



# TOWN OF HARWICH

## BOARD OF HEALTH

732 Main Street • Harwich, MA 02645

508-430-7509 • Fax 508-430-7531

E-mail: [health@town.harwich.ma.us](mailto:health@town.harwich.ma.us)

February 24, 2017

Mr. David Ryer, Chairman  
Zoning Board of Appeals  
732 Main Street  
Harwich, MA 02645

**Re: February 13, 2017 Board of Health Decision  
Habitat for Humanity of Cape Cod Inc., 93 & 97 Route 28, Map 10 Parcels W3-B & W5**

Dear Mr. Ryer:

At a meeting of the Board of Health the following discussion took place:

**A. Discussion-Habitat for Humanity of Cape Cod Inc., 93 & 97 Route 28, Map 10 Parcels W3-B & W5-Application for a Comprehensive Permit-MGL Chapter 40B, Sections 20-23 and 760 CMR 56.00; Application to construction 6 new affordable homes on the back portion of 2.466 acres of land located at 93 & 97 Route 28**

Health Director Paula Champagne reviewed the proposal to construct 6 new affordable homes on the rear portion of the lot located at 93 & 97 Route 28. The property is partially developed and currently owner occupied. She did note that we have received a letter regarding concerns over building in a flood plain. Title 5 regulations do not apply to flood plains, only velocity zones. The Comprehensive Permit application does not apply to the 2 existing dwellings on the property and will be on separate lots. The Board had additional questions regarding the waiver of any fees. Health Director Champagne will research and report back to the Board. Health Director Champagne recommended approval of the project with the following conditions:

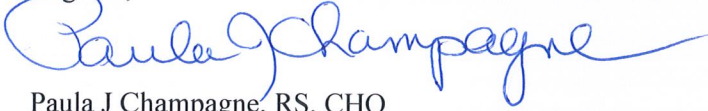
1. The Harwich Board of Health will not consider any variances from Title 5
2. The properties will be served by town water.
3. In order to prepare for any connection to a sewer system, a sewer line will exit the building on the street side.
4. No garbage disposal.
5. No irrigation or drinking wells will be allowed on the properties.
- 6.

Motion made by Mr. Boyle to accept the recommendation of the Health Director. Ms. Bayerl seconded the motion. 3-0-0 Unanimous.

Regarding the request to waive fees, the BOH has a policy that fees will only be waived if the applicant can verify that Town of Harwich funding is associated with the project. Following the meeting, staff did verify that this condition is met (amounting to approximately \$300 for the 6 homes).

Please incorporate the BOH conditions in consideration of granting the Comprehensive Permit.

Regards,

A handwritten signature in blue ink that reads "Paula J Champagne". The signature is fluid and cursive, with a long horizontal flourish extending to the right.

Paula J Champagne, RS, CHO

Health Director

## Shelagh Delaney

---

**From:** David Ryer <nammaddog@gmail.com>  
**Sent:** Tuesday, March 21, 2017 3:24 PM  
**To:** Shelagh Delaney  
**Cc:** Al Donoghue; Dean Hederstedt; Franco Previd; James Hilliard; John Burke; Kathleen Muller  
**Subject:** Fwd: FW: Habitat for Humanity 40B Application - 93 & 97 Route 28

Shelagh,

Please add this e-mail string to the public file. Thanks,

Dave

----- Forwarded message -----

**From:** **David Ryer** <nammaddog@gmail.com>  
**Date:** Tue, Mar 21, 2017 at 3:20 PM  
**Subject:** Re: FW: Habitat for Humanity 40B Application - 93 & 97 Route 28  
**To:** Paula Champagne <pchampagne@town.harwich.ma.us>

Thanks, Paula.

Dave

On Tue, Mar 21, 2017 at 1:54 PM, Paula Champagne <pchampagne@town.harwich.ma.us> wrote:

Dave,

we do not have any additional issues with this review regarding the inclusion of the front lots. I will inform the BOH at the next mtg so it is included in the minutes.

Regards,

Paula

Paula J. Champagne,RS,CHO

Health Director

Harwich Health Department

732 Main St

Harwich, MA 02645

508.430.7509

**From:** David Ryer [mailto:[nammaddog@gmail.com](mailto:nammaddog@gmail.com)]

**Sent:** Wednesday, March 15, 2017 3:00 PM

**To:** Paula Champagne

**Subject:** Re: FW: Habitat for Humanity 40B Application - 93 & 97 Route 28

O.K., thanks, Paula.

Dave

On Wed, Mar 15, 2017 at 2:06 PM, Paula Champagne <[pchampagne@town.harwich.ma.us](mailto:pchampagne@town.harwich.ma.us)> wrote:

Hi Dave,

thanks for pointing out the discrepancy to me.

At first look, I don't think it affects the decision, (other than why did they present it that way??) but I'd like the opportunity to research the plans and regs further before giving you my final answer.

I'll get back to you in a couple of days,

Paula

Paula J. Champagne,RS,CHO

Health Director

Harwich Health Department

732 Main St

Harwich, MA 02645

508.430.7509

**From:** David Ryer [<mailto:nammaddog@gmail.com>]  
**Sent:** Tuesday, March 14, 2017 10:29 AM  
**To:** Harwich Health <[health@town.harwich.ma.us](mailto:health@town.harwich.ma.us)>  
**Subject:** Habitat for Humanity 40B Application - 93 & 97 Route 28

Hi Paula,

Sorry that we kept missing each other.

I have reviewed your comments on this Application and I noted that you thought that the Comprehensive Permit does not apply to the market rate lots. I found Habitat's narrative on the project very confusing on this point, so I reviewed its Application a couple of times and I found that it in fact covers all 8 lots - the 6 affordable lots and the 2 market rate lots. So, in light of this, I wanted to see if you had any additional comments on the project. Thanks for your input.

Dave Ryer

**BUILDING DEPARTMENT • 732 Main Street, Harwich, MA 02645**

*ph: 508-430-7506 fax: 508-430-4703*



Harwich Zoning Board of Appeals  
732 Main Street  
Harwich, MA 02645

RE: 93 and 97 Route 28

May 2, 2017

Dear Zoning Board of Appeals Members,

On April 18, 2017, I inspected the property located at 97 Route 28, Map10, Parcel W5 based on the authority given to me as the Harwich Building Commissioner, the Town Zoning Enforcement Officer and the Massachusetts Building Code Section 110.7 Periodic Inspections which requires periodic inspections for the common areas of multi-family units. As 93 Route 28 is not a multi family unit but 2 individual private residences, I did not have the authority to inspect that property.

I discovered that there are no common areas at 97 Route 28 but only individual residences. There is a fire escape on the exterior of the building which does require a closer life safety review by a registered design professional.

The “multi family use” in the CH-1 Zoning District is not allowed under the Code of the Town of Harwich. However, MGL Ch 40A, Section 7 states that no penalty or violation can be issued unless done so within 10 years of the commencement of that violation. As HECH has owned 97 Route 28 and continued its operation as a multi-family rental since 2006, it is presumed that the Town’s ability to enforce a violation based on the multi-family use of that property in the CH-1 Zoning District has passed.

Please let me know if there is anything further you need from from me or is you have any questions.

Sincerely,

Ray Chesley  
Harwich Building Commissioner

## Shelagh Delaney

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**From:** Amy Usowski  
**Sent:** Monday, March 06, 2017 11:41 AM  
**To:** Shelagh Delaney  
**Subject:** 93-97 main st

Hi Shelagh,

Here are my comments regarding the proposed project at 93-97 Main St.

1. Some of the area is within the AE Flood Zone. Applicant will have to get approval from the Harwich Conservation Commission. They are on the CC's March 15 agenda, but this may be continued so that the applicant can try to get approval from the BOH and ZBA first in this instance. It appears that primarily there will be new septic systems in the floodplain, but that the houses they are associated with are outside the flood plain.

Amy Usowski  
Conservation Administrator  
Town of Harwich  
(508)430-7538

**From:** Amy Usowski  
**Sent:** Wednesday, March 15, 2017 12:06 PM  
**To:** Alyxandra K. Sabatino <asabatino@town.harwich.ma.us>  
**Subject:** 93-97 ROUTE 28

Hi Aly, here are a few more comments from the Conservation perspective on the 40B if you want to add them in your review:

- The Conservation Commission has jurisdiction of Land Subject to Coastal Storm Flowage (aka Flood Zone)
- The only new structural items in the flood zone are the septic facilities.
- The Wetlands Protection Act, which the Conservation Commission goes by to review applications, does not have any performance standards for LSCSF. These performance standards are being drafted by DEP and hope to be in effect within the year. Essentially, the Conservation Commission looks to ensure that in the case of a flood, that the proposed activity will not cause a greater adverse impact to abutting properties as result of a deflection of flood waters.
- This project is on the very edge of the 100 year floodplain, so the risk of a flood coming this far up is extremely small.
- The Conservation Commission looks to the Board of Health when reviewing septs. If the systems can meet Title V requirements in regards to perc rate and depth to groundwater, we typically approve it in the floodplain as there are no stronger standards in Conservation.

Let me know if you need anything else.

Amy Usowski  
Conservation Administrator  
Town of Harwich  
(508)430-7538



# Memo

**To:** Alyxandra K. Sabatino, Town Planner  
**From:** Robert M. Cafarelli, Town Engineer  
**Cc:** Paul E. Sweetser, Town Land Surveyor  
**Date:** March 2, 2017  
**Re:** Comprehensive Permit- 93 & 97 Route 28, West Harwich (ZB2017-04)

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## **Plan Review-**

I received the drainage for subject project.

Down Cape Engineering submitted drainage calculations using the Rational Formula which is allowed by current Town regulations. The calculations show that the proposed drainage structures and infiltration system meet local and State storm water management requirements.

As this will be more than one acre of disturbed area, a SWPPP is required. This is administered through Federal requirements (EPA).

# Memo

**To:** Aly Sabatino, Town Planner  
**From:** Robert Cafarelli, Town Engineer *RMC*  
**Date:** March 13, 2017  
**Re:** 93 & 97 Main Street, Habitat for Humanity

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I have been asked to comment on the proposed cul-de-sac for the Habitat for Humanity project off of Route 28.

The latest plan I have dated 1/31/2017 shows a paved radius of 42' within a street line of 43' radius. It is unclear to me if the 42' paved radius includes the 1' wide Cape Cod berm or not.

Harwich Subdivision Rules and Regulations call for a 45' paved radius in a 55' radius street line which reflects industry standards. This equates to a 45' radius road with a 10' wide "tree belt".

As shown by the attachment, the proposed 42' wide cul de sac is adequate for the turning radius of an intermediate semi trailer with a wheel base of 40' (WB-40 design vehicle). The wheel turning radius of such a vehicle is 39.9' with a front overhang radius of 40.8'. For a small local road such as this, I doubt there would be many larger commercial vehicles entering this road. If so, the proposal calls for Cape Cod or "mountable" curbs which vehicles can drive over, so larger trucks can negotiate this cul de sac with a little encroachment on the abutting properties.

With little to no tree belt, removed snow from plowing will be plowed onto the homeowner's properties. The plower, whether Town or private, should not be responsible for damage caused 5 to 10 feet from the edge of the paved roadway. Also, homeowners should not be allowed to install or plant anything immediately adjacent to the pavement which could obstruct traffic in any way even though it may be on their property

The more compelling reason for the cul-de-sac size requirement is for public safety. That determination should come from the Fire Department. If the Fire Chief feels that the 42' paved cul-de-sac is adequate for his trucks, then I believe the public safety issue is satisfied.

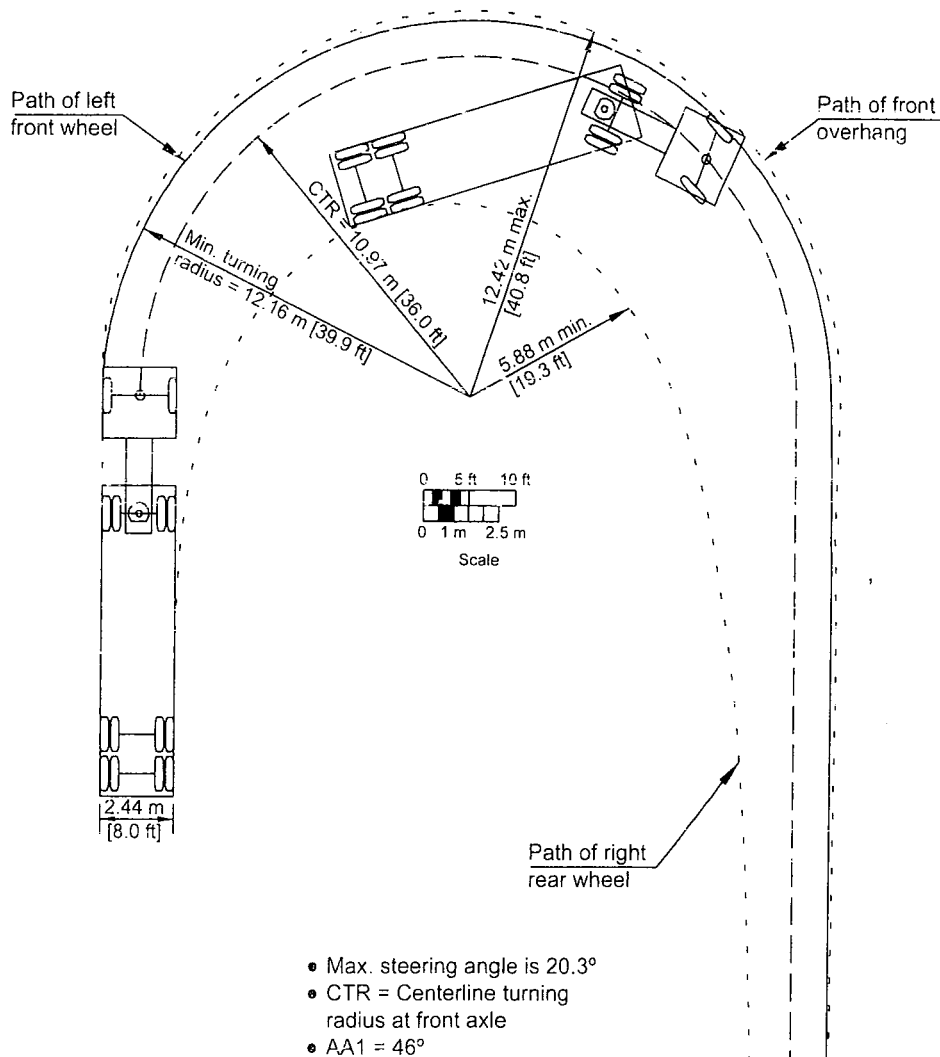
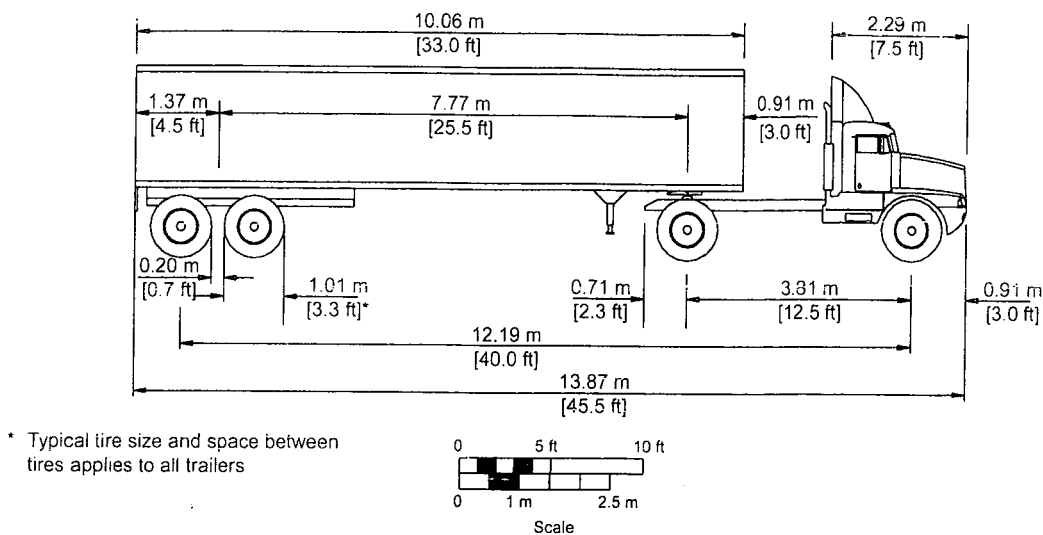


Figure 2-13. Minimum Turning Path for Intermediate Semitrailer (WB-12 [WB-40]) Design Vehicle

**Town of Harwich**  
**ZONING BOARD OF APPEALS**  
732 Main Street, Harwich, MA 02645

tel: 508-430-7506 fax: 508-430-4703



**MEMORANDUM**

TO: Building Department  
Conservation Department  
Department of Public Works  
Disability Rights Committee  
Fire Department  
Health Department  
Historic Commission  
Planning Department  
Town Engineer  
Water Department

FROM: Shelagh Delaney, Board Secretary, Zoning Board of Appeals

RE: **REQUEST FOR DEPARTMENTAL INPUT  
FOR ZONING BOARD OF APPEALS MEETINGS SCHEDULED FOR  
MARCH 21 AND MARCH 23, REGARDING THE 40B COMPREHENSIVE PERMIT  
APPLICATION OF HABITAT FOR HUMANITY**

DATE: March 9, 2017

There will be a meeting of the Zoning Board of Appeals on Wednesday, February 22, 2017 at 7:00 p.m. in the Griffin Meeting Room at Town Hall. The agenda for the evening is attached. Applications and corresponding plans may be reviewed at the Building Department.

If you have any questions or need additional information regarding the applications to be considered, please contact me by email at [sdelaney@town.harwich.ma.us](mailto:sdelaney@town.harwich.ma.us) or by telephone at (508) 430-7506.

**Please return any comments on a separate sheet of paper by Tuesday, March 14, 2017.**

Thank you.

Reviewed by: Fire (Department)

uncf (Initials) Chief

☒ No Comments

Please note the following concerns:

- ☐ Traffic safety on-site and/or surrounding area
- ☐ Emergency access
- ☐ Drainage
- ☐ Requires additional permits or review: \_\_\_\_\_
- ☐ Other/Comments: \_\_\_\_\_

*Engineering Report Read & I'm ok with plans.*  
*uncf*



# ZONING BOARD OF APPEALS

FROM  
HWY

Board of Water/Sewer Commissioners  
Department of Public Works  
Police Department  
Fire Department  
Building Commissioner

for the Zoning Board of Appeals  
for 93-97 Route 28

Hearing in the Griffin Meeting Room, 732 Main Street, Harwich, MA 02645 relative to a Comprehensive Permit application for a subdivision located at 93-97 Route 28 in West Harwich, Assessor's Map # 10, Parcels # W3-B and W5 located in the R-L Zoning District. The hearing will be held on March 3, 2017 at 7:00 PM.

**Case #2017-001** of Cape Cod, Inc. c/o Attorney Warren H. Brodie, has made application for a Comprehensive Permit pursuant to MGL Chapter 40B Sections 20-23 and 760CMR 17.00 for an eight lot subdivision to provide for 6 new single family affordable housing units, "moderate" lots and a cul-de-sac. The property is located at 93 and 97 Route 28, Harwich, Map# 10, Parcels #W3-B and W5 located in the R-L Zoning District.

**PLEASE NOTE: NO PRESENTATION OR TESTIMONY WILL BE TAKEN AT THIS MEETING.** The hearing will be opened by the Zoning Board of Appeals and will be immediately continued to a date and time certain to be announced at this meeting. Any interested member of the public is invited to attend this and future meetings and may provide information in writing to the Building Department, Town Hall, 732 Main St., Harwich. Related documents are available for review during regular business hours at the Building Department.

Under 40B, the ZBA has authority to grant all of the approvals that would otherwise separate applications under local bylaws or ordinances so obtaining comments from each Board/Committee/Commission and Department is critical for the ZBA to reach an informed decision and craft appropriate conditions of approval. The ZBA also has the authority to grant waivers of local requirements if requested by the developer and necessary to construct the proposed project. The ZBA's mechanism for taking these actions is a single comprehensive (all-encompassing) permit, the purpose of which is to expedite the approval process and facilitate construction of low or moderate income housing. The ZBA's jurisdiction includes zoning, subdivision regulations and other types of local by-laws or ordinances and regulations, e.g., a local historic district bylaw, earth removal, storm water management or local wetlands regulations. However, the ZBA does not have the authority to waive state requirements.

Your review and all **comments, which must be in writing**, should be sent to Shelagh Delaney in the Community Development Department Office on the 2<sup>nd</sup> floor of Town Hall, or in the alternative, to [sdelaney@town.harwich.ma.us](mailto:sdelaney@town.harwich.ma.us) no later than March 3, 2017 so that it can be provided to the ZBA and the applicant prior to the scheduled hearing date.

\*Sent electronically 2/7/17 with attachments

**Town of Harwich** • 732 Main Street, Harwich, MA 02645  
ph: 508-430-7506 fax: 508-430-47031

**HARWICH HISTORICAL AND HISTORIC DISTRICT COMMISSION**



March 1, 2017

David Ryer, Chairperson  
Zoning Board of Appeals  
Town Hall, 2<sup>nd</sup> Floor  
732 Main Street  
Harwich, MA 02645

ATTN: Shelagh Delaney,  
Community Development Department

Re: Case #2017-04 Habitat for Humanity of Cape Cod, Inc.  
Comprehensive Permit Application pursuant to MGL Chapter 40B, Sections 20-23 and  
760 CMR 56.00

Dear Mr. Ryer:

Thank you for the opportunity to comment on the above- referenced application. At its February 22, 2017 meeting, the HDHC voted to advise the Zoning Board of Appeals that it supports the above-referenced application by Habitat for Humanity of Cape Cod, Inc.

Please note, the HDHC gives its support with the understanding that the existing historic home located at 97 Route 28, Harwich MA (sometimes referred to as the "Chase Home") is to remain in place. HDHC's support of this application is therefore subject to the Chase Home remaining in substantially its current form and streetscape.

Thank you for the opportunity to comment. Should the Zoning Board of Appeals have any questions of the HDHC, please do not hesitate to contact me.

Very truly yours,

  
Mary A. Maslowski  
Chairperson, HDHC

cc: HDHC members



# Town of Harwich

## PLANNING DEPARTMENT

March 2, 2017

David Ryer, Chairperson  
Zoning Board of Appeals  
Town Hall, 2<sup>nd</sup> Floor  
732 Main Street  
Harwich, MA 02645

RE: Case #2017-04 Habitat for Humanity of Cape Cod, Inc.  
Comprehensive Permit Application pursuant to MGL. Chapter 40B, Sections 20-23 and 760  
CMR 56.00

Dear Mr. Ryer:

The Planning Board at their March 28, 2017 Public Meeting reviewed the above referenced application and agreed unanimously to support the application as submitted by Habitat for Humanity of Cape Cod, Inc.

Thank you for allowing the Planning Board the opportunity to comment on the application.

Sincerely,

*Aly Sabatino*

Aly Sabatino  
Town Planner



To: Zoning Board of Appeals  
From: Aly Sabatino, Town Planner  
Date: March 15, 2017

Re: **Habitat for Humanity of Cape Cod Inc, by Attorney Leedara Zola** for property located at 93 & 97 Main Street West Harwich, MA. The Applicant is seeking a Comprehensive Permit under MGL C. 40B, s 20-23 & 760 CMR 56.00 for an 8 lot proposal which includes six (6) new affordable homes and two (2) market rate homes on existing 2 lots as per the plans filed.

The Zoning Board of Appeals will hold a public hearing on this matter on not sooner than 7:00 P.M.

### **Description**

The applicant seeks a Comprehensive Permit pursuant to MGL c.40B for six affordable homes and 2 market rate homes. The application provided by Habitat for Humanity of Cape Code Inc. (“Habitat”) is well prepared and well written and therefore at this time rather than reiterating it here, I would refer you to the complete Narrative provided in the “Application for a Comprehensive Permit” dated February 2, 2017. In addition, the applicant provided the following information received and stamped in by the Town Clerk on February 2, 2017.

1. Exhibit K- Town of Harwich Application for Comprehensive Permit (Form) including Exhibits K-Z
2. Site Plan of #93 & #97 Main Street West Harwich, MA dated 1/31/17 by Daniel A Ojala, P.E., P.L.S, Down Cape Engineering

### **Waivers:**

Exhibit Z of the application packet provides a complete list of waivers required from the Harwich Zoning Bylaw and the Town of Harwich Rules and Regulations.

### **Fee:**

The applicant has requested a waiver of the application fee. The Board has never established a fee for a Comprehensive Permit Application; therefore there is no need to grant a waiver.

### **Comments from Other Boards/Committee/Departments:**

#### **Health:**

Health Director Paula Champagne reviewed the proposal to construct 6 new affordable homes on the rear portion of the lot located at 93 & 97 Route 28. The property is partially developed and currently owner occupied. She did note that we have received a letter regarding concerns over building in a flood plain. Title 5 regulations do not apply to flood plains, only velocity



zones. The comprehensive Permit application does not apply to the 2 existing dwellings on the property and will be on separate lots. Health Director Champagne recommended approval of the project with the following conditions:

1. The Harwich Board of Health will not consider any variances from Title 5.
2. The properties will be served by Town Water.
3. In order to prepare for any connection to a sewer system, a sewer line will exit the building on the street side.
4. No garbage disposal.
5. No irrigation or drinking wells will be allowed on the properties.

Regarding the request to waive fees, the BOH has a policy that fees will only be waived if the applicant can verify that the Town of Harwich funding is associated with the project. Following the meeting, staff did verify that this condition is met (amounting to approximately \$300 for the 6 homes).

Please incorporate the BOH conditions in consideration of granting the Comprehensive Permit.

#### **Cape Cod Commission:**

The project is consistent with the goal articulated in the Commission Act and RPP to promote and support efforts to address the affordable housing needs of present and future Cape Cod residents.

*Please note that the above is only the Cape Cod Commission's conclusion. Their referral response is much larger. If you would like to read the text in it's entirety please refer to their letter dated March 2, 2017.*

#### **Planning:**

The Planning Board at their March 28, 2017 Public Meeting reviewed the above referenced application and agreed unanimously to support the application as submitted by Habitat for Humanity of Cape Cod, Inc.

#### **Engineering:**

Down Cape Engineering submitted drainage calculations using the Rational Formula which is allowed by current Town regulations. The calculations show that the proposed drainage structures and infiltration system meet local and State storm water management requirements. As this will be more than one acre of disturbed area, a SWPPP is required. This is administered though Federal requirements (EPA).

The latest plan I have dated 1/31/2017 shows a paved radius of 42' within a street line of 43' radius. It is unclear to me if the 42' paved radius includes the 1' Cape Cod berm or not.

Harwich Subdivision Rules and Regulations call for a 45' paved radius in a 55' radius street line which reflects industry standards. This equates to a 45' radius road with a 10' wide "tree belt".

As shown by the attachment, the proposed 42' wide cul-de-sac is adequate for the turning radius of an intermediate semi-trailer with a wheel base of 40'. The wheel turning radius of such a vehicle is 39.9' with a front overhang radius of 40.8'. For a small local road such as this, I doubt there would be many larger commercial vehicles entering this road. The proposal calls for Cape Cod or mountable curbs which vehicles can drive over, so larger trucks can negotiate this cul-de-sac with a little encroachment on the abutting properties.

With little or no tree belt, removed snow from plowing will be plowed onto the homeowners' properties. The plower, whether Town or private should not be responsible for damage caused 5 to 10 feet from the edge of the paved roadway. Also, homeowners should not be allowed to install or plant anything immediately adjacent to the pavement which could obstruct traffic in any way even though it may be on their property.

The more compelling reason for the cul-de-sac size requirement is for public safety. That determination should come from the fire department. If the Fire Chief feels that the 42' paved cul-de-sac is adequate for his trucks then I believe the public safety issue is satisfied.

#### **Historical and Historic District Commission:**

At its February 22, 2017 meeting, the HDHC voted to advise the Zoning Board of Appeals that it supports the above-referenced application by Habitat for Humanity of Cape Code, Inc. Please note, the HDHC gives its support with the understanding that the existing historic home located at 97 Route 28, Harwich MA (sometimes referred to as the "Chase Home") is to remain in place. HDHC's support of this application is therefore subject to the Chase Home remaining in substantially its current form and streetscape.

#### **Fire Department:**

No comments regarding the application. The department has reviewed the Engineering report and agreed that they are okay with the plan.

#### **Conservation:**

Some of the area is within the AE Flood Zone. The applicant will have to get approval from the Harwich Conservation Commission. They are on the Conservation Commission's March 15<sup>th</sup> agenda, but this may be continued so that the applicant can try to receive approval from the Board of Health and Zoning Board of Appeals in this instance. It appears that primarily there will be new septic systems in the floodplain, but the houses they are associated with are outside of the flood plain.

The Conservation Commission has jurisdiction of Land Subject to Coastal Storm Flowage (aka Flood Zone)

-The only new structural items in the flood zone are the septic facilities.

-The Wetlands Protection Act, which the Conservation Commission goes by to review applications, does not have any performance standards for LSCSF. These performance standards are being drafted by DEP and hope to be in effect within the year. Essentially, the Conservation Commission looks to ensure that in the case of a flood, that the proposed activity will not cause a greater adverse impact to abutting properties as result of a deflection of flood waters.

-This project is on the very edge of the 100 year floodplain, so the risk of a flood coming this far up is extremely small.

-The Conservation Commission looks to the Board of Health when reviewing septic. If the systems can meet Title V requirements in regards to perc rate and depth to groundwater, we typically approve it in the floodplain as there are no stronger standards in Conservation.

#### **Highway Department:**

Route 28 is a State Road and the DPW does not have jurisdiction.

#### **Water/Sewer Commissioners:**

No comments have been received at this time.

#### **Police Department:**

No comments have been received at this time.

#### **Completeness of Application:**

At this time it would be my opinion that the application is complete. Because the Board has not adopted local rules consistent with MGL c 40B §20-23, The Board shall conduct business pursuant to 706 CMR 56.05 which provides the following:

1. The applicant has provided the Board with an application and a complete description of the project.
2. Preliminary Site Development plans have been submitted showing the relevant information ( Exhibit N)
3. An Existing Conditions Report has been submitted highlighting the required elements ( Exhibit N and M)
4. Preliminary Scaled Architecture Drawings have been submitted with the required elements (Exhibit O)
5. Building Tabulations have been submitted with the required elements (Exhibit N and Exhibit O)
6. Subdivision Plans have been submitted showing the eight lots, 6 affordable and 2 market rate (Exhibit N)
7. Utilities Plan has been submitted (Exhibit N)
8. Project Eligibility Letter has been provided (Exhibit L)
9. Requested Waivers have been provided (Exhibit Z)

**Planning Staff Comments:**

1. The dwellings will be served by on-site septic systems in compliance with Title V and Harwich Board of Health regulations. The Board of Health is requesting that the following conditions be placed on the permit:
  - a. The Harwich Board of Health will not consider any variances from Title 5.
  - b. The properties will be served by Town Water.
  - c. In order to prepare for any connection to a sewer system, a sewer line will exit the building on the street side.
  - d. No garbage disposal.
  - e. No irrigation or drinking wells will be allowed on the properties.
2. All proposed structures will be in Zone X.
3. The applicant must receive written agreement from the owner of 87 Main Street to allow paving in front of the lot and re-grading for slope on the northwestern property line of the subject property.

**Proposed Findings/Decision:**

The applicant has agreed to provide a Draft Decision. When the Board is at a place where it is comfortable making a decision, the Board may want to use the draft decision or refine it as necessary.

## Shelagh Delaney

---

**From:** Deputy Chief Tom Gagnon  
**Sent:** Friday, March 17, 2017 11:02 AM  
**To:** Shelagh Delaney  
**Subject:** re 93 and 97 Rte 28

Our concerns regarding this proposal will center upon the entrance and exit to Rte 28 and the ability of public safety vehicles to have access to the property. As long as any needed signed, lines of sight and access are addressed, there is no issue.

*Thomas Gagnon*  
*Deputy Chief of Police*



*Harwich Police Department*  
*183 Bisson Road*  
*Harwich, Massachusetts 02645*  
*Phone: 508-430-7541 ex 5206*  
*Fax: 508-432-2530*