

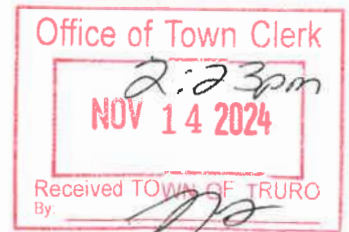


Truro Planning Board Agenda

Remote Zoom Meeting

Wednesday, November 20, 2024 – 5:00 pm

www.truro-ma.gov



Join the meeting from your computer, tablet or smartphone:

<https://us02web.zoom.us/j/81935232387>

Dial in: +1-646-931-3860

Meeting ID: 819 3523 2387 Passcode: 154463

Open Meeting

This will be a remote public meeting. Citizens can view the meeting on Channel 8 in Truro and on the web: Town of Truro website (www.truro-ma.gov), "Helpful Links", "Truro TV Channel 8". 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/livestream.

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. 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/livestream, 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 comment via postal mail or by emailing Liz Sturdy, Planning Department Assistant, at esturdy@truro-ma.gov, one week prior to the meeting; or may instead speak during the Public Comment portion of the hearing.

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.

1. **Planner Report**
2. **Chair Report**
3. **Minutes**

Board Action/Review – Continued

- ♦ **2024-006/PB Preliminary Subdivision** – 32 Union Field Road (Atlas Map 47, Parcel 21), Susan Dyer Lambert and William R. Dyer.
- ♦ **2024-007/PB ANR** – **Thomas Nadeau** seeks approval of Form A – Application for Determination that Plan Does Not Require Approval (ANR) pursuant to G.L. c. 41, s. 81 and Section 2.2 of the Town of Truro Rules and Regulations Governing the Subdivision of Land with respect to property at 102 Castle Road (Atlas Map 46, Parcel 361).

Public Hearing – Continued

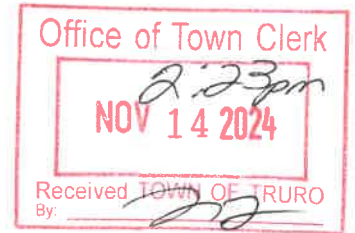
- ♦ **2024-001/SPR A/C Mobile Home Park Inc. (Hortons)** – 67 South Highland Avenue and 10 Old Dewline Road (Atlas Map 37, Parcel 15, 19). Applicant seeks a Site Plan Review for construction of a Comfort Station on the upper area of Hortons Campground located in the Seashore District.

Board Discussion/Action

- ◆ Updates on work for next year
 - Lot Clearing
 - Lot Coverage
 - Climate Change
- ◆ Street Inventory List

Next Meeting: Wednesday, December 4, 2024 at 5:00 pm

Adjourn



Elizabeth Sturdy

From: Barbara Carboni
Sent: Wednesday, October 23, 2024 3:03 PM
To: Distribution list - Planning Board
Cc: Elizabeth Sturdy
Subject: FW: 32 Union Field Road
Attachments: 32 Union Field Road Extension Agreement 2024-10-23.pdf; 32 Union Field Road Request for Continuance 2024-10-23.pdf; _NHESP DETERMINATION October 17, 2024 RC-88518.pdf

All,

As you will see in the attached, 32 Union Field Road applicant has requested a continuance until your November 20th meeting. This will allow time for KP to opine on the legal issues raised by the abutter. I would like these issues get resolved before the Board votes (if it is inclined to do so) to approve the preliminary subdivision plan. Note that the applicant has yet to explain which waivers he is seeking from the Rules and Regulations (and other substantive matters requiring the Board's attention), but he has chosen to continue the hearing rather than presenting on those issues.

I will be at the meeting.

Barbara

From: ESE LLC <office@ese-llc.com>
Sent: Wednesday, October 23, 2024 2:54 PM
To: Elizabeth Sturdy <ESturdy@truro-ma.gov>; Barbara Carboni <bcarboni@truro-ma.gov>
Subject: 32 Union Field Road

Good afternoon,

Attached please find an extension agreement for the subject property along with a request for continuance of this meeting to November 6th.

Lastly, the NHESP Determination Letter is attached as well.

Kind regards,
Marija S. Eldredge

From: [Benjamin Sigel](#)
To: [Elizabeth Sturdy](#)
Cc: [Barbara Carboni](#)
Subject: Re: 32 Union Field End
Date: Wednesday, October 30, 2024 1:01:07 PM
Attachments: [1974 Confirmatory Deed - Book 2064, Page 274.pdf](#)
[1972 Deed - Book 1745, Page 332.pdf](#)
[1971 Subdivision Plan - Nathaniel Dyer - Book 248, Page 39.pdf](#)

Dear Elizabeth and the Truro Planning Board,

This correspondence is in response to Attorney Harriet Hobbs' October 21, 2024 Opinion Letter regarding the preliminary subdivision plan ("Preliminary Plan") for 32 Union Field Road. Attorney Hobbs' Opinion Letter fails to provide any evidence that Susan Dyer Lambert and William R. Dyer (the "Dyers") possess rights of ingress and egress to a private way on 4 Union Field End, which is shown as Lot 3 on the 1971 Subdivision Plan of Land of Truro owned by Nathaniel B. Dyer ("1971 Subdivision Plan") (Book 248, Page 39), and is owned by my parents Stanley and Ruth Sigel (the "Sigel Property"). Moreover, Attorney Hobbs' Opinion Letter cannot just create an easement for ingress and egress where one does not exist; especially in this case, where the relevant deeds between my parents and Nathaniel Dyer – the 1972 Deed (Book 1745, Page 332) and 1974 Confirmatory Deed (Book 2064, Page 274) - and the 1971 Subdivision Plan clearly and consistently provide no such rights of ingress and egress to the Sigel Property. The 1971 Subdivision Plan, 1972 Deed, and 1974 Confirmatory Deed are all attached. The 1972 Deed and the 1974 Confirmatory Deed specifically and intentionally only provide Nathaniel Dyer a right to install and maintain public utilities on a "Private Way" located on the Sigel Property. Nothing else!

Attorney Hobbs appears to insinuate in her Opinion Letter that I might have a standing issue opposing the Dyers' Preliminary Plan. As the eldest child of my parents, I have been asked by my parents to represent their interests before the Truro Planning Board ("Planning Board") and in regards to 32 Union Field Road to prevent the Dyers from trying to take advantage of them as 2 elderly homeowners who spend less time in Truro than they used to. Why else would the Dyers after all these years be trying to push through an impermissible Preliminary Plan without any notice or communication to my parents before submitting the Preliminary Plan to the Town or without seeking permission to go onto their property to survey the relevant land? Unlike Attorney Hobbs who was hired and paid by the Dyers solely to provide an Opinion Letter supporting their interest, I am voluntarily agreeing to represent my parents' interest because I do not want to see them being taken advantage of.

Attorney Hobbs also conveniently leaves out of her Opinion Letter several clear and important pieces of information that reside in the 1971 Subdivision Plan, 1972 Deed, and 1974 Confirmatory Deed that clearly demonstrate that Nathaniel Dyer and my parents agreed that the "Private Way" on the Sigel Property could only be used by Nathaniel Dyer for the sole purpose of installing and maintaining public utilities. Instead, she conveniently and incorrectly identifies language in the 1972 Deed that she wants the Planning Board to believe concerns the "Private Way" on the Sigel Property, but in fact,

concerns an entirely different private right of way that is identified consistently both in the relevant deeds and on the 1971 Subdivision Plan. The 1971 Subdivision Plan, 1972 Deed, and the 1974 Confirmatory Deed are the only relevant documents to answer whether the Dyers have a right to ingress and egress to the “Private Way” on the Sigel Property. The four corners of these three documents clearly and consistently demonstrate that the Dyers have no such rights and that Nathaniel Dyer’s only right to the “Private Way” on the Sigel Property is to install and maintain public utilities.

Let us carefully review all three of these important documents. The 1971 Subdivision Plan specifically identifies three relevant items: (1) “Private 40’ wd”, which is also identified as Union Field Road; (2) “Private Right of Way 40’ wd”, which today is known as Blackberry Road; and (3) “Private Way”, which is located on the Sigel Property and owned and controlled exclusively by my parents. There are no indications on the 1971 Subdivision Plan what the “Private Way” is to be used for or any indications of an agreed, express, or implied easement on the “Private Way” for Nathaniel Dyer. Further, the 1971 Subdivision Plan shows that the “Private Right of Way 40’ wd” (known today as Blackberry Road), abuts the Sigel Property for 35.12 feet on its southern border. The “Private Right of Way 40’ wd” also intersects with Union Field Road at the southeastern area of the Sigel Property. For my parents to enter or leave their property and go to and from the State Highway known as Route 6 they must go on both Union Field Road and approximately 35.12 feet of “Private Right of Way 40’ wd” (known today as Blackberry Road).

The 1972 Deed identifies all the land on the Sigel Property, including the “Private Way.” The metes and bounds in the 1972 Deed all add up to my parents receiving all the land on the Sigel Property, including, exclusively the “Private Way.” In describing the boundaries of the Sigel Property, the 1972 Deed follows the 1971 Subdivision Plan, including similarly identifying the 35.12 feet on its Southern border which is the intersection of Union Field Road and the “Private Right of Way 40’ wd” (known today as Blackberry Road). Attorney Hobbs conveniently leaves out of her Opinion Letter any mention of the “Private Right of Way 40’ wd” (known today as Blackberry Road) in the 1972 Deed, how it abuts the Sigel Property for 35.12 feet, and its relevance to the issue at hand.

The 1972 Deed also refers to the 1971 Subdivision Plan and similarly and consistently identifies the same three relevant items that are in the 1971 Subdivision Plan. First, for Union Field Road, the 1972 Deed states “also together with a right of way over a private road known as Union Field Road for all purposes for which rights of way are commonly used in the Town of Truro to and from the State Highway known as Route 6.” As my parents need to use Union Field Road to access Route 6 it is reasonable for such language to be included in the deed. Secondly, for the “Private Right of Way 40’ wd” (known today as Blackberry Road), the 1972 Deed states that “together with a right of way 40 feet wide for all purposes for which rights of way are commonly used and shown on aforementioned plan.” Given that the “Private Right of Way 40’ wd” abuts the Sigel Property for 35.12 feet and my parents need to cross it to access Union Field Road and Route 6, it would also be reasonable for this particular private right of way to be

identified as such in the 1972 Deed.

Finally, consistent with the 1971 Subdivision Plan, the 1972 Deed specifically identifies the rights associated with the distinct and different “Private Way” on the Sigel Property. Just like the 1971 Subdivision Plan, the 1972 Deed identifies the “Private Way” on the Sigel Property by name differently and distinctly from the “Private Right of Way 40’ wd” (known today as Blackberry Road). In regard to the “Private Way”, the 1972 Deed states “reserving to the grantor the right to install and maintain all public utilities in, over, under, along and upon the private ways as shown on said plan”. There are no reservation of rights or mention of any rights for Nathaniel Dyer in the 1972 Deed for ingress and egress to the “Private Way” on the Sigel Property. The reason is that Nathaniel Dyer and my parents intentionally agreed not to create any such ingress and egress rights or else they would have specified those rights in the 1972 Deed like they did with Nathaniel Dyer’s rights to installing and maintaining public utilities. The Dyers cannot now try to rewrite history and the deed between Nathaniel Dyer and my parents to create such rights just because it will support their cause, and the Planning Board should not allow them to do so.

It is clear from both the 1971 Subdivision Plan and the 1972 Deed that Nathaniel Dyer and my parents intended for the “Private Way” on the Sigel Property and the “Private Right of Way 40’ wd” (known today as Blackberry Road) to be viewed and treated differently and separately. It is also clear based on these two documents that Nathaniel Dyer and my parents knew and understood the distinction between the “Private Way” on the Sigel Property and the “Private Right of Way 40’ wd” (known today as Blackberry Road), which abuts the Sigel Property. Why else would the deeds and the 1971 Subdivision Plan consistently identify each of these three relevant but distinct items with a different name, different instructions, and different rights attached to them? In her Opinion Letter, Attorney Hobbs inaccurately and incorrectly tries to convince the Planning Board that the reference to the “Private Right of Way 40’ wd” (known today as Blackberry Road) is really concerning the “Private Way” on the Sigel Property and not the “Private Right of Way 40’ wd” (known today as Blackberry Road). But that is not the case. The 1971 Subdivision Plan and the 1972 Deed are clear and consistent on their face - the Dyers possess no existing rights of ingress and egress by deed to the “Private Way” on the Sigel Property.

The final relevant document is the 1974 Confirmatory Deed between my parents and Nathaniel Dyer, which contains the same metes and bounds for the Sigel Property and identifies the same three relevant items with the same different instructions and rights attached to each one - “Private 40’ wd”, known today as Union Field Road, “Private Right of Way 40’ wd” (known today as Blackberry Road), and “Private Way” located exclusively on the Sigel Property. The sole reason for the 1974 Confirmatory Deed was due to a mistake in the acreage in the 1972 Deed, which was corrected by the 1974 Confirmatory Deed. The 1974 Confirmatory Deed states “this deed to ratify and confirm a prior deed from Nathaniel B. Dyer to Stanely M. Sigel dated September 20, 1972, and recorded Barnstable Deeds Book 1745, Page 332 in which acreage was stated as .55 instead of 1.2 acres.”

Finally, Attorney Hobbs seems to raise a question concerning the multiple changes in acreage to the Sigel Property since 1972. As Attorney Hobbs knows, the reasons for those changes in no way is relevant to the question of whether the Dyers have rights of ingress and egress to the “Private Way” on the Sigel Property, nor does the subsequent changes of acreage convey any easement right to ingress and egress to the Dyers to the “Private Way” on the Sigel Property.

The only relevant and important documents for the Planning Board to consider in determining whether the Dyers have any rights of ingress and egress to the “Private Way” on the Sigel Property to build the proposed road in their Preliminary Plan are the attached 1971 Subdivision Plan, 1972 Deed and the 1974 Confirmatory Deed, all of which clearly and consistently demonstrate that the Dyers have NO such existing rights of ingress and egress to the “Private Way” on the Sigel Property. Further, as Nathaniel Dyer never had any easement rights for ingress and egress to the “Private Way” on the Sigel Property, an appurtenant easement for ingress and egress was never created that could be transferred to the Dyers.

Accordingly, and in addition to the arguments made in my September 26, 2024 and October 15, 2024 correspondence, my parents kindly request that the Planning Board reject the Dyers’ current preliminary subdivision plan and prevent the Dyers from trying to take advantage of them.

Very Truly Yours,

Benjamin Sigel

Benjamin Sigel (he/him/his)

bensigel@gmail.com

cell: (617) 935-6567

Twitter: @BenSigel | Instagram: @BenSigel

LinkedIn: [/bensigel](#)

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

That We, Nathaniel B. Dyer of 69 Wakland Avenue, Hanover, Plymouth County, Massachusetts 02339 and Stanley M. Sigel of 1025 Hancock Street, Apt. 12 C, Quincy, Norfolk County, Massachusetts 02169

~~do hereby grant~~ for consideration paid, and in full consideration of Nominal, under \$100

grants to Stanley M. Sigel and Ruth Miriam Sigel, husband and wife as tenants by the entirety

of 1025 Hancock Street, Apt. 12 C, Quincy, Mass. 02169 with warranty covenants

the land in Truro, Barnstable County, Massachusetts shown as Lot #3 on plan hereinafter mentioned and ~~bounded and described as follows:-~~ bounded and described as follows:-

Northerly by land of Miriam A. Fowler, two hundred seven and 04/100 (207.04) feet;

Easterly by Lot #4 as shown on said plan, two hundred eighteen (218) feet;

Southerly by Registered Land of William C. Hayes, one hundred twenty-three and 24/100 (123.24) feet;

And again Southerly by other land of Nathaniel B. Dyer, thirty-five and 12/100 (35.12) feet; and

Westerly by Lot #2 as shown on said plan, one hundred eighty-one and 41/100 (181.41) feet.

Containing 1.2 acres of land, more or less, and shown as Lot #3 on plan entitled "Subdivision Plan of Land in Truro owned by Nathaniel B. Dyer, Scale 1" = 50', July 1971, Francis J. Alves, C. E. Provincetown, Mass." and recorded in Plan Book 248, Page 39.

Together with and subject to a right of way 40 feet wide for all purposes for which rights of way are commonly used and shown on aforementioned plan. Also together with a right of way over a private road known as Union Field Road for all purposes for which rights of way are commonly used in the Town of Truro to and from the State Highway known as Route 6.

For title see Estate of Joseph H. Dyer, Barnstable Probate #25303 and Estate of Elizabeth S. Dyer, Barnstable Probate #32734.

Reserving to the grantor the right to install and maintain all public utilities in, over, under, along and upon the private ways as shown on said plan; reserving also to the grantor the right to grant easements to public service corporations for the installation and maintenance of such public utilities, in, under and upon said private ways and anchors and guys to support the lines in said private ways and on land adjacent thereto; reserving also to the grantor the right to grant easements to public service corporations for the installation and maintenance of necessary equipment in, under and upon an area five feet in width and ten feet in depth at the sidelines of each lot adjoining the private ways on said plan for the distribution supply of electricity; reserving also to the grantor the title to all public utilities both above and underground on said premises and private ways except for underground secondary service cable.

This deed to ratify and confirm a prior deed from Nathaniel B. Dyer to Stanley M. Sigel dated September 20, 1972 and recorded Barnstable Deeds Book 1745, Page 332 in which acreage was stated as 0.55 instead of 1.2 acres.

BOOK 2064 PAGE 275
NOT AN OFFICIAL COPY
Witness our hand s and seal s this 29th day of June 1974
NOT AN OFFICIAL COPY
Nathaniel B. Dyer
Stanley M. Sigel

The Commonwealth of Massachusetts

Barnstable

ss.

June

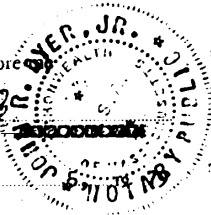
29,

19 74

Then personally appeared the above named **Nathaniel B. Dyer and Stanley M. Sigel**

and acknowledged the foregoing instrument to be **their** free act and deed, before

John R. Dyer, Jr.
Notary Public
John R. Dyer, Jr.
My commission expires April 5, 1978



RECORDED JUL 1 1974

[THE FOLLOWING IS NOT PART OF THE DEED, AND IS NOT TO BE RECORDED.]

CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.

O F F I C I A L MASSACHUSETTS QUITCLAIM DEED INDIVIDUAL (LONG FORM) 881
C O P Y C 30904

KNOW ALL MEN BY THESE PRESENTS
That I, Nathaniel B. Dyer

of 69 Oakland Ave. Hanover, A N Plymouth

for consideration paid and in full consideration of

\$7,500.00--C-O-P-Y----

grants to Stanley M. Sigel

1025 Hancock Street, Apt. 12 C, Quincy, Mass. 02169

of ~~100 Devon Street, No. Quincy, Mass. 02171~~

with quitclaim covenants

the land in Truro, Barnstable County, Massachusetts shown as Lot 3 on
plan hereinafter mentioned and bounded and described as follows:

(Description and encumbrances, if any)

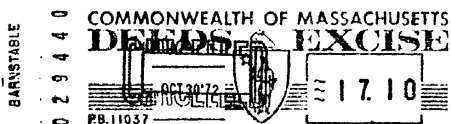
- A.
- Northerly by land of Miriam Fowler, two hundred seven and 04/100 (207.04) feet;
 - Easterly by Lot #4 as shown on said plan, two hundred eighteen (218) feet;
 - Southerly by Registered Land of William C. Hayes, one hundred twenty-three and 24/100 (123.24) feet;
 - And again Southerly by other land of Nathaniel B. Dyer, thirty-five and 12/100 (35.12) feet; and
 - Westerly by Lot #2 as shown on said plan, one hundred eighty-one and 41/100 (181.41) feet.

Containing 0.55 acres of land, more or less, and shown as Lot #3 on plan entitled "Subdivision Plan of Land in Truro owned by Nathaniel B. Dyer, Scale 1"=50', July 1971, Francis J. Alves, C. E. Provincetown, Mass.", recorded in Plan Book 248, Page 39.

Together with a right of way 40 feet wide for all purposes for which rights of way are commonly used and shown on aforementioned plan. Also together with a right of way over a private road known as Union Field Road for all purposes for which rights of way are commonly used in the Town of Truro to and from the State Highway known as Route 6.

For title see Estate of Joseph H. Dyer, Barnstable Probate #25303 and Estate of Elizabeth S. Dyer, Barnstable Probate #32734.

Reserving to the grantor the right to install and maintain all public utilities in, over, under, along and upon the private ways as shown on said plan; reserving also to the grantor the right to grant easements to public service corporations for the installation and maintenance of such public utilities, in, under and upon said private ways and anchors and guys to support the lines in said private ways and on land adjacent thereto; reserving also to the grantor the right to grant easements to public service corporations for the installation and maintenance of necessary equipment in, under and upon an area five feet in width and ten feet in depth at the sidelines of each lot adjoining the private ways on said plan for the distribution supply of electricity; reserving also to the grantor the title to all public utilities both above and underground on said premises and private ways except for underground secondary service cable.



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BOOK 1745 PAGE
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Witness my hand and seal this 20th day of September 19 72.

Nathaniel B. Dyer

The Commonwealth of Massachusetts

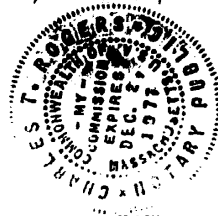
Plymouth ss. September 20th 1972

Then personally appeared the above named Nathaniel B. Dyer

and acknowledged the foregoing instrument to be his free act and deed, before me

Charles T. Royer
Notary Public - Justice of the Peace

My Commission Expires Dec 2, 1977



RECORDED OCT 30 1972

CHAPTER 183 SEC. 6 AS AMENDED BY CHAPTER 497 OF 1969

Every deed presented for record shall contain or have endorsed upon it the full name, residence and post office address of the grantee and a recital of the amount of the full consideration thereof in dollars or the nature of the other consideration therefor, if not delivered for a specific monetary sum. The full consideration shall mean the total price for the conveyance without deduction for any liens or encumbrances assumed by the grantee or remaining thereon. All such endorsements and recitals shall be recorded as part of the deed. Failure to comply with this section shall not affect the validity of any deed. No register of deeds shall accept a deed for recording unless it is in compliance with the requirements of this section.

Approved by the Town of Truro Planning Board.

Date: Aug 17, 1971

Irving H. Gault

Sumner B. Gault

Dean Hawes

OFFICIAL
OF THE TOWN OF TRURO
hereby certifies that the map of approval of this plan
by the Truro Planning Board has been received and
recorded at this office and no appeal was received
during the twenty day period of receipt and recording
of said map.

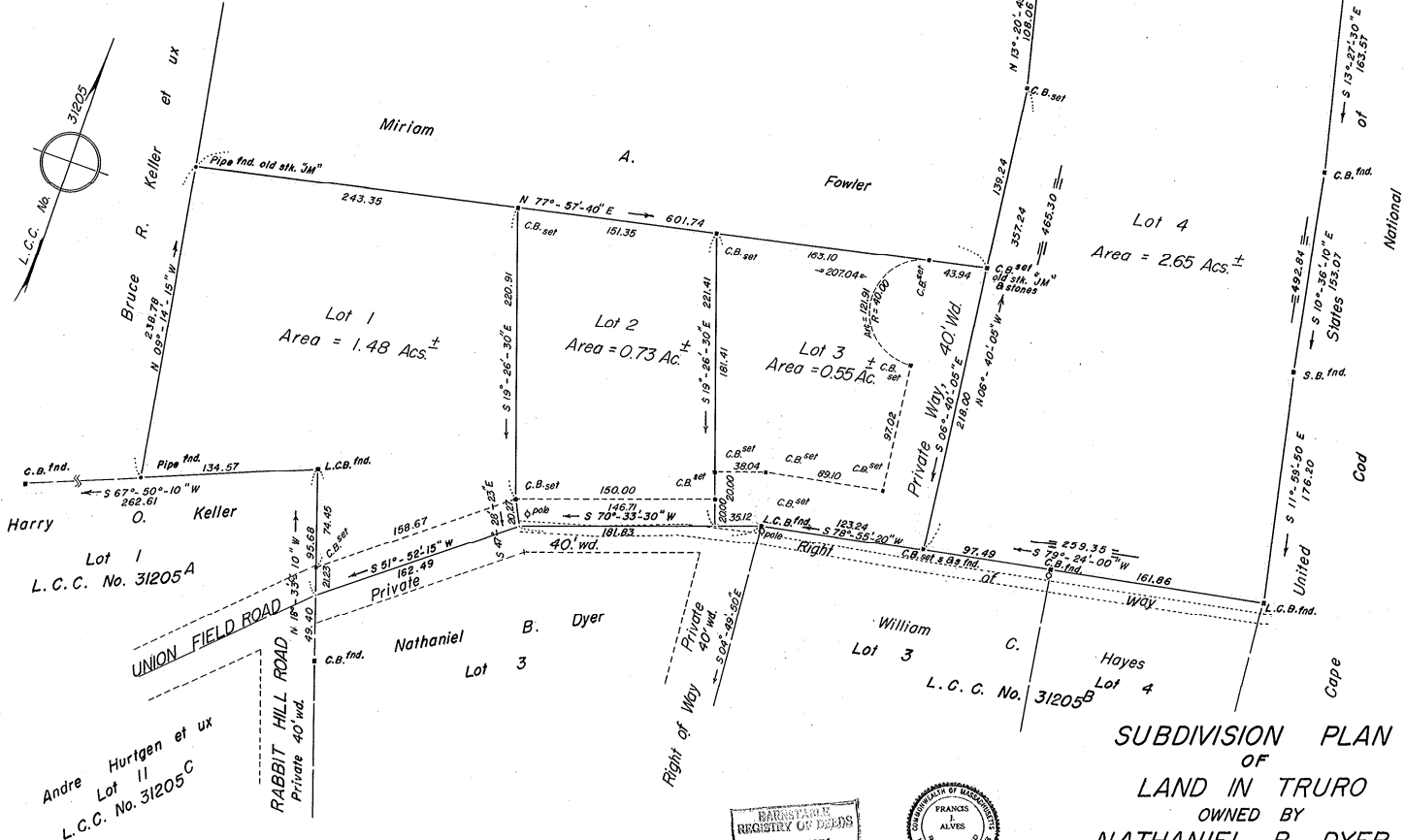
Date: Sept 9, 1971

Town Clerk

OFFICIAL
OF THE TOWN OF TRURO
now or formerly
HEIRS OF NATHANIEL B. DYER

RICH
N 72°-20'-50" E
229.35

America
Seashore



BARSTOWN
REGISTRY OF DEEDS
SEP 13 1971
11 00 AM
RECORDED



SUBDIVISION PLAN
OF
LAND IN TRURO
OWNED BY
NATHANIEL B. DYER

Scale: 1" = 50' July, 1971
Francis J. Alves, C.E., Provincetown, Mass.

From: [Barbara Carboni](#)
To: [THOMAS NADEAU](#); [Elizabeth Sturdy](#); [Richard Roberts](#)
Subject: Re: planning board extension of meeting
Date: Wednesday, November 6, 2024 6:04:32 PM

Thank you. Confirming that you have granted the Board an extension of time to act on the ANR submitted through November 20, 2024.

Barbara Carboni AICP MCPPO
Truro Town Planner and Land Use Counsel
(508) 214 0928

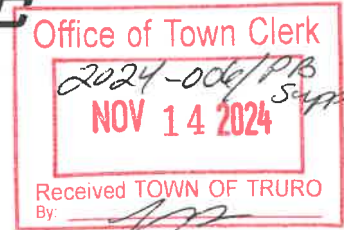
From: THOMAS NADEAU <thomasnadeau@comcast.net>
Sent: Wednesday, November 6, 2024 6:03 PM
To: Elizabeth Sturdy <ESturdy@truro-ma.gov>
Cc: Barbara Carboni <bcarboni@truro-ma.gov>
Subject: planning board extension of meeting

The planning board and I agree to an extension of meeting until 11/20/24

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

EAST-SOUTHEAST, LLC

*J. Thaddeus Eldredge, P.L.S.
Surveying, Geomatics Engineering and Mapping
1038 Main Street ° Chatham, Massachusetts 02633
41°41'14.73425" N 69°58'24.87695" W -10.019 M*



November 12, 2024

Town of Truro Planning Board

Truro Town Hall
24 Town Hall Road
P.O. Box 2030
Truro, MA 02666

Re: **PRELIMINARY Subdivision Plan**
Ann D. Dyer Revocable Trust
32 Union Field Road
Assessors' ID 47-21

Dear Board Members:

On behalf of my clients, pursuant to § 81 R of Chapter 41 of the General Laws, I request the following waivers from the Rules and Regulations Governing the Subdivision of Land, Town of Truro, Massachusetts:

SECTION 3: DESIGN STANDARDS

3.6.1.d Street Design Layout – The intersection of a proposed subdivision road and an access road shall be located no less than one hundred fifty (150) feet from the intersection of any other road on the same side of the access road.

3.6.1.e Street Design Layout – All lots within the subdivision shall have their access from the subdivision road.

3.6.4 Sight Distances - For subdivision roads intersecting access roads, the sight distance in each direction shall not be less than three hundred (300) feet; however, when intersecting Route 6, the sight distance in each direction shall be no less than four hundred seventy-five (475) feet.

3.6.7 Adjacent Properties - Proposed subdivision roads shall be separated from subdivision boundaries by a screening buffer of twenty-five (25) feet width or more. This buffer is to consist of naturally occurring vegetation; however, if this area is disturbed it must be replanted preferably with native vegetation and shown on a plan in accordance with Section 2.5.2.c.15.

3.6.8 Design Standards from Table 1 in Appendix 2 (Type A):

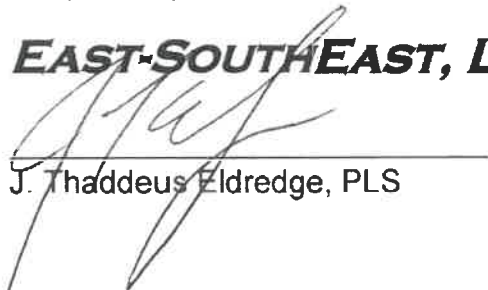
- Roadway Layout - Minimum roadway width (not including berms) of 14 feet;
- Roadway Layout - Shoulder width (each side of roadway) – 4 feet;
- Vertical Alignment - Clear sight distance from 4'-6" to 4" above pavement of 200 feet;
- Dead-end-Street - Minimum radius of circular turnaround, to curb or to edge of pavement of 40 feet;
- Pavement and Storm Frequency Standards – Unpaved – 6" T-Base / 3" crushed stone;
- Storm frequency for drainage calculations – 50 Years.

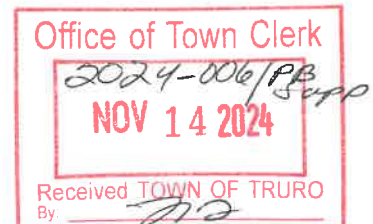
The applicants are interested in maintaining a very similar roadway/driveway appearance to the others that exist in the area. They are interested in developing the first lot sooner, and second lot later. If the Planning Board cannot be comfortable granting waivers in perpetuity, the applicant would be interested in requiring improvements prior to developing lot 2.

Thank you for your attention to and consideration of this request.

Respectfully,

EAST-SOUTHEAST, LLC


J. Thaddeus Eldredge, PLS



From: [Martha Mason](#)
To: [Elizabeth Sturdy](#)
Subject: Re: Horton Campground - Oct 23, 2024 - public hearing
Date: Saturday, October 26, 2024 7:23:28 PM

Hello,

I watched the meeting and my letter was not mentioned. Did you receive it too late to add to the file? Will it be included at the next meeting? Is the site visit open to the public?

On Tue, Oct 22, 2024 at 6:34 PM Martha Mason <martha.p.l.mason@gmail.com> wrote:

The current restroom plan, with an equal number of stalls for men and women, is inherently unbalanced. This imbalance, particularly when we consider the needs of families, is stark. Women, who are more likely to be the primary caregivers for small children, require more time and space in the restroom. When a family with the typical 2.2 children arrives at a campground, the disparity is evident: one man uses the showers or bathroom for every 3.2 women and children. This imbalance not only causes inconvenience but also disrupts the overall camping experience.

Stalls take up more space than urinals, so a men's bathroom can, on average, accommodate 20 to 30 percent more users than the same-sized women's bathroom. Women also spend more time in the restroom, with women taking 1.5 to two times as long in restrooms than men. While men can quickly head in and use the urinal, women usually need to open and close stall doors, remove more clothing, and hang up a purse... This difference in time spent is a factor in the inefficiency of the proposed restroom setup.

Major cities are recognizing this is a problem. New York and Chicago require 50% more stalls for women than men in new construction.

Given the needs of families, we propose the addition of family bathrooms and showers. These facilities are not just a solution to the imbalance but a necessity to provide a more comfortable and convenient experience for families with small children, aligning with the campground's family-friendly image.

In a perfect world, the stalls would be walls to afford more privacy and not have to listen to what the other ladies are doing, but we understand that it costs more. The sign on the street states Horton's is a "resort." This style of bathroom is most decidedly not a resort bathroom.

We would also like you to consider a few outdoor showers for people who want to rinse off after the beach.

Laundry - if the rumor is true and laundry facilities could be eliminated from the plan, we suggest a key-coded laundry for the seasonal camper. We will use the water and septic either way. If we don't have access to laundry, we will wash clothing in our campers and hang them out to dry, which is not a pleasant look. Driving to the other campground is not a convenient or environmentally sensitive option. We do not want to get in a car to drive down and put the laundry in the wash, drive back, drive down to move clothing to the dryer, drive back, drive down, pick up laundry, and drive back. That is not logical, and it still uses water and septic, just adding more cars driving around the campground and on the public roads.

We understand that these changes would require more time and money, but we believe that they will ultimately lead to more satisfied campers and positive reviews, enhancing the reputation of the campground.

thank you

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**CERTIFICATION PURSUANT TO G. L. c. 39, SECTION 23D
OF PARTICIPATION IN A SESSION OF AN
ADJUDICATORY HEARING WHERE THE
UNDERSIGNED MEMBER MISSED A
SINGLE HEARING SESSION**

[Note: Can only be used for missing one single hearing session]

I, Virginia Frazier, hereby do swear and certify under the pains and penalties of perjury as follows:

1. I am a member of Planning Board.
2. I missed a hearing session on the matter of 2024-001/SPR Commercial Site Plan Review for A/C Mobile Home Park Inc. (Hortons Campground) which was held on October 23, 2024.
3. On OCTOBER 26, 2024 (date) I examined all the evidence and testimony received at the hearing session that I missed which included a review of (initial which one(s) applicable):
 - a. VE official audio recording of the missed hearing session; or
 - b. _____ official video recording of the missed hearing session; or
 - c. _____ official transcript of the missed hearing session.

This certification shall become a part of the record of the proceedings in the above matter.

Signed under the pains and penalties of perjury this 28th day of OCTOBER, 2024.

Virginia Frazier

Signature of Board Member

Received as part of the record of the above matter:

Date: October 30, 2024
By: Elizabeth Turley
Position: Planning Dept. Assistant

SITE PLAN REVIEW

HORTONS CAMPGROUND

67 SOUTH HIGHLAND AVE, TRURO, MA - MAP 37 / LOT 15
10 OLD DEWLINE ROAD, TRURO MA - 37 / LOT 19



APPLICANT:

A/C MOBILE HOME PARK INC
905 16TH PLACE
VERO BEACH, FL 32960

OWNER:

A/C MOBILE HOME PARK INC
905 16TH PLACE
VERO BEACH, FL 32960

ENGINEER:

OAKHILL ENGINEERING LLC
75 OAKHILL AVE, 2ND FLOOR
SEEKONK, MA 02771

368 FAIRVIEW AVE
REHOBOTH, MA 02769

508-252-4363
401-574-0871

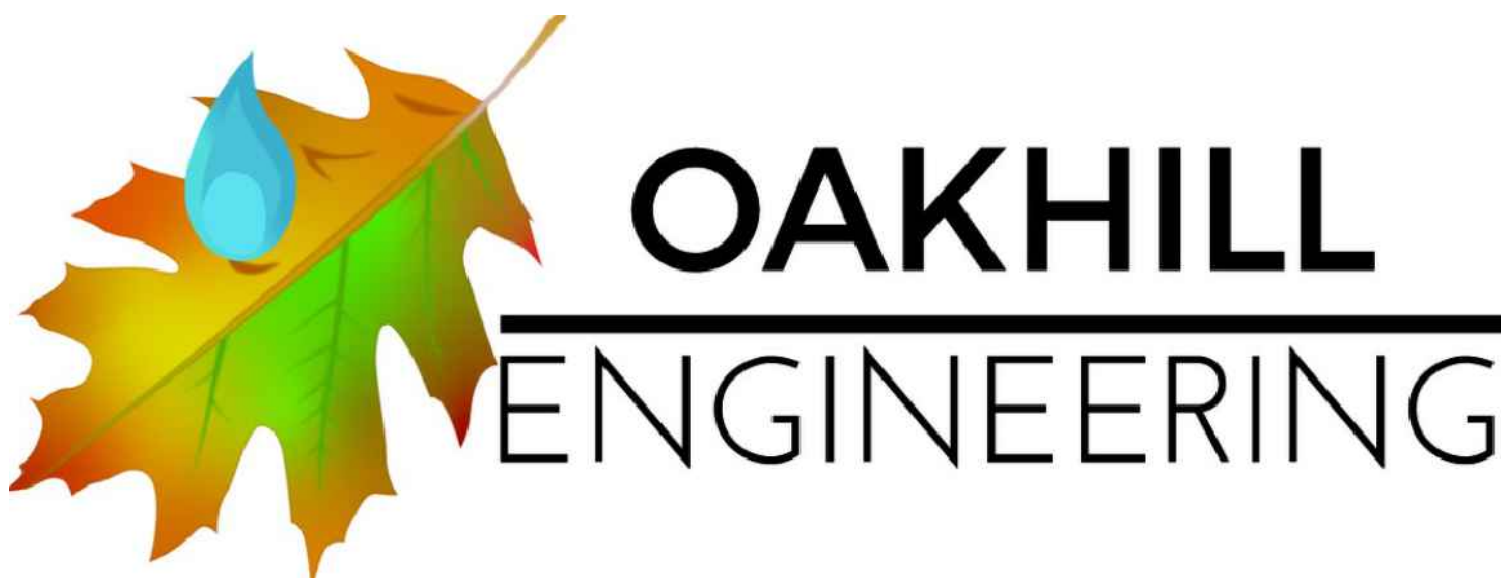


PROJECT LOCATION

PROJECT LOCUS

SHEET INDEX	
C1	EXISTING CONDITIONS
C2	EXISTING CONDITIONS
C3	PROPOSED SITE PLAN
C4	DETAILS

DATE: 09/17/2024 - CONSTRUCTION DOCUMENTS
REV #1: 11/14/2024 - COMMENTS FROM 10/23/24 PLANNING MEETING



ENGINEER STAMP:



11/14/2024



SITE PARAMETERS:

ZONING:

67 SO HIGHLAND ROAD
MAP: 37 LOT: 15
AREA: 23.27 ACRES
ZONING: "S" SEA SHORE
10 OLD DEWLINE ROAD
MAP: 37 LOT: 19
AREA: 6.45 ACRES
ZONING: "S" SEA SHORE

DEED REFERENCE:

BOOK: 26095 PAGE: 003

FLOOD ZONE LOCATION:

THIS SITE DOES NOT LIE WITHIN A FLOOD ZONE AS INDICATED ON THE FLOOD INSURANCE RATE MAP PUBLISHED BY H.U.D. LOCATED ON PANEL #137J, AND 141J, MAP # 25001C0137J, AND 25001C0141J, HAVING AN EFFECTIVE DATE OF 07/16/2014.

SITE COVERAGE:

TOTAL SITE ACREAGE: 29.72 ACRES = 1,294,603 SF
IMPERVIOUS COVERAGE: 24,500 SF
BUILDING COVERAGE: 11,700 SF
PROPOSED BUILDING COVERAGE (STRUCTURE AND SIDEWALKS): 1,928 SF
TOTAL COVERAGE: 38,128 SF
PERCENTAGE OF SITE WITH IMPERVIOUS COVER: 2.95%

PARKING:

NOT APPLICABLE. BUILDING IS ONLY SERVICING PATRONS CAMPING AT THE CAMP GROUND THE CAMP SITE WILL HOLD THEIR VEHICLES

BUILDING SETBACKS:

FRONT SET BACK: 25 FT PROVIDED: 367' +/-
SIDE SET BACK: 25 FT PROVIDED: 256' +/-
REAR SET BACK: 30 FT PROVIDED: 402' +/-

PROPOSED
WORK AREA

0' 100' 200' 300'
SCALE: 1" = 100'



75 OAK HILL AVE, 2ND FLOOR
SEEKONK, MA 02771

368 FAIRVIEW AVE
REHOBOTH

TEL: 508-252-4363

SITE PLAN REVIEW

LOCATION OF PROJECT:

67 SOUTH HIGHLAND RD
10 OLD DEWLINE ROAD
TRURO, MA 02666

APPLICANT

A/C MOBILE HOME PARK INC
905 16TH PLACE
VERO BEACH, FL 32960

OWNER

A/C MOBILE HOME PARK INC
905 16TH PLACE
VERO BEACH, FL 32960

LEGEND

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11/14/2024

DATE: 09/17/24

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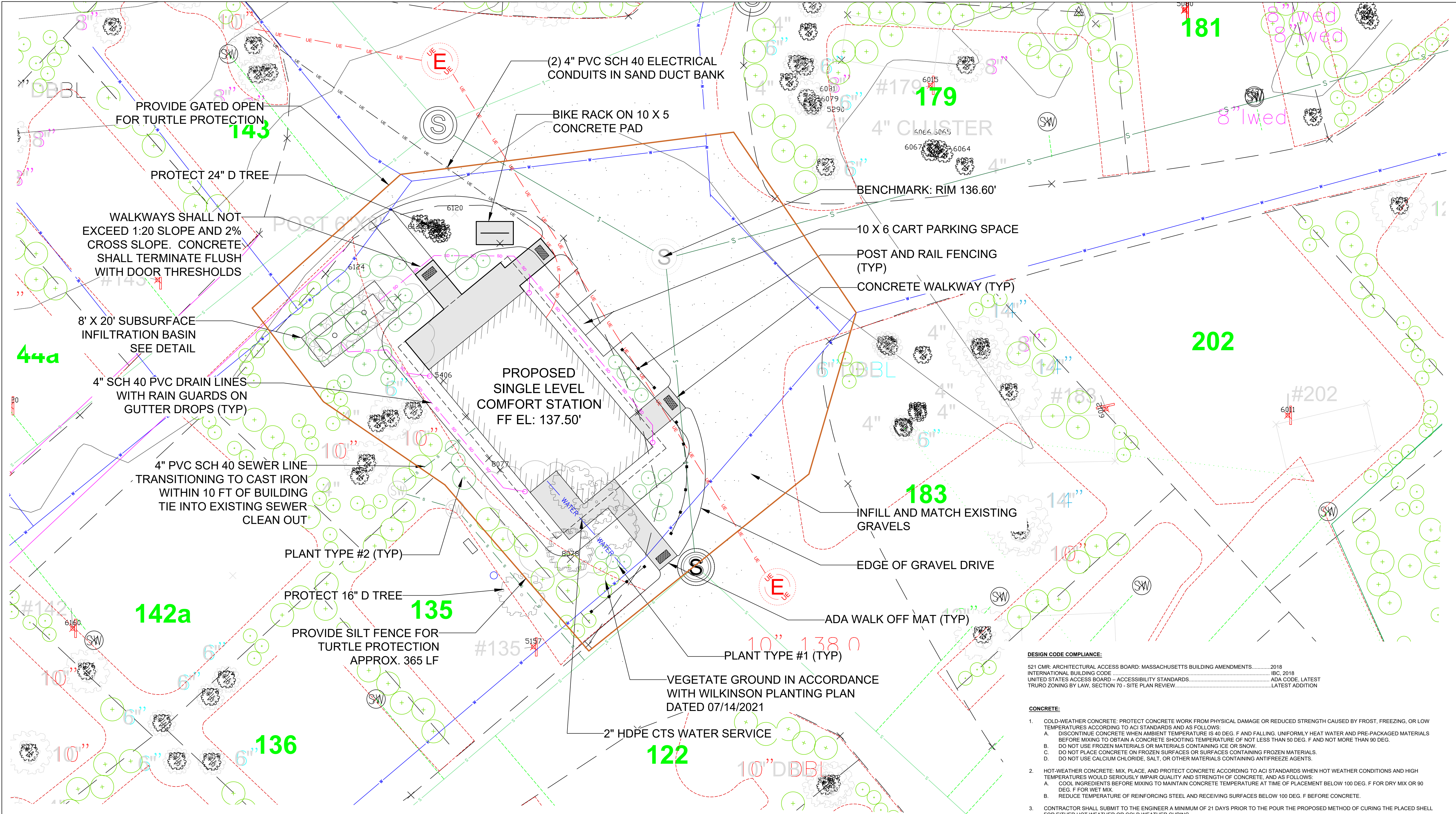
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SHEET TITLE

EXISTING CONDITIONS
C1

SHEET 1 OF 4



PLANT SPECIFICATIONS

TYPE #1 PLANTS:

Black Huckleberry Gaylussacia baccata #1
Lowbush Blueberry Vaccinium angustifolia #1

TYPE #2 PLANTS:

Pitch Pine Pinus rigida #1 - #3

NATIVE SEED MIX FOR ALL RESTORATION ZONES:

common name scientific name
Broom Sedge Andropogon virginicus
Creeping Red Fescue Festuca rubra
Fox Sedge Carex vulpinoidea
Little Bluestem Schizachyrium scoparium
Poverty Grass Danthonia spicata
Purple Lovegrass Eragrostis spectabilis
Upland Bentgrass Agrostis perennans

PROPOSED SITE PLAN

SCALE: 1" = 10'



SCALE: 1" = 10'

NAD 83 MASS. GRID



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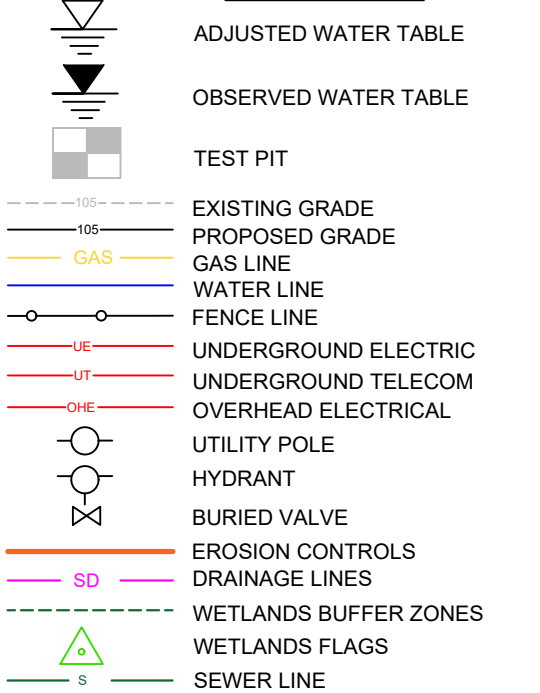
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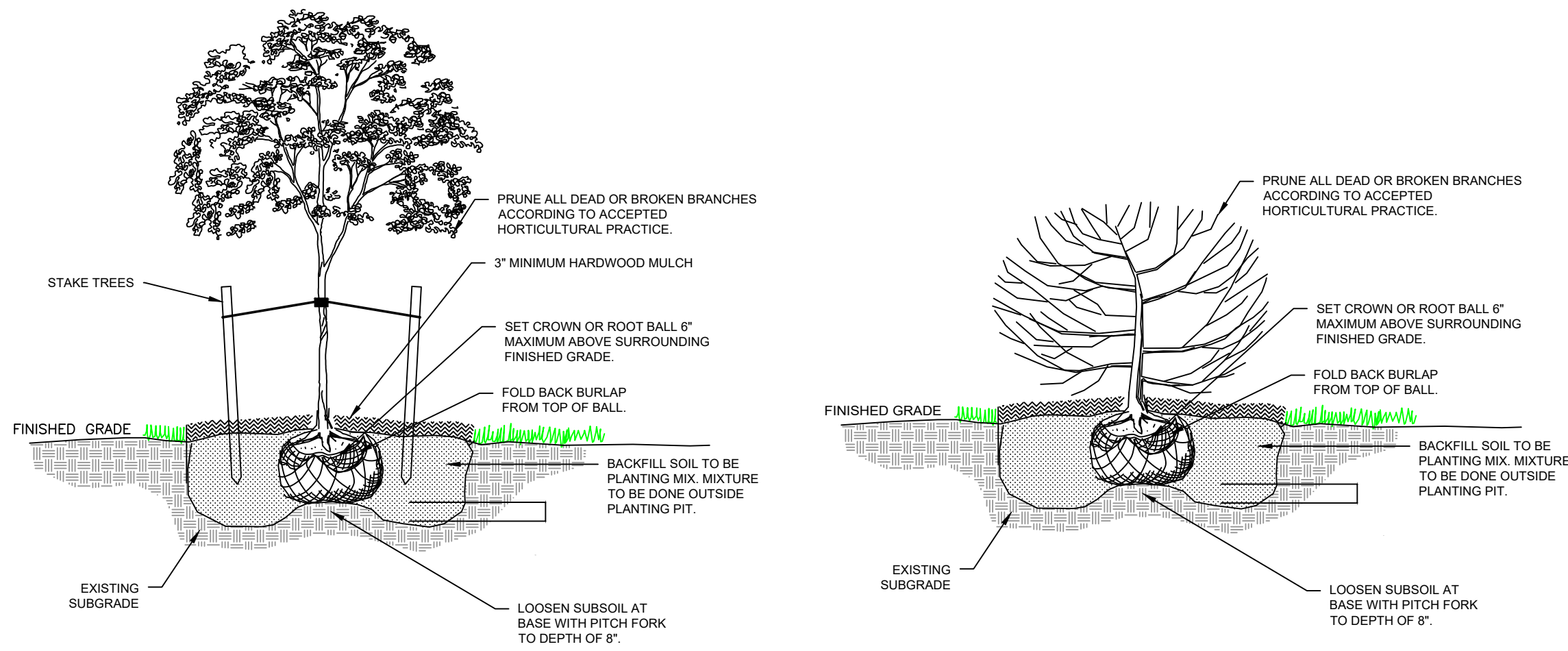
11/14/2024

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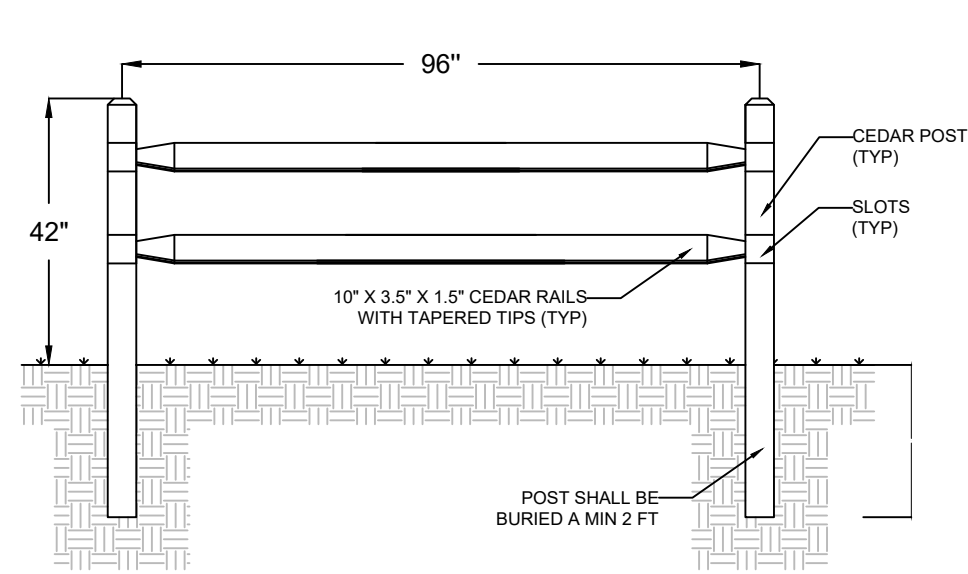
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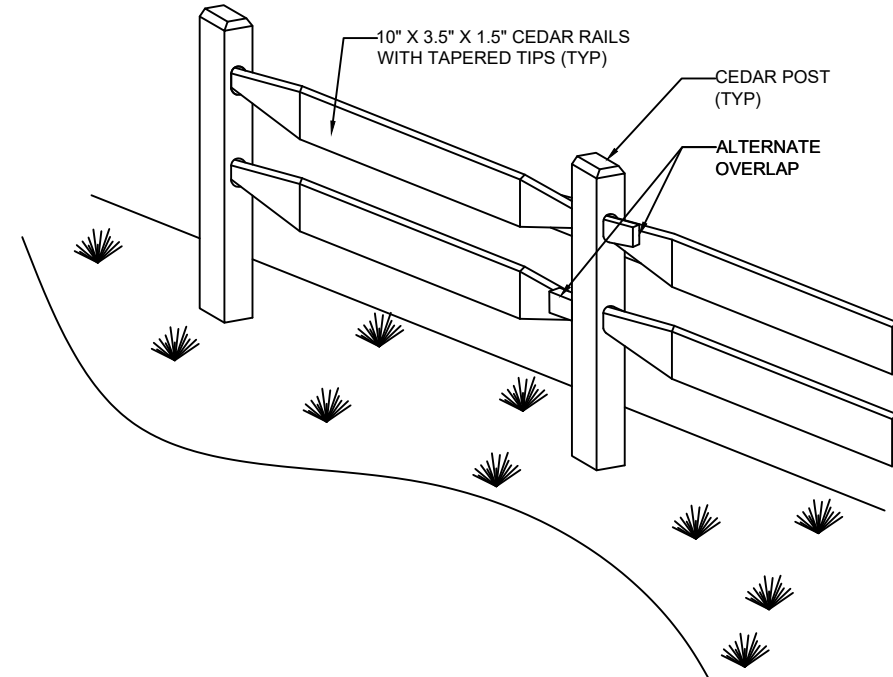
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PROPOSED SITE PLAN		
C3		
SHEET	3	OF 4



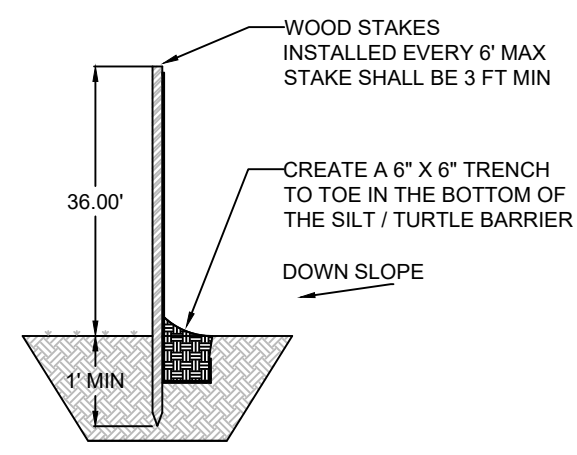
NEW PLANTINGS INSTALLATION
SCALE: NTS



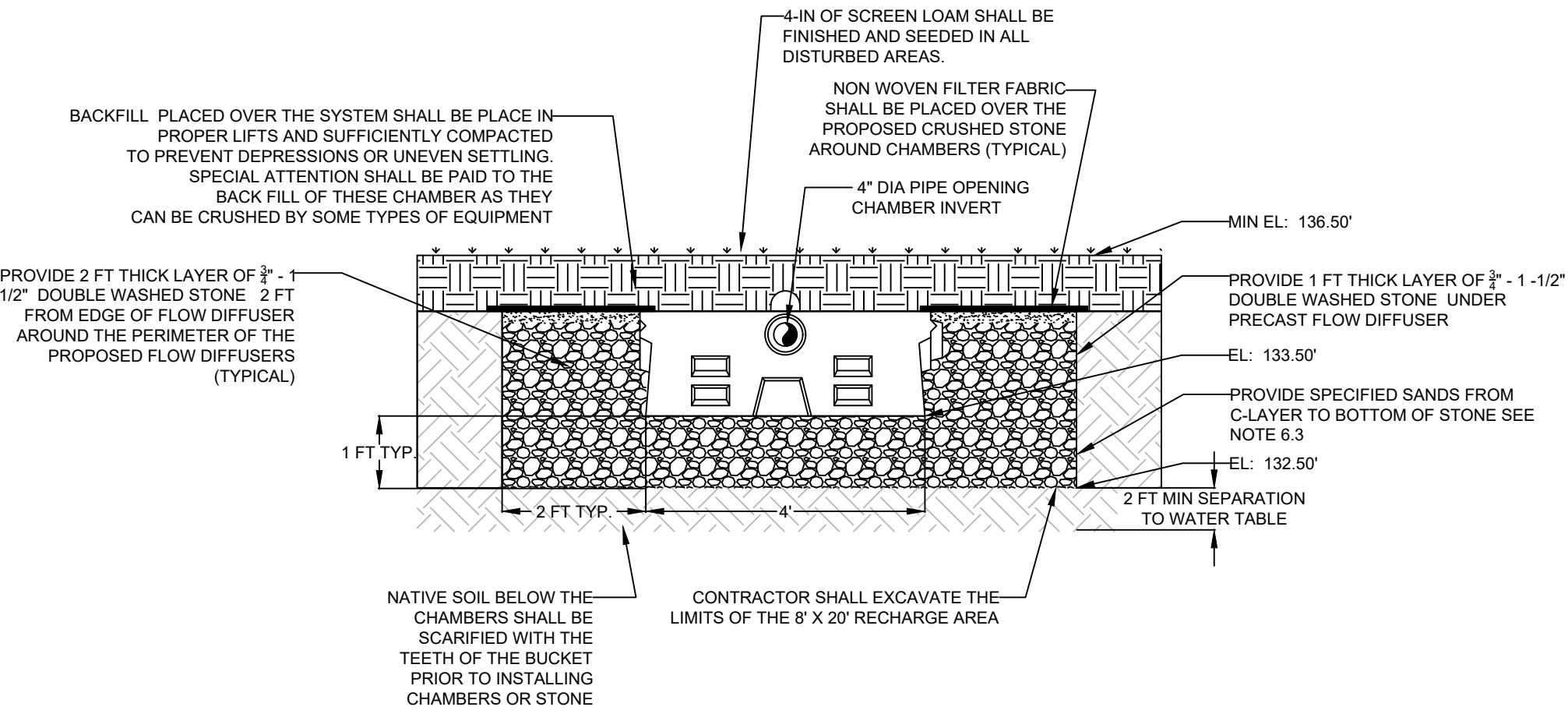
SPLIT RAIL FENCE
SCALE: NTS



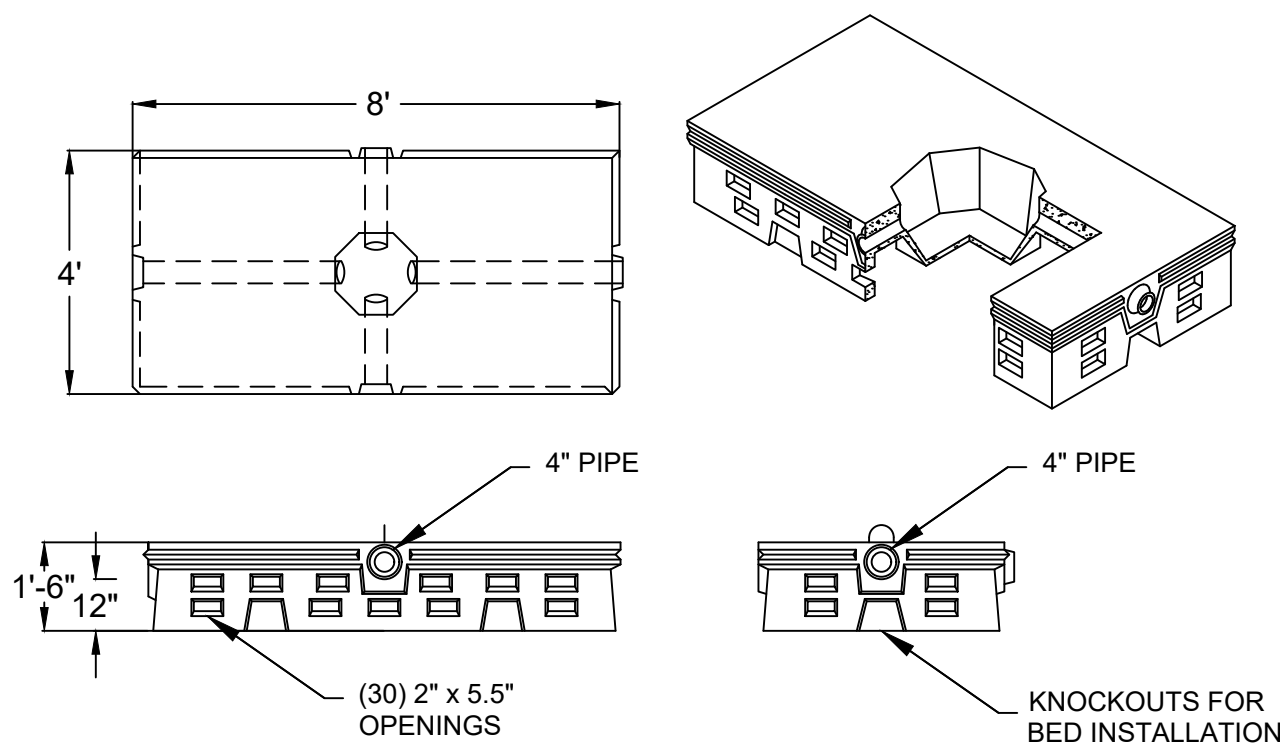
- NOTES:
- EXCAVATE A 6" DEEP BY 6" WIDE TRENCH ALONG THE CONTOUR OF WHERE THE SILT FENCE SHALL BE INSTALLED.
 - SILT FENCE AND BARRIER SHALL BE INSPECTED BY REHOBOTH CONSERVATION AND SELECTED TURTLE CONSULTANT.
 - FENCE SHALL PROVIDE ONLY (1) OPENING AT THE MAIN DRIVE TO ALLOW ACCESS. THE GATE SHALL BE CLOSED WHILE CONSTRUCTION OPERATION IS OCCURRING ON SITE AND WHEN THE SITE IS DORMANT.
 - CONTRACTOR SHALL INSTALL AND MAINTAIN IN ACCORDANCE TO ORDER OF CONDITIONS AND MASSACHUSETTS GUIDE FOR EROSION CONTROL.
 - FENCE SHALL BE INSPECTED DAILY AND AFTER EACH RAIN EVENT. REPAIR IF FENCING BECOMES COMPROMISED.
 - BACKFILL THE DOWN SLOPE SIDE OF THE WATTLE TRENCH.



TURTLE PROTECTION FENCE
SCALE: NTS



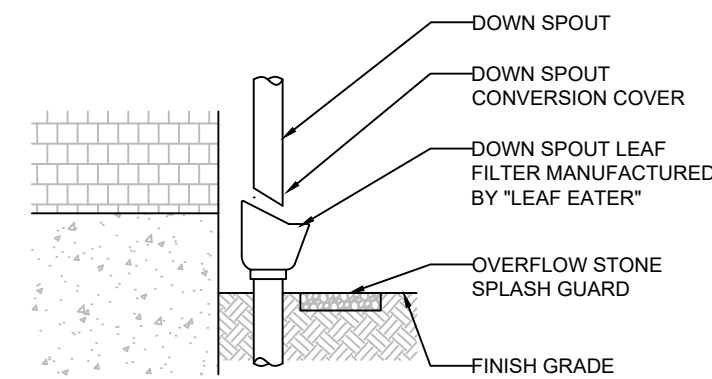
STORM INFILTRATORS CROSS SECTION
SCALE: NTS



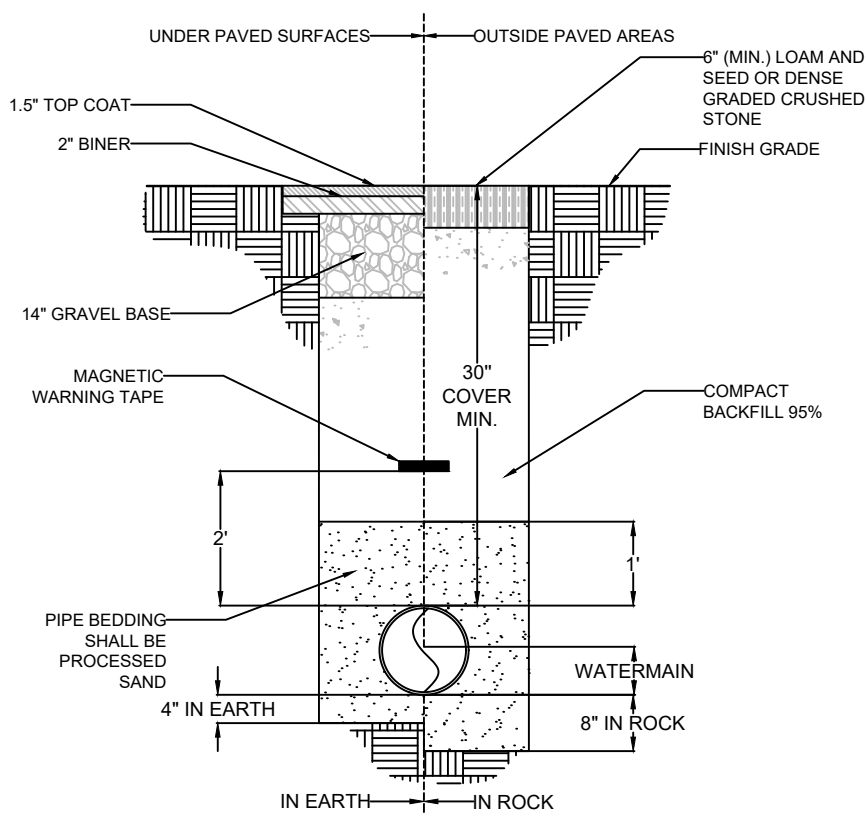
PRECAST INFILTRATOR CHAMBERS
SCALE: NTS

DESIGN CALCULATIONS / DESIGN PARAMETERS - ONSITE STORMWATER INFILTRATION SYSTEM:

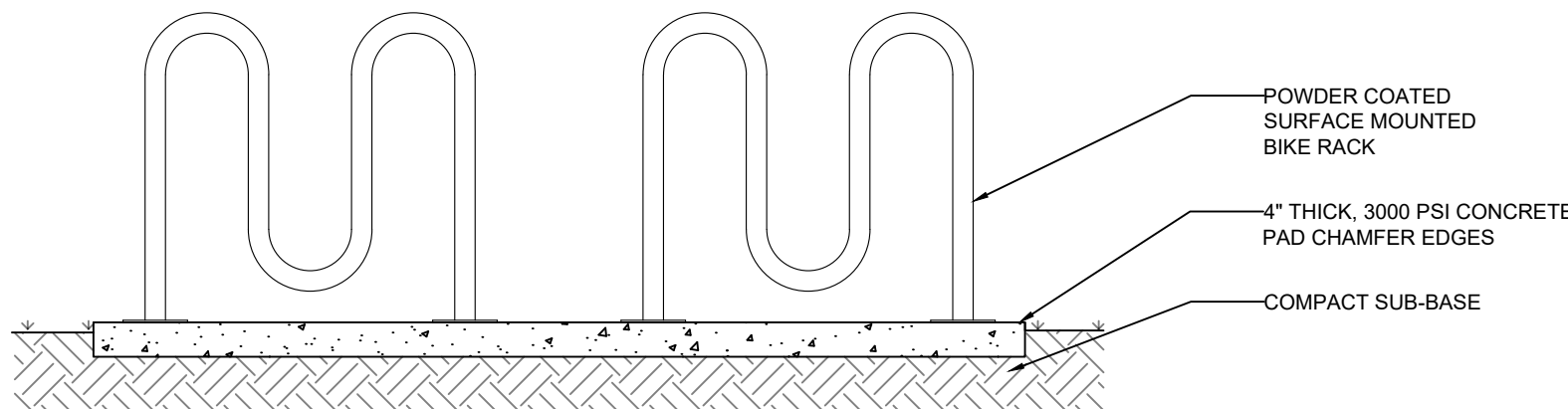
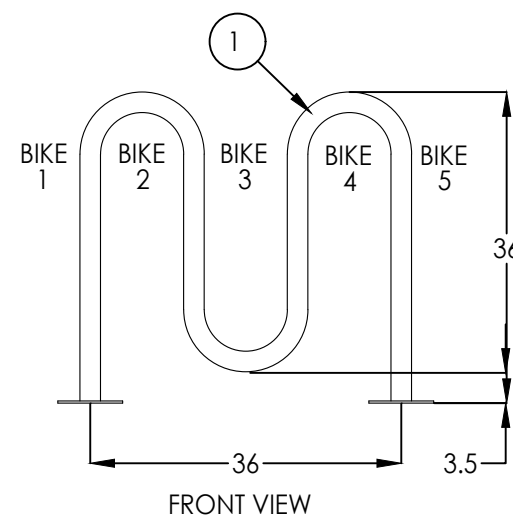
- IMPERVIOUS ROOF AREA: 1,675 SF
- REQUIRED RECHARGE VOLUME:
 $R_v = F \times \text{IMPERVIOUS AREA}$
 $R_v = \text{REQUIRED VOLUME, EXPRESSED IN FT}^3$
 $F = \text{TARGE DEOTH AFACTOR ASSOCIATED WITH EACH HYDROLOGIC SOIL GROUP}$
 $\text{IMPERVIOUS AREA} = \text{ROOF TOP AREA ON SITE}$
 $\text{SOIL TYPE A} = \text{SAND} = 0.60 - \text{INCH}$
 $R_v = (0.60 \text{ IN} / 12) \times 1,675 \text{ SF}$
 $R_v = 83.75 \text{ FT}^3$
 $\text{VOLUME PROVIDED: } (2) 8 \text{ FT} \times 4 \text{ FT} \times 1.5 \text{ FT FLOW DIFFUSERS}$
 $16 \text{ FT} \times 4 \text{ FT} \times 1.5 \text{ FT} = 96 \text{ FT}^3$
 $(\text{DOES NOT INCLUDE VOLUME STORED IN STONE})$
- DRAW DOWN: STATIC METHOD
MUST DRAIN COMPLETELY WITHIN 72 HOURS
 $\text{TIME DRAW DOWN} = R_v / ((K) \times (\text{BOTTOM AREA SF}))$
 $R_v = \text{STORED VOLUME}$
 $K = \text{SATURATED HYDRAULIC CONDUCTIVITY}$
 $\text{BOTTOM AREA} = \text{BOTTOM AREA OF RECHARGE STRUCTURE}$
 $\text{TIME DRAW DOWN} = 83.75 \text{ FT}^3 / ((8.27 / 12) \times 160) = 0.76 \text{ HRS} < 72 \text{ REQUIRED}$



DOWN SPOUT LEAF FILTER
SCALE: NTS



WATER SERVICE
SCALE: NTS



BIKE RACK
SCALE: NTS



75 OAK HILL AVE, 2ND FLOOR
SEEKONK, MA 02771

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REHOBOTH

TEL: 508-252-4363

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DETAILS

C4