



TOWN OF HARWICH
732 Main Street, Harwich, Massachusetts 02645

Case # _____

ZONING BOARD OF APPEALS
Notice of Appeal/Application and Petition for Public Hearing, ("APPLICATION")

This Application *does not* apply to Comprehensive Permits.
Please refer to the Rules and Regulations of the Town of Harwich Board of Appeals for documentation requirements.

This original completed and signed notice of this Application, along with a certified abutters list and twelve (12) copies of all plans, sketches, statements, site plans or other supporting documents per the attached checklist must be presented to the Building Department prior to being filed with the Town Clerk. The required documentation, **ALL** of which must be submitted on the date of filing, is listed on this Application. **THE RULES AND REGULATIONS ("RULES") OF THE TOWN OF HARWICH BOARD OF APPEALS APPLY TO ALL APPEALS AND APPLICATIONS AND SHOULD BE CONSULTED BEFORE FILING AN APPEAL OR APPLICATION TO ENSURE COMPLIANCE WITH THEM.**
To the Zoning Board of Appeals, Harwich, MA:

- (We, I) hereby petition your Board for a public hearing on the request for action checked below:
- Appeal from decision of or refusal of permit application by the Building Inspector, Selectmen or Planning Board or other administrative officer or officers.
 - Application for a Variance from requirements of the Harwich Zoning By-Law.
 - Application for a Special Permit that is subject to Board of Appeals approval.

I/we am/are the owner(s)/agent of the property involved in this petition, which is located in Harwich, MA at the following address: 298 LOWER COUNTY ROAD

Said property is further described on Assessor's Map # 12 and Parcel # W2-5 located in the R-H-1 Zoning District as shown on the attached plan.

Describe Petition/Appeal: SEE ATTACHED

Relief requested - Cite specific Bylaw Section(s): SEE ATTACHED, REQUEST FROM BLDG. COMM. DATED 5/12/22

Signature of Owner (or Agent) Robt F. Stadolnik + Patricia A. Stadolnik Date 5/26/22
(Written authorization by the owner must accompany all Application signed by agent.)

Owner Name TRUSTEES OF ROBT. F. STADOLNIK TRUST Phone No. 508-432-1643

Mailing Address: 107 MEETINGHOUSE RD., NORFOLK, MA 02056

Agent Name: William D. Crowell, Esq. Phone No. 508-432-1643
466 Main Street, Harwich Port, MA 02646

Has a petition previously been submitted for this property (Y/N) (N)
If yes, the date of original hearing _____ Petition No. _____ Decision _____

For Appeal Only:

Reason for Denial: _____
Denial From: _____ Date of Denial: _____

Within 14 days following any Board decision, the Board will file its decision with the Town Clerk. A building permit will not be issued during the appeals period, until 21 days after the Board of Appeals decision has been filed with the Town Clerk or if an appeal to that decision has been filed during that time. It is the applicant's responsibility to have the decision recorded at the Barnstable County Registry of Deeds or Land Court, whichever may be applicable, and to present copies of that recording to the Town Clerk and to the Building Department with all Building Permit application requirements.

Please be advised that incomplete Applications may result in a delay in processing your appeal/Application and **may result in a denial by the Board** without consideration of the merits of the appeal/Application. **IT IS YOUR RESPONSIBILITY TO REVIEW THE RULES THAT APPLY TO YOUR APPEAL/APPLICATION AND TO MAKE SURE BEFORE FILING THAT YOUR APPLICATION/APPEAL COMPLIES WITH THOSE RULES.** The burden of proof is on the petitioner, not on the Town. If you do not understand the criteria, legal counsel should be sought. Either the petitioner or his/her agent is required to appear at the hearing to present the Application.

All applicants for hearing before the Board of Appeals must complete this Application and submit along with it the supporting documentation listed herein to the Building Department for review and subsequent filing with the Town Clerk. The Building Department accepts Applications during posted hours. You are strongly encouraged to submit your Application to the Building Department well in advance of the filing deadline to allow adequate time for staff review for completeness. **All information, including the applicable fee made payable to the Town of Harwich, must be submitted with the Application.**

Please submit the following, sorted and grouped into twelve (12) packets along with one (1) Certified Abutters List (Available from the Assessors Department. A separate application and fee is required):

- The original Application (additional stamped copies can be provided at a nominal fee):**
 - Signed by the owner or agent.
 - If signed by an agent, a letter of authorization signed by the owner must also be included.

- A typewritten narrative to explain the project , the purpose for this Application and the relief requested, with citations to the applicable provisions of MGL and the Harwich Zoning Bylaws.**

- The original and eleven (11) copies of a Certified Plot Plan with topographical information plan (not septic plans) not more than five (5) years old (total of 12 copies):**
 - 8½" x 11" or larger. *Larger plans must be folded.*
 - Scale no greater than 1" = 50'
 - Original stamped and signed by a Professional Engineer (as allowed by law), or a Professional Land Surveyor.
 - Certified Plot Plan must indicate:
 - the locus;
 - the parcel or parcels of land involved;
 - the existing building or buildings;
 - the proposed building or buildings and/or additions to, or alterations of existing buildings with all dimensions set forth;
 - the location of the septic;
 - the Town of Harwich zoning requirements applicable to the property, as well as existing and proposed dimensions for: frontage, front, sides, and rear setback distances, building height(s), building stories, building and site coverage and parking requirements (if any);
 - all perimeter dimensions (existing and proposed);
 - location and width of abutting and on-site street and drives, parking, existing topography;
 - a grading plan, areas of proposed and retained vegetation, distinction between upland and wetland.
 - Building Plans drawn to scale:
 - Floor layout (for existing structure and proposed additions and/or alterations)
 - Proposed front, side, and rear elevations

- Certified Abutters List**

- Check made payable to "Town of Harwich" for \$315.00.**

APPLICATION CHECKLIST ADDENDUM

This Addendum must be completed in full by the Applicant and is a part of the Application.

Name of Applicant: ROBT. F. + PATRICIA A. STADOLANK, TR'S

Address of Property: 298 LOWER CTY. RD.

Zoning District: RH1

Is the property Located in any Special District(s)/Overlay District(s) established by the Town of Harwich or the State of Massachusetts: Yes No

If Yes, specify District(s): —

Year Structure(s) Built: ~ 1969

Name/Address of Engineer/Architect: WAK: William D. Crowell, Esq.

Name/Address of Attorney: 466 Main Street
P.O. Box 185
Harwich Port, MA 02646

	Required by Bylaw	Existing	Proposed
Lot Area	40,000	16,177	16,177
Frontage	150	99.98	99.98
Front Yard Setback	25	32.7	32.7
Side yard Setback	20	10.9	10.9
2 nd Side Yard Setback	20	27.6	27.6
Rear Yard Setback	20	20.2	20.2
Building Coverage	30%	91%	91%
Site Coverage	35%	19.5%	19.5%
Building Height	< 30'	< 30'	< 30'
If this is an Application for an Accessory Apartment, in addition to the above:			
A. Net Floor Area of the Principal Dwelling			
B. Net Floor Area of the proposed Accessory Apartment			

Form of Relief Requested: SPEC. PERM.

If the Applicant is requesting a Variance, state the hardship which the Applicant believes justifies this form of relief in accordance with MGL Chapter 40 and the Harwich Zoning Bylaw:

By signing and submitting this Application, you hereby authorize the members of the Board of Appeals, or its agent, to conduct a site visit of the exterior of your property for an inspection of the property involved in this petition, should they deem it appropriate.

The Board of Appeals is entitled to rely on the information contained in this Application. Therefore, the undersigned certifies that the information provided in this Application, and all submitted plans and other documentation, is true and accurate to the best of my knowledge and belief.

Applicant's Signature: _____



Date: _____

5/26/22

Owner's Signature: _____

Date: _____

Sally@wcrowell.office1@comcast.net

From: FirePsych Inc <firepsych@comcast.net>
Sent: Wednesday, May 25, 2022 12:48 PM
To: wcrowell.office1@comcast.net
Subject: Authorization to represent

Dear Attorney Crowell;

As trustee for the Robert F. Stadolnik Trust, owner of 298 Lower County Rd. in Harwich Port, MA , this letter is to confirm your being authorized to represent us at the Zoning Board of Appeals for the Town of Harwich and any other matters related to this hearing.

I appreciate your help with this matter and trust if you have any questions you will feel free to contact me. .

Sincerely,

Robert Stadolnik
508-273-5449



FOR TAX PURPOSES ONLY,
NOT TO BE USED FOR
LEGAL PURPOSES

000782

884,000 885,000

Stadolnik – 298 Lower County Road

The Petitioners seek to renovate the pre-existing, non-conforming single family dwelling to add a second floor on the same footprint as the existing dwelling as per the Certified Plot Plan by J.M. O'Reilly & Associates, Inc. dated April 22, 2022 and the Building and Elevation Plans by Greywing Design dated November 12, 2020 A1-A7. The existing dwelling is 10.9 feet from the westerly boundary which will remain unchanged but the second story addition will create additional habitable space within the required 20 foot setback. All other setbacks are presently conforming and will remain conforming. The existing building coverage is 9.1% (30% max.) and will remain the same and the existing site coverage is 19.5% (35% max.) and will remain the same as the footprint of the existing dwelling will not change.

Since the proposed renovations will create additional habitable space within the required 20 foot setback such will constitute an intensification of the amount of habitable space. In accordance with the findings of the Gale Case an intensification of an existing non-conformity may be allowed by Special Permit from this Board upon a finding that said intensification will not constitute a substantial detriment to the entire neighborhood.

In the alternative, the Petitioner seeks a Variance for the aforementioned renovations.

✓

TOWN OF HARWICH
Building Department
732 Main Street
Harwich, MA 02645



Telephone: (508) 430-7506

Fax: (508) 430-4703

By First Class Mail

May 12, 2022

Robert Stadolnik
107 Meeting house Rd.
Norfolk, Ma.

cc. Collins Oconnor
9 Harbour View Rd.
Pocasset, Ma. 02559

Re: Zoning Relief Required
Building Permit Application No. BLD-22-1605
298 Lower County Rd. Harwich, Ma. 02645 (Assessor's Map 12 Parcel W2-5)
Zoning District RH1 Floodplain Zone AE

Dear Mr. Stadolnik:

Please be advised that as a condition to issuance of the above-referenced building permit as submitted, shown on a plan prepared by J.M. O'Reilly & Associates Inc. dated, April 22, 2022 the following zoning relief is first required:

Harwich Zoning Bylaw §325-54(A)(2)(b)&(c): Alteration, Addition/Extension requiring a Special Permit from the BOA

Should you desire to proceed with the project, you must first apply for the foregoing relief; this letter shall serve as a referral to the Board for the same. Copies of the necessary zoning forms and applications are available in the offices of the Town's Building and Planning Departments.

In the meantime, your building permit application shall be deemed 'incomplete' and the period to review and issue such permit suspended until such time as you apply for and obtain the special permit; the special permit decision issues and is filed with the Town Clerk; the applicable appeal period elapses; and you provide the Building Department a copy of the special permit decision as recorded with the Barnstable Registry of Deeds or, as applicable, the Barnstable Registry District.

I also reserve the right, should you not expeditiously and continuously proceed with obtaining the required zoning relief or otherwise withdraw the building permit application, to deny the building permit application for incompleteness, or inconsistency with zoning, or both.

Further, be advised that, subject to obtaining the required permits and after construction, you will be required to submit a final as-built plan to the Building Department certifying that the

project complies with the approved plans and all applicable dimensional requirements under town zoning.

This correspondence also serves as a zoning determination under Section 7 of Massachusetts General Laws Chapter 40A, which may be appealed by a 'person aggrieved' under Sections 8 & 15 of Massachusetts General Laws Chapter 40A.

Please feel free to contact the Building Department to discuss further, as necessary.

Respectfully,

A handwritten signature in black ink, appearing to read 'R. Piccirilli', written over a horizontal line.

Robert Piccirilli
Harwich Building Commissioner

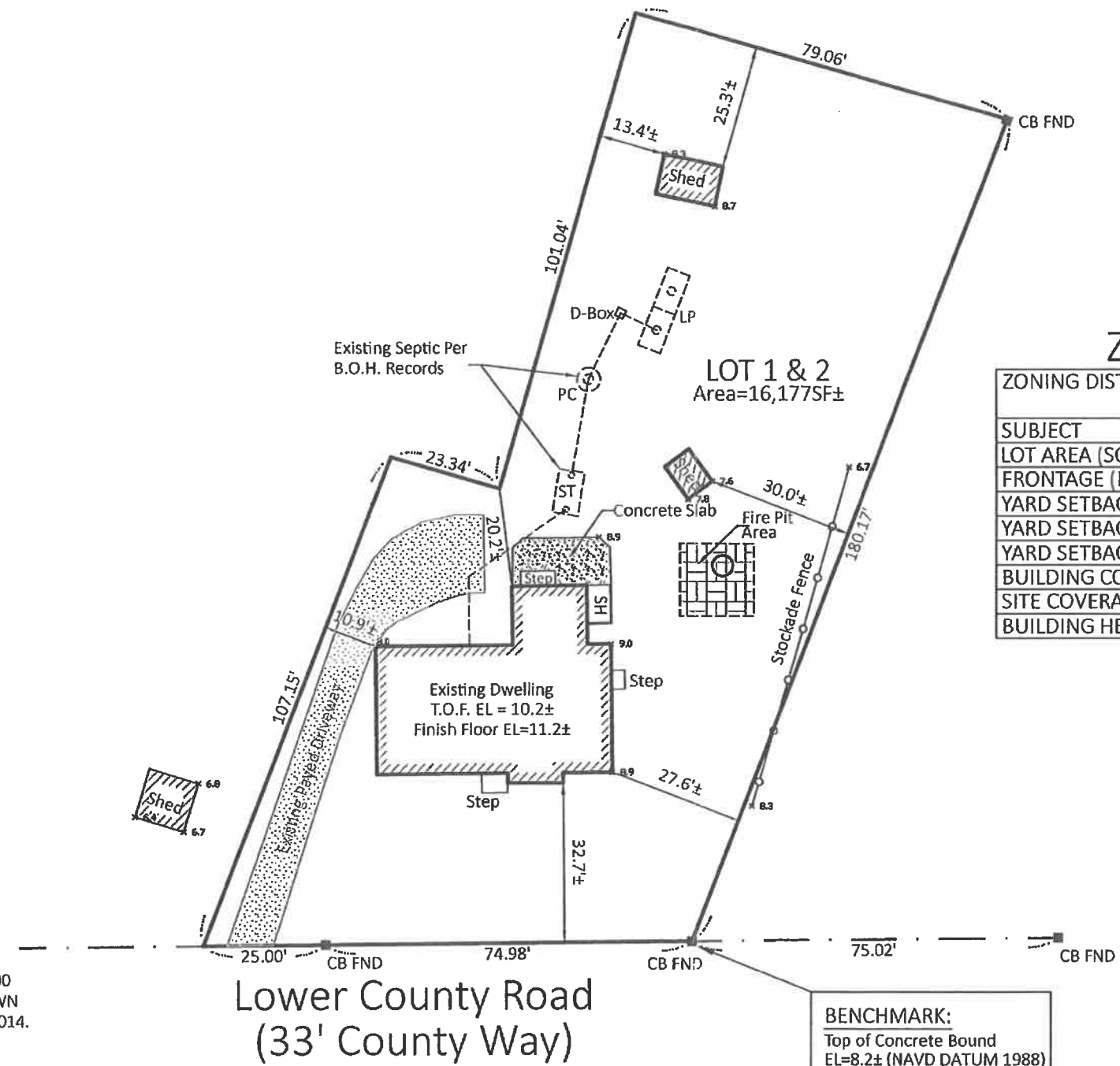
Cc: File

Plan Book 230 Page 123

OWNER OF RECORD
 Robert F. Stadolnik Revocable Trust
 Deed Book 30590, Page 350
 Plan Book 230, Page 123
 Assessors' Map 12, Parcel W2-5

I CERTIFY THAT THE EXISTING DWELLING
 SHOWN HEREON IS LOCATED AS IT
 EXISTS ON THE GROUND.

DATE 4-26-2022
 P.L.S. [Signature]

ZONING COMPLIANCE TABLE

ZONING DISTRICT(S) INCLUDING FLOODPLAIN: R-H-1
 FLOODPLAIN ZONE AE, BFE EL.= 11

SUBJECT	EXISTING	REQUIRED	PROPOSED
LOT AREA (SQUARE FEET)	16,177	40,000	16,177
FRONTAGE (LINEAR FEET)	99.98	150	99.98
YARD SETBACK- FRONT (FEET)	32.7	25	32.7
YARD SETBACK- SIDE (FEET)	10.9	20	10.9
YARD SETBACK- REAR (FEET)	N/A	20	N/A
BUILDING COVERAGE (%)	9.1%	30% MAX	9.1%
SITE COVERAGE (%) (SEE 325-2)*	19.5%	35% MAX	19.5%
BUILDING HEIGHT (SEE 325-2 AND 325-108)*	16.9'	30' MAX	24'

FLOOD FLOOD NOTE:
 1.) THE LOCUS PROPERTY IS ENTIRELY WITHIN THE 100 YEAR FLOOD BOUNDARY, ZONE AE, BFE=11. AS SHOWN ON COMMUNITY PANEL 25001C0611J, DATED 7-16-2014.
 2.) THE HIGHEST EXISTING GROUND ELEVATION WAS FOUND TO BE ELEVATION 9.0, ADJACENT TO THE DWELLING.

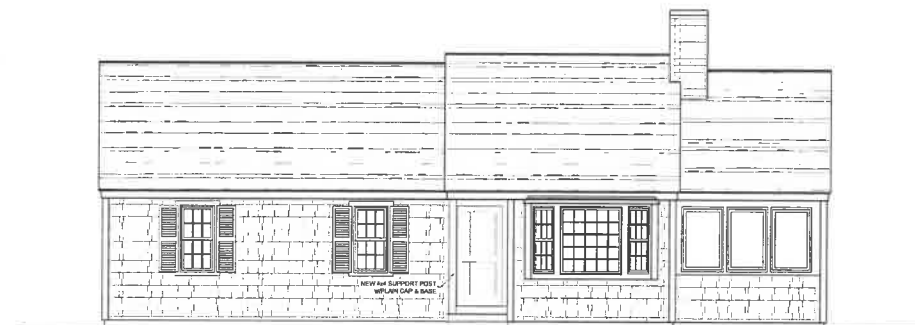
AS-BUILT PLOT PLAN
 SHOWING DWELLING
 AT
 298 Lower County Road Harwich, MA
 PREPARED FOR
 Robert F. Stadolnik Revocable Trust

BENCHMARK:
 Top of Concrete Bound
 EL=8.2± (NAVD DATUM 1988)





EXISTING RIGHT ELEVATION



EXISTING FRONT ELEVATION




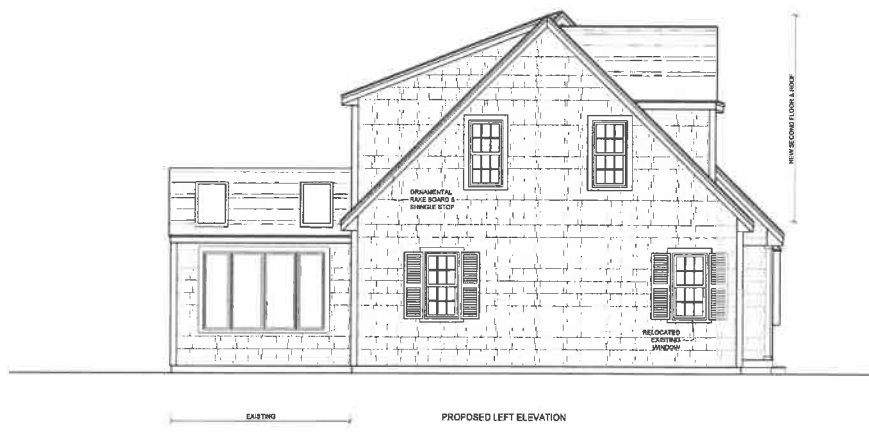
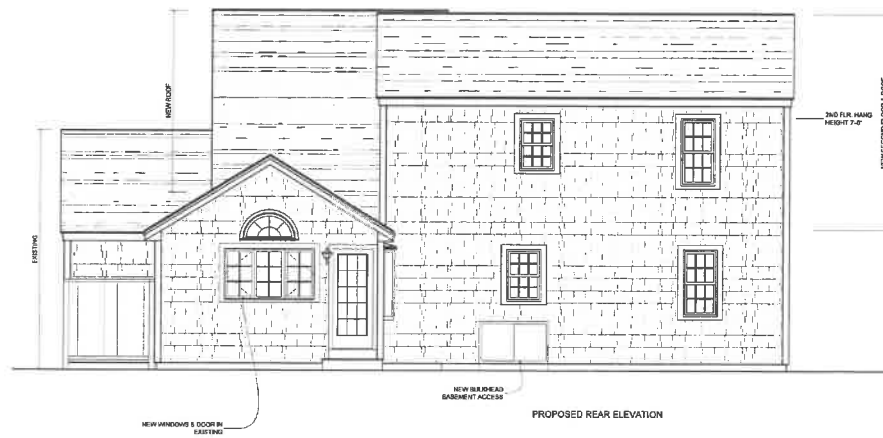
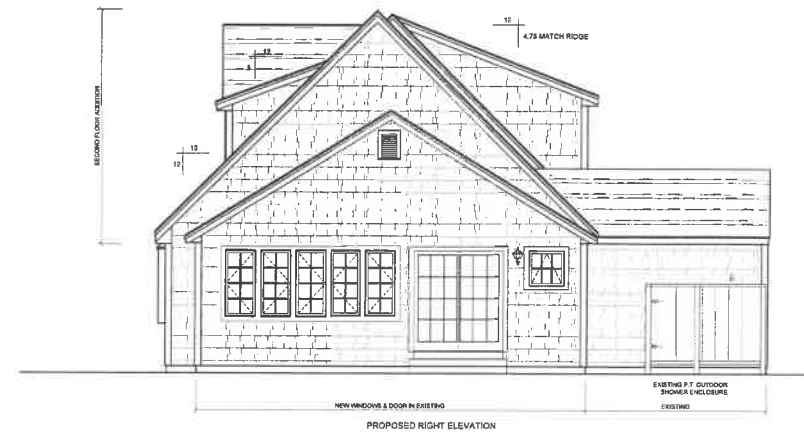
EXISTING REAR ELEVATION



PROPOSED RIGHT ELEVATION

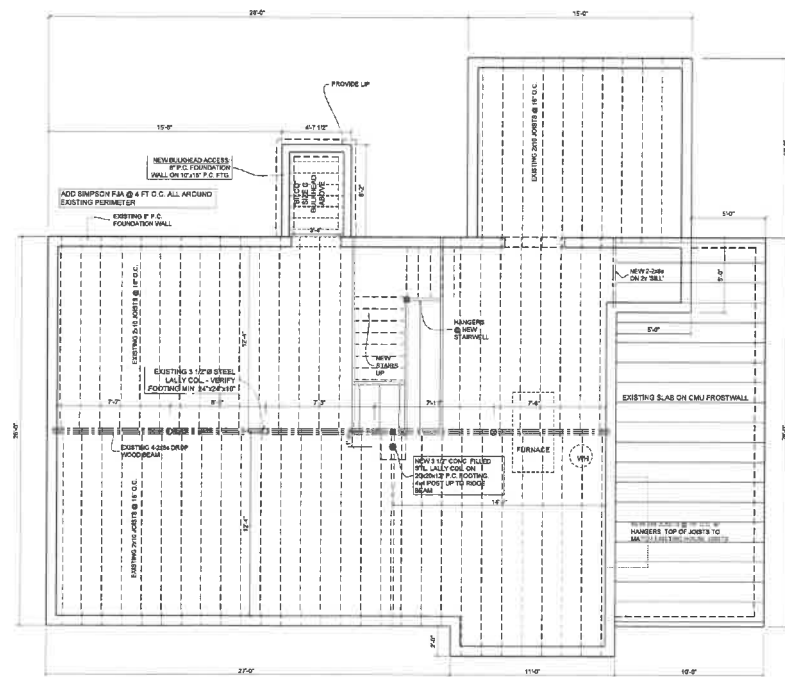
- GENERAL NOTES:**
1. USE TYVEK OR EQUIVALENT ON ROOF AND SIDING WALLS.
 2. GUTTERS AND DOWNSPOUTS TO BE PROVIDED WHERE REQUIRED.
 3. PROVIDE FLASHING ABOVE ALL WINDOWS AND DOORS.
 4. CONTRACTOR TO VERIFY ALL DIMENSIONS IN THE FIELD.
 5. OWNER AND CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR CONSTRUCTION & CONFORMANCE WITH ALL STATE AND LOCAL RULES AND REGULATIONS.

 GREYWING DESIGN 131 QUAKER MEETINGHOUSE ROAD, EAST SANDWICH, MA 02537 www.greywing.com	EXISTING ELEVATIONS	
	DATE: 12 NOV 2023 SCALE: 1/4" = 1'-0" © 2020 Greywing Design 508 364-1576	PROJECT: ADDITIONS & RENOVATIONS STADOURK RESIDENCE 298 LOWER COUNTY RD., HARWICHPORT PROJECT NO. G200615 SHEET: A1 OF 2



GENERAL NOTES:
 1. USE 'TYVEK' OR EQUIVALENT ON ROOF AND SIDING.
 2. GUTTERS AND DOWNSPOUTS TO BE PROVIDED WHERE REQUIRED.
 3. PROVIDE FLASHING ABOVE ALL WINDOWS AND DOORS.
 4. CONTRACTOR TO VERIFY ALL DIMENSIONS IN THE FIELD.
 5. OWNER AND CONTRACTOR SHALL ASSUME ALL RESPONSIBILITY FOR CONSTRUCTION & CONFORMANCE WITH ALL STATE AND LOCAL RULES AND REGULATIONS.

 GREY WING DESIGN 131 QUAKER MEETINGHOUSE ROAD, EAST SANDWICH, MA 02537 www.greywing.com	DATE: 12 NOV 2020 SCALE: 1/4" = 1'-0"	PROJECT: ADDITIONS & RENOVATIONS STADOLNIK RESIDENCE 296 LOWER COUNTY RD., HARWICHPORT
	© 2020 Greywing Design 508 364-1776 <small>Design created by AutoCAD 2019. All rights reserved.</small>	PROJECT NO: G200913 SHEET: A2 of 7

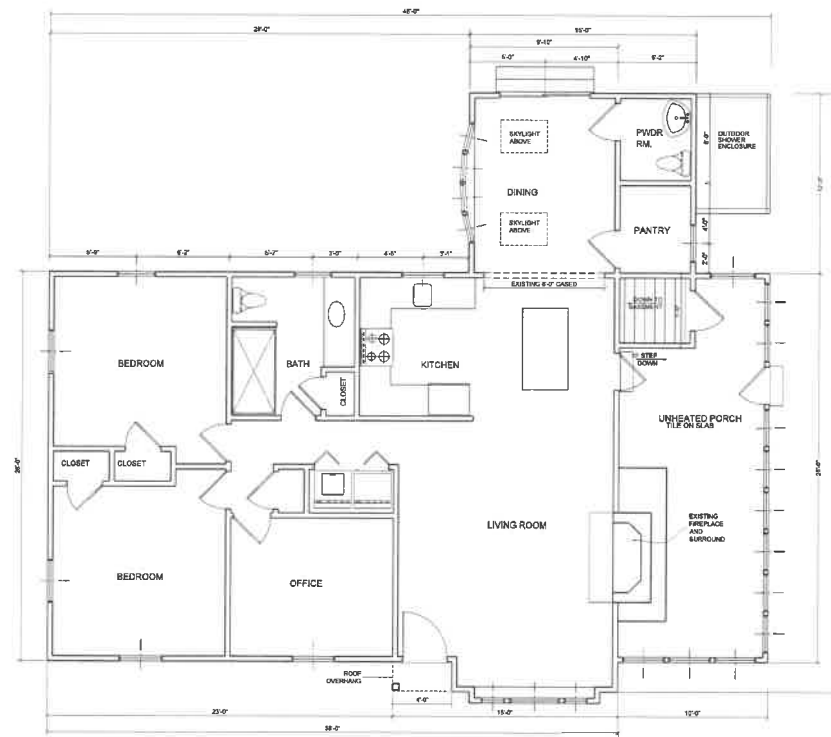


FOUNDATION PLAN & FIRST FLOOR FRAME

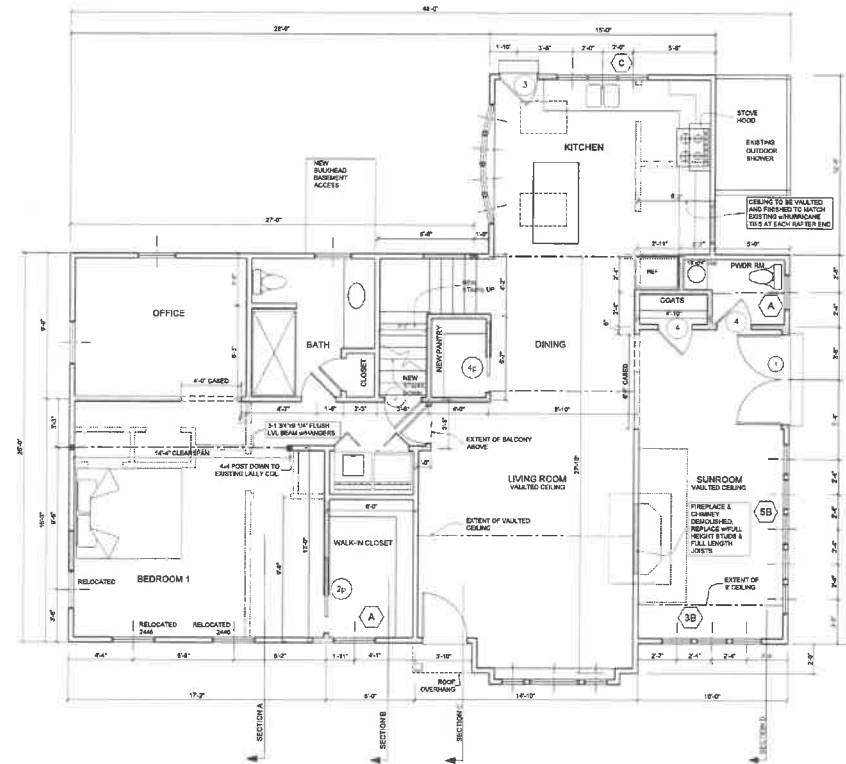


Nicholas C. Costa
11/12/2020 STRUCT ONLY

 GREYWINING DESIGN 131 QUAKER MEETINGHOUSE ROAD, EAST SANDWICH, MA 02537 www.greywining.com	FOUNDATION PLAN & FIRST FLOOR FRAME	
	DATE: 12 NOV 2020 SCALE: 1/4" = 1'-0" © 2020 Greywing Design 508-364-1576	PROJECT: ADDITIONS & RENOVATIONS STADOLNIK RESIDENCE 286 LOWER COUNTY RD., HARMWICHPORT



EXISTING FIRST FLOOR PLAN



PROPOSED FIRST FLOOR PLAN

WINDOWS TO MATCH EXISTING MARVIN

LYK	QTY.	REMARKS
A	1	2424 AWNING
B	1	3036 CASSEMENT
C	1	6036 SPANLE COSEMENT
D	1	3613 HALF CIRCLE
E	3	2448 DOUBLEHUNG
F	3	3436 DOUBLEHUNG
G	2	3817 TRANSOM

INTERIOR DOORS TO MATCH EXISTING - ARCHED TOP PANEL

#	QTY.	REMARKS
1	1	6099 1/2-SWING PAIR GLAZED ENTRY
2	2	2498 INTERIOR
3	1	2666 INTERIOR POCKET
4	1	2864 1/2 LGRT ENTRY
5	5	2466 INTERIOR
6	1	2466 INTERIOR POCKET
7	1	2068 INTERIOR

EXISTING LIVING SPACE 1450 SF
 PROPOSED FIRST FLOOR LIVING AREA 1450 SF
 PROPOSED SECOND FLOOR LIVING AREA 156 SF
 TOTAL NEW LIVING AREA 2006 SF



11/12/2020 STRUCT. ONLY

<p>GREY WING DESIGN 131 QUAKER MEETINGHOUSE ROAD, EAST SANDWICH, MA 02537 www.greywing.com</p>	<p>DATE: 12 NOV 2020 SCALE: 1/4" = 1'-0"</p>	<p>PROJECT: ADDITIONS & RENOVATIONS STADOLNIK RESIDENCE 236 LOWER COUNTRY RD., HARWICHPORT</p>
	<p>© 2020 Greywing Design 508 364-1576</p>	<p>PROJECT NO.: G200413 SHEET: A4 of 7</p>

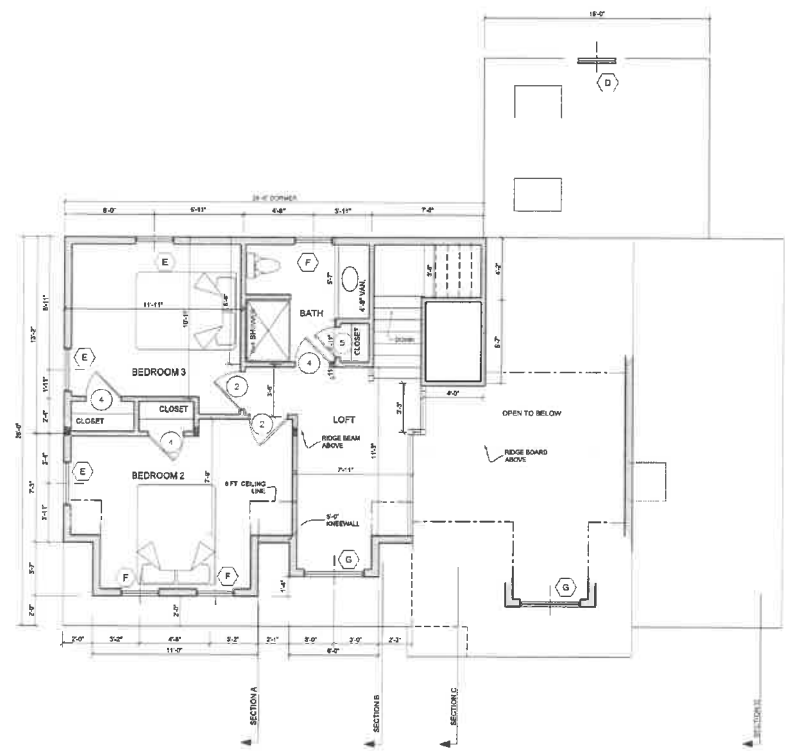
WINDOWS TO MATCH EXISTING MATERIAL

NEW WINDOW SCHEDULE		WINDOWS LARGER OR BETTER
LTR.	QTY.	REMARKS
A	1	5424 WINDOW
B	1	2334 CASEMENT
C	1	6028 3 PANEL CASEMENT
D	1	2613 HALF CIRCLE
E	3	2446 DOUBLE-HUNG
F	1	2426 DOUBLE-HUNG
G	2	3617 TRANSOM

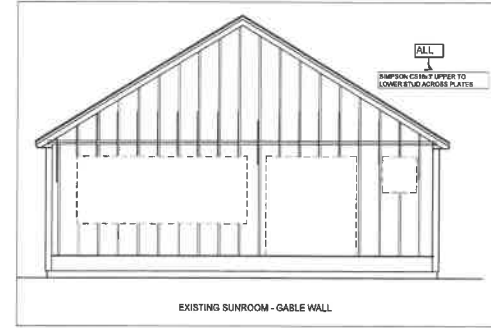
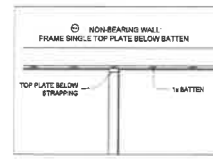
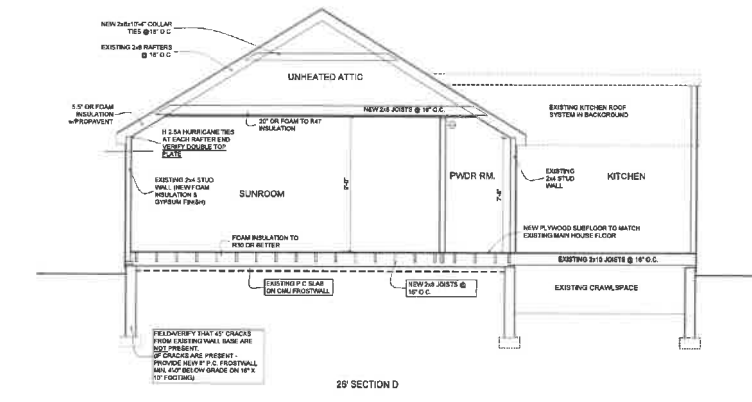
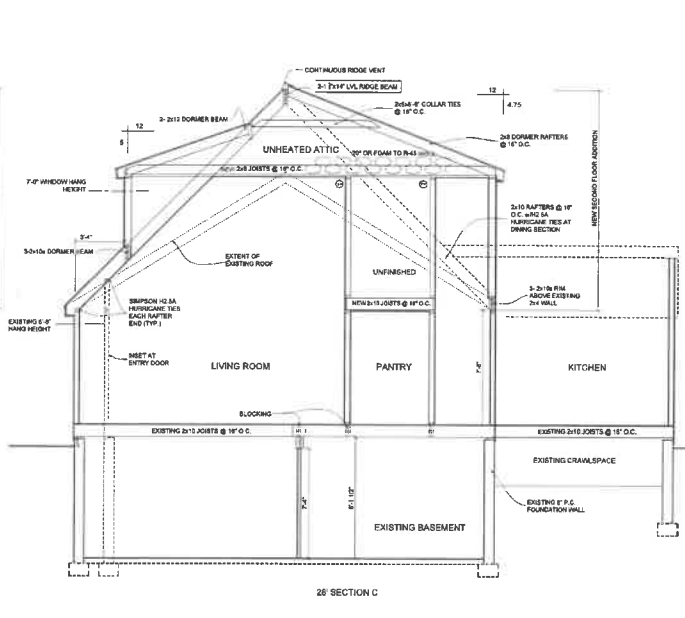
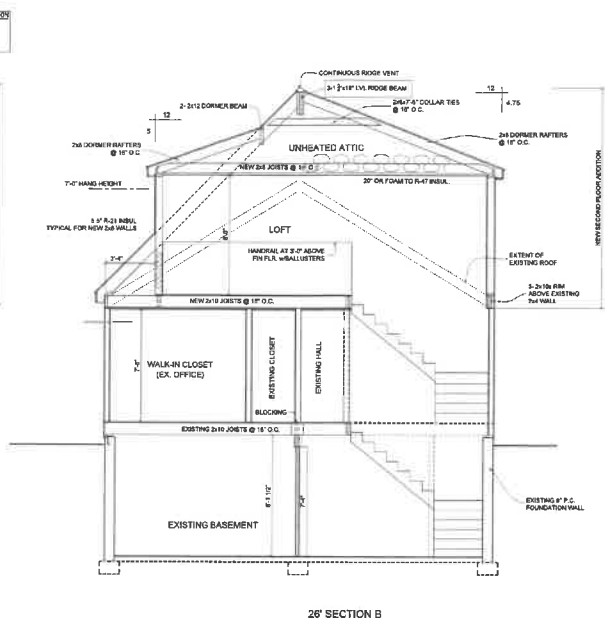
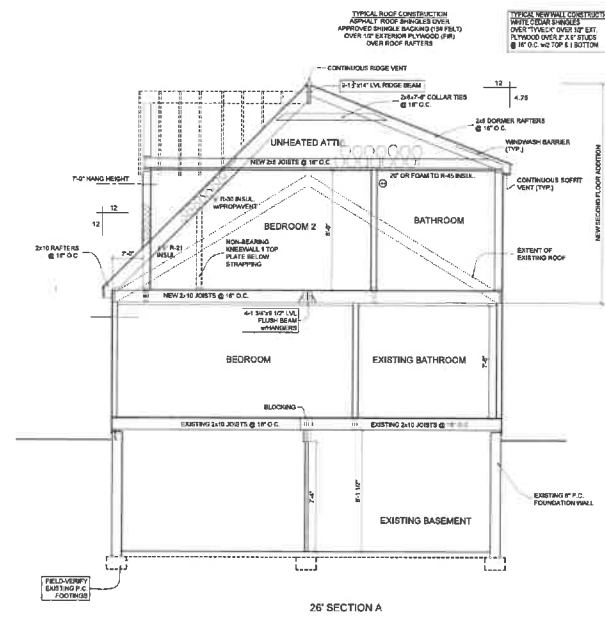
INTERIOR DOORS TO MATCH EXISTING - ARCHED TOP PANEL

NEW WINDOW SCHEDULE		
#	QTY.	REMARKS
1	1	5058 IN-SWING PAIR GLAZED ENTRY
2	2	2628 INTERIOR
3	1	2628 INTERIOR POCKET
4	1	2458 INTERIOR POCKET
5	1	2668 INTERIOR

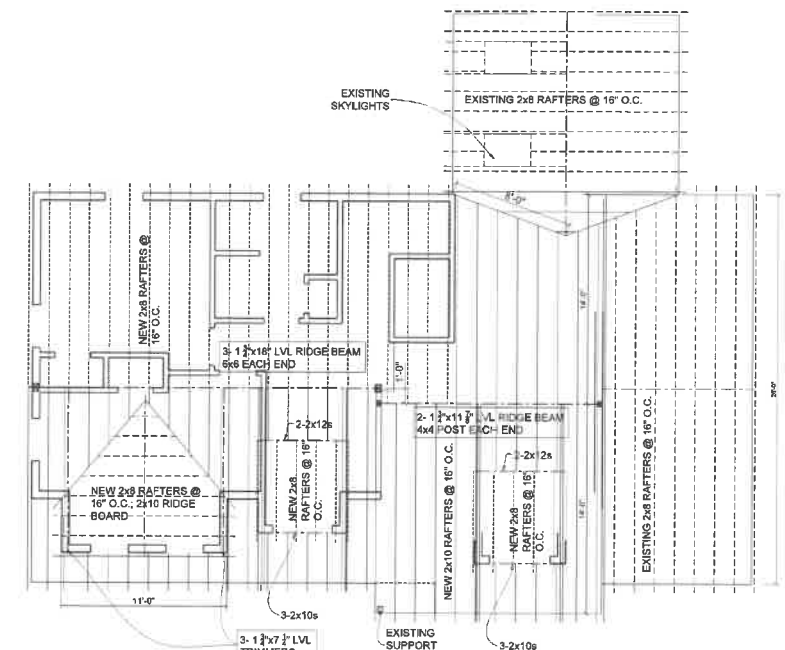
NAILING SCHEDULE			
	No common nails	No for nails	Min spacing
ROOF FRAME			
ROOFING TO RAFTER (TOP-NAIL)	2-1/2"	2-1/2"	18" max
RAIN BOARD TO RAFTER (END-NAIL)	2-1/2"	2-1/2"	18" max
WALL FRAME			
TOP CHAIR INTERSECTIONS (FACE-NAIL)	4-1/2"	4-1/2"	24" max
STUD TO STUD (FACE-NAIL)	2-1/2"	2-1/2"	24" max
HEADS TO HEADS (FACE-NAIL)	1-1/2"	1-1/2"	18" max
FLOOR FRAME			
JOIST TO JOIST, TOP PLATE OR GROSS (END-NAIL)	3-1/2"	3-1/2"	18" max
BLINDING TO JOIST (TOP-NAIL)	2-1/2"	2-1/2"	18" max
BLINDING TO BEAM OR TOP PLATE (FACE-NAIL)	3-1/2"	3-1/2"	18" max
LEADER TO BEAM OR GROSS (FACE-NAIL)	3-1/2"	3-1/2"	18" max
JOIST TO JOIST TO BEAM (FACE-NAIL)	3-1/2"	3-1/2"	18" max
JOIST TO JOIST (END-NAIL)	3-1/2"	3-1/2"	18" max
MIN JOIST TO JOIST (FACE-NAIL)	2-1/2"	2-1/2"	18" max
MIN JOIST TO BEAM OR TOP PLATE (FACE-NAIL)	2-1/2"	2-1/2"	18" max
ROOF SHEATHING			
1/2" OSB TO JOIST OR RAE	6d	12d	12" max
RAFTER @ 12" O.C. OR LESS	6d	12d	12" max
OSB TO BEAM AND OVERHANG @ 12" O.C. (OUTLOOKERS)	6d	12d	12" max
CEILING SHEATHING			
OSB TO RAFTER	6d common	-	12" max
WALL SHEATHING			
1/2" OSB TO STUD @ 24" O.C. OR LESS	6d	12d	12" max
1/2" OSB TO BEAM	6d common	-	12" max
FLOOR SHEATHING			
PLYWOOD OR OSB 1" OR LESS	6d	12d	12" max
PLYWOOD OR OSB GREATER THAN 1"	10d	16d	12" max



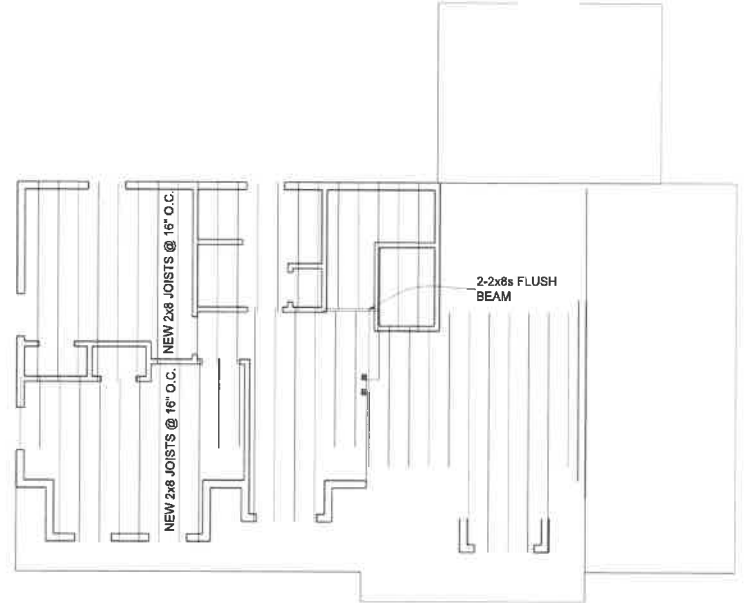
<p>GREYWINING DESIGN 131 QUAKER MEETINGHOUSE ROAD, EAST SANDWICH, MA 02537 www.greywining.com</p>	<p>PROPOSED SECOND FLOOR PLAN</p>	
	<p>DATE: 12 NOV 2020 SCALE: 1/4" = 1'-0"</p>	<p>PROJECT: ADDITIONS & RENOVATIONS STADOLNIK RESIDENCE 288 LOWER COUNTY RD., HARWCHPORT PROJECT NO. G200613 SHEET A5 OF 7</p>



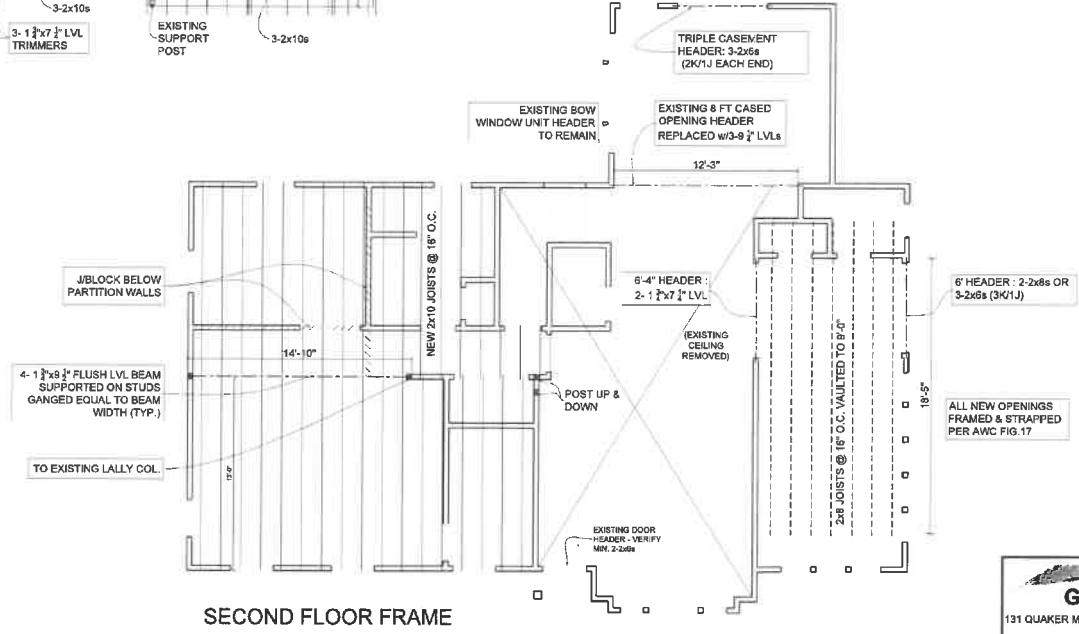
GREYWING DESIGN 131 QUAKER MEETINGHOUSE ROAD, EAST SANDWICH, MA 02537 www.greywing.com	DATE: 12 NOV 2020 SCALE: 1/8" = 1'-0"	PROJECT: ADDITIONS & RENOVATIONS STADOLNIK RESIDENCE 290 LOWER COUNTY RD., HARTWICHPORT PROJECT NO. G200813 SHEET A6 OF 7
	BUILDING SECTIONS	



ROOF FRAME



SECOND FLOOR CEILING FRAME



SECOND FLOOR FRAME

<p>GREY WING DESIGN 131 QUAKER MEETINGHOUSE ROAD, EAST SANDWICH, MA 02537 www.greywing.com</p>	<p>FRAMING PLANS</p>	<p>PROJECT: ADDITIONS & RENOVATIONS STADLER RESIDENCE 298 LOWER COUNTY RD., HARWICHPORT</p>
	<p>DATE: 13 NOV 2023 SCALE: 1/4" = 1'-0" © 2020 Greywing Design, 508.364.1876</p>	

