***Memorandum***

**From**: Paul Halkiotis, Planning & Community Development Director

**To**: Planning Board

**RE**: Case PB 2023-07 – Round Cove Resort Owner, LLC, 4 Cove Landing Road Owner, LLC – Site Plan Review Special Permit, Use Special Permit (Structures of 7,500+ s.f.)

**Date**: February 28, 2023

**Applicant**: Round Cove Resort Owner, LLC; 4 Cove Landing Road Owner, LLC; AKA Wequassett Resort & Golf Club

**Land Owners**: Round Cove Resort Owner, LLC; 4 Cove Landing Road Owner, LLC; AKA Wequassett Resort & Golf Club

**Applicant’s Representative**: Marian S. Rose, Esq., Law Office of Singer & Singer, LLC

**Land Owners Address:** c/o Law Office of Singer & Singer, LLC, P.O. Box 67, Dennisport, MA 02639

**Location**: 2173 Rt. 28 Head of the Bay, Harwich 02645, Assessor’s Map 115, Lot S1-3;

Map 115, Lot R-2

**Zoning District:** Residential High (RH-2)

**Development Type:** Redevelopment

**Lot Area:** 966,100 +/- sq. ft.

**Project Size**: Total floor area for the buildings involved in this project will increase from 6,749 sq. feet to 16,416 sq. feet for a net increase of 9,667 sq. feet.

**Project Description:** The applicant is requesting approval ofredevelopment plans to demolish 3 existing one-story buildings; units 1, 2 & 11 and rebuild three two-story buildings within the same general area of the existing buildings. In addition the project includes hardscape, landscape and amenity improvements. The construction of the three two story buildings will result in an increase of 12 hotel units.

**Applicable Laws & Regulations:** Sections 325-9 and 325-51 of the Harwich Zoning Bylaw.

**Requested Waivers:** Applicants are requesting an exemption under Section 5.D.6 of the Stormwater Permit By-Law (due to Conservation Commission review). The Stormwater Bylaw is within the preview of the Select Board.

**Project Review Process:** On 2/7/23 the applicant’s representative, Attorney Marian Rose, Esq. submitted the application. The public hearing notice was advertised in the Cape Cod Chronicle on February 17, 2023 and March 2, 2023. On 2/17/23, a memo and application package was sent to the following Departments inviting them to comment on the project: Health, Water, Fire, Conservation, Public Works, and Police Departments. The Planning Board received responses from the Conservation Departments (noting approval from the Conservation Commission on 3/1/23), the Health Department (see attached memo from Carrie Schoener, Senior Health Agent) and no comments from the Police, Fire, DPW or Water departments.

**Hearing Date**: The Special Permit public hearing is scheduled for 3/14/23.

**Materials Submitted:**

* Completed Application & Narrative
* Fee Worksheet and Fee
* Owner Authorization
* Landscape & Planting Design by Hawk Design, Inc. Dated 1.20.23; Sheets L1.1, L1.2, L1.3, L1.4, L1.5 and D1
* Existing Conditions Site Plan by Coastal Engineering Co. Sheets C1.2.1, C1.2.2, dated 11.17.22
* Site Plan Existing Sheet A0.1 by Studio Architects, PLLC dated 11.03.22
* Site Plan Proposed Sheet A0.2 by Studio Architects, PLLC dated 11.03.22
* Demolition and Erosion Control, Grading & Utilities, Layout & Materials Site Work sheets C101, C102, C103, C104 and C501 by Coastal Engineering Co., dated 11.17.22
* Construction/Building Plans by Studio Core Architects, PLLC Sheets A-001, A-100A-101A-104 and A-201

**Planning Director’s Comments:**

The applicant is seeking a Site Plan Review and a Use Special Permit for an increase in allowed hotel/motel use by more than 7,500 sq. ft. of floor area, as required in the Zoning Bylaw sections 325-9 and section 325-51. This section of the Bylaw requires the Planning Board to make positive findings on the items listed below:

“[A.](https://ecode360.com/12263349#12263349)Conditions of approval.

 [(1)](https://ecode360.com/12263350#12263350)The Board of Appeals or Planning Board shall not approve any application for a special permit, except a special permit for a site plan, unless it finds that in its judgment all of the following conditions are met:

[(a)](https://ecode360.com/12263351#12263351)The use as developed will not adversely affect the neighborhood.

[(b)](https://ecode360.com/12263352#12263352)The specific site is an appropriate location for such a use, structure or condition.

[(c)](https://ecode360.com/12263353#12263353)There will be no nuisance or serious hazard to vehicles or pedestrians.

The Board should make positive findings on the 3 Special Permit decision criteria listed above.

The applicant has submitted detailed site plans, landscape plans, mitigation plans and ecological restoration plans that will mitigate the impacts of the project. The Conservation Commission has reviewed and approved the project. I have reviewed the plans and found them to be complete and well designed. Based on that review, I recommend that the Board vote to approve the Use Special Permit and the Site Plan as designed.