

# LEGAL ADVERTISING

## TOWN OF CHATHAM HISTORICAL COMMISSION AGENDA NOVEMBER 21, 2017

The Chatham Historical Commission will hold a public meeting on **Tuesday, November 21, 2017 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. 17-022** 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 **568 Shore Road**, filed by: Abigail Chapman c/o Cape Associates, 782 Main Street, Chatham, MA 02633; for: The Nature Conservancy, 4245 N. Fairfax Drive, Ste. 100, Arlington, VA 22203-1606.

**Application No. 17-023** 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 **1082 Orleans Road**, filed by: Michael D. Ford, Esq./Jeffrey M. Ford, Esq., 72 Main Street, PO Box 485, West Harwich, MA 02671; for: Joseph H. Fitzback, 1082 Orleans Road, No. Chatham, MA 02650.

**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  
Nov. 2 and 9, 2017

## AGENDA TOWN OF CHATHAM PLANNING BOARD MEETING ANNEX LARGE MEETING ROOM 261 GEORGE RYDER ROAD NOVEMBER 14, 2017 7:00 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:** October 10, 2017

### APPROVAL NOT REQUIRED:

166 & 178 Cross Street/Foster/DeBlij/Eldredge Surveying & Engineering, LLC/Conveyance

679 Main Street/N. Chatham Enterprises, LLC/Riley/Conveyance

693 Main Street/CCB&T-TD Bank NA/Richardson Trust/Riley/Conveyance

### SUBDIVISION PLAN REVIEW:

#### Modified – Public Hearing

78 Crowell – Hydrangea Lane/Eastward Homes Business Trust/Riley/ the proposed modification includes reconfiguration of lots and road layout as required by land court. No new lots are being created with this plan.

### 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 Cape Cod Chronicle  
Nov. 9, 2017

## TOWN OF CHATHAM ZONING BOARD OF APPEALS LEGAL NOTICE

The Chatham Zoning Board of Appeals will hold a public hearing on **Thursday, November 16, 2017**, starting at **4:00 PM** in the Town Annex Large Meeting Room, 261 George Ryder Road, on the following applications:

**Application No. 17-095: David Chu and Laura Tosi**, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owner of property located at **52 Homestead Lane**, also shown on the Town of Chatham's Assessors' Map 15C Block 3 Lot 16. The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the demolition of the existing dwelling and construction of a new dwelling. The existing dwelling is nonconforming in that it is located 7.4 feet from the northerly abutter and 4.3 feet from the southerly abutter. The proposed dwelling will be nonconforming in that it will be located 7.5 feet from the northerly abutter and 2.4 feet from the southerly abutter where 15 feet is required. The existing building coverage is 704 square feet (18.4%) and the proposed building coverage is 1,100 square feet (28.8%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 3,820 square feet where 20,000 square feet is required in the R20 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. 17-096: Ferne M. Pasternak Qualified Personal Residence Trust**, c/o William G. Litchfield, Esq., 330 Orleans Road, North Chatham, MA 02650, owner of property located at **151 Mill Creek Road**, also shown on the Town of Chatham's Assessors' Map 4C Block 8 Lot L8. The Applicant seeks to enlarge, extend, or change a nonconforming accessory structure (shed) on a nonconforming lot via the demolition of the existing shed and construction of a new shed. The existing shed is nonconforming in that it encroaches over the southeasterly abutters property line and 45 feet from the Coastal Conservancy District (top of bank). The proposed shed will be nonconforming in that it will be setback .5 feet from the southeasterly abutter where 15 feet is required and will be 42 feet Coastal Conservancy District where 50 feet is required. The existing building coverage is 1,879 square feet (18.5%) and the proposed building coverage is 1,964 square feet (19.3%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 10,162 square feet where 20,000 square feet is required in the R20 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. 17-099: Stipulate Productions, Inc.**, c/o Jeremy M. Carter, Esq., 270 Winter Street, Hyannis, MA 02601, owner of the property located at **37 Youngs Road**, also shown on the Town of Chatham's Assessors' Map 9D Block 27B Lot M3. The Applicant seeks a Variance under Section VIII.D.2.c. from the requirements of Appendix II and Section III.D.3.a. that a lot have 20,000 square feet in the R20 Zoning District in order to be buildable. The property is improved with a single family dwelling that due to an error in the deed was constructed over an abutters property line. A land swap is proposed which would bring the dwelling into compliance with setback requirements however the property will remain undersized for the zoning district. The lot contains 17,416 square feet where 20,000 square feet is required in the R20 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.**

**Application No. 17-100: Christopher and Margaret Livingstone**, c/o Jim Gronski, PO Box 167, West Chatham, MA 02669 owner of property located at **15 Aunt Zilpa's Road**, also shown on the Town of Chatham's Assessors' Map 8E Block 19 Lot E25. The Applicant seeks to enlarge, extend, or change a conforming dwelling on a nonconforming lot via the construction of an addition. The proposed addition will comply with all bulk and dimensional requirements of the Bylaw, but is considered a substantial alteration and under the Second Except Clause of Section 6 of M.G.L. Chapter 40A, such substantial alteration requires the grant of a Special Permit. The existing building coverage is 872 square feet (10.6%) and the proposed building coverage is 1,091 square feet (13.3%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 8,211 square feet where 20,000 square feet is required in 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.**

### 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.mytowngovernment.org/02633](http://www.mytowngovernment.org/02633) at least 48 hours prior to the meeting, excluding Saturdays, Sundays and legal holidays.**

David Nixon  
Chairman

The Cape Cod Chronicle  
Nov. 2 and 9, 2017

## THE TOWN OF HARWICH MOORING SERVICE AGENT LICENSES

The Town of Harwich is seeking applications from individuals, corporations or other business entities, with adequate liability insurance, for three year licenses to be reviewed annually to perform mooring services and inspections in the Town of Harwich as a Mooring Servicing Agent. Please request the Mooring Service Agent Application from the Office of the Town Administrator, 732 Main Street, Harwich, MA, 02645, Monday from 8:30 am to 8:00 pm, Tuesday through Thursday 8:30 A.M. to 4:00 P.M., and Friday from 8:30 A.M. to 12:00 noon.

Applications for a Mooring Service Agent License are due at the Town Administrator's Office by Thursday November 30, 2017 at 2:00 PM. The Board of Selectmen as the awarding authority reserves the right to accept or reject any and all applications in the best interest of the Town of Harwich.

Christopher Clark  
Town Administrator

The Cape Cod Chronicle  
Nov. 9, 2017

## TOWN OF HARWICH BOARD OF SELECTMEN NOTICE OF PUBLIC HEARING PROPOSED SHELLFISH PERMIT FEE AMENDMENTS DECEMBER 11, 2017

The Harwich Board of Selectmen will hold a Public Hearing on December 11, 2017, no earlier than 6:30 P.M. in the Donn B. Griffin Room located at Town Hall, 732 Main Street, Harwich for the purpose of discussing proposed 2018 Shellfish Permit Fee amendments.

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 issue.

Michael D. MacAskill, Chairman  
Julie E. Kavanagh  
Larry G. Ballantine  
Jannell M. Brown  
Donald F. Howell  
Harwich Board of Selectmen

The Cape Cod Chronicle  
Nov. 9, 2017

## TOWN OF CHATHAM HISTORIC BUSINESS DISTRICT COMMISSION AGENDA NOVEMBER 15, 2017

The Chatham Historic Business District Commission will hold a public meeting to discuss the following business on **Wednesday, November 15, 2017 beginning at 4:30 PM** at the **Town Hall Annex, Large Meeting Room, 261 George Ryder Road, Chatham.**

### MINUTES REVIEW:

Meeting held November 1, 2017

### CONTINUED HEARING: ADDITION/ALTERATION:

**17-081 Tim Smith** – Application to replace windows like for like located at 1281 Main Street. Application continued from November 1, 2017.

### SIGNS:

**17-084 The Growing Company/c/o Drew Bollin** – Application to install a ground sign located 39 George Ryder Road.

**17-085 A & A Building and Remodeling** – Application to install a wall sign located 2570 Main Street.

**17-086 A & A Building and Remodeling** – Application to install a ground sign located 2570 Main Street.

### SITE IMPROVEMENTS:

**17-087 Ocean State Job Lot** – Application to place a metal enclosure housing an outdoor display of goods located at 1674 Main Street.

**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.mytowngovernment.org/02633](http://www.mytowngovernment.org/02633) at least 48 hours prior to the meeting, excluding Saturdays, Sundays and legal holidays.**

Daniel A. Sylver,  
Chairman

The Cape Cod Chronicle  
Nov. 9, 2017

## TOWN OF HARWICH NOTICE OF VACANCY HARWICH BOARD OF WATER COMMISSIONERS ALL APPLICANTS WILL BE CONSIDERED

The Harwich Board of Selectmen and the Harwich Board of Water Commissioners are interested in appointing an interim member to the Harwich Board of Water Commissioners. The term of this appointment will be effective until a new Water Commissioner is elected at the May 2018 Annual Town Election.

The Board of Water Commissioners are a policy-setting body that approves all major operating procedures, expenditures, capital improvements and rates and charges to include abatement request review and decision-making.

The Board of Water Commissioners meet twice a month on Wednesdays at 7:00 a.m. at the Water Department, 196 Chatham Road. The primary responsibility of members is to attend and participate in those meetings.

**TO APPLY:** All those having an interest in serving on this commission can fill out a Citizens Committee Vacancy Form available at the Office of Selectmen, 732 Main Street, Harwich or on the Selectmen's Home Page on the Town website. Please return your forms by the end of November for consideration.

Harwich Board of Selectmen  
Harwich Board of Water Commissioners

The Cape Cod Chronicle  
Nov. 9, 2017

## 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, November 15, 2017** in the **Small Hearing Room** Harwich Town Hall, 732 Main Street, Harwich, MA 02645. The meeting begins at **6:30 p.m.**

The following applicant has filed a Notice of Intent:

**Demetrios Dasco, 23-1 Snow Inn Road, Unit 1, Wychmere Shores Condo, Map 8, Parcel P2-1.** The proposed patio extension & outdoor kitchen, replacement of brick patio with cut stone patio & mitigation plantings. Work will take place in the 50' buffer zone to the top of the coastal bank & in the Flood Zone. **(Continued from September 20, 2017)**

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

Bradford Chase,  
Chairman

The Cape Cod Chronicle  
Nov. 9, 2017

# CLASSIFIEDS

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<p><b>HOME REPAIRS &amp; MAINTENANCE 574</b></p> <p><b>MAC'S HOME MAINTENANCE.</b> Window replacement, siding, trim repair, painting, winter house checks. Mac Tileston. 508-945-0170.</p> <p style="text-align: right;">11/16/17</p>	<p><b>GLASS 578</b></p> <p><b>SEAVIEW GLASS &amp; MIRROR</b> Showers, Windows, Mirrors. Call 774-212-3572.</p> <p style="text-align: right;">Y/R/F</p>	<p><b>GARDENING 581</b></p> <p><b>PLAYS IN DIRT</b> Summer clean-ups, bulb planting, garden design, installation and maintenance. Complete lawn and garden care. Seaside Country Gardens. 508-246-0487.</p> <p style="text-align: right;">Y/R/F</p>	<p><b>MISC. SERVICES 592</b></p> <p><b>OVERWHELMED BY CLUTTER? ORGANIZE YOUR LIFE!</b> You'll love our caring and respectful manner as we help you lose the clutter. Give us a call to make your home the beautiful oasis it was meant to be. Call Robin Litwin, 617-947-3966, cell. References available.</p> <p style="text-align: right;">Y/R/F</p>	<p><b>PAINTING 594</b></p> <p><b>EXPERIENCED INTERIOR/EXTERIOR PAINTER,</b> Dave Hebert (new Chatham resident) looking for contractor/builder who needs reliable professional part-time help. References available. 413-883-1100.</p> <p style="text-align: right;">11/9/17</p>	<p><b>MARK BOOTH</b> Established since 1984. Certified. Licensed. Over 100 local references. Master quality. 508-760-5482.</p> <p style="text-align: right;">Y/R/B</p> <p><b>DAN LEPOIDEVIN PROFESSIONAL PAINTING</b> Interior/Exterior. Highest quality. Insured. 25 years experience. 508-349-9234.</p> <p style="text-align: right;">Y/R/B</p>
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## LEGAL ADVERTISING

Continued from Page 49

**ZONING BOARD OF APPEALS PUBLIC HEARING  
WEDNESDAY, NOVEMBER 29, 2017 AT 7:00 P.M.  
GRIFFIN MEETING ROOM, HARWICH TOWN HALL  
AGENDA**

On Wednesday, November 29, 2017 at 7:00 PM, the Harwich Zoning Board of Appeals will hold a Public Hearing in the Griffin Meeting Room at the Harwich Town Hall, 732 Main Street to hear the following cases. Any member of the public having interest in these applications is invited to attend and provide information and comment relevant to these matters or may submit the same in writing by Wednesday, November 22, 2017.

**Case #2017-18 (CONTINUED TO 11/29/17)** Jeffrey Rego and Joseph H. Rego III through their agent, Attorney Charles M. Sabatt seek a decision of the Board overturning the Building Commissioner's denial of a request for enforcement under MGL Chapter 40A §7. Applicants contend that the operation of "sand pit" is prohibited under §325 Table 1-Use Regulations and/or requires a permit under §325-102 and that travel to access the subject pit over a private way, a portion of which crosses the Applicants' property, is an unlawful extension of an unpermitted industrial and commercial use into a residential zoning district in violation of Massachusetts Case Law. The property is located off of Jay Z Drive, Assessor's Map MISC, Parcel 4054001 in the RR Zoning District.

**Case #2017-19 (CONTINUED TO 11/29/2017)** Clifford A. Daluze, John Z. Daluze, Jr. and Margaret Weigand through their agent, Attorney Frank J. Shealey are appealing a Cease and Desist Order issued by the Building Commissioner on 5/23/17 to halt "any and all commercial activity" at a "sandpit" located off Jay Z Drive until Applicants obtain "appropriate zoning relief" and an Operations Permit from the Harwich Planning Board. Applicants claim they have a "pre-existing, non-conforming status" under MGL Chapter 40A §6 and §325-26 of the Harwich Zoning By-Laws. The property is located off of Jay Z Drive, Assessor's Map MISC, Parcel 4054001 in the RR Zoning District.

**Case # 2017-31 (CONTINUED TO 11/29/2017)** Damien and Cyn-di Teixeira have applied for a Variance for a new dwelling built to a height of over 30'. The application is pursuant to the Code of the Town of Harwich §325 Table 3, Height and Bulk Regulations as set

forth in MGL Chapter 40A §10. The property is located at 2 Fish & Game Drive, Map 77, Parcel C15 in the RR Zoning District.

**Case # 2017-32 (CONTINUED TO 11/29/2017)** Steven A. and Joanne E. Churchill through their agent, Attorney William Crowell have applied for a Special Permit or in the alternative, a Variance to demolish and replace a pre-existing non-conforming single family dwelling. The application is pursuant to the Code of the Town of Harwich §325 Table 2 Area Regulations as set forth in MGL Chapter 40A §6 and §10. The property is located at 17 Shore Drive, Map 78, Parcel B15 in the RR Zoning District.

**Case # 2017-34** Pamela M. Williamson Tr., through her agent, Trevor Kurz has applied for a Special Permit to construct an addition onto a pre-existing non-conforming single family dwelling. The application is pursuant to the Code of the Town of Harwich §325 Table 2, Area Regulations and Table 3, Height & Bulk Regulations as set forth in MGL Chapter 40A §6. The property is located at 65 Ginger Plum Lane, Map 2, Parcel G1-7 in the RH1 Zoning District.

**Case # 2017-35** John F. Kenney III and Bonnie Ann Kenney, through their agent, Attorney William Crowell have applied for a Special Permit or in the alternative, a Variance to change, alter and extend a pre-existing non-conforming single family dwelling by adding habitable second floor space. The application is pursuant to the Code of the Town of Harwich §325 Table 2, Area Regulations as set forth in MGL Chapter 40A §6. The property is located at 88 Bank Street, Map 14, Parcel W7-B in the RM Zoning District.

**Case # 2017-36** Charles E. Alexander and Marie J. Alexander, through their agent, Attorney William Crowell have applied for a Special Permit or in the alternative, a Variance to construct an addition onto a pre-existing non-conforming single family dwelling. The application is pursuant to the Code of the Town of Harwich §325 Table 2, Area Regulations and Table 3, Height & Bulk Regulations as set forth in MGL Chapter 40A §6. The property is located at 62 Clearwater Drive, Map 72, Parcel W86 in the RR Zoning District.

**Case # 2017-37** Virginia Chamberlain, through her agent, Attorney William Crowell has applied for a Variance to construct a full foundation under a pre-existing non-conforming single family dwelling. The application is pursuant to the Code of the Town of Harwich §325

Table 3, Height & Bulk Regulations as set forth in MGL Chapter 40A §10. The property is located at 87 Route 28, Map 10, Parcel W3 in the CH-1 Zoning District.

In other business, the Board will address the following agenda items:  
\* Approval of minutes from the October 25, 2017 meeting.

New Business per the Board's discretion.

Documents related to the above cases are on file with the Building Department and the Office of the Town Clerk located at 732 Main Street, Harwich and may be viewed during regular department business hours.

**In accordance with State Law, this legal notice will also be available electronically at [www.masspublicnotices.org](http://www.masspublicnotices.org). The Town is not responsible for any errors in the electronic posting of this notice.**

**Per the Attorney General's Office: The Board may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting following "New Business." If you are deaf or hard of hearing or a person with a disability who requires an accommodation, contact the Selectmen's Office at 508-430-7513**

This Agenda may change at the discretion of the Board.

Recording & Taping Notification: As required by law, the Town may audio or video record this meeting. Any person intending to either audio or video record this open session is required to inform the chair.

Authorized Posting Officer:  
Shelagh Delaney, [sdelaney@town.harwich.ma.us](mailto:sdelaney@town.harwich.ma.us)  
Board of Appeals Recording Clerk

The Cape Cod Chronicle  
Nov. 9 and 16, 2017

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