

HARWICH PLANNING BOARD
HARWICH TOWN HALL
732 Main Street - DONN B. GRIFFIN ROOM
TUESDAY, JULY 31, 2018 - 6:30 PM
MINUTES

BOARD MEMBERS PRESENT: Chairman Jim Joyce, James Atkinson; Joseph McParland; David Harris; Craig Chadwick and Mary Maslowski

BOARD MEMBERS ABSENT: Allan Peterson

OTHERS PRESENT: Craig LeBlanc, Bob LeBlanc, Bob LeBlanc Sr., and Al Sceter, AHMS; Brad Malo, Coastal Engineering

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

Chairman Joyce 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.

Chairman Joyce and the other members welcomed new member Craig Chadwick

PB2018-26 Allen Harbor Marine Service, Inc., Site Plan Review, 221 & 225 Route 28

Representatives: Brad Malo, Coastal Engineering and Craig LeBlanc, Allen Harbor

The Chairman reopened the hearing at 6:30 pm. This is a continuation of the hearing from July 24, 2018.

Mr. Malo spoke to the application. They are proposing to purchase property from the owner (consent form provided in the packet). The property is located at the corner of Grey Neck and Route 28. Two lots containing just over 40,000 square feet. There is an existing curb cut on Grey Neck Rd and little development is proposed on site. The southeast corner of the property is well buffered and landscaped. It is in the AE flood zone and is currently used by the Mill Store for shed display. They plan to make minor changes to the site such as re-grading at the southeast corner. The pea-stone and gravel surface will be expanded for boat storage, an allowed use. Drainage is to be redesigned, calculations were submitted. Several hardwood trees on the north and west side of the property, many will be kept and 7 new trees are proposed, although trees within the site will be coming down to accommodate the boats.

Mr. Malo explained that they are requesting waivers for parking, pursuant to §325-38, with no structures proposed. Proposed use is for boat storage, so no parking is needed for vehicles. Setbacks have been met. Parking/loading not applicable. Mr. Malo also spoke to the landscaping plan. The proposed trees and existing landscaping is ample and most important. Internal site clearance will only be done as necessary for maneuvering boats.

Ms. Greenhalgh read the comments from Department: Health, Fire, Engineering and Highway have no concerns. Conservation: This was before the Conservation Commission on July 5, 2017, it was approved. Police Department: From a criminal justice public safety aspect, Harwich Police

Department has no issues with this project. It is highly recommended that the lot be encircled with some type of fencing for security purposes. It is understood that no curb cut will occur onto Route 28. Planning Staff Comments: On July 12, 2018 a letter was sent to Bradford Malo outlining questions and/or comments that staff had regarding the site plan. Mr. Malo's letter dated July 25, 2018 and the additional plans submitted satisfies all questions and/or comments raised. This property is completely within a FEMA Flood Zone, elevation 11'. As no buildings or structures are proposed, this is an ideal use on this commercially zoned property. The requested waivers are appropriate. Recommend standard conditions be imposed.

Mr. McParland asked about ownership. The applicant will own the property.

Regarding the Police Department comment, Craig LeBlanc explained that the only fence possible would be chain link with razor wire. He feels that security is a minor concern and the appearance of such a fence would not be ideal. There have been very few issues with theft. After a season or two, the idea of the fence may change.

Mr. Atkinson asked if they had considered having security personnel monitor the property. Mr. LeBlanc said that they used to do this, but it had been discontinued. Instead, they visit the property almost daily to ensure that the shrink wrap covers are secure on each boat. Mr. Atkinson suggested that a security camera is another option to consider.

Ms. Maslowski and Mr. Chadwick asked several questions to which Mr. LeBlanc explained that the lot will only be used for storage, no painting or maintenance will be performed there. There will be no storage racks for the boats. The electrical panel will most likely be located in close proximity to the existing site, per Mr. Malo. The shed will be removed. The hours of operation will be those of a typical business day. In the spring time they may stay open until 5:30 or 6:00 pm to allow for boats to be taken from the site. The retaining wall will help level the lot, as this lot is lower than the abutting property.

Virginia Doyle spoke to her concern about this happening. She indicated that she was representing the neighbors. Visibility is extremely dangerous, and this could pose a liability for a lot of residents in the nearby neighborhood. She does not see this enhancing the beautification of this area. She asked why the use is permitted here, as she sees this as an industrial use. Through the Chair, Mrs. Greenhalgh responded that the storage of boats is an allowable use in the CH-1 district. If this was a boat yard use with maintenance etc. it would be treated differently.

The public hearing was closed at 6:54 pm on a unanimous vote based on a motion from Mr. McParland, seconded by Mr. Atkinson.

On a motion by Mr. McParland, seconded by Mr. Atkinson, the Board voted unanimously to approve the following waivers based on the fact that the site is existing and additional information is not deemed necessary: 1) Relative Parking requirement §325-38 – 42, including dumpster requirement; and 2) Landscaping Requirements §325-43.C

On a motion by Mr. McParland, seconded by Mr. Atkinson, the Board voted unanimously to approve the following findings of fact:

1. The property is located within the CH-1 zoning district.
2. The use is allowable by right.
3. The property is located within the FEMA Flood Zone, El. 11’.
4. No structures/buildings are proposed.
5. The access is over the existing curb cut on Grey Neck Road.
6. No curb cut onto Route 28 is proposed.
7. The waivers requested do not substantially derogate from the purpose and intent of this bylaw.

On a motion by Mr. McParland, seconded by Mr. Atkinson, the Board voted unanimously to approve with conditions case number PB2018-26 Allen Harbor Marine Service, Inc., applicant (Grey Neck Road Realty Trust, owner), c/o Bradford P. Malo, Project Manager, for a Site Plan Review Special Permit, with waivers, pursuant to the Code of the Town Harwich §325-55 for the proposed storage of boats, including boat stands and trailers at property located at 221 & 225 Route 28, Map 14, Parcels W1-1 and W3-2, respectively, in the CH-1 Zoning District. The decision is based on the aforementioned findings of fact, the fact that the application meets the necessary requirements and criteria for approval pursuant to the Code of Town of Harwich and the fact that the use is permitted in the zoning district, with the following conditions:

1. Signage shall comply with the requirements of the Code of the Town of Harwich and the Building Department.
2. Any changes to the site plan shall be subject to further Planning Board review and approval.

On a motion from Mr. Atkinson, seconded by Mr. McParland the meeting adjourned at 6:58 pm.

Respectfully submitted,
Amy Banford

Adopted: August 14, 2018