



TOWN OF EASTHAM

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EASTHAM PLANNING BOARD MEETING MINUTES

Earle Mountain Room

September 21, 2016, 5:00 pm

Members present: Dan Coppelman, Chair, Dwight Woodson, Arthur Autorino,
Richard Dill, Marc Stahl, Craig Nightingale, Joseph Manas
Members absent: None
Staff present: Paul Lagg, Town Planner, Debbie Cohen, Administrative Assistant

Chairman Dan Coppelman opened the meeting at 5:00 pm, explained meeting protocols and stated the meeting was being recorded.

Case No. PB2016-19 – 995 Old Orchard Road, Map 8, Parcel 18A. Tod and Mary-Jane Christie (Owners) seek Site Plan Approval – Residential pursuant to Eastham Zoning By-Law Section IX D.2 (Residential Lot Intensity) and Section XIV (Site Plan Approval – Residential) for proposed additions to an existing single family residence on a lot containing 20,000 sf or more where site coverage exceeds 3,000 sf.

Chris Childs, Patriot Builders was present at the hearing. He handed out site plans stamped by a PLS and described the proposed project. He explained that one existing bedroom would be eliminated and a three bedroom addition would be built for a total of five bedrooms – the addition was not for two bedrooms, as indicated in the application. Mr. Coppelman asked for clarification on the septic flow. Mr. Childs responded that a septic system upgrade was planned for five bedroom flow. Mr. Coppelman commented that the existing screening was already good and it seemed as if the additions would be constructed in areas that were already clear. There were no other questions from the board members or from the audience.

Mr. Coppelman read the **findings of fact**:

1. The property is located at 995 Old Orchard Road (Map 8, Parcel 18A) and is located in District A (Residential).
2. The applicant has applied for Site Plan Approval – Residential pursuant to Eastham Zoning By-Law Section IX D.2 (Residential Lot Intensity) and Section XIV (Site Plan Approval – Residential) for proposed additions to an existing single family residence on a lot containing 20,000 sf or more where site coverage exceeds 3,000 sf.
3. The lot size is 50,000 sf.
4. The proposed site coverage is 3,657 sf (7.3%) and represents an increase of 2.9%.
5. The proposed project does not impact existing native vegetation and soil or grade changes.
6. The proposed project does relate harmoniously to the terrain and to the use, scale and proportions of existing and proposed buildings in the neighborhood.
7. The prevailing characteristics of the neighborhood are preserved by the plan as presented.
8. The proposed project does avoid impact on steep slopes, flood plains, hilltops, dunes, scenic views and wetlands.

9. The proposed project does not have existing unique or significant environmental resources.
10. The proposed site plan does maximize the convenience and safety of vehicular and pedestrian movement within the site and in relationship to adjacent ways.
11. No abutters or parties in interest appeared in favor of or in opposition to the proposal. No letters were received regarding the proposal.

A **MOTION** by Marc Stahl to approve the findings of fact as stated, **seconded** by Craig Nightingale.

In favor: Coppelman, Woodson, Dill, Stahl, Nightingale, Autorino, Manas

Opposed: None

The VOTE: 7-0

Motion passed – Unanimous

A **MOTION** by Dwight Woodson to **GRANT** Site Plan Approval – Residential for Case No. PB2016-19 with the following **conditions**:

1. No building permit shall be issued until the application complies with all pertinent sections of the Town of Eastham Zoning By-law.
2. The applicant shall obtain approval from the Eastham Board of Health prior to the start of the project.
3. Any changes to the project plans stamped by the Town Clerk on 9/19/16, excepting the revised site plan with PLS stamp dated 9/21/16 and any changes that are deemed de minimis must be reviewed by the Planning Board. If the Board finds a change to be substantial, re-notice is necessary for a new hearing.
4. Any changes to final grade must be reviewed by the Planning Board.
5. The Planning Board reserves the right to monitor the ongoing construction for compliance with the approved plan.

Seconded by Craig Nightingale

In favor: Coppelman, Woodson, Dill, Stahl, Nightingale, Autorino, Manas

Opposed: None

The VOTE: 7-0

Motion passed – Unanimous

Case No. PB2016-20 – 13 West Shore Drive, Map 7A, Parcel 9. Lorraine Laczko (Owner) seeks Site Plan Approval – Residential pursuant to Eastham Zoning By-Law Section IX D.1 (Residential Lot Intensity) and Section XIV (Site Plan Approval – Residential) to demolish the existing single family residence and construct a new single family residence on a lot containing less than 20,000 sf resulting in a site coverage ratio greater than 15% and percentage of expansion greater than 2.5%.

Thomas Moore and John Pettica were present at the hearing. Mr. Moore described the proposal and explained the corner of the proposed porch would be adjusted in the field so as not to touch the retaining wall. The application had received ZBA approval and was scheduled to go to the BOH this month.

Mr. Dill and Mr. Woodson expressed concerns about drainage on the site. Mr. Woodson also asked for additional information regarding the deck and lighting. Mr. Moore confirmed that the porch would not preclude someone from walking around the house and that all lights would be

pointed down and contained to the site. Mr. Coppelman commented that adding a second story would have a large visual impact on the neighbors. Mr. Pettica agreed that it would be impossible to disguise the second story but noted he had already planted arbor vitae along the northern border and planned to extend the plantings along the northeastern boundary as well.

John Norton, 40 Hideaway Lane stated he was a neighbor of the applicant and was in full support of the project. There were no other comments from the audience or from the Board.

Mr. Coppelman read the **findings of fact**:

1. The property is located at 13 West Shore Drive (Map 7A, Parcel 9) and is located in District A (Residential).
2. The applicant has applied for Site Plan Approval – Residential pursuant to Eastham Zoning By-Law Section IX D.1 (Residential Lot Intensity) and Section XIV (Site Plan Approval – Residential) to demolish the existing single family residence and construct a new single family residence on a lot containing less than 20,000 sf resulting in a site coverage ratio greater than 15% and percentage of expansion greater than 2.5%.
3. The lot size is 11,000 sf.
4. The proposal received approval from the Eastham Zoning Board of Appeals for relief from side and rear yard setbacks on September 1, 2016.
5. The proposed site coverage is 1,956 sf (17.78%) and represents an increase of 10.28%.
6. The proposed project does not impact existing native vegetation and soil or grade changes.
7. The proposed project does relate harmoniously to the terrain and to the use, scale and proportions of existing and proposed buildings in the neighborhood.
8. The prevailing characteristics of the neighborhood are preserved by the plan as presented.
9. The proposed project does avoid impact on steep slopes, flood plains, hilltops, dunes, scenic views and wetlands.
10. The proposed project does not have existing unique or significant environmental resources.
11. The proposed site plan does maximize the convenience and safety of vehicular and pedestrian movement within the site and in relationship to adjacent ways.
12. The original site plan dated 6/22/16 and received by the Town Clerk on 8/22/16 is not included in the record of approved plans.
13. One abutter appeared in favor of the proposal. No letters were received regarding the proposal.

A **MOTION** by Art Autorino to approve the findings of fact as stated, **seconded** by Craig Nightingale.

In favor: Coppelman, Woodson, Dill, Stahl, Nightingale, Autorino, Manas

Opposed: None

The VOTE: 7-0

Motion passed – Unanimous

A **MOTION** by Marc Stahl to **GRANT** Site Plan Approval – Residential for Case No. PB2016-20 with the following **conditions**:

1. No building permit shall be issued until the application complies with all pertinent sections of the Town of Eastham Zoning By-law.
2. The applicant shall obtain approval from the Eastham Board of Health prior to the start of the project.

3. Any changes to the project plans stamped by the Town Clerk on 9/16/16, except those that are de minimis must be reviewed by the Planning Board. If the Board finds a change to be substantial, re-notice is necessary for a new hearing.
4. Any changes to final grade must be reviewed by the Planning Board.
5. The Planning Board reserves the right to monitor the ongoing construction for compliance with the approved plan.

Seconded by Craig Nightingale

In favor: Coppelman, Woodson, Dill, Stahl, Nightingale, Autorino, Manas

Opposed: None

The VOTE: 7-0

Motion passed – Unanimous

Case No. PB2016-21 – 650 Dyer Prince Road, Map 19, Parcel 43K. Harris Family Realty Trust (Owner) and Jeff Sulkin (Applicant) seek Site Plan Approval – Residential pursuant to Eastham Zoning By-Law Section IX D.2 (Residential Lot Intensity) and Section XIV (Site Plan Approval – Residential) to construct a new single family residence with attached garage on a lot containing 20,000 sf or more where site coverage exceeds 3,000 sf.

David Lyttle and Jeff Sulkin were present at the hearing. Mr. Lyttle explained the dwelling was positioned to be as far away from the marsh and the streets as possible. He noted the proposal would need Conservation Commission and Board of Health approvals as well.

Mr. Autorino confirmed that the house was not in a flood zone and also commented it seemed like a lot of trees would need to be removed. Mr. Lyttle responded the applicant's intention was to keep the lot well-treed and native looking, and handed out a plan designed for the Conservation Commission with additional site details. The board members all agreed it was a beautiful location. There were no questions from the audience and no other comments from the Board.

Mr. Coppelman read the **findings of fact**:

1. The property is located at 650 Dyer Prince Road (Map 19, Parcel 43K) with proposed driveway access off of Keene Way and is located in District A (Residential).
2. The applicant has applied for Site Plan Approval – Residential pursuant to Eastham Zoning By-Law Section IX D.2 (Residential Lot Intensity) and Section XIV (Site Plan Approval – Residential) to construct a new single family residence with attached garage on a lot containing 20,000 sf or more where site coverage exceeds 3,000 sf.
3. The lot size is 41,471 sf.
4. The proposed site coverage is 4,355 sf (10.5%).
5. The proposed project does not impact existing native vegetation and soil or grade changes.
6. The proposed project does relate harmoniously to the terrain and to the use, scale and proportions of existing and proposed buildings in the neighborhood.
7. The prevailing characteristics of the neighborhood are preserved by the plan as presented.
8. The proposed project does avoid impact on steep slopes, flood plains, hilltops, dunes, scenic views and wetlands.

9. The proposed project does have existing unique or significant environmental resources and will require approval from the Conservation Commission to properly mitigate the impact to these resources.
10. The proposed site plan does maximize the convenience and safety of vehicular and pedestrian movement within the site and in relationship to adjacent ways.
11. No abutters or parties in interest appeared in favor of or in opposition to the proposal. No letters were received regarding the proposal.

A **MOTION** by Richard Dill to approve the findings of fact as stated, **seconded** by Marc Stahl.

In favor: Coppelman, Woodson, Dill, Stahl, Nightingale, Autorino, Manas

Opposed: None

The VOTE: 7-0

Motion passed – Unanimous

A **MOTION** by Richard Dill to **GRANT** Site Plan Approval – Residential for Case No. PB2016-21 with the following **conditions**:

1. No building permit shall be issued until the application complies with all pertinent sections of the Town of Eastham Zoning By-law.
2. The applicant shall obtain approval from the Eastham Board of Health prior to the start of the project.
3. The applicant shall obtain approval from the Eastham Conservation Commission prior to the start of the project.
4. Any changes to the project plans stamped by the Town Clerk on 8/23/16, except those that are de minimis must be reviewed by the Planning Board. If the Board finds a change to be substantial, re-notice is necessary for a new hearing.
5. Any changes to final grade must be reviewed by the Planning Board.
6. The Planning Board reserves the right to monitor the ongoing construction for compliance with the approved plan.
7. The owner will apply for a Keene Way address.

Seconded by Dwight Woodson

In favor: Coppelman, Woodson, Dill, Stahl, Nightingale, Autorino, Manas

Opposed: None

The VOTE: 7-0

Motion passed – Unanimous

Minutes

A **MOTION** by Marc Stahl to approve the minutes of June 15, 2016, **seconded** by Craig Nightingale.

In favor: Coppelman, Woodson, Dill, Stahl, Nightingale, Autorino, Manas

Opposed: None

The VOTE: 7-0

Motion passed – Unanimous

A **MOTION** by Art Autorino to approve the minutes of August 17, 2016, **seconded** by Marc Stahl.

In favor: Coppelman, Dill, Stahl, Nightingale, Autorino, Manas

Opposed: None
Abstained: Woodson
The VOTE: 6-0-1
Motion passed

Other Business

Mr. Lagg presented a memo with a proposed timeline to work on zoning by-law amendments. He indicated he would follow up on whether giving alternates the ability to vote needed approval at Annual Town Meeting.

Mr. Lagg informed the Board that the applicant for Case No. PB2016-18 was running late to the hearing due to a schedule conflict. As no representative was present, Art Autorino made a **MOTION** to continue Case No. PB2016-18 to the October 19, 2016 hearing, **seconded** by Joe Manas.

In favor: Coppelman, Woodson, Dill, Stahl, Nightingale, Autorino, Manas
Opposed: None
The VOTE: 7-0
Motion passed – Unanimous

A **MOTION** by Marc Stahl to adjourn the meeting, **seconded** by Dwight Woodson.

In favor: Coppelman, Woodson, Autorino, Dill, Stahl, Nightingale, Manas
Opposed: None
The VOTE: 7-0
Motion passed – Unanimous

Tim Brady arrived to represent Case No. PB2016-18.

A **MOTION** by Art Autorino to rescind the adjournment of the meeting, **seconded** by Marc Stahl.

In favor: Coppelman, Woodson, Autorino, Dill, Stahl, Nightingale, Manas
Opposed: None
The VOTE: 7-0
Motion passed – Unanimous

A **MOTION** by Art Autorino to rescind the continuation of Case No. PB2016-18, **seconded** by Marc Stahl.

In favor: Coppelman, Woodson, Autorino, Dill, Stahl, Nightingale, Manas
Opposed: None
The VOTE: 7-0
Motion passed – Unanimous

Case No. PB2016-18 – (continued from 8/17/16 with revised plans) 35 Bowline Lane, Map 13, Parcel 56. Criscione Family Nominee Trust (Owner) seeks Site Plan Approval – Residential pursuant to Eastham Zoning By-Law Section IX D.2 (Residential Lot Intensity) and Section XIV

(Site Plan Approval – Residential) for proposed additions and alteration to an existing single family residence on a lot containing 20,000 sf or more where site coverage exceeds 3,000 sf.

Tim Brady was present at the hearing. He described the revised proposal and explained the project had partial conservation approval but would need additional approval for the plan revisions. Mr. Brady confirmed there would be no work in the flood zone. Mr. Dill asked about the game room and Mr. Brady replied the door casing would be wide enough that it would not be considered a bedroom. There were no other questions from the board members or the audience.

Mr. Coppelman read the **findings of fact**:

1. The property is located at 35 Bowline Lane (Map 13, Parcel 56) and is located in District A (Residential).
2. The applicant has applied for Site Plan Approval – Residential pursuant to Eastham Zoning By-Law Section IX D.2 (Residential Lot Intensity) and Section XIV (Site Plan Approval – Residential) for proposed additions and alteration to an existing single family residence on a lot containing 20,000 sf or more where site coverage exceeds 3,000 sf.
3. The lot size is 22,318 sf.
4. The proposed site coverage is 3,316 sf (14.9%) and represents an increase of 4.7%.
5. The proposed project does not impact existing native vegetation and soil or grade changes.
6. The proposed project does relate harmoniously to the terrain and to the use, scale and proportions of existing and proposed buildings in the neighborhood.
7. The prevailing characteristics of the neighborhood are preserved by the plan as presented.
8. The proposed project does avoid impact on steep slopes, flood plains, hilltops, dunes, scenic views and wetlands.
9. The proposed project does have existing unique or significant environmental resources and will require approval from the Conservation Commission to properly mitigate the impact to these resources.
10. The proposed site plan does maximize the convenience and safety of vehicular and pedestrian movement within the site and in relationship to adjacent ways.
11. No abutters or parties in interest appeared in favor of or in opposition to the proposal. No letters were received regarding the proposal.

A **MOTION** by Marc Stahl to approve the findings of fact as stated, **seconded** by Craig Nightingale.

In favor: Coppelman, Woodson, Dill, Stahl, Nightingale, Autorino, Manas

Opposed: None

The VOTE: 7-0

Motion passed – Unanimous

A **MOTION** by Dwight Woodson to **GRANT** Site Plan Approval – Residential for Case No. PB2016-18 with the following **conditions**:

1. No building permit shall be issued until the application complies with all pertinent sections of the Town of Eastham Zoning By-law.
2. The applicant shall obtain approval from the Eastham Board of Health prior to the start of the project.
3. The applicant shall obtain approval from the Eastham Conservation Commission prior to the start of the project.

4. Any changes to the project plans stamped by the Town Clerk on 8/31/16, except those that are de minimis must be reviewed by the Planning Board. If the Board finds a change to be substantial, re-notice is necessary for a new hearing.
5. Any changes to final grade must be reviewed by the Planning Board.
6. The Planning Board reserves the right to monitor the ongoing construction for compliance with the approved plan.

Seconded by Marc Stahl

In favor: Coppelman, Woodson, Dill, Stahl, Nightingale, Autorino, Manas

Opposed: None

The VOTE: 7-0

Motion passed – Unanimous

Adjournment

A **MOTION** by Art Autorino to adjourn the meeting, **seconded** by Richard Dill.

In favor: Coppelman, Woodson, Autorino, Dill, Stahl, Nightingale, Manas

Opposed: None

The VOTE: 7-0

Motion passed – Unanimous

Meeting adjourned at 6:30 pm.

Respectfully submitted as prepared by Debbie Cohen

Dan Coppelman, Chairman