



## TOWN OF EASTHAM

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### EASTHAM ZONING BOARD OF APPEALS

#### MEETING MINUTES

Earle Mountain Room

September 15, 2016, 5:00 pm

ZBA members present: Robert Sheldon, Edward Schneiderhan, Joanne Verlinden, George Reinhart, John Zazzaro, Stephen Wasby (Alternate)  
ZBA members absent: Ralph Holcomb (Alternate)  
Staff present: None

ZBA chairman Robert Sheldon opened the meeting at 5:00 pm, explained meeting protocols and stated the meeting was being recorded. He explained that all members of the Board would be seated on the case, excepting Mr. Zazzaro who recused himself. Mr. Sheldon asked that all communication regarding the application be directed to the Town Planner rather than to the members of the Board.

**Case No. ZBA2016-10** – The Town of Eastham Zoning Board of Appeals will hold a public hearing at 5:00 pm on Thursday, September 15, 2016 in the Earle Mountain Room at Eastham Town Hall, 2500 State Highway, Eastham, MA on the application of Eastham Range LLC, Owner, SCG Development Partners, LLC for a Comprehensive Permit, pursuant to M.G.L. c. 40B sections 20-23 (“Chapter 40B”), to construct a fifty (50) unit rental development on a portion (6.1 acres plus or minus) of the 10.86 acre plus or minus lot known as 4790 State Highway and as shown on Eastham Assessing Map 5, Parcel 124. As part of the Application, the Applicant seeks endorsement of a plan to divide the 10.86 acre plus or minus lot into 2 lots, one being the 6.1 acres plus or minus lot for the 50 unit rental development and the other being a 4.76 acres plus or minus lot. The project will include a minimum of 25% low or moderate income rental units under Chapter 40B. Waivers from various provisions of the Eastham Zoning Bylaw and other local bylaws and regulations have been requested. The project received a Project Eligibility Letter dated August 4, 2016 from the Massachusetts Department of Housing and Community Development under the Low Income Housing Tax Credit Program. The Application, proposed plans and accompanying materials are available for inspection during normal Town Hall business hours at the Eastham Planning Department, Eastham Town Hall, 2500 State Highway, Eastham, MA. Any person interested or wishing to be heard should appear at the appointed time and place of the public hearing.

*Seated on this case: Sheldon, Schneiderhan, Verlinden, Reinhart, Wasby, Holcomb*

Peter Freeman, Richard Hayden, Jay Coburn, Kelly Killeen, and Janis Mamayek were all present at the hearing as the applicant team. Attorney Freeman addressed a few housekeeping items before turning the presentation over to Mr. Hayden of Stratford Capital Group. Mr. Hayden described the history of the application and highlighted the demand for affordable housing in the area. He briefly overviewed the proposed apartment buildings and division of the site into two parcels, noting the project had received approval from the Board of Selectmen. 90% of the 50

units would be designated as affordable, and Stratford Capital Group would remain as an owning partner once construction was completed.

Mr. Coburn of the Community Development Partnership continued the presentation by explaining how the application fit in with the needs described in the town's Housing Production Plan. He stressed the importance of partnerships in developing affordable housing and also pointed out the benefit of using a previously developed site rather than purchasing an undeveloped lot for the new construction.

Mr. Killeen, Project Engineer reviewed the site traffic patterns, wastewater treatment and stormwater design. The site would receive municipal water and would also be required to receive a state-issued groundwater discharge permit for wastewater treatment due to its location in a Zone II wellhead protection area. He noted the stormwater system would be designed to remove phosphorus.

Ms. Mamayek finished the presentation by reviewing architectural renderings of the proposal. The units would be split into 2 buildings, one with community rooms and 27 living units and the other with 23 living units. She described the demographics of the anticipated residents, citing a single mother making \$19/hour as an example of who would income-qualify for a unit.

Mr. Wasby suggested the old netting poles be removed from the site. He also listed several items he thought would benefit from further explanation: 1) the rental management plan, 2) proposed use of the vacant southern parcel, 3) traffic, and 4) financing details including bond and escrow information.

Mr. Killeen responded that a more detailed traffic study including Route 6 from Brackett Road north to Railroad Avenue was currently underway and would be available to the Board within the next couple months. The study was delayed due to interfering roadwork from water main installation. Mr. Hayden then explained that the proposed southern parcel did not yet have any planned use. He indicated that Stratford was considering a number of possibilities and was open to suggestions, although a deed restriction prohibited the site from housing any type of food establishment. Both the northern and southern lots would share cross easements allowing for access in and out of either lot.

Ms. Verlinden asked how renters would be selected. Mr. Hayden and Mr. Coburn replied a state approved lottery process would be used. The initial selection of renters would prioritize current Eastham residents, although future applications would not be able to use geographic preference due to fair housing laws. Ms. Verlinden followed up by asking about the rent differentials. Mr. Hayden noted he would clarify the rental chart and also explained that the property owner was responsible for maintaining the correct unit affordability mix regardless of how the residents' incomes varied.

Mr. Schneiderhan asked about planned utility tie-ins and pointed out an area on the site where St. Aubins Garden Center currently kept equipment. Mr. Hayden said he was aware of the encroachment but had not yet talked to the business owner. He added that Stratford had commissioned a 21E which would detect any potential environmental hazards at the site. For

utilities, Stratford planned to use energy efficient electric pumps for heat as the National Grid natural gas moratorium was still projected to last until 2019. Ms. Verlinden suggested the applicant may want to consider using solar panels to help offset electrical costs.

Mr. Sheldon commented he thought discussion on setback waivers would be needed. The board members then selected future meeting dates and agenda items for the next continued hearing. Mr. Sheldon then opened the floor to audience comments.

Steven Wlodkowski, 195 Sparrowhawk Lane explained he was a direct abutter and agreed with the need for affordable housing. He said he would like to receive further information on the use of the southern lot, and he also recommended the Board take advantage of the peer review process to address traffic, wastewater, stormwater and design issues.

Nate Nickerson, 60 Briggs Field Road asked for clarification on the division of the ~10 acre parcel into two lots. He also suggested the use of local contractors for construction of the project.

Tom Gardner, 10 Gull Lane and 35 Three Acres Road expressed his concern about traffic, particularly heading south in that area.

Tricia Forde, 10 Gull Lane stated she found the proposal attractive but pointed out the income limits would mean many people who need affordable housing would make slightly too much money to qualify. Mr. Coburn agreed and elaborated on the need for a mix of housing at different income rates. Mr. Hayden added that a few of the proposed units would be available at market rate.

Chris Wickson, 140 Helm Road asked about opportunities to communicate with other town boards regarding the project. He was particularly concerned about the wastewater treatment plant. He also asked what advantage was gained by splitting the lot. Attorney Freeman confirmed it was advantageous for funding.

Peter Wade, 625 Bridge Road asked if the application was available to view on the town website. Mr. Lagg said it was not, but it would be possible to put in online. There were no other comments from the audience.

A **MOTION** by Ed Schneiderhan to continue Case No. ZBA2016-10 to October 6, 2016 at 6:00 pm, **seconded** by Steve Wasby.

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

Opposed: None

**The VOTE:** 5-0

**Motion passed – Unanimous**

Adjournment

A **MOTION** by Steve Wasby to adjourn the meeting, **seconded** by Ed Schneiderhan.

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

Opposed: None

**The VOTE:** 5-0

**Motion passed – Unanimous**

The meeting adjourned at 7:15 pm.

Respectfully submitted as prepared by Debbie Cohen

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Robert Sheldon, Chairman  
Zoning Board of Appeals