



Town of Harwich
Board of Health
 732 Main Street Harwich, MA 02645
 508-430-7509 – Fax 508-430-7531
 E-mail: health@town.harwich.ma.us

Office Use Only	
Filing Fee Paid/Amount:	<u>125</u>
Check #/Cash:	<u>CK # 211810</u>
Date App Received:	<u>11/8/23</u>
Meeting Date:	_____
Date Approved:	_____
Date Denied:	_____
Reason for Denial:	_____
_____	_____
_____	_____

Application for Board of Health Variances

Date: 11/1/2023

Property Address: 11 Atlantic Street

Map: 6B Parcel: L144

Book: 32071 Page: 60 Land Court No: _____

Name of Applicant: CLS Properties, LLC

Applicant Mailing Address: 20 Summit Road

Wellesley MA 02481
 City State Zip Code

Applicant Telephone Number: _____

Applicant E-Mail Address: _____

Owner(s) of Record: CLS Properties, LLC

Owner(s) Mailing Address: 20 Summit Road

Wellesley MA 02481
 City State Zip Code

Design Engineer/Sanitarian: Ryder & Wilcox, Inc

Firm/Company Name: Ryder & Wilcox, Inc

Mailing Address: PO Box 439

South Orleans, MA 02662
 City State Zip Code

Telephone Number: 508-255-8312

Design Engineer/Sanitarian E-Mail Address: agrover@ryder-wilcox.com, davidlyttle@ryder-wilcox.com

Please Choose Application Type:

Voluntary Upgrade: ____ Addition/Alteration: Failed System: ____ EIR: ____

Other: _____

Conservation Commission Approval Required: No: ____ Yes: Date of CC Hearing: N/A ____

List All Variances from State & Local Codes

Title 5, Section #	Description of Variance(s):
Harwich Reg. #	Description of Variance(s):
Existing Variance	Reconsideration of the Order of Conditions (BOH hearing date: March 12, 2019)
	Condition #2: No increase in habitable space or square footage without further
	review by the Board of Health. We are proposing an increase in Habitable space.

In addition to this form, 8 packets of the following must be submitted by 4:00 p.m. on the filing deadline date:

- Letter to Board of Health
- Letter to abutters (bring certified mail receipts to the meeting)
- Copy of certified abutter list
- Existing variance letter (if applicable)
- Floor plans (all floors/existing & proposed)
- Site plan
- Filing Fee \$125.00 (Variance)/\$300.00 (EIR)

Ryder & Wilcox

SURVEYING · ENGINEERING
HOME PLANNING & DESIGN

3 GIDDIAH HILL ROAD · P.O. BOX 439
SO. ORLEANS, MASSACHUSETTS 02662-0439
TEL: 508.255.8312 FAX: 508.240.2306
EMAIL: info@ryder-wilcox.com

November 2, 2023

Harwich Board of Health
732 Main Street
Harwich, MA 02645

Re: Reconsideration of the Order of Conditions
CLS Properties, LLC
11 Atlantic Street
Harwich, MA
Map 6B, Parcel L144

Dear Board Members,

On behalf of our client, CLS Properties, LLC, please schedule time at your next hearing (November 21, 2023) to consider a request for the reconsideration of the Orders of Conditions set forth by the March 12, 2019 septic upgrade approval letter for 11 Atlantic Street. We ask for reconsideration to allow an increase in habitable space when reconstructing the existing 5 bedroom dwelling. The dwelling shall be reconstructed on an elevated piling/pier type foundation in order to meet FEMA flood zone design standards and will connect to the existing 2019 on-site septic system. Further details of the project are depicted within the attached site plan.

Site improvements include: the prior variance for the soil absorption system to the crawl space is going away as the project is proposing to remove the crawl space foundation and replace it with a piling/pier foundation which does not count towards the soil absorption system setback. Furthermore, the dwelling is to be reconstructed in a manner to improve flood resistance and will have its first floor elevated above the flood zone elevation enhancing the safety of the structure.

In addition to this letter and the attached site plan, I've included a copy of the existing septic upgrade approval letter/ order of conditions, existing floor plans, proposed floor plans, and a copy of the abutter's notification letter.

Your time and consideration regarding this project is appreciated, thank you,

Ryder & Wilcox, Inc



Andrew P. Grover, R.S.

CC: CLS Properties, LLC
Job # 13129

Ryder & Wilcox

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SO. ORLEANS, MASSACHUSETTS 02662-0439
TEL: 508.255.8312 FAX: 508.240.2306
EMAIL: info@ryder-wilcox.com

November 2, 2023

RE: Reconsideration of Order of Conditions
11 Atlantic Street
Harwich, MA
Map 6B, Parcel L144

Dear Abutter,

You are being notified pursuant to the Harwich Board of Health Regulations that the Board of Health will hold a public hearing to hear a request for a reconsideration of the Order of Conditions for 11 Atlantic Street. The reconsideration is requested to allow an increase of habitable space within the dwelling located at 11 Atlantic Street.

A copy of the letter requesting a hearing is enclosed. Copies of the site plan are on file with the health department and may be viewed prior to the public hearing to be held on November 21, 2023 in the Town Hall (Donn B. Griffin Room), 732 Main Street, Harwich, MA. Hearings begin at 6:30 P.M.

Real-time public comment can be addressed to the Board of Health in person at the hearing or online utilizing the "Goto" link provided by the health department (look for it on the Board of Health's webpage under "Agendas" [lower right] using November 21, 2023 hearing date, <https://www.harwich-ma.gov/board-of-health>).

Sincerely,

Ryder & Wilcox, Inc



Andrew Grover, R.S.

cc: CLS Properties, LLC

Job# 13129



TOWN OF HARWICH
ASSESSORS OFFICE

732 MAIN STREET
HARWICH, MASSACHUSETTS 02645

** Please email all Abutters Requests to assessing@town.harwich.ma.us

OFFICE OF
BOARD OF ASSESSORS

Tel: 508-430-7503

Fax: 508-430-7086

ABUTTERS REQUEST FORM

Board Requesting Action: Board of Health

Date Submitted: 10/26/2023

Applicant's Name: CLS Properties LLC

Assessors Map(s) & Parcel(s): Map 6B-L144

Property Location: 11 Atlantic Street

Owner(s): CLS Properties LLC

Contact Person: David Lyttle, Ryder & Wilcox

E-mail Address: davidlyttle@ryder-wilcox.com

Telephone #: 508-255-8312

Type of Petition: Board of Health Review

Assessors Approval By: 

I hereby certify that the names and addresses on the attached or preceding sheet (s) are of the owners as they appear in the assessing departments most recent computerized tax list

Town of Harwich
OCT 26 2023 ^{RB}
Assessors Office

INVOICE

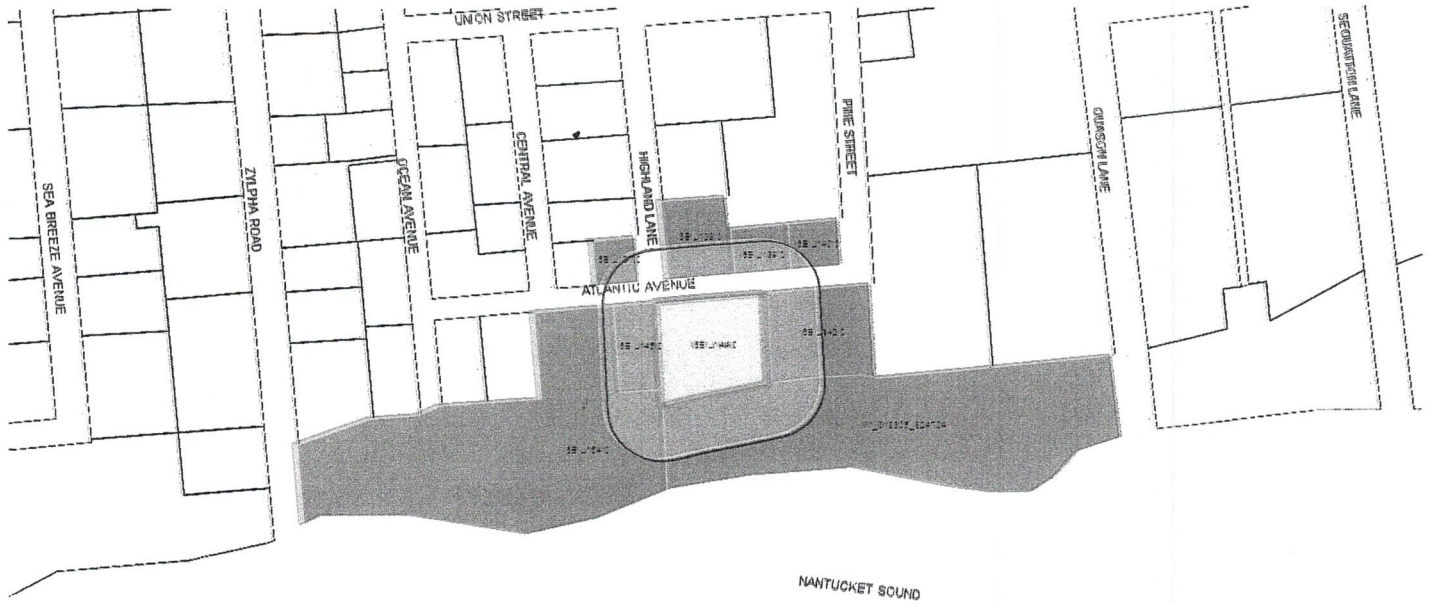
This cover sheet is also your invoice.

	<u>Amount</u>	<u>Date Paid</u>	<u>Ck #</u>
Up to 25 Abutters	\$50.00	10/26/23	21798
Additional Abutters _____ @ \$2.00 ea	_____	_____	_____
TOTAL	_____	_____	_____

Make checks payable to: Town of Harwich

TOWN OF HARWICH, MA
 BOARD OF ASSESSORS
 732 Main Street, Harwich, MA 02645

Town of HARWICH Abutters Within 50 feet of Parcel 6B/L144/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
27909	6B-L154-0-E	HARWICH TOWN OF - SELECTMEN	5 ATLANTIC ST	732 MAIN ST	HARWICH	MA	02645
3003	6B-L137-0-R	ARCHIBALD MICHELLE L TRS ET AL ARCHIBALD GAVIN J TRS	8 ATLANTIC ST	8 ATLANTIC ST	HARWICH PORT	MA	02646
3004	6B-L138-0-R	DOYLE JOHN J JR TRS ET AL DOYLE NOREEN P TRS	10 ATLANTIC ST	27 LEDGEWOOD DR	DANVERS	MA	01923
3005	6B-L139-0-R	DOWD BARBARA M ET AL C/O GADALETA FRANK &	12 ATLANTIC ST	11 THORNE PL	RYE	NY	10580
3006	6B-L140-0-R	BARONE JOHN D & GAGNE KAREN D	14 ATLANTIC ST	3910 STRATFORD CT	RALEIGH	NC	27609
3007	6B-L142-0-R	SHEA WILLIAM M TR ATLANTIC AVENUE NOMINEE TRUST	17 ATLANTIC ST	17 ATLANTIC ST	HARWICH PORT	MA	02646
3009	6B-L144-0-R	CLS PROPERTIES LLC	11 ATLANTIC ST	10 BUCKNELL RD	WELLESLEY	MA	02481
8213	6B-L145-0-R	COX RYAN B & COX NICOLE M	9 ATLANTIC ST	8 ISAAC SPRAGUE DR	HINGHAM	MA	02043

6B-L154-0-E

HARWICH TOWN OF - SELECTMEN
732 MAIN ST
HARWICH, MA 02645

6B-L137-0-R

ARCHIBALD MICHELLE L TRS ET AL
ARCHIBALD GAVIN J TRS
8 ATLANTIC ST
HARWICH PORT, MA 02646

6B-L138-0-R

DOYLE JOHN J JR TRS ET AL
DOYLE NOREEN P TRS
27 LEDGEWOOD DR
DANVERS, MA 01923

6B-L139-0-R

DOWD BARBARA M ET AL
C/O GADALETA FRANK &
11 THORNE PL
RYE, NY 10580

6B-L140-0-R

BARONE JOHN D &
GAGNE KAREN D
3910 STRATFORD CT
RALEIGH, NC 27609

6B-L142-0-R

SHEA WILLIAM M TR
ATLANTIC AVENUE NOMINEE TRUST
17 ATLANTIC ST
HARWICH PORT, MA 02646

6B-L144-0-R

CLS PROPERTIES LLC
10 BUCKNELL RD
WELLESLEY, MA 02481

6B-L145-0-R

COX RYAN B &
COX NICOLE M
8 ISAAC SPRAGUE DR
HINGHAM, MA 02043



TOWN OF HARWICH

BOARD OF HEALTH

N O 732 Main Street • Harwich, MA 02645

A N 508-430-7509 • Fax 508-430-7531

O F F I C I A L E-mail: health@town.harwich.ma.us O F F I C I A L

C O P Y

C O P Y

March 14, 2019

N O T

A N

O F F I C I A L

C O P Y

HARWICH BOARD OF HEALTH

109 CMR 15.000 Title 5

11 ATLANTIC STREET

O F F I C I A L MAP 03, PARCEL L144

BOOK 7011 PAGE 155

Notice of Variance Approval

Mansour & Louise Moheban
40 Drury Lane
Worcester, MA 01609

Dear Mr. & Mrs. Moheban:

At a meeting of the Harwich Board of Health on March 12, 2019 a hearing was conducted to consider a variance request to replace a Title 5 sewage disposal system, plan prepared by Engineering Works, Inc., dated February 8, 2019. The project consists of replacing a current cesspool with a new Title 5 sewage disposal system.

After considerable review and discussion the Board granted the following variances:

Per 310 CMR 15.405(1)(a): To allow a proposed soil absorption system to be 3' from the property line (front) where 10' is required. Variance request of 7'.

Per 310 CMR 15.405(1)(a): To allow a proposed soil absorption system to be 5' from the property line (side) where 10' is required. Variance request of 5'.

Per 310 CMR 15.405(1)(a): To allow a proposed soil absorption system to be 5' from the crawl space where 20' is required. Variance request of 15'.

Per 310 CMR 15.405(1)(b): To allow a proposed soil absorption system to be 4' below cover where 3' is required. Variance request of 1'.

Per 310 CMR 15.405(1)(f): To allow a proposed soil absorption system to be 46' from a coastal bank where 50' is required. Variance request of 4'.

Per Board of Health Regulation 1.210: To allow a proposed septic tank and sewer line to be 42' from the coastal bank where 50' is required. Variance request of 8'.

Per Board of Health Regulation 1.210: To allow a proposed soil absorption system to be 46' from the coastal bank where 100' is required. Variance request of 54'.

In granting said variances the Board imposed the following order of conditions:

1. Dwelling is to be restricted to a maximum of 5 bedrooms.
2. No increase in habitable space or square footage without further review by the Board of Health.
3. Variances and conditions to be recorded at the Barnstable County Registry of Deeds.

Please be further advised that all variances will be considered null and void unless a sewage disposal works construction permit is obtained within six months of the date of the hearing. This variance letter shall be recorded with the Barnstable Registry of Deeds and a recorded copy of same furnished to the Harwich Board of Health. All variances shall be recorded as "margin referenced".

Sincerely,

Meggan Eldredge
NOT AN OFFICIAL COPY

Meggan Eldredge, R.S., CHOPPY
Health Director

NOT AN OFFICIAL COPY

Signature(s) of Owner and Legal Address

Mr. Michael...
Lainie Mahajan
NOT AN OFFICIAL COPY

NOT AN OFFICIAL COPY
Date 4/10/19

Worcester
Barnstable, ss.

COMMONWEALTH OF MASSACHUSETTS

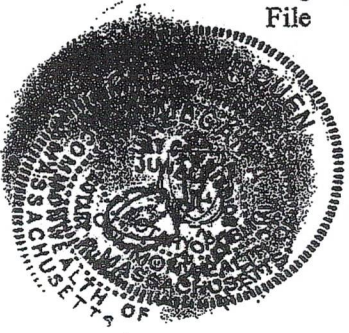
April 10, 2019
Date

On this 10th day of April, 2019, the above named appeared before me, the undersigned notary public, and acknowledged the foregoing instrument to be their free act and deed.

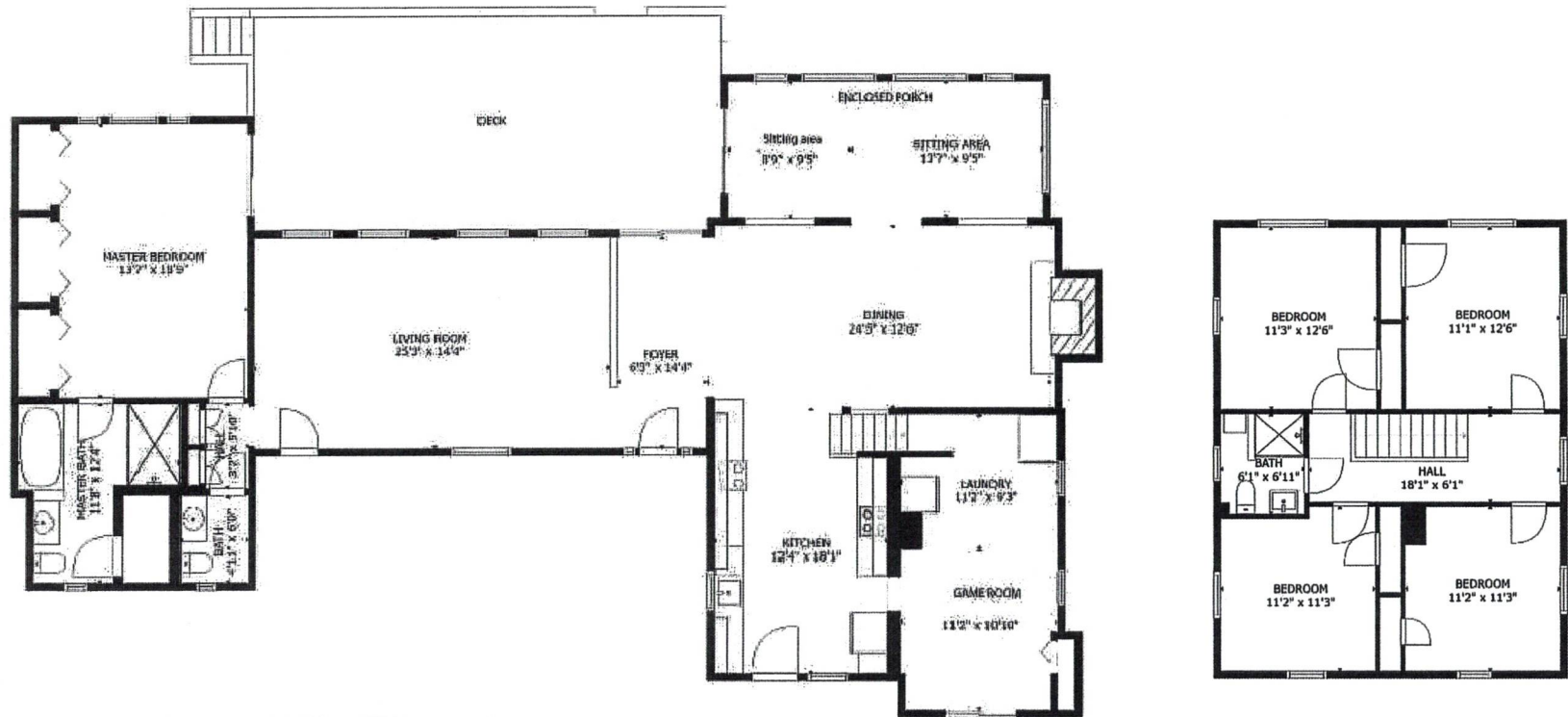
Notary Public *Meggan McE...*

My commission expires 6/17/22

CC: Engineering Works Inc., Peter McEntee, 12 West Crossfield Road, Forestdale, MA 02644
File

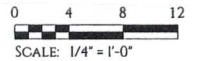


BARNSTABLE REGISTRY OF DEEDS
John F. Meade, Register



11 Atlantic - First Floor

GROSS INTERNAL AREA
 FLOOR 1: 1808 sq ft, FLOOR 2: 948 sq ft
 TOTAL: 2756 sq ft
 GROSS AREA EXCLUDING STAIRS AND TERRACES: 2575 sq ft

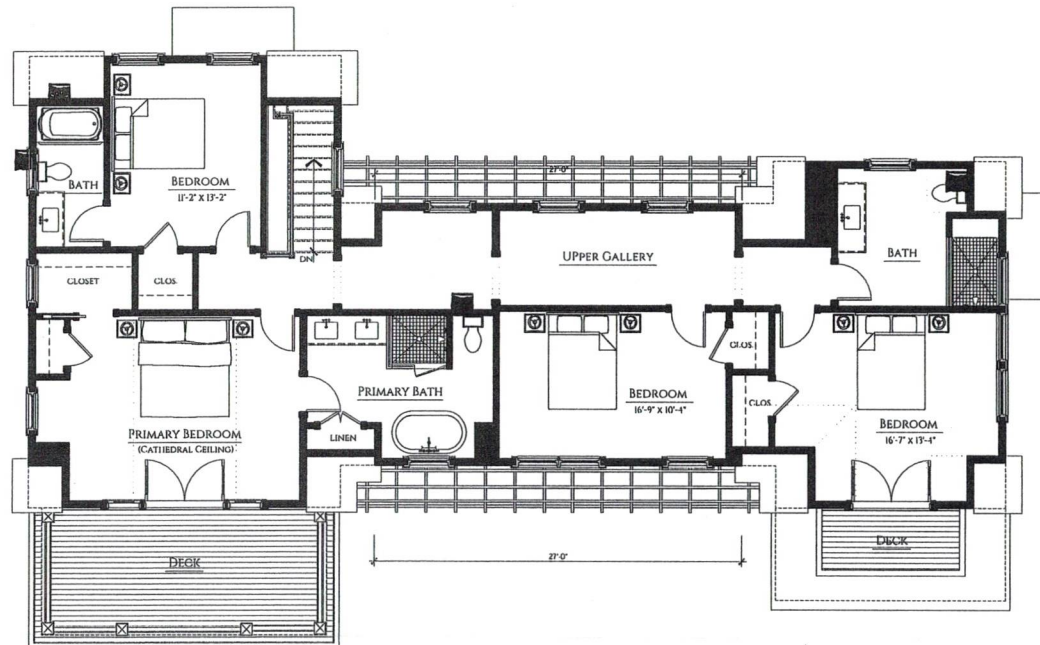


PATRICK AHEARN
 ARCHITECT

THE MCCABE RESIDENCE
 11 ATLANTIC STREET HARWICH, MASSACHUSETTS

EXISTING
 FLOOR PLANS

E-1



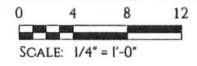
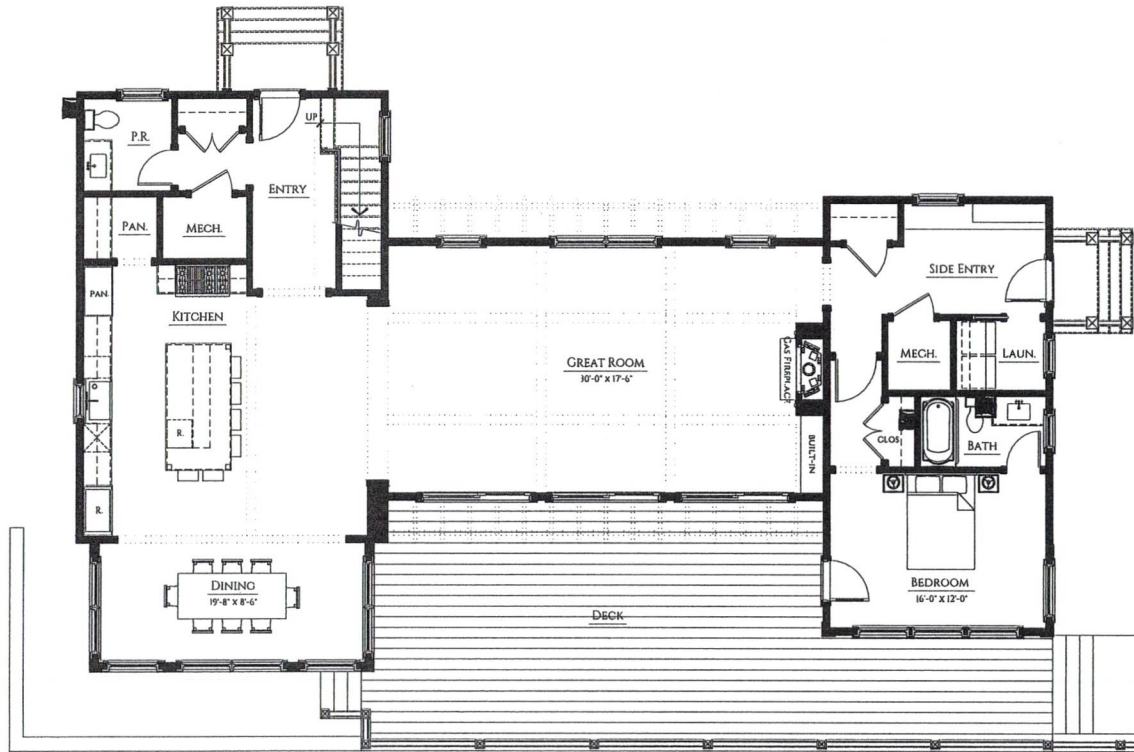
0 4 8 12
 SCALE: 1/4" = 1'-0"

PATRICK AHEARN
 ARCHITECT

THE MCCABE RESIDENCE
 11 ATLANTIC STREET HARWICH, MASSACHUSETTS

PROPOSED
 SECOND FLOOR PLAN | **A-2**

© PATRICK AHEARN F.A.A. ARCHITECT



PATRICK AHEARN
ARCHITECT

THE MCCABE RESIDENCE
11 ATLANTIC STREET HARWICH, MASSACHUSETTS

PROPOSED
FIRST FLOOR PLAN

A-1