

LEGAL ADVERTISING

TOWN OF CHATHAM ZONING BOARD OF APPEALS LEGAL NOTICE

The Chatham Zoning Board of Appeals will hold a public hearing on **Thursday, November 30, 2017**, starting at **4:00 PM** in the Town Annex Large Meeting Room, 261 George Ryder Road, on the following applications:

Application No. 17-102: WPB Partners LLC, c/o James M. Norcross, Esq., PO Box 707, Chatham, MA 02633, owner of the property located at **202 Commerce Park North**, also shown on the Town of Chatham's Assessors' Map 5F Block 11B Lot X2. The Applicant seeks a Variance under Section VIII.D.2.c. from the requirements of Appendix II, to allow for a structure which exceeds the 30 foot height restriction. The existing height of the structure is 32.93 feet. The lot contains 22,300 square feet in the I Zoning District. **A Dimensional Variance is required under M.G.L. Chapter 40A Section 10 and Section VIII.D.2.c of the Protective Bylaw.**

Application No. 17-103: Mary G. Leary and John Leary Revocable Trust, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owner of property located at **55 Seaview Street**, also shown on the Town of Chatham's Assessors' Map 15E Block 9 Lot X1. The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the construction of a covered porch. The proposed porch will comply with road and abutters setbacks. The existing building coverage is 3,432 square feet (15.1%) and the proposed building coverage is 3,635 square feet (16%) where 3,000 square feet is the maximum allowed. The lot is conforming in that it contains 24,048 square feet where 20,000 square feet is required however the property is nonconforming in that there are two dwellings where only one would be allowed 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. 17-105: Andrew Carlson, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owner of property located at **542 Stage Harbor Road**, also shown on the Town of Chatham's Assessors' Map 13A Block 37 Lot F4. The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the construction of an addition. The existing dwelling is nonconforming in that it is located 19.7 feet from the southerly abutter where 25 feet is required and is setback 1 foot from the Coastal Conservancy District. The proposed addition will be nonconforming in that it will be located 1 foot from the Coastal Conservancy District where a 50 foot setback is required. The existing building coverage is 2,213 square feet (27.5%) and the proposed building coverage is 2,415 square feet (30%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 8,040 square feet of buildable upland where 20,000 square feet is required. The lot contains 44,420 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. 17-106: Susan and William Daly, c/o Thomas Moore, PO Box 2124, Brewster, MA 02631, owners of property located at **250 Seapine Road**, also shown on the Town of Chatham's Assessors' Map 12K Block 32 Lot HC79. The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the construction of an addition. The existing dwelling is nonconforming in that it is setback 20.9 feet from the easterly abutter. The proposed addition will be nonconforming in that it is setback 20.9 feet from the easterly abutter where a 25 foot setback is required. The existing building coverage is 1,471 square feet (9%) and the proposed building coverage is 1,823 square feet (11.2%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 16,321 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. 17-109: Jeannette M. Lynch REV TRST AGMT/Jeanette M. Lynch TR, c/o Michael D. Ford, Esq., PO Box 485, West Harwich, MA 02671, owner of the property located at **25 Isaac Hardy Lane**, also shown on the Town of Chatham's Assessors' Map 16D Block 60C Lot 4. The Applicant seeks to modify Special Permit No. 06-008 granted on January 5, 2006, via the modification of Condition No. 5 and to the extent necessary, a modification of Condition No. 22 with respect to maximum allowed building coverage. These conditions prohibited any building being closer than 25 feet from the easterly abutter's setback from exceeding 15% building coverage respectively. The applicant now seeks to construct an accessory structure (subterranean shed) 15.5 feet from the easterly abutter's setback. The lot contains 18,015 square feet where 7,000 square feet is required in a GB2 Zoning District. **A Special Permit is required under M.G.L. Chapter 40A Section 14 and Section 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.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
Nov. 16 and 23, 2017

**Legal Ad Deadline
For the 12/28 Edition
is Thursday, 12/21 at noon**
Please email your legal ads to:
barbara@capecodchronicle.com

TOWN OF CHATHAM HISTORICAL COMMISSION AGENDA DECEMBER 5, 2017

The Chatham Historical Commission will hold a public meeting on **Tuesday, December 5, 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: 17-024 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 **138 Forest Beach Road**, filed by: Kathleen Hickson, 18 Keel Lane, Nantucket, MA 02554

Application No: 17-025 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 **107 Highland Avenue**, filed by: Rick Roy Construction, 123A Queen Anne Road, Harwich, MA 02645; for: Mr. & Mrs. Donald Stackhouse, 107 Highland Avenue, Chatham, MA 02633

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

The Cape Cod Chronicle
Nov. 16 and 23, 2017

TOWN OF HARWICH SUBMITTALS FOR COVER PHOTO OF TOWN REPORT

The Harwich Board of Selectmen is seeking a color photograph shot in Town for consideration for the cover of the 2017 Harwich Annual Town Report. The subject matter should be an identifiable Harwich site or landmark. Photos are to be submitted to the Selectmen's Office at Town Hall, 732 Main St., Harwich, MA 02645 no later than 12:00 noon, Friday, December 22, 2017 and should be clearly marked with the name, address and telephone number of the photographer and the location of the subject matter. Photos can also be emailed to asteidel@town.harwich.ma.us

The Cape Cod Chronicle
Nov. 16, 2017

Harwich Board of Selectmen

HARWICH BOARD OF SELECTMEN NOTICE OF PUBLIC MEETING DISPOSAL AREA FEES MONDAY, DECEMBER 4, 2017

The Harwich Board of Selectmen will hold a Public Meeting on Monday, December 4, 2017, no earlier than 6:30 P.M. during their regularly scheduled 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 the proposed increase to the C&D tip rate that was voted in effect on July 1, 2017. 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 these proposals.

HARWICH BOARD OF SELECTMEN

The Cape Cod Chronicle
Nov. 16, 2017

TOWN OF HARWICH HISTORIC DISTRICT & HISTORICAL COMMISSION LEGAL NOTICE

The Historic District and Historical Commission will hold a public hearing on Wednesday, December 6, 2017 in the Small Hearing 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 2017-27 Certificate of Appropriateness (COA) has been received for 107 Parallel Street, Map 41, Parcel N3, in the MR-L Zone. The application is pursuant to the MGL c. 40C, §6 and the Code of the Town of Harwich c.131 Historic Preservation, Article I, and proposes the addition of a screen porch on the east side and an addition on the west side of the existing house. Owner and Applicant, Sheila Brennan.

Mary Maslowski,
Chairman

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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 Cyndi 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. 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
Board of Appeals Recording Clerk

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