***Memorandum***

**From**: Shelagh Delaney, Planning Assistant

**To**: Planning Board

**RE**: Case PB 2023-33 – Croteau – 510, 514 Queen Anne Road ANR

**Date**: October 17, 2023

**Applicant**: Daniel Croteau, PE, Moran Engineering, Assoc.

**Locus:** 510 and 514 Queen Anne Road

**Land Owners:**  Angela Porter – 510 Queen Anne Road

Heidi Monteiro – 514 Queen Anne Road

**Assessor’s Map:**  70-K1-1 70-K1-2

**Zoning Districts:** Residential Rural (RR) and the Six Ponds Special District

**Project Description:**

The Applicant is requesting an endorsement of an Approval Not Required Plan. The Subject ANR Plan proposes to reconfigure the common property lines between the 2 lots resulting in no change to the total lot areas of both lots. No new roads or ways will be created.

Both reconfigured lots will contain more than 40,000 square feet minimum lot area and 150 linear feet of frontage on Queen Anne Road.

Queen Anne Road has been a public way for more than 100 years.

The parcels are located in the Residential Rural (RR) and Six Ponds Special Zoning Districts.

**Applicable Laws & Regulations:** The Applicant seeks endorsement of an “Approval Not Required (ANR)” plan under M.G.L. c. 41 §§81L & 81P and Subdivision Rules and Regulations of the Code of the Town of Harwich.

**Application Documents:** The Applicant has submitted the following documents as part of the application.

* Form B-1, Subdivision Application;
* “Approval Not Required” Plan of Land in Harwich MA prepared for Heidi Monteiro and Angela & Benjamin Porter by Moran Engineering Assoc. dated 7/18/23;
* Detailed Site Plan prepared for Heidi Monteiro and Angela & Benjamin Porter by Moran Engineering Assoc. dated 7/18/23;
* Municipal Lien Certificates (2);
* Filing Fee

**Project Review Process:** On 10/1/23 the Applicant’s representative, Dan Croteau submitted the application for endorsement of an Approval Not Required plan to the Planning Office and also stamped in to the Town Clerk’ Office.

**Hearing Date**: The Public Hearing is scheduled for 10.24.23.

**Informal Staff Comments:** In order to endorse, the Board needs to make a determination that the submitted plan does not show a “Subdivision,” so-defined under the relevant law, and as such, Applicant’s request warrants endorsement that the plan does not require subdivision approval.

I recommend the Board review the application materials, take all relevant testimony from interested parties and vote to close the public hearing before deliberation regarding compliance with the above noted sections of the Bylaw.

**Recommended Motion/ Determination**

Motion to Close the Public Hearing.

Motion that the Board finds that the Division Plan entitled “Approval Not Required” Plan of Land in Harwich MA prepared for Heidi Monteiro and Angela & Benjamin Porter by Moran Engineering Assoc. dated 7/18/23 and the Site Plan prepared for Heidi Monteiro and Angela & Benjamin Porter by Moran Engineering Assoc. dated 7/18/23 do NOT depict a subdivision and that the Board endorses the plan as not requiring approval under the subdivision control law.