



Planning Board

Town of Truro

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Date: December 12, 2019
To: Truro Zoning Board of Appeals
From: Truro Planning Board
Re: Cloverleaf Truro Rental Housing Comprehensive Permit Application

The Truro Planning Board (hereafter “Board”) met on December 11, 2019 to review the Comprehensive Permit application for the Cloverleaf Truro Rental Housing project proposed by Community Housing Resource, Inc. The Board offers these comments to the Truro Zoning Board of Appeals (hereafter “ZBA”) to assist in its review of the project. These comments are preliminary, and the Board likely will submit additional comments later in the review process.

Projects other than one- or two-family homes in Truro generally require Commercial Site Plan Review as defined in the Zoning By-laws. The applicant has requested a “waiver” as allowed under MGL Ch. 40B from Site Plan Review. The comments offered here generally follow the issues and values protected by Site Plan Review, but are not strictly limited to those concerns.

Additionally, the Board offers comments on some aspects of the Town’s Subdivision Rules and Regulations. While the proposed site drive is not legally a subdivision road, the drive will serve a significant number of housing units and certain roadway standards should be considered.

The Board thanks the ZBA for the consideration of these comments.

General Concerns

The Board does not recall reviewing an Approval Not Required plan or other filing creating the project site parcel. The Board recommends that the ZBA verify that the lot has been properly and legally created prior to issuing any approval.

The project site is listed as being located in the Residential Zoning district. The Board recommends that the ZBA review the boundaries of the Seashore zoning district as listed in the Zoning By-laws to verify that the project site is outside of those bounds.

The Board requests that the ZBA ensure that impacts to abutters from noise, dust or other nuisances be limited to the greatest extent possible during and after construction.

This may include measures such as white-noise backup chimes on vehicles, sound barriers, and adequate soil control during grading activities.

Water Quality and Health

The applicant requests a waiver from the Town's Board of Health regulation requiring 10,000 SF of lot area per bedroom. The justification for this waiver request from the Town's more stringent standard is that the project is located on public water, thus the state's Title V regulations do not limit nitrogen loading at the site. The Board notes that while the project itself is located on public water, abutting parcels remain on private wells. It would seem that these state regulations are not likely to have been drafted with situations such as this in mind.

High levels of nitrogen in drinking water can be very hazardous to health, most acutely in children. The Board suggests that the ZBA carefully examine this issue, including analysis of groundwater sampling downgradient of the project site.

The most recent data on groundwater quality in the Pond Village area of town that the Board is aware of is from 2010. At that time, roughly 6% of properties identified had elevated levels of nitrogen in their drinking water. As development in Truro has continued since 2010, it is likely that nitrogen levels have increased since that information was collected. This information should be updated if current data is not readily available from the Town.

In order to assess any impacts from the proposed septic system, the Board suggests that the ZBA request a hydrogeologic evaluation of groundwater at the site to determine the potential flow of effluent. This should include analysis such as depth to groundwater and the quality/types of soil present at the site.

The Board strongly encourages the exploration of an Innovative/Alternative, or I/A, septic system that removes nitrogen from effluent. While there may be added cost, the ZBA cannot approve a project that would endanger public health.

Further, the applicant has requested the ZBA consider accepting a nitrogen easement over the Route 6 on-ramps and layout. The Board believes this would not adequately or scientifically address the serious public health concerns that must be answered.

The Board suggests that the ZBA request specific information on both nitrate and nitrite levels that may result from the project, as nitrites are more hazardous to health. It may also wish to request an examination of the potential for environmental degradation to wells or Pilgrim Pond from contaminants other than nitrogen, such as phosphorus. Nitrogen from other sources should be controlled wherever possible, such as by conditioning the project to prevent any use of fertilizers.

The Board strongly supports a peer review of the engineering provided by the applicant. The Town should contract with an independent, well credentialed firm capable of doing a complete analysis of any potential harmful impacts from the project. The Board also requests that all submittals by town boards and the general public be included in the

materials reviewed by the consultant. Such analysis is needed to avoid the potential for significant future costs and liabilities to the Town.

Stormwater

As the climate continues to change, the proposed stormwater management system designed to accommodate a 50-year storm is inadequate. The Board notes that there have been multiple “50-year” events in only the last few years. Any stormwater provisions should be designed to at least the 100-year storm standard. This is particularly important as the steep slopes on the site may direct more stormwater to neighboring roadways and properties than would be expected on a flat site. The direct discharge of stormwater from Highland Road to Pilgrim Pond is a further concern.

The proposed stormwater system is almost entirely via sub-surface infiltration structures. Vegetated swales, rain gardens or other bio-infiltration practices should be considered where possible. If not feasible, other forms of stormwater treatment should be considered such as oil/water separators. Increased use of permeable surfaces should also be explored. Such surfaces could be particularly useful if the infiltration basins and structures become obstructed by snow and ice during the winter months.

Site Design

The project site is accessed by a curved access drive roughly 300 feet in length. The Board understands that due to the slope of the site, this drive will be at roughly a 10% grade for its entire length. Town regulations would only allow such a slope for a run of 100 feet. This may make access, particularly for pedestrians and wheelchairs, difficult.

Due to the slope of the drive and the likelihood that sidewalks may get covered with snow in winter months, the Board requests that the applicant explore the provision of a second pedestrian access that meets ADA/AAB requirements. This would provide a divided path away from vehicular traffic to allow safe access to and from the site, such as for children getting to the bus stop. This could be located along the property line between the site and Route 6. Sidewalk connections between the site and the CCRTA bus stop on Highland Road should also be explored.

It should be checked that both the Town’s emergency vehicles can safely access and maneuver the site, and that the Town possesses fire equipment adequate to fight a fire at a three-story building such as the larger apartment building proposed.

While the project meets the Town’s minimum requirement of two parking spaces per unit of housing, the provision of additional guest parking should be explored. Events such as a child’s birthday party could result in parked vehicles blocking site drives and emergency access. Pervious areas such as the area around the emergency vehicle egress to Route 6 at the rear of the site could be considered.

It is likely that families may reside in these units, thus areas should be identified where children can play. Bicycle parking and trash/recycling storage should also be identified and evaluated for adequacy.

The application does not address snow removal and storage. The Board suggests that the ZBA consult with the DPW Director to determine the adequacy of snow removal plans. It should be made clear as to whether the responsibility for snow removal will be on the Town or on the applicant.

The applicant should provide calculations to evidence that the proposed areas of snow storage can accommodate expected amounts of snow and whether large equipment such as front-end loaders will be required to pile snow. Snow removal plans must show that parking and emergency vehicle access will not be obstructed during storm events. Snow removal plans for sidewalks should also be provided.

Power outages lasting several days are a regular occurrence in Truro. An emergency power generator should be considered to power stairway/hallway lighting and the elevator in the larger apartment building. It could also power the pressure distribution for septic system.

The applicant requests a waiver from the Growth Management provisions of the Zoning By-laws. The Board suggests that the ZBA look at the number of residential building permits issued in the past 3 years to quantify the nature of this waiver request.

The project should conform to the Town's night sky protection by-law to the greatest extent feasible. The ZBA should also explore ways to limit the emission of light from the interior of the proposed dwellings, most importantly the larger apartment building.

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 the Route 6 layout.

The Town recently adopted a change to the Zoning By-laws to limit the size of houses built in Truro. The applicant has not requested a waiver from this by-law, and it should be examined as to whether one should be required. Regardless of applicability, the intent of the by-law to maintain small-scale buildings in the town should be considered by the ZBA during its review of the project, most importantly when reviewing the larger apartment building proposed at the center of the site.

Last, the Board suggests the ZBA seek comment from the Town's Commission on Disabilities if it has not already been solicited. It would be useful to have its input on a variety of site design concerns.

Steve Sollog, Chair