

Town Of Sandwich

THE OLDEST TOWN ON CAPE COD



PLANNING BOARD

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MINUTES November 5, 2013

TOWN CLERK
TOWN OF SANDWICH

DEC 04 2013

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7:05pm

Lower Meeting Room
Human Services Building,
270 Quaker Meetinghouse Road

Present: Henry Rakov, Vice Chair, Sarah Regan, William Burbank, Stanley Torrey,
Absent: Joseph Vaudo & Elizabeth Cotter
Also Present: Nate Jones, Town Planner

7:06 pm

Ms. Regan made a motion that the Board accept the minutes of September 17, 2013 and October 1, 2013 as written. Mr. Burbank seconded. The vote was unanimous.

Rockhill Estates Continued

Lot Release Modification Request

Attorney Jon Fitch representing the applicant was present. Mr. Rakov explained that there were only four members of the Board present to vote and, therefore, it would have to be unanimous. Mr. Fitch said he wanted to proceed.

Mr. Fitch explained that he represents Mr. Steven Agostinelli who purchased the Rockhill Estates Cluster Subdivision of eleven lots has been working on the infrastructure. The work is complete with the exception of the top coat. Mr. Fitch further said that the Board has a Form I Construction Cost Estimate and indicates \$58,276.

Mr. Fitch passed out a copy of a plan and said there are eleven building lots and there is open space clumped towards 6A. The road work is done with the exception of \$58,000 worth of paving. The installation of these improvements was secured by a covenant on all lots. Nothing has been sold at this point and the developer would like to move into the construction phase. We would like a release of the covenant on all lots except #11. This request comes under Chapter 41 Section 81U. Mr. Fitch further stated that one of these lots has a retail value of \$200.00.

Ms. Regan pointed out that Mr. Jensen feels that the Town should use cash surety.

Mr. Fitch said that the law says the method of providing surety may be selected by the applicant and not the Town Engineer.

There was a lengthy discussion between the Board and Mr. Fitch regarding the form of surety which should be provided to the Town.

Mr. Rakov asked if lots 10 & 11 could be provided as surety. Ms. Regan asked Mr. Burbank for his opinion and he suggested lots 8, 9, 10 & 11 be provided. It was agreed that the idea of this for security would be overkill. The Board also agreed to take a trip to the Rockhill Estates subdivision.

Mr. Fitch asked if this could be held off until the next meeting. Ms. Regan made a motion to continue discussion for the surety release until the Planning Board meeting of December 3, 2013. Mr. Rakov seconded. The vote was unanimous.

Mr. Fitch said the next request is hoping that the Board will determine it is an insubstantial modification to a Special Permit which was issued with the Cluster Special Permit.

Mr. Fitch explained the 50 foot frontage rule in the Cluster and strips of open space between lots. What has become apparent to Mr. Agostinelli is because of the narrowness of the lot he has to face garage doors to the street. The applicant would like to put driveways across open space. Mr. Fitch said they had prepared a couple of ideas that would allow a driveway across the disconnected portion of open space. The idea is to make things visually more attractive.

A lengthy discussion continued regarding open space. Mr. Rakov asked if what was requested was just swapping open space. Mr. Burbank suggested that the developer look at the Chipman Road development for planning his construction.

Ms. Regan suggested shared driveways. Mr. Burbank after lengthy discussion of making recommendations, concluded that the developer do some more creative thinking for the sake of open space and there may be a way of addressing drainage.

Mr. Fitch said he would like to withdraw this request and recommend to his client he take the recommendation of what Mr. Burbank is suggesting.

There was further discussion about Lots 10 and 11 as covenant release. Mr. Burbank said that it might be reconsidered.

Brady's Island

Mr. Rakov read into the record a memo from Mr. Burbank. Mr. Burbank said the application went in for a minor grant of \$250. The only thing that he plans on doing is tagging where the four paths would go inside of the lot. Mr. Jones has been requested to set up a meeting with Paul Tilton to determine what needs to be done and when it will be done so some of the children can get started in March. Mr. Tilton and Mr. Jones will be meeting with Mr. DeConto of the Conservation Department.

Mr. Burbank has requested a letter from the Planning Board to the Cultural Council informing them of support for the Brady's Island application.

Mr. Rakov made a motion to direct the letter to the Cultural Council and Ms. Regan seconded. The vote was unanimous.

Board of Appeal Comment

Ms. Regan asked Mr. Jones about 14B Jan Sebastian Drive. He informed the Board that the application has been continued waiting for comment from the Board of Health and also the issue of a curb cut was addressed.

Board Discussion

Mr. Jones told the Board that November 18th is the Special Town meeting when the By-Laws will be up.

Mr. Jones further stated that Mr. Spiro is talking about the Spring Town Meeting and the renewal work on the Sign By-Law.

Further discussion was held relative to the various changes proposed at this Town Meeting.

Mr. Rakov said he will be gone from January until the end of April

Ms. Rakov moved that the meeting adjourn. Ms. Regan seconded. The vote was unanimous. The meeting adjourned at 8:40pm.

Respectfully submitted,

Maureen Carty