

# LEGAL ADVERTISING

## TOWN OF CHATHAM ZONING BOARD OF APPEALS LEGAL NOTICE

The Chatham Zoning Board of Appeals will hold a public hearing on **Thursday, July 13, 2017**, starting at **4:00 PM** in the Town Annex Large Meeting Room, 261 George Ryder Road, on the following applications:

**Application No. 17-044: Christopher Gorgone**, c/o William G. Litchfield, Esq., 330 Orleans Road, North Chatham, MA 02650, owners of property located at **687 Fox Hill Road**, also shown on the Town of Chatham's Assessors' Map 12M Block 22 Lot C5. The Applicant proposes to change, alter, or expand a nonconforming dwelling on a nonconforming lot via the construction of a deck. The existing dwelling is nonconforming in that it is located 31.5 feet from the Coastal Conservancy District where a 50 foot setback is required. The proposed deck will be located 21 feet from the Coastal Conservancy District. Also proposed is the relocation of the driveway, construction of a shed and the installation of a kayak rack within the Coastal Conservancy District (Flood Plain ele. 11). The existing building coverage is 2,161 square feet (19.9%) and the proposed building coverage is 2,261 square feet (20.8%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 10,863 square feet of buildable upland where 20,000 square feet is required and contains 28,675 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 Sections IV.A.3.a., IV.A.3.d. and V.B. of the Chatham Protective Bylaw.**

**Application No. 17-045: Cynthia Rowe Pelletier**, c/o Sarah Turano-Flores, Esq., PO Box 1630, Hyannis, MA 02601, owner of property located at **0 & 27 Little Beach Road**, also shown on the Town of Chatham's Assessors' Map 16A Block 23 Lot H7B and Map 16A Block 24A Lot H112. The Applicant proposes to change, alter, or expand a nonconforming dwelling on a nonconforming lot via the demolition of the existing dwelling and construction of a new dwelling. The existing dwelling is located wholly within the Coastal Conservancy District (Flood Plain ele. 13) where a 50 foot setback is required. The existing dwelling is nonconforming in that it is located 22.2 feet from the road. The proposed dwelling will be nonconforming in that it will be located 21 feet from the road where 40 feet is required. The existing dwelling is nonconforming in that it is setback 10.5 feet from the southerly abutter and is located 10.1 feet from the northerly abutter. The proposed dwelling will be nonconforming in that it will be located 10.5 feet from the southerly abutter and 13 feet from the northerly abutter where 25 feet is required. Also proposed is the installation of an exterior mechanical system appliance (blower unit) 12 feet from the southerly abutter. The existing building coverage is 946 square feet and the proposed building coverage is 1,634 square feet where 2,800 square feet is the maximum allowed. The combined lots are conforming in that they contain 40,896 square feet where 40,000 square feet is required but are nonconforming in that they contain 87.4 feet of frontage where 150 feet is required and contain 0 square feet of buildable upland where 20,000 square feet is required in an R40 Zoning District. **A Special Permit is required under M.G.L. Chapter 40A Sections 6 and 9 and Sections III.D.3.g., IV.A.6.b., V.B. and VIII.D.2.b. of the Chatham Protective Bylaw.**

**Application No. 17-046: Michael and Elizabeth Duncan** c/o William G. Litchfield, Esq., 330 Orleans Road, North Chatham, MA 02650, owner of property located at **131 Landing Lane**, also shown on the Town of Chatham's Assessors' Map 13K Block 25 Lot R7. 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. Also proposed is the installation of exterior mechanical system appliances (air conditioning compressors and generator). The existing dwelling is nonconforming in that it is located 20.5 feet from the northerly abutters setback and 21.1 feet from the southerly abutters setback. The proposed dwelling will be nonconforming in that it will be located 21.1 feet from the northerly abutters setback and 22 feet from the southerly abutters setback where 25 feet is required. The proposed exterior mechanical system appliances will be located 17.2 feet from southerly abutter where 25 feet is required. The existing dwelling is nonconforming in that it is located 29.5 feet from the Coastal Conservancy District. The proposed dwelling will be nonconforming in that it is located 14.6 feet from the Coastal Conservancy District where a 50 foot setback is required. The existing building coverage is 2,024 square feet (13.6%) and the proposed building coverage is 2,222 square feet (14.9%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 14,932 square feet of buildable upland where 20,000 square feet is required and contains 20,550 square feet where 40,000 square feet is required in the R40 Zoning District. **A Special Permit is required under M.G.L. Chapter 40A Section 6 and Sections III.D.3.g. and V.B. of the Chatham Protective Bylaw.**

**Application No. 17-047: Eastward MBT LLC**, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owner of the property located at **Lot 18 Hydrangea Lane**, also shown on the Town of Chatham's Assessors' Map 13F Block 29 Lot H18. The Applicant seeks a Variance under Section VIII.D.2.c. from the requirements of Appendix II, to locate a single family dwelling 32 feet from the road where a 50 foot setback is required. Special Permit No. 16-081 was granted on November 3, 2016 which allowed for the construction of a single family dwelling in the GB3 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. 17-048: Eastward MBT LLC**, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owner of the property located at **Lot 18 Hydrangea Lane**, also shown on the Town of Chatham's Assessors' Map 13F Block 29 Lot H18. The Applicant seeks to modify Special Permit No. 16-081 granted on November 3, 2016, to remove Condition No. 4, in its entirety. This condition prohibited between June 15<sup>th</sup> and September 15<sup>th</sup>, exterior construction, weekend work and limited the construction hours from 8:00m to 5:00 pm. The lot contains 17,712 square feet where 10,000 square feet is required in a GB3 Zoning District. **A Special Permit is required under M.G.L. Chapter 40A Section 14 and Section V.B. of the Chatham Protective Bylaw.**

**Application No. 17-049: Sara Wilson and John E. Morave, Trust**, c/o Kevin Boyar, PO Box 21, West Barnstable, MA 02668, owners of property located at **442 Main Street** also shown on the Town of Chatham's Assessors' Map 15D Block 51 Lot 92. The Applicant proposes to convert a commercial structure to a single family dwelling in a GB zone which requires the grant of a Special Permit. There are no changes proposed to the exterior of the structure. The lot is conforming in that it contains 7,890 square feet where 7,000 square feet is required in a GB2 Zoning District. **A Special Permit is required under Section III.C.4.c.26 of the Chatham Protective Bylaw.**

**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.**

**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  
June 29 and July 6, 2017

## TOWN OF CHATHAM ZONING BOARD OF APPEALS LEGAL NOTICE

The Chatham Zoning Board of Appeals will hold a public hearing on **Thursday, July 20, 2017**, starting at **4:00 PM** in the Town Annex Large Meeting Room, 261 George Ryder Road, on the following applications:

**Application No. 17-054: Pamela Wickham**, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owner of property located at **17 Cabot Lane**, also shown on the Town of Chatham's Assessors' Map 7A Block 18 Lot S56. The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the construction of additions, dormers and the demolition and reconstruction of the existing nonconforming garage on the same footprint. The existing dwelling is nonconforming in that it is located 14.2 feet from the westerly abutter and 11.9 feet from the easterly abutter where 15 feet is required. The proposed additions and dormers will comply with the road and abutter setback requirements however the reconstructed garage with habitable space above shall remain in its current location 14.9 feet from the easterly abutter where 15 feet is required. The existing building coverage is 2,575 square feet (15.6%) and the proposed building coverage is 2,671 square feet (16.2%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 16,470 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 Protective Bylaw.**

**Application No. 17-055: Eastward MBT LLC**, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owner of property located at **41 Old Mail Road**, also shown on the Town of Chatham's Assessors' Map 14I Block 10 Lot 20. The Applicant seeks to enlarge, extend, or change a conforming dwelling on a nonconforming lot via the demolition of the existing dwelling and the construction of a new dwelling. The proposed dwelling will comply with the all bulk and dimensional requirements. The existing building coverage is 886 square feet (1.6%) and the proposed building coverage is 2,485 square feet (4.5%) where 10% is the maximum allowed. The lot is nonconforming in that it contains 75 feet of frontage where 150 feet is required. The lot contains 55,176 square feet where 40,000 square feet is required in the R40 Zoning District. **A Special Permit is required under M.G.L. Chapter 40A Section 6 and Section V.B. of the Protective Bylaw.**

**Application No. 17-056: Brian T. and Carol J. Kenner**, c/o Sarah Turano-Flores, Esq., PO Box 1630, Hyannis, MA 02601, owners of property located at **68 Seachange Lane**, also shown on the Town of Chatham's Assessors' Map 3B Block 84 Lot M7. The Applicant proposes to change, alter, or expand a nonconforming dwelling on a nonconforming lot via the construction of a second floor addition, porch and deck. The existing dwelling is nonconforming in that it is located 25.7 feet from the Coastal Conservancy District (Top of Bank). The proposed deck and second floor addition will comply with road and abutters setback requirements. The proposed porch is nonconforming in that it will be located 22 feet from the Coastal Conservancy District (Top of Bank) where a 50 foot setback is required. The existing building coverage is 1,711 square feet (9.3%) and the proposed building coverage is 2,162 square feet (11.7%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 18,500 square feet of buildable upland where 20,000 square feet is required. The lot is conforming in that it contains 36,400 square feet where 20,000 square feet is required in an 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. 17-057: AF LLC**, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owner of the property located at **157 Stony Hill Road**, also shown on the Town of Chatham's Assessors' Map 14H Block 13 Lot E2. The Applicant seeks to enlarge, extend, or change a nonconforming commercial structure on a nonconforming lot via the demolition of the existing structure and construction of a new structure. The Applicant seeks a Special Permit to include two 1-bedroom apartments incidental to the commercial use. The existing structure is nonconforming in that it is located 48 feet from the Stony Hill Road where a 50 foot setback is required. The proposed structure will comply with road and abutter setback requirements. The existing and proposed parking will remain nonconforming at 3 feet from northeasterly abutter where a 15 foot setback is required. The existing lot coverage is nonconforming in that it covers 18,624 square feet (88.9%) of the lot. The proposed lot coverage will remain nonconforming at 14,388 square feet (68.7.3%) where 60% is the maximum allowed. The lot contains 20,944 square feet in a GB3 Zoning District. **A Special Permit is required under M.G.L. Chapter 40A Sections 6 and 9 and Sections V.B., VII.B.4. and VIII.D.2.b. of the 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  
July 6 and 13, 2017

## AGENDA TOWN OF CHATHAM PLANNING BOARD MEETING ANNEX LARGE MEETING ROOM 261 GEORGE RYDER ROAD JULY 11, 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:** June 27, 2017

**RELEASE OF COVENANT/BOND/STATEMENT OF CONDITIONS:**  
Hydrangea Lane/Eastward Co./Partial release of covenant (lot 18) (Continued from 6/27/2017)

**Pre-Application**  
157 Stony Hill Road/AF, LLC/Clark Eng/Proposed demolition of existing workshop/Boat Storage Bldg and construction of 75'x50' workshop/boat storage bldg..

**Amended**  
2570 Main Street/Shock/A&A Building & Remodeling/Proposed change of use from personal and household services to a professional office space.

**DICUSSION:**  
Remote Participation Policy

Reorganization of the Board

**LONG RANGE PLANNING EFFORTS - Workshop**

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

**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  
July 6, 2017

## PUBLIC NOTICE

The Chatham Airport Commission hereby announces its fiscal years 2018 through 2020 goal of 1.7% for Disadvantaged Business Enterprise (DBE) airport construction contracts. The proposed goal and rationale is available for inspection between 8:00 a.m. and 4:00 p.m., Monday through Friday at the Town Hall, 549 Main Street, Chatham, MA 02633, on the Airport Commission's webpage (<https://www.chatham-ma.gov/airport-commission>) or at the office of the Airport Consultant, Gale Associates, Inc., 15 Constitution Drive, Bedford, NH for 30 days from the date of this publication.

Comments on the DBE goal will be accepted for 30 days from the date of this publication and can be sent to the following:

Ms. Jacklyn Marks  
Administrative Assistant  
Gale Associates, Inc.  
15 Constitution Drive  
Bedford, NH 03110  
[jcm@gainc.com](mailto:jcm@gainc.com)  
AND

Mr. Thomas Knox  
DBE Program Compliance Specialist  
Federal Aviation Administration  
FAA Western-Pacific Regional Office  
P.O. Box 92007, AWP-9  
Los Angeles, CA 90009-2007

The Cape Cod Chronicle  
July 6, 2017

## PUBLIC HEARING NOTICE FOR CONSIDERATION OF DEFINITIVE SUBDIVISION PLAN CHATHAM, MA PLANNING BOARD

As required by M.G.L., ch. 41, § 81L and 81O, the Planning Board of the Town of Chatham will hold a public hearing on **Tuesday, July 25, 2017** at 7:00 P.M. at the Chatham Town Hall Annex, located at 261 George Ryder Road Chatham, MA to consider the application of:

**Eastward Homes Business Trust** for approval of a definitive subdivision plan entitled: **Subdivision Plan Being a Subdivision of Lot 1, Pl. Bk. 642, Pg. 80, 288 Barn Hill Road, West Chatham, MA; located: 288 Barn Hill Road** showing a subdivision of land owned by: **Barn Hill Road Realty Trust c/o Christine Gorham, 11A Cucumber Hill Rd, Foster, RI 02825-1211**; plan prepared by: **Clark Engineering, LLC & Outermost Land Survey** dated: **June 29, 2017**; and showing: **fourteen (14) proposed lots.**

A copy of the plan and application may be reviewed at the Community Development Department located at 261 George Ryder Road on weekdays between the hours of 7:00 A.M. and 4:00 P.M. Monday-Thursday and 7:00 A.M. and 12:30 P.M. on Friday

Any person who is interested or wishes to be heard on the proposed definitive subdivision plan should appear on the date, time and place designated for the hearing.

DeeDee Holt  
Clerk

The Cape Cod Chronicle  
July 6 and 13, 2017

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## TOWN OF CHATHAM HISTORICAL COMMISSION AGENDA JULY 18, 2017

The Chatham Historical Commission will hold a public meeting on **Tuesday, July 18, 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.**

**MINUTES:** June 20, 2017

**HEARINGS:**

**Application No: 17-009** 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 **20 Gammy's Lane**, filed by Chris Cannon, AIA, PO Box 201, Chatham, MA 02633 for James C. Robinson, c/o Cahill Gordon & Reindel, LLP, 80 Pine Street, NY NY 10005

**Application No: 17-010** 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 **110 Scatteree Road**, filed by Gable Building Corp., 1291 Main Street, Chatham, MA 02633; for Lucy S. Adams & James Rowe, 3915 49<sup>th</sup> NW, Washington, DC 20016-2319

**Application No: 17-011** 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 **328 Main Street**, filed by Thomas Phelan, 32 Florence Drive, So. Chatham, MA 02659; for David & Susan Devine, 76 Clifton Road, Milton, MA 02188

**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  
June 29 and July 6, 2017

## 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 July 12, 2017** 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 70 Lime Hill Road, Richard & Megan Parker:** Landscape planting and hardscape at 70 Lime Hill Road, Assessors Map 12E parcel S3.

**The following applicants have filed Notice of Intents: 34 Strawberry Lane, Giulio & Mary Perillo, SE 10-:** Proposed beach access stairs over the coastal bank at 34 Strawberry Lane, Assessors Map 12J parcel M2.

**60 Eel River Road, Jeanne McKenna, SE 10-:** Reconstruction of existing deck, addition of stone stepped walkway and beach access stairs over the coastal bank at 60 Eel River Road, Assessors Map 4C parcel SM7.

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  
July 6, 2017

## TOWN OF CHATHAM BOARD OF SELECTMEN PUBLIC HEARING NOTICE

The Chatham Board of Selectmen will hold a public hearing on Tuesday, July 11, 2017 at 5:00 pm in the Town Office Annex, Large Meeting Room, 261 George Ryder Road, to consider the placement of:

- "Golf Parking Only" signs – Seaside Links Municipal Golf Course parking lots, Seaview Street, Chatham

And the imposition of \$50.00 fines for violations under MGL Ch. 266 §120.

All interested parties are encouraged to attend.

Cory J. Metters, Chairman  
Dean P. Nicastro, Vice Chairman  
Shareen Davis, Clerk  
Jeffrey S. Dykens  
Amanda V. Love  
Board of Selectmen

The Cape Cod Chronicle  
July 6, 2017

## HARWICH SAQUATUCKET MARINA RECONSTRUCTION

The Town of Harwich seeks Contractors for the Saquatucket Harbor Reconstruction. Project includes replacement of the existing marina with concrete and timber floats. new utilities. aluminum ramps and gangways. bulkhead repairs and dredging. Plans and Specifications may be obtained from the Town of Harwich, Town Administrators, 732 Main Street, Harwich, MA 02645 during normal office hours. Bids are due July 27, 2017 at 2:00 PM. A prebid meeting is scheduled for July 13, 2017 at 9am at the site.

Bourne Consulting Engineering

The Cape Cod Chronicle  
July 6, 2017

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

The Historic District and Historical Commission will hold a public hearing on Wednesday, July 19, 2017 in the Griffin Room, Town Hall, at 732 Main Street, Harwich, MA to consider the following applications. The public hearing will begin at 5:30 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 2017-14 Notice of Intent (NOI)** has been received for 51 Freeman Street, Map 15, Parcel A1, in the R-L Zone. The application is pursuant to the Code of the Town of Harwich c.131-8 Historic Preservation, Article II, and proposes a partial demolition of existing roof area to allow construction of a 7' Shed Dormer for second floor bathroom. Applicant/Agent, Joseph L. McCuskey, for Matthew A. Godfrey, owner.

**HH 2017-15 Certificate of Appropriateness (COA)** has been received for 1 Oak Street Map 41 Parcel C6, in the RR and HC-HD Zones. The application is pursuant to MGL c. 40C, §6 and the Code of the Town of Harwich c.131 Historic Preservation, Article I, and proposes to replace a fence using the same material, size and cover the same area as the original. The fence will be a straight board fence replacing a split rail fence. Agent/Applicant Eric Beebe for Harwich Recreation Department.

**HH 2017-16 Notice of Intent (NOI)** has been received for 18 Bay View Road, Map 14, Parcel X1, in the RL Zone. The application is pursuant to the Code of the Town of Harwich c.131-8 Historic Preservation, Article II, and proposes partial demolition of existing structure. Owner/Applicant, Stephen Trowbridge

**HH 2017-17 Notice of Intent (NOI)** has been received for 57 Queen Anne Road, Map 57 Parcel C2, in the RL Zone. The application is pursuant to the Code of the Town of Harwich c.131-8 Historic Preservation, Article II, and proposes to replace and relocate existing windows of an 1850's dwelling. Owner/Applicant Whitney P. Wright

**HH 2018-18 Notice of Intent (NOI)** has been received for 84 Depot Road West, Map 18, Parcel V7-8, in the RM Zone. The application is pursuant to the Code of the Town of Harwich c.131-8 Historic Preservation, Article II, and proposes to demolish a 100 square foot shed roof screen porch. Owner/Applicant, William J. Gallagher

Mary Maslowski, Chairman  
Cape Cod Chronicle – Print Dates: June 29, and July 6, 2017:  
**"In accordance with state law, this legal notice will also be available electronically at [www.masspublicnotices.org](http://www.masspublicnotices.org).' The City/Town is not responsible for any errors in the electronic posting of this legal notice."**

The Cape Cod Chronicle  
June 29 and July 6, 2017

## HARWICH PLANNING BOARD PUBLIC HEARING NOTICE

The Harwich Planning Board will hold a public hearing beginning no earlier than 6:30 PM on Tuesday, July 25, 2017 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 comment or may submit comments in writing.

**PB2017-19 Christopher and Barbara Rugg, as owners, c/o William D. Crowell, Esq., representative,** seeks approval of a Use Special Permit for an attached Accessory Apartment pursuant to the Code of the Town Harwich §325-51.H and Article V as set forth in M.G.L c. 40A §9. The proposal seeks to construct an addition with a garage and a 1 bedroom apartment above. The property is located at 350 Route 137, Map 105, Parcel G1, in the R-R, Six Ponds and W-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  
July 6 and 13, 2017

## ZONING BOARD OF APPEALS PUBLIC HEARING WEDNESDAY, JULY 26, 2017 AT 6:00 P.M. GRIFFIN MEETING ROOM, HARWICH TOWN HALL AGENDA

On Wednesday, July 26, 2017 at 6:00 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 Thursday, July 20, 2017.

**Case #2017-04 (Continued)** Habitat for Humanity of Cape Cod, Inc. c/o Attorney Warren H. Brodie, has applied for a Comprehensive Permit pursuant to MGL Chapter 40B Sections 20-23 and 760CMR 56.00, to create an eight lot subdivision to provide for 6 new single family affordable homes, 2 "market rate" lots and a cul-de-sac. The property is located at 93 and 97 Route 28, Harwich, Map# 10, Parcels #W3-B and W5 located in the R-L Zoning District.

**Case #2017-17 (Continued)** David J. Rome and Lori R. Rome have applied for a Special Permit for additions to their pre-existing, non-conforming single family dwelling. The application is pursuant to the Code of the Town of Harwich §325 54.A.2 and §325 Table 2, Area Regulations and Table 3, Height & Bulk Regulations as set forth in MGL Chapter 40A §6. The property is located at 35 Pleasant Street in the RM-1 Zoning District.

**Case #2017-18 (RESCHEDULED TO 10/25/2017)** Jeffrey Rego and Joseph H. Rego III through their agent, Attorney Charles M. Sabbat 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** 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 #2017-20** Thomas M. Kelly & Cathryn A. Kelly through their agent, Attorney William Crowell have applied for a Special Permit or in the alternative, a Variance to construct a sun room addition and deck onto their pre-existing, non-conforming single family dwelling. The application is pursuant to the Code of the Town of Harwich §325-54.A.2 as set forth in MGL Chapter 40A §6 and §10. The property is located at 2 Trout Brook Road, Map 26, Parcel C1-13 in the RM Zoning District.

**Case #2017-21** Roger Keane, Executor of the Estate of Gwendolyn A. Keane, through his agent, Attorney William Crowell has applied for a Special Permit or in the alternative, a Variance to demolish and replace a single family dwelling. The application is pursuant to the Code of the Town of Harwich §325-54.A.2 as set forth in MGL Chapter 40A §6 and §10. The property is located at 6 Summer Lane, Map 13, Parcel Z14-3 in the RH-2 Zoning District.

**Case #2017-22** Heather Swartz and Jeffrey Swartz through their agent, Attorney William Crowell have applied for a Special Permit or in the alternative, a Variance to construct an addition including second floor habitable space to their pre-existing, non-conforming single family dwelling. The application is pursuant to the Code of the Town of Harwich §325 54.A.2 as set forth in MGL Chapter 40A §6 and §10. The property is located at 12 Satucket Road in the RH-1 Zoning District.

**Case #2017-23** Stephen P. Ford and Patricia W. Ford through their agent, Attorney Michael Ford have applied for a Special Permit or in the alternative, a Variance to demolish and replace a non-conforming detached garage. The application is pursuant to the Code of the Town of Harwich §325-54.A.2 as set forth in MGL Chapter 40A §6 and §10. The property is located at 7 South Street, Map 14, Parcel N4 in the CV and RM Zoning Districts.

In other business, the Board will address the following agenda items:  
\* Approval of minutes from the June 28, 2017 meetings.

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](tel: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

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