



MINUTES
May 18, 2010

7:04pm
Meeting Room
Town Office Building,
16 Jan Sebastian Drive

Present: Daniel Marsters, Chair; Amy Lipkind, Vice-Chair; Richard Claytor; Sarah Regan, Joe Vaudo, and Nanette Perkins

Approval of Minutes

Ms. Lipkind moved the Board approve the minutes of March 2, 2010, April 6, 2010, and April 15, 2010. Mr. Claytor seconded. The vote was unanimous.

7:05pm
Kristins Way
Ron and Linda Larkin
Form E Submission

Mr. William Burbank was present to represent the Larkins. He told the Board that the Form E was not yet ready. Because this is a condition of the Definitive Plan for a subdivision, no action was required by the Board. When the Form E is ready the Larkins will be placed on the agenda.

7:07pm
Board Discussion
Canvasback Subdivision

Mr. Marsters read the following letters into the record:

Mr. Jonathan Fitch, Atty dated April 30, 2010
Mr. and Mrs. Guy Kiedeisch dated May 17, 2010

Mr. Gregory Smith, Director of Planning and Development, presented a survey plan that the Conservation Commission has required as part of an NOI application. He explained that the ConCom has held one public hearing to date. There is ongoing dialogue with all the involved parties. Mr. DeConto, Conservation Officer, hopes to have a resolution within the next two weeks. Once the ConCom completes the public hearings and a plan is agreed upon, the matter will be referred back to the Planning Board. It is expected that Mr. DeConto will be in attendance to make a presentation to the Board. Ms. Lipkind asked if the HOA will be submitting additional information to the Planning Board because she would like to have more than a presentation by the Conservation Officer. The answer was in the affirmative. Mr. Claytor

asked if it would be fair to say that all parties have agreed to the process. Mr. Smith replied that the dialogue is still ongoing and there is hope that all parties would be agreement.

Mr. Marsters opened the meeting for public comment. Atty. George J. MacKoul, who represents two homeowners in Canvasback, recapped his view of the meeting with the Conservation Commission. Homeowner Wendy Kiedeisch wanted to have it noted for the record that there are several homeowners not in the Homeowners Association for the Canvasback subdivision. Mr. Derrick Bowen, 28 Pierre Vernier Drive, told the Board that the the path in question had not been in existence for very long. Mr. Marsters stated that the Planning Board would wait to hear from the Conservation Commission before making any decision.

Ms. Perkins stated that the paths would need to be maintained due to vegetation growth. Mr. Smith replied that that would be part of the conditions from the Conservation Commission. Mr. Claytor questioned if he was correct that the reason Canvasback Subdivision was before the Board tonight was because the Zoning officer had issued a violation order? Mr. Smith said that was true and that all parties were working towards a remedy. Mr. Marsters concluded the discussion by stating that the matter would come before the Board as a Public Hearing and not a discussion after the Conservation Commission had made its decision.

7:31pm

By-Law Committee Report

Mr. Smith updated the Board on the progress of the By-Law committee. This committee has work for the past year to totally reorganize the by-laws. The changes should be ready for the Special Town Meeting in the fall.

7:35pm

Board Reorganization

Mr. Marsters read the letter of resignation of Ralph Vitacco from the Planning Board because of his election to the Board of Selectmen. We have advertised in the Sandwich Enterprise for Interested residents to send in letters of interest.

Ms. Lipkind nominated Mr. Marsters to be the Chairman of the Planning Board. Mr. Claytor seconded the nomination. The vote was unanimous. Ms. Regan nominated Amy Lipkind to be the Vice Chairman. Mr. Vaudo seconded the nomination. The vote was unanimous.

7:45pm

New Plan Submission

Teaberry Lane ANR

William Cotter

Mr. Cotter, 453 Route 6A, submitted a plan for an ANR to the Board. Mr. Smith informed the Board that he, Paul Spiro, Building Inspector, and Sam Jensen, Asst. Town Engineer, had met to discuss this plan. Mr. Jensen had raised some concerns regarding safe access. To date, nothing has been presented in the Planning and Development office, and there are still several outstanding issues.

Mr. Claytor said that Building Inspector and the Town Engineer could decide if Teaberry Lane is an adequate way and if it is a buildable lot. Since nothing is being divided or created, the request is not under the jurisdiction of the Planning Board. The Board members referred Mr. Cotter back to the Building Inspector and the Assistant Town Engineer.

7:53pm

Board of Appeal Comment

The project at 68 Roos Road which is a request to place fill on the lot was the only one that the Planning Board wanted to comment on. Mr. Claytor stated that the FEMA guidelines indicates that placing fill on land to manage flooding is the least preferable solution. He asked that the Planning Board suggest to the Board of Appeals that it looks to the FEMA guidelines before making a decision. The rest of the Board agreed. The Board secretary will send the comment to the Board of Appeals.

Mr. Vaudo moved the Board adjourn. Mr. Claytor seconded. The vote was unanimous. The meeting adjourned at 7:59P.M.

Respectfully submitted,

Marilyn K. Bassett