



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: 43 Sherwood Road, Harwich. Said property is further described on

Assessor's Map #106-E1-28 and Parcel #0 located in the R-R Zoning District as shown on the attached plan.

Describe Petition/Appeal: Replace existing desk and egress from back door, due to failing structure and new sewer lines.

Relief requested - Cite specific Bylaw Section(s): 325-24 Special Permit for Alterations of a Non-conforming Structure

Signature of Owner (or Agent) [Signature] Date 12/13/2202
(Written authorization by the owner must accompany an Application signed by agent.)

Owner Name Marybeth and Joel Rodman Phone No. (617) 899-4007

Mailing Address: 43 Sherwood Road, Harwich, MA 02645

Agent Name: Alexander Ranney Phone No. (508) 733-4683

Mailing Address: 239 Scudder Avenue, Hyannis, MA 02601

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

If yes, the date of original hearing N/A Petition No. N/A Decision N/A

For Appeal Only:

Reason for Denial: N/A

Denial From: N/A Date of Denial: N/A

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.

RECEIVED
TOWN CLERK
HARWICH, MA
2022 DEC 19 P 3:58

Name of Applicant: Alexander Ranney

Address of Property: 43 Sherwood Road, Harwich, MA

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: 1981

Name/Address of Engineer/Architect: _____

Name/Address of Attorney: _____

Subject	Existing	Required	Proposed
Lot Area (square feet)	17,406	N/A	N/A
Frontage (linear feet)	101.46	150	N/A
Front Yard Setback (feet)	40.4	25	N/A
Side yard Setback (feet)	34.8/11.7*	20	14.2
Rear Yard Setback (feet)	90+	20	90+
Any Yard Setback - Specify which:	N/A	N/A	N/A
Building Coverage (%)	7	15	N/A
Site Coverage (%) (see 325-2)	22.9*	25	22.3
Building Height (see 325-2 & 325-108)*	N/A	30	N/A
If this is an Application for an Accessory Apartment, in addition to the above:	N/A	N/A	N/A
A. Net Floor Area of the Principal Dwelling	N/A	N/A	N/A
B. Net Floor Area of the proposed Accessory Apartment	N/A	N/A	N/A

* 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: Request that the deck may be reconstructed in a less non-conforming manner and still be functional as it was in the past with an outdoor rinse station and room for a small table.

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: 325-18 F. Projections into required yards or other required open spaces are permitted, subject to the following: (2) Open terrace or steps stoop or other similar structure under 4' in height: up to 1/2 the required yard setback. Note, this structure was existing and will be reduced in size to become less non-conforming.

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: 12/13/22

Owner's Signature: (LETTER ATTACHED) Date: 12/14/22

43 Sherwood Road
Harwich, MA 02645

December 13, 2022

To whom it may concern,

The deck at 43 Sherwood Road, Harwich, MA has fallen into disrepair and is in need of replacement. The deck has also been determined to be in the way of the new Town service line for the new sewer to the road. As the deck has been in use since 1981 and has been non-conforming on the side of the lot by over 8.7' beyond the 20' setback required, and is in need of replacement, we request that the ZBA offers relief of a less non-conforming structure.

The old deck, as shown on the plot plan, was a large structure spanning most of the back of the house and extending out into the yard.

The proposed deck(s) will be reduced in size and the setback will be 13.6' from the lot line. This is only 6.4' beyond the 20' setback and allows the new structure to still be usable as a small deck and egress from the existing bedroom slider. The back door from the kitchen will have a separate, conforming set of stairs and landing and will not require a ZBA decision.

Both new structures are necessary as they are both a means of egress from the back of the building.

Alexander Ranney,



Applicant for the owners of 43 Sherwood Road, Harwich

Owner of RBC Properties, LLC

(508)-733-4683

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



Telephone: (508) 430-7506

Fax: (508) 430-4703

By First Class Mail

December 2, 2022

Marybeth and Joel Rodman
43 Sherwood Road
Harwich, MA 02646

Re: Zoning Relief Required
Building Permit Application
43 Sherwood Road, Harwich, Ma. 02645 (Assessor's Parcel ID 106-E1-28-0)
Zoning District RR

Dear Marybeth and Joel Rodman:

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 October 29, 2022, the following zoning relief is first required:

Harwich Zoning Bylaw §325-54 Special permit for alterations of a nonconforming structure.

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 dark ink and is positioned above a horizontal line.

Jack Mee
Harwich Building Commissioner

Cc: Alexander M Ranney, RBC Properties, LLC.
File

Marybeth Rodman
43 Sherwood Road
Harwich, MA 02645

December 1, 2022

ATTN:
Town Of Harwich

RE: Representative Designation for 43 Sherwood Road, Harwich MA 02645

To whom it may concern:

Please accept this letter as my designation of Alexander Ranney and of RBC Properties, LLC, of 239 Scudder Avenue, Hyannis, MA 02601, to act as my representative for matters regarding my property at 43 Sherwood Road, Harwich, MA including preparing and submitting any necessary filings pertaining to any and all Town of Harwich Boards and Committees, and acting on my behalf as general contractor and applicant.

Sincerely,



Marybeth Rodman
(617)899-4007