***Memorandum***

**From**: Shelagh Delaney, Planning Assistant

**To**: Planning Board

**RE**: Case PB 2023-28 – True North – 339 Queen Anne Road ANR

**Date**: August 11, 2023

**Applicant**: Kathryn Slater, Trustee of True North Realty Trust

**Locus:** 339 Queen Anne Road

**Land Owner:** Kathryn Slater, Trustee of True North Realty Trust

**Land Owner’s Address:** 191 Main Street, Harwich, MA 02645

**Assessor’s Map:** 59-P3

**Zoning District:** Residential Medium Density (RM)

**Project Description:**

The Applicant is requesting an endorsement of an Approval Not Required Plan .The Subject ANR Plan divides the 6.57 acre property with a current address of 339 Queen Anne Road shown on Plan Book 634, Page 16 into two lots. Both newly created 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 Medium Density (RM) Zoning District which requires minimum lot size of 40,000 sf and linear frontage of 150 ft. Both proposed lots are in zoning compliance.

**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 her application.

* Form B-1, Subdivision Application and Narrative;
* Division Plan entitled “Plan of Land situated in Harwich MA prepared for True North Realty Trust Kathryn Slater – Trustee” by Ryder & Wilcox, Inc. dated 6/26/23;
* Site Plan referencing Assr’s Map 59, Pcl. P3, Pl. Bk. 634, Pg. 16;
* Municipal Lien Certificates (2);
* Letter of submission dated 8/7/23;
* Filing Fee

**Project Review Process:** On 8/7/23 the Applicant’s representative submitted the application for endorsement of an Approval Not Required plan to the Planning Office and also stamped in to the Town Clerk’ Office. On 8/7/23, the application package was sent to Stephen Rhoads, PE of VHB for review.

**Hearing Date**: The Public Hearing is scheduled for 8.22.23.

**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 and the VHB Report, 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 “Plan of Land situated in Harwich MA prepared for True North Realty Trust Kathryn Slater – Trustee” by Ryder & Wilcox, Inc. dated 6/26/23 does NOT depict a subdivision and that the Board endorses the plan as not requiring approval under the subdivision control law.