

Town Of Sandwich

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PLANNING BOARD

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JAN 18 2012

S.H. S. v. N. J.
RECEIVED & RECORDED

MINUTES
October 18, 2011

7:06pm
Meeting Room
Town Office Building,
16 Jan Sebastian Drive

FINAL COPY

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

Approval of Minutes

Ms. Lipkind moved the Board approve the minutes of August 2, 2011, August 16, 2011, August 30, 2011 and August 31, 2011 as written. Mr. Marsters seconded. The vote was unanimous.

Board Discussion

Manor Drive - continued

Attorney Jonathan Fitch and property owner Rick Hall were present. Mr. Fitch presented new plans to the Board that reflected changes requested by the Board last June. The property is 10 acres on Manor Drive with Crestview Drive on the other side of the property. The owners want to put in a cluster development. At the last meeting, Board and public comment indicated that connecting to Crestview Drive was not favored.

After meeting with Planning & Development Director Greg Smith and Asst. Town Engineer Sam Jensen, a more practical approach was implemented. The new proposal is for a cluster of five lots, down from seven. Mr. Fitch said that in the final analysis, the lots would be lined up on Manor Drive with no need for more road or connection. The rest of the land would be Open Space and possibly donated to the Town of Sandwich. He asked the Board to examine the plan and find it acceptable as a demonstration plan.

Ms. Regan read the following letter into the record:

- Sam Jensen, Asst. Town Engineer, dated October 13, 2011

Mr. Fitch assured the Board that there is no intention to build more road. S. Regan suggested that the horseshoe seems to alleviate the 500' rule. Mr. Marsters asked Mr. Jensen if there is a problem with access. Mr. Jensen replied that it is a matter of interpretation. Manor Drive is a private road; there are benefits to allowing gated emergency access since Manor Drive is the only way to access the subdivision. At one time access may have been intended through Gray Birch Road. Mr. Fitch explained that the easement shown on the plan is technically part of Lot #1. The developer reserved for himself the right to use that little space if he added land from the adjacent lots. The developer never did acquire the land. Ms. Regan suggested that the



perhaps the easement could be purchased from the owner. Mr. Fitch and Mr. Hall are looking at other options as well.

Ms. Regan addressed the downhill slope toward Gray Birch Road. She asked Mr. Fitch what the drainage would be if the land were clear cut to Gray Birch Road. Would it create a pool at the bottom? Mr. Fitch said that the developer would have to be sure to control the drainage.

Mr. Marsters again asked Mr. Jensen if, in his view, there he would consider the access to be adequate as it exists now. Mr. Jensen said that it would be a compromise toward alleviating a dead-end. It would be an improvement for both Manor Drive and Atkins Road. He also said that regarding emergency access, the concerns of the neighbors would need to be respected. Mr. Fitch agreed that there would be a gated access with at Knox box. Mr. Rakov asked how wide the access road has to be. Mr. Jensen responded that Section 5S of the Subdivision Rules and Regulations state that the road must be 18' wide.

Mr. Fitch said that they would be bringing a plan back to the Board showing five lots on Manor Drive with adequate frontage. In answer to a question posed by Mr. Rakov regarding changing the layout of the subdivision Mr. Fitch explained that under the by-laws in a cluster development the lots are smaller to create contiguous Open Space in exchange for lots with smaller frontage requirements. A developer has to first show, however, how many lots are allowed. Ms. Regan explained that you always have to demonstrate that you show the lots conventionally. Mr. Fitch also explained that Board approval of the demonstration plan only gives the developer the right to bring forward a cluster development application.

The Board asked Mr. Jensen again if he there is still a need for secondary access for the development. Ms. Regan said that it seemed that he had gone from it being a requirement to strongly recommending secondary access. He agreed.

Mr. Marsters motioned that the five lot cluster subdivision of land off Manor Drive be approved with the provision that emergency access be allowed to the property line at the closest point to Gray Birch Road. Ms. Lipkind seconded. The vote was unanimous.

Cranberry Shores

Jeffrey Hannah

Ms. Regan read the following letter into the record:

- Mr. Sam Jensen, Asst. Town Engineer, dated October 4, 2011
- Mr. David Mason, RS, CHO, Director of Public Health, dated August 31, 2011

Ms. Lipkind motioned that the board approve the Form E Covenant dated August 21, 2011, for Cranberry Shores. Mr. Rakov seconded the motion. The vote was unanimous.

Mr. Hannah also brought the mylar in to be signed. Mr. Jensen offered to check it with the plan in his office. When he made the comparison, the mylar did not reflect the last revision. Mr. Hannah will bring the correct mylar and four copies in for the Planning Board to endorse.

Board Comments

The Board of Appeals submitted the following for comment by the Planning Board:

- Special Permit #11-11
36 Tupper Avenue
- Special Permit #11-12
2 Jan Sebastian Drive

The Board had no comment on either Special Permit application.

Ms. Lipkind moved the Board adjourn. Mr. Marsters seconded. The vote was unanimous. The meeting adjourned at 8:12pm.

Respectfully submitted,

Marilyn K. Bassett