



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:

19 Cranberry Lane Harwich 02645 Said property is further described on

Assessor's Map # 60 and Parcel # S1-S3 located in the R-R Zoning District as shown on the attached plan.

Describe

Petition/Appeal: Seeking permit to finish pre-existing garage into a bedroom

Relief requested - Cite specific Bylaw Section(s):

Harwich Zoning Bylaw 325-54 "nonconforming structures & uses"

Signature of Owner (or Agent)

Date

2.27.23

(Written authorization by the owner must accompany an Application signed by agent.)

Owner Name

Dakota Caparelliotis

Phone No

(617) 875-1089

Mailing Address:

19 Cranberry Lane Harwich MA 02645

Agent Name:

Phone No.

Mailing Address:

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 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: Dakota Caparelliotis
 Address of Property: 19 Cranberry Lane
 Zoning District: R-R

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: 1970

Name/Address of Engineer/Architect: John Barker

Name/Address of Attorney: _____

Subject	Existing	Required	Proposed
Lot Area (square feet)	13,749		
Frontage (linear feet)	96.38		
Front Yard Setback (feet)	38.4		
Side yard Setback (feet)	11.1 / 18.7		
Rear Yard Setback (feet)	79		
Any Yard Setback - Specify which:			
Building Coverage (%)	9.2		
Site Coverage (%) (see 325-2)	28.9		
Building Height (see 325-2 & 325-108)*	n/a		
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			
* 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: 325-54 nonconforming structures & uses

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.

Agent's Signature: _____ Date: _____

Owner's Signature: [Signature] Date: 2-27-23

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



Telephone: (508) 430-7506

Fax: (508) 430-4703

By First Class Mail

February 24, 2023

Dakota J Caparelliotis
2 Community Way
Harwich, MA 02645

Re: Zoning Relief Required
Building Permit Application BLDG-22-121
19 Cranberry Lane, Harwich, MA (Assessor's Parcel ID 41-T15-0)
Zoning District R-R

Dear Dakota J Caparelliotis:

Please be advised that as a condition to issuance of the above-referenced building permit as submitted, shown on a plan prepared by TS Land Surveying, Inc. dated January 13, 2023

Harwich Zoning Bylaw §325-54 "Nonconforming structures and uses"

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,



Jack Mee
Harwich Building Commissioner

Cc: File

February 27, 2023

To: The Town of Harwich

Subject: A typewritten narrative of our home project



To Whom it May Concern,

We are seeking a building permit at 19 Cranberry Lane in order to finish our pre-existing garage space into a bedroom. We are expecting our second child this July and would like to finish the garage into an additional bedroom in order to make room for our growing family.

The footprint of our home will not change. Our septic is designed and approved for a three bedroom. Per the instructions of the building department staff, we also checked with the Health Department and the Conservation Department to ensure all information we had matched what was on file with the town, and both departments indicated they did not have any discrepancies or issues.

We are happy to provide any additional details or answer any specific questions that you may have.

Thank you for your consideration.

A handwritten signature in blue ink, consisting of a large, stylized initial 'D' followed by a long, wavy line extending to the right.

Dakota Caparelliotis



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: *Zoning Board of Appeals*
 Date Submitted: *2.27.2023*
 Applicant's Name: *Dakota Caparelliotis*
 Assessors Map(s) & Parcel(s):
 Property Location: *19 Cranberry Lane Harwich MA 02645*
 Owner(s): *Dakota Caparelliotis*
 Contact Person: *Dakota Caparelliotis*
 E-mail Address: *caparelliotisD@gmail.com*
 Telephone #: *(617) 875-1089*
 Type of Petition: *2/27/23*

Assessors Approval By: *[Signature]*

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

INVOICE

This cover sheet is also your invoice.

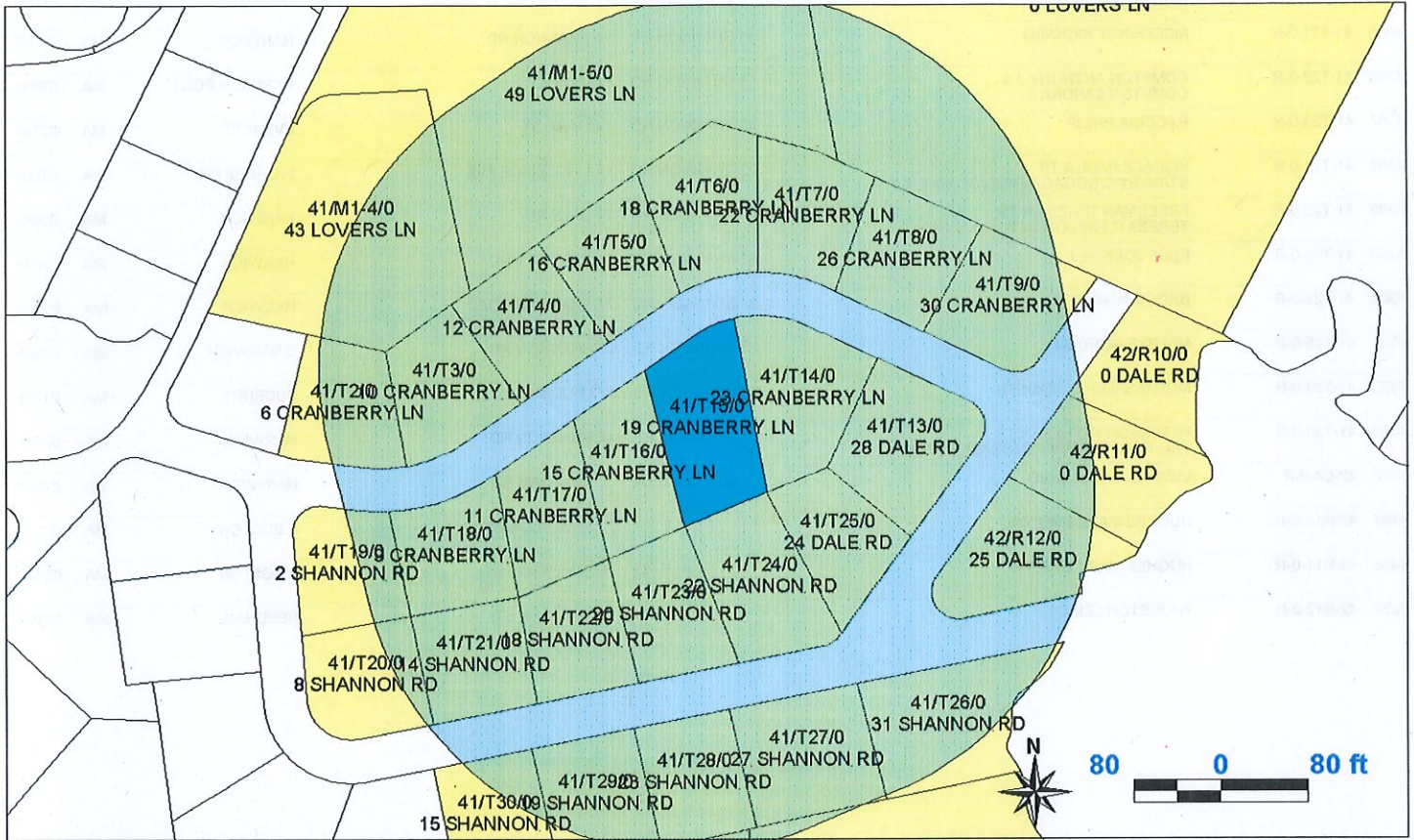
		Date Paid	Ck #
Abutters Fee	\$50.00	<i>2/27/23</i>	<i>257</i>

Make checks payable to: Town of Harwich



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

Abutters List Within 300 feet of Parcel 41/T15/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
8314	32-E6-0-R	WARNER ROBERT B & WARNER TERRY A	0 LONG RD	22 LONG RD	HARWICH	MA	02645
3669	32-K1-33-0-R	LYNCH THERESA D TRS ET AL LYNCH DONALD F TRS	22 PADDOCKS POND RD	22 PADDOCKS POND RD	HARWICH	MA	02645
9266	41-M1-3-0-R	BELL JOANN M & BELL ROBERT E	53 LOVERS LN	53 LOVERS LANE	HARWICH	MA	02645
9267	41-M1-4-0-R	WIGREN STEPHEN R TRS ET AL WIGREN LINDA M TRS	43 LOVERS LN	PO BOX 190	WALPOLE	MA	02081
9268	41-M1-5-0-R	GAUDENZI DENNIS & GAUDENZI PHYLLIS	49 LOVERS LN	8 PRINCESS CT	OAK RIDGE	NJ	07438
9299	41-T2-0-R	DOYLE KEVIN W	6 CRANBERRY LN	6 CRANBERRY LN	HARWICH	MA	02645
4371	41-T3-0-R	DEVER JAMES P & DEVER KELMA	10 CRANBERRY LN	10 CRANBERRY LN	HARWICH	MA	02645
4372	41-T4-0-R	ORMENTO JOHN F	12 CRANBERRY LN	12 CRANBERRY LN	HARWICH	MA	02645
4373	41-T5-0-R	ZIMMERLY JAMES W & ZIMMERLY ROBERTA B	16 CRANBERRY LN	18 WILLIAMS AVE	CRANSTON	RI	02905
4374	41-T6-0-R	LAMONDA HEIDI T & LAMONDA MICHAEL B	18 CRANBERRY LN	104 BRISTOL HILL RD	GLENFORD	NY	12433
4375	41-T7-0-R	GILMORE RONALD H LIFE ESTATE GILMORE DOROTHY N LIFE ESTATE	22 CRANBERRY LN	C/O ROBIN MUSON PO BOX 1198	SOMERS	CT	06071
4376	41-T8-0-R	BASSETT RICHARD F & BASSETT ELEANOR P	26 CRANBERRY LN	PO BOX 303	HARWICH	MA	02645
4377	41-T9-0-R	HUGHES MARY EVELYN	30 CRANBERRY LN	30 CRANBERRY LN	HARWICH	MA	02645
4378	41-T13-0-R	DENTON FREDERICK J & DENTON DEBORAH A	28 DALE RD	28 DALE RD	HARWICH	MA	02645
4379	41-T14-0-R	VARLOTTO JOHN M & VARLOTTO ANGELA M	23 CRANBERRY LN	434 LANCASTER RD	SUDBURY	MA	01776

<p>32-E6-0-R</p> <p>WARNER ROBERT B & WARNER TERRY A 22 LONG RD HARWICH, MA 02645</p>	<p>32-K1-33-0-R</p> <p>LYNCH THERESA D TRS ET AL LYNCH DONALD F TRS 22 PADDOCKS POND RD HARWICH, MA 02645</p>	<p>41-M1-3-0-R</p> <p>BELL JOANN M & BELL ROBERT E 53 LOVERS LANE HARWICH, MA 02645</p>
<p>41-M1-4-0-R</p> <p>WIGREN STEPHEN R TRS ET AL WIGREN LINDA M TRS PO BOX 190 WALPOLE, MA 02081</p>	<p>41-M1-5-0-R</p> <p>GAUDENZI DENNIS & GAUDENZI PHYLLIS 8 PRINCESS CT OAK RIDGE, NJ 07438</p>	<p>41-T2-0-R</p> <p>DOYLE KEVIN W 6 CRANBERRY LN HARWICH, MA 02645</p>
<p>41-T3-0-R</p> <p>DEVER JAMES P & DEVER KELMA 10 CRANBERRY LN HARWICH, MA 02645</p>	<p>41-T4-0-R</p> <p>ORMENTO JOHN F 12 CRANBERRY LN HARWICH, MA 02645</p>	<p>41-T5-0-R</p> <p>ZIMMERLY JAMES W & ZIMMERLY ROBERTA B 18 WILLIAMS AVE CRANSTON, RI 02905</p>
<p>41-T6-0-R</p> <p>LAMONDA HEIDI T & LAMONDA MICHAEL B 104 BRISTOL HILL RD GLENFORD, NY 12433</p>	<p>41-T7-0-R</p> <p>GILMORE RONALD H LIFE ESTATE GILMCRE DOROTHY N LIFE ESTATE C/O ROBIN MUSON PO BOX 1198 SOMERS, CT 06071</p>	<p>41-T8-0-R</p> <p>BASSETT RICHARD F & BASSETT ELEANOR P PO BOX 303 HARWICH, MA 02645</p>
<p>41-T9-0-R</p> <p>HUGHES MARY EVELYN 30 CRANBERRY LN HARWICH, MA 02645</p>	<p>41-T13-0-R</p> <p>DENTON FREDERICK J & DENTON DEBORAH A 28 DALE RD HARWICH, MA 02645</p>	<p>41-T14-0-R</p> <p>VARLOTTO JOHN M & VARLOTTO ANGELA M 434 LANCASTER RD SUDBURY, MA 01776</p>
<p>41-T15-0-R</p> <p>CAPARELLIOTIS DAKOTA J 2 COMMUNITY WAY HARWICH, MA 02645</p>	<p>41-T16-0-R</p> <p>WALSH MARYELLEN 15 CRANBERRY LN HARWICH, MA 02645</p>	<p>41-T17-0-R</p> <p>BRUTTI LAWRENCE C & BRUTTI EMILY C 23 ARGYLE WAY NORTH HARWICH, MA 02645</p>
<p>41-T18-0-R</p> <p>LARUE SALLY TR SALLY LARUE FAMILY TRUST 9 CRANBERRY LN HARWICH, MA 02645</p>	<p>41-T19-0-R</p> <p>REYNOLDS JOHN J JR TRS ET AL REYNOLDS HELEN H TRS 2 SHANNON RD HARWICH, MA 02645</p>	<p>41-T20-0-R</p> <p>ONEILL MICHAEL R & ONEILL JANICE R 140 LONG RD HARWICH, MA 02645</p>
<p>41-T21-0-R</p> <p>MCELHINEY RICHARD 14 SHANNON RD HARWICH, MA 02645</p>	<p>41-T22-0-R</p> <p>COMPTON ANTHONY J & COMPTON SANDRA A PO BOX 67 HARWICH PORT, MA 02646</p>	<p>41-T23-0-R</p> <p>RACCUIA PHILIP 142 VINE ST EVERETT, MA 02149</p>
<p>41-T24-0-R</p> <p>ROGACZ PAUL A TR STANLEY C ROGACZ IRREVOCABLE T 142 INGLESIDE AVE WORCESTER, MA 01604</p>	<p>41-T25-0-R</p> <p>FREEDMAN TERESA R TR TERESA R FREEDMAN 2016 LIVING 24 DALE RD HARWICH, MA 02645</p>	<p>41-T26-0-R</p> <p>FEDE JOSEPH J 31 SHANNON RD HARWICH, MA 02645</p>
<p>41-T27-0-R</p> <p>BROCK MARINA M 27 SHANNON ROAD HARWICH, MA 02645</p>	<p>41-T28-0-R</p> <p>MELBYE GORDON 23 SHANNON RD E HARWICH, MA 02645</p>	<p>41-T29-0-R</p> <p>MOBASSALEH ELIZABETH 373 HUDSON RD SUDBURY, MA 01776</p>