



RECEIVED
TOWN CLERK
HARWICH, MA

2023 DEC 13 A 9:32

TOWN OF HARWICH PLANNING BOARD

Certificate of Action Site Plan Review Special Permit Modification

Case No.: PB2023-32 (Modifying PB2018-18)

Applicants: Cape Cod Technical High School District and Young Men's Christian Association,
Inc.

Location: 351 Pleasant Lake Avenue; Assessor's Map 82, Parcel Lot A-1

Owner: Cape Cod Regional Technical High School District

Zoning District(s): Residential Low Density-1 (RL-1)

Deed Reference: Book 1577, Page 292

Decision Date: November 28, 2023

SUMMARY OF PROCEEDINGS:

The public hearing in this matter was opened on Tuesday, October 24, 2023 at 6:30 PM in the Griffin Room at Town Hall as well as via remote participation using GoToMeeting. The case was continued until November 28, 2023 at 6:30 PM. 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 October 5, 2023 and October 12, 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's agent.

Acting and voting on the matter were: Vice Chairman, Mary Maslowski, Emily Brutti, Ann Clark Tucker, Harry Munns and Allan Peterson.

The Applicant was represented by Ms. Marian S. Rose, Esquire, Attorney for the Applicant, John Bologna, Coastal Engineering and Jen Hocherman, Associate Principal for SV Design. They presented the case to the Planning Board. The Board reviewed the materials and asked for clarifications on some of the proposed improvements. The Board then opened the hearing for public comments, of which there were none. By Board motion, the hearing was continued to November 28, 2023, and, after accepting testimony from all parties having an interest in the case, the Board



voted to close the public hearing. The vote was 5-0-0. The members then deliberated and reviewed the criteria for granting a modification to Site Plan Special Permit (issued as PB 2018-18) 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 hearings. Copies of the official records are located in the Planning Department files and are incorporated into the record by this reference.

Information Submitted

- 1) Form A and Project Narrative;
- 2) Site Plan Set with Zoning Compliance Table by Coastal Engineering Co. dated **8/22/23**, as **amended** by Plan Set dated **11/09/2023**; each with Pages G-001,G-002, Ex-1.1, CE101, CM101, CG101, C501 and C502;
- 3) Plan Set by BSC Group dated **9/2/22**, pages L-3.0, L-4.0, L-5.0, L-5.1 and L-5.2;
- 4) Building Floor Plan and Elevation Set by SV Design dated **7/21/23**, pages A0.02, A0.03, A0.04, A0.05, A1.00, A1.01, A1.02, A2.00, A1.10, A3.00A6.03, A6.03a, A6.04 and A6.05;
- 5) 2018 Site Plan Special Permit Decision for CCRTHS (2018-18);
- 6) 2018 CCRTHS Site Plan by Coastal Engineering Co. pages DA-1 and DA-2 dated 5/15/18;
- 7) Landscape Site Plan by Warner Larson;
- 8) Certified Abutters List by the Harwich Assessor's Office;
- 9) Application Fee.

Findings of the Harwich Planning Board

On a motion from Mr. Allan Peterson with a second by Ann Clark Tucker, the Planning Board voted in favor (5-0-0) to adopt the following findings:

1. One of the Applicants is the property owner, Cape Cod Regional Technical High School District (CCRTHS) **and** the other is the lessee, Cape Cod YMCA, Inc. (CCYMCA).
2. The address of the subject property is 351 Pleasant Lake Av., Harwich, MA (Map 82 Parcel A1) and is approximately 67 acres located within the RL Zoning District.
3. The specific building on the property, known as the "Gilmore House" has been leased in the past from CCRTHS by the CCYMCA for early childhood education purposes.
4. The CCYMCA proposes to alter the interior of the Gilmore House to meet state standards for childcare and early childhood education and to minimally alter the exterior area with an accessible ramp, new exit doors, expanded staircase and lighting. Parking will be enhanced and a fenced playground will be built.
5. The Applicants have applied to the Planning Board for a MODIFICATION of a Site Plan Review Special permit (PB2018-18) pursuant to Section 325-55 of the Harwich Zoning Bylaw.
6. The Modification application was filed with the Town on September 26, 2023.



7. Subject to the conditions of approval stated herein, the application and site plan, as modified, conform to Sections 325-51 and 325-55 of the Harwich Code.

8. The Planning Board held a public hearing on the application October 24, 2023 and voted to continue the hearing until November 28, 2023. Additional testimony was heard on 11.28.23.

At the November 28, 2023 Planning Board meeting, Mr. Peterson made a motion to approve the request, which was seconded by Emily Brutti. The Board voted (5-0-0) to grant the modification of the Site Plan Special Permit for the stated redevelopment of the Gilmore House and surrounding area according to the plans submitted with the application Case PB2023-32.

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

OPPOSED: None

ABSTAINED: None

Conditions of Approval

1. The proposed site improvements and building renovations shall be in accordance with the Site Plan and associated materials referenced in the application above.
2. This decision shall run with the property.
3. This decision shall not be effective until it is recorded at the Barnstable Registry of Deeds. The applicant shall submit proof of recording to the Planning Department prior to the start of construction.
4. The builders must install straw wattles at the 100' buffer zone line to protect the wetland during construction.
5. Changes to the site not authorized under this decision may require further Planning Board review and modification to this decision.
6. 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, Chair

12/12/23

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:

December 13, 2023

Emily Mitchell
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 Marian Rose