

# LEGAL ADVERTISING

## MORTGAGEE'S SALE OF REAL ESTATE 84 OLD HARBOR ROAD, CHATHAM, MA 02633

By virtue of and in execution of the Power of Sale contained in a certain mortgage given by Frank J. Urso and Catherine Sama Urso to Countrywide Home Loans Inc. by and through its nominee Mortgage Electronic Registration Systems, Inc. dated January 26, 2007, and recorded with the Barnstable County Registry of Deeds in Book 21736, Page 305, and assigned through assignments recorded with said Registry of Deeds at Book 25038, Page 229, of which mortgage the undersigned is the present holder, for breach of the conditions of said mortgage and for the purpose of foreclosing the same will be sold at Public Auction on February 15, 2018 at 02:00PM, at or upon the mortgaged premises more particularly described below, being all and singular the premises described in said mortgage, to wit:

The land in Chatham, Barnstable County, Massachusetts, more particularly described as follows: LOT 1 as shown on plan entitled "Plan of Land in Chatham, Massachusetts, Prepared For Margaret L. Nickerson Scale 1" = 10' May 18, 1994 Prepared By Eldredge Surveying & Engineering 1038 Main Street, Chatham, MA 02633" and recorded in Plan Book 508, Page 12. Subject to and together with the benefit of an easement relative to the 15 foot common driveway as more particularly described in Book 1302, Page 1054 of the Barnstable Registry of Deeds. Subject to the reservation by Margaret L. Nickerson of all her rights in said easement for the benefit of her remaining land. Subject to the reservation to Margaret L. Nickerson of an easement for ingress and egress to her remaining land as shown as "PROPOSED ACCESS EASEMENT" on the aforementioned plan. For title see Deed recorded at Book 19375, Page 152.

The description of the premises contained in said mortgage shall control in the event of an error in this notice.

The Mortgagee reserves the right to postpone the sale to a later date by public announcement at the time and date appointed for the sale and to further postpone at any adjourned sale date by public announcement at the time and date appointed for the adjourned sale date.

The premises will be sold subject to and with the benefit of all rights, restrictions, easements, improvements, orders of condition, outstanding tax titles, municipal or other public taxes, assessments, betterments, liens or claims in the nature of liens and existing encumbrances of record created prior to the mortgage, or entitled to precedence over the mortgage, if any, insofar as the same are still in force and applicable to the premises. The premises will be sold without representation or warranty as to its condition or fitness for habitation, or whether it conforms to any applicable state or local building, zoning, health, or sanitary codes, or compliance with any federal, state, or local environmental statutes, regulations, ordinances, or by-laws.

If the premises is a condominium unit, then the premises will also be sold subject to Massachusetts General Laws chapter 183A, as amended, the applicable Master Deed and any and all amounts as may be due, following such sale, to the applicable condominium trust.

If the successful bidder at the foreclosure sale defaults in purchasing the property according to the terms of this notice of sale or the terms of the Memorandum of Sale executed at the time of the foreclosure, the Mortgagee reserves the right to, among other things, resell the property under the power of sale contained in such mortgage or sell the property by foreclosure deed to the second highest bidder (or other successive bidders, in the order of their bid) provided that such other bidder deposits with Mortgagee's attorneys, Michienzie & Sawin LLC, the amount of the required deposit as set forth below within ten (10) business days after written notice of default of the previous highest bidder and title shall be conveyed to such other bidder within thirty (30) days of the default, which time periods may be reasonably extended by the Mortgagee in its sole discretion.

**TERMS OF SALE:** Ten Thousand and No/100 Dollars (\$10,000.00) is to be paid in certified check and/or bank cashier's check (dated no more than ninety days before the date of sale) to be paid by the Purchaser at the time and place of sale. The balance of the purchase price is to be paid by the Purchaser by certified check and/or bank cashier's check (dated no more than ninety days before the date of closing) within thirty (30) days thereafter, which time period may be reasonably extended by the Mortgagee in its sole discretion, at the offices of Harry Castleman, Esquire, Michienzie & Sawin LLC, 745 Boylston Street, Boston, MA 02116. Other terms to be announced at the sale.

The Bank of New York Mellon (fka The Bank of New York), as Trustee for the benefit of (CWALT, Inc.) Alternative Loan Trust 2007-5CB, Mortgage Pass-Through Certificates, Series 2007-5CB present holder of said mortgage by its attorney, Harry Castleman, Esquire, MICHIEENZIE & SAWIN LLC 745 Boylston Street, Boston, MA 02116

The Cape Cod Chronicle  
Jan. 25, Feb. 1 and 8, 2018

### PUBLIC HEARING TREE WARDEN/ PLANNING BOARD

In accordance with the requirements of MGL Chapter 87, Public Shade Trees, and MGL Chapter 40, Section 15C, Scenic Roads, the Tree Warden in conjunction with the Chatham Planning Board will hold a joint public hearing to discuss proposed removal of one tree at 75 Shattuck Place. The tree removal is necessary due to construction of sewer line installation on the street.

The Public Hearing will be held on Tuesday, February 27, 2018 at 6:00 p.m. in the Town Offices Annex, Large Meeting Room located at 261 George Ryder Road in Chatham.

Daniel L. Tobin  
Tree Warden

The Cape Cod Chronicle  
Feb. 8 and 15, 2018

## STATE OF SOUTH CAROLINA IN THE FAMILY COURT OF THE FIFTEENTH JUDICIAL CIRCUIT COUNTY OF HORRY CASE NUMBER: 2017-DR-26-2905 NOTICE OF ADOPTION

**DARRELL JOHN YOUNG AND, CHERI SUE CARDOZA-YOUNG,  
PLAINTIFF,  
V.  
MARCUS ALLEN BENNETT, JR., A MINOR,  
DEFENDANT.**

TO: MARCUS ALLEN BENNETT AND JOHN DOE, YOU ARE HEREBY NOTIFIED pursuant to Section 63-9-730 of South Carolina Code of Laws, as amended, that the Defendant above named, has been placed with the Plaintiffs above named, for the purposes of adoption. The biological mother of the Defendant is Tiana Adrienne Young. YOU ARE FURTHER NOTIFIED that within thirty (30) days of receiving Notice, the person or agency shall respond in writing by filing with the Court in which the adoption is pending, notice and reasons to contest, intervene or otherwise respond; YOU ARE FURTHER NOTIFIED that the court must be informed of the person's or agency's current address and of any changes in address during the adoption proceeding; and Failure to file a response within thirty (30) days of receiving Notice constitutes consent to adoption of the child and forfeiture of all rights and obligations of the person or agency with respect to the child. When notice of intent to contest, intervene or otherwise respond is filed with the Court within the required time period the person or agency must be given an opportunity to appear and to be heard before the Final Hearing on the merits of the adoption. The Plaintiffs must be notified by the court of notice and reasons to contest, intervene, or otherwise respond; and Plaintiffs must also be given the opportunity to be represented or appear and to be heard at any hearing held relating to the adoption. BE SO NOTIFIED.

Date: 18 January 2018

RUSSELL W. HALL III  
Attorney for Plaintiff  
The Law Office of Russell W. Hall III  
P.O. Box 3223  
Myrtle Beach, SC 29578  
843-267-0906  
Fax: 843-626-9117

The Cape Cod Chronicle  
Jan. 25, Feb. 1 and 8, 2018

### AGENDA TOWN OF CHATHAM PLANNING BOARD MEETING ANNEX LARGE MEETING ROOM 261 GEORGE RYDER ROAD FEBRUARY 13, 2018 6:00 P.M.

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

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

**MINUTES:** January 9, 2018 & January 23, 2018

#### **ENDORSEMENT OF PLANS:**

288 Barn Hill Road  
693 Main Street

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

Jessie's Landing/Eastward/Release Covenant & Statement of Conditions (Continued from January 23, 2018)

Edgewood Circle/Clark/Partial Release of Covenant

#### **PUBLIC HEARING**

Zoning Bylaw Amendment Prohibiting Marijuana Establishments

#### **LONG RANGE PLANNING EFFORTS:**

Accessory Dwelling Unit Proposed Bylaw

GB3 Neighborhood Overlay District Proposed Bylaw

#### **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  
Feb. 8, 2018

## TOWN OF CHATHAM HISTORICAL COMMISSION AGENDA FEBRUARY 20, 2018

The Chatham Historical Commission will hold a public meeting on **Tuesday, February 20, 2018 beginning at 9:00 AM** at the **Town Hall Annex, Lower Level - Committee Room, 261 George Ryder Road, Chatham.**

#### **HEARINGS:**

**Application No: 18-005** 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 Seaview Street**, filed by: Mark R. Zibrat, 63 Crowell Road, Chatham, MA 02633; for: Elizabeth Dailey Revocable Trust, 4854 Balmoral Avenue, Chicago, IL 60630

**Application No: 18-006** 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 **121 Hardings Lane**, filed by: Derek & Wendy Upson, 27 Longmeadow Street, Longmeadow, MA 01106

**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  
Feb. 8, 2018

### ZONING BOARD OF APPEALS PUBLIC HEARING WEDNESDAY, FEBRUARY 28, 2018 AT 7:00 P.M. GRIFFIN MEETING ROOM, HARWICH TOWN HALL AGENDA

On Wednesday, February 28, 2018 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, February 22, 2018.

#### **Case #2018-01**

Anthony Crugnale has applied for a Special Permit to create additional living space on the second floor of a pre-existing, non-conforming single family dwelling without increasing the footprint. 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 205 Forest Street, Map 40, Parcel Z1 in the RL Zoning District.

#### **Case #2018-02**

John R. Lewicki, Trs et al, through his agent, McPhee Associates has applied for a Special Permit to add a roofed entry area and new 1-car garage to a 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. The property is located at 58 Uncle Venies Road, Map 17, Parcel A1-14 in the RM Zoning District.

In other business, the Board will address the following agenda items:  
\* Approval of minutes from the January 31, 2018 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](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

The Cape Cod Chronicle  
Feb. 8 and 15, 2018

### TOWN OF CHATHAM BOARD OF SELECTMEN PUBLIC HEARING NOTICE

Notice is hereby given that the Chatham Board of Selectmen will hold public hearings on Monday, February 12, 2018 at 6:00 pm in the Large Meeting Room at the Town Hall Annex, 261 George Ryder Road to consider draft bylaws regulating

1. Sale and Use of Balloons
2. Street Performances/Busking

All interested parties are encouraged to attend.

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

The Cape Cod Chronicle  
Feb. 8, 2018

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# LEGAL ADVERTISING

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## TOWN OF CHATHAM ZONING BOARD OF APPEALS LEGAL NOTICE

The Chatham Zoning Board of Appeals will hold a public hearing on **Thursday, February 22, 2018**, starting at **4:00 PM** in the Town Annex Large Meeting Room, 261 George Ryder Road, on the following applications:

**Application No. 18-003: Patrick Lee**, c/o William G. Litchfield, Esq., 330 Orleans Road, North Chatham, MA 02650, owner of property located at **48 Seaview Street**, also shown on the Town of Chatham's Assessors' Map 15E Block 79 Lot 2C. The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the reconstruction of the rear ell and construction of an addition. The existing dwelling conforms to road and abutter setback requirements. Also on the property there is a nonconforming accessory structure (shed) located 1.6 feet from the southerly abutter and 2 feet from the westerly abutter where a 15 foot setback is required. The proposed addition will be conforming in that it will be located 18.7 feet from the easterly abutter where 15 feet is required. The existing building coverage is 1,288 square feet (15.3%) and proposed building coverage is 1,410 square feet (16.8%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 8,402 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. 18-004: 202 Eastward Road Nominee Trust**, c/o William G. Litchfield, Esq., 330 Orleans Road, North Chatham, MA 02650, owner of property located at **202 Eastward Road**, also shown on the Town of Chatham's Assessors' Map 13M Block 25 Lot C50. The Applicants seek to construct an elevated stairway over a Coastal Bank and revetment. The total lot size is 44,930 square feet and the property is located within the R40 Zoning District. **A Special Permit is required under Sections IV.A.3.a. and VIII.D.2.b. of the Chatham Protective Bylaw.**

**Application No. 18-006: Eastward MBT LLC, Trustee**, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owners of property located at **185 Queen Anne Road**, also shown on the Town of Chatham's Assessors' Map 14E Block 17 Lot 2. The Applicant proposes to construct a single family dwelling and swimming pool on a split lot in the GB2/R40 zones. The proposed dwelling and pool will comply with all bulk and dimensional requirements of the bylaw for each of the respective zones but requires the grant of a Special Permit under Sections III.C.4.c.26 and III.D.3.i. The lot contains 14,772 square feet. **A Special Permit is required under M.G.L. Chapter 40A Section 9 and Section VIII.D.2.b. of the Chatham Protective Bylaw.**

**Application No. 18-007: John E. Murphy and Denise M. Murphy**, c/o William G. Litchfield, Esq., 330 Orleans Road, North Chatham, MA 02650, owner of property located at **71 Stage Island Road**, also shown on the Town of Chatham's Assessors' Map 14A2 Block 10 Lot D37. 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 38.4 feet from the road and is nonconforming in that it is located wholly within the 50 foot setback to the Coastal Conservancy District. The proposed addition will be nonconforming in that it will be located 36.4 feet from the road where a 40 foot setback is required. The existing building coverage is 2,324 square feet (20.8%) and the proposed building coverage is 2,382 square feet (21.3%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 11,169 square feet of buildable upland where 20,000 square feet is required but

is conforming in that it contains 62,114 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 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  
Feb. 8 and 15, 2018

## HARWICH PLANNING BOARD PUBLIC HEARING NOTICE

The Harwich Planning Board will hold a public hearing beginning no earlier than 6:30 PM on Tuesday, February 27, 2018 in the Griffin Room, 732 Main St., Harwich, MA to consider the following application(s). Any member of the public having an interest in this application is invited to attend and provide and comment or may submit comments in writing.

**PB2018-02, Steven Allard & Lorraine Lensch, owners, c/o John O'Reilly, P.E., P.L.S., representative.** The application, with waivers, seeks approval of a Use Special Permit for a detached Accessory Apartment pursuant to the Code of the Town Harwich §325-51.H and Article V Use Regulations. The proposal seeks to construct an 890±SF, 2 bedroom dwelling unit above a threebay garage. The property is located at 165 Pleasant Bay Road, Map 113, Parcel P6, in the R-R & W-R Zoning Districts.

**PB2018-03, Karen Andreoli, owner, c/o James Stinson, Esq., representative.** The application, with waivers, seeks approval of a Use Special Permit for a detached Accessory Apartment pursuant to the Code of the Town Harwich §325-51.H and Article V Use Regulations. The proposal seeks to construct an 870±SF, two-story, single bedroom dwelling unit via the demolition of an existing non-conforming garage. The property is located at 59 Neel Road, Map 16, Parcel N1-43, in the R-R Zoning District. 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  
Feb. 8 and 15, 2018

## CHATHAM CONSERVATION COMMISSION PUBLIC HEARING

The Chatham Conservation Commission will hold a public hearing in accordance with the provisions of Massachusetts General Law, Ch 131, s.40, the Wetlands Protection Act, and the Town of Chatham Wetlands Protection Bylaw, Ch. 272 on **Wednesday February 14, 2018** at the Annex Meeting Room, 261 George Ryder Road, Chatham, MA 02633. **The meeting starts at 4:00 PM.**

The following applicants have filed **Requests for Determination of Applicability: 889 Orleans Road, Susan Trask:** Proposed regrading and modification of existing driveway as well as trimming of an existing privet hedge at 889 Orleans Road, Assessors Map 11J parcel 8.

**The following applicants have filed for an Amended Order of Conditions: 83 Seagull Road & 30 Wikis Way, Seagull Enterprise Properties LLC (# 83 Seagull), Farrell Kahn-applicant & Monomoy NWR, USA Weather Station/US Fish & Wildlife Service (#30 Wikis) SE 10-3233:** Proposed amendment to Order issued under SE 10-3233 to include o Starfish Lane as a site to receive dredge spoils resulting from previously approved dredging project at 83 Seagull Road & 30 Wikis Way and 0 Starfish Lane, Assessors Map 15A-1 parcel H98 & Map 15A3 parcel US1 and 15A1 CHAT. .

**192 & 202 Eastward Road, Vanderbuilt & 202 Eastward Road Nominee Trust, SE 10-3130:** Proposed amendment under SE 10-3130 to include stairway construction and reduction in length of previously approved revetment at 192 & 202 Eastward Road, Assessors Map 13M\_parcels C50 (#202) & C59 (#192).

The following applicants have filed **Notices of Intent: 99 Squanto Drive, Chatham Yacht Basin c/o Four Oceans Inc., SE 10 :** Proposed replacement of existing timber bulkhead with a vinyl sheet pile bulkhead at 99 Squanto Drive, Assessors Map 10C parcel E14A.

**41 Mill Pond Lane, Maria Anderson, SE 10 :** Proposed elevated stairs over the coastal bank and a Land Management Plan at 41 Mill Pond Lane, Assessors Map 15C parcel 9-7A.

**95 Strong Island Road, Richard Banziger, SE 10 :** Proposed abandonment of existing outdoor shower, expansion of existing deck, replacement of stairs and relocation of AC unit at 95 Strong Island Road, Assessors Map 13M parcel B16.

**190 Stage Island Road, Daniel & Deborah Phillips, SE 10 :** Proposed addition, demo/rebuild of existing deck, replacement of concrete stairs with timber stairs, extension of the existing pool patio as well as replacement of patio surface, a seasonal elevated timber catwalk and Land Management at 190 Stage Island Road, Assessors Map 13A1 pcl D150.

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  
Feb. 8, 2018

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### The Melrose in Harwich Port • Unit 212

This 2brm 2bath 1,178 sq ft unit is an over 55 community that is within walking distance to everything Harwich Port has to offer. Large living room with window facing Main Street has a pass through to the kitchen, large closets, 2 full baths, stack washer and dryer and assigned secure basement storage. The Melrose has many common ground amenities including a breakfast room, dining area, library, living room seating area with fireplace, craft room, exerciser room, and 24 hour security. A small pet is allowed. Bank Street Beach is less than a .3 mile away. All the comforts of home in a secure setting.

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