

**TOWN OF ORLEANS
ZONING BOARD OF APPEALS APPLICATION**

If this Petition is not complete, the Town Clerk is hereby directed to refuse to accept this Petition until the following are provided:

- A. All eleven (11) pages correctly filled out and signed (including this page) and five (5) copies to be reviewed and signed by the Building Commissioner: _____
- B. A list of names and addresses as they appear on the most recent tax list for the following:
 - 1. Direct Abutters
 - 2. Owners of land directly opposite on any public or private way (also called Abutters).
 - 3. Abutters to abutters and anyone within three hundred feet (300') of the property line of the Petitioners(s).
- C. **Plot Plan and Building Plan** showing dimensions of proposed construction or existing buildings indicating pertinent distances from front, rear, and sidelines of property and public or private ways. **(5 copies required)**
- D. **Copy of Denial(s) or Decision(s)** of Town Official(s) and other Advisory Board(s) where applicable. **(5 copies required)**
- E. A check in the amount of two hundred dollars **(\$200.00)** made payable to the "Town of Orleans" plus **\$5.54** postage for **EACH** Abutter.

DATE OF RECEIPT BY TOWN CLERK: _____

The correctness and authenticity of the above and enclosed information is the responsibility of the Petitioner(s), not the Town Clerk. This petition is received when the Town Clerk acknowledges the receipt of a correctly completed Petition **DO NOT** send the Petition(s) to the Board of Appeals. The Board of Appeals reserves the right to return incomplete or incorrect forms to the Petitioner(s) for correction and re-submission to the Town Clerk, although, if the Petitioner requests it, the Secretary to the Board of Appeals will attempt to correct any noted minor errors or omissions after contacting the Petitioner. Any agreed upon changes will be confirmed to the Petitioner in writing prior to the public hearing.

1. Applicant Name Karen Simpson Martin Phone: 508 237 0025

Mailing Address 14 Sidney Rd. Harwich, MA 02645

2. Property Owner Name GTRAK LLC

Mailing Address 100 Rt. 28, W. Harwich, MA 02671

3. Property Address 79 Finlay Rd.

4. If applicant is different from owner, state nature of interest:

Tenant

5. Property located on Orleans Map # 48 Parcel # 7-0

6. Zoning District Industrial

Overlay District N/A

Ground Water Protection District N/A

7. Present Use of Structures and or Land:

Multi-Use Commercial

8. Proposed change and use:

'One-chair' barber shop is proposed for a currently vacant suite on 1st floor.

ERRORS AND OMISSIONS

If the Board of Appeals finds it feasible to do so, do you wish to be contacted in an attempt to resolve apparent errors or omissions in these forms?

[] Yes [] No Phone Number (508) 237 - 0025

Submitted By:

Karen Simpson Martin Date 11-5-2024
Signature of Owner, Attorney or Agent

Address (E-mail optional) off the Top 100@gmail.com

Page4 - List of Abutter's

Map # 48 Parcel # 7-0 Laud Court Registered _____

Property Location 79 Finlay Rd.

Owner Name GTRAK, LLC. Ted LeGasse

Address 100 Rt. 28, W. Harwich, MA 02671

Phone Number _____

Owner, Attorney, or Agent

Name Karen Simpson Martin

Address 14 Sidney Rd., Harwich, MA 02645

Phone Number 508 237 0025

Person submitting list and/or certification (if different than owner, attorney, or agent):

An Abutters list as prepared by the Assessor's Office must be attached to the application.

If more than one town is involved, a list from each Town's Assessor's Office is necessary.

For use by the Assessors only:

The undersigned certifies that the attached list is a correct listing of abutters pursuant to the provisions of the General Laws, Chapter 40A, Section 11, as adopted by Chapter 808 of the Acts of 1975, Section 3. The list is based on the most recent tax list.

Certified by *Michael J. Simon*

Title *Manager*

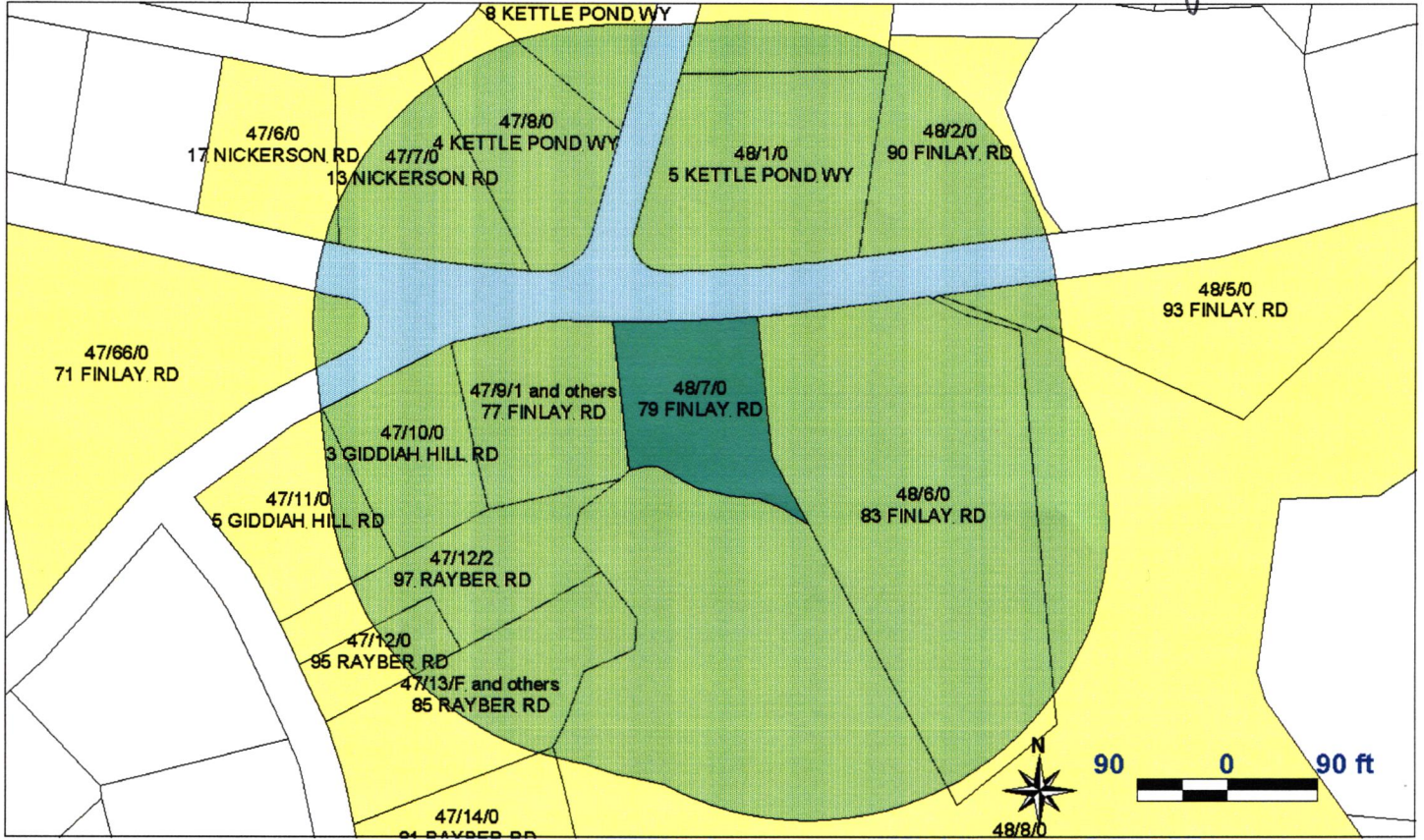
Date *11/14/24*



TOWN OF ORLEANS, MA
 BOARD OF ASSESSORS
 19 School Rd., Orleans, MA 02653

Micah M. Inoué

Abutters List Within 300 feet of Parcel 48/7/0



Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
3376	41-95-0-R	HARRIS JEFFREY W & ANN R	8 KETTLE POND WY	PO BOX 296	S ORLEANS	MA	02662
3377	41-96-0-R	PERSE MARY M & RICHARD A	9 KETTLE POND WY	91 HUNNEWELL AVE	NEWTON	MA	02458
3888	47-6-0-R	SCHURDAK TAMARA & GUNNING ANNE	17 NICKERSON RD	PO BOX 110	POTTERSVILLE	NJ	07979
3889	47-7-0-R	EDMUNDS DOUGLAS A	13 NICKERSON RD	13 NICKERSON RD	ORLEANS	MA	02653
6007	47-8-0-E	TOWN OF ORLEANS	4 KETTLE POND WY	19 SCHOOL RD	ORLEANS	MA	02653
3890	47-9-1-R	FERNANDES KEITH TRUSTEE STRAW MAN NOMINEE REALTY TR	77 FINLAY RD	PO BOX 236	ORLEANS	MA	02653
3891	47-9-2-R	FERNANDES KEITH TRUSTEE STRAW MAN NOMINEE REALTY TR	77 FINLAY RD	PO BOX 236	ORLEANS	MA	02653
3892	47-9-3-R	FERNANDES KEITH TRUSTEE STRAW MAN NOMINEE REALTY TR	77 FINLAY RD	PO BOX 236	ORLEANS	MA	02653
3893	47-9-4-R	FERNANDES KEITH TRUSTEE STRAW MAN NOMINEE REALTY TR	77 FINLAY RD	PO BOX 236	ORLEANS	MA	02653
3897	47-9-A-R	LOPES STEPHANIE TRUSTEE 75 FINLAY RD REALTY TRUST	75 FINLAY RD	75-B FINLAY RD	ORLEANS	MA	02653
3896	47-9-B-R	LOPES STEPHANIE TRUSTEE 75 FINLAY RD REALTY TRUST	75 FINLAY RD	75-B FINLAY RD	ORLEANS	MA	02653
3894	47-9-C-R	LOPES STEPHANIE TRUSTEE 75 FINLAY RD REALTY TRUST	75 FINLAY RD	75-B FINLAY RD	ORLEANS	MA	02653
3895	47-9-D-R	LOPES STEPHANIE TRUSTEE 75 FINLAY RD REALTY TRUST	75 FINLAY RD	75-B FINLAY RD	ORLEANS	MA	02653
3898	47-10-0-R	WILCOX LAWRENCE & MILDRED TRS WILDER REALTY TRUST	3 GIDDIAH HILL RD	PO BOX 1291	ORLEANS	MA	02653
6008	47-11-0-R	CAMERON COAST LLC	5 GIDDIAH HILL RD	22 WHIPPLETREE LN	AMHERST	MA	01002

Key	Parcel ID	Owner	Location	Mailing Street	Mailing City	ST	ZipCd/Country
3899	47-12-0-R	CAMERON PERSEVERANCE LLC	95 RAYBER RD	95 RAYBER RD	ORLEANS	MA	02653
10189	47-12-2-R	CAMERON PERSEVERANCE LLC	97 RAYBER RD	95 RAYBER RD	ORLEANS	MA	02653
3900	47-13-A-R	GUERTIN DANIEL J TR DILLON REALTY TRUST	85 RAYBER RD	PO BOX 530	ORLEANS	MA	02653
3901	47-13-B-R	GUERTIN DANIEL J TR DILLON REALTY TRUST	85 RAYBER RD	PO BOX 530	ORLEANS	MA	02653
3902	47-13-C-R	GUERTIN DANIEL J TR DILLON REALTY TRUST	85 RAYBER RD	PO BOX 530	ORLEANS	MA	02653
3903	47-13-D-R	GLORIAE DEI ARTES FOUNDATION	85 RAYBER RD	PO BOX 2831	ORLEANS	MA	02653
3904	47-13-E-R	DELUDE RUTH B & CLARK CAROLYN D AND G REALTY TRUST	85 RAYBER RD	PO BOX 1068	ORLEANS	MA	02653
3905	47-13-F-R	DELUDE RUTH B & CLARK CAROLYN D AND G REALTY TRUST	85 RAYBER RD	PO BOX 1068	ORLEANS	MA	02653
3906	47-13-G-R	85-7 RAYBER ROAD LLC	85 RAYBER RD	1 HOUSEWRIGHTS WAY	ORLEANS	MA	02653
3907	47-13-H-R	RUSHING TIDE LLC	85 RAYBER RD	PO BOX 1248	ORLEANS	MA	02653
3908	47-13-I-R	RUSHING TIDE LLC	85 RAYBER RD	PO BOX 1248	ORLEANS	MA	02653
3909	47-13-J-R	RUSHING TIDE LLC	85 RAYBER RD	PO BOX 1248	ORLEANS	MA	02653
3910	47-14-0-R	CLARK DAVID W TRUSTEE EDUMACATED REALTY TRUST	81 RAYBER RD	85 GREAT OAK RD	ORLEANS	MA	02653
4002	47-66-0-R	61-71 FINLAY LLC	71 FINLAY RD	34 POND RD	ORLEANS	MA	02653
4040	48-1-0-R	BOWNE DONALD M TRUSTEE BOWNE REALTY TRUST	5 KETTLE POND WY	350 REVERE BEACH BLVD APT 8-8H	REVERE	MA	02151
4041	48-2-0-R	TREESE JAMES R	90 FINLAY RD	90 FINLAY RD	ORLEANS	MA	02653
4044	48-5-0-R	CARLSON PAUL	93 FINLAY RD	93 FINLAY RD	ORLEANS	MA	02653
4045	48-6-0-R	WELLS GARY & TIRINGER TERRY	83 FINLAY RD	83 FINLAY RD	ORLEANS	MA	02653
4046	48-7-0-R	GTRAK LLC	79 FINLAY RD	100 RT 28	W HARWICH	MA	02671
4047	48-8-0-R	MARTIN KURT W	160 S ORLEANS RD	43 RAYBER RD	ORLEANS	MA	02653

	41-95-0-R		41-96-0-R		47-6-0-R
HARRIS JEFFREY W & ANN R PO BOX 296 S ORLEANS, MA 02662		PERSE MARY M & RICHARD A 91 HUNNEWELL AVE NEWTON, MA 02458		SCHURDAK TAMARA & GUNNING ANNE PO BOX 110 POTTERSVILLE, NJ 07979	
	47-7-0-R		47-8-0-E		47-9-1-R
EDMUNDS DOUGLAS A 13 NICKERSON RD ORLEANS, MA 02653		TOWN OF ORLEANS 19 SCHOOL RD ORLEANS, MA 02653		FERNANDES KEITH TRUSTEE STRAW MAN NOMINEE REALTY TR PO BOX 236 ORLEANS, MA 02653	
	47-9-2-R		47-9-3-R		47-9-4-R
FERNANDES KEITH TRUSTEE STRAW MAN NOMINEE REALTY TR PO BOX 236 ORLEANS, MA 02653		FERNANDES KEITH TRUSTEE STRAW MAN NOMINEE REALTY TR PO BOX 236 ORLEANS, MA 02653		FERNANDES KEITH TRUSTEE STRAW MAN NOMINEE REALTY TR PO BOX 236 ORLEANS, MA 02653	
	47-9-A-R		47-9-B-R		47-9-C-R
LOPES STEPHANIE TRUSTEE 75 FINLAY RD REALTY TRUST 75-B FINLAY RD ORLEANS, MA 02653		LOPES STEPHANIE TRUSTEE 75 FINLAY RD REALTY TRUST 75-B FINLAY RD ORLEANS, MA 02653		LOPES STEPHANIE TRUSTEE 75 FINLAY RD REALTY TRUST 75-B FINLAY RD ORLEANS, MA 02653	
	47-9-D-R		47-10-0-R		47-11-0-R
LOPES STEPHANIE TRUSTEE 75 FINLAY RD REALTY TRUST 75-B FINLAY RD ORLEANS, MA 02653		WILCOX LAWRENCE & MILDRED TRS WILDER REALTY TRUST PO BOX 1291 ORLEANS, MA 02653		CAMERON COAST LLC 22 WHIPPLETREE LN AMHERST, MA 01002	
	47-12-0-R		47-12-2-R		47-13-A-R
CAMERON PERSEVERANCE LLC 95 RAYBER RD ORLEANS, MA 02653		CAMERON PERSEVERANCE LLC 95 RAYBER RD ORLEANS, MA 02653		GUERTIN DANIEL J TR DILLON REALTY TRUST PO BOX 530 ORLEANS, MA 02653	
	47-13-B-R		47-13-C-R		47-13-D-R
GUERTIN DANIEL J TR DILLON REALTY TRUST PO BOX 530 ORLEANS, MA 02653		GUERTIN DANIEL J TR DILLON REALTY TRUST PO BOX 530 ORLEANS, MA 02653		GLORIAE DEI ARTES FOUNDATION PO BOX 2831 ORLEANS, MA 02653	
	47-13-E-R		47-13-F-R		47-13-G-R
DELUDE RUTH B & CLARK CAROLYN D AND G REALTY TRUST PO BOX 1068 ORLEANS, MA 02653		DELUDE RUTH B & CLARK CAROLYN D AND G REALTY TRUST PO BOX 1068 ORLEANS, MA 02653		85-7 RAYBER ROAD LLC 1 HOUSEWRIGHTS WAY ORLEANS, MA 02653	
	47-13-H-R		47-13-I-R		47-13-J-R
RUSHING TIDE LLC PO BOX 1248 ORLEANS, MA 02653		RUSHING TIDE LLC PO BOX 1248 ORLEANS, MA 02653		RUSHING TIDE LLC PO BOX 1248 ORLEANS, MA 02653	
	47-14-0-R		47-66-0-R		48-1-0-R
CLARK DAVID W TRUSTEE EDUMACATED REALTY TRUST 85 GREAT OAK RD ORLEANS, MA 02653		61-71 FINLAY LLC 34 POND RD ORLEANS, MA 02653		BOWNE DONALD M TRUSTEE BOWNE REALTY TRUST 350 REVERE BEACH BLVD APT 8-8H REVERE, MA 02151	

48-2-0-R

48-5-0-R

48-6-0-R

TREESE JAMES R
90 FINLAY RD
ORLEANS, MA 02653

CARLSON PAUL
93 FINLAY RD
ORLEANS, MA 02653

WELLS GARY & TIRINGER TERRY
83 FINLAY RD
ORLEANS, MA 02653

48-7-0-R

48-8-0-R

GTRAK LLC
100 RT 28
W HARWICH, MA 02671

MARTIN KURT W
43 RAYBER RD
ORLEANS, MA 02653

THESE FINDINGS MUST BE FILLED OUT BY THE APPLICANT

Please refer to Section 164-44 of the Orleans Zoning Bylaw.

Separate sheet(s) may be used if preferred.

Special Permits shall be granted only upon the Board's determination that the use will not be detrimental to the established or future character of the neighborhood and the Town and will be in harmony with the general purpose and intent of the Chapter.

164-44 Special Permit Criteria

- 1) Adequacy of the Site This building is one of two Commercial Business Condos on the property.
The other tenant is a psychotherapist office. The other building houses the offices of a motorcycle rider training academy, and a massage therapist. The location is more than adequate to include my one-chair barber business.

- 2) Suitability of the Site There are two lots, 79 and 81, that each have two business condo buildings like the one I hope to occupy. There is plenty of parking, and access to and from the site is on Finlay Road. The site is quite suitable for a Barber shop. Proposed business will occupy a vacant suite of the building.

- 3) Impact of Traffic Flow and Safety Proposal is for a one-chair barber shop, meaning one customer at a time. Therefore impact to traffic will be minimal.

- 4) Impact on Neighborhood Visual Character No exterior changes to the site or the building are proposed. A permitted, zoning-compliant business sign may be proposed in the future.

- 5) Adequacy of Method of Sewage Disposal, source of Water and Drainage _____
The building is on town water service, and has adequate Title V sewage disposal.
Orleans Health Department has confirmed the adequacy of the system.

- 6) Adequacy of Utilities and Public Services Proposed business will create minimal demand on the existing electrical and water service.

Page 5a (continued)

7) Noise and Litter No noise or litter will be generated by the proposed tenancy.

8) Impact of Groundwater Quality, Recharge Volume and Water Quality of Coastal and Fresh Water
Bodies NO impact to groundwater quality is anticipated.

Attach additional pages if necessary.

Page 5b – Variance

Petition for Variance as set forth in MGLA 40A, Section 10.

A. A Variance is requested of the following provisions of t11c Orleans Zoning Bylaws:

Section Number	Requirement	Variance Request
_____	_____	_____
_____	_____	_____
_____	_____	_____

B. State the reason the Variance is required (i.e., use, proposed construction):

C. State the justification for the Variance;

1) 164B(2)(A) Hardship:

2) 164-B(2)(B) Soil Conditions, Shape, Topography:

3) 164-B(2)(C) Impact to the Public Good and Intent of the Chapter:

Attach additional pages if necessary.

Page 5c - Appeal from Decision of Zoning Administrator

Appeal from decision of Zoning Administrator in accordance with MGLA Chapter 40A, Sections 13 and 14.

A. Specify the applicable Orleans Zoning' Bylaw Chapter(s):

B. Define the Zoning Administrator's interpretation:

C. Define the applicant's interpretation:

D. Define the applicant's basis for appeal:

E. The applicant shall assure that all information necessary to substantiate the basis of his/her appeal, such as building plans, site plans, setbacks, area calculation, etc. are included.

Attach additional pages if necessary.

Page 5d - Appeal From Decision or Order of Administrative Official

Appeal in accordance with MLGA Chapter 40A, Section 8 from decision or order of Administrative Official.

A. Section(s) and paragraphs of MGLA Chapter 40A or Orleans Bylaw allegedly violated:

B. State the Administrative Official's decision or order:

C. State the applicant's interpretation:

D. Define the applicant's basis for appeal:

E. The applicant shall assure that all information necessary to substantiate the basis of his/her appeal, such as building plans, site plans, setback, area calculations, etc. are included.

Attach additional pages if necessary.

Page 6 - Data

This data is required as applicable to applications for Special Permits, Variances or Appeals.

A. If pre-existing; year built: 1987

B. If non-conforming:

Bylaw Section	Requirement	Non-conformity
_____	_____	_____
_____	_____	_____
_____	_____	_____

C. If intensifying a non-conformity:

Bylaw Section	Requirement	Non-conformity
_____	_____	_____
_____	_____	_____
_____	_____	_____

D. If for coverage (required for 164-21 A Note 5):

Acreage _____ sq. ft. Buildable Upland _____ sq. ft.
Building Coverage _____ sq. ft. % Coverage _____

E. Coastal Bank Set Back Calculation (164-21C):

Building Height _____ ft.
Required Set Back _____ ft.
Actual Set Back _____ ft.

Attach additional pages if necessary.

Page7 - Determinations

Copies of all determinations, filings or recommendations of any committees shall be attached to this submittal.

Architectural Review Committee:

Determination Required? Yes No Approved

Conservation Commission:

Determination Required? Yes No Approved

Old King's Highway Regional Historic District:

Determination Required? Yes No Approved

Site Plan Review Committee:

Determination Required? Yes No Approved

Traffic Study Committee:

Determination Required? Yes No Approved

Planning Board:

Determination Required? Yes No Approved

Zoning Board of Appeals:

Previous Case? Yes* No

*If yes, please list case numbers and attach any and all decisions:

Case Numbers(s) _____

Please note here any other committees required and/or applied for:

none
