

**Harwich Planning Board Agenda**  
**Griffin Room, Town Hall, 732 Main Street, Harwich**  
**Tuesday, January 14, 2020 – 6:30 PM**

**I. Call to Order**

*Recording & Taping Notification – As required by law, the Town may audio or video record this meeting. Any person intending to either audio or video record this open session is required to inform the chair.*

**II. Public Hearing**

- A. Continued PB2019-27 Wychmere Harbor Real Estate LLC**, applicant & owner, c/o Attorney Andrew Signer, representative, seeks to amend a Site Plan Review Special Permit granted in Case PB2010-26 by making improvements to the existing beach club; including replacing the existing restaurant/pool equipment building, two swimming pools, the pool decking and other site improvements with a new restaurant building, a small restroom and retail building, a pavilion expansion, two smaller swimming pools and a new concrete pool deck, and various beach amenities. The applicant is pursuant to the Code of the Town of Harwich §325-55 (Site Plan Review), §325-51 (structure greater than 7500 s.f.) and Chapter 400. The property is located in the RH-3 and R-L zoning districts at 23 Snow Inn Road, Map 8, Parcel P2-12. *Hearing continued from 11/7/19. Please note that the applicant has requested a further continuance to January 28, 2020.*
- B. PB2019-45 Royal Apartments LLC**, as owner, Alex Bardin, Representative, seeks approval of a Multi-Family Use Special Permits in the Harwich Center Overlay District and a Site Plan Review Special Permit for the proposed use and additional parking and other appurtenances pursuant to the Code of the Town of Harwich §§325-51.D and -51.O and 325-55. The property is located at 328 Bank Street, Map 41, Parcel N4 in the M-R-L, Harwich Center Overlay and Historic Districts.
- C. PB2019-46 Greenskies Renewable Energy**, as applicant, All-Points Technology Corporation PC, as representative, seeks approval of a Site Plan Review Special Permit pursuant to the Code of the Town of Harwich §325-55, in conjunction with §325, Article XXIII to establish a Large Scale Photovoltaic Array at Cranberry Valley Golf Course, owned by the Town of Harwich. The proposal consists of both a ground-mounted array and a rooftop array on the cart barn building. The property is located at 183 Oak Street, Map 61, Parcel H1 in the R-R and W-R zoning districts. *The applicant has requested a continuance to January 28, 2020.*

**III. Public Meeting\***

- A. New Business:** Approval Not Required (ANR) Plan
1. **PB2019-50 Davenport Realty Trust, as prospective buyer, c/o Paul E. Sweetser, PLS**, Estate of Elizabeth M. Marceline, owner, seeks endorsement of a two (2) lot Approval Not Required (ANR) plan entitled “Plan of Land in Harwich, Mass” prepared for Davenport Realty Trust, dated December 10, 2019, pursuant to M.G.L. c. §81 P and §400-9 of the Codes of the Town of Harwich for property located at 424 Queen Anne Road Map 70, Parcel B1. The parcel is in the R-M zoning district.
  2. Covenant Release 1993 Tompkins Subdivision – Novotny Road
  3. Review and approve Annual Report for 2019
- B. Meeting Minutes:** December 17, 2019
- C. Old Business:**
1. Continued review, discussion & possible vote Zoning Amendments for 2020 ATM
    - i. Essential Services
    - ii. Expansion of IL District Queen Anne Rd
- D. Briefings and Reports by Board Members**

**IV. Adjourn**

*\*Per the Attorney General’s Office – Boards/Commissions may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting following “New Business”.*

***Next Planning Board Meeting (Subject to Change) – Tuesday, January 28, 2020.***

*Requests for accommodations for any person having a disability can be made by contacting the Administration Office at 508-430-7513.*

Authorized Posting Officer: Elaine Banta, ebanta@town.harwich.ma.us or 508-430-7511



Law Office of Singer & Singer, LLC

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Of Counsel

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[www.singer-law.com](http://www.singer-law.com)

December 30, 2019

**Via Email**

Harwich Planning Board  
732 Main Street  
Harwich, MA 02645

Re: 23 Snow Inn Road, Harwichport (Case No. PB2019-27)

Dear Members of the Board:

I am writing to respectfully request that the hearing scheduled to be opened on January 14, 2020, in connection with the above-referenced matter be continued to the Board's meeting on January 28, 2020, to provide sufficient time for Town Staff to review the revised plans recently submitted to the Planning Department. In light of the above, we do not plan to attend the January 14<sup>th</sup> meeting.

Thank you for the Board's consideration of the Applicant's proposal.

Very truly yours,  
*Andrew L. Singer*  
Andrew L. Singer

ALS/a





**AGENDA ITEM # II.B.**

To: Planning Board  
From: Charleen Greenhalgh, Town Planner  
Date: January 6, 2020  
Re: Staff Report – Site Plan Review Special Permit & Use Special Permit

**PB2019-45 Royal Apartments LLC, as owner, Alex Bardin, Representative,** seeks approval of a Multi-Family Use Special Permit in the Harwich Center Overlay District and a Site Plan Review Special Permit for the proposed use and additional parking and other appurtenances pursuant to the Code of the Town of Harwich §§325-51.D and -51.O and 325-55. The property is located at 328 Bank Street, Map 41, Parcel N4 in the M-R-L, Harwich Center Overlay and Historic Districts.

The Planning Board will hold a public hearing at the Tuesday, January 14, 2020 meeting no earlier than at 6:30 p.m. **Please note that confirmation of the certified mailings will need to be submitted.**

**Description**

The applicant seeks approval for a Site Plan Review Special Permit and a Special Permit for Multi-Family for the two existing buildings on the site. The property had previously be used as an Assisted Living Facility and the new owner seek approval for 26 apartments. Additional parking and an accessible front entrance will be added. The application was filed with the Town Clerk on December 10, 2019 and include the following:

1. Form A – Special Permits & Site Plan Review
2. Municipal Lien Certificate
3. A project narrative, date stamped received December 10, 2019
4. The following Plans were included:
  - A. Plans prepared by Coastal Engineering Co., for Royal Apartments, LLC, 328 Bank Street, Harwich, MA, stamped by David J. Michniewicz, P.E. (unless otherwise noted), dated 12-5-19 (unless otherwise noted), as follows:
    1. Sheet C1.1.1 – Plan Showing Existing Conditions, stamped by John McElwee, P.L.S., dated 10-31-19
    2. Sheet C2.1.1 – Plan Showing Proposed Site Layout and Materials
    3. Sheet C2.2.1 – Plan Showing Proposed Grading and Drainage
    4. Sheet C.2.4.1 – Site Details
    5. Sheet C.2.4.2 – Utility Details
  - B. Plans prepared by David H. Dunlap Associates, Inc. for Royal Apartments, Harwich, MA:
    1. Sheet SP-1, Landscape Plan, dated 12/6/19, scale 1" = 20'
    2. Sheet SP-2, Parking Lot Lighting and Photometric Plan, dated 9/24/19, scale 1" = 20'



3. Sheet A-1, Ground Floor Plan dated 9/24/19, scale 1" = 20'
4. Sheet A-2, First Floor Plan dated 9/24/19, scale 1/8" = 1'-0"
5. Sheet A-3, Second Floor Plan dated 9/24/19, scale 1/8" = 1'-0"
6. Sheet A-4, Third Floor Plan dated 9/24/19, scale 1/8" = 1'-0"
7. Sheet A-5, Accessory Building Floor Plan dated 9/24/19, 1/8" = 1'-0"
8. Sheet A-6, Exterior Elevations dated 9/24/19, scale 1/8" = 1'-0"
5. Stormwater Management Report for 328 Bank Street, Harwich, MA dated December 6, 2019, prepared by Royal Apartments LLC, Prepared by Coastal Engineering Co., Inc.

### **MGL Reference and Planning Board Jurisdiction**

Pursuant to MGL c.40 A, §9 the Planning Board must, within 65 days of submission of application for a special permit hold a public hearing. The decision of the Planning Board shall take place within 90 days following the close of the public hearing. Further, a special permit issued shall require a two-thirds vote of the Board. The Planning Board has jurisdiction to review this application pursuant to the Code of Town of Harwich:

1. §325-55 for Site Plan Review Special Permit for the reconfiguration of an existing parking lot. Further, pursuant to §325-55.E.(1) ***"If the site plan meets the requirements of this By-law and the Planning Board Rules and Regulations Governing Subdivision of Land and Site Plan Review, as amended, the Planning Board shall approve it"***. However, **the Board cannot deny approval of a site plan for a use which is allowed by right** (not by special permit) in the district, but may impose reasonable conditions on the proposed use. Please refer to §325-55.E. for specific allowable conditions.
2. §325-51.D Special permit to construct multifamily dwellings, hotels or motels.
  - (1) The Planning Board, in acting upon an application for special permit to construct multifamily dwellings, hotels or motels, shall have the authority, pursuant to MGL c. 40A, § 9, to include in the grant of permission authorization to increase the permissible density of population or intensity of a particular use in a proposed development, provided that the petitioner or applicant shall, as a condition for the grant of authority to increase permissible density, provide certain open space or some or all of the amenities hereafter listed, but the Board shall not have the authority to increase the density of population or intensity of uses beyond the maximums hereafter specified.

<b>Amenity</b>	<b>Maximum Density Increase</b>
Swimming pool	8%
Tennis courts	4%
Golf course	16%
Community building or recreation building	2%

- (2) For the purpose of ensuring that an applicant or petitioner constructs the proposed amenities in accordance with the plans and specifications submitted to the Planning Board, the Planning Board shall require, as a condition to the granting of the permit, that the applicant or petitioner execute a covenant on such reasonable terms and conditions as the Planning Board may specify and wherein the petitioner or applicant shall agree to construct the amenities as proposed in accordance with a timetable



approved by the Planning Board, and the Planning Board may require that the amenity or amenities, once constructed, shall be under the control or jurisdiction of a nonprofit organization, the principal purpose of which is the maintenance and management of said amenities, or that control of said amenities be conveyed to a corporation or trust owned or to be owned by the owners of lots or residential units within the development. The covenant required hereunder shall be recorded at the Barnstable County Registry of Deeds before any work authorized by the special permit is begun, and no lot, dwelling or multifamily dwelling unit shall be conveyed (except as provided in MGL c. 41, § 81U, Clause 2) until said covenant has been released in whole or as it relates to the portion of the premises to be conveyed by duly executed instrument or release by the Planning Board.

3. §325-51.O Harwich Center Overlay District.

(1) Purpose. The Harwich Center Overlay District enables the development and redevelopment of Harwich Center to be in keeping with its historic development patterns, including the size and spacing of structures and provision of open space. The redevelopment of existing structures will encourage them to come into compliance with current plumbing, electric and building codes, as well as the latest fire and handicapped access regulations. Agencies involved with historic preservation will be encouraged to make recommendations on proposed development or redevelopment.

(2) Scope.

- a) Within the Harwich Center Overlay District, only property that is currently within the Commercial - Village (CV) Zoning District in Harwich Center is permitted to utilize this section, with the following two exceptions: property located on the southeast corner of the intersection of Sisson Road and Parallel Street just east of Forest Street, currently shown on Assessor's Map 40 as Parcel Z5, and the parcel located at the southwest corner of the intersection of Bank Street and Parallel Street, currently shown on Assessor's Map 41 as Parcel N4, are also permitted to utilize this section. All property owners, including the Town of Harwich, are required to locate the majority of structures on the street frontage portion of the property and to locate parking, septic and open space to the rear of the property.
- b) The dimensional requirements, including building setbacks, maximum site coverage and heights of these structures, are outlined in Subsection O(5) of this section.
- c) This bylaw is intended to be used in conjunction with other regulations of the Town, including site plan review and other bylaws designed to encourage appropriate and consistent patterns of village development.
- d) Applicants, with the approval of the Board of Health, and other agencies as required are encouraged to utilize new and improved technologies for septic treatment and stormwater drainage purposes.

(3) Location. The Harwich Center Overlay District is shown on the following map: Harwich Center Overlay District, October 2003, prepared by the Town of Harwich Planning Department. The Harwich Center Overlay District is bounded on the south by Parallel Street from Bank Street to Sisson Road, but including the parcel on the south side of Parallel Street at Bank Street (also shown on Harwich Assessor's Map 41 as Parcel N4) and the parcel on the south side of Parallel Street at Sisson Road (also shown on Harwich Assessor's Map 40 as Parcel Z5); the district is bounded on the west by Sisson Road, Route 39 (Main Street) and Route 124 (Pleasant Lake Avenue); the district is bounded on the north by Old Colony Way to the west



boundary line of Parcel C4-B, on Assessor's Map 41; the district is bound on the east by the west boundary line of Parcel C4-B, on Assessor's Map 41, and the east boundary line of the Town of Harwich owned land (Parcel C302 and C5, on Assessor's Map 41) and Bank Street to the southeast corner of Parcel N4 at Bank Street.

(4) Procedure.

- a) The Planning Board shall serve as the special permit granting authority for developments within the Harwich Center Overlay District.
- b) Prior to the submission of an application for special permit under this bylaw, the applicant may meet with the Planning Board at a public meeting for a preapplication conference to discuss the proposed development in general terms and establish the plan filing requirements. The Planning Board shall schedule a meeting for a preapplication conference following a written request from the applicant, inviting preliminary comments from the Board of Health, Conservation Commission, and any other interested officials or agencies. The purpose of this preapplication conference is to inform the Planning Board as to the nature of the proposed project. As such, no formal filings are required for the preapplication conference. However, the applicant is encouraged to prepare sufficient preliminary architectural and/or engineering drawings to inform the Planning Board of the scale and overall concept of the proposed project and its relationship to abutting properties.
- c) Special permit applications shall comply with and be subject to the requirements of § 325-55, Site plan approval.

(5) Dimensional requirements.

- a) Setback requirements:
  1. Front setback requirements shall be determined at the time of site plan review based on existing development patterns and the elements of the proposed project.
  2. Side lot line setback shall be 10 feet.
  3. Rear lot line setback shall be 10 feet.
- b) Parking shall be permitted at the side or rear of the property.
- c) Maximum site coverage shall not exceed 80%.
- d) The maximum permitted height for new constructions shall not exceed 30 feet or 2 1/2 stories.
- e) Minimum lot size shall be 15,000 square feet.
- f) The Board may waive or modify these dimensional requirements if it finds that such waiver or modification will not substantially derogate from the purpose and intent of this bylaw and that such waiver or modification may be granted without substantial detriment to the neighborhood or overall public good.

(6) Uses. Uses permitted by right or special permit for the underlaying zoning district remain. However, the following additional uses are allowable by special permit in the Harwich Center Overlay District, provided that all other zoning requirements herein are met:

- a) Inn.
- b) Bed-and-breakfast.

**Waivers** At this time no waivers have been requested.



### **Comments from other Boards, Departments, Committees**

**Health:** The Health Department requires that a passing Title 5 inspection be submitted prior to any building permit approval.

**Fire Chief:** No concerns, but he does fully endorse this project.

**Police & Highway:** No concerns.

**Conservation:** As proposed all work is outside the 100' buffer zone. Erosion control shall be install on the 100' line to ensure work stays out of conservation jurisdiction. Permits required if work will enter conservation jurisdiction.

**Engineering:** The Town Engineer reviewed the plans with the Town Planner; comments are noted below. Additionally, he will be reviewing in detail the Stormwater Report and provide comments as needed.

### **Planning Staff Comments**

1. As noted, the Town Engineer and Town Planner met to review the plans and application as submitted. Based on that review, the following questions/comments were shared with the applicant on December 23, 2019.
  - a. A list of waivers has not been submitted; just want to clarify that no waivers are requested.
  - b. The property is located within the MR-L Zoning District, but does have the Harwich Center Overlay options available. Please note that the Multi-Family Use is only allowable within the MR-L Zoning District and therefore within the zoning compliance table the minimum MR-L zoning requirements should be included.
  - c. A Registered Land Surveyor's stamp is required on all plan sheets providing dimensional property setbacks.
  - d. Any Board of Health approvals or restriction will need to be noted on the plan, if applicable.
  - e. Dimensional parking setbacks are missing for the new parking layouts, both at the southeast corner and at the new redesigned entrance off Parallel Street.
  - f. One curb cut along Parallel Street is being removed and the other is being widened. The new width of the curb cut should be noted on the plans.
  - g. A lighting schedule has been provided; however no lighting fixtures (including lighting style(s) and wattage/lumens) has been provided. Please note that the Historic District & Historical Commission will need to review and approve these.
  - h. The Town Engineer will be reviewing the surface drainage, subsurface drainage, drainage facilities and drainage plans and related calculations in detail and he will provide additional comments.
  - i. For the sewage disposal you will need to comply with Board of Health requirements. Now that parking is proposed over the septic the components will need to be rated for vehicle loads.
  - j. Will traffic arrows be painted on the pavement?
  - k. With regard to hydrant(s), it would be helpful to show any hydrants near to the site. Additionally, will or is there a Fire Department connection at the building?
  - l. We did see an overhead utility line to the accessory building; but did not see where the electricity comes into the main building. How will this be connected? Additionally, will each unit require its own meter and if so, where will the meters be located?
  - m. Are there gas or cable lines to the structures?
  - n. Specifications, details, cross sections are required for: lighting, curbing and parking (striping detail). The light should be showing the schematic wiring and the other electrical components on a utility plan.



- o. Within the accessory building – first floor – Accessible Unit: It does not appear that the bathroom meets the 5 foot circle requirement.
- 2. In addition to the sections of the zoning code already referenced the following subparagraphs pursuant to §325-18 – Additional Regulations, provide for the following:
  - I. All ways intended for use by vehicular traffic within the perimeter of a multifamily dwelling project shall be installed and constructed in accordance with the requirements governing road construction set forth in the Subdivision Rules and Regulations, as adopted from time to time by the Harwich Planning Board.
  - J. All multifamily dwellings must be connected to a municipal water system.
  - K. A habitable room in a multifamily dwelling unit shall not have a minimum floor area of less than 120 square feet and shall have no major width or length dimension less than 10 feet. Closets, storage spaces, bathrooms and kitchens are not habitable rooms for the purpose of these minimum area and dimension requirements.
    - (1) All outside entrances to multifamily dwellings shall be designed in such manner as to provide protection to the immediate area in front of said entrance from the weather.
    - (2) No outside staircase shall be used to furnish primary access to any of the units in a multifamily dwelling, hotel or motel.
  - L. No multifamily dwellings may be erected on any lot in the MRL or MRL-1 District the geographical center of which is closer than 1,500 feet to the geographical center of any lot upon which multifamily dwellings with more than four dwelling units are constructed, provided that, for the purpose of this subsection, contiguous lots in common ownership may be considered as a single parcel and developed for multifamily use, provided further that lots separated by a road, street or way will be considered contiguous for the purpose of this subsection and, if commonly owned, may be treated as one parcel for the purpose of multifamily construction.
- 3. This property was been used as an Assisted Living Facility for a number of years. The number of total bedrooms within the structures is not increasing and other then the additional parking being added and the accessible entrance, the exterior of the buildings is not changing.
- 4. Reasonable conditions are recommended including:
  - a. Erosion control shall be install on the 100' conservation buffer line to ensure work stays out of conservation jurisdiction. Permits from Conservation shall be required if work will enter conservation jurisdiction.
  - b. A passing Title 5 inspection be submitted to the Health Department prior to any building permit approval.
  - c. All signage shall comply with the Sign Code, Historic District & Historical Commission and Building Department Requirements.
  - d. This decision shall be recorded at the Barnstable Registry of Deeds.
  - e. Conformance with all review procedure requirements outlined pursuant to §400-18.G Inspection, certificate of completion and as-built plan, of the Code of the Town of Harwich shall be met.



5. At this time it is recommended that the applicants provide a presentation, the Board Members ask questions and provided for audience comments; however, the case should be continued to allow for submission of revised plans to address Board and staff comments and concerns and to allow for a subsequent review.

## **BOARD VOTE**

### **Continuance**

If the Board will require additional information or wants to take the matter under advisement the following motion is recommended:

Move to continue the hearing for **PB2019-45 Royal Apartments LLC**, to no earlier than 6:30 pm on \_\_\_\_\_ (Next Meeting Dates: *Jan. 28, Feb. 11, Feb. 25*) for the following reason(s):  
*Need to provide reasons for the continuance...additional information.*



## Project Narrative

328 Bank Street  
Assessor's Parcel ID 41-N4  
Royal Apartments LLC  
Application for Site Plan Approval

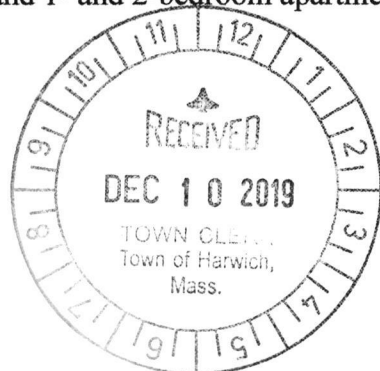
*December 10, 2019*

Applicant Royal Apartments LLC ("Royal Apartments") owns the land at 328 Bank Street, Assessor's Parcel ID 41-N4, which is a developed 82,443 sq. ft. parcel of land in Harwich's MR-L (Multifamily Residential - Low Density) zoning district and the Harwich Center Overlay District and the Harwich Center Historic District. The property has 424.3' of frontage along Parallel Street and Bank Street and is improved with two existing buildings, a 15,239 sq. ft. structure originally built in 1900 and later increased to its current size, and a 1,118 sq. ft. structure built in 1985. Locus is currently used as the location of a nursing home / assisted living facility and a senior day care facility, which are allowed uses by special permit in the district under Bylaws §325, Attachment 1 (Use Regulations).

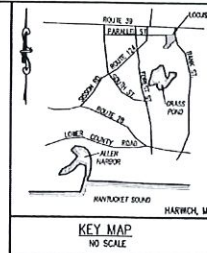
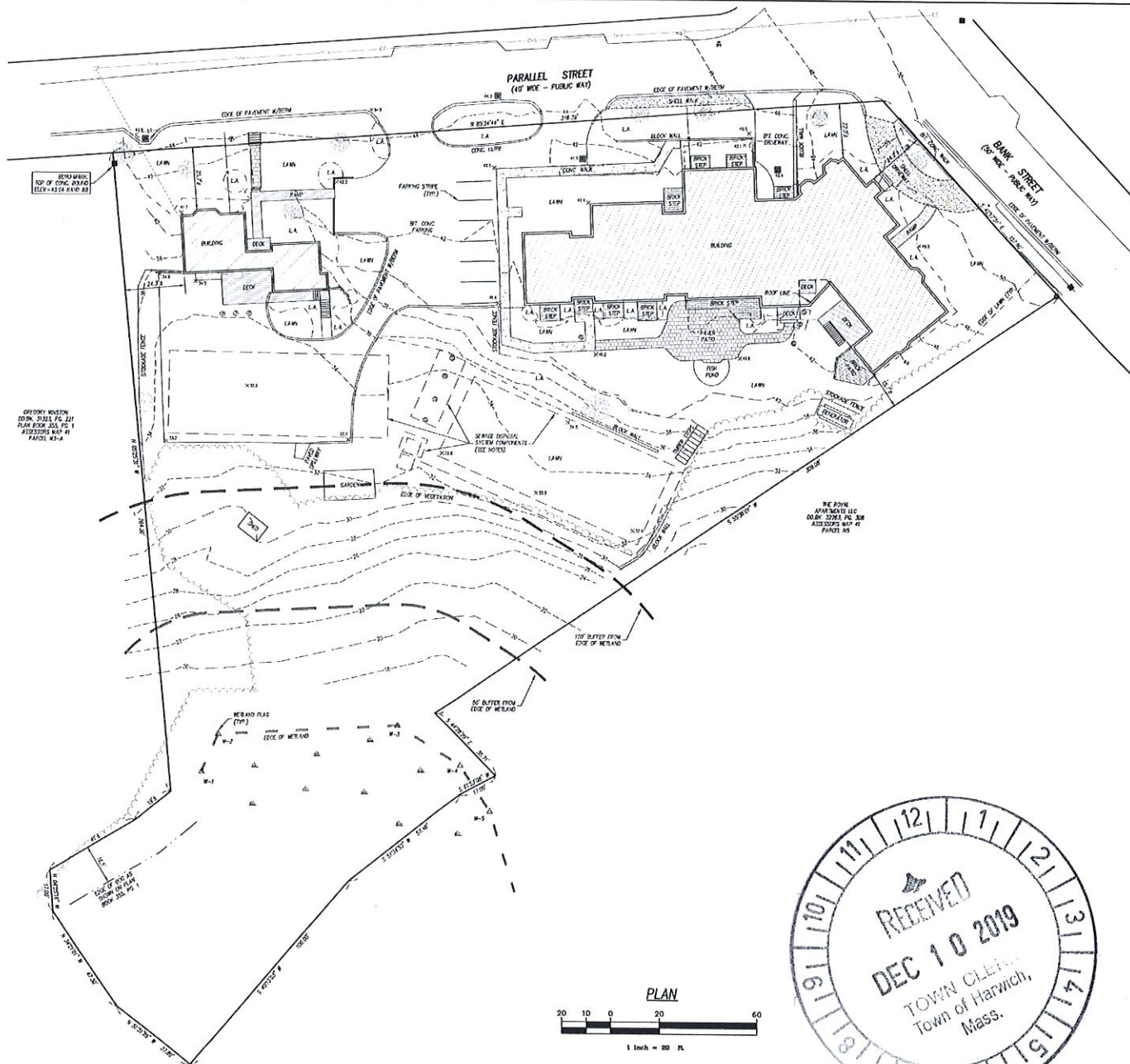
The applicant proposes converting the use of the property from the current nursing home / assisted living uses to multifamily dwelling residential use. This use is allowable in the MR-L district by special permit under the Table of Use Regulations, however, a variance from the Bylaw lot area and density requirements (minimum 10 contiguous acres lot area; maximum density of 8 bedrooms per acre [§ 325, Attachment 2 (Area Regulations)]) is required, pursuant to Bylaw § 325-52 and General Laws, c. 40A, § 10. In addition, the applicant has applied for Site Plan Approval pursuant to Bylaw § 325-55, as required by subsection (C)(2) [expansion or reconfiguration of an existing parking lot and/or driveway(s) in connection with a multifamily use.]

The property is otherwise conforming in the Harwich Center Overlay District, having more than the required minimum 15,000 sq. ft. of lot area, 10' side and rear setback distances, 5' side and rear setback distances, 150' frontage, and less than the 15% maximum building coverage and 80% maximum site coverage.

The applicant wishes to convert the existing use to the proposed multifamily use. Specifically, Royal Apartments proposes no exterior changes to the building and minimal reconfiguration of the existing structure inside the property. The applicant will do exterior maintenance and painting to the structure and will reconfigure the parking areas to make 41 parking spaces to accommodate the 26 new apartments. These will be a mix of studio and 1- and 2-bedroom apartments in the two existing buildings, for a total of 33 bedrooms







#### REFERENCES:

ASSESSORS MAP 41, PARCEL N4

DEED BOOK 32043, PAGE 179

PLAN BOOK 303, PAGE 88

ZONING CLASSIFICATION:

MULTI FAMILY RESIDENTIAL LOW

DENSITY (MFL-1)

HARWICH CENTER OVERLAY

DISTRICT

HARWICH CENTER HISTORIC

DISTRICT

DATUM NOTE:

ELEVATIONS SHOWN HEREON ARE BASED

ON THE NORTH AMERICAN VERTICAL

DATUM 1988 (NAVD 1988)

NOTES

1. EXISTING SEWAGE DISPOSAL SYSTEM

COMPONENTS SHOWN HEREON ARE FROM

ON THE GROUND "AS-BUILT" LOCATION

PERFORMED BY COASTAL ENGINEERING

COMPANY, INC. (DEC. 2008).

#### LEGEND

- BOUND
- CATCH BASIN
- ⊙ SEWER MANHOLE
- ⊙ GAS VALVE
- ⊙ LIGHTPOST
- ⊙ UTILITY POLE
- OVERHEAD UTILITY LINE
- FENCE
- ⊙ TREE
- CONTOUR
- x 41.4 SPOT GRADE
- LA LANDSCAPED AREA

I HEREBY CERTIFY THAT THE CONDITIONS SHOWN HEREON ARE LOCATED AS THEY EXISTED ON THE GROUND AS OF 10-24-19.

DATE: Oct. 31, 2019

PLS. [Signature]

CHECKED BY: JLIH

PROJECT NO. C11014-01

DATE: 10-31-19

DRAWN BY: JLIH

CHECKED BY: JLIH

PROJECT NO. C11014-01

DATE: 10-31-19

DRAWN BY: JLIH

CHECKED BY: JLIH

PROJECT NO. C11014-01

DATE: 10-31-19

DRAWN BY: JLIH

CHECKED BY: JLIH

COASTAL  
engineering co.

200 Commercial Street, Suite 100  
Harwich, MA 02645-1000

TEL: 508.233.1001 FAX: 508.233.1002

WWW.COASTAL-ENG.COM

PROJECT NO. C11014-01

DATE: 10-31-19

DRAWN BY: JLIH

CHECKED BY: JLIH

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PROJECT NO. C11014-01

DATE: 10-31-19

DRAWN BY: JLIH

CHECKED BY: JLIH

PROJECT NO. C11014-01





PROJECT NO. C16014.04



DRAINAGE TEST HOLE LOGS

NO SCALE

DATE OF TESTS : DECEMBER 2, 2019

WITNESSED BY : JOHN SCHNAIBLE, CEC

DRAINAGE TEST HOLE 1 EL. = 41.2±

DEPTH FROM SURFACE	SOIL HORIZON	SOIL TEXTURE
0" - 13"	A	TOPSOIL
13" - 33"	B	SUBSOIL
33" - 132"	C	MED TO COARSE SAND (LOOSE)

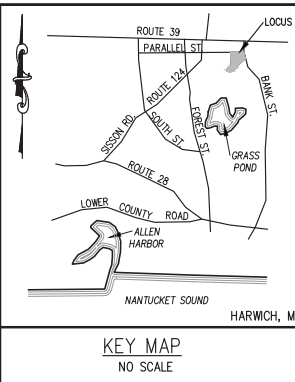
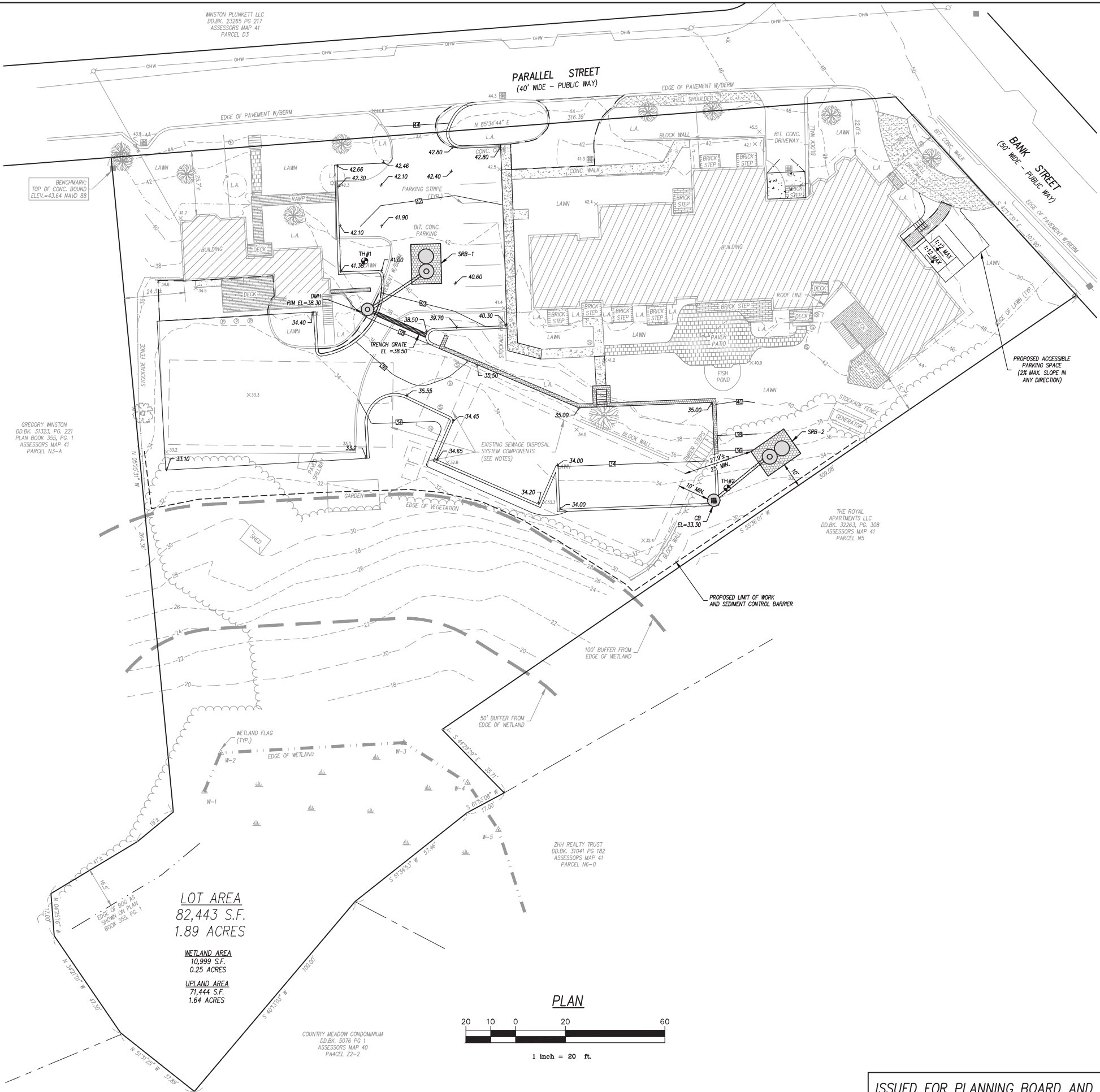
NO GROUNDWATER ENCOUNTERED

DRAINAGE TEST HOLE 2 EL. = 32.6±

DEPTH FROM SURFACE	SOIL HORIZON	SOIL TEXTURE
0" - 18"	A	TOPSOIL
18" - 36"	B	SUBSOIL
36" - 120"	C	MED TO COARSE SAND (LOOSE)

NO GROUNDWATER ENCOUNTERED

THE PROPOSED STORMWATER DRAINAGE SYSTEMS ARE DESIGNED FOR THE 100-YR STORM USING HYDROCAD MODELING SOFTWARE AND FIELD MEASURED SOIL INFILTRATION RATES.



REFERENCES:  
ASSESSORS MAP 41, PARCEL N4  
DEED BOOK 32263, PAGE 179  
PLAN BOOK 389, PAGE 98

OWNER:  
ROYAL APARTMENTS LLC  
8 ALTON PLACE  
BROOKLINE, MA 02446

APPLICANT:  
ROYAL APARTMENTS LLC  
8 ALTON PLACE  
BROOKLINE, MA 02446

DATUM NOTE:  
ELEVATIONS SHOWN HEREON ARE BASED ON THE NORTH AMERICAN VERTICAL DATUM 1988 (NAVD 1988)

- NOTES
- EXISTING SEWAGE DISPOSAL SYSTEM COMPONENTS SHOWN HEREON ARE FROM ON THE GROUND "AS-BUILT" LOCATION PERFORMED BY COASTAL ENGINEERING COMPANY, INC (DEC. 2003).
  - THE EXISTING SEWAGE DISPOSAL SYSTEM HAS A PERMITTED DESIGN FLOW OF 4,773 GPD WHICH IS GREATER THAN THE PROPOSED DESIGN FLOW OF 4,730 GPD (43 BEDROOMS AT 110 GPD)

LEGEND	
EXISTING	
	BOUND
	CATCH BASIN
	SEWER MANHOLE
	GAS VALVE
	LIGHTPOST
	UTILITY POLE
	OVERHEAD UTILITY LINE
	FENCE
	TREE
	CONTOUR
	SPOT GRADE
	LANDSCAPED AREA
PROPOSED	
	CONTOUR
	SPOT GRADE
	CATCH BASIN
	DRAINAGE TEST HOLE
	STORMWATER RECHARGE BASIN

COASTAL engineering co.  
300 Glastonbury Hwy, Glastonbury, MA 06033  
860.255.6611 P 860.255.6611 F

PROJECT	ROYAL APARTMENTS, LLC
SCALE	AS NOTED
DRAWING FILE	C16014.04-C.dwg
DATE	12-5-19
DRAWN BY	CEM
CHECKED BY	DJM
SHEET TITLE	PLAN SHOWING PROPOSED GRADING AND DRAINAGE
PROJECT NO.	C16014.04

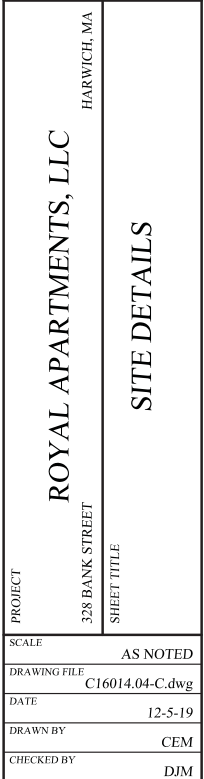
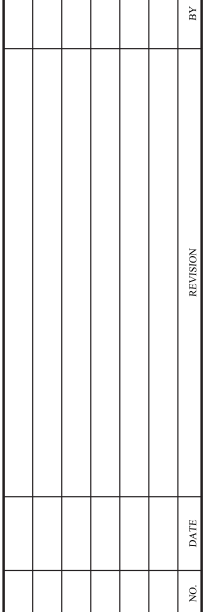
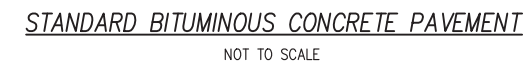
328 BANK STREET  
HARWICH, MA

DAVID J. MICHEWICZ  
CIVIL  
NO. 31493  
SEAL

OF SHEETS

ISSUED FOR PLANNING BOARD AND ZBA REVIEW



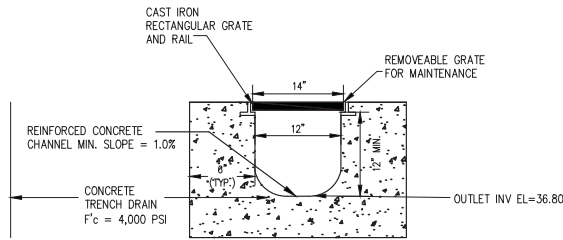


## C2.4.1

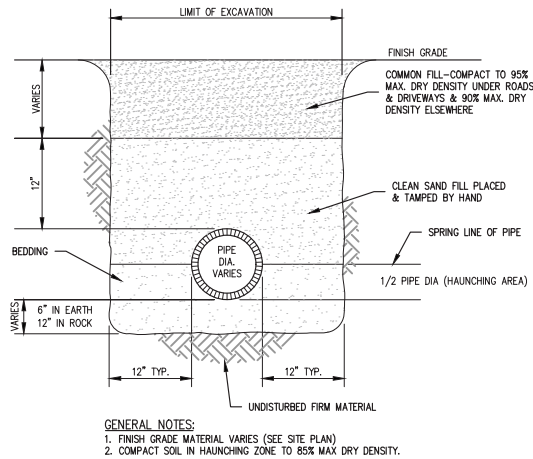
— OF — SHEETS	
PROJECT NO.	C16014.04

ISSUED FOR PLANNING BOARD AND ZBA REVIEW

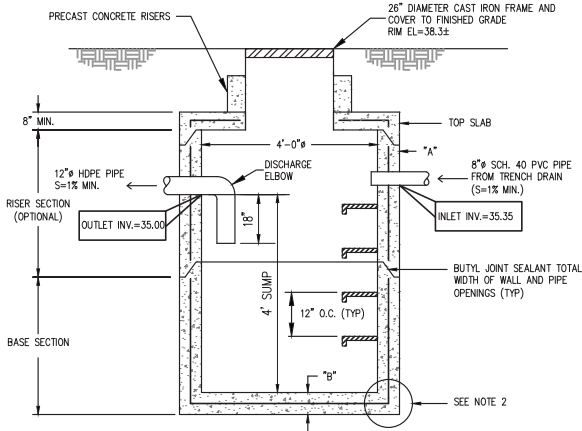




**TRENCH DRAIN DETAIL**  
(NOT TO SCALE)

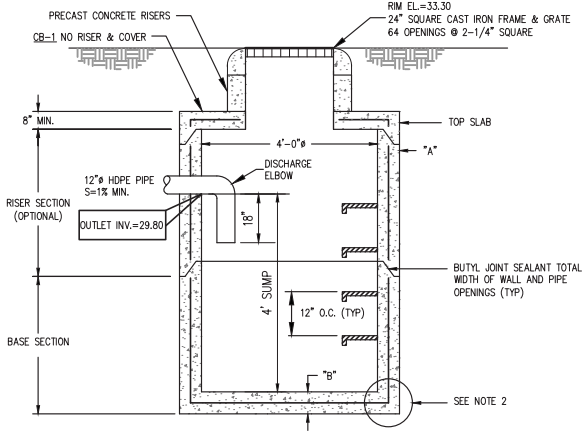


**UTILITY TRENCH**  
NOT TO SCALE



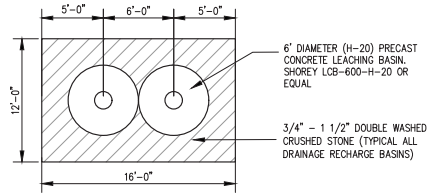
**PRECAST CONCRETE DRAINAGE MANHOLE**  
NOT TO SCALE

- GENERAL NOTES:**
- ALL REINFORCING STEEL MUST CONFORM TO THE LATEST ASTM A185 AND/OR A615 GRADE 60. SEE TABLE 1 FOR STEEL REINFORCEMENT REQUIREMENT.
  - STEEL REINFORCEMENT FOR BASE SECTION BOTTOM SHALL BE A MIN. OF 0.12 SQ. IN./LINEAL FT. (BOTH WAYS).
  - CATCH BASIN SPECS. CONFORM TO THE LATEST ASTM C478 SPEC. FOR "PRECAST REINFORCED CONCRETE MANHOLE SECTIONS".
  - MORTAR SHALL CONFORM TO SECTION M4.02.15 OF THE MASSACHUSETTS D.P.W. STANDARD SPECS. FOR HIGHWAYS AND BRIDGES.
  - STEPS SHALL BE M.A. INDUSTRIES TYPE, STEEL REINFORCED COPOLYMER POLYPROPYLENE PLASTIC.
  - ONE POUR MONOLITHIC BASE SECTION.
  - ANY NECESSARY ADJUSTMENTS DURING CONSTRUCTION WILL BE DONE BY SAW-CUTTING AND/OR CORING ONLY. NO JACKHAMMERS, HAMMERS, CHISELS OR PNEUMATIC TOOLS WILL BE ALLOWED.
  - RED CLAY BRICK SHALL CONFORM WITH SECTION M4.05.2 CLAY BRICK OF MASSACHUSETTS D.P.W. STANDARD SPECS. FOR HIGHWAY AND BRIDGES.



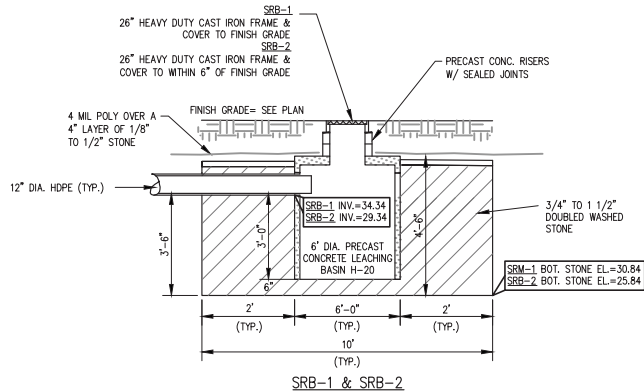
**PRECAST CONCRETE CATCH BASIN**  
NOT TO SCALE

- GENERAL NOTES:**
- ALL REINFORCING STEEL MUST CONFORM TO THE LATEST ASTM A185 AND/OR A615 GRADE 60. SEE TABLE 1 FOR STEEL REINFORCEMENT REQUIREMENT.
  - STEEL REINFORCEMENT FOR BASE SECTION BOTTOM SHALL BE A MIN. OF 0.12 SQ. IN./LINEAL FT. (BOTH WAYS).
  - CATCH BASIN SPECS. CONFORM TO THE LATEST ASTM C478 SPEC. FOR "PRECAST REINFORCED CONCRETE MANHOLE SECTIONS".
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  - ONE POUR MONOLITHIC BASE SECTION.
  - ANY NECESSARY ADJUSTMENTS DURING CONSTRUCTION WILL BE DONE BY SAW-CUTTING AND/OR CORING ONLY. NO JACKHAMMERS, HAMMERS, CHISELS OR PNEUMATIC TOOLS WILL BE ALLOWED.
  - RED CLAY BRICK SHALL CONFORM WITH SECTION M4.05.2 CLAY BRICK OF MASSACHUSETTS D.P.W. STANDARD SPECS. FOR HIGHWAY AND BRIDGES.



**TYPICAL DETAILS OF STORMWATER RECHARGE BASINS**  
NOT TO SCALE

- NOTES:**
- FILTER FABRIC & TURF REINFORCEMENT SHALL BE INSTALLED IN STRICT CONFORMANCE WITH MANUFACTURERS SPECIFICATIONS.
  - THE INSTALLER SHALL ASCERTAIN THE LOCATION OF EXISTING UNDERGROUND UTILITIES PRIOR TO EXCAVATION, AND SHALL PROTECT UTILITIES WITHIN THE WORK AREA DURING CONSTRUCTION.
  - LEACHING RECHARGE BASINS SHALL REMAIN OFFLINE UNTIL THE SITE AND ALL VEGETATION HAS BEEN STABILIZED.



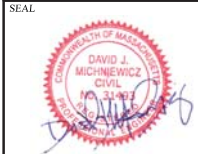
- NOTES:**
- DRAINAGE RECHARGE STRUCTURES TO BE PLACED IN CLEAN COARSE SAND. CONTRACTOR TO PERFORM A SOIL TEST AND NOTIFY ENGINEER FOR ON SITE INSPECTION OF SOILS PRIOR TO INSTALLATION OF ANY DRAINAGE SYSTEM COMPONENTS. STRUCTURE MAY BE PLACED ABOVE COARSE SAND LAYER PROVIDED CONTRACTOR PERFORMS A 5' SOIL REMOVAL AROUND BASIN DOWN TO THE COARSE SAND HORIZON. REMOVAL TO BE FILLED IN ACCORDANCE WITH NOTE #2 TO TOP OF STRUCTURE. (CONTRACTOR SHALL INCLUDE A UNIT COST FOR REMOVAL AND REPLACEMENT IN THE BID PRICE).
  - FILL MATERIAL FOR SYSTEMS CONSTRUCTED IN FILL SHALL BE CLEAN GRANULAR SAND, FREE OF ORGANIC MATTER AND OTHER DELETERIOUS MATERIALS. THE SAND SHALL BE GRADED SUCH THAT NOT MORE THAN 45% OF THE SAMPLE, BY WEIGHT, SHALL BE RETAINED ON THE #4 SIEVE. THE FILL SHALL NOT CONTAIN ANY MATERIAL LARGER THAN 2 INCHES. THE MATERIAL THAT PASSES THE #4 SIEVE SHALL MEET THE FOLLOWING GRADATION REQUIREMENTS:

SIEVE SIZE	PERCENT PASSING
# 4	100%
# 50	100%-100%
# 100	0%-20%
# 200	0%-5%

**TYPICAL END VIEW OF STORMWATER RECHARGE BASIN**  
NOT TO SCALE

ISSUED FOR PLANNING BOARD AND ZBA REVIEW

BY	
REVISION	
DATE	
NO.	



PROJECT	ROYAL APARTMENTS, LLC HARWICH, MA
328 BANK STREET	
SHEET TITLE	UTILITY DETAILS

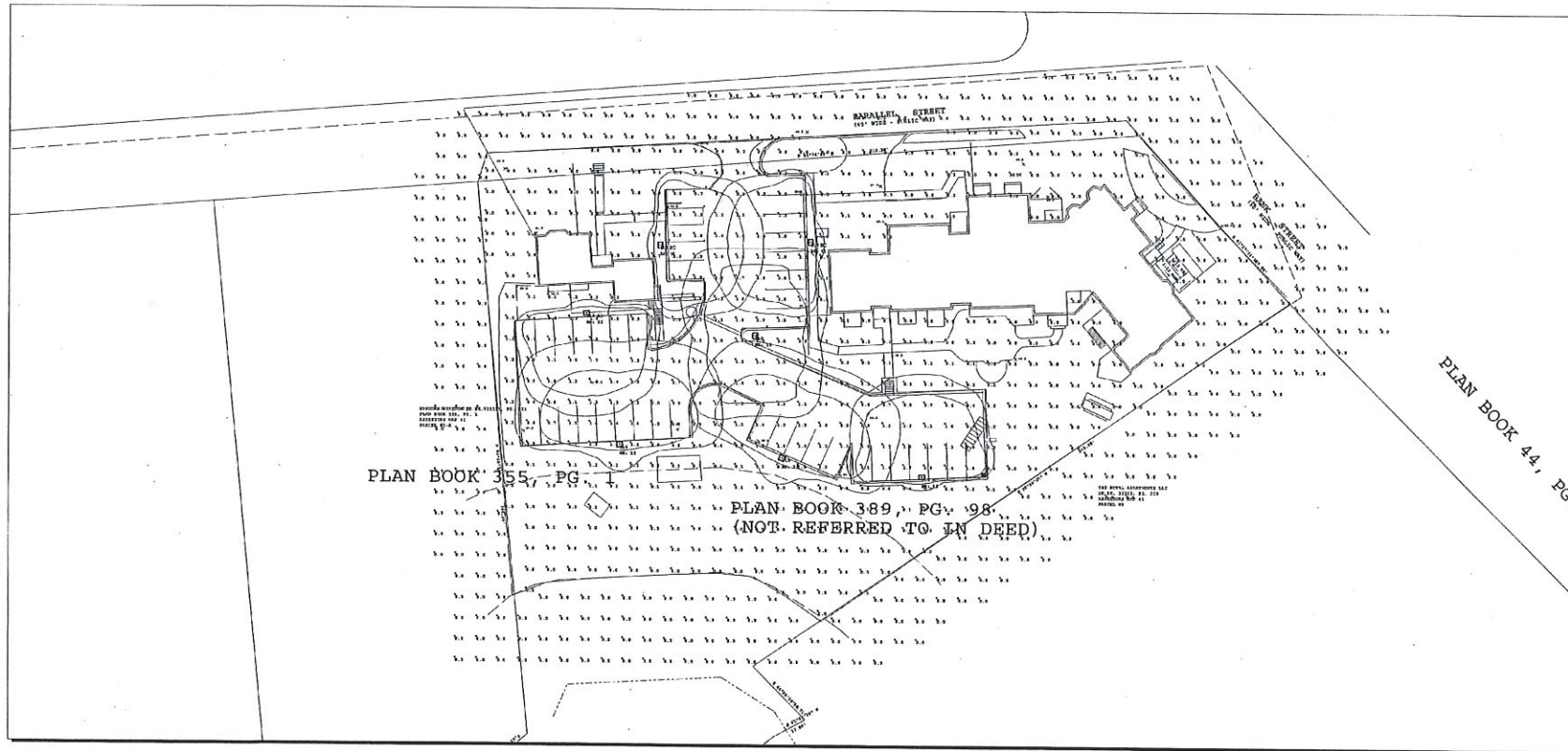
SCALE	AS NOTED
DRAWING FILE	C16014.04-C.dwg
DATE	12-5-19
DRAWN BY	CEM
CHECKED BY	DJM

C2.4.2	
— OF — SHEETS	
PROJECT NO.	C16014.04









Luminaire Schedule

Symbol	Qty	Label	Arrangement	Total Lamp Lumens	LLF	Description
-	4	SL4 BC	SINGLE	N.A.	0.700	Beacon VP-S-24L-55-3K7-4-BC-UNV BL SWP SSA B 16 40 B VM2S16
-	2	SL4	SINGLE	N.A.	0.700	Beacon VP-S-24L-55-3K7-4W-UNV BL SWP SSA B 16 40 B VM2S16
-	1	SL5	SINGLE	N.A.	0.700	Beacon VP-S-24L-55-3K7-5R-UNV BL SWP SSA B 16 40 B VM2S16

Calculation Summary

Label	CalcType	Units	Avg	Max	Min	Avg/Min	Max/Min
Site Planar	Illuminance	Fc	0.39	2.2	0.0	N.A.	N.A.
Spill	Illuminance	Fc	0.00	0.0	0.0	N.A.	N.A.
Driveways and Parking	Illuminance	Fc	1.16	2.2	0.0	N.A.	N.A.



David H. Dunlap Associates Inc.  
ARCHITECTS \* ENGINEERS \* PLANNERS  
100 WESTER STREET, UNIT 10  
SACONNET, MA 01914  
Phone: (781) 876-0000 Fax: (781) 876-0000  
email: David@DHDunlap.com

Parking Lot Lighting and Photometric Plan

Royal Apartments

HARTWICH, MA

SCALE: 1" = 20'  
DATE: 9/24/19  
OR BY: MCH

SP-2

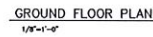




**ARCHITECTS \* ENGINEERS \* PLANNERS**  
105 WEBSTER STREET, UNIT 1  
HANOVER, MASSACHUSETTS 02339  
PHONE: (781) 878-0066 FAX: (781) 878-1066  
e-mail: David@DHunier.com

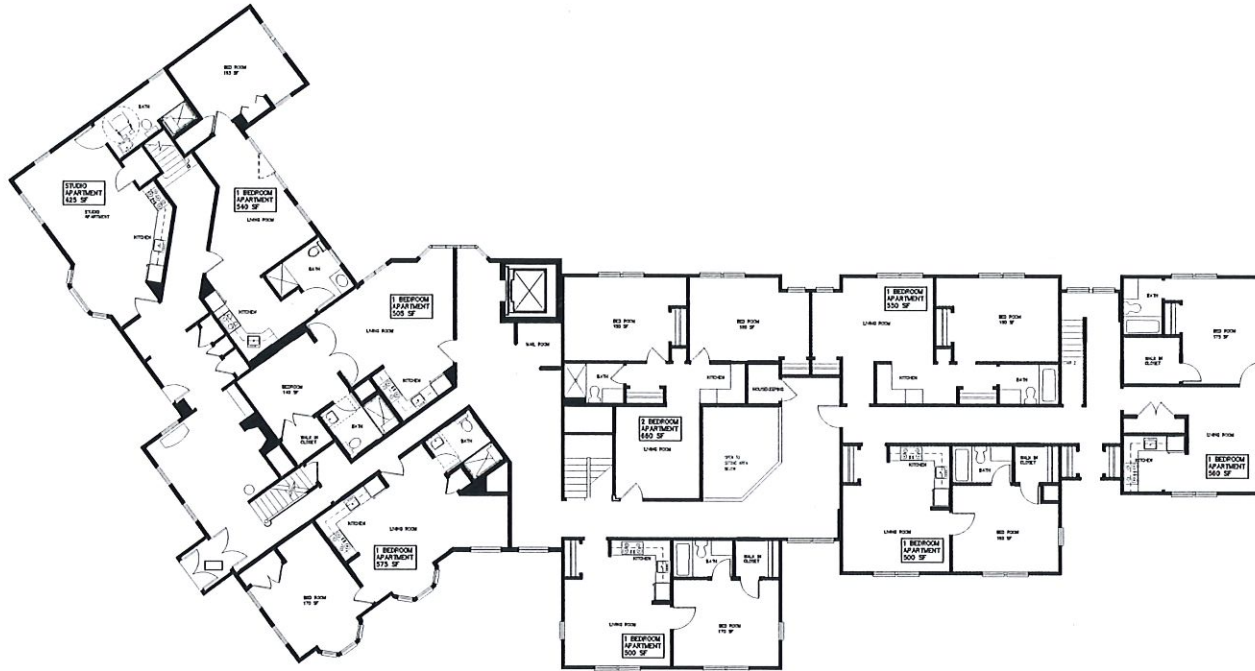


## Royal Apartments

$$A - 1$$


A P A R T M E N T M I X C H A R T				
LOCATION	STUDIO	1 B D R M	2 B D R M	TOTAL
GROUND FLOOR	3	3	2	8
FIRST FLOOR	1	1	1	3
SECOND FLOOR	0	3	1	4
THIRD FLOOR	0	0	1	1
ACCESSORY	1	1	2	4
TOTAL	5	14	7	26





FIRST FLOOR PLAN  
1/8"=1'-0"

FIRST FLOOR PLAN

Royal Apartments

HARVICH MA

SCALE: 1/8" = 1'-0"  
DATE: 9/24/12 DR: BJS  
LAC

A-2

David H. Dunlap Associates Inc.  
ARCHITECTS • ENGINEERS • PLANNERS  
105 WEBSTER STREET, UNIT 100  
HARVICH, MASSACHUSETTS 01930  
TEL: 978.465.1100 FAX: 978.465.1101  
email: david@dunlapassoc.com

**Professional Seal:**  
DAVID H. DUNLAP  
REGISTERED PROFESSIONAL ENGINEER  
No. 2829  
EXPIRATION DATE 12/31/2015





SECOND FLOOR PLAN  
1/8"=1'-0"



*David H. Dunlap*

David H. Dunlap Associates, Inc.  
ARCHITECTS • ENGINEERS • PLANNERS  
105 WEBSTER STREET, UNIT 1  
HANOVER, MASSACHUSETTS 01927  
PHONE: (781) 878-0066 FAX: (781) 878-0060  
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David H. Dunlap Associates, Inc. is an Equal Opportunity Employer.  
Minority and women are encouraged to apply. All qualified applicants will be considered for employment without regard to race, sex, age, religion, or national origin.

SECOND FLOOR PLAN

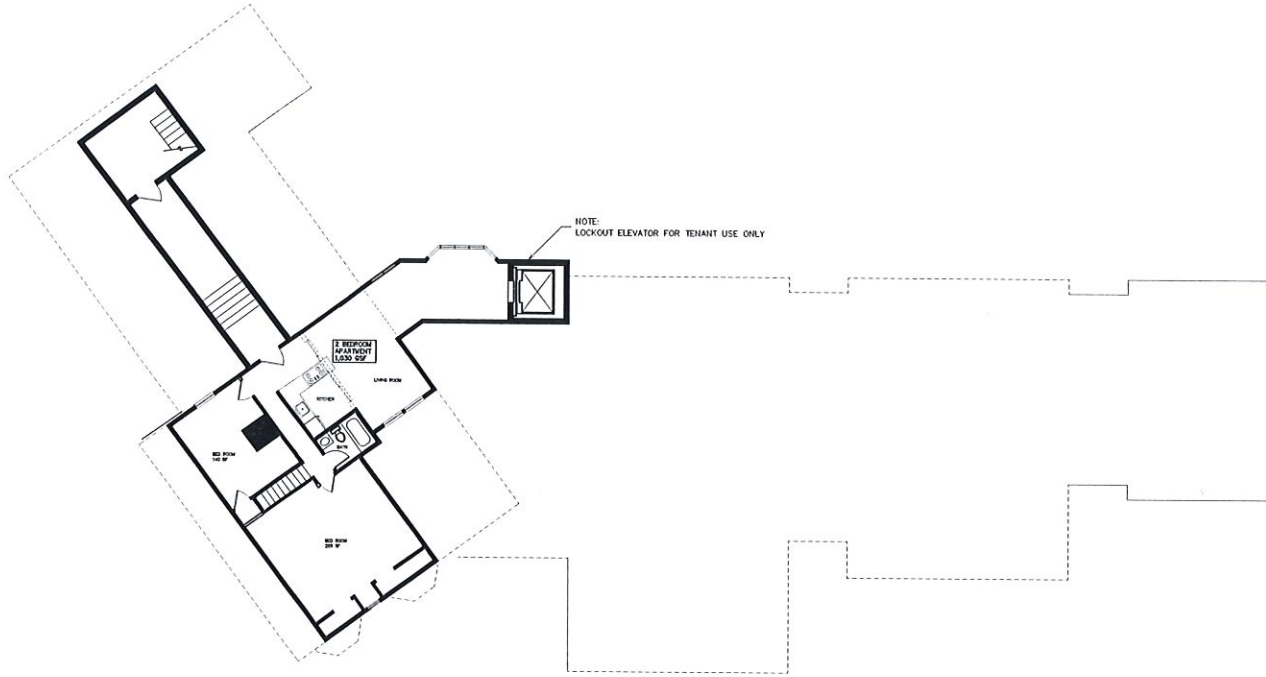
Royal Apartments

HARWICH MA

SCALE: 1/8" = 1'-0"  
DATE: 9/24/19 DR. BY: MCH

A-3





THIRD FLOOR PLAN  
1/8"=1'-0"



David H. Dunlap Associates Inc.  
ARCHITECTS • ENGINEERS • PLANNERS  
10 WEBSTER STREET, UNIT 10  
ROSLINDALE, MASSACHUSETTS 02131  
PHONE: (781) 878-0665 • FAX: (781) 878-7700  
email: David@DHDunlap.com

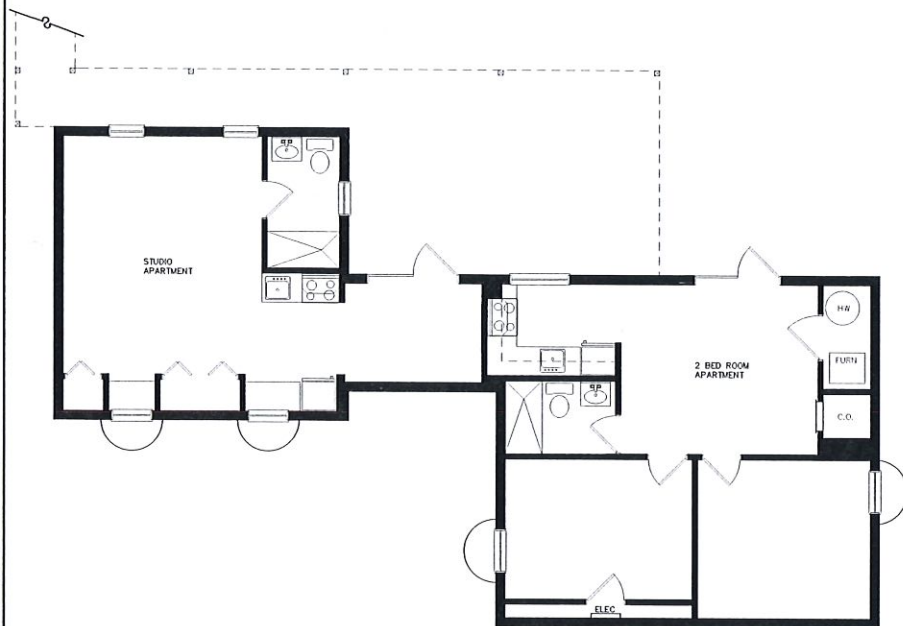
David H. Dunlap Associates Inc. is an Equal Opportunity Employer.  
We are an Equal Opportunity Employer. Minorities and women are encouraged to apply.  
HARWICH MA

THIRD FLOOR PLAN  
Royal Apartments

SCALE: 1/8" = 1'-0"  
DATE: 8/24/19 DR BY: MCH

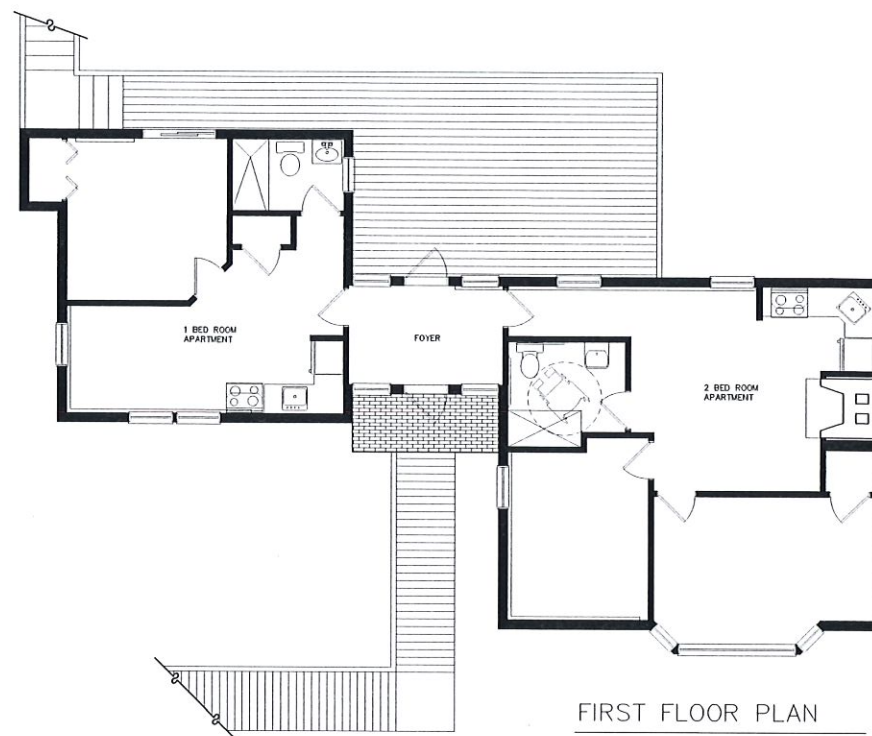
A-4





GROUND FLOOR PLAN

SCALE: 1/4" = 1'-0"



FIRST FLOOR PLAN

SCALE: 1/4" = 1'-0"

APARTMENT MIX CHART				
LOCATION	STUDIO	1 BD RM	2 BD RM	TOTAL
GROUND FLOOR	1	0	1	2
FIRST FLOOR	0	1	1	2
TOTAL	1	1	2	4



David H. Dunlap Associates, Inc.  
ARCHITECTS \* ENGINEERS \* PLANNERS  
105 WEBSTER STREET, UNIT 100  
HARVARD, MASSACHUSETTS 02148  
PHONE: (781) 878-0066 FAX: (781) 878-7200  
email: David@DHDunlap.com

Harwich, MA

ACCESSORY BUILDING  
FLOOR PLAN  
Royal Apartments

SCALE 1/8" = 1'-0"  
DATE: 9/18/10 DR: B/MCH

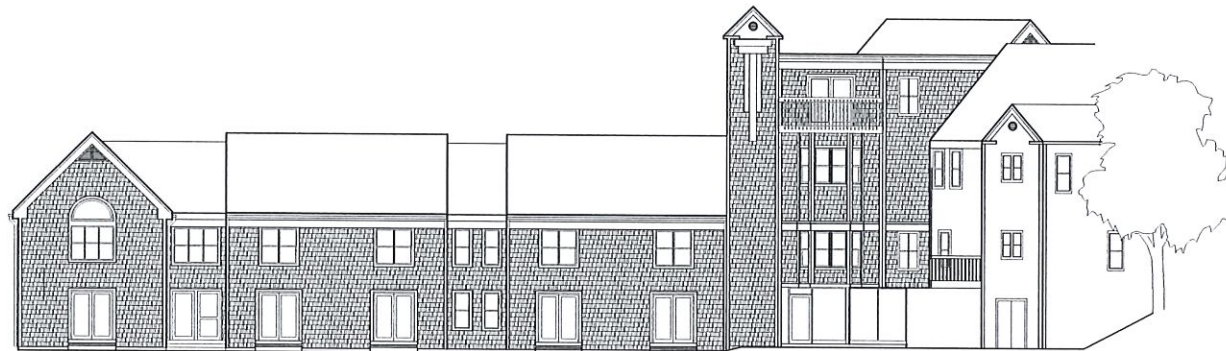
A-5





NEW WHITE VINYL FENCE  
AND GATE 6'-0" HIGH

Front Elevation  
1/8" = 1'-0"

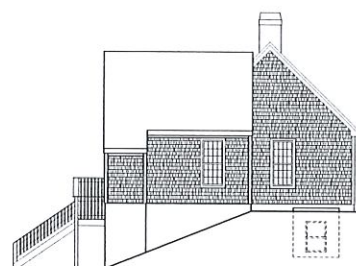


NOTE:  
EXTERIOR FINISH MATERIAL TO REMAIN UNLESS REPAIR IS REQUIRED  
AND WILL BE REPAIRED BY KMD.

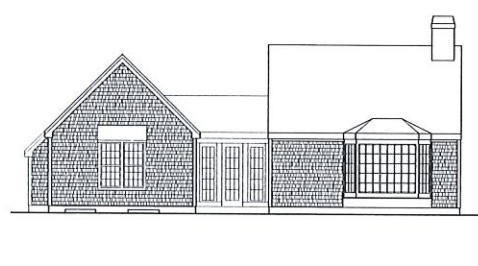
Rear Elevation  
1/8" = 1'-0"



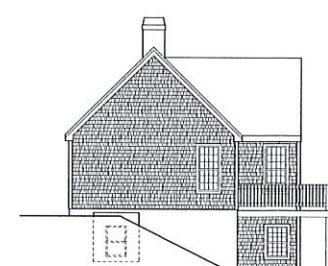
Rear Elevation  
1/8" = 1'-0"



Side Elevation  
1/8" = 1'-0"



Front Elevation  
1/8" = 1'-0"



Side Elevation  
1/8" = 1'-0"



David H. Dunlap Associates, Inc.  
ARCHITECTS • ENGINEERS • PLANNERS  
UNIT 3  
105 WEBSTER STREET  
HANDOVER, MASSACHUSETTS 02320  
PHONE (781) 878-0066 FAX: (781) 878-7060  
email: David@DHDunlap.com

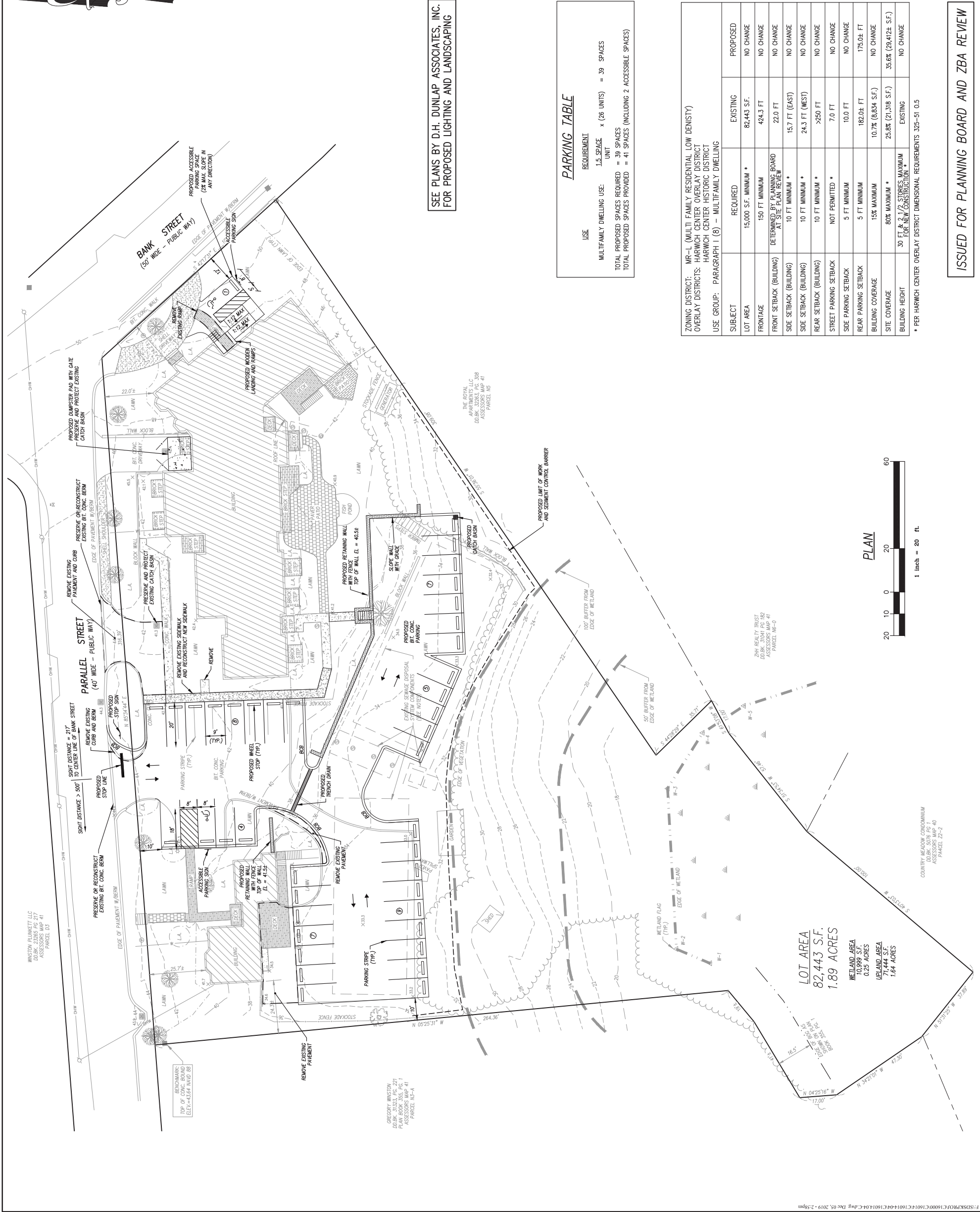
David H. Dunlap Associates, Inc.  
105 Webster Street  
Handover, MA 02320  
Phone: (781) 878-0066  
Fax: (781) 878-7060  
Email: David@DHDunlap.com

EXTERIOR ELEVATIONS  
Royal Apartments  
HARWICH, MA

SCALE: 1/8" = 1'-0"  
DATE: 9/24/19 DR. BY: MCN

A-6



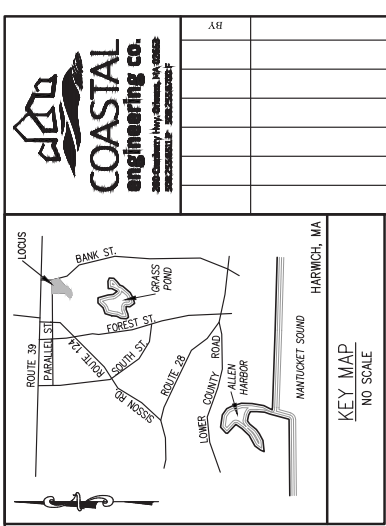


<u>PARKING TABLE</u>		
USE	REQUIREMENT	
MULTI-FAMILY DWELLING USE:	1.5 SPACE	x (26 UNITS) = 39 SPACES
	UNIT	
TOTAL PROPOSED SPACES REQUIRED	=	39 SPACES
TOTAL PROPOSED SPACES PROVIDED	=	41 SPACES (INCLUDING 2 ACCESSIBLE SPACES)

ZONING DISTRICT: MR-L (MULTI FAMILY RESIDENTIAL LOW DENSITY) OVERLAY DISTRICTS: HARWICH CENTER OVERLAY DISTRICT HARWICH CENTER HISTORIC DISTRICT USE GROUP: PARAGRAPH I (B) – MULTIFAMILY DWELLING			
SUBJECT	REQUIRED	EXISTING	PROPOSED
LOT AREA	15,000 S.F. MINIMUM *	82,443 S.F.	NO CHANGE
FRONTAGE	150 FT MINIMUM	424.3 FT	NO CHANGE
FRONT SETBACK (BUILDING)	DETERMINED BY PLANNING BOARD AT SITE PLAN REVIEW	22.0 FT	NO CHANGE
SIDE SETBACK (BUILDING)	10 FT MINIMUM *	15.7 FT (EAST)	NO CHANGE
SIDE SETBACK (BUILDING)	10 FT MINIMUM *	24.3 FT (WEST)	NO CHANGE
REAR SETBACK (BUILDING)	10 FT MINIMUM *	>250 FT	NO CHANGE
STREET PARKING SETBACK	NOT PERMITTED *	7.0 FT	NO CHANGE
SIDE PARKING SETBACK	5 FT MINIMUM	10.0 FT	NO CHANGE
REAR PARKING SETBACK	5 FT MINIMUM	182.0+ FT	175.0+ FT
BUILDING COVERAGE	15% MAXIMUM	10.7% (8,834 S.F.)	NO CHANGE
SITE COVERAGE	80% MAXIMUM *	25.8% (21,318 S.F.)	35.6% (29,412+ S.F.)
BUILDING HEIGHT	30 FT & 2 1/2 STOREYS MAXIMUM FOR NEW CONSTRUCTION *	EXISTING	NO CHANGE

\* PER HARWICH CENTER OVERLAY DISTRICT DIMENSIONAL REQUIREMENTS 325-51 0.5

ISSUED FOR PLANNING BOARD AND ZBA REVIEW



REFERENCES:

ASSESSORS MAP 41, PARCEL N4  
DEED BOOK 32263, PAGE 179  
PLAN BOOK 389, PAGE 98

OWNER:

ROYAL APARTMENTS LLC  
8 ALTON PLACE  
BROOKLINE, MA 02446

APPLICANT:

ROYAL APARTMENTS LLC  
8 ALTON PLACE  
BROOKLINE, MA 02446

DATUM NOTE:

ELEVATIONS SHOWN HEREON ARE BASED  
ON THE NORTH AMERICAN VERTICAL  
DATUM 1988 (NAVD 1988)

NOTES

1. EXISTING SEWAGE DISPOSAL SYSTEM COMPONENTS SHOWN HEREIN ARE FROM THE GROUND "AS-BUILT" LOCATION PERFORMED BY COASTAL ENGINEERING COMPANY, INC (DEC. 2003).
2. THE EXISTING SEWAGE DISPOSAL SYSTEM HAS A PERMITTED DESIGN FLOW OF 4,773 GPD WHICH IS GREATER THAN THE PROPOSED DESIGN FLOW OF 4,730 GPD (43 BEDROOMS AT 110 GPD)

PROJECT  
38 BANK STREET  
HARWICH, MA  
ROYAL APARTMENTS, LLC  
SHEET TITLE  
PLAN SHOWING PROPOSED  
SITE LAYOUT AND MATERIALS

SCALE	AS NOTED
DRAWING FILE	C:\6014.04-C.dwg
DATE	12-5-19
DRAWN BY	CEM
CHECKED BY	
<h1>C2.1.1</h1>	
— OF — SHEETS	
PROJECT NO.	C16014.04



DRAINAGE TEST HOLE LOGS

NO SCALE  
DATE OF TESTS : DECEMBER 2, 2019  
WITNESSED BY : JOHN SCHNABLE, CEC

DRAINAGE TEST HOLE 1 EL. = 41.2±			
DEPTH FROM SURFACE	SOIL HORIZON	SOIL TEXTURE	
0" - 13"	A	TOPSOIL	
13" - 33"	B	SUBSOIL	
33" - 132"	C	MED TO COARSE SAND (LOOSE)	

NO GROUNDWATER ENCOUNTERED

DRAINAGE TEST HOLE 2 EL. = 32.6±			
DEPTH FROM SURFACE	SOIL HORIZON	SOIL TEXTURE	
0" - 18"	A	TOPSOIL	
18" - 36"	B	SUBSOIL	
36" - 120"	C	MED TO COARSE SAND (LOOSE)	

NO GROUNDWATER ENCOUNTERED

THE PROPOSED STORMWATER DRAINAGE SYSTEMS ARE DESIGNED FOR THE 100-YR STORM USING HYDROCAD MODELING SOFTWARE AND FIELD MEASURED SOIL INFILTRATION RATES.



PLAN



1 inch = 20 ft.

ISSUED FOR PLANNING BOARD AND ZBA REVIEW

**COASTAL engineering co.**  
INCORPORATED  
1000 ROUTE 1A, SUITE 200  
HARWICH, MA 02646  
TEL: 978.463.1234  
WWW.COASTAL-ENG.COM

NO SCALE

KEY MAP

REFERENCES:

ASSESSORS MAP 41, PARCEL N4  
DEED BOOK 32263, PAGE T79  
PLAN BOOK 389, PAGE 98

OWNER:

ROYAL APARTMENTS LLC  
8 ALTON PLACE  
BROOKLINE, MA 02446

APPLICANT:

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8 ALTON PLACE  
BROOKLINE, MA 02446

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PROJECT: 328 BANK STREET  
SHEET TITLE: PLAN SHOWING PROPOSED GRADING AND DRAINAGE  
HARWICH, MA

SCALE: AS NOTED  
DRAWING FILE: C16014.04-C.dwg  
DATE: 12-5-19  
DRAWN BY:  
CHECKED BY:  
DIM:

LEGEND

- EXISTING**

  - BOUND
  - CATCH BASIN
  - SEWER MANHOLE
  - GAS VALVE
  - LIGHTPOST
  - UTILITY POLE
  - OVERHEAD UTILITY LINE
  - FENCE
  - TREE
  - CONTOUR
  - SPOT GRADE
  - LANDSCAPED AREA
- PROPOSED**

  - CONTOUR
  - SPOT GRADE
  - CATCH BASIN
  - DRAINAGE TEST HOLE
  - STORMWATER RECHARGE BASIN





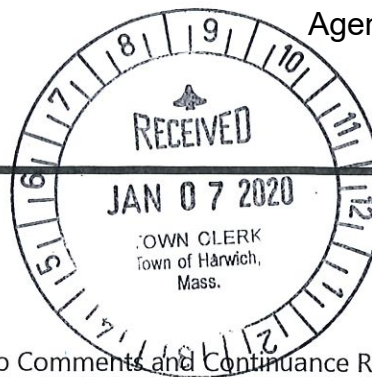






**Charleen Greenhalgh**

**From:** Jin Tao <JTao@allpointstech.com>  
**Sent:** January 6, 2020 4:32 PM  
**To:** Charleen Greenhalgh  
**Cc:** Bradley J. Parsons; Siva Thashnath  
**Subject:** Cranberry Valley Golf Course Solar Response to Comments and Continuance Request  
**Attachments:** 2020.01.06 - Cranberry Valley Response to Comments - Rev1 (Waiver).pdf; 2020.01.06-MA599120-CranberryValley-SP-1 (Rev1).pdf; 2020-01-03-190228D\_Signed\_Survey.pdf



Good evening Charleen,

I am really glad I gave you a call this afternoon so that we have a plan of action for the Proposed Solar Facility at the Cranberry Valley Golf Course. Per our conversation, APT would like to ask for a continuance at the January 14, 2020 hearing for said project to the January 28, 2020 hearing. Would you please send the abutter notification information to Brad Parsons at the following:

Brad Parsons  
 660 West Reach Drive  
 Jamestown RI 02835

In addition, I've attached our response to comment letter as well as the requested information from the comments received on December 23, 2019. Please review and feel free to contact me if you have any questions/comments.

Thanks for all your help!



**Jin Tao**  
 Project Engineer

**D:** 860.581.4863  
**M:** 314.680.6817  
**E:** [jtao@allpointstech.com](mailto:jtao@allpointstech.com)

**All-Points Technology Corporation, P.C.**  
 567 Vauxhall Street Extension – Suite 311  
 Waterford, CT 06320

*Please note our new corporate office address*



January 3, 2020

### Agenda Item III.A.1

To: Planning Board  
From: Charleen Greenhalgh, Town Planner  
Re: Staff Report – Approval Not Required (ANR) Plan

**PB2019-50 Davenport Realty Trust, as prospective buyer, c/o Paul E. Sweetser, PLS**, Estate of Elizabeth M. Marceline, owner, seeks endorsement of a two (2) lot Approval Not Required (ANR) plan entitled “Plan of Land in Harwich, Mass” prepared for Davenport Realty Trust, dated December 10, 2019, pursuant to M.G.L. c. §81 P and §400-9 of the Codes of the Town of Harwich for property located at 424 Queen Anne Road Map 70, Parcel B1. The parcel is in the R-M zoning district.

Application received on December 27, 2019. Pursuant to MGL c.401, §81P, the Planning Board has 21-days to act and file a decision with the Town Clerk, which expires on January 17, 2020.

The Board may:

- 1) Vote to endorse the ANR; or
- 2) Deny the ANR specifically ***detailing*** why it does not meet the requirements for endorsement as an ANR; or
- 3) Take no action; which would result in the Town Clerk certifying that the Planning Board took no action within the statutory time.

**Staff comments:**

**Planning:**

- 1) This proposal meets the minimum criteria for endorsement of an ANR plan pursuant to §400-9 of the Harwich Town Code and Massachusetts General Law Chapter 41 §81 P (adequate frontage for the zoning district – 150 feet, with adequate access – Great Western Road).
- 2) Each lot does contain a minimum of 40,000 s.f.; however, as the Board is aware, lot size is not a consideration for endorsement of an ANR Plan.

**Health:** This property is not located within a water recharge area. Fully compliant septic systems will be required prior to any building permit issuance. No variances from State or Local Regulations will be granted for new construction. I private drinking water wells are to be used, water quality testing is necessary before any permits can be issued. It is also important to note that these properties are tentatively scheduled in Phase 4 of the sewer project.

**Conservation:** Not within jurisdiction.

**Findings (vote to adopt):** *This is a suggested finding, the Board may have others.*

Said plan does not constitute a subdivision as the way shown on a plan, a Town Road, provides safe and adequate access.

**Board Vote:** *This is a suggested motion, the Board may choose to deny or to take no action.*

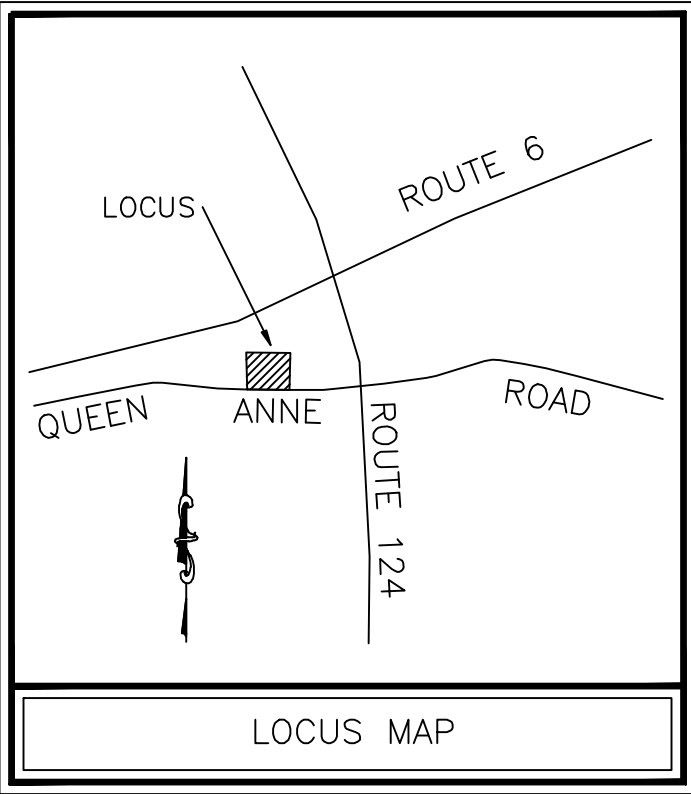
Motion to endorse the ANR plan entitled “Plan of Land in Harwich Massachusetts as Prepared for Davenport Realty Trust, prepared by Paul E. Sweetser, P.L.S., dated December 10, 2019, Scale 1” = 40’.



OWNER:  
ESTATE OF ELIZABETH M. MARCELINE  
C/O GWEN MARCELINE  
22 FLORENCE AVENUE  
ARLINGTON, MA 02476

APPLICANT:  
DAVENPORT REALTY TRUST  
20 NORTH MAIN STREET  
SOUTH YARMOUTH, MA 02664

N/F ANTONE J. MORRIS  
BK.497 PG.141  
PARCEL 3



ASSESSORS MAP: 70  
PARCEL: B1

ZONING CLASSIFICATION-R-M  
REQUIRED AREA: 40,000 SQ.FT.  
FRONTAGE: 150'  
SETBACKS-  
FRONT 25'  
SIDE 20'  
REAR 20'

KEITH & CYNTHIA A.  
BEAULIEU  
430 QUEEN ANNE ROAD  
HARWICH, MA  
02645  
BK.21661 PG.304  
PL.BK.83 PG.39

GROSS AREA:  
116,524 SQ.FT.±  
2.68 ACRES±

DEED REFERENCE:  
BK. 2005 PG. 81  
BK. 21689 PG. 171

PLAN REFERENCE:  
PL.BK. 241 PG. 45

LOCUS ADDRESS:  
424 QUEEN ANNE ROAD

BARBARA ADAMS  
404 QUEEN ANNE ROAD  
HARWICH, MA  
02645  
BK.22399 PG.233

LOT 1  
58,262 SQ.FT.±  
1.34 ACRES±  
PERIMETER:1,001.95'  
SHAPE NO. 17.23

LOT 2  
58,262 SQ.FT.±  
1.34 ACRES±  
PERIMETER:992.56'  
SHAPE NO. 16.91

APPROVAL NOT REQUIRED UNDER THE  
SUBDIVISION CONTROL LAW

APPLICATION DATE\_\_\_\_\_

SIGNED DATE\_\_\_\_\_

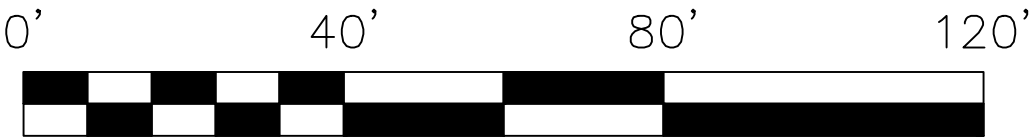
HARWICH PLANNING BOARD

NO DETERMINATION OF COMPLIANCE WITH ZONING  
REQUIREMENTS HAS BEEN MADE OR INTENDED

I CERTIFY THAT THIS PLAN CONFORMS TO THE  
1976 RULES AND REGULATIONS OF THE REGISTERS  
OF DEEDS.

DATE\_\_\_\_\_ PROFESSIONAL LAND SURVEYOR

PLAN OF LAND IN HARWICH,  
MASSACHUSETTS  
AS PREPARED FOR  
DAVENPORT REALTY TRUST



DECEMBER 10,2019

SCALE: 1"=40'

PAUL E. SWEETSER  
PROFESSIONAL LAND SURVEYOR  
P. O. BOX 1146  
DENNISPORT, MA  
02639

2491-00



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*Memorandum from  
Charleen Greenhalgh, Town Planner  
Town of Harwich*

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January 3, 2020

**AGENDA ITEM III.A.2**

To: Planning Board  
From: Charleen Greenhalgh, Town Planner  
Re: Covenant Release – Novotny Road

Back in 1993 the Planning Board approved a three (3) Lot subdivision plan which created Novotny Road, the applicants were Mr. and Mrs. Tompkins. In 1995, following the completion of all the required road work, the Planning Board released the lots from the covenant; unfortunately two things did not happen:

- 1) The plan referenced in the original covenant releases was wrong; and,
- 2) The covenant releases were never recorded.

One of the lots, which a house on it, is now being sold. In the title search process the buyer's attorney discovered that there was no release of covenant recorded and in order to have a clean sale and transfer of title, the covenant release is needed.

**Recommended Motion:**

Move to approve the covenant release for lots 1, 2 and 3 of the Novotny Road subdivision.



# TOWN OF HARWICH PLANNING DEPARTMENT

## PLANNING BOARD



**FULL RELEASE OF COVENANT**

Date: January 14, 2020

Covenantor(s): **James B. and Anne N. Tompkins**

Covenant: **Book 9057 Page 139**

**Plan Book 501 Page 139**

The undersigned, being a majority of the Planning Board of the Town of Harwich, Massachusetts acknowledges satisfaction of the terms thereof and hereby releases, for the purposes of conveyance or construction and/or its rights, title and interest in the lots on said plan numbered **1, 2 and 3** (Full Release) and respectively known as #2 an #4 Novotny Road and 13 Gilbert Lane, located in Harwich, MA according to a subdivision plan described in the above covenant.

It is the opinion of the undersigned that the construction of ways, municipal services and all other required improvements which provide access to and directly serve the above enumerated lots have been constructed in a manner which meets the requirements of the Harwich Subdivision Control Law and the rules and regulations thereof, and are constructed in conformity with the approved plans, cross-sections and profiles of this subdivision.

Planning Board Member Signatures

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

## COMMONWEALTH OF MASSACHUSETTS

County of Barnstable

On this \_\_\_\_\_ of \_\_\_\_\_, \_\_\_\_\_  
Day Month Year

Before me, the undersigned Notary public, personally appeared \_\_\_\_\_  
Name of Document Signer

Proved to me through satisfactory evidence of identification, which was/were

\_\_\_\_\_  
Description of Evidence of Identification

To be the person whose name is signed on the preceding or attached document, and acknowledged to me that he/she signed it voluntarily for its stated purpose.

\_\_\_\_\_  
Signature of Notary Public

\_\_\_\_\_  
Printed Name of Notary Public

\_\_\_\_\_  
My Commission Expires (Date)



### Report of the Planning Board

The Planning Board continues to oversee development in Harwich to confirm that it is in compliance with the Town's Zoning Bylaws (Zoning Code), the Planning Board Rules and Regulations and the Town's Comprehensive Plan. 2019 has been one of the busiest years for the Planning Board in the past 10 years; 50 applications were submitted to the Board, 11 more than 2019.

The Board saw the departure Jim Joyce this summer, who will be sorely missed and also welcomed its newest members Bill Stoltz, who had previously sat on the Planning Board and Duncan Berry, a local historian, who both bring with them a wealth of knowledge and experience. A new alternate member was also appointed this past fall, Arthur Rouse, whose past experience in municipal work will be an asset to the Board.

As noted, the Board had a total of 50 applications this year and held 22 meetings. Two cases carried over from 2018 and seven cases will be held over to 2020. The Board took action on the following applications:

- Endorsed 2 Approval Not Required (ANR) Plans; took no action on 1 ANR.
- Approved 8 Definitive Subdivision Plans; 5 Endorsed, 1 not endorsed at the request of applicant and 2 is pending.
- Approved 3 Preliminary Subdivision Plans
- Approved 8 Use Special Permits, with 1 pending
- 13 Site Plan Special Permits & Use Special Permits applications were received; 7 were approved, 3 were withdrawn and 3 are pending
- 8 Site Plans applications were received; 5 approved, 2 pending and 1 withdrawn
- Reviewed 6 Waiver of Site Plans, of these 4 approved and 2 withdrawn
- One road name change request was withdrawn

The approved divisions of land have created 16 new building lots. For the first time in recent history of the Planning Board, the Board had over \$60,000 in filing fee revenue.

The Board also sponsored four (4) zoning amendments, including:

- Accessory Apartments by-right
- Free-Standing Portable Signs
- Building Height within a Flood Zone for existing structures
- Relief for retaining walls as they pertain to septic systems.

All of the zoning amendments were approved by Town Meeting and the Attorney General.

As a result of a controversial case in West Harwich, the Board was asked by the Board of Selectmen to discuss and review the possibility of a District of Critical Planning Concern (DCPC) nomination for the Route 28 corridor, known as Captain's Row. The Board reviewed a draft prepared by Town Planner Greenhalgh and on September 10<sup>th</sup> the majority of the Board voted to recommend the nomination of the DCPC to the Board of Selectmen. The Board of Selectmen approved the nomination on September 16<sup>th</sup> and the nomination was filed with the



Cape Cod Commission (CCC) on September 17<sup>th</sup>. The CCC accepted the nomination on October 3<sup>rd</sup> and a hearing was held by the CCC in Harwich on October 22<sup>nd</sup>. The full CCC voted unanimously to approve the West Harwich DCPC on November 14<sup>th</sup> and the Barnstable County Assembly of Delegates voted unanimously on December 4<sup>th</sup> to approve the County Ordinance to approve the DCPC and on December 11<sup>th</sup> the Barnstable County Commissioners voted 2-1 to approve and sign the West Harwich DCPC ordinance. Several members of the Planning Board attended these additional meeting. Now the work will begin to draft the necessary zoning amendments to comply with the DCPC ordinance. The Town will have 12 months to draft and approve bylaws, regulations, etc.

The Board began discussions on potential zoning amendments for the May 2020 Annual Town Meeting.

Currently the Board has one opening for an alternative member.

The Planning Board would like to acknowledge Charleen Greenhalgh, Town Planner, Elaine Banta, Planning Assistant and Katie Tenaglia, for their invaluable work for the Board. The Board would also like to thank the Board of Selectmen and the Citizens of Harwich for their continued support in the Planning Board's effort.

Respectfully Submitted,

Joseph P. McParland, Planning Board Chairman



**HARWICH PLANNING BOARD  
HARWICH TOWN HALL - 732 MAIN STREET- GRIFFIN ROOM  
TUESDAY, DECEMBER 17, 2019 – 6:30 PM  
MEETING MINUTES**

**BOARD MEMBERS PRESENT:** Chairman Joseph McParland; Vice-Chairman Alan Peterson; Mary Maslowski; Duncan Berry; William Stoltz; David Harris; and Arthur Rouse.

**BOARD MEMBERS ABSENT:** Craig Chadwick.

**OTHERS PRESENT:** Town Planner, Charleen Greenhalgh; David Clark; Town Engineer, Griffin Ryder; Board of Selectmen, Michael MacAskill; Fire Chief, Norman Clarke; Christine Howard; George Tamer; Anne Shields; Sandy McLardy; Tom McLaughlin; Rick Hamlin; Chamber of Commerce Director, Cyndi Williams; Rick Roy; Allen Hall; Tom O’Leary; and others.

**CALL TO ORDER** - 6:30 PM by Mr. McParland with a quorum present.

Chairman McParland announced the Recording & Taping Notification: As required by law, the Town may audio or video record the meeting. Any person intending to either audio or video record this open session is required to inform the chair.

**PB2019-43 Route 137 Development, Ten Lot Definitive Subdivision, Route 137**

***Representative:*** David A. Clark, P.E., Clark Engineering LLC

Chairman McParland re-opened the hearing at 6:31 PM by reading the legal notice into the record. Applicants seek approval of a ten (10) lot definitive subdivision plan, one (1) of which is a panhandle lot, and two (2) non-buildable parcels. The application is pursuant to the Code of the Town of Harwich §325-18(Q) and c.400, Article II and MGL c.41 §88 K-GG and. The property is located on Chatham - Brewster Road (aka Route 137), between Chrisjobeth Circle and Sherwood Road on Assessor’s Maps 96, 97 & 106 with a portion of land being identified as parcels Misc. 50 and Misc. 60 and the remainder being undesignated. The land is in the R-R and W-R zoning districts. Continued from December 3, 2019.

David Clark began the hearing by explaining the application and the proposed plan. He explained how the project met all the appropriate requirements. The entire subdivision will be served by the municipal sewer system, and if it is not they will have to go back before the Board of Health. He explained the storm water requirements, and the lot layouts.

Mrs. Greenhalgh read departmental input and the Town Planners report into the record. Health: At a meeting of the Board of Health on November 12, 2019, a discussion took place regarding a request to consider a 10 lot definitive subdivision plan prepared by Clark Engineering, LLC plan dated October 28, 2019. The Board of Health unanimously voted to approve the definitive subdivision plan request with the following conditions: 1) The lots shall be served by town water, and 2) The lots shall be served by municipal sewer. Highway, Fire: No concerns Police: Concern with traffic safety on-site and/or surrounding area. Visibility looking to the south on



137 is poor due to embankment. Conservation: No concerns. Not is conservation jurisdiction  
Town Engineer: See Planning Staff Comments below. Additionally, the Town Engineer will be reviewing the revised Storm Water Report. Comments are anticipated for the 12/17 meeting.  
Planning Staff Comments 1. The application before the Planning Board is for a 10 Lot Definitive Subdivision and at this time this is the only matter before the Board. 2. The Town Engineer's comments were shared with the Mr. Clark (the applicant's Engineer) on November 18, 2019. 3. My initial comments were share with Mr. Clark on November 19, 2019. 4. On November 25, 2019, Mr. Clark met with the Town Engineer, Health Director, Interim Town Administrator and myself to discuss the Town Engineer's concerns, drainage and sewer requirements. This was a very productive meeting and provided Mr. Clark with the necessary information to make the necessary changes. 5. There are four Road names that are acceptable based on comments from Police and Fire: • Strawberry Hill Lane • Applewild Lane • Lucy Lane • Goldfinch Way. A decision on the final two road names will need to be made 6. The requested waivers are supported by the Town Engineer and the Town Planner.

Griffin Ryder, Town Engineer, spoke regarding storm water requirements. His comments were added to the public record. He also informed the Board that this will require a hearing for the drainage/stormwater. He will be holding that hearing. At this time a lengthy Discussion ensued.

Several members of the public voiced concerns, including Christine Howard, George Tamer, Anne Shields, Sandy McLardy, and Tom McLaughlin. A lengthy discussion ensued.

Board members had many questions and comments. A lengthy discussion ensued.

Ms. Maslowski made the motion to close the public hearing at 7:20pm, seconded by Vice-Chairman Peterson, unanimously so voted.

The following was reviewed and referenced:

1. Subdivision Application B-1
2. Filing fee of \$5,775
3. Letter from Clark Engineering LLC dated October 29, 2019
4. Letter from Clark Engineering LLC dated December 9, 2019, including requested waivers and proposed road names.
5. Storm Water Report dated October 29, 2019, prepared and stamped by David A. Clark, P.E., Clark Engineering LLC.
6. Storm Water Report dated October 29, 2019, revised December 6, 2019, prepared and stamped by David A. Clark, P.E., Clark Engineering LLC.
7. Set of Plans for Subdivision East Harwich, Prepared for Route 137 Development, LLC, prepared by Clark Engineering LLC, dated 12-06-19 as follows:
  - a. Cover Sheet, including Table of Content, also prepared by Outermost Land Survey Inc.,
  - b. Definitive Subdivision Plan, Chatham-Brewster Rd (Rte. 137), East Harwich, MA, also prepared by Outermost Land Survey Inc., scale 1" = 60', Sheet No. 1
  - c. Topographic Plan, Chatham-Brewster Rd (Rte. 137), East Harwich, MA, also prepared by Outermost Land Survey Inc., scale 1" = 60', Sheet No. 2 of 10
  - d. Plan & Profile Road – 1, Chatham-Brewster Rd (Rte. 137), East Harwich, MA,



- Horizontal Scale 1" = 40', Vertical Scale 1" = 4', Sheet No. 3 of 10
- e. Plan & Profile Road – 2, Chatham-Brewster Rd (Rte. 137), East Harwich, MA, Horizontal Scale 1" = 40', Vertical Scale 1" = 4', Sheet No. 4 of 10
  - f. Drainage & Paving Details, Chatham-Brewster Rd (Rte. 137), East Harwich, MA, Sheet No. 5 of 10
  - g. Water and Sewer Details, Chatham-Brewster Rd (Rte. 137), East Harwich, MA, Sheet No. 6 of 11
  - h. Erosion Control Plan, Chatham-Brewster Rd (Rte. 137), East Harwich, MA, Scale 1" = 60', Sheet No. 7 of 10
  - i. Erosion Control Details, Chatham-Brewster Rd (Rte. 137), East Harwich, MA, Sheet No. 8 of 10
  - j. Predevelopment Drainage Plan, Scale 1" = 60', Sheet No. 9 of 10
  - k. Postdevelopment Drainage Plan, Scale 1" = 60', Sheet No. 10 of 10
8. Definitive Subdivision Plan, Chatham-Brewster Rd (Rte. 137), East Harwich, MA, prepared by Clark Engineering LLC and Outermost Land Survey Inc, dated 10-28-2019, Scale 1" = 100', Sheet No. 1

On a motion from Ms. Maslowski, seconded by Mr. Harris, the Board voted unanimously (6-0-0) to adopt and approve the following findings of fact related to the request for Panhandle Lots:

1. Lot frontage and lot width within the panhandle meet the minimum requirements.
2. The length of the panhandle portion is significantly less than maximum allow length of 300 feet.
3. Suitable access is provided within the panhandle and the access is wide enough and otherwise satisfactory for a driveway.
4. The panhandle lot meets the shape number requirements.

On a motion from Ms. Maslowski, seconded by Mr. Berry, the Board voted unanimously (6-0-0) to approve the following waivers:

1. The submittal of a Municipal Lien Certificate.
2. To allow the subdivision plan to be at a scale of 1" = 60'.

The Board members reviewed the criteria for granting a Definitive Subdivision and following a motion by Ms. Maslowski and seconded by Mr. Harris, the Board voted unanimously (6-0-0) to adopt the following findings of fact:

1. Said subdivision for residential uses is permitted in the R-R zoning district and the W-R overlay district.
2. The subdivision requirements have been met and therefore said subdivision does not adversely affect the neighborhood.
3. All lots demonstrate compliance with minimum dimensional requirements for frontage, area and shape.
4. Board of Health requirements shall be met.
5. All necessary drainage and storm water requirements, local, state and federal, shall be met.

On a motion from Ms. Maslowski, seconded Mr. Harris, the Board voted unanimously (6-0-0) to approve with conditions case PB2019-43 Route 137 Development, LLC, for a ten (10) lot



definitive subdivision plan including one panhandle pursuant §§ 325-18(Q) and 400 of the Code of the Town of Harwich and MGL c.41, §§81K-GG for property located on Chatham - Brewster Road (aka Route 137), between Chrisjobeth Circle and Sherwood Road on Assessor's Maps 96, 97 & 106 with a portion of land being identified as parcels Misc. 50 and Misc. 60 and the remainder being undesignated, in the R-R and W-R zoning districts, as shown on a plan entitled "Definitive Subdivision Plan", Chatham-Brewster Rd (Rte. 137), East Harwich, MA, prepared for Route 137 Development, LLC, prepared by Clark Engineering LLC and Outermost Land Survey Inc., dated 12-06-2019, at scale 1" = 60', Sheet No. 1. The decision is based on the aforementioned findings of fact and the fact that the plan meets the necessary requirements for approval and endorsement with the following conditions:

1. Board of Health conditions shall be met.
2. The road name for Road 1 shall be Strawberry Hill Lane and the name for Road 2 shall be Lucy's Lane and shall be so noted on the plan prior to endorsement.
3. A minimum of two (2) 6' x 6' leaching catch basins with 4' of stone in each be installed to control runoff from each dwelling. This shall also be noted on the Definitive Plan prior to endorsement.
4. All drainage and storm water requirements, local, state and federal, shall be met and approved by the Harwich Town Engineer prior to the commencement of construction operations.
5. A standard Planning Board Covenant Agreement shall be executed.

**PB2019-44 Harwich Depot R.T., Waiver of Site Plan, 524 Depot Road**

***Representative:*** Rick Hamlin

Chairman McParland opened the meeting at 7:27 PM by reading the legal notice into the record. Applicant seeks approval of a Waiver of Site Plan pursuant to the Code of the Town of Harwich §325-55.F to renovate the warehouse with new doors, windows, roofing and siding and reconfigure the bays; reconfigure the parking lot to include ADA parking; reconfigure the outdoor storage areas; improve the landscaping features and confirm location of the existing ingress/egress for both Great Western Road and Depot Street. The property is located at 524 Depot Road, Map 45, Parcel S2-1-1 in the I-L zoning district.

Rick Hamlin began the meeting by explaining the proposed project. He stated that the applicant has made every attempt possible to make improvements.

Mrs. Greenhalgh read departmental input and the Town Planners report into the record. Health: A septic system permit was approved in 2019. As the application is proposed, the Health Department has no concerns. The septic system must be connected prior to Certificate of Occupancy. Engineering: The Town Engineering and the Town Planner reviewed the application and plan together. Please see Planning Staff Comments below. Police, Fire and Conservation: No concerns. Planning Staff Comments 1. This is a public meeting matter and not a public hearing. 2. The Town Engineer and I reviewed the plan together on November 26, 2019. Comments/concerns were sent to the applicant. On December 9, 2019, revised plans were submitted that addressed all the concerns/questions raised. 3. The Building Department has already issued a building permit for improvements to the building. At that time, the Town Engineer reviewed the drainage plan submitted with the building permit application. All



concerns/questions related to drainage were addressed by the applicant at that time. 4. The proposed improvements to the site will be beneficial to this area. 5. We do recommend that an as-built plan be submitted following construction and improvements to the site.

Board members asked several questions. There was no public comment.

On a motion from Ms. Maslowski, seconded by Mr. Harris, the Board voted 7-0-0 to adopt the following findings of fact:

1. The parcel is in the I-L zoning district.
2. The application does not substantially change the relationship of the structure to the site and to abutting properties and structures.
3. The existing site is suitable for the existing/proposed uses.
4. Parking as proposed is suitable and is an improvement to the site.
5. The improvements to the site will be beneficial to the surrounding neighborhood.

On a motion by Ms. Maslowski, seconded by Mr. Harris, the Board voted unanimously to approve Case PB2019-44 Harwich Depot RT, as applicant, Rick Hamlin, representative for a Waiver of Site Plan pursuant to the Code of the Town of Harwich §325-55.F to renovate the warehouse with new doors, windows, roofing and siding and reconfigure the bays; reconfigure the parking lot to include ADA parking; reconfigure the outdoor storage areas; improve the landscaping features and confirm location of the existing ingress/egress for both Great Western Road and Depot Street. The property is located at 524 Depot Road, Map 45, Parcel S2-1-1 in the I-L zoning district. The decision is based on the findings of facts stated and the fact that the proposal does not substantially change the relationship of the structure to the site or to abutting properties and structures and the application meets the necessary requirements and criteria for approval. The following condition is imposed:

- a. An as-built plan shall be submitted following construction and improvements to the site.

### **MEETING MINTUES:**

Vice-Chairman Peterson made the motion to approve the minutes from November 7, 2019 and November 19, 2019 as written, seconded by Mr. Harris, unanimously so voted.

### **CONTINUED ZONING DUSCUSSION:**

A lengthy discussion ensued regarding the IL zoning district expansion down Queen Anne Road.

Mrs. Greenhalgh presented the industrial expansion proposal on Queen Anne Road. The expansion would be to the west of the existing IL zoning district and would include approximately 32 acres. Land owners, Mr. Roy, Mr. Hall and Mr. O'Leary were present to speak in support of the expansion.

Chief Clarke, Selectmen MacAskill, and Ms. Williams all spoke in support of this zoning amendment.

A discussion ensued regarding draft changes in Essential Services and Municipal Uses. Mrs. Greenhalgh explained that the definitions are currently in conflict. She provided the sewer pump stations as an example; these required a special permit as an "essential service", yet they are a



municipal use which is allowed by right. The Board agreed that the definition for “essential services” and the reference in the use table should be deleted and directed Mrs. Greenhalgh to write up an appropriate article for review.

There was a brief discussion regarding Multi-Family housing. This may be too much to take on for the May Town Meeting, but it is something that needs to be looked at, as currently multi-family is only allowable in the “high-rent” areas of town.

Mrs. Greenhalgh reported that the Assembly of Delegates did approve the County ordinance for the West Harwich DCPC. Mr. McParland thank those members of the Board who were present at the hearing before the Assembly. Mrs. Greenhalgh provided an update on her appearance before the Board of Selectmen the previous evening where she discussed the timing of bring zoning articles forward. From the date of approval by the Assembly, the Town has 12-months to approve bylaws and/or regulations in conformance with the approved ordinance. As the May Town meeting is less than 6-months away and any bylaw amendments would need to be completed by February, Mrs. Greenhalgh discussed with the Selectmen that it would be more worthwhile to prepare the bylaws/regulations in a more methodical way, so as to have community participation and buy-in. It is important to have input from the folks, in particular those who own and live in the area. The Selectmen agreed, as did the Planning Board. Mrs. Greenhalgh will begin public session in January and suggested that representation from both the Selectmen and Planning Board would be advantageous to the process.

#### **BRIEFINGS & REPORTS BY BOARD MEMBERS:**

Ms. Maslowski stated that CPC still deliberating on the articles, and next meeting is January 16<sup>th</sup>.

**ADJOURNMENT:** The motion to adjourn was made by Vice-Chairman Peterson at 8:04 PM, seconded by Chairman McParland, unanimously so voted.

Respectfully submitted,

Kathleen A. Tenaglia, Board Secretary

Adopted:



**Article \_\_\_\_:** To see if the Town will vote to amend the Code of the Town of Harwich – Zoning by deleting the definition of “Essential Services” within §325-2 – Definitions and by deleting within §325-13 – Table 1, Paragraph II – Public and Quasi Public Uses, Item 3 – Essential services; facility, utilities.

Explanation:

The existing definition of *ESSENTIAL SERVICES*: “*Services and appurtenant structures, facilities, uses or equipment provided by governmental agencies, including the Town of Harwich, or provided by public utility or public service companies, including but not limited to water distribution systems, Town-owned marinas, docking areas, fish piers, off-loading facilities, retaining walls, jetties and similar structures, gas and electric distribution, systems for telecommunications and sewerage systems.*” and the definitions of *MUNICIPAL USE*: “*A use, whether in a structure and/or on a parcel of land, owned and/or operated by the Town of Harwich.*” are in conflict with one another. All Municipal Uses are allowable by right, as are public utility uses (i.e. gas, electric, cable, cell). By deleting the definition of Essential Services it would eliminate this unnecessary conflict.



**Article \_\_\_\_:** To amend the Code of the Town of Harwich, §325-4 and Attachment 4 – The Zoning Map, by extending the Industrial (I-L) Zoning District westerly along Queen Anne Road and the existing I-L zoning district as shown on the amended Zoning Map, dated \_\_\_\_\_, XX, 2020.

Here is a close up of the area:

