

**Town Of Sandwich**  
THE OLDEST TOWN ON CAPE COD



**PLANNING BOARD**

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**MINUTES**  
**October 2, 2012**

**7:02pm**  
**Meeting Room**  
**Town Office Building,**  
**16 Jan Sebastian Drive**

**Present:** Sarah Regan, Chair, John Campanale, Vice Chair, Henry Rakov, William Burbank, and Nicole King  
Town Planner Nathan Jones, Sam Jensen, Asst. Town Engineer  
**Absent:** Stanley Torrey and Joe Vaudo

**Approval of Minutes**

Mr. Campanale motioned to accept the minutes of September 21, 2012 as written. Mr. Rakov seconded. The vote was unanimous.

**Submission of New Plans**

There were no new plans submitted.

**Cluster Subdivision and Special Permit**

**21 Manor Drive**  
**Black and Hall**

Mr. Campanale recused himself.

TOWN CLERK  
TOWN OF SANDWICH

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Ms. Regan read the Public Hearing notice into the record. She also read the following comment letters into the record:

- J. J. Burke, Fire Prevention Officer, Sandwich Fire Department, dated September 3, 2012
- David DeConto, Asst. Director of Natural Resources, Sandwich Conservation Commission, letter dated September 5, 2012
- Thomas W. French, PhD, Asst. Director, Division of Fisheries and Wildlife, letter dated September 11, 2012
- Jeff Rose, Assistant Superintendent, Sandwich Water District, letter dated September 13, 2012
- Sam Jensen, P.E., Assistant Town Engineer, letter dated September 27, 2012

Attorney Jon Fitch, applicant Rick Hall, and Gary LaBrie, design engineer, were present. Atty. Fitch reviewed for the Board that this plan had come before them as a Demonstration plan and then a Preliminary Plan. Presently, approx. 6 acres have been reserved for Open Space with the remaining approx. 3.5 acres being reserved for homes. He assured the Board that the Open Space will be left as it is with no amenities added. The Board discussed on Mr. Jensen's comments. Mr. Burbank was interested in the septic placement.



Ms. Regan asked Mr. Hall if he is planning to sell the lots; he is. There was Board discussion regarding the placement of the driveways, an alternate access road, how much flexibility is allowed for cluster developments.

Ms. Regan opened the meeting for public comment with the following addressing the Board:

- Barry Hillman, 36 Crestview Drive would like to see another access road. Ms. Regan said that this was not within the scope of the application before the Board.
- Raphael Negrón, 2 Earl Road, expressed concern that if the lots are being sold, there would be nothing to prevent one from being further subdivided for condos or apartments. Ms. Regan told him that under the Cluster Subdivision regulations, the lots cannot be further subdivided.
- Diane Izzo, 22 Crestview Drive, verified that each lot is 40,000 sq. ft. She also asked about curb cuts. Ms. Regan said that curb cuts can be addressed in the permit and that the topography of the lots affects the position of the driveways.
- David Bronstein, 37 Crestview Road, spoke about a HOA.
- Peter Conathan, 15 Manor Drive, expressed concern about erosion control as there is a documented vernal pool on Manor Drive.
- Joseph Powers, 6 Gray Birch Road, asked if there would be an access road from Gray Birch Road or not? At present the members of the Board do not feel that one is necessary. Ms. Regan explained that the topography does not easily lend itself to access from Gray Birch. Atty. Fitch also mentioned that the stub from Crestview is privately owned.
- Mary Swann, 11 Manor Drive, was curious about the lot designated "B" on the plan. Ms. Regan explained that it was named by the applicant for this plan at this time and was subject to the same restrictions as all other lots.
- Theron Johnson, 19 Earl Road, said he was not notified. It was determined that the Assessors office would not have been notified of his purchase of the property at the time the abutters list was certified.

There was no further public comment.

Ms. Regan wanted to continue the hearing in order to speak with Mr. Jensen regarding Mr. Hillman's concerns. Also there were only four Board members so the decision would have to be unanimous. Atty. Fitch said he would look at the septic situation as well.

Mr. Rakov moved that the public hearing for 21 Manor Drive Cluster Subdivision and Special Permit be continued to November 20, 2012 at 7pm. Mr. Burbank seconded. The vote was unanimous.

### **Board Discussion**

Mr. Rakov asked Mr. Jones if he had any response from Town Counsel regarding Teaberry Lane and the Board questions. Mr. Jones anticipates hearing from Atty. Lane soon. He also asked Chair Sarah Regan if she would explain her comments that the Board could potentially be creating frontage for a subdivision. She explained that by certifying Teaberry Lane the Board was essentially taking a single lot with no frontage and creating two lots with frontage.

The Board also discussed Manor Drive access and the layout of the lots. The topography of the property has determined the layout of the subdivision. Mr. Burbank expressed his concern for the existing trees with the proposed septic system for five houses.

A future possible development was also mentioned, but not discussed by the Board.

Mr. Rakov moved the meeting adjourn. Mr. Campanale seconded. The vote was unanimous. The meeting adjourned at 8:59pm.

Respectfully submitted,

Marilyn K. Bassett