Harwich Planning Board

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

**MINUTES**

**Tuesday, April 9, 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 in attendance: Duncan Berry, Ann Clark Tucker, Emily Brutti, Harry Munns and Allan Peterson.

Christine Flynn, Town Planner was also in attendance.

Chair, Duncan Berry called the meeting to order at 6:30 PM and read the following notice:

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**

Mr. Berry invited all those in the room to recite the Pledge of Allegiance.

1. **Public Hearings**

**Case # PB2024-09** 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 Path, Assessor’s Map 55, Parcels F1-1, F1-2, F1-3 and F1-4 in the RL Zoning District.

Mr. Berry read the case into the record.

Sam Speakman presented the case, restating relevant portions of the application adding that his hope was that the Board approve what he referred to as a “paper road” that would connect Shelley Path to a 4-5 acre parcel just east of it. That parcel is the subject of a Land Court case where his family is looking to gain an adverse possession title. Extending Shelley Path now would allow any lots created from that parcel to have access.

Members of the Board had a few questions but the case was subsequently continued administratively for further review.

1. **Public Meeting**

**Case 2024-13 Eastward Companies** is looking for an endorsement of an ANR plan pursuant to MGL Chapter 41, Section 81P for 2 lots located at 276 Queen Anne Road in the Industrial Limited (IL) Zoning District, Assessor’s Map 69, Parcel M1.

Mr. Berry read the case into the record.

Susan Ladue of Eastward Companies attended remotely and restated relevant portions of the application. She added that the company recently purchased the lot from the Town of Harwich and would now like to split it into 2 lots. She referred to the submitted map. Both lots would have adequate frontage on Queen Anne Rd. and would be compliant as to lot size and shape. She asked that the Board endorse the ANR request.

Ms. Flynn offered her recommendation and added that the Town’s contracted engineering firm, VHB had also suggested endorsement.

There were no public comments and no questions from Board members.

Mr. Peterson moved with a second by Ms. Clark Tucker that the Board endorse the request for an Approval Not Required pursuant to MGL Chapter 41, Section 81P for 2 lots located at 276 Queen Anne Road (the motion was amended to correct the address number) in the Industrial Limited (IL) Zoning District, Assessor’s Map 69, Parcel M1, the Board, the Planner and the Town Engineer having determined that the submitted plan does not constitute a subdivision. The Board voted in favor 5-0-0.

**John Casale, Project Manager for 585 and 581 Route 28** requesting that the Board review requirements for potential modification of a Site Plan Special Permit granted in 2011 (PB2011-28) for 585 Route 28. The Planning Board is the Special Permit Granting Authority within the Village Commercial Overlay District. According to the Village Commercial Overlay District Zoning Sections 325-51 Section (L) (4) (a) and (b), "an applicant may meet with the Planning Board at a meeting for a preapplication conference to discuss the proposed development in general terms and establish the plan filing requirements."

Jeff Handler started the discussion by introducing himself as agent for the owner, JSW LLC, John Casale, Project Manager and Charlie Whitcomb of Whitcomb Building and Remodeling, LLC. Mr. Handler gave a brief history of the building calling it an icon because it once housed Bonatt’s bakery, home of the famed meltaway pastry. The goal of the project is to create a multi-use building with a retail clothing shop on the first floor and the continuation of the apartment use on the second floor along with 2 offices. He emphasized that there would be easier accessibility, adequate parking and a place for storage on the basement level.

Ms. Clark Tucker questioned whether an easement might be needed for the parking lot and the curb cuts. Mr. Casale answered that all of the parking requirements will be met with the 20 proposed spots.

Mr. Peterson asked about the time frame and Mr. Handler answered that he was anxious to move the project forward. He added that he understands that he needs approval from the Historic District and Historic Committee. He said that he would like to name the building the “Bonatt Building” as an homage to Alice Bonatt and the legacy of the bakery. He looks forward to a full application hearing soon.

**Planning Board Business**

New Business:

1. Approval of Draft Minutes: 3/26/24

Mr. Peterson moved to approve as submitted the minutes of the March 26, 2024 meeting with a second by Ms. Clark Tucker. The Board voted in favor 5-0-0.

**V.** Comprehensive Town Planning update.

Ms. Flynn told the Board that she felt that last Saturday’s community engagement meeting was successful with about 40 people attending. There was a lot of dialogue and exchange of ideas. The consultants will soon start drafting goals and strategies based upon the surveys and community engagement meetings. Between June and September, the LCP Committee would like to meet with members of town boards and committees relative to the draft goals and strategies and to ensure that the goals and strategies are in line with local boards and committees.

Ms. Flynn also asked if anyone from the Board would be interested in being on the Hazard Mitigation Plan (HMP) Committee. The HMP meetings will be once a month for an hour from April – December and the meetings will be virtual. The 2017 HMP expired in 2022 and the National Flood Insurance program which offers discounts to homeowners requires a valid Hazard Mitigation Plan to be in place. The plan will deal with facilities and assets of the Town relative to preparedness with natural disasters and how to interface with emergency services. There will be a focus on under-served populations in order to provide information to local and regional service organizations. The HMP is updated every 5 years and will allow the Town to leverage state and federal funds. Ms. Flynn, in conjunction with the Cape Cod Commission will spearhead the HMP plan.

**Adjourn**

Mr. Peterson moved with a second by Ms. Clark Tucker to adjourn the meeting at 7:32 PM. The Board voted 5-0-0 in favor.

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