

SELECTMEN'S MEETING AGENDA*

*Griffin Room, Town Hall
732 Main Street, Harwich, MA
Executive Session 5:45 P.M.
Regular Meeting 6:30 P.M.
Monday, April 3, 2017*

I. CALL TO ORDER

II. EXECUTIVE SESSION – Pursuant to MGL c.30A §21(3) to discuss strategy with respect to collective bargaining if an open meeting may have a detrimental effect on the bargaining position of the public body – Golf Department; and pursuant to MGL c.30A, §21(2) to conduct strategy sessions in preparation for negotiations with non-union personnel or to conduct collective bargaining sessions or contract negotiations with non-personnel – Town Administrator Evaluation

III. PLEDGE OF ALLEGIANCE

IV. WEEKLY BRIEFING

V. PUBLIC COMMENT/ANNOUNCEMENTS

VI. CONSENT AGENDA

A. Approve Minutes

1. March 20, 2017 Executive Session

B. Confirm committee appointments as recommended:

<u>Appointee:</u>	<u>Committee:</u>	<u>Expiration:</u>
Carol Porter	Real Estate and Open Space	2018
Courtney West	Cultural Council	2019

C. Confirm appointment of Michael Serijan to the position of Office Assistant in the Golf Department

D. Approve application for a change of manager for The Belmont Beach Club liquor license

VII. PUBLIC HEARINGS/PRESENTATIONS (Not earlier than 6:30 P.M.)

VIII. OLD BUSINESS

IX. NEW BUSINESS

A. POCCA Cape Cod update on Eversouce Yearly Operational Plan (YOP) submitted to MDAR – Laura Kelley

B. Selectmen's assignment of Articles

C. One Liners Update

X. TOWN ADMINISTRATOR'S REPORT

A. 35 Chatham Road update

B. TD Bank Parking Lot

C. Jay Z Drive update

XI. SELECTMEN'S REPORT

XII. ADJOURNMENT

**Per the Attorney General's Office: The Board of Selectmen may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting following "New Business." If you are deaf or hard of hearing or a person with a disability who requires an accommodation contact the Selectmen's Office at 508-430-7513.*

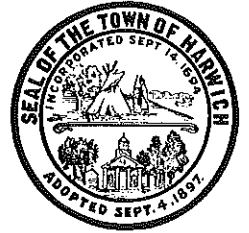
Authorized Posting Officer:

Posted by: _____

Town Clerk

Sandra Robinson, Admin. Secretary

Date: _____
March 30, 2017



MEMO

TO: Board of Selectmen

FROM: Jannell Brown, Michael MacAskill
Selectmen's Interview/Nomination Committee

RE: Committee Appointment Recommendations

DATE: April 3, 2017

Following posted interviews held on Friday, March 24, 2017, we would like to recommend to the Board the following appointments:

1. Carol Porter as a member of the *Real Estate and Open Space Committee* to serve an unexpired term to June 30, 2018
2. Courtney West as a member of the *Harwich Cultural Council* to serve a 3-year term to June 30, 2019

**Selectmen's Interview/Nominations Subcommittee
Selectmen's Office, Town Hall
Friday, March 24, 2017
2:30 p.m.**

AGENDA

I. CALL TO ORDER

II. NEW BUSINESS

- A. Interview applicant(s) for various committee vacancies including but not limited to:
 - 1. Real Estate and Open Space Committee
 - 2. Harwich Cultural Council

- B. Miscellaneous discussion regarding appointments and/or procedure

III. ADJOURNMENT

**Per the Attorney General's Office: The Board of Selectmen may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting following "New Business."*

If you are deaf or hard of hearing or are a person with a disability who requires an accommodation, contact the Selectmen's Office at (508) 430-7512 ext. 2

Authorized Posting Officer:

Posted by: Paula West
Asst. **Town Clerk**

Sandra Robinson
Sandra Robinson, Admin. Secretary

Date: March 21, 2017



OFFICE OF THE TOWN ADMINISTRATOR

Phone (508) 430-7513

Fax (508) 432-5039



Christopher Clark, Town Administrator

732 MAIN STREET, HARWICH, MA 02645

March 28, 2017

Michael Serijan

Dear Mr. Serijan:

Congratulations on your appointment as Office Assistant for the Town of Harwich. I look forward to your positive contributions to our town's Golf Department.

This conditional offer letter confirms our understanding of your pre-employment terms with the Town.

- Pursuant to the Town Charter the Town Administrator makes the appointment for this position subject to confirmation by the Board of Selectmen. Your name has been put forth for confirmation. Successful confirmation will be needed to finalize appointment.
- The Town will arrange for a Pre-Employment Physical that must be successfully completed.
- You are requested to provide C.O.R.I. information for the Town to review due to your interaction with the public.

Please read the letter and confirm your understanding of the terms of your employment by signing the bottom of the letter and returning a copy to us for your personnel file.

Your position title will be Office Assistant and your starting date is April 4, 2017. This position is included in the Harwich Employee's Association and your employment is subject to the rights and obligations included in the contract which is attached. Your starting salary will be \$20.26 per hour (Grade 3, Step 2). In addition, you will receive a 2% cost of living increase on July 1, 2017.

Again, we are delighted that you are joining the Town's professional staff. Please feel free to contact me if you have any questions prior to beginning work.

Sincerely,

Christopher Clark
Town Administrator

Attachment

Michael Serijan

Date: 3/28/17

CC: Board of Selectmen ✓
Director of Golf
Town Accountant

Town Treasurer
Personnel File



HARWICH Police

DEPARTMENT

183 Sisson Road, Harwich, MA 02645

Tel 508-430-7541 Fax 508-432-2530



DAVID J. GUILLEMETTE
Chief of Police

THOMAS A. GAGNON
Deputy Chief

Memorandum

TO: Board of Selectmen
Christopher Clark
Town Administrator

FROM: David J. Guillemette
Chief of Police

DATE: March 28, 2017

SUBJECT: Application for a Change to a Liquor License (Manager Change) for
The Belmont Beach Club d/b/a The Beach, 1 Belmont Road, West
Harwich.

The Police Department has no objections regarding the Application for a liquor license change of manager to Ruth Valentine for The Belmont Beach Club Corp. d/b/a The Beach, 1 Belmont Road, West Harwich. A background investigation of the proposed individual(s) indicates no liquor code violations or disqualifying history.

If you have any questions or need further clarification, please feel free to contact me at your earliest convenience.





The Commonwealth of Massachusetts
Alcoholic Beverages Control Commission
239 Causeway Street
Boston, MA 02114
www.mass.gov/abcc

AMENDMENT APPLICATION FOR A CHANGE OF MANAGER

Please complete this entire application, leaving no fields blank. If field does not apply to your situation, please write N/A.

1. NAME OF LICENSEE (Business Contact)	Belmont Beach Club Corp, DBA The Beach
ABCC License Number	050600001
City/Town of Licensee	West Harwich

2. APPLICATION CONTACT

The application contact is required and is the person who will be contacted with any questions regarding this application.

First Name:	Jay	Middle:		Last Name:	Donovan
Title:	Authorized Representative	Primary Phone:	508-432-8028		
Email:	belmontmanager@comcast.net				

3. BUSINESS CONTACT

Please complete this section **ONLY** if there are changes to the Licensee phone number, business address (corporate headquarters), or mailing address.

Entity Name:				
Primary Phone:		Fax Number:		
Alternative Phone:		Email:		

Business Address (Corporate Headquarters)

Street Number:	1	Street Name:	Belmont Road (Managers Office)		
City/Town:	West Harwich	State:	MA		
Zip Code:	02671	Country:	USA		

Mailing Address

Check here if your Mailing Address is the same as your Business Address

Street Number:		Street Name:			
City/Town:		State:			
Zip Code:		Country:			

APPLICATION FOR A NEW RETAIL ALCOHOLIC BEVERAGES LICENSE

4. MANAGER CONTACT

The Manager Contact is required and is the individual who will have day-to-day, operational control over the liquor license.

Salutation First Name Middle Name Last Name Suffix

Social Security Number Date of Birth

Primary Phone: Email:

Mobile Phone: Place of Employment

Alternative Phone: Fax Number:

Citizenship / Residency / Background Information of Proposed Manager

Are you a U.S. Citizen? Yes No

Do you have direct, indirect, or financial interest in this license? Yes No

Have you ever been convicted of a state, federal, or military crime? Yes No
If yes, attach an affidavit that lists your convictions with an explanation for each

If yes, percentage of interest

Have you ever been Manager of Record of a license to sell alcoholic beverages? Yes No

If yes, please indicate type of interest (check all that apply):

Officer Sole Proprietor
 Stockholder LLC Manager
 LLC Member Director
 Partner Landlord
 Contractual Revenue Sharing
 Management Agreement Other

If yes, please list the licenses for which you are the current or proposed manager:

Please indicate how many hours per week you intend to be on the licensed premises

Employment Information of Proposed Manager

Please provide your employment history for the past 10 years

Date(s)	Position	Employer	Address	Phone
1985-2017	Executive chef/owner	SELF	Bramble Inn 2019 Main St Brewster MA 02631	508 896 7044

Prior Disciplinary Action of Proposed Manager

Have you ever been involved directly or indirectly in an alcoholic beverages license that was subject to disciplinary action? If yes, please complete the following: NO

Date of Action	Name of License	State	City	Reason for suspension, revocation or cancellation



The Belmont Condominium Trust

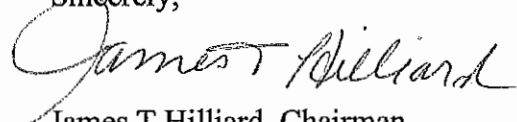
Alcoholic Beverage Control Commission
239 Causeway Street
Boston, MA 02114

March 21, 2017

To whom this may concern,

The Corporate Board of the Belmont Condominium Trust met on March 21, 2017 to appoint Ruth Manchester of Silverstrand Inc., as manager of the Belmont Beach Club Restaurant; aka The Beach.

Sincerely,


James T Hilliard, Chairman

Other Board Members

John Burleson, Vice President
Terrence Milka, Secretary
Cornelius Donovan, Treasurer
John Hackett
Steven Daily
Norman Katz

Sandy Robinson

From: POCCA CAPE COD <poccapcod@gmail.com>
Sent: Wednesday, March 29, 2017 2:07 PM
To: Sandy Robinson
Subject: Re: Harwich Agenda

Hello Sandy ~

I request being on the agenda of Harwich BOS to ask #2 things of them:

1 - request of board to write a letter to MDAR when MDAR approves the YOP 2017

2 - go over what neighboring towns: Brewster, Orleans, Eastham and Dennis did last year that is working to see if BOS Harwich wishes to join them.

I will be present as POCCA Cape Cod's president to educate BOSelectmen what they can do to make the next move.

Also I will be bringing Bruce Taub, he is representing all #4 towns listed above and we wish to broaden our range to include more towns. Now is the time to join the mission.

Please allow the BOSelectmen a chance to listen to what we are offering in hopes they wish to join more towns this year.

Thank you for reaching your board with these requests. Do let me know what time we should arrive for the meeting.

All The Best,
Laura Kelley
774.353.6511

On Wed, Mar 29, 2017 at 9:09 AM, Sandy Robinson <srobinson@town.harwich.ma.us> wrote:

Hi Laura: We met today to set the agenda for next Monday's meeting. The Chair asked for more information before putting your request on the agenda. He would like to fully understand what you will be proposing before we add you to the agenda. Please advise.

Thank you, Sandy

Sandy Robinson

From: POCCA CAPE COD <poccapcod@gmail.com>
Sent: Friday, March 10, 2017 2:13 PM
To: Sandy Robinson; Christopher Clark
Cc: POCCA Cape Cod
Subject: Request to Harwich Selectmen in March

March 10, 2017

Dear Harwich Town Selectmen ~

Today I write to your town with a request, as I did last year and the year before. All towns joined in this effort to protect their town owned land and privately owned land, for that I personally thank you. The window of time to do that again is now.

Would your town Council please write a comment against the 2017 YOP (Yearly Operational Plan) written by Eversource that was submitted to MDAR (Massachusetts Department of Agricultural Resources) that lists the use of 5 different herbicides to maintain vegetation along ROW (Rights-of-ways) to maintain access to their power lines, and submit it to the three places listed below? The simplest alternative is for Eversource to go back to mowing but in the Fall.

In it is coming increasingly clear that these herbicides are harmful to human health, our environment and our drinking water, we all should air on the side of caution, now is a chance.

The Eversource 2017 Yearly Operational Plan (YOP) lists the following ten Cape towns identified for spraying: Barnstable, Bourne, Brewster, Chatham, Dennis, Falmouth, Harwich, Orleans, Sandwich, and Yarmouth. The YOP reads: <http://www.mass.gov/eea/docs/agr/pesticides/rightofway/yop/eversource-energy-yop-2017-cape-cod-and-islands.pdf> <<http://www.mass.gov/eea/docs/agr/pesticides/rightofway/yop/eversource-energy-yop-2017-cape-cod-and-islands.pdf>>

It is a critical time to send MDAR fact-based reasons why your town doesn't support the 2017 YOP by Eversource. The deadline to submit a comment is March 27th at 5pm. Please :cc our State Senator Julian Cyr, as well as POCCA Cape Cod for our records, I thank you.

Feel free to contact me with any questions and I thank your town ahead of time for continuing to support this Cape-wide effort.

Respectfully,

Laura Kelley

President of POCCA Cape Cod

North Eastham, Mass

BOS VOTE	FINCOM VOTE	ART#	Selectman Discussion by:	Oneliners ATM May 1, 2017				BOS Recom.	FinCom Recom	Tax levy	Free Cash	CPC	Water Ent.	Debt/Capital Exclusion	Local Receipts	Other	ART#
				Petitioner	Request	TA Recom.											
4-0-0	6-0-0	1	Jannell	Town Officers & Committees	Customary											1	
4-0-0	6-0-0	2	Jannell	Reports of Town Officers & Comms.	Customary											2	
4-0-0	6-0-0	3	Jannell	Elected Officials Salaries	Customary											3	
4-0-0	8-1-0	4	Peter	Town Operating Budget	BOS	\$ 33,706,441	\$ 33,706,441		\$ 20,290,966	\$ 81,130		\$ 650,178		\$ 11,358,779	\$ 1,325,388	4	
5-0-0	8-1-0	5	Julie	MRSD Budget (Tax Levy)	MRSC/Supt	\$ 24,787,671	\$ 24,787,671	\$ 24,563,557	\$ 24,787,671	\$ 24,563,557						5	
	8-1-0	5	Julie	MRSD (Capital Only)				\$ 224,114		\$ 224,114						5	
4-0-0	8-0-0	6	Julie	CC Tech School Budget	Supt.	\$ 1,487,362	\$ 1,487,362	1,487,362	\$ 1,487,362	\$ 1,487,362						6	
4-0-0	7-0-0	7	Michael	Water Department Budget	Water Com.	\$ 4,126,594	\$ 4,126,594	4,126,594	\$ 4,126,594			\$ 4,126,594				7	
5-0-0	6-0-0	8	Julie	Adopt Capital Plan	BOS			116,819	\$ 116,819		\$ 116,819					8	
5-0-0	6-0-0	9	Julie	Cap Items Under \$50K from Free Cash	BOS	\$ 116,819	\$ 116,819	116,819	\$ 116,819		\$ 116,819					9	
5-0-0	7-0-1	10	Julie	Facility Maint & Repair Fund	BOS	\$ 808,086	\$ 808,086	808,086	\$ 808,086		\$ 774,156	\$ 33,930				10	
5-0-0	8-0-0	11	Peter	Design & Construction of Sewers in Pleasant Bay Watershed	BOS	\$ 9,035,000	\$ 9,035,000	\$ 9,035,000	\$ 9,035,000				\$ 9,035,000			11	
5-0-0	8-0-0	12	Peter	Cold Brook Project	BOS	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000	\$ 2,000,000				\$ 2,000,000			12	
	8-0-0	13	Peter	Enact Sewer Bylaw	BOS											13	
5-0-0	5-3-0	14	Michael	Fund Replacement of Fire Pumper	FIRE	\$ 420,000	\$ 420,000	420,000					\$ 420,000		FinCom voted to fund from Stabilization	14	
5-0-0	8-0-0	15	Michael	Fund Plans & Bid Docs for Station 2	FIRE	\$ 310,000	\$ 310,000	310,000					\$ 310,000			15	
5-0-0	8-0-0	16	Angelo	Golf Course Landscape Reclamation & tree removal	Golf	\$ 43,000	\$ 43,000	43,000							\$ 43,000	16	
5-0-0	8-0-0	17	Angelo	Golf Course Irrigation Update and system rebuild	Golf	\$ 39,000	\$ 39,000	39,000							\$ 39,000	17	
5-0-0	8-0-0	18	Angelo	Reconst of Maint & Operations Infrastructure at Golf Course	Golf	\$ 1,200,000	\$ 1,200,000	1,200,000					\$ 1,200,000			18	
4-0-0	8-0-0	19	Angelo	Replacement of Round Cove Boat Ramp	Harbor	\$ 177,070.25	\$ 177,070.25	\$ 177,070.25	\$ 177,070.25						\$ 177,070.25	19	
4-0-0	7-0-1	20	Angelo	Fund Saquatucket Harbor Landside Project	Harbor	\$ 3,000,000	\$ 3,000,000		\$ 3,000,000				\$ 3,000,000			20	
4-0-0	8-0-0	21	Michael	Purchase & Equip DPW Vehicles	DPW	\$ 390,000	\$ 390,000		\$ 390,000	\$ 390,000						21	
4-0-0	8-0-0	22	Michael	Fund Road Maint Program	DPW	\$ 700,000	\$ 700,000	\$ 700,000	\$ 700,000				\$ 700,000			22	
5-0-0	8-0-0	23	Michael	Fund Water Dept Vehicles	Water Com.	\$ 107,855.50	\$ 107,855.50	\$ 107,855.50	\$ 107,855.50			\$ 107,855.50				23	
5-0-0	8-0-0	24	Michael	Fund Replacement of Old Water Service along Nat'l Grid Project	Water Com.	\$ 400,000	\$ 400,000	\$ 400,000	\$ 400,000			\$ 400,000				24	
5-0-0	7-0-0 (N)	25	Michael	CPC - Reserve for future appropriations	CPC											25	
5-0-0	7-0-0	26	Michael	CPC - Fund Land Bank Debt Service	CPC	\$ 608,950	\$ 608,950	\$ 608,950	\$ 608,950		\$ 608,950					26	
5-0-0	6-1-0	27	Michael	CPC - Restoration of Chase Library Chimney	CPC	\$ 5,100	\$ 51,000	\$ 5,100	\$ 5,100		\$ 5,100					27	
5-0-0	7-0-0	28	Michael	CPC - Whitehouse Field Irrigation	CPC	\$ 28,500	\$ 28,500	\$ 28,500	\$ 28,500		\$ 28,500					28	
5-0-0	7-0-0	29	Michael	CPC - Brooks Park exp/imp Phase #4	CPC	\$ 167,900	\$ 167,900	\$ 167,900	167,900		\$ 167,900					29	

BOS VOTE	FINCOM VOTE	ART#	Selectman Discussion by:	Oneliners ATM May 1, 2017				BOS Recom.	FinCom Recom	Tax levy \$ 46,806,835	Free Cash \$ 1,984,792	CPC \$ -	Water Ent.	Debt/Capital Exclusion \$ -	Local Receipts \$ 10,899,086	Other \$ -	ART#
				Petitioner	Request	TA Recom.											
4-0-0	7-1-0	38	Peter	12. Ch. 7, §7-11-1 Cultural Council "not less than 5 nor more than 22 members"	BOS											38	
4-0-0	7-1-0	38	Peter	13. Ch. 7, §7-12-1 ZBA "not less than 3 nor more than 5 members & 5 Assoc. Members"	BOS											38	
4-0-0	7-1-0	38	Peter	14. Ch. 7, §7-13-1 Golf Comm "delete "7 members" & include appt by the BoS "as outline in Ch.7, Art. III" & §7-13-2 change wording of their authority.	BOS											38	
4-0-0	7-1-0	38	Peter	15. Ch. 7, §7-14-1 Waterways Comm delete "7 members & 2 Alt." & incl appt by the BoS "as outline in Ch.7, Art. III"	BOS											38	
4-0-0	7-1-0	38	Peter	16. Ch. 7, §7-15-1 Cemetery Comm delete "3 members" and include appt by the BoS "as outline in Ch.7, Art. III"	BOS											38	
4-0-0	7-1-0	38	Jannell	17. Ch 7, §7-16-1 Bylaw/Charter Review Comm delete "5 members" and include appt by the BoS "as outline in Ch.7, Art. III"	BOS											38	
4-0-0	8-0-0	39	Jannell	Chase & H.Port Libraries Defrey Expenses	Petitioned	\$ 20,000	\$ 20,000	\$ 20,000			\$ 20,000					39	
4-0-0	8-0-0	40	Jannell	Promote Harwich	Petitioned	\$ 35,000	\$ 25,000	\$ 25,000			\$ 25,000					40	
4-0-0	8-0-0	41	Jannell	Annual Allocation of Mass Cultural Council	Culture Council	\$ 3,000	\$ 3,000	\$ 3,000			\$ 3,000					41	
4-0-0 IPP	9-0-0 IPP	42		Refrain from Enforcing-Federal Immigration Law	Petitioned											42	
4-0-0 IPP	6-3-0 IPP	42	Angelo	Prohibit Demolition of W. Harwich School	Petitioned											42	
4-0-0 IPP	6-3-0 IPP	43	Peter	Purchase & Install Historic Windows in W. Harwich School	Petitioned											43	
3-1-0 IPP	6-2-1 IPP	44	Jannell	Use of Harwich Middle School for Town Owned Housing	Petitioned	\$ 65,000										44	
5-0-0	6-3	46		Funding Tree- Replacement for- Cemetery Dept.	-Cemetery-											46	
4-0-0	9-0-0	45	Julie	Departmental Revolving Funds Authorization	BOS											45	
4-0-0	6-2-1	46	Jannell	Est. Harwich Middle School Revolving Account	Com Ctr Dir & TA											46	
4-0-0	9-0-0	47	Peter	Est. Annual Sidewalk Revolving Fund	Planning Board											47	
4-0-0	6-3	48	Peter	Est. Departmental Revolving Funds	BoS											48	
4-0-0	9-0 (N)	49	Julie	Stabilization Fund	BOS	\$ 100,000	\$ 100,000	\$ 100,000			\$ -					49	

BOS VOTE	FINCOM VOTE	ART#	Selectman Discussion by:	Oneliners ATM May 1, 2017				FinCom Recom	Tax levy	Free Cash	CPC	Water Ent.	Debt/Capital Exclusion	Local Receipts	Other	ART#	
				Petitioner	Request	TA Recom.	BOS Recom.										
4-0-0	9-0 (N)	50	Julie	OPEB Fund	BOS	\$ 100,000	\$ 100,000	\$ 100,000		\$ 25,000					50		
4-0-0	8-0-0	51	Julie	Fund Prior Yrs Bills	FinCom	\$ 2,877.87	2,877.87	\$ 2,877.87		\$ 2,877.87					51		
4-0-0	8-0-0	52	Julie	Municipal Modernization Act - Uses of Bond Premiums	BOS										52		
4-0-0	8-0-0	53	Jannell	Compensating Bal Agreement	Customary										53		
4-0-0	8-0-0	54	Jannell	Liability Tidal/Non-Tidal Rivers	Customary										54		
4-0-0	8-0-0	55	Jannell	Herring Fisheries	Customary										55		
			Total ATM May 2017														
			Balances				\$ 84,117,026.62	83,387,926.62	46,721,471.62	\$ 82,684,426.62	\$ 46,341,885	\$ 1,735,096.87	\$ 863,250	\$ 5,318,557.50	\$ 16,665,000	\$ 11,358,779	\$ 1,584,457.98
NOTE:			Art. 45	To be funded from the Perpetual Care Fund.													
NOTE:																	
NOTE:																	
NOTE:																	
**			No Recommendation Pending Further Information ((NRPFI)														
***			Indefinitely Post-Pone (IPP)														
Special Town Meeting																	
Articles																	
5/2/2017																	
4-0-0	9-0	1		Snow & Ice Deficit		\$ 295,000	\$ 295,000			\$ 245,506					1		
4-0-0	9-0 (N)	2		Budget Shortfalls											2		
						\$ -	0.00	-	-	\$ -	\$ -	\$ -	-	\$ -			
				Sub Total		\$ -	295,000.00	295,000	-	\$ 245,506	\$ -	\$ -	-	\$ -			
				2016		\$ -	295,000.00	295,000	-	\$ 245,506	\$ -	\$ -	-	\$ -			
				Totals Used	Total Appropriated		245,506.00	295,000	-	\$ 245,506	\$ -	\$ -	-	\$ -			
				Tax Levy Balance & other balance							\$ -	\$ -	-	\$ -			
				Tax Rate Recap													
				Court Orders													
				Debt & Interest													
				Snow & Ice	Prior Year												
				Cherry Sheet													
				Assessments													
				OverlayFY2016				460,000									
				Cherry Sheet Offsets						\$ -	\$ -	\$ -	-	\$ -			
				Total Recap					460,000	\$ -	\$ -	\$ -	-	\$ -			
				Balance					\$ 4,950	\$ 4,189	\$ -	\$ -	\$ -	\$ -			



Town of Harwich

PLANNING DEPARTMENT

Michael Ulrich, President
Harwich Chamber of Commerce
One Schoolhouse Road
Harwich Port, MA 02646

March 29, 2017

Dear Michael Ulrich and Members of the Chamber,

The Town of Harwich received a letter on January 23, 2017 regarding the Waiver of Site Plan Review (case number PB2016-11) for TD Bank Parking at 536 Route 28/ 0 School House Road from Alfred Roberts and Tracey Fraser, residents of Lewis Lane.

The Planning Board's Decision from 2016 includes the following conditions placed on the Waiver of Site Plan Review:

1. Barriers shall be placed so that the only access to the proposed lot will be from the municipal parking lot.
2. The barriers shall be aesthetically pleasing as determined by the Town of Harwich in conjunction with the Planning Board.

After inspection of the gate installed as a barrier between the municipal parking lot and TD Bank's parking lot, the gate was left in an open position allowing traffic to enter and exit from the municipal parking lot into TD Bank's parking lot. As per the decision, the gate has now been closed and locked.

Additionally, please note that in order to create a more aesthetically pleasing barrier as requested in the January 23, 2017 letter, I plan to contact Harwich's Garden Club to determine if they can put planters around the gate as done in Harwich Port during the warmer months.

Please let me know if you have any questions, or would like to discuss the above in more detail.

Thank you,

Aly Sabatino
Town Planner

Enc. Letter received on 1/23/17

c.c. Christopher Clark, Town Administrator



Town of Harwich

PLANNING DEPARTMENT

Amy J. Camenga
TD Bank, Harwich Port Branch
536 Main Street
Harwich Port, MA 02646

March 29, 2017

Dear Amy J. Camenga,

The Town of Harwich received a letter on January 23, 2017 regarding the Waiver of Site Plan Review (case number PB2016-11) for TD Bank Parking at 536 Route 28/ 0 School House Road from Alfred Roberts and Tracey Fraser, residents of Lewis Lane.

The Planning Board's Decision from 2016 includes the following conditions placed on the Waiver of Site Plan Review:

1. Barriers shall be placed so that the only access to the proposed lot will be from the municipal parking lot.
2. The barriers shall be aesthetically pleasing as determined by the Town of Harwich in conjunction with the Planning Board.

After inspection of the gate installed as a barrier between the municipal parking lot and TD Bank's parking lot, the gate was left in an open position allowing traffic to enter and exit from the municipal parking lot into TD Bank's parking lot. As per the decision, the gate has now been closed and locked.

Additionally, please note that in order to create a more aesthetically pleasing barrier as requested in the January 23, 2017 letter, I plan to contact Harwich's Garden Club to determine if they can put planters around the gate as done in Harwich Port during the warmer months.

Please let me know if you have any questions, or would like to discuss the above in more detail.

Thank you,

Aly Sabatino
Town Planner

Enc. Letter received on 1/23/17

c.c. Christopher Clark, Town Administrator



Town of Harwich

PLANNING DEPARTMENT

TO: Chris Clark, Town Administrator
FROM: Aly Sabatino, Town Planner
RE: TD Bank and Lewis Lane
DATE: March, 14 2016

I have reviewed the Planning Board's Decision allowing for a Waiver of Site Plan Review (case number PB2016-11) for TD Bank Parking at 536 Route 28/ 0 School House Road and the letter that was sent on January 23, 2017 and forwarded to the Planning Department on January 31, 2017 from Alfred Roberts and Tracey Fraser residents of Lewis Lane.

The Planning Board's Decision from 2016 includes the following conditions placed on the Waiver of Site Plan Review:

1. Barriers shall be placed so that the only access to the proposed lot will be from the municipal parking lot.
2. The barriers shall be aesthetically pleasing as determined by the Town of Harwich in conjunction with the Planning Board.

I have spoken with Mr. Roberts and Ms. Fraser numerous times and after inspection of the gate installed as a barrier between the municipal parking lot and TD Bank's parking lot, the gate was left in an open position allowing traffic to enter and exit from the municipal parking lot into TD Bank's parking lot. I contacted DPW to close and lock the gate as required by the Planning Board's decision and the gate is now closed and locked.

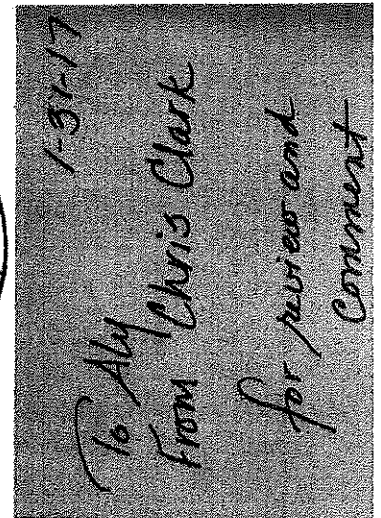
Additionally, Mr. Roberts and Ms. Fraser have stated that the existing gate put in by the Town is not aesthetically pleasing as required in the Planning Board's decision. To quell their concerns regarding the aesthetically pleasing nature of the gate, I will contact Harwich's Garden Club to determine if they can put planters around the gate as done in Harwich Port during the warmer months.

I have also spoken with Sergeant Aram Goshgarian as he oversaw a Vehicle Count vs Speed Study for Lewis Lane which is referenced in the letter. He stated that at the time of the study he had recommended to Mr. Roberts and Ms. Fraser that removable speed bumps be placed on Lewis Lane to decrease the speed of traffic down Lewis Lane. Mr. Roberts and Ms. Fraser have indicated that they are looking into obtaining these.

Please let me know if there is any additional information that is needed.

7 Lewis Lane
Harwich Port, MA 02646
January 18, 2017

Board of Selectmen
Town of Harwich
Town Hall
732 Main Street
Harwich, MA 02645



Re: Lewis Lane, a private way, and the Schoolhouse Municipal Lot expansion into the TD Bank parking lot

Dear Board Members,

As homeowners and year-round residents of Lewis Lane, a private way, we value a healthy relationship with the Town and with our residential and commercial neighbors in the "Port".

Since you may not be fully aware of the status of Lewis Lane, here is some background information. Lewis Lane was established as, and still is, a private way. It is owned collectively by the homeowners, and the Town does not maintain the road surface, pay for the street light, or plow the Lane in the winter. In 1954 a right of way was granted to Cape Cod Five Cents Savings Bank alone by residents of Lewis Lane "for all purposes in and over...a private way shown as Lewis Lane..." Over the years, however, the Lane has become a convenient access route for customers of both Cape Cod Five and TD Bank, as well as for drivers merely transiting between Main St. and Pleasant St. An existing gate that was used to limit traffic speed on the Lane was removed by Cape Cod Five in 2016.

We write to address the effect that the recent expansion of the Schoolhouse Municipal Lot onto the TD Bank property has had on Lewis Lane. At the Planning Board meeting of May 24, 2016, the request for a Waiver of Site Plan that was approved contained two stipulations:

"1) That there be barriers placed so that the only access to the proposed lot would be from Schoolhouse Municipal Lot, and 2) that said barriers be aesthetically pleasing as determined by the Town of Harwich in conjunction with the Planning Board." (Planning Board Minutes, Town Hall, Griffin Room, Tuesday, May 24, 2016 - 6:30 PM)

Our primary concern is that neither of these stipulations have been honored by the Town of Harwich. We attended the meeting. A gate, never discussed during the public meeting nor a component of the approved motion, was installed in the fence barrier and is locked in the open position, allowing for full-time direct access between

the Schoolhouse Municipal Lot expansion and the TD Bank parking lot. This results in traffic entering and exiting the Municipal Lot via Lewis Lane. Nor were 'aesthetically pleasing' barriers installed, despite the motion. Although not reflected in the minutes, we discussed with the Planning Board at the meeting, and were led to believe, that large planters would comprise the 'aesthetically pleasing' barriers.

The Schoolhouse Municipal Lot expansion has thus contributed to the very unsafe conditions which occur during Chamber of Commerce-sponsored events, specifically the Port Summer Nights, the Hometown Parade and the Christmas in Harwich Stroll. The Main St. entrance and exit for parking in the Cape Cod Five and TD Bank lots is blocked, and thus Lewis Lane becomes the main access for those lots. The speed of vehicles using Lewis Lane to access the banks' lots, and vehicles parking on both sides of Lewis Lane, have created a dangerous situation for pedestrians who are walking in the Lane. In the event of an emergency at the banks or at the Lane residences, emergency vehicles would not be successful in quickly responding due to the restricted passage way. Sergeant Aram Goshgarian, the Harwich Police Department Traffic Unit Supervisor, noted on the evening of the last Harwich Port Music stroll, August 24, 2016, that safety on Lewis Lane during Chamber-sponsored events needed to be addressed. He indicated to us the need to restrict Lewis Lane to either a one-way street, and/or permit parking on only one side during such events, since there is no traffic control provided by the town. As an example of how extreme the parking situation becomes, a large truck was parked completely on our neighbor's front lawn during the Christmas in Harwich Stroll. Sergeant Goshgarian later indicated to us he had recommended that event authorities monitor traffic on Lewis Lane.

Sergeant Goshgarian also oversaw a Vehicle Count vs Speed Study for Lewis Lane, from July 14, 2016 at 4:00 p.m. to July 18, 2016, at 3:00 p.m. The results indicated 719 vehicles used Lewis Lane during that four day period. We consider this to be an excessive amount of traffic, and it was certainly not all customers of Cape Cod Five. Ironically, per the study, speed was not identified as a major concern; however, the State-recommended speed limit for Lewis Lane is 30 mph. As the local Traffic Division has no precedence to establish municipal speed limits, Sergeant Goshgarian indicated 30 mph was clearly an excessive speed for Lewis Lane's length and width. If 20 mph were the recommended speed, according to the study 85% of the 719 vehicles would have been traveling at speeds over 20 mph. And also according to the study, speeds as high as 40 mph were recorded.

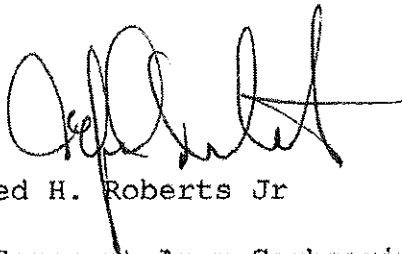
The Schoolhouse Municipal Lot expansion, and the Town's failure to comply with the stipulations of the motion, have resulted in Lewis

Lane becoming more heavily trafficked. We would also argue that the expansion has led to further violations of the right of way. As previously noted, the residents of Lewis Lane have the financial responsibility for all maintenance and the yearly fee for a street light. Will the Town of Harwich take responsibility for any of these items now that the Schoolhouse Municipal Lot expansion offers Lewis Lane as an optional traffic way for the Town?

We appreciate your attention to our concerns and look forward to an on-going dialog to successfully address the increased and unauthorized use of Lewis Lane.

We may be reached by mail at the above address, by telephone at 508-432-2564, or by email to either sapper_12b@yahoo.com or t.fraser14@yahoo.com.

Yours truly,



Alfred H. Roberts Jr



Tracey L. Fraser

cc: Sergeant Aram Goshgarian, Harwich Police Department