

# Abutter letter for 32 Deer Run variance

Kristen Pontoriero <klamonica@gmail.com>

Thu 11/17/2022 8:46 AM

To: Harwich Building Department <building@townofharwich.us>;

Please see attached for abutter letter for 32 Deer Run. This is for the Board of Appeals meeting on 11/30. We have also placed a hard copy in the mail. Thank you,

Kristen Pontoriero  
978-808-1716

November 16, 2022

Town of Harwich Zoning Board of Appeals  
732 Main Street  
Harwich, MA 02645

Dear Board Members:

We are writing in response to Case No. 2022-30, a variance requested at 32 Deer Run, Harwich, MA 02645 by John Canducci. We own 30 Deer Run, Harwich, MA 02645, which is an abutting property to the property located at 32 Deer Run.

We have reviewed the variance application. There are two matters that we would like to bring to the attention of the Board of Appeals:

1. A certified plot plan with topographical information as required by the application is missing from the notice of appeal submitted to the Town of Harwich Board of Appeals. As a result, we are unable to determine:
  - a. The proposed building as it sits on the existing property;
  - b. The location of the septic;
  - c. The proposed frontage, front, sides, rear setback distances, and building heights;
  - d. The proposed driveway/access point from the street;
  - e. The proposed/retained vegetation.
2. The building plans submitted in the notice of appeal depict a building that appears too large for the existing property:
  - a. The proposed building includes 3 bedrooms (master bedroom on first floor, two bedrooms on second floor) plus a loft. This does not conform to the deed restriction issued by the Town of Harwich Board of Health which restricts the property to a maximum of 2 bedrooms.
  - b. The proposed building appears to be approximately 70 feet deep and approximately 74 feet wide. The lot size is only approximately 89 feet wide, therefore, depending on which way the house sits on the property (which we are unable to determine without the certified plot plan as noted in (1) above) the proposed building would not meet either front (25 feet) or side (20 feet) set backs as indicated in the variance request submitted by Mr. Canducci.

We have contacted Mr. Canducci's attorney, William D. Crowell, Esq., and were informed the information noted in (1) above would be available for review prior to the hearing date. Unfortunately, as we are unable to attend the hearing on November 30, 2022 in person, and written comment is due 10 days prior, we are providing this feedback with the information available to us as of November 16, 2022. Without the above additional information, we are unable to make an informed decision on this matter. We contest this variance with the information presently provided, and we will continue to contest the variance until we determine that this variance will not affect our property rights.

Sincerely,



*Kristen Pontoriero*

Pasquale & Kristen Pontoriero  
30 Deer Run  
Harwich, MA 02645  
732-895-7887