



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 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:

25 Edgewood Road
Assessor's Map # 6-E2-SA-0 and Parcel # 0 located in the RH1 Zoning District as shown on the attached plan.

Describe Petition/Appeal: See attached

Relief requested - Cite specific Bylaw Section(s)
See attached correspondence from Building Commissioner

Signature of Owner (or Agent) [Signature] Date 11/22/2022
(Written authorization by the owner must accompany an Application signed by agent.)

Owner Name Eric L. Farno Phone No. 508-432-1643

Mailing Address: P.O. Box 610 Coventry CT 06238

Agent Name: William D. Crowell Phone No. 508-432-1643

Mailing Address: 466 Main St. PO Box 185 Harwich Port MA

Has a petition previously been submitted for this property (Y/N) 02646

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: Eric L. Farno and Jodi E. Farno

Address of Property: 25 Edgewood Rd.

Zoning District: RH-1

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: 1935

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

Name/Address of Attorney: 466 Main Street
P.O. Box 185
Harwich Port, MA 02848

	Required by Bylaw	Existing	Proposed
Lot Area	40,000'	6631 SF.	6631 SF.
Frontage	150'	69.25'	69.25'
Front Yard Setback	25'	21.0'	21.5'
Side yard Setback	20'	11.4'	11.8'
2 nd Side Yard Setback	20'	16.5'	16.7'
Rear Yard Setback	20'	19.9'	31.0'
Building Coverage	30.0%	19.3'	20.1'
Site Coverage	35.0%	28.7'	26.8'
Building Height	30'	230'	230'
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			

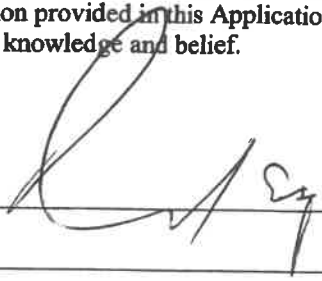
Form of Relief Requested: Special Permit

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: _____

11/22/2022

Owner's Signature: _____

Date: _____



**TOWN OF HARWICH
ASSESSORS OFFICE
732 MAIN STREET
HARWICH, MASSACHUSETTS 02645**

TOWN OF HARWICH

NOV 22 2022

**OFFICE OF
BOARD OF ASSESSORS
Tel: 508-430-7503
Fax: 508-430-7086**

ASSESSORS OFFICE

ABUTTERS REQUEST FORM

Board Requesting Action: Board of Appeals
Date Submitted: 11/22/22
Applicant's Name: Eric L. Farno and Jodi E. Farno
Assessors Map(s) & Parcel(s): 6E2-5A-0
Property Location: 25 Edgewood Road
Owner(s): Eric L. Farno and Jodi E. Farno
Contact Person: William D. Crowell, Esq.
E-mail Address: wcrowell.office1@comcast.net
Telephone #: 508-432-1643
Type of Petition: Special permit
Assessors Approval By:

INVOICE

This cover sheet is also your invoice.

	<u>Amount</u>	<u>Date Paid</u>	<u>Ck #</u>
Up to 25 Abutters	\$50.00	11/22	583
Additional Abutters _____ @ \$2.00 ea	_____	_____	_____
TOTAL	_____	_____	_____

Make checks payable to: Town of Harwich

Sally@wcrowell.office1@comcast.net

From: Eric Farno <efarno9@gmail.com>
Sent: Friday, November 18, 2022 1:45 PM
To: wcrowell.office1@comcast.net
Subject: Re: 25 Edgewood Road

Great

Eric and Jodi Farno

On Fri, Nov 18, 2022 at 1:41 PM <wcrowell.office1@comcast.net> wrote:

We, Eric L. Farno and Jodi E. Farno, owners of 25 Edgewood Road, Harwich Port, hereby authorize William D. Crowell, Esq. to represent us before the Town of Harwich Zoning Board of Appeals.

Thank you,

Eric L. Farno and Jodi E. Farno

William D. Crowell, Esq.

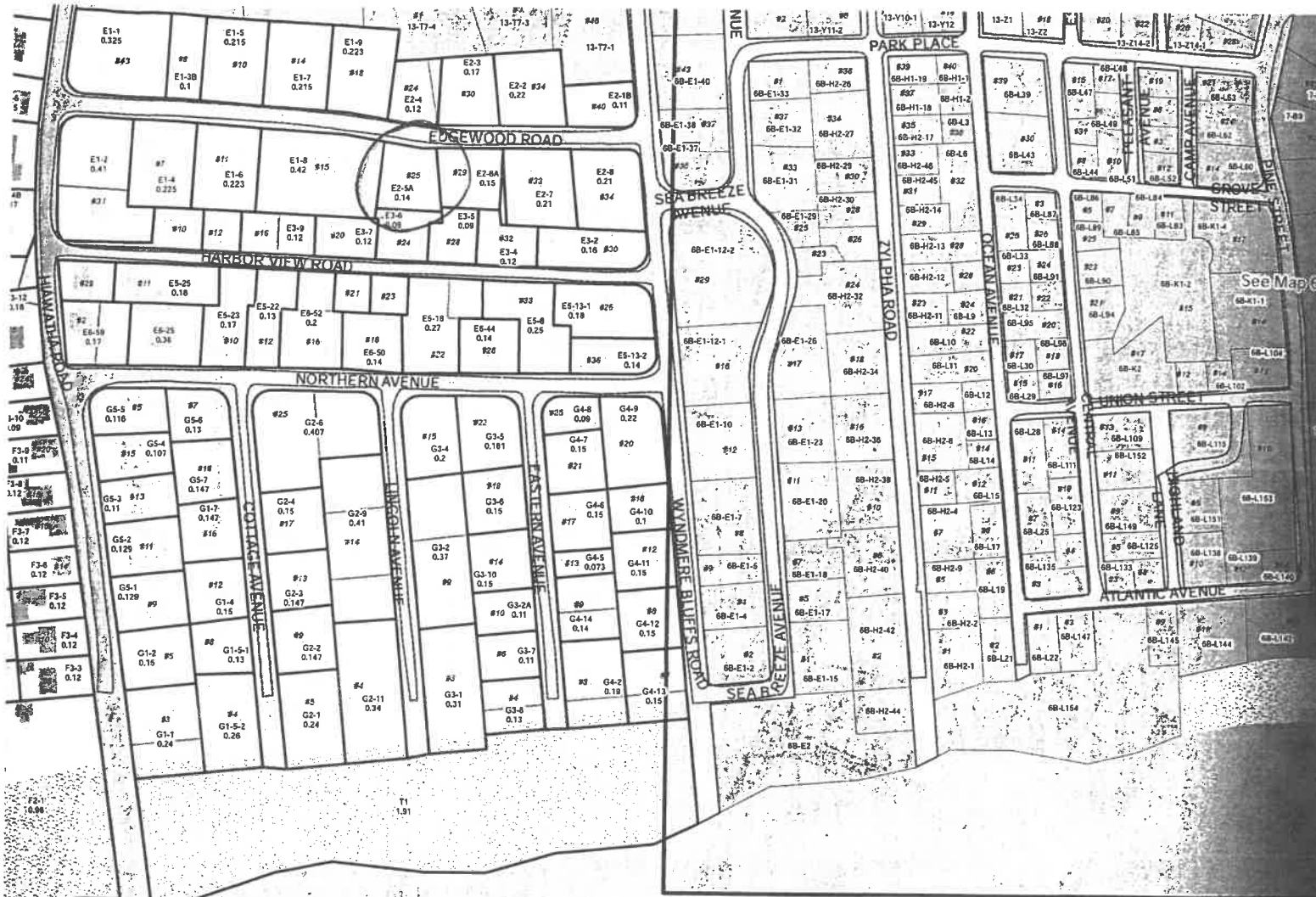
P.O. Box 185 - 466 Main Street

Harwich Port, MA 02646

Phone: 508-432-1643

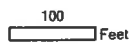
Fax: 508-430-0631

e-mail: wcrowell.office1@comcast.net



TOWN OF HARWICH ASSESSORS MAP

January 2022



Farno – 25 Edgewood Road

The Petitioners seek to demolish and replace the pre-existing, non-conforming single-family residence as shown on the Certified Plot Plan by Down Cape Engineering, Inc. dated September 29, 2022, (Existing and Proposed), and the Building and Elevation Plans by Gary A. Ellis dated September 26, 2022 sheets P1-2 and P2-2. The existing dwelling is non-conforming as to all four setbacks and the proposed dwelling will improve all four setbacks, especially on the southerly side. The proposed dwelling will create new habitable space within the required setbacks and such will constitute an intensification of existing non-conformities. However, in accordance with the findings of the Gale Case, this Board may grant a Special Permit to intensify non-conformities upon a finding that the same will not constitute a substantial detriment to the entire neighborhood.

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



Telephone: (508) 430-7506

Fax: (508) 430-4703

By First Class Mail

November 18, 2022

Eric Frano
25 Edgewood Road
Harwich Ma.02645

Re: Zoning Relief Required
Building Permit Application
25 Edgewood Road. Harwich, Ma. 02645 (Assessor's Maps 6, Parcel 5A)
Zoning District RH1

Dear Jack Eric Frano:

Please be advised that as a condition to issuance of the above-referenced building permit as submitted, shown on a plan prepared by Down Cape Engineering dated September 29, 2022, the following zoning relief is first required:

Harwich Zoning Bylaw §325-54 Special permit for preexisting nonconforming structure and demolition and replacement with a new structure.

Harwich Zoning Bylaw §325-51 Special Permits

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.

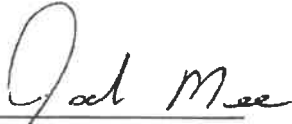
Further, be advised that, subject to obtaining the required permits and after construction, you will be required to submit a final as-built plan to the Building Department certifying that the

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 cursive script that reads "Jack Mee". The signature is written in black ink and is positioned above a horizontal line.

Jack Mee
Harwich Building Commissioner

Cc: Ed Stafford CSL
File

LEGEND

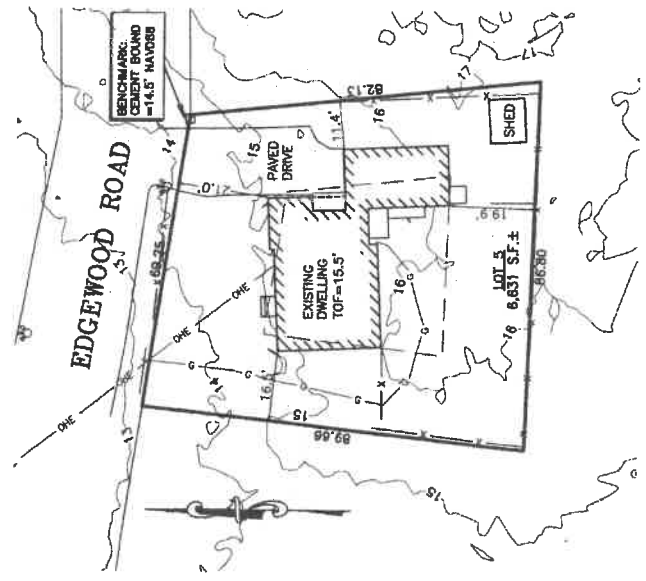
- 00 — EXISTING CONTOUR
- X 86.7 EXIST. SPOT ELEV.
- [00] --- PROPOSED CONTOUR
- [00.0] --- PROPOSED SPOT EL.
- TH TEST HOLE
- SLOPE OF GROUND
- UTILITY POLE
- FIRE HYDRANT

NOTE: NOT ALL DIMENSIONS MAY APPEAR AS SHOWN

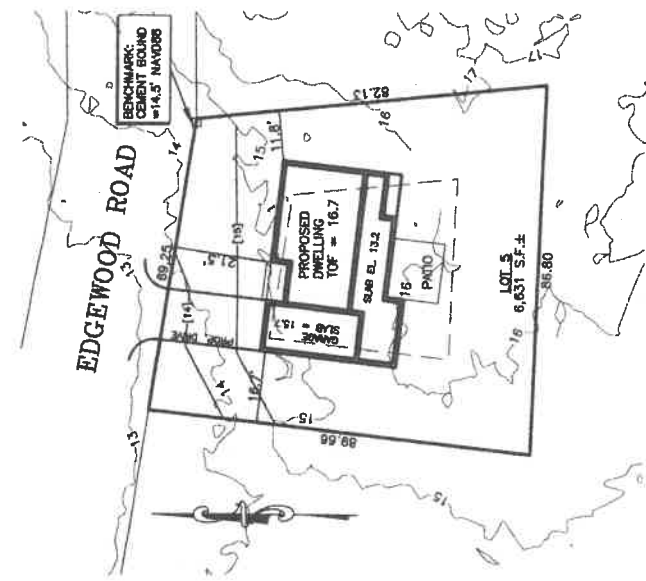
ZONING SUMMARY

ZONING DISTRICT: R-H-1 DISTRICT

MIN. LOT SIZE	REQUIRED:	PROPOSED:
MIN. LOT FRONTAGE	40,000 S.F.	6,831 S.F.
MIN. FRONT SETBACK	150'	69.25'
MIN. SIDE SETBACK	25'	21.0'
MIN. REAR SETBACK	20'	11.4'/16.5'
MIN. BUILDING HEIGHT	20'	19.9'
MAX. BUILDING COVERAGE	30%	19.3%
MAX. SITE COVERAGE	35%	28.7%



EXISTING



PROPOSED

NOTES

1. DATUM IS NAVD83.
2. MUNICIPAL WATER IS EXISTING.
3. MINIMUM PIPE PITCH TO BE 1/8" PER FOOT.
4. DESIGN LOADINGS FOR ALL PROPOSED PRECAST UNITS TO BE ASHRO 14-11.
5. PIPE JOINTS TO BE MADE WATER-TIGHT.
6. CONSTRUCTION DETAILS TO BE IN ACCORDANCE WITH 310 CMR 15.000 (TITLE 5).
7. THIS PLAN IS FOR PROPOSED WORK ONLY AND NOT TO BE USED FOR LOT LINE STAKING OR ANY OTHER PURPOSE.
8. PIPE FOR SEPTIC SYSTEM TO SOL. 40-4" PVC.
9. COMPONENTS NOT TO BE BACKFILLED OR EXCAVATED WITHOUT INSPECTION BY BOARD OF HEALTH. PERMITS MUST BE OBTAINED FROM BOARD OF HEALTH.
10. CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING DISCREP. (1-800-344-7233) AND VERIFYING THE LOCATION OF ALL UNDERGROUND & OVERHEAD UTILITIES PRIOR TO COMMENCEMENT OF WORK.
11. ANY UNDESIRABLE MATERIAL ENCOUNTERED SHALL BE REMOVED, BENEATH AND 5' AROUND THE PROPOSED LEACHING FACILITY.
12. EXISTING LEACHING FACILITY SHALL BE PUMPED AND REMOVED OR PUMPED AND FILLED WITH CLEAN SAND.



LOCUS MAP

SCALE 1"=2000' ±
ASSESSORS MAP 6 PARCEL E2-5A

SITE PLAN
OF

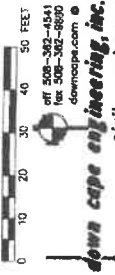
**#25 EDGEWOOD ROAD
HARWICHPORT, MA**

PREPARED FOR

ERIC FARNO

DATE: SEPTEMBER 29, 2022

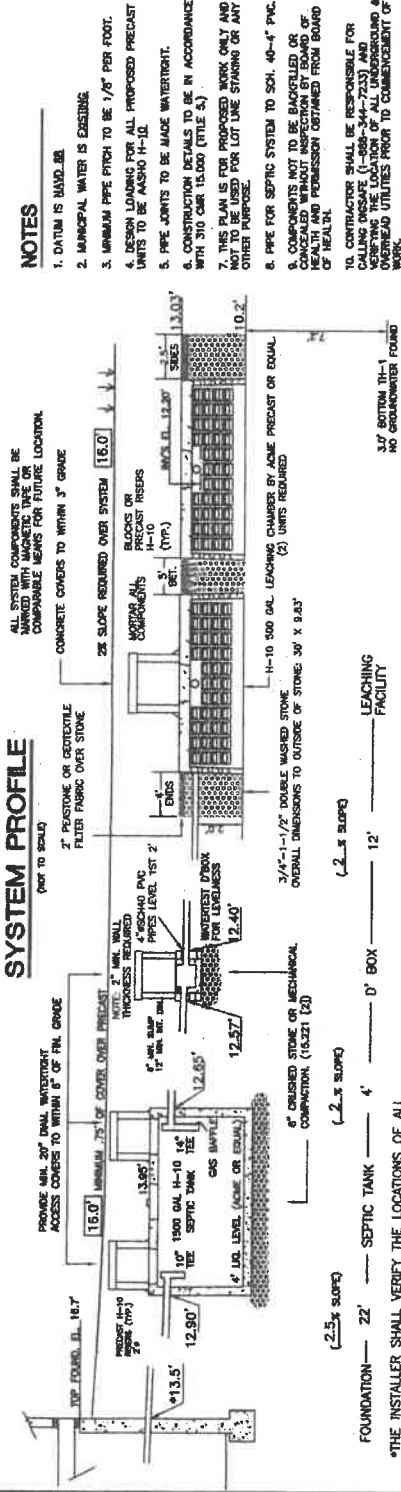
Scale: 1" = 20'



DATE 9-29-22
DANIEL A. OJALA, P.E., P.L.S.

down cape engineering, inc.
civil engineers
land surveyors
939 Main Street (Rte 6A)
YARMOUTHPORT MA 02875

SYSTEM PROFILE



- ### NOTES
- DATUM IS MAND.BE
 - MUNICIPAL WATER IS EXISTING
 - MINIMUM PIPE FITCH TO BE 1/8" PER FOOT.
 - DESIGN LOADING FOR ALL PROPOSED PRECAST UNITS TO BE AASHO H-10.
 - PIPE JOINTS TO BE MADE WATERTIGHT.
 - CONSTRUCTION DETAILS TO BE IN ACCORDANCE WITH 310 CH. 15.100 (TITLE 5).
 - THIS PLAN IS FOR PROPOSED WORK ONLY AND NOT TO BE USED FOR LOT LINE STAKING OR ANY OTHER PURPOSE.
 - COMPONENTS NOT TO BE BACKFILLED OR CONCEALED WITHOUT INSPECTION BY BOARD OF HEALTH AND PERMISSION OBTAINED FROM BOARD OF HEALTH.
 - CONTRACTOR SHALL BE RESPONSIBLE FOR CALLING ORDERS (1-888-344-7333) AND OBTAINING APPROVAL OF BOARD OF HEALTH AND OBTAINING UTILITIES PRIOR TO COMMENCEMENT OF WORK.
 - ANY UNSUITABLE MATERIAL ENCOUNTERED SHALL BE REMOVED BENEATH AND 5' AROUND THE PROPOSED LEACHING FACILITY.
 - EXISTING LEACHING FACILITY SHALL BE PUMPED AND REMOVED OR PUMPED AND FILLED WITH CLEAN SAND.

FOUNDATION — 22" — SEPTIC TANK 4' BOX — 12" LEACHING FACILITY

*THE INSTALLER SHALL VERIFY THE LOCATIONS OF ALL UTILITIES AND ALL BUILDING SEWER OUTLETS AND ELEVATIONS PRIOR TO INSTALLING ANY PORTION OF SEPTIC SYSTEM

SYSTEM DESIGN:

GARBAGE DISPOSER IS NOT ALLOWED
 PROPOSED 3 BEDROOM DWELLING
 DESIGN FLOW: 3 BEDROOMS @ 110 GPD = 330 GPD
 USE A .330 GPD DESIGN FLOW
 SEPTIC TANK: 330 GPD (2) = 660
 USE A 1500 GAL SEPTIC TANK
 LEACHING:
 SIDES: 2 (30 + 9.83) 2 (.74) = 118 GPD
 BOTTOM: 30 x 9.83 (.74) = 218 GPD
 TOTAL: 454 S.F. 336 GPD
 USE (2) 500 GAL LEACHING CHAMBERS (ACME OR EQUAL) WITH 2.5' STONE AT SIDES, 4' AT ENDS AND 5' BETWEEN UNITS

APPROVED _____ DATE _____ BOARD OF HEALTH _____ MA

LEGEND

- EXISTING CONTOUR
- EXIST. SPOT ELEV.
- PROPOSED CONTOUR
- PROPOSED SPOT E.
- TEST HOLE
- SLOPE OF GROUND
- UTILITY POLE
- FIRE HYDRANT

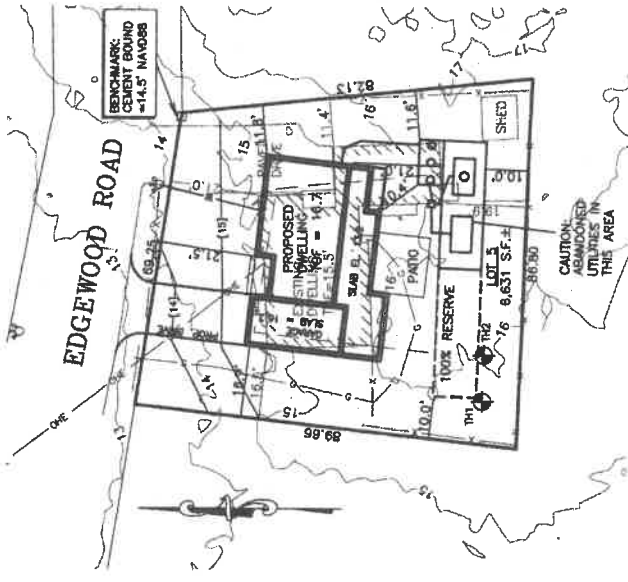
ZONING SUMMARY

ZONING DISTRICT: R-H-1	
DISTRICT	PROPOSED:
MIN. LOT SIZE	6,631 S.F.
MIN. LOT FRONTAGE	69.25'
MIN. FRONT SETBACK	21.5'
MIN. SIDE SETBACK	11.4'/16.5'
MIN. REAR SETBACK	19.9'
MAX. BUILDING HEIGHT	19.3%
MAX. BUILDING COVERAGE	28.7%
MAX. SITE COVERAGE	30%
	25.9%

TEST HOLE LOGS

ENGINEER: DANIEL E. CONSAUVES, SE #13587
 WITNESS: JENNIFER SINGLETON
 DATE: 9/20/22
 PERC. RATE = < 2 MIN/INCH
 CLASS I SOILS

CLASS	SOILS	PERC. RATE	ELEV.	DESCRIPTION
A	LS	10YR 3/2	15.5'	NO GROUNDWATER ENCOUNTERED
B	LS	10YR 4/4	13.3'	
C	MS	2.5Y 6/6	3.0'	
A	LS	10YR 3/2	16.0'	NO GROUNDWATER ENCOUNTERED
B	LS	10YR 4/4	13.3'	
C	MS	2.5Y 6/6	3.0'	



#25 EDGEWOOD ROAD HARWICHPORT, MA

PREPARED FOR
ERIC FARNO

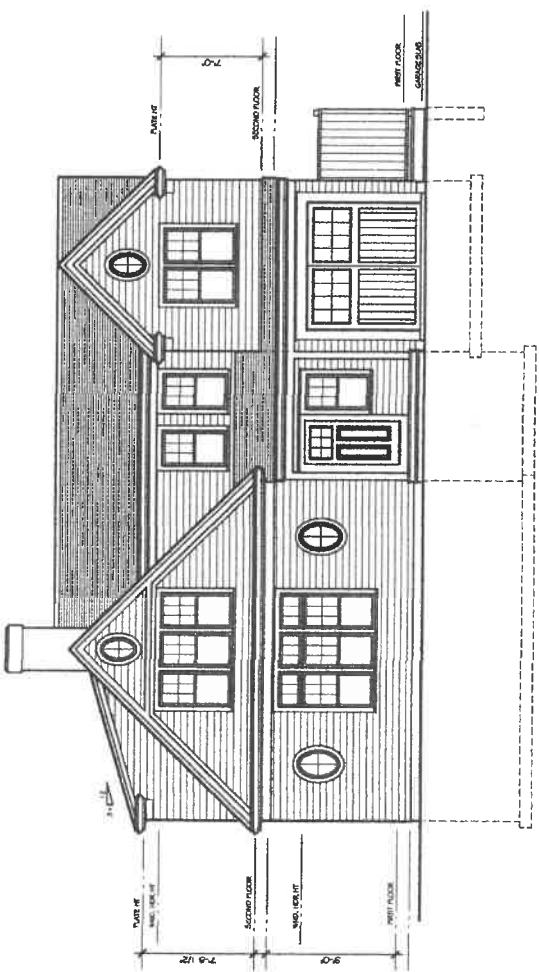
DATE: SEPTEMBER 29, 2022

Scale: 1" = 20'

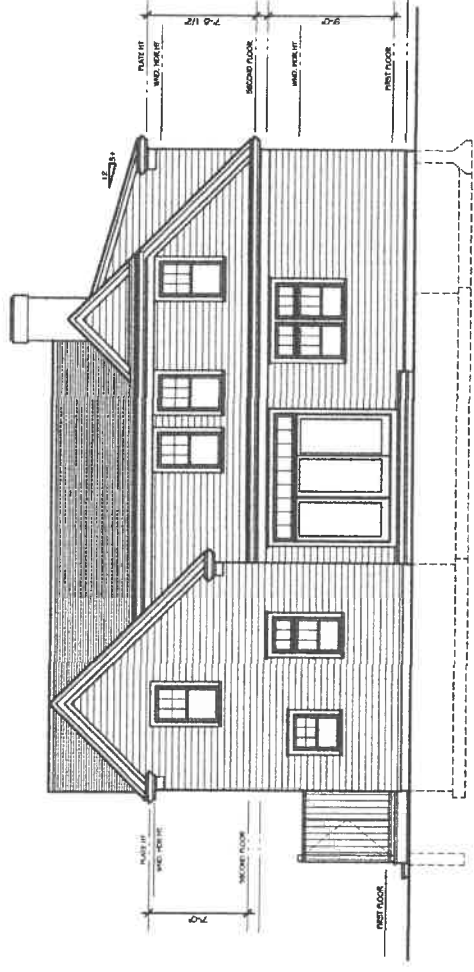


Call Eric Farno at 508-362-4541
 or 508-362-0880
 info@domcapra.com

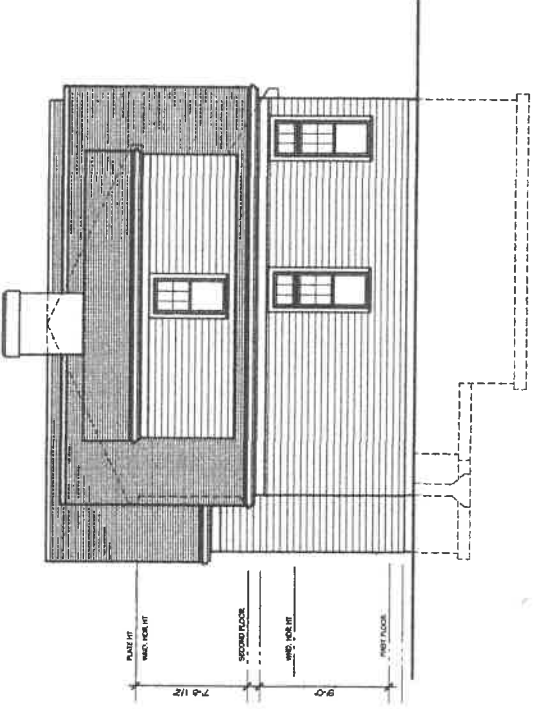
dom capra engineering, inc.
 civil engineers
 and surveyors
 939 Main Street (Rte 6A)
 YARMOUTHPORT MA 02875



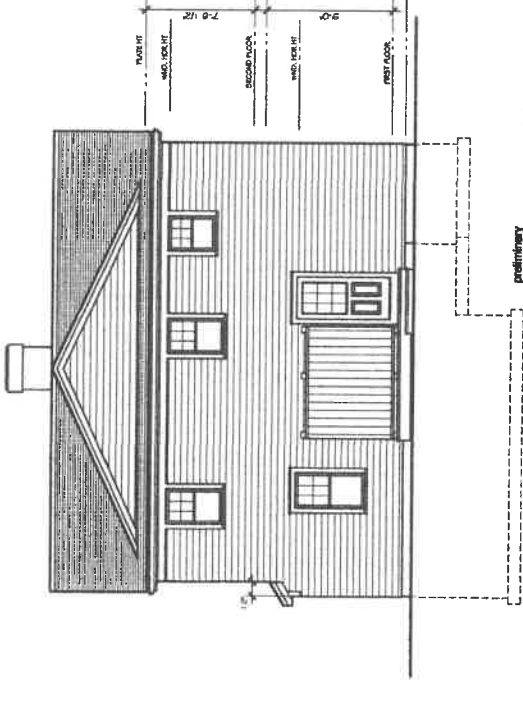
preliminary
FRONT (north) ELEVATION
1/8" = 1'-0"



preliminary
REAR (south) ELEVATION
1/8" = 1'-0"



preliminary
LEFT SIDE (east) ELEVATION
1/8" = 1'-0"



preliminary
RIGHT SIDE (east) ELEVATION
1/8" = 1'-0"

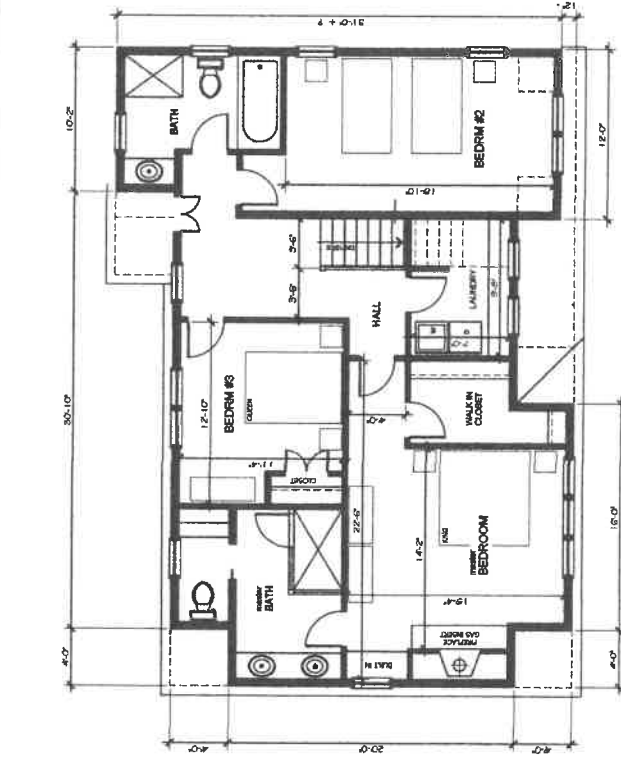
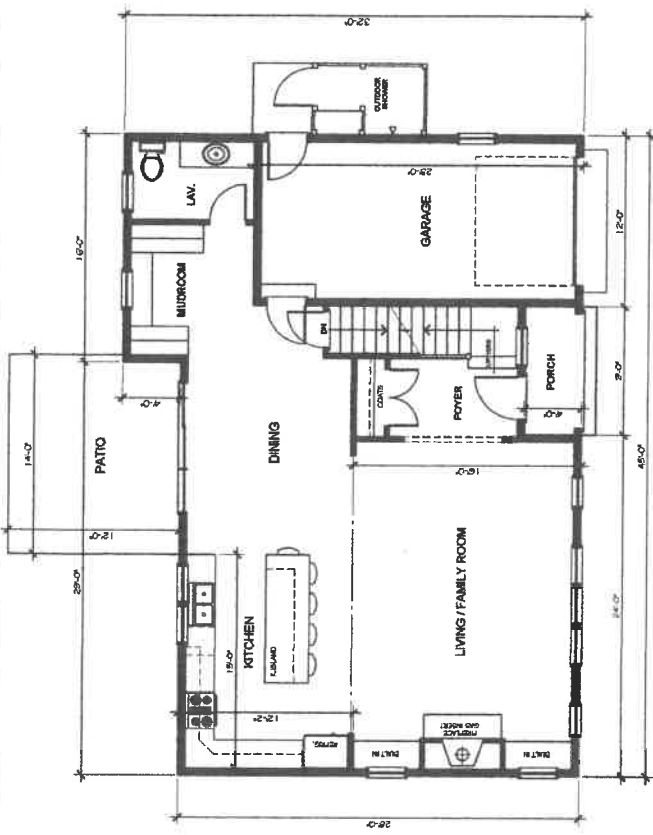
REVISIONS:

DESIGNED BY:
GARY A. ELLIS
N.S.B.C. Inc.
141 Main Street
Yarmouthport, Massachusetts
774-487-0355

PROJECT:
Jodi & Eric FARRO
225 BEECHWOOD BL. • YARMOUTHPORT • MA
PRELIMINARY ELEVATIONS

TITLE:
DATE: 02/28/2022
SCALE: AS NOTED
DRAWING #:

P1 - 2



preliminary FIRST FLOOR PLAN
 1/4" = 1'-0"

preliminary SECOND FLOOR PLAN
 1/4" = 1'-0"

