

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

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, 3<sup>rd</sup> 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
- 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:	192.85' Frontage	127.1 Minimum Width	8,749 Square Feet
Dimensions of Lot #2:	50.08' Frontage	76.1 Minimum Width	10,687 Square Feet
Dimensions of Lot #3:	27.20' Frontage	34.3 Minimum Width	10,541 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	9,365 Square Feet
Dimensions of Lot #6:	71.54' Frontage	104.7 Minimum Width	21,436 Square Feet
Dimensions of Lot #7:	240.27' Frontage	152.0 Minimum Width	10,426 Square Feet
Dimensions of Lot #8:	152.00 Frontage	177.3 Minimum Width	21,436 Square Feet

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 and also Memo of Understanding – Please see Exhibit P

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?

No

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

How many buildings are now on the lot:

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:

93 Main Street: Home has 2 units with a total of 5 bedrooms, 3 baths and 1,512 sq ft  
97 Main Street: Home has 3 units with a total of 6 bedrooms, 3.5 baths and 2,379 sq ft  
97 Main Street: Barn has 1 unit with a total of 2 bedrooms, 1 bath and 732 sq ft

For proposed buildings, please see Architectural Plans and Tabulation, Exhibit O

Date of site approval letter Please see Exhibit L

Agency providing Site approval Department of Housing and Community Development (DHCD)

Type of Housing: Single Family Detached  Condos \_\_\_\_\_ Multi Family

Unit Mix: Total Units  Affordable  Market   
(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, Exhibit Z

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

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)

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?  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	<input checked="" type="checkbox"/> No
(If yes to any, provide map identifying these areas	Coastal Pond Overlay District	Yes	<input checked="" type="checkbox"/> 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 1/2 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)  
Please See Bennett Environmental Associates, Inc. Letter of Findings Exhibit W

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  \_\_\_\_\_  
Public Water  \_\_\_\_\_ Private Wells \_\_\_\_\_  
Natural Gas \_\_\_\_\_ Electricity  \_\_\_\_\_

Type of Sewage Disposal:

Sewer \_\_\_\_\_ Title V  \_\_\_\_\_ Denitrification \_\_\_\_\_

**START HERE**

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 \_\_\_\_\_ # 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, please see Exhibit N](#)

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. Please see Exhibit U.](#)

(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: [Please see Architectural Plans and Tabulation, Exhibit O](#)

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](#)

**Preliminary Construction Budget** [Please see Proformas, Exhibit Q](#)

**Required Supporting Documents Please Provide 8 copies<sup>1</sup> 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 [n/a](#)
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](#)