

# LEGAL ADVERTISING

## TOWN OF CHATHAM ZONING BOARD OF APPEALS LEGAL NOTICE

The Chatham Zoning Board of Appeals will hold a public hearing on **Thursday, September 12, 2019**, starting at **4:00 PM** in the Town Annex Large Meeting Room, 261 George Ryder Road, on the following applications:

**Application No. 19-064: Richard and Cecilia Canning, c/o Michael D. Ford, Esq., PO Box 485, West Harwich, MA 02671, owner of property located at 40 Dune Drive, also shown on the Town of Chatham's Assessors' Map 16A Block 9 Lot C5.** The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the elevation of the existing dwelling, removal and expansion of a deck, construction of a stairway, relocation of Exterior Mechanical System Appliances (A/C units and generator) and the relocation of the driveway. The existing dwelling to be elevated is nonconforming in that it is located 20.1 feet from the northerly abutter, 20.4 feet from the southerly abutter and is located entirely within the Coastal Conservancy District (Flood Plain ele. 13). The proposed stairway will be nonconforming in that it will be located 17.3 feet from the southerly abutter where a 25 foot setback is required. The relocated Exterior Mechanical System Appliances will be nonconforming in that they will be located 17.2 feet from the northerly abutter where a 25 foot setback is required. Also proposed is the relocation and expansion of the existing nonconforming driveway. The existing building coverage is 2,446 square feet and the proposed building coverage is 2,525 square feet where 2,800 square feet is the maximum allowed. The lot is nonconforming in that it contains 94.25 feet of frontage where 150 feet is required, 0 square feet of buildable upland where 20,000 square feet is required and contains 32,200 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 Sections 6 and 9 and Sections V.B. and VIII.D.2.b. of the Chatham Protective Bylaw. Continued from August 22, 2019 for re-advertising.**

**Application No. 19-015: 301 Whidah Road Realty Trust, c/o William G. Litchfield, Esq., 330 Orleans Road, North Chatham, MA 02650, owner of property located at 301 Whidah Road, also shown on the Town of Chatham's Assessors' Map 13K Block 29 Lot W7.** The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a conforming lot via demolition of the existing dwelling and the construction of a new dwelling and swimming pool. The existing dwelling is nonconforming in that it is located 12.4 feet from the Coastal Conservancy District. The proposed dwelling will be nonconforming in that it will be located 15 feet from the Coastal Conservancy District where a 50 foot setback is required. Also proposed is the construction of an elevated stairway on a Coastal Bank, as allowed by Special Permit under Section IV.A.3.a. of the Bylaw. The existing building coverage is 2,080 square feet (5.2%) and the proposed building coverage is 3,876 square feet (9.7%) where 10% is the maximum allowed. The lot is conforming in that it contains 94,971 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 Sections 6 & 9 and Sections V.B. & VIII.D.2.b. of the Protective Bylaw. Continued from March 28, 2019, April 11, 2019, May 23, 2019 and June 27, 2019.**

**Application No. 19-067: Chatham Works Holdings LLC, c/o James M. Norcross, Esq., PO Box 707, Chatham, MA 02633, owner of property located at 323 Orleans Road, also shown on the Town of Chatham's Assessors' Map 14I Block 41 Lot 14A.** The Applicant seeks a Variance under Section VIII.D.2.c. from the requirements of Appendix II, to allow for a structure which exceeds the 30 foot height restriction. The height of the proposed structure under Special Permit 17-039 was 30 feet and the existing height of the structure is 31.6 feet. The lot contains 34,582 square feet in the GB3 Zoning District. **A Dimensional Variance is required under M.G.L. Chapter 40A Section 10 and Section VIII.D.2.c of the Chatham Protective Bylaw.**

**Application No. 19-068: Eric and Laura Nyman, c/o William F. Riley, Esq., PO Box 707 Chatham, MA 02633, owners of property located at 280 Stage Harbor Road, also shown on the Town of Chatham's Assessors' Map 14C Block 53 Lot 9.** The Applicant seeks to modify Special Permit No. 18-008 granted on March 8, 2018, which allowed for the demolition of the existing garage and construct a new garage with living space above in the same footprint and a 44 square foot addition. The Applicant now seeks to modify the Special Permit to allow for a change to the approved setbacks from the westerly and southerly abutter. The approved dwelling was nonconforming in that

is was located 16.3 feet from the westerly abutter and the 12 feet from the southerly. The proposed modification to the Special Permit will allow for dwelling to be located 15.9 feet from the westerly abutter and 11.4 feet from the southerly abutter where a 25 foot setback is required. The building coverage approved under Special Permit No. 18-008 was building coverage is 2,172 square feet (18.8%) where 15% is the maximum allowed. The lot is nonconforming in that it has 107 feet of frontage where 150 feet is required and contains 11,555 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 Sections 6 and 9 and Sections V.B. and VIII.D.2.b. of the Protective Bylaw.**

**Application No. 19-069: Thomas and Elizabeth Leahy, c/o William G. Litchfield, Esq., 330 Orleans Road, North Chatham, MA 02650, owner of property located at 57 Water Street, also shown on the Town of Chatham's Assessors' Map 16B Block 55 Lot 76.** The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the construction of additions. The existing dwelling is nonconforming in that it is located 23.2 feet from Water Street and 4.5 feet from the easterly abutter. The proposed partial second floor addition will be nonconforming in that it will be located 5 feet from the easterly abutter where a 15 foot setback is required and the proposed deck/porch extension will be nonconforming in that it will be located 20.2 feet from Water Street where a 25 foot setback is required. The existing building coverage is 2,009 square feet (9.1%) and the proposed building coverage is 2,779 square feet (12.6%) where 2,850 square feet is the maximum allowed. The lot is conforming in that it contains 22,034 square feet in the R20 Zoning District. **A Special Permit is required under M.G.L. Chapter 40A Section 6 and Section V.B. of the Protective Bylaw.**

**Application No. 19-070: Gammy's Lane Realty Trust, c/o William G. Litchfield, Esq., 330 Orleans Road, North Chatham, MA 02650, owner of property located at 20 Gammy's Lane, also shown on the Town of Chatham's Assessors' Map 15B Block 8 Lot 4B.** The Applicant seeks to modify Special Permit No. 17-079 granted on September 28, 2017, which allowed for the construction of an addition, addition to the conforming garage and the removal of a nonconforming shed. The Applicant now seeks to modify Special Permit No. 17-079 to allow for an increase in building height. The building coverage of 2,176 square feet (8.6%), abutter and Coastal Conservancy District setbacks approved under Special Permit 17-079 will remain unchanged. The lot is conforming in that it contains 41,382 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 Sections 6 and 9 and Sections V.B. and VIII.D.2.b. of the Protective Bylaw.**

**Application No. 19-074: Eastward MBT LLC, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owner of the property located at 185 Queen Anne Road, also shown on the Town of Chatham's Assessors' Map 14E Block 17 Lot 2.** The Applicant seeks to modify Special Permit No. 18-006 granted on April 26, 2018, to allow for alterations to the retaining wall listed in Condition No. 2. The lot contains 14,772 square feet in a GB2/R40 Zoning District. **A Special Permit is required under M.G.L. Chapter 40A Section 9 and Section VIII.D.2.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.

The Cape Cod Chronicle  
Aug. 29 and Sept. 5, 2019

Robert Hessler  
Chairman

## HARWICH PLANNING BOARD PUBLIC HEARING NOTICE

The Harwich Planning Board will hold public hearings beginning no earlier than 6:30 PM on Tuesday, September 10, 2019 in the Griffin Meeting Room, 732 Main St., Harwich, MA to consider the following application(s). Anyone having interest in the application(s) is invited to attend to provide comment or may submit comments in writing.

**PB2019-33 Brian A. Langelier, Trustee et al,** seeks approval of a Site Plan Review Special Permit, with waivers, pursuant to the Code of the Town Harwich §325-55 for the proposed storage of boats, and a use Special Permit pursuant to §325-13 ¶IV.32.A and §325-51 for a Restaurant, Fast Food – Take Out (Mobile Food Truck) at property located at 809 Route 28, Map 24, Parcel W6-1 in the C-H-1 zoning district.

**PB2019-34 Martin D. Rich, c/o Timothy Brady, PLS & PE, representative,** seeks approval of a seven (7) Lot (one with a panhandle) Definitive Subdivision pursuant to M.G.L. c.41 §81K-CG and §§325-18.Q and 400 of the Code of Town of Harwich for property located at 0 Deacon's Folly Road, Map 46, Parcel F5, within the R-L zoning district. No new or additional roads are proposed.

**PB2019-36 Deerfield Nominee Trust, William Marsh, TR., as owner,** seeks approval of a Site Plan Review Special Permit with waivers for new construction of a 5,845 SF metal structure for industrial use. The property is located at 4 Deerfield Road, Map 45, Parcel T1-7 in the I-L zoning district. The application is pursuant to the Code of the Town of Harwich §325-51 and -55.

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 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 legal notice.

Joseph McParland,  
Chair

The Cape Cod Chronicle  
Aug. 22 and 29, 2019

## HARWICH BOARD OF HEALTH NOTICE OF PUBLIC MEETING

The Harwich Board of Health will conduct a public hearing to solicit comment on proposed amendments to the regulation, "Harwich Board of Health Restrictions for the Sale of Tobacco Products", including a restriction on flavored tobacco products and maximum number of retail permits. The hearing will be held on **TUESDAY, SEPTEMBER 10, 2019** in the **Small Hearing Room**, Harwich Town Hall, 732 Main Street, Harwich, MA 02645. The meeting begins at **7:00 p.m.** Copies of proposed regulations may be obtained at the Health Office or may be viewed at the Health Department webpage.

HARWICH BOARD OF HEALTH  
Pamela Howell, R.N., Chair  
Dr. Matthew Cushing  
Ronald Dowgiallo, D.M.D.  
Sharon Pfleger

In accordance with state law, this legal notice will also be available electronically at [www.masspublicnotices.org](http://www.masspublicnotices.org). The city/town is not responsible for any errors in the electronic posting of this legal notice."

The Cape Cod Chronicle  
Aug. 29 and Sept. 5, 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](mailto:barbara@capecodchronicle.com)**

