

## Elaine Banta

---

**From:** William F. Riley <billriley@rileyandnorcross.com>  
**Sent:** Wednesday, June 8, 2022 4:46 PM  
**To:** 'Christopher Senie'  
**Cc:** dpoyant@eastwardco.com; SLadue@eastwardco.com; 'Bill Marsh'; Elaine Banta  
**Subject:** RE: 0 Route 39

Chris

As you may recall at the last meeting of the planning board we discussed conveying the open space lots to the Harwich Conservation Commission. Both the conservation commission and the planning board were receptive. Accordingly we will not be using the Declaration of Restrictions previously proposed. The conservation commission staff will be responsible for enforcement of the open space restrictions contained in the bylaw. With regard to persons with rights in the way known as "Middle Road" it is clear that the apron for the transition from the dirt road to the paved surface must be properly constructed. It will be designed by Dave Clark, a professional engineer. If your clients wish to review the plan before construction I will have it forwarded to you when prepared. Your "Middle Road" client already has rights over my clients property so there is no need for the grant of a right of way. My client has acknowledged your client's right of way and he has a duty to inform his purchasers of that fact. Let me know your thoughts.

Bill Riley

---

**From:** Christopher Senie [mailto:cserie@serie-law.com]  
**Sent:** Wednesday, June 08, 2022 10:41 AM  
**To:** William F. Riley  
**Subject:** 0 Route 39

Hi Bill,

At the hearing on the open space subdivision before the Planning Board on May 24<sup>th</sup> I mentioned some possible changes to the Declaration of Restrictions you presented to the Board. I attach a letter to you with draft revisions to the instrument.

Please let me know your thoughts on this.

Thanks.

Best,

Chris

**SENIE & ASSOCIATES, P.C.**  
ATTORNEYS AT LAW

15 Cape Lane

Brewster, MA 02631

Phone (774) 323-3027

Fax (774) 323-3008

Cell (508) 330-6640

[cserie@serie-law.com](mailto:cserie@serie-law.com)

[WWW.SENIE-LAW.COM](http://WWW.SENIE-LAW.COM)

