

MORTGAGEE'S NOTICE OF SALE OF REAL ESTATE

By virtue and in execution of the Power of Sale contained in a certain Mortgage given by Arthur A. Hennessey, Jr. and Leslie M. Hennessey to Mortgage Electronic Registration Systems, Inc., as nominee for Sovereign Bank, its successors and assigns, dated August 13, 2010 and recorded with the Barnstable County Registry of Deeds at Book 24752, Page 87, subsequently assigned to Santander Bank N.A., its successors and assigns by Mortgage Electronic Registration Systems, Inc., its successors and assigns, as nominee for Santander Bank, N.A. formerly known as Sovereign Bank, by assignment recorded in said Barnstable County Registry of Deeds at Book 27983, Page 236 for breach of the conditions of said Mortgage and for the purpose of foreclosing same will be sold at Public Auction at 10:00 AM on March 15, 2019 at 41 Frost Fish Hill, Chatham (North Chatham), MA, all and singular the premises described in said Mortgage, to wit:

The land and buildings thereon in North Chatham, Barnstable County, Massachusetts more particularly described as follows: Lot 13A, containing 43,375 s.f., more or less, as shown on a plan of land entitled: Division Plan, Chatham, Massachusetts, prepared for Eastward Companies dated March 29, 2006 prepared by Outermost Land Survey, Inc. and recorded in Barnstable County Registry of Deeds in Plan Book 609, Page 30. Subject to the Cape Cod Commission Decision recorded in Barnstable County Registry of Deeds in Book 11456, Page 338. Subject to Declaration of Protective Covenants recorded in Barnstable County Registry of Deeds in Book 13334, Page 346. The Grantor hereby approves the plans, specifications and location of the dwelling and other improvements as required by Restriction #3 contained in the Declaration of Protective Covenants recorded in Book 13334, Page 346 and the Declaration of Protective Covenants recorded in Book 12354, Page 97. The premises described above are conveyed with the benefit of an easement appurtenant for the purpose of preserving the view of Frost Fish Creek and Ryder's Cove. The easement is located over other land of the Grantor as shown on the attached sketch plan as View Easement Plane over a portion of Lots 14A, and Parcel A. On the portion of the said Lots 14 and Parcel A identified as View Easement Plane, the construction, erection or planting of any building, fences, walls or appurtenances shall not exceed the height of the View Easement Plane as shown on the sketch plan. The Grantee herein, their heirs, successors and assigns, shall have the right to enforce the provisions of this easement in perpetuity. Said premises are conveyed subject to and with the benefit of any and all rights, rights of way, easements, reservations, restrictions and other conditions of record insofar as the same may be in force and applicable. Being the same premises conveyed to the Mortgagors by deed of William Marsh, Trustee of Frost Fish Hill Nominee Trust recorded herewith.

The premises are to be sold subject to and with the benefit of all easements, restrictions, encroachments, building and zoning laws, liens, unpaid taxes, tax titles, water bills, municipal liens and assessments, rights of tenants and parties in possession, and attorney's fees and costs.

TERMS OF SALE:

A deposit of FIVE THOUSAND DOLLARS AND 00 CENTS (\$5,000.00) in the form of a certified check, bank treasurer's check or money order will be required to be delivered at or before the time the bid is offered. The successful bidder will be required to execute a Foreclosure Sale Agreement immediately after the close of the bidding. The balance of the purchase price shall be paid within thirty (30) days from the sale date in the form of a certified check, bank treasurer's check or other check satisfactory to Mortgagee's attorney. The Mortgagee reserves the right to bid at the sale, to reject any and all bids, to continue the sale and to amend the terms of the sale by written or oral announcement made before or during the foreclosure sale. If the sale is set aside for any reason, the Purchaser at the sale shall be entitled only to a return of the deposit paid. The purchaser shall have no further recourse against the Mortgagor, the Mortgagee or the Mortgagee's attorney. The description of the premises contained in said mortgage shall control in the event of an error in this publication. **TIME WILL BE OF THE ESSENCE.**

Other terms, if any, to be announced at the sale.

Santander Bank, N.A.

Present Holder of said Mortgage,
By Its Attorneys,
ORLANDS PC
PO Box 540540
Waltham, MA 02454
Phone: (781) 790-7800
18-010321

The Cape Cod Chronicle
Feb. 21, 28 and March 7, 2019

TOWN OF CHATHAM ZONING BOARD OF APPEALS LEGAL NOTICE

The Chatham Zoning Board of Appeals will hold a public hearing on **Thursday, March 7, 2019**, starting at **4:00 PM** in the Town Annex Large Meeting Room, 261 George Ryder Road, on the following applications:

Application No. 19-010: Jennifer, Gregory and Elizabeth Bowen, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owner of property located at **30 Striper Lane**, also shown on the Town of Chatham's Assessors' Map 15D Block 67 Lot 41. The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the construction of an addition and deck. The existing dwelling is nonconforming in that it is located 7.3 feet from the road where a 25 foot setback is required and is located 2.7 feet from the westerly abutter where a 15 foot setback is required. The proposed addition and deck will conform to road and abutter setback requirements. The existing building coverage is 1,516 square feet (15.4%) and the proposed building coverage is 1,848 square feet (18.7%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 9,865 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 Section V.B. of the Protective Bylaw.**

Application No. 19-011: Lindy J. Bigliuzzi, Jr. c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owner of property located at **12 Pond Street**, also shown on the Town of Chatham's Assessors' Map 14D Block 7 Lot M8. The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the demolition of the existing dwelling and construction of a new dwelling. The existing dwelling is nonconforming in that it is located 21.4 feet from the southeasterly abutter and 18.5 feet from the northerly abutter and 22

feet from the Coastal Conservancy District (Flood Plain ele. 11). The proposed dwelling will be nonconforming in that it will be located 15.5 feet from the northerly abutter where a 25 foot setback is required and 10 feet from the Coastal Conservancy District where a 50 foot setback is required. The existing building coverage is 2,011 square feet (17.7%) and the proposed building coverage is 2,470 square feet (21.75) where 15% is the maximum allowed. The lot is nonconforming in that it contains 11,355 square feet of buildable upland where 20,000 square feet is required and contain 17,101 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 V.B. and VIII.D.2.b. of the Protective Bylaw.**

Application No. 19-012: Salt Pond LLC, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owners of property located at **26 Salt Pond Road**, also shown on the Town of Chatham's Assessors' Map 17J Block 9 Lot 1. The Applicant seeks to modify Special Permit No. 17-006 granted on March 9, 2017, which allowed for demolition of the existing garage and construction of a new garage with second floor habitable space. Also proposed is the modification of Special Permit No. 17-115, granted on January 25, 2018, which allowed for the construction of an addition to the existing dwelling. The Applicant now seeks to modify the above referenced Special Permits to allow for the construction of an addition to the dwelling and the construction of an exterior stairway on the approved garage. The existing dwelling is nonconforming in that it has a ridge height of 33.2 feet, which will remain unchanged, and is located 0 feet from the Coastal Conservancy District (Flood Plain ele. 14). The proposed two story bay window addition will be nonconforming in that it will be located 10 feet from the Coastal Conservancy District where a 50 foot setback is required. The proposed stairway and landing addition will be nonconforming in that it will be located 0 feet from the Coastal Conservancy District where a 50 foot setback is required. The approved building coverage is 3,627 square feet (40.6%) and the proposed building coverage is 3,644 square feet (40.8%) where 15% is the maximum allowed. The lot is conforming in that it contains 3.71 acres but is nonconforming in that it contains 8,924 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 Section 6 and Section V.B. of the Chatham Protective Bylaw.**

Application No. 19-013: David and Ashley Miller, c/o Jon Leonard, 16 Industry Way, Unit A, Orleans, MA 02653, owner of property located at **528 Training Field Road**, also shown on the Town of Chatham's Assessors' Map 9K Block 6 Lot 1. The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the construction of a dormer. The existing dwelling is nonconforming in that it is located 11.5 feet from the road. The proposed dormer will be nonconforming in that it will be located 25 feet from the road where a 40 foot setback is required. The building coverage will remain 2,527 square feet (6.6%) where 10% is the maximum allowed. The lot is nonconforming in that it contains 38,117 square feet where 60,000 square feet is required in the R60 Zoning District. **A Special Permit is required under M.G.L. Chapter 40A Section 6 Section V.B. of the Protective Bylaw.**

Application No. 18-089: 433 Main Street LLC, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owners of property located at **433 Main Street**, also shown on the Town of Chatham's Assessors' Map 15D Block TIB Lot RON. The Applicant seeks to enlarge, extend, or change two nonconforming dwellings on a nonconforming lot via the demolition of the existing dwellings located at 427 and 435 Main Street and the construction of two new dwellings. The existing structure located at 427 Main Street is nonconforming in that it is setback 2 feet from the southerly abutter and 4 feet from the easterly abutter where 5 feet is required. The existing dwelling located at 435 Main Street is nonconforming in that it is setback 3 feet from the southerly abutter and 3 feet from the westerly abutter where 5 feet is required. The proposed dwellings will comply with the bulk and dimensional requirements of the Bylaw. The existing lot coverage is 8,926 square feet (76.7%) and the proposed lot coverage is 8,624 square feet (74.1%) where 90% is the maximum allowed. The lot contains 11,638 square feet in the GB1 Zoning District. **A Special Permit is required under M.G.L. Chapter 40A Section 6 and Sections V.B. of the Protective Bylaw. Continued from December 6, 2018, January 24, 2019 and February 7, 2019.**

Application No. 18-095: 20 45 Chatham Bars Avenue LLC, c/o Andrew L. Singer, Esq., PO Box 67, Dennis Port, MA 02639, owners of property located at **20 Chatham Bars Avenue**, also shown on the Town of Chatham's Assessors' Map 15D Block 47 Lot 95. The Applicant seeks a Special Permit under Section III.D.3.i. to allow a use permitted in the less restrictive zone to be authorized for the entire lot. If the commercial use of the lot is allowed, a Special Permit under Section III.C.4.c.4. is required for two 3-bedroom apartments incidental to a commercial use (professional office). The existing structure is and will remain nonconforming in that it is setback 12.7 feet from the private way where 25 feet is required. The parking areas are nonconforming in that they are located 5 feet from the southerly abutter, 10 feet from the easterly abutter and 0 feet from the private way. The existing lot coverage is 9,239 square feet (52.7%) and the proposed lot coverage is 10,104 square feet (57.7%) where 70% is the maximum allowed. The lot is nonconforming in that it contains 17,523 square feet where 20,000 square feet is required for the proposed uses in the R20/GB2 Zoning District. **A Special Permit is required under M.G.L. Chapter 40A Sections 6 & 9 and Sections III.C.4.c.4, III.D.3.i., V.B. & VIII.D.2.b. of the Protective Bylaw.** Under **Application No. 18-094**, the Applicant seeks a Dimensional Variance from the floor area requirement that 51% of the structure be utilized as commercial space and the land area requirement for two (2) apartments incidental to a commercial use. **A Dimensional Variance is required under M.G.L. Chapter 40A Section 10 and Section VIII.D.2.c of the Chatham Protective Bylaw. Continued from December 6, 2018, December 20, 2018, January 24, 2019 and February 7, 2019.**

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.mytowngov.org/02633 at least 48 hours prior to the meeting, excluding Saturdays, Sundays and legal holidays.

David Nixon
Chairman

The Cape Cod Chronicle
Feb. 21 and 28, 2019

HARWICH PLANNING BOARD LEGAL NOTICE - PROPOSED ZONING AMENDMENT

In accordance with the provisions of MGL c.40A §5, the Harwich Planning Board will hold a public hearing on Tuesday, March 12, 2019 no earlier than 6:30 pm in the Donn B. Griffin Room, Harwich Town Hall, 732 Main Street, Harwich, to consider amendments to the Harwich Zoning Codes:

ARTICLE: - Zoning Bylaw Article Special Provisions for Lifting Existing Structures to New Appropriate Elevations

To see if the Town will vote to amend the Town's Zoning Bylaw Article XVII - Flood Plain Regulations by 1) changing §325-108 Definitions to §325-109 Definitions and 2) adding a new §325-108 "Special Provisions for Lifting Existing Structures to New and Appropriate Elevations" and by adding four new definitions, alphabetically, to the new §325-109 Definitions, and further to amend §325-2 Word usage and Definitions "Building/Structure Height" paragraph B by deleting the existing language and replacing it, as follows:

§325-108 Special Provisions for Lifting Existing Structures to New and Appropriate Elevations

(1) Notwithstanding the provisions of any other provision of the Harwich Zoning By-law to the contrary, except as otherwise provided pursuant to paragraph (3) of this subsection, a person shall be allowed to lift an existing structure located in an Area of Special Flood Hazard to a new and appropriate elevation, or constructing a staircase or other attendant structure necessitated by such raising without the need for Board of Appeals relief, provided, however, this exemption shall apply only to the minimum extent or degree necessary to allow the structure to meet the new and appropriate elevation with adequate means of ingress, egress and accommodation of typical basement facilities.

(2) Appurtenant to lifting an existing structure, the existing structure may be relocated elsewhere on the lot as long as said relocation does not create a new, or increase the intensity of a setback nonconformity.

(3) The exemption established pursuant to paragraph (1) of this subsection shall not be available to a person who has altered or is seeking to alter the original dimensions of a structure if, had the alteration not been made, the structure could have been raised to meet the new and appropriate elevation either without the exemption or with an exemption of lesser degree than is needed with the alteration.

And,

§325-109 Definitions, as the following:

ATTENDANT STRUCTURE means an area to accommodate utilities, laundry facilities or mechanicals which are otherwise typically located within a basement area.

EXISTING STRUCTURE means any commercial or municipal structure or residential dwelling that currently exists, or existed prior to the catastrophic event, at the time a request is made to elevate.

HIGHEST APPLICABLE FLOOD ELEVATION STANDARD means the one-percent (1%) FEMA base flood elevation plus up to an additional three (3) feet.

NEW AND APPROPRIATE ELEVATION means any elevation to which a structure is raised, or is to be raised, that is equal to or higher than the applicable FEMA base flood elevation, provided, however, in no case shall the new and appropriate elevation exceed the highest applicable flood elevation standard.

And,

§325-2 Building/Structure Height

B. For a building or structure located within an area of special flood hazard, refer to §325-108; or take any other action thereon.

Any person interested or wishing to be heard on these zoning proposals should appear at the time and place designated. The full text for the proposed amendments can be found on the Town Website <http://www.harwich-ma.gov/planning-board>, and in the Community Development and Town Clerk Offices at Town Hall, at the address noted above, during normal 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 legal notice.

James Joyce,
Chair

The Cape Cod Chronicle
Feb. 21 and 28, 2019

INVITATION FOR BIDS GROUNDS MAINTENANCE SERVICES CHATHAM CEMETERIES

2019

The Town of Chatham is seeking sealed bids from qualified companies to provide contracted Grounds Maintenance Services including Lawn Mowing in the Chatham Cemeteries. Bid documents are available from: Town Manager's Office, 549 Main Street, Chatham, MA 02633 or via email request to snealy@chatham-ma.gov.

Sealed bids must be received at the Town Manager's Office 549 Main Street Chatham, MA 02633 prior to: **2:00 p.m. on Thursday, March 21, 2019.** The Town reserves the right to reject any or all bids and to award contracts in the best interest of the Town of Chatham.

Dan Tobin
Director of Parks and Recreation

The Cape Cod Chronicle
Feb. 28, 2019

**PUBLIC NOTICE
MASSACHUSETTS DEPARTMENT
OF ENVIRONMENTAL PROTECTION
BUREAU OF WATER RESOURCES/WASTEWATER
MANAGEMENT PROGRAM
20 RIVERSIDE DRIVE, LAKEVILLE, MASSACHUSETTS 02347
TEL#: (508) 946-2736**

Notice is hereby given that the following application for an Individual Groundwater Discharge Permit is being processed and the following actions being proposed thereon pursuant to Section 43 of Chapter 21 of the General Laws, and 314 CMR 5.00 and 2.06:

CITY/TOWN: Brewster
PROJECT NAME: Nickerson State Park
APPLICANT: Massachusetts DCR
FACILITY LOCATION: 3488 Main Street, Brewster, Massachusetts 02631
TYPE OF DISCHARGE: Treated sanitary wastewater

QUANTITY OF DISCHARGE: The Permittee is authorized, pursuant to 314 CMR 5.10 (9), to continue to discharge effluent into the ground from thirty one (31) existing subsurface sewage disposal systems (SSDSs). The SSDSs will serve the 403 site campground, three cottages, four staff buildings, the Cape Rep Theatre, The Cape Repertory Theatre Crosby Cape House, the Crosby Mansion, the Flax Pond restrooms and a Department of Youth Services Youth Forestry Camp, (hereinafter called "the Facility") with a total sewage design flow of 50,926 gpd. Additionally, a tight tank for RV trailer waste dumping has been installed. The contents of the tight tank are transported off site for treatment and disposal. The total site is located on approximately 1,955 acres.

PERMIT NO: 862 - 1
TRANSMITTAL NO: X281176
PROPOSED ACTION: Tentative determination to issue individual groundwater discharge permit

A copy of the application, draft permit, and statement of basis or fact sheet relative to the draft permit may be obtained from the MassDEP's Wastewater Management Program at the above address and telephone number or online at: <http://www.mass.gov/eea/agencies/massdep/news/comment/>

Comments on the proposed action or requests for a public hearing thereon pursuant to 314 CMR 2.07 must be filed with MassDEP at the above address within thirty (30) days of this notice. For information on the process for formally intervening in adjudicatory proceedings, please refer to 310 CMR 1.00: Adjudicatory Proceedings, Section (7) Intervention and Participation. <http://www.mass.gov/eea/agencies/massdep/water/regulations/310-cmr-1-00-adjudicatory-proceedings.html>

Brian A. Dudley, Chief
Wastewater Management - Cape and Islands

The Cape Cod Chronicle
Feb. 28, 2019

**TOWN OF CHATHAM
HISTORIC BUSINESS DISTRICT COMMISSION
AGENDA**

The Chatham Historic Business District Commission will hold a public meeting to discuss the following business on **Wednesday, March 6, 2019 beginning at 4:30 PM** at the **Town Hall Annex, Large Meeting Room, 261 George Ryder Road, Chatham.**

MINUTES REVIEW:
Meetings held February 20, 2019

- SIGNS:**
- 19-014 Creative Arts Center/c/o Bob Lacy** – Application to install a new ground sign located at 154 Crowell Road.
 - 19-015 The West Chatham Grill/c/o Douglas Meservey** – Application to install a new wall sign located at 1615 Main Street.
 - 19-016 The West Chatham Grill/c/o Douglas Meservey** – Application to install a new ladder board on the existing ground sign located at 1615 Main Street.

CONTINUED HEARING - NEW CONSTRUCTION:
18-098 433 Main Street LLC c/o Ronald Rudnick – Application to construct a new dwelling unit located at 427 Main Street.

CONTINUED HEARING – SATISFACTION OF CONDITIONS:
18-100 433 Main Street LLC c/o Ronald Rudnick – Satisfaction of Condition for 435 Main Street, seeking Commission review and approval of the trellis and roses on the westerly side of the proposed structure.

OTHER BUSINESS:
Public Comment

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.

Dan Sylver,
Chairman

The Cape Cod Chronicle
Feb. 28, 2019

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

The Historic District and Historical Commission will hold a public hearing on Wednesday, March 20, 2019 in the Griffin 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.

HH2019-02 Notice of Intent (NOI) has been received for 67 Parallel Street, Map 40, Parcel W2, in the R-M Zone. The application proposes partial demolition at rear of house and reconstruct in same footprint. The application is pursuant to the Code of the Town of Harwich Chapter 131, Historic Preservation, Article II, Cheryl Morgan as Owner, Walter Warren, Jr. as Applicant.

HH2019-03 Notice of Intent (NOI) has been received for 52 Parallel Street, Map 40, Parcel F7, in the R-M Zone. The application proposes to remove side entrance door and re-side, remove rear window and replace with French door, add new entrance door to mud room, and remove side concrete steps. The application is pursuant to the Code of the Town of Harwich Chapter 131, Historic Preservation, Article II, Riccardo Spezzaferro & Paul Paturzo as Owners/Applicants.

HH2019-04 Notice of Intent (NOI) has been received for 71 Pleasant Street, Map 14, Parcel W2, in the R-M Zone. The application proposes to switch out a window to a door, replace 2 windows at rear for a slider, portico over new entry door, add dormer in rear roof to make space to add slider and relocate window in later additions. The application is pursuant to the Code of the Town of Harwich Chapter 131, Historic Preservation, Article II, Timothy & Jean Kelly as Owners/Applicants.

HH2019-05 Certificate of Appropriateness (COA) has been received for 711 Main Street, Map 41, Parcel D8, in the C-V Zone and the Harwich Center Historic District. The application proposes to demolish the c.1970 gasoline station shed and construct a two story mixed use commercial structure that includes two dwelling units. The application is pursuant to MGL c. 40C, §6 and the Code of the Town of Harwich Chapter 131, Historic Preservation, Article II, Elie Bassil Trs. et al, Owner, Saamil Patel, Applicant.

HH2019-06 Certificate of Appropriateness (COA) has been received for 729 Main Street, Map 41, Parcel D1-2, MACRIS ID HRW.36, in the C-V Zone and the Harwich Center Historic District. The application proposes for installation of typical bagged ice merchandiser at the rear of the building. The application is pursuant to MGL c. 40C, §6 and the Code of the Town of Harwich Chapter 131, Historic Preservation, Article II, Dany Mace-Kairouz, Tr. as Owner, Tanios Nohra, Manager, as Applicant.

All documents related to the above case(s) are on file with the Planning Department and the Town Clerk, 732 Main Street 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 City/Town is not responsible for any errors in the electronic posting of this legal notice.

Mary Maslowski,
Chairman

The Cape Cod Chronicle
Feb. 28, and March 7, 2019

**HARWICH CONSERVATION COMMISSION
NOTICE OF PUBLIC MEETING**

The Harwich Conservation Commission will hold a public meeting in accordance with the provisions of the Wetlands Protection Act, MGL Ch. 131 §40, and its Regulations 310 CMR 10.00 and the Town of Harwich Wetlands Protection By-Law, and its Regulations, Article VII on **WEDNESDAY, March 6, 2019** in the **Donn B. Griffin Hearing Room**, Harwich Town Hall, 732 Main Street, Harwich, MA 02645. The meeting begins at **6:30 p.m.**

- Public Hearing**
Discussion and possible vote on management of Bells Neck cranberry bog.
Discussion on management of Town owned agricultural lands.
The following applicants have file a **Request for Determination of Applicability:**
Carol & Ivar Jozus, 16 Old Wharf Rd, Map 16 Parcel L3-2. Dwelling and septic system.
Virginia Chamberlain, 87 Route 28, Map 10 Parcel W3. Detached garage.
The following applicants have file a **Notice of Intent:**
Alfred & Carol Novak, 30 Harbor Rd, Map 15 Parcel 15-A. Pier, ramp, float and dredging.
Andrew & Michelle Olson and Phyllis Charles, 23 Betty's Ln, Map 70 Parcel S1-5. Septic, replace retaining wall, tree removal and planting.
Great Woods LLC, 7 Great Woods Rd, Map 104 Parcel E8-1-2. Removal of parking area, installation of walkway, beach modifications.

The Cape Cod Chronicle
Feb. 28, 2019

**TOWN OF CHATHAM
HISTORICAL COMMISSION
AGENDA
MARCH 19, 2019**

The Chatham Historical Commission will hold a public meeting on Tuesday, March 19, 2019 beginning at 9:00 AM at the Town Hall Annex, Lower Level - Committee Room, 261 George Ryder Road, Chatham.

HEARINGS:

Application No: 19-009 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 **117 Shattuck Place**, filed by: Chris Cannon, AIA, Box 201, Chatham, MA 02633; for: Ann V. Slagle, 8 Cobleigh Dr., Tewksbury, MA 01876-1028

Application No: 19-010 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 **15 Little Beach Road**, filed by: Theodore P. Streibert, 15 Linden Tree Lane, Chatham, MA 02633; for: The Michaela Realty Trust, Kimberly A. Chipman, Trustee, PO Box 796, Norfolk, MA 02056-0796

Application No: 19-011 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 **21 Little Beach Road**, filed by: Theodore P. Streibert, 15 Linden Tree Lane, Chatham, MA 02633; for: The Michaela Realty Trust, Kimberly A. Chipman, Trustee, PO Box 796, Norfolk, MA 02056-0796

Application No: 19-012 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 **48 Deep Water Lane**, filed by: Jamie Kline, 228 Chatham Road, Harwich, MA 02645; for: Paul Obrien, 201 Goden Street, Belmont, MA 02178

Application No: 19-013 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 **44 Buena Vista Road**, filed by: Rick Roy Construction, 123A Queen Anne Road, Harwich, MA 02645; for: Mr. & Mrs. Gary Seufert, Box 752, W. Chatham, MA 02669

Application No: 19-014 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 **83 Holway Street**, filed by: Ford & Ford Attorneys at Law, 72 Main Street, PO Box 485, West Harwich, MA 02645; for: Michael Hearle & Mary Winn McKee Hearle, 2 Acorn Street, Boston, MA 02108

Application No: 19-015 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 **407 Bridge Street**, filed by: Atty. William F Riley, PO Box 707, Chatham, MA 02633; for: Ryan A. & Meghan C. Vess, 1157 Farmington Avenue, West Hartford, CT 06107

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.

Frank Messina
Chairman

The Cape Cod Chronicle
Feb. 28, and March 7, 2019

**NOTICE OF PUBLIC HEARING
TOWN OF HARWICH
BOARD OF SELECTMEN
APPLICATION FOR LIQUOR LICENSE**

Notice is hereby given under Chapter 138 of the General Laws as amended that application has been made to this Board for a Seasonal, Common Victualler, All Alcoholic Beverages License by Capeside Kitchen Inc. d/b/a Capeside Kitchen, 537 Route 28, Harwich Port, MA 02646, Glen Jamieson, Manager on the following described premises located at 537 Route 28, Harwich Port, MA: First floor occupant consisting of 2 rooms, totaling 96 seats. Total square footage of dining rooms is 1,500 square feet with additional 1,000 square feet for kitchen/bathroom/hallway. Two entrances and 4 exits.

The Board of Selectmen will hold a hearing upon the application on Monday, March 11, 2019 no earlier than 6:30 p.m. in the Donn B. Griffin Room at Town Hall, 732 Main Street, Harwich, at which time all interested parties will be heard.

Board of Selectmen
Local Licensing Authority

The Cape Cod Chronicle
Feb. 28, 2019

**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**

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HARWICH PLANNING BOARD LEGAL NOTICE - PROPOSED ZONING AMENDMENT

In accordance with the provisions of MGL c.40A §5, the Harwich Planning Board will hold a public hearing on Tuesday, March 12, 2019 no earlier than 6:30 pm in the Donn B. Griffin Room, Harwich Town Hall, 732 Main Street, Harwich, to consider amendments to the Harwich Zoning Codes:

ARTICLE: - Zoning Bylaw amendment for single-family dwelling with accessory apartment

To see if the Town will vote to amend the Town's Zoning Bylaw, as follows:

- (i) By amending ARTICLE V, Use Regulation, §325.13.A, Paragraph I, Residential Uses, namely Table 1, Use Regulations, Paragraph I – Residential Uses, Use No. 10, Single-family dwelling with accessory apartment, as follows (deletions shown in ~~strike-through~~ and proposed language in **bold underline**):

Table 1, Use Regulations

Use	RR	RL	RM	RH-1	RH-2	RH-3	CV	CH-1	CH-2	IL	MRL	MRL-1	WR	
Paragraph IV – Residential Uses														
10	Single-family dwelling with accessory apartment (§325-51.H) §325-14.T §325-14.T	S S	P P	S S	P P	-	-	S S	P P	-	-	S S	P P	S S

and

- (ii) By renumbering and repositioning with the Zoning Bylaw ARTICLE X, Administration and Enforcement, §325-51.H, Single-family dwelling with accessory apartment, as and to ARTICLE V, Use Regulation, §325-14.T, Single-family dwelling with accessory apartment; and
- (iii) By amending said Article X, Administration and Enforcement, §325-51.H, Single-family dwelling with accessory apartment, now ARTICLE V, Use Regulation, §325-14.T, Single-family dwelling with accessory apartment, as follows (deletions shown in ~~strike-through~~ and proposed language in **bold underline**):

T. Single-family dwelling with accessory apartment.

- (1) Purpose. The intent of permitting accessory apartments is to:
 - a. Increase the number of small dwelling units available for rent in Town;
 - b. Increase the range of choice of housing accommodations;
 - c. Encourage greater diversity of population with particular attention to young adults and senior citizens; and
 - d. Encourage a more economic and energy-efficient use of the Town's housing supply while maintaining the appearance and character of the Town's single-family neighborhoods.

- (2) Definitions. **OWNER** One or more individuals holding title to the property.

- (3) Criteria for special permit approval. Special permits for single-family dwellings with an accessory apartment **is allowable within a single-family dwelling**, either attached or detached, may be granted upon determination by the Planning Board that **provided that** the following criteria have been met **satisfied**:

- a. Only one accessory apartment is permitted for each principal dwelling unit.
- b. The accessory apartment may not be held in separate ownership from the principal use.
- c. Only one of the principal dwelling or accessory apartment may be rented at any given time **and, if rented, shall be rented for a term of no less than six (6) consecutive months**.
- d. The accessory apartment shall have a net floor area not exceeding 1/2 of the net floor area of the principal dwelling unit and not more than 900 square feet.
- e. The accessory apartment shall have not more than two bedrooms.
- f. At least one off-street parking space shall be provided for the accessory dwelling unit **apartment**.
- g. The minimum lot area required for a parcel to be eligible for a special permit to allow an accessory apartment shall not be less than 15,000 square feet if the parcel is situated in a RH-1, CV, CH-1, MRL or MRL-1 District; 20,000 square feet if situated in a RL, RM or RR District; and 40,000 square feet if situated in a Water Resource (WR) Overlay District. **For parcels existing within an approved Open Space Residential Development or Cluster Subdivision, the lots size shall be consistent with the endorsed plan.**
- h. The accessory apartment shall be designed so that, to the degree reasonably feasible, the appearance of the property remains that of a single-family property with matching materials, colors, window styles and roof design for one structure, if the apartment is attached, or for both structures, if the apartment is detached.
- i. The principal dwelling unit and accessory apartment shall meet all wastewater treatment requirements for the combined number of bedrooms.
- j. The proposed use shall not create traffic hazards or volume greater than the capacity of the streets affected.
- k. The proposed use shall not exceed the building or site coverage for the zoning district.
- l. If an addition is to be built for the proposed use, the addition shall be set back from front, side and rear lot lines the distance required in the zoning district for new construction.

The Building Commissioner shall determine compliance with said criteria following receipt of the application for a building permit for a change of use and/or for construction of the said accessory apartment.

- (4) The applicant shall record with the Registry of Deeds for Barnstable County a certified copy of the special permit decision and the special permit shall lapse if it is not so recorded and if it is not duly exercised within two years as provided for under MGL c. 40A, § 9.

(5) Transfer of ownership. The provisions of the special permit may be transferred with ownership of the property provided the provisions of this section and all other provisions of the Zoning Code of the Town of Harwich and the State Building Code are met and the Planning Department has approved a transfer for the special permit. The new owner also may request a Planning Board certification for the accessory apartment. To obtain such certification, the owner shall submit a written request with a statement that the conditions at the time of the original special permit approval remain unchanged and with a certification of ownership. The Planning Board certification shall be recorded at the Registry of Deeds.

(6) (4) A final determination that the owner **has** failed to comply with these **forgoing criteria** provisions or the termination of occupancy by the owner of the subject property shall be evidence that the rights and benefits conferred **hereunder** the special permit were abandoned or otherwise surrendered and discontinued by the owner and all such rights and benefits shall lapse **are null and void** and the elements that make the accessory apartment a separate dwelling unit shall be removed from the property within 90 days of said final determination, with the owner to comply with all requirements of the State Building

Code and Town Zoning in removing elements determined to be unpermitted; or take any other action thereon.

Any person interested or wishing to be heard on these zoning proposals should appear at the time and place designated. The full text for the proposed amendments can be found on the Town Website <http://www.harwich-ma.gov/planning-board>, and in the Community Development and Town Clerk Offices at Town Hall, at the address noted above, during normal 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 legal notice.

James Joyce,
Chair

The Cape CodChronicle
Feb. 21 and 28, 2019

TOWN OF CHATHAM BOARD OF SELECTMEN PUBLIC HEARING NOTICE

Notice is hereby given that the Chatham Board of Selectmen will hold a public hearing on Monday, March 4, 2019 at 6:00 pm in the Large Meeting Room at the Town Hall Annex, 261 George Ryder Road to consider increases to the Town's water rates as follows:

	Winter Rate	Summer Rate
Service Charge - Quarterly		
5/8" Includes 0 units	\$17.50	\$35.00
3/4" Includes 0 units	\$26.25	\$52.50
1" Includes 0 units	\$38.50	\$77.00
1 1/2" Includes 0 units	\$65.63	\$131.25
2" Includes 0 units	\$100.63	\$201.25
3" Includes 0 units	\$175.00	\$350.00
4" Includes 0 units	\$262.50	\$525.00
Irrigation Includes 0 units	\$17.50	\$35.00
Plus Consumption to All Users		
1-10 Units	\$1.75	\$3.25
11-30 Units	\$2.75	\$4.50
31-50 Units	\$2.95	\$4.85
50-100 Units	\$3.15	\$5.10
Over 100 Units	\$3.20	\$5.95
Irrigation		
All Consumption	\$3.20	\$5.95
Private Fire Protection – Annual Charge		
	\$250.00	\$250.00

All interested parties are encouraged to attend.

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

The Cape CodChronicle
Feb. 21 and 28, 2019

HARWICH PLANNING BOARD LEGAL NOTICE - PROPOSED ZONING AMENDMENTS

In accordance with the provisions of MGL c.40A §5, the Harwich Planning Board will hold a public hearing on Tuesday, March 12, 2019 no earlier than 6:30 pm in the Donn B. Griffin Room, Harwich Town Hall, 732 Main Street, Harwich, to consider amendments to the Harwich Zoning Codes:

ARTICLE: - Zoning Bylaw Article Freestanding Portable Sign

To see if the Town will vote to amend the Town's Zoning Bylaw §325-2 Word usage and definitions and by addition a new §325-26.K as follows:

Within §325-2 delete the existing definition of "A-Frame/Easel/Sandwich-Board Signs" and replace with the following definition: **"FREESTANDING PORTABLE SIGN"** – A single or double-faced, self-supporting sign made of wood, cardboard, plastic, metal or other lightweight and rigid material.

And, add a new §325-26.K to read as follows:

K. Freestanding Portable Sign.

- (1) A sign permit from the Building Department shall be required;
 - (2) The area of the sign shall be no more than six (6) square feet per side;
 - (3) The sign height above the ground shall not exceed three (3) feet;
 - (4) The sign width shall not exceed three (3) feet;
 - (5) The sign shall be unlit, shall be inaudible, and shall have no moving parts (except any necessary hinge to fold and unfold said sign);
 - (6) The sign shall be stable and have no external supports;
 - (7) The sign area (one side only) shall count towards the total allowable sign area (in square feet) for the business, pursuant to §325-27
 - (8) The sign shall indicate no more than the name of the business, a special event, hours of operation, sale of a product or service, and price;
 - (9) Only one (1) freestanding portable sign per business may be located on a property; a business with street frontage on two (2) streets may have no more than one (1) such sign on each street front; however, if there are multiple businesses on a property, there shall be no more than one (1) such sign per business, regardless of the street frontage;
 - (10) The sign may only be displayed up to two (2) hours before the business is open to the general public and during the time business is open to the general public; and
 - (11) The sign shall also comply with the requirements of §325-26.D-G, above;
- or take any other action thereon.

ARTICLE: - Zoning Bylaw Article Retaining Wall(s) for Septic Systems

To see if the Town will vote to amend the Town's Zoning Bylaw §325-16, Table 2 and to add a new subparagraph "R. Retaining Wall(s) for Septic Systems" to §325-18, as follows:

§325-16, Table 2, add a Note "3" to the "Front (feet)", "Side (feet)", and "Rear (feet)" columns, which shall read as follows: "3 May be reduced to 10 feet for Septic System pursuant to §325-18.R."

And,

§325-18 add a new subsection "R. Retaining Wall(s) for Septic Systems" to read as follows:

"R. Retaining Wall(s) for Septic Systems. The provisions of §325-17 notwithstanding, on an improved parcel, a retaining wall(s) associated with the installation of a septic system (e.g. mounded septic system) required by the Board of Health and/or Title 5, shall be setback no less than 10 feet to any lot line;

or take any other action thereon.

Any person interested or wishing to be heard on these zoning proposals should appear at the time and place designated. The full text for the proposed amendments can be found on the Town Website <http://www.harwich-ma.gov/planning-board>, and in the Community Development and Town Clerk Offices at Town Hall, at the address noted above, during normal 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 legal notice.

James Joyce,
Chair

The Cape CodChronicle
Feb. 21 and 28, 2019

REQUEST FOR PROPOSALS WASTEWATER PROJECT MANAGEMENT

The Town of Harwich, an Equal Opportunity Employer, is seeking proposals from qualified interested parties to provide professional services as a Wastewater Project Manager involved in the preparation of sewer work the Town will be undertaking in Harwich, MA 02645 during FY19 and FY20.

Interested parties are requested to submit proposals to the Office of the Town Administrator, 732 Main Street, Harwich, MA 02645 **NO LATER THAN 4:00 P.M., FRIDAY, MARCH 15, 2019**. Delivery of the proposals will be at the proposers' expense. Any and all damages that may occur due to packaging, shipping or timely arrival will be the sole responsibility of the proposer. Specifications are available at the Town of Harwich website www.harwich-ma.gov/home/pages/procurement. Questions regarding this project shall be submitted to Chris Clark, Town Administrator, cclark@town.harwich.ma.us. The Town of Harwich reserves the right to reject any and all proposals.

Christopher Clark
Town Administrator

The Cape Cod Chronicle
Feb. 28, 2019