

COMMONWEALTH OF MASSACHUSETTS
TOWN OF HARWICH

Planning Board Decisions
Use (Retail) Special Permit West Harwich Special District
Waiver of Site Plan Review



Property: 11 Route 28

Map: 10 Parcel: N3

Case No.: PB2021-02

Owner(s): Richton Investment LLC

Applicant: Christopher Pepe

Title Reference: 23998 / 34

Hearing and Decision Date: March 9, 2021

Hearing

Following a duly advertised and scheduled public meeting held on Tuesday, March 9, 2021, the Town of Harwich Planning Board (the 'Board') voted to grant approval of a Waiver of Site Plan Review and a Use Special Permit with waivers in the West Harwich Special District. The application seeks to convert the pre-existing, non-conforming restaurant and operate a bait and tackle shop under 1,000 SF in a non-historic structure. The proposal is pursuant to the Code of the Town of Harwich, MA §§325-55.F, -149 and -152.B.

In conformance with Massachusetts Governor Baker's "Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §20" ("Emergency Order") the meeting was held virtually via remote participation providing adequate alternative means of public access to the meetings through video and audio streaming services, and as such all votes were roll call votes.

Acting and voting on the matter were members Mr. Berry, Mr. Peterson, Mr. Stoltz, Mr. Rouse, and Mr. Chadwick.

This is the Board's first case for a Special Permit and Waiver of Site Plan in the newly created West Harwich Special District. Attorney Wm. Crowell presented an extensive review of the application for the Board and members of the public. Also present were Dan Croteau, P.E. and Chris Pepe.

Along with the application, waivers and supporting documents the Board reviewed the criteria for granting a special permit and a waiver of site plan. After deliberations and hearing from all parties having an interest in the case, including written correspondence, the Board voted to close the public hearing.

A TRUE COPY ATTEST:

TOWN CLERK OF
HARWICH, MASS.

Harwich Planning Board
Decisions
Page 1 of 2

M.R. to Book 23998 Page 34

Decisions

Waiver of Site Plan

Mr. Peterson made a motion seconded by Mr. Chadwick to grant a temporary Waiver of Site Plan to expire concurrently with any Use Special Permit which may be granted for application of PB2021-02. The roll call vote was unanimous (5-0-0).

WHSD Use Special Permit

Mr. Peterson made a motion seconded by Mr. Chadwick to grant a temporary Use Special Permit with waivers pursuant to the Code of the Town of Harwich, MA §§325-55.F, -149 and -152.B to operate a bait and tackle shop under 1,000 SF and is subject to the following conditions:

Conditions of Approval

1. The temporary retail Use Special Permit shall expire no later than November 30, 2021.
2. Any and all regulations for the Board of Health, Conservation Commission or any Town department shall be met.
3. The temporary Use Special Permit shall be recorded at the Barnstable County Registry of Deeds.
4. No extension or continuance of the underlying retail Use Special Permit shall be granted by this Board without a Site Plan drafted to current standards and to scale to include a zoning compliance table.

The roll call vote was unanimous (5-0-0).

All Votes via Roll Call:

IN FAVOR:	Stoltz, Peterson, Berry, Rouse, Chadwick
OPPOSED:	None
ABSTAIN:	None


Duncan Berry, Chairman

PLANNING BOARD DECISION – CASE NO. PB2021-02

DATE FILED: MARCH 22, 2021

APPLICANT : CHRISTOPHER PEPE

PROPERTY ADDRESS: 11 ROUTE 28

MAP: 10 PARCEL: N3

This is to certify that more than twenty (20) days have elapsed since the filing of the foregoing decision in the office of the Clerk of the Town of Harwich and no appeal from said decision has been filed.

Date filed – MARCH 22, 2021 Twenty days Elapsed – APRIL 12, 2021

A true copy: **APR 13 2021**



Attest: _____

Anita N. Doucette, MMC/CMMC

Harwich Town Clerk