



TOWN OF EASTHAM

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EASTHAM ZONING BOARD OF APPEALS

MEETING MINUTES

Earle Mountain Room

December 15, 2016, 5:00 pm

ZBA members present: Robert Sheldon, Edward Schneiderhan, Joanne Verlinden, Stephen Wasby (Alternate), Ralph Holcomb (Alternate)
ZBA members absent: None
Staff present: Paul Lagg, Town Planner, Debbie Cohen, Administrative Assistant

ZBA chairman Robert Sheldon opened the meeting at 5:00 pm, explained meeting protocols and stated the meeting was being recorded.

Case No. **ZBA2016-10** – (continued from 11/3/16) 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 and Jay Coburn were present at the hearing. Mr. Coburn described the financial statements and example management plan provided to the Board in advance of the hearing. The board members discussed their concerns regarding fire/emergency response plans and handicapped accessibility in case of a long term power outage. Mr. Freeman believed that a propane generator would provide emergency power and Mr. Coburn added that fire suppression systems were required under the state building code. He also confirmed that all snow removal would be contracted out by the property management team.

Mr. Wasby expressed concern that not enough management details were provided. Mr. Freeman assured the Board that scaling up from twelve to fifty units was not a major undertaking in terms of meeting state rental management standards. Mr. Coburn also provided clarification on how tenants would be accepted or denied, and he discussed previous eviction cases the CDP had managed in the past four years.

Nate Nickerson, 60 Briggs Field Road asked if the management team had considered allowing newly legalized recreational marijuana and/or tobacco use. Steve Wlodkowski, 195 Sparrowhawk Lane also agreed that a smoking policy should be included in the management plan. Mr. Coburn responded that all CDP-managed properties were currently non-smoking and all emerging issues would be considered accordingly.

Mr. Lagg commented that all peer reviews were underway and would be presented by the performing consultants on 1/19/17. The board members discussed the upcoming meeting schedule.

A **MOTION** by Joanne Verlinden to accept the schedule as proposed, **seconded** by Ed Schneiderhan.

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

Opposed: None

The VOTE: 5-0

Motion passed – Unanimous

Mr. Wasby presented comments received verbally from the Finance Committee [see enclosed].

A **MOTION** by Steve Wasby to continue Case No. ZBA2016-10 to January 19, 2017 at 5:00 pm, **seconded** by Ed Schneiderhan.

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

Opposed: None

The VOTE: 5-0

Motion passed – Unanimous

Minutes

A **MOTION** by Steve Wasby to approve the minutes of November 3, 2016, **seconded** by Ed Schneiderhan.

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

Opposed: None

The VOTE: 5-0

Motion passed – Unanimous

Other Business

Mr. Wasby discussed his memos regarding animal regulations in Eastham and asked the board members for any comments or changes.

A **MOTION** by Joanne Verlinden to authorize Mr. Wasby to provide his letters to the Town Administrator, **seconded** by Ralph Holcomb.

In favor: Sheldon, Schneiderhan, Verlinden, Wasby, Holcomb
Opposed: None
The VOTE: 5-0
Motion passed – Unanimous

Adjournment

A **MOTION** by Steve Wasby to adjourn the hearing, **seconded** by Ralph Holcomb.

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

Opposed: None

The VOTE: 5-0

Motion passed – Unanimous

The meeting adjourned at 6:10 pm.

Respectfully submitted as prepared by Debbie Cohen

Robert Sheldon, Chairman
Zoning Board of Appeals

enc. Finance Committee comments memo

The Finance Committee, after discussing both the Stratford ("Tee-Time") and Penrose ("Purcell Property") 40B applications, wishes to convey to the Zoning Board of Appeals two basic points:

- ()The Finance Committee has no specific financial concerns about the pending 40B applications to bring to the attention of the Zoning Board's attention that it believes would assist the Zoning Board of Appeals.
- ()The Finance Committee is working to be sure that there are no financial surprises for the Town from either proposed project, and to that end, it continues to examine implications of these projects for the Town's budget.

Concerns with respect to the budget fall into three categories:

- ()Equipment. This includes, but is not limited to, the need to purchase a ladder truck or aerial sprayer because of the size and mass of proposed buildings.
- ()Operating the Town: This relates to staffing of departments, particularly at the time before and as proposed developments come on line, as well as when the projects are fully functioning.
- (c) School age children: This relates particularly to the regional schools (Middle School and High School): The coming into the Town of additional school children, from any location, would increase the Town of Eastham's proportion of the four-Town school budget, and the movement of school children already present in District from other Towns in the District to Eastham would have a similar effect..

(From phone call, 11/21/16)