



Town of Brewster Planning Board

2198 Main St., Brewster, MA 02631

brewplan@brewster-ma.gov

(508) 896-3701 x1133

MEETING AGENDA

2198 Main Street

May 8, 2024 at 6:30 PM

Planning Board

Amanda Bebrin
Chair

Alexander Wentworth
Vice Chair

Robert Michaels
Clerk

Charlotte Degen

Madalyn Hillis-Dineen

Antone Freitas

Elizabeth Taylor

Town Planner

Jonathon Idman

Senior Department Assistant

Lynn St. Cyr

This meeting will be conducted in person at the time and location identified above. This means that at least a quorum of the members of the public body will attend the meeting in person and members of the public are welcome to attend in person as well. **As a courtesy only, access to the meeting is also being provided via remote means in accordance with applicable law. Please note that while an option for remote attendance and/or participation is being provided as a courtesy to the public, the meeting/hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast or affect remote attendance or participation, unless otherwise required by law.** Members of the public with particular interest in any specific item on this agenda, which includes an applicant and its representatives, should make plans for in-person vs. virtual attendance accordingly.

Members of the public who wish to access the meeting may do so in the following manner:

Phone: Call (312) 626-6799 or (301) 715-8592. Webinar ID: 841 0778 1002. Passcode: 612505.

To request to speak: Press *9 and wait to be recognized.

Zoom Webinar: <https://us02web.zoom.us/j/84107781002?pwd=VTVSV1ExaUNCL253NmNZV21Gdmo4dz09>
Passcode: 612505. To request to speak: Tap Zoom "Raise Hand", then wait to be recognized.

When required by law or allowed by the Chair, persons wishing to provide public comment or otherwise participate in the meeting, may do so by accessing the meeting remotely, as noted above. Additionally, the meeting will be broadcast live, in real time, via **Live broadcast** (Brewster Government TV Channel 18), **Livestream** (livestream.brewster-ma.gov), or **Video recording** (tv.brewster-ma.gov).

The Planning Board packet can be found on the Calendar on the Town of Brewster website (www.brewster-ma.gov). Please note that the Planning Board may take official action, including votes, on any item on this agenda.

1. Call to Order.
2. Declaration of a Quorum.
3. Meeting Participation Statement.
4. Recording Statement. As required by the Open Meeting Law we are informing you that the Town will be video and audio taping as well as broadcasting this public meeting. In addition, if anyone else intends to either video or audio tape this meeting they are required to inform the Chair.
5. Public Announcements and Comment. Members of the public may address the Planning Board on matters not on the meeting's agenda for a maximum of 3-5 minutes at the Chair's discretion. The Planning Board will not reply to statements made or answer questions raised during public comment but may add items presented to a future agenda.

PUBLIC HEARINGS:

6. **CONTINUED Special Permit and Site Plan Review Case No. 2024-04:** Applicant/Owner: The Free Sea Turtle, LLC, Paul Wallace, Manager, has applied for Site Plan Review under Brewster Zoning Bylaw Article XII for a new commercial development on an undeveloped lot, and a Special Permit under Brewster Zoning Bylaw Section 179-51 for uses including building and construction trade shop or garage and a full-service restaurant, at 162 Underpass Road (Tax Map 77 Parcel 9), located within the Commercial High Density (CH) Zoning District. The Planning Board will consider and potentially vote whether to grant the Special Permit and Site Plan Approval. *(Continued from April 24, 2024)*
7. **CONTINUED Special Permit and Site Plan Review Case No. 2024-05:** Applicant/Owner: 162 Underpass LLC, Charles Whitcomb III, Manager, has applied for Site Plan Review under Brewster Zoning Bylaw Article XII for a new commercial development on an undeveloped



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**Senior Department
Assistant**
Lynn St. Cyr

lot, and a Special Permit under Brewster Zoning Bylaw Section 179-51 for uses including building and construction trade shop or garage and (1) accessory commercial dwelling unit, at Underpass Road (Tax Map 77 Parcel 10 and 60), located within the Commercial High Density (CH) Zoning District. The Planning Board will consider and potentially vote whether to grant the Special Permit and Site Plan Approval. *(Continued from April 24, 2024)*

8. Approval of Meeting Minutes: April 24, 2024.
9. Committee Reports.
10. For Your Information.
11. Matters Not Reasonably Anticipated by the Chair.
12. Next Meetings: May 22, 2024 and June 12, 2024.
13. Adjournment.

Date Posted:
05/01/24

Date Revised:

Received by Town Clerk:

BREWSTER TOWN CLERK
'24 MAY 1 1:03PM

SPECIAL PERMIT AND SITE PLAN REVIEW
CASE NO. 2024-04

APPLICANT/OWNER: THE FREE SEA TURTLE, LLC
PAUL WALLACE, MANAGER

PROPERTY: 162 UNDERPASS ROAD (MAP 77 PARCEL 9)

AND

SPECIAL PERMIT AND SITE PLAN REVIEW
CASE NO. 2024-05

APPLICANT/OWNER: 162 UNDERPASS LLC
CHARLES WHITCOMB III, MANAGER

**PROPERTY: 0 UNDERPASS ROAD (MAP 77 PARCEL
10&60)**

Lynn St. Cyr

From: John O'Reilly <joreilly@jmoreillyassoc.com>
Sent: Thursday, May 2, 2024 5:19 AM
To: Jonathon Idman
Cc: Charlie Whitcomb; Paul Wallace; Robert Moran; Lynn St. Cyr
Subject: Continuance of the Meeting

Importance: High

Jon,

Due to the deadline of revised plans submittal was yesterday for the Wallace/Whitcomb project and I still have not heard from the Fire Chief on the swept path, I am kindly requesting a continuance to you next public hearing, May 22nd, for BOTH applications.

Thank you, we hope to be able to submit revised plans on the 15th.

Chief Moran, I am leaving for a vacation on May 8th through the 14th, we would appreciate any feedback as soon as your schedule allows, so we can make the next planning board meeting. Thank you.

John

John M. O'Reilly, P.E., P.L.S.
Principal

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1573 Main Street 2nd Floor / P.O. Box 1773
Brewster, MA 02631
508-896-6601
508-896-6602 fax
<http://www.jmoreillyassoc.com>

DRAFT MEETING MINUTES DATED APRIL 24, 2024



**Brewster Planning Board
2198 Main Street
Brewster, MA 02631-1898
(508) 896-3701 x1133
brewplan@brewster-ma.gov
MEETING MINUTES
Wednesday, April 24, 2024 at 6:30 pm
Brewster Town Office Building**

**Approved:
Vote:**

Chair Amanda Bebrin convened a meeting of the Planning Board at 6:30 pm with the following members participating: Charlotte Degen, Tony Freitas, Madalyn Hillis-Dineen, Rob Michaels, Elizabeth Taylor, and Alex Wentworth. Also participating: Jon Idman, Town Planner, and Lynn St. Cyr, Senior Department Assistant. Bebrin declared that a quorum of the Planning Board was present. The Meeting Participation Statement and Recording Statement were read.

6:32 PM PUBLIC ANNOUNCEMENTS AND COMMENT

None.

6:32 PM PUBLIC MEETING

Approval Not Required Case No. 2024-07: Applicant: Brewster Conservation Trust and Owner: David Dalgarn seek endorsement of an Approval Not Required Plan for property located at 3571 Main Street shown on Tax Map 114 Parcel 60 and Tax Map 126, Parcels 4, 5, and 9 within the Residential Medium Density (R-M) Zoning District. The plan is pursuant to MGL c. 41 §81L and §81P and §290-4 of the Brewster Subdivision Rules and Regulations.

Documents:

- 04/10/24 Approval Not Required Application and Plan
- 04/18/24 Memorandum from Town Planner

Peter Soule, PLS, Soule Land Surveying and Amy Henderson, Executive Director, Brewster Conservation Trust (BCT) were present. Soule stated that the property is approximately 14 acres and is owned by David Dalgarn. The property is sometimes referred to as the Washington Chase property. Soule stated that Lot 2 on the proposed plan will be preserved in perpetuity. BCT is partnering with Habitat for Humanity to add two additional single-family dwellings on Lot 1 which currently has one dwelling. Soule stated that the lots have proper frontage and area. Soule stated that a conservation restriction is proposed for Lot 2 which would be acquired by the Town of Brewster with CPC funds pursuant to an article at Spring Town Meeting.

Idman stated that both lots have the required frontage under the zoning bylaw and recommended that the Planning Board endorse the plan. The Planning Board discussed the plan and appreciated the balance between open space and affordable housing. Taylor noted that the two proposed affordable homes may be the first affordable homes located on Route 6A in Brewster.

Motion by Wentworth to Endorse Approval Not Required Case No. 2024-07. Second by Michaels. Vote: 7-0-0.

6:44 PM PUBLIC HEARINGS

Special Permit and Site Plan Review Case No. 2024-04: Applicant/Owner: The Free Sea Turtle, LLC, Paul Wallace, Manager, has applied for Site Plan Review under Brewster Zoning Bylaw Article XII for a new commercial development on an undeveloped lot, and a Special Permit under Brewster Zoning Bylaw Section 179-51 for uses including building and construction trade shop or garage and a full-service restaurant, at 162 Underpass Road (Tax Map 77 Parcel 9) located within the Commercial High Density (CH) Zoning District.

Special Permit and Site Plan Review Case No. 2024-05: Applicant/Owner: 162 Underpass LLC, Charles Whitcomb III, Manager, has applied for Site Plan Review under Brewster Zoning Bylaw Article XII for a new commercial development

on an undeveloped lot, and a Special Permit under Brewster Zoning Bylaw Section 179-51 for uses including building and construction trade shop or garage and (1) accessory commercial dwelling unit, at Underpass Road (Tax Map 77 Parcel 10 and 60) located within the Commercial High Density (CH) Zoning District.

Documents:

- 04/24/24 Request to Continue

Motion by Michaels to Continue the Public Hearings on Special Permit and Site Plan Review Case No. 2024-04 and Special Permit and Site Plan Review Case No. 2024-05 to May 8, 2024. Second by Hillis-Dineen. Vote: 7-0-0.

6:45 PM APPROVAL OF MEETING MINUTES

Approval of Meeting Minutes: April 10, 2024.

The Board reviewed the April 10, 2024 meeting minutes. **Motion by Degen to Approve April 10, 2024 Meeting Minutes. Second by Wentworth. Vote: 7-0-0.**

6:46 PM COMMITTEE REPORTS

Freitas stated that the Affordable Housing Trust will be holding a joint meeting at the end of the month with the Community Preservation Committee. Degen summarized the Select Board meeting of April 3rd including information on tours of the former Sea Camps properties, an information session on Town Meeting that will include the Finance Committee, the Swap Shop opening, a watershed grant for \$77,000, a presentation by the Drummer Boy Park Advisory Committee which included recommendations to renovate the playground, update the shade pavilion, extend toilet access, and add a water station, as well as noting that no new trails or walkways are recommended, and that parking will remain as is but stormwater management issues within the parking area will be addressed, and that the Good Neighbor Fund has a \$40,000 balance. Degen also summarized the Select Board meeting of April 23rd including recognition by the DEP of Brewster's outstanding public water system, an exemption that was filed to exempt the town from new septic regulations, possible expansion of the RTA Smart Dart program, an application the town filed to be designated as a housing choice community, liquor license renewals for the Sea Pines Inn and The Kitchen Café, a report by District Attorney Galibois on activities in his office, and a presentation of the Police Strategic Plan. Michaels stated that the next meeting of the Water Quality Review Committee will be on May 17th. Taylor stated that the Community Presentation Committee met earlier in the evening and discussed the property at 3571 Main Street which was the subject property of the ANR the Planning Board endorsed during the meeting. Bebrin discussed upcoming tours of the bay and pond properties. She stated that there will not be a request for funding related to these properties at Town Meeting but a request to approve plans for these properties.

6:55 PM FOR YOUR INFORMATION

The Planning Board received mail from the Harwich Planning Board regarding a decision on a site plan review application and a notice of a public hearing on May 2, 2024. A notice of a public hearing on May 6, 2024 was also received from the Dennis Planning Board.

6:55 PM MATTERS NOT REASONABLY ANTICIPATED BY THE CHAIR

None.

Motion by Wentworth to Adjourn. Second by Hillis-Dineen. Vote: 7-0-0. The meeting adjourned at 6:56 PM.

Next Planning Board Meeting Date: May 8, 2024.

Respectfully submitted,

Lynn St. Cyr, Senior Department Assistant, Planning