

Ferry – 44 Chatham Road

The Petitioners seek a Special Permit for a detached residential accessory building that contains bedrooms pursuant to Section 325–51, 325–14 (Q) and 325–13 (Table of Use Regulations - Table I – Residential Uses - subparagraph 1b) in the MRL Zoning District. The existing single-family residence with attached garage and the existing barn are as shown on the Certified Plot Plan by Moran Engineering Assoc., LLC dated June 25, 2020. The interior of the barn was never completed and the Proposed Internal Floor Plans are as shown on the plans of Alan E. Taylor Associates, Architect, submitted herewith. The owners reside in the primary residence and have three children under eight years of age. Kathleen Ferry’s mother visits at times to assist with childcare and Kathleen Ferry’s sister and brother-in-law and two children also visit occasionally as well as Alain Ferry’s family members. Consequently, there is a need for overflow space for family and childcare. There is also a swimming pool located on the premises. The detached residential structure will have bedrooms as per said floor plans but will not be rented, will only be used for said overflow purposes as intended by the bylaw, and will not have a permanent stove fixture.

There will be no change to the footprint of the dwelling or the existing barn and the proposed internal renovations and proposed use as a detached accessory residential building with bedrooms will not adversely affect the neighborhood, the subject premises are an appropriate location for such use and structure, will not create a nuisance or serious hazard to vehicles or pedestrians, and adequate and appropriate facilities will be provided for the proper operation of the proposed use. There will also be adequate septic facilities on the site for the total number of bedrooms proposed.

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# TOWN OF HARWICH PLANNING DEPARTMENT

## PLANNING BOARD APPLICATION



TO THE TOWN CLERK, HARWICH, MA

DATE 4/19/22

### PART A – APPLICANT INFORMATION/AUTHORIZATION

Applicant Name(s)	KATHLEEN E. + J. ALAIN FERRY	
Representative/Organization (Who will serve as the primary contact responsible for facilitating this application?)	William D. Crowell, Esq. 466 Main Street P.O. Box 185 Harwich Port, MA 02646	833013 P55
Mailing address		RECEIVED TOWN CLERK HARWICH, MA 2022 MAY 13 P 2:07
Town, ST, Zip		
Phone	508-432-1643	
Fax	508-430-0631	
E-mail	WCROWELL.OFFICE1@COMCAST.NET	

The applicant is one of the following: (please check appropriate box)

- Owner     
  Prospective Buyer\*     
  Representative for Owner/Tenant/Buyer\*  
 Tenant\*     
  Other\*

**\*Written permission of the owner(s) and a municipal lien certificate (where applicable) is required.**

All other forms and information as required in the Harwich Code Chapter 400, Rules and Regulations, shall be submitted as part of this application.

#### Authorization

Your signature hereby asserts, to the best of your knowledge, that the information submitted in this application is true and accurate; that you agree to fully comply with the Town of Harwich Zoning By-laws and the terms and conditions of any approval of this application by the Planning Board; and authorizes the Members of the Planning Board and/or Town Staff to visit and enter upon the subject property for the duration of the consideration of this application.

Applicant *[Signature]* Attorney for Kathleen E. & J. Alain Ferry

Owner(s) – Authorization must accompany application if the owner is not the applicant.

Official use only:

PLANNING DEPARTMENT	TOWN CLERK
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Case #

*PB2022-14*



**PART B – PROJECT LOCATION**

Legal Street Address	44 CHATHAM RD	Village/Zip Code	02645
Title Book/Page or L.C.C. #	B 33313 P 55		
Map(s) / Parcel(s)	MAP 42 PCLAY.		
Zoning & Overlay Districts	M-R-L-1 W-R	*Historic?	NO
Frontage (linear feet)	135.74		
Total land area (s.f.)	89,256		
Upland (s.f.)	100%	Wetlands (s.f.)	N/A

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**PART C – PROJECT DESCRIPTION**

Existing Floor Area in Sq. Ft	Gross:	Net:
Proposed Floor Area in Sq. Ft	Gross:	Net:
Change in Sq. Ft +/-	Gross:	Net:
Existing # of parking spaces	Proposed # of parking spaces: 08	
Existing Use(s)		
Proposed Use(s)	SEE NARRATIVE	

*Attach a separate narrative if necessary.*

The undersign hereby files an application with the Harwich Planning Board for the following special permits as proposed under the provisions of the Harwich Zoning Code: **(check all that apply)**

**Site Plan Review § 325-55:**

- Any floor area expansion of any structure or expansion of exterior space, other than parking, serving any of the following: commercial, industrial, multi-family or educational use or personal wireless service facility or the creation of a drive-up or drive-through window
- Expansion or reconfiguration of an existing parking lot and/or driveway(s) serving said parking lot.
- Establishment of any new commercial, industrial, multi-family, educational, fast food/take out restaurant or personal wireless service facility.
- Establishment of any new retail use(s) in the Industrial (IL) Zone.
- Waiver of Site Plan § 325-55.F

**Article V, Use Regulations:**

- Paragraph \_\_\_\_\_, sub-paragraph # \_\_\_\_\_  Paragraph \_\_\_\_\_, sub-paragraph # \_\_\_\_\_
- Paragraph \_\_\_\_\_, sub-paragraph # \_\_\_\_\_, supplemental regulation # \_\_\_\_\_ § 325-14

**Article X, Special Permits:**

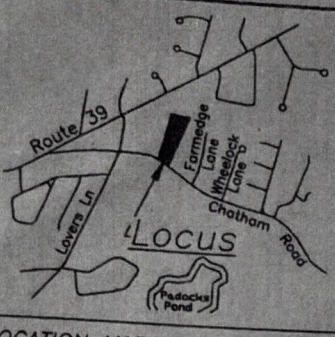
- Structures w/ gross floor area of 7,500+ s.f. § 325-51
- Structures requiring 20 or more new parking spaces § 325-51
- Accessory Apt./Shared Elderly Housing § 325-51.H  Mixed Use § 325-51.M
- Drinking Water Resource Protection § 325-51.C  Two Family § 325-51.N
- Village Commercial, Harwich Port § 325-51.L  \*Harwich Center Overlay § 325-51.O
- Signage § 325-27.F Additional Cluster, Excess SF, Non-entry Facades

**Other Special Permits:**

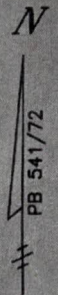
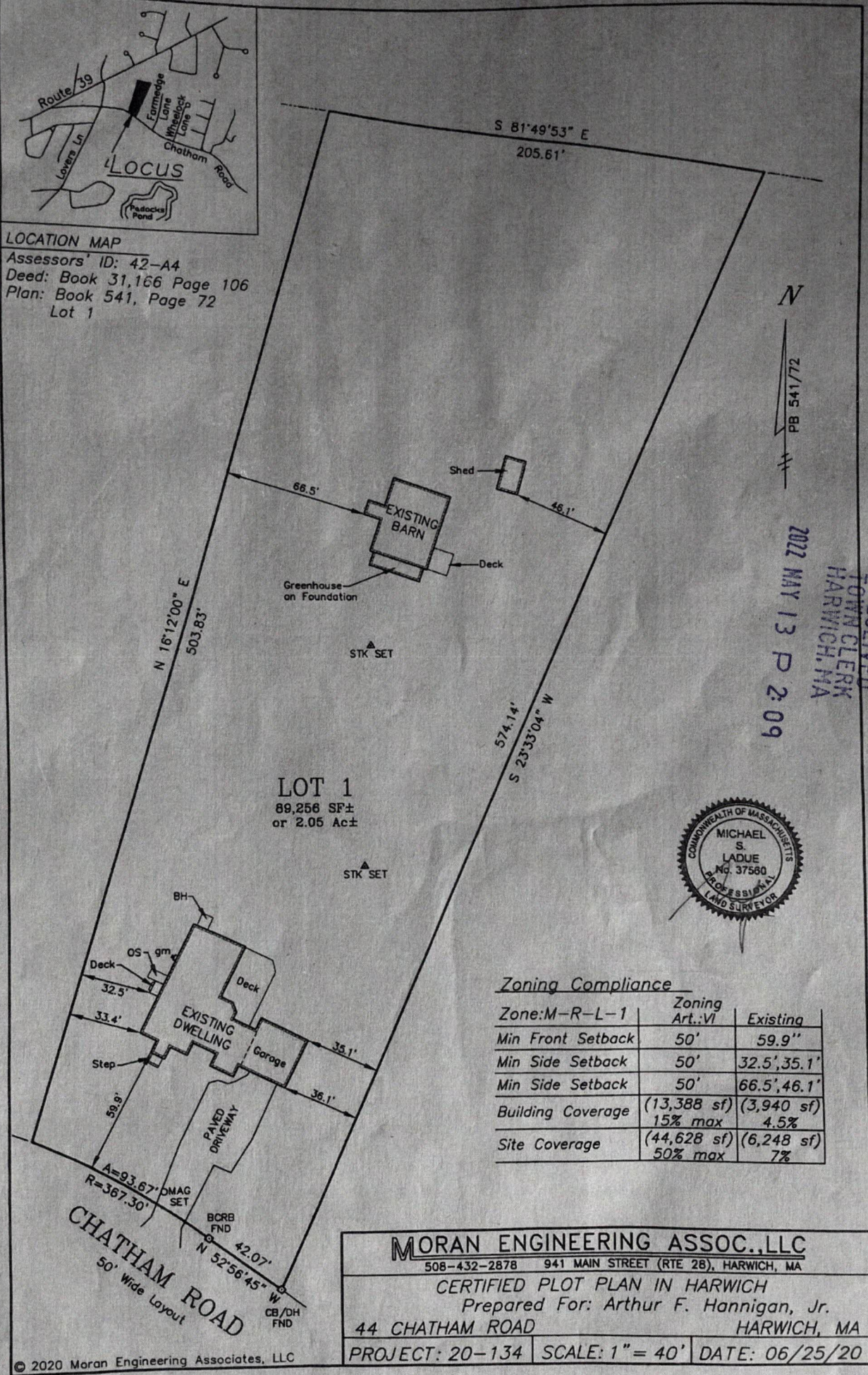
- Six Ponds Special District - Article XVI
- Wind Energy Systems - Article XVIII  Large Scale Wind Generation – Article XIX
- Other (i.e. Alternate Access § 325-18.P, Special Cases § 325-44.B) **SEE ATTACHED NARRATIVE**
- Repetitive Petition (MGL Ch 40A, §16): Proposed project evolved from a previously denied plan submitted to the Planning Board on \_\_\_\_\_ Year/Case # \_\_\_\_\_

*\*Note: Projects within the Harwich Center Overlay District may also be within the Harwich Center Historic District. This requires separate filing with the Historic District and Historical Commission. Please inquire for forms and instructions.*

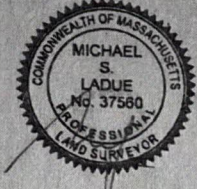




**LOCATION MAP**  
 Assessors' ID: 42-A4  
 Deed: Book 31,166 Page 106  
 Plan: Book 541, Page 72  
 Lot 1



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Zoning Compliance

Zone: M-R-L-1	Zoning Art.: VI	Existing
Min Front Setback	50'	59.9"
Min Side Setback	50'	32.5', 35.1'
Min Side Setback	50'	66.5', 46.1'
Building Coverage	(13,388 sf) 15% max	(3,940 sf) 4.5%
Site Coverage	(44,628 sf) 50% max	(6,248 sf) 7%

**MORAN ENGINEERING ASSOC., LLC**  
 508-432-2878 941 MAIN STREET (RTE 28), HARWICH, MA

CERTIFIED PLOT PLAN IN HARWICH  
 Prepared For: Arthur F. Hannigan, Jr.  
 44 CHATHAM ROAD HARWICH, MA  
 PROJECT: 20-134 SCALE: 1" = 40' DATE: 06/25/20