Development Review dated July 21, 2022

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Applicant/Owner - Main Street HP LLC

Special Permit and Site Plan Review, 575 Route 28, Harwich Port

OVERVIEW

The proposed mix of restaurant, retail and residential uses and Route 28 building orientation strongly support a village concept. This development will complement existing uses in Harwich Port and provide a pedestrian-friendly extension immediately to the east. That said, the Planning Board must be diligent in reviewing the proposed scope of the project and details such as parking adequacy and safety of access and circulation.

PARKING

* The initial application calculated a zoning requirement for 68 parking spaces and provided 37 spaces. The applicant was advised that this gap represented too much of a parking waiver.
* In response, the applicant submitted a revised site plan with 16 additional parking spaces on 569 Route 28, a parcel owned by the applicant. The additional parking area will be connected to the main development on 575 Route 28 with an internal sidewalk.
* Revised parking calculations are 74 spaces required by zoning and 53 spaces provided.
* 35 spaces are required to serve a proposed 100 seat restaurant and 13 spaces are required to serve a proposed 20 seat coffee shop (“fast food restaurant” per Harwich zoning). The applicant states that the coffee shop will by closed by 4 pm and that the restaurant will operate during dinner hours only. Under a “shared parking” concept it is reasonable to grant a waiver for 13 spaces as long as the applicant agrees to a condition of limited hours for the two restaurants.
* With this recommended waiver, 61 parking spaces are required and 53 spaces provided – a gap of 8 spaces. It is reasonable to assume that the 10 required retail spaces also will be lightly used during evening restaurant hours. The Planning Board must determine if such waivers are reasonable as part of a “shared parking” concept in this village location.
* Two other items may affect parking calculations. Three of the five residential units depict a “study” of similar size to the proposed bedroom. If these were to be treated as 2 BR rather than 1 BR units, the overall residential parking requirement would increase from 8 to 9 spaces.
* 8 existing spaces serve existing development at 571 Route 28. The applicant also should submit a parking calculation based on zoning requirements for the existing types of use and square footages.
* The applicant must submit legally binding documents for shared parking on the three parcels – 569, 571 and 575. The applicant also must submit a legal opinion verifying his right to access the proposed parking on 569 Route 28 via an existing gravel parking lot immediately to the west.
* The applicant should verify whether 2 proposed HC spaces are sufficient to meet all ADA and Harwich accessibility requirements. The location of the 2 spaces also should be addressed as it appears there may be more suitable locations in closer proximity to building entries.

TRAFFIC/CIRCULATION

* The applicant has submitted a traffic assessment that “summarizes the anticipated trip generation associated with the proposed development, and a sight distance evaluation at the Site driveway”.
* Traffic reports tend to be data-heavy and somewhat difficult to follow for the average reader. This planning consultant’s development review seeks to cull out and summarize the most relevant data from the applicant’s traffic report.
* Based on historic data, crashes at this location are not significant.
* Trip generation rates are based on “average” industry (ITE) rates. This assumption likely is low during busy summer months in Harwich Port. On the other hand, both restaurant categories include both am and pm usage – likely high based on the applicant’s description of daytime-only coffee house and evening-only restaurant hours. The use of Internal Capture Trips and Pass-by Trips to reduce overall trip generation estimates are standard for most traffic reports. The assumptions here appear reasonable.
* Relevant numbers are 105 net new vehicle trips weekday morning, 50 new vehicle trips weekday evening, and 61 new vehicle trips Saturday midday. Most commonly, these numbers are used as part of a level of service analysis for the driveway intersection. Although such analysis has not been done here, it is reasonable to assume that exiting movements from the development and entering left-turn movements will be difficult in the summer. Paradoxically, anticipated Route 28 congestion in the summer is likely to assist entering and exiting turning movements.
* In a more suburban location, additional turning lanes might be justified to assist turning movements. Such additional lanes are not recommended in this village location.
* A more relevant level of service analysis would be determination of queueing lengths on Route 28, particularly towards the congested Route 28/Bank St. intersection.
* Intersection sight distances are well above required minimums. It is worth noting that the applicant’s assumption of an 85th percentile speed of 30 mph gibes well with Police Department data.
* An abutting property owner has suggested replacement of the proposed single driveway with one-way in and one-way out drives such as those at Roots Market. This suggestion actually might reduce turning movement conflicts at the proposed development entrance. However, the applicant states that he explored this option during site plan preparation and was unable to make it work well. He should further explain his analysis at the Planning Board hearing.
* The Harwich Zoning Code calls for 25 foot turning radii, a size that facilitates truck turning movements but often is excessive for a village location. Two recent village plans, Cumberland Farms and Roots Market, included some turning radii at less than 25 feet. The applicant should determine if any reductions to turning radii may be safely implemented here.
* As currently shown, the westerly 25 foot turning radius crosses the 571 Route 28 parcel and will require an easement.

STREET ORIENTATION AND BUILDING APPEARANCE

* The project architect stated in an email that the East Harwich Village Center (EHVC) Handbook was used as a guide in developing the building design. That source is a strong reference document for buildings in a village setting, though only some of its elements pertain to Route 28 in Harwich Port. Relevant sections from the EHVC Handbook (available on the Town website) include Street Design Guidelines (pages 46-47) and Architectural Design Standards and Guidelines (pages 48-52), e.g. Building Orientation, Massing of Large Building Forms, Façade Variation and Commercial Entries. The project architect should describe at the Planning Board hearing how the proposed building and site design follow these guidelines.
* The building is setback 10’ to 20’ from the public right-of-way. The area within the setback appropriately contains landscaped islands, walkways from the public sidewalk on Route 28 to individual storefronts, a restaurant patio area and a bike rack. There should be a clear delineation between the Route 28 sidewalk and the restaurant patio area, and the project architect should describe at the Planning Board hearing how this may be accomplished.

LANDSCAPING, LIGHTING AND SIGNAGE

* Proposed landscaping is concentrated at the front of the building with three 3’ caliper street trees and various shrubs and ornamental grasses and along the rear of the property with nine 3” caliper trees abutting residential property to the south. Both tree species (EC and AR) are labeled as October Glory Swamp Maple. The applicant should verify if this is correct. Also, the Town should encourage use of native species whenever possible; and the applicant may review options with the Conservation Agent.
* Two landscaping waivers are requested within and abutting the parking area – Sections 325-43.B and 325-43.C of the Harwich Zoning Code. The applicant offers the following statement for the second waiver request: “*Due to the location of sewage disposal system, we have provided landscaping that is coordinated to prevent interference with the system. We therefore request a waiver from this requirement.”*
* A third waiver may be needed from Section 325-43.A regarding adjoining residential use. The nine proposed trees will be substantial but do not meet the specified requirement for a fence or evergreen screen.
* The applicant should verify that the proposed lighting plan (Sheet L1.1) fully complies with the Outdoor Lighting section of the Harwich Zoning Code (Article XXI).
* The application includes the location and description of the project street sign. Signage details for individual tenants shall be submitted at a later date.

DEPARTMENTAL COMMENTS

* The Board of Health submitted its Certificate of Conformance, dated June 27, 2022 for an 11,950 square foot mixed-use building containing 2000 square feet of retail space, five 1-bedroom apartments, a 20-seat restaurant and a 100-seat restaurant. It should be noted that any changes to the plans required by the Board of Health, e.g. configuration of the “study” areas, should be corrected on the plan set submitted to the Planning Board.
* The Police Department submitted the following comment on the applicant’s traffic study: “*Yes, the traffic data used in this proposal is from a Mass DOT study done in June 2013. Further along in the papers is a chart with Mass DOT Growth Chart, and calculations done to adjust based on those growth rate numbers. We do have newer data for eastbound traffic in the area with similar vehicle counts to the data from 2013, but I'm not sure how accurate that would be compared to Mass DOT car count equipment*.”
* The Police Department also submitted data from a July 2020 speed study on Route 28 eastbound near Pilgrim Church showing 5552 total vehicles with 1500 of those above the 25 mph speed limit and with a 50th percentile speed of 20 mph and an 85th percentile speed of 29 mph.

OTHER DETAILS

* Planning Staff advises that all three parcels, 569, 571 and 575 Route 28, should be part of this application with all parcel details - deed and references, square footage and parcel id - added to the plan.
* The table of Zoning Data on the Site Plan should make it clear that all required dimensions are from the Village Commercial Overlay District rather than the Commercial -Village District.
* An additional waiver request for a 0’ parking setback will be required to allow parking spaces to cross the 571 and 575 Route 28 property line. The applicant also must submit cross easements between the two parcels to ensure parking availability.
* An additional Special Permit request will be required for the proposed fast-food/take out restaurant.

SUMMARY

At Tuesday’s hearing, the Planning Board should provide guidance on all major project issues – adequacy of parking, access details, building appearance and street orientation, waiver requests, etc. Following the hearing, the applicant should make any necessary revisions to the plans and application narrative and resubmit. Planning Staff, with input from the applicant and Planning Board, must determine whether the revised plans may be reviewed under continuation of the existing public notice or whether new notice will be required.