

# SPECIAL Permit / Driveway

PB2023-12

## TOWN OF HARWICH PLANNING DEPARTMENT



PLANNING BOARD APPLICATION  
SPECIAL PERMITS & SITE PLAN REVIEW FORM A

TO THE TOWN CLERK, HARWICH, MA

DATE 3/2/2023

### PART A – APPLICANT INFORMATION/AUTHORIZATION

Applicant Name(s)	Oliver Home LLC
Representative/Organization (Who will serve as the primary contact responsible for facilitating this application?)	Kent Drushella 508-280-4300 drufam@comcast.net
Mailing address	39 Old County Rd.
Town, ST, Zip	Harwich Port, MA 02645
Phone	508-280-4300
Fax	- - - -
E-mail	drufam@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 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.

Kent Drushella      Kent Drushella  
Applicant

George Columbus  
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 #

RD

# Special Permit / Driveway

## PART B – PROJECT LOCATION

Legal Street Address	86 Miles St.	Village/Zip Code	02646, Harwich Port
Title Book/Page or L.C.C. #			
Map(s) / Parcel(s)	14-80		
Zoning & Overlay Districts	RL	*Historic?	No
Frontage (linear feet)	127.56 Miles, 23.58 Grassy Pond		
Total land area (s.f.)	47,565		
Upland (s.f.)	47,565	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 \_\_\_\_\_, 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, Special Cases § 325-44.B) \_\_\_\_\_
- 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.*

Oliver Homes  
86 Miles Street  
Harwich Port, MA



Curb Cut Permit Application

This application is to create a second point of access to the property. Per the zoning bi-law 325-18K which says this.

K. A lot with the required legal frontage must take access along the required legal frontage. No alternate access may be granted from other streets, roads, or ways, nor should access be taken from an easement across an adjacent property without the issuance of a special permit from the Planning Board. In issuing a special permit, the Planning Board shall make the following findings:

(1)

The alternate access proposed is superior to the access along the frontage;

(2)

The proposed alternate access is cleared to a minimum of 16 feet in width and 16 feet in height; and

(3)

When access is proposed from an easement across another lot, the lot providing the easement will have the required legal frontage for the zoning district.

This lot fits all these as shown on the plan.

To clear up some items that will be brought up. There is no easement in place or is needed as the property abuts the Town Public Street of Grassy Pond. Also look close at the street boundaries that abut this property on Grassy Pond and you see there is 23.5' of frontage, more than needed. Because of the history of the street the people on Grassy Pond do not realize or choose to overlook where their land ends and Town of Harwich land starts. The property lines on Grassy have the surveyors stakes in the ground and have blue paint on them to identify the location.

PLEASE TAKE A CLOSE LOOK.

Here is some history of Grassy Pond Road. In 1951 the Grassy Pond Road subdivision was created, the lots varied in size from 7,900 S.F. to 11,500 S.F. The subject property contains 47,565 S.F. which is equivalent in size to 4 or 5 lots on Grassy Pond Road. Grassy Pond Road was taken as a Town Road in 1959. Even if the neighbors want this to be a private road, it is owned by the town and they have to share. This is not a small acreage property. Based on the number of units, 2 dwellings on an acre is compatible with the abutting 4 dwellings on an acre.

Nevertheless, the number of vehicle trips per day to the second dwelling is expected to be fewer than the number to a primary dwelling. Deliveries and mail will be directed to use the entrance on Miles Street. The rear driveway will be used for the family or a caregiver of the handicapped grandchild who will reside in part of this dwelling when the grandchild spends his summers here. The property is trapezoidal in shape with the short edge along the street. This addition will fit well into the back where there is currently lawn. Additional screening can be provided if the board feels it is appropriate.

In the comments made by people how Oliver Homes LLC is a development Company do not know what they are talking about and just making things up as they go, as well with others the 1<sup>st</sup> night. The Oliver family own 4 properties in Harwich Port, the 1<sup>st</sup> one purchased in 2003. All are impeccably maintained inside and out. At the time of purchase each were updated and improved using all locale trades and stores. One house is rented out to a 96 year old lady with her family living 2 doors away and could not be happier, plus rent is under market rate to help. They purchased 86 Miles in 2013 and have done nothing but improved the neighborhood. They do not rent this property and use it only for the family.

Oliver Homes LLC. has held all properties since the day they were purchased and have never sold one. They pay all their taxes to Harwich with extremely little or no needs or uses for any tax provided services.

