

TOWN OF HARWICH PLANNING DEPARTMENT

SCANNED



PLANNING BOARD APPLICATION
SUBDIVISION FORM B-1

TO THE TOWN CLERK, HARWICH, MA DATE _____

PART A – APPLICANT INFORMATION/AUTHORIZATION

Applicant Name(s)	Christopher W. Our, Mark Giarrusso (H.B. Homes), Janet S. Our, Bryan Blanchard, Scott O. Our
Representative/Organization (Who will serve as the primary contact responsible for facilitating this application?)	Daniel A. Ojala, PE, PLS, Down Cape Engineering, Inc.
Street/PO Box	939 Route 6A
Town, ST, Zip	Yarmouth Port, MA 02675
Phone	508-362-4541
Fax	508-362-9880
E-mail	info@downcape.com downcape@downcape.com

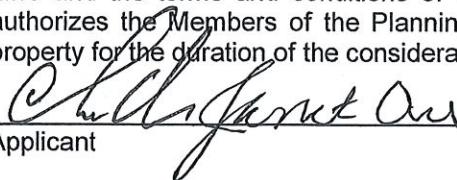
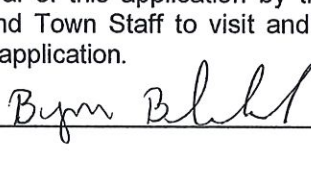
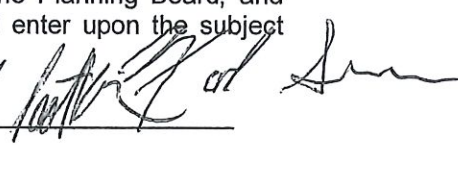
The applicant is one of the following: (please check appropriate box)

- Owner
 Tenant*
 Prospective Buyer*
 Representative for Owner/Tenant/Buyer
 Other* _____ ***Written permission of the owner(s).**

All other forms and information as required in the Harwich Code §400 shall be submitted as part of this application including municipal lien certificate(s), available through the Tax Collector's Office.

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 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
Case # PB2022-23	2022 SEP 20 P 12:00 RECEIVED TOWN CLERK HARWICH, MA

PART B – PROJECT LOCATION

Street Address	OFF LITTLEFIELD POND RD	
Village		Zip Code
Map	77 and 65	Parcel (77) C20 & C22 (65) R2 & R3
Zoning District(s)	RR	
Frontage (linear feet)	78,85	
Total land area (SF)	393,288	
Upland (SF)	392,208	Wetlands (SF) 1,080
Number of lots and/or parcels	Existing: 4	Proposed: 7

The owner's title to said land is derived under deed from MULTIPLE DEEDS: BK 29526 Pg 215, dated 5/23/16, 11/30/16, 11/30/16 and recorded in the Barnstable Registry of Deeds BK 30127 Pg 311 Book and Page _____ or registered in Barnstable County Land Court BK 30127 Pg 308 Certificate of Title No. _____.

PART C – PROJECT DESCRIPTION

Number of lots and/or parcels	Existing: 4	Proposed: 7
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The undersigned owners of all land described herein submitted in the accompanying plan entitled DEFINITIVE SUBDIVISION PLAN OF LAND OFF LITTLEFIELD POND RD and dated 1/26/2022, request a determination and endorsement by said Board that approval by it under the **Subdivision Control Law MGL Ch. 41 Sec. 81K-GG**: (check as appropriate)

is required (complete Part C.1 Subdivision) or is NOT required (complete Part C.2 ANR)

PART C.1 – Planning Board Approval is Required - Subdivision

- The accompanying plan is a (check one):
 - Preliminary plan
 - Definitive without a preliminary plan
 - Definitive following a Preliminary plan filed on JUNE 18, 2019 /case # PB 2019-25
 - Modification of a Definitive plan approved on _____ /case # PB _____
 - Rescission of a Definitive plan approved on _____ /case # PB _____
- The applicant is also requesting a **Special Permit** to accompany the proposed plan for the following (check all that apply):
 - USE - Does not require Site Plan Review
 - ___ Open Space Residential Development
 - ___ Flexible Cluster Development/Six Ponds Special District
 - ___ Accessory Apartment
 - ___ Two-Family Dwellings
 - ___ Other _____
 - OVERLAY DISTRICT
 - ___ Water Resource Protection
 - ___ Harwich Center
 - ___ Six Ponds
 - ___ Village Commercial (Harwich Port)

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**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 Commission. Please inquire with the Building Department for forms and instructions.*

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PART C.2 – Planning Board Approval is Not Required - ANR

The accompanying plan does not require approval by the Planning Board because:

- 1. The lots are created on an approved way, with proper frontage and are served by safe and adequate access as follows:
 - a. Every lot shown on the plan has frontage of at least such distance as is presently required by the Zoning Code of the Town of Harwich under Article VI: §325-15 and §325-16, Table 2 which requires _____ feet for erection of a building on such lot, **and**;
 - b. The lots shown on such plan front on one of the three types of ways specified in Chapter 41, Section 81L, MGL, **and**;
 - a public way or a way that the Harwich Town Clerk certifies is maintained and used as a public way namely _____, or
 - a way shown on a plan previously approved and endorsed in accordance with the subdivision control law namely _____ on _____ and subject to the following conditions _____; or
 - a private way in existence on March 25, 1949, the date when the subdivision control law became effective in the Town of Harwich, and
 - c. The public or private way named above has, in the opinion of the Board, sufficient width, suitable grades and adequate construction to provide for the needs of vehicular traffic in relation to the land abutting or served thereby, and for the installation of municipal service to serve such land and the buildings existing thereon to be erected.

PROOF OF SAFE AND ADEQUATE ACCESS – Please attach all necessary documentation to this application for:

 - Determination of Safe and Adequate Access for existing conditions
 - Satisfaction of Safe and Adequate Access for proposed conditions
- 2. The accompanying plan is not a subdivision because the plan does not show a division of land.
- 3. The division of the tract of land shown on the accompanying plan is not a "subdivision" because it shows a proposed conveyance/other instrument, namely _____ which adds to/takes away from/changes the size and shape of, lots in such a manner so that no lot affected is left without frontage as required by Zoning Code of the Town of Harwich under Article VI: §325-15 and §325-16, Table 2 which requires _____ feet.
- 4. The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings, specifically _____ buildings were standing on the property prior to March 25, 1949 the date when the subdivision control law went into effect in the Town of Harwich and one of such buildings remains standing on each of the lots/said buildings as shown and located on the accompanying plan. Evidence of the existence of such buildings prior to the effective date of the subdivision control law as follows:
- 5. Other reasons or comments: *(See MGL, Ch41, §81-L)*

DOWN CAPE ENGINEERING, INC.

Daniel A. Ojala, PLS, PE, President
939 Main Street
Yarmouth Port, MA 02675
508-362-4541

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Off Littlefield Pond Road, Harwich
Definitive Subdivision Project Narrative

A seven lot Definitive Subdivision is proposed on approximately nine acres off Littlefield Pond Road and Fish and Game Drive in Harwich. An identical Preliminary Plan was filed and approved by the Planning Board and Board of Health for the property in 2019. The lots vary in size from 40,205 sf to 66,703 square feet and are designed to meet area, frontage, width, and shape requirements without variance. The plan will be refiled with the Board of Health as well as the Planning Board. One bedroom per 10,000 sf of lot area remains the maximum septic load proposed.

After the Preliminary approvals an ANR plan was created to divide off some Conservation Parcels to the South, and as the area is mapped for rare wildlife, the proposal was filed with NHESP, and was subsequently approved by that agency. A significant amount of open space and Wildlife and Conservancy easements are proposed as part of the subdivision, a copy of the NHESP approval is attached for reference.

Also attached is the stormwater report with drainage calculations, as well as the mylar definitive plan and the roadway profile and details. The entrance roadway formalizes the extension of Fish and Game Drive, and an apron will be provided for access to the nearby Fish and Game club. At the turn South after the Fish and Game access, there is a standard roadway and cul-de-sac proposed.

Similar to the other subdivision of Belmont Estates, a waiver to not construct a sidewalk is requested. This waiver is requested to maintain the rural nature of the area, noting that the road is a dead end and low traffic speeds are anticipated.

Less maintenance is required for snow plowing and mowing without a dedicated sidewalk.

A draft of the Subdivision Protective Covenants which restrict the Wildlife and Conservancy Areas is attached for review and comment.

The road name of Wildlife Circle is proposed, other options are provided as a contingency.