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Town Of Sandwich
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BOARD OF APPEALS
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NOTE: The digital recorder malfunctioned; the meeting was not recorded.

Minutes
September 25, 2012

7:01pm
Present: Harold Mitchell, Chair, Robert Jensen, Vice Chair, Fred Watt, Christopher Neeven, Erik VanBuskirk, and James Killion
Also Present: Nathan Jones, Town Planner and Paul Spiro, Inspector of Buildings

7:01pm
Approval of Minutes
Mr. Jensen moved the Board approve the minutes of September 11, 2012 as written. Mr. VanBuskirk seconded. The vote was unanimous.

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7:05pm
ADBI #12-14 and Variance #12-15
125 Spring Hill Road and 80 Roos Road
Vamester
Mr. Mitchell read a letter into the record from Attorney Michael Ford requesting that the Public Hearing for the above ADBI and Variance applications be continued to October 23, 2012. Mr. Jensen moved that the Board continue ADBI #12-14 and Variance #12-15 to October 30, 2012 at 7:05pm. Mr. VanBuskirk seconded. The vote was unanimous.

7:06pm
Special Permit #12-09
3 The Mall
McHugh
Attorney John Holmgren, Contractor Rick Anderson, and Project Manager Steven Cook were present. Atty. Holmgren reviewed the application request with the Board; Mr. Anderson then went over the changes to the original plans submitted. These changes include elimination of the shed and retaining wall, dropping the pitch and ridge height to a total of 24' 81/4", and cutting the 2nd floor deck in half. The project outlines an increase in the dwelling from 1300 sq. ft. to 1962 sq. ft. Mr. Watt asked if the footprint was remaining the same – it is except that the shed is being removed.

Mr. Mitchell opened the meeting for public comment. The following residents spoke:

- Chris Downs, 5 Beachway West
- Harry Gaumond, 2 Bemis Road

These two abutters were at the meeting representing five abutters. They presented a letter with supporting documentation to the Board. **Because the minutes were not recorded, a copy of the letter and documentation are attached to these minutes.**

Mr. Killion left the meeting.

Mr. Gaumond stressed that the abutters are not trying to prevent the McHugh's project; they would like to it stay within the guidelines of other properties in Sandwich Downs. They expressed concerns regarding the setbacks, the closeness to neighboring property, and the overall size of the proposed house. Mr. Killion asked Mr. Downs and Mr. Gaumond if they would prefer to have the McHughs build their house up to the maximum height of 35' as

allowed under Town by-laws and stay within the current footprint? They both agreed that it would be preferable. Both abutters presented several charts and graphs **(attached)** to the Board to support their concerns.

- Armond Johnson, 9 Beachway West, gave a brief history of the neighborhood and cited his concerns regarding drainage issues. He said he was interested to see where this all goes.

Atty. Holmgren reminded the Board that each of the projects mentioned by the abutters has its own special nuances – all are different.

Mr. Jensen moved to close the public hearing for Special Permit #12-09, 3 The Mall. Mr. Neeven seconded. The vote was unanimous.

Board Discussion

The Board addressed several questions to Mr. Spiro regarding interpretation of the Building Code and the Town's Intensity of Use Schedule.

Mr. Jensen moved to adjourn. Mr. VanBuskirk seconded. The vote was unanimous. The meeting adjourned at 8:04pm.

Respectfully submitted,
Marilyn K. Bassett