



## TOWN OF EASTHAM

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### EASTHAM PLANNING BOARD

#### MEETING MINUTES

Earle Mountain Room

January 18, 2017, 5:00 pm

Members present: Dan Coppelman, Chair, Dwight Woodson, Arthur Autorino, Craig Nightingale, Joseph Manas  
Members absent: Richard Dill, Marc Stahl  
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.

Preliminary Site Plan – Residential review: 4 Penny Lane, Map 10, Parcel 300.

Dan Croteau was present at the hearing. He reviewed the site plan and described the neighborhood as a mix of one and two story houses. The board members all agreed that it would be difficult for them to comment as the project had not yet received zoning approval. Mr. Autorino asked about the possibility of relocating the bulkhead to the back of the house. Mr. Croteau replied that it would not be possible because the proposed sunroom was on posts, not on a foundation. Mr. Croteau confirmed that the lot size was ~5,000 sf and the site coverage was proposed at ~1,500 sf. Mr. Nightingale and Mr. Coppelman both suggested that finding a way to downsize the house slightly might be beneficial to the application. Mr. Coppelman added that a map with the footprints of abutting houses would be helpful for comparison with the neighborhood. There were no other comments from the Board or the audience.

**Case No. PB2017-1** – 545 Nauset Light Beach Road, Map 23, Parcel 9 and 120 Cummings Lane, Map 23, Parcel 6. Michael Schaffer (Owner) seeks Site Plan Approval – Residential pursuant to Eastham Zoning By-Law Section IX D.4 (Residential Lot Intensity) and Section XIV (Site Plan Approval – Residential) for a new accessory structure in District F (Seashore District) which exceeds 100 square feet.

Tim Brady was present. He described the proposal and noted it had received Zoning Board approval but was still waiting on Board of Health review. Mr. Coppelman commented that there may be tax advantages to merging the two lots. Mr. Brady stated there were no plans to merge them at this time. He also explained that since Nauset Light Beach Road eroded away, access to the property was provided by the Town via an agreement with the neighboring private property owners and the National Seashore. The applicant had not yet decided on how to move the house, but he was considering rotating the house ninety degrees during transport in order to keep as many trees as possible. Mr. Coppelman noted that the National Seashore had already granted approval to the project.

Joseph Everett, 155 Cummings Lane was present in support of the application. He commented that the applicant was committed to preserving the neighborhood. There were no other comments from the audience.

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

1. The properties are located at 120 Cummings Lane (Map 23, Parcel 6) and 545 Nauset Light Beach Road (Map 23, Parcel 9) and are located in District F (Seashore).
  2. The applicant has applied for Site Plan Approval – Residential pursuant to Eastham Zoning By-Law Section IX D.4 (Residential Lot Intensity) and Section XIV (Site Plan Approval – Residential) for a new accessory structure in District F (Seashore District) which exceeds 100 square feet.
  3. Zoning By-law Section IX.D.4 requires site plan approval for additions or expansions to dwellings or accessory structures in the Seashore District F if the addition or expansion exceeds 100 square feet.
  4. The proposed two car garage will be 576 square feet. No changes to the size or layout of the relocated four bedroom dwelling are proposed.
  5. The proposal received a Variance from the Eastham Zoning Board of Appeals on December 1, 2016.
  6. Representatives from the National Seashore have been notified of the application as required under the Eastham Zoning By-law Section V.F. The representatives are supportive of the proposal as evidenced by their letter dated 2/20/15.
  7. The proposed project does not impact existing native vegetation and soil or grade changes.
  8. The proposed project does relate harmoniously to the terrain and to the use, scale and proportions of existing and proposed buildings in the neighborhood.
  9. The prevailing characteristics of the neighborhood are preserved by the plan as presented.
  10. The proposed project does avoid impact on steep slopes, flood plains, hilltops, dunes, scenic views and wetlands.
  11. The proposed project does not have existing unique or significant environmental resources.
  12. The proposed site plan does maximize the convenience and safety of vehicular and pedestrian movement within the site and in relationship to adjacent ways.
  13. One abutter appeared in favor the proposal. No letters were received regarding the proposal.
- A **MOTION** by Craig Nightingale to approve the findings of fact as stated, **seconded** by Joseph Manas.

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

Opposed: None

**The VOTE:** 5-0

**Motion passed – Unanimous**

A **MOTION** by Dwight Woodson to **GRANT** Site Plan Approval – Residential for Case No. PB2017-01 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 dated 10/21/16 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 Craig Nightingale

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

Opposed: None

**The VOTE:** 5-0

**Motion passed – Unanimous**

#### Minutes

A **MOTION** by Art Autorino to approve the minutes of December 14, 2016, **seconded** by Joseph Manas.

In favor: Coppelman, Woodson, Autorino, Manas

Opposed: None

Abstained: Nightingale

**The VOTE:** 4-0-1

**Motion passed**

A **MOTION** by Dwight Woodson to approve the minutes of December 21, 2016, **seconded** by Dan Coppelman.

In favor: Coppelman, Woodson, Autorino, Manas

Opposed: None

Abstained: Nightingale

**The VOTE:** 4-0-1

**Motion passed**

#### Other business

Mr. Lagg presented ZBL amendments ready for public hearing at the coming meeting. The amendments included Site Plan Approval plan size requirements, stamp requirements, and number of copies to be submitted. An amendment was also included to require FEMA elevation certificates for substantial improvements or new construction. Mr. Lagg explained that the ongoing question about restaurant use had been submitted to Town Counsel for review. The board members discussed the proposed amendments.

#### Adjournment

A **MOTION** by Art Autorino to adjourn the meeting, **seconded** by Craig Nightingale.

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

Opposed: None

**The VOTE:** 5-0

**Motion passed – Unanimous**

Meeting adjourned at 6:15 pm.

Respectfully submitted as prepared by Debbie Cohen

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Dan Coppelman, Chairman