



TOWN OF EASTHAM

2500 State Highway, Eastham, MA 02642-2544

All departments 508-240-5900 • Fax 508-240-1291

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EASTHAM ZONING BOARD OF APPEALS

MEETING MINUTES

Earle Mountain Room

November 3, 2016, 5:30 pm

ZBA members present: Robert Sheldon, Edward Schneiderhan, Joanne Verlinden, George Reinhart, Stephen Wasby (Alternate), Ralph Holcomb (Alternate)
ZBA members absent: John Zazzaro
Staff present: Paul Lagg, Town Planner, Debbie Cohen, Administrative Assistant

ZBA chairman Robert Sheldon opened the meeting at 5:30 pm, explained meeting protocols and stated the meeting was being recorded.

Case No. ZBA2016-10 – (continued from 10/6/16) Eastham Range LLC, Owner, and SCG Development Partners, LLC seek 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.

Peter Freeman, Richard Hayden, Jay Coburn, Kelly Killeen, and Janis Mamayek were present at the hearing. Mr. Hayden described changes made to the site plan, including re-configuration of both buildings, parking areas, gardens, tot lot and dumpsters in accordance with suggestions made by the Board at the previous hearing. He also explained that his development team found it financially infeasible to include townhouses, even if additional units were added.

The board members expressed renewed concerns about the southern half of the lot and the former 40B pre-application that was abandoned. Mr. Freeman reminded the Board that the application must be considered as it exists only, without consideration of any past proposal.

Mr. Killeen introduced Andrew McBrearty of FR Mahony to describe the Amphidrome wastewater treatment plant proposed for the site. Mr. McBrearty described how the system removes nitrogen biologically as influent moves through five tanks to a leaching area. The

design flow is based on standard Title 5 calculations, and a state licensed operator would be required to make daily site visits to check on the functioning of the system. Mr. McBrearty confirmed that the plant had controls to ensure the emission of minimal noise and odor. Joanna Buffington was present from the Board of Health and commented that the performance seemed potentially beneficial to the area.

The hearing continued with a presentation by Mr. Coburn on the property management capacity of the Community Development Partnership. He described the agency's current property maintenance experience and noted qualifications of its staff. He stated that a full time property manager would work on-site, and he also anticipated further training in income certification would be provided for the management staff. The board members expressed concern that details on day-to-day management (i.e. security, trash removal, plowing etc) were not provided, nor was a detailed operating budget. Mr. Coburn agreed to provide additional information in advance of the continued hearing date. Mr. Freeman also added that the subsidizing agencies involved kept strict management standards and would perform annual inspections along with complaint inspections if needed.

Mr. Sheldon invited the audience to a public comment session.

Judith Jalbert, 70 Deerfield Lane expressed her support of the project.

Roz Diamond, 20 Leprechaun Road commented that she remained in support of a proposal with 110 units rather than only 50 as there was a need for housing for younger people.

Joe Bayne, 315 Herring Brook Road thanked the Board for their creative thought and stated his support for the proposal.

Ken Taber, 5080 State Highway asked about any traffic studies. Mr. Sheldon responded that a traffic study was currently underway and would be addressed at a future hearing date.

Liz Smith, 90 Ireland Way explained her view that 50 new units was an improvement over no new units.

Steve Wlodkowski, 195 Sparrowhawk Lane said he was in support of 50 units but still had concern over the southern portion of the lot.

Maureen Fagan, 805 Samoset Road asked for clarification on the proposed access through the southern lot.

There were no other comments from the audience.

Mr. Lagg asked the Board to pick which site design they preferred going forward. The board members agreed to use the revised site plan currently under consideration. Mr. Lagg indicated the site plan and architectural details provided would be sufficient to start the civil and architectural peer review processes, but additional information regarding stormwater and traffic

was still needed. Mr. Killeen confirmed he would provide a revised drainage plan and traffic study at the next hearing.

The board members discussed their upcoming meeting schedule.

A **MOTION** by Steve Wasby to cancel the meeting scheduled for November 17, 2016, **seconded** by Ed Schneiderhan.

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

Opposed: None

The VOTE: 6-0

Motion passed – Unanimous

A **MOTION** by Steve Wasby to schedule a meeting at 5:00 pm, December 1, 2016 for regular business and an additional meeting at 6:30 pm on the same date for 40B business, **seconded** by Ralph Holcomb.

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

Opposed: None

The VOTE: 6-0

Motion passed – Unanimous

A **MOTION** by Steve Wasby to continue Case No. ZBA2016-10 to December 15, 2016 at 5:00 pm, **seconded** by Ed Schneiderhan.

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

Opposed: None

The VOTE: 6-0

Motion passed – Unanimous

Minutes

A **MOTION** by Joanne Verlinden to approve the minutes of October 6, 2016, as amended, **seconded** by Ed Schneiderhan.

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

Opposed: None

The VOTE: 6-0

Motion passed – Unanimous

Adjournment

A **MOTION** by Steve Wasby to adjourn the hearing, **seconded** by Joanne Verlinden.

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

Opposed: None

The VOTE: 6-0

Motion passed – Unanimous

The meeting adjourned at 7:15 pm.

Respectfully submitted as prepared by Debbie Cohen

Robert Sheldon, Chairman
Zoning Board of Appeals