



# Town Of Sandwich

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TOWN CLERK

TOWN OF SANDWICH

## PLANNING BOARD

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JUL 21 2011

**MINUTES**  
**(From Recording)**  
**May 23, 2011**

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*S H R M A M*  
RECEIVED & RECORDED

**6:00pm**  
**Upstairs Meeting Room**  
**Town Office Building,**  
**16 Jan Sebastian Drive**

**Present:** Sarah Regan, Chair, Dan Marsters, Vice Chair, Amy Lipkind, Henry Rakov  
**Absent:** Rich Claytor, Joe Vaudo, and Nanette Perkins

### Canvasback Subdivision Deliberation

Mr. Rakov asked to look at the subdivision plan from 1989 because he thought it would be helpful for him to see the differences. Ms. Regan said that the 1989 plan showed the lots but not actual homes and nothing else.

Ms. Regan asked how the Board felt.

Mr. Marsters observed that nothing was on the previous plan and now the Board is seeing a plan with existing paths coupled with confusion about what is being shown and what is being asked for. This has created something a little more complicated that needs to be addressed. He also said that a violation had occurred that caused this to be addressed right now. A mechanism needs to be in place to deal with that as well.

Ms. Regan stated that at the last meeting she felt that a more formal request was needed. She asked if any Board member had any feelings about that. Ms. Lipkind is of the opinion that the plan submitted is significantly different from the plan of record, and that a new plan of record needs to be submitted, whether by a Special Permit modification or a new Special Permit. This plan needs to show everything in the subdivision – all things submitted, permitted, shown, and asked for.

Mr. Rakov said that getting from Point A to Point B is important; Mr. Marsters stated that the Board needs to make sure that Point B is the last point. The situation needs to be cleared up for future benefit of everybody because of all the differing views people have had in coming before the Board. This would prevent one or two paths being brought before the Board piecemeal now and before future Boards as well. Mr. Marsters also said that the Home Owners Association was requesting permission from the Board, and that previously, their attorney, Mr. Avratin, stated that if the Board requested something more formal from the HOA it would constitute a denial. Mr. Marsters commented that he thought it was within the scope of the Board to require how permission would be requested.

Mr. Rakov is in favor of a process that would require the HOA to submit an application. This would establish, in his mind, the fact that there is a fully constituted Home Owners Association



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with all parties agreeing to the application. That would clear up the question regarding the HOA.

Ms. Regan said that the question for deliberation is how the Board wants the application to come to them or does the applicant need to come before the Board. The Board agreed that the HOA needs to apply for a modification of the existing Special Permit or apply for a new Special Permit to make adjustments to the plan of record.

After discussing the wording, the Board voted unanimously to require an application for a new Special Permit to address the changes to the original subdivision plan. This can be a modification to the Special Permit. Mr. Rakov moved that the wording be adopted. Mr. Lipkind seconded. The vote was unanimous.

Ms. Lipkind moved the Board adjourn. Mr. Rakov seconded. The vote was unanimous. The meeting adjourned at 6:11pm.

Respectfully submitted,  
Marilyn K. Bassett