



## TOWN OF EASTHAM

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### EASTHAM ZONING BOARD OF APPEALS AND EASTHAM PLANNING BOARD JOINT MEETING MINUTES

Earle Mountain Room

June 15, 2016, 5:00 pm

ZBA Members present: Robert Sheldon, Edward Schneiderhan, George Reinhart, Joanne Verlinden, John Zazzaro, Stephen Wasby (Alternate), Ralph Holcomb (Alternate)

ZBA Members absent: None

PB Members present: Dan Coppelman, Dwight Woodson, Richard Dill, Arthur Autorino, Craig Nightingale, Joseph Manas

PB Members absent: Marc Stahl

Staff present: Paul Lagg, Town Planner, Debbie Cohen, Administrative Assistant

Chairman Robert Sheldon opened the ZBA meeting at 5:00 pm, explained meeting protocols and stated the meeting was being recorded. He introduced new ZBA alternate Ralph Holcomb. Chairman Dan Coppelman followed by opening the PB meeting.

**Case No. ZBA2016-6** – 10 Bayberry Lane, Map 13, Parcel 172. Philip Samuel Dickinson Revocable Trust (Owner) seeks a Special Permit pursuant to M.G.L. c. 40A s. 6 and Eastham Zoning By-law Section VI.C to demolish and rebuild a pre-existing, non-conforming single family residence in violation of lot size and setback requirements.

Seated on the case: Sheldon, Schneiderhan, Reinhart, Verlinden, Zazzaro

Tim Brady and Attorney Andrew Singer were present at the hearing. Mr. Singer described the project, noting that all setbacks would remain the same. The existing IA septic system would remain, although the house would go from 5 to 4 bedrooms. He also indicated the parking sketched in the town right-of-way could be removed from the plan.

Mr. Schneiderhan asked for clarification of the side setbacks. Mr. Wasby pointed out for the record that one proposed setback encroached less than the existing setback. There were no other questions from the Board and there were no comments from the audience.

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

1. The property is located at 10 Bayberry Lane (Map 13, Parcel 172) and is located in District A (Residential).
2. The applicant has applied for a Special Permit pursuant to M.G.L. c. 40A s. 6 and Eastham Zoning By-law Section VI.C to demolish and rebuild a pre-existing, non-conforming single family residence in violation of lot size and setback requirements.
3. The lot size is 8,583 sf.
4. The street setback requirement is 30 feet. The side setback requirement is 25 feet and the rear setback requirement is 30 feet. The proposed structure will be 29.6 feet from Bayberry Lane

and 25 feet from Cranberry Lane. Side setbacks will be 21.2 and 20.5 feet. No new non-conformities will result from the proposal. The proposed house is to be built on the existing foundation.

5. After an evaluation of all the evidence presented, the proposed use will not be substantially more detrimental to the established or future character of the neighborhood or the Town and the structure involved will be in harmony with the general purpose and intent of the Zoning By-law and zoning district.
6. The proposal will not have a negative impact on traffic flow and/or safety.
7. The proposal will not have a negative impact on the visual character of the neighborhood.
8. The proposal does have adequate methods of sewage disposal, sources of potable water and site drainage.
9. The proposal does provide adequate protection and maintenance of groundwater quality and recharge volume and the water quality of coastal and fresh surface water bodies.
10. The proposal does provide adequate provision for utilities and other necessary or desirable public services.
11. The proposal does provide adequate protection from degradation and alteration of the natural environment.
12. Artificial light, noise, litter, odor or other sources of nuisance or inconvenience will be adequately controlled.
13. No abutters appeared in opposition to or in favor of the proposal. No letters were received regarding the proposal.

A **MOTION** by Ed Schneiderhan to approve the findings of fact as stated, **seconded** by Joanne Verlinden.

In favor: Sheldon, Schneiderhan, Reinhart, Verlinden, Zazzaro

Opposed: None

**The VOTE:** 5-0

**Motion passed – Unanimous**

Mr. Sheldon read the **conditions**:

1. Any changes to the project plans stamped by the Town Clerk on 5/3/16, except those that are de minimis must be reviewed by the Zoning Board of Appeals. If the Board finds a change to be substantial, re-notice is necessary for a new hearing.
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 Planning Board prior to the start of the project.

A **MOTION** by Joanne Verlinden to approve the conditions as stated, **seconded** by Ed Schneiderhan.

In favor: Sheldon, Schneiderhan, Reinhart, Verlinden, Zazzaro

Opposed: None

**The VOTE:** 5-0

**Motion passed – Unanimous**

A **MOTION** by Ed Schneiderhan to **GRANT A SPECIAL PERMIT** for ZBA2016-06 to demolish and rebuild a pre-existing, non-conforming single family residence in violation of lot size and setback requirements, **seconded** by Joanne Verlinden.

In favor: Sheldon, Schneiderhan, Reinhart, Verlinden, Zazzaro

Opposed: None

**The VOTE:** 5-0

**Motion passed – Unanimous**

**Case No. PB2016-13** – 10 Bayberry Lane, Map 13, Parcel 172. Philip Samuel Dickinson Revocable Trust (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 dwelling and construct a new dwelling 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%.

Mr. Brady and Mr. Singer remained to answer questions from the Planning Board. Mr. Woodson inquired if the driveway encroached on Cranberry Lane. Mr. Brady replied there was only one other driveway that shared the road and it had room to bypass the Dickinson's driveway. Mr. Coppelman asked if the proposed retaining wall would be stone. Mr. Brady responded it would. Mr. Coppelman also asked about the proposed lawn and a dead tree in the landscaping plan. There were no other questions from the Board and there were no comments from the audience.

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

1. The landscape shall be preserved in its natural state insofar as practical. The Board shall encourage the applicant to avoid grade changes and the removal of native vegetation and soil: No negative environmental impacts are anticipated based on the proposed plan. The plans indicate pervious surfaces and low impact (no-mow) lawn in the front and rear of the property. The site is not located within any conservancy areas. No significant grade changes are proposed.
2. The property is located at 10 Bayberry Lane (Map 13, Parcel 172) and is located in District A (Residential).
3. 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 dwelling and construct a new dwelling 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%.
4. The lot size is 8,583 sf.
5. The proposed site coverage is 2,191.28 sf (25.5%) and represents an expansion of 2.7%.
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. However, it will require approval from Eastham Board of Health for proposed increases to the habitable space. Note that the applicant has reduced bedrooms from 5 to 4.
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. The parking area

along Bayberry Lane shown on the proposed landscape plan is located within the Town right of way and will be removed from the landscaping plan as indicated by the applicant.

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

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

Opposed: None

**The VOTE:** 6-0

**Motion passed – Unanimous**

A **MOTION** by Richard Dill to **GRANT** Site Plan Approval – Residential for Case No. PB2016-13 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 revise the proposed Landscape Plan (L1) to remove the proposed parking area along Bayberry Lane.
4. Any changes to the project plans stamped by the Town Clerk on 5/6/16, 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 applicant has proposed a no mow seed for the lawn areas.
8. The noted dead pine on the landscape plan will be removed.
9. The proposed retaining wall will have a stone face in the area on Bayberry Lane and to the south.

**Seconded** by Dwight Woodson

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

Opposed: None

**The VOTE:** 6-0

**Motion passed – Unanimous**

**Case No. ZBA2016-7** – 10 Ballwic Road, Map 12, Parcel 211B. Town of Eastham (Owner), Children's Place, Inc. (Applicant) seek a Special Permit pursuant to M.G.L. c. 40A s. 6 and Eastham Zoning By-law Section VI.D (non-conforming uses) for an addition to a pre-existing, non-conforming structure for educational use in District A –Residential.

Seated on the case: Sheldon, Schneiderhan, Reinhart, Verlinden, Zazzaro

David Bennett, project engineer, Kathryn Giardi, architect, and Cindy Horgan, executive director of the Children's Place were present at the hearing. Mr. Bennett handed out site plan progress prints to the board members and described the proposal and revisions along with Ms. Giardi. Mr. Sheldon asked for a description of the use of the current structure and how an expansion would

allow for growth. Ms. Horgan responded that the Children's Place offered a mix of early childhood education programs, family support programs and space for community partner use. An expansion would allow for a more functional use of space to run their existing programs. Ms. Verlinden, Mr. Wasby and Mr. Sheldon all asked for clarification on the project timeline and funding. Ms. Horgan explained that \$330,000 came from the Town through the Community Development Block Grant Program. The funds expire at the end of the calendar year. An additional \$250,000 would be available through fundraising efforts.

Mr. Schneiderhan pointed out a shed in the site plan that he understood would be removed. Ms. Giardi confirmed that it would be removed. Mr. Bennett also noted that DPW concerns had been addressed in the revised plan and the existing fire hydrant would be relocated to a landscaping berm. Mr. Holcomb commented that the planned parking lot would be an improvement to the site.

Mr. Sheldon opened the floor to audience comments. Barbara Smith, 15 Acorn Road asked a number of questions about the mission of the organization, how programs would run during construction, and about details in the site plan. Ms. Giardi replied that site work would be scheduled for July and August and the construction timeline would span from September to February. A trailer would be placed on site to run programs throughout construction. She confirmed that no proposed lighting would shine across the property boundaries. Ms. Horgan added that the Children's Place's mission has always been to serve children as well as young families, and that the services offered would not be shifting with the addition.

Jean Snow, 985 Nauset Road stated that as an abutter, she had never been bothered by noises from the Children's Place and did not anticipate any problems with an addition. She commented that early education has evolved from traditional educational ideals and agreed that the Children's Place should offer services to address problems from home.

There were no other comments from the audience.

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

1. The property is located at 10 Ballwic Avenue (Map 12, Parcel 211B) and is located in District A (Residential).
2. The applicant has applied for a Special Permit pursuant to M.G.L. c. 40A s. 6 and Eastham Zoning By-law Section VI.D (non-conforming uses) for an addition to a pre-existing, non-conforming structure for educational use in District A – Residential.
3. The lot size is 952,526 sf.
4. After an evaluation of all the evidence presented, the proposed use will not be substantially more detrimental to the established or future character of the neighborhood or the Town and the structure involved will be in harmony with the general purpose and intent of the Zoning By-law and zoning district.
5. The proposal will not have a negative impact on traffic flow and/or safety.
6. The proposal will not have a negative impact on the visual character of the neighborhood.
7. The proposal does have adequate methods of sewage disposal, sources of potable water and site drainage.

8. The proposal does provide adequate protection and maintenance of groundwater quality and recharge volume and the water quality of coastal and fresh surface water bodies.
9. The proposal does provide adequate provision for utilities and other necessary or desirable public services.
10. The proposal does provide adequate protection from degradation and alteration of the natural environment.
11. Artificial light, noise, litter, odor or other sources of nuisance or inconvenience will be adequately controlled.
12. Two abutters appeared regarding the proposal, one in favor of and one for clarification of the proposal. No letters were received regarding the proposal.

A **MOTION** by Joanne Verlinden to approve the findings of fact as stated, **seconded** by John Zazzaro.

In favor: Sheldon, Schneiderhan, Reinhart, Verlinden, Zazzaro

Opposed: None

**The VOTE:** 5-0

**Motion passed – Unanimous**

Mr. Sheldon read the **conditions**:

1. A final corrected site plan must be submitted to the Planning Department prior to the start of the project.
2. The proposal shall receive all necessary State and local approvals related to wastewater management and drinking water supply prior to the start of the project.
3. The applicant shall obtain approval from the Eastham Planning Board prior to the start of the project.

A **MOTION** by Joanne Verlinden to approve the conditions as stated, **seconded** by Ed Schneiderhan.

In favor: Sheldon, Schneiderhan, Reinhart, Verlinden, Zazzaro

Opposed: None

**The VOTE:** 5-0

**Motion passed – Unanimous**

A **MOTION** by Joanne Verlinden to **GRANT A SPECIAL PERMIT** for ZBA2016-07 for an addition to a pre-existing, non-conforming structure for educational use in District A – Residential, **seconded** by Ed Schneiderhan.

In favor: Sheldon, Schneiderhan, Reinhart, Verlinden, Zazzaro

Opposed: None

**The VOTE:** 5-0

**Motion passed – Unanimous**

**Case No. PB2016-17** – 10 Ballwic Road, Map 12, Parcel 211B. Town of Eastham (Owner), Children's Place, Inc. (Applicant) seek Site Plan Approval – Special Permit pursuant to Eastham Zoning By-Law Section XIII (Site Plan Approval – Special Permit) for an addition and exterior alteration to an existing commercial structure.

Mr. Bennett, Ms. Giardi and Ms. Horgan remained to answer questions from the Planning Board. Mr. Coppelman noted that a supermajority vote would be needed for approval of the application.

He asked the applicants how the proposed 1:3 slope would be stabilized and also requested that bollards or guardrails be provided to protect the playground area from vehicles. Mr. Bennett responded that jute netting and hydroseeding would be used on the slopes. Ms. Giardi agreed to add bollards to the site plan and indicated she would provide cut sheets when available.

Mr. Dill commented that he supported community involvement in the care of children and he believed the Children's Place had a great mission. Mr. Autorino asked for clarification of the location of the existing and proposed dumpster and playgrounds. He also inquired if the neighbor to the east had submitted any comments and what the hours of operation at the site were. Mr. Lagg indicated he had received only verbal communication from the eastern neighbor who had questions about lighting and the dumpster. Ms. Horgan estimated maximum operating hours as 6:30 am to 7:30 pm. Mr. Woodson asked about tree removal and commented that he liked the project.

Mr. Lagg added that some of the proposed grading would take place on a neighboring property owned by the Eastham Housing Authority. The grading had been verbally approved by the owner and Mr. Lagg anticipated an easement agreement would be recorded. There were no comments or questions from the audience.

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

1. The property is located at 10 Ballwic Road (Map 12, Parcel 211B) and is located in District A (Residential).
2. The applicant has applied for Site Plan Approval – Special Permit pursuant to Eastham Zoning By-Law Section XIII (Site Plan Approval – Special Permit) for an addition and exterior alteration to an existing commercial structure.
3. The lot size is 952,526 sf.
4. The proposed site coverage is 5,567 sf (.0058%) and represents an expansion of .0014%
5. The proposed project does impact existing native vegetation and soil or grade changes. The impacts will be appropriately mitigated based on the proposed grading plan and the commitment by the applicant to provide stabilization.
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. The applicant has agreed to provide bollards or guardrails along the northern edge of the proposed parking lot.
11. Two abutters appeared regarding the proposal: one in favor of the proposal and one for clarification of the proposal. No letters were received regarding the proposal.

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

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

Opposed: None

**The VOTE:** 6-0

**Motion passed – Unanimous**

A **MOTION** by Richard Dill to **GRANT** Site Plan Approval – Special Permit for Case No. PB2016-17 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 proposal shall receive all necessary state and local approval related to wastewater management and drinking water supply prior to the start of the project.
3. Any changes to the project plans stamped by the Town Clerk on 6/6/16, except those that have been requested to be revised and resubmitted on 6/22/16 or are determined to be 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.
6. All lighting fixtures proposed for the site will conform to the Omni-Lite, Inc. plan dated 5/31/2016 which indicates no illumination will occur to any adjacent abutter.
7. Jute mesh will be supplied in all areas containing 1:3 slopes or greater.
8. The applicant has agreed to clean up existing debris along the propane access driveway.
9. Easements are required from the Town of Eastham Housing Authority for permission to grade the soils on the adjacent lot.
10. The applicant has agreed to provide bollards and/or guardrails along the northerly limits of the proposed parking lot to prevent vehicle intrusion into the playground areas.

**Seconded** by Art Autorino

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

Opposed: None

**The VOTE:** 6-0

**Motion passed – Unanimous**

Mr. Sheldon closed the joint ZBA and PB public hearing.

**ZBA Comprehensive Permit Rules and Regulations**

Mr. Lagg presented the revised 40B regulations and Mr. Wasby offered further description of the changes made.

A **MOTION** by Ed Schneiderhan to adopt the regulations revised on 6/15/16, effective 6/16/16, **seconded** by Joanne Verlinden.

In favor: Sheldon, Schneiderhan, Reinhart, Verlinden, Zazzaro

Opposed: None

**The VOTE:** 5-0

**Motion passed – Unanimous**

**ZBA Adjournment**

A **MOTION** by Joanne Verlinden to adjourn the meeting, **seconded** by Ed Schneiderhan.



In favor: Sheldon, Schneiderhan, Reinhart, Verlinden, Zazzaro

Opposed: None

**The VOTE:** 5-0

**Motion passed – Unanimous**

ZBA meeting adjourned at 7:15 pm.

**Case No. PB2016-15** – 20 Keene Way, Map 19, Parcel 43I. James and Rebecca Birks (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) to construct a new dwelling 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 proposal and noted it required Conservation Commission re-approval. A prior proposal had been approved by Cons Comm in a larger footprint. All the board members agreed the project was in a beautiful location. Mr. Woodson asked for clarification on the prior Cons Comm approval. He also asked about the proposed height of the structure. Mr. Brady clarified the building height was only 30' but the ridge line would be at elevation 51'. There were no other questions from the Board and there were no comments from the audience.

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

1. The property is located at 20 Keene Way (Map 19, Parcel 43I) 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 dwelling on a lot containing 20,000 sf or more where site coverage exceeds 3,000 sf.
3. The lot size is 97,930 sf.
4. The proposed site coverage is 4,302 sf (4.4%).
5. The proposal will require Board of Health review of the proposed bedroom above the garage.
6. A former proposal received approval from the Eastham Conservation Commission. The current proposal requires review and approval from the Eastham Conservation Commission.
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 have existing unique or significant environmental resources. Impacts to these resources are mitigated through a Conservation Commission Order of Conditions and landscape management plan.
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. 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 Dwight Woodson to approve the findings of fact as stated, **seconded** by Joseph Manas.

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

Opposed: None

**The VOTE:** 6-0

**Motion passed – Unanimous**

A **MOTION** by Art Autorino to **GRANT** Site Plan Approval – Residential for Case No. PB2016-15 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. Any changes to the project plans stamped by the Town Clerk on 5/25/16, 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.
3. The applicant shall obtain Eastham Board of Health approval prior to the start of the project.
4. The applicant shall obtain a revised Conservation Commission approval prior to the start of the project.
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 Dwight Woodson

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

Opposed: None

**The VOTE:** 6-0

**Motion passed – Unanimous**

**Case No. PB2016-16** – 25 Blue Bill Lane, Map 17, Parcel 519. Dean and Mireille Bajorin (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 addition and alterations to an existing dwelling on a lot containing 20,000 sf or more where site coverage exceeds 3,000 sf.

Mr. Brady was present at the hearing and described the proposal for a small addition with complete interior remodel. He confirmed that the basement floor was above the 100 year flood elevation. Mr. Woodson asked about the Title 5 variances and conservation notations in the site plan. There were no other questions from the Board and there were no comments from the audience.

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

1. The property is located at 25 Blue Bill Lane (Map 17, Parcel 519) 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 addition and alterations to an existing dwelling on a lot containing 20,000 sf or more where site coverage exceeds 3,000 sf.
3. The lot size is 62,500 sf.

4. The proposed site coverage is 5,160 sf and represents an increase of 2.6%.
5. The proposal will require Board of Health review based on a proposed increase to habitable space.
6. The proposal has received approval from the Eastham Conservation Commission as of May 2016.
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 have existing unique or significant environmental resources. Impacts to these resources have been mitigated through a Conservation Commission Order of Conditions and landscape management plan.
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. 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 Craig Nightingale to approve the findings of fact as stated, **seconded** by Richard Dill.

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

Opposed: None

**The VOTE:** 6-0

**Motion passed – Unanimous**

A **MOTION** by Dwight Woodson to **GRANT** Site Plan Approval – Residential for Case No. PB2016-16 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. Any changes to the project plans stamped by the Town Clerk on 5/23/16, 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.
3. The applicant shall obtain Board of Health approval for an increase in habitable space prior to the start of the project.
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 Joseph Manas

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

Opposed: None

**The VOTE:** 6-0

**Motion passed – Unanimous**

Minutes

A **MOTION** by Richard Dill to approve the minutes of May 18, 2016, **seconded** by Joseph Manas.

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

Opposed: None

Abstained: Autorino

**The VOTE:** 5-0-1

**Motion passed**

Other Business

Mr. Coppelman briefly discussed the schedule for upcoming ZBL amendment workshops. Mr. Lagg suggested starting the workshops in September.

PB Adjournment

A **MOTION** by Richard Dill to adjourn the meeting, **seconded** by Craig Nightingale.

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

Opposed: None

**The VOTE:** 6-0

**Motion passed – Unanimous**

PB meeting adjourned at 8:00 pm.

Respectfully submitted as prepared by Debbie Cohen

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Robert Sheldon, Chairman  
Zoning Board of Appeals

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Dan Coppelman, Chairman  
Planning Board