

**TOWN OF HARVARD
ZONING BOARD OF APPEALS AGENDA
WEDNESDAY MAY 10, 2023 @ 7:00pm**

Pursuant to Chapter 2 of the Acts of 2023, An Act Making Appropriations for the Fiscal Year 2023 to Provide for Supplementing Certain Existing Appropriations and for Certain Other Activities and Projects, and signed into law on March 29, 2023, this meeting will be conducted via remote participation. Interested individuals can listen in and participate by phone and/or online by following the link and phone number below.

TOHpro1 is inviting you to a scheduled Zoom meeting.

Join Zoom Meeting

<https://us02web.zoom.us/j/86857671841?pwd=YStsR0JwMUU1TEZYNzhwbHpRNvUvQT09>

Meeting ID: 868 5767 1841

Passcode: 597512

One tap mobile

+19294362866,,86857671841# US (New York)

+13017158592,,86857671841# US (Washington DC)

Dial by your location

+1 929 436 2866 US (New York)

+1 301 715 8592 US (Washington DC)

+1 305 224 1968 US

+1 309 205 3325 US

Meeting ID: 868 5767 1841

Find your local number: <https://us02web.zoom.us/j/86857671841?pwd=YStsR0JwMUU1TEZYNzhwbHpRNvUvQT09>

7:00pm **Special Permit Hearing – Kelsey Nickerson, 133 Clinton Shore Drive** – additions to a pre-existing, non-conforming structure.

7:30pm **Special Permit Hearing – Rainer Park, 7 Peninsula Road** – replace a pre-existing non-conforming dwelling with a new dwelling.

8:00pm **Special Permit Hearing – Alexander & Louisa Latham, 200 Still River Road** – requesting to add a garage to a pre-existing non-conforming single-family dwelling that will not increase the existing non-conformity.

8:30pm **Special Permit Hearing – William Ference, 247 Littleton County Road** - for the change in use of non-conforming structures other than one or two family and modification to a special permit.

9:00pm **Request for Certificates of Occupancy - Pine Hill Village Units 2, 4, 6A, 6B, 8, 10 12A & 12B Pine Hill Way**

New Business:

- a) Approve Minutes
- b) Approve Invoice
- c) Hildreth House update
- d) 40-B proposals & in-person meetings
- e) Prospective change of ZBA meeting nights

**NEXT SCHEDULED MEETING:
WEDNESDAY, MAY 24, 2023**

AS

The listing of matters are those reasonably anticipated by the chair which may be discussed at the meeting. Not all items listed may in fact be discussed and other items not listed may also be brought up for discussion to the extent permitted by law.

OFFICE OF THE
CONSERVATION COMMISSION

13 AYER ROAD HARVARD, MA 01451

978-456-4100 EXT.321

www.harvard-ma.gov



May 9, 2023

Harvard Zoning Board of Appeals
13 Ayer Road
Harvard, MA 01451

RE: Special Permit – 133 Clinton Shore Drive

Dear Chairman Tracey,

The Harvard Conservation Commission (ConCom) closed the hearing and voted to issue an Order of Conditions, DEP#177-722, for the above referenced property on April 20, 2023. The Commission is requesting a reference to that Order of Conditions be included with the Special Permit, should on be issued by Zoning Board of Appeals.

If you require any additional information please feel free to contact me at the above number or by email at lallard@harvard-ma.gov. Thank you.

For the Commission,

A handwritten signature in black ink, appearing to read "Liz Allard", written over a horizontal line.

Liz Allard

Conservation Agent

Cc: Ross Associates, Inc.

File

**TOWN OF HARVARD ZONING BOARD OF APPEALS
APPLICATION FOR A HEARING**

Please review the Board of Appeals' Regulations, Chapter 135, The Code of the Town of Harvard, prior to filling out this Application for Hearing. This application, along with the appropriate documents and filing fee, must be filed in the office of the Town Clerk.

Name of Applicant: Kelsey Nickerson

Mailing Address: 133 Clinton Shore Drive-Still River, MA 01467-0071

Telephone Number: 978-456-0098 Email Address: ksnickerson@mac.com

Applicant is (check one): Owner Tenant Licensee Prospective Buyer

Location of Property: 133 Clinton Shore Drive Assessors Map 26 Parcel: 7

Registry of Deeds: Book Number 86 Page Number 118 Certificate Number 17118

Owner's Name: Same Tel. No.: _____
(If different than Applicant)

Owner's Address: _____

Representative: Daniel B. Wolfe, P.E. Tel. No.: 978-772-6232
David E. Ross Associates, Inc.

Application (which includes required plans and abutters list) is for:

- | | |
|---|---------------------------------|
| <input type="checkbox"/> Variance (16 copies) | Fee: \$150.00 + \$6.00/ abutter |
| <input checked="" type="checkbox"/> Special Permit (16 copies) | Fee: \$200.00 + \$6.00/abutter |
| <input type="checkbox"/> Modification/Extension (16 copies) | Fee: \$100.00 + \$6.00/abutter |
| <input type="checkbox"/> Failure to Enforce Administrative Appeal (16 copies) | Fee: \$130.00 |
| <input type="checkbox"/> Other Administrative Appeals (16 copies) | Fee: \$175.00 |
| <input type="checkbox"/> Comprehensive Permit (20 copies) | Fee: 500.00/unit |

Specific Bylaw section (s) being applied for: 125 - 3B

Nature of Application and Justification of Request: Additions to a pre-existing, non-conforming structure.

The undersigned certifies that he/she has read and examined this application and the Harvard Zoning Board of Appeals Rules and Regulations, Chapter 135 of the Code of the Town of Harvard, and that the proposed project is accurately represented in the statements made in the application.

The applicant will be required to pay a local newspaper of general circulation for the current cost of advertising the hearing. The applicant will be billed directly from the newspaper for the cost of the advertised hearing or all advertising must be paid for in full prior to submittal to the newspaper.

I hereby request a hearing before the Board of Appeals with reference to the above application.

Daniel B. Wolfe, AS ACERT 3-29-23
Property Owner's Signature (REQUIRED) Date

Property Owner's Signature (REQUIRED) Date

Applicant's Signature (if different from owner) Date

DAVID E. ROSS ASSOCIATES, INC.

Civil Engineers, Land Surveyors, Environmental Consultants

March 29, 2023

Harvard Zoning Board of Appeals
13 Ayer Road
Harvard, MA 01451

Re: Special Permit Request
Ms. Kelsey Nickerson
133 Clinton Shore Drive, Harvard
Project No. 34130

Dear Board Members:

The purpose of this letter is to detail to you the request for a Special Permit for the above-referenced property. The project seeks to gain a Special Permit under Section 125-3B of the Harvard Protective (Zoning) By-Law that deals with changes to lawful, non-conforming, existing structures.

The accompanying plan, (Plan No. L-14641), details the locations of both the existing and proposed structures as they relate to the surrounding property lines. The lot itself contains 2.0+/- acres of land without any frontage. Access to the property is via Clinton Shore Drive over property owned by the Clinton Shore Drive Association. The property also fronts on the westerly shores of Bare Hill Pond. The original structure was built in 1948, before the adoption of the Harvard Protective by-law, and as such, we are afforded the designation of a "lawful non-conforming existing structure" as it pertains to Section 125-3A of the by-law.

The proposal itself involves the construction of two small additions to the house, the reconstruction of the existing deck, the installation of a mechanical lift to aid in the transport of people and materials from the driveway to the house, along with other structural and drainage improvements. In addition, this proposal also supports the construction of a detached garage which will comply with all aspects of the Protective Bylaw. The two small additions and the installation of the lift will require a Special Permit, due to the continued non-conformance with Section 125-30E(3), Setbacks (distance to the property lines), but in no case do the proposed changes come closer to the property lines than the existing non-conforming structure. Also, no portion of the proposed structures will create any new non-conformities.

In accordance with Section 125-3B(2), we contend that the proposed additions would have been permitted before the structure became non-conforming and we firmly believe that the proposal will not be substantially more detrimental to the neighborhood than the existing non-conformity.

We have also included the attached summary of dimensional aspects of this project and the percent changes. These summary items contain measurements of footprint sizes, total floor area sizes, as well as a relationship to the "Floor area ratio", described in Section 125-30(B) of the bylaw.

Additionally, this proposal will not, as stated in 125-46C(1)(a), result in a substantial increase of volume or rate of runoff to neighboring properties and streets, nor will it result in substantial danger of pollution or contamination of the groundwater supply, a groundwater absorption area, wells, Bare Hill Pond, or the W-District. This claim is supported by the proposal of a drywell to collect and infiltrate some of the water found around the foundation, as well as the installation of various stone recharge trenches placed strategically at the house, garage, and driveway.

This proposal will not require any further evaluation by the Harvard Board of Health, as the changes do not increase the number of bedrooms allowed under the existing approved capacity of the sewage disposal system. Furthermore, by virtue of the proximity of Bare Hill Pond, this project is the subject of a Notice of Intent filed with the Conservation Commission on March 28, 2023. We expect to meet with the Commission on April 20th and we are hopeful to present you with a positive outcome of this process when we meet with your Board.

We respectfully request that you evaluate this submittal for the benefit of the applicants, and see fit to grant us the special permit, as requested.

Very truly yours,
DAVID E. ROSS ASSOCIATES, INC.

By:



Daniel B. Wolfe, P.E.

DAVID E. ROSS ASSOCIATES, INC.

6 Lancaster County Road P.O. Box 795 Harvard, Massachusetts 01451
978-772-6232 FAX 978-772-6258
www.davideross.com

NICKERSON SPECIAL PERMIT REQUEST
MARCH, 2023

EXISTING CONDITIONS

<u>Existing Floor Area</u>		<u>Existing Footprint</u>	
House: Lower Level	= 506 sf	House	= 818 sf
Upper Level	= 834 sf	Deck	= 420 sf
Deck	= 420 sf		
Total	= 1,760 sf	Total	= 1,238 sf

PROPOSED CONDITIONS

<u>Proposed Floor Area</u>		<u>Proposed Footprint</u>	
Lower Level	= 506 sf	Existing Structure	= 1,238 sf
Lower Level Addition	= 125 sf	Covered Patio Addition	= 75 sf
Lower Level Deck	= 295 sf		
Upper Level	= 834 sf		
Upper Level (Delete)	= (16 sf)		
Upper Level Addition	= 69 sf		
Upper Level Deck	= 56 sf		
Total	= 1,869 sf (6.2% increase)	Total	= 1,313 sf (6.0% increase)

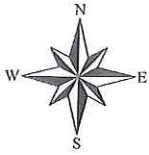
Section 125-30B Analysis:

Land Area = 2.0 acres = 87,120 sf
10% of lot area (8,712 sf) or 8,000 sf, whichever is larger.

Proposed Floor Area = 1,869 sf < 8,712 sf *conforms to bylaw

DAVID E. ROSS ASSOCIATES, INC.

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Town of Harvard, MA

1 inch = 376 Feet

CAI Technologies
Precision Mapping • Geospatial Solutions

www.cai-tech.com

March 28, 2023



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.

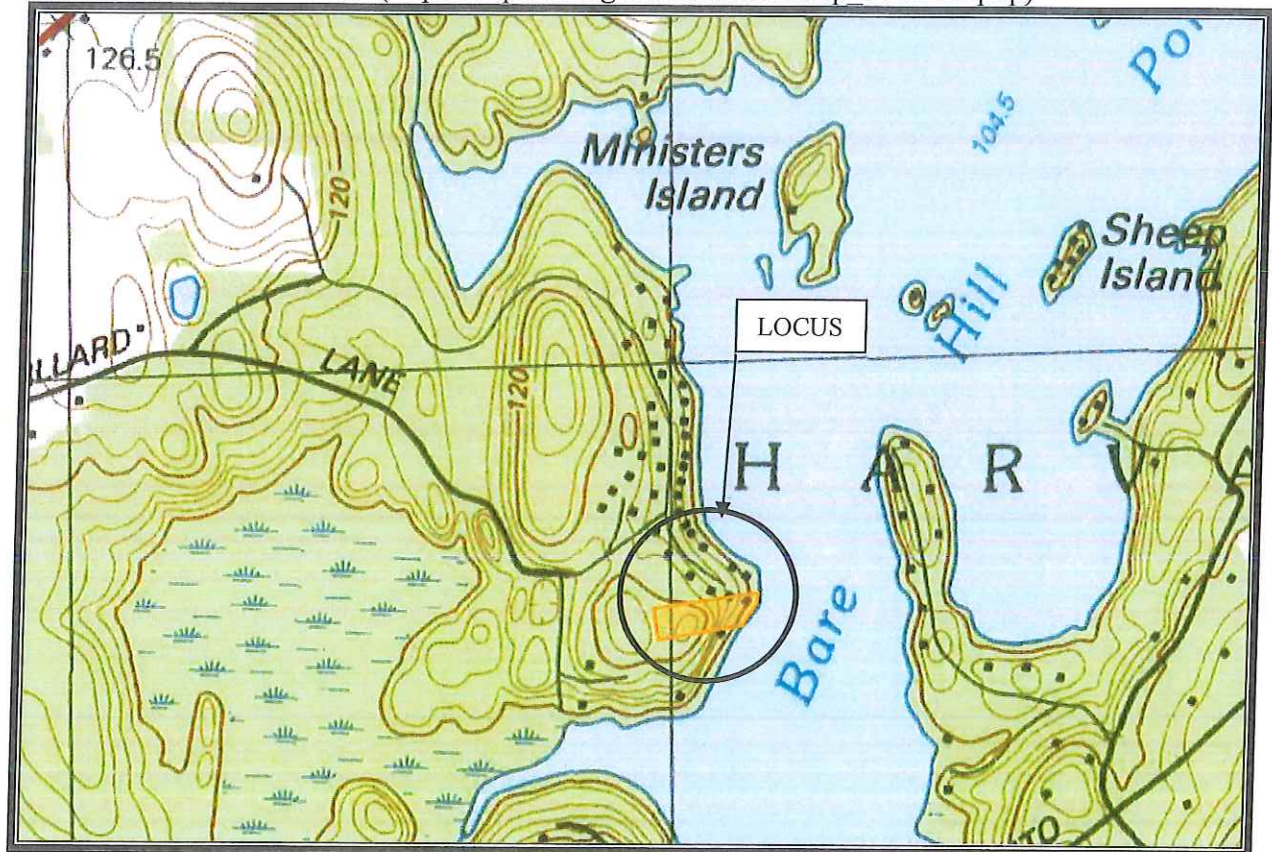
DAVID E. ROSS ASSOCIATES, INC.

Civil Engineers, Land Surveyors, Environmental Consultants

USGS

Site: #133 Clinton Shore Drive – Harvard, MA
(Map 26 – Parcel 7)

Source: Current Mass GIS (http://maps.massgis.state.ma.us/map_ol/oliver.php)



5604^T

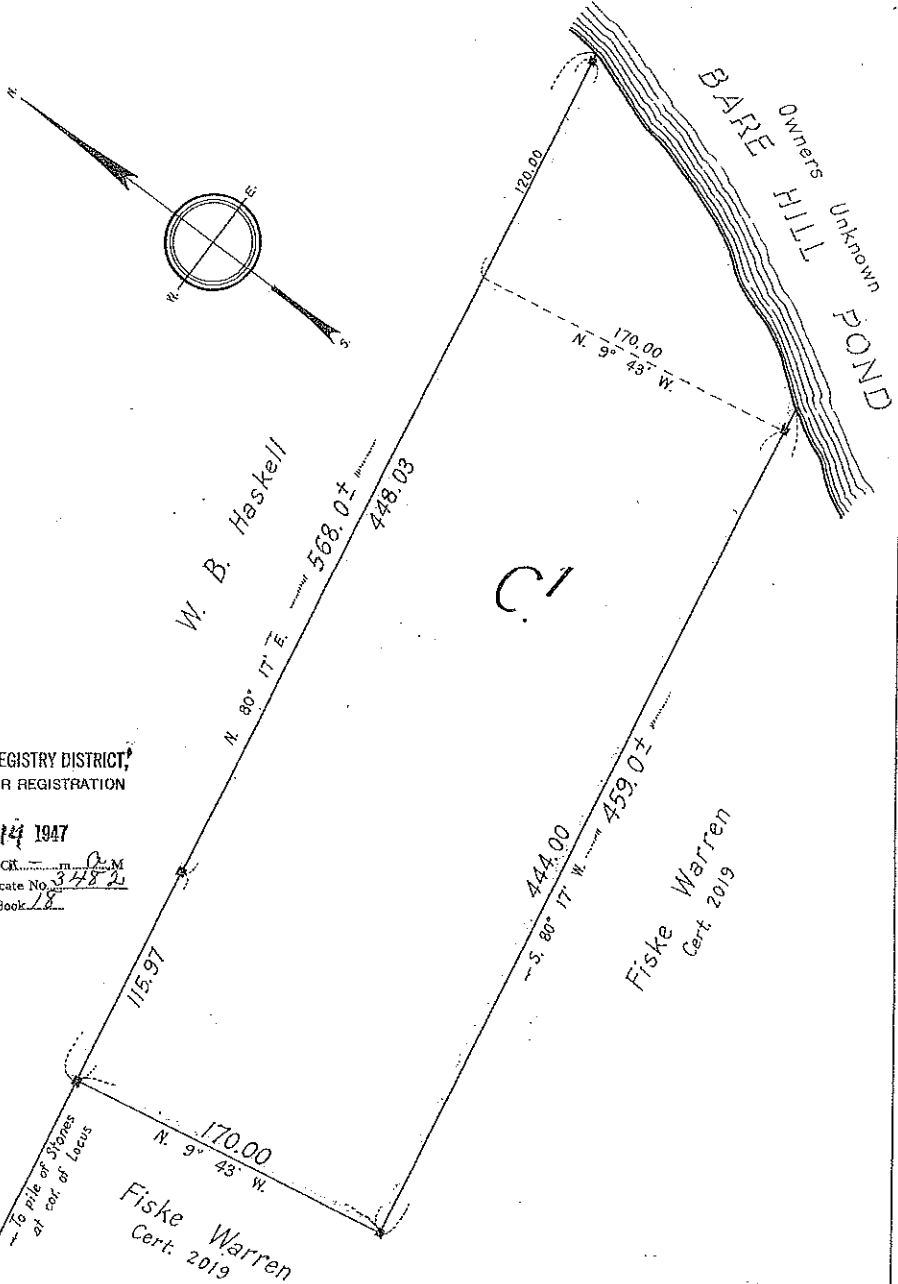
Subdivision of part of Lot C shown on plan 5604^A sh. 3

Filed with Cert. of Title No. 2019 Worcester Registry District of Worcester County

LAND IN HARVARD

October - 1945.

Parker, Bateman & Chase, C. Eng'rs.



WORCESTER REGISTRY DISTRICT,
RECEIVED FOR REGISTRATION

FEB 14 1947

9 O'CLOCK

Noted on Certificate No. 3482
in Registration Book 18

Certificate 2019 - Fiske Warren, Owner.

To pile of stones
at cor. of locus

Fiske Warren
Cert. 2019

Fiske Warren
Cert. 2019

Separate certificates of title may be issued
for lot C as shown hereon
By the Court

Robert E. French
MAR. 14, 1946. Recorder.


Copy of part of plan
filed in
LAND REGISTRATION OFFICE
MAR. 14, 1946.
Scale of this plan 60 feet to an inch
C.D. Humphrey, Engineer for Court F.



Abutters List Report
Town of Harvard, MA

Date: February 27, 2023
Parcel Number: 026-007-000
Property Address: 133 Clinton Shore Dr
Abutters To: 300ft

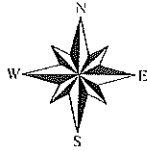
The above Certified Abutters List is a true copy of the records in the Town of Harvard Assessor's office for the last known names and addresses of owners of land located within the above stated range of the subject property.

Signed: 

Date: 2/27/23

Carol Dearborn
Assistant Assessor
(978) 456-4100 x315

FINANCE DEPARTMENT - ACCOUNTANT, ASSESSORS, TREASURER/COLLECTOR
13 Ayer Road, Harvard, Massachusetts 01451-1458
www.harvard-ma.gov



133 CLINTON SHORE DR

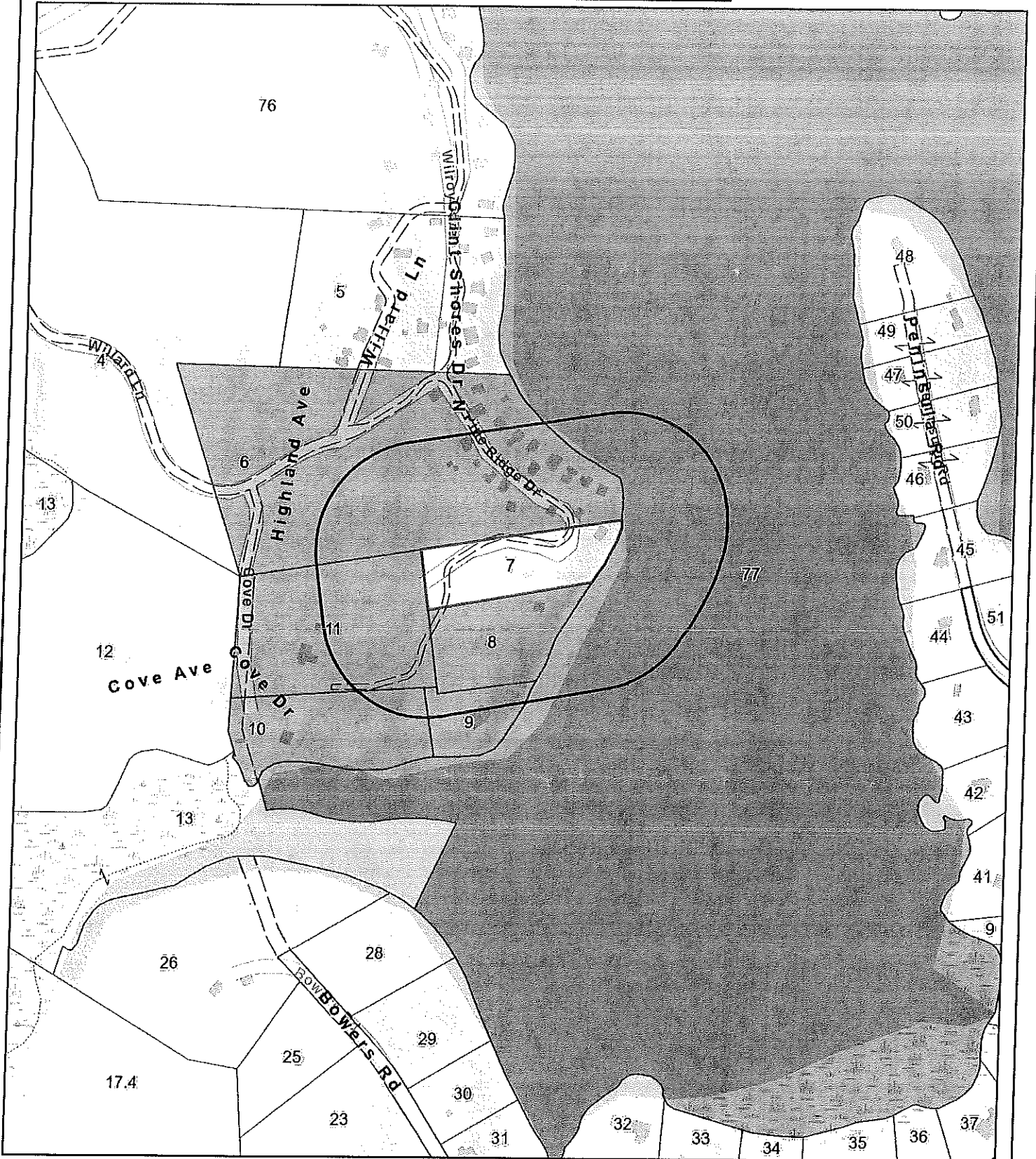
Town of Harvard, MA

1 inch = 376 Feet



www.cai-tech.com

February 27, 2023



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



300 feet Abutters List Report

Harvard, MA
February 27, 2023

Subject Property:

Parcel Number: 026-007-000-000
CAMA Number: 026-007-000-000
Property Address: 133 CLINTON SHORE DR

Mailing Address: NICKERSON, KELSEY
133 CLINTON SHORE DR
STILL RIVER, MA 01467-0071

Abutters:

Parcel Number: 021-077-000-000
CAMA Number: 021-077-000-000
Property Address: BARE HILL POND

Mailing Address: HARVARD, TOWN OF
13 AYER RD
HARVARD, MA 01451

Parcel Number: 026-006-000-000
CAMA Number: 026-006-000-000
Property Address: CLINTON SHORE DR

Mailing Address: CLINTON SHORE DR ASSOCIATION
PO BOX 63
STILL RIVER, MA 01467

Parcel Number: 026-008-000-000
CAMA Number: 026-008-000-000
Property Address: 24 COVE DR

Mailing Address: MARCELLO REALTY TRUST
24 COVE DR
HARVARD, MA 01451

Parcel Number: 026-009-000-000
CAMA Number: 026-009-000-000
Property Address: 18 COVE DR

Mailing Address: HUGHES, ADAM
20 SHAKER RD
HARVARD, MA 01451

Parcel Number: 026-010-000-000
CAMA Number: 026-010-000-000
Property Address: 12 COVE DR

Mailing Address: KDLK HOLDINGS, LLC
33 ALLEN HILL RD
PRINCETON, MA 01541

Parcel Number: 026-011-000-000
CAMA Number: 026-011-000-000
Property Address: 11 COVE DR

Mailing Address: HUNTER, DAVID M & TAN, SHIRLEY U
PO BOX 133
HARVARD, MA 01451

Parcel Number: 026-006-000-000
CAMA Number: 026-2506-000-000
Property Address: 111 CLINTON SHORE DR

Mailing Address: BAER, GARRY R & DIANA R, TTEES
237 WHEELER ROAD
ASHBY, MA 01431

Parcel Number: 026-006-000-000
CAMA Number: 026-2706-000-000
Property Address: 113 CLINTON SHORE DR

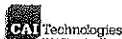
Mailing Address: BARRY A. JORDAN
PO BOX 82
STILL RIVER, MA 01467

Parcel Number: 026-006-000-000
CAMA Number: 026-2806-000-000
Property Address: 112 CLINTON SHORE DR

Mailing Address: CUMMINS, ROBERT C & PANASEVICH
C, KAREN
PO BOX 47
STILL RIVER, MA 01467

Parcel Number: 026-006-000-000
CAMA Number: 026-2906-000-000
Property Address: 115 CLINTON SHORE DR

Mailing Address: STROLLER, RICHARD A.
115 CLINTON SHORE DR UNIT#29
HARVARD, MA 01451



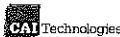
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300 feet Abutters List Report

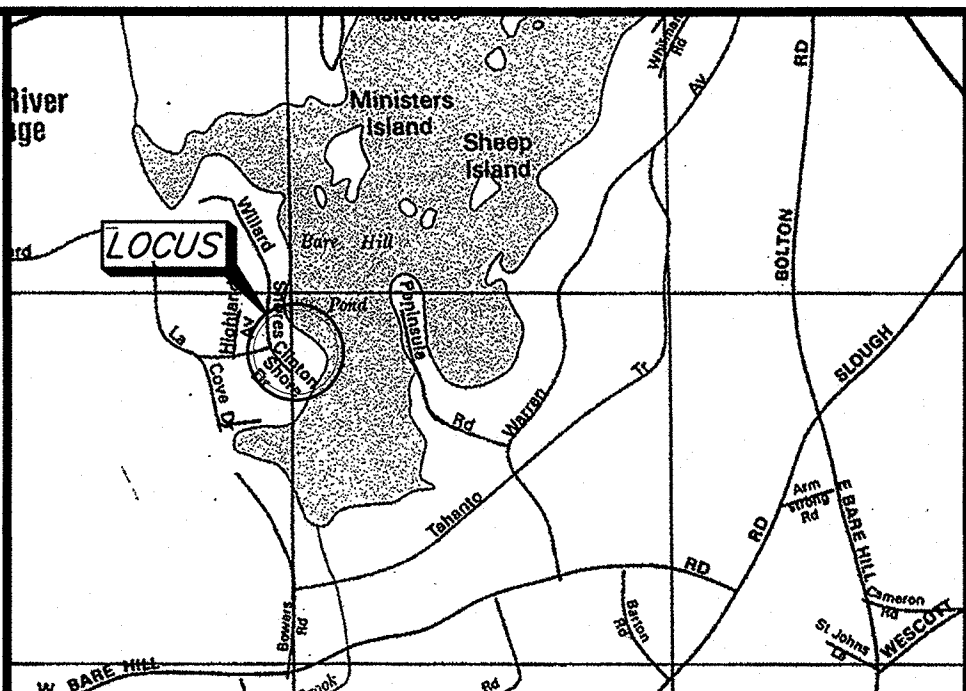
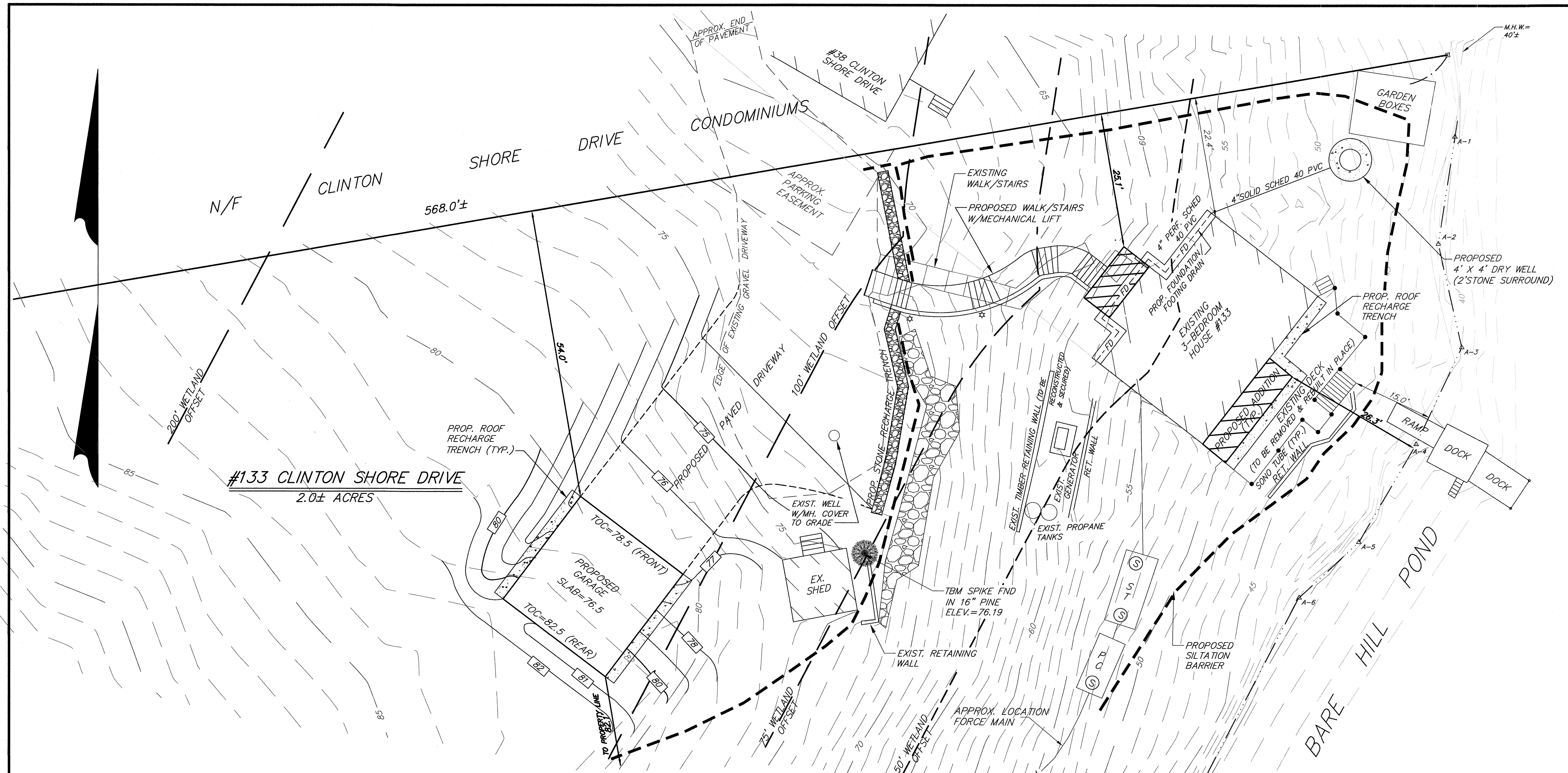
Harvard, MA
February 27, 2023

Parcel Number: 026-006-000-000 CAMA Number: 026-3006-000-000 Property Address: 114 CLINTON SHORE DR	Mailing Address: BERGEN, JOSEPH 173 LITTLETON CNTY RD HARVARD, MA 01451
Parcel Number: 026-006-000-000 CAMA Number: 026-3106-000-000 Property Address: 117 CLINTON SHORE DR	Mailing Address: SIMARD, WILLIAM & LINDA 117 CLINTON SHORE DR HARVARD, MA 01451
Parcel Number: 026-006-000-000 CAMA Number: 026-3206-000-000 Property Address: 116 CLINTON SHORE DR	Mailing Address: NEE, ANDREA M 22 ARTHUR ST CLINTON, MA 01510
Parcel Number: 026-006-000-000 CAMA Number: 026-3306-000-000 Property Address: 119 CLINTON SHORE DR	Mailing Address: BLOWER, BRADLEY 7414 BUFFALO AVE TAKOMA PARK, MD 20912
Parcel Number: 026-006-000-000 CAMA Number: 026-3406-000-000 Property Address: 118 CLINTON SHORE DR	Mailing Address: LONG, ANDREA LYNN 118 CLINTON SHORE DR, UNIT 34 HARVARD, MA 01451
Parcel Number: 026-006-000-000 CAMA Number: 026-3506-000-000 Property Address: 125 CLINTON SHORE DR	Mailing Address: STAMSKI, BRUCE M & PLATT, ALEXANDER D, TTEES PO BOX 157 STILL RIVER, MA 01467
Parcel Number: 026-006-000-000 CAMA Number: 026-3606-000-000 Property Address: 122 CLINTON SHORE DR	Mailing Address: ORR, JEFFREY F PO BOX 2 STILL RIVER, MA 01467
Parcel Number: 026-006-000-000 CAMA Number: 026-3706-000-000 Property Address: 121 CLINTON SHORE DR	Mailing Address: STAMSKI, BRUCE M., MACKNIGHT, REBECCA E., STAMSKI, PO BOX 157 STILL RIVER, MA 01451
Parcel Number: 026-006-000-000 CAMA Number: 026-3806-000-000 Property Address: 131 CLINTON SHORE DR	Mailing Address: MITCHELL, VERILYN 15 OTIS ST CLINTON, MA 01510
Parcel Number: 026-006-000-000 CAMA Number: 026-3906-000-000 Property Address: 123 CLINTON SHORE DR	Mailing Address: GARDNER, MICHAEL JOSEPH 28 HIDDEN BROOK DR STAMFORD, CT 06907
Parcel Number: 026-006-000-000 CAMA Number: 026-4106-000-000 Property Address: 127 CLINTON SHORE DR	Mailing Address: O'TOOLE, DAVID R & MICHAEL J JR 61 ST ANDREWS DR CLIFTON PARK, NY 12065 1210
Parcel Number: 026-006-000-000 CAMA Number: 026-4306-000-000 Property Address: 129 CLINTON SHORE DR	Mailing Address: CARLISLE HARVARD NOMINEE TRUST 7 PROVIDENCE PLACE LEXINGTON, VA 24450



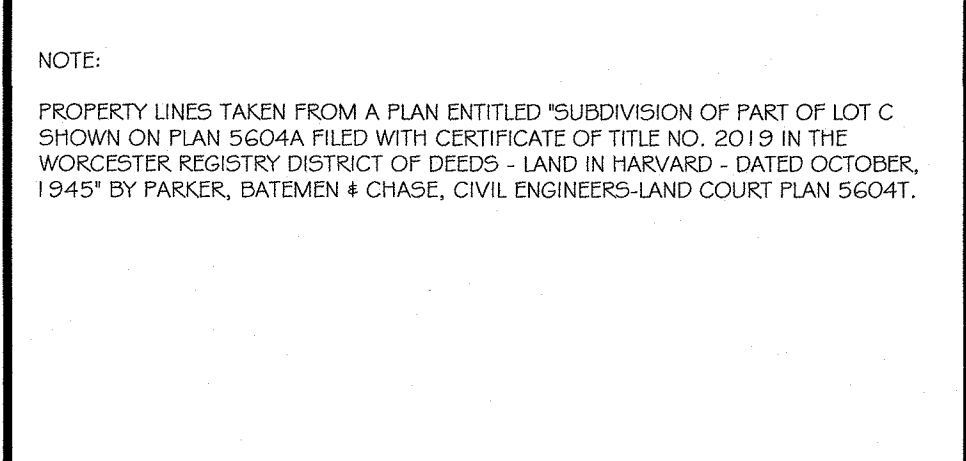
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LOCUS MAP
NOT TO SCALE

NOTE:
PROPERTY LINES TAKEN FROM A PLAN ENTITLED "SUBDIVISION OF PART OF LOT C SHOWN ON PLAN 5604A FILED WITH CERTIFICATE OF TITLE NO. 2019 IN THE WORCESTER REGISTRY DISTRICT OF DEEDS - LAND IN HARVARD - DATED OCTOBER, 1945" BY PARKER, BATEMAN & CHASE, CIVIL ENGINEERS-LAND COURT PLAN 5604T.



GRAPHIC SCALE IN FEET

SURV:	SPM	CALC.:	SPM	DRAFT:	PJT
NR:	---	DEED:	86-118	CHECK:	DBW

REVISIONS

3-28-23

SHEET TITLE:
SITE PLAN

DESIGNED FOR:
KELSEY NICKERSON

ADDRESS:
**#133 CLINTON SHORE DRIVE
HARVARD, MA**

LOT NO.:	ASSESSOR MAP:	ASSESSOR PARCEL:
C-1	26	7

DAVID E. ROSS ASSOCIATES, INC.
CIVIL ENGINEERS - LAND SURVEYORS
ENVIRONMENTAL CONSULTANTS

6 Lancaster County Road
P.O. Box 795
Harvard, MA 01451-0795

978-772-6232
FAX 978-772-6258
www.davidross.com

SCALE: 1"=10'
DATE: FEBRUARY, 2023

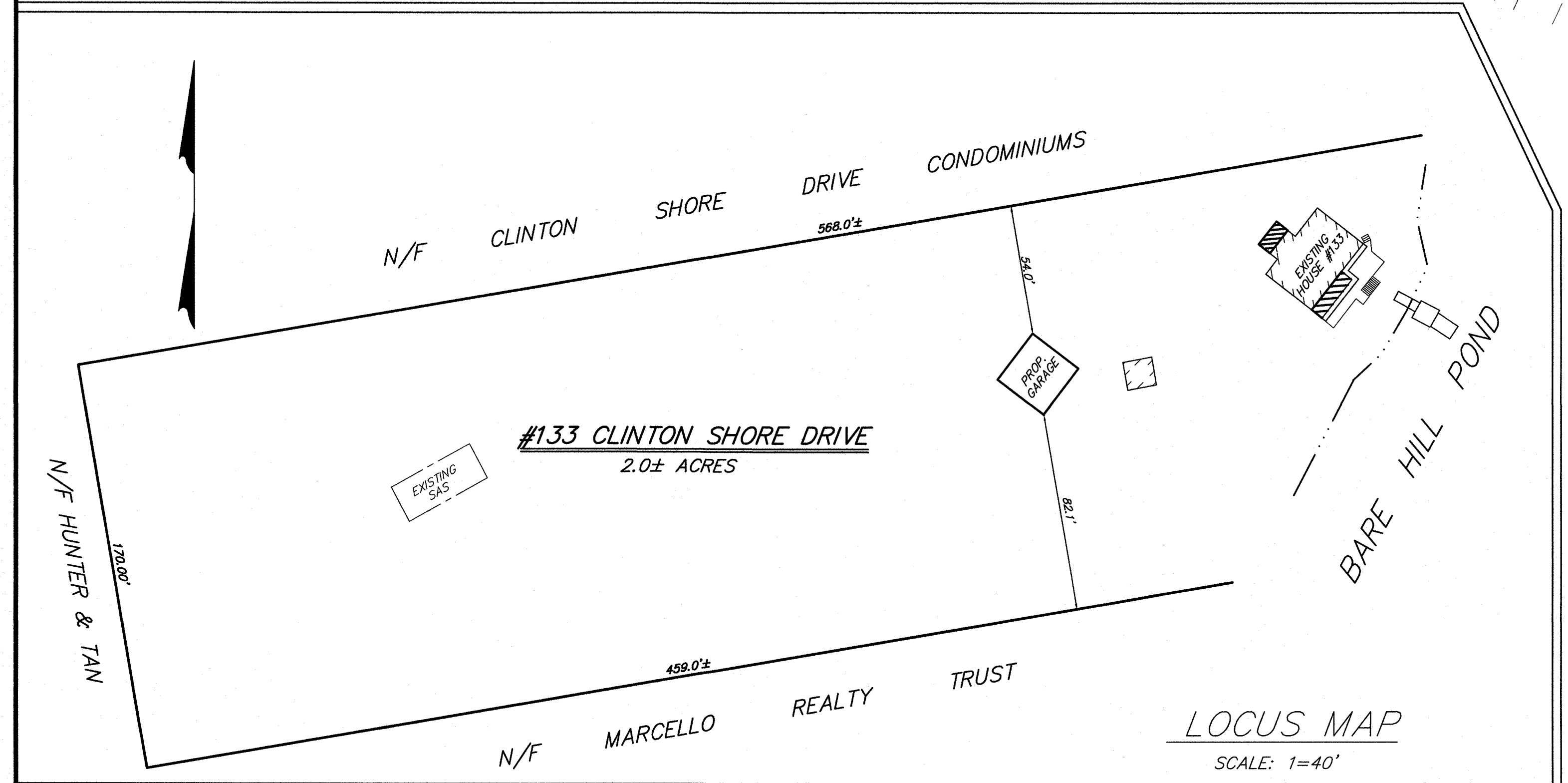
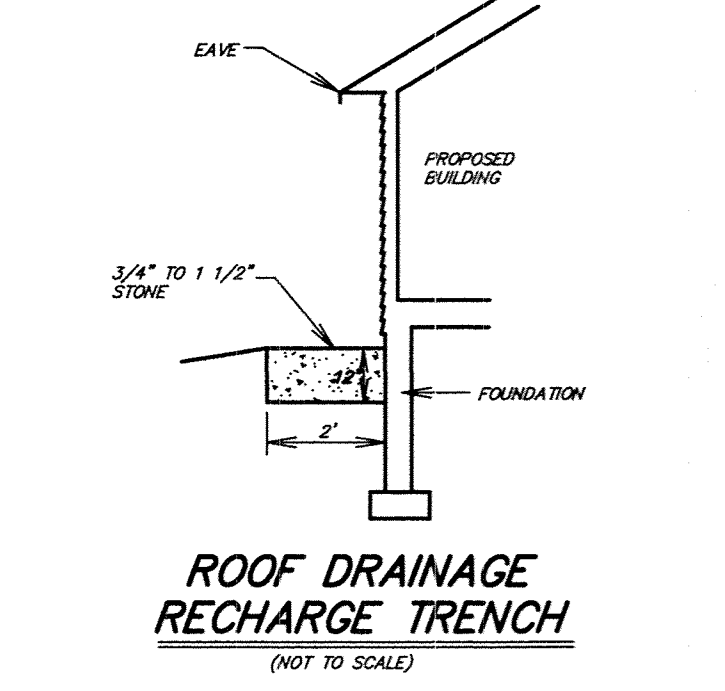
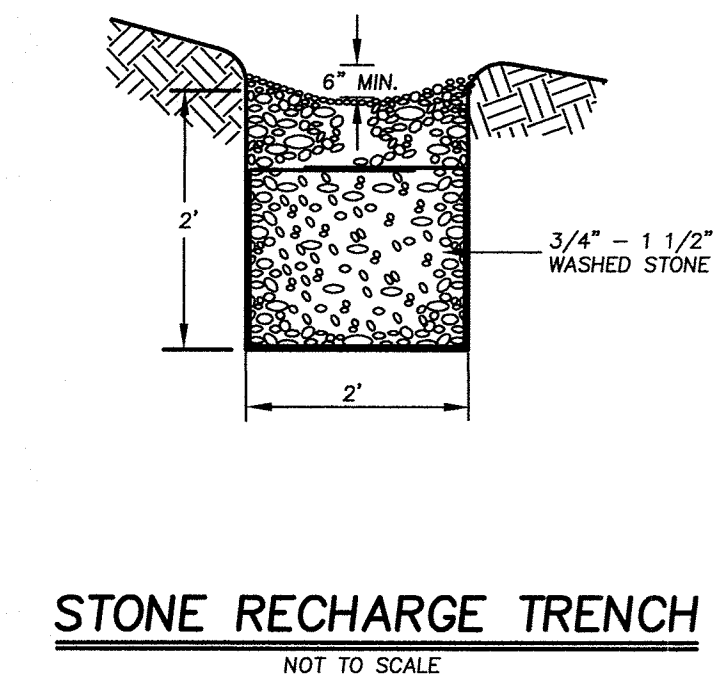
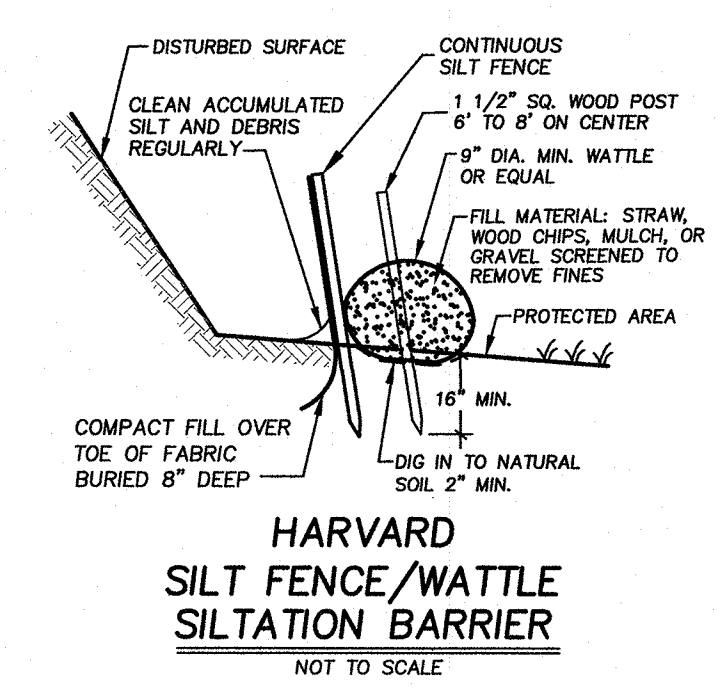
REF.: S-13607
PLAN NO.: L-14641

JOB NO.: 34130
SHEET NO.: 1 of 1

TABLE OF ZONING COMPLIANCE

ZONING CRITERIA	REQUIRED	EXISTING LOT	EXISTING HOUSE/DECK	PROPOSED HOUSE ADDITIONS
LOT AREA	1.5 AC.	2.0 AC.±		
LOT FRONTAGE	180'	0'*		
LOT WIDTH	200'	170'*		
OFFSET TO SIDE LOT LINE (170' x 20% = 34')	34'		22.4'	25.1'**
OFFSET TO W-DISTRICT	60'		15.0'	26.3'**

* EXISTING NON-COMFORMITY
** REQUIRES SPECIAL PERMIT



R:\Proj_Civil\34130_NICKERSON\34130_Nickerson-Site Plan-FINAL-OPTION 2.dwg, 3/20/2023 9:15:57 AM, HP Design\130ops V4

OFFICE OF THE
CONSERVATION COMMISSION

13 AYER ROAD HARVARD, MA 01451

978-456-4100 EXT.321

www.harvard-ma.gov



May 9, 2023

Harvard Zoning Board of Appeals
13 Ayer Road
Harvard, MA 01451

RE: Special Permit – 7 Peninsula Road

Dear Chairman Tracey,

The Harvard Conservation Commission (ConCom) closed the hearing and voted to issue an Order of Conditions, DEP#177-720, for the above referenced property on March 16, 2023. The Commission is requesting a reference to that Order of Conditions be included with the Special Permit, should on be issued by Zoning Board of Appeals.

If you require any additional information please feel free to contact me at the above number or by email at lallard@harvard-ma.gov. Thank you.

For the Commission,

A handwritten signature in black ink, appearing to read "Liz Allard".

Liz Allard
Conservation Agent

Cc: Stamski & McNary
File

Stamski And McNary, Inc.

Engineering - Planning – Surveying

1000 Main Street; Acton, MA 01720 (978) 263-8585

www.stamskiandmcnary.com

Zoning Board of Appeals Special Permit Application

for

**7 Peninsula Road
Map 26 Parcel 41
Harvard, MA 01451**

Applicant/

Owner:

Rainer Park
8 Wingate Lane
Acton, MA 01720

Date:

February 28, 2023

SM-6915

Table of Contents

- **Zoning Board of Appeals Application**
- **Special Permit Request Letter**
- **Abutters List**
- **Assessors Field Card**
- **Photographs of Site**
- **Attachments**

Plans Prepared by Stamski and McNary, Inc.

A. Proposed Plot Plan

B. Sewage Disposal Plan

Plans Prepared by Flavin Architects

C. Smith-Park Residence

Zoning Board of Appeals Application

TOWN OF HARVARD ZONING BOARD OF APPEALS APPLICATION FOR A HEARING

Please review the Board of Appeals' Regulations, Chapter 135, The Code of the Town of Harvard, prior to filling out this Application for Hearing. This application, along with the appropriate documents and filing fee, must be filed in the office of the Town Clerk.

Name of Applicant: Rainer Park

Mailing Address: 7 Peninsula Road, Harvard, MA 01451

Telephone Number: 617-230-4728 Email Address: rmark001@gmail.com

Applicant is (check one): Owner Tenant Licensee Prospective Buyer

Location of Property: 7 Peninsula Road Assessors Map 26 Parcel: 41

Registry of Deeds: Book Number _____ Page Number _____ Certificate Number 18638

Owner's Name: Same as applicant Tel. No.: _____
(If different than Applicant)

Owner's Address: _____

Representative: Stanski and McNary, Inc.- Daniel Carr Tel. No.: 978-263-8585 EXT 214

Application (which includes required plans and abutters list) is for:

- | | |
|---|---------------------------------|
| <input type="checkbox"/> Variance (16 copies) | Fee: \$150.00 + \$6.00/ abutter |
| <input checked="" type="checkbox"/> Special Permit (16 copies) | Fee: \$200.00 + \$6.00/abutter |
| <input type="checkbox"/> Modification/Extension (16 copies) | Fee: \$100.00 + \$6.00/abutter |
| <input type="checkbox"/> Failure to Enforce Administrative Appeal (16 copies) | Fee: \$130.00 |
| <input type="checkbox"/> Other Administrative Appeals (16 copies) | Fee: \$175.00 |
| <input type="checkbox"/> Comprehensive Permit (20 copies) | Fee: 500.00/unit |

Specific Bylaw section (s) being applied for: 125-3 (B) (1) (b)

Nature of Application and Justification of Request: The project proposes to replace the existing dwelling with a new dwelling. Existing dwelling 27.9' from side lot line. proposed building 32.2'. New dwelling will be less non-conforming than existing dwelling. Shape of lot, wetland resource areas, as well as keeping existing garage, justify request.

The undersigned certifies that he/she has read and examined this application and the Harvard Zoning Board of Appeals Rules and Regulations, Chapter 135 of the Code of the Town of Harvard, and that the proposed project is accurately represented in the statements made in the application.

The applicant will be required to pay a local newspaper of general circulation for the current cost of advertising the hearing. The applicant will be billed directly from the newspaper for the cost of the advertised hearing or all advertising must be paid for in full prior to submittal to the newspaper.

I hereby request a hearing before the Board of Appeals with reference to the above application.

[Signature]
Property Owner's Signature (REQUIRED)

3/30/23
Date

Property Owner's Signature (REQUIRED)

Date

Applicant's Signature (if different from owner)

Date

Special Permit Request Letter

STAMSKI AND MCNARY, INC.

1000 Main Street
Acton, Massachusetts 01720
(978) 263-8585, FAX (978) 263-9883

PRINCIPALS

JOSEPH MARCH, P.E., P.L.S.
GEORGE DIMAKARAKOS, P.E.

March 30, 2023

ASSOCIATE

JONATHAN BOLLEN, P.L.S.

Zoning Board of Appeals
Town of Harvard
13 Ayer Road
Harvard, MA 01451

Re: 7 Peninsula Road
Harvard, MA

Members of the Board,

On behalf of our client, Rainer Park, we hereby request a Special Permit to the Harvard Protective Bylaw, Section 125-3(B)(1)(b). The Bylaw reads as follows:

125-3(B) Non-conforming one- and two-family dwellings.

- (1) A non-conforming one- or two-family dwelling may be repaired (see "erect," § 125-2, Definitions), may be moved or enlarged or otherwise altered for a use permitted by the bylaw, as a matter of right, provided that such alteration does not:*
- (a) Produce or increase the degree of any non-conformity in lot-structure relations or building height, and the changes conform to the bylaw as amended; and*
 - (b) Cumulatively over time increase the footprint of a one- or two-family dwelling by more than 20% and/or alter the gross floor area by more than 20% from that which existed at the time the dwelling first became non-conforming.*

Background

Rainer Park, owner of 7 Peninsula Road, is proposing to replace the existing dwelling, built in approximately 1956, with a new dwelling in generally the same location. The existing detached garage is proposed to be renovated where it stands now. The new dwelling is proposed in generally the same area as the existing dwelling but is larger. The new dwelling is proposed farther from the side lot line than the existing non-conforming dwelling, and with less total square footage of building in the setback. To allow the existing garage to remain where it is, to not further increase the non-conformity by pushing the dwelling east behind the garage, and to protect wetland resources on site, the dwelling must be proposed as shown.

Harvard Protective Bylaw

Section 125-3(B)(2) states that *By special permit granted by the Board of Appeals a non-conforming one- or two-family dwelling may be moved or enlarged or otherwise altered for a use permitted by the bylaw, if such non-conformity is increased or intensified, provided the Board finds, in addition to the requirements of § 125-46, Special permits, the alterations:*

- (a) Would have been permitted before the structure became non-conforming (see Attachment A: Historical Table of Harvard Basic Lot Dimensions); and*

The existing dwelling was built in approximately 1956, when according to "Attachment A, Historical Table of Harvard Basic Lot Dimensions," the setback from neighbors was 25'. The existing dwelling is 27.9' from the side lot line, and the

proposed dwelling 32.2'. Both the existing and proposed dwelling would have been permitted before the structure became non-conforming.

(b) Will not be substantially more detrimental to the neighborhood than the existing non-conformity (see MGL c. 40A, § 6).

The proposed dwelling will be less detrimental to the neighborhood than the existing non-conformity because it will be farther from said lot line and have less square footage of building in the currently required 40' setback.

Section 125-46 (C) states that *(1) A special permit shall be authorized only subject to applicable provisions of § 125-39, Site standards, and any special requirements for the particular class of special permit and only if, in addition, the authorizing board finds that the granting of the permit:*

(a) Will not result in substantial increase of volume or rate of surface water runoff to neighboring properties and streets, and will not result in substantial danger of pollution or contamination of the groundwater supply, a groundwater absorption area, a well, pond, stream, watercourse, W District, or inland wetland. Any and all surface water runoff resulting from development shall be retained within the lot in which it originates or shall be discharged into existing identifiable watercourses without material impact on abutting properties.

The project proposes a net decrease in impervious surfaces, so the volume and rate of stormwater runoff will be decreased.

(b) Will, if the use is not agricultural or residential, result in no substantial increase in traffic, compared to refusal of the permit, on any residential street where the premises have access; and

The use is residential.

(c) Will be in harmony with the general purpose and intent of the Bylaw, including each purpose stated in § 125-1, Purpose, which is pertinent to the particular application.

The proposed dwelling will be in harmony with the general purpose and intent of the Bylaw. The new dwelling will be less non-conforming, re-use the existing driveway and garage, and reduce volume and rate of stormwater runoff.

(2) The applicant shall show satisfactorily that the use will comply with the Bylaw including in particular § 125-20. If a special permit is authorized, the authorizing board shall impose as a part of such permit conditions, safeguards, and limitations of time and use, in addition to any specifically provided in the Bylaw, as may be appropriate for protection of the neighborhood, the community, and the natural environment, including the groundwater supply, a groundwater absorption area, or other wetland resource.

The proposed use of the site (residential) is the original use and proposed use. The project will comply with Section 125-20.

If you have any questions regarding this matter, please feel free to call.

Respectfully,

Stamski and McNary, Inc.



Daniel Carr, P.E.



George Dimakarakos, P.E.


Abutters List



Abutters List Report
Town of Harvard, MA

Date: January 18, 2023
Parcel Number: 026-041-000-000
Property Address: 7 Peninsula Rd
Abutters To: 300ft

The above Certified Abutters List is a true copy of the records in the Town of Harvard Assessor's office for the last known names and addresses of owners of land located within the above stated range of the subject property.

Signed:  _____

Date: 1/18/23

Carol Dearborn
Assistant Assessor
(978) 456-4100 x315

FINANCE DEPARTMENT - ACCOUNTANT, ASSESSORS, TREASURER/COLLECTOR
13 Ayer Road, Harvard, Massachusetts 01451-1458
www.harvard-ma.gov



7 PENINSULA RD

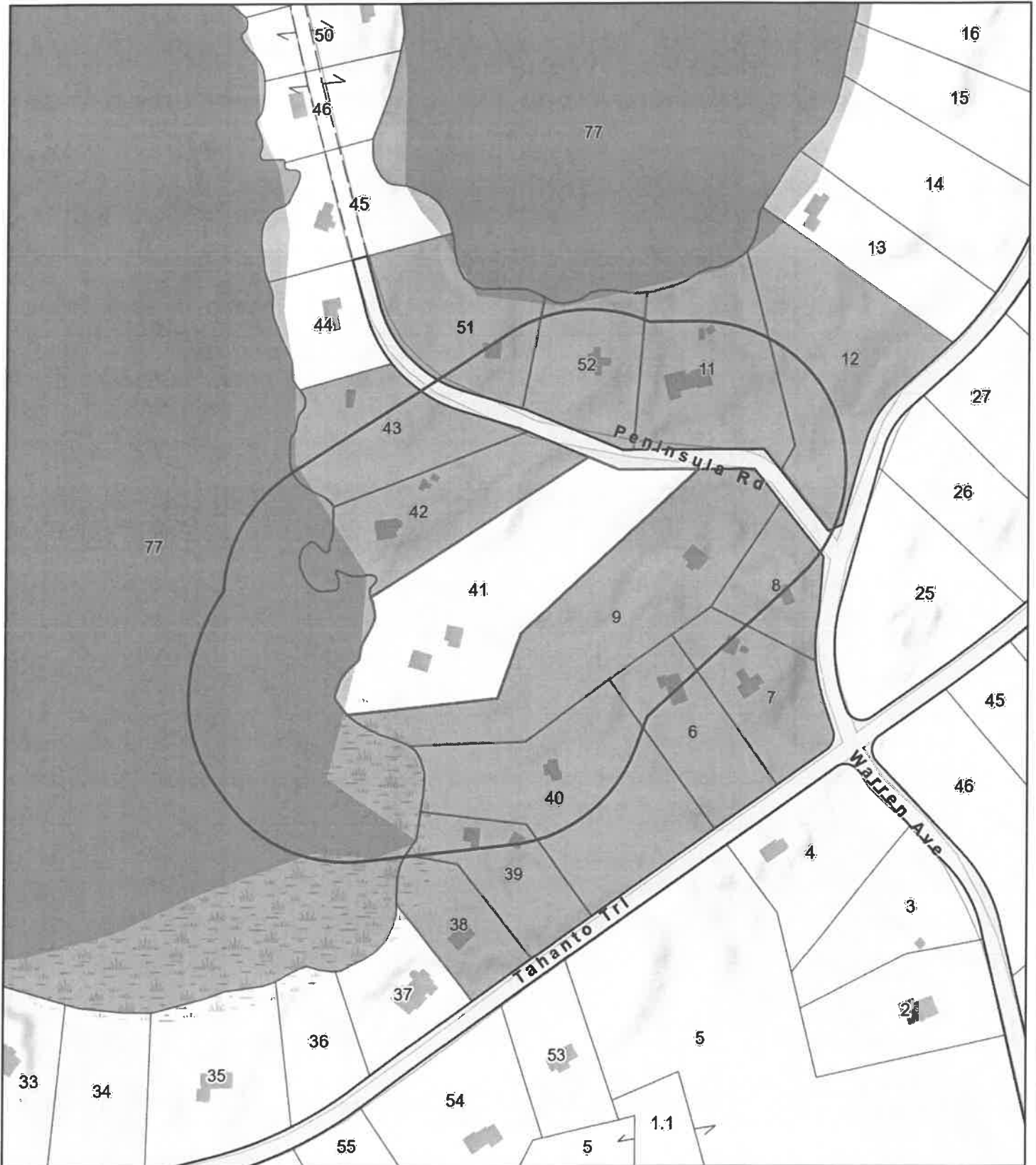
Town of Harvard, MA

1 inch = 6018 Feet



www.cai-tech.com

January 18, 2023



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



300 feet Abutters List Report

Harvard, MA
January 18, 2023

Subject Property:

Parcel Number: 026-041-000-000
CAMA Number: 026-041-000-000
Property Address: 7 PENINSULA RD

Mailing Address: PARK, RAINER
8 WINGATE LN
ACTON, MA 01720

Abutters:

Parcel Number: 021-077-000-000
CAMA Number: 021-077-000-000
Property Address: BARE HILL POND

Mailing Address: HARVARD, TOWN OF
13 AYER RD
HARVARD, MA 01451

Parcel Number: 026-038-000-000
CAMA Number: 026-038-000-000
Property Address: 94 TAHANTO TR

Mailing Address: HOWLAND, DAVID M.
94 TAHANTO TR
HARVARD, MA 01451

Parcel Number: 026-039-000-000
CAMA Number: 026-039-000-000
Property Address: 92 TAHANTO TR

Mailing Address: GULATI, SANJAY & PRESTIA-GULATI,
CHRYSA
92 TAHANTO TRAIL
HARVARD, MA 01451

Parcel Number: 026-040-000-000
CAMA Number: 026-040-000-000
Property Address: 88 TAHANTO TR

Mailing Address: ROSS, PAMELA & JOEL TRUSTEES OF
THE
88 TAHANTO TR
HARVARD, MA 01451

Parcel Number: 026-042-000-000
CAMA Number: 026-042-000-000
Property Address: 13 PENINSULA RD

Mailing Address: LAURSEN, WILLIAM J & LYNN E S
13 PENINSULA RD
HARVARD, MA 01451

Parcel Number: 026-043-000-000
CAMA Number: 026-043-000-000
Property Address: 21 PENINSULA RD

Mailing Address: HOFFMAN, ALLEN H & CAROL A
PO BOX 333
STERLING, MA 01564

Parcel Number: 026-051-000-000
CAMA Number: 026-051-000-000
Property Address: 18 PENINSULA RD

Mailing Address: DAISY, PHYLLIS M
10 MEETING HOUSE HILL RD
DOVER, MA 02038

Parcel Number: 026-052-000-000
CAMA Number: 026-052-000-000
Property Address: 12 PENINSULA RD

Mailing Address: BOYNTON, JOHN W
12 PENINSULA RD
HARVARD, MA 01451

Parcel Number: 027-006-000-000
CAMA Number: 027-006-000-000
Property Address: 84 TAHANTO TR

Mailing Address: KATZ, SOLOMON B & WHEELER,
WENDY F
84 TAHANTO TR
HARVARD, MA 01451

Parcel Number: 027-007-000-000
CAMA Number: 027-007-000-000
Property Address: 82 TAHANTO TR

Mailing Address: OWINGS, JOHN E & GAIL S
PO BOX 624
HARVARD, MA 01451



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300 feet Abutters List Report

Harvard, MA
January 18, 2023

Parcel Number: 027-008-000-000
CAMA Number: 027-008-000-000
Property Address: 116 WARREN AV

Mailing Address: WOODSUM, NANCY J
116 WARREN AV
HARVARD, MA 01451

Parcel Number: 027-009-000-000
CAMA Number: 027-009-000-000
Property Address: 3 PENINSULA RD

Mailing Address: CHAPMAN, RICHARD
3 PENINSULA RD
HARVARD, MA 01451

Parcel Number: 027-011-000-000
CAMA Number: 027-011-000-000
Property Address: 10 PENINSULA RD

Mailing Address: BYKHOVSKY, DMITRY & OLGA
649 MASS AV
BOXBOROUGH, MA 01719

Parcel Number: 027-012-000-000
CAMA Number: 027-012-000-000
Property Address: WARREN AV

Mailing Address: HARVARD, TOWN OF, CONSERVATION
13 AYER RD
HARVARD, MA 01451



www.cai-tech.com

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1/18/2023

Page 2 of 2

BOYNTON, JOHN W
12 PENINSULA RD
HARVARD, MA 01451

LAURSEN, WILLIAM J & LYNN
13 PENINSULA RD
HARVARD, MA 01451

BYKHOVSKY, DMITRY & OLGA
649 MASS AV
BOXBOROUGH, MA 01719

OWINGS, JOHN E & GAIL S
PO BOX 624
HARVARD, MA 01451

CHAPMAN, RICHARD
3 PENINSULA RD
HARVARD, MA 01451

ROSS, PAMELA & JOEL TRUST
88 TAHANTO TR
HARVARD, MA 01451

DAISY, PHYLLIS M
10 MEETING HOUSE HILL RD
DOVER, MA 02038

WOODSUM, NANCY J
116 WARREN AV
HARVARD, MA 01451

GULATI, SANJAY & PRESTIA-
92 TAHANTO TRAIL
HARVARD, MA 01451

HARVARD, TOWN OF
13 AYER RD
HARVARD, MA 01451

HARVARD, TOWN OF, CONSERV
13 AYER RD
HARVARD, MA 01451

HOFFMAN, ALLEN H & CAROL
PO BOX 333
STERLING, MA 01564

HOWLAND, DAVID M.
94 TAHANTO TR
HARVARD, MA 01451

KATZ, SOLOMON B & WHEELER
84 TAHANTO TR
HARVARD, MA 01451

Assessors Field Card

CURRENT OWNER		TOPO		UTILITIES		STRT / ROAD		LOCATION		CURRENT ASSESSMENT	
PARK, RAINER	1 Level	5 Well	2 Light Traffic	3 Rural	RESIDENTL	Code	Appraised	Assessed	125	114,500	114,500
PARK, KRISTAN SMITH-		6 Septic	6 Paved		RES LAND	1013	114,500	114,500	HARVARD, MA	550,000	550,000
8 WINGATE LN			1 Two Way		RES OB	1013	550,000	26,000		26,000	26,000
SUPPLEMENTAL DATA Alt Prcl ID 1250260004100000 House Col TAN Field Chec											
ACTON MA 01720	GIS ID M_192042_914628		Assoc Prcl#		Total		690,500		690,500		

RECORD OF OWNERSHIP				BK-VOL/PAGE				SALE DATE				Q/U V/I				SALE PRICE				VC			
PARK, RAINER	94	38	09-02-2021	U	I	775,000	1H	114,500	2022	1013	99,200	2021	1013	90,700	552,800	23,800	667,300	114,500	0	26,000	550,000	23,800	573,800
WHEELER, NORMAN J	7434	0142	03-22-1982	U	I	0	1N	550,000	2022	1013	543,400	2021	1013	552,800	23,800	576,600	114,500	0	26,000	550,000	23,800	573,800	667,300
Total		0.00						690,500		666,400		Total		667,300		690,500				690,500		667,300	

EXEMPTIONS			OTHER ASSESSMENTS		
Year	Description	Amount	Code	Description	Amount

ASSESSING NEIGHBORHOOD		
Nbhd	Nbhd Name	Tracing
1		

NOTES	
11/2013- ADDED SOME OLDER SHEDS	
Appraised Bldg. Value (Card) 114,500 Appraised Xf (B) Value (Bldg) 0 Appraised Ob (B) Value (Bldg) 26,000 Appraised Land Value (Bldg) 550,000 Special Land Value 0 Total Appraised Parcel Value 690,500 Valuation Method C	
Total Appraised Parcel Value 690,500	

BUILDING PERMIT RECORD										VISIT / CHANGE HISTORY									
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments	Date	Id	Type	Is	Cd	Purpose/Result					
									03-14-2022	MS	S	S	S	Sales Verify					
									11-04-2013	DE	O	O	C	Cyclical Insp					
									07-14-2005	AM	O	O	C	Cyclical Insp					

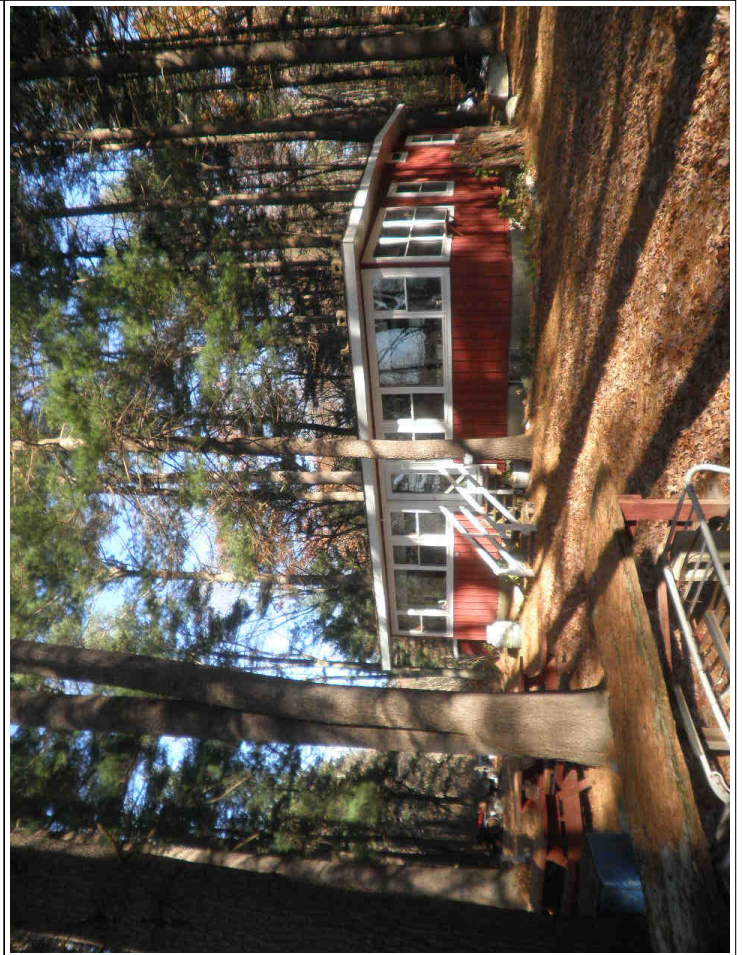
LAND LINE VALUATION SECTION														
B Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes	Location Adjustment	Adj Unit P	Land Value
1	SFR WATER	AR	Primary	1.500 AC	225,000.00	0.73807	P	1.00	WF1	2.100		1.0000		523,100
1	SFR WATER	AR	Primary	1.790 AC	15,000.00	1.00000	0	1.00		1.000		1.0037		26,900
Total Card Land Units				3.29 AC	Parcel Total Land Area		3.29	Total Land Value						550,000

VISION

CONSTRUCTION DETAIL		Element	Cd	Description
Style:	01	Ranch		
Model	01	Residential		
Grade:	02	Fair		
Stories:	1	1 Story		
Occupancy	11	Clapboard		
Exterior Wall 1	02	Shed		
Exterior Wall 2	02	Rolled Compos		
Roof Structure:	07	k-Pine/wood		
Interior Wall 1	12	Hardwood		
Interior Wall 2	02	Oil		
Interior Flr 1	04	Forced Air-Duc		
Interior Flr 2	01	None		
Heat Fuel	02	2 Bedrooms		
Heat Type:	01	Average		
AC Type:	04	Average		
Total Bedrooms	1			
Total Half Baths	0			
Total Xtra Fixtrs	0			
Total Rooms:	4			
Bath Style:	04			
Kitchen Style:	04			
# of Kitchens	1			
Fireplaces	1			

CONSTRUCTION DETAIL (CONTINUED)		Element	Cd	Description
CONDO DATA				
Parcel Id	C	Owne		
Adjust Type	Code	Description	Factor%	
Condo Flr	B	S		
Condo Unit				
COST / MARKET VALUATION				
Building Value New				176,207
Year Built				1956
Effective Year Built				A
Depreciation Code				35
Remodel Rating				1,000
Year Remodeled				65
Depreciation %				114,500
Functional Obsol				
External Obsol				
Trend Factor				
Condition				
Condition %				
Percent Good				
RCNLD				
Dep % Ovr				
Dep Ovr Comment				
Misc Imp Ovr				
Misc Imp Ovr Comment				
Cost to Cure Ovr				
Cost to Cure Ovr Comment				

CONSTRUCTION DETAIL		Element	Cd	Description							
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)											
Code	Description	L/B	Units	Unit Price	Yr Blt	Cond.	Cd	% Gd	Grade	Adj.	Appr. Value
FGR1	Garage-Avg	L	900	35.00	1985			66	0.00		20,800
SHD1	Shed	L	96	15.00	1985			66	0.00		1,000
SHD1	Shed	L	200	15.00	1985			66	0.00		2,000
SHD1	Shed	L	320	15.00	1965			46	0.00		2,200
BUILDING SUB-AREA SUMMARY SECTION											
Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value					
BAS	First Floor	768	768	768	132.71	101,923					
FEP	Porch, Enclosed, Finished	0	320	224	92.90	29,728					
UBM	Basement, Unfinished	0	1,088	218	26.59	28,931					
Ttl Gross Liv / Lease Area		768	2,176	1,210		160,582					



Photographs of Site





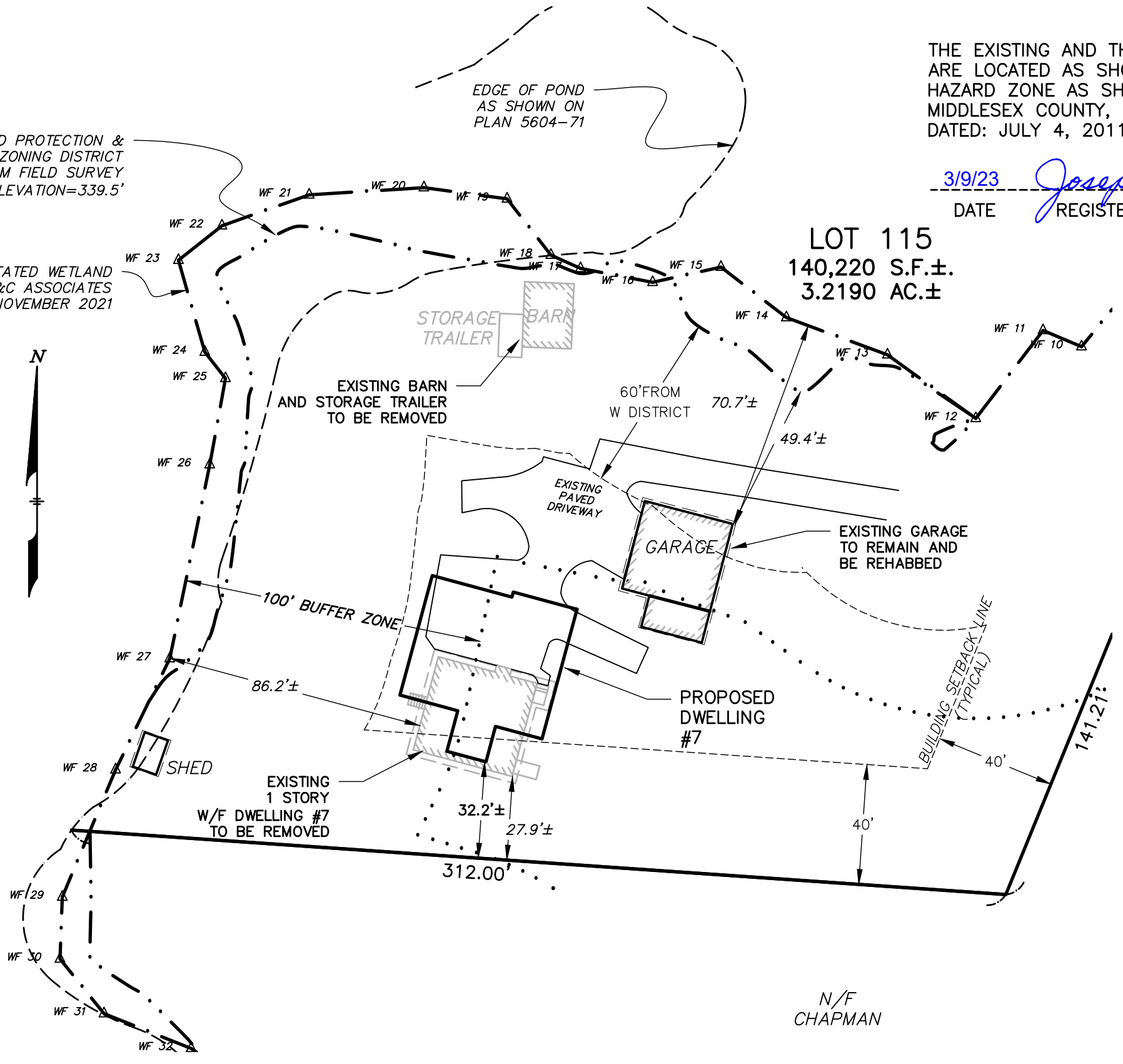
Attachment A
Proposed Plot Plan

THE EXISTING AND THE PROPOSED STRUCTURES ON THIS PROPERTY ARE LOCATED AS SHOWN AND ARE NOT LOCATED IN A SPECIAL FLOOD HAZARD ZONE AS SHOWN ON FLOOD INSURANCE RATE MAP; MIDDLESEX COUNTY, MASSACHUSETTS; MAP NUMBER 25017C0476 E DATED: JULY 4, 2011.

3/9/23 *Joseph March*
 DATE REGISTERED PROFESSIONAL LAND SURVEYOR

WATERSHED PROTECTION & FLOOD PLAIN ZONING DISTRICT LOCATION FROM FIELD SURVEY
 BASE FLOOD ELEVATION=339.5'

EDGE OF BORDERING VEGETATED WETLAND AS DELINEATED BY B&C ASSOCIATES
 DELINEATION DATE: NOVEMBER 2021



PROPOSED PLOT PLAN
 IN
HARVARD, MASSACHUSETTS
 (MIDDLESEX COUNTY)

FOR: RAINER
 SCALE: 1"=40' MARCH 6, 2023

STAMSKI AND MCNARY, INC.
 1000 MAIN STREET ACTON, MASSACHUSETTS
 ENGINEERING - PLANNING - SURVEYING

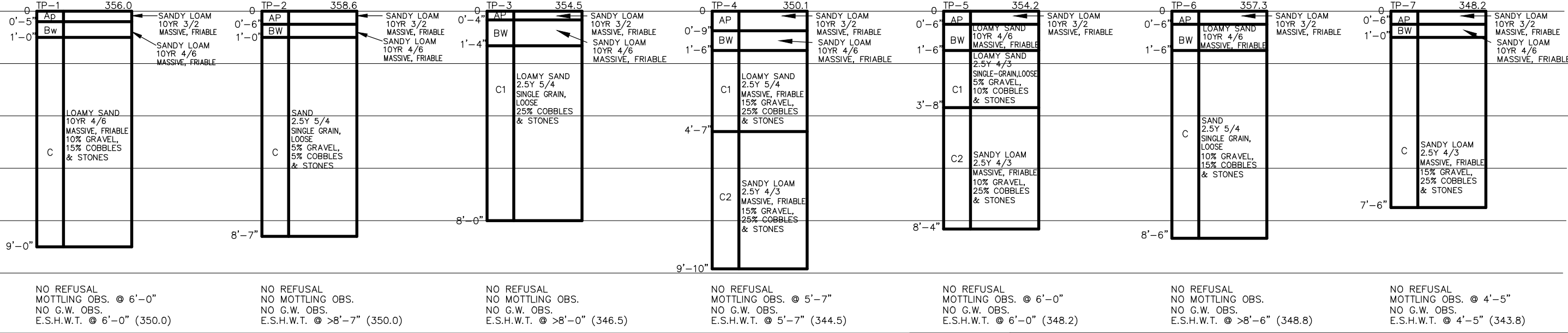
(6915.P.PPL.dwg) 7 Peninsula Road SM-6915

N/F
 CHAPMAN

Attachment B
Sewage Disposal Plan

TEST PIT DATA:

DATE OF TESTING: 3/31/2022
 TEST BY: STAMSKI AND McNARY, INC.
 CERT. SOIL EVAL.: DANIEL CARR, SE13801
 WITNESSED BY: IRA GROSSMAN



PERC. TEST DATA:

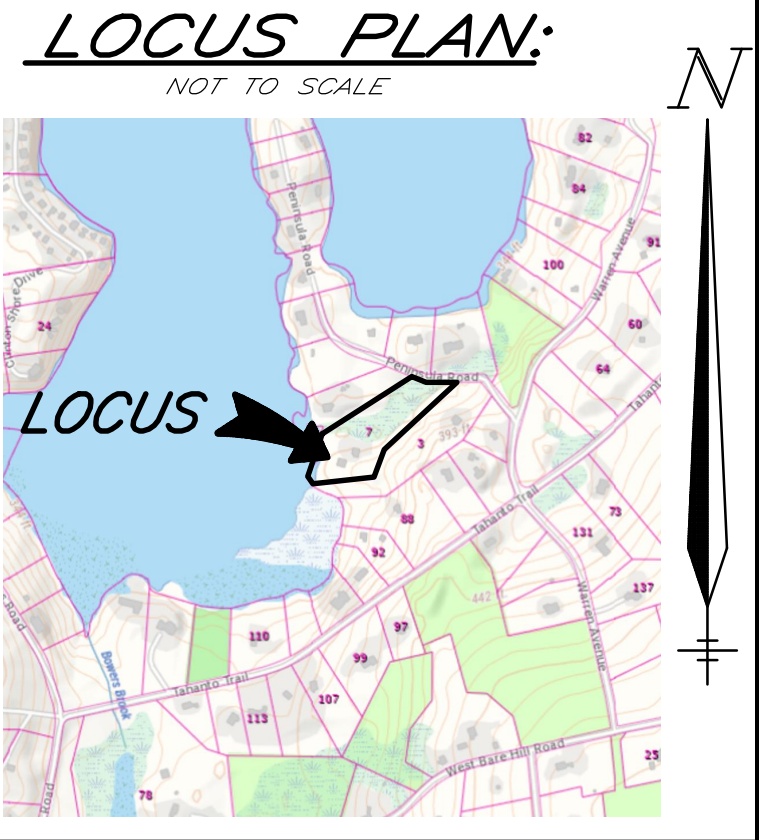
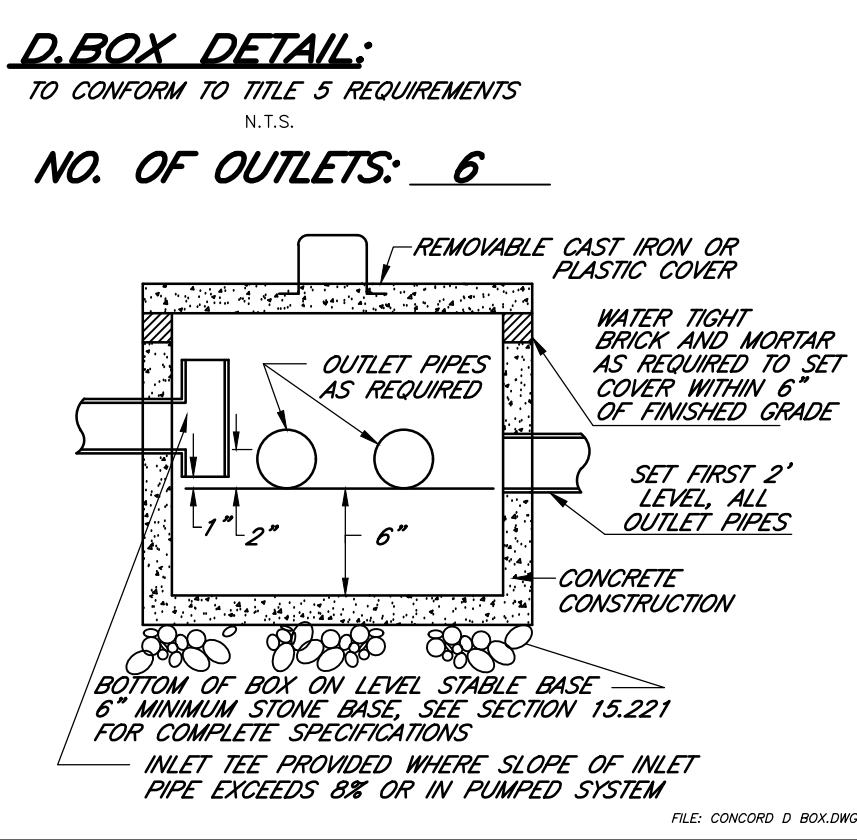
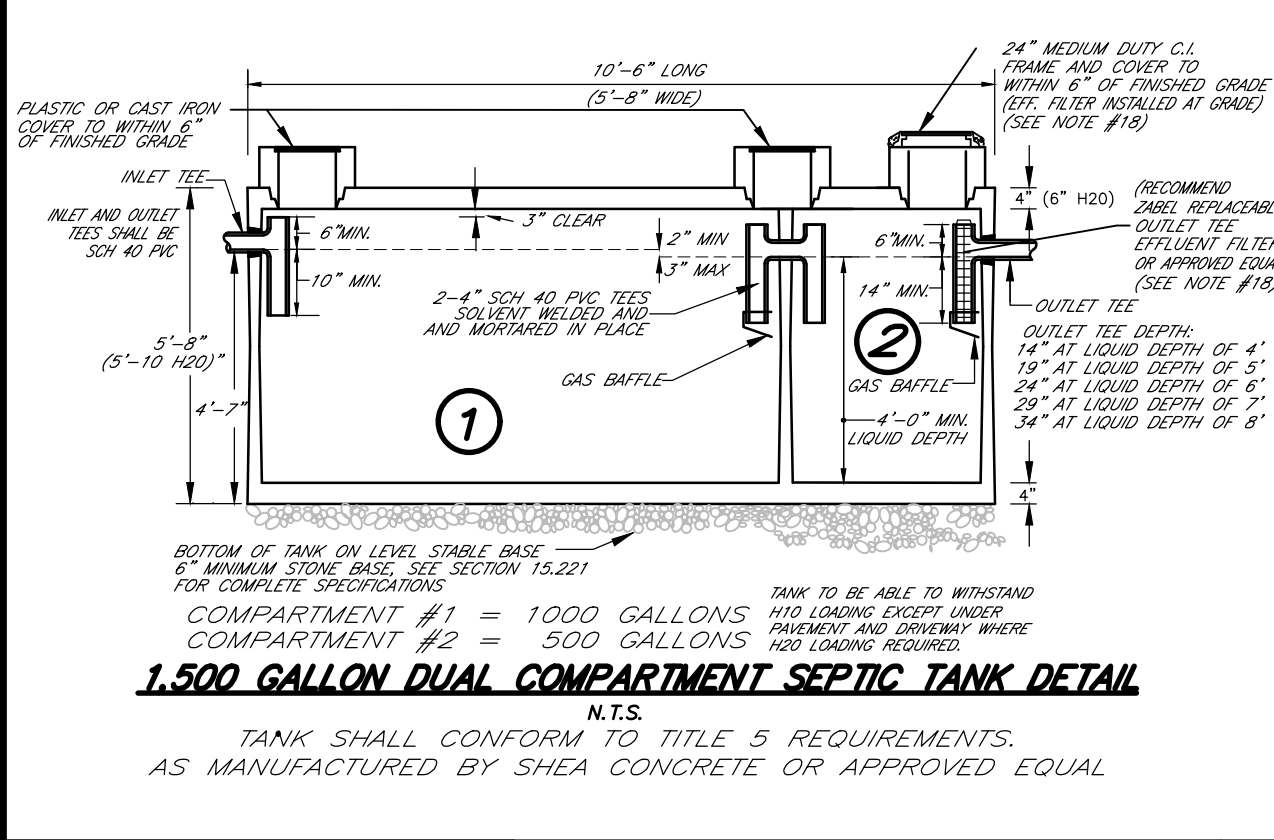
DATE OF TESTING: 3/31/2022
 TEST BY: STAMSKI AND McNARY, INC.
 CERT. SOIL EVAL.: DANIEL CARR, SE13801
 WITNESSED BY: IRA GROSSMAN

PT-A
 DEPTH OF TEST: 40"
 RATE: <2 MPI

PT-B
 DEPTH OF TEST: 40"
 RATE: <2 MPI

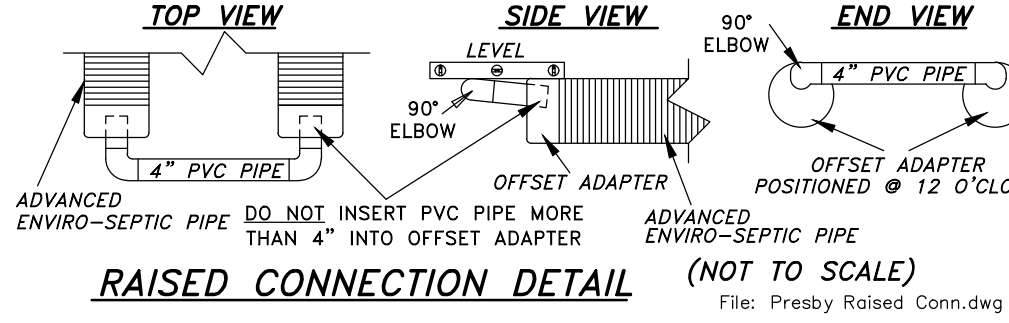
PT-C
 DEPTH OF TEST: 40"
 RATE: <2 MPI

PT-D
 DEPTH OF TEST: 40"
 RATE: <2 MPI

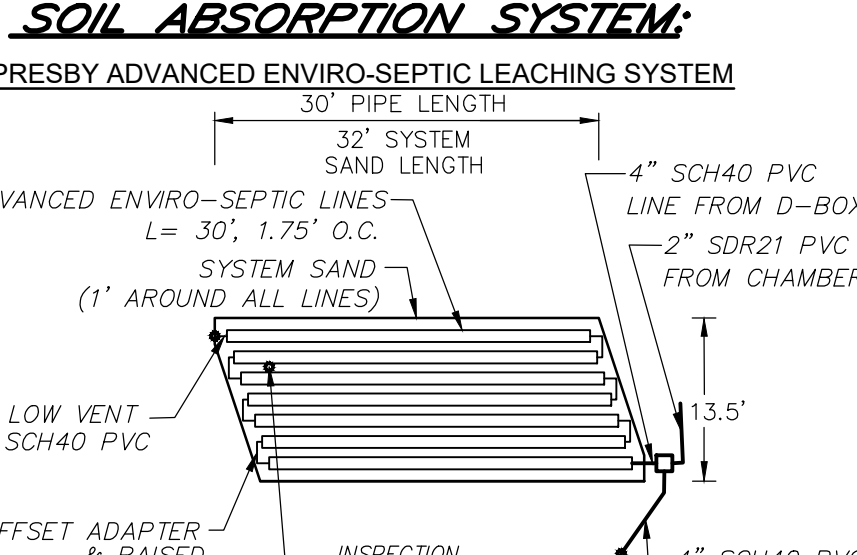
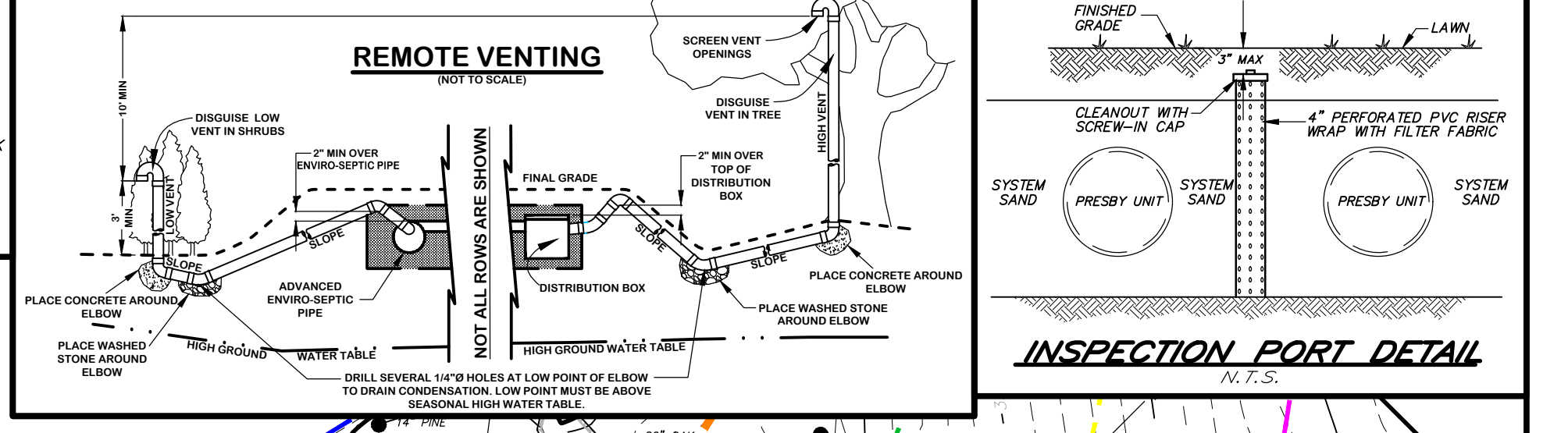


NOTES:

- THIS PLAN IS FOR THE DESIGN AND CONSTRUCTION OF A SEWAGE DISPOSAL FACILITY ONLY.
- ALL CONSTRUCTION METHODS AND MATERIALS SHALL CONFORM TO TITLE 5 AND THE HARVARD BOARD OF HEALTH REGULATIONS.
- IF ALTERATIONS (REMOVAL OF VEGETATION, GRADING, EXCAVATIONS, ETC.) ARE TO BE MADE WITHIN 100 FT. OF WETLAND AREAS (PONDS, BROOKS, SWAMPS, ETC.) A REQUEST FOR DETERMINATION OF APPLICABILITY OF THE WETLANDS PROTECTION ACT (6131 s404) SHOULD BE FILED WITH THE TOWN'S CONSERVATION COMMISSION. THE FILING OF A NOTICE OF INTENT MAY BE REQUIRED AND LOCAL BYLAWS MAY APPLY.
- ACCEPTABLE MATERIAL SPECIFICATIONS FOR DISTRIBUTION LINES: PVC-SCHEDULE 40 (ASTM D 1785 & D 2685), SDR 35 (ASTM D 3034), ABS-SCHEDULE 40 (ASTM F 628), HDPE-SHALL MEET OR EXCEED ASTM F 810 FOR SMOOTH WALL POLYETHYLENE PIPE FOR USE IN DRAINAGE AND WASTE DISPOSAL FIELDS. SCHEDULE 40 PVC SHALL BE USED IN AREAS SUBJECT TO VEHICULAR TRAFFIC.
- UNLESS OTHERWISE SHOWN, THERE ARE NO KNOWN WELLS WITHIN 150' OF THE PROPOSED SEWAGE DISPOSAL SYSTEM.
- ALL TOP, SUBSOIL, FILL, Boulders, AND OTHER MATERIALS UNDER THE PROPOSED LEACHING AREA SHALL BE REMOVED AND REPLACED WITH SUITABLE MATERIAL ACCORDING TO TITLE 5 SECTION 15.255 "CONSTRUCTION IN FILL".
- PER TITLE 5 REQUIREMENTS, THE DESIGN ENGINEER IS REQUIRED TO INSPECT CONSTRUCTION OF THE SEPTIC SYSTEM AND CERTIFY THAT THE SYSTEM IS CONSTRUCTED ACCORDING TO THE PLANS, LOCAL REGULATIONS, AND TITLE 5. IN MOST INSTANCES THE DESIGN ENGINEER IS ALSO REQUIRED TO PREPARE AN "AS-BUILT" PLAN, UNLESS OTHERWISE SPECIFICALLY STATED IN WRITING BETWEEN OWNER AND THE INSTALLER. THE INSTALLER SHALL BE RESPONSIBLE FOR COORDINATING INSPECTIONS WITH THE DESIGN ENGINEER AND PAY FOR THESE SERVICES. NOTIFYING THE DESIGN ENGINEER DOES NOT RELIEVE THE OWNER OR INSTALLER FROM THE RESPONSIBILITY OF HAVING THE REQUIRED INSPECTIONS, ETC. BY THE BOARD OF HEALTH.
- FINISHED GRADE OVER THE LEACHING AREA SHALL HAVE A MINIMUM SLOPE OF 2%.
- THE SYSTEM SHALL BE STAKED AND THE BENCHMARK SET IN THE FIELD BY THE DESIGN ENGINEER.
- ALL UNDERGROUND UTILITIES SHOWN HERE WERE COMPILED ACCORDING TO AVAILABLE RECORD PLANS FROM VARIOUS UTILITY COMPANIES AND PUBLIC AGENCIES AND ARE APPROXIMATE ONLY. ACTUAL LOCATIONS MUST BE DETERMINED BEFORE DESIGNING, EXCAVATING, BLASTING, INSTALLING, BACKFILLING, GRADING, OR PAVEMENT RESTORATION OR REPAIR. ALL UTILITY COMPANIES, PUBLIC AND PRIVATE, MUST BE CONTACTED, INCLUDING THOSE IN CONTROL OF UTILITIES. SEE CHAPTER 370, ACTS OF 1963 MASS. WE ASSUME NO RESPONSIBILITY FOR DAMAGES INCURRED AS A RESULT OF UTILITIES OMITTED OR INACCURATELY SHOWN, BEFORE PLANNING FUTURE CONNECTIONS, THE APPROPRIATE UTILITY ENGINEERING DEPARTMENT MUST BE CONSULTED. D.I.G. SAFE TELE. NO.: 1-888-344-7233.
- ALL SYSTEM COMPONENTS SHALL BE MARKED WITH MAGNETIC MARKING TAPE OR A COMPARABLE MEANS IN ORDER TO BE LOCATED ONCE BURIED.
- ALL DISTURBED SURFACES SHALL BE RESTORED WITH 4" OF LOAM AND AN APPROPRIATE NEW ENGLAND SEED MIX.
- ALL SEWER MANHOLES AT FINISHED GRADE SHALL BE SECURED TO PREVENT UNAUTHORIZED ACCESS.
- THE PRESBY ADVANCED ENVIRO-SEPTIC LEACHING SYSTEM HAS BEEN CERTIFIED FOR GENERAL USE; THIS SYSTEM SHALL BE INSTALLED AND OPERATED IN COMPLIANCE WITH THE MODIFIED APPROVAL FOR GENERAL USE MODIFIED FEBRUARY 22, 2022, TRANSMITTAL NUMBER ACCL-21-CM-00073-APP. AS THE DESIGNER OF RECORD, WE HEREBY CERTIFY WE HAVE RECEIVED THE REQUIRED TRAINING AND THE PLAN IS IN ACCORDANCE WITH THE LATEST DEP 1/A APPROVAL.
- CONTRACTOR SHALL VERIFY EXISTING BUILDING SEWER INVERT AND SEPTIC TANK INVERT PRIOR TO PURCHASING OF ANY COMPONENTS AND/OR INSTALLATION OF ANY COMPONENTS. ANY DISCREPANCIES SHALL BE REPORTED TO THE DESIGN ENGINEER.
- THE EXISTING SEPTIC TANK SHALL BE PUMPED DRY, BOTTOM RIPPED, AND BACKFILLED WITH CLEAN SAND IN ACCORDANCE WITH TITLE 5, SECTION 15.354 "ABANDONMENT OF SYSTEMS" OR DISPOSED OFFSITE. IF THE EXISTING LEACHFIELD IS ENCOUNTERED, SOIL SPOILS MAY BE PLACED AS GENERAL FILL WITH ONE FOOT OF COVER. THE REMAINDER OF THE LEACH FIELD MAY BE ABANDONED IN PLACE.
- ALL PIPE CONNECTIONS SHALL BE MADE WATER TIGHT BY USE OF BOOT, HYDRAULIC CEMENT OR COMPARABLE MEANS. EXPANDABLE FORM SPRAY IS NOT ACCEPTABLE. RISERS SHALL ALSO BE WATER TIGHT.
- ZABEL EFFLUENT TEE FILTER SHALL BE IN COMPLIANCE WITH APPROVAL ISSUED AUGUST 11, 1997. ALL SEWER MANHOLES AT FINISHED GRADE SHALL BE SECURED TO PREVENT UNAUTHORIZED ACCESS. COVER SHALL BE PERMANENTLY MARKED "EFFLUENT TEE FILTER".
- REFER TO "CONCEPTUAL SITE PLAN" BY FLAVIN ARCHITECTS FOR TREE REPLACEMENT PLAN.



PLAN VIEW:
 ZONING DISTRICT: AGRICULTURAL-RESIDENTIAL
 SCALE: 1"=20'



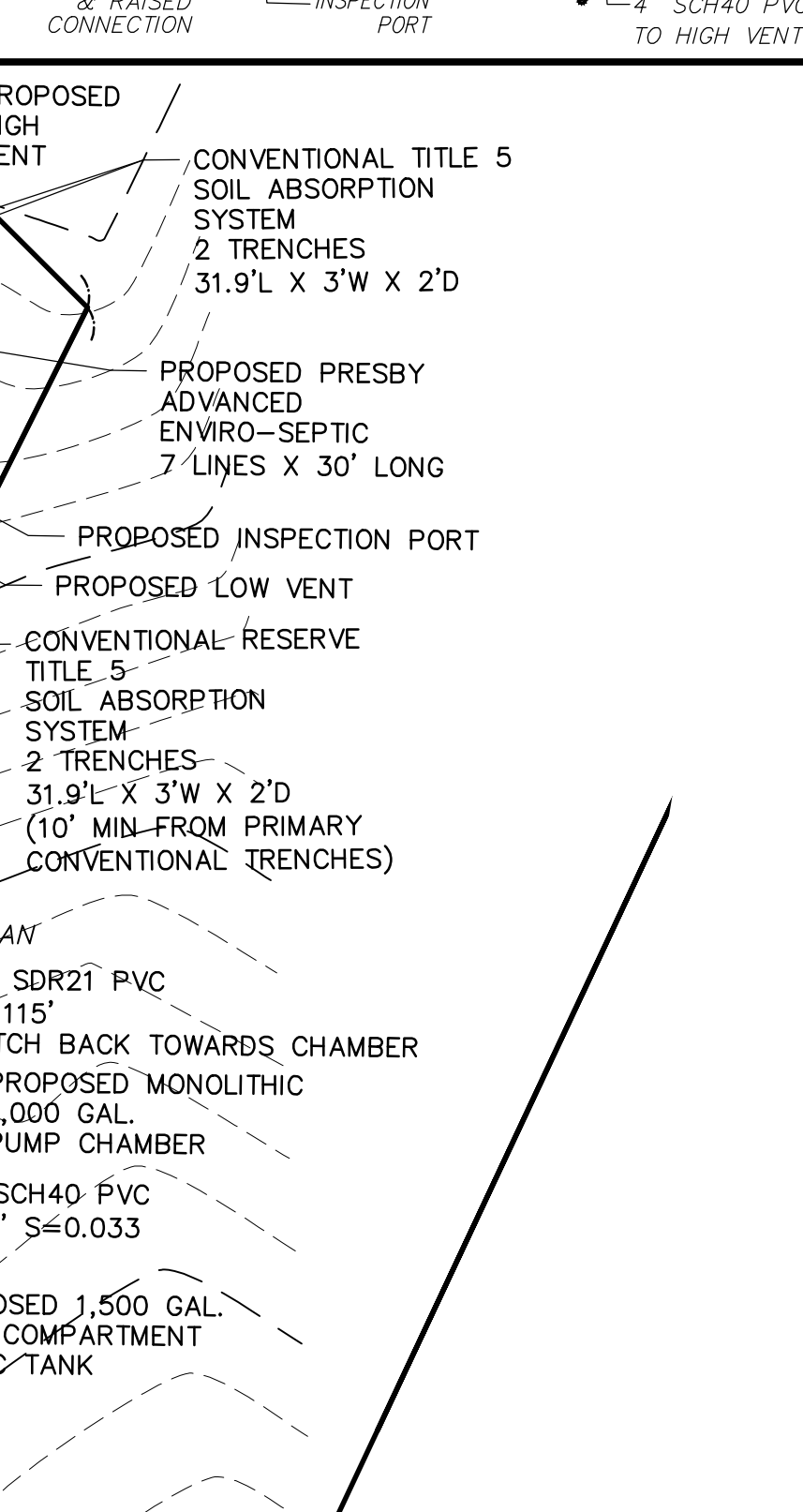
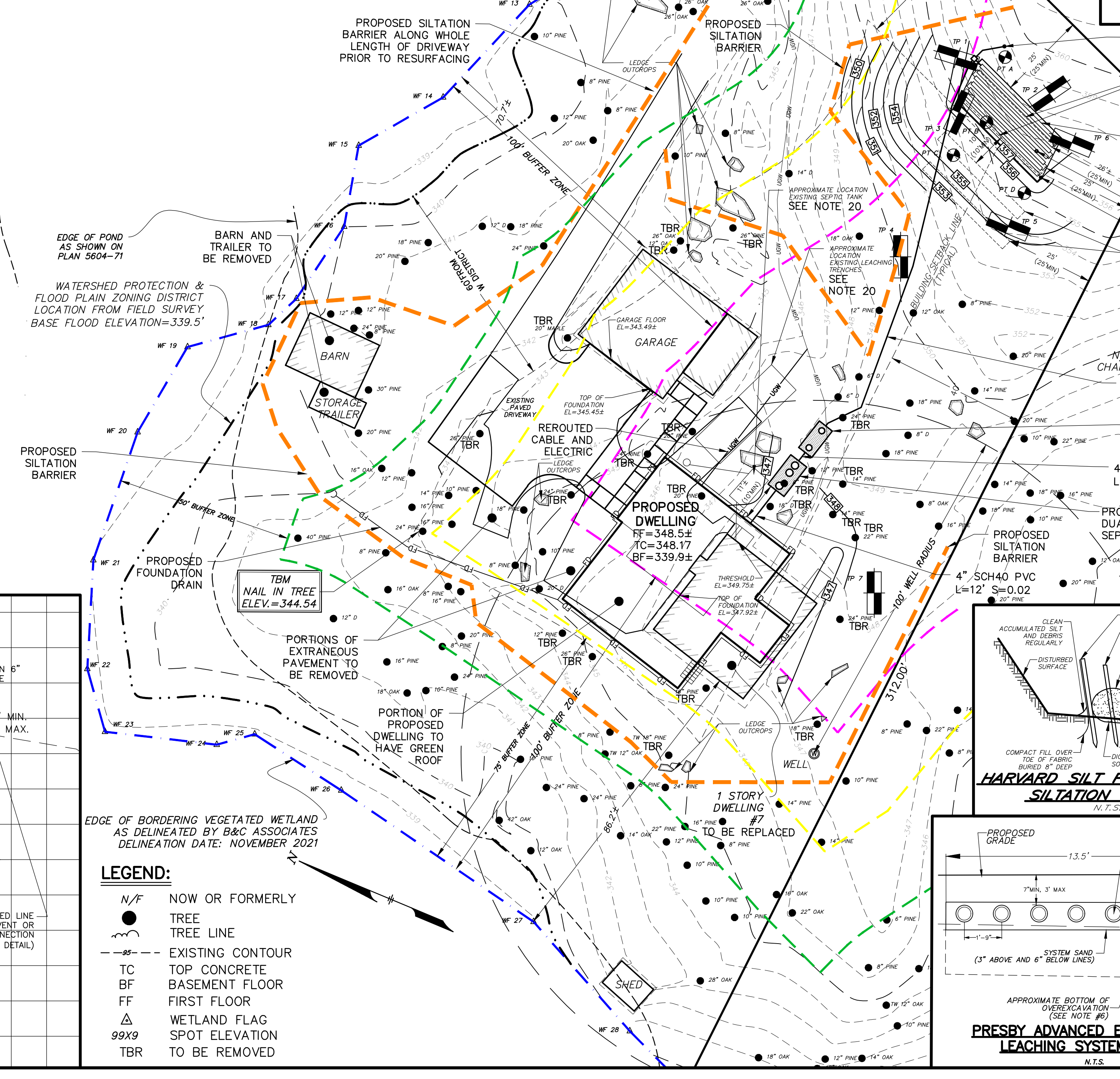
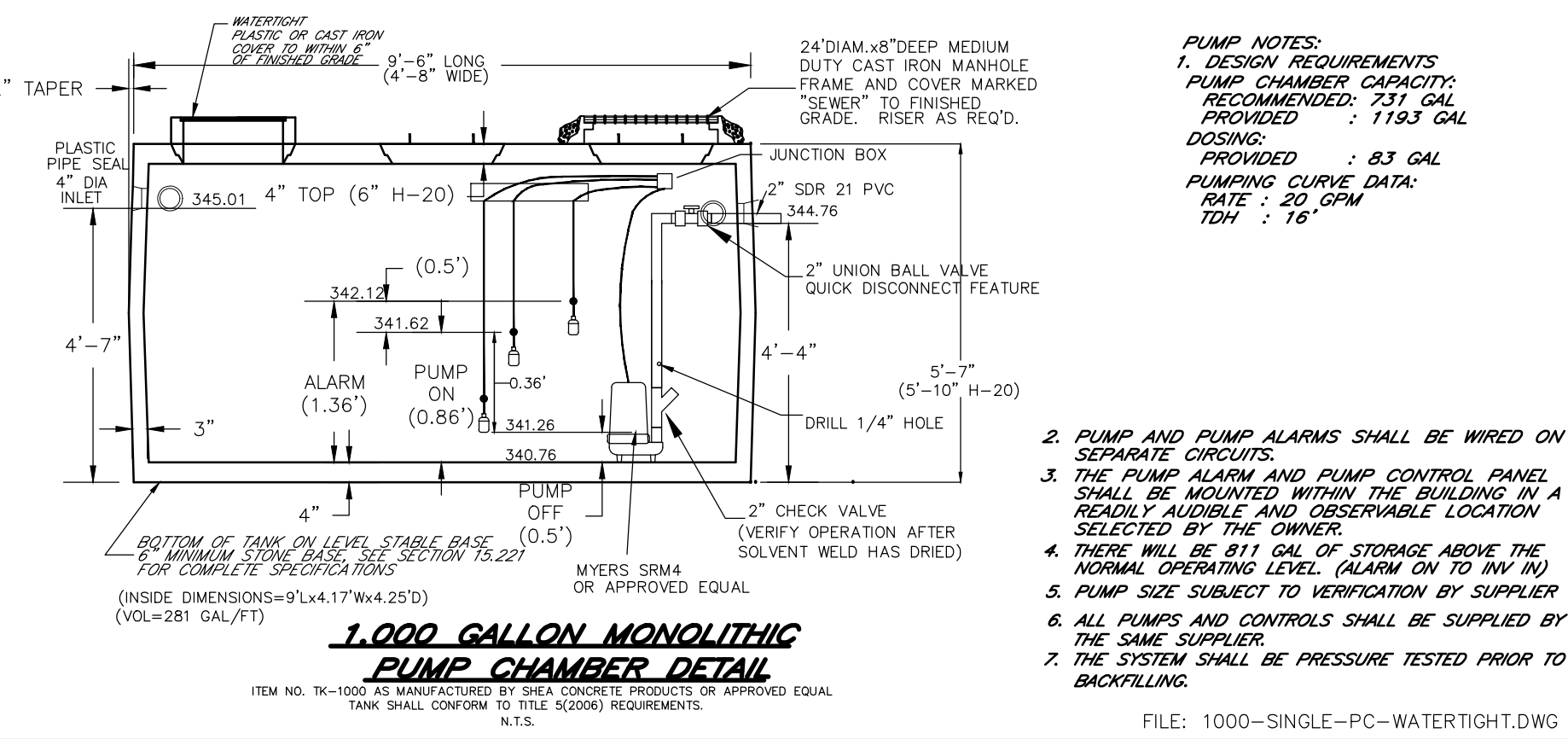
INVERT ELEVATIONS:

PROPOSED 4" INV. @ DWELLING = 345.60

4" INV. @ SEPTIC TANK(IN) = 345.36
 4" INV. @ SEPTIC TANK(OUT) = 345.11
 4" INV. @ PUMP CHAMBER(IN) = 345.01
 2" INV. @ PUMP CHAMBER(OUT) = 344.76
 2" INV. @ D.BOX(IN) = 356.45
 4" INV. @ D.BOX(OUT) = 356.28

AT LEACHING FACILITY:

TOP OF SYSTEM SAND = 356.75
 4" INVERT TO LINE = 356.08
 BOTTOM OF SYSTEM SAND = 355.00



DESIGN DATA:

DESIGN FLOW:
 3 BR. X 110 GPD/BR = 330 GPD
 NOT DESIGNED FOR GARBAGE DISPOSAL

REQUIRED SEPTIC TANK:
 REQUIRED: 660 & 330 GAL=990 GAL
 PROVIDED: 1,000 & 500 GAL=1,500 GAL

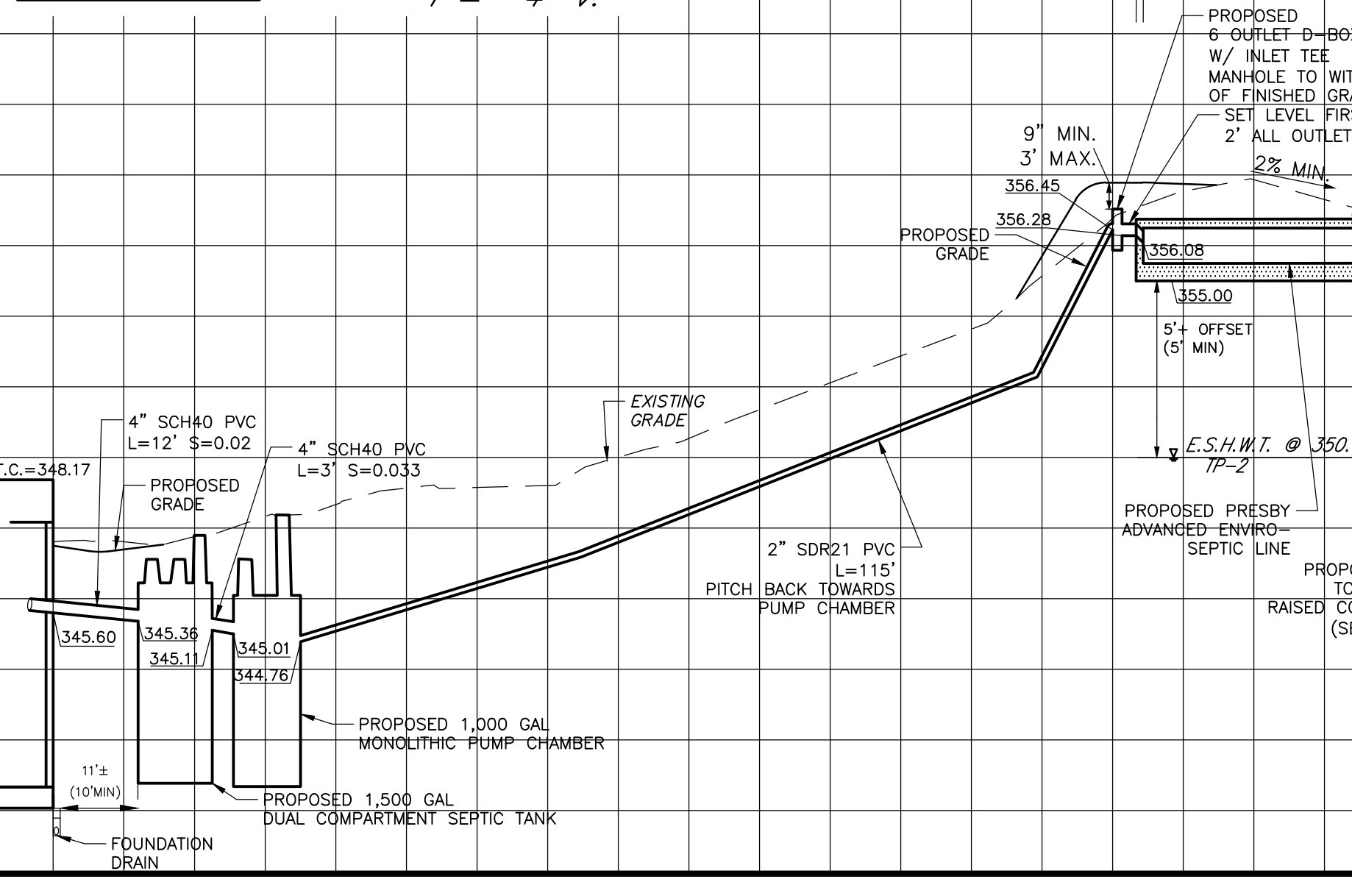
REQUIRED SIZE SOIL ABSORPTION SYSTEM: (PRIMARY)
 PT-A = <2 MIN/IN CLASS I SOIL
 330 GPD/0.74 GPD/S.F.=446 S.F.

TYPE AND SIZE OF SOIL ABSORPTION SYSTEM PROVIDED:

PRIMARY:
 PRESBY ADVANCED ENVIRO-SEPTIC LEACHING SYSTEM: DEP APPROVAL = 400 S.F. MIN. OR BOX OF 310 CMR 15.242 (SEE NOTE 14)
 0.6 x 446 S.F. = 258 S.F.
 <2 MPI x 3 BORN = 210 L.F. OF PIPING
 210 L.F. OF PIPING PROVIDED
 SYSTEM SAND = 13.5' W x 32' L
 13.5' x 32' = 432 S.F.
 432 S.F. > 400 S.F. O.K.

CONVENTIONAL:
 2 TRENCHES: 3' W x 2' D x 31.9' L
 2 TRENCHES x 7 S.F. x 31.9' = 446.6 S.F.
 446.6 S.F. > 446 S.F. O.K.

PROFILE: SCALE: 1"=20' H, 1"=4' V.



- LEGEND:**
- N/F NOW OR FORMERLY
 - TREE
 - TREE LINE
 - EXISTING CONTOUR
 - TC TOP CONCRETE FLOOR
 - BF BASEMENT FLOOR
 - FF FIRST FLOOR
 - ▲ WETLAND FLAG
 - 99X9 SPOT ELEVATION
 - TBR TO BE REMOVED

SEWAGE DISPOSAL PLAN

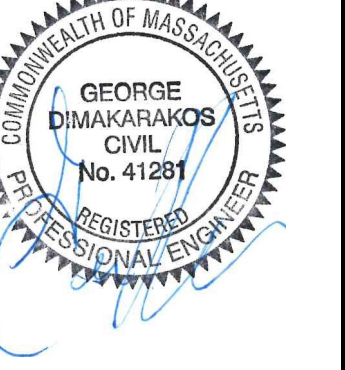
PREPARED FOR: RAINIER PARK
 ADDRESS: 7 PENINSULA ROAD
 HARVARD, MA

LOCATION: 7 PENINSULA ROAD
 HARVARD, MA
 MAP 26, PARCEL 41

SCALE: AS SHOWN
 DATE: JANUARY 12, 2023
 REVISED: FEB. 13, 2023 (INF. TRENCH)
 REVISED: MAR. 20, 2023 (PAVEMENT)

PREPARED BY:
STAMSKI AND McNARY, INC.
 CIVIL ENGINEERS LAND SURVEYORS
 1000 MAIN STREET - ACTON, MA 01720
 (978) 263-8585

DESIGNED BY: DJC DRAWN BY: DJC JOB NO. SM-6915 FILE: 6915.SDS.DWG



Attachment C
Plan by Flavin Architects

SMITH-PARK RESIDENCE

ZBA APPLICATION

flavin
ARCHITECTS

175 Portland St #6, Boston, MA 02114
617.227.6717
flavinarchitects.com

STAMSKI AND MCNARY, INC.
CIVIL ENGINEER, SURVEY
1000 MAIN STREET
ACTON, MA 01720
† (978) 263-8585

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STAMP

PROJECT NORTH

PREPARED FOR:

KRISTAN SMITH-PARK
RAINER PARK

PROJECT
**SMITH-PARK
RESIDENCE**

7 PENINSULA RD.,
HARVARD, MA 01451

PROJECT: 22031

Issue Date
ZBA APPLICATION 12 APR 2023

Approved by Date

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Project Name/Number: SMITH PARK RESIDENCE/22031
Cad File Name: 22031-COVER.dwg

COVER SHEET

A0.00

ARCHITECTURAL

ABBREVIATIONS

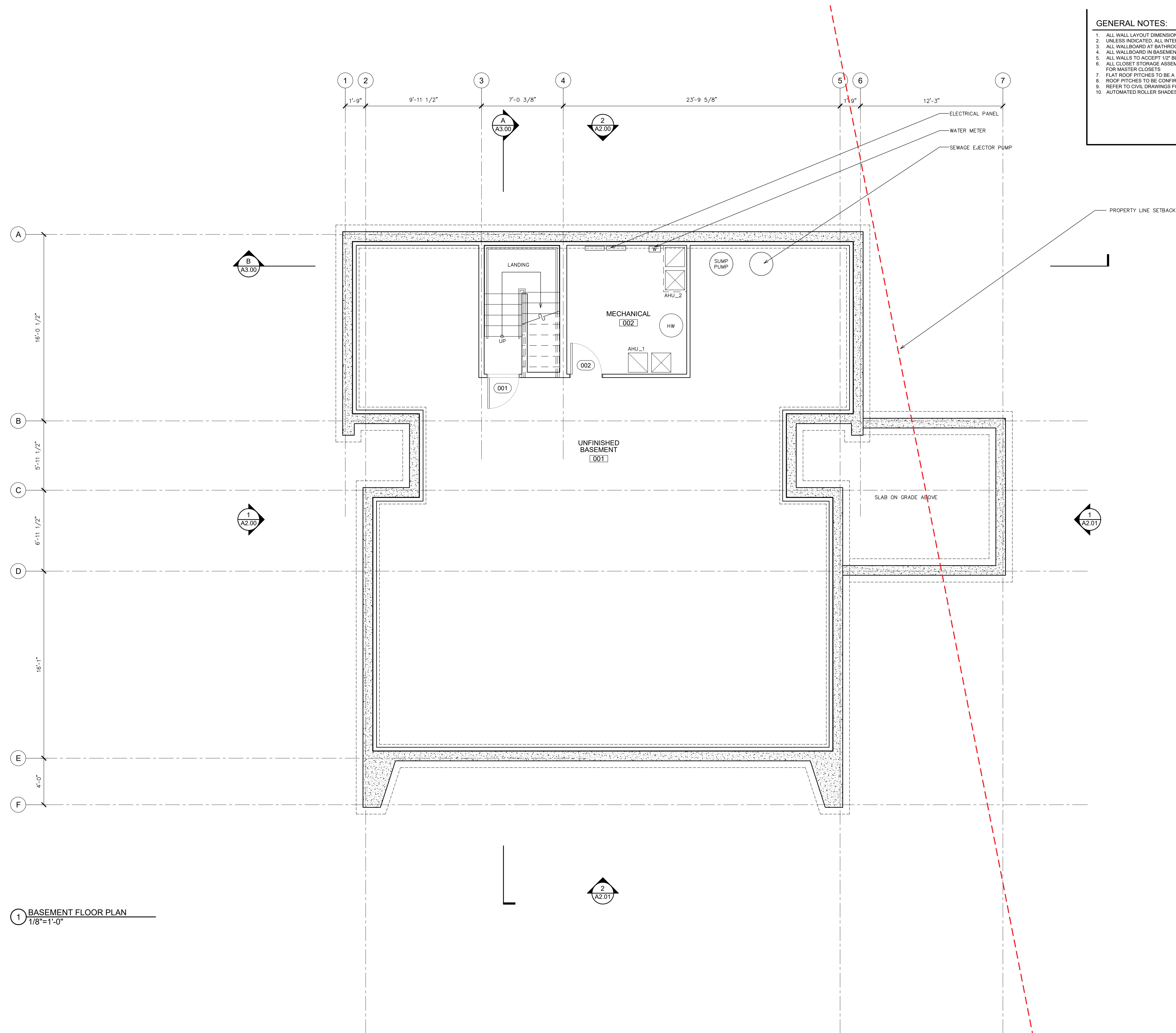
FLAVIN ARCHITECTS

SYMBOL KEY

	EXISTING WALL TO REMAIN	ACT	ACOUSTICAL TILE	INSUL	INSULATION, INSULATED
	NEW WALL	AFF	ABOVE FINISH FLOOR	INT	INTERIOR
	EXISTING WALL TO BE REMOVED	ALUM	ALUMINUM	LAM	LAMINATED
	MASONRY	ANOD	ANODIZED	MAX	MAXIMUM
	CONCRETE	BD	BOARD	MIN	MINIMUM
	WALL TYPE	BITUM	BITUMINOUS	MTL	METAL
	ENLARGED PLAN OR DETAIL INDICATOR	CEM	CEMENT	MW	MILLWORK
	ELEVATION MARKER	CER	CERAMIC	N.I.C.	NOT IN CONTRACT
	SECTION MARKER	CL	CENTER LINE	NOM	NOMINAL (SIZE)
	ROOM NAME AND NUMBER INDICATOR	CLO	CLOSET	OC	ON CENTER
	DOOR SYMBOL	CLR	CLEAR	OD	OUTSIDE DIAMETER
	WINDOW	CMU	CONCRETE MASONRY UNIT	OPNG	OPENING
	PAINT MARKER	COMP	COMPOSITE	OPP	OPPOSITE HAND
	LIMIT OF WORK	CONC	CONCRETE	OSB	ORIENTED STRAND BOARD
	CONSTRUCTION NOTES INDICATOR	CONT.	CONTINUOUS	PLAM	PLASTIC LAMINATE
	ALIGNMENT INDICATOR	CH	HORIZONTAL COURSING	PLWD	PLYWOOD
	INTERIOR ELEVATION MARKER	CV	VERTICAL COURSING	PTD	PAINTED
		DTL	DETAIL	REQD	REQUIRED
		ELEC	ELECTRICAL	SC	SOLID CORE
		ELEV	ELEVATION	SCHED	SCHEDULE
		ENAM	ENAMEL	SF	SQUARE FEET
		ETR	EXISTING TO REMAIN	SIM	SIMILAR TO
		EXST	EXISTING	S.S.	STAINLESS STEEL
		EXT	EXTERIOR	STL	STEEL
		FH	FLAT HEAD (SCREW)	SUSP	SUSPENDED
		FIN	FINISH	TBD	TO BE DETERMINED
		FL	FLUSH	T+G	TONGUE AND GROOVE
		GA	GAUGE	TEL	TELEPHONE
		GALV	GALVANIZED	THOLD	THRESHOLD
		GWB	GYPSPUM WALLBOARD	TYP	TYPICAL
		HC	HOLLOW CORE	VCT	VINYL COMPOSITION TILE
		HD GALV	HOT DIP GALVANIZED	VIF	VERIFY IN FIELD
		HM	HOLLOW METAL	VERT	VERTICAL
		HORIZ	HORIZONTAL	V.P.A.B.	VAPOR-PERMEABLE AIR BARRIER
		HR	HOUR	VT	VINYL TILE
		ID	INSIDE DIAMETER	WD	WOOD
		IG	DOUBLE INSULATED GLASS	WV	WOOD VENEER

DRAWING LIST

DISC	SHEET TITLE	ISSUE DATE
A0.00	COVER SHEET	12 APR 2023
ARCHITECTURAL		
A1.00	BASEMENT PLAN	
A1.01	FIRST FLOOR PLAN	
A1.02	SECOND FLOOR PLAN	
A1.03	ROOF PLAN	
A2.00	EXTERIOR ELEVATIONS	
A2.01	EXTERIOR ELEVATIONS	
A3.00	BUILDING SECTIONS	



- GENERAL NOTES:**
1. ALL WALL LAYOUT DIMENSIONS TO FRAMING.
 2. UNLESS INDICATED, ALL INTERIOR WALLS ARE 2 X 4 FRAMING.
 3. ALL WALL BOARD AT BATHROOMS TO BE WATER RESISTANT, PER SPEC.
 4. ALL WALLBOARD IN BASEMENT TO BE FIBER FACED, PER SPEC.
 5. ALL WALLS TO ACCEPT 1/2" BLUEBOARD W/ PLASTER VENEER.
 6. ALL CLOSET STORAGE ASSEMBLIES TO BE FURNISHED BY G.C. EXCEPT FOR MASTER CLOSETS.
 7. FLAT ROOF PITCHES TO BE A MINIMUM OF 1/4" PER FOOT.
 8. ROOF PITCHES TO BE CONFIRMED/ COORDINATED BY G.C.
 9. REFER TO CIVIL DRAWINGS FOR ALL SITE UTILITY INFORMATION.
 10. AUTOMATED ROLLER SHADES AT ALL NEW WINDOWS U.N.O.

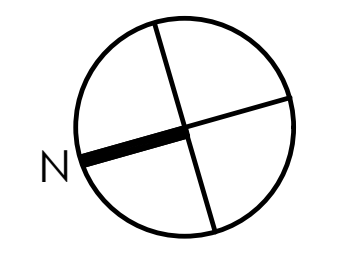
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flavinarchitects.com

STAMSKI AND MCNARY, INC.
CIVIL ENGINEER, SURVEY
1000 MAIN STREET
ACTON, MA 01720
1 (978) 263-8585

STAMP

PROJECT NORTH



PREPARED FOR:
KRISTAN SMITH-PARK
RAINER PARK

PROJECT
**SMITH-PARK
RESIDENCE**

7 PENINSULA RD.,
HARVARD, MA 01451

PROJECT: 22031
Issue Date
ZBA APPLICATION 29 MAR 2023

Approved by Date

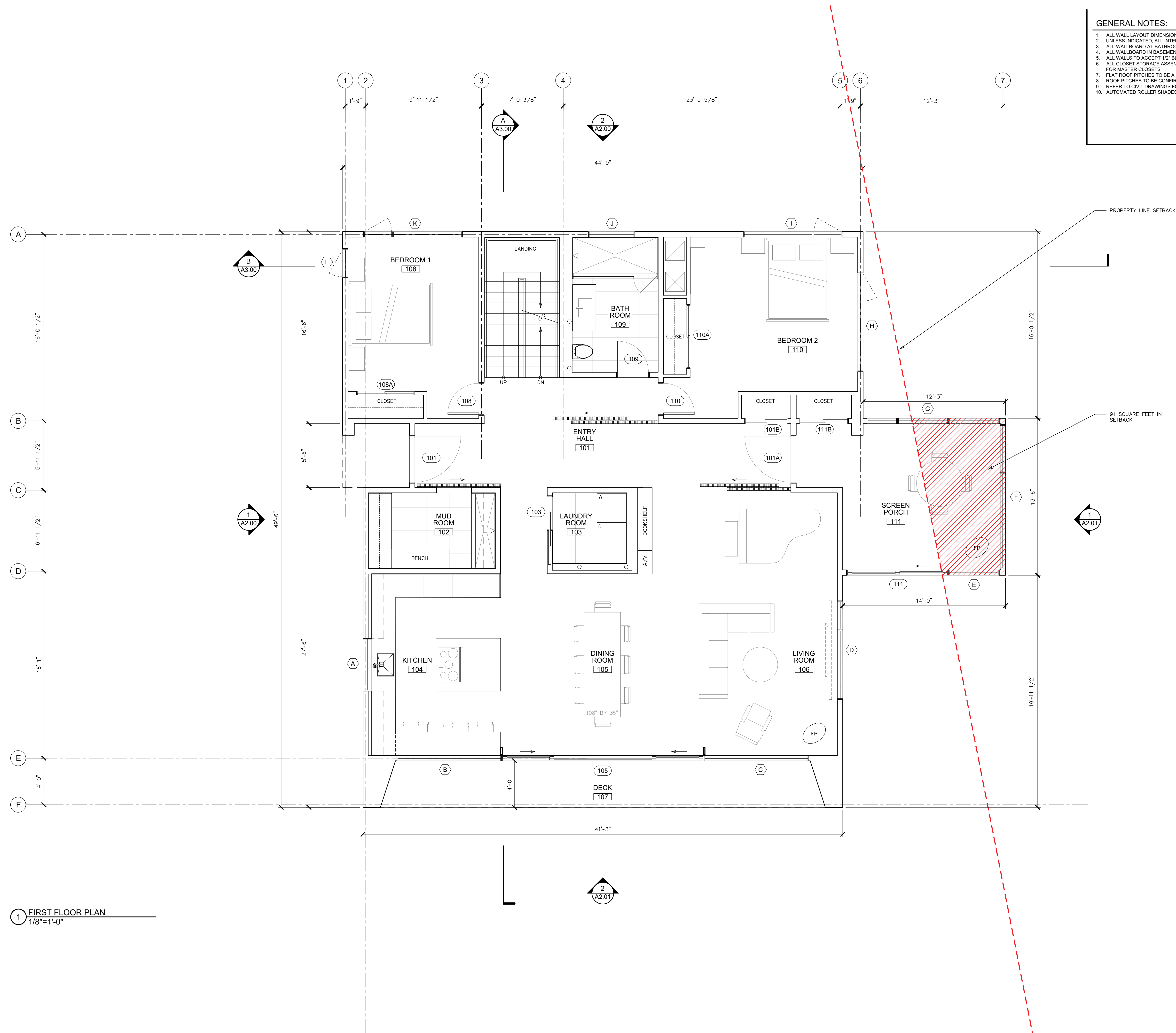
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Project Name/Number: SMITH-PARK RESIDENCE/22031
Cad File Name: 22031-PLAN LL.dwg

**BASEMENT
PLAN**

A1.00

1 BASEMENT FLOOR PLAN
1/8"=1'-0"



- GENERAL NOTES:**
1. ALL WALL LAYOUT DIMENSIONS TO FRAMING.
 2. UNLESS INDICATED, ALL INTERIOR WALLS ARE 2 X 4 FRAMING.
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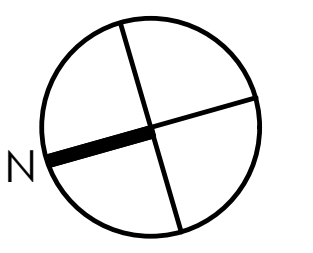
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PROJECT NORTH



PREPARED FOR:

KRISTAN SMITH-PARK
RAINER PARK

PROJECT
**SMITH-PARK
RESIDENCE**

7 PENINSULA RD.,
HARVARD, MA 01451

PROJECT: 22031

Issue Date
ZBA APPLICATION 12 APR 2023

Approved by Date

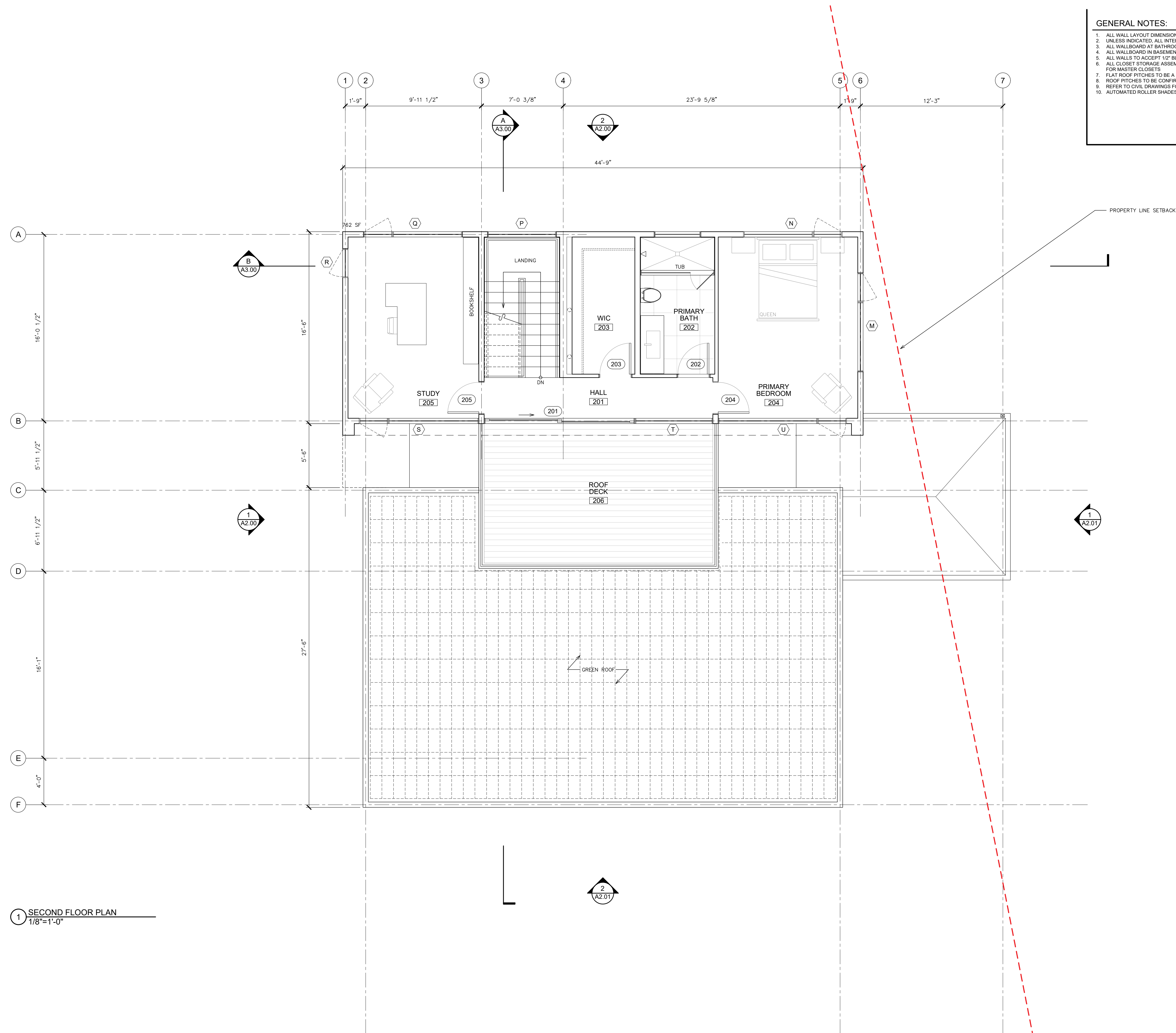
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Project Name/Number: SMITH-PARK-RESIDENCE/22031
Cad File Name: 22031-PLAN.dwg

**FIRST FLOOR
PLAN**

A1.01

1 FIRST FLOOR PLAN
1/8"=1'-0"



- GENERAL NOTES:**
1. ALL WALL LAYOUT DIMENSIONS TO FRAMING.
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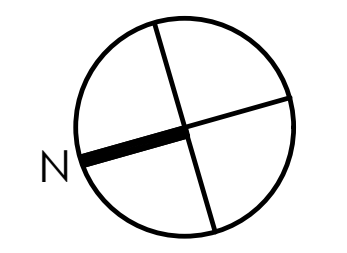
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PROJECT NORTH



PREPARED FOR:
KRISTAN SMITH-PARK
RAINER PARK

PROJECT
**SMITH-PARK
RESIDENCE**

7 PENINSULA RD.,
HARVARD, MA 01451

PROJECT: 22031
Issue Date
ZBA APPLICATION 29 MAR 2023

Approved by Date

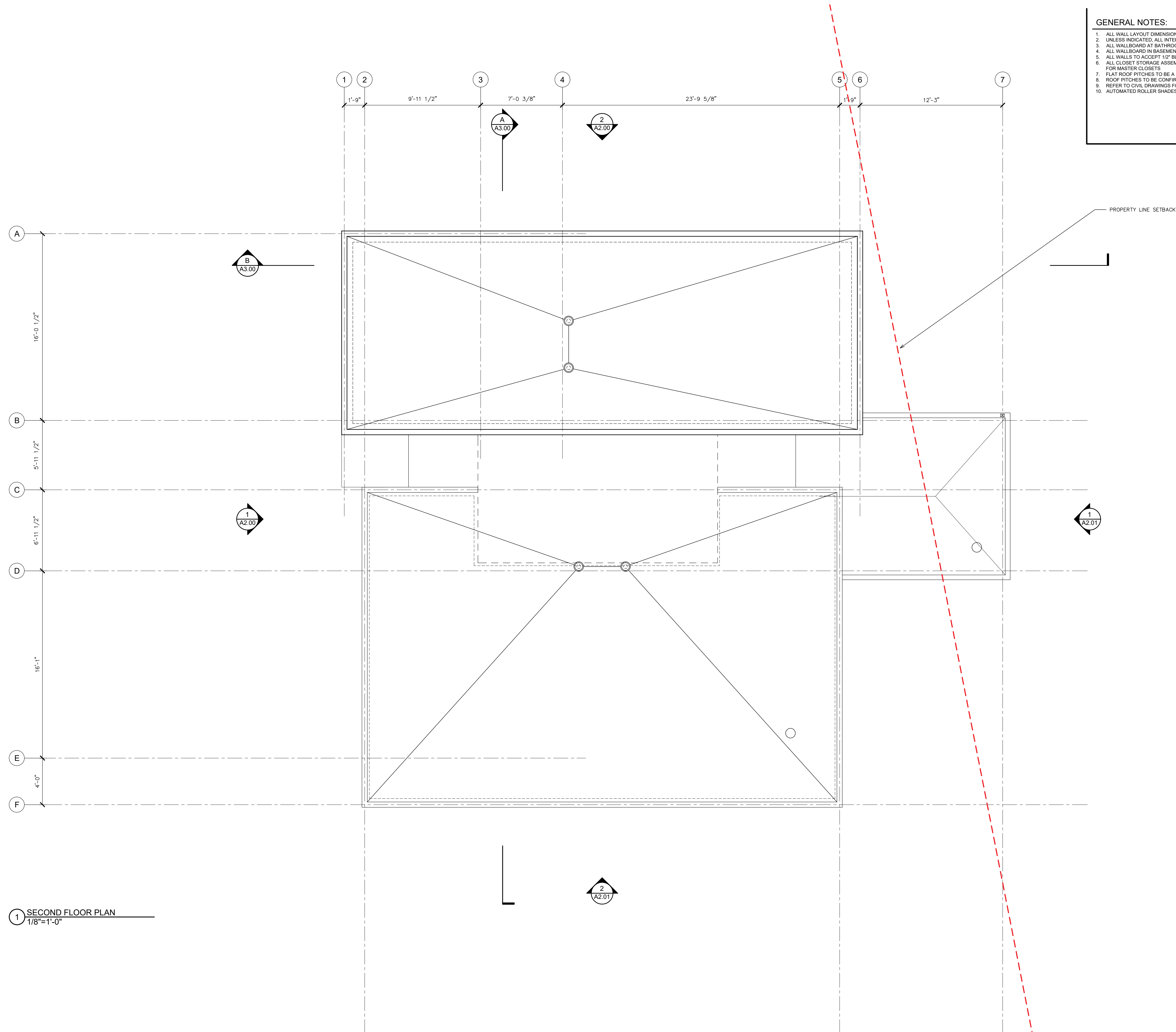
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Project Name/Number: SMITH-PARK RESIDENCE/22031
Cad File Name: 22031-PLAN F2.dwg

**SECOND FLOOR
PLAN**

A1.02

1 SECOND FLOOR PLAN
1/8"=1'-0"



- GENERAL NOTES:**
1. ALL WALL LAYOUT DIMENSIONS TO FRAMING.
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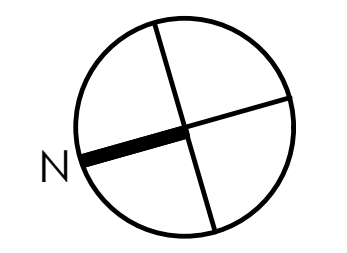
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ACTON, MA 01720
1 (978) 263-8585

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PROJECT NORTH



PREPARED FOR:
KRISTAN SMITH-PARK
RAINER PARK

PROJECT
**SMITH-PARK
RESIDENCE**

7 PENINSULA RD.,
HARVARD, MA 01451

PROJECT: 22031
Issue Date
ZBA APPLICATION 12 APR 2023

Approved by Date

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Project Name/Number: SMITH-PARK RESIDENCE/22031
Cad File Name: 22031-PLAN ROOF.dwg

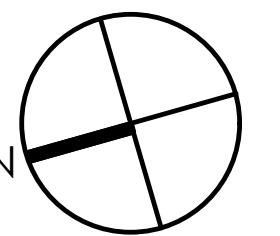
ROOF PLAN

A1.03

1 SECOND FLOOR PLAN
1/8"=1'-0"

STAMP

PROJECT NORTH



PREPARED FOR:

KRISTAN SMITH-PARK
RAINER PARK

PROJECT
**SMITH-PARK
RESIDENCE**

7 PENINSULA RD.,
HARVARD, MA 01451

PROJECT: 22031

Issue	Date
ZBA APPLICATION	12 APR 2023

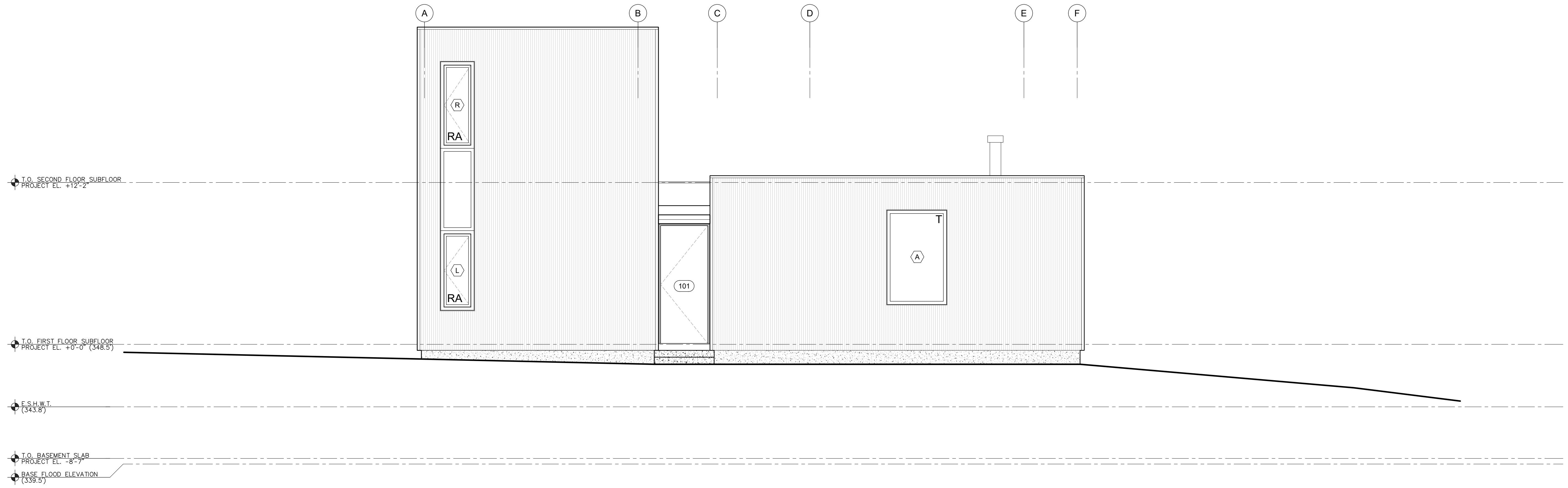
Approved by _____ Date _____

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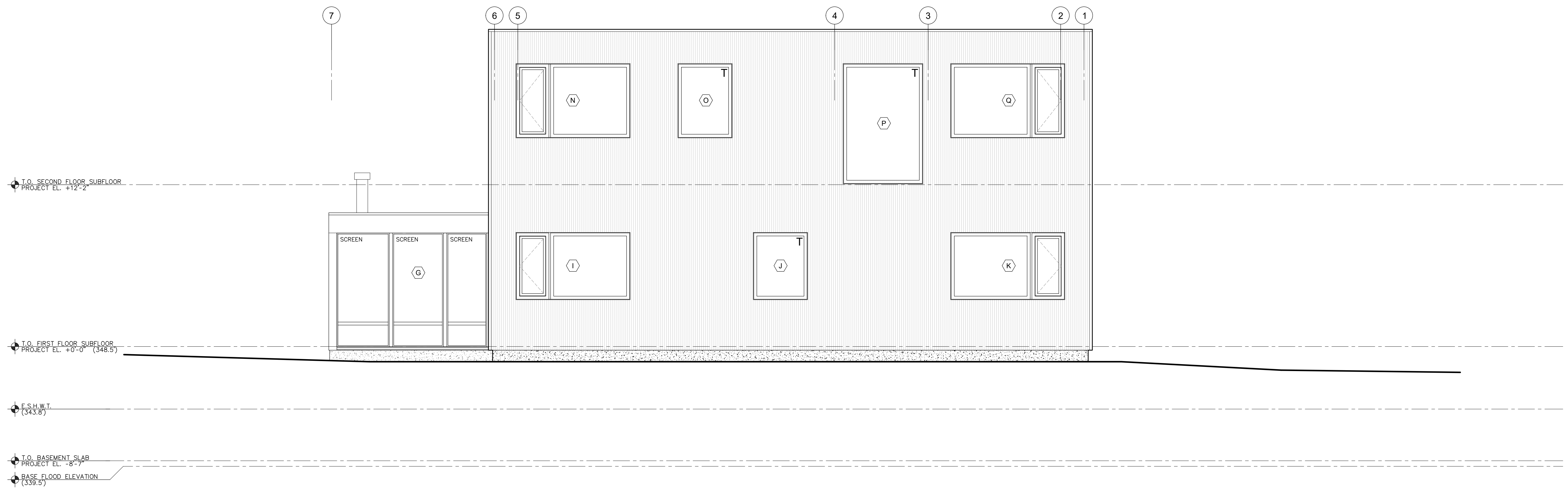
Project Name/Number: SMITH-PARK RESIDENCE/22031
Cad File Name: 22031-ELEVATIONS.dwg

**EXTERIOR
ELEVATIONS**

A2.00



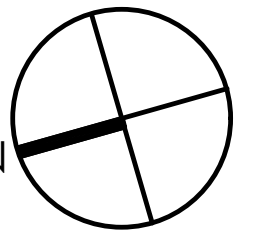
1 NORTH ELEVATION
1/4"=1'-0"



2 EAST ELEVATION
1/4"=1'-0"

STAMP

PROJECT NORTH



PREPARED FOR:

KRISTAN SMITH-PARK
RAINER PARK

PROJECT
**SMITH-PARK
RESIDENCE**

7 PENINSULA RD.,
HARVARD, MA 01451

PROJECT: 22031

Issue	Date
ZBA APPLICATION	12 APR 2023

Approved by _____ Date _____

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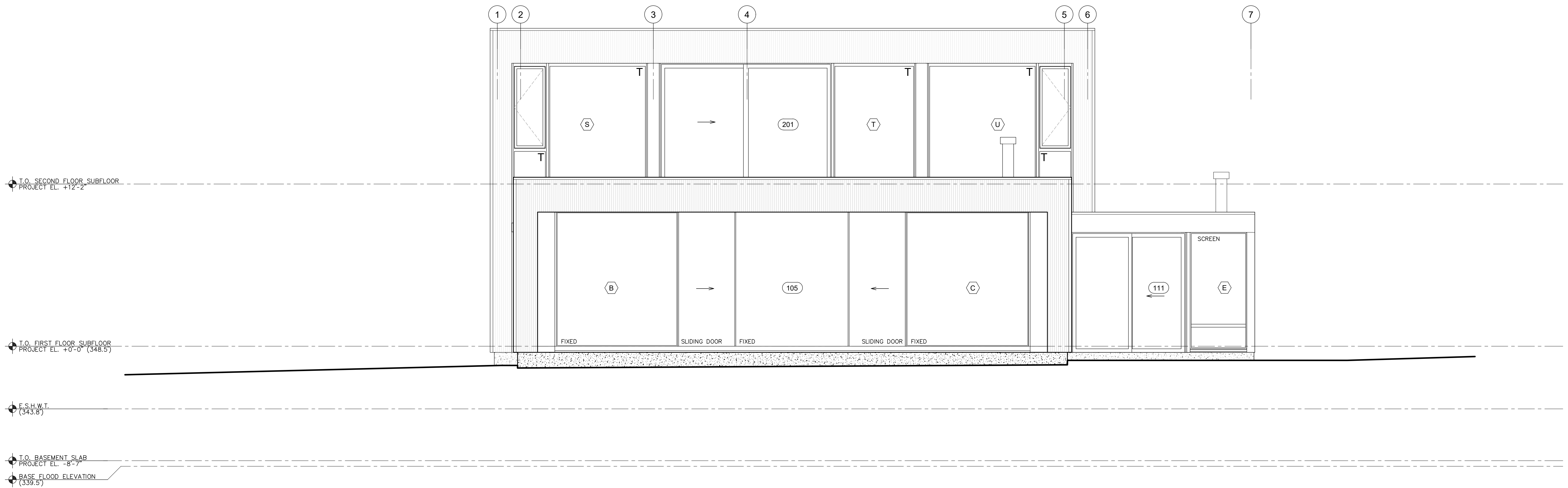
Project Name/Number: SMITH-PARK RESIDENCE/22031
Cad File Name: 22031-ELEVATIONS.dwg

**EXTERIOR
ELEVATIONS**

A2.01



1 SOUTH ELEVATION
1/4"=1'-0"



2 WEST ELEVATION
1/4"=1'-0"

STAMP

PROJECT NORTH

PREPARED FOR:

KRISTAN SMITH-PARK
RAINER PARK

PROJECT
**SMITH-PARK
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7 PENINSULA RD.,
HARVARD, MA 01451

PROJECT: 22031

Issue	Date
ZBA APPLICATION	12 APR 2023

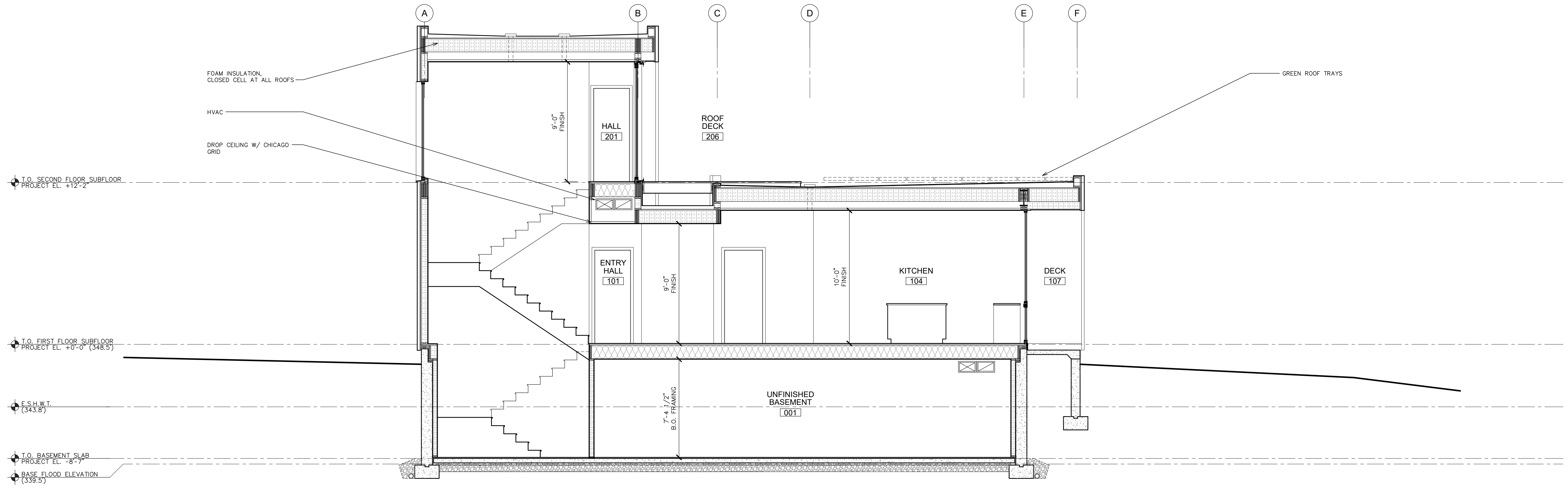
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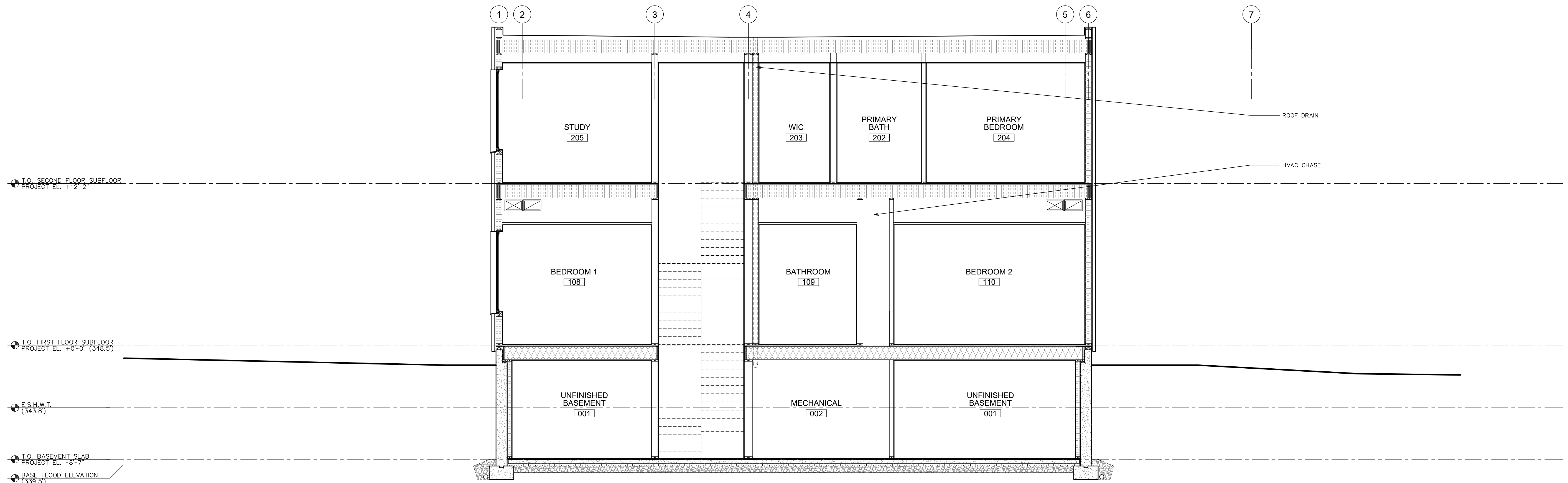
Project Name/Number: SMITH-PARK RESIDENCE/22031
Cad File Name: 22031-SEC-BLDG.dwg

**BUILDING
SECTIONS**

A3.00



A BUILDING SECTION
1/4"=1'-0"



B BUILDING SECTION
1/4"=1'-0"



Abutters List Report
Town of Harvard, MA

Date: April 3, 2023
Parcel Number: 021-008-000
Property Address: 200 Still River Rd
Abutters To: 300ft

The above Certified Abutters List is a true copy of the records in the Town of Harvard Assessor's office for the last known names and addresses of owners of land located within the above stated range of the subject property.

Signed: Carol Dearborn

Date: 4/3/23

Carol Dearborn
Assistant Assessor
(978) 456-4100 x315

FINANCE DEPARTMENT - ACCOUNTANT, ASSESSORS, TREASURER/COLLECTOR
13 Ayer Road, Harvard, Massachusetts 01451-1458
www.harvard-ma.gov



200 STILL RIVER RD

Town of Harvard, MA

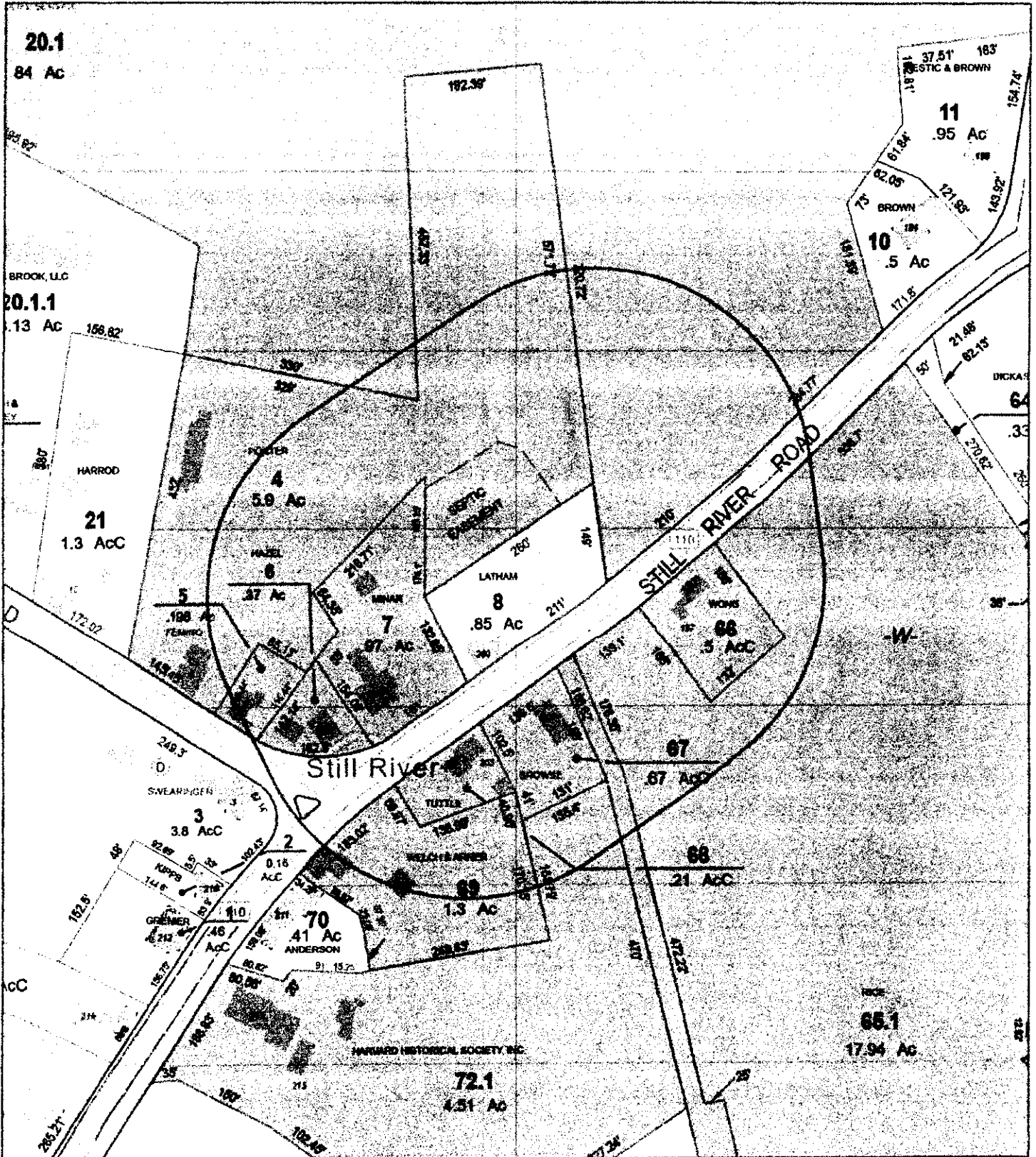
1 inch = 188 Feet



CAI Technologies
Precision Mapping. Geospatial Solutions.

www.cai-tech.com

April 3, 2023



Data shown on this map is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this map.



300 feet Abutters List Report

Harvard, MA
April 03, 2023

Subject Property:

Parcel Number: 021-008-000-000
CAMA Number: 021-008-000-000
Property Address: 200 STILL RIVER RD

Mailing Address: LATHAM, ALEXANDER M & LOUISA C
200 STILL RIVER ROAD
HARVARD, MA 01451

Abutters:

Parcel Number: 020-020-001-000
CAMA Number: 020-020-001-000
Property Address: DEPOT RD-STILL RIVER

Mailing Address: US FISH AND WILDLIFE SERVICE
73 WEIR HILL RD
SUDBURY, MA 01776

Parcel Number: 021-004-000-000
CAMA Number: 021-004-000-000
Property Address: 6 DEPOT RD-STILL RIVER

Mailing Address: THE SARAH R PORTER 2006
REVOCABLE TRUST
PO BOX 206
STILL RIVER, MA 01467

Parcel Number: 021-005-000-000
CAMA Number: 021-005-000-000
Property Address: 4 DEPOT RD-STILL RIVER

Mailing Address: FEMINO, SANDRA MARIE
PO BOX 7
STILL RIVER, MA 01467

Parcel Number: 021-006-000-000
CAMA Number: 021-006-000-000
Property Address: 206 STILL RIVER RD

Mailing Address: HAZEL, NANCY J & WILLIAM T
150 AYER RD
HARVARD, MA 01451

Parcel Number: 021-007-000-000
CAMA Number: 021-007-000-000
Property Address: 204 STILL RIVER RD

Mailing Address: MINAR, RUDOLF J & KARA MCGUIRE
MINAR
PO BOX 204
STILL RIVER, MA 01467

Parcel Number: 021-065-001-000
CAMA Number: 021-065-001-000
Property Address: 199 STILL RIVER RD

Mailing Address: METCALF, THOMAS III
PO BOX 796
HARVARD, MA 01451

Parcel Number: 021-065-002-000
CAMA Number: 021-065-002-000
Property Address: 0 STILL RIVER RD

Mailing Address: THEODORE W MAXANT TRUSTEE OF
THE
PO BOX 11 53 WILLARD LANE
STILL RIVER, MA 01467

Parcel Number: 021-066-000-000
CAMA Number: 021-066-000-000
Property Address: 197 STILL RIVER RD

Mailing Address: D'ARCONTE, ADRIENNE A.
202 ARMINGTON ST
CRANSTON, RI 02905

Parcel Number: 021-067-000-000
CAMA Number: 021-067-000-000
Property Address: 201 STILL RIVER RD

Mailing Address: NICHOLAS BROWSE & CARYL GRAHAM
BROWSE
PO BOX 187
STILL RIVER, MA 01467

Parcel Number: 021-068-000-000
CAMA Number: 021-068-000-000
Property Address: 203 STILL RIVER RD

Mailing Address: TUTTLE, LEIGH D & SHARLENE F
PO BOX 156
STILL RIVER, MA 01467



www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.



300 feet Abutters List Report

Harvard, MA
April 03, 2023

Parcel Number: 021-069-000-000
CAMA Number: 021-069-000-000
Property Address: 207 STILL RIVER RD

Mailing Address: WELSH, ERIC S & ARNER, JENNIFER M
P.O. BOX 118 STILL RIVER
HARVARD, MA 01467

Parcel Number: 021-072-001-000
CAMA Number: 021-072-001-000
Property Address: 213 STILL RIVER RD

Mailing Address: HARVARD HISTORICAL SOCIETY INC
PO BOX 542
HARVARD, MA 01451



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4/3/2023

Page 2 of 2

D'ARCONTE, ADRIENNE A.
202 ARMINGTON ST
CRANSTON, RI 02905

US FISH AND WILDLIFE SERV
73 WEIR HILL RD
SUDBURY, MA 01776

FEMINO, SANDRA MARIE
PO BOX 7
STILL RIVER, MA 01467

WELSH, ERIC S & ARNER, JE
P.O. BOX 118 STILL RIVER
HARVARD, MA 01467

HARVARD HISTORICAL SOCIET
PO BOX 542
HARVARD, MA 01451

HAZEL, NANCY J & WILLIAM
150 AYER RD
HARVARD, MA 01451

METCALF, THOMAS III
PO BOX 796
HARVARD, MA 01451

MINAR, RUDOLF J & KARA MC
PO BOX 204
STILL RIVER, MA 01467

NICHOLAS BROWSE & CARYL G
PO BOX 187
STILL RIVER, MA 01467

THE SARAH R PORTER 2006 R
PO BOX 206
STILL RIVER, MA 01467

THEODORE W MAXANT TRUSTEE
PO BOX 11
53 WILLARD LANE
STILL RIVER, MA 01467

TUTTLE, LEIGH D & SHARLEN
PO BOX 156
STILL RIVER, MA 01467

**TOWN OF HARVARD ZONING BOARD OF APPEALS
APPLICATION FOR A HEARING**

Please review the Board of Appeals' Regulations, Chapter 135, The Code of the Town of Harvard, prior to filling out this Application for Hearing. This application, along with the appropriate documents and filing fee, must be filed in the office of the Town Clerk.

Name of Applicant: Alexander and Louisa Latham
 Mailing Address: 200 Still River Rd., Harvard, MA 01451
 Telephone Number: 978 994 4914 Email Address: alexander.latham@gmail.com

Applicant is (check one): Owner Tenant Licensee Prospective Buyer

Location of Property: 200 Still River Rd. Assessors Map 21 Parcel: 8

Registry of Deeds: Book Number 50573 Page Number 144 Certificate Number _____

Owner's Name: Same Tel. No.: Same
 (If different than Applicant)

Owner's Address: Same

Representative: Nancy Dickinson
Dickinson Architects Tel. No.: 978 341 8267

Application (which includes required plans and abutters list) is for:

- | | |
|---|---------------------------------|
| <input type="checkbox"/> Variance (16 copies) | Fee: \$150.00 + \$6.00/ abutter |
| <input checked="" type="checkbox"/> Special Permit (16 copies) | Fee: \$200.00 + \$6.00/abutter |
| <input type="checkbox"/> Modification/Extension (16 copies) | Fee: \$100.00 + \$6.00/abutter |
| <input type="checkbox"/> Failure to Enforce Administrative Appeal (16 copies) | Fee: \$130.00 |
| <input type="checkbox"/> Other Administrative Appeals (16 copies) | Fee: \$175.00 |
| <input type="checkbox"/> Comprehensive Permit (20 copies) | Fee: 500.00/unit |

Specific Bylaw section (s) being applied for: 135-25, 125-3B(2) b

Nature of Application and Justification of Request: Requesting to add onto a pre existing non conforming one family dwelling. we will not be increasing the existing non-conformity and the addition will not be substantially more detrimental to the neighborhood. See attachment for more detail.

The undersigned certifies that he/she has read and examined this application and the Harvard Zoning Board of Appeals Rules and Regulations, Chapter 135 of the Code of the Town of Harvard, and that the proposed project is accurately represented in the statements made in the application.

The applicant will be required to pay a local newspaper of general circulation for the current cost of advertising the hearing. The applicant will be billed directly from the newspaper for the cost of the advertised hearing or all advertising must be paid for in full prior to submittal to the newspaper.

I hereby request a hearing before the Board of Appeals with reference to the above application.

<u>[Signature]</u> Property Owner's Signature (REQUIRED)	<u>4/4/23</u> Date
<u>[Signature]</u> Property Owner's Signature (REQUIRED)	<u>4/4/2023</u> Date
<u>[Signature]</u> Applicant's Signature (if different from owner)	<u>04/03/23</u> Date



P.O. Box 704, 91 Main Street, Concord, MA 01742
978-341-8267, DickinsonArc.Com

April 4, 2023

Zoning Board of Appeals
Town Hall, 13 Ayer Road
Harvard, MA 01451

Special Permit Application For:
Additions to Latham Residence
200 Still River Road, Harvard, MA 01451

135-10: WRITTEN STATEMENT:

Louisa and Alexander Latham reside at 200 Still River Road in Harvard, MA. They are proposing adding a mudroom, front porch, unheated garage and workshop, with storage above on the east side of their house, a bedroom over the existing 3 season sunroom, and extending their existing deck. Their house was built around 1800, before the zoning by-law was enacted. It became non-conforming with the creation of the zoning by-law. This house is pre-existing non-conforming because it sits entirely beyond the current required front setback. An existing 4 bedroom mounded septic system sits behind the house. The garage addition will be located further away from the existing front property line than the existing house. The addition will not be substantially more detrimental than the existing house because we will not be closer to the front property line than the existing house. The gross SF will increase from 3,680 sf to 4,621 sf, resulting in a 25% increase. Of the nearby houses, 2 have more gross square footage (8,835 and 5,546 sf), one has similar gross square footage, and three house have less gross sf (2,585, 2,416 and 2447). Therefore, the proposed amount of square footage will fit in with the scale of the neighborhood. Cedar shingles, instead of clapboards and awning windows will make the garage resemble a barn, which will help it look like it belongs with an historic house.

The new driveway will be safer for traffic because the owners will not have to back up onto Still River road (as they do now). The use of the property will remain as single family. The number of bedrooms will remain as 4. There will be no new vibrations or noises due to change of use or increase in occupancy. If the project is to go forward, construction will only take place during weekdays, between 7:00 am and 4:00 pm, for a finite period. The new asphalt driveway will have a 2' gravel shoulder which will help keep rainwater on site. In conclusion, we do not believe that the proposed addition will be more detrimental to the neighborhood than the existing non-conforming house because we are not getting closer to the existing front property line, and the size, scale, massing and style of the addition will be in harmony nearby properties. Also, no new noises, uses or traffic will interfere with the peace of the neighborhood. This addition does not qualify to be de minimus because we are requesting to add more than 15% to the footprint.

Respectfully,

A handwritten signature in blue ink, appearing to read "Nancy Dickinson", is written over the typed name.

Nancy Dickinson, AIA

Enclosures

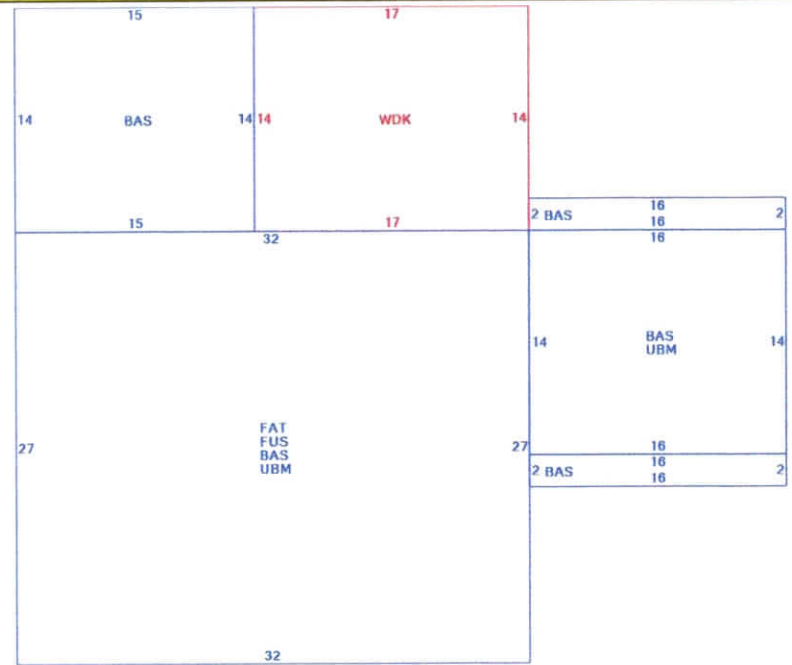
CURRENT OWNER		TOPO		UTILITIES		STRT / ROAD		LOCATION		CURRENT ASSESSMENT				125 HARVARD, MA VISION				
LATHAM, ALEXANDER M & LOUISA C 200 STILL RIVER ROAD HARVARD MA 01451		1	Level	5	Well	3	Med Traffic	3	Rural	Description	Code	Appraised	Assessed					
				6	Septic	6	Paved			RESIDNTL	1010	403,000	403,000					
						T	Two Way			RES LAND	1010	217,500	217,500					
SUPPLEMENTAL DATA										RES OB	1010	1,500	1,500					
Alt Prcl ID 1250210000800000		House Col YELLOW		Field Chec		Assoc Pid#				Total		622,000	622,000					
GIS ID M_190445_915814																		
RECORD OF OWNERSHIP				BK-VOL/PAGE	SALE DATE	Q/U	V/I	SALE PRICE	VC	PREVIOUS ASSESSMENTS (HISTORY)								
LATHAM, ALEXANDER M & LOUISA C				50573 0144	03-12-2013	Q	I	445,000	00	Year	Code	Assessed	Year	Code	Assessed V	Year	Code	Assessed
DANGELO, JAMES P & KIMBERLY A				46191 0061	08-20-2010	Q	I	440,000	00	2022	1010	358,800	2021	1010	291,500	2020	1010	247,900
CORDEIRO, CHARLES B JR & BONNIE				26256 0140	03-28-2002	Q	I	360,000	00		1010	202,500		1010	202,500		1010	202,500
NOGLER, ESTATE OF, BARD, THOMAS B & NOGLER, ALFRED L, SR				20308 0044	08-17-1998	U	I	100,000	1A		1010	1,200		1010	1,200		1010	1,200
				16696 0396	11-10-1994	U	I	1	1A	Total		562,500	Total		495,200	Total		451,600
EXEMPTIONS				OTHER ASSESSMENTS				This signature acknowledges a visit by a Data Collector or Assessor										
Year	Code	Description	Amount	Code	Description	Number	Amount	Comm Int										
Total			0.00															
ASSESSING NEIGHBORHOOD										APPRaised VALUE SUMMARY								
Nbhd	Nbhd Name		B	Tracing		Batch												
1																		
NOTES										APPRaised VALUE SUMMARY								
3/13 PER MLS FSP NOW HEATED RM/CHGD										Appraised Bldg. Value (Card) 403,000								
										Appraised Xf (B) Value (Bldg) 0								
										Appraised Ob (B) Value (Bldg) 1,500								
										Appraised Land Value (Bldg) 217,500								
										Special Land Value 0								
										Total Appraised Parcel Value 622,000								
										Valuation Method C								
										Total Appraised Parcel Value 622,000								
BUILDING PERMIT RECORD										VISIT / CHANGE HISTORY								
Permit Id	Issue Date	Type	Description	Amount	Insp Date	% Comp	Date Comp	Comments		Date	Id	Type	Is	Cd	Purpost/Result			
08-099	07-07-2008	RS	Residential	800		100	12-08-2008	CONST CHIMNEY ENCLOSU		12-06-2016	DH	X		C	Cyclical Insp			
										05-17-2011	LC	C	O	A	Appeal			
										08-28-2008	AM	C	O	C	Cyclical Insp			
										01-05-1996	CLT	R	M	A	Appeal			
LAND LINE VALUATION SECTION																		
B	Use Code	Description	Zone	Land Type	Land Units	Unit Price	Size Adj	Site Index	Cond.	Nbhd.	Nbhd. Adj	Notes		Location Adjustment		Adj Unit P	Land Value	
1	1010	Single Fam	AR	Primary	0.850 AC	225,000.00	1.13725	P	1.00	30	1.000			1.0000			217,500	
Total Card Land Units					0.85	AC	Parcel Total Land Area			0.85	Total Land Value					217,500		

As of January 1, 2022

CONSTRUCTION DETAIL			CONSTRUCTION DETAIL (CONTINUED)		
Element	Cd	Description	Element	Cd	Description
Style:	63	Antique			
Model	01	Residential			
Grade:	05	Good			
Stories:	2.5	2.5 Stories			
Occupancy	1				
Exterior Wall 1	11	Clapboard			
Exterior Wall 2					
Roof Structure:	03	Gable/Hip			
Roof Cover	03	Asph/F Gls/Cmp			
Interior Wall 1	03	Plastered			
Interior Wall 2					
Interior Flr 1	12	Hardwood			
Interior Flr 2					
Heat Fuel	02	Oil			
Heat Type:	04	Forced Air-Duc			
AC Type:	01	None			
Total Bedrooms	04	4 Bedrooms			
Total Bthrms:	1				
Total Half Baths	1				
Total Xtra Fixtrs	1				
Total Rooms:	7				
Bath Style:	02	Modern			
Kitchen Style:	02	Modern			
# of Kitchens	1				
Fireplaces	0				

CONDO DATA			
Parcel Id		C	Owne
		B	S
Adjust Type	Code	Description	Factor%
Condo Flr			
Condo Unit			

COST / MARKET VALUATION	
Building Value New	575,724
Year Built	1700
Effective Year Built	
Depreciation Code	G
Remodel Rating	
Year Remodeled	
Depreciation %	30
Functional Obsol	
External Obsol	
Trend Factor	1.000
Condition	
Condition %	
Percent Good	70
RCNLD	403,000
Dep % Ovr	
Dep Ovr Comment	
Misc Imp Ovr	
Misc Imp Ovr Comment	
Cost to Cure Ovr	
Cost to Cure Ovr Comment	



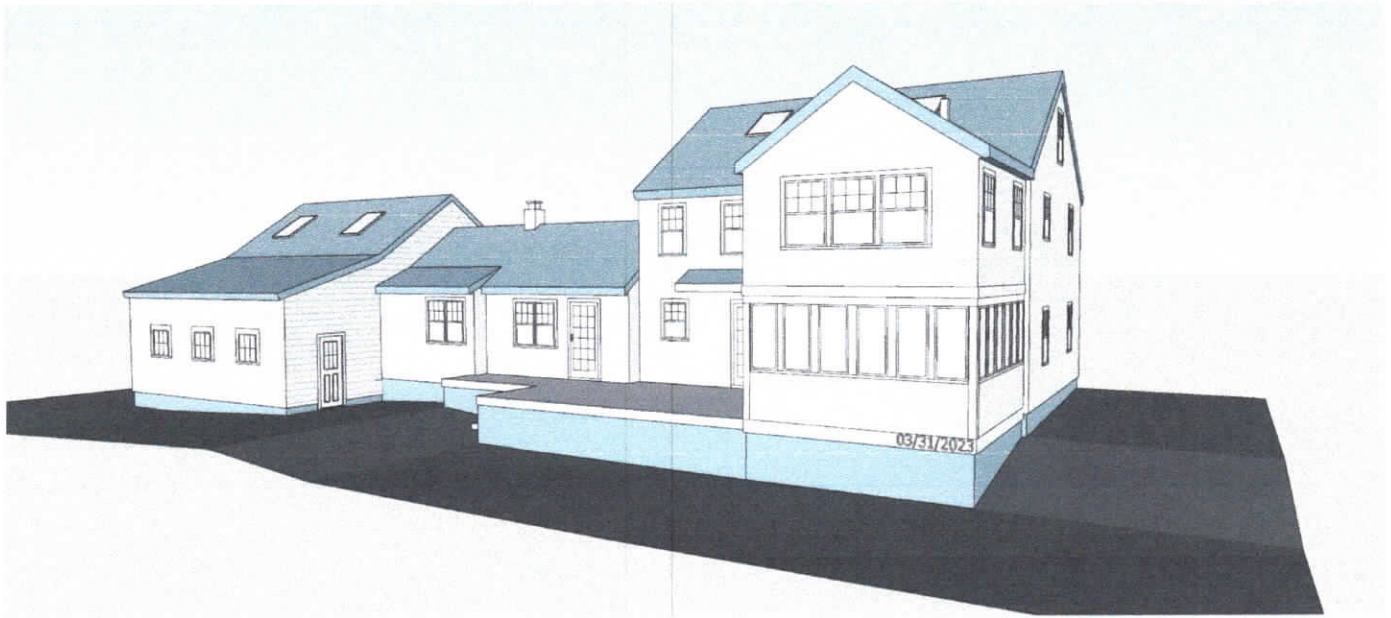
OB - OUTBUILDING & YARD ITEMS(L) / XF - BUILDING EXTRA FEATURES(B)

Code	Description	L/B	Units	Unit Price	Yr Bld	Cond. Cd	% Gd	Grade	Grade Adj.	Appr. Value
SHD1	Shed	L	120	15.00	2000		B1		0.00	1,500

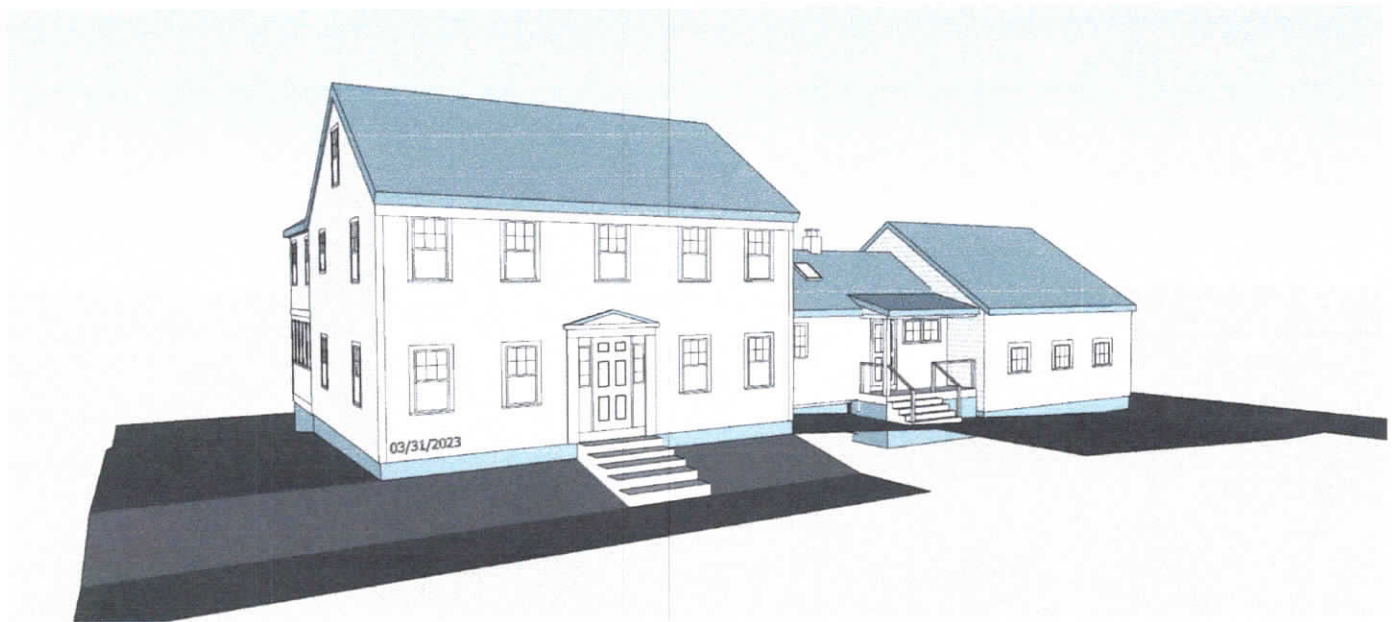
BUILDING SUB-AREA SUMMARY SECTION

Code	Description	Living Area	Floor Area	Eff Area	Unit Cost	Undeprec Value
BAS	First Floor	1,362	1,362	1,362	203.21	276,775
FAT	Attic, Finished	259	864	259	60.92	52,632
FUS	Upper Story, Finished	864	864	864	203.21	175,576
UBM	Basement, Unfinished	0	1,088	218	40.72	44,300
WDK	Deck, Wood	0	238	36	30.74	7,316
Ttl Gross Liv / Lease Area		2,485	4,416	2,739		556,599





BACK

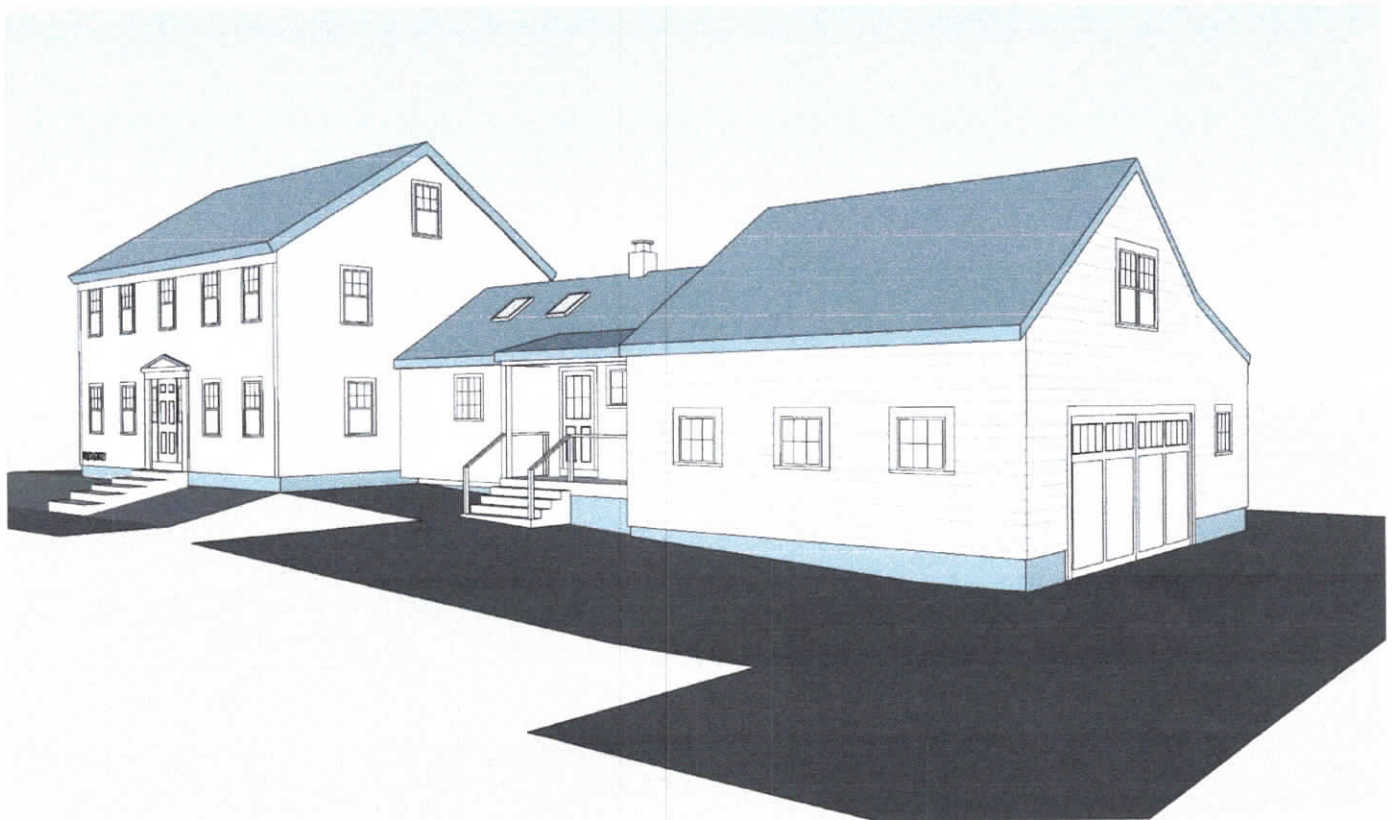


FRONT

200 STILL RIVER RD.



BACK



FRONT

200 STILL RIVER RD



EXISTING BACK

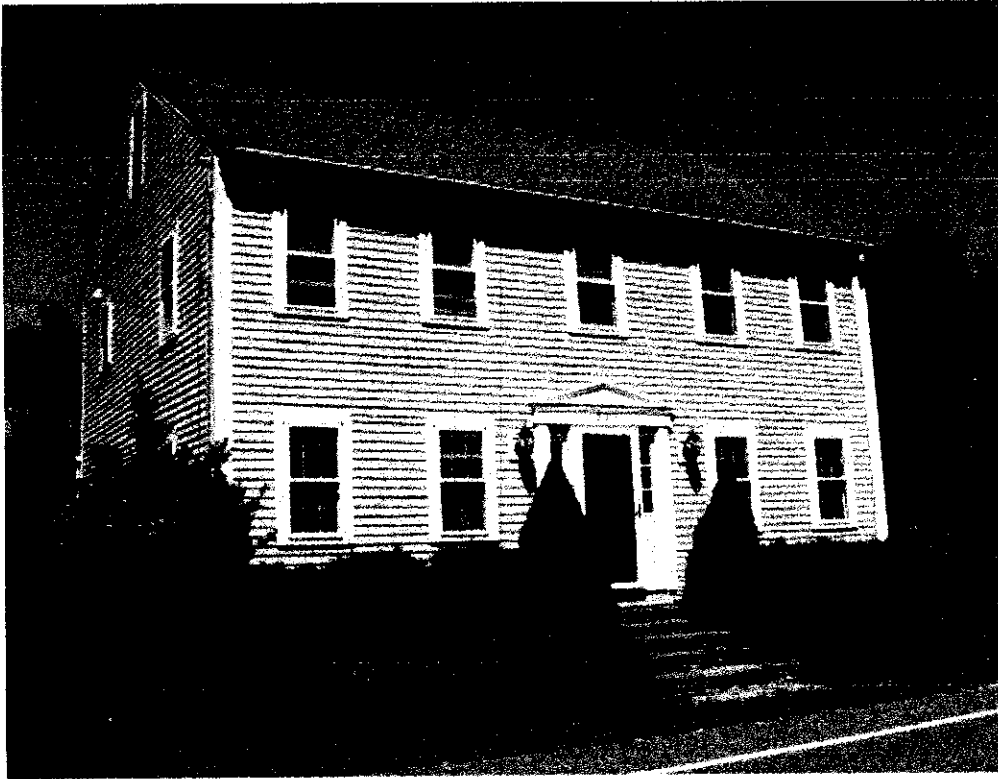


EXISTING FRONT

200 STILL RIVER RD.

Joseph G. Harwood House (1800)

by Dan / February 4, 2014 / Federal, Harvard, Houses



In the late eighteenth-century, a farming community developed along Still River Road in Harvard. The house at 200 Still River Road was built around 1800 by Joseph G. Harwood, who had obtained a license to sell alcohol. Around 1850 the house was acquired by William F. Bateman, who was postmaster of Still River (also a librarian). His widow, Louisa H. Bateman, took over his postmaster duties after his death in 1877. In the 1890s, the house was acquired by Amos H. Keyes and in 1907 by Arthur Hunter, an engineer with the Boston & Albany railroad. It was then owned by F. S. Savage, Sr., author of *Memoirs of Old Harvard Days* (1924). Savage also sold real estate. For many years it was a double house with a long garage addition on the northeast side. It has since been converted to a single-family home, with a new front entry molding and the old addition shortened.

DESIGN DATA

1. Hydraulic Loading

4 Bedrooms at 110 gallons per day per bedroom = 440 G.P.D.

2. Septic Tank Size

Average daily flow = $440 \times 200\% = 880$ gallons (minimum)
 Septic tank provided = 1500 Gallons

3. Design percolation rate = 2.0 M.P.I. (Soil Class)

Effluent Loading Rate = 3.55 gallons/S.F.

4. Leaching Area

Primary Leaching Area

Total area provided = 832 s.f. \times 0.53 gal./S.F. = 452.4 gal.

Minimum size leaching area allowed under the Town of HARVARD

Board of Health requirement is N/A square feet.

Reserve Leaching Area

Design percolation rate = _____ M.P.I. (Soil Class)

Effluent loading rate = _____ gallons / S.F.

Total area provided = _____ S.F. \times _____ gal./S.F. = _____ gal.

Invert at beginning leaching line = _____

Invert at end of leaching line = _____

Elevation of S.A.S. Bottom = _____

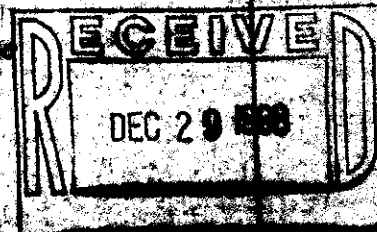
_____ W _____ Denotes water service

_____ P _____ Denotes approximate property line

_____ O.W. _____ Denotes overhead wires

_____ D _____ Denotes storm drain pipe

_____ ■ _____ Denotes catch basin



AS-BUILT PLAN regulated structure



NO.	DATE	DESCRIPTION	BY
1	9/5/88	REVISED AS-BUILT DATA	MDM
		EXAMINED TO ACTUAL FIELD DATA	GGB
DESIGN BY: GGB		DRAWN BY: GGB	CHECKED BY: GGB

AS-BUILT SEWAGE DISPOSAL SYSTEM

200 STILL RIVER ROAD

HARVARD, MA

PREPARED FOR: **TOM BARD**
 275 NEW HEBBARD ST
 WILMINGTON, MA 02147

TEL: (617) 305-7288

SCALE: 1" = 20'

DATE: 6/5/88

DUCHARME & WHEELER, INC.

1092 MAIN STREET, P.O. BOX 427, BOLTON, MA, 01740

THIS PLAN IS NOT TO BE USED FOR THE ESTABLISHMENT OF PROPERTY LINES, ERECTION OF FENCES, LANDSCAPING

N/F
Porter

Certified Plot Plan

200 Still River Road Harvard, Mass.

STREET

TOWN

EXISTING SEPTIC SYSTEM AND GRADING EASEMENT
(PL. BK. 774-51) 273.71'

13.63'

SURVEYOR

SHED

FENCE

200 Still River Road
BK.50573-144
35,028± SQ. FT.

NOTE: FOR DIMENSIONS OF THE PROPOSED ADDITIONS SEE PLAN BY DICKINSON ARCHITECTS, LLC DATED MARCH, 2023.

I certify that the existing house and proposed additions are located on the lot as shown.
I further certify that the existing house and proposed additions are located within Flood Zone "X" (unshaded) per Flood Insurance Rate Map (FIRM) for the Town of Harvard, Community Panel No.250308 0476 E dated July 4, 2011.

BUILDING SETBACK LINE

APPROXIMATE LOCATION EXISTING SEPTIC SYSTEM

PROPOSED DECK EXPANSION

EX. SHED (TO BE MOVED)

N/F
Minar

Ex. House #200

Prop. Addition

N/F
US Fish & Wildlife Service

FND CB W/DH

PROP. UNCOVERED STEPS

10" CHERRY

PROP. COVERED PORCH

MAILBOX

EX. CATCH BASIN

Zoning Classification: Agriculture-Residential
Scale: 1"=20'

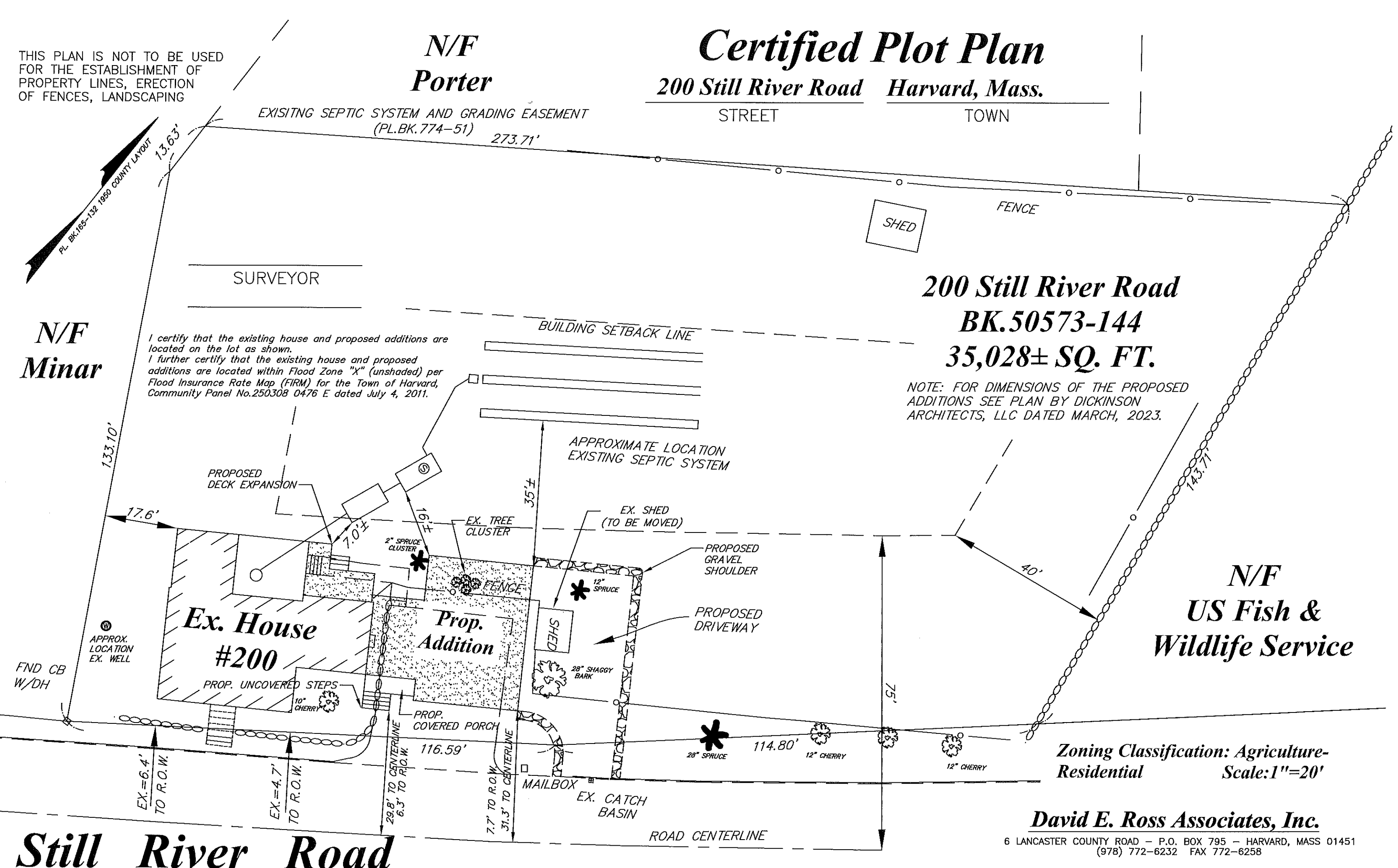
David E. Ross Associates, Inc.

6 LANCASTER COUNTY ROAD - P.O. BOX 795 - HARVARD, MASS 01451
(978) 772-6232 FAX 772-6258

Still River Road

REFERENCES: Job #34260, NB843-3

PLAN NO. S-15248

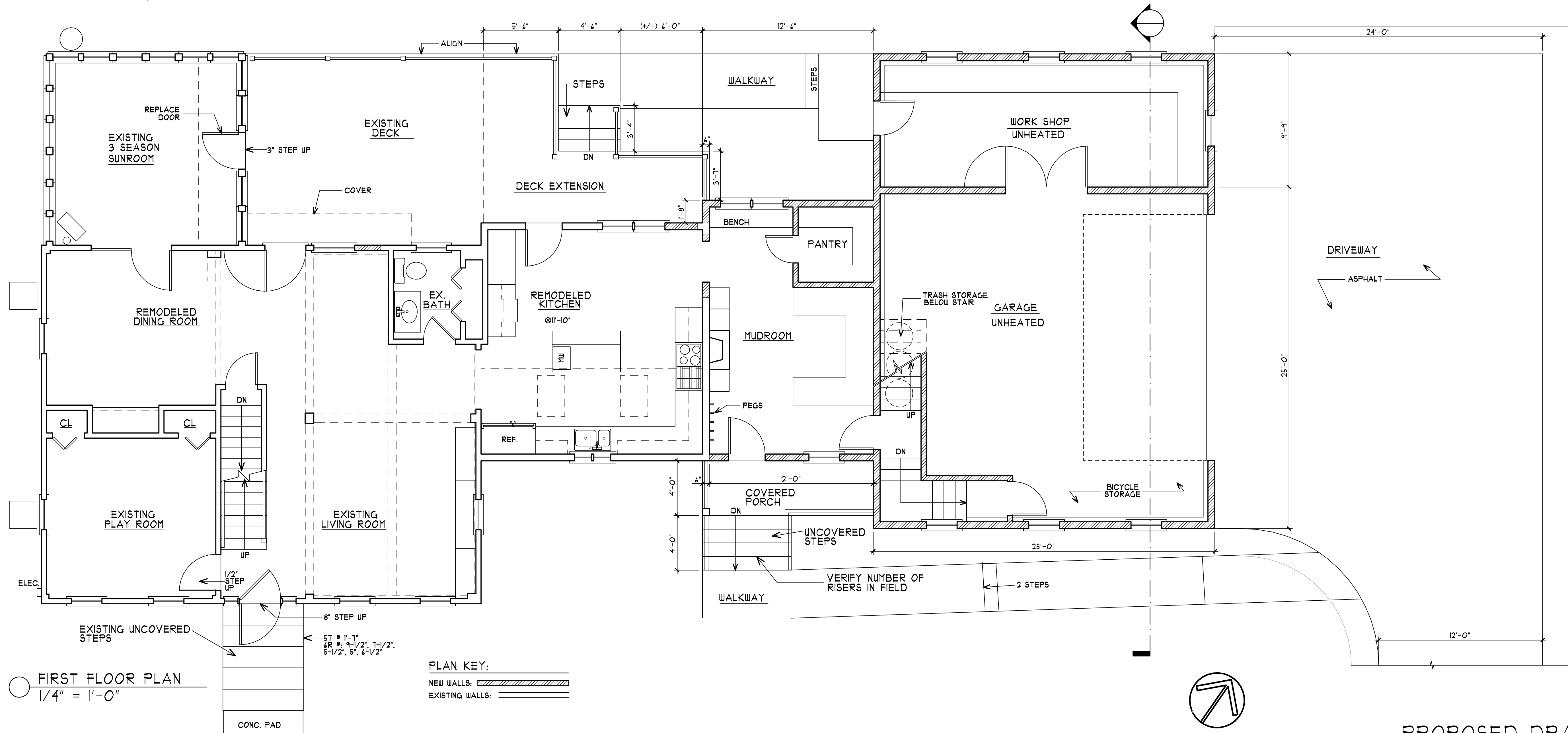


SEPTIC ROOM COUNT		
	EXISTING	PROPOSED
FIRST FLOOR	4 ROOMS: KITCHEN LIVING DINING PLAYROOM	5 ROOMS: KITCHEN LIVING DINING PLAYROOM MUDROOM
SECOND FLOOR	3 BEDROOMS	3 BEDROOMS
ATTIC	1 GUEST RM	1 GUEST RM
TOTAL NUMBER OF ROOMS	8 ROOMS, 4 BEDROOMS	9 ROOMS, 4 BEDROOMS
EXISTING SEPTIC SIZED FOR 4 BEDROOMS, 9 ROOMS	COMPLIANT	COMPLIANT

TABLE OF AREAS			
	EXISTING	PROPOSED	% INCREASE
GROSS SF.	3,680 SF	4,621 SF	25%
BUILDING FOOTPRINT	1,659 SF	2,954 SF	78%
WALKS AND DRIVEWAY	1,206 SF	1,304 SF	8%
IMPERVIOUS: FOOTPRINT WALKS AND DRIVEWAY	2,865 SF	4,258 SF	49%

- NOTES:
- GROSS INCLUDES INTERIOR GARAGE PARKING AND COVERED PORCHES. IT DOES NOT INCLUDE DECKS AND UNCOVERED STEPS.
 - BUILDING FOOTPRINT INCLUDES DECK, DECK EXPANSION AND UNCOVERED STEPS.

NOTE: 3 SEASON SUN ROOM, WORKSHOP, GARAGE, STORAGE ABOVE GARAGE, UNFINISHED BASEMENT AND PROPOSED CRAWL SPACE ARE NOT INCLUDED IN SEPTIC ROOM COUNT BECAUSE THEY ARE NOT HEATED



FIRST FLOOR PLAN
1/4" = 1'-0"

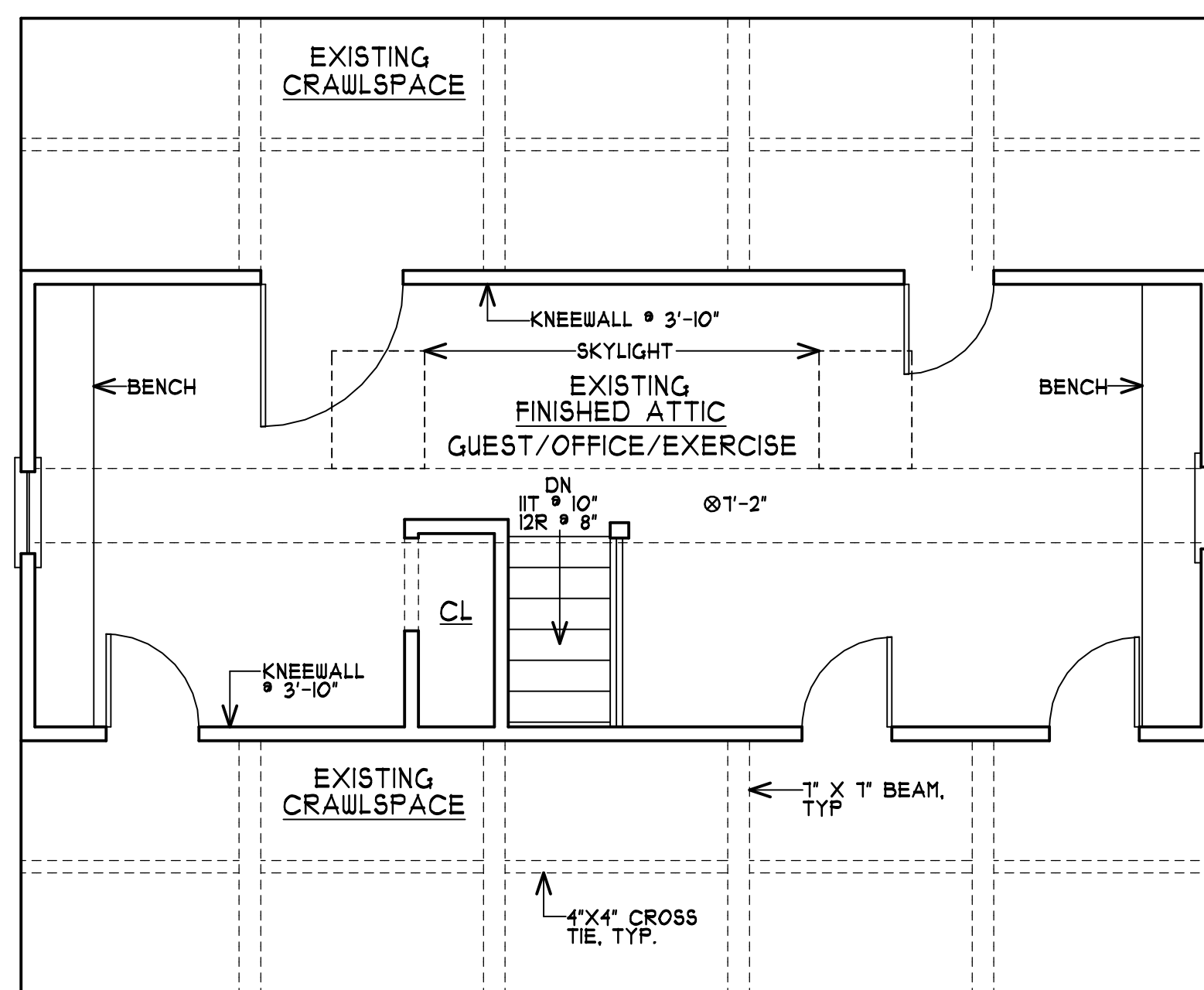
PLAN KEY:
NEW WALLS: [Hatched Pattern]
EXISTING WALLS: [Solid Line]

PROPOSED DRAWINGS

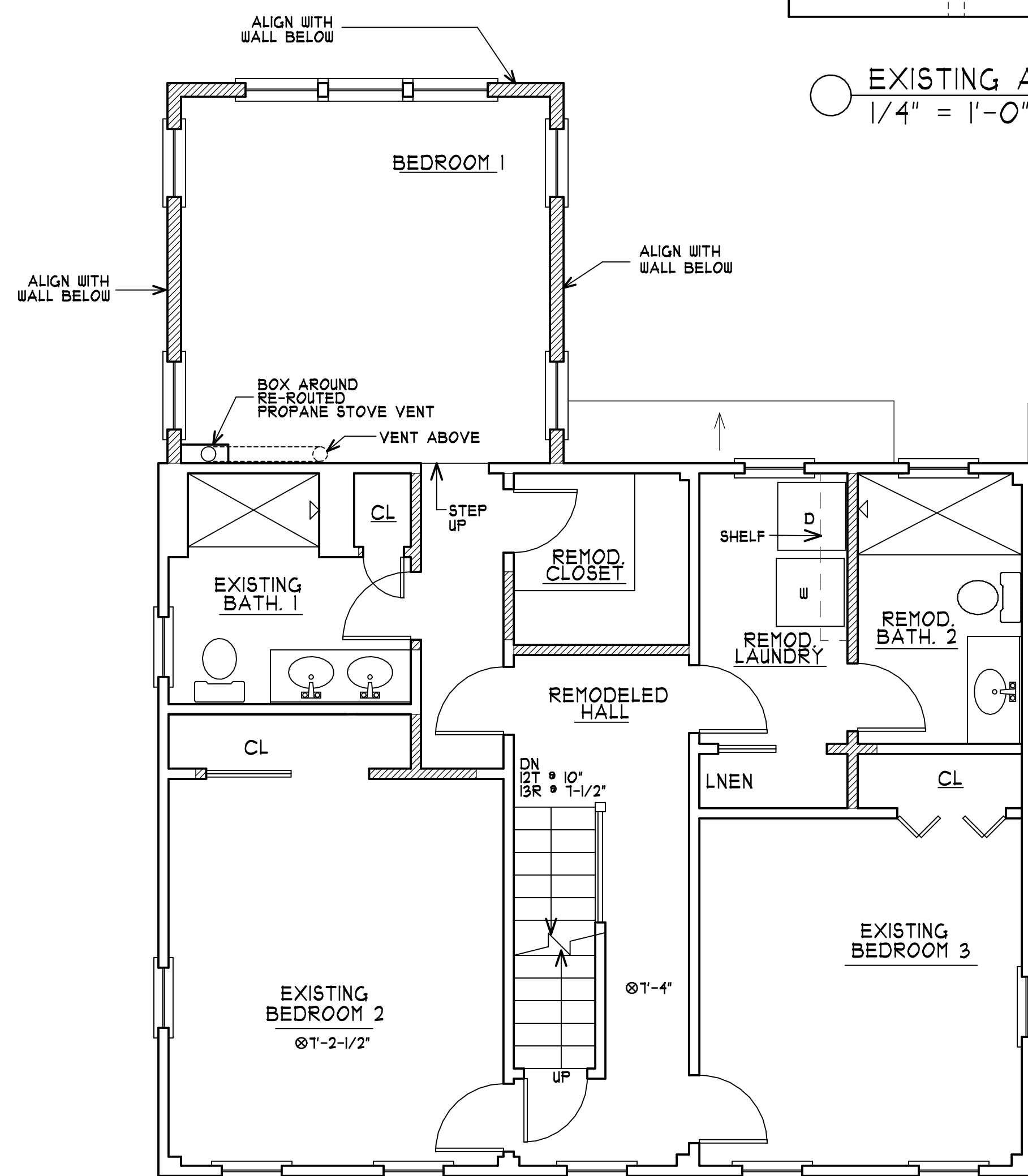
DICKINSON
ARCHITECTS, LLC
P.O. BOX 704
91 MAIN STREET
CONCORD, MA 01742
(978) 341-6267

LATHAM RESIDENCE
200 STILL RIVER RD.
HARVARD, MASSACHUSETTS

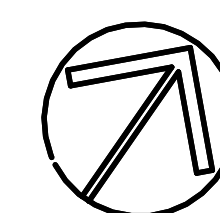
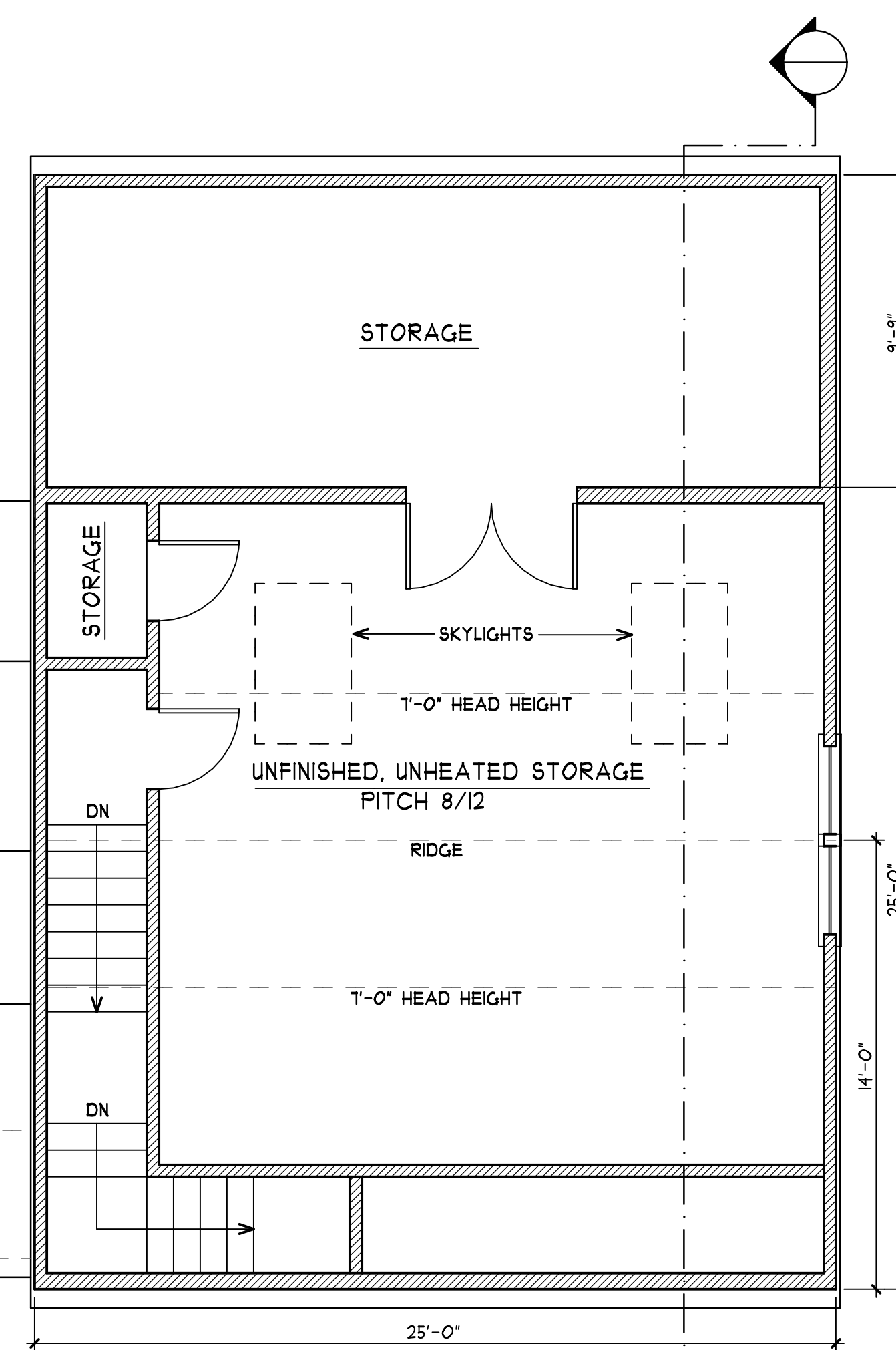
scale: AS NOTED
date: 03/31/2023
drawn by: E.C.
checked by: N.D.



EXISTING ATTIC PLAN
1/4" = 1'-0"



SECOND FLOOR PLAN
1/4" = 1'-0"

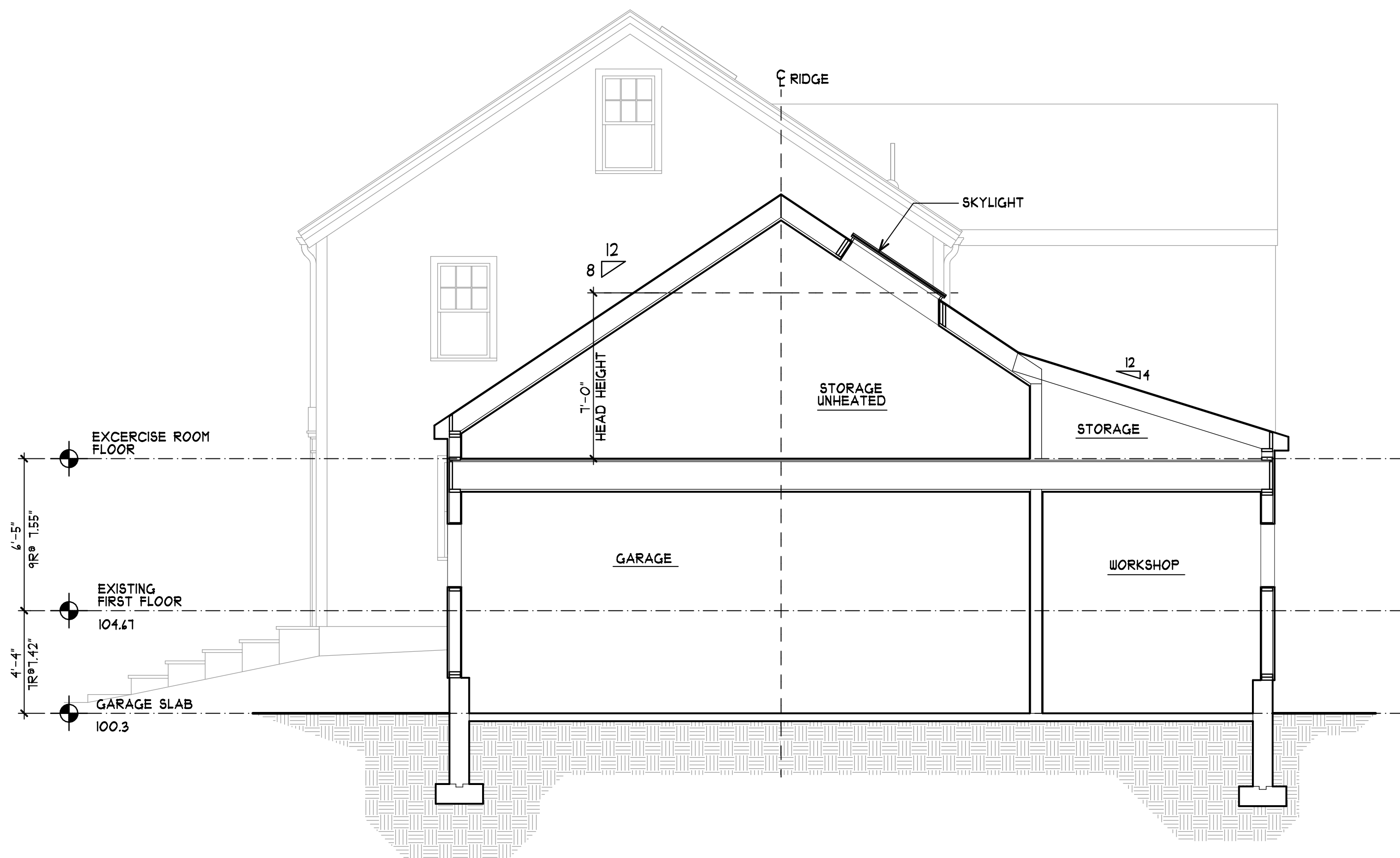


PROPOSED DRAWINGS

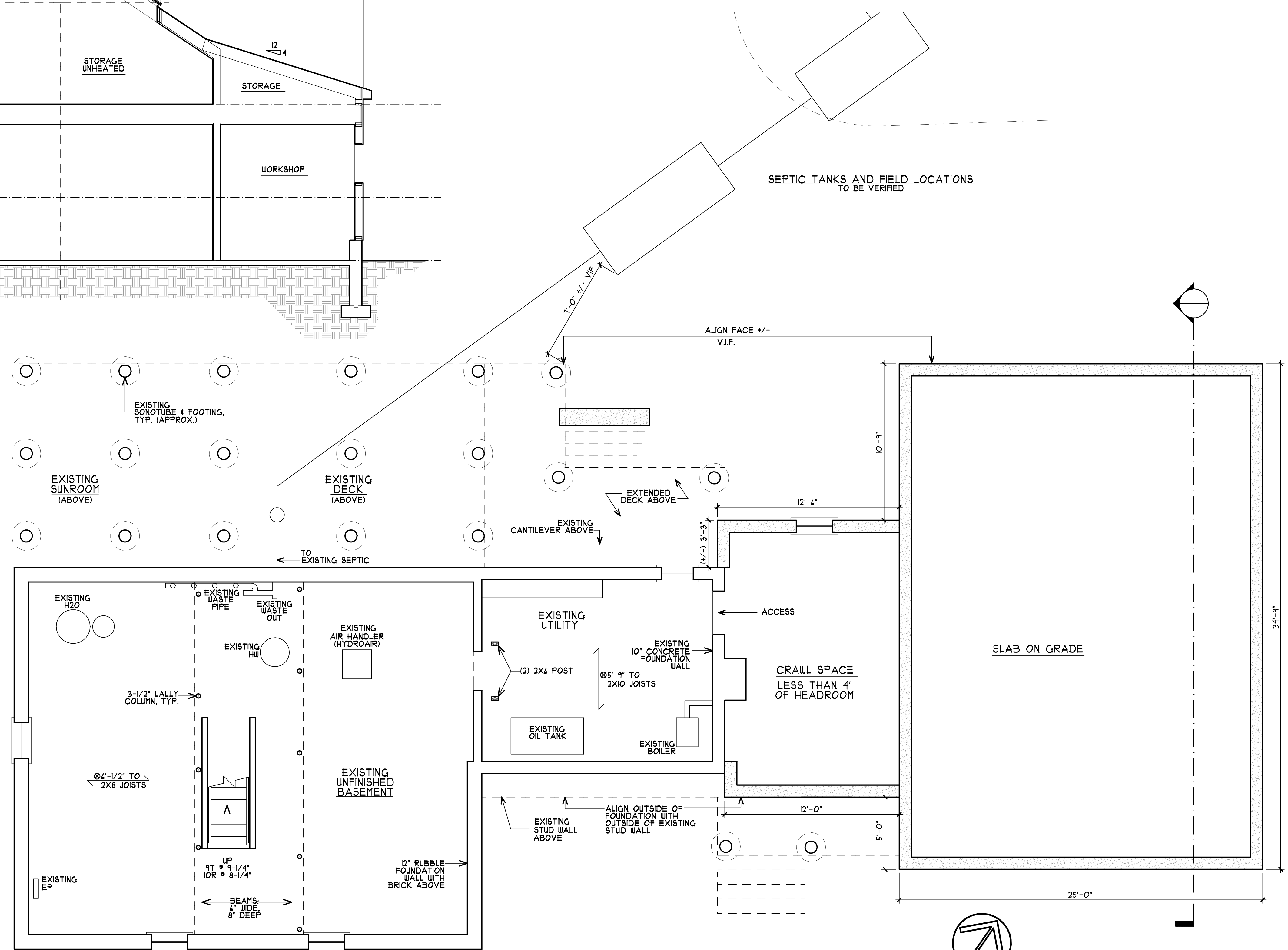
DICKINSON ARCHITECTS, LLC
P.O. BOX 704
91 MAIN STREET
CONCORD, MA 01742
(978) 341-6267

LATHAM RESIDENCE
200 STILL RIVER RD.
HARVARD, MASSACHUSETTS

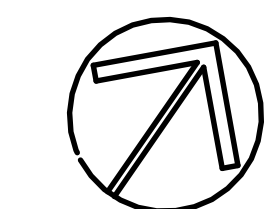
scale: AS NOTED
date: 03/31/2023
drawn by: E.C.
checked by: N.D.



SECTION THROUGH GARAGE
1/4" = 1'-0"



BASEMENT PLAN
1/4" = 1'-0"

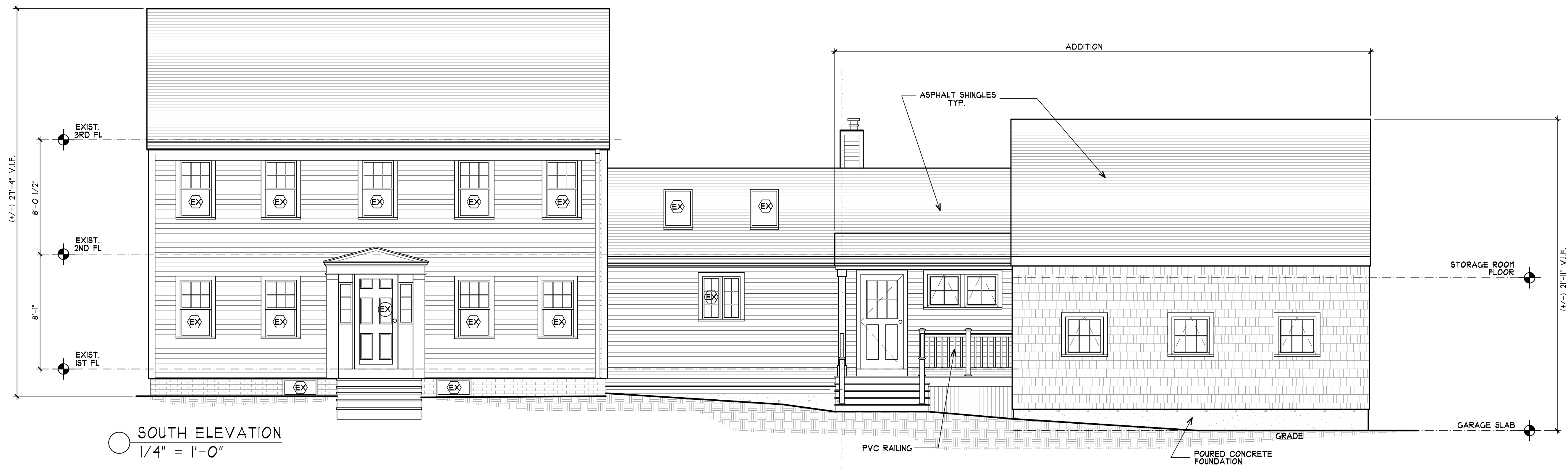


PROPOSED DRAWINGS

DICKINSON ARCHITECTS, LLC
P.O. BOX 704
91 MAIN STREET
CONCORD, MA 01742
(978) 341-6267

LATHAM RESIDENCE
200 STILL RIVER RD.
HARVARD, MASSACHUSETTS

scale:	AS NOTED
date:	03/31/2023
drawn by:	E.C.
checked by:	N.D.



SOUTH ELEVATION
1/4" = 1'-0"



NORTH ELEVATION
1/4" = 1'-0"

PROPOSED DRAWINGS

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LATHAM RESIDENCE
200 STILL RIVER RD.
HARVARD, MASSACHUSETTS

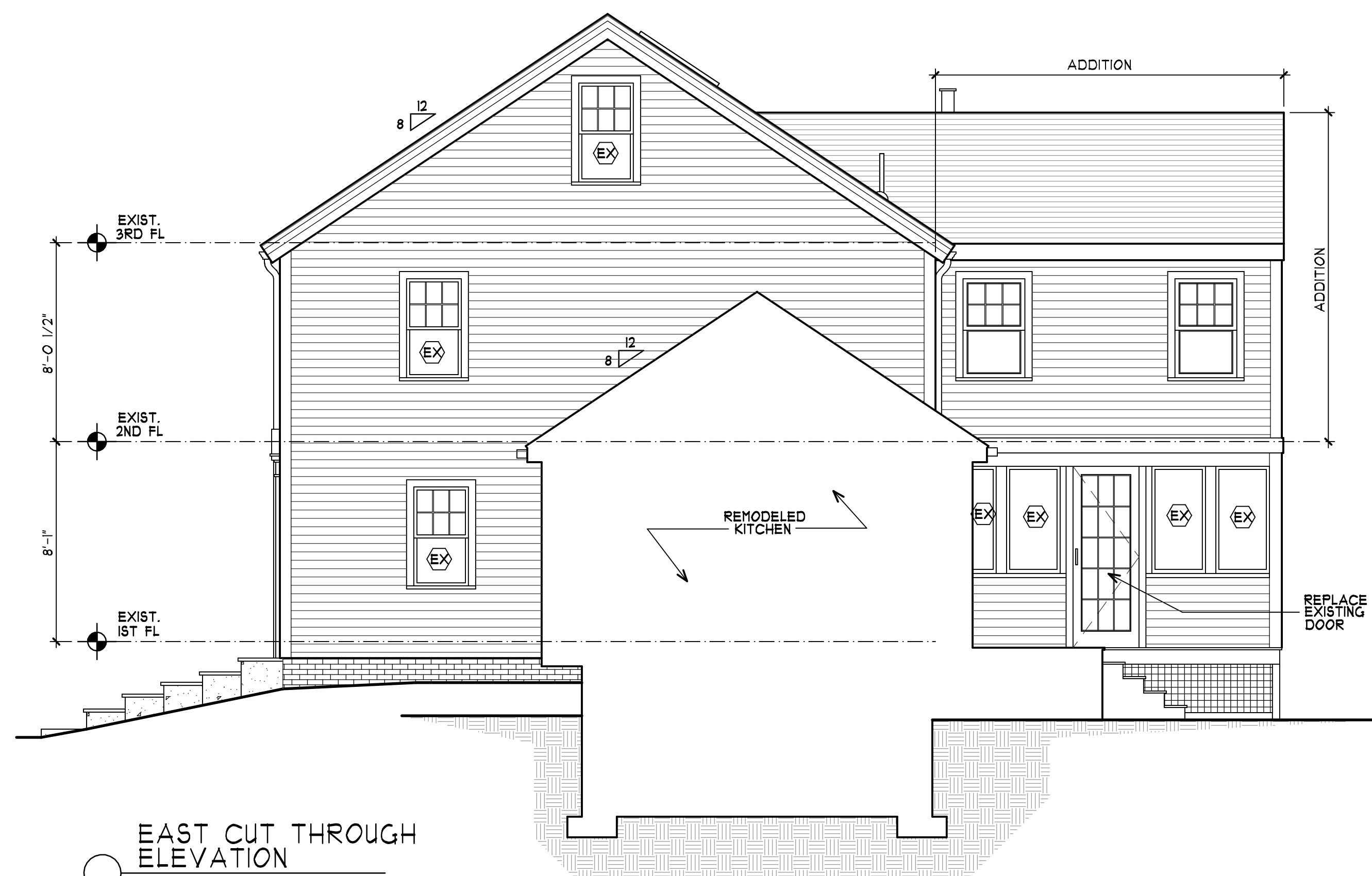
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date:	03/31/2023
drawn by:	E.C.
checked by:	N.D.



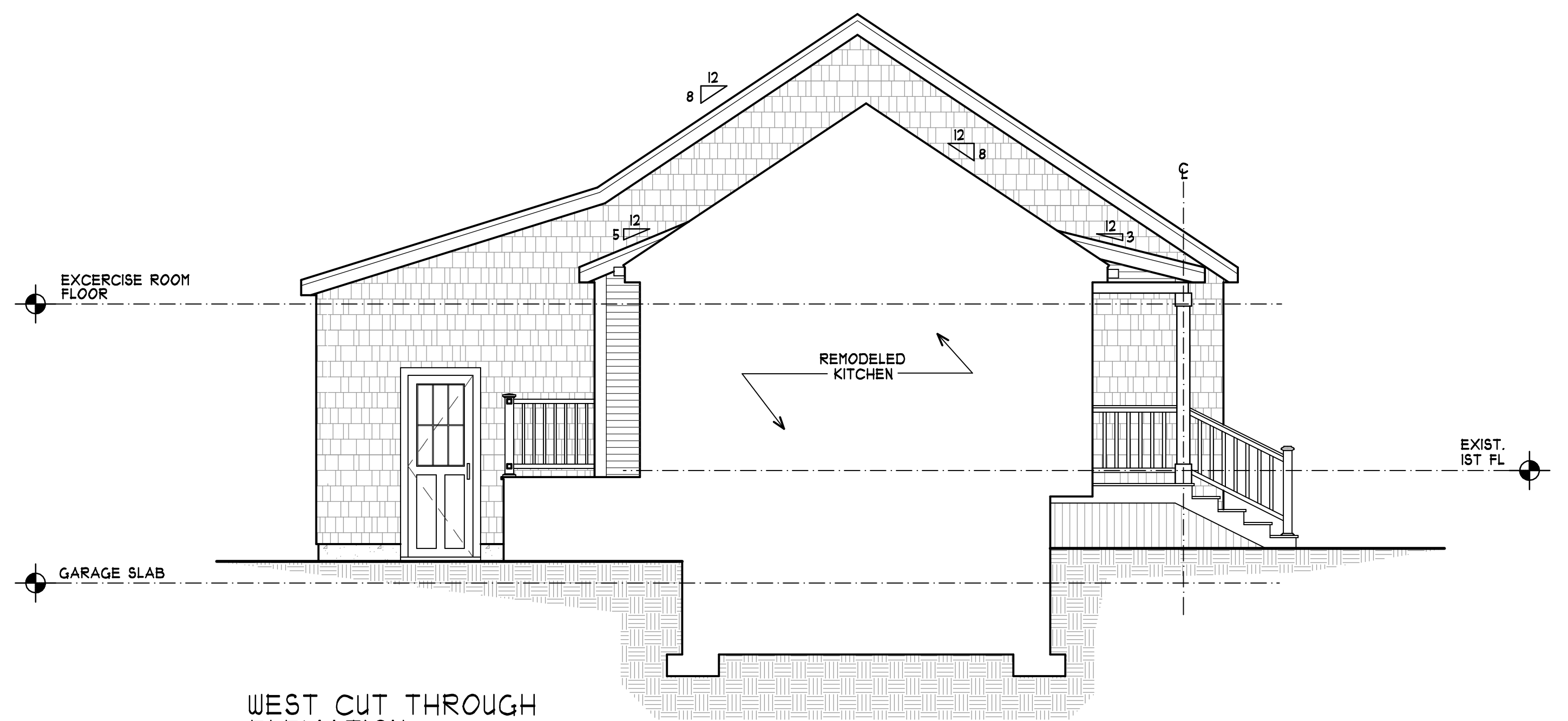
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○ WEST ELEVATION
1/4" = 1'-0"



○ EAST CUT THROUGH ELEVATION
1/4" = 1'-0"



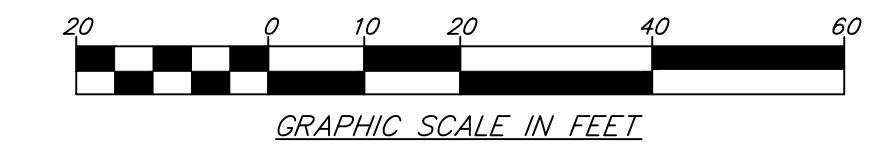
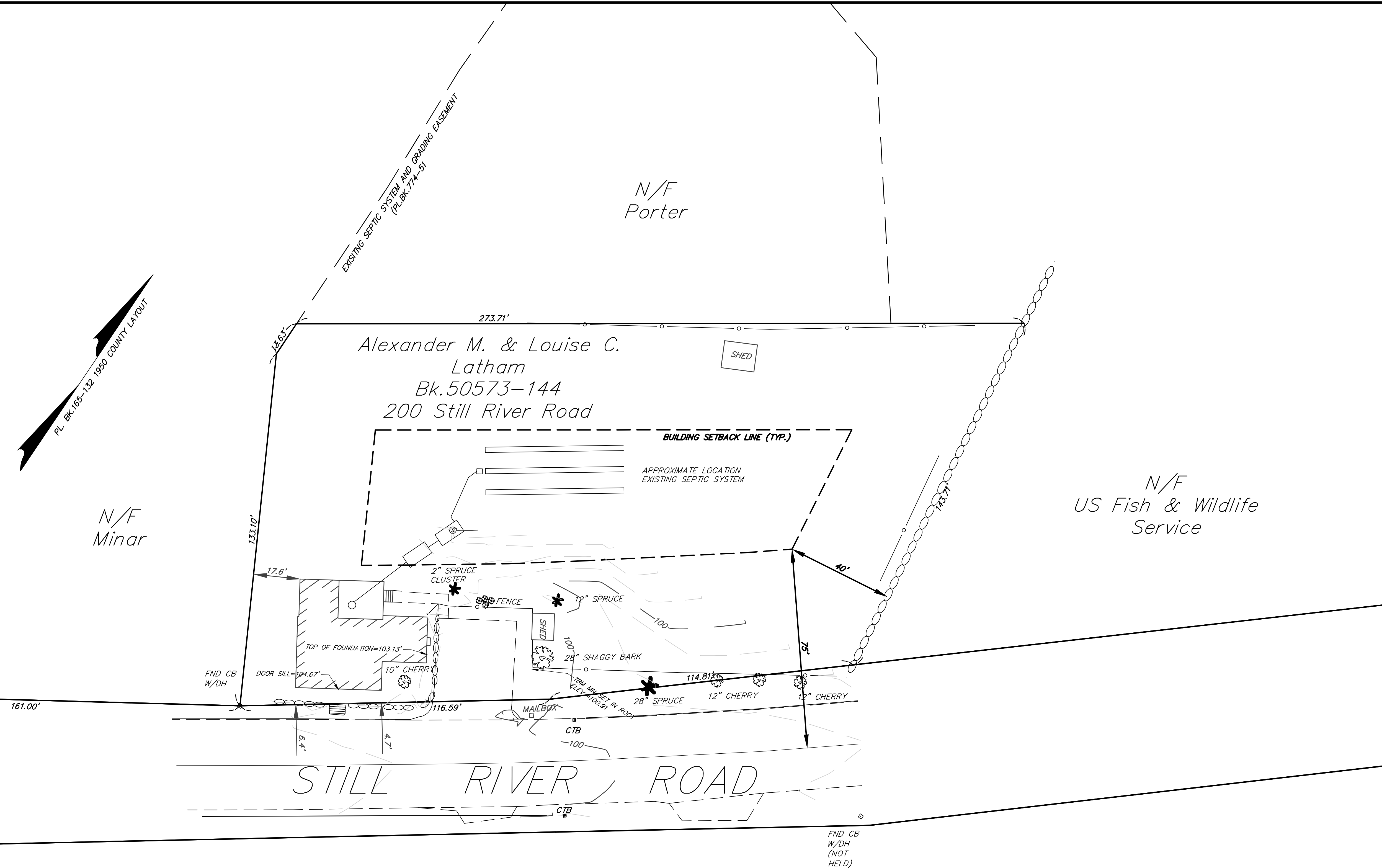
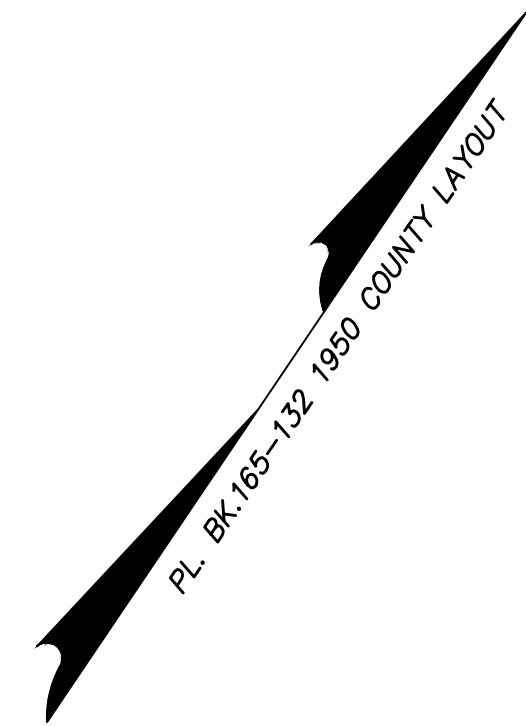
○ WEST CUT THROUGH ELEVATION
1/4" = 1'-0"

PROPOSED DRAWINGS

DICKINSON
ARCHITECTS, LLC
P.O. BOX 704
91 MAIN STREET
CONCORD, MA 01742
(978) 341-6267

LATHAM RESIDENCE
200 STILL RIVER RD.
HARVARD, MASSACHUSETTS

scale:	AS NOTED
date:	03/31/2023
drawn by:	E.C.
checked by:	N.D.



SURV.: SPM/MSB	CALC.: KRC	DRAFT: KRC
INR: 843-3	DEED: BK. 50573-144	CHECK: KRC

REVISIONS	

SHEET TITLE:
EXISTING CONDITIONS PLAN

DESIGNED FOR:
ALEXANDER LATHAM

ADDRESS:
**200 STILL RIVER ROAD
HARVARD, MA**

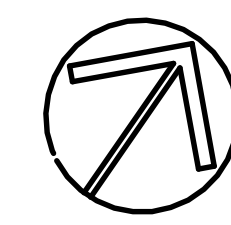
LOT NO.: XXXXX1	ASSESSOR MAP: 21	ASSESSOR PARCEL: 8
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DAVID E. ROSS ASSOCIATES, INC.
 CIVIL ENGINEERS - LAND SURVEYORS
 ENVIRONMENTAL CONSULTANTS
 6 Lancaster County Road
 P.O. Box 795
 Harvard, MA 01451-0795
 978-772-6232
 FAX 978-772-6258
 www.davideross.com

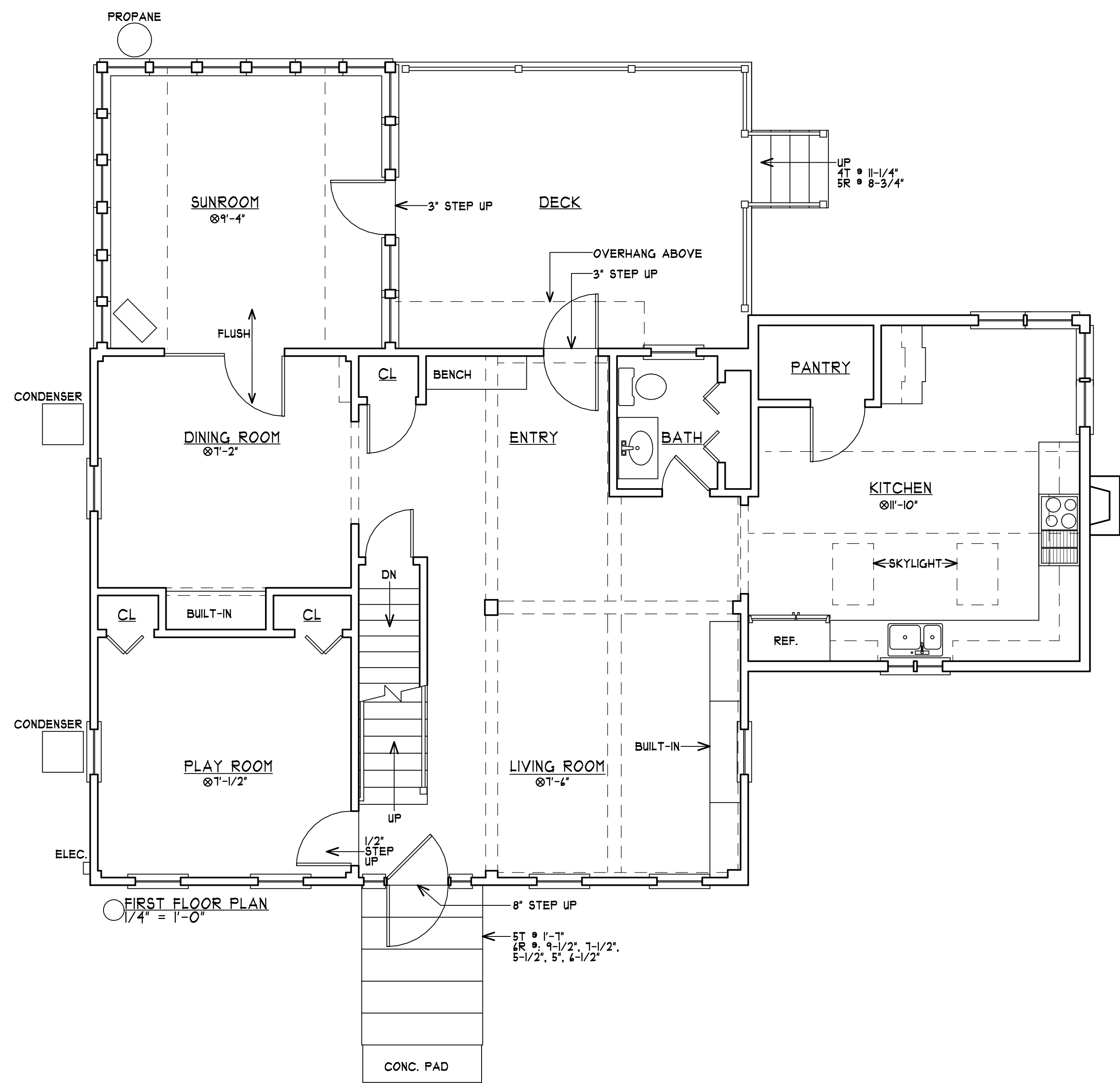
SCALE: 1"=20' DATE: FEBRUARY, 2023

REF.: PLAN NO.:

JOB NO.: 34260 SHEET NO.:



LATHAM RESIDENCE
 200 STILL RIVER ROAD
 HARVARD, MASSACHUSETTS



FIRST FLOOR PLAN
 1/4" = 1'-0"

revisions:

3	XX/XX/XX
2	XX/XX/XX
1	XX/XX/XX

DICKINSON
 ARCHITECTS, LLC
 P.O. BOX 704
 18 MAIN STREET
 CONCORD, MA 01742
 (978) 341-8267

FIRST FLOOR
 PLAN

scale: 1/4" = 1'-0"

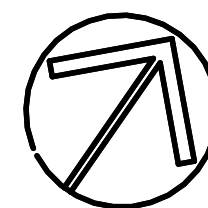
date: 9/22/22

drawn by: KE

checked by: ND

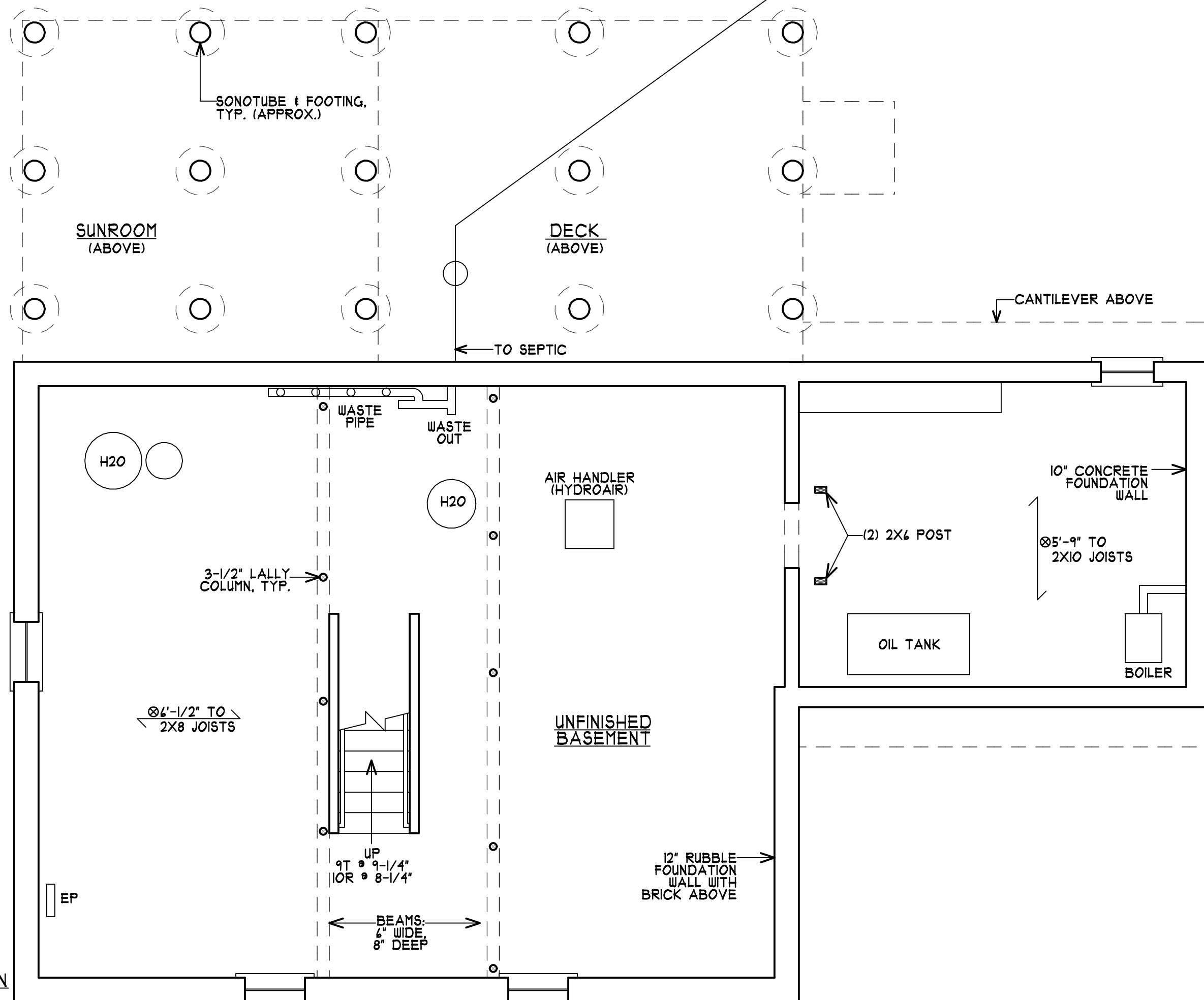
EXISTING

NOT FOR CONSTRUCTION



LATHAM RESIDENCE
 200 STILL RIVER ROAD
 HARVARD, MASSACHUSETTS

SEPTIC TANKS AND FIELD LOCATIONS
 TO BE VERIFIED



revisions:

- △ XX/XX/XX
- △ XX/XX/XX
- △ XX/XX/XX

DICKINSON
 ARCHITECTS, LLC
 P.O. BOX 704
 18 MAIN STREET
 CONCORD, MA 01742
 (978) 341-8267

BASEMENT
 FLOOR PLAN

scale: 1/4" = 1'-0"

date: 9/22/22

drawn by: KE

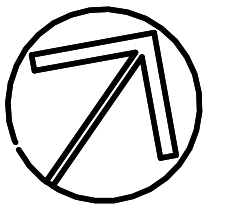
checked by: ND

○ BASEMENT PLAN
 1/4" = 1'-0"

EXISTING

NOT FOR CONSTRUCTION

VA 2



LATHAM RESIDENCE
 200 STILL RIVER ROAD
 HARVARD, MASSACHUSETTS

revisions:

Ⓐ	XX/XX/XX
Ⓑ	XX/XX/XX
Ⓒ	XX/XX/XX

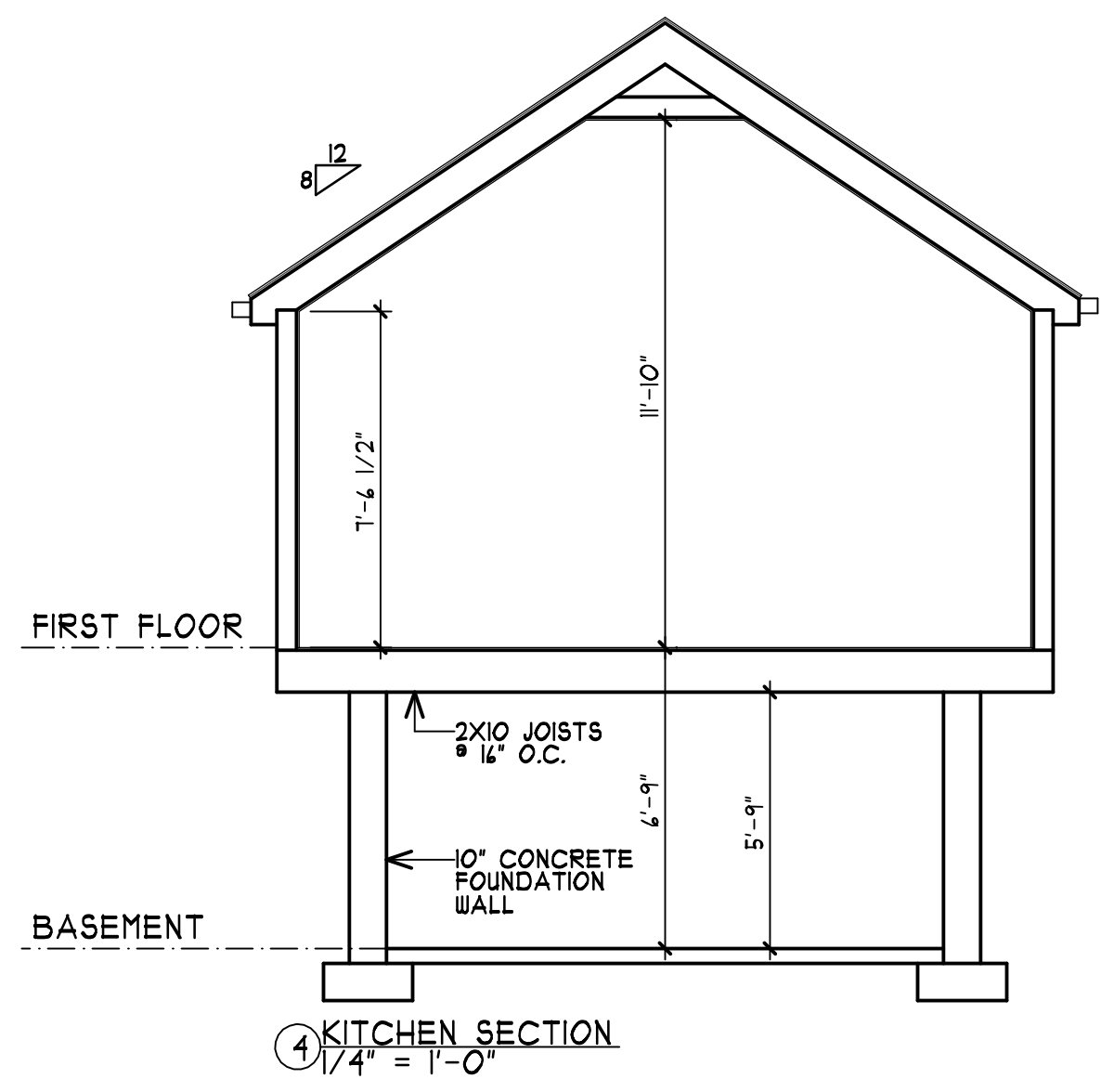
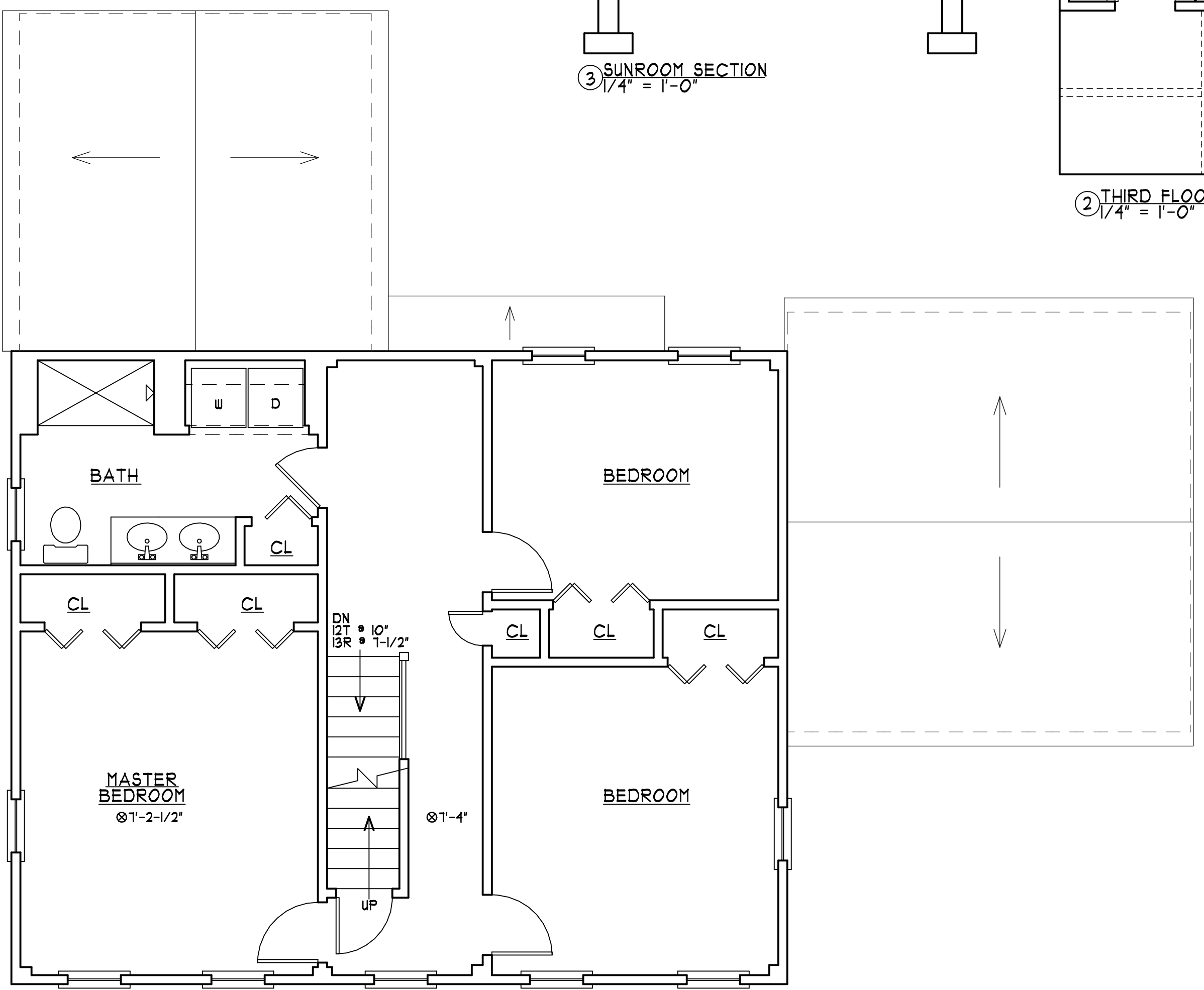
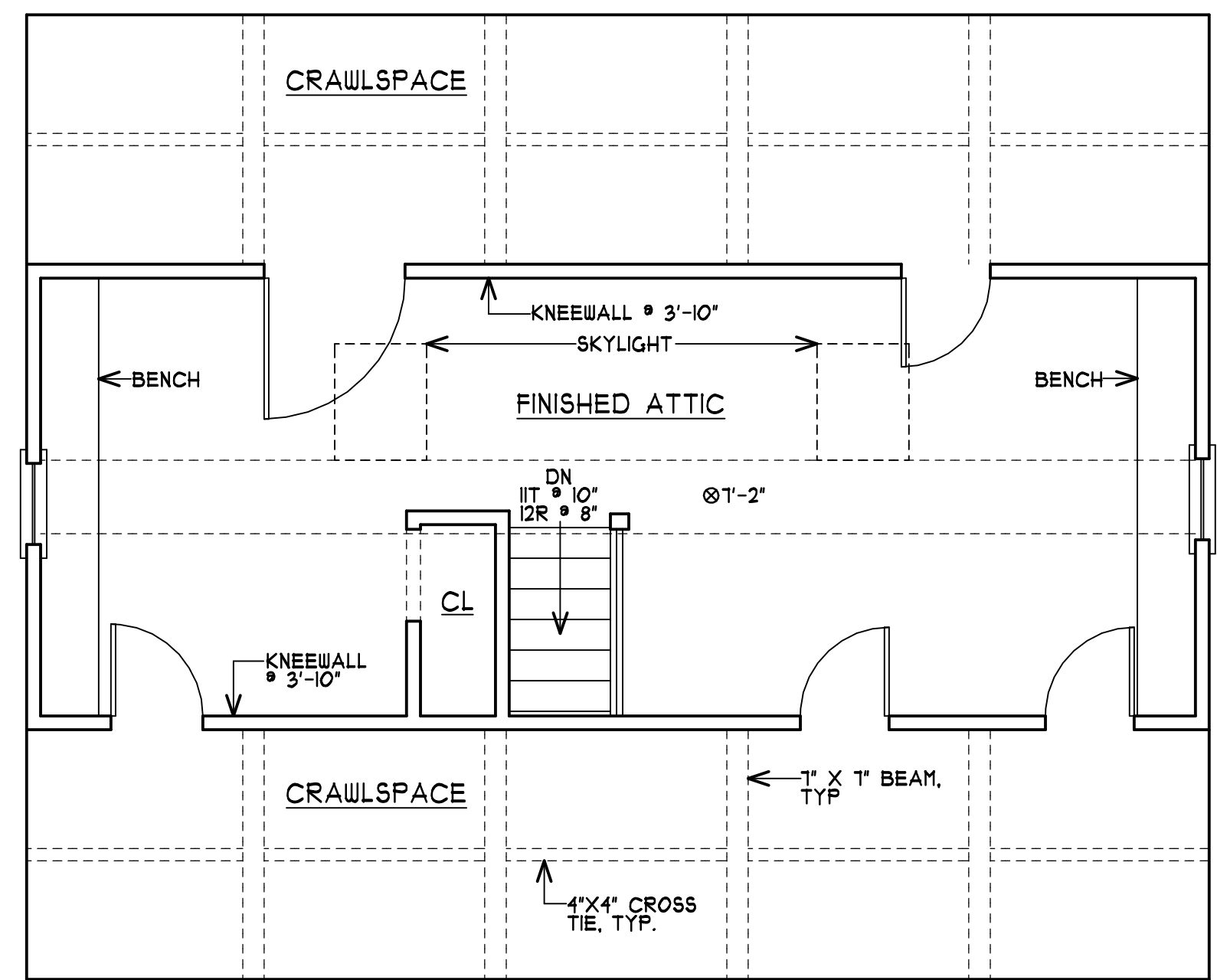
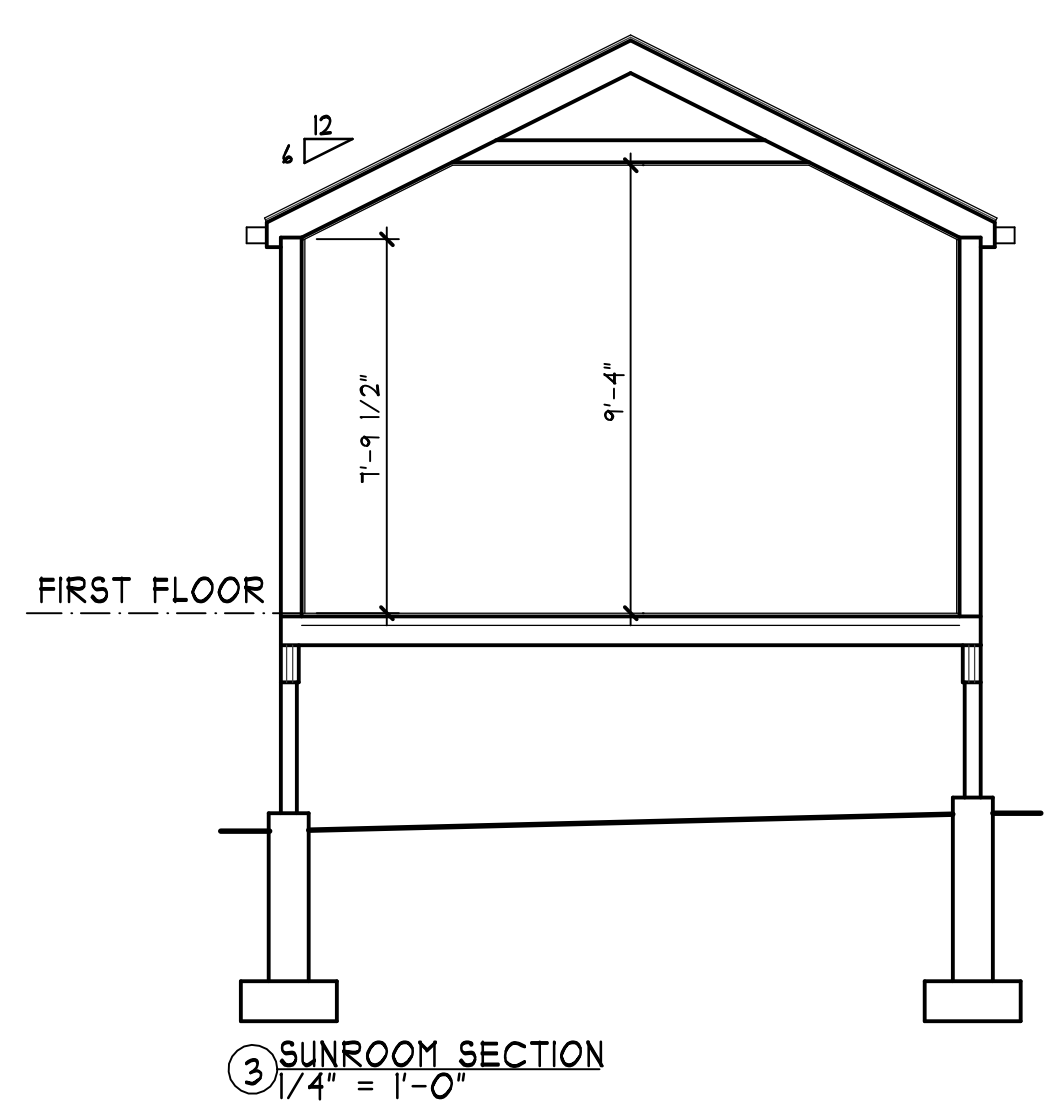
DICKINSON ARCHITECTS, LLC
 P.O. BOX 704
 18 MAIN STREET
 CONCORD, MA 01742
 (978) 341-8267

2ND FLOOR AND ATTIC PLANS
 KITCHEN AND SUNROOM SECTIONS

scale: 1/4" = 1'-0"
 date: 9/22/22

drawn by: KE
 checked by: ND

NOT FOR CONSTRUCTION
 NO. 3



EXISTING



LATHAM RESIDENCE
200 STILL RIVER ROAD
HARVARD, MASSACHUSETTS

revisions:

③	xx/xx/xx
②	xx/xx/xx
①	xx/xx/xx

DICKINSON
ARCHITECTS, LLC
P.O. BOX 704
18 MAIN STREET
CONCORD, MA 01742
(978) 341-8267

NORTH AND
SOUTH
EXTERIOR
ELEVATIONS

scale: 1/4" = 1'-0"

date: 9/22/22

drawn by: KE

checked by: ND

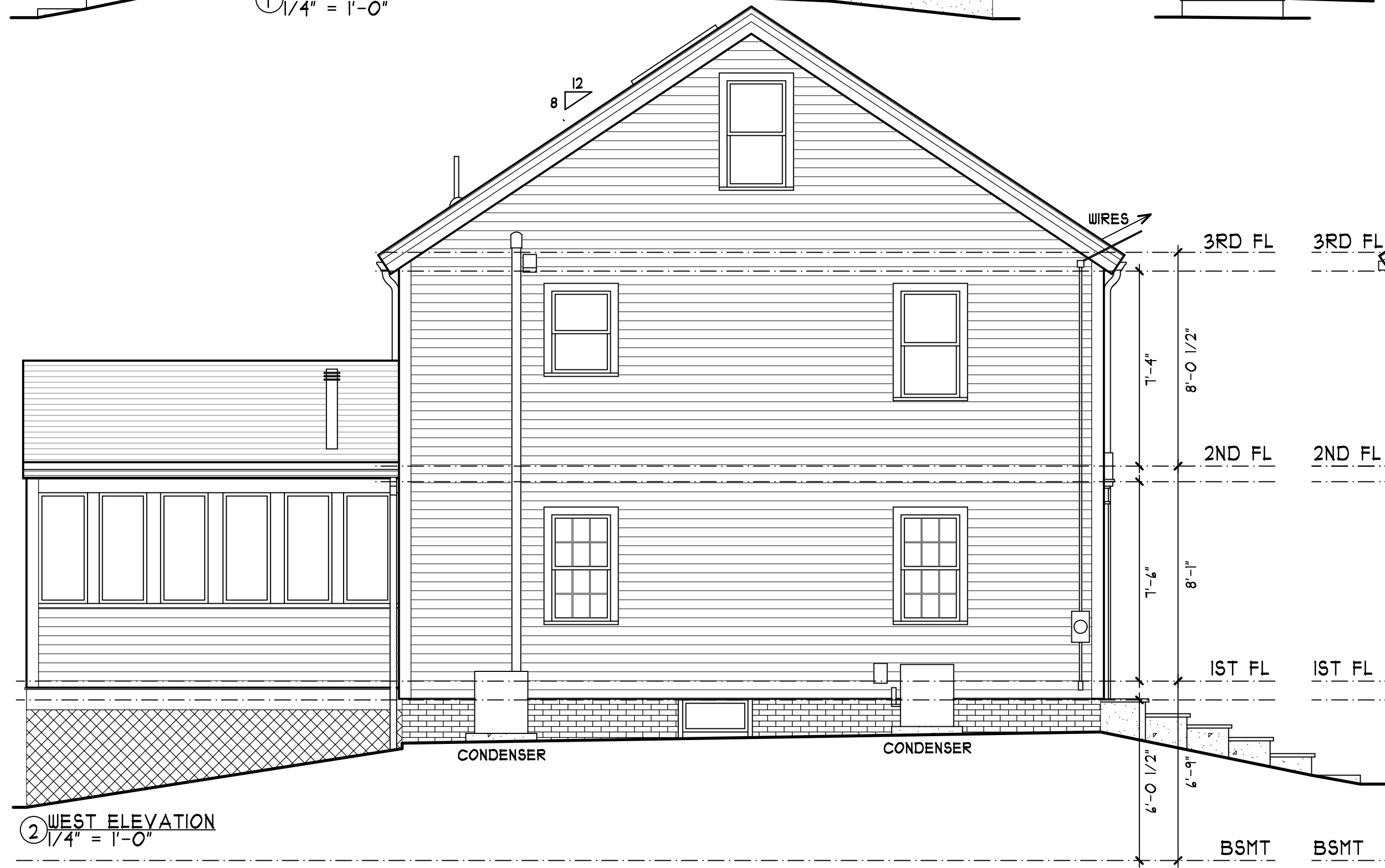
EXISTING

NOT FOR CONSTRUCTION

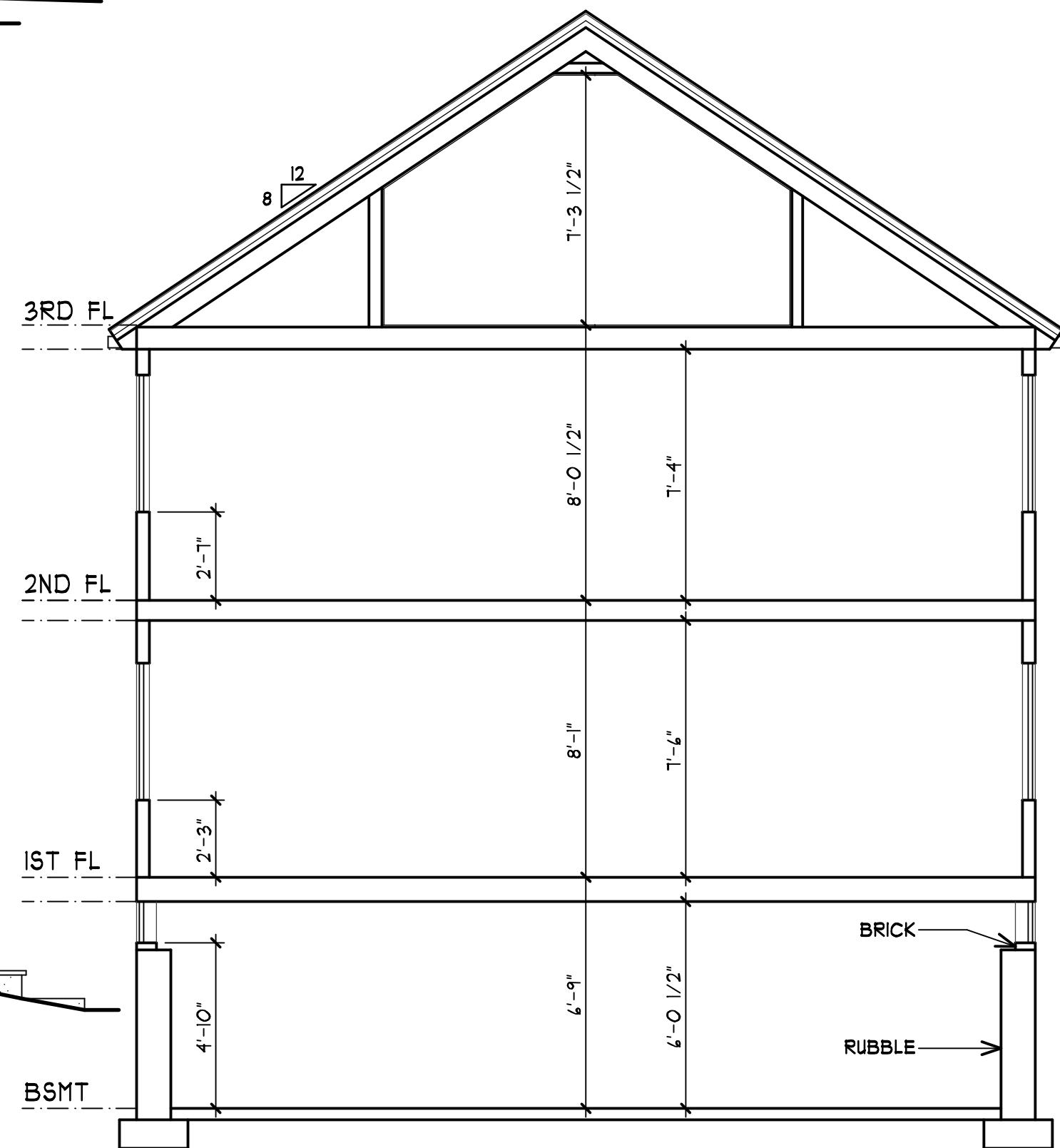
LATHAM RESIDENCE
 200 STILL RIVER ROAD
 HARVARD, MASSACHUSETTS



① EAST ELEVATION
 1/4" = 1'-0"



② WEST ELEVATION
 1/4" = 1'-0"



③ BUILDING SECTION
 1/4" = 1'-0"

revisions:

Ⓐ	XX/XX/XX
Ⓑ	XX/XX/XX
Ⓒ	XX/XX/XX

DICKINSON
 ARCHITECTS, LLC
 P.O. BOX 704
 18 MAIN STREET
 CONCORD, MA 01742
 (978) 341-8287

EAST AND
 WEST
 EXTERIOR
 ELEVATIONS
 MAIN BUILDING
 SECTION

scale: 1/4" = 1'-0"

date: 9/22/22

drawn by: KE

checked by: ND

EXISTING

NOT FOR CONSTRUCTION

TOWN OF HARVARD ZONING BOARD OF APPEALS APPLICATION FOR A HEARING

Please review the Board of Appeals' Regulations, Chapter 135, The Code of the Town of Harvard, prior to filling out this Application for Hearing. This application, along with the appropriate documents and filing fee, must be filed in the office of the Town Clerk.

Name of Applicant: William Ference

Mailing Address: 40 Mass Ave, Harvard, MA 01451

Telephone Number: 267-566-2637 Email Address: bill.ference@gmail.com

Applicant is (check one): Owner Tenant Licensee Prospective Buyer

Location of Property: 247 Littleton County Rd Assessors Map 14 Parcel: 53.1

Registry of Deeds: Book Number 67898 Page Number 271 Certificate Number _____

Owner's Name: 247 Littleton County Road LLC Tel. No.: _____
(If different than Applicant)

Owner's Address: 1 Bolton Road, Harvard, MA 01451

Representative: Goldsmith, Prest & Ringwall, Inc. Tel. No.: 978-772-1590

Application (which includes required plans and abutters list) is for:

- | | |
|---|---------------------------------|
| <input type="checkbox"/> Variance (16 copies) | Fee: \$150.00 + \$6.00/ abutter |
| <input type="checkbox"/> Special Permit (16 copies) | Fee: \$200.00 + \$6.00/abutter |
| <input checked="" type="checkbox"/> Modification/Extension (16 copies) | Fee: \$100.00 + \$6.00/abutter |
| <input type="checkbox"/> Failure to Enforce Administrative Appeal (16 copies) | Fee: \$130.00 |
| <input type="checkbox"/> Other Administrative Appeals (16 copies) | Fee: \$175.00 |
| <input type="checkbox"/> Comprehensive Permit (20 copies) | Fee: 500.00/unit |

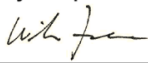
Specific Bylaw section (s) being applied for: 125-3 C Non-conforming structures other than one- and two-family dwellings and 125-3 D Non-conforming uses.

Nature of Application and Justification of Request: See attached.

The undersigned certifies that he/she has read and examined this application and the Harvard Zoning Board of Appeals Rules and Regulations, Chapter 135 of the Code of the Town of Harvard, and that the proposed project is accurately represented in the statements made in the application.

The applicant will be required to pay a local newspaper of general circulation for the current cost of advertising the hearing. The applicant will be billed directly from the newspaper for the cost of the advertised hearing or all advertising must be paid for in full prior to submittal to the newspaper.

I hereby request a hearing before the Board of Appeals with reference to the above application.

 3/16/2023
Property Owner's Signature (REQUIRED) Date

Property Owner's Signature (REQUIRED) Date

Applicant's Signature (if different from owner) Date



Engineering Solutions
for Land & Structures

Civil Engineering Land Planning Land Surveying

Harvard Zoning Board of Appeals
Special Permit Modification
Nature and Justification
Bill Ference
247 Littleton County Road

The property at 247 Littleton County Road (“the property”), also known as Friendly Crossways, was issued a Special Permit by the ZBA on April 22, 2022, recorded at the WSRD in book 68247 page 319, allowing the continued non-conforming use as an events venue and allowing the construction of a commercial kitchen and tent platform.

The construction of the kitchen is critical to the property’s operation and is required by the Board of Health in order to prepare food onsite. Whereas the proposed kitchen addition falls within Zone I of the property’s existing Public Water System (PWS) and whereas construction is not permitted within a PWS Zone I, the applicant seeks to de-certify the PWS. In order to approve the de-certification, MassDEP has requested that the Applicant amend the Special Permit text to limit the usage of the property to below the threshold for a PWS, defined as a system that “regularly serves an average of at least 25 individuals daily at least 60 days of the year.”¹

The proponent is petitioning the ZBA to amend the text of the referenced Special Permit as follows:

To section “*Decision (iv)*”:

Existing Text:

“increasing the number of events held at the Locus to 130 per year, including the service of alcoholic beverages and entertainment, subject to the following conditions.”

Proposed Amended Text:

“limiting the number of events with 25 or more guests served at the Locus to 59 or fewer per year, including the service of alcoholic beverages and entertainment, subject to the following conditions...”

To section “*A. Conditions*”:

Text Addition:

“If the Applicant ever seeks to hold more than 60 events with an average of 25 guests or more per year, the Applicant will register the property's well as a Public Water System (PWS) through the MassDEP. With a PWS, the property will be allowed to host up to 130 events per year of any size.”

We believe the proposed text amendment is de minimis. On behalf of the proponent, we respectfully request the ZBA amend the text of the referenced Special Permit as requested and ask that all materials associated with the original filing be accepted by reference.

Worcester South District Registry of Deeds Electronically Recorded Document

This is the first page of the document – Do not remove

Recording Information

Document Number	: 103841
Document Type	: DECN
Recorded Date	: September 21, 2022
Recorded Time	: 03:45:07 PM
Recorded Book and Page	: 68247 / 319
Number of Pages(including cover sheet)	: 7
Receipt Number	: 1471795
Recording Fee	: \$105.00

Worcester South District Registry of Deeds
Kathryn A. Toomey, Register
90 Front St
Worcester, MA 01608
(508) 798-7717

**OFFICE OF THE
HARVARD ZONING BOARD OF APPEALS**

13 AYER ROAD HARVARD, MA 01451

978-456-4100 EXT.321

www.harvard-ma.gov



SPECIAL PERMIT DECISION

RE: Application of William Ference for a Special Permit

PROPERTY ADDRESS AND TITLE REFERENCE: 247 Littleton County Road, Harvard Massachusetts; Assessors Map 14, Parcels 53.1 and 53.2; Worcester District Registry of Deeds, Book 21955, Page 5 and Book 60401, Page 353

DATE: April 27, 2022

FINDINGS AND DECISION

I. Procedural History

On March 10, 2022 the applicant, William Ference (the "Applicant") filed an application ("the Application") with the Board of Appeals ("ZBA") seeking a special permit pursuant to the provisions of Sections 125-3, Paragraphs C and D of the Protective Bylaw ("the Bylaw") to allow changes and modifications to the prior nonconforming structure and uses at 247 Littleton County Road, Harvard, Massachusetts (the "Locus"), also known as "Friendly Crossways", by (i) constructing an approximately 1,200 square foot addition at the rear of the building and installing a commercial kitchen in the addition to prepare food for events; (ii) enhancing the outdoor area behind the existing building with a constructed platform and seasonal tent; (iii) constructing a new gravel parking lot in the southeastern corner of the adjacent corn field; and (iv) increasing the number of events held at the Locus to 130 per year.

A notice of the public hearing on the Application, a true copy of which is on file in the Office of the Town Clerk, was:

1. Published in the Harvard Press, a newspaper with general circulation in the Town of Harvard on March 18, 2022 and March 25, 2022;
2. Posted in a conspicuous place in the Harvard Town Hall on March 15, 2022, which was at least fourteen (14) days prior to the ZBA's hearing; and
3. Mailed, postpaid, on March 15, 2022, which is at least fourteen (14) days before the hearing to the Applicant, abutters, owners of land directly opposite the Locus on

any public or private street or way, abutters to the abutters within three hundred (300) feet of the Locus, the planning boards of the abutting towns. The notice was mailed to the names and addresses shown on the most recent tax list provided by the Assessor's Office.

A public hearing before the ZBA on the application was held on April 13, 2022 and April 27, 2022, on which date the hearing was closed.

At the hearing, the Applicant and his engineer, Goldsmith, Prest and Ringwall, Inc. presented the ZBA with the Applicant's plans, photographs and supporting materials concerning the proposed changes to the structure and uses at the Locus.

In addition to the Application, the ZBA received and reviewed the following documents relative to the Application:

- ZBA Special Permit Plan - Site Plan 247 Littleton County Rd., prepared by Goldsmith, Prest & Ringwall, Inc. dated March 2022.
- Architectural plans for Ference Catering, Harvard MA, prepared by Becthel Frank Erickson Architects, Inc.
 - A-1 SW Elevations Proposed and Existing
 - A-2 NW Elevations Proposed and Existing
- Letters of support from Suzanne Buell of 237 Littleton County Rd, and from Todd Brown and Rob Cullinane of 279 Littleton County Rd.

The ZBA received written comments on the Application by letters from the Board of Health dated April 12, 2022 and the Building Commissioner dated April 13, 2022.

No parties in interest appeared or voiced their opposition to the requested special permit.

The ZBA deliberated on this decision at its meeting of April 27, 2022, and made the following findings and decision based on the foregoing documents and other evidence submitted at the public hearing.

II. Findings

A. General

1. The Locus is owned by Mary Helen Vesenka-Turner and Keith Turner (Parcel 53.1) and Mary Helen Vesenka-Turner, James P. Vesenka, Ruth Anne Lewis and Hannah

Roeder (Parcel 53.2).

2. The Locus has a land area of approximately 24.57 acres, in the aggregate. It is improved with a residential building having a floor area of approximately 13,040 square feet, which was constructed on or about 1880. The Locus has frontage on and is accessible from Littleton County Road.
3. The Locus is situated in the AR (Agricultural/Residential) Zoning District.
4. The Building on the Locus is non-conforming as to front setback and size. The existing front yard setback is approximately sixty-five feet (65') from the centerline of the road and which is less than the current requirement under the Bylaw of seventy-five feet (75'). The gross floor area of the building of approximately 13,040 square feet is greater than the maximum allowable floor area under Section 125-37 of Bylaw, Major Buildings, of 10,000 square feet.
5. The existing and prior uses of the Locus as an event venue, including the service of alcoholic beverages and entertainment, a retreat and conference center with lodging, and a hostel are nonconforming in the AR Zoning District.
6. The proposed uses of the Locus as an event venue, including the service of alcoholic beverages and entertainment, a retreat and conference center with lodging, and a hostel are nonconforming in the AR Zoning District.

B. Special Permit

1. The nonconforming aspects of the building on the Locus as to front setback and size pre-date the first Bylaw adopted by the Town. Those aspects of the building are prior nonconforming or grandfathered.
2. The existing and prior uses of the Locus, which began on or about 1947, as an event venue, including the service of alcoholic beverages and entertainment, a retreat and conference center with lodging, and a hostel pre-date the first Bylaw adopted by the Town. Said uses have not been abandoned or discontinued for a period of 2 years or more since they were commenced. Those uses are prior nonconforming or grandfathered.
3. The proposed changes to the building and parking area on the Locus:
 - a.) will not result in substantial increase of volume or rate of surface water runoff to neighboring properties and streets, and will not result in substantial danger of pollution or contamination of the groundwater supply, a groundwater absorption area, a well, pond, stream, watercourse, W District, or inland wetland. Any and all surface water runoff resulting from the changes will be retained within the Locus.

- b.) will result in no substantial increase in traffic, compared to refusal of the special permit, on any residential street where the Locus have access;
 - c.) will be in harmony with the general purpose and intent of the Bylaw, including each purpose stated in § 125-1, Purpose, which is pertinent to the Application;
 - d.) would have been permitted before the building became non-conforming; and
 - e.) will not be substantially more detrimental to the neighborhood than the existing non-conformity.
4. The proposed change to the nonconforming uses of the Locus will not be substantially more detrimental than the existing non-conforming uses to the neighborhood.

III. Decision

Based on the foregoing evidence and findings, on April 2022, the ZBA voted unanimously (Chairman Tracey and Members Lawton and Maxant) to grant a special permit pursuant to the provisions of Section 125-3, Paragraphs C and D of the Bylaw, to allow changes and modifications to the prior nonconforming structure and uses at the Locus by (i) constructing an approximately 1,200 square foot addition at the rear of the building and installing a commercial kitchen in the addition to prepare food for events; (ii) enhancing the outdoor area behind the existing building with a constructed platform and seasonal tent; (iii) constructing a new gravel parking lot in the southeastern corner of the adjacent corn field, all as shown on the plans and drawings referenced above and (iv) increasing the number of events held at the Locus to 130 per year, including the service of alcoholic beverages and entertainment, subject to the following conditions:

A. Conditions

1. Before the issuance of a building permit for said changes to the building, the Applicant shall obtain:
 - a.) Site Plan approval from the Planning Board; and
 - b.) a subsurface wastewater disposal permit.
2. Before the use of the commercial kitchen for catered events, the applicant shall obtain:
 - a.) a Certificate of Compliance for the installed subsurface wastewater disposal system; and

b.) approval of the Harvard Board of Health of the commercial kitchen facility in accordance with Massachusetts DPH and Federal Food Code requirements.

3. Before serving alcoholic beverages at any events at the Locus, the Applicant shall obtain the appropriate liquor licenses from the Select Board and/or the Alcoholic Beverages Control Commission.
4. Before serving food and nonalcoholic beverages at any events at the Locus, the Applicant shall obtain a common victualler's license from the Select Board
5. Before providing any entertainment at any events at the Locus, the Applicant shall obtain the appropriate entertainment licenses from the Select Board.
6. Before providing any lodging to guests at the Locus, the Applicant shall obtain an inn keeper's license from the Select Board.
7. Before erecting any tent(s) at the Locus for which a tent permit is required, the Applicant shall obtain a tent permit(s) from the Building Commissioner.
8. Events at the Locus shall begin no earlier than 8:00 A.M. and shall end no later than 11:00 P.M. Amplified music played or broadcast at such events shall occur only during hours established by the Select Board as conditions of entertainment licenses.
9. Noise generated by events at the Locus shall comply with MassDEP's noise pollution policy and 310 CMR 7.00, *et seq.*
10. Before the Applicant exercises the rights granted under this Special Permit, he shall record an attested copy of it at the Worcester District Registry of Deeds in the chain of title to the Locus and provide documentation of said recording to the Building Commissioner.
11. The modifications and changes to the Locus and the building on the Locus shall be substantially the same as those shown on the Special Permit Plan and Architectural plans referenced above. De minimis modifications to said plans may be may by the Applicant, with the approval of the Building Commissioner, without review and approval by the ZBA.

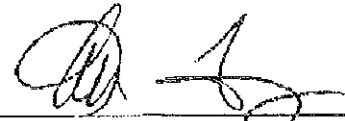
B. Terms

Action under this Special Permit shall lapse two (2) years from its date of issuance, but shall not include such time require to pursue or await the determination of an appeal referenced to in M.G.L. Chapter 40A, §17.


An appeal may be made pursuant to §17 of MGL Chapter 40A within twenty (20) days after the decision is filed with the Town Clerk.

This decision is not valid until after the Town Clerk of Harvard has certified it with respect to appeal provided in §9 of MGL Chapter 40A and a copy so certified has been recorded in the Worcester Registry of Deeds, referenced to the land.

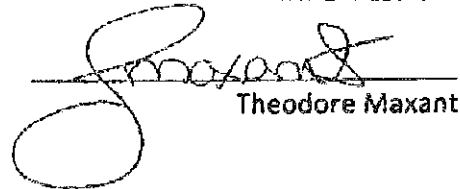
This decision does not waive or otherwise alter the requirements of the Harvard Protective Bylaw or any other law or ordinance. A copy of this decision showing book and page number of recording shall accompany an application for a building permit.



Christopher Tracey, Chairman



Michael Lawton



Theodore Maxant

This is to certify that as of June 16, 2022 no notice of appeal has been filed with this office in regard to this decision. I hereby certify that the twenty day appeal period has lapsed.

Signed: Lynn Kelly Lynn Kelly, Town Clerk

Pine Hill Village LLC
PO Box 468
Tyngsboro, MA 01879
978-509-3235
easthomestrust@yahoo.com

To: Town of Harvard Zoning Board of Appeals
13 Ayer Road
Harvard, MA 01451

Via Email: lallard@harvard.ma.us

Re: Request to Extend the Comprehensive Permit for Pine Hill Village

May 4, 2023

Dear Members of the Board:

Please accept this as our formal request for an extension to the date to complete construction as stated under conditions 3.34 and 3.35 of the Comprehensive Permit, dated October 29, 2008 for the affordable housing project known as "Pine Hill Village", Stow Road, Harvard (Map 36 Parcels 85 & 86.1).

The current date of completion for this Comprehensive Permit is June 30, 2023 and we are hereby requesting that the Comprehensive Permit be extended to June 30, 2024.

Thank you,

Peter Triccones, Manager

**HARVARD ZONING BOARD OF APPEALS
MEETING MINUTES
MARCH 22, 2023**

Chair Christopher Tracey called the meeting to order at 7:01pm, virtually in accordance with legislation S. 2475, an act relative to extending certain COVID-19 measures adopted during the Covid Pandemic state of emergency and under M.G.L. 40A and Code of the Town of Harvard Chapter 125.

Members Present: Chris Tracey, Michael Lawton, Steve Moeser, Barbara Romero (Associate Member) and Orville Dodson (Associate Member),

Others Present: Frank O'Connor, Jr. (Director of Planning), Seth Donohoe (Dillis & Roy), Emily & Chris Goswick (Applicants)

Special Permit Hearing – Emily & Chris Goswick, owners of 184 Ayer Road. Opened at 7:03pm (see page 2 for details).

Approve Minutes – Tracey asked if there any changes to the January 11, 2023 minutes. Lawton mentioned a typographical error. O'Connor said it would be corrected. Tracey requested a motion to approve the minutes as amended. Moeser made that motion, and Lawton seconded the motion. The motion to approve passed unanimously: Lawton, aye; Moeser, aye; and Tracey, aye.

Approve Invoice – Tracey introduced the invoice for \$248 to Nitsch Engineering (related to Pine Hill Village). There was a question about which project the invoice was pertaining to on the invoice. Moeser made a motion to have Tracey review the invoice to pay, seconded by Lawton. The motion to pay the invoice passed unanimously: Lawton, aye; Moeser, aye; and Tracey, aye.

Chair Tracey updated the ZBA members that Liz Allard had relinquished her role with the ZBA. Tracey added that O'Connor would be clerking the ZBA going forward and that the minutes would be handled by a third-party vendor who would work from the Zoom tapes of the meetings.

Tracey added that the Select Board and Town Administrator would need all of the members of the ZBA to update their status and intentions to keep or relinquish their seats. O'Connor said he would share an updated list from the Town Administrator.

ZBA members had an impromptu discussion of the proposed Overlay District at 185-189 Ayer Road. O'Connor said he would be happy to share any comments from ZBA members or the residents of Harvard with the Planning Board and the property owner. Tracey mentioned that there is a new Land Use Board Administrator working in Town Hall.

At 7:44pm, Tracey asked for a motion to adjourn, seconded by Lawton. The motion to adjourn passed unanimously: Lawton, aye; Moeser, aye; and Tracey, aye.

Harvard Zoning Board of Appeals

Special Permit Minutes

Phoenix-Durango LLC (Emily & Chris Goswick) owner for 184 Ayer Road (Map 8 // Parcel 41)

March 22, 2023

The hearing was opened by Chair Christopher Tracey at 7:04pm virtually in accordance with legislation S. 2475, an act relative to extending certain COVID-19 measures adopted during the Covid Pandemic state of emergency and under M.G.L. Chapter 40A and Code of the Town of Harvard Chapter 125.

Members Present: Chris Tracey, Michael Lawton, Steve Moeser, Barbara Romero (Associate Member) and Orville Dodson (Associate Member),

Others Present: Frank O'Connor, Jr. (Director of Planning), Seth Donohoe (Dillis & Roy), Emily & Chris Goswick (Applicants)

This hearing is for a Special Permit filed on the behalf of Phoenix-Durango LLC for the change in commercial use from a small intensity business to a medium intensity business at 184 Ayer Road.

Seth Donohoe of Dillis & Roy, stated the property is a pre-existing non-conforming building that had previously housed an accounting office on the main floor and a small residential unit on the upper floor. He added it is about 2.2 acres in the C-District. He explained that the previous commercial use as an accounting office was a small-scale use and the new proposed commercial use as an optometrist's office is a medium scale use. Donohoe said this increase in intensity resulted in the need for a Special Permit. He mentioned that the Planning Board had granted a Site Plan approval. He said that the building conforms to all the set backs required and that the street scape and façade of the building would be improved but no substantial changes to the building other than the small vestibule entrance.

Tracey asked about the increase in traffic from the previous use as an accounting office to a medical / optometrist office. Donohoe said the plan was for the optometrists to see patients at the 184 Ayer Road site three days a week and that it would not have the same volume of traffic as at Acton Medical just down the road. Tracey said it was perplexing how there was a need for a Special Permit due to the change in use from a conforming use to another conforming use. Moeser felt the compelling reason was due to the increase in intensity of traffic.

Tracey explained that the Building Inspector required the applicant to obtain the Special Permit from the ZBA. Tracey asked if the other ZBA members had questions. Lawton mentioned the change to the leaching field, which would be addressed by the Board of Health. Neither Donohoe or the Goswicks had anything to add. Tracey asked for a motion to close the evidentiary portion of the meeting. Motion was made by Moeser, seconded by Lawton. Roll call vote was unanimous: Lawton, aye; Moeser, aye; and Tracey, aye. Then Tracey asked for further discussion, Moeser referenced conditions. Motion by Lawton to GRANT the Special Permit was seconded by Moeser. Roll call vote was approved unanimously: Lawton, aye; Moeser, aye; and Tracey, aye.

Submitted: _____ Frank O'Connor, Jr. as clerk