



TOWN OF EASTHAM

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EASTHAM ZONING BOARD OF APPEALS

MEETING MINUTES

Earle Mountain Room

January 19, 2017, 5:00 pm

ZBA members present: Robert Sheldon, Edward Schneiderhan, Joanne Verlinden, Stephen Wasby, Robert Bruns, Ralph Holcomb (Alternate)
ZBA members absent: Brian Ridgeway (Alternate)
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 12/15/16) 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.

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

Jennifer Conley, PE from Parsons Brinckerhoff gave a presentation on her review of the developer’s traffic study. She commented that the study followed standard procedures and confirmed that analysis was performed on data from August. She then highlighted a few areas of concern: 1) the future conditions analysis did not include three projects-in-process, 2) traffic distribution did not account for people going to local roadways, 3) site lines, although adequate, should be added to the site plan, 4) pedestrian connections could be improved, and 5) the northern driveway did not have a geometric curve to prohibit left hand turns (if desired). Ms. Conley added that the crash history in the study did not indicate left hand turns would be problematic.

Kelly Killeen and John Morgan of CHA responded to Ms. Conley's presentation. Mr. Morgan explained that although the future projects mentioned by Ms. Conley did not yet have traffic studies that CHA could incorporate into their analysis, the firm did perform a compensatory sensitivity analysis with an additional 100 cars and found minimal effects. He continued to describe how traffic counts were used to calculate flow on the roads. The board members discussed various questions and concerns before realizing they were not referencing the same figures from the traffic study as the engineers. The Board reviewed a few available figures and agreed the figures helped to clarify traffic flow. Mr. Sheldon indicated the board seemed to prefer a right turn only out of the northern driveway. Ms. Conley then offered to perform an additional review of crash data from turns out of Willy's Gym and a spot analysis of turns out of the site.

A **MOTION** by Ed Schneiderhan to authorize Ms. Conley to perform the additional reviews, **seconded** by Ralph Holcomb.

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

Opposed: None

The VOTE: 5-0

Motion passed – Unanimous

Next, David Michniewicz, PE from Coastal Engineering gave a presentation on his review of the project's civil and stormwater design. He touched on three main areas of concern: 1) The grading plan was too general and did not give enough information to confirm that run-off would stay onsite, 2) the plan did not indicate areas to be seeded or landscaped, and 3) no specific soil testing data were provided. Mr. Killeen responded to the review and indicated the additional information would be provided during the pre-construction phase of the project. He had no objection to meeting with Mr. Michniewicz to come to a better level of comfort with the plans.

A **MOTION** by Stephen Wasby to authorize additional civil review, **seconded** by Ed Schneiderhan.

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

Opposed: None

The VOTE: 5-0

Motion passed – Unanimous

The following presentation was made by Kurt Raber, architect from Brown, Lindquist, Fenuccio and Raber. He described the overall design as successful, noting the roof styles and siding helped to hide the building height and break up the elevations. He commented the design was financially practical and would also save open space. Janis Mamayek of ICON Architecture commented she had no additional rebuttal other than her written response previously provided.

Mr. Sheldon opened the floor to audience comments.

Mike Guzowski, 280 Ireland Way pointed out the likelihood of many teen drivers living in the development. He recommended a right hand only turn at the northern driveway due to possible inexperience of the drivers.

Jim Russo, 45 Old Orchard Road commented that he often makes voluntary right turns rather than left in the summer. He believed that any new residents would come to the same conclusions as to when it is best to turn right. He also pointed out that Arnold's, the Town Crier, the Sheraton and other area businesses all have similar issues with left turns.

Steve Wlodkowski, 195 Sparrowhawk Lane favored a right hand only exit. He expressed concern, however, that there wasn't much room for cars to stack at the Nauset Road light, which could cause additional traffic to travel south on Old Orchard Road. He added that he would like to see additional groundwater information provided since the site was in a municipal well protection area. He also commented that storage areas still had not been addressed in the plans.

Harry Tucker, 95 Serb Street objected to the architectural design, noting that the three story design was unattractive and didn't fit into the neighborhood.

Eileen Morgan, 560 Campground Road commented that it was inevitable that new development in the area would cause Eastham's appearance to change despite resistance from residents. She would like to see the project move ahead as the town has a real need for housing.

Jay Coburn, partner in the application responded to concerns. He tried to contextualize the traffic study by explaining only twelve new cars would be generated at peak hours. He also expressed shared concern over groundwater quality and ensured that the DEP permitting process would prevent any negative impacts to the area. Finally, he explained that an additional 1.5 million dollars would be required to build a cluster development rather than apartment buildings. Subsidies simply were not available to finance the increased costs.

There were no other comments from the audience.

A **MOTION** by Joanne Verlinden to continue Case No. ZBA2016-10 to February 16, 2017 at 5:00 pm, **seconded** by Stephen Wasby.

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

Opposed: None

The VOTE: 5-0

Motion passed – Unanimous

Minutes

A **MOTION** by Stephen Wasby to approve the minutes of December 15, 2016, **seconded** by Ed Schneiderhan.

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

Opposed: None

The VOTE: 6-0

Motion passed – Unanimous

Adjournment

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

In favor: Sheldon, Schneiderhan, Verlinden, Wasby, Holcomb, Bruns
Opposed: None
The VOTE: 6-0
Motion passed – Unanimous

The meeting adjourned at 7:25 pm.
Respectfully submitted as prepared by Debbie Cohen

Robert Sheldon, Chairman
Zoning Board of Appeals