

TOWN OF HARWICH PLANNING DEPARTMENT

PB2024-07



PLANNING BOARD APPLICATION
SUBDIVISION FORM B

TO THE TOWN CLERK, HARWICH, MA

DATE 12/22/2023

PART A – APPLICANT INFORMATION/AUTHORIZATION

<u>Applicant Name(s)</u>	DAN MENTO
Representative/Organization (Who will serve as the primary contact responsible for facilitating this application?)	BSC GROUP, INC KIERAN J. HEALY, PLS
Street/PO Box	349 ROUTE 28, UNIT D
Town, ST, Zip	WEST YARMOUTH, MA 02673
Phone	774-487-0298
Fax	508-778-8966
E-mail	khealy@bscgroup.com

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

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

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 #	2024 JAN 10 P 2:59 HARWICH MA TOWN CLERK RECEIVED

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 150' 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 Queen Anne Rd. / Orleans Rd, 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)

PART B – PROJECT LOCATION

Street Address	0 QUEEN ANNE ROAD		
Village	HARWICH	Zip Code	
Map	74	Parcel	S3
Zoning District(s)	RR		
Frontage (linear feet)	300.32' QUEEN ANNE RD.+ 304.72' ORLEANS RD.		
Total land area (SF)	170,199		
Upland (SF)	170,199	Wetlands (SF)	0
Number of lots and/or parcels	Existing: 1	Proposed:	4

The owner's title to said land is derived under deed from DOROTHY RODERICK TO ROBERT PORTER, dated 07-16-1998, and recorded in the Barnstable Registry of Deeds Book and Page 11573-349 or registered in Barnstable County Land Court Certificate of Title No. _____.

PART C – PROJECT DESCRIPTION

Number of lots and/or parcels	Existing: 1	Proposed: 4
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The undersigned owners of all land described herein submitted in the accompanying plan entitled Approval Not Required Plan of Land - O Queen Anne Rd. and dated 1-8-2024, 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 _____/case # PB _____
 - 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)

**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.*

Checklist
Approval Not Required ("ANR") Plan

I	GENERAL REQUIREMENTS - THE FOLLOWING SHALL BE SUBMITTED:	SHOWN	WAIVER REQ.
1	Two completed applications signed by the owner(s) or an agent authorized in writing by the owner to do so (such written authorization must also be submitted when application and plan(s) are filed). All applications to the Board are to be signed by the owner of record or his authorized representative. Proof of authorization shall be submitted	✓	✓
2	A filing fee consistent with the fee schedule	✓	✓
	One original on Mylar or suitable material for recording at the Registry of Deeds or Land Court, as applicable.		✓
4	4 full size: 24" x 36" standard, with a 1/4" border, at a scale of not more than 40 feet.		✓
5	13 reduced copies no smaller than 8" x 11" (letter size) and no larger than 11" x 17" (legal size) with a 1/4" border		✓
6	Two copies of the plan prepared at a scale of 1" = 100'. The plan shall include the lot number and lot area in acres. Distances and bearings need not be shown.		
7	If multiple sheets are used, they shall be accompanied by an index showing the entire subdivision.		
II	GENERAL PLAN CONTENT – THE FOLLOWING SHALL BE SHOWN ON THE PLAN(S)		
1	The boundaries, area, frontage and dimensions of the lot or lots for which ANR endorsement is sought.		
2	The date of the plan, plan scale, graphic scale, north arrow and Assessor's map and parcel of all land shown on the plan and directly abutting the land shown on the plan.		
3	The name(s) of the owner(s) of record of the lots shown on the plan and of the applicant, including the address(s) and the property deed and plan reference.		
4	The boundary lines of proposed lots, with areas and dimensions.		
5	Sufficient data to determine the location, bearings and length of all straight segments of street, lot, easement and boundary lines. On curved segments the arc length, radius and tangent.		
6	The name, address, seal and signature of the land surveyor who prepared the plan.		
7	Relevant zoning classification data.		
8	The name, deed and plan references of all direct abutters.		
9	Legend of all symbols.		
10	Lot numbers to be noted on the plan.		
11	Notation indicating any variances granted for the property.		