TOWN OF HARWICH PLANNING DEPARTMENT

PLANNING BOARD APPLICATION SUBDIVISION FORM B-1



TO THE TOWN CLERK, HARWICH, MA

6/19/23 DATE

PART A - APPLICANT INFORMATION/AUTHORIZATION

<u>Applicant Name(s)</u>	Eastward Companies
Representative/Organization (Who will serve as the primary contact	Eastward Companies
responsible for facilitating this application?)	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) □ Owner □ 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 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.

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Applicant

our evera Louis Seminara - 1594 Orleans Road -

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

uce Macchecol 598 Orleans Road -	- ,	AM MAD	
Official use only:	0	Eg. Muchejor	

PLANNING DEPARTMENT	TOWN CLERK
Case #	

		ECONTION
Street Address	1594 & 1598	Orleans Road
Village	East Harwich	Zip Code 02645
Мар	107	Parcel S2-1 & S2-2
Zoning District(s)	RR	
Frontage (linear feet)	1594 (239.607	(172.943') = 412.55 linear feet
Total land area (SF)	1594 (217,295	sf) + 1598 166,688 sf) = 383,983 sf or 8.82 acres
Upland (SF)	383,983 sf	Wetlands (SF) 0
Number of lots and/or parcels	Existing: 2	Proposed: 8
		1594 Orleans Road from Bruce McGCC dated 9/20/18
	l under deed fro	m 1598 Orleans Road from Paul Cuddy dated 12/18/17
dated See above, and recorded	in the Barnstab	le Registry of Deeds

PART B - PROJECT LOCATION

dated <u>See above</u>, and recorded in the Barnstable Registry of Deeds Book and Page $\frac{31541/310 \& 30969/27}{2}$ registered in Barnstable County Land Court Certificate of Title No. <u>N/A</u>

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 <u>Preliminary Subdivision 1594-1598 Orleans Road Harwich</u> and dated <u>May, 2022</u>,

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)

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

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

- The accompanying plan is a (check one):
 - X Preliminary plan
 - Definitive without a preliminary plan
 - Definitive following a Preliminary plan filed on _____/case # PB_____/case # PB_____
 - Modification of a Definitive plan approved on _____ /case # PB
 - Rescission of a Definitive plan approved on /case # PB
- 2. The applicant is also requesting a **Special Permit** to accompany the proposed plan for the following (check all that apply):
 - USE Does <u>not</u> require Site Plan Review
 - ____ Open Space Residential Development
 - Flexible Cluster Development/Six Ponds Special District Accessory Apartment

П

- Two-Family Dwellings
- Other

OVERLAY DISTRICT

- ____ Water Resource Protection
- ____ Harwich Center

_ Six Ponds _ Village Commercial (Harwich Port)

*Note: Projects within the Harwich Center <u>Overlay</u> District may also be within the Harwich Center <u>Historic</u> District. This requires separate filing with the Historic District Commission. Please inquire with the Building Department for forms and instructions.

Page 2 of 3 v09.2011

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

 \Box 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)



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 s.f.) 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 s.f.) 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 s.f.).

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

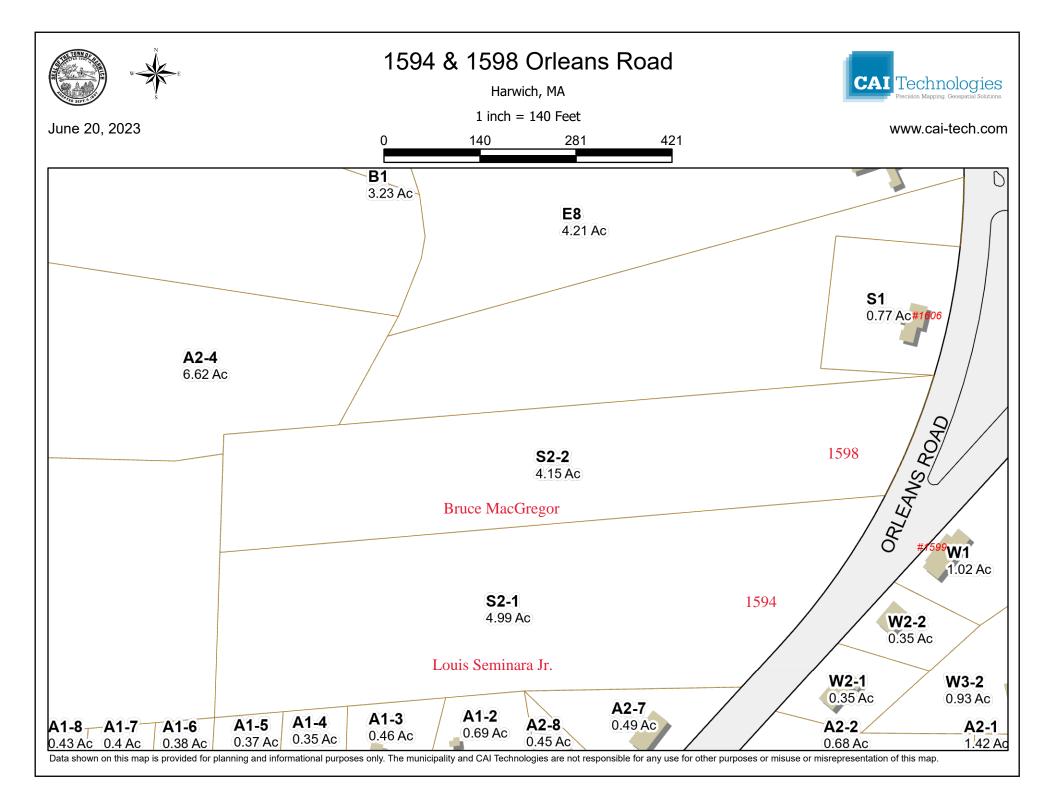
Thank you for your consideration of our request. Please let me know if you have questions or need any additional information. We look forward to discussing this proposal with you on July 25th.

Sincerely,

Susan B. Lodie

Susan B. Ladue Regulatory Specialist

155 CROWELL ROAD, CHATHAM, MA 02633 508-945-2300



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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/S2-2-R

1598 ORLEANS RD

MACGREGOR J BRUCE TR SUNRISE NOMINEE TRUST DRAWER W HYANNIS MA 02601		Land area : Land Value : Impr Value : Land Use : Exemptions : Taxable Value:	4.15 AC 256,900 0 0 256,900
Deed date: 12/18/2017 Book/Page: Class: 1300-GENL	30969/272		
FISCAL YEAR	2023	2022	2021
DESCRIPTION COMMUNITY PRESERVATION ACT REAL ESTATE TAX	\$51.17 \$1,705.82	\$54.35 \$1,811.77	\$52.40 \$1,746.66
TOTAL BILLED: Charges/Fees Abatements/Exemptions Payments/Credits Interest to 06/17/2023	\$1,756.99 \$.00 \$.00 -\$1,756.99 \$.00	\$1,866.12 \$.00 \$.00 -\$1,866.12 \$.00	\$1,799.06 \$.00 \$.00 -\$1,799.06 \$.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.

TOWN COLLECTOR/TREASURER

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

1594 ORLEANS RD

SEMINARA LOUIS J TR S & L REALTY TRUST BOX 1219 SOUTH DENNIS MA 02660		Land area : Land Value : Impr Value : Land Use : Exemptions : Taxable Value:	4.99 AC 366,400 0 0 366,400
Deed date: 09/20/2018 Book/Page: Class: 1300-GENL	31541/310		
FISCAL YEAR	2023	2022	2021
DESCRIPTION COMMUNITY PRESERVATION ACT REAL ESTATE TAX	\$72.99 \$2,432.90	\$77.52 \$2,583.85	\$74.74 \$2,491.42
TOTAL BILLED: Charges/Fees Abatements/Exemptions Payments/Credits Interest to 06/17/2023	\$2,505.89 \$.00 \$.00 -\$2,505.89 \$.00	\$2,661.37 \$.00 \$.00 \$.00 -\$2,661.37 \$.00	\$2,566.16 \$.00 \$.00 \$.00 -\$2,566.16 \$.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.

CLARK MA TOWN COLLECTOR/TREASURER

THIS FORM APPROVED BY THE COMMISSIONER OF REVENUE

Bk 31541 P9310 *46458 09-20-2018 @ 02:42p

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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 ΑN Drawer W, Hyannis, MA 02601 OFFICIAL OFFICIAL

In consideration of Three Hundred Thousand Dollars (\$300,000,00)

Grant to Louis J. Seminara, Trustee of S & L Realty Trust u/d/t dated September 20, 2018 and recorded with the Barnstable County Registry of Deeds in Book $\frac{3}{54}$, Page $\frac{3}{55}$ of Box 1219, S. Dennis, MA 02660

With Quitelaim 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 20th day of September, 2018.

J. Bruce MacGregor, Trustee

MASSACHUSETTS STATE EXCISE TAX BARNSTABLE COUNTY REGISTRY OF DEEDS Date: 09-20-2018 0 02:42pm Ctl‡: 1061 Doc#: 46458 Fee: \$1,026.00 Cons: \$300,000.00

BARNSTABLE COUNTY EXCISE TAX BARNSTABLE COUNTY REGISTRY OF DEEDS Date: 09-20-2018 @ 02:42pm Ct1#: 1061 Doc‡: 46458 Fee: \$918.00 Cons: \$300,000.00

On this 20th day of September, 2018, before me, the Endersigned Inotary public, personally appeared, J. Bruce MacGregoP, proved to me through satisfactory evidence of identification, 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.

Notary Public: Michael J. Rrinter J. PR. Million My Commission Expires 86 de 2076 8



Paul R. O'Connell, III of Qsterville, MA as Trustee of Quason Realty Trust, U/D/T dated March 3, 2005, for which a Certficate of Trust is necorded with Barnstable Deeds at Book 307,65, Page 12, for consideration paid of \$200,000, grant to J. Bruce MacGregor, Trustee of Sunrise Nominee Trust U/D/T dated May 26, 1994 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 1st day of December, 2017.

<u>Hanl R. OConnell, II., Trusta</u> Paul R. O'Connell, III, Trustee Dy Mashan A. OConnell, U/P/A Keter to Book 30905, Page 51

ΝΟΤ ΝΟΤ ΑN ΑN OFFICommonwealth of Massachusetts AL СОРҮ СОРҮ December 1, 2017

Barnstable ss

NOT NOT On this first day of December, 2017, before me, the undersigned Notary Public, personally appeared Raul R. O'Connell, HI, Frystee, proved to me through satisfactory evidencecofoidentification, which was personal 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.

Notary Public: J. Mark Haney My commission expires: 11/23/2023

J. Mark Haney Notary Public Commonwealth of Massachusetts My Commission Expires November 23, 2023

> BARNSTABLE REGISTRY OF DEEDS John F. Meade, Register

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BARNSTABLE REGISTRY OF DEEDS John F. Meade, Register



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/ S2-1

Property Location: 1594 Orleans Road

Owner(s): 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:

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INVOICE

This cover sheet is also your invoice.

Date	
Paid	

Abutters Fee

\$50.00

54305

<u>Ck</u>#

Make checks payable to: <u>Town of Harwich</u>

\\townhall3\Assessor\FORMS & MISC\MASTER FORMS\Abutters Request.doc



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:

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INVOICE

This cover sheet is also your invoice.

Date		
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Abutters Fee

\$50.00

6	15	23	54305

Make checks payable to: Town of Harwich

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