

Town Of Sandwich
THE OLDEST TOWN ON CAPE COD



BOARD OF APPEALS

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Minutes
March 26, 2013

FINAL COPY

7:00pm

Present: Harold Mitchell, Chair, Robert Jensen, Vice Chair, Erik VanBuskirk, Fred Watt, Christopher Neeven, and James Killion
Nathan Jones, Town Planner

TOWN CLERK
TOWN OF SANDWICH

7:00pm

Approval of Minutes

Mr. Jensen moved the Board approve the minutes of February 26, 2013 as written. Mr. Van Buskirk seconded. The vote was unanimous.

APR 11 2013

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RECEIVED & RECORDED

7:01pm

Board Discussion

Annual Town Meeting Petition Article

Mr. Mitchell brought the proposed changes to the DPW structure before the Board for discussion. Resident Stephen Barr has submitted an article calling for separating out DPW responsibilities and privatizing some of the work presently done by town employees. Mr. Mitchell is concerned about the Engineering Department as the engineers work so closely with our Boards. He wanted the Board of Appeals to go on the record as being opposed to this article. After discussing the pros and cons, the Board, at the suggestion of Mr. Jensen, decided to remain neutral. Mr. Jensen stated that there is not enough information about this proposal and that each member could make an informed decision at Town Meeting.

Proposed Zoning Changes

Mr. Jones reported to the Board on the Public Hearing held on March 19th for the proposed zoning changes. He said that the meeting had been positive and all the proposals were recommended to Town Meeting with very few corrections or changes. He asked the Board if it would endorse these proposals; Mr. Watt suggested that the Board stay neutral as he was reluctant to comment on the content of the proposed by-law changes. The Board agreed.

Mr. Jones told the Board that there had been some discussion on the Use Table for Drive-throughs accessory to retail use. This will probably come up for further discussion in the summer. Mr. Jones also told the Board that currently the Town of Sandwich does not allow for a use variance. The Board did not feel that this has been a problem, but would discuss it in more depth before the STM in the fall.

Comment – Greenwood Meadows

Large Scale Ground Mounted Solar Photovoltaic Installation Application

Mr. Mitchell asked if anyone had a comment for the Planning Board hearing to be held on April 2, 2013. Mr. Jensen noted that the narrative states 16 residences, 120 apartments, and the solar lot. This was again stated in the ENF certification. Those changes have never come before the Board for approval. Mr. Mitchell was concerned that it appears that more lots have been removed from the comprehensive permit without coming before the Board. Mr. Jones told the Board that they had probably missed a step in coming to the Board for approval to remove more lots from the comprehensive permit, but it was probably done during the Cape Cod Commission review process. Mr. Killion also brought up a question regarding accessing a business through a 40B development. This had come during the permit process for Dana Fields. Ms. Bassett will write a comment letter for the Planning Board.

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7:31pm

Comprehensive Permit #09-23

Forestdale Village

Rte. 130 & Pimlico Pond Road

Mr. Mitchell read a letter from owner Steven Powers requesting a continuation to the April 9, 2013 meeting. Mr. Killion informed the Board that under 40B regulations, the Board has 20 days to act on a modification request; this request was stamped in on March 14, 2013 with the 20 days being April 2, 2013. Mr. Jensen motioned that the modification request for Forestdale Village be continued to April 4, 2012 at 7:05pm. Mr. VanBuskirk seconded. The vote was unanimous.

Mr. Neeven moved to adjourn. Mr. Watt seconded. The vote was unanimous. The meeting adjourned at 7:35pm.

Respectfully submitted,
Marilyn K. Bassett