November 20, 2023

Dear Chairman Berry and Members of the Harwich Planning Board

RE: Case# PB2023-34 Karen & George Oliver

I received the Public Hearing Notice concerning the above case. As I am sure you are aware a proposal was made in February 2023 to construct a Two Family Dwelling on this property at 86 Miles St. in HarwichPort. After months of a back and forth between the board and the applicant, attempting to address the concerns of the neighborhood and board members, the applicant was advised to withdraw the proposal as it was going to be defeated. They did so with the option to revisit the proposal in the future in an attempt to make the proposal more acceptable. **However, in reviewing the new proposal and comparing it with the previous one, I see only a minor change of approximately 300 square feet less in the building and a 5 feet difference in one of the side setbacks.**

Neither of these changes addresses the concerns that were raised previously, and therefore the proposal should be defeated without any further discussion, as the applicant clearly does not intend to make any concessions to their proposal.

I will reiterate the concerns that I made previously, as they were not addressed and continue to affect this proposal.

Ten years ago when this property was initially purchased the new owners petitioned the board to have it divided into two parcels, allowing for the building of two homes. Rightfully that was denied at the time, due I believe to the fact that there was not enough property frontage for two homes.

So now the owners are attempting to build a 2nd dwelling which will be loosely connected to the current home with pavilions which are basically covered walkways. However this new dwelling will have a separate driveway with access from a different road, which will render it a different property and address. I do not believe these pavilions meet the spirit of Section 325-51N, and using a separate address gets the owners around the problem of not having enough frontage on Miles St., which the Planning Board previously denied.

Allowing the construction of another home on this property with 5 additional parking spaces, and calling it a Two Family Dwelling sets the property up for a future division of the parcel and potential sale of two different properties. In a previous letter to the board from Mr. Kent Drushella, Agent, he addressed the fact that Oliver Homes is not a Real Estate Development Company, and his basis for that was the fact that they own numerous properties in Harwich. Contrary to that claim, that is what Real Estate Companies do, buy numerous properties in an area to redevelop for the purpose of lease or sale. Despite what the owners claim in their application, they are a Real Estate Development Company and such a company’s interest lies in earning a profit. Selling two homes in Harwich Port that originally were placed on one purchased property will help them to continue earning those profits. Allowing for the division of this property with a separate driveway on Grassy Pond will be the next step that will be brought before the board.

The building of this 2nd home will have a negative impact on the surrounding neighborhood, especially the quiet Grassy Pond Road, where the proposed driveway would create a dangerous condition for the many pedestrians and children that use this quiet cul-de-sac to enjoy their Cape Cod Neighborhood.

To put a little personal take on this, when I was looking over the new proposal and making comparisons to the previous one, my 14 year old grandson came in and asked what I was doing. I explained that I was comparing the two proposals, and mentioned that I didn’t see much difference. The first words out of his mouth were, “sounds like they are trying to pull a fast one”, this coming from a kid who had no knowledge of the previous concerns and no idea of the actual property. If a 14 year old can readily see what they are trying to do, I would hope that the members of the board can also do so.

David Denofio

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