## TOWN OF HARWICH PLANNING DEPARTMENT

## PLANNINE BOARD APPICATION

SUBDIVISION FORM B-1
TO THE TOWN CLERK, HARWICH, MA
DATE 6/19/23
PART A - APPLICANT INFORMATION/AUTHORIZATION

| Applicant Name(s) | Eastward Companies |
| ---: | :--- |
| Representative/Organization <br> (Who will serve as the primary contact <br> responsible for facilitating this application?) | Eastward Companies <br> Susan Ladue, Regulatory Specialist |
| Street/PO Box | 155 Crowell Road |
| Town, ST, Zip | Chatham, MA 02633 |
| Phone | 508-945-2300 Susan's Cell 508-326-3684 |
| Fax | n/a |
| E-mail | sladue@eastwardco.com |

The applicant is one of the following: (please check appropriate box)
$\square$ Owner

- Tenant*
XXProspective Buyer*
Representative for Owner/Tenant/Buyer
Other* $\qquad$ *Written permission of the owner(s).

All other forms and information as required in the Harwich Code $\S 400$ 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 Bylaws 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.


PART B - PROJECT LOCATION

| Street Address | 1594 \& 1598 Orleans Road |  |
| :---: | :---: | :---: |
| Village | East Harwich | Zip Code 02645 |
| Map | 107 | Parcel S2-1 \& S2-2 |
| Zoning District(s) | RR |  |
| Frontage (linear feet) | $1594\left(239.607^{\prime}\right)+1598\left(172.943^{\prime}\right)=412.55$ linear feet |  |
| Total land area (SF) | $1594(217,295 \mathrm{sf})+1598166,688 \mathrm{sf})=383,983 \mathrm{sf}$ or 8.82 |  |
| Upland (SF) | 383,983 sf | Wetlands (SF) 0 |
| Number of lots and/or parcels | Existing: 2 | Proposed: 8 carcer |

The owner's title to said land is derived under deed from 1598 Orleans Road from Paul Cuddy dated 12/18/17 dated See above , and recorded in the Barnstable Registry of Deeds Book and Page $31541 / 310$ \& 30969/27br registered in Barnstable County Land Court Certificate of Title No. $\qquad$ -.

## PART C - PROJECT DESCRIPTION

| Number of lots and/or parcels | Existing: 2 | Proposed: 8 |
| :---: | :--- | :--- |

The undersigned owners of all land described herein submitted in the accompanying plan entitled Preliminary Subdivision 1594-1598 Orleans Road Harwichand dated May, 2022 request a determination and endorsement by said Board that approval by it under the Subdivision
Control Law MGL Ch. 41 Sec . 81 K -GG: (check as appropriate)
d 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

1. The accompanying plan is a (check one):
(X Preliminary plan
$\square \quad$ Definitive without a preliminary plan
ㅁ Definitive following a Preliminary plan filed on $\qquad$ /case \# PB $\qquad$
$\square \quad$ Modification of a Definitive plan approved on $\qquad$ /case \# PB $\qquad$
$\square \quad$ Rescission of a Definitive plan approved on $\qquad$ /case \# PB $\qquad$
2. The applicant is also requesting a Special Permit to accompany the proposed plan for the following (check all that apply):
ㅁ USE - Does not require Site Plan Review Open Space Residential Development
$\qquad$ Flexible Cluster Development/Six Ponds Special District Accessory Apartment Two-Family Dwellings Other
$\square$ OVERLAY DISTRICT
_ Water Resource Protection __ Six Ponds
__Harwich Center $\qquad$
*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.

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

The accompanying plan does not require approval by the Planning Board because:
$\square \quad$ 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 $\qquad$ 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;
$\square$ a public way or a way that the Harwich Town Clerk certifies is maintained and used as a public way namely $\qquad$ , or
$\square$ a way shown on a plan previously approved and endorsed in accordance with the subdivision control law namely $\qquad$ on $\qquad$ and subject to the following conditions $\qquad$ ; or
$\square$ 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:
$\square \quad$ 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.
$\square \quad$ 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: $\S 325-15$ and $\S 325-16$, Table 2 which requires $\qquad$ feet.
$\square \quad$ 4. The division of the tract of land shown on the accompanying plan is not a subdivision because two or more buildings, specifically $\qquad$ 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)

# EASTWARD COMPANIES 

June 19, 2023

Harwich Planning Board
732 Main Street
Harwich, MA 02645

## RE: 8-Lot Preliminary Residential Grid Subdivision 1594 \& 1598 Orleans Road Map 107, Parcels S2-1 \& S2-2

Dear Members of the Board:
Eastward MBT LLC, Trustee, Eastward Homes Business Trust is submitting the attached preliminary 8-lot residential grid subdivision plan for your review on Tuesday, July 25, 2023.

## Existing Conditions

The subject property consists of two (2) undeveloped parcels. 1594 Orleans Road is a 4.99 acre ( 217,295 sf.) lot with 239.607 feet of frontage on Route 39/Orleans Road in East Harwich and is located on the west side of the road and north of the Huckleberry Path neighborhood. 1598 Orleans Road is a 3.83 acre $(166,688$ sf.) lot with 172.943 feet of frontage on Route 39/Orleans Road and abuts 1594 Orleans Road to the north. The subject property has varying topography and is heavily wooded. No wetlands appear to exist on this property. This property is located within the RR zone and the Zone II/DWRPD area. The upland/total area of both lots is 8.82 acres ( 383,983 sf.).

## Subdivision Proposal

A preliminary conventional grid subdivision plan has been prepared for the property showing eight (8) building lots and a conforming subdivision road, with sidewalk along the north side, to serve the lots. Each building lot has a minimum area of 40,000 square feet and 150 feet of frontage. Each lot meets the shape number requirement of the Town.

We are submitting the following 3 names for the proposed road:

1. Iris Lane
2. Hyacinth Way
3. Upland Circle

Thank you for your consideration of our request. Please let me know if you have questions or need any additional information. We look forward to discussing this proposal with you on July 25th.

Sincerely,


Susan B. Ladue
Regulatory Specialist




State Tax Form 290
Certificate: 511
Issuance Date: 06/17/2023
MUNICIPAL LIEN CERTIFICATE
TOWN OF HARWICH - LIVE DATA COMMONWEALTH OF MASSACHUSETTS

Requested by EASTWARD COMPANIES
I certify from available information that all taxes, assessments and charges now payable that constitute liens as of the date of this certificate on the parcel of real estate specified in your application received on 06/15/2023 are listed below.

## DESCRIPTION OF PROPERTY

| Parcel ID: $107 / S 2-2-R$ | 1598 ORLEANS RD |  |
| :--- | ---: | :--- |
|  |  | Land area $:$ |
| MACGREGOR J BRUCE TR | Land Value $:$ | 256,900 |
| SUNRISE NOMINEE TRUST | Impr Value $:$ | 0 |
| DRAWER W | MA 02601 | Land Use |
| HYANNIS |  | Exemptions : |

Deed date: 12/18/2017 Book/Page: 30969/272
Class: 1300-GENL

| FISCAL YEAR | 2023 | 2022 | 2021 |
| :---: | :---: | :---: | :---: |
| DESCRIPTION |  |  |  |
| COMMUNITY PRESERVATION ACT | \$51.17 | \$54.35 | \$52.40 |
| REAL ESTATE TAX | \$1,705.82 | \$1,811.77 | \$1,746.66 |
| TOTAL BILLED: | \$1,756.99 | \$1,866.12 | \$1,799.06 |
| Charges / Fees | \$. 00 | \$. 00 | \$. 00 |
| Abatements/Exemptions | \$. 00 | \$. 00 | \$. 00 |
| Payments/Credits | -\$1,756.99 | -\$1,866.12 | -\$1,799.06 |
| Interest to 06/17/2023 | \$. 00 | \$. 00 | \$. 00 |
| TOTAL BALANCE DUE: | \$. 00 | \$. 00 | \$. 00 |

IF CHECKED, contact Treasurer's Office at 508-430-7501 for update
[ ] This property is in TAX TITLE.
[ ] This property has a BETTERMENT. This property has a DEFERRAL.
] This property is currently EXEMPT.


THIS FORM APPROVED BY THE COMMISSIONER OF REVENUE

State Tax Form 290
Certificate: 512
Issuance Date: 06/17/2023
MUNICIPAL LIEN CERTIFICATE
TOWN OF HARWICH - LIVE DATA COMMONWEALTH OF MASSACHUSETTS

Requested by EASTWARD COMPANIES
I certify from available information that all taxes, assessments and charges now payable that constitute liens as of the date of this certificate on the parcel of real estate specified in your application received on $06 / 15 / 2023$ are listed below.

## DESCRIPTION OF PROPERTY

Parcel ID: 107/S2-1-R

SEMINARA LOUIS J TR $S \&$ L REALTY TRUST BOX 1219
SOUTH DENNIS MA 02660

1594 ORLEANS RD

| Land area | $\vdots$ | 4.99 AC |
| :--- | ---: | ---: |
| Land Value | $\vdots$ | 366,400 |
| Impr Value | $\vdots$ | 0 |
| Land Use | 0 |  |
| Exemptions | $\vdots$ | 0 |
| Taxable Value : | 366,400 |  |

Deed date: 09/20/2018 Book/Page: 31541/310
Class: 1300-GENL

| FISCAL YEAR | 2023 | 2022 | 2021 |
| :---: | :---: | :---: | :---: |
| DESCRIPTION |  |  |  |
| COMMUNITY PRESERVATION ACT | \$72.99 | \$77.52 | \$74.74 |
| REAL ESTATE TAX | \$2,432.90 | \$2,583.85 | \$2,491.42 |
| TOTAL BILLED: | \$2,505.89 | \$2,661.37 | \$2,566.16 |
| Charges/Fees | \$. 00 | \$2,661.37 | \$2,566.16 |
| Abatements/Exemptions | \$. 00 | \$. 00 | \$. 00 |
| Payments/Credits | -\$2,505.89 | -\$2,661.37 | -\$2,566.16 |
| Interest to 06/17/2023 | \$. 00 | \$. 00 | \$. 00 |
| TOTAL BALANCE DUE: | \$. 00 | \$. 00 | \$. 00 |

IF CHECKED, contact Treasurer's Office at 508-430-7501 for update
[ ] This property is in TAX TITLE.
This property has a BETTERMENT. This property has a DEFERRAL.
] This property is currently EXEMPT.


THIS FORM APPROVED BY THE COMMISSIONER OF REVENUE

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90-20-2018 a 02=420
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J. Bruce MacGregor, Trustee of Sunrise Nominee Trust u/d/t dated May 26, 1994 and recorded with the Barnstable County Registry of Deeds in Book 9209, Page 319 as amended of record, of Drawer W, Hyannis, MA $0^{3} 6 \mathrm{Ol}$ A N

OF F I C I AL OF F I C I A L
In consideration of Three Hundred Thousand Dollars ( $\$ 360,800.0 \%$ )

Grant to Louis J. Seminara, Trustee of S \& L Realty Trust $\mathrm{u} / \mathrm{d} / \mathrm{t}$ dated September 20, 2018 and recorded with the Barnstable County Registry of Deeds in Book 21541 , Page 305 of Box 1219, S. Dennis, MA 02660

## With Quitclaim Covenants

The parcel of land located in Harwich, Barnstable County and as shown as "RYDER PARCEL" on "Plan of Land located off Route 39 East Harwich, Massachusetts, dated November 6, 2017 and recorded with Barnstable County Registry of Deeds in Plan Book 673, Page 14.

For title refer to Barnstable Superior Court Judgment After Rescript in Case No. 0572CV00469 and Deed from Evans, et al Trustees recorded in Book 19605, Page 13 with Barnstable Deeds and Quason Realty Trust to Sunrise Nominee Trust dated December 1, 2017 and recorded in the Barnstable County Registry of Deeds in Book 30969, Page 272.

Address of Premises: Route 39, Harwich, MA

I hereby certify that Sunrise Nominee Trust has not been amended, except of record, has not been terminated and that none of the beneficiaries are minors and that I have been directed by all of the beneficiaries to convey this land for the stated consideration.

Witness my hand and seal this $20^{\text {th }}$ day of September, 2018.

```
gARNSTABLE COUNTY EXCISE TAX
EARNSTABLE COUNTY REGISTRY DF DEEDS
bate: 09-20-2018 a 02:42pm
CtIN: 1061 Dom*: 46458
Fee: $918,90 Cons: $300,000400
```




On this $20^{\text {th }}$ day of Eepterinber, $20 \mathrm{R8}$, tefore me, the EnderstgnedInotary public, personally appeared, J. Bruce MacGregof, ploved to me through satffectory which were (source of identification) his MA License to be the person who signed the preceding or attached document in my presence, and who swore or affirmed to me that the statements contained therein are truthful and accurate to the best of his knowledge and belief.


NO T
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$\mathrm{N} O$ Thin 383


Deed


Paul R. O'Connell, III of Osterville, MA as Trustee of Obuspon Realty Trust, U/D/T dated March 3, 2005, for which a Certificate of Trust ais $\mathrm{F}_{\mathrm{F}}$ recorded with Barnstable Deeds at Book 30765 , Page 12, foE consideration paid er $\$ 200_{5} 000$, grant to J. Bruce MacGregor, Trustee of Sunrise Nominee Trust U and recorded with Barnstable County Registry of Deeds in Book 9209, Page 319, as amended of record, of Drawer W. Hyannis, MA 02601

With Quitclaim Covenants

The parcel of land located in Harwich, Barnstable County and shown as "RYDER PARCEL" on "Plan of Land Located Off Route 39 in East Harwich, Massachusetts, dated November 6,2017 and recorded with Barnstable County Registry of Deeds in Plan Book 673, Page 14.

For title refer to Barnstable Superior Court Judgment After Rescript in Case No. 0572CV00469 and Deed from Evans, et al Trustees recorded in Book 19605, Page 13 with Barnstable Deeds.

Address of Premises: Route 39, Harwich, MA

I hereby certify that Quason Realty Trust has not been amended, except of record, has not been terminated and that none of the beneficiaries are minors and that I have been directed by all of beneficiaries to convey this land for the stated consideration

Witness my hand and seal this $1^{\text {st }}$ day of December, 2017.


| N - T N O T |  |
| :---: | :---: |
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| O F F IComm | chusetts |
| C O P Y | C O P Y |

December 1, 2017
Barnstable ss
$\mathrm{N} O \mathrm{~T} \quad \mathrm{~N} O T$
On this first day of Recember, 2017, before me, the undersigned Notary
 satisfactory evidencecofoidendification, which wasdpersenal knowledge, to be the person(s) whose name(s) is/are signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily, for its stated purpose.

J. Mark Haney

Notary Public
Commonwealth of Massachusetts My Commission Expires

November 23, 2023

| $\mathrm{N} \bigcirc \mathrm{O}$ | $\mathrm{N} \bigcirc \mathrm{O}$ |
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| C O P Y | C OP Y |
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TOWN OF HARWICH
ASSESSORS OFFICE
732 MAIN STREET
HARWICH, MASSACHUSETTS 02645
Please email all Abutters Requests to assessing@town.harwich.meus

OFFICE OF
BOARD OF ASSESSORS
Tel: 508-430-7503
Fax: 508-430-7086

## ABUTTERS REQUEST FORM

Board Requesting Action: Planning Board
Date Submitted: 6/15/23

## Applicant's Name: Eastward Companies

Assessors Maps) \& Parcels): 107/ S2-1
Property Location: 1594 Orleans Road
Owners): Louis Seminara; Trustee
Contact Person: Susan Ladue, Regulatory Specialist, Eastward Companies
E-mail Address: sladue@eastwardco.com
Telephone \#: 508-326-3684

## Type of Petition: Planning Board - Preliminary Subdivision Plan Application

Assessors Approval By:

## INVOICE

This cover sheet is also your invoice.
Date
Paid Ck \#
Abutters Fee
$\$ 50.00$


Make checks payable to: Town of Harwich


TOWN OF HARWICH
ASSESSORS OFFICE
732 MAIN STREET
HARWICH, MASSACHUSETTS 02645
** Please email all Abutters Requests to assessing@town.harwich.ma.us

OFFICE OF
BOARD OF ASSESSORS
Tel: 508-430-7503
Fax: 508-430-7086

## ABUTTERS REQUEST•FORM

Board Requesting Action: Planning Board
Date Submitted: 6/15/23
Applicant's Name: Eastward Companies
Assessors Map(s) \& Parcel(s): 107/ S2-2
Property Location: 1598 Orleans Road
Owner(s): Bruce McGregor, Trustee
Contact Person: Susan Ladue, Regulatory Specialist, Eastward Companies
E-mail Address: sladue@eastwardco.com
Telephone \#: 508-326-3684
Type of Petition: Planning Board - Preliminary'Subdivision Plan Application
Assessors Approval By:

## INVOICE

This cover sheet is also your invoice.

Abutters Fee $\quad \$ \mathbf{c}$\begin{tabular}{c}
Date <br>
Paid

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Ck\#
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Make checks payable to: Town of Harwich

