

LEGAL ADVERTISING

TOWN OF CHATHAM ZONING BOARD OF APPEALS LEGAL NOTICE

The Chatham Zoning Board of Appeals will hold a public hearing on **Thursday, October 12, 2017**, starting at **4:00 PM** in the Town Annex Large Meeting Room, 261 George Ryder Road, on the following applications:

Application No. 17-080: Kevin and Patricia Barry, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owner of property located at **110 Sea Shells Drive**, also shown on the Town of Chatham's Assessors' Map 1A Block 2 Lot S1. The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the removal of a portion of the rear deck, extension of the rear deck, reconfiguration of the entry stairway, demolition and reconstruction of the second floor deck, construction of dormers, a cantilevered addition and the installation of a 6x6 shed. Also proposed is the installation of beach access stairs over the Coastal Bank. The existing dwelling is nonconforming in that it is 31 feet from average grade where 30 feet is maximum allowed, is located 14.9 feet from the easterly abutters setback where 15 feet is required and encroaches into the Conservancy District (Flood Plain ele. 13) where a 50 foot setback is required. All proposed work will conform to road and abutter setback requirements however will remain nonconforming as to the setback from the Conservancy District. The existing building coverage is 1,169 square feet (14.36%) and the proposed building coverage is 1,220 square feet (14.99%) where 15% is the maximum allowed. The lot is conforming in that it contains 24,297 square feet where 20,000 square feet is required but is nonconforming in that it contains 8,140 square feet of buildable upland 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 IV.A.3.a. and V.B. of the Chatham Protective Bylaw.**

Application No. 17-082: Frank and Susan Pinto, c/o Michael D. Ford, Esq., PO Box 485, West Harwich, MA 02671, owner of property located at **171 Queen Anne Road**, also shown on the Town of Chatham's Assessors' Map 14E Block 16 Lot 12. On Remand from the Massachusetts Superior Court, the Applicants seek consideration of the revised plans. On September 10, 2015, the Applicants were granted **Special Permit No. 15-038** which allowed the Applicants to construct an addition to the existing dwelling. The Applicant seeks to modify Special Permit No. 15-038, or in the alternative seeks a new Special Permit via the demolition of the existing dwelling and construction of a new dwelling. The existing dwelling is nonconforming in that it has an easterly abutter's setback of 23.1 feet where 25 feet is required and is setback 33.2 feet from the road where 40 feet is required. The proposed dwelling will comply with all bulk and dimensional requirements of the Bylaw. The existing building coverage is 1,139 square feet (10.19%) and the proposed dwelling will have a building coverage of 1,677 square feet (15%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 78.97 feet of frontage where 150 feet is required and contains a total of 13,566 square feet of which 11,180 square feet is registered residential land 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 Chatham Protective Bylaw.**

Application No. 17-083: 49 Black Duck Landing Realty Trust, c/o George Seibert, 49 Black Duck Landing, Chatham, MA 02633, owner of property located at **49 Black Duck Landing**, also shown on the Town of Chatham's Assessors' Map 13B Block 40 Lot B3. The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the construct a deck. The existing dwelling is nonconforming in that it is setback 30.9 feet from the road, 20.3 feet from the easterly abutter and 15.8 feet from the westerly abutter. The proposed deck will be nonconforming in that it will be 23.2 feet from the easterly abutter and 19.7 feet from the westerly abutter where 25 feet is required. The lot is nonconforming in that it contains 30,876 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. 17-084: Jarido Nominee Trust, c/o John Wisentaner, PO Box 303, West Chatham, MA 02669, owner of property located at **66 Ridgevale Road South**, also shown on the Town of Chatham's Assessors' Map 7B Block 16 Lot G61. The Applicants seek to construct a 306 square foot deck. The existing dwelling is nonconforming in that it is located 19.5 feet from the road where a 25 foot setback is required, 12.6 feet from the westerly abutter where a 15 foot setback is required and is located 16 feet from the Coastal Conservancy District (Flood Plain ele. 13) where a 50 foot setback is required. The proposed deck will be nonconforming in that it will be located 7.5 feet from the Coastal Conservancy District. The lot is nonconforming in that it 60.65 feet of frontage where 100 feet is required, contains 7,590 square feet and 4,530 square feet of buildable upland 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. 17-085: Priscilla J. Smith, c/o William G. Litchfield, Esq., 330 Orleans Road, North Chatham, MA 02650, owner of property located at **41 Cedar Street**, also shown on the Town of Chatham's Assessors' Map 14C Block 58 Lot C1A. The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the construction of an addition and a deck on the west side of the property. The proposed addition and deck will comply with the 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 dwelling is nonconforming in that it is located 39.3 feet from the road where 40 feet is required, and is located 24.2 feet from the southerly abutter where 25 feet is required. The existing building coverage is 1,497 square feet (9.6%) and the proposed building coverage is 2,093 square feet (13.4%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 141.03 feet of frontage where 150 is required and contains 15,627 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. 17-086: Owen Rogers, owner of property located at **16 Aunt Mattie's Road**, also shown on the Town of Chatham's Assessors' Map 8E Block 28 Lot E5. The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the demolition of the existing porch and construction of an addition. The proposed addition will be constructed on the same footprint as the existing porch but due to an increase in height within the setback the grant of a Special Permit is required. The existing dwelling is nonconforming in that it is located 15.7 feet from the road

where 25 feet is required, and is located 12.2 feet from the easterly abutter where 15 feet is required. The existing and proposed building coverage is 1,074 square feet (12.07%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 8,900 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.**

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 at least 48 hours prior to the meeting, excluding Saturdays, Sundays and legal holidays.

David Nixon
Chairman

The Cape Cod Chronicle
Sept. 28 and Oct. 5, 2017

TOWN OF CHATHAM HISTORICAL COMMISSION AGENDA OCTOBER 17, 2017

The Chatham Historical Commission will hold a public meeting on **Tuesday, October 17, 2017 beginning at 9:00 AM** at the **Town Hall Annex, Lower Level - Committee Room, 261 George Ryder Road, Chatham.**

HEARINGS:

Application No: 17-016 To be heard in accordance with the provisions of Section 12(e) of the Cape Cod Commission Regional Policy Plan regarding properties situated in a National Historic Register District pursuant to an Application for Substantial Alteration to a Historic or Contributing Structure in a National Historic Register District located at **215 Cross Street**, filed by: Longfellow Design Build, Mark Bogosian, 367 Main Street, Chatham, MA; for: Cecey Holdings, LLC, c/o Peter & Elizabeth Henrici, 59 Rowan Rd, Chatham, NJ 07928

Application No: 17-017 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 **67 Hitching Post Rd**, filed by David & Julie Donnan, 67 Hitching Post Rd, 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
Sept. 28 and Oct. 5, 2017

TOWN OF HARWICH HISTORIC DISTRICT & HISTORICAL COMMISSION LEGAL NOTICE

The Historic District and Historical Commission will hold a public hearing on Wednesday, October 18, 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 2017-22 Notice of Intent (NOI) to Demolish has been received for 25 Pilgrim Road, Map 7 Parcel C7. The application is pursuant to the Code of the Town of Harwich Chapter 131, Historic Preservation, Article II and proposes to replace and relocate a door and windows via partial demolition of the c. 1900 single family dwelling. Jeffrey & Michelle Thomas Ward, owners. Harry Ellis Builder, LLC, Applicant.

Mary Maslowski,
Chair

The Cape Cod Chronicle
Sept. 28 and Oct. 5, 2017

PUBLIC HEARING TREE WARDEN

Hearing # 17-02: In accordance with the requirements of Chapter 87 of Mass. General Law the Tree Warden will hold a public hearing to review and discuss requests to remove a tree along Town Roads in Chatham.

The property owner, (Chatham Conservation Foundation Inc.), at 540 Main Street (The Mayo House) would like to remove Bradford Pear tree in front of the property.

The public hearing will be held on Thursday, October 19, 2017 at 2:00 p.m. in the Conference Room at the Chatham Community Center located at 702 Main Street in Chatham. Residents with any questions or comments should contact the Tree Warden at 508-945-5158 or email: dtobin@chatham-ma.gov by the hearing date.

Daniel L. Tobin
Tree Warden

The Cape Cod Chronicle
Oct. 5, 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 October 11, 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: 309 Bridge St, The Riverside Corporation:** Proposed removal of 136 linear ft of privet hedge; replant with native plant material; removal of existing foundation landscape plants at 309 bridge St, Assessors Map 16B parcel F2.

663 Riverview Drive, Paul J & Ann Marie Hesketh: Proposed installation of in-ground timber steps on slope to provide safe access and reduce possibility of future erosion at 663 Riverview Drive, Assessors Map 8K/C51.

The following applicant has filed an **Amendment to Existing Order of Conditions: 34 Strawberry Lane, Giulio & Mary Perillo, SE 10-3213:** Request to Amend existing permit under SE 10-3213 to include invasive species removal and installation of native plant materials at 34 Strawberry Lane, Assessors Map 12J parcel M2.

The following applicant has filed a **Notices of Intent: 117 Cranberry Lane (WC), Gregory & Joanne Caggiano, SE 10 :** Proposed construction of new Title 5 subsurface sewage disposal system at 117 Cranberry Lane (WC) Assessors Map 7C parcel G33A

205 Champlain Road, Margaret & CrossanSeybolt, SE 10-3225: Proposed removal of invasive, exotic vegetation; replacement planting with native plant material at 205 Champlain Road, Assessors Map 12A parcel 6.

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
Oct. 5, 2017

AGENDA TOWN OF CHATHAM PLANNING BOARD MEETING ANNEX LARGE MEETING ROOM 261 GEORGE RYDER ROAD OCTOBER 10, 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: September 26, 2017

ENDORSEMENT OF PLANS:

78 Crowell – Hydrangea Lane/Eastward Homes Business Trust/Riley/ Proposed modification of the road layout

SITE PLAN REVIEW:
Amended/Change of Use

169 Stony Hill Road/Posganzer/Proposed one story addition on existing foundation to be used as office space

SUBDIVISION PLAN REVIEW:

Definitive – Public Hearing (continued from 9-26-2017)

288 Barn Hill Road/Hunter Rev. Trust/Eastward Co./Proposed (14) lot subdivision

INFORMAL DISCUSSION:

1610 Main Street/Eastward Co./Conceptual Site Plan discussion

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
Oct. 5, 2017

Continued from Previous Page

**SPECIAL VOTER REGISTRATION FOR THE TOWN OF HARWICH
SPECIAL TOWN ELECTION – WEDNESDAY, OCTOBER 24, 2017
WILL BE HELD AT THE HARWICH TOWN HALL
ON TUESDAY OCTOBER 4, 2017 – FROM 9:00 A.M. TO 8:00 P.M**

The Town of Harwich is scheduling the Special Voter registration to allow any eligible unregistered persons residing in Harwich additional opportunities to register. Anyone, who registers after October 4, 2017 will not be able to vote at the Special Town Election – Any residents of the Town of Harwich who will be 18 years old on or before October 4, 2017 are eligible to vote as United States Citizens

If you have any questions regarding your voter status please call the Town Clerks Office at 508-430-7516 ext #5

The Cape Cod Chronicle
Oct. 5, 2017

**COMMONWEALTH OF MASSACHUSETTS
TOWN OF HARWICH
SPECIAL ELECTION BALLOT
OCTOBER 24, 2017**

BARNSTABLE, ss:

To either of the Constables of the Town of Harwich in said County,

Greetings:

In the name of the Commonwealth of Massachusetts you are hereby directed to notify and warn the inhabitants of said Town qualified to vote in elections and Town affairs to meet in the Community Center Gymnasium, 100 Oak Street, in said Town on Tuesday, October 24, 2017, then and there to act on the following ballot:

POLLS WILL BE OPEN AT 12 NOON and CLOSE AT 8:00 P.M.

BALLOT QUESTION

1. Shall the Town of Harwich be allowed to exempt from the provisions of proposition two and one-half, so-called, the amounts required to pay the Town's allocable share of the bond issued by the Cape Cod Regional Technical High School District for the purpose of paying costs of designing, constructing, originally equipping and furnishing a new District high school to be located at 351 Pleasant Lake Avenue, Harwich, including the payment of all costs incidental or related thereto?

YES _____ NO _____

Hereof fail not to make return of the Warrant with your doings thereon at the time and place of said meeting.

Given under our hands this 11th day September, 2017

Michael D. MacAskill, Chair Julie E. Kavanagh, Vice Chair

Larry G. Ballantine, Clerk Donald F. Howell

Jannell M. Brown
BOARD OF SELECTMEN

A true copy Attest: _____
Anita N. Doucette, MMC/CMMC
Town Clerk

DATE:

By virtue of this Warrant I have this day notified and warned the inhabitants of the Town of Harwich, qualified to vote in elections and town affairs, to meet in the Community Center, 100 Oak Street in said Town on Tuesday, the 24th of October, 2017 at the time and place for the purpose herein named by posting up attested copies thereon in the four (4) Post Office buildings and in the Community Center in the Town of Harwich, which covers all four precincts, at least fourteen (14) days before the time of said meeting as within directed, and causing an attested copy thereof to be published in the Cape Cod Chronicle published in Barnstable County and having its circulation in the Town of Harwich.

Constable

The Cape Cod Chronicle
Oct. 5, 2017

**ZONING BOARD OF APPEALS PUBLIC HEARING
WEDNESDAY, OCTOBER 25, 2017 AT 7:00 P.M.
GRIFFIN MEETING ROOM, HARWICH TOWN HALL
AGENDA**

On Wednesday, October 25, 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 Thursday, October 19, 2017.

Case #2017-18 (RESCHEDULED TO 10/25/2017) 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 10/25/17) 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 # 2017-27 (CONTINUED to 10/25/17) Joseph G. DeStefano and Sarah DeStefano through their agent, Attorney William Crowell have 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 and Table 2, Area Regulations as set forth in MGL Chapter 40A §6 and §10. The property is located at 36 Northern Avenue, Map 6, Parcel E5-13-2 in the RH-1 Zoning District.

Case # 2017-30 David W. Grainger and Evelyn J. Grainger through their agent, Attorney James Stinson have applied for a Special Permit to demolish and replace a pre-existing non-conforming single family dwelling. The application is pursuant to the Code of the Town of Harwich §325-54.A and Table 2, Area Regulations as set forth in MGL Chapter 40A §6. The property is located at 21 Uncle Venies Road, Map 17, Parcel R1 in the RM Zoning District.

Case # 2017-31 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 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 # 2017-33 Stephen Trowbridge through his agent, Attorney Andrew Singer has applied for a Special Permit to change, alter and extend a pre-existing non-conforming single family dwelling by constructing an 18' x 22' addition and porch. The application is pursuant to the Code of the Town of Harwich §325-54 as set forth in MGL Chapter 40A §6. The property is located at 18 Bay View Road, Map 14, Parcel X1 & X17 in the RL Zoning District.

In other business, the Board will address the following agenda items:
* Approval of minutes from the September 27, 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](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
Board of Appeals Recording Clerk

The Cape Cod Chronicle
Oct. 5 and 12, 2017

**TOWN OF HARWICH
REQUEST FOR PROPOSALS
AMBULANCE BILLING/COLLECTION SERVICE**

The Town of Harwich is seeking proposals for the billing/collection of BLS/ALS Emergency Ambulance Services for the Harwich Fire Department.

Request for Proposal documents may be obtained at the Harwich Town Hall, Town Administrators Office, located at 732 Main Street Harwich MA, 02645 beginning at 8:30am. on October 10, 2017 and daily thereafter on regular business days at the Harwich Town Hall - Administrators Office, Monday-Thursday 8:30am - 4:00pm, Friday 8:30am - 12:00pm.

Proposals must be submitted no later than 12:00 noon on November 10, 2017 at the Harwich Town Hall, Town Administrator's Office, located at 732 Main Street Harwich, MA. Proposals will not be opened publicly.

The Town of Harwich reserves the right to reject any and all proposals, in whole or in part and to make awards in a manner deemed in the best interest of the Town of Harwich.

Christopher Clark
Town Administrator

The Cape Cod Chronicle
Oct. 5, 2017



**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**