

HARWICH PLANNING BOARD MINUTES
HARWICH TOWN HALL -732 MAIN STREET- DONN B. GRIFFIN ROOM
TUESDAY, JANUARY 29, 2019 – 6:30 PM

BOARD MEMBERS PRESENT: Chairman, Jim Joyce; Mary Maslowski; Joseph McParland; Craig Chadwick; and Allan Peterson. David Harris was present via remote participation (phone).
OTHERS PRESENT: Town Administrator, Christopher Clark; Town Planner, Charleen Greenhalgh; William Crowell, Esq.; Executive Director of Harwich Chamber, Cyndi Williams; John and Jennifer Robbie, Bill Marsh, Maura and Allen Hall, John Sarkes, as well as others in the audience who did not speak.

CALL TO ORDER - 6:32 PM by Chairman Joyce with 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 this open session is required to inform the chair. He also explained that Mr. Harris was participating my phone and therefore all votes would be by rollcall vote.

PB2018-39 John B. Robbie, Jr. Trustee, Robbie Mill Road Nominee Tr. Use Special Permit, 24 Mill Road

Representatives: William Crowell, Esq and John Robbie

The Chair opened the hearing by reading the legal notice into the record. The applicant seeks approval of a Use Special Permit, with waivers, pursuant to the Code of the Town Harwich §325-13, Table 1 - Use Regulations and §325-14.Q for a detached residential accessory structure with two bedrooms. The property is located at 24 Mill Road, Map 15, Parcel U19, in the R-L Zoning District.

Mr. Crowell explained the application and there request for approval. He noted that at this time the septic system is only designed to accommodate one bedroom within the accessory structure. The applicant would be comfortable with the condition recommended by the Town Planner.

Mrs. Greenhalgh read from her staff report. Comments were received from Engineering, Health and Water. Engineering: Concern is storm water runoff from the site to neighboring properties. If the new drive and parking area are paved, the Town Engineer would suggest pitching the paved area 1% to the south into a swale constructed to the south side of the paved area. If the drive and parking area is stone or gravel, run off should not an issue. The Town Engineer would also suggest that the rain leaders from the accessory building be discharged into a shallow infiltration chamber or plastic StormTech type chamber. Health Department: The septic system was installed in 2018, and is designed for a total of 6 bedrooms. The main house floor plan reflects 5 actual bedrooms, therefore the current septic system could accommodate only one additional bedroom. If the owners would like to proceed with the proposed two bedroom addition, then a fully compliant septic system will be required. No variances from Title 5 or local Regulations will be granted. Should the floor plan change, and this will be used as an accessory apartment with a kitchen, a two-compartment septic tank, or two tanks in series, will be required per Title 5 regulations. Water Department: No water service shown on plan. Existing service was cut and capped on 10/9/18.

Mrs. Greenhalgh then provide her comments: 1) As noted in the Health Department comments, an upgrade to the septic system would be required to accommodate two bedrooms. It is recommended that a condition be imposed stating that “until such time as the septic system is upgraded to accommodate two bedrooms, only one bedroom will be allowed in the accessory structure.”; Additionally, the Health Department comments on an apartment. If the applicant seeks to have an apartment, they would need further relief from the Planning and/or Zoning Boards of Appeal. 2) The floor plans for the accessory apartment shows no kitchen. 3) The structure will need to tie into Town Water, per the Water Department. 4) The waivers requested are reasonable; and, 5) At this time it would appear that all requirements have been met.

Mr. Chadwick, clarified that there is no floor drain proposed in the floor of the accessory structure. He also questioned if it was possible to have a seven bedroom septic system installed. Mr. Robbie stated that they are ok with only having one bedroom above the garage, but if down the road they would like a second bedroom, they would be willing to either upgrade the septic system, or eliminate the study as a bedroom in the main house.

Mr. McParland stated he was not comfortable approving a two bedroom accessory structure if the septic system was not designed to accommodate two additional rooms. After much discussion, the applicant and Board concluded that the permit, if approved would be for one bedroom only.

Hearing no comments from the audience, the hearing was closed at 6:53 pm on a motion from Mr. McParland, seconded by Mr. Peterson and so voted unanimously by rollcall vote.

Waivers

Motion made by Mr. McParland, Seconded by Mr. Peterson, unanimously voted via roll call to approve waivers of any and all commercial or residential requirements of the Bylaw that are not applicable to this Petition.

Findings

On a motion from Mr. McParland and seconded by Ms. Maslowski, the Planning Board approved unanimously (6-0-0, via roll call vote) the following findings:

1. The property is located within the R-L Zoning District.
2. The use is consistent with the Zoning Code and will not adversely affect the neighborhood.
3. The site is an appropriate location for such use.
4. The accessory structure will not contain a kitchen and therefore is not an accessory apartment as defined in §325-2 - Word usage and definitions “Dwelling, Single-family with Accessory Apartment”.
5. The proposed parking area will provide sufficient off street parking which meets the minimum requirements of Town Code, and as such, there will be no nuisance or serious hazard to vehicles or pedestrians.

Use Special Permit

The original motion by Mr. McParland, seconded by Mr. Peterson moved to approve with the Special Permit with the following conditions:

1. The accessory structure does not contain a kitchen and therefore is not an accessory apartment pursuant to §325-2 Word usage and definitions “Dwelling, Single-family with Accessory Apartment”.
2. The accessory structure shall comply with the Harwich Water Department requirements.
3. The special permit decision shall be recorded at the Barnstable Registry of Deeds.
4. Any changes to the plan shall be subject to further Planning Board review.

On discussion, the Board spoke to clarifying condition #4 and adding a fifth conditions. Mr. Peterson moved approval of the amended conditions, seconded by Mr. Chadwick, this was voted unanimously 6-0-0 by rollcall vote.

Voting on the amended motion, Mr. McParland moved, seconded by Mr. Peterson, to approve with conditions, the Use Special Permit waivers for PB2018-39 John B. Robbie, Jr. Trustee, Robbie Mill Road Nominee Tr., owners, c/o William Crowell, Esq., for a Use Special Permit pursuant to the Code of the Town Harwich §325-13, Table 1 - Use Regulations and §325-14.Q - for a detached residential accessory structure with up to one bedroom. The property is located at 24 Mill Road, Map 15, Parcel U19, in the R-L Zoning District. The approval is based on the fact that the application meets the necessary requirements and criteria for approval pursuant to the Code of Town of Harwich with the above findings and following conditions.

5. The accessory structure does not contain a kitchen and therefore is not an accessory apartment pursuant to §325-2 Word usage and definitions “Dwelling, Single-family with Accessory Apartment”.
6. The accessory structure shall comply with the Harwich Water Department requirements.
7. The special permit decision shall be recorded at the Barnstable County Registry of Deeds.
8. The special permit is conditioned to the submission of a revised plan showing one bedroom and is subject to approval of the Town Planner.
9. Any further changes to the plans for the one bedroom, referenced in condition 4, shall be subject to further Planning Board review.

The Board voted unanimously to approve (6-0-0, via roll call vote).

PB2019-04 Town of Harwich, Waiver of Site Plan, 205 Queen Anne Road

Representative: Christopher Clark, Town Administrator

The Chair called this matter to order. The Town of Harwich - Selectmen, as owner, c/o Liz Argo, CVEC Manager, representative, seeks approval of a Waiver of Site Plan to clear the wooded area of the Solar Farm Overlay district for pending RFP to develop an additional solar array. The application is pursuant to the Code of the Town of Harwich §325-55.F. The property is located at 205 Queen Anne Road, Map 58, Parcel M1-1 in the I-L Zoning District.

Mr. Clark started off by stating that Harwich is now a Green Community. As part of the Green Community designation the Town choose to create a by-right area for Solar Arrays. This article was sponsored by the Planning Board last year and approved at the May 2018 Annual Town Meeting. The request is to allow for the clearing of a portion of the Solar Field Overlay District, in anticipation of selecting a vendor through the Request for Proposal (RFP) process.

Mr. McParland questioned why when the field was originally installed was the field not extended into the current proposed area? Mr. Clark was not with the town at the time; however he believes that the program that the original solar came under only applied to capped landfills.

Ms. Maslowski asked if CVEC is currently the third party contractor. Mr. Clark stated that yes they are.

Mrs. Greenhalgh commented that at Town Meeting this past year the Solar Farm Overlay Map and requirements were approved, and was part of the criteria for becoming a green community. It is not in a water recharge area, nor in an endangered species area, but she does recommend that at the appropriate time the area be graded with either grass or wildflower mixture to mitigate any potential run off.

Mr. McParland clarified that the purpose of this project is to generate revenue for the Town. Mr. Clark confirmed that yes, it will help alleviate some burden of tax payer dollars.

Allen Hall, from North Harwich, questioned why there was not a 50' perimeter to the South. Mr. Clark stated that the most solar time comes from the South. There is the electrical easement to the west and south of the property, which would act as an additional buffer. Mrs. Greenhalgh stated that there will still be the need to plant a buffer of lower plantings within the town parcel as well.

Mr. Hall asked why the existing cleared area immediately west of the existing solar array is not proposed for solar panels. In his opinion it would be common sense to not cut down more trees when there is already a cleared area. Mr. Clark clarified that a shadow from the land fill itself would block the panels, and the contours cannot be changed in the landfill. Mr. Hall also questioned why the Town couldn't expand industrial use in the area. Mrs. Greenhalgh stated that this area is zoned industrial and it did go to Town Meeting for this purpose. She also clarified that a solar field this size is considered industrial. It is also land-locked, and only accessed through Town property. Mr. Hall recommended looking to the east of the existing landfill. Mrs. Greenhalgh stated that land to the east is the site if either the DPW needs to expand, or the CWMP plant needs be located there, so technically it is already spoken for.

John Sarkes, from Harwich Center, questioned if Factory Road goes directly to that property. He stated that he does not believe that the property is land-locked because of that road. He stated that he believed on the downhill slope the panels could be raised up. Mr. Sarkes also clarified what it means to receive a waiver for a site plan. He asked why the Board would be willing to approve that. Mrs. Greenhalgh stated that it is all in the meaning of the wording. A plan must still be provided for a waiver of site plan review. They have indicated on the plan that they have shown the area that they would be cleared for the purposes of moving forward with a project. The project comes with a great deal of re-planting, further scrutiny, etc. Mr. Sarkes recommended finding out why the original solar project did not include this area, there must be a reason why the trees were not cut down.

Ms. Maslowski pointed out that all the waiver will do, will allow the Town to cut down trees in conjunction with a formal request for proposal.

Maura Hall, North Harwich, expressed her concern that there is a 50' tree buffer zone for all the abutters except for the lots on the south and the west by the high tension lines. Mrs. Greenhalgh clarified that it is a 50' setback, but will be re-vegetated. Mrs. Hall questioned the re-vegetation plan, and re-expressed her concern about not knowing that plan until it is taking place.

Mr. Clark stated that the trees will not be cut down unless a project is going forward with certainty. Clearing would be delayed until such time that a viable vendor for the RFP has been submitted and approved.

Findings of Fact: On a motion from Mr. McParland, seconded by Mr. Peterson, the Board voted by rollcall vote 5-0-1 (Mr. Joyce Abstaining) to adopt the following findings of fact:

1. The parcel is in the IL.
2. The application does not substantially change the relationship of the structure, or lack of structure, to the site and to abutting properties.
3. There will be limited impact on other existing uses of the site.

Mr. McParland made a motion to approve the waiver of site plan, it was seconded by Mr. Chadwick. Discussion followed regarding the inclusion of language to clarify that clearing of trees shall be delayed until such time as a viable vendor for the RFP is identified and solidified. Mr. McParland made a motion to amend the motions, Mr. Chadwick seconded, it was so voted unanimously by rollcall vote – 6-0-0.

Mr. McParland then moved the amended motion, seconded by Mr. Chadwick, to approve Case PB2019-04 Town of Harwich - Selectmen, as owner, c/o Liz Argo, CVEC Manager, representative, to approve a Waiver of Site Plan to clear the wooded area of the Solar Farm Overlay district for pending RFP to develop an additional solar array. The application is pursuant to the Code of the Town of Harwich §325-55.F. The property is located at 205 Queen Anne Road, Map 58, Parcel M1-1 in the I-L Zoning District. The decision is based on the findings of facts stated and 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. It is understood that following the clearing of the trees, the area will be graded and seeded with grass or wildflower mix so as to mitigate any potential runoff. Additionally, the clearing of trees shall be delayed until such time as a viable vendor for the RFP is identified and solidified. Unanimously approved via roll call.

PUBLIC MEETING

Accessory Dwelling Unit Bylaw

There was a brief review and discussion. There was then a motion to accept the proposal as written and to refer to the Board of Selectmen to start the public hearing process by Mr. McParland seconded by Ms. Maslowski. Unanimously voted yes via roll call. The text is as follows:

To see if the Town will vote to amend the Town's Zoning Bylaw, as follows:

- (i) By amending ARTICLE V, Use Regulation, §325.13.A, Paragraph I, Residential Uses, namely Table 1, Use Regulations, Paragraph I – Residential Uses, Use No. 10, Single-family dwelling with accessory apartment, as follows (deletions shown in ~~strike through~~ and proposed language in **bold underline**):

Table 1, Use Regulations

Use	RR	RL	RM	RH-1	RH-2	RH-3	CV	CH-1	CH-2	IL	MRL	MRL-1	WR	
Paragraph IV – Residential Uses														
10	Single-family dwelling with accessory apartment (§325-51.H <u>§325-14.T</u>)	<u>S</u> <u>P</u>	<u>S</u> <u>P</u>	<u>S</u> <u>P</u>	<u>S</u> <u>P</u>	-	-	<u>S</u> <u>P</u>	<u>S</u> <u>P</u>	-	-	<u>S</u> <u>P</u>	<u>S</u> <u>P</u>	<u>S</u> <u>P</u>

and

- (ii) By renumbering and repositioning with the Zoning Bylaw ARTICLE X, Administration and Enforcement, §325-51.H, Single-family dwelling with accessory apartment, as and to ARTICLE V, Use Regulation, §325-14.T, Single-family dwelling with accessory apartment; and
- (iii) By amending said Article X, Administration and Enforcement, §325-51.H, Single-family dwelling with accessory apartment, now ARTICLE V, Use Regulation, §325-14.T, Single-family dwelling with accessory apartment, as follows (deletions shown in ~~strike through~~ and proposed language in **bold underline**):

T. Single-family dwelling with accessory apartment.

- (1) Purpose. The intent of permitting accessory apartments is to:
 - a. Increase the number of small dwelling units available for rent in Town;
 - b. Increase the range of choice of housing accommodations;
 - c. Encourage greater diversity of population with particular attention to young adults and senior citizens; and
 - d. Encourage a more economic and energy-efficient use of the Town's housing supply while maintaining the appearance and character of the Town's single-family neighborhoods.
- (2) Definitions. **OWNER** One or more individuals holding title to the property.
- (3) Criteria. ~~for special permit approval. Special permits for single-family dwellings with a~~ **An** accessory apartment **is allowable within a single-family dwelling**, either attached or detached, ~~may be granted upon determination by the Planning Board that~~ **provided that** the following criteria have been ~~met~~ **satisfied**:
 - a. Only one accessory apartment is permitted for each principal dwelling unit.
 - b. The accessory apartment may not be held in separate ownership from the principal use.
 - c. Only one of the principal dwelling or accessory apartment may be rented at any given time **and, if rented, shall be rented for a term of no less than six (6) consecutive months.**
 - d. The accessory apartment shall have a net floor area not exceeding 1/2 of the net floor area of the principal dwelling unit and not more than 900 square feet.
 - e. The accessory apartment shall have not more than two bedrooms.

- f. At least one off-street parking space shall be provided for the accessory ~~dwelling unit~~ **apartment**.
- g. The minimum lot area required for a parcel ~~to be eligible for a special permit~~ to allow an accessory apartment shall not be less than 15,000 square feet if the parcel is situated in a RH-1, CV, CH-1, MRL or MRL-1 District; 20,000 square feet if situated in a RL, RM or RR District; and 40,000 square feet if situated in a Water Resource (WR) Overlay District. **For parcels existing within an approved Open Space Residential Development or Cluster Subdivision, the lots size shall be consistent with the endorsed plan.**
- h. The accessory apartment shall be designed so that, to the degree reasonably feasible, the appearance of the property remains that of a single-family property with matching materials, colors, window styles and roof design for one structure, if the apartment is attached, or for both structures, if the apartment is detached.
- i. The principal dwelling unit and accessory apartment shall meet all wastewater treatment requirements for the combined number of bedrooms.
- ~~j. The proposed use shall not create traffic hazards or volume greater than the capacity of the streets affected.~~
- ~~k. i.~~ The proposed use shall not exceed the building or site coverage for the zoning district.
- ~~l. k.~~ If an addition is to be built for the proposed use, the addition shall be set back from front, side and rear lot lines the distance required in the zoning district for new construction.

The Building Commissioner shall determine compliance with said criteria following receipt of the application for a building permit for a change of use and/or for construction of the said accessory apartment.

~~(4) The applicant shall record with the Registry of Deeds for Barnstable County a certified copy of the special permit decision and the special permit shall lapse if it is not so recorded and if it is not duly exercised within two years as provided for under MGL c. 40A, § 9.~~

~~(5) Transfer of ownership. The provisions of the special permit may be transferred with ownership of the property provided the provisions of this section and all other provisions of the Zoning Code of the Town of Harwich and the State Building Code are met and the Planning Department has approved a transfer for the special permit. The new owner also may request a Planning Board certification for the accessory apartment. To obtain such certification, the owner shall submit a written request with a statement that the conditions at the time of the original special permit approval remain unchanged and with a certification of ownership. The Planning Board certification shall be recorded at the Registry of Deeds.~~

~~(6) (4) A final determination that the owner **has** failed to comply with these **forgoing criteria** provisions or the termination of occupancy by the owner of the subject property shall be evidence that the rights and benefits conferred **hereunder** the special permit were abandoned or otherwise surrendered and discontinued by the owner and all such rights and benefits shall lapse **are null and void** and the elements that make the accessory apartment a separate dwelling unit shall be removed from the property within 90 days of said ~~final~~ determination, with the owner to comply with all requirements of the State Building Code and Town Zoning in removing elements determined to be unpermitted;~~

or take any other action thereon.

Freestanding Portable Signs

There was a brief review and discussion. There was then a motion to accept the proposal as written and to refer to the Board of Selectmen to start the public hearing process by Mr. McParland seconded by Ms. Maslowski. Unanimously voted yes via roll call. The text is as follows:

To see if the Town will vote to amend the Town's Zoning Bylaw §325-2 Word usage and definitions and by addition a new §325-26.K as follows

Within §325-2 delete the existing definition of "A-Frame/Easel/Sandwich-Board Signs" and replace with the following definition:

"FREESTANDING PORTABLE SIGN" – A single or double-faced, self-supporting sign made of wood, cardboard, plastic, metal or other lightweight and rigid material.

And, add a new §325-26.K to read as follows:

K. Freestanding Portable Sign.

- (1) A sign permit from the Building Department shall be required;
- (2) The area of the sign shall be no more than six (6) square feet per side;
- (3) The sign height above the ground shall not exceed three (3) feet;
- (4) The sign width shall not exceed three (3) feet;
- (5) The sign shall be unlit, shall be inaudible, and shall have no moving parts (except any necessary hinge to fold and unfold said sign);
- (6) The sign shall be stable and have no external supports;
- (7) The sign area (one side only) shall count towards the total allowable sign area (in square feet) for the business, pursuant to §325-27
- (8) The sign shall indicate no more than the name of the business, a special event, hours of operation, sale of a product or service, and price;
- (9) Only one (1) freestanding portable sign per business may be located on a property; a business with street frontage on two (2) streets may have no more than one (1) such sign on each street front; however, if there are multiple businesses on a property, there shall be no more than one (1) such sign per business, regardless of the street frontage;
- (10) The sign may only be displayed up to two (2) hours before the business is open to the general public and during the time business is open to the general public; and
- (11) The sign shall also comply with the requirements of §325-26.D-G, above;

or take any other action thereon.

Building Height - Flood Plain

There was a brief review and discussion. There was then a motion to accept the proposal as written and to refer to the Board of Selectmen to start the public hearing process by Mr. McParland seconded by Mr. Peterson. Unanimously voted yes via roll call. The text is as follows:

To see if the Town will vote to amend the Town's Zoning Bylaw Article XVII – Flood Plain Regulations by 1) changing §325-108 Definitions to §325-109 Definitions and 2) adding a new §325-108 "Special Provisions for Lifting Existing Structures to New and Appropriate

Elevations” and by adding four new definitions, alphabetically, to the new §325-109 Definitions, and further to amend §325-2 Word usage and Definitions “Building/Structure Height” paragraph B by deleting the existing language and replacing it, as follows:

§325-108 Special Provisions for Lifting Existing Structures to New and Appropriate Elevations

(1) Notwithstanding the provisions of any other provision of the Harwich Zoning By-law to the contrary, except as otherwise provided pursuant to paragraph (3) of this subsection, a person shall be allowed to lift an existing structure located in an Area of Special Flood Hazard to a new and appropriate elevation, or constructing a staircase or other attendant structure necessitated by such raising without the need for Board of Appeals relief, provided, however, this exemption shall apply only to the minimum extent or degree necessary to allow the structure to meet the new and appropriate elevation with adequate means of ingress, egress and accommodation of typical basement facilities.

(2) Appurtenant to lifting an existing structure, the existing structure may be relocated elsewhere on the lot as long as said relocation does not create a new, or increase the intensity of a setback nonconformity.

(3) The exemption established pursuant to paragraph (1) of this subsection shall not be available to a person who has altered or is seeking to alter the original dimensions of a structure if, had the alteration not been made, the structure could have been raised to meet the new and appropriate elevation either without the exemption or with an exemption of lesser degree than is needed with the alteration.

And,

§325-109 Definitions, as the following:

ATTENDANT STRUCTURE means an area to accommodate utilities, laundry facilities or mechanicals which are otherwise typically located within a basement area.

EXISTING STRUCTURE means any commercial or municipal structure or residential dwelling that currently exists, or existed prior to the catastrophic event, at the time a request is made to elevate.

HIGHEST APPLICABLE FLOOD ELEVATION STANDARD means the one-percent (1%) FEMA base flood elevation plus up to an additional three (3) feet.

NEW AND APPROPRIATE ELEVATION means any elevation to which a structure is raised, or is to be raised, that is equal to or higher than the applicable FEMA base flood elevation, provided, however, in no case shall the new and appropriate elevation exceed the highest applicable flood elevation standard.

And,

§325-2 Building/Structure Height

B. For a building or structure located within an area of special flood hazard, refer to §325-108;

or take any other action thereon.

Retaining Wall for Septic Systems

There was a brief review and discussion. There was then a motion to accept the proposal as written and to refer to the Board of Selectmen to start the public hearing process by Mr. McParland seconded by Mr. Chadwick. Unanimously voted yes via roll call. The text is as follows:

To see if the Town will vote to amend the Town's Zoning Bylaw §325-16, Table 2 and to add a new subparagraph "R. Retaining Wall(s) for Septic Systems" to §325-18, as follows:

§325-16, Table 2, add a Note "3" to the "Front (feet)", "Side (feet)", and "Rear (feet)" columns, which shall read as follows:

“³May be reduced to 10 feet for Septic System pursuant to §325-18.R.”

And,

§325-18 add a new subsection "R. Retaining Wall(s) for Septic Systems" to read as follows:

"R. Retaining Wall(s) for Septic Systems. The provisions of §325-17 notwithstanding, on an improved parcel, a retaining wall(s) associated with the installation of a septic system (e.g. mounded septic system) required by the Board of Health and/or Title 5, shall be setback no less than 10 feet to any lot line;

or take any other action thereon.

NEW BUSINESS

PB2018-13 Bascom Hollow – Request for status review of the way

Mr. Marsh requested that Bascom Hollow be added to the DPW plowing list. The bounds are not in, and the side shoulders are not complete, but drainage, utilities, and everything else is complete.

Mrs. Greenhalgh stated that she does not support this request. Until the Road is completely finished it should not be on the list of roads to be plowed.

Mr. McParland made a motion to add Bascom Hollow to the DPW snow plow list, seconded by Mr. Peterson. A rollcall vote was taken:

Yes: Chairman Joyce, Mr. Peterson, and Mr. McParland

No: Mr. Chadwick, Ms. Maslowski, and Mr. Harris

The motion failed as there was not a majority vote in the affirmative.

Vice Chair/Clerk – A motion was made to appoint Allen Peterson as Vice Chair by Mr. McParland, seconded by Ms. Maslowski, unanimously voted via roll call.

Meeting Minutes - A Motion was made to approve the Meeting Minutes from January 7, 2019 and January 8, 2019 by Mr. McParland, seconded by Mr. Chadwick, unanimously voted via roll to approve the minutes of January 8, 2019 and with a vote of 4-0-2 (Peterson & Harris) on the minutes of January 7, 2019.

ADVISORY OPINIONS

No Discussion

OLD BUSINESS

Mrs. Greenhalgh passed out a decision regarding a site plan review special permit for Harwich Port Village LLC. Condition number two on the decision states that a new site plan be submitted to verify zoning compliance, but it does not state who that entity is. Ten Yen is planning to expand into the former location of Buckie's. The layout will be changing, but parking requirements are not. She questioned which entity needs to review the zoning compliance. Mr. McParland would like it to be brought to the Planning Board. The Board members concurred.

Mr. Chadwick questioned if there was any feedback from the public regarding passed items, particularly the signage discussion. Ms. Williams stated she had not heard anything.

BRIEFINGS AND REPORTS BY BOARD MEMBERS

Ms. Maslowski updated that CPC voted and approved \$340,000 for the Housing Trust, in addition to the seven other applications.

ADJOURNMENT: The motion was made by Mr. Peterson to adjourn at 8:51 PM. The motion was seconded by Ms. Maslowski, so voted unanimously via roll call.

Respectfully Submitted,
Katie Tenaglia
Adopted: 2/26/19