

# LEGAL ADVERTISING

## TOWN OF HARWICH HISTORIC DISTRICT & HISTORICAL COMMISSION LEGAL NOTICE

The Historic District and Historical Commission will hold a public hearing on Wednesday, January 17, 2018 in the Griffin Room, Town Hall, at 732 Main Street, Harwich, MA to consider the following applications. The public hearing will begin at 6:00 p.m. followed by a public meeting. Any member of the public having an interest in these applications is invited to attend and provide information and comment relevant to this matter or may submit the same in writing.

**HH 2018-01 Notice of Intent (NOI)** has been received for 29 Saquatucket Bluffs Road, Map 16, Parcel N1-26, in the and Applicanthe existing houseon the east side of the existing house, and rmit. The rest of the Board members and the Town PlaR-L Zone. The application is pursuant to the Code of the Town of Harwich Chapter 131, Historic Preservation, Article II, and proposes replacing three walls of the existing sunroom with an addition on the side. Kevin Phelan, Owner, Dale Nikula, applicant.

**HH 2018-02 Notice of Intent (NOI)** has been received for 32 Ocean Ave, Map 6B, Parcel L6, in the R-H-2 Zone. The application is pursuant to the Code of the Town of Harwich Chapter 131, Historic Preservation, Article II, and proposes the 100% demolition of the existing house. Cathi Cosco, Owner/Applicant.

**HH 2018-03 Notice of Intent (NOI)** has been received for 12 Olde Homestead Way, Map 112, Parcel A4-10, in the R-R Zone. The application is pursuant to the Code of the Town of Harwich Chapter 131, Historic Preservation, Article II, and proposes the 100% demolition of a detached garage and shed. Ashley Stevens and Joseph Thacher, Owners/Applicant.

Mary Maslowski,  
Chairman

The Cape Cod Chronicle  
Dec. 28 2017 and Jan.4, 2018

## HARWICH BOARD OF SELECTMEN NOTICE OF PUBLIC HEARING Recreation and Youth Beach Sticker Recommendations January 22, 2018

The Harwich Board of Selectmen will hold a Public Hearing on Monday, January 22, 2018, no earlier than 6:30 P.M. during their regular weekly meeting. This Hearing will be held in the Donn B. Griffin Room located at Town Hall, 732 Main Street, Harwich for the purpose of reviewing Recreation and Youth recommendations for Beach Sticker Fees for the 2018 Beach Season. All members of the public having an interest in this topic are cordially invited to attend the public hearing and provide information and testimony relevant to this matter.

Harwich Board of Selectmen

The Cape Cod Chronicle  
Jan. 4, 2018

## HARWICH PLANNING BOARD LEGAL NOTICE PROPOSED ZONING AMENDMENT

In accordance with the provisions of MGL c.40A §5, the Harwich Planning Board will hold a public hearing on Tuesday, January 23, 2018 no earlier than 6:30 pm in the Donn B. Griffin Room, Harwich Town Hall, 732 Main Street, Harwich, to consider amendments to the Harwich Zoning Codes:

### ARTICLE: XX - Zoning Bylaw Article MARIJUANA ESTABLISHMENTS

To see if the Town will vote to amend the Town's Zoning Bylaw, ARTICLE V, Use Regulations, §325-10 Prohibited uses in all zoning districts, to include a new paragraph K, that would provide as follows, and further to amend the ARTICLE II § 325-2 Word usage and definitions to include, "Marijuana Establishments" as follows:

Section 325-10 Prohibited uses in all zoning districts.

K. Consistent with G.L. c.94G, § 3(a)(2), all types of non-medical "marijuana establishments" as defined in G.L. c.94G §1, including marijuana cultivators, independent testing laboratory, marijuana product manufactures, marijuana retailers or any other types of licensed marijuana-related businesses, shall be prohibited within the Town of Harwich.

Section 325-2 Word usage and definitions.

MARIJUANA ESTABLISHMENTS - Marijuana cultivators, independent testing laboratory, marijuana product manufactures, marijuana retailers or any other types of licensed marijuana-related businesses, as defined in G.L. c.94G §1.

Any person interested or wishing to be heard on these zoning proposals should appear at the time and place designated. The full text for the proposed amendments can be found on the Town Website <http://www.harwich-ma.gov/planning-board>, and in the Community Development and Town Clerk Offices at Town Hall, at the address noted above, during normal business hours.

Lawrence Brophy, Chair

The Cape Cod Chronicle  
Jan. 4 and 11, 2018

## HARWICH CONSERVATION COMMISSION NOTICE OF PUBLIC MEETING

The Harwich Conservation Commission will hold a public meeting in accordance with the provisions of the Wetlands Protection Act, MGL Ch. 131 §40, and its Regulations 310 CMR 10.00 and the Town of Harwich Wetlands Protection By-Law, and its Regulations, Article VII on **WEDNESDAY, January 17, 2018** in the **Small Hearing Room** Harwich Town Hall, 732 Main Street, Harwich, MA 02645. The meeting begins at **6:30 p.m.**

The following applicants have filed a **Request for Determination of Applicability:**

**Outer Cape Health Services, 710 Main St (Route 28), Harwich Port, Map 15 Parcel K2.** Proposed work includes implementing flood-proofing measures, reconstructing parking and walkways to be ADA compliant. Installation or re-construction of curbing, sidewalks and stoops. Removal of a paved loading dock to allow for an enclosed trash storage area and ambulance loading zone. The site lies within the FEMA AE 11' flood zone.

The following applicants have filed a **Notice of Intent:**

**Luiza A. Beaupre, 9 Herring Run Road, Map 36 Parcel L11.** The proposed additions/renovations to an existing structure and installation of a Title 5 septic system. Work will take place in the 100' buffer to a coastal bank and in riverfront area.

**Joshua and Jason Michniewicz, 45 Main Street, Map 55 Parcel H2-1.** Proposed site development for a 6,000 sq. ft. industrial building within 100' of an isolated freshwater wetland.

You may contact the Conservation office at 508-430-7538 for further information.

Bradford Chase, Chairman

The Cape Cod Chronicle  
Jan. 4, 2018

## HARWICH BOARD OF SELECTMEN NOTICE OF PUBLIC HEARING Harwich Cultural Center Fee Recommendations January 22, 2018

The Harwich Board of Selectmen will hold a Public Hearing on Monday, January 22, 2018, no earlier than 6:30 P.M. during their regular weekly meeting. This Hearing will be held in the Donn B. Griffin Room located at Town Hall, 732 Main Street, Harwich for the purpose of reviewing proposed recommendations for Harwich Cultural Center Fees. All members of the public having an interest in this topic are cordially invited to attend the public hearing and provide information and testimony relevant to this matter.

Harwich Board of Selectmen

The Cape Cod Chronicle  
Jan. 4, 2018

Continued on Page 41

## Legal Ad Deadline is Monday at Noon

EXCEPT ON MONDAY HOLIDAYS

when the deadline will be Friday at Noon

Please email your legal ads to:  
barbara@capecodchronicle.com



FINANCIAL FREEDOM TO  
EXPLORE THE POSSIBILITIES



Let financial advisor Bob Harris, a local Chatham resident, craft a comprehensive wealth management plan to help you achieve the lifestyle and legacy you envision.

Contact Bob today for a complimentary consultation at [bob@bartandco.com](mailto:bob@bartandco.com) or 508.945.2585. Visit [www.bartandco.com](http://www.bartandco.com) to learn more.



PLAN WISELY. INVEST CONSERVATIVELY. LIVE WELL.  
75 Hitching Post Road, Chatham, MA 02633  
Securities offered through Commonwealth Financial Network,  
Member FINRA/SIPC.



271 Stage Harbor Road, Chatham  
**House Available  
To Move To Your Property**

Potential to save and move  
only the front 22-foot by 22-foot  
section of the house.  
If interested, please call  
617-799-0039



**EXTENDED  
COVERAGE**  
by Craig S. Vokey

### MISSING 1-2 HOURS OF SLEEP DOUBLES CRASH RISK - PART II

A new AAA Foundation report found that in a 24-hour period, crash risk for sleep-deprived drivers increased steadily when compared to drivers who slept the recommended seven hours or more:

- Six to seven hours of sleep: 1.3 times the crash risk
- Five to six hours of sleep: 1.9 times the crash risk
- Four to five hours of sleep: 4.3 times the crash risk
- Less than four hours of sleep: 11.4 times the crash risk

Symptoms of drowsy driving can include having trouble keeping eyes open, drifting from lanes or not remembering the last few miles driven. However, more than half of drivers involved in fatigue-related crashes experienced no symptoms before falling asleep behind the wheel. AAA urges drivers to not rely on their bodies to provide warning signs of fatigue and should instead prioritize getting plenty of sleep (at least seven hours) in their daily schedules. For longer trips, drivers should also:

- Travel at times when normally awake
- Schedule a break every two hours or every 100 miles
- Avoid heavy foods
- Travel with an alert passenger and take turns driving
- Avoid medications that cause drowsiness or other impairment

Presented as a service to the community by ...

**Mark T. Vokey  
INSURANCE AGENCY**

Still the locally owned & independently-operated insurance agency.  
P.O. Box 1247, 28 Village Landing, W. Chatham, MA 02669  
508-945-3535 • [www.vokeyinsurance.com](http://www.vokeyinsurance.com)

Showers • Windows • Mirrors

**Seaview Glass  
& Mirror**



tel. (774) 212-3572

Jason Pike, Owner [SeaviewGlassCC@gmail.com](mailto:SeaviewGlassCC@gmail.com)

Subscribe to The Cape Cod Chronicle.  
Every week, all year long, we keep you informed about all the news in Chatham and Harwich.

**TOWN OF CHATHAM  
ZONING BOARD OF APPEALS  
LEGAL NOTICE**

The Chatham Zoning Board of Appeals will hold a public hearing on **Thursday, January 11, 2018**, starting at **4:00 PM** in the Town Annex Large Meeting Room, 261 George Ryder Road, on the following applications:

**Application No. 17-038: Thirty-Eight Briggs Way Nominee Trust**, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owner of property located at **38 Briggs Way**, also shown on the Town of Chatham's Assessors' Map 17D Block 5 Lot B1. The Applicant seeks to construct an elevated stairway, a 4 foot by 75 foot seasonal pier and a 12 foot by 20 foot float in a Coastal Conservancy District (Chatham Harbor). The lot contains 43,558 square feet of buildable upland in the R40 Zoning District. **A Special Permit is required under M.G.L. Chapter 40A Section 9 and Section IV.A.3.a. and IV.A.6.c. of the Protective Bylaw. Continued from June 8, 2017, July 13, 2017, August 24, 2017, September 28, 2017 and October 26, 2017.**

**Application No. 17-091: Three Ninety-Four Stony Hill Trust**, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owner of the property located at **394 Stony Hill Road**, also shown on the Town of Chatham's Assessors' Map 15I Block 21 Lot E2. The Applicant seeks a Variance under Section VIII.D.2.c. from the requirements of Appendix II, to allow an accessory structure (garage) to be located 6.6 feet from the southerly abutter where a 25 foot setback is required. The lot contains 28,480 square feet in the R40 Zoning District. **A Dimensional Variance is required under M.G.L. Chapter 40A Section 10 and Section VIII.D.2.c of the Chatham Protective Bylaw. Continued from November 2, 2017.**

**Application No. 17-111: 48 Oyster Pond Furlong LLC**, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owner of the property located at **48 Oyster Pond Furlong**, also shown on the Town of Chatham's Assessors' Map 13E Block 36 Lot R28. The Applicant proposes to change, alter, or expand a nonconforming structure and use (warehouse) on a nonconforming lot via the conversion of a portion of the existing structure into a 1-bedroom apartment. The existing structure is nonconforming in that it is located 16.3 feet from easterly abutter where a 25 foot setback is required. The existing and proposed building coverage is will remain nonconforming at 5,672 square feet where 2,900 square feet is the maximum allowed. The lot is nonconforming in that it contains 23,603 square feet where 40,000 square feet is required in an R40 Zoning District. **A Special Permit is required under M.G.L. Chapter 40A Section 6 and Section V.B. of the Chatham Protective Bylaw.**

**Application No. 17-112: Edwin and Marianne Lynch**, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owner of property located at **140 Sulphur Springs Road**, also shown on the Town of Chatham's Assessors' Map 7C Block 18 Lot W1. The Applicants seek to construct an elevated stairway on a Coastal Bank, as allowed by Special Permit under Sections IV.A.3.a. and IV.A.6. of the Protective Bylaw. Also proposed is the demolition of the existing deck and construction of a new deck. The existing deck is nonconforming in that it is located 47 feet from the Coastal Conservancy District (Top of Bank). The proposed deck will be nonconforming in that it will be located 44 feet from the Coastal Conservancy District (Top of Bank) where a 50 foot setback is required. The total lot size is 42,154 square feet and the property is located within the R20 Zoning District. **A Special Permit is required under M.G.L. Chapter 40A Section 6 and Sections V.B and VIII.D.2.b. of the Chatham Protective Bylaw.**

**Application No. 17-113: Whistler Lane Nominee Trust**, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owner of property located at **58 Whistler Lane**, also shown on the Town of Chatham's Assessors' Map 16J Block 33 Lot LC1. The Applicants seek to construct an elevated stairway over a Coastal Bank and revetment. The total lot size is 1.6 acres and the property is located within the R40 Zoning District. **A Special Permit is required under Section IV.A.3.a. of the Chatham Protective Bylaw.**

**Other Business:**  
Approval of minutes  
Public Comments

**Plans, site plans, and all other documents related to these Applications are on file with the Department of Community Development, located at 261 George Ryder Road and may be viewed Monday through Thursday, 7:00 a.m. to 4:00 p.m.; Friday, 7:00 a.m. to 12:30 p.m.**

**The full agenda for this meeting will be posted at: [www.mytown-government.org/02633](http://www.mytown-government.org/02633) at least 48 hours prior to the meeting, excluding Saturdays, Sundays and legal holidays.**

David Nixon  
Chairman

The Cape Cod Chronicle  
Dec. 28, 2017 and Jan. 4, 2018

**TOWN OF HARWICH  
NOTICE OF PUBLIC HEARING  
JANUARY 16, 2018**

Pursuant to M.G.L. Ch. 166, § 22, a Public Hearing will be held at **10:00 AM on Tuesday, January 16, 2018** in the Harwich Town Hall Library, 732 Main Street, Harwich, MA in reference to the following matter:

A petition by NSTAR ELECTRIC COMPANY requesting permission to locate underground cables, conduits and manholes, including the necessary sustaining and protecting fixtures, in under, along and across the following public way or ways:

**188 Sisson Road, Harwich**

**PROPOSED: To install 55 feet of conduit/cable under the public roadway of Sisson Road in Harwich**

All abutters and other interested persons are invited to attend. For further information, please call the Town Administrator's Office at (508) 430-7513 or stop by Town Hall, 732 Main Street, Harwich where the information is on file.

Christopher Clark  
Town Administrator

The Cape Cod Chronicle  
Jan. 4, 2018

**TOWN OF CHATHAM  
HISTORICAL COMMISSION  
AGENDA  
JANUARY 16, 2018**

The Chatham Historical Commission will hold a public meeting on **Tuesday, January 16, 2018** beginning at **9:00 AM** at the **Town Hall Annex, Lower Level - Committee Room, 261 George Ryder Road, Chatham.**

**In accordance with Town policy the public can speak to any issue/hearing or business item on the agenda during the meeting when recognized by the chair.**

**HEARINGS:**

**Application No: 18-002** To be heard in accordance with Chapter 158 (Demolition Delay Bylaw) of the Town of Chatham General Bylaws, pursuant to the Notice of Intent to **Demolish** or Partially Demolish a Historic Building or Structure located at **479 Stony Hill Road**, filed by: Richard Smith, 77 Old Wharf Road, No. Chatham, MA 02650; for: Margaret Eldredge, 479 Stony Hill Road, No. Chatham, MA 02650.

**Application No: 18-003** To be heard in accordance with Chapter 158 (Demolition Delay Bylaw) of the Town of Chatham General Bylaws, pursuant to the Notice of Intent to **Demolish** (Barn only) or Partially Demolish a Historic Building or Structure located at **280 Stage Harbor Road**, filed by: William F. Riley, Esq., PO Box 707, Chatham, MA 02633; for: Eric Nyman & Laura Nyman, 295 Laurel Avenue, Providence, RI 02906

**Application No. 16-015:** To be heard in accordance with Chapter 158 (Demolition Delay Bylaw) of the Town of Chatham General Bylaws, pursuant to the Notice of Intent to Demolish or Partially Demolish a Historic Building or Structure located at **66 Briggs Way**, filed by William F. Riley, Esq.; for Briggs Way, LLC; PO Box 95, Weston, MA 02393. **APPLICATION FOR RELOCATION OF WINDMILL CURRENTLY UNDER DEMO DELAY.**

**The full agenda for this meeting will be posted at: [www.mytowngovernment.org/02633](http://www.mytowngovernment.org/02633) at least 48 hours prior to the meeting, excluding Saturdays, Sundays and legal holidays.**

The Cape Cod Chronicle  
Dec. 28, 2017 and Jan. 4, 2018

**CHATHAM CONSERVATION COMMISSION  
PUBLIC HEARING**

The Chatham Conservation Commission will hold a public hearing in accordance with the provisions of Massachusetts General Law, Ch 131, s.40, the Wetlands Protection Act, and the Town of Chatham Wetlands Protection Bylaw, Ch. 272 on **Wednesday January 10, 2018** at the Annex Meeting Room, 261 George Ryder Road, Chatham, MA 02633. **The meeting starts at 4:00 PM.**

The following applicants have filed **Requests for Determination of Applicability: 43 Eliphamets Lane, Aquaculture Research Corporation, c/o Robert Doane:** Proposed installation of a land based upweller operation within the building located at 43 Eliphamets Lane, Assessors Map 16C parcel 40-9.

**56 Black Duck Landing, Richard & Caroline Grant:** Proposed demolition and reconstruction of an existing garage at 56 Black Duck Landing, Assessors Map 12B parcel B4.

The following applicant has filed a **Notices of Intent: 89 Moocussers Lane, Robin Comfort, SE 10 :** Proposed construction of a swimming pool at 89 Moocussers Lane, Assessors Map 11A parcel 16

**38 Briggs Way, Thirty-Eight Briggs Way Nominee Trust, SE 10-3196:** Re-opening of hearing after re-advertisement for proposed relocation and reconstruction of existing beach access stairs and installation of a seasonal aluminum ramp and pile supported float at 38 Briggs Way, Assessors Map 17D-5 parcel B1.

Files are available for review at the Town Annex, 261 George Ryder Road.  
Conservation office hours are 7AM-4PM, Monday through Thursday and 7AM-12:30PM, Friday.

The Cape Cod Chronicle  
Jan. 4, 2018

**HARWICH PLANNING BOARD  
PUBLIC HEARING NOTICE**

The Harwich Planning Board will hold a public hearing beginning no earlier than 6:30 PM on Tuesday, January 23, 2018 in the Griffin Room, 732 Main St., Harwich, MA to consider the following application(s). Any member of the public having an interest in this application is invited to attend and provide and comment or may submit comments in writing.

**PB2017-32, Joshua A. & Jason D. Michniewicz, prospective owners under agreement, c/o David J. Michniewicz, P.E., representative.** The application seeks approval of a Site Plan Review Special Permit pursuant to the Code of the Town of Harwich §325-55. The proposal seeks to construct a 6,000 SF, six-bay commercial structure and certain appurtenant site amenities for construction industry use. The property is located at 45 Main Street Extension, Map 45, Parcel H2-1, in the I-L Zoning Districts.

**PB2017-33, Stephen D. & Nancy Morris, owners, c/o Dan Speakman, representative.** The application with waivers seeks approval of a Use Special Permit for a detached Accessory Apartment pursuant to the Code of the Town Harwich §325-51.H and Article V Use Regulations. The proposal seeks to construct a 725 SF, one bedroom dwelling unit and a single bay garage. The property is located at 11 Oliver Snow Road, Map 24, Parcel B3-A, in R-R Zoning Districts. All documents related to the above case(s) are on file with the Planning Department and the Town Clerk, located at 732 Main Street and may be viewed during regular department business hours. Lawrence E. Brophy, Chairman

The Cape Cod Chronicle  
Jan. 4 and 11, 2018

**AGENDA  
TOWN OF CHATHAM  
PLANNING BOARD MEETING  
ANNEX LARGE MEETING ROOM  
261 GEORGE RYDER ROAD  
JANUARY 9, 2018  
6:00 P.M.**

**Please Note: This meeting will be broadcast live on Channel 18 and will be available shortly thereafter for scheduled and on-demand viewing on the Town's website.**

**In accordance with Town policy the public can speak to any issue/hearing or business item on the agenda during the meeting when recognized by the chair.**

**MINUTES:** December 12, 2017

**RELEASE OF COVENANT/BOND/STATEMENT OF CONDITIONS:**

Jessie's Landing/Eastward/Release Covenant & Statement of Conditions (**Postponed from November 28, 2017**)

**SITE PLAN REVIEW:  
Change of Use**

48 Oyster Pond Furlong/48 Oyster Pond Furlong, LLC/ESE/ Proposed conversion of existing 2<sup>nd</sup> floor storage to an apartment.

**SUBDIVISION PLAN REVIEW:  
Definitive – Public Hearing (Postponed from December 12, 2017)**

693 Main Street/CCB&T TD Banknorth/Richardson/Riley/Proposed two (2) lot subdivision

**SUBDIVISION PLAN REVIEW:  
Definitive – Public Hearing (Continued from December 12, 2017)**

288 Barn Hill Road/Hunter Rev. Trust/Eastward Co./Proposed (thirteen) 13 lot subdivision

**LONG RANGE PLANNING EFFORTS**

**OTHER BUSINESS:**  
Public Comments  
Chairman's Comments

**PUBLIC COMMENT: The public can speak to any current or future issue relevant to the normal business of the Planning Board.**

**The full agenda for this meeting will be posted at least 48 hours prior to the meeting, excluding Saturdays, Sundays and legal holidays. Materials for the advertised agenda items are available for review at the Town of Chatham, Community Development Office, 261 George Ryder Road M-Th between the hours of 7am and 4pm and Friday from 7am till 12:30pm**

The CapeCod Chronicle  
Jan. 4, 2018

**HARWICH PLANNING BOARD LEGAL NOTICE  
PROPOSED ZONING AMENDMENT**

In accordance with the provisions of MGL c.40A §5, the Harwich Planning Board will hold a public hearing on Tuesday, January 23, 2018 no earlier than 6:30 pm in the Donn B. Griffin Room, Harwich Town Hall, 732 Main Street, Harwich, to consider amendments to the Harwich Zoning Codes:

**ARTICLE: XX - Zoning Bylaw Article TEMPORARY MORATORIUM ON SALE AND DISTRIBUTION OF RECREATIONAL MARIJUANA**

To see if the Town will vote to amend the Town's Zoning Bylaw, "Article XXII, Temporary Moratorium on the Sale and Distribution of Recreational Marijuana" as follows:

**§325-134 Purpose**

Paragraph A: add in the second sentence within the parenthesis after "Acts of 2016", the following "and thereafter, on July 28, 2017 by Chapter 55 of the Acts of 2017"

Paragraph B: Within the first sentence replace the phrase "a permitted use in the Town," with "specifically addressed in the Zoning Bylaw" and delete in its entirety the last sentence.

**§325-135 Definitions**

Add a new definition for "Marijuana Establishment" as follows: "A marijuana cultivator, independent testing laboratory, marijuana product manufacturer, marijuana retailer or any other type of licensed marijuana-related business."

Change "Marijuana Testing Facility" to "Independent Testing Laboratory" and keep the existing definition language.

**§325-136 Temporary moratorium**

In the second sentence, change "July 30, 2018 to "December 31, 2018"

In the third sentence, delete ", by ballot measure,"

Any person interested or wishing to be heard on these zoning proposals should appear at the time and place designated. The full text for the proposed amendments can be found on the Town Website <http://www.harwich-ma.gov/planning-board>, and in the Community Development and Town Clerk Offices at Town Hall, at the address noted above, during normal business hours.

Lawrence Brophy, Chair

The Cape Cod Chronicle  
Jan. 4 and 11, 2018