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Town Of Sandwich
THE OLDEST TOWN ON CAPE COD

BOARD OF APPEALS

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Minutes
February 26, 2013

7:02pm

Present: Harold Mitchell, Chair, Robert Jensen, Vice Chair, Erik VanBuskirk, Fred Watt, and James Killion
Nathan Jones, Town Planner, Paul Spiro, Inspector of Buildings, and Sam Jensen, Asst. Town Engineer
Absent: Christopher Neeven

7:02pm

Approval of Minutes

Mr. Jensen moved the Board approve the minutes of February 12, 2013 as written. Mr. Watt seconded. The vote was unanimous.

7:05pm

Special Permit

#13-02

176 and 180 Main Street

Austin Family Limited Partnership (Decatur House)

Mr. Mitchell read the Public Hearing Notice into the record. He also read the following comment letters into the record:

- Jeff Rose, Asst. Superintendent, Sandwich Water District, letter dated February 21, 2013
- J.J. Burke, Fire Inspector, Sandwich Fire Department, letter dated February 15, 2013
- David DeConto, Asst. Director, Natural Resources, letter dated February 6, 2013
- David Mason, RS, CHO, Health Agent, Board of Health, letter dated February 7, 2013
- Sam Jensen, P.E., Asst. Town Engineer, letter dated February 25, 2013

Neil Curran, Steve Devlin, Steve Vegas, and Steve Austin, applicant, were present. The applicant, Steve Austin, is seeking an amendment to the 1997 Special Permit by adding 8 units and a dining room. There are currently two lots that will be combined if the application is approved. Mr. Austin presented the proposed plan to the Board for questions.

The Board was concerned with the lot coverage as it appears to be almost double the coverage of the original permit. Mr. Austin said that most of the increase is in the amount of paving that is proposed. Mr. Spiro, Inspector of Buildings, commented that for the handicapped areas, it is necessary to have pavement for smooth travel. Mr. Killion noted that since the average of the residents is between 86 and 87 years old, it is essential to have a smooth surface for safety. Mr. Austin said that they can look at the plans and add more gravel instead of paving in non-handicapped areas.

Mr. Jensen wanted to make sure that any lighting would be placed so that it shines away from neighbors.

There was no public comment.

The Board asked Mr. Austin to bring back a plan showing lot coverage in the 34 – 35% range. He agreed.

Mr. Jensen moved that Special Permit #13-02, 176 and 180 Main Street, be continued to the meeting of March 12, 2013 at 7:05pm. Mr. VanBuskirk seconded the motions. The vote was unanimous.

TOWN CLERK
TOWN OF SANDWICH

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7:32pm

Special Permit

#13-03

14 Jan Sebastian Drive

Simi II, Owner

ProElite Fitness, Applicant

Mr. Mitchell read the Public Hearing Notice into the record. He also read the following comment letters into the record:

- J.J. Burke, Fire Inspector, Sandwich Fire Department, letter dated February 15, 2013
- Jeff Rose, Asst. Superintendent, Sandwich Water District, letter dated February 6, 2013
- David Mason, RS, CHO, Health Agent, Board of Health, letter dated February 7, 2013
- David DeConto, Natural Resources Officer, Conservation Commission, letter dated February 6, 2013

Mr. Scott Rehm or ProElite Fitness and Kevin Pepi, representing Simi II, were present. Mr. Rehm explained to the Board that there had been a bank issue with the building at 15 Jan Sebastian Drive so they were back to apply for a special permit at the new address. He explained that the only change from the special permit granted in November is that there is more parking at the new building. The hours of operation remain the same. Mr. Mitchell opened the meeting for public comment. There was none.

Mr. Killion voted to close the public hearing for Special Permit #13-03, 14 Jan Sebastian Drive. Mr. Jensen seconded. The vote was unanimous.

Board Discussion

Deliberation

The Board reviewed and discussed 14 Jan Sebastian Drive, ProElite Fitness, Special Permit #13-03. The Board voted to grant the Special Permit with conditions. The decision, findings, and conditions are on file in the Board of Appeals public records at the Planning and Development office.

CPTC Classes

Mr. Mitchell reminded the Board that there are several new classes being offered this year at the CPTC at Holy Cross if anyone was interested.

Proposed Zoning Update

Mr. Jones updated the Board on the latest changes to the proposed zoning for the ATM in May. Any proposed changes north of the highway will be considered for a STM in the fall. There is also an article calling for a one year moratorium of zoning for medical marijuana. The changes for the upcoming ATM will focus on the definitions, use table, and the Flex and R2 zones.

Kathy Karl, Roos Road, asked the Board if someone submitted an application from the Shore District, should it go through the ConCom or Board of Appeals first? The Board agreed that it really doesn't make any difference. Mr. Jensen moved to adjourn. Mr. Watt seconded. The vote was unanimous. The meeting adjourned at 7:55pm.

Respectfully submitted,
Marilyn K. Bassett