

Town of Sandwich

THE OLDEST TOWN ON CAPE COD
TOWN CLERK
TOWN OF SANDWICH



Planning Board

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AUG 29 2018

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The Planning Board of the Town of Sandwich hereby gives notice that it will hold a Public Hearing on proposed amendments to the Sandwich Protective Zoning By-Law.

Date and Time : September 18, 2018 at 7:00 p.m.
Location : 270 Quaker Meetinghouse Road, Upstairs Meeting Room

Proposed Amendments:

- **Proposed amendment to Article I Section 1330 to make consistent with M.G.L Chapter 40A §6 as follows:**

1330. Special Permits shall normally be granted unless, because of conditions peculiar to the particular case but not generally true for similar permitted uses on other sites in the same district, it appears that nuisance, hazard or congestion will be created, or for other reasons there will be substantial harm to the neighborhood or derogation from the intent of the by-law, so that the stated district objectives will not be satisfied. The Special Permit Granting Authority shall place upon each special permit the condition that failure to comply with the conditions set forth in the special permit will result in termination thereof and that it shall expire upon transfer of ownership, prior to initiation of substantial construction on or occupancy of the site, unless such transfer is authorized in the permit, or if no substantial construction or occupancy takes place within the twelve (12) months of special permit approval, excluding such time required to pursue or await the determination of an appeal referred to in Section 17 of Chapter 40A. Extenuating circumstances may be a basis for a six (6) month extension to be granted by the Special Permit Granting Authority. Construction or operations under a building or special permit shall conform to any subsequent amendment of the ordinance or by-law unless the use or construction is commenced within a period of not less more than twelve (12) months after the issuance of the permit and, in cases involving construction, unless such construction is continued through to completion as continuously and expeditiously as is reasonable.

- **Proposed amendment to Article II Section 2100 to add previously approved Medical Marijuana Overlay District and Municipal Reuse Overlay District to the Establishment Of Districts as follows:**

- q) Medical Marijuana Overlay District
- r) Municipal Reuse Overlay District

The boundaries of these districts are defined and bounded on the map entitled "Zoning Map, Sandwich, Massachusetts," dated and revised April 24, 1978, as amended May 1 and 2, 1978 (Articles 12, 13, and 14), May 4, 1981 (Article 31), May 19, 1986 (Article 9), revised November, 14, 1988 (Article 33), revised May 24, 1989 (Article 26), revised May 1, 2000, (Article 31), revised March 19, 2001 (Article 2) and as amended and revised through May 7, 2001 and as further amended and revised through May 6, 2002 (Article 31) and as further amended on March 21, May 2, 2005, October 2009 and, May 2013 ,

May 4, 2015 and November 13, 2017 on file with the Town Clerk. The map and all explanatory matters thereon are hereby made part of this by-law. Overlay districts shall be superimposed on other districts established in this by-law.

Medical Marijuana Overlay District, as described in Section 8000, is herein established as an overlay district and shall be superimposed on other districts as established in this by-law.

Municipal Reuse Overlay District, as described in Section 8100, is herein established as an overlay district and shall be superimposed on other districts as established in this by-law.

- **Proposed amendment to Article IV Section 4910 to reference current master plan:** 4910. Purpose. The purpose of Section 4900 Development Scheduling is to insure that a harmonious pattern and rate of development occurs in Sandwich to protect the welfare of current and future Sandwich residents. The consequences of the historical pattern and rate of development in Sandwich are described in the ~~Master Plan Update of 1987~~ 2009 Local Comprehensive Plan. The rate of development in Sandwich shall be determined by, and should not exceed, the ability of the Town to provide adequate schools, roads, police, fire protection, and other services necessary to safeguard the health, welfare and safety of current and future residents. In addition, this development rate is intended to further the legitimate Commonwealth and local interests in the provision of a fair share of housing that is affordable to persons of low or moderate income.

Full text of the proposed Zoning Amendments, along with the current Protective Zoning By-Law and current Zoning Map may be viewed in the following ways:

1. Request a PDF from the Office of Planning & Development at planning@townofsandwich.net.
2. Visit the Office of Planning & Development at 16 Jan Sebastian Drive, Sandwich, MA.
3. Call (508) 833-8001 if other accommodations are needed.

Robert E. King, Chair
Sandwich Planning Board
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