



**TOWN OF HARWICH**  
732 Main Street, Harwich, Massachusetts 02645

**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 ("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:

10 Kings Road. Said property is further described on

Assessor's Map # 42 and Parcel # E1-19-0 located in the RR Zoning District as shown on the attached plan.

Describe Petition/Appeal: Applicants seek varaince under § 325-52 from § 325-14(T)(4)(g) – minimum area requirement for an ADU in an RR District

Relief requested - Cite specific Bylaw Section(s): § 325-14(T)(4)(g)

Signature of Owner (or Agent) \_\_\_\_\_ Date \_\_\_\_\_  
(Written authorization by the owner must accompany an Application signed by agent.)

Owner Name William S. Little and Sandra Clementino Holtz Phone No. (508) 958-1311

Mailing Address: 10 Kings Road, Harwich, MA 02645

Agent Name: Brian J. Wall, Esq. Phone No. (508) 888-5700

Mailing Address: 90 Route 6A, Sandwich, MA 02563

Has a petition previously been submitted for this property (Y/N) No

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 an incomplete Application may result in a delay in processing your Application and **may result in a denial by the Board** without consideration of the merits of the 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 the 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 the MGL and the Harwich Zoning Bylaw.**
- ✓ **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.**

Name of Applicant: William S. Little and Sandra Clementino Holtz

Address of Property: 10 Kings Road

Zoning District: RR

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 X

If Yes, specify District(s): \_\_\_\_\_

Year Structure(s) Built: \_\_\_\_\_

Name/Address of Engineer/Architect: \_\_\_\_\_

Name/Address of Attorney: Brian J. Wall, Esq, 90 Route 6A, Sandwich, MA 02563

Subject	Existing	Required	Proposed
Lot Area (square feet)	12,478	40,000	12,478
Frontage (linear feet)	130	150	130
Front Yard Setback (feet)	27	25	27
Side yard Setback (feet)	54.9 and 14.7	20	21 and 14.7
Rear Yard Setback (feet)	41.9	20	41.9
Any Yard Setback - Specify which:			
Building Coverage (%)	10.3%	15%	14.93%
Site Coverage (%) (see 325-2)	24.84%	50%	32.22%
Building Height (see 325-2 & 325-108)*			
<b>If this is an Application for an Accessory Apartment, in addition to the above:</b>			
A. Net Floor Area of the Principal Dwelling			
B. Net Floor Area of the proposed Accessory Apartment			
* Building height calculation(s) must be shown on plan for all zones per the Harwich Zoning By-laws Section 325-2. See Article XVII - Floodplain Regulations Section 325-108.			

Form of Relief Requested: Variance from minimum lot area for an ADU in an RR District (§ 325-14(T)(4)(g))

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: Substantial financial hardship.

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.

Agent's Signature: Brian J. Wall, Esq. Date: 10/18/22

Owner's Signature: \_\_\_\_\_ Date: \_\_\_\_\_

October 18, 2022

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

**RE: 10 Kings Road, Harwich**

Dear Sir or Madam:

This letter authorizes Attorney Brian J. Wall to represent our interests and act on our behalf before the Zoning Board of Appeals with regard to the above-referenced property.

Thank you.

Sincerely,



William S. Little, Jr.



Sandra Clementino Holtz



# TROY WALL ASSOCIATES

ATTORNEYS AND COUNSELLORS AT LAW  
A PROFESSIONAL ASSOCIATION OF INDIVIDUAL PRACTITIONERS\*

90 ROUTE 6A, SANDWICH, MASSACHUSETTS 02563  
TELEPHONE: (508) 888-5700

ROBERT S. TROY  
rst@troywallassociates.com

BRIAN J. WALL  
bjw@troywallassociates.com

October 18, 2022

G. Brian Sullivan, Chair  
Zoning Board of Appeals  
Town of Harwich  
732 Main Street  
Harwich Center, MA 02645

Re: **William S. Little and Sandra Clementino Holtz**  
**10 Kings Road, Harwich**  
**Assessors ID 42-E1-19-0**  
**Application for Variance**

Dear Mr. Sullivan:

Please be advised that I represent the above-referenced applicants, William S. Little and Sandra Clementino Holtz. The Applicants seek to have an accessory apartment pursuant to § 325-14(T) of the Harwich Zoning Bylaw to house a CNA nurse who will provide care for Mr. Little; however, the Applicants' lot does not have sufficient area. Accordingly, the Applicants respectfully request a variance, pursuant to § 325-52, from the minimum lot area requirements for an ADU set forth in §325-14(T)(4)(g), to enable them to satisfy the criteria for an ADU.

## **1. Existing Conditions.**

The Applicants are the owners of the subject property which consists of a 12,478+/- square foot lot (.286 acres) with 130 feet of frontage located at 10 Kings Road. *See*, Deed attached as **Exhibit 1** and Site Plan attached as **Exhibit 2**. The lot is improved with an existing 5-bedroom single-family dwelling and a detached two-car garage with living space above. It is this space above the garage where the Applicants seek to have the ADU. *See*, Floor Plans attached as **Exhibit 3**.

The lot is shown as Lot 19 on a subdivision plan dated July 1964 recorded in the Barnstable County Registry of Deeds in Plan Book 187, Page 53. *See*, **Exhibit 4**.

**2. Zoning Requirements.**

The property is situated in an RR District. Single-family homes are allowed in the RR District by right. ADU's are allowed in the RR District if the criteria in § 325-14(T)(a) - (k) can be satisfied. The current minimum dimensional requirements in the RR District are:

Minimum Area:	40,000 sq. ft.
Minimum Frontage:	150 ft.
Front yard setback:	25 ft.
Side yard setback:	20 ft.
Rear yard setback:	20 ft.
Building Coverage:	15% maximum
Site Coverage	50% maximum

**3. Legal Status.**

The existing dwelling, detached garage, and the lot, have the following dimensional measurements:

Area:	12,478 sq. ft.
Frontage:	130 ft.
Front yard setback:	27 ft.
Side yard setback:	54.9 ft. and 14.7 ft.
Rear yard setback:	41.9 ft.
Building coverage:	10.3%
Site coverage:	24.84%

The lot is non-conforming because it is undersized and lacks adequate frontage. The dwelling is non-conforming because it does not meet the side yard setback on the east side.

**4. Criteria for an ADU.**

The Applicants recently constructed a two-car garage with living space above. They intended to have Mrs. Holtz's elderly mother live above the garage. However, she tragically passed away from COVID in 2020. And in 2021, Mr. Little suffered a stroke. As a result of this unfortunate event, the Applicants now seek to utilize the space as an ADU to house a CNA nurse who will provide care to Mr. Little.

A accessory dwelling unit is allowed in the RR District pursuant to § 325-14(T), provided the criteria in subsections (a) through (k) are satisfied. As demonstrated below, the Applicants meet all the ADU criteria, except for the minimum area requirement in § 325-14(T)(4)(g).

- a. *Only one accessory apartment is permitted for each principal dwelling unit.*

The Applicants are seeking permission for only one accessory apartment.

- b. *The accessory apartment may not be held in separate ownership from the principal use.*

The accessory apartment will be held in single ownership and will be located on the lot owned by the Applicants.

- c. *Only one of the principal dwelling or accessory apartment may be rented at any given time and, if rented, shall be rented for a term of no less than six consecutive months.*

The Applicants live in the principal dwelling and intend to rent the accessory apartment and will rent for a term of no less than six consecutive months.

- d. *The accessory apartment shall have a net floor area not exceeding 1/2 of the net floor area of the principal dwelling unit and not more than 900 square feet.*

The floor area of the apartment is approximately 575 square feet, which is less than half that of the principal dwelling.

- e. *The accessory apartment shall have not more than two bedrooms.*

The accessory apartment is a studio and therefore, does not have more than two bedrooms.

- f. *At least one off-street parking space shall be provided for the accessory apartment.*

There is at least one off-street parking space provided for the accessory apartment.

- g. *The minimum lot area required for a parcel to allow an accessory apartment shall not be less than 15,000 square feet if the parcel is situated in an RH-1, CV, CH-1, MRL or MRL-1 District; 20,000 square feet if situated in an RL, RM or RR District; and 40,000 square feet if situated in a Water Resource (WR) Overlay District. For parcels existing within an approved open space residential development or cluster subdivision, the lots size shall be consistent with the endorsed plan.*

The Applicants do not satisfy this requirement as their lot is 12,478 square feet and the Bylaw requires 20,000 square feet.

- h. *The accessory apartment shall be designed so that, to the degree reasonably feasible, the appearance of the property remains that of a single-family property with matching materials, colors, window styles and roof design for one structure, if the apartment is attached, or for both structures, if the apartment is detached.*

The accessory apartment is located above the two-car garage and is integrated into the design such that the appearance of the property remains that of a single-family dwelling.

- i. *The principal dwelling unit and accessory apartment shall meet all wastewater treatment requirements for the combined number of bedrooms.*

Wastewater requirements will be met. As part of this project, the Applicants have converted an existing bedroom on the house into a handicapped bathroom. This reduces the existing bedroom count by one, which is then increased by one in the accessory apartment. Thus, the project proposes no net increase in the number of bedrooms.

- j. *The proposed use shall not exceed the building or site coverage for the zoning district.*

The proposed project complies with building and site coverage requirements. Allowable building coverage is 15%, and the project has 14.93%. Allowable site coverage is 50%, and the proposed project will be 32.22%.

- k. *If an addition is to be built for the proposed use, the addition shall be set back from front, side and rear lot lines the distance required in the zoning district for new construction.*

The accessory apartment will be located in the second floor of the detached garage. The detached garage building complies with all applicable setback requirements.



## 5. Request for Variance.

Pursuant to § 325-52 of the Harwich Zoning Bylaw, the Board of Appeals is authorized to grant variances:

*The Board of Appeals shall have the power to hear and decide applications for variances from the provisions of the protective bylaws, including the power to grant a variance authorizing a use or activity not otherwise permitted in the district in which the land or structure is located, except that no variance shall be granted to allow food sales with drive-up or drive-through facilities. Variances may be granted by the Board only after a public hearing and only after the Board has made the finding required by the Zoning Act.*

The Massachusetts Zoning Act, General Laws Chapter 40A, Section 10, authorizes the Zoning Board of Appeals to grant variance relief if the following criteria are met:

*... owing to circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ordinance or by-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent of purposes of such ordinance or bylaw.*

**Shape, Soil Condition and Topography.** The Applicants' lot is different in shape than the lots in the neighborhood because the Applicants were able to obtain a 1,238 square foot triangular shape piece of property from their neighbor on the west. See, Deed attached as **Exhibit 5**. This triangular piece of property enables the detached garage to meet the side yard setback. It also added 1,238 square feet of land area to the lot:

**Hardship.** Massachusetts General Laws Chapter 40A, Section 10 requires a variance petitioner to demonstrate that "a literal enforcement of the provisions of the ordinance or bylaw would involve substantial hardship, financial or otherwise." The Applicants will have a financial hardship if the literal provisions of the Bylaw are enforced. Mr. Little was a Police Officer in the Town of Chatham from 2003 until 2021. In April of 2021, Mr. Little suffered a stroke which has rendered him partially paralyzed and unable to work. Mr. Little's wife, Mrs. Holtz, left her job at Spaulding Hospital to care for Mr.

October 18, 2022

Page 6

Little. She is able to work part-time as a cleaner at the Chatham Police Department; but Mr. Little being disabled and Mrs. Holtz leaving her job at Spaulding has resulted in a substantial loss of income for the family. The ADU will provide a small source of income for Mr. Little and his wife. And more importantly, it will provide housing for a CNA nurse who will care for Mr. Little. If the variance from the minimum area requirement is not granted, Mr. Little will not have the income from the ADU and will suffer a substantial financial hardship.

**Public Good and Intent of the Bylaw.** Massachusetts General Laws Chapter 40A, Section 10 requires that the desired relief must be able to be granted without detriment to the public good and without derogating from the intent of the Bylaw. The detached garage complies with all setback requirements and meets building coverage and site coverage requirements. Thus, even though the lot is undersized, the development of the lot is consistent with Zoning requirements and with the development in the neighborhood. Thus, the variance can be granted without derogating from the intent of the Bylaw. Further, allowing the variance will promote the public good. The purpose of the accessory apartment provisions of the Zoning Bylaw are set forth in § 325-15(T)(1) and read as follows:

*Purpose. The intent of permitting accessory apartments is to:*

- a. Increase the number of small dwelling units available for rent in Town;*
- b. Increase the range of choice of housing accommodations;*
- c. Encourage greater diversity of population with particular attention to young adults and senior citizens; and*
- d. Encourage a more economic and energy-efficient use of the Town's housing supply while maintaining the appearance and character of the Town's single-family neighborhoods.*

Allowing the variance will enable the Applicants to have an ADU which will further the virtuous purposes of the ADU Bylaw and promote the housing policies of the Town as embodied in the Zoning Bylaw. This will promote the public good.

October 18, 2022  
Page 7

**CONCLUSION**

The Applicants respectfully requests the Board of Appeals to act favorably on the application and grant them a variance from the minimum lot size requirements for an ADU in an RR District.

Respectfully submitted,



Brian J. Wall

Enclosures

Cc: William Little

# **EXHIBIT 1**

## QUITCLAIM DEED

Erin C. Hemeon, an unmarried person and Glen A. Hemeon, an unmarried person, of  
c/o 395 Old Queen Anne Road, Chatham, MA 02633

For consideration paid and in full consideration of FOUR HUNDRED THOUSAND  
AND NO ONE HUNDREDTHS (\$400,000.00) DOLLARS.

Grants to William S. Little, Jr. and Sandra Clementino Holtz, as Joint Tenants with rights  
of survivorship, of 86 Lauries Lane, Marstons Mills, MA 02648

with QUITCLAIM COVENANTS

The land in Harwich, BARNSTABLE COUNTY, MASSACHUSETTS, together with the  
buildings thereon, further bounded and described as follows:

SEE EXHIBIT A ATTACHED HERETO AND INCORPORATED AS A PART  
HEREOF

Said premises are conveyed subject to and with the benefit of any and all rights, rights of  
way, easements, reservations, restrictions or other conditions of record insofar as the  
same may be in force and applicable.

*The street address of the property is: 10 Kings Road, Harwich, MA 02645*

The Grantors hereby release all rights of Homestead in the subject premises.

For title see Deed recorded with Barnstable County Registry of Deeds in Book 15997,  
Page 49.

MASSACHUSETTS STATE EXCISE TAX  
BARNSTABLE COUNTY REGISTRY OF DEEDS  
Date: 11-02-2015 @ 09:45am  
Ctl#: 213 Doc#: 53606  
Fee: \$1,368.00 Cons: \$400,000.00

BARNSTABLE COUNTY EXCISE TAX  
BARNSTABLE COUNTY REGISTRY OF DEEDS  
Date: 11-02-2015 @ 09:45am  
Ctl#: 213 Doc#: 53606  
Fee: \$1,080.00 Cons: \$400,000.00

4

## EXHIBIT A

The land in HARWICH, BARNSTABLE COUNTY, MASSACHUSETTS, together with the buildings thereon, further bounded and described as follows:

- On the South by Kings Road as shown on the hereinafter described plan, sixty-one and 46/100 (61.46) feet;
- On the Southwest by Kings Road as shown on said plan, thirty-eight and 91/100 (38.91) feet;
- On the South by Kings Road as shown on said plan, thirty (30) feet;
- On the West by Land now or formerly of Archibald C. MacLean, as shown on said plan, seventy-nine and 28/100 (79.28) feet;
- On the North by Lot 16 as shown on said plan, one hundred thirteen and 84/100 (113.84) feet; and
- On the East by Lot 18 as shown on said plan, one hundred five (105) feet.

Containing an area of about 11,200 square feet and being shown on Lot 19 on the subdivision plan of land in Harwich, Mass. for King Construction Co., Inc. dated July 1964 and filed for record with Barnstable County Deeds in Plan Book 187, Page 53.

Together with an easement for all purposes for which ways may be used, including public utilities services over, in and under the private ways shown on said plan.

Executed as a sealed instrument under the pains and penalties of perjury this 30<sup>th</sup>  
day of Oct A.D. 2015

*Erin C. Hemeon*

Erin C. Hemeon

*Glen A. Hemeon*

Glen A. Hemeon

**COMMONWEALTH OF MASSACHUSETTS**

Barnstable, ss.

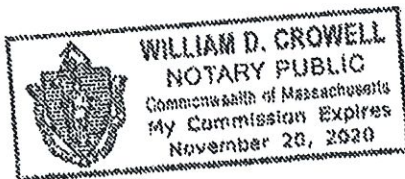
On this 30<sup>th</sup> day of Oct, 2015, before me, the undersigned Notary Public, personally appeared Erin C. Hemeon and Glen A. Hemeon, proved to me through satisfactory evidence of identification, which were MA MIV LIC'S to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose and who swore or affirmed to me that the contents of this document are truthful and accurate to the best of their knowledge and belief.

*[Signature]*

NOTARY SEAL:

NOTARY PUBLIC

My Commission expires: 11/20/20



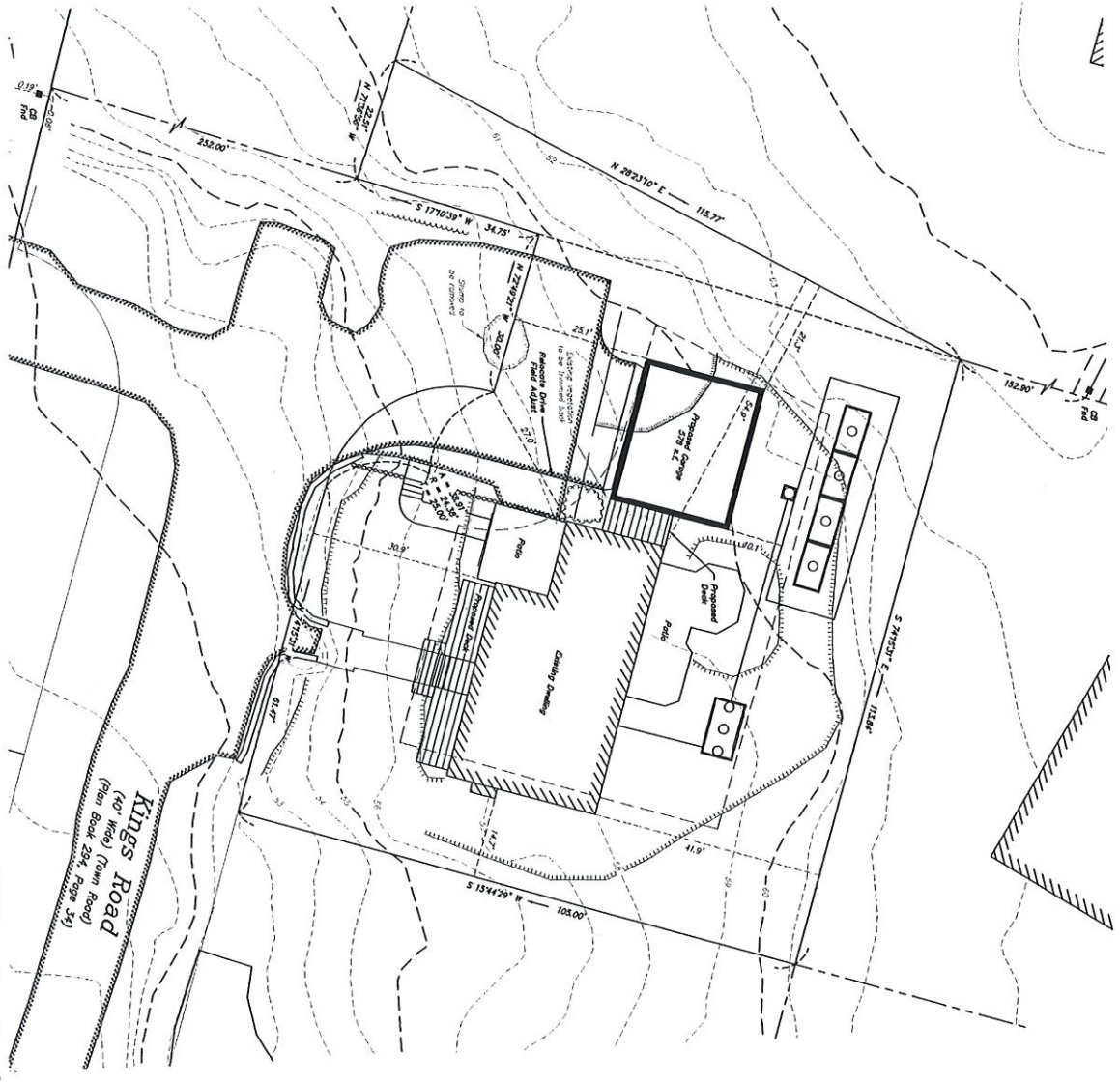
# **EXHIBIT 2**





Assessor's ID: 42-EI-19-0  
 OWNER OF RECORD:  
 William S. Little, Jr. and  
 Sandra Clementine Heitz  
 Deed Book 27, Page 67  
 Plan Book 187, Page 53

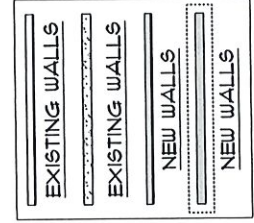
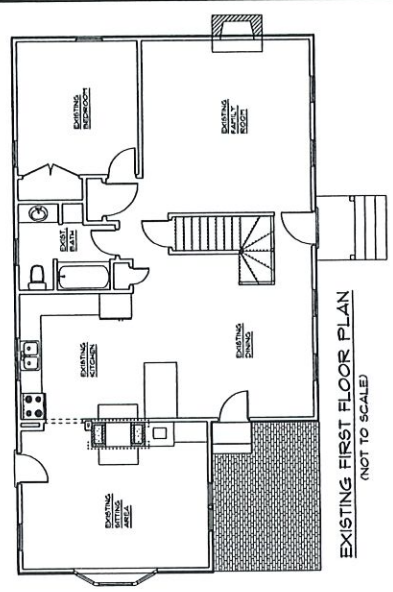
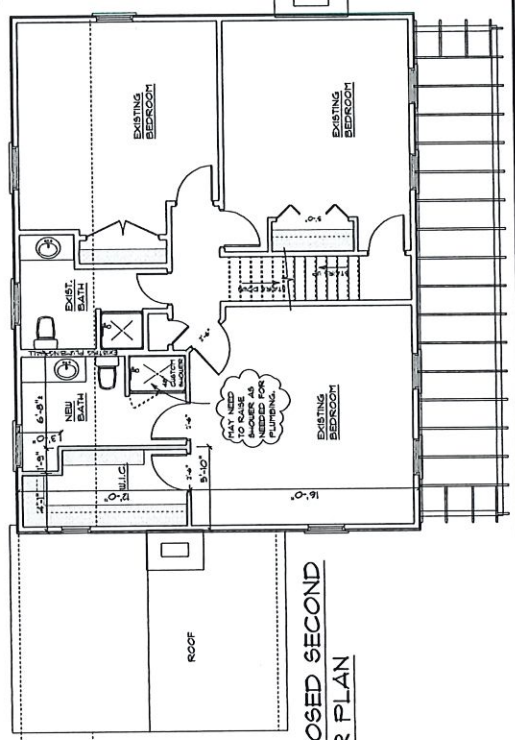
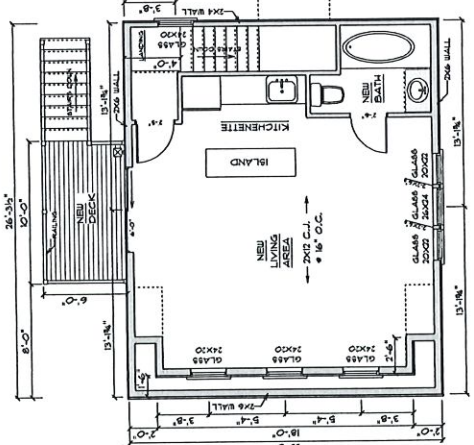
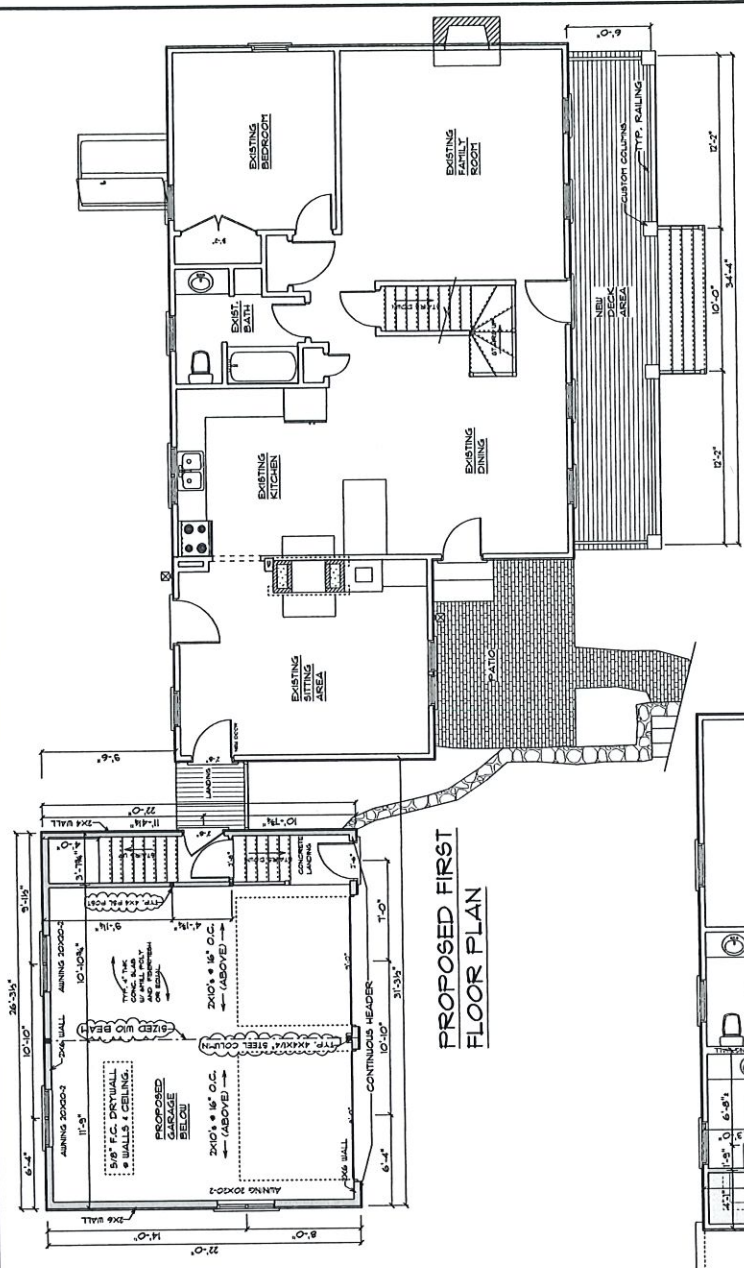
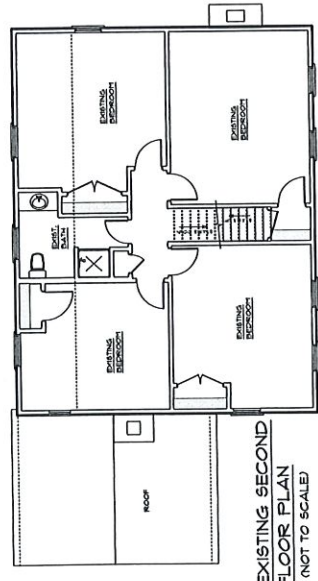
Zone	Zoning Compliance Table		RI (Residential)
	Existing	Required	Proposed
Lot area	12,429 S.F. ±	40,000 S.F. ±	12,429 S.F. ±
Front setback	150.00 Ft.	150 Ft.	150.00 Ft.
Side setback	27.0 Ft.	25 Ft.	25.1 Ft.
Side setback	54.0 Ft.	25 Ft.	25.1 Ft.
Rear setback	43.9 Ft.	20 Ft.	22.2 Ft.
Front parking setback	Ft.	20 Ft.	Ft.
Side parking setback	Ft.	20 Ft.	Ft.
Side parking setback	1,286 S.F. ±	4,873 S.F. ±	1,469 S.F. ±
Number of parking spaces	2	2	2
Building height	5.4 Ft.	5.4 Ft.	5.4 Ft.
Interior landscaping	5.4 Ft.	5.4 Ft.	5.4 Ft.
Number of parking spaces	2	2	2
Driveway width	Ft.	23.4 Ft.	Ft.



© Copyright, 2017 by Eldredge Surveying & Engineering, LLC  
 2. VACATED GRANTING: 4596-010 - 12th, Wilson Ridge Lane 4596-010 - 10th, Wilson Ave 2016-06-14-1497  
 U.S. Feet: 0 10 20 30  
 Meter: 0 2.5 4.9 7.2 9.5  
 Date: 11-17-2017  
 Project No.: C-4596-010  
 Sheet No.: 1 of 1

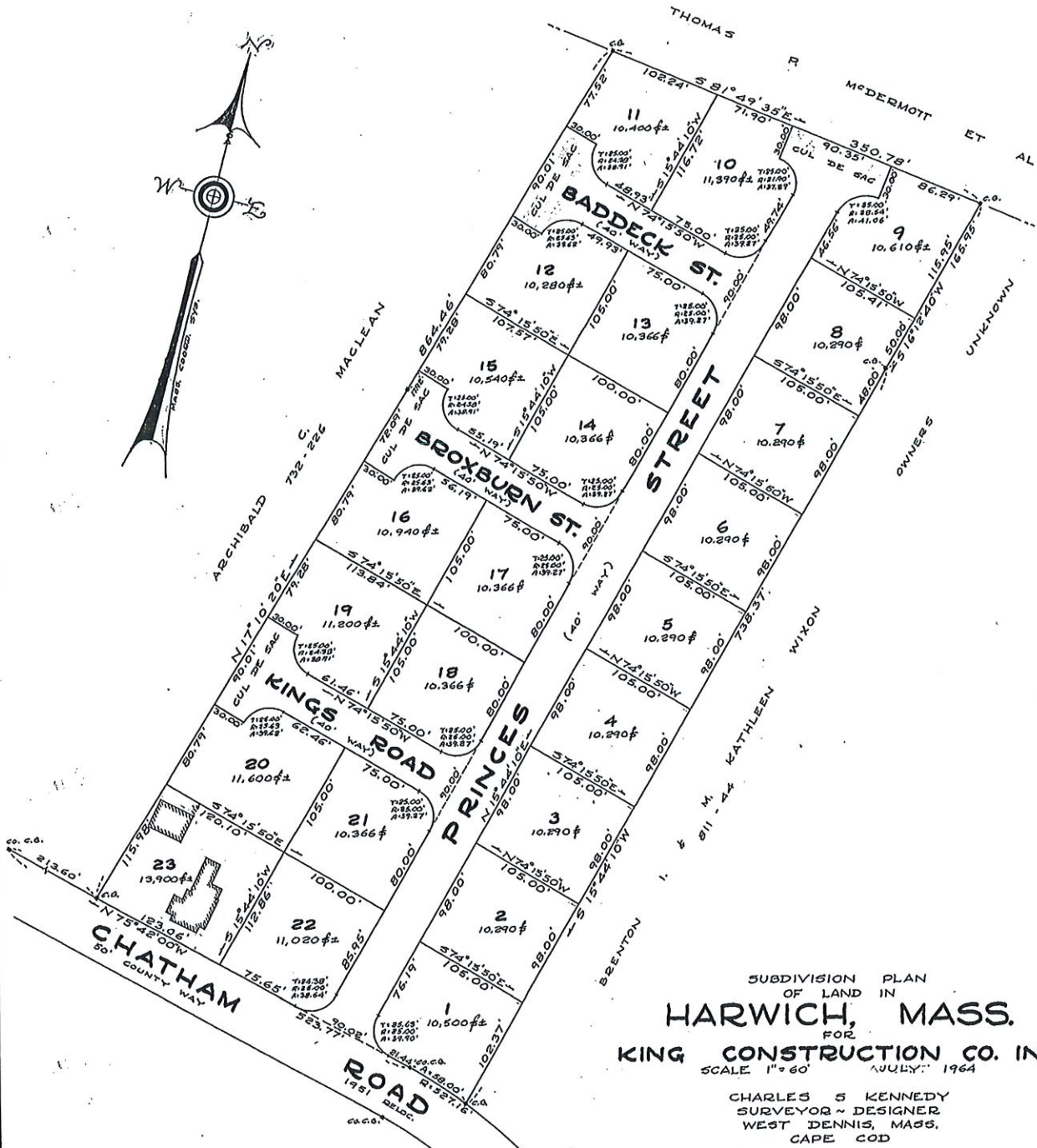
<b>WILLIAM LITTLE</b> <b>ELDRIDGE SURVEYING &amp; ENGINEERING, LLC</b> 1038 Main Street, Chatham, MA; (508) 945-3955; Fax: (508) 945-5885		<b>SITE PLAN</b> 10 Kings Road, Horwich, Massachusetts Description of Revision: Updated garage location Date: 08-13-2018		
Date: 11-17-2017 Project No.: C-4596-010 Sheet No.: 1 of 1				

# **EXHIBIT 3**



DESIGN	DATE	REVISION	DRAWN BY	PAGE	SCALE
JB	8-4-22	1	JB	2 OF 6	1/4" = 1'-0"
JOB ADDRESS	DESIGNER				
LITTLE RESIDENCE 10 KING ROAD HARWICH, MA.	WWW.BHOMEDESIGNS.COM				
BUILDER	PROPOSED TWO CAR GARAGE WITH LIVING SPACE ABOVE.				
<small>           (1) ALL WORKMAN SHALL BE DONE BEFORE RECEIVING THE PERMIT.            (2) ALL WORKMAN SHALL BE DONE BEFORE RECEIVING THE PERMIT.            (3) ALL WORKMAN SHALL BE DONE BEFORE RECEIVING THE PERMIT.            (4) ALL WORKMAN SHALL BE DONE BEFORE RECEIVING THE PERMIT.            (5) ALL WORKMAN SHALL BE DONE BEFORE RECEIVING THE PERMIT.         </small>					
<b>JB Designs</b> <small>           1000 W. MAIN ST. SUITE 100            HARWICH, MA 01945            (508) 494-8534            WWW.BHOMEDESIGNS.COM         </small>					

# **EXHIBIT 4**



SUBDIVISION PLAN  
OF LAND IN  
**HARWICH, MASS.**  
FOR  
**KING CONSTRUCTION CO. INC.**  
SCALE 1"=60' JULY, 1964

CHARLES S KENNEDY  
SURVEYOR & DESIGNER  
WEST DENNIS, MASS.  
CAPE COD

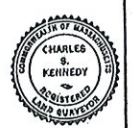
APPROVED: DATE July 24 1964  
HARWICH PLANNING BOARD  
Signed Aug 25 1964 [Signature]  
DATE August 25 1964  
TOWN CLERK

RECORDABLE  
REGISTRY OF DEEDS  
AUG 25 1964  
10:30 A.M.  
RECORDED

I, LESLIE V. NICKERSON, CLERK OF THE TOWN OF HARWICH, HEREBY CERTIFY THAT THE NOTICE OF APPROVAL OF THIS PLAN BY THE HARWICH PLANNING BOARD HAS BEEN RECEIVED AND RECORDED AT THIS OFFICE AND NO NOTICE OF APPEAL WAS RECEIVED DURING THE TWENTY DAYS NEXT AFTER SUCH RECEIPT AND RECORDING OF SAID NOTICE.  
[Signature]  
TOWN CLERK

NOTE:  
PERIMETER OF THIS PLAN TAKEN FROM PLAN OF LAND IN HARWICH, MASS. FOR DODMAN T. SMALL DATED AUG. 29, 1962 SCALE 1"=50' BY S. R. SWETSEB, ENR.

I HEREBY CERTIFY THAT THIS PLAN WAS MADE IN ACCORDANCE WITH THE HARWICH PLANNING BOARD INSTRUCTIONS AND THAT THE PERMANENT POINTS SHOWN ON THE PLAT ARE IN EXISTENCE ON THE GROUND.  
[Signature]  
DATE July 23 1964  
SURVEYOR



# **EXHIBIT 5**

QUITCLAIM DEED

We, **John J. and Suzanne M. McDowell**, Husband and Wife as Tenants by the Entirety,  
of 9 Wheelock Lane, Harwich, Massachusetts 02645

For consideration paid of less than \$100.00, such as not to require deed stamps

Grants to **William S. Little, Jr. and Sandra Clementino Holtz**, as Joint Tenants with  
rights of survivorship, of 10 Kings Road, Harwich, Massachusetts 02645

with QUITCLAIM COVENANTS

a certain Parcel of land in **Harwich**, Barnstable County, Massachusetts, described as  
follows:

**PARCEL 5B**

**Plan Book 670, Page 34**

Said parcel contains an area of 1,283 square feet and is shown on a plan entitled Division  
Plan, dated April 18, 2017, prepared by Eldredge Surveying & Engineering, LLC for  
William S. Little, Jr. and Sandra Clementino Holtz, recorded with the Barnstable County  
Registry of Deeds.

Said parcel is conveyed subject to and with the benefits of any and all rights, rights of  
way, easements, reservations, restrictions or other conditions of record insofar as the  
same may be in force and applicable.

10 Kings Road - Harwich MA  
02645

Said parcel is further conveyed subject to the exclusive use of said parcel by the Grantors, their heirs and assigns.

For title, see Deed recorded with the Barnstable County Registry of Deeds in Deed Book 16,506, Page 137.

Witness our hands and seals, this 1 day of November, 2018.

John J. McDowell  
John J. McDowell

Suzanne M. McDowell  
Suzanne M. McDowell

**COMMONWEALTH OF MASSACHUSETTS**

Barnstable, ss

On this 1 day of November, 2018, before me, the undersigned notary public, personally appeared William Lihk (name of document signer), proved to me through satisfactory evidence of identification, being (check whichever applies)

driver's license or other state or federal document bearing a photographic image, or

my own personal knowledge of the identity of the signatory,

to be the person whose name is signed above, and acknowledged the foregoing to be signed by him/her voluntarily and for its stated purpose.

Erin C. Hemen  
Notary Public



My commission expires

May 9, 2019