



April 27, 2022

Harwich Planning Board
732 Main Street
Harwich, MA 02645

**RE: 5-Lot Definitive Open Space Subdivision Plan
0 Route 39/Turtle Run – Map 63, Parcel C3-R**

Dear Members of the Board:

Eastward MBT LLC, Trustee of Eastward Companies Business Trust, William Marsh, Manager, is submitting the following items for your review of the proposed 5-lot open space subdivision on Tuesday, May 26, 2022:

1. Two (2) completed applications – Form B-1
2. Two (2) copies of the Municipal Lien Certificate from the Town Treasurer
3. Filing Fee consistent with the fee schedule. Check amount: \$2,560.00 = (\$1,050.00 + \$2,875.00 (\$575 x 5 building lots)) - \$1,365.00 (Preliminary Plan Filing Fee)
4. Deed for property
5. The original mylar will be submitted following final Planning Board approval in order to include any conditions of approval.
6. Six (6) full size copies of definitive open space subdivision plan set containing: Cover Page, Subdivision Plan, Topography Plan, Road Plan View, Plan & Profile of Road, Drainage & Paving Details, Water Main Details, Erosion Control Plan, Erosion Control Details, and Erosion Control Detention Area Plan
7. Eleven (11) reduced copies of the open space subdivision plan set
8. Two (2) copies of plan prepared at 100 scale
9. Two (2) copies of drainage calculations
10. Turtle Run – road name (noted on plan) was determined to be acceptable on 2/3/22
11. Memory Stick containing dxf file of the subdivision
12. Copy of Planning Board approval memo for PB2021-24 Eastward MBT, LLC Tr, Preliminary Subdivision dated December 3, 2021
13. Copy of Conservation Commission's RDA Determination
14. Abutter's list was applied for on 4/15/22 and sent to the Planning Department

155 CROWELL ROAD, CHATHAM, MA 02633 508-945-2300

Existing Conditions

The subject property consists of an 8.64 acre (376,600 s.f.) lot with 280 feet of frontage on Route 39/Orleans Road in East Harwich and is located on the south side of the road between the Little Shaver Lane and Little Lane/Hidden Pond Circle neighborhoods. This property has varying topography, is heavily wooded, and includes a portion of Hidden Pond and wetland area on its east side. This property is located within the RR zone and the Zone II/DWRPD area. The upland area of the lot is 7.086 acres (308,555 s.f.) and the pond/wetland area is 1.56 acres (68,045 s.f.). Middle Road, a small dirt road off of Route 39 (approximately 1,100 s.f.), crosses this property and currently serves at least one existing single-family home.

Proposed Conditions

A conventional, grid subdivision plan and open space subdivision plan were presented at the Preliminary Plan stage and the open space subdivision was found to be superior to the grid subdivision plan.

The subject open space residential subdivision plan has been prepared showing five (5) building lots, an approximately 830-foot long subdivision road serving the lots, and two (2) open space lots. All proposed building lots meet the minimum required lot size at between 17,741 s.f. and 20,190 s.f. in size, meet the shape/circle requirements, and meet the minimum frontage requirements. All proposed road and lot development and site disturbance will be located outside of the 100' buffer setback to Hidden Pond and the wetland resource area. The building lots total 2.19 acres (95,304 s.f.), or 25% of the total property. The open space lot totals 5.26 acres (229,038 s.f.), or 61% of the total property. The subdivision road totals 1.19 acres (52,258 s.f.), or 14% of the total property. Middle Road has been maintained and its access has been incorporated in the design of the subdivision entrance.

In consultation with the Town Planner, we have determined that because the property is located in the Water Resource (WR) zone, the cluster development/open space subdivision is permitted as of right.

According to the Planning Board's Rules and Regulations, Turtle Run will be defined as a Way, "A traveled roadway which in the opinion of the Board is used to service abutting lots and is not intended for use by through traffic and shall include any roadway servicing five or fewer lots or dwelling units." A sidewalk is not required for a Way.

We filed the 5-lot Preliminary Open Space Subdivision Plan with Massachusetts Natural Heritage and Endangered Species Program (NHESP) on 12/1/21 and received the attached NHESP determination letter, dated 1/10/22, which requires the preparation/submission of a Turtle Protection Plan. We've engaged Theresa Sprague of Blue Flax Design to prepare this

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plan and will submit it to NHESP for approval when it's completed. We will submit the Turtle Protection Plan and NHESP approval once we receive it.

Clark Engineering filed the EPA Stormwater Permit package on 4/18/22 and will be applying for the Local Stormwater Permit this week with the Board of Selectmen.

In accordance with the requirement of the Open Space Residential Development By-Law, the two (2) open space parcels will be conveyed to either the Town, non-profit organization, or homeowner's association and will be permanently protected with a recorded conservation restriction.

The proposed definitive subdivision plan will be filed with the Harwich Board of Health by Wednesday, 5/4/22, for their hearing on Wednesday, 5/18/22.

Any conditions of approval will be added as notes to the final subdivision plan on the mylar to be signed by the Planning Board and recorded at the Registry.

The subject property will be staked for Planning Board and staff viewing prior to the definitive plan public hearing.

If you should have any questions or need additional information for your review, please do not hesitate to contact me.

Sincerely,



Susan B. Ladue
Regulatory Specialist
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508-326-3684

cc: William Riley, Esq.
David Clark, P.E.