



MINUTES
June 19, 2018

TOWN CLERK
TOWN OF SANDWICH

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7:00 p.m.

Upper Meeting Room
270 Quaker Meetinghouse Road

Present: Robert King, Chair; Matthew Cubetus, Vice Chair; Robert Prol; Jeff Picard; James Kalweit; William Burbank and Sarah Regan

Also Present: Ralph Vitacco, Director, Planning & Development; Leanne Drake, Assistant Planner, Sam Jensen, Assistant Town Engineer and Laura Watts, Recording Secretary

Submission of New Plans

None

Old Business

None

New Business

None

Deliberations

- 4 Samba Circle – Three Ponds Special Permit

The Board reviews and discusses the Special Permit for 4 Samba Circle. The Board votes to approve the Special Permit with conditions. The decision, findings and conditions are on file in the Planning & Development Office.

Board Discussion

- Planning Board Rules and Regulations; Draft of Procedural Requirements for the Planning Board

Mr. King, as the new Chair, asked about Planning Board rules and regulations at the last meeting. Ms. Drake has drafted a template and presents it to the Board for discussion. Mr. Picard questions including the fee schedule in the document



as it would be difficult to keep it updated as fees are changed. He suggests referencing the website to find the fee schedule. This leads to a discussion on how and when fees are set and who approves the fees. Mr. Burbank believes the fees are too low and Ms. Regan states the Board of Selectmen set them each year during a public hearing. This hearing is well advertised and it usually takes place at the end of the calendar year. Mr. King likes being able to see this and believes that it will also assist residents with any questions. Mr. Prol then questions the “Conflict of Interest” section. He was unable to find MGL Chapter 268A that states that a Board member must leave the room if there is a conflict of interest with an agenda item. He would like Ms. Drake to send him the language. He feels the Board members are already covered by the Conflict of Interest Law. Mr. King believes it is important to include in the Rules & Regulations. Mr. Prol merely wants to make sure that if we are quoting the law, then we should also be able to find the law. Mr. Burbank asks the Board if the Planning Board is in fact involved with planning. Mr. King responds yes and a good example of this is the Board’s involvement in the Wing School rezoning. Without the Planning Board the change of use could not have happened. Mr. Burbank then asks who besides the Planning Board has the expertise to establish how a site is to be marketed or preserved. Mr. Vitacco explains that the Planning Board is tasked with creating the Local Comprehensive Plan and making zoning suggestions to aid in creating economic development and affordable housing. Town departments work together with one another to move a specific plan through the process. If something comes up that is too complex, outside consults may be hired and paid for from a specific departments budget. On a day to day matter, the Board oversees Special Permits and Definitive Subdivision Plans. Mr. Vitacco then distributes information from the Handbook of MA Land Use Planning. Mr. King explains that this set of Rules & Regulations was only meant to be procedural. Mr. Burbank feels this document will handcuff the Board. Ms. Regan suggests renaming the document and calling it “Planning Board **Procedural** Rules & Regulations”. Mr. Picard asks that one more section be clarified. The last paragraph under “Procedure” he would like to add ... “unless both the Board and the applicant agree to a continuance **of the Public Hearing.**” Ms. Drake agrees and will make this change.

Ms. Regan motions to accept the Planning Board Rules & Regulations as modified. Mr. Cubetus seconds. The vote is unanimous.

Other Matters Not Reasonably Anticipated

- Mr. Burbank makes a recommendation that the Planning Board hold a public hearing to consider MGL Chapter 41 § 81 A-M. He would like the Board to become a more active resource for the community to encourage economic development. Mr. King would like the Board to review the law and come back to discuss at a future meeting under “Board Discussion” prior to holding a Public Hearing. Ms. Regan asks Mr. Vitacco if he can bring the job descriptions for the Planning & Development staff to this meeting. Mr. Burbank would also like to encourage the Chair of the Board of Selectmen to take part in this discussion.
- Mr. King asks the Board if they would like to hold meetings when there is nothing else on the agenda besides “Board Discussion”. Ms. Regan says that the meetings should be left open until 48 hours prior. Mr. King said it has been his

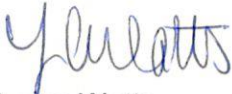
experience with the Board that if nothing comes in by the Friday prior to the meeting, then the meeting will be cancelled and the Board Discussion will be on the agenda for the next meeting.

- Mr. Kalweit asks the Board about waste water and if there is a possibility that the Wing School fields could be used as a leaching field for a waste water treatment plant. Mr. Burbank and Ms. Regan both say no because the fields are too close to the water table. Ms. Regan suggests that Mr. Kalweit attend a future Water Quality Advisory Board meeting.

Adjournment

Mr. Prol motions to adjourn. Mr. Burbank seconds. The vote is unanimous. The meeting adjourns at 8:07 p.m.

Respectfully submitted,



Laura Watts

Supporting Documents:

1. Draft Rules and Regulations for the Town of Sandwich Planning Board (9 pages)
2. Overview of Massachusetts Land Use Regulation, §1.03 [B], Planning Board (1 page)
3. Printout of Mass. General Law §81A through M (17 pages)