



Planning Board

Town of Truro

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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 the serves Truro well for many years to come.

Sincerely

Anne Greenbaum – Chair Truro Planning Board