



AL FRESCO ALLELUIA



The First Congregational Church of Harwich held its first outdoor services on Sunday, Aug. 2, with members socially distanced in the churchyard. Except for when the photo was taken, the Rev. Dianne Arakawa wore a face mask. COURTESY PHOTOS

LEGAL ADVERTISING

HARWICH ZONING BOARD OF APPEALS PUBLIC HEARINGS WEDNESDAY, AUGUST 26, 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, August 24, 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**

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.c.30A 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.

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.dyndns.org/cablecast/public/Live.aspx?ChannelID=1>

Please join my meeting from your computer, tablet or smartphone.
<https://global.gotomeeting.com/join/140789013>

You can also dial in using your phone.
United States: +1 (669) 224-3412
Access Code: 140-789-013

New to GoToMeeting? Get the app now and be ready when your first meeting starts:
<https://global.gotomeeting.com/install/140789013>

Case # 2020-29

David Scott Sloan, Trustee of 49 Snow Inn Road Nominee Trust, through his agent, Attorney Andrew Singer has applied for a Special Permit to demolish a pre-existing, non-conforming single family dwelling and replace it with a less 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 **49 Snow Inn Road, Map 15, Parcel N2** in the RL Zoning District.

Case # 2020-30

Robert E. Crowley and Susan J. Crowley have applied for a Special Permit or in the alternative, a Variance to convert an existing garage/studio into an Accessory Apartment. The application is pursuant to the Code of the Town of Harwich, §325-14, §325-Table 2 - Area Regulations and Table 3, Height and Bulk Regulations as set forth in MGL Chapter 40A §6 and/or §10. The property is located at **17 Charlene Lane, Map 113 Parcel S1-8** in the RR Zoning District.

Case # 2020-31

Christos P. Alex, Tr. And Maria I. Alex, Tr., through their agent, Thomas Moore 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 and §325-Table 2 - Area Regulations as set forth in MGL Chapter 40A §6. The property is located at **44 Sugar Hill Dr, Map 88, Parcel R55** in the RR Zoning District.

Case # 2020-32

Wychmere Harbor Real Estate, LLC, through their agent, Attorney Andrew Singer have applied for an amendment/modification to a Special Permit granted under Case 2019-28 to make alterations to a previously approved design at the north and south ends of the replacement restaurant building and make accompanying landscape revisions. The application is pursuant to the Code of the Town of Harwich, §325-54 (B) as set forth in MGL Chapter 40A §6. The property is located at **23 Snow Inn Road, Map 8, Parcel P-2-12** in the RH-3 and RL Zoning Districts.

Case # 2020-33

Richard M. Barry and Deborah H. Barry, Trustees of Deborah H. Barry Living Trust, through their agent, Attorney William Crowell have applied for a Special Permit or in the alternative, a Variance to construct a second story addition and deck 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 as set forth in MGL Chapter 40A §6 and/or §10. The property is located at **14 Riverway, Map 1, Parcel J1-10A** in the RH-1 Zoning District.

Case # 2020-34

Steven Clark, President of DFN, Inc., through his agent, Attorney William Crowell has applied for a Variance to allow for a non-conforming use at a lot with a grandfathered, pre-existing non-conforming use in order to install a solar/photovoltaic facility. The application is pursuant to the provisions of MGL Chapter 40A §10. The property is located at **0 Depot Rd., Map 64, Parcel S1** in the RR Zoning District.

In other business, the Board will address the following:

- * Approval of minutes from the July 29, 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. 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.
Authorized Posting Officer: Shelagh Delaney, sdelaney@town.harwich.ma.us
Board of Appeals Recording Clerk

The Cape Cod Chronicle
August 6 and 13, 2020

NOTICE OF PUBLIC HEARING TOWN OF HARWICH FINANCE COMMITTEE CAPITAL OUTLAY PLAN

Notice is hereby given under the Harwich Home Rule Charter Chapter 9, section 7 - 1, the Finance Committee will hold a public hearing on the FY 2021 capital outlay plan Friday, August 21st, 2020, no earlier than 6:45 PM. This meeting will be a virtual public hearing where members of the public will be invited to join the meeting either via their computer, tablet, or smart phone. The dial in instructions will be posted in the meeting agenda when it is posted prior to the meeting. Meeting agenda's must be posted at least 48 hours prior to the meeting.

The agenda packet will also contain, a **general summary of the capital outlay plan** as required by Chapter 9-7-1. A copy of the proposed capital plan will be available in the agenda packet. The capital outlay plan will also be printed in the Annual Town Meeting Warrant which will be published and distributed at least two weeks prior to the Annual Town Meeting.

Finance Committee

The Cape Cod Chronicle
Aug. 6, 2020

INFORMAL PROBATE PUBLICATION NOTICE DOCKET NO. BA20P0973EA COMMONWEALTH OF MASSACHUSETTS THE TRIAL COURT PROBATE AND FAMILY COURT BARNSTABLE DIVISION

Estate of Edward A. Janse
Date of Death: October 20, 2018

To all persons interested in the above captioned estate, by Petition of Petitioner A. Joan Janse of Harwich, MA. A. Joan Janse of Harwich, MA has been informally appointed as the Personal Representative of the estate to serve without surety on the bond.

The estate is being administered under informal procedure by the Personal Representative under the Massachusetts Uniform Probate Code without supervision by the Court. Inventory and accounts are not required to be filed with the Court, but interested parties are entitled to notice regarding the administration from the Personal Representative and can petition the Court in any matter relating to the estate, including distribution of assets and expenses of administration. Interested parties are entitled to petition the Court to institute formal proceedings and to obtain orders terminating or restricting the powers of Personal Representatives appointed under informal procedure. A copy of the Petition and Will, if any, can be obtained from the Petitioner.

The Cape Cod Chronicle
Aug. 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, August 13, 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_ODg3NzNjYtNjRlYi00OThtLThZDctZTkWNDhiZDQwZDg2%40thread.v2/0?context=%7b%22Tid%22%3a%224f417a68-a412-4139-a47c-97515be2b99f%22%2c%22Oid%22%3a%229de26673-8d92-4405-bce0-1a7718df6ef%22%7d

Call in Number: 1-508-945-4410

Conference ID: 258 028 821#

Application No. 20-038: Marvin and Cynthia Dolinger, c/o William G. Litchfield, Esq., 330 Orleans Road, North Chatham, MA 02650, owner of property located at 14 Pine Ridge Road, also shown on the Town of Chatham's Assessors' Map 8C Block 24 Lot S40. The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the construction of an addition. Also proposed is the relocation of the existing 85 square foot shed. The existing dwelling is nonconforming in that it is located with the Coastal Conservancy District. The proposed addition and existing dwelling will be nonconforming in that it will be located within the Coastal Conservancy District Flood Plain ele. 11) where a 50 foot setback is required. The existing building coverage is 1,775 square feet (26.9%) and the proposed building coverage is 2,005 square feet (30.4%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 6,598 square feet of buildable upland and 14,334 square feet where 20,000 square feet is required in the R20 Zoning District. **A Special Permit is required under M.G.L Chapter 40A Section 6 and Section V.B. of the Chatham Protective Bylaw.**

Application No. 20-039: Robert and Elizabeth Potter, c/o William G. Litchfield, Esq., 330 Orleans Road, North Chatham, MA 02650, owner of property located at 391 Stage Harbor Road, also shown on the Town of Chatham's Assessors' Map 14B Block 18 Lot 4. The Applicant seeks to modify Special Permit No. 17-110 granted on December 15, 2017, which allowed for the demolition of the main dwelling, one cottage and garage and construction of a new dwelling, cottage and garage. The Applicant now seeks to modify Special Permit No. 17-110 to allow for the construction of a covered entry 31.4 feet from the road where a 40 foot setback is required and the installation of Exterior Mechanical System Appliances (A/C Condensers) 13.3 feet from the southwesterly abutter where a 25 foot setback is required. The building coverage approved under Special Permit No. 17-110 was 2,950 square feet and the proposed building coverage is 2,932 square feet where 2,950 square feet is the maximum allowed. The lot is nonconforming in that it contains 27,796 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. 20-040: Janes and Linda Dillow, c/o Mark Zibrat, 63 Crowell Road, Chatham, MA 02633, owner of property located at 306 Old Queen Anne Road, also shown on the Town of Chatham's Assessors' Map 11G Block 69 Lot H11. 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 29.2 feet from Old Queen Anne Road and 25.7 feet from Andover Drive. The proposed addition will be nonconforming in that it will be located 28.3 feet from Andover Drive where a 40 foot setback is required. The existing building coverage is 983 square feet (8.8%) and the proposed building coverage is 1,175 square feet (10.6%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 11,146 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 and Section V.B. of the Chatham Protective Bylaw.**

Application No. 20-041: Diane Browning Ryder, owner of property located at 368 Crowell Road, also shown on the Town of Chatham's Assessors' Map 13H Block 31 Lot SS6. The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the construction of a deck. The existing dwelling is nonconforming in that it is located 7 feet from the southeasterly abutter. The proposed deck will be nonconforming in that it will be located 16 feet from the southeasterly abutter where a 25 foot setback is required. The building coverage will remain 1,050 square feet (4.4%) and where 15% is the maximum allowed. The lot is nonconforming in that it contains 24,000 square feet where 40,000 square feet is required in the R40 Zoning District. **A Special Permit is required under M.G.L Chapter 40A Section 6 and Section V.B. of the Chatham Protective Bylaw.**

Application No. 20-043: James and Ann McKinney, c/o William G. Litchfield, Esq., 330 Orleans Road, North Chatham, MA 02650, owner of property located at 294 Bay View Road, also shown on the Town of Chatham's Assessors' Map 3B Block 13 Lot B15. 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. Also proposed is the installation of Exterior Mechanical System Appliances (A/C Condensers). The existing dwelling is nonconforming in that it is located 13.8 feet from the westerly abutter and is located within the setback to the Coastal Conservancy District. The proposed dwelling will comply with road and abutter setbacks but will remain nonconforming in that it will be located within the 50 foot setback to the Coastal Conservancy District. The proposed Exterior Mechanical System Appliances (A/C Condensers) will be nonconforming in that they will be located 13.9 feet from the westerly abutter where a 15 foot setback is required. The existing building coverage is 1,222 square feet (18.2%) and the proposed building coverage is 1,224 square feet (18.2%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 6,712 square feet of buildable upland and 8,168 square feet where 20,000 square feet is required in the R20 Zoning District. **A Special Permit is required under M.G.L Chapter 40A Section 6 and Section V.B. of the Chatham Protective Bylaw.**

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

LEGAL ADVERTISING

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

David Nixon
Chairman

The Cape Cod Chronicle
July 30 and Aug. 6, 2020

**TOWN OF CHATHAM
HISTORICAL COMMISSION
AGENDA
AUGUST 18, 2020
REMOTE PARTICIPATION ONLY**

Please Note: This meeting is being recorded and will be available shortly hereafter for scheduled and on demand viewing on any smartphone or tablet device. If anyone else is recording the meeting, please notify the Chairman.

https://teams.microsoft.com/dl/launcher/launcher.html?url=%2f%23%2f%2fmeetup-join%2f19%3ameeting_MmQ0OWUxODItNGVmYy00YTOzLTgONTAtZjliNmFjMDFhNjg3%40thre ad.v2%2f0%3fcontext%3d%257b%2522Tid%2522%253a%25224f417a68-a412-4139-a47c-97515be2b99f%2522%252c%2522Oid%2522%253a%2522fa2370df-b871-476e-9968-386c45120bcd%2522%257d%26anon%3dtrue&type=meetup-join&deeplinkid=dc0f1560-1fd5-4139-a708-13a3c795b973&directDI=true&msLaunch=true&enableMobilePage=true&suppressPrompt=true

CALL IN NUMBER: 508-945-4410
CONFERENCE ID: 488 542 738#

Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 23, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Chatham Historical Commission is being conducted via remote participation. Every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. A reminder that persons who would like to listen to this meeting while in progress may do so by calling the phone number: 508-945-4410, Conference ID: 488 542 738# or join the meeting online via Microsoft Teams through the link in the posted agenda.

Despite our best efforts, we may not be able to provide for real-time access, and we will post a record of this meeting on the Town's website as soon as possible.

HEARINGS:

Application No: 20-022 To be heard in accordance with Chapter 158 (Demolition Delay Bylaw) of the Town of Chatham General Bylaws, pursuant to the Notice of Intent to Demolish or Partially Demolish a Historic Building or Structure Located at: **107 Main Street**; filed by: Mark R. Zibrat, 63 Crowell Road, Chatham, MA 02633; for: Mark & Deborah Fortin, 6 Hancock Avenue, Lexington, MA 02420-3450

Application No: 20-022 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: **107 Main Street**; filed by: Mark R. Zibrat, 63 Crowell Road, Chatham, MA 02633; for: Mark & Deborah Fortin, 6 Hancock Avenue, Lexington, MA 02420-3450

Application No: 20-023 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: **79 Forest Beach Road**; filed by: Alan & Joan Perrault, 39 Elm Street, Hingham, MA 02043

Application No: 20-023 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 an Eligible National Historic Register District. Located at: **79 Forest Beach Road**; filed by Alan & Joan Perrault, 39 Elm Street, Hingham, MA 02043

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
July 30 and Aug. 6, 2020

**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 Tuesday, August 18, 2020 at 6:00 pm remotely through the Microsoft Teams application to consider a request for transfer of the Seasonal All Alcoholic Beverages Restaurant license from Gardner Restaurant, Inc. d/b/a Pate's Restaurant, Robert A. Gardner, Manager to TPJ Restaurant Group, LLC d/b/a Pates, Christopher Matheson, Manager, 1260 Main Street, Chatham, MA 02633. All interested parties are encouraged to participate through the link in the posted agenda.

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

The Cape Cod Chronicle
August 6 and 13, 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 August 12, 2020** at the Annex Meeting Room, 261 George Ryder Road, Chatham, MA 02633. **The meeting starts at 9 AM.**

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

27 Windsong Landing, G.K. Chatham LLC-owner, Karla and George Barber, Tr: Proposed removal of invasive plant material (including poison ivy) and non-native plant species; removal of 2 dead trees; removal of 1 full-grown poplar tree; replanting including 10 trees; addition of walkway and small arbor at 27 Windsong Landing, Assessors Map 13C parcel W5.

809 Fox Hill Road, Peter and Deborah Willsea-applicants, Peter and Deborah Willsea Trusts: Proposed installation of hot tub on existing crushed stone/slate surface beneath existing deck at 809 Fox Hill Road, Assessors Map 12L parcel M2.

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

95 Sky Way, John and Laura Keating, SE 10-: Proposed construction of second-story sunroom; reconstruction and expansion of existing deck; consolidation of retaining walls and mitigation at 95 Sky Way, Assessors Map 10F parcel R5.

95 Sky Way, John and Laura Keating, SE 10-: Proposed installation of a set of timber access stairs with a mid-way platform and landing; proposed second set of stairs down to a seasonal, aluminum dock at 95 Sky Way, Assessors Map 10F parcel R5.

On March 10, 2020 in response to the COVID-19 emergency, Governor Baker declared a State of Emergency. On April 3, 2020, the Massachusetts Legislature passed the "Act of 2020," to address the challenges faced by municipal authorities resulting from COVID-19. The Act of 2020 suspended statutory and regulatory deadlines applicable to the Conservation Commission. Section 17(b) of the Act of 2020 provides that a board or commission may schedule and reschedule a hearing one or more times "by declaration of its chair," without the need for approval by a quorum of the board. Pursuant to declarations of the Chair of the Chatham Conservation Commission, hearing dates for all applications will be scheduled in the order in which they are received, and applicants will be notified of those hearing dates in writing prior to the scheduled hearing.

The Cape Cod Chronicle
Aug. 6, 2020

**LEGAL NOTICE
PUBLIC INFORMATION HEARING
TOWN OF HARWICH
COMMUNITY PRESERVATION COMMITTEE**

The Harwich Community Preservation Committee (CPC) will hold a Public Information Hearing on Thursday, August 20, 2020 at 6:00 PM pursuant to M.G.L. Ch.44B, Community Preservation Act ("Act"), Section 5(b)(1): "As part of its study, the committee shall hold one or more public informational hearings on the needs, possibilities and resources of the city or town regarding community preservation possibilities and resources, notice of which shall be posted publicly and published for each of two weeks preceding a hearing in a newspaper of general circulation in the city or town."

This meeting to be held by remote participation. Please join the meeting from your computer, tablet, or smartphone: <https://global.gotomeeting.com/join/643792493>
You can also dial in using your phone:
United States: +1 (872) 240-3212 Access Code: 643-792-493
New to GoToMeeting? Get the app now and be ready when your first meeting starts: <https://global.gotomeeting.com/install/643792493>

Your attendance is encouraged to learn about the Act and to discuss possible projects consistent with the Act and to review the submittal guidelines. The Act includes projects related to: open space, community housing, historic preservation, and recreation. Application information is available online at <http://www.harwich-ma.gov/community-preservationcommittee>. An explanation of the Act is available online at <https://www.harwich-ma.gov/sites/g/files/vyhli3236/f/uploads/harwichcpbrochure.pdf>

If you have an idea for a project that you believe should be supported by the Community Preservation Fund, come and tell the town about it. The Community Preservation Fund comes from your taxes; you can help decide the best uses for it!

The Cape Cod Chronicle
August 6 and 13, 2020

**NOTICE OF PUBLIC HEARING
TOWN OF HARWICH
FINANCE COMMITTEE
TOWN FY 2021 OPERATING BUDGET**

Notice is hereby given under the Harwich Home Rule Charter Chapter 9, section 3 – 3, the Finance Committee will hold a public hearing on the FY 2021 operating budget Friday, August 21st, 2020, no earlier than 7:15 PM. This meeting will be a virtual public hearing where members of the public will be invited to join the meeting either via their computer, tablet, or smart phone. The dial in instructions will be posted in the meeting agenda when it is posted prior to the meeting. Meeting agenda's must be posted at least 48 hours prior to the meeting.

A copy of the proposed operating budget will be available in the agenda packet. The operating budget will also be printed in the Annual Town Meeting Warrant which will be published and distributed at least two weeks prior to the Annual Town Meeting.

The Cape Cod Chronicle
Aug. 6, 2020

Finance Committee