

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
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THE CLOVERFIELD Proposal
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THE DEP REVIEWED THEIR
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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 it's 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! ~~

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