

**TOWN OF TRURO
ZONING BOARD OF APPEALS
MEETING MINUTES
September 24, 2020
Remote Meeting**

Members Present: Chair-Art Hultin, John Dundas, Fred Todd, Chris Lucy, John Thornley, Alternate-Darrell Shedd, Alternate-Heidi Townsend

Others Present: Atty. Barbara Huggins-Carboni, John O'Reilly, Jessica Snare, Town Manager-Rae Ann Palmer, Ted Malone, Mark Nelson, Elizabeth Sturdy, Karen Ruymann

Atty. Huggins-Carboni read off instructions for citizens interested in how to join the meeting.

Letter from the Truro Town Manager, Rae Ann Palmer

Chair Hultin stated that the letter is a recapitulation of the events that led up to the acceptance of the site being talked about and the Applicant is applying for a permit on. The letter is included in the ZBA's packet and is on the Town of Truro's website. The nature of the discussion tonight is to make sure all the Board members have seen it, understand it, and if they have questions about it Town Manager Palmer can answer. The letter is backed up by copies of the Select Board agendas or minutes. The Board had no questions for Town Manager Palmer.

Public Hearing – Continued

2019-008 ZBA – Community Housing Resource, Inc. seeks approval for a Comprehensive Permit pursuant to G.L. c. 40B, §§20-23 to create 40 residential rental units, of which not less than 25% or 10 units shall be restricted as affordable for low or moderate income persons or families, to be constructed on property located at 22 Highland Road, as shown on Assessor's Map 36 and Parcel 238-0 containing 3.91 acres of land area.

Responses to Third Peer Review

Mr. O'Reilly provided the Board and Horsley Witten a set of revised plans which included;

- Cover letter
- Design and documentation for the splash pads

What was sent to Horsley Witten was an updated hydro report for the drainage calculations, along with some additional supplemental documentation that they wanted regarding the pre and post development scenarios of the project. Mr. O'Reilly then went through his memo.

- Contingency plan
- Groundwater monitoring
- Pipe sizes-they will document all the necessary construction aspects and details when construction plans are presented.
- Evaluation of drywells was done between buildings 22 and 24, and buildings 23 and 25.
- A detailed section has been included regarding the drainage swales under *Stormwater Management Facilities*. A stamped stormwater report will be provided.
- Provided Horsley Witten with pre and post runoff calculations.
- Swale and associated grading have been adjusted to allow for a forebay to receive stormwater from the adjacent gravel emergency road.

- Plan Sheet 2 of 6 has been updated to reflect flow patterns of the project site once proposed grading is complete.
- Contributory areas are updated to capture offsite drainage patterns towards the project site.
- Construction drawings will include an overflow opening to allow for roof runoff to discharge at times of exceedance of drywell capacity.
- Elevations have been corrected.
- Sheet 2 of 6 now reflects boulders along the entrance of Highland and along drainage swale.
- The cover over the leaching facilities for wastewater will range from a maximum of 3 feet to about 1.5 feet. Electrical conduit for small post lights will run about 12 inches below grade and will not impact the leaching facility.
- Phasing of the project still needs to be worked out given the water main work by the Town.
- Sheet 6 of 6 has been prepared to address erosion controls throughout the site.
- DPW of Truro will be responsible for snow removal and areas will be designated for snow storage.
- Landscape Plan will be finalized.
- Vegetation within drainage swales is outlined on sheet 5 of 6.
- Sheet 1 of 6 and 2 of 6 include the spot grades necessary to show slop and grade of parking stalls. Flow directions have been added to sheet 1 of 6 for additional detail.

Mr. O'Reilly then went over some recommendations regarding stormwater management during construction. Most of what he wrote in the narrative has generally been discussed with DPW Director Cabral.

Mr. O'Reilly then spoke about an idea to phase the water main project and to not start at the Highland area but to work their way to Highland. Member Todd asked about surface grading and whether it would be linked to the general contractor to the project. Mr. Malone spoke to this question. Chair Hultin asked what exactly the plan would be to handle whatever disruptive work there would be (for the water main) in the neighborhood. Mr. Malone was not sure he could answer the question. He felt that DPW Director Cabral, or Environmental Partners Ryan Paul would be better people to ask.

Member Lucy is trying to understand something on the septic plan. Under the heading Pump Dosing Program it shows pump 1 and pump 2 and they are on timers. He asked, if pump 1 is to run five minutes every 30 minutes to pump up 900 gallons and pump 2 is going to run 3 minutes every 30 minutes to pump up 540 gallons, how does that work in terms of back and forth? Do both pumps turn on at the same time? Mr. O'Reilly explained the reason for the different run times for the pumps. One pump handles one of the fields and the second pump handles the second field. Both pumps will be timed, however there will also be floats. Mr. O'Reilly then explained how the floats work, along with a high-water alarm.

Chair Hultin asked Mr. Malone what kind of water restrictive devices would normally be used to encourage people to use less water. Mr. Malone stated that aside from the fixtures that are required for water conservation it is expected that tenants be responsible users of all utilities, and it will also be addressed in the tenant handbook.

Member Townsend asked if tenants would be charged for their own water usage? Mr. Malone said that the cost of water is included in their rent, and usage will be monitored for excessive use in the town houses. They will not be able to monitor single usage in the apartment building as it's a single water service.

Chair Hultin asked if Mr. Malone was able to meet with the abutters and was there any progress made regarding a visual fence? Mr. Malone stated that the abutter to the north has requested a combination of stockade fencing along the border as well as Leyland Cypress plantings. There has been a tentative agreement to installing the fence on the project's property with the Leyland Cypress (or other screening material) being planted on the abutter's property, where the owner would take care of them. Chair Hultin would like to see a tentative layout of what that proposal would look like. Mr. Malone stated the landscaping plan will remain the same. The location of the plantings on the abutter's property will be determined by the abutter. Mr. Malone is only supplying the plantings. Chair Hultin cautioned against placing the trees too close to the property line, as they grow quite quickly and will eventually be on the Cloverleaf property.

Review Updated Building Plans

Mr. Malone said that the last time the Board met he proposed the change in building height for the townhouse buildings in order to have a more aesthetically pleasing pitch. There have been no changes to those townhouse buildings since the last time they were presented. The ZBA now has revised plans for Building #21 which shows a small mechanical area on the roof. There is a roof plan which shows the amount of space the mechanical area covers. Ms. Snare did a summarization of the plans. Member Todd thinks it would be helpful to have a schematic section through the building for the roof line so the Board can see what the parapet height is and the height of the mechanical space.

Waivers

Chair Hultin does not believe the ZBA has a complete list of waivers requested. He would like to defer to Atty. Huggins-Carboni for her thoughts on the best way to organize the discussion, how to keep track of which waivers are being discussed/needed, and at some point, include public comment. Atty. Huggins-Carboni has prepared a memo that discusses the process of considering waivers and also goes over the waivers requested with comments for the Board to think about. She rearranged the order of the waivers to start with the more significant ones up front. There is no requirement that the Board go in any particular order. Atty. Huggins-Carboni stated that the applicant has given the Board a fairly thorough waiver list. She added a couple in the memo that she thought should be in there. She feels the Board has enough to work with, for considering waivers, and she can make sure they capture anything else that needs to be addressed.

Chair Hultin tentatively set the next meeting for the Cloverleaf to be held on October 8, 2020 at 5:30pm. Atty. Huggins-Carboni will check with the availability of DPW Director Cabral and Mark Nelson. She asked if the Board would like to address the waivers on October 1, 2020. Chair Hultin would like to keep October 1, 2020 as an alternate day, in case neither DPW Director Cabral nor Mark Nelson can attend on the 8th.

Public Comment

Elizabeth Sturdy stated that Karen Ruymann had been on the call but had dropped off. Ms. Sturdy had received some questions before Ms. Ruymann left the meeting.

1. Will residents pay for their individual water usage? Will they be informed of their semi-annual water usage and whether they are in line with expectations for the number of people per household?
2. Mr. Malone indicated there is a municipal water service that is attached to this development. Ms. Ruymann would like an explanation on that.

Chair Hultin stated that the first question(s) regarding water monitoring were addressed already. He does not understand question number 2. Mr. Malone thinks that Ms. Ruymann might not be aware of the Massworks Grant that will fund the extension of the water system to the site. This project, without the municipal water, would not be possible.

3. There was a concern regarding the waivers and transparency and making sure that the waivers are accessible to the public.

Atty. Huggins-Carboni said that the memo she did up two weeks ago is on the website, and that memo lists most of the waivers. She will make sure the final version gets posted on the website. She agrees that transparency is important and that's a good reason to leave the public hearing open while the Board discusses the waivers so that the public has the opportunity to comment on the waiver requests.

Chair Hultin would like to continue the public hearing to October 1, 2020 as a mechanism to keep that date open and available and then continue the public hearing to October 8, 2020. Atty. Huggins-Carboni advised that the Board has to continue the Hearing to October 1st if they might meet on October 1. Today, the Board cannot do the second continuance. That will have to wait until October 1 to continue to October 8.

Chair Hultin made a motion to continue the Public Hearing 2019-008 ZBA to October 1, 2020 at 5:30pm.

Member Todd seconded.

So voted; 5-0-0, motion carries.

Chair Hultin made a motion to adjourn at 7:02pm.

Member Todd seconded.

So voted; 5-0-0, motion carries.



**Respectfully Submitted,
Noelle L. Scoullar**

