Harwich Planning Board

Town Hall, 732 Main Street, Harwich, MA – Griffin Room

**MEETING MINUTES**

**Tuesday, April 23, 2024 – 6:30 PM**

This meeting of the Planning Board was held in-person and was also available for viewing via the GoToMeeting format.

Members Present: Duncan Berry, Ann Clark Tucker, Emily Brutti and Harry Munns. The Town Planner, Christine, Flynn also attended.

Mr. Berry read the following notice and then invited all to recite the Pledge of Allegiance.

1. **Recording Notice; Call to Order**

*According to MA Law anyone who intends to record the meeting must first notify the Chair who will then inform the other attendees at the start of the meeting.*

1. **Pledge of Allegiance**
2. **Public Hearings**

**Case # PB2024-11 Rowoliver Nominee Trust, David Crosbie & Steven Farnsworth, Trustees,** through their agent**, Attorney Benjamin E. Zehnder** seek a Site Plan Review Special Permit for a mixed use, multi-family and to develop a portion of the property as a self-storage unit pursuant to the Harwich Zoning Bylaw Sections 325-55. The property is located at 481 Depot Street, Map 36, Parcel B1 in the Industrial Limited (IL) and Residential Rural (RR) Zoning Districts.

Mr. Berry read the case into the record.

Attorney Ben Zehnder introduced himself and his client, David Crosby. He started by saying that the application had originally come before the Planning Board in November of 2023 but was sidelined due to zoning issues. The present streamlined application before the Board is for Site Plan review only. Further review by the Zoning Board of Appeals is pending. The lot is approximately ¾ of an acre and is split between the Industrial Limited (IL) Zone and the Residential Rural (RR) Zone. The plan is to convert the 2-unit residential building into a 4-unit residential building and to add one commercial self-storage building, 155’ X 30’ with a height of 12’. There will be approximately 65 units and the building will be screened by Leland Cypress and fencing. A Stormwater report was submitted as part of the updated application. There will be adequate parking and the historical look of the original home will be maintained.

Ms. Flynn then gave a presentation showing the locus of the site, other industrial and commercial buildings nearby and proposed landscape features as well as the curb cuts and driveway for the property. She added that self-storage units do not generally cause an increase in traffic. The only interdepartmental comments received were from the Town’s Health Director saying that the Applicant will need to upgrade the septic system to comply with the increased number of bedrooms. The lighting will be “dark-sky” compliant. Ms. Flynn’s recommendation was that the Board continue the case until Thursday, May 2, 2024, which will be after the Zoning Board of Appeals has had a chance to render its decision.

Mr. Munns inquired about the hours of access to the storage units. Attorney Zehnder answered that there will be an effort to mimic the hours of local commercial storage units which is typically 7AM to 7PM.

Ms. Clark Tucker moved to continue Case PB2024-11 until no earlier than 6:30PM on *Thursday May 2, 2024* with a second by Ms. Brutti. The Board voted in favor 4-0-0.

Mr. Berry noted that the 2 absent Board members will need to rehabilitate themselves via the Mullin Rule in order to vote on this case at the next meeting.

**Case # PB2024-09 (Administratively Continued Public Hearing from the Planning Board’s April 9, 2024 meeting.)** Sam Speakman of Speakman Excavating, has applied for a Modification to a Definitive Subdivision originally approved as PB2016-22 and modified on 12/12/23 in order to lengthen the road known as Shelley’s Path, Assessor’s Map 55, Parcels F1-1, F1-2, F1-3 and F1-4 in the Residential Low Density (RL) Zoning District.

Mr. Berry read the case into the record.

The Applicant had requested a withdrawal without prejudice. Ms. Clark Tucker moved that the Board grant this request for a withdrawal without prejudice for Case PB2024-09 with a second by Ms. Brutti. The Board voted in favor 4-0-0

1. **Public Meeting**

**Case # 2024-12 Eastward Companies** is requesting the release of Lot 4 from the Turtle Run Agreement & Covenant in exchange for placing Lot 3 in the Covenant. The lots were created as a result of the granting of a Definitive Subdivision Plan (PB2022-12) known as Turtle Run and are located at in the Residential Rural (RR) and the Drinking Water Resource Protection (DWRP) Zones, Assessor’s Map 63 Parcels C7, C8.

Mr. Berry read the case into the record.

Susan Ladue of Eastward Companies presented the case via remote access. She reminded the Board that they had released from Covenant 4 of the 5 lots in the subdivision in February 2023. VHB offered their report at that time and Eastward Companies has worked toward completing all of the recommended items on that list. She submitted with this application a cost estimate to complete the requirements of the subdivision plan and covenant with only $6000 remaining for the creation of the final “As Built”. A couple is looking to purchase Lot 4 so the present request is to release lot 4 from the Covenant and replace it with Lot 3. Both lots are of similar value. All of the lots in this subdivision are valued fairly highly.

Ms. Clark Tucker asked how many lots were remaining and Ms. Ladue answered that of the other 3 lots, the house on one is complete, a house is under construction on another and the final lot is awaiting a building permit.

Ms. Flynn said that she would defer to the the Board without recommendation. She noted that VHB had not reviewed this latest application.

Mr. Berry said that he felt that all of the engineering questions were answered in 2023 when the majority of lots were released.

Ms. Clark Tucker moved with a second by Ms. Brutti that the Board approve the “swap” of lots for the Turtle Run Subdivision, PB2022-12: Lot 3 coming out of the Covenant and Lot 4 going into the Covenant. The Board voted in favor 4-0-0. Because Ms. Ladue mentioned that the closing date for Lot 4 is on May 1st, Mr. Berry noted that staff would make every effort to complete the proper documents for members to sign as quickly as possible.

**V. Planning Board Business**

New Business:

1. Approval of Draft Minutes: 4/9/24

Ms. Clark Tucker moved with a second by Ms. Brutti that the Board approve and accept as submitted the Minutes from the 4/9/24 meeting. The Board voted in favor 4-0-0

**VI**. **Town Planner update**

Ms. Flynn told the Board that there may be a requirement for the Board to post to the Town webpage regarding the members’ attendance at Town meeting. Mr. Berry noted that the Board has in fact done that over the past number of years and that they should plan on opening a meeting with a recess that would cover time together at Town meeting. The next full meeting of the Board is on Thursday, May 2, 2024 at 6:30PM.

Ms. Flynn also brought to the attention of the Board that the Hazard Mitigation kickoff meeting is scheduled for 4/25/24. The Outer Space and Recreational Plan survey is up. She recommended encouraging residents to read and participate.

**VII**. **ADJOURN**

At 7:06, Ms. Clark Tucker moved to adjourn the meeting with a second by Ms. Brutti. The Board voted in favor. 4-0-0

Authorized Posting Officer: Shelagh Delaney, shelagh.delaney@harwich-ma.gov or 508-430-7511