**Harwich Planning Board**

**Town Hall, 732 Main Street, Harwich, MA**

**Meeting Minutes**

**Tuesday, June 14, 2022**

**Board Members Present:**ChairDuncan Berry; Mary Maslowski, David Harris, Craig Chadwick, William Stoltz, Anne Tucker and Emily Brunetti

**Board Members Absent:** None

**Others Present:** Meggan Eldredge (Assistant Town Administrator)

**Call to Order**: Mr. Berry called the meeting to order at 6:42pm having established a quorum. Pledge of Allegiance recited.

**Public Hearings**
**PB2022-12 Eastward MBT LLC (continued from 5/24/2022)**

Mr. Berry opened by reading the notice.

Attorney William Riley introduced himself and David Clark, of Clark Engineering. Mr. Clark discussed relevant portions of the continued case, noting the Board of Selectman voted in favor of the storm water permit and the subdivision has received Board of Health approval with conditions. Attorney Riley stated the open space will go the Conservation Commission.

Ms. Eldredge stated the Board of Selectman did approve the storm water permit and read comments from Police and Fire departments and e-mail correspondence with Attorney Senie.

Mr. Chadwick asked the distance between Orleans Rd and Middle Rd and the process to create a proper sightline when creating a new road.

Mr. Clark referred the Board to Sheet 3 of the plan which depicts the Road plan and explained how an engineer determines the clearing line.

Mr. Berry opened the public hearing.

Attorney Christopher Senie, introduced himself and the three clients he is representing. He spoke on behalf of the abutters regarding 2 major concerns; Middle Road and the Open Space. He stated Middle Rd is being reconfigured and is concerned with the protection of rights for properties abutting Middle Rd. He requested the Board consider the added Declaration of Protective Covenants he submitted. He further discussed that the Open Space is intended to be present for 50 feet from the outer perimeter of the entire development. He stated the definitive plan was changed from the preliminary plan and doesn’t not protect the 50’ vegetated buffer and discussed how to remedy it based on his letter.

The Board, the Applicant and Attorney Senie discussed the two concerns; Middle Rd and Open Space.

John Burns, Harwich, stated the homeowners of Middle Rd have typically cleared felled trees and will continue to do so.

Mr. Stoltz asked if it would be possible to stake the 50’ buffer zone.

Mr. Clark responded yes, we can add that to the record plan and stake the land.

Mrs. Tucker would like to make the 50’ buffer as clear as possible.

Discussion ensued regard how to delineate the 50’ foot buffer on the plan.

Attorney Riley responded the deed will reference the Protection of Covenants.

Trevor Childs, Hidden Pond Circle, discussed concerns of the change to buffer zones from the preliminary plan and would like the buffer zones to be fully owned by the Conservation Commission.

Lisa Martin, 14 Hidden Pond Circle, also discussed concerns of the buffer zone ownership and safety issued with the road placement.

Jaquelin Childs, 52 Hidden Pond Circle, discussed the beauty of the natural surroundings and would like the buffer zones to part of the open space.

Attorney Senie requested a continuance and to meet with the Applicant to discuss the declarations of Protective Covenants.

Discussion ensued regarding the access of Middle Rd and adding language to preserve the natural buffer.

Attorney Riley agreed to meet with Attorney Senie if the case is continued.

Bill Marsh, owner of the property and Eastward Homes, stated a previous preliminary subdivision plan had far more lots and he decided with consultants to determine the best use for the land, including wetland protection.

No further public comment or questions from the Board.

The Board and the Applicant discussed whether or not to continue the case. Attorney Riley said there will be no changes to lot lines.

Ms. Maslowski moved to continue the case for June 28, 2022.  Seconded by Mr. Stoltz. Vote 7-0-0. Motion carries; Case Continued.

**Advisory Opinions/ Briefings/ Correspondence:**
Nothing of special interest to the Planning Board from other regulatory boards.

**Adjournment:**

Ms. Maslowski moved to adjourn, seconded by Mr. Chadwick. Vote: 7-0; Motion carried. Meeting adjourned at 8:05 PM.

**Documents Used at Meeting:**

* Planning Board agenda 05/24/2022
* Staff report PB2022-12 dated 04/29/2022

Submitted by: Lecia McKenna, Board Secretary

Approved: June 28, 2022