

**HARWICH PLANNING BOARD
HARWICH TOWN HALL - 732 MAIN STREET, HARWICH
VIA REMOTE PARTICIPATION GoToMeeting.com
TUESDAY JANUARY 26, 2021 – 6:30 PM
MEETING MINUTES**

BOARD MEMBERS PRESENT: Chairman, Duncan Berry; Vice-Chairman, Allan Peterson; David Harris; William Stoltz; Arthur Rouse; Mary Maslowski; Joe McParland; and Craig Chadwick, were all present via remote participation.

BOARD MEMBERS ABSENT: None.

OTHERS PRESENT: Charleen Greenhalgh, Interim Town Planner; Katie O’Neill; Craig LeBlanc; Rob O’Neill; Robert Carter; Stuart Clark; Rosemary Panza; Justin Marks; Albert Sreter; Linda Reid; James Trainor; Roger Groskopf; and others.

CALL TO ORDER - 6:32 PM by Chairman Berry with a quorum present.

Pursuant to Governor Baker’s March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20, and the Governor’s March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Harwich Planning Board is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. A reminder that persons who would like to listen or view this meeting while in progress may do so by logging in or calling in as specified above on this agenda.

Chairman Berry called for a roll call of the members to determine a quorum. All members present.

PB2020-33 Main Street Stone Horse, 872 Route 28, New Use Special Permit

Chairman Berry opened the hearing at 6:33 PM by reading the legal notice into the record. Main Street Stone Horse, applicant & owner, c/o William F. Riley, Esq. representative, seeks a new Use Special Permit, to convert one of the two dormitory buildings, specifically the building known as 868 Route 28, into twenty two (22) one-bedroom apartments and to amend the previously approved Site Plan Review Special Permit granted under case PB2019-13 with additional parking requirement and other waivers. The application, is pursuant to the Code of the Town of Harwich §325-51.Q (Multifamily Use) and §325-55 (Site Plan Review). The property is located 872 Route 28, Map 25, Parcel A2, is located in the CH-1 zoning district.

Chairman Berry stated that the applicant has requested a continuance to February 23, 2021.

Ms. Maslowski made the motion to continue the hearing to February 23, 2021, seconded by Mr. McParland, unanimously so voted via roll call vote (8-0-0).

PB2020-34 Cool Change LLC, 282 Route 28, Site Plan Review & Use Special Permit

Representative: Rob O’Neill, Craig LeBlanc, Robert Carter, Justin Marks

Chairman Berry opened the hearing at 6:36 PM by reading the legal notice into the record. Cool Change LLC, Allen Harbor Marine, applicant & owner, c/o Rob O’Neill, representative, seeks a Site Plan Review and Use Special Permit pursuant to §§325-55; 325-13, Use Table, paragraph IV.19; and 325-51 to construct a 4,102 square foot commercial building for a marine use (boat maintenance and repair) and associated parking at property located at 282 Route 28, Map 12, Parcel G2-1 in the CH-1 zoning district.

Craig LeBlanc began the hearing by explaining the proposal. The purpose of the new building is for service work during the fall and winter months due to winter conditions. The fall work will primarily be shrink wrapping. On nice days they are able to shrink wrap outside, and keep boats inside for inclement weather. In January they start prep work for the season, consisting of descaling, bottom painting, checking operation systems, etc. Each boat is inside for approximately 3-5 days, then it goes back outside. It is a continuous cycle. The building will handle generally 6 boats at once, depending on size. The extra inside space will allow to keep staff on year round through the winter. That work will continue through early to mid may, then the boats will head to the water and more work happens outside. The summer months will not be as busy. This will really help the work load during inclement weather.

Mrs. Greenhalgh provided staff comments. Health: A fully compliant septic system must be approved prior to any building permit issuance. Fire, Police, Water, DPW/Highway: No issues, comments or concerns. Conservation: Any work in the FEMA Flood Zone requires Conservation Commission approval, as this is Land Subject to Coastal Storm Flowage. Planning Staff Comments 1. The Town Engineer and Town Planner met to review the plans and application as submitted on January 5, 2021. At that time we sent an email to Rob O’Neill, Project Manager outlining our questions and comments. Revised plans and other information was provided on January 13, 2021. Most of our comments/questions had been addressed; however, we do provide the following additional comments: a. The westerly parking two (2) parking spaces nearest the proposed building cannot be used during the hours of operation of the Marine use, as these would block access to the three (3) parking spaces at the rear of the building. This could be accomplished with signage and can be made a condition of approval. b. We still encourage one central curb cut. Because this is a change of use this would need to go to MassDOT for a curb cut permit. This can be made a condition of approval. c. Dimensions for the parking spaces are not provided, including the HP space. If the application states what the various dimension would be, this too can be included in the conditions. d. Curbing is encouraged along the easterly parking area. We understand the desire to minimize curbing due to the boat and trailer access; however curbing along the easterly side should not impede access. This can be made a condition of approval. e. The applicant has request a waiver of the landscaping and planting. The Town Engineer and Interim Planner believe that those areas that will not be paved must be “green” and therefore some indication of loaming and seeding, and/or low growing shrubs should be provided.

2. The Zoning Board of Appeals approved variances for setbacks for the building and parking pursuant to Case #2020-41. 3. The property contains a use easement for parking for the

restaurant located to the west of the property (Villa Roma). The parking needs for each use will be offset by the nature of each business and the hours of operation. 4. The requested waivers would not be required provided there are conditions imposed including the submittal of a landscaping plan. 5. At this time, all other requirements of the zoning bylaws appear to have been met. 6. Reasonable conditions are recommended including: a. A fully compliant septic system must be approved prior to any building permit issuance. b. Any work in the FEMA Flood Zone requires Conservation Commission approval, as this is Land Subject to Coastal Storm Flowage. c. The two parking spaces on the westerly side of the lot shall be restricted to evening use only. Signage shall be installed to indicate said restriction. d. A Cape Cod Berm shall be installed along the easterly edge of the parking area, and shall be shown on the As-Built Plan. e. A Massachusetts Department of Transportation (“MassDOT”) may be required as this is a change of use. Any changes to the entrance to the site as a result of this review shall not require further review from the Planning Board. A copy of the MassDOT curb cut permit shall be filed with the Planning Office. f. The regular parking spaces shall be 9’ wide by 20’ in length and the parking space for disabled persons shall be 8’ wide with a 5’ hatched aisle adjacent by 20’ in length. g. All signage shall comply with the Sign Code and Building Department Requirements. h. All lighting shall comply with the Lighting Code. i. Prior to the issuance of a building permit, a landscape plan shall be submitted to the Planning Office. j. Any changes to the approved site may require additional review and approvals from the Planning Board. k. This decision shall be recorded at the Barnstable County Registry of Deeds. l. Conformance with all review procedure requirements outlined pursuant to the Code of the Town of Harwich §400-18.G Inspection, certificate of completion and as-built plan shall be met.

Mr. McParland asked for clarification on access to the Villa Roma property. It was clarified that there is an existing island between the two properties.

Rob O’Neill clarified that on the plan page C-0.6, its shown how traffic would flow between the new lot and Villa Roma. Traffic should not be impacted.

Mr. Harris asked who the southern accessible space serves. It was for the new building.

Mr. Harris asked how they will handle the accessibility need, as it blocks the garage. Mr. O’Neill stated that there will not be any marina customers, it will only be employees. Employees will only park in spaces that do not impact the bay.

Justin Marks stated that signage will be located in that area. Currently there is no disabled employee, but should one be hired they would coordinate boat deliveries around their schedule.

Mr. Chadwick confirmed that there is not outside storage of boats, and all the work will be inside. Craig Leblanc said that is correct.

Mr. Chadwick questioned the elevation of the building, which was clarified by Stuart Clark.

Mr. Chadwick questioned the West side driveway spacing by the dumpster. How is it anticipated the garbage truck will maneuver. Craig LeBlanc stated that the dumpster it will be movable, and the truck will pull in the driveway, and then pull out.

Mr. Harris questioned the access from Route 28 to the entrance to the new parking lot and maneuvering within the site. The parking spaces on the West side will have to be vacant when bringing boats in and out.

Mr. Leblanc stated the restaurant is only open for dinner service, so the schedule should work out fine.

A lengthy discussion ensued on parking and truck maneuvering.

Mr. Stoltz stated that some plans have the large door on the right side and other show it on the left, what is correct?

Mr. LeBlanc clarified that three doors of the same size are proposed. Mr. O'Neill stated that the option with the three doors has not been presented to the Board yet.

Mr. Stoltz questioned curb blocks on the east side of the parking lot. Mr. O'Neill stated that they are open to doing the wheel stops. They are under the impression that if they do the wheel stops they will not meet the requirement of a Cape Cod berm. Mrs. Greenhalgh said they could do either, don't have to do both. Mr. O'Neill stated they will do the wheel stops.

Mr. McParland would like to move this to the next meeting when the proposal is cleaned up.

It was confirmed what details need to be added including landscaping, wheelstops, signage for the westerly spaces to be used only for the restaurant during evening hours and revised floor plans and rendering of the building if the proposal is for three larger overhead doors.

Ms. Maslowski clarified how many parking spaces are required to be there for Villa Roma and how many are needed for this new use? Mrs. Greenhalgh stated that 10 are needed for the marina use, and they have 18. This is a private arrangement with Villa Roma for parking.

Ms. Maslowski has concerns with the parking.

A lengthy discussion ensued.

Roger Groskopf, an owner of a condo behind the property, ask for clarification on the elevation change, which was answered by Mr. Stoltz.

Mr. McParland made the motion to continue the hearing to February 23, 2021, seconded by Mr. Stoltz. The motion and second were withdrawn following discussion.

Mr. McParland made the motion to continue the hearing to February 9, 2021, seconded by Mr. Stoltz, unanimously so voted via roll call.

The applicant understood that revised plans and other information must be filed by noon on Monday, Feb. 1, 2021.

WEST HARWICH DCPC - Continued discussion on Design Guidelines - Chairman Berry stated he will have a copy ready for next meeting.

ZONING AMENDMENTS- Discussion on possible zoning amendments/rules and regulations amendment for 2021

Mrs. Greenhalgh stated that she is looking for direction base on the December 29, 2020 memo that the Board has seen.

The Board agreed that work should be done regarding the setback requirements for parking within the MRL and MRL-1 zoning districts. This will be provided at the next meeting under new business.

A discussion ensued on whether to continue to requirement for certified mailings for abutter notifications. The Board was inclined to keep this in place.

BRIEFINGS AND REPORTS BY BOARD MEMBERS

Ms. Maslowski updated the Board on CPC. She expects they will start voting on the applications on Thursday. There were close to 16 applications, and they will be voting on 15 of them.

Mr. McParland updated the Board on the Capital Outlay plan, which was submitted several weeks ago.

ADJOURNMENT:

Mr. Harris made the motion to adjourn at 7:40 PM, seconded by Ms. Maslowski, unanimously so voted via roll call.

Respectfully Submitted,
Kathleen A. O'Neill

Adopted: February 23, 2021