

PLANNING BOARD

Town of
BREWSTER
MASSACHUSETTS



Alexander Wentworth, Chair
Robert Michaels, Vice Chair
Carmel Gilberti, Clerk
Stephen Ferris
Antone Freitas
Madalyn Hillis-Dineen
Elizabeth Taylor

Town Staff
Jonathon Idman, Town Planner
Lynn St. Cyr, Assistant Town Planner

PLANNING BOARD MEETING AGENDA

April 8, 2026, 6:30 PM
Town Hall, 2198 Main St., Brewster, MA 02631

JOIN ZOOM MEETING

<https://us02web.zoom.us/j/84107781002?pwd=VTVSV1ExaUNCL253NmNZV21Gdmo4dz09>

Meeting ID: 841 0778 1002 **Passcode:** 612505

JOIN MEETING BY 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.

WATCH OR LISTEN

Live TV: BGTV Channel 8 and HD Channel 1072 **Livestream:** livestream.brewster-ma.gov

Recorded Video: tv.brewster-ma.gov

- This meeting will be conducted in person at the time and location identified above.
- As a courtesy only, meeting access is provided to the public by remote options. The meeting or hearing will not be suspended or terminated if technological problems interrupt the virtual broadcast unless it is a fully remote meeting.
- Members of the public, including applicants and representatives with a particular interest in an agenda item, should attend the meeting in-person.
- The board or committee may take official action including votes on any agenda item.
- Agenda items may be taken out of order at the Chair's discretion.

1. Call to Order
2. Declaration of a Quorum
3. Recording Statement: As required by the Open Meeting Law we are informing you the Town will be video and audio recording, as well as broadcasting, this public meeting. If anyone else intends to video or audio record this meeting, they are required to inform the Chair.
4. 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 cannot reply to statements made or answer questions raised during public comment but may add items presented to a future agenda.
5. Discussion with Barrett Planning Group LLC on the final report of the Multifamily and Mixed Use Development Zoning Study.
6. Approval of Meeting Minutes: March 11, 2026
7. Committee Reports
8. For Your Information
9. Matters Not Reasonably Anticipated by the Chair
10. Next Meetings: April 22, 2026 and May 13, 2026
11. Adjournment

Date Posted:
04/01/26

Date Revised:

Received by Town Clerk:

BREWSTER TOWN CLERK
26 APR 1 2026

**APPROVAL OF MEETING MINUTES DATED
MARCH 11, 2026**



Brewster Planning Board
2198 Main Street
Brewster, MA 02631-1898
(508) 896-3701 x1133
brewplan@brewster-ma.gov

Approved:
Vote:

MEETING MINUTES
Wednesday, March 11, 2026 at 6:30 pm
Brewster Town Office Building

6:30PM

Call to Order

Chair Alexander Wentworth called the March 11th, 2026 meeting of the Planning Board to order.

Declaration of a Quorum

Chair Alex Wentworth declared a quorum present with all members in attendance: Rob Michaels, Carmel Gilberti, Steve Ferris, Tony Freitas, Madalyn Hillis-Dineen, and Elizabeth Taylor.

Recording Statement

Clerk Carmel Gilberti read the recording statement, informing the public that the Town would be video and audio recording and broadcasting the meeting as required by Open Meeting Law, and that anyone else intending to record must inform the chair.

6:31PM

Public Announcements and Comment

No members of the public came forward for public comment, either in person or remotely.

6:32PM

Case No. SWMP26-03

John O'Reilly, representing property owners Matthew and Deirdre Kathman, presented the application for a major stormwater permit for 15 Oliver Road. The property currently contains a single-family home, driveway, and septic system. The applicants propose to construct a two-bedroom pool house, patio, pool, and spa in the northeast corner of the property. O'Reilly explained that the property is in Zone 2 and the DCPC. The applicants plan to combine septic systems from the existing house with the new pool house to create a new system providing denitrification to meet nitrogen loading requirements. O'Reilly noted that while the pool house has two bedrooms, it is not considered a dwelling unit as it lacks cooking facilities.

The stormwater management plan includes a driveway in front of the pool building with runoff directed to a bioswale and water quality swale. The system includes an underdrain and an inlet pipe feeding into a large galley measuring 39 feet long, 12 feet wide, and six feet deep. O'Reilly confirmed the design addresses the 25-year storm and provides peak discharge reduction.

Jon Idman noted that catch basins downgradient in the property and roads should be discussed and recommended standard pool conditions for materials used in Zone 2 areas. Tony Freitas inquired about pool drainage and chemicals. Idman explained that standard conditions would address household quantities of pool treatment materials and proper disposal methods. Rob Michaels raised four questions: the absence of phosphorus removal details, the large size of the recharge galley, recharge depth requirements, and potential use of a natural low area on the property. Idman clarified that phosphorus removal was handled through storage capacity rather than direct treatment. O'Reilly confirmed the galley size was driven by 25-year storm requirements and that the one-inch recharge depth was appropriate for Zone 2. Regarding the natural low area, O'Reilly explained that the applicants wanted to preserve existing tree cover in that location.

Elizabeth Taylor asked about pool water discharge when emptied. O'Reilly indicated a dry well would typically be installed for pool equipment backwash, though none was shown on the current plans. Idman noted that complete pool drainage is rare and expensive, typically requiring trucking offsite when necessary. Taylor also inquired about the pool building's use, noting concerns about potential conversion to rental use with minimal kitchen facilities. Idman explained that while the building doesn't constitute a dwelling unit without cooking facilities, it could potentially be used for short-term rental under state law.

Regarding the catch basins mentioned in the staff report, Idman asked O'Reilly to address protection during construction. O'Reilly reported that existing catch basins are currently full of silt and not functioning, and he had recommended to the homeowner that the drainage system needs attention. He suggested that silt socks could be installed if protection was required during construction. Wentworth and Tony Freitas discussed whether the applicant should be required to protect catch basins from construction debris. Freitas noted that the proposed erosion control should adequately protect the basins given the flat topography. Idman emphasized the importance of protecting the applicant from being blamed for pre-existing drainage problems.

Motion: Rob Michaels moved to approve **Case No. SWMP26-03** subject to pool conditions discussed, protection of catch basins from construction erosion and sediment, and standard operations and maintenance stormwater permit conditions. Second: Madalyn Hillis-Dineen. Motion carried unanimously. Vote: 7-0-0.

6:53PM

Approval of Meeting Minutes: January 14, 2026

The board reviewed AI-generated meeting minutes from January 14, 2026. Rob Michaels noted one word choice issue, questioning the use of "connote" instead of "imply," but found the minutes otherwise acceptable. Lynn St. Cyr explained this was the first time using AI for minutes generation, which required some upfront work and review but would ultimately save time.

Motion: Elizabeth Taylor moved to approve the meeting minutes from January 14, 2026. Second: Rob Michaels. Vote: 6-0-1. Tony Freitas abstained.

6:55PM

Committee Reports

None.

6:56PM

For Your Information

St. Cyr announced that the CPTC conference registration deadline was Friday, March 15th, with the conference scheduled for March 21st. Tony Freitas indicated he would not attend this year.

Wentworth noted interest in Dennis's zoning bylaw changes encouraging affordable housing. Idman discussed Dennis's longstanding affordable housing provisions and mentioned that Harwich was following similar ADU changes that Brewster had implemented. He noted that Brewster's ADU bylaw had been approved by the Attorney General. Idman warned that Harwich had been too aggressive in rolling back multifamily bylaws, leading to out-of-scale developments with the same standards applying in both urban village and rural residential areas. Harwich was now working to pull back some of those changes.

The board reviewed an FAQ sheet about accessory dwelling units. St. Cyr noted it was available on the Planning Board webpage. Freitas asked about uptake in ADU permits, and Idman reported a good handful of permits being exercised, though the process remained expensive. The board discussed the importance of process certainty in encouraging investment in ADUs. Idman mentioned the Cape Cod Commission's ongoing project to develop standard ADU plans for various settings, including historic districts, which could help reduce costs along with modular factory construction.

Steve Ferris noted the Community Development Partnership's efforts to educate people about the ADU process, both homeowners and influential community members.

Idman provided updates on two significant upcoming items: a short-term rental bylaw and seasonal communities designation. The short-term rental bylaw, developed following the task force recommendations, would be a general bylaw with accompanying regulations and establishing a registration system with public health and safety inspections. The bylaw hearing was scheduled for March 16th, with accompanying regulations to be adopted by the Select Board after hearing.

Regarding the seasonal communities designation from the Affordable Homes Act, Idman explained this would offer various tools to assist with economy and housing, including year-round deed restrictions and land trusts. Requirements include developing undersized lot zoning and tiny house zoning, though these don't need immediate adoption. Recent state regulations provided flexibility, allowing towns to define undersized lots and require tiny houses to meet building codes rather than allowing mobile units. Board members discussed concerns about creating new subdivisions and the relationship to existing ADU bylaws. Idman explained that tiny house zoning would only apply to principal dwellings, avoiding conflicts with ADU regulations. The designation also allows increased residential tax exemptions up to 50%, which has been the primary source of opposition from non-residents. Elizabeth Taylor asked whether new subdivisions could be created with undersized lots. Idman confirmed this was possible but noted the regulations provided flexibility for towns to limit such development to existing parcels. Rob Michaels questioned why towns couldn't create tiny house bylaws without the seasonal designation. Idman explained that the designation provides access to tools like attainable housing trusts and year-round housing restrictions that would otherwise require special legislation. The discussion covered benefits and concerns about the seasonal communities designation, including taxation impacts and zoning requirements. Several Cape Cod towns had already accepted the designation before full regulations were available.

7:23 PM

Next Meetings

St. Cyr announced that no applications were scheduled for March 25th. April 8th will feature Judi Barrett discussing her final report on the zoning study. There are two major stormwater permit applications scheduled for April 22nd.

The stormwater community meeting is proposed for May. It would include a general presentation followed by public questions and comments. Staff planned to contact over 200 people who had filed stormwater applications since 2022, including applicants, engineers, surveyors, builders, and subcontractors. Rob Michaels asked about plans for a stormwater bylaw at Fall Town Meeting. Idman indicated this remained possible depending on the community meeting outcomes and the complexity of desired changes. He noted that moving thresholds from the bylaw to regulations would provide more flexibility for future adjustments, like how the Board of Health handles nitrogen calculations.

The board discussed whether pool discharge issues should be addressed in stormwater regulations or the illicit discharge bylaw, with Idman favoring the latter approach. Wentworth asked about the meeting structure, and St. Cyr stated it would be similar to the standard public hearing format and include broad outreach to all stakeholders in the stormwater process.

Adjournment

Motion: Carmel Gilberti moved to adjourn. Second: Elizabeth Taylor. Vote: 7-0-0.

The meeting adjourned at approximately 7:28 PM.

Documents used during this meeting can be found on the Town of Brewster's website under the Public Meeting Packets tab and/or here: <https://portal.laserfiche.com/Portal/Browse.aspx?id=253079&repo=r-153f9d98>. The February 25th meeting was cancelled due to inclement weather. Matters scheduled for the February 25th meeting were rescheduled to March 11th and the February 25th meeting packet contains the documents for the March 11th meeting.

FOR YOUR INFORMATION

RECEIVED

HARWICH PLANNING BOARD
PUBLIC HEARING NOTICE

MAR 30 2026

BREWSTER PLANNING BOARD
ZONING BOARD OF APPEALS

Pursuant to MGL Ch. 40A §5, the Harwich Planning Board will hold a public hearing on Tuesday, April 14, 2026, beginning no earlier than 6:30PM, in the Donn B. Griffin Room, Town Hall, 732 Main Street, Harwich, MA 02645. The public is welcome to attend in person and remote participation is available. Please see the posted agenda for dial in information. The purpose of the Public Hearing is to review the below Zoning Amendments:

Zoning By-law Amendments: - Accessory Dwelling Units (ADU):

To see if the Town of Harwich will amend the Harwich Zoning By-laws by amending the following sections:

- Section §325-14 (T) by amending the Supplemental Regulations with regard to Accessory Dwelling Units; Section §325-13, Use Regulations, Attachment 1, Table 1, Use Regulations: line 10 to allow Protected Use Accessory Dwelling Units as of right in all residential zones except Commercial Highway -2 (CH-2) and Industrial Limited (IL).
- Section 325-51(I)(1) to be deleted in its entirety and Section §325-51(P) to be deleted in its entirety. These sections require the granting of a special permit for a Single-Family Dwelling with an Accessory Dwelling Unit.

These amendments will align the Zoning Bylaw with M.G.L. Chapter 40A, §3, and 760 CMR 71.00 relative to regulating Protected Use Accessory Dwelling Units.

Zoning By-Law Amendment – Multifamily Height and Bulk

To see if the Town of Harwich will amend the Harwich Zoning By-laws by amending the following sections:

- Section 325-16, Table 3, Height and Bulk Regulations: amend Multifamily dimensions within the table, as follows: To reduce the allowed Maximum Permitted Height (feet) from 40 to 30 and reduce the Maximum Permitted Height (stories) from 3 ½ to 2 ½ in all Residential Districts.

Zoning By-Law Amendment – Nonconforming Structures and uses:

To see if the Town of Harwich will amend the Harwich Zoning By-laws by amending the following sections:

- 325-54 (A) (5) (e) to be deleted in its entirety. 325-54 (A) (5) (e) currently provides “The replacement structure may not increase the habitable square footage of the structure by more than 25% over the habitable square footage of the existing structure over a ten-year period beginning on the date of the issuance of the special permit by the Board of Appeals.”

This amendment will align the Zoning Bylaw with M.G.L. Chapter 40A.

Zoning By-Law Amendment – Stories for Human use or occupation

To see if the Town of Harwich will amend the Harwich Zoning By-laws by amending the following sections:

- 325-20 - delete second sentence in its entirety. Which currently states: “In no case shall a single-family residence contain more than two levels for human occupation, provided that the basement or cellar of a single-family residence can be used as a family room or recreational room but shall not be used as sleeping quarters unless it is made to comply with the provisions of the Building Code regulating the design and construction of such rooms. In no case shall any other building provide more than two stories or levels for human use or occupation.”

This amendment will align the Zoning Bylaw with M.G.L. Chapter 40A, Massachusetts Building Code, and Massachusetts State Environmental Code Title V

Petitioned Article: Amend By-law 325: Multifamily Development Special Permits

To see if the Town will vote prohibit Multifamily Development Special Permits in rural, low and medium density residential zoning district by amending the Code of the Town of Harwich, Section 325- Zoning as follows:

1. AMEND Article X, Administration and Enforcement, §325-51, Special Permits, Section Q, Multifamily Special Permit, by adding a new Paragraph (9) at the end thereof as follows:
(9) Multifamily dwellings shall not be allowed by Special Permit under 325-51Q in the following Zoning Districts: RR (Residential – Rural Estate), RL (Residential – Low Density) or RM (Residential Medium Density).
2. AMEND Article V, Use Regulations §325.13.A, Attachment 1, Table 1, Use Regulations, Paragraph I – Residential Uses, Use No. 8, Multifamily Dwelling (§325-51Q) to change the designation with respect to Zoning Districts RR, RL and RM from Special Permit to Prohibited.

Proposed language for the Zoning Amendments can be requested from the Town of Harwich Planning Department or found on the Town of Harwich Planning Board Webpage at <https://www.harwich-ma.gov/644/Planning-Board>. For additional information contact Matthew Hamilton, Planning Assistant at matthew.hamilton@harwich-ma.gov.

Duncan Berry, Chair

Cape Cod Chronicle Print Dates: March 26, 2026 and April 2, 2026