



Town of Truro

P.O. Box 2030, Truro, MA 02666
Tel: 508-349-7004 Fax: 508-349-5505

ZONING BOARD OF APPEALS Agenda

DATE OF MEETING: Thursday, July 30, 2020
TIME OF MEETING: 5:30 pm
LOCATION OF MEETING: Remote Meeting
www.truro-ma.gov

Open Meeting

This will be a remote meeting. Citizens can view the meeting on Channel 18 in Truro and on the web on the "Truro TV Channel 18" button under "Helpful Links" on the homepage of the Town of Truro website (www.truro-ma.gov). Click on the green "Watch" button in the upper right corner of the page. Please note that there may be a slight delay (approx. 15-30 seconds) between the meeting and the television broadcast/live stream.

Citizens can join the meeting to listen and provide public comment via the link below or by calling in toll free at 1-866-899-4679 and entering the following access code when prompted: 435-463-837. Citizens will be muted upon entering the meeting until the public comment portion of the hearing. If you are joining the meeting while watching the television broadcast/live stream, please lower the volume on your computer or television during public comment so that you may be heard clearly. Citizens may also provide written comment via postal mail or by emailing the Town Planner at planner1@truro-ma.gov.

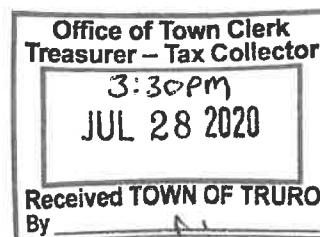
Meeting link: global.gotomeeting.com/join/435463837

Hearing materials can be found at the following web address:

www.truro-ma.gov/zoning-board-of-appeals/pages/cloverleaf-40b-application

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.



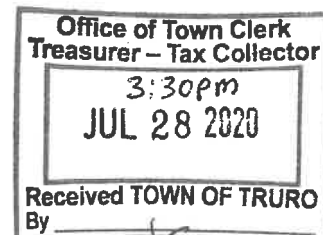
Review of Comments

- Board of Health letter
- Planning Board letter
- Energy Committee letter
- Climate Action Committee letter
- (1) Public Comment email response from Senator Cyr to Michael Holt; and (2) Link to Provincetown Independent Op-Ed dated 7/23/2020 from Senator Cyr
- Public Comment letter from Pamela Wolff
- Public Comment letter from Stephen Williams

Approval of Minutes

May 28, 2020

Adjourn



STAFF MEMO

To: Truro Zoning Board of Appeals

From: Barbara Carboni, Interim Town Planner/Town Counsel, KP Law

Date: July 28, 2020

Re: Meeting July 30, 2020 - Cloverleaf

2019-08/ZBA: Community Housing Resource, Inc., application for Comprehensive Permit under G.L. c. 40B, ss. 20-23, on property located at 22 Highland Road (continued public hearing)

Comment from Truro Boards and Committees

Under G.L. c. 40B, local boards have an advisory role in the ZBA's hearing and decision-making process. Upon receiving the comprehensive permit application, the ZBA sends "a copy thereof to . . . local boards for their recommendations," and the ZBA "in making its decision on said application, shall take into consideration the recommendations of the local boards. . . ." G.L. c. 40B, s. 21. Where the ZBA is acting in place of a number of local boards, the advice of these boards may be of particular value in evaluating the Applicant's waiver requests and in considering appropriate conditions for any grant of a comprehensive permit. Boards and committees may also offer advice to the ZBA regarding specific topics or areas of expertise relevant to project design and impacts.

Public hearing tonight includes testimony from a number of such Truro boards and committees. Their comments and recommendations will be part of the hearing record for the Board to draw upon in its deliberations.

Topics for further and future discussion

1. Post-construction management of development. This topic has not yet been addressed by the Applicant. What entity is going to manage the development (day to day operations; maintenance and repairs; general property management)? What maintenance schedules are anticipated for buildings, landscape, stormwater management system, Title 5 facilities? Will there be an onsite manager? Etc.
2. Site Plan Review. The Applicant has requested a waiver of the Zoning Bylaw provisions on Site Plan Review, and the Board could grant this waiver in its entirety. But given the scale of this development and its impacts, the Board may wish to consider the features and review criteria found in the Site Plan Review Bylaw. See Bylaw Section 70.4 D. It can be a useful exercise to go through the criteria, not so much to demand compliance – which can't be insisted upon under G.L. 40B – but to assess how the Applicant has accommodated "local concerns" as expressed in the Bylaw criteria.

Site Plan detail. The Board should also determine whether the Site Plans provided contain sufficient detail. Under G.L. c. 40B, the applicant is required to submit “preliminary plans” only, but again, with a development of this scale - and considering the substantial alterations to the site intended - the Board is well within its rights to request whatever detail it believes necessary to reach a decision on the permit application. An alternative is to require more detailed plans as a permit condition. Although plans can’t come back to the Board for approval post-permit, the plans may be subject to the approval of the board’s peer review consultant or Planning Department.

3. Additional topics or further information on any topic? Board to identify and request. This may include any matters identified by the Board’s Peer Reviewer as “not addressed” or only “partially addressed” in his reports to the Board.
4. Erosion Control. Following a meeting last week with the Applicant’s team, it is anticipated that the Applicant will be submitting additional information on Erosion Control, a topic the Board’s Peer Reviewer identified as incomplete.

Future steps

At some point, the Board must determine that it has sufficient information for considering the grant or denial of a comprehensive permit. When the Board reaches that point, it may start discussing the Applicant’s requested waivers, and any conditions it would impose if a permit is granted.¹

Future meeting dates

For discussion.

Extension

Although Chapter 53 of the Acts of 2020 suspended deadlines for board actions on permit applications (including G.L. c. 40B applications), the Board should obtain an extension from the Applicant of the period for public hearing.

¹ I recommend that the Board leave the public hearing open through the discussion of waivers and conditions, so that any additional discussion may be had with the Applicant, and to allow the public to comment on waivers and conditions.



TOWN OF TRURO
HEALTH & CONSERVATION DEPARTMENT
24 Town Hall Road, Truro 02666
508-349-7004 x119

To: **Art Hultin, Chairman & Members of the
Zoning Board of Appeals**

From: Emily Beebe, Health & Conservation Agent

Date: July 16, 2020

Re: BoH Comments on Revised Cloverleaf parcel development proposal

On behalf of the Truro Board of Health, thank you for the opportunity to provide comments on the revised proposal for the development of the Cloverleaf parcel. The Board of Health held a work session on July 8th to discuss the latest proposal for the Cloverleaf parcel, including the updated peer review reports prepared by the Horsely & Witten Group (HWG). Mr. Jeff Nelson of HWG called-in to our work session to discuss the report and the supplemental information provided by the applicant's engineer JM O'Reilly & Associates in response to their earlier comments.

1. The Board of Health reviewed the sewage-drainage site plans by JM O'Reilly & Associates dated November 1, 2019, and **revised June 5, 2020**. The revised plans now propose additional treatment of the residential wastewater by a Bio-Microbics system designed to reduce the nutrients from the wastewater generated at this site. A case study provided in the ZBA packet indicates that this system achieved 98% reduction in nitrogen levels at a development in Westport, MA with a design flow larger, but similar to what is proposed for the Cloverleaf parcel; that is, clustered residential conditions with wastewater design flow under 10,000 gallons per day.

The design flow of the current proposal is 7,501 gallons per day. In their peer review of the application HWG has calculated that the Bio- Microbics system as designed could achieve a Nitrogen concentration of 9.1 mg/liter at the property line with Nitrogen levels in the effluent reduced to 10 mg/l. This system, operating as conditioned below, will perform significantly better than the standard residential title 5 systems found in the neighborhood of this parcel, including the Pond Village area. Standard systems typically generate wastewater with Nitrate nitrogen concentrations of 35-80 mg/L.

Based on the findings of the peer review and details of the case study, the Board of Health supports applying this level of additional treatment of the wastewater to significantly reduce the nutrient loading at this site, and the conditions suggested by HWG to ensure that the system perform to the desired levels.

The following conditions are recommended by the Board of Health:

- a. That the Certified Wastewater Operator have documented experienced operating Bio-Microbics systems of this model and size.
- b. That the system will be monitored with water quality testing for 12 months following 80% occupancy of the community. Written protocol for this monitoring will be developed by the Health Department with support from the Barnstable County I/A test center staff, and will specify the relevant parameters for testing.
- c. Should TN concentrations in the effluent exceed 10 mg/L the operator shall notify the Health Department in writing within 5 business days of receiving lab analysis results; proposed corrections shall be implemented within 48 hours.

- d. Following 12 months of monitoring the results may be reviewed by the Board of Health to evaluate system performance relative to the approved water quality thresholds; at such point a quarterly monitoring plan may be substituted for monthly monitoring.
 - e. That a monitoring well established at the property line be located to intercept the groundwater downstream from the wastewater leaching facility at this site. This well shall be monitored quarterly for Nitrate nitrogen for the first year following 80% occupancy of the community.
 - f. That the Operation and Maintenance agreement be executed prior to issuance of the disposal works construction permit.
 - g. That the system be approved, installed and operated in accordance with the DEP approval for the proposed technology.
2. With regard to other comments made within the peer review document the Board of Health sees no need to condition the proposal further as it finds the proposed location of the reserve area test pits to be within keeping of our normal protocols; further, the Board of Health agrees with the recommendations for plan notes to address watertight access covers , cleanouts, estimated seasonal high groundwater elevations and proper setbacks to drainage areas, as well as the specification that plantings over the septic leaching areas be planned to exclude tall shrubs or trees, and support plantings such as low shrubs (such as huckleberry/blueberry) native ground-covers and grasses. Further that native plantings be favored and that turf grass not be included
3. With regard to discussions about the groundwater quality of the Pond Village area down-gradient from the proposed project, the Health Department has reviewed data from Nitrate testing completed under a wroc project between 2007-2016 in an effort to characterize the water quality in wells that were tested. We reviewed analysis results in an area bordered by Pond Village Avenue on the west, to the on/off ramp on the east, further delineated by the Pilgrim pond on the south, and Amanda Lane to the north. The nitrate sample results were gathered during a ten-year period, and in our review area 28 of the 73 developed parcels (38 %) had been sampled and tested. Some parcels were only sampled and tested once; some were tested several times. Most of the developed parcels in this area were not tested at all. For the purpose of characterizing the water quality, we wanted to determine what the average value of Nitrate nitrogen was in this area; and to do that we only included the most current result for those properties that were tested more than once. However, to characterize the average Nitrate levels, the data should be obtained in the same period (in this case- the same year) and should include the same parcels from year to year. With the limited data that is available it is difficult to frame an accurate picture of the Nitrate levels in this area. What we can see are that certain properties displayed elevated Nitrate levels, but most showed low and background levels. The most recent water test analysis do not show any exceedances to the drinking water standard for Nitrate nitrogen of 10 mg/L in the area we reviewed.
- In the area we reviewed, 28 wells were tested in 6 sessions over a 10 year period, and the most recent test results showed 4 wells with Nitrate nitrogen levels that exceeded 5 mg/L . This represents 14 % of the wells that were tested.
 - In the area we reviewed, concentrations of Nitrate nitrogen of more than 2 and less than 5 mg/L. were the most recent results found in 4 wells. This represents 14 % of the wells that were tested.
 - In the area we reviewed, the most recent results for 20 wells showed less than 2 mg/L. Nitrate nitrogen. This represents 71 % of the wells that were tested.

We are of the opinion that while there are several homes with water quality showing Nitrate nitrogen levels >5 and <10 mg/L , this does not appear to be widespread, or trending generally as the results that we have show vast variation from one sampling/testing session to another.

The Board of Health considers protection of groundwater their top priority and are continually looking for ways to protect and improve groundwater quality. The Board has and will continue to aggressively adjust their Regulations for the town of Truro to address ways to protect the Public Health. Be assured that this conversation on the Pond Village area has precipitated a discussion about the watershed of Pilgrim Pond, including the health of the Pond itself, the stormwater issue from route 6, and the nitrogen input from lawns and septic systems in this area.



Planning Board

Town of Truro

24 Town Hall Road
Truro, MA 02666
(508) 349-7004

Date: July 28, 2020
To: Truro Zoning Board of Appeals
From: Truro Planning Board
Re: Cloverleaf Truro Rental Housing Comprehensive Permit Application

The Truro Planning Board (hereafter Board) submits these comments to the ZBA to help inform their decisions on the proposed Cloverleaf Project. This letter includes both new feedback and some items from our previous letters. We will be reviewing the revised waiver requests in a separate document. We recognize that the ZBA has received enormous amounts of information and feedback over the past months. In an effort to make the review process slightly easier, we have only included items from our previous letters that have not been addressed.

Truro's need for affordable housing is not disputed. Balancing that need with the need to protect the well-being of the occupants as well as that of the neighboring residents and community remains a concern of this Board as it is of the ZBA and all concerned members of the Truro Community. The Board continues to review revised Cloverleaf plans in order to provide the ZBA with informed input into its decision-making process. Our foundation for input is rules, regulations and bylaws determined by the residents of Truro. These include Truro General Bylaws; Truro Zoning Bylaws, including Site Plan Review; and Truro Subdivision Control Rules & Regulations. Both the Subdivision Rules & Regulation & Site Plan Review clearly layout why it is important that development in Truro be assessed using the criteria laid out.

1. Subdivision Control Rules & Regulations Section 1.2 Purpose – *“These Rules & Regulations have been adopted for the purpose of protecting the safety, convenience & welfare of the inhabitants of Truro.”*
2. Truro Zoning Bylaws 70.1.A70.1A *“The purpose of Site Plan Review for Commercial Development and for Residential Development is to protect the health, safety, convenience, and general welfare of the inhabitants of the Town. It provides for a review of plans for uses and structures which may have significant impacts, both within the site and in relation to adjacent properties and streets; including the potential impact on public services and infrastructure; pedestrian and vehicular traffic; significant environmental and historic resources; abutting properties; and community character and ambiance.”*

Recommendations for Items of General Concerns

GC1) The requested waiver of “requirement, if any, to post a bond, cash, Letter of Credit, or impose Planning Board covenants related to site development” should not be granted. This is a vital protection for the Town and the future residents of the Cloverleaf and is required for a subdivision of any size (Subdivision Regulation 2.5.4 c) Of major concern in this project is the wastewater treatment system. This is a new system and the bond should be large enough and cover a long enough time span (10 years) to ensure that any issues will be addressed completely and quickly. We will address this in more detail in our Response to Revised Waiver Request.

GC2) There should be very clear written agreement that states clearly who is responsible to make and pay for repairs, updates to the development including but not limited to: buildings, roadway, and water treatment system

GC3) The central location of the development, a positive, brings with it concerns about the impact on safety of the significant increase in traffic. Subdivision Control Regulation Section 2.5.2.a.9 requires a Traffic Impact Study for a 10-unit subdivision. The Cloverleaf will have 39 units & each unit will be responsible for bringing their trash to the Transfer Station. If a traffic study has not been conducted, we recommend that occur.

GC4) The current pandemic raises public safety concerns and questions about the ability of residents to safely shelter in place. The primary concern in this case is the shared heating system within each building. If the system is forced hot air that raises significant safety concerns that should be addressed. For example, are there ways such as enhanced filtration or other options that decrease the likelihood of contamination across units

GC5) Are there designated playground areas? The July 5, 2020 document states there are designated playground areas on site, Mr. O’Brien has stated there are not. If there are, it is important to have the areas identified on the plans to ensure that they are not in spaces identified: for snow storage, as vegetative swales, or other designated uses.

Recommendations for Items of Water Quality and Health – The Board has read the Peer Reviews from HW. We do still have several important health related questions and concerns.

W1) The new treatment plant proposed by the applicant is predicted to meet the State’s minimum requirements as long as everything works very well. In their May 13, 2020 Biomicrobics letter, they note that “The system proposed should meet the required effluent results assuming there is sufficient alkalinity in the influent wastewater for nitrification and there are no issues with pH, temperature, or toxicity. This also assumes the treatment plant is installed, maintained, and operated correctly. If the influent parameters exceed any of these stated above, additional equipment may be needed.”

- a) The Provincetown Water System treats water to bring it to a neutral pH. Will the water for the Cloverleaf go through the treatment process or will it go directly from the ground to the Cloverleaf?
- b) What is the long-term backup plan?
- c) Who will be responsible for repair/replacement/upgrade of the system if it fails or does not perform at the level needed? This information should be clearly stated and indicated the responsible party in the event the development is sold as well.

W2) On page 2 of July 5, 2020 Supplemental Information in Section Specific Comments on the Septic System Design, it states that “If utilized, the reserve area will be developed using a drip disposal leaching facility.” This implies that the reserve areas will not be developed in the construction of the development. This leads to several questions.

- a) If the reserve areas and backup system is not installed during construction and the system fails, what is the interim plan between the need for reserve areas and their capacity to operate

W3) We support the Horsley Witten suggestion that any agreement include a condition that allows further review of the wastewater design if soil or groundwater conditions encountered in the test pits for the proposed leaching areas and reserve areas do not match what is documented to date. (Horsley Witten Report July 6, 2020 p. 4)

W4) In order to protect both people and groundwater quality the treated effluent should be monitored regularly at property boundaries as recommended by Horsley Witten on page 3 of their July 6, 2020 document.

W5) The Board has suggested that the ZBA request direct comment from the Provincetown Water and Sewer Department as to whether the project would negatively impact water pressure in the surrounding area, including, but not limited to, if multiple fire events were to occur at the same time in different parts of North Truro.

Recommendations Concerning Issues of Site Design

SD1) 2nd Access/Egress –In Spring House Design narrative in ZBA packet 7.9.20 Section on Site Design – “In response to concerns of Public Safety Officials an emergency access/egress to and from the rear of the site, gated for emergency response, was added but is subject to MA DOT approval for an access onto Route 6. We recommend:

- a) A letter to this effect from MA DOT be received before ZBA vote if possible, and if not, that a condition of the approval be that this letter is received prior to any site disturbance or construction.
- b) A plan showing the dimensions of the emergency access, including number of trees to be removed and information on the road surface be included. This plan to include the full length of the access road and distance from abutters property.

SD2) Due to the slope of the drive and the likelihood that sidewalks may get covered with snow in winter months, the Board still have safety concerns about pedestrian access to/from Highland Road and suggests a second pedestrian access that meets ADA/AAB requirements.

SD3) Parking –The Developer states that 78 spaces are required and 81 are provided and has therefore not requested a waiver. However, a waiver is needed for the following reasons which are found in Truro Zoning Bylaws Section 30.9

- a) C1 - “Only delineated spaces which are not obstructed may be counted”. There are at least 10 obstructed spaces.
- b) C8 Table – Residential - require 2 spaces per dwelling unit.
- c) C3 “In case of multiple uses on a single lot, the parking provided shall meet the total requirements for all uses. This would include 1 space for the Management office and a small number of spaces for visitors to the Community Room unless the room is reserved for Cloverleaf residents only.

We recommend that in applying for this waiver the Developer submit a signed and stamped parking plan with spaces clearly identified.

SD4) Density & Parking Safety.

At the April 2016 Town Meeting Truro voters approved Article 20 to acquire the Cloverleaf property "for the purpose of developing affordable housing" The comment attached stated "It is the goal of the Board of Selectmen to recruit a developer who will build between 12 and 16 units of community and affordable housing". The current plan of 39 units is significantly larger and denser. As a result, there are parking spaces that are blocked by another space and spaces that are within several feet of the road.

- Both of these situations raise safety concerns. How does a person in an obstructed space evacuate in an emergency if they are blocked in? What is the likelihood of an accident - vehicle/vehicle, vehicle pedestrian with so many parking spaces backing onto the road?
- A third concern is parking for delivery drivers that will not block the road.

SD5) The Board echoes the Cape Cod Commission’s comments that a greater vegetated buffer between the project and Route 6 should be provided. This would greatly benefit those living in the units that back up to Route 6.

The comments are submitted with the goal of having the Cloverleaf project as developed be one that serves Truro well for many years to come.

Sincerely

Anne Greenbaum – Chair Truro Planning Board

RECOMMENDATIONS BY THE TRURO ENERGY COMMITTEE FOR THE CLOVERLEAF AFFORDABLE HOUSING PROJECT

Submitted to the Truro Zoning Board of Appeals and the Truro Select Board
July 27, 2020

Introduction

Background

The Truro Energy Committee first became involved in the Cloverleaf project last September. At that time the project had progressed to the stage where a preliminary plan could be considered. Last November we received the plans and application. As you know, our progress was stalled when the Town prohibited committee meetings due to Covid-19. As soon as that prohibition was lifted, the Energy Committee was able to resume its work, culminating in this submittal.

Truro Energy Committee Role

Our role in the process is spelled out in our Select Board charge:

- To prepare a baseline study of greenhouse gas emissions of the entire town of Truro.
- To prepare a set of goals for the reduction of those emissions.
- To prepare plans outlining the specific policies necessary to achieve those goals.
- To help put the plans into effect, and to monitor their effects.

Of course, our efforts also need to be cognizant of the larger context of Truro itself:

“The challenge for the town is to retain the elusive “Rural Character” and to accept change at the same time -- or, better still, to shape that change towards a common vision of Truro’s future.”

—Truro’s 2005-2010 Local Comprehensive Plan, page 14

And we are cognizant of our place in the Commonwealth, where the goals were most simply stated by the Governor:

“I’m committing the Commonwealth to achieving an ambitious climate goal: net-zero greenhouse gas emissions by 2050.”

—Massachusetts Gov. Charlie Baker in his January 2020 State of the Commonwealth address

And these goals have broad local support, especially from our state Senator Julian Cyr who was instrumental in codifying that goal in Senate Bill S.2478:

“I’m proud of leaders ... for joining... the Commonwealth as Green Communities and making a commitment to reduce carbon emissions and protect our fragile coastal environment ...The Cape and Islands particularly need to take a bold action to address climate change and plan for a carbon-free future.”ⁱ

—Massachusetts State Senator Julian Cyr, February 2020 [mass.gov/news](https://www.mass.gov/news)

In the few months since these goals have been quantified, the state is already moving to implementation, and will be setting 2030 goals soon:

“The Commonwealth is working to determine how best to achieve this emissions limit through its 2050 Roadmap, a nation-leading quantitative and qualitative planning effort that will chart multiple technical and policy pathways by which the Commonwealth can equitably and cost-effectively achieve net zero emissions by 2050, and will conclude with the publication of a long-range 2050 Roadmap report. The state’s 2050 Roadmap analysis will directly inform the state’s 2030 emissions limit, which will be set at the end of this year together with the publication of a second report detailing the state’s plan to achieve that limit, the Massachusetts Clean Energy and Climate Plan for 2030.”

—Establishing Net Zero Emissions Target, April 2020 [mass.gov/news](https://www.mass.gov/news)ⁱⁱ

Truro Energy Committee Goals for Cloverleaf

It is our goal to advise and encourage a project that is more affordable to tenants, offers sustainability that aligns with State and Truro goals and emissions limits, and provides the developer with an economical project. We are confident that these goals can be achieved.

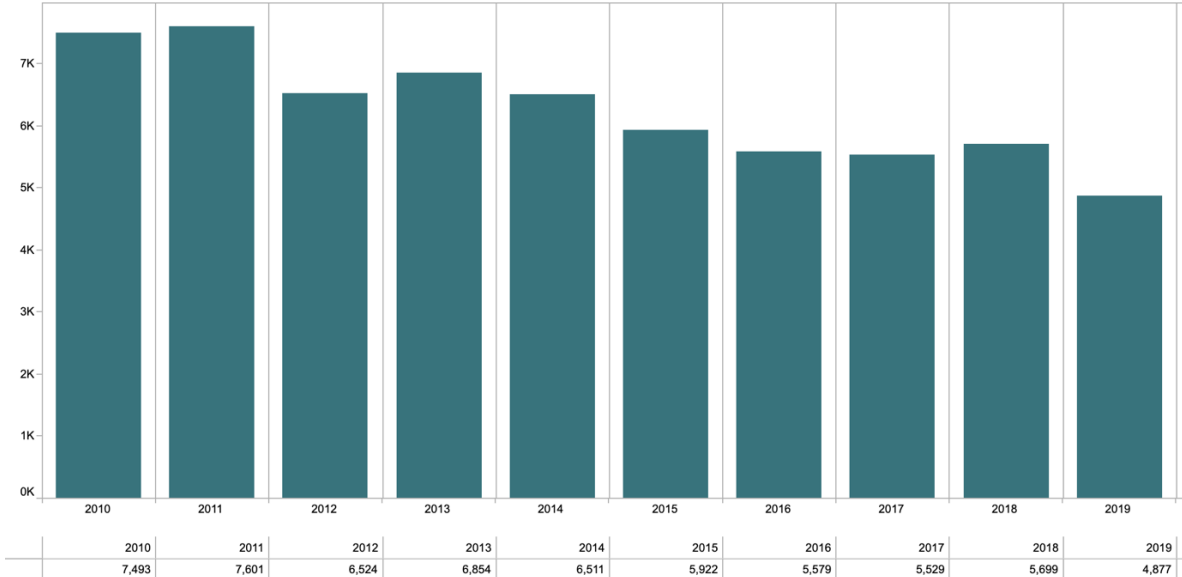
Recent History of Truro Energy Use Reduction

In 2011 Truro became the first Green Community on the Lower and Outer Cape. Tiny rural Truro, the smallest town of the 15 towns on Cape Cod, was leading the way. It wasn’t until 3 years later that Wellfleet and then Provincetown followed.

As part of that effort we received grant assistance to reduce the carbon footprint of our six large buildings by 20% in five years. These “Big Six” are the Central School, Public Safety Building, Library, Community Center, Town Hall, and DPW. If the Cloverleaf is approved and constructed at anywhere near its proposed scale, it will take its place as one of the seven largest building complexes on Town land.

We knew that it would be harder to reduce the emissions from our vehicles (e.g., not many hybrid-electric snowplow trucks on the market yet), so we would have to reduce our building energy usage by even more than 20% to make up for most of the heavy vehicles. So that on a blended basis of buildings and vehicles we could come close to the overall 20% goal.

Truro Building Energy Usage (in million BTUs per year, weather normalized)
35% reduction from 2010 to 2019



In 2011, a 20% reduction in energy usage was considered a successful effort, but that was before we learned more about the alarming and accelerating approach of climate change. In order to deal with the negative effects of climate change, the Commonwealth is setting new goals of another 30% reduction in the next 10 years, to get us to a 50% total reduction by 2030 and continuing on past that with additional 25% reductions in each decade thereafter. That will then take us to net-zero emissions by 2050.

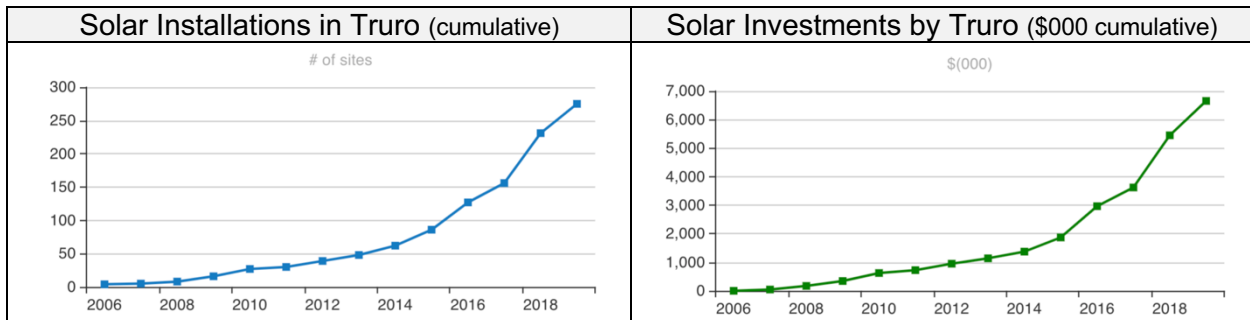
This is a goal now that has broad support. From the Governor who underscored it in his State of the Commonwealth address, to our state Senator Julian Cyr who was instrumental in codifying that goal in Senate Bill S.2478, to even more recent roadmaps coming from the state departments.

Truro's Commitment to Solar Energy

In 2016, Truro took steps to build a solar farm on the landfill. However, due to delays in getting approval for the landfill cap for placing solar panels on it, the Town entered into an agreement at year end to purchase all the solar output of a 552kW solar array in Canton. This solar energy from over 1,500 panels is sufficient to meet 100% of the electricity demands for the Big Six buildings as well as all other town requirements.



In parallel with this move to 100% solar power of town buildings, Truro residents have been demonstrating their increasing commitment to renewable energy by installing solar panels on their own properties. In the past dozen years, Truro homeowners and businesses have installed almost 300 solar systems for a total private cumulative investment of almost \$7 million. This is remarkable and shows Truro's commitment to renewable energy. Even as incentives have been reduced over the years, the costs of solar panels have fallen and an increasing number of Truroites have been making that investment each year.



It is our hope that the Cloverleaf project will adopt a similar approach to energy efficiency and solar electricity production, and follow in these footsteps.

Learning from This Experience

In the past 5 years, 3 major events have prompted a change of approach:

1. an increased awareness of the severity and adverse impacts of climate change;
2. policy changes at the state, regional and town levels to mitigate emissions which are the major contributor to climate change;
3. demonstrated success of new construction methods that can be part of the solution by providing structures with net-zero carbon emissions.

Setting goals, while a necessary step, is not where the real work gets done. Truro learned this during the last 9 years of our Green Communities 20% emissions reduction programs. We find ourselves constantly trying to overcome deficiencies resulting from the past and even current approaches to building. As a result, often our efforts only yield marginal changes in carbon emissions but at a significant cost of retrofit and/or equipment changes.

New Approaches Needed

The key lesson learned as we go forward is that the carbon footprint of a building is pretty firmly set at birth. Once a building is built, it often takes expensive corrective action or retrofits to change that footprint.

That is why it is so important that buildings such as the Cloverleaf be designed to be energy efficient from the very start and to anticipate, where easy and inexpensive, future cost reductions and/or technology changes.

It used to be that the building codes incorporated energy considerations. For example, dictating the minimum amount of insulation in a wall. But as methods improved and energy measures became more important, and technology evolved, building codes started to change every three years. That is why we now see the energy code, as part of the building code, changing in 2009, 2012, 2015, 2018 and soon expected again in 2021.

In fact, energy considerations have become so important, that the Commonwealth is planning to transfer the responsibility for the energy code from the Board of Building Regulations and Standards to the Department of Energy Resources.

Zero-Energy Affordable Housing

How does this affect Affordable Housing? Only favorably. Building for energy efficiency is just good building and sustainable practice. CO2 emissions don't care who lives in the unit and what their income is. If you care about the environment and believe the overwhelming science about the serious effects of climate change, you will build this way. If you want to offer the unit as an affordable rental, you'll build it to be even more energy efficient and somewhat smaller. Smaller units can be actually more efficient energy-wise.

In fact, the recent Truro bylaw change that permits ADU's on private lots from 400 square feet to 1000 square feet have encouraged several projects, from which we have actual energy performance data. One recent Truro project has been measured, consisting of a single unit, 1-bedroom ADU of 672 square feet, and it has achieved and exceeded net-zero energy efficiency by 19% for the past two calendar years. See Appendix D for details.

Truro Cloverleaf and the Energy Committee

The Energy Committee expressed our concerns to the Housing Board 10 months ago about the necessity of the Cloverleaf project not detracting from Truro's goals. At that time, it was decided that we should work directly with the developer. After some initial exploratory meetings, we finally received a set of plans that could form the basis for further research on our part.

Subsequent to that we have held numerous meetings of the Committee, as well as with a number of consultants and state agencies. After a number of months of research and consultations, we have arrived at a set of seven specific recommendations. Some of these recommendations have grant funding available or are available at very little cost. It is our hope that they are all adopted.

The Energy Committee realizes that the ZBA is being asked to waive certain bylaws that Truro has developed after years of thoughtful deliberation. If the Cloverleaf becomes a good citizen of Truro, and helps Truro achieve its net-zero goals as one of the Big Seven building complexes, then in this Committee's view, it will go a long way to demonstrating public worthiness for requested waivers.



Conversely, if the Cloverleaf does not step up to become a partner in achieving these goals, then an inequitable burden will fall on the rest of Truro citizens who will have to make additional sacrifices to compensate for the lack of participation by the Cloverleaf. Such an outcome will not be one of Truro's finest moments. Instead, as the Governor's office says, we should be striving to find "...*pathways by which the Commonwealth can equitably and cost-effectively achieve net zero emissions.*"


SPECIFIC RECOMMENDATIONS




We have examined the preliminary plans provided, and as a result of that have come up with a set of specific recommendations. All recommendations have been made with an eye toward being economical for the project.

Some have grant funding that can be secured to implement them. Others have incentives, subsidies, and/or reasonable paybacks resulting in a favorable return on investment.


It should be noted that government-funded incentives and subsidies are not constant over time. New technologies often get added incentives to foster their adoption, but then later those incentives are reduced. Likewise, many technologies exhibit a declining cost curve over time, helped by increasing volumes of manufacturing. As these component costs decrease, the incentives are often reduced appropriately. But in most areas, we observe the all-in cost of acquisition and operation improves over time and will be finally determined at the time of acquisition and based on the incentive landscape at the time.


Recommendation	Funding Available
<p>1. Energy Efficiency and Sustainable Design Plans</p> <p>A. It is recommended the Developer provide an Energy Efficiency and Sustainable Design plan as part of the Developer’s application for a Town Building Permit.</p> <p>Commentary:</p> <p>Appendix A contains the one-page application for funding for the design of a highly energy efficient project. This incentive is funding only for Passive House designs and/or designs which include electrification of HVAC (see Recommendation #4 below).</p> <p>B. It is recommended the Developer provide a rooftop solar energy system cost-benefit analysis as part of the Developer’s application for a Town Building Permit.</p> <p>Commentary:</p> <p>Depending on the availability of incentives, solar electric systems are generally cost effective with a favorable payback. By performing a cost-benefit analysis the Developer can determine if it warrants installation during construction or should be deferred until the economics are more favorable.</p> <p>C. The proposed hip roof design is sub-optimal for maximizing roof area available for locating solar panels. Our recommendation is that the cost-benefit analysis recommended above include a sensitivity analysis using the more traditional Cape Cod gable roof design.</p> <p>Commentary:</p> <p>A hip roof has 4 vertical ridges on each corner. These ridges interrupt a rectangular array of solar panels, and thus reduce the amount of electricity that can be generated from the roof by about 1/3. See Appendix B for additional information.</p> <div style="display: flex; justify-content: space-around; align-items: center;"> <div style="text-align: center;">  <p>HIP ROOF</p> </div> <div style="text-align: center;">  <p>GABLE ROOF</p> </div> </div>	<p>Yes</p>


Recommendation	Funding Available
<p data-bbox="203 369 451 407">2. Solar Ready</p> <p data-bbox="203 443 1149 663">In the event a solar energy system is not included in the original construction plan, we recommend that the Developer install all necessary internal electric conduits from rooftop to ground level for each occupied structure for potential future solar energy system development. In addition, the roof structural design should assure sufficient capacity for a solar system weight loading and wind uplift loading.</p> <p data-bbox="253 699 428 730">Commentary:</p> <p data-bbox="300 762 1179 884">Conduits for solar panels are easy and inexpensive to install during the framing of a building. It requires little additional plumbing effort during construction to avoid placing vents and pipes in the middle of a roof.</p> <p data-bbox="300 905 1170 1029">Similarly, almost all modern roofs are adequate to accommodate solar systems structurally, but, in case of shortfalls, structural retrofits can be many times the cost of the modest changes needed during construction.</p> <p data-bbox="300 1050 1170 1173">Given the 30-year trend of declining solar costs, solar will almost certainly be cost-effective within a few years of project completion if it is not cost-effective initially – hence the recommendation that the building be made solar-ready.</p> 	<p data-bbox="1230 365 1390 436">Very Small Cost</p>

Recommendation	Funding Available
<p data-bbox="203 369 824 407">3. Tenant-Responsible Energy Usage</p> <p data-bbox="203 441 1187 569">Provide independent unit metering as an inexpensive and important incentive for occupants to conserve energy, thereby further enhancing the affordability of each unit. Metering solar production independently of metering electrical usage by each unit is also recommended.</p> <p data-bbox="251 602 428 634">Commentary:</p> <p data-bbox="298 663 1180 726">Metering each unit's electrical usage is inexpensive if wired properly during construction.</p> <p data-bbox="298 743 1195 835">Doing so encourages energy conservation by tenants, which reduces the monthly operating cost of that unit, making it just that more affordable.</p> <p data-bbox="298 854 1068 917">It also discourages the occasional irresponsible tenant from increasing the cost assessed to other responsible tenants.</p> <div data-bbox="211 1026 1187 1621" style="border: 1px solid black; padding: 10px;"> <p data-bbox="228 1045 995 1081">MILBANK CL200-D 200A WATT-HOUR METER</p> <p data-bbox="228 1108 332 1129">Description:</p> <p data-bbox="228 1142 574 1163">MILBANK CL200-D 200A WATT-HOUR METER</p> <p data-bbox="228 1182 415 1203">Technical Description:</p> <p data-bbox="228 1215 724 1344">E-Z Read Watt-Hour Meter; Type Self-Contained Sub-Meter; Display Type Digital; Voltage Rating 120/240 VAC; Current Rating 200 Ampere; Frequency Rating 60 Hz; Form Factor 2S; Resolution 1 Kwh; Application Metering Accessory; Applicable Standard ANSI</p> <p data-bbox="228 1360 378 1381">UPC: 78457267253</p> <p data-bbox="228 1407 412 1428">Part Number: CL200-D</p> <p data-bbox="228 1451 545 1476">Manufacturer: MILBANK </p> <p data-bbox="228 1524 433 1545">Retail Price: \$160.72 / ea</p> <p data-bbox="228 1556 415 1577">Your Price: \$45.49 / ea</p> <p data-bbox="228 1589 423 1610">Total Available: In Stock</p> <div data-bbox="771 1104 1174 1507" style="text-align: center;">  <p data-bbox="829 1488 1114 1507">Mouse over image to zoom, click to enlarge</p> </div> <div data-bbox="902 1528 1037 1591" style="text-align: center;">  </div> </div>	<p data-bbox="1239 365 1393 436">Very Small Cost</p>

Electric meter costs \$46

Recommendation	Funding Available
<p data-bbox="203 369 862 407">4. Fossil-Fuel-Free Heating and Cooling</p> <p data-bbox="203 438 1153 504">It is recommended the Developer pursue a fossil-fuel-free project by utilizing HVAC electric “mini-splits” for each individual unit.</p> <p data-bbox="253 539 428 569">Commentary:</p> <p data-bbox="300 602 1170 758">Electric mini-splits are a common form of HVAC installation today and represent a cost-effective and fossil-free alternative. They also provide cooling capability in the summer. Town buildings are using them extensively now with over 20 mini-splits installed among the “Big Six” buildings.</p> <p data-bbox="300 779 1154 840">Projects are currently eligible for Alternative Energy Certificates of \$3,000 per unit if HVAC is all electric (MA DOER).</p> 	<p data-bbox="1211 365 1403 604">Cape Light Compact and MA Alternative Energy Certificates</p>

Recommendation	Funding Available
<p data-bbox="203 369 862 407">5. Fossil-Fuel-Free Domestic Hot Water</p> <p data-bbox="203 441 1156 504">Pursue a fossil-fuel-free project by utilizing electric heat pump water heaters for domestic use.</p> <p data-bbox="251 539 430 571">Commentary:</p> <p data-bbox="298 602 927 760">Heat pump water heaters use electricity to move heat from one place to another instead of generating heat directly. Therefore, they can be two to three times more energy efficient than conventional electric resistance water heaters. ⁱⁱⁱ</p> <p data-bbox="298 777 789 808">See Appendix C for more information.</p> 	<p data-bbox="1230 365 1386 522">Possible Cape Light Compact incentives</p>

Recommendation	Funding Available
<p data-bbox="203 369 662 407">6. Electric Vehicle Charging</p> <p data-bbox="203 443 1177 600">Provide an electric vehicle (EV) charging system design as part of the Developer’s application for a Town Building Permit. Initiate a process with the incumbent electric utility to develop and implement an infrastructure design to allow for the installation of electric vehicle (EV) charging stations on the property for no less than ten vehicles.</p> <p data-bbox="251 636 428 667">Commentary:</p> <p data-bbox="298 701 1167 785">“Annual sales of EVs will exceed 3.5 million vehicles in 2030, reaching more than 20 percent of annual vehicle sales in 2030.” iv</p> <p data-bbox="298 833 722 1020">Not planning for EV charging stations now could force about 20% of multi-unit residents to continue to only buy gasoline powered vehicles, as they would have no place to charge an EV.</p> <p data-bbox="298 1041 722 1325">As with the solar-ready recommendation, making the facility EV-charging-ready will be a fraction of the cost of a retrofit later, e.g., laying conduit under a parking lot before paving vs after. And EVs will surely be much more prevalent during the lifetime of the proposed facility.</p> <p data-bbox="298 1346 711 1465">EV charging stations are an important link in achieving net zero goals and reducing fossil-fuel consumption from vehicles.</p> <p data-bbox="298 1486 1101 1581">The Town of Truro has two charging stations in the process of being installed at selected locations at Town buildings. The technology is available now.</p> 	<p data-bbox="1203 365 1370 396">Eversource</p> <p data-bbox="1203 449 1403 699">Periodically the state offers incentives for charging station kiosks for multi-family structures.</p>

Recommendation	Funding Availability
<p data-bbox="203 367 516 409">7. Energy Tracking</p> <p data-bbox="203 436 1076 506">Participate in Truro’s Green Community energy usage tracking program, along with the other large facilities in town.</p> <p data-bbox="251 537 428 573">Commentary:</p> <p data-bbox="298 604 1179 827">Truro has been tracking the energy consumption of its six largest buildings and complexes since 2011. This has been a critical factor in measuring and reducing our carbon footprint. The Cloverleaf will become a seventh large complex and will be the largest or next to largest complex, next to the Truro Central School, currently the largest. Cloverleaf should join in this quarterly energy tracking. This is important for Truro to meet its greenhouse gas reduction goals.</p> <div data-bbox="310 877 1159 1243" style="border: 1px solid #4a7ebb; padding: 10px;"> <p data-bbox="326 894 863 936">Making sense of energy data</p> <p data-bbox="326 968 1130 1087">A free, Web-based tool, MassEnergyInsight is helping Massachusetts cities and towns to understand their energy use and reduce their carbon footprint by delivering customized, easy-to-use reports on electricity, natural gas, and oil use.</p> <p data-bbox="326 1129 1130 1220">MassEnergyInsight is provided <i>at no cost</i> to Massachusetts communities by the Massachusetts Department of Energy Resources (DOER) as part of the Massachusetts Green Communities Program.</p> </div>	<p data-bbox="1211 363 1401 567">No Out-of-Pocket Cost as an add-on to Town tracking</p>

SUMMARY

Just the Beginning...

Although the Energy Committee has been studying the project for the last 10 months, we do not view our assistance and advice as being over at this time. This report is based on the best information we have at this point in time, and on the Cloverleaf plans as they are now, and on the Commonwealth's and other assistance that we are aware of at this time.

As the project evolves and the ecosystem of assistance also evolves, additional areas of assistance and technical advice will as well. The Committee remains available to assist in any way appropriate.

This is Truro's largest housing project of its kind. We have high hopes and expectations that it will turn out to provide mostly affordable units, and that all units will contribute to the Commonwealth's and Truro's net-zero greenhouse gas emissions goals.

Next Steps

Climate Action Committee Coordination

Coordination with the Climate Action Committee is one of the Energy Committee's charges. We have kept that committee informed of our progress and have provided a copy of our final recommendations. We had originally hoped to make a joint set of recommendations, but with the recent restart from both Committees' Covid-19 sidelining there was just not enough time to do so, and still get this document completed in a timely fashion.

Local Comprehensive Planning Committee Coordination

Coordination with the Local Comprehensive Planning Committee is another of the Energy Committee's focuses. We have also kept that committee informed of our progress and have provided a copy of our final recommendations.

Zoning Board of Appeals Advisory

Should the ZBA wish additional information or clarifications, please feel free to ask. That includes any advisory input that the Energy Committee can render to this important process and project.

#####

Appendix A - Application for Design

Residential New Construction Registration Form

Customers applying to the Mass Save® Residential New Construction or Passive House incentive are required to fill out the form below.

Owner and Contact Information

Legal Name (check recipient)			Owner/Contact Name	Title
Mailing Address			Cell	Office Phone
City	State	ZIP	Email	

Primary Contact (if not listed above)

Company Name			Primary Contact Name	Title
Mailing Address			Cell	Office Phone
City	State	ZIP	Email	

Building Information

Building Name				
Site Address			City	State ZIP
Number of Units	Number of Floors	Total Unit Residential Area (SF)	Total Common Area* (SF)	Commercial Fit-Out Component? <input type="checkbox"/> Yes <input type="checkbox"/> No
Renewables? None	Electric Vehicle Charging? None	Electric Provider None	Natural Gas Provider None	Mixed Use? <input type="checkbox"/> Yes <input type="checkbox"/> No Other Fuel Sources? None
Building Code 9th Edition	Energy Code IECC 2018	Stretch Code? <input type="checkbox"/> Yes <input type="checkbox"/> No	LEED* Required by Code? No	

*Common Area includes any space within the building that serves a function in support of the residential part of the building that is not part of a dwelling unit. This includes corridors, stairs, lobbies, laundry rooms, and recreation rooms, as well as building management offices and maintenance spaces. Parking is excluded.

Timeline (dates required and may be estimated)

Current Status Pre-Schematic Design	100% CDs complete	Construction Start	Construction Completion
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Unit Type (indicate quantity for all that apply)

Low Income (below 60% AMI)	Affordable (60%-80% AMI)	Market Rate
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Voluntary Standards (check all that apply)

ENERGY STAR® Multi-Family <input type="checkbox"/> Yes <input type="checkbox"/> No	USGBC LEED® No	NAHB Green No	Passive House No	Other (please indicate)
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Please email completed form to multifhr@icf.com.

WE ARE MASS SAVE®:



Ready to get started? We are here to help:

1-866-527-SAVE (7283) • multifhr@icf.com
MassSave.com/Multi-Family-New-Construction • MassSave.com/PassiveHouse



Updated 5/2020

https://www.masssave.com/-/media/Files/PDFs/Save/Residential/Residential_New_Construction_RegistrationForm.pdf

Appendix B - Hip Roof vs Gable Roof

Below are two photos of both roof types, each with solar panels on them. Each of the two buildings are approximately the same size. It is apparent, when viewing the hip roof in the first photo, that the hip ridge in the foreground interrupts the alignment of solar panels, when compared to the gable roof on the second photo.



Hip Roof with Solar



Gable Roof with Solar

Appendix C - Heat Pump Water Heater

Heat Pump Water Heaters — Game Changers In Efficiency

<https://cleantechnica.com/2020/04/26/heat-pump-water-heaters-game-changers-in-efficiency/>

The issue is that, until recently, heating anything almost always meant burning something. And burning things creates pollution. Let's call this dilemma, "the heating conundrum."

And then, in the last 5–10 years, a new kid on the block appeared — heat pump water heaters. Heat pump water heaters (HPWH) hold tons of promise for getting us out of the heating conundrum and becoming the water heating method of the 21st century.

Heat Pump Water Heater - Worth it?

<https://www.youtube.com/watch?v=omivdhdGv0>

How it Works: Hybrid Heat Pump Water Heaters

<https://www.youtube.com/watch?v=78cEYhjFIdI>



Appendix D – 1 Bedroom ADU Zero-Energy Performance

Zero-Energy Affordable Dwelling Unit - 1 Bedroom					<i>built</i>	2017								
					672	Sq Ft								
<div data-bbox="245 464 1354 957" data-label="Figure"> <p>ADU Annual Energy Usage, Production, and Surplus</p> <table border="1"> <thead> <tr> <th>Category</th> <th>Value (MBTUs/year)</th> </tr> </thead> <tbody> <tr> <td>Total Usage</td> <td>15,728</td> </tr> <tr> <td>Solar Panel Production</td> <td>18,750</td> </tr> <tr> <td>Net Energy SURPLUS</td> <td>3,022</td> </tr> </tbody> </table> </div>							Category	Value (MBTUs/year)	Total Usage	15,728	Solar Panel Production	18,750	Net Energy SURPLUS	3,022
Category	Value (MBTUs/year)													
Total Usage	15,728													
Solar Panel Production	18,750													
Net Energy SURPLUS	3,022													
				MBTUs										
				15,728	all energy usage	100%								
				18,750	from 12 panels	119%								
				3,022		19%								
Energy Usage	Annual Usage	MBTUs	BTUs per	per SF	Electricity Usage Details									
Electricity	3387 kWh	11,555	3412	17.2	Beg Meter	End Meter	Jan-Dec	Usage						
Propane	46 gals	4,172	91502	6.2	973	4411	2018	3438						
					4411	7746	2019	3335						
							Avg	3387						
TOTAL Usage		15,728												
		MBTUs			Solar Electric Production Details									
Production					Beg Meter	End Meter	Apr-Mar	Gen						
12 Solar Panels	5495 kWh	18,750	3412	27.9	2575	7899	2018	5324						
		MBTUs			7899	13565	2019	5666						
							Avg	5495						
Net Energy SURPLUS		3,022	19%	4.5										
		MBTU = 1000 BTUs												

References – Mass Save

<https://www.masssave.com/en/saving/residential-rebates>

<https://www.masssave.com/saving/residential-rebates/multi-family-high-rise-new-construction>

<https://www.masssave.com/saving/residential-rebates/passive-house-incentives>

References – Massachusetts Building Codes

<https://www.mass.gov/files/documents/2018/06/08/Appendix%20AA%20Stretch%20Energy%20Code.pdf>

References – MA Decarbonization Roadmap

“...ensure Massachusetts reduces greenhouse gas emissions by at least 80% by 2050 and achieve net-zero emissions.”

<https://www.mass.gov/info-details/ma-decarbonization-roadmap>

A level of statewide greenhouse gas emissions that is equal in quantity to the amount of carbon dioxide or its equivalent that is removed from the atmosphere and stored annually by, or attributable to, the Commonwealth; provided, however, that in no event shall the level of emissions be greater than a level that is 85 percent below the 1990 level.

<https://www.mass.gov/doc/final-signed-letter-of-determination-for-2050-emissions-limit/download>

<https://www.mass.gov/news/baker-polito-administration-issues-letter-establishing-net-zero-emissions-target>

<https://malegislature.gov/Bills/191/S2477/BillHistory?pageNumber=2>

FOOTNOTES:

ⁱ <https://www.mass.gov/news/baker-polito-administration-designates-31-cities-and-towns-as-green-communities>

ⁱⁱ <https://www.mass.gov/news/baker-polito-administration-issues-letter-establishing-net-zero-emissions-target>

ⁱⁱⁱ <https://www.energy.gov/energysaver/water-heating/heat-pump-water-heaters>

^{iv}

<https://www.eei.org/resourcesandmedia/newsroom/Pages/Press%20Releases/EEI%20Celebrates%201%20Million%20Electric%20Vehicles%20on%20U-S-%20Roads.aspx>

RECOMMENDATIONS BY THE TRURO CLIMATE ACTION COMMITTEE FOR THE CLOVERLEAF AFFORDABLE HOUSING PROJECT

Submitted to the Truro Zoning Board of Appeals and the Truro Select Board
July 27, 2020

“Decisions made today determine risk exposure for current and future generations and will either broaden or limit options to reduce the negative consequences of climate change. “

—National Climate Assessment Report 2018 (US Government)
<https://nca2018.globalchange.gov/chapter/1/>

The Commonwealth has set decarbonization goals for Massachusetts, and some of these targets have been written into law. Previously, the Commonwealth set the goal line at year 2050 but heightened concerns about climate change have moved the interim targets to 2030. Unfortunately, the COVID-19 pandemic has disrupted the legislative process so even though initiatives to accelerate our objectives have been announced, they are not yet expressed in regulatory terms.

Actions we take now will position Truro to contribute to, or detract from, our ability to reach goals set for 2030 and beyond. Even though many of us will not be around to know if we reached those 2050 goals, it is our responsibility as custodians of this wonderful town to protect Truro’s future, and those who will live here. The Cloverleaf development will play a pivotal role in shaping what Truro is for generations to come.

The Climate Action Committee studied the Energy Committee's report and its recommendations to the ZBA. The CAC voted unanimously to support the Energy Committee’s recommendations.

We believe the Energy Committee’s recommendations should be added to the conditions. They represent reasonable, achievable actions, that if adopted will benefit Cloverleaf’s tenants, the Town of Truro and the developer. This assumes that the newly enacted incentives and Alternative Energy Certificates, or substantially similar ones, will be in effect when the developer is eligible to apply for them.

The CAC's work has identified several concerns and recommendations regarding projects such as this but is not prepared to offer them at this time. We will comment in the future to the appropriate Town staff and committees.

As a footnote, we are pleased that Community Housing Resources has adopted two of our recommendations. Their sustainability report mentions native grasses/plantings and using deciduous trees to shade buildings in the summer. These two items are included in all comprehensive energy efficiency building systems.

Elizabeth Sturdy

From: Schulze, Frank (SEN) <Frank.Schulze@masenate.gov>
Sent: Thursday, July 23, 2020 3:59 PM
To: Jeffrey Ribeiro
Cc: Barbara Huggins Carboni; Elizabeth Sturdy; Rae Ann Palmer; Cyr, Julian (SEN); Johnson, Patrick (SEN)
Subject: Re: Cloverleaf 40B Requested Documents
Attachments: [External]_ Fwd_ Please sign this letter to the ZBA about the Cloverleaf development project.eml

Including email as attachment for record purposes.

Thank you,

Frank

From: Schulze, Frank (SEN)
Sent: Thursday, July 23, 2020 3:18 PM
To: jribeiro@truro-ma.gov <jribeiro@truro-ma.gov>
Cc: Barbara Huggins Carboni <BHugginsCarboni@k-plaw.com>; Elizabeth Sturdy <ESturdy@truro-ma.gov>; rpalmer@truro-ma.gov <rpalmer@truro-ma.gov>; Cyr, Julian (SEN) <Julian.Cyr@masenate.gov>; Johnson, Patrick (SEN) <Patrick.Johnson@masenate.gov>
Subject: Cloverleaf 40B Requested Documents

Hello Jeffrey,

Per Sen. Cyr's request, I have included the following two pieces of correspondence in response to your request for Sen. Cyr's comments on the Cloverleaf development.

First, his recent email to Michael Holt:

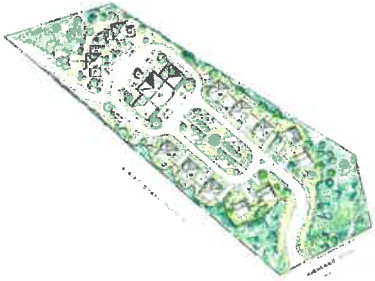
"I am disappointed by this letter and related efforts to thwart this project. The Cloverleaf is a long overdue project that's received significant state support, resources that Rep. Peake and I have worked hard to make happen. Once built, the Cloverleaf will make a meaningful difference in providing year-round affordable rental housing to Outer Cape residents who are desperate for some relief in the face of an out-of-wack real estate market. I worry that some of the concerns raised about the project are increasingly specious -- first it was outlandish claims of blue baby syndrome, now that the project isn't green enough. (Regrettably state programs don't provide much support to small scale projects like Cloverleaf; I'm working to change that, particularly as it relates to solar). I fear that underlying these claims is a persistent NIMBY-ism, one that is rooted in structural racism that has for too long manifested in restrictive housing policy here on Cape Cod and across the country. I know you care deeply about racial justice and progressive work, so I wanted to highlight my concerns to you personally.

From a progressive perspective, housing is among our most urgent and essential needs on the Outer Cape. Thanks to the foresight of prior generations, 70% of Truro is preserved for posterity -- or at least until we're overwhelmed by the sea. The existential threat now is whether we will have much of any year-round

community. Our demographic demise and the struggle of working people to make a life in Truro is directly related to a lack of housing units that are even remotely attainable for middle and low income individuals and families. While the Cloverleaf project has been plodding through the review process, Truro residents have been content to turn a blind eye to where many working families make a home, in motels and cottages and other inadequate places that we conveniently don't see, just as we don't acknowledge that our essential workforce that comprised of Jamaican immigrants and other people of color. If we're going to meet the moment of the Black Lives Matter movement, we need to start with the hard work right at home, and for Truro and the Outer Cape, dismantling structural racism starts by building affordable housing.

I want to be sure you know that this project has my full support. Once Cloverleaf is on its way, I look forward to realizing more affordable and workforce housing at the Walsh property. We have an opportunity to do something big in Truro, to build the housing our community needs to thrive and address one of the more persistent manifestations of racism in our small town."

And second, a recent Op-Ed featured in the Provincetown Independent Today, July 23rd:
<https://provincetownindependent.org/inner-voices/2020/07/23/racial-inequity-in-our-back-yard/?fbclid=IwAR1XEAOEOyDV6sOXOmuVqF71IMIBekdXomsj9nA3dE1nT8cSKEUrhWxj7L0>



Racial Inequity in Our Back Yard - The Provincetown Independent

TRURO — In early June, many Outer Cape Codders joined in our shared reckoning over the crisis of white supremacy and racial inequity in this country. After the protests, many [...]

provincetownindependent.org

Thank you,

Frank

Frank Schulze

Communications Director
Office of Senator Julian Cyr
Cape & Islands District
State House, Room 309
Boston, MA 02133
He/him/his

www.SenatorCyr.com | [Newsletter](#)

From: Julian Cyr <julian.cyr@gmail.com>
Sent: Monday, July 20, 2020 4:50 PM
To: frank.schulze@masenate.gov
Subject: [External]: Fwd: Please sign this letter to the ZBA about the Cloverleaf development project

----- Forwarded message -----

From: Julian Cyr <julian.cyr@gmail.com>
Date: Wed, Jul 1, 2020 at 12:15 AM
Subject: Re: Please sign this letter to the ZBA about the Cloverleaf development project
To: Michael Holt

Hi Michael -- I am disappointed by this letter and related efforts to thwart this project. The Cloverleaf is a long overdue project that's received significant state support, resources that Rep. Peake and I have worked hard to make happen. Once built, the Cloverleaf will make a meaningful difference in providing year-round affordable rental housing to Outer Cape residents who are desperate for some relief in the face of an out-of-wack real estate market. I worry that some of the concerns raised about the project are increasingly specious -- first it was outlandish claims of blue baby syndrome, now that the project isn't green enough. (Regrettably state programs don't provide much support to small scale projects like Cloverleaf; I'm working to change that, particularly as it relates to solar). I fear that underlying these claims is a persistent NIMBY-ism, one that is rooted in structural racism that has for too long manifested in restrictive housing policy here on Cape Cod and across the country. I know you care deeply about racial justice and progressive work, so I wanted to highlight my concerns to you personally.

From a progressive perspective, housing is among our most urgent and essential needs on the Outer Cape. Thanks to the foresight of prior generations, 70% of Truro is preserved for posterity -- or at least until we're overwhelmed by the sea. The existential threat now is whether we will have much of any year-round community. Our demographic demise and the struggle of working people to make a life in Truro is directly related to a lack of housing units that are even remotely attainable for middle and low income individuals and families. While the Cloverleaf project has been plodding through the review process, Truro residents have been content to turn a blind eye to where many working families make a home, in motels and cottages and other inadequate places that we conveniently don't see, just as we don't acknowledge that our essential workforce that comprised of Jamaican immigrants and other people of color. If we're going to meet the moment of the Black Lives Matter movement, we need to start with the hard work right at home, and for Truro and the Outer Cape, dismantling structural racism starts by building affordable housing.

I want to be sure you know that this project has my full support. Once Cloverleaf is on its way, I look forward to realizing more affordable and workforce housing at the Walsh property. We have an opportunity to do something big in Truro, to build the housing our community needs to thrive and address one of the more persistent manifestations of racism in our small town.

Please send my best to your parents -- I marvel at their resilience.

Respectfully,
Julian

On Thu, Jun 25, 2020 at 4:45 PM Michael Holt

wrote:

Dear neighbors,

Apologies if you've gotten this more than once.

Attached is a letter to the Select Board and the ZBA, drafted by my mom Joan and improved by several others. So far 10 people have signed on. It will carry more weight if more of you tell us we can add your name. So please let me know asap. We'll send it in about a half hour, but you can sign on after that, too—we'll send in an addendum later with more names.

Thanks, Michael



Commonwealth of Massachusetts
OFFICE OF SENATOR JULIAN CYR
STATE HOUSE, ROOM 309, BOSTON, MA 02133

July 29, 2020

Truro Zoning Board of Appeals
24 Town Hall Road
P.O. Box 2030
Truro, MA 02666

Dear Members,

I am writing to express my strong support for the Cloverleaf residential development project. Enclosed, please find an op-ed piece published by *The Provincetown Independent* on July 23, 2020. Please consider this submission as a letter of support and an addition to the official record

I sincerely appreciate your consideration of this letter.

Respectfully,

A handwritten signature in black ink that reads "Julian Cyr". The signature is written in a cursive style with a long vertical line extending downwards from the end of the name.

TRURO — In early June, many Outer Cape Codders joined in our shared reckoning over the crisis of white supremacy and racial inequity in this country. After the protests, many of us put away our signs and returned to our summer lives on Land's End. But this moment in history demands more — and that includes advancing the Black Lives Matter movement and addressing racial inequity right in our own back yard.

A tangible step we can take to follow through on our collective public commitment to reverse decades of racial injustice here on Cape Cod is to commit to build more housing — especially affordable rental housing like the proposed Cloverleaf project in North Truro Center.

Housing is American society's most familiar form of wealth, and housing policy at every level of government that shifted resources and created generational wealth was either overtly or covertly crafted to keep black, indigenous, and people of color away from the benefits. Overt examples include Reconstruction, the New Deal, the G.I. Bill, and redlining. Covert examples persist today. In the midst of the ongoing Covid-19 pandemic, just 12 percent of black-owned businesses reported receiving loans matching their full requested amount from the Paycheck Protection Program.

Housing is the primary vehicle through which white families like mine have built equity over generations and passed it along to their children. The high cost of entry into the real estate market keeps white families — who benefited from generations of inclusionary policies designed to build household wealth — separate from black families in practice, if not by decree.

This systemic exclusion has a real cost, despite decades of denial. We see it here on Cape Cod, where working families — often people of color — live in substandard housing or are disproportionately displaced and must do the “Cape Cod Shuffle,” while most of the homes that dot our coastline sit vacant 10 months of the year.

Are we willing to follow through on our commitment to racial justice in our own community? Will we put aside the exaggerated arguments that mask a persistent NIMBYism, understanding that those tactics serve racist ends?

Truro has little to be proud of when it comes to affordable housing. Since 2000, we've built only 19 units; Provincetown, in contrast, built over 200 affordable and middle-income restricted units in the same period. According to a 2017 analysis by the Cape Cod Commission, Truro needs 723 housing units — including 154 rental units — to meet the demand for home ownership across all income levels. Truro clearly has a lot of work to do.

The Cloverleaf project is an opportunity to make long overdue progress. The select board's approval of the application has been transparent, inclusive, and closely watched. The town received this property from the state for little more than closing costs. Later, Truro received a \$1.2 million MassWorks grant to extend public water to the site. The Cloverleaf parcel and the Walsh property are once-in-a-generation opportunities for Truro, given how little buildable land we have left and how desperately we need housing for working people.

The arguments for halting the project are troubling. If they had any basis, I'd consider their merits. But they don't, so I'll call them what they are: procedural tactics designed to perpetuate racial and class inequities under a thinly veiled guise of moderation and caution. It's a tired playbook that's worked too well for too long.

While the Cloverleaf has been plodding through the review process, too many people in Truro have turned a blind eye to where many working families live, in cramped motel rooms, cottages, and other places that we conveniently don't see. We don't acknowledge that much of our essential workforce is people of color, most of them immigrants. We're already grappling with the situation at Truro Motor Inn and the displacement that is causing.

If we believe Black Lives Matter, we need to start with the hard work right at home. For Truro, dismantling structural racism starts by building affordable housing and calling delay tactics what they are. The Cloverleaf project has my full commitment and it deserves yours, too.

Elizabeth Sturdy

From: Pamela Wolff
Sent: Tuesday, July 28, 2020 9:40 AM
To: Elizabeth Sturdy
Subject: Cloverleaf

Good afternoon Commissioners. My name is Pamela Wolff. I come late to this table, and am admittedly under-educated to this topic. I'm hoping that my lack of knowledge of the history of this project allows me to view it from a distance, and see a larger picture.

By way of introduction:

I am a part-time Truro resident. I have been a homeowner here for the last 52 years, since 1968, and a registered voter for most of that time. I served on the Truro Conservation Trust for several years. I have served on my NYC Community Board for 10 years, first as Chair of its Landmarks Committee, and for the last four years on the Chelsea Land Use Committee. I have spent my entire civic life advocating for affordable housing in my neighborhood of Chelsea, and am gratified at the success we have had. The fight goes on.

I have read everything I can find about Cloverleaf, and have attended two remote ZBA meetings.

it seems to me that the committee is so bogged down in minutia, so deep in the weeds of the tiniest detail, that the larger issues are lost in the woods.

I recall when the Town accepted the gift of the Cloverleaf site in 2016 the original vision was to relocate the Highway Dept from the inappropriate and inadequate Town Hall Hill site to the Cloverleaf, freeing up the hilltop site for an annex to Town Hall and/or potential affordable housing. What happened to that excellent idea?

The next thing I remember is reading that the site was slated instead for affordable housing, with the potential of 12 to 16 sustainable units. Why are we now shoehorning an urban mega-development into this tiny site?

What is the hurry here? I get that a great deal of effort has been put into this project, but really, it's the tail wagging the dog. Why is Truro being asked to approve *so many* variances to its minimum standard rules, which have been established through years of thoughtful governance? What kind of precedent does this establish?

it seems like such a no-brainer that you don't put 39 dwelling units, affordable or otherwise, on under four acres of sand immediately next to a four lane highway, directly in a geological outwash plain on top of a fragile aquifer that provides fresh water to a long settled residential community whose water is already challenged with high nitrogen levels... and then go to such draconian efforts to install exotic equipment to control the effluent? Why?

The Town presently is debating the use of the Walsh site. Why isn't that the logical place to locate the housing? It's off the highway, with much more acreage, wouldn't require a new costly water source from Provincetown, and wouldn't challenge the health of the aquifer with its effluence...and might well sustain many more units than proposed at Cloverleaf.

If I lived in Pond Village right now or had a business there I would be fully up in arms to stop this misbegotten development.

Its easy to get sucked in to the nitty-gritty of planning. Nobody wants to be the villain who says no to affordable housing. But there are other, better options. They should be explored to the hilt before the Town caves to the pressures currently at work.

Thank you.

Hello ART Multin
ENCLOSED is my opinion
PIECE WITH REGARD TO
THE CLOVERFIELD PROPOSAL
NOW PENDING WITH THE
ZBA. IT'S A BAD
PROPOSAL AND I TRUST
YOU'LL GIVE IT THE SCRUTINY
IT DESERVES... LIKE MAS
THE DEP REVIEWED THEIR
PROPOSED SEPTIC? I'VE
SENT THIS TO ALL ZBA
MEMBERS AND IF YOU
WANT TO DISCUSS IT
I am Stephen Williams
349-3358

The Cloverleaf Proposal

(It was my intention to read this statement into the record of the Truro Zoning Board of Appeals during their deliberations of Mr-12-20 on the "Cloverleaf Project". Given that COVID-19 requires us all to maintain a "social distance" for the duration, which has already postponed several ZBA hearings so far... I offer this here and now.)

It is my hope that each of you on *our* Truro Zoning Board of Appeals cares enough about *our* small rural town of Truro to examine this project carefully enough to realize how really bad this proposal is and why it just doesn't belong here.

My name is Stephen Williams. And 35 years ago I was employed (for 16 years) by the Town as Truro's Building Commissioner, Agent to the Board of Health, and Zoning Enforcement Officer. Each of those positions involved the enforcement of specific codes. First, there was the Massachusetts Building Code (which is not a textbook for quality construction so much as a table of minimum standards). Then there was 105 CMR: "The minimum standards for human habitation." And then there was 310 CMR: "Title V", or the minimum standards regarding the proper disposal of "sanitary waste". And finally, Truro's Zoning Bylaw with its minimum standards for lot area, frontage and the maximum height of buildings etc. All of these codes have one thing in common: They are all agreed upon and accepted as minimum standards in Truro. In effect, if you cannot, or in this case deliberately choose not to, meet these minimum standards, you are failing our most basic societal norms!

In my opinion, this so-called "Cloverleaf Proposal" is a travesty! **It fails to meet so many minimum standards** that I hardly know where to begin. And, the fact that the proponents are asking that you give them **so many waivers** (see *their* "Exhibit T") from all the various minimum standards (as noted above) proves that better than anything I can say here tonight.

In the first place this project involves **an unnecessarily and extremely dense cluster of "apartments"**, under the Chapter 40-B allowance for creating "affordable housing." But if you look at it closely, what you'll really see is what amounts to an entire subdivision compressed and forced onto less than 4 acres of land. **Such density might be appropriate in more urban areas where three-story apartment buildings are the norm** but in

Truro it is a **transgressive imposition** which is wholly out of keeping with the rural character of this community. What the developers are hoping to do here, is to build a cul-de-sac with 40 "units" (in 12 duplexes and one 17 room "dormitory") with a total of no less than 70 bedrooms... all on only 3.9 acres of land! But if you stop to consider this more critically, what you'll see is a very aggressive effort to force a *disproportionally large 'privately run'* municipal housing project (with no on-site manager?) into too small a space... thinly disguised as an "affordable housing" project.

Some of you may remember Harold Harris. Mr. Harris owned 65± acres of land just west of "Noon's Pit" which, if you took away all the 'unbuildable wetland area' around the pond, left about 40± acres that was subsequently developed by Geiger-Phillips into a sub-division called Shearwater... perhaps the best laid out subdivision in Truro. To show you how dense the "Cloverleaf Project" actually is imagine taking that entire subdivision of 40± homes and compressing it down to make it fit onto just 3.9 acres of land. Well, that's what the proponents of Cloverleaf are trying to do. What they are seeking to do here, *although they will vehemently deny it*, is to create a small urban enclave, a **very dense mini-ghetto of public housing** (their recipe for an instantaneous slum? "Just add way too many people, boil, and stir briskly...") while they try to distract this community by waving the holy flag of "affordable housing" at us as though that alone would justify this kind of urban density. *There is no need or reason that "public housing" or "affordable housing" should be this concentrated... especially when there are better and larger alternative sites immediately available... such as the Walsh Property south of the school.*

Their problem is that to do this, the developers need the ZBA approval for a slew of **waivers to the various minimum standards that still apply... even after invoking Chapter 40-B.** And no matter how much hype & bombast they assail you with, *it is my considered opinion that they do not qualify for any of the waivers they're seeking.* Not one!

I think it is important to note here and now that *the proponents of this project are not philanthropists!* Their only interest in Truro, and why they're promoting this project so aggressively, is for the profits they can make off this development... which are sure to be considerable! So, when

they come before you, holding up an empty bowl like Oliver Twist and begging, "Please Sir, can I have some more?" remember they're not asking you for an extra serving of porridge! What they **ARE** asking for, is that **YOU, on the ZBA**, give them another serving of more, and greater, windfall profits. ***And, without any demonstrable public benefit, each and every minimum design standard waiver you give them is just another cashier's check they can put in their pocket as they the drive out of town.***

Before I go any further with this, I think it is important to interject a bit of history here. When the Town and the State began discussions about a transfer of the Cloverleaf site to the Town it was initially premised on the need to relocate the Truro Highway Department. And, for that purpose, **the Cloverleaf site was, and still is, perfect!** It's certainly big enough and it doesn't require **ANY** waivers of minimum standards... and, easy access to all of the roadways around it is demonstrable. The Highway Department **WOULD NOT REQUIRE THE 1.2 MILION DOLLAR WATER SUPPLY** now envisioned for the "Cloverleaf project", nor would the septic outflow be near as dangerously toxic as **the proposed 7871 gallons per day from 70 bedrooms**. But somewhere along the way in those discussions, the zealots who champion "affordable housing" ('uber alles'), came in waving the flag of their holy crusade and seem to have successfully interposed their project on this site. **And what a dreadfully inappropriate fit it is!**

Given that the applicants have apparently chosen NOT to provide any full-size or scaled-drawing, and that their on-line plans are impossible to read, let alone scale, just one look at "Exhibit T" (THEIR assessment of what setback violations are necessary) should confirm that at least seven of the proposed buildings appear to intrude into our minimum standard of 25' setbacks from all property lines. If this is so they'll need "sideline variances". Variances of this nature, de novo or otherwise, require that they *shall* meet three (3) criteria. Lot shape; Soil conditions and Topography; and "Hardship"... financial or otherwise. There is no case to be made here by Lot Shape. There is no case to be made here for Soil Conditions & Topography. And, in my opinion, their only case for Financial Hardship is one they've deliberately created and brought upon themselves! **Designing from scratch they've had more than ample**

opportunity to meet our Town-wide *minimum setbacks requirements* and the fact that they've chosen not to do so only illustrates that the high density level of their proposal is well beyond the capacity of this site and is driven more by a quest for private profit than any stated "public good". A much more modest proposal in keeping with the rural nature of this Town is clearly preferable. And if more affordable housing units have to wait another year or two, well... remember that the Truro Highway Department has been waiting for more than 40 years!

Next and **again, because the applicants have chosen NOT to submit any scaled-drawings**, it is not possible to determine any actual elevations of the 13 buildings to be constructed at "Cloverleaf". But "Exhibit T" (see also page 12 of their proposal) confirms multiple variances will be needed for the "height of building" & "number of stories" regulations in our Zoning Bylaw. Not only are they *demanding* to be allowed to construct 3-story buildings, a violation of the Zoning Bylaws maximum 2-story rule, but **they also want to exceed the "maximum building height" allowance of 30' by as much as 11½ feet!** Designing from scratch, they've had more than ample opportunity to make these 13 buildings meet all of the *minimum standards* of our zoning bylaw and not stand out as being so blatantly special or so "different" from the rest of this Town. **The fact that they have chosen not to do so once again demonstrates a presumptuous sense of entitlement on their part... rather than making any effort to design their project so that it fits into the minimum standards of this still rural Town.** Who are these people anyway? And what makes them think they are so special that they deserve ANY variances from the *minimum standards* of this town which has gotten along quite well without them? *More people? Really?* If they really knew *anything* about Truro they'd know that what we *really* need here, even more than 'affordable housing', is: **MORE "AFFORDABLE" JOBS!**

And while renting out the "Cloverleaf" will likely be "sold out" in only a couple of minutes, it will most likely *be occupied predominantly with people from other nearby towns* because I doubt that we, as a community, actually need **as many as 70 rooms ALL AT ONCE!** And what's the point of bringing many more people into Truro if there's not enough work here

now? The ‘**inventory percentage**’ of “affordable housing units” needed in Truro is actually meaningless if the people who already live here, and who need it most, are not the first and primary beneficiaries of the concept! A better approach for Truro would be incremental... say 5 or 6 units a year.

Their “parking plan” is also *deeply flawed*: I count only 69 spaces but with 70 bedrooms, **each capable of a 2-person occupancy**, even 140 spaces may prove to be inadequate. Double-depth spaces, as shown for several of the duplex units, isn’t just bad planning... it’s a prescription for further chaos and discord among renters! What if a resident wanted to invite friends over for a visit. Where can *they* park? What if someone gave a party? With a road width of 16’±, will fuel trucks be able to pass cars parked in the road? How about Fire and Rescue vehicles? Snowplows?

I should also note that I’ve seen no mention of any on-site supervisor, like the ‘building superintendent’ in most urban apartment buildings! **Our motels, cottage colonies and Condo Units are all required to have on-site managers.** And, given the obvious potential for conflict between various renters jammed so close together, not to mention the 17 room “*dormitory*” which, without some manner of on-site adult supervision, could easily become as notoriously unmanageable as a college dorm on ‘spring-break’, EXACTLY WHO IS GOING TO BE RESPONSIBLE for keeping order in “The Cloverleaf”? The Truro Police? Surveillance cameras like the six we have at the dump? Should we anticipate “facial recognition” technology?

The “Cloverleaf” at 3.9 acres is really not an appropriate location for “affordable housing” under any conditions, but applying the minimum standards of Title V, (yet another table of minimum standards to wit: 10,000 sf. of lot area per bedroom) the site can only accommodate a **maximum of 17 bedrooms!** At that level the project would actually meet all the other minimum standards noted above, it would also NOT require the 1.2 million dollar expense of public water or any septic variances and it *would* fit in with the rural character of this Town. **The proposed 70 bedrooms properly requires 700,000 sf. of lot area... that’s 16 acres of land!** So obviously, this project will require a slew of waivers from the **minimum standards** of Title V as well. And when any project needs so many waivers from so many different **minimum standards** we should

conclude that this project does not, cannot, and never will meet the **minimum standards**, or the rural character, of this community we love and share called Truro.

There is also a jurisdictional aspect here that is most troubling: The Zoning Board of Appeals is set up to review zoning issues! Chapter 40-B is a zoning matter but there are no zoning issues involved when it comes to Title V. Given the legal precept of "Federal Sovereignty" wherein towns must defer to states which must defer to the federal government (or, "the sovereign"), **it seems entirely unlikely that our ZBA can legally waive ANY State minimum standards for Title V**. (See page 3 of the Chapter 40-B handbook). **But once again, one must ask, on what basis do these applicants feel that their cause is SO deserving that they should merit any such consideration? I would further posit that the Truro Board of Health may waive 'local' septic regulations *IN EXCESS* of State law (If they could find any 'public health' justification!) but they must also defer to the State DEP if any waivers to State Law are being requested!**

I have read that the proponents of this project seem to think they should be given GPD credit for much of the 15.6 acres of State and Park **vacant adjacent land** so they can meet their Title V (GPD) requirements of lot-area per-bedroom per-day. This is so pathetically self-serving I don't know whether to laugh or cry. In 1963 my father bought some land from Donald Schlesinger on North Pamet Road. His house lot sat atop an esker *abutting the National Seashore*. Should he be eligible to claim "**that vacant NPS adjacent land**" for septic purposes should his kids want to build a 20 room "affordable apartment" complex there? How about 10 rooms? **310 CMR 15.00: (Title V) is NOT AMBIGUOUS when it refers to site-specific area requirements for the ON-SITE disposal of "sanitary waste"**.

And in none of the reports available on-line have I seen any mention of the other lots adjacent to the Cloverleaf site whose health and safety will likely be threatened by **the dangerous and disproportionately high volume of 7871 gallons of septic waste being created there EVERYDAY!** **On only 3.9 acres of land?** Olin Sparks owned one of those lots and the protective "zone of contribution" of his well includes an arc which falls within the perimeter of the empty Cloverleaf site. *The discharge of 2,872,915 gallons*

per year of septic waste JUST outside the drawdown cone of a SFR well on an adjacent lot? Come on now. **That's just criminal malfeasance!**

No one disputes that we need affordable housing in Truro. But that need (*devoid of its hysterical hype*) should not blind us to the fact that this particular project is needlessly and unjustifiably too dense, and too much at odds with the rural character of Truro to fit into this community. **With only 17 bedroom units there's no problem...** although the location is still bad and inappropriate. **The problem is that these proponents are trying to jam 20 pounds of sugar into a 5 pound bag AND TO CONSTRUCT AN ADDITIONAL 53 MORE BEDROOMS THAT JUST DON'T FIT ON ANY 3.9 acre lot!** What should happen, *in my opinion*, is that this site should to be given back to the Town for the purpose of re-locating the Highway Department soon or next year and that some section of land in the Walsh Property should be designated for **lower-density** "affordable" housing. **It's late into this project now... people have invested time and money and THEY'RE NOT GOING TO BE HAPPY if the ZBA stands it's ground to defend Truro from the depredation of these so-called "developers"**. But just because it's a Chapter 40-B development doesn't mean it has to be *so dense* and such an obviously unappealing place to live, with as many as 140 people having to live on top of each other on less than 4 acres of land! **We're not a city!** At the Walsh Property the density of inhabitants to lot area can be spread out more to reflect the rural character of the Town and create affordable housing where people can actually live (*with their children!*) without falling over their neighbors, or being assailed by the constant air-pollution and 24/7 din of traffic noise from the adjacent highway, or being constantly irritated by their next door neighbor's choice of music, or high volume. And tell me, how do you comfortably share or enjoy the leftover outside space of a 3.9 acre lot with 139 other people on a hot summer afternoon? In short, you can't! In short:

~~ **This proposal is esthetically offensive and morally indefensible** ~~

And just because low-income working people aren't rich enough to buy a house in Shearwater is no reason for them to have to suffer the added indignity of being herded together like animals so tightly into the "*concentration-camp*" like densities of THIS 'duplex disaster' aka the

"Cloverleaf" proposal. All that's missing are a few guard towers, a barb-wire perimeter fence and a road sign that says "Arbeit Mach Frei". And with as many as 140± people on 3.9 acres? That's 35 people per acre! Really? OR PERHAPS THAT'S THE POINT! *YES*, you can live in our Town and *YES* you can work for us. But just because we let you out on a daily 'work-release' don't ever assume more than that. Because if this were really the "workers paradise" its proponents purport it to be, then maybe they should demonstrate the truth of their claim by volunteering to actually live there *for just one year!* Do you believe that *any of them* would find it so desirable living year-round packed into such a suffocating "sardine-can subdivision" with as many as 139 other people, assailed by the incessant traffic noise (24-7) of Route 6 not to mention *the constant monoxide exhaust stench of traffic wafting in from a major highway only a few yards away?* What a slum! What a sad and dreary and unhealthy setting for raising children in the country!

If this is really the best we can do for minimum-wage workers, we should be ashamed! I mean, would any of you, the members of our ZBA, actually WANT to live in "Cloverleaf? Would you want to raise your family there?

In closing I'd like to note that **if** the proponents of this proposal claim that such high density (while perhaps not essential to this project) is still essentially necessary if they're going to be able to finance it and make a profit.... (**and if I were sitting as a member on this ZBA hearing, I would suggest: "That maybe they're just not the right developers for this project! That maybe they should just take their drawings and go home."**) I'm sure there are other developers who would gladly compete to build 'affordable housing' in Truro *in a more humane way*, with a code-conforming, no waivers needed, **17 bedrooms ± ...** and could make a decent living do so!

~~ As presented, this proposal is NOT in the public interest! ~~

~~~~~       ~~~~~       ~~~~~       ~~~~~       ~~~~~       ~~~~~       ~~~

**Stephen Williams – P.O. Box 1111 – Truro – Mass – 02666 - #508-349-3358**



**TOWN OF TRURO**  
**ZONING BOARD OF APPEALS**  
Meeting Minutes  
May 28, 2020 – 5:30 pm  
REMOTE MEETING

Present (Quorum): Arthur Hultin (Chair); Fred Todd (Vice Chair); John Dundas; John Thornley; Darrell Shedd (Alternate); Heidi Townsend (Alternate)

Absent: Chris Lucy (Clerk)

Other Participants: Jeffrey Ribeiro, AICP – Truro Town Planner

Meeting convened at 5:30 pm by Chair Hultin.

**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.**

Chair Hultin stated that this is a procedural only motion that will be made to continue to Thursday, June 25, 2020, at 5:30 pm at the Truro Community Center located at 7 Standish way, North Truro with contingency to meet remotely due to the COVID-19 state of emergency. Chair Hultin moved to continue this hearing and Member Shedd seconded the motion. Chair Hultin asked if there were any further discussion by any Board Members; there were none. Chair Hultin asked for a roll call vote. Voted all in favor; Member Lucy absent. So voted: 6-0-1. Motion passes unanimously to continue to the date of Thursday, June 25<sup>th</sup>.

**Board Action/Review**

Town Planner Ribeiro addressed the Agenda item: Board update/discussion about the potential to hold public hearings remotely. Town Planner Ribeiro inserted on the screen, for viewing by the Board, the Governor’s Guide to Reopening Massachusetts in Phases. We are currently in Phase 1 where gatherings of more than 10 people is still banned; therefore, in-person public hearings cannot be held. As stated in previous meetings, we will continue to assess; Phases 2, 3, and 4 state that restrictions on gathering size will be determined based on trends. He believes that this system of remote meetings seems to be working well. No decision by the Board needs to be made at this time; however, he wants to gauge the Board’s thoughts regarding potential virtual hearings.

Similar to the exhibit on the screen now, this is how plans/images would be viewed by the public and allow participation. Chair Hultin commented that they do have a continued hearing and thinks this would be an appropriate way to have that hearing and make a decision. Member Shedd and the Board agreed as well. Chair Hultin asked Town Planner Ribeiro to recap that particular hearing continuation. He stated that the applicant is Charles Silva on Shore Road, a cottage to demolish and reconstruct in the same footprint within the setback of a pre-existing, non-conforming property. Town Planner Ribeiro believes this would be a good opportunity to start, see how that goes. Regarding the Cloverleaf, it had been discussed having a meeting to present the updated plans and a second meeting to hear from the public plus possibly an additional meeting. He stated that he would discuss this with Chair Hultin, and he also noted that there will be continual discussions with Town Counsel and the Town Manager to determine if it is time to move forward with virtual hearings. This discussion also notifies the public of which direction the Board is moving. Chair Hultin stated that they have an obligation to make sure that anyone wishing to view the meetings, or have input, has that opportunity but he is aware that it will be difficult for some to access this in real time.

Chair Hultin asked the Board Members if there was any other business that needed to be taken care of right now; there being none, Chair Hultin moved for a motion to adjourn. Vice Chair Todd and Member Thornley seconded the motion. No further discussion. Chair Hultin asked for a vote. Voted all in favor; Member Lucy absent. So voted: 6-0-1. Meeting adjourned.

Respectfully submitted,

Elizabeth Sturdy