



BOARD OF APPEALS

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Minutes
February 22, 2011

7:08 P.M.

Present: Christopher Neeven, Chair, James Killion, Vice Chair, Erik VanBuskirk, Robert Jensen, and Harold Mitchell

Absent: Fred Watt

7:08 P.M.

Approval of Minutes

Mr. Jensen moved the Board approve the minutes of February 8, 2011 as written. Mr. Van Buskirk seconded. The vote was unanimous.

7:10 P.M.

Public Hearing

Variance #10-15

68 & 82 Roos Road

Karl & Walter

Mr. Neeven read a letter from Mr. Kevin Kirrane, Esq., attorney for the applicant, requesting a further postponement of the application. Mr. Jensen moved that the Board continue the Public Hearing for a Variance for 68 & 82 Roos Road, Karl & Walter until March 22, 2011 @ 7:05 P.M. Mr. Killion seconded. The vote was unanimous.

7:15 P.M.

Public Hearing

Special Permit - #11-02

27 Almy Avenue

Almy Avenue Realty

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

- Sandwich Water Dater District, Jeff Rose, Asst. Supt. letter dated February 17, 2011
- Engineering Dept., Town Engineer, Paul Tilton, letter dated February 15, 2011

Attorney Ben Losordo and Mr. Roger Michniewicz were present. Mr. Losordo explained that the sole purpose of the variance is to reduce the front setback from 30 feet to the average of either side of the building. The building to the east has a setback of 21.9 feet and the building on the west is 16.2. The average is 19.1 feet. The requested setback is 21.7 feet.

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Mr. Losordo provided the Board with pictures of the street and the houses to the east and west. Mr. Losordo said the bylaw is designed to have houses lined up and not have a new house vastly different. Mr. Losordo said if you look at the pictures provided, you will note they are all the same distance from the street which is approximately 20 feet from the street.

Mr. Jensen made a motion for the Board to close the Public Hearing for Variance #11-02, 27 Almy Avenue, Almy Avenue Realty Trust. Mr. Van Buskirk seconded. The vote was unanimous.

7:24

Public Hearing

Special Permit 11-03

32 June Lane

Houlihan

Mr. Neeven read the Public Hearing into the record. Mr. Neeven read the following letter into the record

- Sandwich Water District, Jeff Rose, Asst Supt., letter dated February 17, 2011

Mr. Losordo and Mr. Roger Michniewicz were present. Mr. Losordo said the special permit is requested to allow the construction of an addition to a currently existing nonconforming structure. The nonconformity on the structure is the 13.6 foot existing deck which is approximately 36" to 40" high. Mr. Losordo provided pictures of the deck.

Mr. Killion asked Mr. Losordo if the deck with stone wall was original to the house. Mr. Losordo said at one time it was a wooden deck of the same size. Mr. Killion asked if the footprint has remained the same. Mr. Losordo said yes. There was further discussion about when the original deck was installed and the size.

Mr. Neeven said that on the application there was a typo under sections it should be noted that there is no section 1306 and it should be 1300.

Mr. Jensen made a motion to close the Public Hearing for a Special Permit #11-03, 32 June Lane, Houlihan. Mr. Killion seconded. The vote was unanimous.

Deliberations

The Board reviewed and discussed 76 & 80 Tupper Road, Special Permit #10-16, 89 Rte 6A LLC. The Board voted to grant the Special Permit application. The decision, findings & conditions are on file in the Board of Appeals public records at the Planning and Development Office.

The Board reviewed and discussed 53 Route 130, Special Permit #10-19, Camp Good News. The Board voted to grant the Special Permit application. The decision, findings & conditions are on file in the Board of Appeals public records at the Planning and Development Office.

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The Board reviewed and discussed 7 Old Snake Pond Road, Variance 10-17, Michael McCarthy. The Board voted to deny without prejudice the Variance application. The decision, findings & conditions are on file in the Board of Appeals public records at the Planning and Development Office.

The Board reviewed and discussed 9 Old Snake Pond Road, Variance 10-18, Brian McCarthy. The Board voted to deny without prejudice the Variance application. The decision, findings & conditions are on file in the Board of Appeals public records at the Planning and Development Office.

Mr. Mitchell moved that the Board adjourn. Mr. Jensen seconded. The vote was unanimous.

The meeting adjourned at 8:20 P.M.

Respectfully submitted,
Maureen Carty

