/16
- C 1.2.1 , Plan Showing Existing Site Conditions, dated 4/6/17
- C 2.0.1 , Site Demolition Plan, dated 12/29/15
- C 2.1.1 , Site Layout and Materials, dated 11/23/16
- C 2.2.1, Site Grading, Drainage and Utility Plan, 2/27/17
- C 2.4.1 , Site Details, dated 11/23/16
- C 2.4.2 , Sewage Disposal System Modifications, dated 12/29/15
- SKC-1, Proposed Conceptual Unit Plan Layout, dated 8/28/17
- SKC-2, Plan Showing Proposed Unit Numbering, dated 6/29/17

Bruce Ronayne Hamilton Architects

- A-1.0a, Proposed First Floor Plan, dated 7/3/17
- A-2.0a, Proposed Second Floor Plan, 7/3/17
- A-2.0, Floor Plan and Exterior Elevations, dated 8/21/17
- A-6.0, Existing Exterior Elevations, dated 11/23/16

Avalon Building Systems

- Sheets 1 - 7, Floor Plans, Enlarged Floor Plans, Elevations, dated 7/7/15, revised 2/9/16.

Since the plans submitted by the applicant do not show Building Numbers 1-3, the Board of Appeals decided to number the Buildings themselves and base their decision on that numbering system. That system is as follows:

Building 1: Manager Quarters

Building 2: Beach Side, as shown on A-1.0a, A-2.0a and A-6.0 by Bruce Ronayne Hamilton Architects

Building 3: East side, as shown on A-2.0 by Bruce Ronayne Hamilton Architects, one story,

Building 4: New Building

---

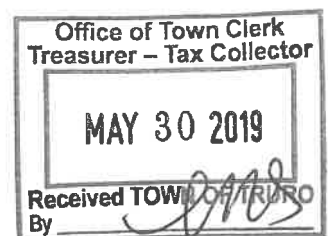
End of Appendix A

Since there was no other business to conduct, Meeting was adjourned at 9 PM

Respectfully submitted,

\* *Nicole Scoullan - on behalf of Susan Kelly 5/30/19*

Susan Kelly



\* Watched ZBA meeting of April 23 2018 - vote was:  
 motion to approve made by B. Perkel  
 Seconded by J. Thornley