



# LEGAL ADVERTISING

## COMMONWEALTH OF MASSACHUSETTS TOWN OF HARWICH ANNUAL ELECTION BALLOT JUNE 30, 2020

**BARNSTABLE, ss:**

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

**Greetings:**

In the name of the Commonwealth of Massachusetts you are hereby directed to not if y and warn the inhabitants of said Town qualified to vote in elections and Town affairs to meet in the Community Center Gymnasium, 100 Oak Street, in said Town on Tuesday, June 30, 2020 then and there to act on the following ballot:

POLLS WILL BE OPEN AT 1:00 A.M. and CLOSE AT 6:00 P.M.

To choose on one (1) ballot the following Town Officers and Committees: two (2) Selectmen for three (3) years; two (2) Monomoy Regional School Committee Member for three (3) years; two (2) Library Trustees for three (3) years; one (1) Water Commissioner for three (3) years; one (1) Housing Authority Member for five (5) years

### TOWN OF HARWICH CHARTER AMENDMENT - BALLOT QUESTIONS AND SUMMARIES

#### **BALLOT QUESTION NO. 1:**

Shall the Town of Harwich approve the charter amendment proposed by Town Meeting summarized below?

Yes: \_\_\_\_\_ No: \_\_\_\_\_

#### **SUMMARY OF BALLOT QUESTION NO. 1:**

Massachusetts General Laws, Chapter 43B, Section 10, allows Town Meeting to vote to amend the Town's Charter. On May 6, 2019, Annual Town Meeting voted unanimously to amend the Town's Charter through Warrant Article 35. That Charter Amendment is conditioned upon the voters approving the same at this 2020 Annual Town Election.

The Proposal will amend Chapters 6 and 10 of the Town Charter so as to form a new water and wastewater commission, which will be a five-member board elected for three year terms. The water and wastewater commission will be responsible for the administration, maintenance, and operation of the water and sewer systems and facilities throughout the Town of Harwich. The water commission will cease to exist but the current three members of the water commission will serve out the remainder of their elected terms as members of the water and wastewater commission, and may run for re election to the water and wastewater commission when their current terms expire. At the next annual election after the approval of this question, two new members of the water and wastewater commission will be elected.

All records, property, and equipment currently held by the water commission will be transferred to the water and wastewater commission, and all funds appropriated for the water commission and for the sewer systems will be available to the water and wastewater commission. The addition of sewer responsibilities will not affect any contracts or liabilities currently in force with the water commission. The board of select men will be responsible for the design and construction of town sewer systems, and for the implementation of a wastewater management plan.

A "YES" vote on this Ballot Question would be in favor of approving this amendment to the Charter. A "NO" vote on this Ballot Question would be opposed to approving this amendment to the Charter. **BAL-**

#### **LOT QUESTION NO. 2:**

Shall the Town of Harwich approve the charter amendment proposed by Town Meeting summarized below?

Yes: \_\_\_\_\_ No: \_\_\_\_\_

#### **SUMMARY OF BALLOT QUESTION NO. 2:**

Massachusetts General Laws, Chapter 43B, Section 10, allows Town Meeting to vote to amend the Town's Charter. On May 6, 2019, Annual Town Meeting voted to amend the Town's Charter through Warrant Article 36. That Charter Amendment is conditioned upon the voters approving the same at this 2020 Annual Town Election.

The Proposal will amend Sections 9-5-2, 9-6-1, and 9-6-7 of the Charter which govern the procedures used by the Capital Outlay Committee to recommend warrant articles for Annual Town Meeting. The Capital Outlay Committee assists with the preparation of the Town's 7- Year Capital Outlay Plan, which forecasts the Town's spending on major capital assets, such as its machinery, land, and facilities. The Amendment will require the Capital Outlay Plan to be adopted or amended each year at Annual Town Meeting. The Amendment further provides that any warrant articles, with the exception of petitioned articles and Community Preservation Act articles, which are not included in the current year of the Capital Outlay Plan as adopted by Town Meeting, shall require approval by the Capital Outlay Committee, the Finance Committee, and the Board of Selectmen, along with a two-thirds vote at Town Meeting, before they will take effect.

A "YES" vote on this Ballot Question would be in favor of approving this amendment to the Charter. A "NO" vote on this Ballot Question would be opposed to approving this amendment to the Charter.

**Question - Public Advisory Question This question is non-binding**

Shall the Town of Harwich direct the Board of Selectmen to communicate to Governor Baker and the State Legislature with respect to the Pilgrim Nuclear Power Station on Cape Cod Bay that the Governor and Legislature employ all means available to ensure that: (1) spent nuclear fuel is secured in better quality dry casks and hardened onsite storage; and (2) spent fuel pool and casks are protected with heightened security to prevent intrusion in order to protect the health, welfare, and economic interests of the Town of Harwich, its inhabitants and visitors.

Yes \_\_\_\_\_ No \_\_\_\_\_

Hereof fail not and make return of this warrant with your doings thereon at the time and place of said voting.

Given under our hands this 26<sup>th</sup> day of May, 2020.

BOARD OF SELECTMEN – TOWN OF HARWICH

Attest:  
Anita N. Doucette, MMC/CMMC Town Clerk

The Cape Cod Chronicle  
June 11, 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 June 17, 2020 at 6:30 p.m.**

**Meeting will be by remote participation only. The public can access the meeting via Channel 18 where it will be broadcasting live, and they can also get login information to participate in the meeting on the agenda which will be posted on the town website. The following applicants have filed a Request for Determination of Applicability:**

**Moran Engineering Associates LLC, 18 Doane Way, Map 13 Parcel X1-9.** Pool and patio within Land Subject to Coastal Storm Flowage. The following applicants have filed a **Notice of Intent:**

**G. Rockwood Clark, 220 Long Pond Road, Map 102 Parcel K2.** Remove walkway, steps, and retaining wall. Construct new walkway, landing, stairs, and stone wall. Plant area of erosion.

**Jeffery Land, 397 Route 28, Map 13 Parcel D1.** Waste site clean-up of MCP site to reduce levels to "No Significant Risk." Activities include stripping of upper strata of soils in certain areas, accumulating them in one area of site and covering them with three feet of clean soil to render the soils as 'potentially isolated' under the MCP and restoring/revegetating disturbed areas.

The Cape Cod Chronicle  
June 11, 2020

### **TOWN OF CHATHAM ZONING BOARD OF APPEALS LEGAL NOTICE**

The Chatham Zoning Board of Appeals will hold a public hearing on **Thursday, June 18, 2020**, starting at **3:00 PM** on the following applications:

Remote participation ONLY click link below:  
[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_YzdiZTE5MDgtMzczOC00MGM5LTgxNDYtNDNmYWFIODQzY2My%40thread.v2/0?context=%7b%22Tid%22%3a%224f417a68-a412-4139-a47c-97515be2b99f%22%2c%22Oid%22%3a%229de26673-8d92-4405-bce0-1a7718dfd6ef%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_YzdiZTE5MDgtMzczOC00MGM5LTgxNDYtNDNmYWFIODQzY2My%40thread.v2/0?context=%7b%22Tid%22%3a%224f417a68-a412-4139-a47c-97515be2b99f%22%2c%22Oid%22%3a%229de26673-8d92-4405-bce0-1a7718dfd6ef%22%7d)

Call in Number: 1-508-945-4410  
Conference ID: 536 242 78#

**Appeal No. 20-033: Habitat for Humanity of Cape Cod, c/o Warren H. Brodie, Esq., 2 Salt Hay Road, Waquoit, MA 02536.** The property is owned by the Chatham Affordable Housing Trust, located at **11 George Ryder Road South**, also shown on the Town of Chatham's Assessors' Map 8D Block 53 Lot 6. The Applicants are requesting the grant of a Comprehensive Permit under M.G.L. Chapter 40B, Sections 20-23 and 760 CMR 56.00, for the construction of two (2) single family dwellings. The Applicants are requesting the grant of various waivers from regulations promulgated by the Chatham Zoning Bylaw, Chatham Subdivision Regulations, the Chatham Water & Sewer Department, the Chatham Board of Health and other local regulations. The property contains 20,101 square feet in a GB3 Zoning District.

**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 and may be viewed as attachments below on the town website.**

**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.**

Robert Hessler  
Chairman

The Cape Cod Chronicle  
June 4 and 11, 2020

### **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, June 17, 2020 beginning at 4:30 PM.**

Remote participation ONLY click link below:  
[https://teams.microsoft.com/l/meetup-join/19%3ameeting\\_MGM5NDcwNTAtZjdjMCO0OWJkLTkwNTAtZjUyNDRhOTY3MjQ5%40thead.v2/0?context=%7b%22Tid%22%3a%224f417a68-a412-4139-a47c-97515be2b99f%22%2c%22Oid%22%3a%229de26673-8d92-4405-bce0-1a7718dfd6ef%22%7d](https://teams.microsoft.com/l/meetup-join/19%3ameeting_MGM5NDcwNTAtZjdjMCO0OWJkLTkwNTAtZjUyNDRhOTY3MjQ5%40thead.v2/0?context=%7b%22Tid%22%3a%224f417a68-a412-4139-a47c-97515be2b99f%22%2c%22Oid%22%3a%229de26673-8d92-4405-bce0-1a7718dfd6ef%22%7d)

Call in Number: 1-508-945-4410  
Conference ID: 747 315 250#

**MINUTES REVIEW:**  
Meeting held June 3, 2020

**ADDITION/ALTERATION:**  
**20-048 Thomas Hartnett-** Application to relocate and install a window on the dwelling located at 5 Kingsbury Way.

**OTHER BUSINESS:**  
Public Comment

**Plans, site plans, and all other documents related to these Applications are on file with the Department of Community Development and may be viewed as attachments below on the town website.**

**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.**

Dan Sylver,  
Chairman

The Cape Cod Chronicle  
June 11, 2020

### **HARWICH ZONING BOARD OF APPEALS PUBLIC HEARINGS WEDNESDAY, JUNE 24, 2020 AT 7:00 P.M. VIA REMOTE ACCESS AGENDA**

The Harwich Zoning Board of Appeals will hold a public hearing **via remote access** as noted below to hear the following cases. Any member of the public having interest in these applications is invited to provide information and comment relevant to these matters by submitting the same in writing via mail **by noon on Monday, June 22, 2020. Correspondence received after this time may be too late for submission to the Board. Case documents may be viewed on the Town Website via the Accela Citizen Access <https://aca3.accela.com/harwich/> Click Building and "Search Applications" or by specific request to [building@townofharwich.us](mailto:building@townofharwich.us)**

**This meeting is by REMOTE PARTICIPATION ONLY. NO IN-PERSON ATTENDANCE OF MEMBERS OF THE PUBLIC WILL BE ALLOWED.** Call in instructions will be posted on the meeting Agenda on the Board of Appeals web page.

Pursuant to Governor Baker's March 12, 2020 order Suspending Certain Provisions of the Open Meeting Law, G.L.c30A Sec18 and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Town of Harwich Board of Appeals on Wednesday, May 27, 2020 at 7pm will be conducted via remote participation to the greatest extent possible. Specific information and the general guidelines for remote participation by members of the public and/or parties with a right and/or requirement to attend this meeting can be found on the Town of Harwich website at [www.harwich-ma.gov](http://www.harwich-ma.gov). For this meeting, members of the public who wish to watch the meeting may do so in the following manner on Channel 18 or by watching the simulcast at: <https://harwich18.dyn dns.org/cablecast/public/Live.aspx?ChannelID=1>

#### **Case # 2020-18**

Andrew Hall, Successor Trustee of the Emulous Hall Realty Trust, through his agent, Attorney Andrew Singer has applied for a Variance from the provisions of Section 325-9 and Table 1 of the Zoning Bylaw in order 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 # 2020-19**

Stephen T. McSweeney, Trustee of the McSweeney Family Realty Trust, through his agent, Attorney William Crowell has 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-Table 2 - Area Regulations as set forth in MGL Chapter 40A §6. The property is located at **12 Sea Breeze Ave**, Map 6B, Parcel E1-10 in the RH-2 Zoning District.

#### **Case # 2020-20**

Ruth Brophy, Lawrence Brophy and Kerrie Brophy, through their agent, Attorney William Crowell have applied for a Special Permit to construct 2 additions onto a pre-existing, non-conforming single family dwelling. The application is pursuant to the Code of the Town of Harwich, §325-Table 2 - Area Regulations and §325-54(A)(2) as set forth in MGL Chapter 40A §6. The property is located at **13 Gordon Road**, Map 5, Parcel B4-8 in the RH-1 Zoning District.

In other business, the Board will address the following:  
\* Approval of minutes from the April 29, 2020 meetings and the May 27, 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. They are also available to view on the Town of Harwich website via the Accela Citizen Access Portal.

**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."**

*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  
June 4 and 11, 2020