



## TOWN OF EASTHAM

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### EASTHAM PLANNING BOARD MEETING MINUTES Earle Mountain Room April 20, 2022, 5:00 pm

Members present: Dan Coppelman, Peter Weston, William Craig, Jim Kivlehan,  
Craig Nightingale, Davis Hobbs, Brian Early  
Members absent: Joseph Manas  
Staff present: Paul Lagg, Community Development Director & Kayla Urquhart,  
Administrative Assistant

Dan Coppelman opened the meeting at 5:00 pm, and stated the meeting was being recorded and could be found at <https://www.eastham-ma.gov/653/On-Demand-Video-of-Meetings-Special-Prog>

Case No. PB2021-12 – (continued from 9/15/21) 0 K Street, Map 23, Parcel 42. Frank and Linda Noto (Owners) seek Site Plan Approval – Residential pursuant to Eastham Zoning By-Law Section 7.4.4 (Residential Lot Intensity) and Section 10.1 (Site Plan Approval – Residential) to construct a new single-family dwelling in District F greater than 200 sf. Vote may be taken.

Attorney Zehnder was present to represent the Noto's. He explained that he is working with the DPW Director, Silvio Genao. They are working to compile more information for the next meeting.

A **MOTION** by Craig to continue case number PB-2021-12 to May 18, 2022 **SECONDED** by Weston

In favor: Coppelman, Weston, Craig, Kivlehan, Nightingale, Hobbs

Opposed: None

The VOTE: 6-0

Motion passed – Unanimous

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**Case No. PB2022-1** – 26 Salt Marsh Way, Map 17, Parcel 687F2. Marta and George Tzezos (Owners) seek Site Plan Approval – Residential pursuant to Eastham Zoning By-Law Section 7.4.4 (Residential Lot Intensity) and Section 10.1 (Site Plan Approval – Residential) to construct

a screened porch addition onto the existing dwelling, and detached shed. Where site coverage on a lot containing 20,000 square feet or more will exceed 3,000 square feet. Votes may be taken.

A continuance was requested by the applicants Marta and George Tzezos to May 18, 2022. A **MOTION** by Craig to continue case number PB-2022-1 to May 18, 2022 **SECONDED** by Weston

In favor: Coppelman, Weston, Craig, Kivlehan, Nightingale, Hobbs

Opposed: None

The VOTE: 6-0

Motion passed – Unanimous

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**Case No. PB2022-2** – 16 Gile Road, Map 7, Parcel 539. John and Maria Stankiewicz (Owners) Site Plan Approval – Residential pursuant to Eastham Zoning By-Law Section 7.4.4 (Residential Lot Intensity) and Section 10.1 (Site Plan Approval – Residential) to construct a 9 x16 two-floor addition to the south side of the dwelling, covered porch and new section of deck. Where site coverage on a lot containing 20,000 square feet or more will exceed 3,000 square feet.

John and Maria Stankiewicz and Attorney Ben Zehnder were present to represent the project. Attorney Zehnder explained the project and that on March 3<sup>rd</sup> the project was approved by the Board of Health, and March 7<sup>th</sup> by the ZBA. There was discussion by the Board regarding the project, there were no questions or concerns.

*Findings of Fact:*

1. The property is located at 16 Gile Road, Map 7, Parcel 539 and is located in the Residential Zoning District.
2. The Applicant has applied for Site Plan Approval – Residential pursuant to Eastham Zoning By- Law Section 7.4.4 (Residential Lot Intensity) and Section 10.1 (Site Plan Approval – Residential) to construct a 9 x16 two-floor addition to the south side of the dwelling, covered porch and new section of deck. Where site coverage on a lot containing 20,000 square feet or more will exceed 3,000 square feet.
3. The project was granted a Special Permit from the Eastham Zoning Board of Appeals for an increase in the nonconforming setbacks.
4. The proposed site coverage is 1,650 sf (22%) resulting in a 3.8% expansion.
5. The proposed project does not negatively impact existing native vegetation and soil or grade changes: A small volume of fill is proposed for the new septic system in order to bring the grade level with the surrounding area. No removal of native soils or vegetation is proposed beyond what is required for construction of the proposed project.
6. The proposed project does relate harmoniously to the terrain and to the use, scale and proportions of existing and proposed buildings in the neighborhood: The existing residential use is an approved use in Zone A Residential. The overall scale of the structure will remain the same with a modest 3.8% expansion of site coverage (22% total). The proposed changes to the exterior will result in better overall visual harmony as the elevated deck will connect across the front façade to the new second floor addition

and down to the covered porch resulting in a more cohesive design and a more interesting and harmonious roof line.

7. The prevailing characteristics of the neighborhood are preserved by the plan as presented: The surrounding neighborhood is thickly settled with numerous pre-existing nonconforming dwellings in close proximity. The current and proposed structure will remain in similar size and scale to surrounding structures in the neighborhood. Second floor decks and covered porches are common throughout the community particularly in this area of town which is in close proximity to Cape Cod Bay where it is common for property owners to maximize scenic views by creating elevated view points.
8. The proposed project does avoid impact on steep slopes, flood plains, hilltops, dunes, scenic views and wetlands: No negative impacts are anticipated. The site is not located within any resource areas.
9. The proposed project does not have existing unique or significant environmental resources: A new septic system has been proposed to accommodate the 3-bedroom dwelling. Board of health approval has been granted.
10. The proposed site plan does maximize the convenience and safety of vehicular and pedestrian movement within the site and in relationship to adjacent ways: Gile Road is a short dirt road used primarily by homeowners and provides no public access to the beach.
11. 0 Abutters/Parties in Interest appeared IN FAVOR and 0 appeared IN OPPOSITION of the proposal. 0 letters was/were received IN FAVOR and 0 IN OPPOSITION.

A **MOTION** by Craig to approve the findings of fact for case number PB-2022-2, **SECONDED** by Weston.

In favor: Coppelman, Weston, Craig, Kivlehan, Nightingale, Hobbs

Opposed: None

The VOTE: 6-0

Motion passed – Unanimous

A **MOTION** by Kivlehan to approve PB2022-2 with the following conditions

*PROPOSED CONDITIONS:*

1. No Building Permit shall be issued until the application complies with all pertinent sections of the Town of Eastham Zoning By-Law.
2. All exterior lights shall be down shielded to reduce light spill and nuisances to adjacent properties.
3. The Applicant shall verify bedroom count and septic design for adequacy with the approved plan with Eastham Health Department and if necessary, shall obtain Board of Health approval prior to issuance of a building permit.
4. The applicant is responsible for providing building plans to the Eastham Building and Fire Departments. Plans shall contain information on construction methods and materials sufficient to conduct a full code compliance review.
5. Plan reviews conducted by town staff as part of this site plan approval have been conducted for conformance with applicable sections of the zoning bylaw and for adequacy of the site for public safety access and environmental impacts. Additional plan review for health and safety code compliance will be required and may result in changes to the approved plans. Any changes to the proposed site plan dated 2/7/22 or building

plans dated 2/16/22 except those that are de minimus must be reviewed by the Board. If the Board finds a change to be substantial, re-notice is necessary for a new hearing.

6. Any changes to final grade must be reviewed by the Planning Board.
7. The Planning Board reserves the right to monitor the ongoing construction for compliance with the approved plan.

**SECONDED** by Coppelman.

In favor: Coppelman, Weston, Craig, Kivlehan, Nightingale, Hobbs

Opposed: None

The VOTE: 6-0

Motion passed – Unanimous

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**Case No. PB2022-3** – 55 Rolling Lane, Map 7, Parcel 415. Peter and Barbara Brunelli (Owners) Site Plan Approval – Residential pursuant to Eastham Zoning By-Law Section 7.4.4 (Residential Lot Intensity) and Section 10.1 (Site Plan Approval – Residential) to construct a 18x20 family room addition on the rear of the existing family dwelling. Where site coverage on a lot containing 20,000 square feet or more will exceed 3,000 square feet.

Lesley Moore, builder was present to describe the project at 55 Rolling Lane. The Board discussed the project and there was concern regarding a possible. Moore explained the room is used as an office. There was one abutter present in opposition – 100 Wilma Road, she feels as though the addition will affect her property and privacy. The main concern was the removal of natural shelter. Coppelman expressed that the setbacks are within zoning, and usually do not require screening. Todd Perry, builder explained that there is no plans to currently plant and/or provide a landscaping plan. The Board was in agreement that it is not within their authority to make the Brunelli's provide plantings.

#### *Findings of Fact*

1. The property is located at 55 Rolling Lane, Map 7, Parcel 415 and is located in the Residential Zoning District.
2. The Applicant has applied for Site Plan Approval – Residential pursuant to Eastham Zoning By- Law Section 7.4.4 (Residential Lot Intensity) and Section 10.1 (Site Plan Approval – Residential) to construct a 18x20 family room addition on the rear of the existing family dwelling. Where site coverage on a lot containing 20,000 square feet or more will exceed 3,000 square feet.
3. The proposed site coverage is 3,084 sf (14.28%) resulting in a 1.6% expansion.
4. The proposed project does not negatively impact existing native vegetation and soil or grade changes: No changes to the existing landscaping are proposed. No removal of existing vegetation is proposed or required. The site has a gradual slope upwards from Rolling Lane. The existing house is sited on a relatively flat portion of the site. No grade changes are proposed.
5. The proposed project does relate harmoniously to the terrain and to the use, scale and proportions of existing and proposed buildings in the neighborhood: The proposed family room is a permitted and customary use within the residential zoning district. The

- proposed addition is designed to match the architecture of the existing dwelling and is in scale with the existing structure. No changes to the existing terrain are proposed.
6. The prevailing characteristics of the neighborhood are preserved by the plan as presented: The proposed project will result in a modest 1.6% increase to the site coverage and conforms to all property setback requirements. The surrounding structures in the neighborhood are of similar size and scale. The proposal includes building materials and architectural designs that are common throughout the town including gabled roof, double hung windows and white cedar shingles.
  7. The proposed project does avoid impact on steep slopes, flood plains, hilltops , dunes, scenic views and wetlands: No negative impacts are anticipated. The site is not located within any resource areas.
  8. The proposed project does have existing unique or significant environmental resources: The site is served by an existing private well. No detrimental impacts to water quality have been identified.
  9. The proposed site plan does maximize the convenience and safety of vehicular and pedestrian movement within the site and in relationship to adjacent ways: No changes to the existing driveway are proposed. Rolling Lane is a low volume local access road used primarily by residents.
  10. 0 Abutters/Parties in Interest appeared IN FAVOR and 1 appeared IN OPPOSITION of the proposal. 0 letters was/were received IN FAVOR and 0 IN OPPOSITION.

A **MOTION** by Craig to approve the findings of fact for case number PB-2022-3, **SECONDED** by Nightingale.

In favor: Coppelman, Weston, Craig, Kivlehan, Nightingale, Hobbs

Opposed: None

The VOTE: 6-0

Motion passed – Unanimous

A **MOTION** by Craig to approve PB2022-3 with the following conditions

1. No Building Permit shall be issued until the application complies with all pertinent sections of the Town of Eastham Zoning By-Law.
2. All exterior lights shall be down shielded to reduce light spill and nuisances to adjacent properties. Especially to neighbor to the south of the property.
3. The Applicant shall verify bedroom count and septic design for adequacy with the approved plan with Eastham Health Department and if necessary, shall obtain Board of Health approval prior to issuance of a building permit.
4. The applicant is responsible for providing building plans to the Eastham Building and Fire Departments. Plans shall contain information on construction methods and materials sufficient to conduct a full code compliance review.
5. Plan reviews conducted by town staff as part of this site plan approval have been conducted for conformance with applicable sections of the zoning bylaw and for adequacy of the site for public safety access and environmental impacts. Additional plan review for health and safety code compliance will be required and may result in changes to the approved plans. Any changes to the proposed site plan date 3/14/2022 or the building plans dated 2/3/2022 except those that are de minimus must be reviewed by the

Planning Board. If the Board finds a change to be substantial, re-notice is necessary for a new hearing.

6. Any changes to final grade must be reviewed by the Planning Board.
7. The Planning Board reserves the right to monitor the ongoing construction for compliance with the approved plan.

**SECONDED** by Nightingale.

In favor: Coppelman, Weston, Craig, Kivlehan, Nightingale, Hobbs

Opposed: None

The VOTE: 6-0

Motion passed – Unanimous

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### **Update on Zoning Task Force activities / Discussion of Amendments**

Paul Lagg, Community Development Director discussed the Task Force and upcoming amendments that will be on the Town Meeting Warrant. Lagg also explained there will be a Phase Two of the task force for the upcoming years.

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### **Review and approve previous meeting minutes**

Minutes approved with the following changes; name corrections.

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The meeting adjourned at 6:04 p.m.

Respectively submitted by Kayla Urquhart



*Dan Coppelman, Chair*