



TOWN OF HARWICH PLANNING BOARD

Duncan Berry Chair, Craig Chadwick Vice Chair, Mary Maslowski,
Anne Clark Tucker and Emily Brutti, Harry Munns and Allan Peterson

Certificate of Action Site Plan Special Permit Modification Approval

October 19, 2023

157 Route 137 LLC
Aaron Polhemus, Manager
c/o Attorney Michael Ford
P.O. Box 485
West Harwich, MA 02671

Please be advised that at a duly advertised, posted and noticed public hearing opened on October 10, 2023, the Harwich Planning Board (the 'Board') **voted unanimously to approve** with conditions a modification to the Site Plan Special Permit (PB2018-34) for the property at 157 Route 137 and in accordance with the Harwich Zoning Bylaw Section 325-55 in order to construct a 668 sf. addition of office space.

Case No.: PB2023-29

Applicant: 157 Route 137 LLC

Agent: Attorney Michael Ford

Location: 157 Route 137; Assessor's Map 87, Parcel U2-1

Owners: 157 Route 137 LLC

Zoning Districts: Commercial Highway (CH-2) and the Drinking Water Protection District (DWPD)

Decision Date: October 10, 2023

SUMMARY OF PROCEEDINGS:

The public hearing in this matter was opened on Tuesday, October 10, 2023 at 6:45 PM in the Griffin Room at Town Hall as well as via remote participation using GoToMeeting. Due notice was given to all abutters within 300' of the Subject Property deemed affected as shown on the latest tax rolls of the Town, as well as the four abutting Towns and by publication in the Cape Cod Chronicle on September 21, 2023 and September 28, 2023. The plans were distributed to the Health Department, Conservation Department, Highway Department, Police, Fire and Water Departments for comments. Comments received by each were distributed back to the Applicant.

PB2023-29 157 Route 137 LLC

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TOWN CLERK
HARWICH, MA
2023 OCT 24 P 1:59

Acting and voting on the matter were: Duncan Berry, Chairman, Craig Chadwick Vice Chairman, Mary Maslowski, Emily Brutti, Ann Clark Tucker, Harry Munns and Allan Peterson. Attorney Michael Ford presented the case to the Planning Board along with Aaron Polhemus, Manager of 157 Route 137 LLC. They noted that there would be no additional traffic and no additional parking but rather a reduction of parking spots to accommodate the small addition. The Board reviewed the materials and testimony. Ms. Maslowski noted that the location had a previous Site Plan Review and that this application represented a modification to the Site Plan Special Permit granted in 2018 (PB2018-34). There were no public comments. After accepting testimony from all parties having an interest in the case, the Board voted to close the public hearing. The vote was unanimous. The members then deliberated and reviewed the criteria for granting a modification to the Site Plan Special Permit in accordance with section 325-55 of the Zoning Bylaw.

The decision in this matter is based upon the application, supporting documentation, public testimony and evidence provided at the hearing. Copies of the official records are located in the Planning Department files and are incorporated into the record by this reference.

Information Submitted

- Form A and Narrative;
- Municipal Lien Certificate;
- Plan Showing Proposed Building Addition and Zoning Compliance Table by Coastal Engineering Co. dated 9/11/23;
- Floor Plan and Elevation Drawings by Polhemus, Savery DaSilva, Architects pages A-1.1, A-2.0, A-2.1, A-2.2, A-2.3 dated 9/8/23;
- Abutter Application;
- Application Fee.
- Planning Staff Review Memo dated 10/2/23.

Findings of the Harwich Planning Board

On a motion from Ms. Maslowski with a second by Mr. Peterson, the Planning Board voted unanimously (7-0-0) to adopt the following findings:

1. The applicant is the property owner of 157 Route 137.
2. The address of the subject property is 157 Route 137, Harwich, MA (Map 87 Parcel U2-2) and is approximately 1.148 acres, located within the WR and CH-2 Zoning Districts.
3. The current use of the property is a professional business office used by Polhemus Savery DaSilva Architects and Builders.
4. The applicant proposes to build a 668sf office addition that will conform to all Zoning Code requirements.
5. The applicant has applied to the Planning Board for a modification of a Site Plan Special permit (PB2018-34) pursuant to Section 325-55 of the Harwich Zoning Bylaw.
6. There will be an expansion of the structure and a reconfiguration (reduction) of parking to accommodate that expansion.
7. This application was filed with the Town on September 15, 2023.
8. Subject to the conditions of approval stated herein, the application and site plan, as modified, conform to Sections 325-55 of the Harwich Code.

9. The Planning Board held a public hearing on the application October 10, 2023.
10. In addition, the Board reaffirms the findings in the original special permit except as they may be amended herein.

Ms. Maslowski then made a motion which was seconded by Mr. Peterson that the Board grant the Revised (Modified) Site Plan Special Permit for Case PB2023-29, for the property at 157 Route 137 as conditioned by the following. The Board voted unanimously in favor. 7-0-0

IN FAVOR: Mr. Berry, Mr. Chadwick, Ms. Maslowski, Ms. Brutti, Ms. Clark Tucker, Mr. Munns and Mr. Peterson.


OPPOSED: None

ABSTAINED: None

Conditions of Approval

- The proposed re-development shall be in accordance with the site plan referenced in the application materials above.
- This decision shall run with the property.
- This decision shall not be effective until it is recorded with the Barnstable Registry of Deeds.
- Changes to the site not authorized under this decision may require further Planning Board review and modification to this decision.
- The applicant shall conform to the inspection, certification and as-built plan requirements outlined pursuant to the Code of the Town of Harwich.

This special permit shall lapse at the end of two (2) years from the date of filing of the Board's decision in the office of the Town Clerk if substantial use or, in the case of permit for construction, if construction has not commenced, without good cause.


Duncan Berry, Chairman

24 October 2023
Date

Appeal from the above decision may be made pursuant to Massachusetts General Laws Chapter 40A, Section 17, within twenty (20) days of the date of filing hereof with the Town Clerk.

This Decision has been filed with the Town Clerk on:

October 24, 2023


Town Clerk

This is to certify that twenty days have elapsed after this decision was filed in my office and no appeal has been filed.

Date filed: _____

Twenty Days Elapsed: _____

Town Clerk

cc: Emily Mitchell, Town Clerk
Jack Mee, Building Commissioner
Carlene Jones, Assessor
Attorney Michael Ford