



# LEGAL ADVERTISING

## TOWN OF CHATHAM ZONING BOARD OF APPEALS LEGAL NOTICE

The Chatham Zoning Board of Appeals will hold a public hearing on **Thursday, May 26, 2022**, starting at **4:00 PM**, in the Town Annex Large Meeting Room, 261 George Ryder Road, on the following applications and is being conducted in person and with remote participation via Microsoft Teams:

For remote participation click the link below:  
[https://teams.microsoft.com/join/19%3ameeting\\_M2Y3ZWFkNWMTyZnIMCO0ZWRLWfkyWlZGNhNWl4OGUwMmlw%40thre.ad.v2/0?context=%7b%22Tid%22%3a%224f417a68-a412-4139-a47c-97515be2b99f%22%2c%22Oid%22%3a%229de26673-8d92-4405-bce0-1a7718dfid6e%22%7d](https://teams.microsoft.com/join/19%3ameeting_M2Y3ZWFkNWMTyZnIMCO0ZWRLWfkyWlZGNhNWl4OGUwMmlw%40thre.ad.v2/0?context=%7b%22Tid%22%3a%224f417a68-a412-4139-a47c-97515be2b99f%22%2c%22Oid%22%3a%229de26673-8d92-4405-bce0-1a7718dfid6e%22%7d)

Call in Number: 1-508-945-4410  
Conference ID: 627 947 935#

### Approval of Minutes – May 12, 2022

**Application No. 22-012: Eric and Theresa Peterson**, c/o William F. Riley, Esq., PO Box 707, Chatham, MA 02633, owners of property located at **45 Hardings Lane**, also shown on the Town of Chatham's Assessors' Map 14C Block 30 Lot 21. The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the demolition of the existing dwelling and the construction of a new dwelling. Also proposed is the removal of a portion of the existing nonconforming detached garage with living space. The existing dwelling is nonconforming in that it is located 19.4 feet from the southerly abutter. The existing garage is nonconforming in that it is located 10.8 feet from the southerly abutter and 16.2 feet from the easterly abutter where a 25 foot setback is required. The proposed dwelling will comply with all bulk and dimensional requirements of the Bylaw. The proposed garage with living space will remain nonconforming in that it will be located 10.8 feet from the southerly abutter where a 25 foot setback is required. The lot is nonconforming in that it contains 33,258 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 6 and Section V.B. of the Protective Bylaw. Continued from March 10, 2022. The Applicant will be requesting a withdrawal without prejudice.**

**Application No. 21-093: Benjamin Howard Emery**, c/o William G. Litchfield, Esq, 330 Orleans Road, North Chatham, MA 02650, owner of property located at **624 Orleans Road**, also shown on the Town of Chatham's Assessors' Map 12J Block 18 Lot 10A. The Applicant seeks to enlarge, extend, or change a nonconforming accessory structure (garage) on a nonconforming lot via the construction of an addition. The existing garage is nonconforming in that it is located 11.7 feet from the northerly abutter and 12.7 feet from the westerly abutter. The proposed addition will be nonconforming in that it will be located 8.9 feet from the northerly abutter and 1 foot from the westerly abutter where a 25 foot setback is required. The existing building coverage is 2,532 square feet (16.4%) and the proposed building coverage is 2,862 square feet (18.5%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 15,452 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 Protective Bylaw. Continued from January 13, 2022.**

**Application No. 22-030: William and Susan O'Reilly**, c/o William G. Litchfield, Esq, 330 Orleans Road, North Chatham, MA 02650, owner of property located at **158 Main Street**, also shown on the Town of Chatham's Assessors' Map 17C Block 59 Lot 38. The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the construction of additions and the installation of a new foundation. The existing dwelling is nonconforming in that it is located 8.4 feet from the road where a 25 foot setback is required, 11.7 feet from the southerly abutter and 4.1 feet from the northerly abutter. The proposed addition will be nonconforming in that they will be located 4.4 feet from the northerly abutter where a 15 foot setback is required. The existing building coverage is 1,112 square feet (15.8%) and the proposed building coverage is 1,280 square feet (18.1%) where 15% is the maximum allowed. The lot is nonconforming in that it contains 7,059 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 Protective Bylaw.**

**Application No. 22-036: The Sommer Family Trust**, c/o Michael D. Ford, Esq., PO Box 485, West Harwich, MA 02671, owners of property located at **28 Cross Street**, also shown on the Town of Chatham's Assessors' Map 15D Block 4 Lot X28. The Applicant proposes to construct accessory use (swimming pool) in a GB1 zone which requires the grant of a Special Permit. The proposed swimming pool will comply with all dimensional requirements of the bylaw. **A Special Permit is required under M.G.L. Chapter 40A Section 9 and Section III.C.4.c. of the Chatham Protective Bylaw.**

**Application No. 22-037: Lauren Mogensen**, c/o Paul Mazzola, PO Box 509, Marstons Mills, MA 02648, owners of property located at **14 Wentworth Lane**, also shown on the Town of Chatham's Assessors' Map 14J Block 41 Lot R49. The Applicant seeks to enlarge, extend, or change a nonconforming dwelling on a nonconforming lot via the construction of a second floor addition. The existing dwelling is nonconforming in that it is located 19.3 feet from the southerly abutter and 24 feet from the northerly abutter. The proposed second floor addition will increase the building height within the required 25 foot northerly abutters setbacks. The building coverage will remain 2,881 square feet where 2,900 square feet is the maximum allowed. The lot is nonconforming in that it contains 24,279 square feet 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. 22-040: GK Chatham LLC**, c/o Justin Wharton, 12 Tower Hill Circle, Brewster, MA 02631, owner of property located at **27 Windsong Landing**, also shown on the Town of Chatham's Assessors' Map 13C Block 22E Lot W5. 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 23.4 feet from the northerly abutter. The proposed deck will be nonconforming in that it will be located 22.1 feet from the northerly abutter where a 25 foot setback is required. The lot is nonconforming in that it contains 20,705 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 Protective Bylaw.**

**Application No. 22-041: Katama Point LLC**, c/o Joe Giacalone, 1 Presidential Way, Suite 109, Woburn, MA 01801, owner of property located at **68 Shell Drive**, also shown on the Town of Chatham's Assessors' Map 14K Block 7 Lot W50. The Applicant seeks to modify Special Permit No. 20-081 granted on November 18, 2021, which allowed for the reloca-

tion of a portion of the existing dwelling and conversion into a guest quarters, and the construction of a new dwelling, garage and pool cabana and swimming pool. The Applicant now seeks to modify this Special Permit to allow for an alternate design of the swimming pool and deck/stairs. The approved building coverage will remain 6,055 square feet (71.6%). The lot contains 8,455 square feet of buildable upland 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.**

**Other Business:**  
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 or at the Town Hall Annex, located at 261 George Ryder Road and may be viewed Monday through Thursday, 7:00 a.m. to 4:00 p.m.; Friday, 8:00 a.m. to 12:00 p.m.**

**The full agenda for this meeting will be posted at: [www.mytowngov-ernment.org/02633](http://www.mytowngov-ernment.org/02633) at least 48 hours prior to the meeting, excluding Saturdays, Sundays and legal holidays.**

David Nixon  
Chairman

The Cape Cod Chronicle  
May 12 and 19, 2022

## AGENDA TOWN OF CHATHAM PLANNING BOARD MEETING MAY 23, 2022 • 5:00PM REMOTE PARTICIPATION ONLY

**Please Note: This meeting is being recorded and will be available shortly thereafter 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/join/19%3ameeting\\_OTRIO7A2NDYtOGVknC00MzJlTgwZTQNGY5Zjk2MjM4ZDdm%40thread.v2/0?context=%7b%22Tid%22%3a%224f417a68-a412-4139-a47c-97515be2b99f%22%2c%22Oid%22%3a%22fa2370df-b871-476e-9968-386c45120bcd%22%7d](https://teams.microsoft.com/join/19%3ameeting_OTRIO7A2NDYtOGVknC00MzJlTgwZTQNGY5Zjk2MjM4ZDdm%40thread.v2/0?context=%7b%22Tid%22%3a%224f417a68-a412-4139-a47c-97515be2b99f%22%2c%22Oid%22%3a%22fa2370df-b871-476e-9968-386c45120bcd%22%7d)

**CALL IN NUMBER:** +1 508-945-4410  
**CONFERENCE ID:** 893 117 593#

**This meeting of the Chatham Planning Board is being conducted via remote participation in accordance with Section 20 of Chapter 20 of the Acts of 2021 and shall afford adequate, alternative means of public access via Microsoft Teams by calling the phone number: +1 508-945-4410 Conference ID: 893 117 593# 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. 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:** April 25, 2022

### APPROVAL NOT REQUIRED:

53 Racoon Run & 48 Salt Marsh Way/Sampson, Mendelson, Trustee of the Johnson Cape Nominee Trust/ESE-LLC/Proposed creation of two lots for conveyance to abutters or exchange with adjacent lots.

### SITE PLAN APPROVAL: Amended

1218 Main Street/Ziruk/Welch/ ESE-LLC/Proposed change of use from Retail Market to Hair Salon & Massage. (Applicant requested continuance to 7/11/2022).

1291 Main Street/Hay/Burgess/Down Cape Eng./Proposed expansion of the existing restaurant to include the former fish market space, resulting in 41 new indoor seats. Applicant also proposes to make existing outdoor seating permanent resulting in 143 total seats.

### Chairman's Comments:

- Massachusetts Historical Commission – Correspondence Dated May 6, 2022 re: South Chatham Village Historic District
- Protective (Zoning) Bylaw Runway Protection Zone Overlay District – Correspondence Dated April 22, 2022

**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 on the Town of Chatham Website.**

The Cape Cod Chronicle  
May 19, 2022

## 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, June 9, 2022 at 6:00 PM in the Donn B. Griffin Room, Town Hall, 732 Main Street, Harwich, MA 02645 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."

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, or recreation. Information is available online at <http://www.harwich-ma.gov/community-preservation-committee>

If you have an idea for a project that would meet the requirements of the Community Preservation Act, please bring that idea forward.

The Cape Cod Chronicle  
May 19 and May 26, 2022

## LEGAL NOTICE TOWN OF HARWICH REQUEST FOR PROPOSALS DISPOSITION OF REAL PROPERTY LOCATED AT 203 BANK STREET

The Town of Harwich is seeking sealed proposals under Chapter 30B, section 16 of Massachusetts General Laws, for the sale and disposition of real property located at 203 Bank Street Harwich, MA.

This property consists of four (4) lots and is shown on Town of Harwich Assessor's Map 23 Parcels B2, B2-1, B3 and Map 32 Parcel R7-B and recorded at the Barnstable County Registry of Deeds in Book 16545 Page 54 and Book 2804 Page 284. The site contains approximately 89,861 square feet of land with the building thereon containing approximately 6,700 square feet, on Bank Street.

The Instructions to Proposers, Price Proposal Form, Specifications, and other Documents may be examined or obtained from the Town of Harwich website at the following address: <https://www.harwich-ma.gov/home/pages/procurement>. All inquiries relative to this Request for Proposal are to be directed to Assistant Town Administrator Meggan Eldredge at [meldredge@town.harwich.ma.us](mailto:meldredge@town.harwich.ma.us). Proposals shall be submitted to the Office of the Town Administrator, Town Hall, 732 Main Street, Harwich, MA 02645 until **2:00 PM on Thursday, June 16, 2022**, at which time all proposals will be publicly opened. All proposals shall be submitted one (1) sealed envelope clearly marked: "PROPOSAL – 203 Bank Street."

The Chief Procurement Officer will evaluate the proposals, on or before **June 23, 2022** and shall make a recommendation to the Harwich Board of Selectmen, as the Awarding Authority. The award shall be subject to successful negotiation of the agreement.

The Town reserves the right to waive minor informalities, reject any and all proposals, award the sale to a proposer who does not offer the highest sale price, or to cancel this procurement at any time if the Board of Selectmen, acting in its sole discretion, determine it is in the best interests of the Town to do so.

Mr. Joseph F. Powers  
Town Administrator

The Cape Code Chronicle  
May 19 and 26, 2022



**Legal Ad Deadline is  
Monday at Noon  
EXCEPT MONDAY HOLIDAYS  
when the deadline is Friday at Noon**

**Please email your legal ads to:  
[barbara@capecodchronicle.com](mailto:barbara@capecodchronicle.com)**