

# TOWN OF HARWICH PLANNING DEPARTMENT

## PLANNING BOARD APPLICATION



TO THE TOWN CLERK, HARWICH, MA

DATE 10/26/21

### PART A - APPLICANT INFORMATION/AUTHORIZATION

Applicant Name(s)	RICHTON INVESTMENT LLC - OWNER CHRISTOPHER PEPE - TENANT
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
Mailing address	OWNER - 311 CROOKS AVE., PATERSON, NJ 07503 TENANT - 110 SEAB ST., EASTHAM, MA 02642
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.

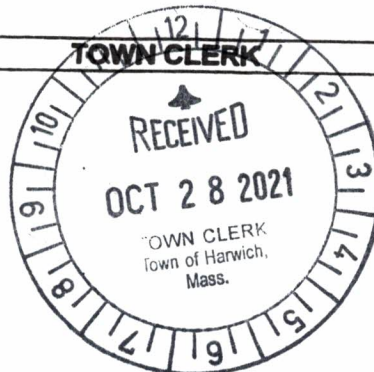
Applicant

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 # PB 2021-22



**PART B - PROJECT LOCATION**

Legal Street Address	11 RTE 29	Village/Zip Code	WEST HAR.
Title Book/Page or L.C.C. #	B 23999 P 34		
Map(s) / Parcel(s)	M 10 PCL A-3		
Zoning & Overlay Districts	CH1, RH1, WHSD	*Historic?	WHSD
Frontage (linear feet)	176+		
Total land area (s.f.)	1.3A ±		
Upland (s.f.)	1.3A ±	Wetlands (s.f.)	N/A

**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:	
Existing Use(s)		
Proposed Use(s)		
<i>Attach a separate narrative if necessary.</i>		

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 325, sub-paragraph # 149       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) 325 & 149
- 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.*

Richton/Pepe

The Petitioners request a permanent Use Special Permit (a Temporary Use Special Permit was granted by this Board on March 9, 2021 to expire on November 30, 2021), to change the pre-existing, non-conforming restaurant use which was in existence as of December 4, 2019 to a retail sales (bait and tackle shop) in accordance with Section 325-149 on the grounds that the proposed use does not conflict with the purpose of the district as retail sales are allowed in the district in a non-historic building pursuant to the new By-Law.

The Petitioners also respectfully request a finding that no Site Plan is required for this Special Permit and therefore no Waiver of Site Plan is needed.

The Petitioners hereby requests administrative waivers of any and all commercial or residential requirements of the By-Law that are not applicable to this petition.