

Please note that the Board of Appeals requires a complete application to be filed. Any application that the Board finds incomplete shall receive an automatic denial of a Comprehensive Permit. Applicants and their agents are strongly encouraged to work with the staff of the Board to insure that their application is ready for filing. The final determination of completeness does rest with the Board and will be first order of business at the public hearing. Please submit an original and 7 copies of this Application and 8 copies of the required supporting documentation.

Waiver of Application Requirements: if an applicant believes that any requirement contained in this application will make the 40B project economically unviable, they must first request a waiver from the Board in writing stating why the particular requirement being requested waived is so onerous as to render the entire project uneconomic. The Board will meet and decide to grant the waiver based solely on the written request and no hearing will be scheduled. Waivers of the application requirements will not be granted after an application has been filed.

Date: February 2, 2017, rev. June 28, 2017

Applicant: Habitat for Humanity of Cape Cod, Inc
411 Main St/Rte 6a, Suite 6,
Yarmouthport, MA
508-362-3559

Property Owner: Harwich Ecumenical Council for the Homeless, Inc. ("HECH")
120 Route 28, 3rd Floor
Harwich, MA 02671
508-432-0015

Representative Attorney Warren H. Brodie
Law Offices of Warren h. Brodie, P.C.
2 Salt Hay Road
Waquoit, MA 02536
617-584-8152

Qualification for a comprehensive permit:

- () Public agency
(X) Non-profit Organization (attach IRS information/qualification and certificate of good standing)
() Limited Dividend organization (attach information/qualification/basis for profit limitation and certificate of good standing)

Location of Property: 93 and 97 Main Street, West Harwich
Assessors Map 10, Parcel W5 and W3-B

How many Lots will be subject to the Comprehensive Permit? 8 residential lots total; 6 to be deed restricted affordable and 2 to be market rate. Project also includes a cul-de-sac access roadway.

Dimensions of Lot #1:	186.14' Frontage	121.0 Minimum Width	8,187 Square Feet
Dimensions of Lot #2:	50.37' Frontage	81.0 Minimum Width	11,130 Square Feet
Dimensions of Lot #3:	33.62' Frontage	34.3 Minimum Width	10,668 Square Feet
Dimensions of Lot #4:	33.83' Frontage	42.5 Minimum Width	9,469 Square Feet
Dimensions of Lot #5:	48.56' Frontage	82.0 Minimum Width	9,385 Square Feet
Dimensions of Lot #6:	86.01' Frontage	104.7 Minimum Width	10,426 Square Feet
Dimensions of Lot #7:	152.00' Frontage	152.0 Minimum Width	21,436 Square Feet
Dimensions of Lot #8:	256.25' Frontage	57.4/168.2 Minimum Width	9,262 Square Feet
Dimensions of Parcel #9:	Lot 9 is cul-de-sac		

Dimensions of the entire Comprehensive Permit project area:

Dimensions of 93 Main St: 100' Frontage 99.9 Minimum Width 43,685 Square Feet
Dimensions of 97 Main St: 152' Frontage 152.0 Minimum Width 63,729 Square Feet

What is the basis of the applicant's control of the site (Deed, Purchase and Sale Agreement, Option Agreement, etc.)

Purchase and Sale Agreement – Please see Supplemental Submission, Exhibit W, June 28, 2017

Did or will the applicant gain control of the site through an arms length transaction? Yes No (if no explain in full and complete detail).

Yes

Will any previous owner of the property (including beneficiary of a trust) have a financial interest or benefit from the Comprehensive Permit?

The current owner, HECH, will benefit from the Comprehensive Permit; no owners previous to HECH will benefit

What is the current use of the property: Residential, rental units

How many buildings are now on the lot: Three

93 Main Street has a ranch style home;

97 Main Street has the older, historic "Chase" home and a detached barn

List sizes of existing and/or proposed buildings:

Unit Style	# Units	# Bedrooms	Sq Ft	#Bathrooms
ranch	2	2	978	1
ranch	2	3	1208	1.5
cape	2	3	1310	2
Affordable totals:	6	16	6,912	
existing structures	3 structures (6 units)			
Lot 7 (was #97) Chase Home	3	6 bdrms total	2,610	3.5 total
Lot 7 (was #97) Barn	1	2 bdrms	732	1
Lot 8 (was #93) ranch	2	5 bdrms total	1,512 total	3 total

For Affordable Units, please see Architectural, Supplemental Submission, Exhibit T, June 28, 2017

Date of site approval letter February 1, 2017

Agency providing Site approval [Department of Housing and Community Development \(DHCD\)](#)

Type of Housing: Single Family Detached ☒ Condos _____ Multi Family ☒

Unit Mix: Total Units 12 Affordable 6 Market 6
(Identify Affordable Units on Plan)

Project Description: [Subdivision of two existing lots into 6 affordable housing lots and two market rate lots with an access cul-de-sac. Please see Project Narrative](#)

Is the property currently nonconforming? ☒ Yes No

If yes, are you seeking zoning relief as a preexisting nonconforming use(s)? Yes ☒ No

Are you seeking relief as a preexisting nonconforming structure(s)? Yes ☒ No

(You must provide a narrative history of the property explaining, how, when and why the property became nonconforming)

Describe the specific zoning relief (exemptions) the applicant is seeking noting the relevant section of the Zoning By-law. State specifically the amount of relief necessary including what is proposed and what is required under the By-law. (use separate sheets if necessary and number each exemption separately)

[Please see Requested Waivers, Supplemental Submission, Exhibit X, June 28, 2017](#)

Number of Parking Spaces Required: [2 per single family dwelling; 1.5 per unit in multi-family](#)

Number Provided:

[Lots 1 through 6 \(affordable Habitat lots\): 2 per single family dwelling, plus 1 or 2 guest spaces per home](#)

[Lot 7: existing](#)

[Lot 8: existing; when cul-de-sac is built parking off of Rt 28 will be eliminated and 4 spaces will be added](#)

Total Gross area of the Site: Acreage: [2.466](#) Square Footage: [107,414](#)

Total Buildable area of the Site: Acreage: [2.466](#) Square Footage: [107,414](#)

Zoning District in which property is located: [CH1 and RH1](#)

Under the current zoning, how many units would be eligible to be built? [Pre-existing there are 6 rental units \(2 in the ranch, 3 in the Chase home and 1 in the barn\). Current Zoning would allow a duplex on each lot via Special Permit.](#)

Does any portion of the site contain wetlands? Yes ☒ No (If yes, attach map of site noting wetland resource areas)

Has your proposal been reviewed by the Harwich Conservation Commission? [X pending](#) Yes No

Is the site located within a designated Flood Hazard area? ☒ Yes No If yes, which zone? [AE and X](#)

Does any portion of the site lie within a: Water Resource Protection District? Yes ☒ No

(If yes to any, provide map identifying these areas) Coastal Pond Overlay District Yes ☒ No

and provide a narrative explaining mitigation	Zone II	Yes	<input checked="" type="checkbox"/> No
and/or economic impact of compliance)	Area of Critical Environmental Concern	Yes	<input checked="" type="checkbox"/> No
	District of Critical Planning Concern	Yes	<input checked="" type="checkbox"/> No
	Wildlife Corridors	Yes	<input checked="" type="checkbox"/> No
	Accident Prevention Zones	Yes	<input checked="" type="checkbox"/> No
	FEMA designated Velocity Zone	Yes	<input checked="" type="checkbox"/> No
	Historic District	Yes	<input checked="" type="checkbox"/> No

Is a Conservation Commission Hearing Required: ☒ Yes No

Has a Notice of Intent or Request for Determination of Applicability been filed? ☒ pending Yes No

Are there any hazardous waste sites within a ½ mile radius of the site? ☒ Yes No

Has a M.G.L. ch. 21E assessment been performed of the locus? Yes No (if yes attach a copy)
[Bennett Environmental Associates, Inc. performed physical testing and provided a "Letter of Findings"](#)

Does the project cross any MEPA thresholds (301 CMR 11.00 et seq.)? Yes ☒ No

If yes, has an Environmental Notification Form been filed with the Executive Office of Environmental Affairs? Yes ☒ No

Is the site or any building located on the site listed, nominated or eligible for listing on the National Register of Historic Places? ☒ Yes No [There is historic interest in the Chase home](#)

Does the site qualify as "Prime Agricultural Land" under Executive Order 193? Yes ☒ No

If yes, has this proposal been discussed with the Department of Food and Agriculture? Yes No

Availability of Utilities (Indicate which utilities will be available to this site):

Public Sewer _____	Private Septic <input checked="" type="checkbox"/> _____
Public Water <input checked="" type="checkbox"/> _____	Private Wells _____
Natural Gas _____	Electricity <input checked="" type="checkbox"/> _____

Type of Sewage Disposal:

Sewer _____ Title V ☒ _____ Denitrification _____

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Has there been a percolation test done? Yes ☒ No

If alternative system, please describe the type:

Project Information

Size of Development:

1. Total Number of Units: **12**

2. Number of Handicapped Accessible Units: [The 6 affordable Habitat homes will be visitable, and if a buyer household requiring accommodations is selected in the Habitat lottery, the homes would be built to suite the needs of the disability](#)

3. Number of Buildings: **9**

4. Number of Stories in Buildings: **1 or 2**

5. Number of Commercial Units: _____

Total Gross Square Footage of Building Space: _____

Total Gross Square Footage of Commercial Space: _____

Construction Type:

New Construction ☒ Rehabilitation ☒ Conversion _____

Type of Fuel:

Natural Gas _____ Oil _____ Electric ☒ (Heat Pumps - Habitat Homes) _____ Other _____

Parking Spaces Provided:

Enclosed _____ # Outdoor **2 per home for Habitat homes plus guest parking** _____ # Per Unit _____

What is the total lot coverage by structures? **9.94** % by structures, paving & parking?
18.42 %

Describe how/when the affordable units will be allocated? **Affordable units are allocated as per Site Plan.**

Will you use a lottery agent? ☒ Yes No

Who will be your lottery agent? **Habitat for Humanity of Cape Cod, Inc. will perform all Affirmative Fair Housing Marketing and Lottery.**

(attach a copy of commitment from lottery agent listing, all fees charged, and methodology used to determine qualification)

Has your lottery agent performed this function for a Comprehensive Permit previously? ☒ Yes No

Will the affordable units be limited to persons older than age 55? Yes ☒ No

Will the affordable units be limited to persons older than age 65? Yes ☒ No

What provisions have you made for children? **Homes are two and three bedroom**

Complete the chart below:

Unit Mix: **See page 2 of this application**

Subsidizing Agency: **Department of Housing and Community Development**

Subsidy Program: **Local Initiative Program**

Applicant signature: **Victoria Goldsmith, Habitat for Humanity of Cape Cod Executive Director**

Date: **February 2, 2016, revised June 28, 2017**

Preliminary Construction Budget

**Required Supporting Documents Please Provide 8 copies¹ of the Following:
 (please make a check as appropriate on each line) Included N/A**

1. Complete Application with Filing Fee ✓
2. Project Eligibility Letter ✓
3. Site Approval Letter **n/a**
4. Evidence of Site Control ✓
5. List of Development Team Members and their Responsibilities ✓
6. Marketing Plan ✓
7. Site Conditions Report ✓
8. Topographic Plan ✓
9. Utilities Plan ✓
10. Preliminary Site Development Plans ✓
11. Architectural Drawings & Outline Specs ✓
12. Building Tabulations ✓
13. Traffic impact report ✓
14. Required District, Zone, Area, Corridor maps/plans ✓
15. IRS Certification as a non profit organization ✓
16. Limited Dividend Organization qualification **n/a**
17. Limited Dividend Organization audited financial report **n/a**

- 18. Secretary of State Certificate of Good Standing ✓
- 19. Zoning History Zoning is R1 and CH1, no previous applications submitted that would be a “related application” under 760 CMR 56.03(7)
- 20. Mitigation/Economic Impact Report n/a
- 21. Notice of Intent/RDA
- 22. Ch. 21E Assessment – environmental report ✓
- 23. ENF n/a
- 24. Lottery information ✓
- 25. Monitoring information ✓
- 26. Additional Information:
 - 1 An original signed application and 7 copies of the application. ✓
 - a. Developer Standing ✓
 - b. Local Endorsement part of Local Initiative Program process ✓
 - c. Pro Forma Financial Review pro formas ✓

Limited Dividend Organization Addendum Not Applicable