

HARWICH PLANNING BOARD
HARWICH TOWN HALL
732 Main Street
DONN B. GRIFFIN ROOM
TUESDAY, MAY 22, 2018
6:30 PM
MINUTES

BOARD MEMBERS PRESENT: Chairman, Lawrence Brophy; Vice-Chairman, James Atkinson; Jim Joyce; Joseph McParland; Mary Maslowski; Allan Peterson (arrived 6:35pm)

BOARD MEMBERS ABSENT: David Harris

OTHERS PRESENT: Town Planner, Charleen Greenhalgh;

CALL TO ORDER - 6:30 PM by Chairman, Lawrence Brophy with a quorum present.

Chairman, Brophy 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 the open session is required to inform the Chair.

Due to an advertising error, the following public hearings were opened and immediately continued to May 29, 2018 at 6:30 P.M. There was no presentation or testimony.

Public Hearing

PB2018-13 Eastward Home Business Trust, Eastward MBT, LLC, Trustee, c/o Eastward Companies

The application seeks approval of an eight (8) lot Definitive Subdivision pursuant to M.G.L. c.41 §81K-GG, and §400 of the Code of Town of Harwich for property located at 1522 (formerly) & 1546 Orleans Road, Map 97, Parcel B2-1-R & B2-2-R, and within the DEP Zone II & Pleasant Bay Watershed and the R-R and the W-R overlay districts.

Motion was made by Mr. McParland to continue to May 29, 2018 at 6:30pm. Motion seconded by Mr. Atkins. Vote: 6-0-0

PB2018-15 Michael McKeen, as owner, c/o Teixeira Construction

The application, with waivers, seeks approval of a Use Special Permit for a detached Accessory Apartment pursuant to the Code of the Town Harwich §325-51.H and Article V Use Regulations. The proposal seeks to construct a two (2) bedroom dwelling unit with two-bay garage. The property is located at 55 Parallel St., Map 40, Parcel S1-3 in the R-M Zoning District.

Motion was made by Mr. McParland to continue to May 29, 2018 at 6:30pm. Motion seconded by Mr. Atkins. Vote: 6-0-0

PB2018-16 Glenn Coffin, Emergency Medial Teaching Services, Inc.

The application seeks approval of a Use Special Permit and a Waiver of Site Plan for a For Profit Educational use pursuant to the Code of the Town Harwich §325-51.H and Article V Use Regulations. The property location is at 706 Main St., Unit A, Map 41, Parcel B3 in the C-V Zoning District and commonly known as the Pilgrim Lodge.

Motion was made by Mr. McParland to continue to May 29, 2018 at 6:30pm. Motion seconded by Mr. Atkins. Vote: 6-0-0

Advisory Opinions - Board of Appeals – May 30, 2018

No comments from the Board members.

Minutes – April 24, 2018; May 7, 2018 & May 8, 2018

Motion made by Mr. McParland to approve the minutes from the May 7, 2018 & May 8, 2018 Planning Board meetings. Seconded by Ms. Maslowski. Vote: 6-0-0.

Due to an error on the agenda (April 24 date should have read April 10), the minutes for April 10, 2018 postponed for review.

PB2018-14, Weiler, Walkley & Associates, – Waiver of Site Plan - 527 Long Pond Dr, Reconsideration and Possible Vote

Representative: Craig Hicks

The Board voted on May 10, 2018 to deny the request for approval of a Waiver of Site Plan to remove the proposed sidewalk from the approved site plan that runs from Long Pond Drive to the Weiler office for property is located at 527 Long Pond Dr., Map 111, Parcel A2 in the R-R and W-R Zoning Districts. The Chairman asked that this be place on the agenda again for reconsideration by the Board.

There was some discussion among the Board members about reconsideration. Mr. Atkinson was concerned about entertaining a reconsideration without a policy. Mr. Joyce spoke to why he voted the way he did. He believes now that it is a ramp and not a sidewalk. Mr. McParland stated that absent a bylaw, the Board falls under Roberts Rules. He questioned whether a motion to reconsider needs to come from a member who voted against the application, the Board members agreed that yes a member who voted against the application would have to make the motion to reconsider. A brief discussion ensued regarding why the applicant was not provided the opportunity to withdraw the application, Mr. Brophy thought there would be a 4-1 vote to approve, but misread the Board. Ms. Maslowski stated that it seems Mr. Joyce had a material misunderstanding leading to his vote. Ms. Greenhalgh will work on a policy for reconsideration of waivers.

Motion made by Mr. Joyce to approve the allowance of a reconsideration of application case number PB2018-14. Seconded by Mr. McParland. Vote: 5-1-0 (Mr. Atkinson against)

Motion made by Mr. McParland to adopt the following Findings of Fact:

1. The parcel are in the RR Zoning District.
2. The application does not substantially change the relationship of the structure to the site and to abutting properties.
3. There are adequate HP parking spaces to accommodate visitors to the site.
4. Public transportation enters the property to drop off patients.
5. There will be limited impact on other existing uses of the site.

Seconded by Mr. Atkinson. Vote 5-0-1 (Mr. Peterson abstained as he was not present at the last meeting)

Motion made by Mr. McParland to Approve Case PB2018-14, Weiler, Walkley & Associates, as applicant, Weiler Family L.P., as owner, seeks approval of a Waiver of Site Plan to remove the proposed sidewalk from the approved site plan that runs from Long Pond Drive to the Weiler office. The property is located at 527 Long Pond Dr., Map 111, Parcel A2 in the R-R and W-R Zoning Districts. The application is pursuant to the Code of the Town Harwich §325-55.F. based on the findings of fact above and that 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.

Seconded by Mr. Atkinson. Vote 5-0-1 (Mr. Peterson abstained as he was not present at the last meeting)

Informal Discussion

Mr. Brophy will not be seeking re-appointment as a member of the Board. There will be three vacancies on the Planning Board, one regular member and two alternates. Mr. Brophy will write a letter to the Board of Selectman informing them of the vacancies.

Briefings and Reports by Board Members: No updates from the Board members.

Adjournment: Motion made by Mr. McParland to adjourn at 6:25pm. Seconded by Mr. Atkinson. Vote: 6-0-0.

Minutes transcribed and respectfully submitted by Amy Banford, Board Secretary.

Adopted: July 24, 2018