Town Of Sandwich
THE OLDEST TOWN ON CAPE COD

BOARD OF APPEALS
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Minutes
October 25, 2011

7:00 P.M.
Present: Christopher Neeven, Chair, Erik VanBuskirk, Jim Killion, Robert Jensen, Sam Jensen, Assistant Town Engineer and Paul Spiro, Building Inspector

Absent: Harold Mitchell, Fred Watt

7:05 P.M.
Public Hearing
Special Permit #11-11
36 Tupper Road
Smith

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

> Conservation Commission, David J. DeConto, Natural Resource Officer, letter dated October 19, 211.

Mr. Ben Losordo, Attorney for the applicant and Ms. Anne Michniewicz, the Architect were present.

Mr. Losordo explained that the applicants were adding a second floor onto an existing footprint. There are two items that they need in order to make it look right. They want to add a portico over the existing stairs and also they want to add an extension of about 6 to 8 inches to the roof line thus altering a present existing non-conforming use. Mr. Losordo further discussed the setbacks. The house was built before Sandwich had zoning. He further stated that the portico adds to the appeal of the house.

Mr. Losordo said if you look at a plan of the street you can see different setbacks. The relief can be granted if it is determined that it is not more detrimental to the neighborhood but it improves the look of the house. They contacted the neighbors on both sides of the house and both neighbors submitted letters that are in the file that they are happy with the change.

Mr. Killion asked if they were looking to decrease the front setback from 28.9 feet to 26.6 feet. Mr. Losordo said yes which would increase the non-conforming use.

Discussion was held regarding a variance as opposed to a special permit.

Mr. Neeven asked for comment from the public. There was none.

Mr. Jensen moved the Board close the Public Hearing regard Special Permit #11-11, 36 Tupper Road. Mr. Van Buskirk seconded. The vote was unanimous.

7:20 P.M.
Public Hearing
Special Permit #11-12
2 Jan Sebastian Drive
Falmouth Hospital Assoc., Inc.

Mr. Neeven read the Public Hearing into the record. Mr. Neeven acknowledged a comment letter from two physicians and then read the following letters into the record:

Conservation Commission, David DeConto, Natural Resources Officer, letter dated October 19, 2011
Sandwich Water District, Jeff Rose, Asst. Supt., letter dated October 20, 2011
Engineering Dept., Sam Jensen, Asst. Town Engineer, letter dated October 20, 2011

Present were Eliza Cox, Attorney for the applicant along with Ed Browne, Executive Director of Facilities and Support Services, Cape Cod Healthcare; Dan Ojala, Civil Engineer with Down Cape Engineering; Martin Batt, Project Architect with Isgenuity and Christy Murphy, Project Manager with JK Scanlan.

Ms. Cox discussed the fact that there were two Board members not present. It was explained to Ms. Cox that these Board members will be able to listen to the minutes and then participate and deliberate on this application. With this information, Ms. Cox said she would like to proceed.

Ms. Cox showed the location of the project on a plan and explained the size and zoning district along with the history of the present building which was developed in stages. She further stated that there are ninety-three parking spaces on the site and that the site complies with all Zoning Bylaws.

Ms. Cox said the applicant is requesting a Special Permit to enable a 4,757 square foot addition in several areas and special relief is also requested to maintain ninety-three parking spaces.

Ms. Cox introduced Mr. Batt to walk the Board through the proposed addition to the site.

Mr. Batt said they are looking to maintain the building but it is in need of upgrading along with the addition of an urgent care program. The majority of the addition will be reception and waiting areas.

Mr. Jensen asked about a small addition in the rear on the plan. Mr. Batt said the area will be used for x-rays and upgraded equipment.

Ms. Cox also said with all of the upgrades of the facility another benefit would enable longer hours....from 7:00 A.M. to 8:00 P.M. Monday through Friday and one-half day on Saturday.

Ms. Cox said she had met with department heads and town administrators before filing this application and all of the comments were positive.

Ms. Cox provided a handout to Board members relative to parking which she said is adequate. A slide presentation was given showing various years and the number of spaces being utilized. She also pointed out an area on the plan which could be used to increase parking if one day it was necessary.

Mr. Killion asked about the number of people working at the facility and Ms. Cox said the number will not increase.

Ms. Cox also acknowledged the Town Engineer's comment relative to sidewalks. Based on the frontage on Rte 130 it was determined that the cost would be prohibitive. The cost would be upward of $70,000 for design and installation. Since the applicants are non-profit this project is being funded by charitable contributions.

Mr. Neeven asked for comment from the public.

Mr. Leo Lass of 5 Duchess Drive spoke and said he has concerns about the noise from the MRI machine when it is moved in and out.

It was explained that recently the machine has been moved by a trucking company and the noise from the MRI is due to cooling motors being run.

Mrs, Lass of 5 Duchess Drive asked if there will be any emergency services.

Ms. Cox said there will be urgent care during the hours of operation. There will be no ambulance services to the facility.

Mr. Brian Fragassi of 5 Dukes Drive expressed concern about a portion of the plan that is where is property is. He was told there would be no change.

The issue of noise was addressed again.

Mr. Killion asked Ms. Cox if should wanted to continue the hearing based upon the number of Board members present. Ms. Cox said yes. Mr. Killion moved that the Board continue the Public Hearing regarding Special Permit #11-12, 2 Jan Sebastian Drive, Falmouth Hospital Associates Inc. until November 8, 2011 at 7:20 P.M. Mr. Neeven seconded the vote was unanimous.

The Board agreed to go into Executive Session on November 8, 2011 at 6:30 P.M.

Mr. Jensen motioned to adjourn. Mr. Watt seconded. The vote was unanimous.

The meeting adjourned at 8:07 P.M.

Respectfully submitted,
Maureen Carty