

WINTER REST



Pilings await installation as part of the renovated trap dock on Stage Harbor. TIM WOOD PHOTO

LEGAL ADVERTISING

HARWICH ZONING BOARD OF APPEALS PUBLIC HEARING WEDNESDAY, FEBRUARY 26, 2020 AT 7:00 P.M. GRIFFIN MEETING ROOM, HARWICH TOWN HALL AGENDA

On Wednesday, February 26, 2020 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 noon on Monday, February 24, 2020. Documents received after this time may be too late for submission to the Board.**

Case #2020-04 (CONTINUED from 1.26.20)

Kevin M. Blute and Lorraine M. Blute have applied for a Special Permit to build a 3-season porch onto a pre-existing, non-conforming single family dwelling. The application is pursuant to the Code of the Town of Harwich, §325-54 and Table 2, Area Regulations as set forth in MGL Chapter 40A §6. The property is located at **9 Idle Way**, Map 62, Parcel K33 in the RR Zoning District.

Case #2020-06 (CONTINUED from 1.26.20)

Ronald A. Emler and Diane D. Bouffard, Trustees of the Ronald A. Emler and Diane D. Bouffard Revocable Living Trust Agreement, through their agent, Attorney William Crowell, have applied for a Special Permit, or in the alternative, a Variance, to construct a porch onto a pre-existing non-conforming single family dwelling. The application is pursuant to the Code of the Town of Harwich, §325-54 and Table 2, Area Regulations as set forth in MGL Chapter 40A §6 and if necessary Chapter 40A §10. The property is located at **12 Park St**, Map 50, Parcel P1-3 in the RM Zoning District.

Case #2020-07 (CONTINUED from 1.26.20)

David C. Fogaren, and Lisa M. Fogaren, Trustees of the Fogaren Family Revocable Trust, through their agent, Attorney Jeffrey Ford, 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 and Table 2, Area Regulations as set forth in MGL Chapter 40A §6. The property is located at **12 Hiawatha Road**, Map 6, Parcel F-3-5 in the RH-1 Zoning District.

Case #2020-05 (CONTINUED from 1.26.20)

David Radlo and Irene Radlo, through their agent, Jeffrey Hennemuth have applied for a Special Permit to replace an existing deck of a pre-existing, non-conforming single family dwelling. The application is pursuant to the Code of the Town of Harwich, §325-54 and Table 2, Area Regulations as set forth in MGL Chapter 40A §6. The property is located at **7 Ginger Plum Lane**, Map 5, Parcel G4-53 in the RH-1 Zoning District.

Case #2020-02 (CONTINUED from 1.26.20)

The Royal Apartments LLC, through its agent, Alex Burdin, has applied for a Variance, to convert the use of the property from a nursing home/assisted living use to multi-family dwelling residential use. The application is pursuant to the Code of the Town of Harwich, §325-52 and Table 1, Use Regulations as set forth in MGL Chapter 40A §10. The property is located at **328 Bank Street**, Map 41, Parcel N4 in the MRL Zoning District.

Case #2020-03 (CONTINUED from 1.26.20)

Andrew Hall, Successor Trustee of the Emulous Hall Realty Trust through his agent, Attorney Andrew L. Singer, has applied for a

Variance, to redevelop a previously disturbed and commercially-used portion of property located in 2 zoning districts in connection with a seasonal, miniature golf course. The application is pursuant to the Code of the Town of Harwich, §325-52 and Table 1, Use Regulations as set forth in MGL Chapter 40A §10. The property is located at **346 Route 28 and 0 Sisson Road**, Map 21, Parcels N2-0 and N1-0 in the CH-1 and RM Zoning Districts.

Case #2020-08

Paul R. Donovan and Laura J. Donovan, through their agent, Rick Roy of Rick Roy Construction, have applied for a Special Permit to create an addition onto a pre-existing, non-conforming single family dwelling. The application is pursuant to the Code of the Town of Harwich, §325-54, §325 Table 2, Area Regulations as set forth in MGL Chapter 40A §6. The property is located at **16 Kent Road**, Map 44, Parcel A1-24 in the RR Zoning District.

Case #2020-09

Timothy P. Gerspacher and Stephanie J. Gerspacher, through their agent, Attorney Howard Cahoon, have applied for a Special Permit to add a screened porch onto a pre-existing, non-conforming single family dwelling. The application is pursuant to the Code of the Town of Harwich, §325-54, §325 Table 2, Area Regulations as set forth in MGL Chapter 40A §6. The property is located at **6 Silver Street** Map 10, Parcel P4 in the RH-1 Zoning District.

Case #2020-10

Jonathan P. Chorey and Susan G. Chorey, Trustees et al, through their agent, Peter Barnard of Cape Coastal Builders have applied for a Special Permit to demolish and replace a pre-existing, non-conforming garage. 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 **153 Gorham Road**, Map 24, Parcel R2 in the RR Zoning District.

In other business, the Board will address the following:

- * Approval of minutes from the January 26, 2020 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.

In accordance with State Law, this legal notice will also be available electronically at www.masspublicnotices.org. The Town is not responsible for any errors in the electronic posting of this notice. Per the Attorney General's Office: The Board may hold an open session for topics not reasonably anticipated by the Chair 48 hours in advance of the meeting following "New Business." If you are deaf or hard of hearing or a person with a disability who requires an accommodation, contact the Selectmen's Office at 508-430-7513

This Agenda may change at the discretion of the Board.

Recording & Taping Notification: As required by law, the Town may audio or video record this meeting. Any person intending to either audio or video record this open session is required to inform the chair. Authorized Posting Officer: Shelagh Delaney, sdelaney@town.harwich.ma.us

Board of Appeals Recording Clerk

The Cape Cod Chronicle
Feb. 6 and 13, 2020

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, February 25, 2020 not earlier than 6:30 pm in the Donn B. Griffin Room, Harwich Town Hall, 732 Main Street, Harwich, to consider an amendment to the Harwich Zoning Codes:

Article ___ : To see if the Town will vote to amend the Code of the Town of Harwich - Zoning by deleting the definition of "Essential Services" within §325-2 - Definitions and by deleting within §325-13 - Table 1, Paragraph II - Public and Quasi Public Uses, Item 3 - Essential services; facility, utilities. <<https://ecode360.com/12263031#12263031>> Any person interested or wishing to be heard on this zoning proposal 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<<http://www.masspublicnotices.org>>. The Town is not responsible for any errors in the electronic posting of this legal notice.

Joseph P. McParland,
Chair

The Cape Cod Chronicle
Feb. 6 and 13, 2020

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 February 19, 2020** in the **Small Hearing Room**, Harwich Town Hall, 732 Main Street, Harwich, MA 02645. The meeting begins at **6:30 p.m.**

The following applicants have filed a **Request for Determination of Applicability:**

Mary Jane Chase Trust, 1039 Rt 28, Map 35 Parcel S2.

Confirmation of resource area delineation.

Jeffery & Karen Dunn, 49 Nons Rd, Map 5 Parcel W1-20. Deck expansion.

The following applicants have filed a **Notice of Intent:**

Margaret Charron, 168 John Joseph Rd, Map 72 Parcel T3.

Seasonal dock.

Karen Decker, 39 Prince Charles Dr, Map 110 Parcel S19.

Seasonal dock.

Elizabeth Maher, 48 Harbor Rd, Map 15 Parcel T2. Vegetation management and planting.

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Feb. 6, 2020

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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 13, 2020**, starting at **4:00 PM** in the Town Annex Large Meeting Room, 261 George Ryder Road, on the following applications:

Application No. 17-001: Nigel and Amanda Brighton, c/o William G. Litchfield, Esq., 330 Orleans Road, North Chatham, MA 02650, owner of property located at **364 Old Harbor Road**, also shown on the Town of Chatham's Assessors' Map 15G Block 8 Lot 29. The Applicant seeks to extend Special Permit No. 17-001 for one year. The current expiration date is February 23, 2020, and the proposed expiration date is February 23, 2021. Special Permit No. 17-001 allowed the Applicant to convert and expand the second floor of the existing garage to an office and owners quarters as well as the reconfiguration of the interior of the main structure maintaining a total of eight one-bedroom guestrooms. The accessory structure will remain nonconforming as to the westerly abutters' setback at 16.9 feet where 25 feet is required. The lot is nonconforming in that it contains 20,598 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 14 and Section VIII.D.2.b. of the Protective Bylaw.**

Application No. 19-095: NextGrid Inc., c/o William G. Litchfield, Esq., 330 Orleans Road, North Chatham, MA 02650, agreed vendee of property located at **0 Middle Road (South Chatham)**, also shown on the Town of Chatham's Assessors' Map 6F Block 55 Lot J27 and Map 6F Block 33 Lot J1. The Applicant seeks a Special Permit under Section VIII.D.2.b. to construct and operate a public utility facility (photovoltaic ground mounted solar array) in a residential zone. The lot contains 636,231 square feet in the R30 Zoning District. **A Special Permit is required under M.G.L. Chapter 40A Section 9 and Sections III.C.1.c.7 & VIII.D.2.b. of the Protective Bylaw. Continued from December 19, 2019 and January 23, 2020.**

Application No. 20-004: James and Rita Shields, owners of property located at **246 Old Queen Anne Road**, also shown on the Town of Chatham's Assessors' Map 11F Block 87 Lot 9. The Applicant proposes to convert the second floor of the detached garage into an Accessory Dwelling Unit (ADU) on a nonconforming lot which requires the grant of a Special Permit. The lot is nonconforming in that it contains 41,996 square feet where 60,000 square feet is required in a R60 Zoning District. **A Special Permit is required under M.G.L. Chapter 40A Section 9 and Sections VIII.D.2.b. of the Chatham Protective Bylaw.**

Application No. 20-005: Cary and John Keller, c/o James McGrath, 259 Queen Anne Road, Harwich, MA 02645, owner of property located at **16 Mooncussers Lane**, also shown on the Town of Chatham's Assessors' Map 11A Block 21 Lot C1. The Applicant seeks to construct a 96 square foot garden shed. The proposed shed requires the grant of a Special Permit under Section III.D.3.h. of the Protective Bylaw, as it proposed to be located 30.4 feet from the road where a 40 foot setback is required. The existing building coverage is 2,828 square feet (7%) and the proposed building coverage is 2,924 square feet (7.2%) where 10% is the maximum allowed. The lot is conforming in that it contains 40,500 square feet where 40,000 square feet is required in an 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.**

Application No. 20-003: Ryders Cove Realty Trust, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owner of property located at **889 Orleans Road**, also shown on the Town of Chatham's Assessors' Map 11J Block 5 Lot 8. 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 elevated dwelling. The existing dwelling is nonconforming in that it is located 3.2 feet from the westerly abutter and is located entirely within Coastal Conservancy District (Flood Plain ele. 11). The proposed dwelling will be nonconforming in that it will be located 4.6 feet from the westerly abutter where a 25 foot setback is required and within Coastal Conservancy District where a 50 foot setback is required. Also proposed is the construction of a new driveway within the Coastal Conservancy District as allowed by Special Permit under Section IV.A.3.d. of the Bylaw. The existing building coverage is 1,556 square feet (46%) and the proposed building coverage is 1,871 square feet (55.3%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 3,381 square feet of buildable upland where 20,000 square feet is required and contains 59,271 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 Sections 6 & 9 and Section V.B. and VIII.D.2.b. of the Chatham Protective Bylaw. Continued from January 23, 2020 for re-advertising.**

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.

Robert Hessler
Chairman

The Cape Cod Chronicle
Jan. 30 and Feb. 6, 2020

**TOWN OF CHATHAM
HISTORICAL COMMISSION
AGENDA
FEBRUARY 18, 2020**

The Chatham Historical Commission will hold a public meeting on **Tuesday, February 18, 2020 beginning at 2:30 pm at the Town Hall Annex, Lower Level - Committee Room, 261 George Ryder Road, Chatham.**

HEARINGS:

Application No: 20-005 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: **20 Gammys Lane**, filed by: Chris Cannon, Box 201, Chatham, MA 02633; for: James Robinson, 2 Conclurry Street, London SW6 6DS U.K.

Application No: 20-006 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: **233 Seaview Street**, filed by: John Ingwersen, Architectural Design, 62 Route 6A, Orleans, MA 02653; for: Ronald & Ann Cami Family Trust, 259 Commonwealth Avenue, Boston, MA 02116.

Application No: 20-007 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: **89 Water Street**, filed by: Paul Muldoon, Muldoon Architects, LLC, 571 MA-28, Harwich Port, MA 02646; for: Roberta Seymour, 510 Harland Street, Milton, MA 02186.

Application No: 20-007 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: **89 Water Street**, filed by: Paul Muldoon, Muldoon Architects, LLC, 571 MA-28, Harwich Port, MA 02646; for: Roberta Seymour, 510 Harland Street, Milton, MA 02186.

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
Jan. 30 and Feb. 6, 2020

**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 12, 2020** at the Annex Meeting Room, 261 George Ryder Road, Chatham, MA 02633. **The meeting starts at 9AM.**

The following applicant **has filed a Request for an Amended Order of Conditions: 87 Mooncussers Lane, William and Betina Shakespeare, SE 10-3313**: Request to Amend existing Order of Conditions under SE 10-3313 for proposed removal/replacement of front and rear walkways, changing material to granite; addition two walkways; expansion of front entry area; installation of drywells; remove/replace boulder walls with masonry wall; install driveway edging; provide mitigation at 87 Mooncussers Lane, Assessors Map 11A/ F11.

The following applicants **have filed Notices of Intent: 34 Holway Street, 34 Chatham Village Trust dated June 5, 2015, and any amendments thereto-owner, Valerie G Cottrell and Harold Gould, Trustees-applicants, SE 10-:** Proposed raze and Replace single family dwelling and Associated Site Improvements at 34 Holway Street, Assessors Map 17C parcel 16A.

174 Eastward Road, John P and Jamie Selldorf, SE 10-: Proposed Bulkhead Repair and Extension; Proposed Beach Nourishment at 174 Eastward Road, Assessors Map 13M parcel C53.

28 Fel River Road, Jeffrey Lines, SE 10-: Proposed installation of terrace with firepit and grill; construct new stairs over existing brick steps; remove existing gravel parking surface; install permeable concrete paver surface; proposed vista pruning at 174 Eastward Road, Assessors Map 4C parcel MS3.

The 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. 6, 2020

**SPECIAL VOTER REGISTRATION
FOR THE TOWN OF HARWICH
PRESIDENTIAL PRIMARY ELECTION
MARCH 3, 2020**

Will be held at the Harwich Town Hall On Wednesday FEBRUARY 12, 2020 – 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 February 12, 2020 will not be able to vote at the Presidential Primary Election. Any residents of the Town of Harwich who will be 18 years old on or before March 3, 2020 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
Feb. 6, 2020

**AGENDA
TOWN OF CHATHAM
PLANNING BOARD MEETING
ANNEX LARGE MEETING ROOM
261 GEORGE RYDER ROAD
FEBRUARY 11, 2020
5:00PM**

Please Note: This meeting will be broadcast live on Channel 18 and will be available shortly thereafter for scheduled and on-demand viewing.

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 28, 2020

SITE PLAN REVIEW:

Public Hearing
0 Middle Road/Dubis/NextGrid Inc./Litchfield/Redevelopment of the property from an existing sandpit to a proposed 8,424 solar module photovoltaic system (ground mounted solar array) which includes an inverter, battery enclosure and miscellaneous equipment. (Continued from 1/28/2020)

RECOMMENDATION TO ZONING BOARD:

0 Middle Road/ Dubis/NextGrid Inc./Litchfield/ Redevelopment of the property from an existing sandpit to a proposed 8,424 solar module photovoltaic system (ground mounted solar array) which includes an inverter, battery enclosure and miscellaneous equipment. (Continued from 1/28/2020)

SUBDIVISION PLAN REVIEW:**Definitive**

119 Scatteree Road/Ryan/East-Southeast, LLC/ Proposed division of land into one (1) lot and two (2) parcels

LONG RANGE PLANNING DISCUSSION:

Rte. 28 Visioning Study Implementation – West Chatham Boundaries and Draft Bylaw Discussion

DISCUSSION:

Selection and vote on new Planning Board Clerk

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. 6, 2020

**HARWICH PLANNING BOARD
PUBLIC HEARING NOTICE**

The Harwich Planning Board will hold a public hearing no earlier than 6:30 PM on Tuesday, February 25, 2020 in the Griffin Meeting Room, 732 Main St., Harwich, MA to consider the following application(s). Anyone having interest is invited to attend to provide comments or may submit comments in writing.

PB2020-03 Davenport Companies, applicant and prospective buyer, c/o Philip O. Scholomiti, PLS, representative, Estate of James G. Marceline, as owner(s) seeks approval of a Use Special Permit with waivers for a Two-Family dwelling pursuant to the Code of Town of Harwich §§ 325-13.A, -51 and -51.N as set forth in MGL c. 40A §9. The property is located at 2 Celebration Way, Map 81, Parcel C1-1 in the R-L District.

PB2020-04 Davenport Companies, applicant and prospective buyer, c/o Philip O. Scholomiti, PLS, representative, Estate of James G. Marceline, as owner(s) seeks approval of a Use Special Permit with waivers for a Two-Family dwelling pursuant to the Code of Town of Harwich §§ 325-13.A, -51 and -51.N as set forth in MGL c. 40A §9. The property is located at 6 Celebration Way, Map 81, Parcel C1-2 in the R-L District.

PB2020-05 Davenport Companies, applicant and prospective buyer, c/o Philip O. Scholomiti, PLS, representative, Estate of James G. Marceline, as owner(s) seeks approval of a Use Special Permit with waivers for a Two-Family dwelling pursuant to the Code of Town of Harwich §§ 325-13.A, -51 and -51.N as set forth in MGL c. 40A §9. The property is located at 14 Celebration Way, Map 81, Parcel C1-4 in the R-L District.

PB2020-06 Davenport Companies, applicant and prospective buyer, c/o Philip O. Scholomiti, PLS, representative, Estate of James G. Marceline, as owner(s) seeks approval of a Use Special Permit with waivers for a Two-Family dwelling pursuant to the Code of Town of Harwich §§ 325-13.A, -51 and -51.N as set forth in MGL c. 40A §9. The property is located at 10 Celebration Way, Map 81, Parcel C1-3 in the R-L District.

All documents related to the above cases 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.' The Town is not responsible for any errors in the electronic posting of this legal notice.

Joseph P. McParland,
Chair

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