

Town Of Sandwich  
THE OLDEST TOWN ON CAPE COD



PLANNING BOARD

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**FINAL COPY**

**MINUTES  
August 19, 2014**

TOWN CLERK  
TOWN OF SANDWICH

SEP 18 2014

*S H 30 M A M a*  
RECEIVED & RECORDED

7:04pm  
Upstairs Meeting Room  
Human Services Building,  
270 Quaker Meetinghouse Road

**Present:** Sarah Regan, Vice Chair, David Darling, Robert King, and Elizabeth Cotter  
**Absent:** William Burbank, Chair and Lori Caron  
**Also Present:** Paul Spiro, Building Inspector

Approval of Minutes

Mr. King motioned to accept the minutes of August 5, 2014 as written. Mr. Darling seconded. The vote was unanimous.

Public Hearing

Proposed Zoning Amendments

Ms. Regan read the Public Hearing Notice into the record.

Recommendation Vote – Proposed Zoning Bylaw Amendments

Ms. Regan read proposed amendment, Article 1. There was no public comment. Mr. Spiro and Ms. Regan suggested that the Board change the Section number from 8.6 to 8000 for consistency purposes. The Board agreed. There was no further Board discussion.

Mr. King moved the Board recommend that Special Town Meeting approve the following proposed by-law amendment:

Item #1:

"Proposed addition of Section 8000 Medical Marijuana Overlay District (MMOD) to provide for the placement of a Registered Marijuana Dispensary (RMD) in accordance with the Humanitarian Medical Use of Marijuana at GL c94c, App. S-1-1 et seq., in a location suitable for a lawful medical marijuana facility and to minimize adverse impacts of a RMD on adjacent properties, residential neighborhoods, and locations where minors congregate by regulating the siting, design, placement security, and removal of a RMD."

The full text of the proposed Medical Marijuana Overlay District language was available to the public beginning August 1, 2014 in the Planning and Development office during normal business hours and notice was posted with the Town Clerk's office in accordance with MGL ch 40A, §5 on July 30, 2014.

Ms. Cotter seconded.

Voted:

Sarah Regan	Yes
Elizabeth Cotter	Yes
Robert King	Yes
David Darling	Yes

The vote was unanimous.

Ms. Regan read proposed amendment, Article 2( Definitions). There was no public discussion. After a discussion, the Board agreed to add a "y" to the word an in the Height" definition to read ..."FEMA to be part of any A or V Zone,... There was also discussion the definition of Storage, Exterior. In response to a comment by Ms. Cotter, Mr. Spiro said that more language is better to help focus on the spirit and intent of the definition. There was no further Board discussion.

Mr. King moved the Board recommend that Special Town Meeting approve the following proposed by-law amendment:

Item #1, 2, and 3:

HEIGHT - The vertical distance from the mean existing grade at the front line of the building to the highest point of the roof for flat or shed roofs, to the deck line for mansard roofs and to the ridge for gable, hip and gambrel roofs; except for those buildings that are required to be placed on elevated foundations adjacent to the shoreline and/or within those areas designated by FEMA to be part of any A or V Zone, where the vertical distance would be measured from the top of the elevated foundation to the highest point of the



roof for flat or shed roofs, to the deck line for mansard roofs and to the ridge for gable, hip and gambrel roofs. Not included are spires, cupolas, TV antennae and other parts of structures, which do not enclose potentially habitable floor space.

YARD – A required open space, unobstructed with structures other than fences or other customary yard accessories.

STORAGE, EXTERIOR - Temporary (no longer than six months) exterior storage units located outside a building including but not limited to “pods”, trailers, containers and the like which may house merchandise, furniture and more.

Ms. Cotter seconded.

Voted:

Sarah Regan	Yes
Elizabeth Cotter	Yes
Robert King	Yes
David Darling	Yes

The vote was unanimous.

Ms. Regan read proposed amendment, Article 3. There was no public comment. The Board agreed to add the language suggested by Town Counsel: inset the “no longer than six months” from the definition directly into this section. There was no further Board Discussion.

Mr. King moved the Board recommend that Special Town Meeting approve the following proposed by-law amendment:

Item #1:

4126. **Exterior storage** units may temporarily (no longer than six months) be positioned on a property only after notification to the Building Inspector of its date of delivery and its date of proposed removal.

Mr. Darling seconded.

Voted:

Sarah Regan	Yes
Elizabeth Cotter	Yes
Robert King	Yes
David Darling	Yes

The vote was unanimous.

Ms. Regan read proposed amendment, Article 4. There was no public comment. There was a brief discussion by the Board. Town Counsel commented that the increase to five years was a generous one. Mr. Spiro pointed out that this timeframe allow for the revitalization of a property.

Mr. Darling moved the Board recommend that Special Town Meeting approve the following proposed by-law amendment:

Item #1:

2410. Abandonment. A non-conforming use of a building or land, which has been abandoned for a period of five (5) years, shall not thereafter be returned to such non-conforming use. A non-conforming use shall be considered abandoned when the premises has been vacant for five years, or when the characteristic equipment and/or furnishings of the non-conforming use have been removed from the premises and have not been replaced by similar equipment, whichever shall occur first.

Mr. King seconded.

Voted:

Sarah Regan	Yes
Elizabeth Cotter	Yes
Robert King	Yes
David Darling	Yes

The vote was unanimous.

#### Board Discussion

The Board briefly discussed the proposed cell tower at 349 Route 6A and its progress through the other Town Boards.

Ms. Regan also mentioned that at the SEIC meeting held on August 18<sup>th</sup>, Capt. John's Cruises from Plymouth donated \$1000 to the SEIC as a result of the success of the dinner/cruise event for the Canal Celebration. The owner is looking to perhaps use Sandwich harbor in the future for other trips. The Board is concerned with adequate parking and that tourists would be able to spend time in and around Sandwich.

Ms. Cotter moved the meeting adjourn. Mr. King seconded. The vote was unanimous. The meeting adjourned at 8:55 P.M.

Respectfully submitted,

Marilyn K. Bassett