



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 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.
(X) 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:

37 PLEASANT LAKE AVENUE, HARWICH, MA

Said property is further described on

Assessor's Map # 50 and Parcel # JS located in the R-M Zoning District as shown on the attached plan.

Describe Petition/Appeal: Construction of new single family dwelling

Relief requested - Cite specific Bylaw Section(s): SPECIAL PERMIT; S325-54 and S325-7E

Signature of Owner (or Agent) [Signature] Date 4/21/2023

Owner Name ANTHONY LORUSSO (AGREED VENDEE) Phone No. (508) 726-8234

Mailing Address: P.O. BOX 332, NORFOLK, MA 02056

Agent Name: JAMES M. NORCROSSI, ESQ. Phone No. (508) 945-5400

Mailing Address: P.O. BOX 707 CHATHAM, MA 02633

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: ANTHONY LORUSSO
 Address of Property: 37 PLEASANT LAKE AVENUE, HARWICH, MA
 Zoning District: R-1M

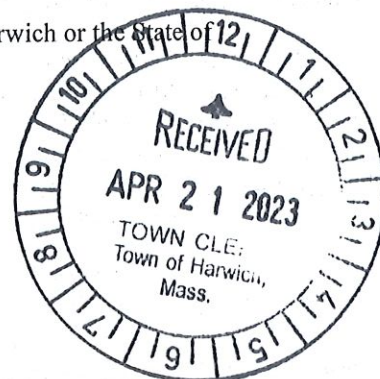
Is the property Located in any Special District(s)/Overlay District(s) established by the Town of Harwich or the State of Massachusetts: Yes No

If Yes, specify District(s): _____

Year Structure(s) Built: N/A

Name/Address of Engineer/Architect: DANIEL CROTEAU / DENNIS COLWELL

Name/Address of Attorney: JAMES M. NORCROSS, ESQ.



Subject	Existing	Required	Proposed
Lot Area (square feet)	16,234	40,000	16,234
Frontage (linear feet)	123	150	123
Front Yard Setback (feet)	N/A	25'	30' ★
Side yard Setback (feet)	N/A	20'	30.5'
Rear Yard Setback (feet)	N/A	20'	50.2'
Any Yard Setback - Specify which:			
Building Coverage (%)	N/A	180%	14%
Site Coverage (%) (see 325-2)	N/A	35%	25%
Building Height (see 325-2 & 325-108)*	N/A	30'	26.5'
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			

★ 30.6 feet to Pleasant Lake Ave

* 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: 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.

Agent's Signature: _____ Date: 4/20/2023

Owner's Signature: _____ Date: _____

Town of Harwich
Zoning Board of Appeals Petition

Supplement to Petition

Applicant: ANTHONY LORUSSO
Property: 37 PLEASANT LAKE AVENUE, HARWICH, MA

The Applicant has applied for a special permit pursuant to Section 325-54 and Section 325-7E of the Zoning Bylaw to construct a new five (5) bedroom dwelling at the property. The prior dwelling was damaged in a fire. The existing lot is non-confirming as it contains 16,234 square feet where 40,000 square feet is required. The proposed structure will comply with all setbacks and meets both coverage and building height requirements. The Applicant believes the proposed project is not substantially more detrimental to the neighborhood and therefore qualifies for a Special Permit from the Zoning Board of Appeals.

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



Telephone: (508) 430-7506

Fax: (508) 430-4703

By First Class Mail

March 30, 2023

William Redihan
67 Bakers Pond Road
Orleans, MA 02653



Re: Zoning Relief Required
Building Permit Application BP-23-331
37 Pleasant Lake Ave, Harwich, MA (Parcel ID 50-J3)
Zoning District R-M

Dear William Redihan

Please be advised that as a condition to issuance of the above-referenced building permit as submitted, shown on a plan prepared by Morna Engineering Assoc., LLC dated March 27, 2023

*Harwich Zoning Bylaw §325-54 "Nonconforming structures and uses."
§325-7E "Rebuilding after Fire"*

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.

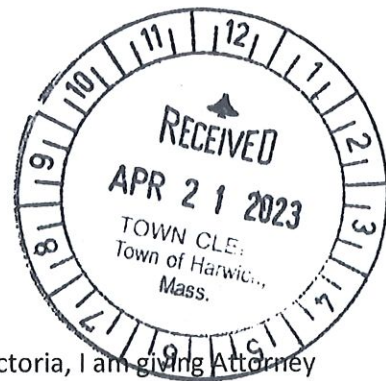
Respectfully,

Jack Mee
Harwich Building Commissioner

Cc: File

James Norcross

From: Lorusso Building Inc. <info@lorussobuilding.com>
Sent: Thursday, April 20, 2023 2:22 PM
To: Victoria Morse; James Norcross
Cc: Mark; williamredihan@gmail.com
Subject: RE: ZBA Application for your review
Attachments: MX-M5051_20230420_123932.pdf



Good Afternoon,

Thank you for sending the ZBA Application. As a follow up to Lindsay's phone call with Victoria, I am giving Attorney Norcross permission to sign on my behalf. As mentioned, the land is still currently owned by William Redihan.

I've added to this email the current owner (William Redihan) and realtor (Mark Finocchio) to ensure all parties involved are included.

Thank you.

Anthony Lorusso | Lorusso Building Inc

President

Lorusso Building Inc | Lorusso Property Group LLC

Po Box 332 | Norfolk, MA 02056

Phone 508.726.8234

anthony@lorussobuilding.com | lorussopropertygroup@gmail.com

From: Victoria Morse <victoria@rileyandnorcross.com>
Sent: Thursday, April 20, 2023 1:44 PM
To: Lorusso Building Inc. <info@lorussobuilding.com>
Cc: James Norcross <jmnorcross@rileyandnorcross.com>
Subject: ZBA Application for your review

Good afternoon Anthony,

Please find attached the ZBA Application regarding 37 Pleasant Lake Ave in Harwich for your review.

Please let us know if you have any questions regarding same.

Best regards,
Victoria

Victoria Morse
Real Estate Paralegal
Riley and Norcross, LLC
156 Crowell Road
Chatham, MA 02633
Phone: 508-945-5400



TOWN OF HARWICH
ASSESSORS OFFICE

732 MAIN STREET
HARWICH, MASSACHUSETTS 02645

TOWN OF HARWICH

APR 21 2023

** Please email all Abutters Requests to assessing@harwich-ma.gov

ASSESSORS OFFICE

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: April 21, 2023

Applicant's Name: Anthony Lorusso

Assessors Map(s) & Parcel(s): Map 50, Parcel J3, R-M

Property Location: 37 Pleasant Lake Avenue

Owner(s): William M. Redihan

Contact Person: James M. Norcross, Esq.

E-mail Address: jmnorcross@rileyandnorcross.com

Telephone #: 508-945-5400

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

Type of Petition: Special Permit

Assessors Approval By: _____

[Signature] 4/24/23

INVOICE

This cover sheet is also your invoice.

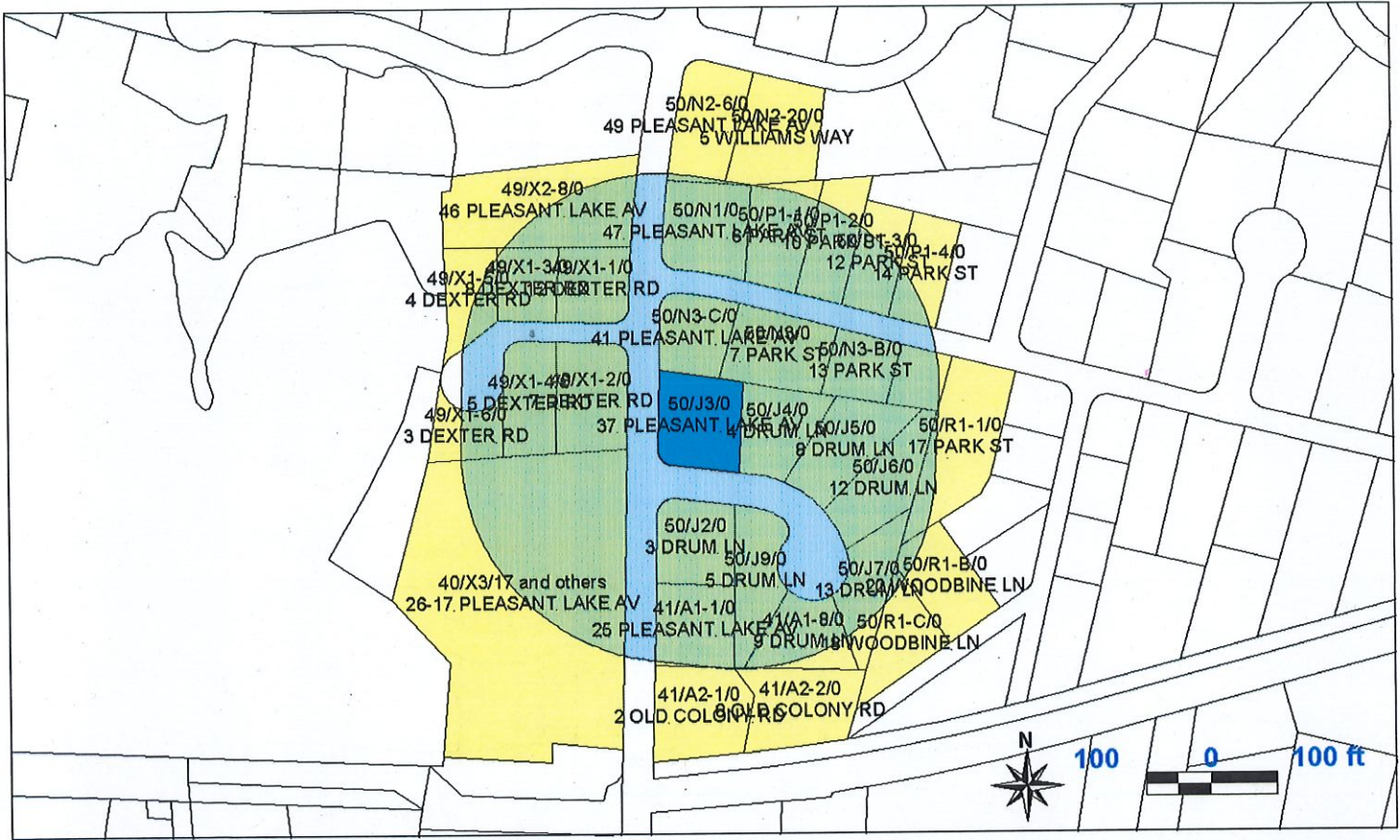
	Date Paid	Ck #
Abutters Fee	\$50.00	4/21/23 10451

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 50/J3/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
10675	40-X3-0-E	HARWICH HOUSE CONDOMINIUM	26 PLEASANT LAKE AV	C/O DOUG WALKER - MGR 26 PLEASANT LAKE AV	HARWICH	MA	02645
20126	40-X3-1-R	EASTMAN BARBARA A	26-1 PLEASANT LAKE AV	26 PLEASANT LAKE AVE UNIT 1	HARWICH	MA	02645
20188	40-X3-2-R	MCALER GAIL	26-2 PLEASANT LAKE AV	103 ROUTE 28	W HARWICH	MA	02671
20189	40-X3-3-R	BODO MARY ANN	26-3 PLEASANT LAKE AV	26 PLEASANT LAKE AVE UNIT 3	HARWICH	MA	02645
20252	40-X3-4-R	CONEEN LINDA S	26-4 PLEASANT LAKE AV	PO BOX 442	S ORLEANS	MA	02662
20191	40-X3-5-R	JOHNSON JOSEPH V JR	26-5 PLEASANT LAKE AV	PO BOX 394	HARWICH PORT	MA	02646
20192	40-X3-6-R	DAUGHTRY JAMES R ET AL DAVIDSON MARIAN M	26-6 PLEASANT LAKE AV	9 LAKESPUR	WAYLAND	MA	01778
20193	40-X3-7-R	FLANAGAN SUSAN	26-7 PLEASANT LAKE AV	26 PLEASANT LAKE AV UNIT 7	HARWICH	MA	02645
20194	40-X3-8-R	BENNETT MARTHA L C/O ELDREDGE CONSTANCE S ET AL	26-8 PLEASANT LAKE AV	911 BEGONIA RD UNIT 202	CELEBRATION	FL	34747
20195	40-X3-9-R	CAFFI MICHAEL R TRS ET AL CAFFI DEBRA A TRS	26-9 PLEASANT LAKE AV	6 SOUTH ST UNIT 6C	ROCKORT	MA	01966
20196	40-X3-10-R	ENNIS PAUL A TR ENNIS FAMILY REALTY TRUST	26-10 PLEASANT LAKE AV	26 PLEASANT LAKE AVE UNIT 10	HARWICH	MA	02645
20197	40-X3-11-R	BOURN ANN	26-11 PLEASANT LAKE AV	26 PLEASANT LAKE AVE UNIT 11	HARWICH	MA	02645
20214	40-X3-12-R	FOREMAN DOROTHY DOT TR DOT FOREMAN TRUST	26-12 PLEASANT LAKE AV	26 PLEASANT LAKE AV UNIT 12	HARWICH	MA	02645
20215	40-X3-13-R	CORBETT JOAN HANLEY TR JOAN HANLEY CORBETT REV TRUST	26-13 PLEASANT LAKE AV	5 DRIFTWOOD TER	W HARWICH	MA	02671
20216	40-X3-14-R	HOOK MILA	26-14 PLEASANT LAKE AV	26 PLEASANT LAKE AVE U14	HARWICH	MA	02645

Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
20218	40-X3-15-R	TONEY BRUCE C ET AL C/O TONEY BRUCE C ET AL	26-15 PLEASANT LAKE AV	2050 LAS RAMBLAS	VERO BEACH	FL	32963
20219	40-X3-16-R	BENTIVEGNA PETER E TRS ET AL BENTIVEGNA MICHAEL P TRS	26-16 PLEASANT LAKE AV	26 PLEASANT ST UNIT 16	HARWICH	MA	02645
20220	40-X3-17-R	ISHKANIYAN ARA H & RYAN SUZANNE	26-17 PLEASANT LAKE AV	90 PLEASANT POINT RD	S WELLFLEET	MA	02663
20221	40-X3-18-R	GLIFORT ALINE H C/O GLIFORT PHILIP S TRS ET AL	26-18 PLEASANT LAKE AV	26 PLEASANT LAKE AVE UNIT 18	HARWICH	MA	02645
4243	41-A1-1-0-R	LOWNEY BRENDAN	25 PLEASANT LAKE AV	25 PLEASANT LAKE AV	HARWICH	MA	02645
4244	41-A1-8-0-R	COOK CHRISTOPHER D & COOK JENNIFER D	9 DRUM LN	PO BOX 934	E DENNIS	MA	02641
4245	41-A2-1-0-R	WILDER MICHAEL A & GROVE VELVET S	2 OLD COLONY RD	2 OLD COLONY RD	HARWICH	MA	02645
9249	41-A2-2-0-R	DUNCAN JAMES D & DUNCAN SUSAN S	8 OLD COLONY RD	18 WATKINS RD	BLOOMFIELD	CT	06002
4762	49-X1-1-0-R	MORRIS JOSEPH L & MORRIS LAURA M	12 DEXTER RD	12 DEXTER RD	HARWICH	MA	02645
4763	49-X1-2-0-R	HAKE LARRY W & C/O HAKE LAURIE C	7 DEXTER RD	7 DEXTER RD	HARWICH	MA	02645
4764	49-X1-3-0-R	OHMAN GAIL R	8 DEXTER RD	C/O GAIL R BURNS 8 DEXTER RD	HARWICH	MA	02645
10716	49-X1-4-0-E	HARWICH TOWN OF - SELECTMEN	5 DEXTER RD	732 MAIN ST	HARWICH	MA	02645
4765	49-X1-5-0-R	BURNS GAIL R	4 DEXTER RD	8 DEXTER RD	HARWICH	MA	02645
10718	49-X1-6-0-E	HARWICH TOWN OF - SELECTMEN	3 DEXTER RD	732 MAIN ST	HARWICH	MA	02645
16106	49-X2-8-0-R	OHMAN GAIL ROBIN	46 PLEASANT LAKE AV	C/O GAIL R BURNS 8 DEXTER RD	HARWICH	MA	02645
11683	50-J2-0-R	BOWEN JENNIFER L FLYNN TR DRUM LANE REALTY TRUST	3 DRUM LN	15 CHARTER ST	BOSTON	M	02113
4780	50-J3-0-R	REDIHAN WILLIAM M	37 PLEASANT LAKE AV	67 BAKERS POND RD	ORLEANS	MA	02653
4781	50-J4-0-R	LOVAGLIO MICHAEL A & LOVAGLIO SUSAN E	4 DRUM LN	PO BOX 371	NANUET	NY	10954
4782	50-J5-0-R	CENTRELLA PATRICIA A	8 DRUM LN	8 DRUM LN	HARWICH	MA	02645
4783	50-J6-0-R	GEORGIU ANDREAS & GEORGIU BARBARA	12 DRUM LN	12 DRUM LN	HARWICH	MA	02645
4784	50-J7-0-R	MCGEE KATHLEEN A	13 DRUM LN	3450 GULF SHORE BLVD N UNIT 404	NAPLES	FL	34103
4785	50-J9-0-R	PRESCOTT WILLIAM R & PRESCOTT KERRY A	5 DRUM LN	5 DRUM LN	HARWICH	MA	02645
12033	50-N1-0-R	CAMPANALE FRANK M TR FRANK M CAMPANALE FAMILY TRUST	47 PLEASANT LAKE AV	47 PLEASANT LAKE AV	HARWICH	MA	02645
4789	50-N2-6-0-R	CRENNAN DOUGLAS W	49 PLEASANT LAKE AV	5 PUTNAM GREEN APT G	GREENWICH	CT	06830
4790	50-N2-20-0-R	RILEY WILLIAM J & RILEY DEBORAH M	5 WILLIAMS WAY	5 WILLIAMS WAY	HARWICH	MA	02645
4796	50-N3-0-R	FERRY DEBORAH ANN TR DEBORAH ANN FERRY LIVING TRUST	7 PARK ST	7 PARK ST	HARWICH	MA	02645
9309	50-N3-B-0-R	JUDGE KEVIN J	13 PARK ST	13 PARK ST	HARWICH	MA	02645
4798	50-N3-C-0-R	MAGEE SAM & MURPHY MARGARET	41 PLEASANT LAKE AV	41 PLEASANT LAKE AV.	HARWICH	MA	02645
4799	50-N4-0-R	CAMP JANICE W TR JANICE W CAMP 2022 LIVING TR	15 PARK ST	15 PARK ST	HARWICH	MA	02645
4800	50-P1-1-0-R	THOMPSON JANE N	6 PARK ST	6 PARK ST	HARWICH	MA	02645
4801	50-P1-2-0-R	MORRIS CHRISTOPHER B	10 PARK ST	10 PARK ST	HARWICH	MA	02645
4802	50-P1-3-0-R	EMLER RONALD A TRS ET AL BOUFFARD DIANE D TRS	12 PARK ST	17434 BOCA VISTA RD UNIT 1005	PUNTA GORDA	FL	33955
4803	50-P1-4-0-R	MAYO JOSEPH H & MAYO PATRICE ANN	14 PARK ST	14 PARK ST	HARWICH	MA	02645
4826	50-R1-1-0-R	SULLIVAN PAULA M	17 PARK ST	17 PARK ST	HARWICH	MA	02645
4824	50-R1-B-0-R	BAKER AMY D	22 WOODBINE LN	22 WOODBINE LN	HARWICH	MA	02645
4825	50-R1-C-0-R	LAROCK SCOTT G & LAROCK ALLYSON S	18 WOODBINE LN	24 VANDERBILT RD	W HARTFORD	CT	06119