



Minutes
October 12, 2010

7:00 P.M.

Present: Christopher Neeven, Chair, Erik VanBuskirk, Robert Jensen, and Alternate Elect Harold Mitchell

Absent: James Killion and Fred Watt

7:01pm

Approval of Minutes

Mr. Jensen moved the Board approve the minutes of August 24, 2010 as written. Mr. Mitchell seconded. The vote was unanimous.

7:02pm

Public Hearing

Special Permit #10-09

123 Salt Marsh Road

Joseph and Donna Pignatelli

Mr. Neeven read the Public Hearing Notice into the record. Mr. Neeven also read the following comment letters into the record:

- Engineering Department, Paul S. Tilton, letter dated October 8, 2010
- Board of Health, David B. Mason, RS, CHO, Health Agent letter dated September 22, 2010
- Sandwich Fire Department, J.J. Burke, Fire Prevention Officer, letter dated September 17, 2010

Attorney Benjamin Losordo, and Mr. Roger Michniewicz, project engineer, were present. Mr. Losordo stated that the applicants wanted to place the fill in order to access their garage doors. Currently the driveway is approximately 6 inches below the garage doors. Mr. Michniewicz pointed out that he had used a plan approved by the Conservation Commission in 2006.

Mr. Neeven asked for any public comment.

Ms. Sarah Marter, 23 North Shore Boulevard Ext., an abutter, expressed her concern for the wetland in the area. Mr. Losordo assured her that the wetland issue had been addressed by the Conservation Commission.

Mr. Neeven asked what effect this fill project would have on Roos Road, if any. Mr. Michniewicz explained that the plan called for coarse gravel fill with a very slight change to the contour of Roos Road. Downspouts are on the side of the building not facing Roos Road so there will be no run-off onto Roos Road. He also pointed out that the owner has a valid Order of Conditions from the Conservation Commission.

Ms. Kathy Walter, 68 and 82 Roos Road, spoke in favor of the project.

Mr. Jensen moved that the Board close the Public Hearing regarding Special Permit #10-09, 123 Salt Marsh Road, Joseph Pignatelli, Jr. and Donna Pignatelli. Mr. Van Buskirk seconded. The vote was unanimous.

7:19pm

Public Hearing

Special Permit #10-10

61 Wing Boulevard East

Richard E. Serodio

Mr. Neeven read the Public Hearing Notice into the record. Mr. Neeven also read the following comment letters into the record:

- Sandwich Water District, Jeff Rose, Assistant Superintendent, dated September 23, 2010
- Board of Health, David Mason, RS, SHO, Health Agent, dated September 22, 2010
- Sandwich Fire Department, J.J. Burke, Fire Prevention Officer, dated September 17, 2010

Attorney Benjamin Losordo, Roger Michniewicz, project engineer, and Ann Michniewicz, architect, were present for the owner. Mr. Losordo reviewed the project for the Board which is to alter and extend a pre-existing non-conforming structure by putting on a 114 ft. addition.

Mr. Neeven opened for Public Comment. There were no comments.

Mr. VanBuskirk moved that the Board close the Public Hearing regarding Special Permit #10-10, 61 Wing Boulevard East, Robert E. Serodio. Mr. Jensen seconded. The vote was unanimous.

7:27pm

Public Hearing

Special Permit #10-11

138 Main Street

Frank and Janice Colombo

Mr. Neeven read the Public Hearing Notice into the record. He also read the following comment letters into the record:

- Engineering Department, Paul S. Tilton, Town Engineer, dated October 8, 2010
- Sandwich Fire Department, J.J. Burke, Fire Prevention Officer, dated September 24, 2010
- Board of Health, David Mason, RS, SHO, Health Agent, dated September 22, 2010

Dr. Colombo explained to the Board why he was seeking this Special Permit. As a firearms hobbyist for many years, he held Federal and State licenses to sell firearms. He had eight to ten customers a year who were fellow enthusiasts. When the law changed to make it illegal to sell firearms out of a home, he relocated his business to Route 6A until the property was sold. He will conduct his business out of his barn, not his home and will not store any ammunition on the premises. His own personal collection will not be in the barn at all. Dr. Colombo emphasized that he really was not operating a business in the usual sense. He does not store any firearms for sale on his property.

If someone expresses and interest in a particular firearm, he finds it for the person and has it shipped directly to the client. Mr. Smith recommended that the Board waive the parking requirement under the "other retail business" usage in the Zoning By-law.

Mr. Neeven opened the hearing for public comment.

A resident from 114 Tupper Road asked if the Special Permit would carry over to a new owner. Mr. Smith assured him that there is no transfer to a new owner and that there will be many conditions included in the Special Permit.

Mr. Peter Loiter, 137 Main Street, and a neighbor of the Colombo's, spoke in favor of the project.

Mr. Robert Leahy, 9 Water Street, expressed concern about a gun shop in the Historic District, and being located between a church and the library. Mr. Jensen assured him that the conditions of the permit would not allow this to become a full-fledged gun shop and that if the property changes hands, the permit is not longer in effect. Mr. Smith spoke to how the Planning Board and the permitting process works.

Mr. Jensen moved that the Board close the Public Hearing regarding Special Permit #10-11, 138 Main Street, Frank and Janice Colombo. Mr. VanBuskirk seconded. The vote was unanimous.

Board Discussion

Mr. Smith informed the Board that the plans for Forestdale Village are being reviewed by the Engineering Department, and hopefully, the plans will be ready for the Board within two weeks.

Mr. Smith updated the Board on South Sandwich Village. He went over a preliminary concept plan for SSV and discussed issues associated with wastewater treatment and disposal. He also briefly discussed an RFP that may be issued for the sale of the adjacent town-owned 54-acre parcel of land.

Mr. Smith presented the Board members with copies of the proposed Zoning By-laws. He requested that the members review the sections and prepare for to discuss them over the next few weeks. The formal Administrative Site Plan Review, South Sandwich Village, and the Utility-Scale Wind Energy Facility are the three new sections to be introduced. He would like to begin reviewing the by-laws with the Board at the next meeting.

Mr. Neeven asked the Board to be prepared at the next meeting to discuss the current fee schedule that is in place for the Board of Appeals.

The Board will deliberate on the three Special Permits that were presented and closed this evening on October 26, 2010

Mr. Jensen motioned to adjourn. Mr. VanBuskirk seconded. The vote was unanimous. The meeting adjourned at 8:04pm.

Respectfully submitted,
Marilyn K. Bassett

