

HARWICH PLANNING BOARD  
HARWICH TOWN HALL  
732 Main Street - DONN B. GRIFFIN ROOM  
TUESDAY, SEPTEMBER 25, 2018 - 6:30 PM  
MINUTES

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

**OTHERS PRESENT:** Charleen Greenhalgh, Town Planner; Attorney Michael Ford; Sean Riley, Coastal Engineering; Aaron Polhemus, 157 Route 137 LLC

**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.

**PB2018-34: 157 Route 137, LLC, Site Plan Review – 157 Route 137**

Representatives: Attorney Michael Ford; Sean Riley, Coastal Engineering; Aaron Polhemus, 157 Route 137 LLC

The Chairman opened the hearing of the Harwich Planning Board (the “Board”) at 6:30 pm by reading the Legal into the record. The applicant seeks approval of a Site Plan Review Special Permit, pursuant to the Code of the Town Harwich §325-55 to formally establish a proposed paved entrance onto Auston Road and to add three (3) new parking spaces. The property is located at 157 Route 137, Map 87, Parcel U2 1, and is in the C-H-2 and W-R zoning districts. There was then a motion from Mr. Atkinson, seconded by Ms. Maslowski to open the hearing, so voted unanimously.

Attorney Ford explained that this is a simple matter, but that it does trigger site plan review. There is an existing a gravel drive, created at the time a test hole was completed, that they now seek to make into a more formal egress. In addition, three additional parking spaces will be added. The notice to abutters was completed and receipts submitted to the Town Planner. The tenant, Polhemus Savery DeSilva (PSD), do have a purchase and sales agreement for an easement over Auston Road. Several waivers have been requested, as outlined in the Town Planner’s staff report.

Mrs. Greenhalgh then presented her report. There were no comments or concerns from any town department. Certified Mail Receipts were received. The site has been in existence since the last 1980’s having gone through site plan review. Even with the more restrictive requirements for commercial developments within the Water Resources overlay district, this project meets all requirements. Administrative and filing requirements have been met. Staff recommends approval of the waivers requested, which includes: Location of free-standing sign; Stopping sight distance; Specifications for lighting, curbing, fencing, parking and wheel stops, and; Landscaping or Building plans. Standard conditions are also recommended.

Mr. McParland asked for clarification of the ownership of the property. The property is owned by 157 Route 137, LLC and PSD is the tenant. There were no other questions or comments from the Board.

Fire Chief Norman Clarke spoke as the direct abutter, Fire Station 2. He stated that the plan make sense and he is speaking on behalf of the request.

On a motion from Mr. McParland, seconded by Mr. Chadwick, the public hearing was closed at 6:39 pm.

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-2 and WR zoning districts.
2. All requirements for the zoning districts have been met
3. The site is currently being used commercially.
4. The new entrance would not create a nuisance or serious hazard to pedestrian and vehicular traffic along Auston Road.
5. 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 the following waivers as requested based on the fact that the waivers do not substantially derogate from the purpose and intent of this bylaw:

1. Location of free-standing sign.
2. Stopping sight distance.
3. Specifications for lighting, curbing, fencing, parking and wheel stops.
4. Landscaping or Building plans.

On a motion by Mr. McParland, seconded by Mr. Atkinson, the Board voted unanimously to approve with conditions case number PB2018-34: 157 Route 137, LLC, c/o Ford & Ford, Attorneys at Law, for a Site Plan Review Special Permit, pursuant to the Code of the Town Harwich §325-55 to formally establish a proposed paved entrance onto Auston Road and to add three (3) new parking spaces for property located at 157 Route 137, Map 87, Parcel U2 1, in the C-H-2 and W-R zoning districts. The decision is based on the aforementioned findings of fact and the fact that the application meets the necessary requirements and criteria for approval pursuant to the Code of Town of Harwich and with the following conditions imposed relative to the Site Plan Review:

1. Any additional signage would have to conform to the Harwich Sign Code.
2. The Site Plan Special Permit decision shall be recorded at the Registry of Deeds.
3. The Site upon completion shall be inspected and signed-off by the Town Planner or a designated Planning Board Member.
4. Any changes to the plan shall be subject to further Planning Board review.

### **Review CPC Application for Housing Trust and Housing Coordinator**

Mrs. Greenhalgh presented the application and explained that the Town is once again seeking Community Preservation funds for the Affordable Housing Trust and the Housing Coordinator in the amount of \$340K. A new requirement of the application is to have sign-offs from "other Commissions/Boards/Committees/Organizations that may have involvement, jurisdiction,

partnering”. The Planning Board seemed like a logical Board to seek support. Planning and zoning bylaws are integral to the creation of affordable housing, both capital “A” affordable and working families affordable. The planning board can assist with finding available locations and creating zoning by-laws. The housing coordinator, whether an individual or a firm, will be able to assist the Board with the drafting of zoning bylaws.

Mr. McParland asked directly about the amount set aside for the coordinator. Mrs. Greenhalgh responded that it is shown as \$30,000 for a part-time coordinator in the application. She noted that through the coordinating efforts with other towns an RFP will be going out from all towns to find someone or some entity that has the depth and breadth of the of knowledge to perform such tasks.

Mr. Joyce asked about affordability, opportunity and taxes, etc. and Mrs. Greenhalgh said the money is from the Community Preservation Act (CPA) surcharge and the remaining money is from deed transaction at the County level. She explained that ‘A’ffordable housing does receive a tax adjustment based on the taxation of the property being ‘A’ffordable and in the case of workforce/rental housing tax and other incentives are used to attract private industry to build. Mr. Atkinson spoke to further to clarify the CPA funding stating that the state’s enabling law allows each Town to vote and accept the legislation as Harwich did through Town meeting.

Mr. Atkinson raised concern on not having details on the how the money would be spent as last year’s allocation from the CPC application was for \$470 to the Trust. Another hesitation he has is on not knowing how many competing applications will come in this year although he is supportive of Trust. Ms. Maslowski had the opposite concern. She expressed that this is the only way to follow through with the housing plan as the Trust has been established to be able to act, buy and sell in the interest of the plan without waiting or rely on the action of town meeting. She explained that there are inherit costs involved to see the plan results, like putting out the RFP, and if the town does not fund it at the infancy stage, there will not be adequate funding to create needed housing. The Trust is only way to follow through on the Town plans. Mr. Joyce responded acknowledging the clear need to fund the trust at level where the trust can act in the best interest of the Town.

Mr. McParland asked for the Housing Trustees members. Mrs. Greenhalgh explained that Chris Clark as Town Administrator is Chair, Don Howell is the Selectmen designee, the first member at large is Larry Brophy and the other available positions are having interviews in the near future.

Ms. Maslowski noted that if the trust is not funded by CPC in 2019, it won’t have any additional CPC funding until 2020 applications are voted through at town meeting. Mrs. Greenhalgh noted the need for the money for the coordinator. There may be some changing of funds, such as the monies raised through the cell tower in East Harwich. The Trust just can’t rely on CPC application money alone. She said other mechanisms of funding streams are necessary. (Orleans did over ride for example.)

Mr. McParland commented that Town employees cannot afford to live in Town and specifically, the town has an issue. Mr. Joyce stated that the average home price is now \$356K. Mr. Chadwick asked for an explanation of authority of the Planning Board and last year’s vote for the Housing application to CPC. The explanation made by the Town Planner was that the Planning

Board is endorsing the application rather than authorizing it. Chairman Joyce asked if the Board would like to motion a vote of support for this year's application.

Mr. Atkinson noted that he supports the concept of the application and support the amount of \$30K for housing coordinator position. While supporting the concept he would like to leave the dollar amount open because of the unknown totality for execution of the project. He further stated that he would abstain if the Board votes specifically for the dollar amount stated in the Trust application.

The Board voted six (6) in favor (Chair Jim Joyce, Vice-Chair James Atkinson, Members Mary Maslowski, Allan Peterson, David Harris and Craig Chadwick) and one (1) abstaining (Member Joseph McParland, Sr.) to support the Housing Trust application for additional funds in this current round of CPC funding, including but not limited to \$30,000 for the housing coordinator. Ms. Maslowski made a motion, which was seconded by Mr. Atkinson.

### **Minutes – September 11, 2018**

On a motion by Mr. McParland, seconded by Mr. Atkinson, the Board voted to approve the Minutes from August 14, 2018. Vote: 5-0-1 with Ms. Maslowski abstaining.

### **Advisory Opinions:** None

A vote was taken **not** to hold a meeting Thursday, October 11, 2018.

A draft 2019 schedule was handed out, which will be discussed at the next meeting.

The next Planning Board will be held on October 23, 2018.

The annual fall training schedule from CPCT was also distributed.

### **Old Business**

Briefing and Reports:

Ms. Maslowski, Chair of the Historic District and Historical Commission recently imposed a delay of 365 days on property located at 52 Depot St.

Mr. McParland is a representative to the Capital Outlay Committee and is willing to address any questions or comments. Requests greater than \$50,000 need to appear in front of Capital Outlay. Since Chris Clark has been administrator he has made our view process easier by preparing the requests with vital information in advance.

Mr. Atkinson mentioned that \$200,000 has been requested for the update of Local Comprehensive Plan. Mr. McParland will support this. Mr. Atkinson also stated that the Community Preservation Committee will meet Thursday 9/13/2018 & 9/20/2018.

### **Adjourn**

On a motion from Mr. McParland, seconded by Mr. Atkinson, the meeting adjourned at 7:24pm.

Respectfully submitted,

Charleen Greenhalgh

Adopted: October 23, 2018