

**MEETING MINUTES
HARWICH PLANNING BOARD
GRIFFIN ROOM, TOWN HALL
732 MAIN STREET, HARWICH, MA
TUESDAY, MAY 13, 2025 - 6:30 PM**

RECEIVED
TOWN CLERK
HARWICH, MA

2026 AUG 18 A 11:35

As required by law, the Town of Harwich will audio and video record this meeting. Any person intending to audio or video record this session is required to inform the chair.

MEMBERS PARTICIPATING: Duncan Berry, Chair, Mary Maslowski, Emily Brutti, Ann Newman, Ann Clark Tucker, and Harry Munns

ALSO PARTICIPATING: Christine Flynn, Town Planner and Director of Development

RECORDING NOTICE; CALL TO ORDER

Mr. Berry called the meeting of the Harwich Planning Board to order on Tuesday, May 13, 2025, at 6:32PM. He noted the room capacity limit of 145 people and that the next room was also at capacity. He asked that people stay away from the entryways. Mr. Berry noted that he would be taking two items out of order in hopes of creating some space.

Mr. Berry read the Open Meeting Law Notice

I. PLEDGE OF ALLEGIANCE:

Mr. Berry invited all attendees to join in the Pledge of Allegiance.

II. PUBLIC HEARING:

a. Case PB2025-11 SS HPORT LLC, Robert C. Demarco, Manager, 1 Campanelli Drive Braintree, MA 02184 through their agent, Marian Rose, Esq., Singer & Singer Law Office 26 Upper County Road, Dennis, MA 02639 seeks approval for a Multifamily Special Permit and Site Plan Review Special Permit with request for waivers. The proposed project is to construct a 28-unit multifamily structure and reconfigured parking. The application is pursuant to the Code of Harwich Sections 5325-51, 5325-55 and MGL Chapter 40A sections 9 and 11. The property is located at 605 Route 28, Assessor's Map L4 Parcel ZI8-2 and the parcel is approximately 76,226 square feet. The parcel is in the Commercial Village (CV) and Residential Medium Density (RM) Zoning Districts and within the Village Commercial Overlay District (VCOD)

Mr. Berry read Case #2025-11 as presented. He reiterated that the door frame has to be kept clear. He asked people to step away from the door frame, or he will have to call the meeting and reschedule.

41 Marion Rose of Singer & Singer was present and representing SS HPORT, LLC. She noted that
42 she had submitted an application and proceeded with a detailed slide presentation. Atty. Rose
43 noted that the 28 units are intended for home ownership rather than rental. She described the two
44 Special Permits needed from the Planning Board for the project as well as permits from the State.
45 Atty. Rose commented that it is clear that there is a lot of interest in this project and that there will
46 be multiple meetings. Her intent for this meeting is to introduce the applicants and the plans to the
47 Board. She invited questions and input. She noted a meeting on May 2nd and meetings with direct
48 abutters. Atty. Rose noted reviews they have received and those they are awaiting. She
49 commented that she thinks the traffic report is supportive of this project. The traffic expert will be
50 at a future meeting. She gave an overview of the topics that will be discussed at this meeting. She
51 expressed appreciation for the Town's Departments and Planning staff. Atty. Rose introduced
52 members of the team, gave a brief overview of their experience and what they will be presenting.
53 She noted that Mike Kelly and Rob Demarco, applicants, purchased the Sundae School three
54 years ago and have been running it as an ice cream shop. She noted that they had researched their
55 options for the property and what they considered. Atty. Rose noted that they decided on a 28-unit
56 structure as a condominium for home ownership and noted the reasons. She asked that as the
57 Board listen to the experts, they see the requirements of the By-law and the Planning Board
58 considerations, which she listed. She introduced Garret Horsefall, a civil engineer from Kelly
59 Engineering, noting the issues he will address.

60 Garret Horsfall with the Kelly Engineering Group gave an overview of the project. He described
61 the property, zoning district, surrounding businesses, site access and nonconformities.

62 Atty. Rose distributed printouts of the slide deck.

63 Mr. Horsfall described the details of the proposed building as well as plans for the curb cut. He also
64 described the property, the location of parking, a trash area, an outdoor amenity area and other
65 project details. He showed a slide of the zoning legend and noted parking space sizes, Fire
66 Department access ways and the waivers being requested. Mr. Horsfall described the Drainage and
67 Utility Plan in detail. He also described the septic system and that it would be vetted by the Board of
68 Health. He commented that there were two peer reviews from VHB, and they will respond to those
69 comments with revised plans.

70 Jeff Lyman described the Landscape Plan in detail noting one design modification from the
71 original plan. He noted that the focus was to save as much of the existing landscape as possible.
72 Mr. Lyman described additional fencing and new sections of stone wall to match what is
73 presently on the property. He described the outdoor amenity area as well as the Site Lighting
74 Revisions.

75 Russel Dion, a partner at Campanelli, showed a slide of the Design Intent and gave statistics
76 about the building, describing the different unit designs. He noted the intent of the building and
77 property designs, the amenities being offered, storage areas, common rooms and game rooms.
78 He described the architecture including arbor ways, walkways, windows and other details. He
79 showed a slide with the Front Facing Main Street Facade and an Artist Rendering from Main
80 Street.

Mr. Berry noted that the aspect ratio of the Artist's Rendering is off. What is being shown on the screen for the public is different from what he is seeing on the screen in front of the Board. He asked Caleb Ladue if it could be adjusted. He noted that people who are making comments are making comments on a distortion that is accentuating the height of the building.

Mr. Ladue made the requested changes to the slides on the screen.

Mr. Dion continued his description of the elevations of the building with the evergreens and spruce trees which are intended to remain. He also noted the additional 16-20 species or arborvitaes to screen the building. He showed other views of the building, including from Bank Street, the trees and arborvitaes. Mr. Dion noted that the arborvitaes would be planted on day one of construction. He showed a slide comparing the proposed building to Melrose across the street and compared the statistics of the sizes of both buildings.

Atty. Rose emphasized the requirements of the Site Plan Review Special Permit related to whether this project is averse to the neighborhood and whether the specific site is an appropriate location for the structure, the use and the conditions. She noted that what they have proposed fits within the By-law, does not require zoning relief, they believe does not adversely affect the neighborhood and is appropriate for the neighborhood. She noted that something that is averse to the neighborhood must be quantifiable and referenced to relative cases. She commented that there are clear benefits to what is proposed which she listed and described. Atty. Rose noted that they have estimated conservatively that the tax increase on property taxes in Harwich will increase from roughly \$5,700 to a net increase of \$190,000. She spoke of the impact, noting that it is a different use from the Sundae School use. She noted that residential use is hundreds fewer ins and outs over a day in the summer. Atty. Rose commented that they welcome questions, are ready to listen and answer as they can.

Ms. Flynn noted the information that is included in the packet. She stated that the applicant's agent is Marian Rose, the landowner is SS HPORT, LLC, Robert Demarco. The project is located at 606 Route 28, Harwichport. The Zoning Districts are within the Village Commercial (CV) and Residential Low Density (RM). The lot is a split lot, and the development type is residential condominium development of 28 units. The proposed project is to demolish a 1,862 square foot existing building that will be replaced with a 28-unit residential condominium development with an underground parking facility. The garage and the building will total 81,975 square feet in gross floor area and 59,251 net floor area. The net floor area does not include the underground garage or the outdoor patio areas. The project includes 68 parking spaces, and the proposed footprint of the building is 21,927 square feet with 3.5 stories equaling 39.7 feet in building height. The proposed residential condominium units include 3 one-bedroom units, 18 two-bedroom units as well as 7 three-bedroom units. The square footages ranges, the one-bedroom unit is just over 1,200 square feet, the two-bedroom unit range is 1593 to just over 2,300 square feet and the three-bedroom unit is just under 2,000 and 2,100 square feet. The parking requirements for the Town of Harwich are 55 and the project offers 68. Forty units of parking will be in the parking garage underneath the building with 29 storage units. Twenty-eight parking spaces will be to the rear and to the exterior. The applicant has requested 5 waivers.

123 Ms. Flynn gave a powerpoint presentation of some of the information the applicant had provided.
124 She gave an overlook of the downtown area with the Sundae School and other existing buildings.
125 She noted that she had asked and the scale and the building size do fit into Harwich Center. She
126 showed a slide of a comparison to Melrose. She showed the proposed site plan and landscaping
127 plans which she described in detail. She noted that Steve Rhoads of VHB would be giving an
128 overview of his report. She showed the height elevations that had been submitted, noting that it
129 meets the zoning requirements for multifamily use.

130 Ms. Flynn noted that she had raised some questions for the Board to consider. She noted, when
131 the town adopted the multifamily Zoning By-law in 2020, the zoning provision as written does
132 not include what was presented at the Town Meeting, which the Board and the Planning Board
133 had met to address the needs of year-round work force housing and rent housing opportunities. She
134 commented that as the Board considers the use of this proposal, they bear that in mind. She asked
135 what restrictions there will be on short term rentals and the impact to the surrounding neighbors in
136 terms of any noise with the outdoor patios, in addition to the use of the rooftop. She noted that she
137 had sited information related to the Assessors and this will be within five of the largest buildings in
138 the Town of Harwich. It does become a character issue for Harwichport, which is something for the
139 Board to consider in terms of their rendering and evaluation. Ms. Flynn noted that she had several
140 other questions which were highlighted in the staff report. She noted that from an economic
141 development perspective, it is important in terms of walkable communities. She commented that the
142 applicant has made efforts to address that as well as identify and include several aspects, which she
143 noted. Ms. Flynn noted that in terms of taxes, this will be a revenue generator for the town, which is
144 a positive for the Board to consider.

145 Steve Rhoads called Kelly Siri online to share screen ability.

146 Kelly Siri, Water Research Engineer at VHB shared her screen. She noted that VHB completed a
147 review of the provided materials regarding stormwater in general, stormwater practices and
148 regulations. She showed the sewer and drainage plants that were provided, noting that they had
149 comments on the recharge system #1 and #2, and what they had asked to applicant to provide in
150 response. She noted VHB's concerns and made suggestions as corrections. Ms. Siri also noted
151 VHB's comments on the hydroid models provided for the system with suggestions for updates. She
152 noted their larger comment was regarding the new parking lot in the north section of the site as well
153 as suggesting what should be done as a correction.

154 Mr. Rhoads noted the landscaping plan and that there is a Planning Board policy to consider the use
155 of native species. He asked the Board to consider those where possible. He asked for more
156 information on how the 11 charging stations inside the garage would be installed. VHB would like
157 the applicant to provide an operations description for trash deliveries and move-in move-out activity
158 and pair that with turning event diagrams. Mr. Rhoads asked that the applicant and the engineer
159 consider any remedies for the situation of the intersection site conditions.

160 Mr. Berry asked for comments from the Board.

162 Ms. Maslowski asked if “key access” was referring to the underground garage or directly off the street
163 and how the Fire and Police Departments will have access to the garage. She also asked if the
164 firetrucks could access the garage or just the driveway and the parking areas.

165 The response was just to the underground garage and the typical solution for Police and Fire
166 access is a Knockbox, which he described. The Fire Department will be able to access the
167 driveway and the parking areas.

168 Ms. Maslowski requested a follow-up with the Fire Department to ask if they are comfortable
169 with that, considering the potential for charging stations.

170 Chief LeBlanc responded that they wouldn’t drive a truck in and they do have access to get into the
171 garage. They use a Knockbox system which would be fine to gain access. He noted that the Fire
172 Code will cover what they need for requirements.

173 Ms. Maslowski noted that there is currently no sidewalk in front of the property. She asked if
174 they anticipated putting a sidewalk in the stretch from the driveway to the west.

175 Atty. Rose replied that they are not. The State sidewalk project is for the other side of the street.
176 She noted that they will put a pathway from the front door to the new crosswalk.

177 She asked how far the crosswalk in the parking lot is from the corner, if someone is coming in
178 from Rt. 28 and pulling left.

179 The response was roughly 100 feet.

180 Ms. Tucker asked Ms. Flynn if the Board’s stamped report is public to which she replied, yes, it
181 is.

182 Ms. Tucker added a comment and read what was in the staff report regarding the Multifamily
183 Zoning By-law adopted by the Town in 2020 and the explanation to voters. She noted that the
184 intent was the workforce housing and the need for rental properties. Ms. Tucker noted that the
185 proposed entrance to the property is to the east of the current entrance which is closer to an
186 intersection. She noted the statistics on crash clusters related to that intersection.

187 Atty. Rose responded that it will be helpful to hear the whole context with the traffic report and the
188 peer reviews. She commented that the traffic will be different because of the number of trips and
189 the current use versus the proposed use.

190 Ms. Tucker commented that no one takes a left turn on Rt. 28 in the summer. She referred to the
191 tax increase of \$5,700 to \$190,000 and noted that the increase wouldn’t be a downpayment on a
192 fire truck. She commented that she wanted that on the record in anticipation of having lots of
193 other meetings.

194 Ms. Brutti asked Atty Rose to speak to the roof deck component.

196 Mr. Dion noted the intent of the two proposed roof decks as common areas for the residents as
197 well as their design.

198 Atty. Rose added that the roof decks are on Rte. 28 side of the building.

199 Ms. Tucker noted that an estimate of what the units would sell for was given at a public meeting.
200 She asked that that information be put on the record for the Planning Board.

201 Mr. Dion responded that they don't know what they are going to charge for those units. He
202 clarified that what they said was that it's going to take some time to permit this project and
203 construct it and the market will bear what it will bear at that time. He had said that a one
204 bedroom would sell from anywhere between \$900,000 and \$1 million. The two and three
205 bedrooms, depending on market, would go from \$1 million to \$1.1 million-\$1.2 million.

206 Atty. Rose noted that it is more difficult to determine the 3 bedrooms, so they are holding off on
207 that estimate. Regarding the roof decks, she noted that lighting and noise may be issues there as
208 well. She believes it will be self-policed. She considers the way they are conforming to the light on
209 the outside of the building as a response.

210 Mr. Munns asked for confirmation that, as a matter of protocol, there will be another opportunity
211 for the Board to ask questions. He would prefer to let the public ask their questions and reserve his
212 right to ask questions at the end.

213 Mr. Berry opened the discussion up to the public at 8:22 PM. He asked that speakers to sign in, go
214 to the podium and give their names and addresses. He also extended the invitation to the people in
215 the smaller room.

216 Ben Warshaw of 8 Lakeway Lane noted that he had submitted a letter in writing earlier and read it
217 aloud.

218 Mr. Berry noted that he will allow it for the first one but the Board has a full sheaf of letters.
219 Anything that was submitted in writing is already in the record.

220 Mr. Warshaw read his letter of conditional support for the proposed project. He spoke about the
221 housing shortage and the challenges of buying a home on Cape. He also spoke of compromise to
222 add housing into an area that needs it. Mr. Warshaw asked that the developers commit a
223 minimum of \$500,000 out of their profits from this project, towards down payment assistance in
224 grant form, for local families. He noted that the previously referred to \$190,000 wouldn't cover
225 the downpayment on a million-dollar unit. He commented that the developer has adhered to local
226 character. He encouraged the Board and the community to seize the opportunity to create
227 housing and hold the developer to a standard that reflects the residents' shared values.

228 Jim Husdon of Ridgeport Drive commented that the renderings show a building that belongs in a
229 city and not a town. He expressed his opposition to the project and gave his reasons. He
230 commented that it is out of character and would adversely affect the neighborhood. He asked that
231 the Board consider that it doesn't belong on Cape Cod.

233 Mike Heffernan of 20 Freeman Street commented that many feel these meetings were planned
234 when many residents have not yet returned from winter places and their voices will not be heard.
235 He noted that maintaining history and historic history is paramount. He expressed his opposition
236 to the project and gave his reasons. He also noted his opposition to the landscaping plan and back
237 parking lot. Mr. Heffernan requested that a plant screen be a mandatory part of the project. He
238 noted that residents are opposed to this building plan because it changes the Village magic they all
239 enjoy.

240 Peter Gorey of 226 Sisson Road commented that they are talking about zoning that exists,
241 allowing multifamily dwellings. He noted that none of his comments reflect his role on the Local
242 Comprehensive Planning Committee. He emphasized that this zoning process was conducted in
243 the light of day for years and it was an up-zone of downtown. He believes it should have stopped
244 at the Sundae School property and that it is something this Board and Town Meeting can fix. He
245 urged people to participate in meetings year-round as other projects are proposed. He noted the
246 importance of zoning and commented that the quality of the building will be good and they will
247 build quickly. He added that in 1980's and 1990's Harwichport was on a decline and that the town
248 had decided that multifamily in the downtown was important. He urged people to stay involved
249 throughout the meetings.

250 Sandy Wycoff of Snow Inn Road and owner of the former Heather's Hairport, now Bank on
251 Main, asked the Board to consider the vision of Harwichport. She noted the importance of balance
252 between businesses and residents and what happens when it gets off balance. She expressed her
253 concerns about the size of the building and that units will be purchased by people who are on
254 Cape for only a few weeks a year. She referred to the vision for Harwichport and suggested the
255 possibility of a mixed-use development.

256 Barbara Nickerson of 617 Route 28 noted her opposition to the size of the project. She commented
257 that currently, the height limit is 30 feet without the Special Permit. She referred to the staff
258 questions and a reference to a roof ridge line height at 55.4 feet.

259 Ms. Flynn clarified that that was at average sea level at the base, but the height of the building
260 will be at 39.7 feet.

261 Ms. Nickerson noted that they were told at the May 2nd meeting that there would be no
262 affordable housing. She also noted that this building will be as big as Star Market.

263 Ms. Flynn noted that the footprint of Star Market is much bigger than this proposed project.

264 Ms. Nickerson commented on the vision for Harwichport and asked how big is too big. She
265 asked questions about the septic system and requested those answers at a future meeting. She
266 asked that a decision on this project wait until they have the most recent and updated Local
267 Comprehensive Plan in place.

268 Angelo Kyriakides of 78 Bank Street noted that he is an architect and was taken back by the
269 scale of this project in their community. He commented on the project just meeting the

271 requirements and suggested that the Board ask the developer what they are giving back to the
272 community. He expressed his concern about the scale of the project.

273 Bob Piantedosi of 89 Bank Street, an abutter to the proposed project asked how many people in
274 the room think this is a positive project, noting that two people raised their hands. He asked how
275 many thought it was a negative project and many responded. He commented to Atty. Rose that he
276 just quantified what she was looking for. He expressed his opposition to the size and the scope of
277 the project. He also expressed concern about the units not being owner occupied or being rental
278 units. He requested information about the basement regarding possible gasoline spills and
279 environmental issues. He requested a profile of the building including the basement.

280 Bob Reed of 52 Hoyt Road asked if the Board or applicants are aware of any other structure on
281 Cape the has an underground garage.

282 Mr. Berry responded that there are multiple in Hyannis,

283 Mr. Reed commented that it has not been part of the residential area on the mid to lower Cape. He
284 expressed his objections to the underground garage and gave his reasons. He commented that the
285 proposed building would negatively affect the feeling of the town.

286 Richard Waystack noted as a point of order that the Belmont has underground parking. He noted
287 that he was the first resident and was part of the rejuvenation of Harwichport which he described.
288 He noted a current project across from Cumberland Farms that was approved for a restaurant, 5
289 shops and 5 more condos. He also described the project regarding the Melrose. Mr. Waystack
290 commented that the problem is that there is no supply for property and there are people who will
291 spend millions to have a beautiful place to live in Harwichport. He noted that the developer has
292 put a plan together that is allowed by law. He would like to see a condition that does not allow for
293 short-term rentals. Mr. Waystack urged the Board and the developer to work together to come up
294 with a project that is beneficial to the Town of Harwich.

295 Atty. Rose asked Mr. Berry if he would like Mr. Demarco to address the issue of short-term
296 rentals.

297 Mr. Demarco commented that when they had the meeting with neighbors and abutters, they made the
298 commitment, that if this project is approved at the 28 units, the people's that buy these units would
299 not be allowed to rent any more than twice and the minimum rental would be two months.

300 Mr. Berry commented that they have several things they need to integrate before their next meeting.
301 He asked for a motion to continue the meeting until June 10, 2025.

302 Ms. Maslowski noted that they have heard a lot about scale, which is hard to see on a two-
303 dimensional drawing. She commented that it may behoove everyone to have a model to better see
304 the scale and the setbacks.

305 Mr. Berry commented that there is a difference between shortage and scarcity and all economic
306 goods are subject to scarcity. Shortages occur when there are limitations on what can be done

308 with scarcity. He commented that they don't want to enhance scarcities and produce
309 shortages. He noted that they must recalibrate their economic understanding of the value of
310 real estate and square footage in the town.

311 Ms. Flynn noted that there are several people online who have been waiting.

312 Mr. Berry asked Mr. Ladue to encourage a chat to see if anyone would like to make a
313 comment. No one responded to it.

314 Ms. Maslowski moved to continue Case matter #PB2025-11 SS HPORT, LLC, Robert
315 Demarco Manager until June 10, 2025, no earlier than 6:30PM. Seconded by Ms. Tucker.

316 Vote: 6:0 in favor. Motion carried.

317 **b. Case PB2025-14, Great Western Realty LLC, Timothy Delude, Manager, owner**
318 **address 170 Great Western Road, Harwich, MA 02645 authorizes T&B Coatings**
319 **and Customs LLC, Teagan Michael Twomey, SOC Signatory, seeks approval for a**
320 **Manufacturing Use Special Permit. The proposed use is for the application of Cerakote**
321 **and Powdercoat to firearm components, tools, heavy use gear and equipment. The**
322 **application is pursuant to Code of Harwich Sections 5325-14(l), 5325-51 and MGL**
323 **Chapter 40A sections 9 and 11. The property is located at 136 Factory Rd, Unit 4,**
324 **Assessor's Map 58 Parcel G4-2-4 and the unit is 1,151 square feet. The parcel is in the**
325 **Industrial Limited (IL) Zoning District.**

326 Mr. Berry read Case #2025-14 as presented.

327 Mr. Delude and Mr. Twomey described the application and reason for the requests. He described
328 Cerakote and Powdercoat in detail as well as how and where they would be stored and disposed.

329 Ms. Flynn noted that T&B Coatings and Customs LLC are looking for Manufacturing Use
330 Special Permit. They are located at 136 Factory Rd., Unit 4. The commercial condominium unit
331 they are leasing is 1,151, square feet and is a small and tailored business. The Manufacturing Use
332 Special Permit is required by the Planning Board and the application of Cerakote and
333 Powdercoat to firearm components, tools, heavy use gear and equipment. In her discussion with
334 the Police Department, this type of activity and the use of these parts is heavily regulated at the
335 local, state and federal level. She had received positive comments from the Police Department
336 regarding the operations of the business. In terms of applicable laws and regulations, pursuant to
337 MGL Chapter 40A sections 9 and 11 and the Code of Harwich at Sections s325-14(l), s325-51
338 Special permit, none of the Town Departments had any concerns relative to the activity of the
339 business. There is no development or change to the existing conditions of the site. Ms. Flynn
340 recommended to move forward granting the Manufacturing Use Special Use Permit.

341 Mr. Munns asked if there was ever a time when they would have all the parts necessary to
342 assemble a gun. He asked if there was any obligation under Federal law to secure the firearms.

344 Mr. Twomey replied yes that it would depend on the condition of the firearm and the work being
345 performed to it. He stated that there are Federal Laws and noted the security and safety
346 precautions they are obligated to have.

347 Mr. Berry asked if there was a time constraint.

348 Ms. Flynn replied that it is an annual lease.

349 Ms. Maslowski asked Ms. Flynn if it is an annual lease, is it a special permit that sunsets at the
350 year and would they would have to come in for a permit to renew it?

351 Ms. Flynn did not have the answer but suggested they could condition the approval, or she could
352 check with Town Counsel.

353 Ms. Maslowski commented that she would be okay with it if the condition was that they would
354 have to apply in time for a meeting and be able to renew it with the prerequisites in place and give
355 the Police Department an opportunity to confirm that before renewal.

356 Mr. Berry closed the hearing.

357 Ms. Maslowski moved to vote to close the public hearing on Case #PB2025-14. Seconded by Ms.
358 Tucker.

359 Vote: 6:0 in favor. Motion carried.

360 Ms. Maslowski moved that the Planning Board vote to adopt the following findings of fact:
361 1. The applicants are Teagan Michael Twomey and Beau Qualeiri owners of T&B Coating and
362 Customs, LLC
363 2. The subject property is 136 Factory Road Unit 4, Assessor's May 58 Park, G4-2-4.
364 3. The property is in the Industrial Limited (IL) Zoning District.
365 4. The application materials for a Manufacturing Use Special Permit are to apply Cerakote and
366 Powdercoat to firearm components, tools, heavy use gear and equipment, were submitted to the
367 Town Clerk on April 15, 2025.
368 5. The applicant is seeking a Manufacturing Use Special Permit in accordance with the
369 requirements with the Code of Town of Harwich s325-14.
370 a. Manufacturing is permitted in Industrial Limited Zoning District by a Use Special
371 Permit provided that at no time will such use result in excessive dust, smoke, smog,
372 observable gas, fumes or orders or other atmospheric pollution, objectionable noise, glare
373 or vibration discernible beyond the property lines of the industry, hazard, fire, explosion
374 or other hazard to any adjacent buildings or land or to surface water or ground water.
375 6. There is no new development or proposed changes to the existing conditions at 136 Factory Road.
376 7. The Planning Board held a public hearing on May 13, 2025
377 8. In addition, the Planning Board finds that:
378 a. The use as developed with not adversely affect the neighborhood.
379 b. The specific site is an appropriate location for such use, structure and condition.

- c. There will be no nuisance or hazard to vehicles or pedestrians
- d. Adequate and appropriate facilities be provided for the proper operation of the proposed use. This includes a provision of appropriate sewage treatment facilities which provide for denitrification when the permit granting authority deems such facilities necessary for protection of drinking water, supply wells, ponds or salt water embayments.

Seconded by Ms. Tucker.

Vote: 6:0 in favor. Motion carried.

Ms. Maslowski moved that the Planning Board vote to approve, with conditions, Case #PB2025-14 T&B Coatings and Customs, LLC, 136 Factory Road, Unit 4, Assessor's Map 58 Parcel G4-2-4 for Manufacturing Use Special Permit for the application of Cerakote and Powdercoat to firearm use components, tools, heavy use gear and equipment within the Industrial Limited (IL) Zoning District pursuant to the Code of the Town of Harwich s325-14(l), s325-51. The decision is made on the aforementioned findings of fact and the application meets the necessary requirements and criteria for approval pursuant to the Code of the Town of Harwich and with the following conditions imposed relative to the Use Special Permit Review:

1. The applicants are Teagan Michael Twomey and Beau Qualieri, owners of TY&B Coatings and Customs, LLC.
2. The subject property is 135 Factory Road, Unit 4, Assessor's Map 58 Parcel G4-2-4
3. The property is located in the Industrial Limited (IL) Zoning District
4. The manufacturing material for a Manufacturing Use Special Permit to apply Cerakote and Powdercoat to firearm components, tools, heavy use gear and equipment were submitted to the Town Clerk on April 15, 2025.
5. The Manufacturing Use Special Permit in accordance with the requirements of the Code of the Town of Harwich s325-14L Manufacturing is permitted in the Industrial Limited (IL) Zoning District by a Use Special Permit provided that at no time will such use result in or cause excessive dust, smoke, smog, observable gas, fumes or odors or other atmospheric pollution. Objectionable noise, glare or vibration, discernible beyond the property lines of the industry. hazard, fire, explosion or other physical hazard in any other adjacent building, land, surface water or ground water.
6. The applicant shall comply with all requirements, permits and licenses from local, state and federal law enforcement agencies.
7. The Planning Board held a public hearing on May 13, 2025.
8. The decision shall run with the property. Conditions of approval shall be binding upon future owners.
9. This Use Special Permit shall not take effect until a copy of the decision, bearing the certification of the Town Clerk, that 20 days have elapsed after the filing of the decision and either that no appeal has been filed or that an appeal has been filed within such time period is recorded in the Registry of Deeds and indexed under the name of the property owner and the record and parcel address.
10. The Special Permit shall lapse within two years which shall not include such time required to pursue or await the determination of an appeal referred to in General Law Chapter 40A section 17 from the grant thereof if a substantial use thereof has not sooner commenced except for good

425 cause or in the case of a permit for construction if construction has not begun by such date except
426 for good cause.

427 1. Changes to the site not authorized under this decision will require further Planning Board
428 review and modification to this decision.

429 2. The applicant shall conform to the inspection certification and as-built plan requirements
430 outlined pursuant to the Code of the Town of Harwich.

431 3. This Special Permit shall sundown on the end of the day on May 12, 2026, and shall
432 be subject to renewal by the Planning Board via a future application.

433 Seconded by Ms. Tucker.

434 Vote: 6:0 in favor. Motion carried.

435 **III. PUBLIC MEETING:**

436 a. Case # PB2025-15 The 97 Kendrick Drive Realty Trust, Kim A. Cronin Trustee
437 through their Agent, Thaddeus Eldridge, Plan of Land in Harwich Mass, prepared
438 by Moran Engineering, Associates dated April24,2025, seek endorsement of an
439 Approval Not Required Plan of land to merge two lots into one lot, located at 93
440 Kendrick Road and 0 Kendrick Road, Assessors Map 108 Parcels E2-2 and E2-3.
441 The proposed parcel is approximately 47,581 square feet. The parcel is in the
442 Residential Rural (RR) District.

443 Mr. Berry read Case # PB2025-15 as presented.

444 Ms. Flynn commented that she did not see the Applicant. She stated: Under General law Chapter
445 41 Section 81L and 81M, staff is endorsing that the Planning Board endorse the Approval Not
446 Required noting the reasons and showing the property on a map. She recommended to the Board
447 to endorse the Approval Not Required.

448 Ms. Maslowski moved that the Planning Board endorse the plan of land in Harwich, MA
449 prepared for Kim A. Cronin, planned by Moran Engineering Associates, 941 Main St. South
450 Harwich, MA 02661 dated 04/25/2025. Seconded by Ms. Tucker.

451 Vote: 6:0 in favor. Motion carried.

452 **IV. New or Old Business**

453 **V. TOWN PLANNER UPDATE:**

454 a. Local Comprehensive Plan Update

455 b. Pine Oaks Village IV Update

456 **VI. ADJOURN**

457 Ms. Maslowski moved to adjourn. Seconded by Ms. Tucker.

458 Vote: 6:0 in favor. Motion carried. Meeting adjourned.

461 Respectfully submitted,
462
463 Judi Moldstad
464 Board Secretary
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