Harwich Planning Board

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

**MINUTES**

**Tuesday, December 12, 2023 – 6:30 PM**

This meeting of the Planning Board was held in-person in the Griffin Room of Town Hall. It was also available via the GoToMeeting format. Members of the public with an interest in any portion or specific item on the agenda were encouraged to plan for in-person attendance.

Members present: Duncan Berry, Mary Maslowski, Emily Brutti, Harry Munns and Allan Peterson.

Staff present: Christine Flynn, Shelagh Delaney

The meeting was called to order at 6:32 PM. Mr. Berry read the following notice and then invited all to recite the Pledge of Allegiance.

1. **Recording Notice; Call to Order**

*According to MA Law anyone who intends to record the meeting must first notify the Chair who will then inform the other attendees at the start of the meeting.*

1. **Pledge of Allegiance**
2. **Public Hearings**

There were no public hearings.

1. **Public Meeting**
2. **Case # PB2016-22 Speakman Excavating**, Request for partial release of 2017 Covenant for the road known as Shelley Path, Map 55, Parcels F1-1 and F1-2.

Due to the Applicant’s tardiness, Mr. Berry adjusted the timing on agenda items. He first requested a vote for approval of the meeting minutes of 11/28/23. (See Item V for the vote).

Mr. Berry then read the Case into the record.

Sam Speakman of Speakman Excavating presented the information and request for a partial release of the road known as Shelley Path. He noted that he had just purchased the property earlier this year and referred to the materials presented and the report from VHB, the Town’s contracted engineering firm. Mr. Berry asked him to go through each of the items mentioned in the VHB report; underground electric, paving, bounds, cable utilities, providing an “As Built” and the clean up after the work is completed.

Mr. Speakman noted that his estimate was close to that of VHB at $49,000 and felt that leaving Lot 1 in the Covenant should cover that.

Ms. Maslowski added that $49, 000 becomes $76, 800 once the 150% retention rate is applied. She asked if there had been an evaluation of that lot.

Town Planner referred to the conditions of the Covenant Release aligning with the requirements of the VHB report.

Mr. Speakman added that the electric infrastructure will be done before next week. Top coating and wiring should be done in January with the bounds being completed over the winter. He also noted that he had an approved septic plan for lots 2 and 3 and has submitted a building permit for Lot 2. His hope is to sell Lot 2 to help fund the remainder of the road.

After reviewing the Assessor’s valuation along with an online real estate comparison, the Board determined that the value of Lot 1 would be sufficient to remain in the Covenant and offset the cost of the remaining street construction.

Mr. Peterson moved and then amended the motion to allow Ms. Maslowski to move that the Board approve the request for **Case # PB2016-22** for a partial release from Covenant Lots 2 and 3 of the approved subdivision known as “Shelley Path”, retaining Lot 1 in Covenant until the road construction is complete, the Board having found that the estimated valuation of the Lot retained in Covenant exceeds the estimated value of $76, 800 determined by VHB as the cost to complete the remaining road work and based upon the timeline offered by the Applicant. Mr. Peterson seconded the amended motion and the Board voted in favor, 5-0-0.

1. **New Business**
2. Approval of Minutes: 11/28/23

Mr. Peterson moved and Ms. Maslowski seconded the motion to approve the minutes of November 28, 2023 as submitted. The Board voted in favor, 5-0-0

1. **Adjourn**

At 6:50 PM, Mr. Peterson then moved to adjourn the meeting with a second by Ms. Maslowski. The Board voted in favor, 5-0-0.

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