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## Town Of Sandwich

THE OLDEST TOWN ON CAPE COD

TOWN CLERK  
TOWN OF SANDWICH

MAR 11 2015

1 H 15 M P M  
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7:00pm

**Present:** James Killion, Chair, Robert Jensen, Vice Chair, Christopher Neeven, Erik VanBuskirk, Harold Mitchell, and David Schrader (Alternate)

**Also Present:** Blair Haney, Director of Planning and Economic Development and Paul Spiro, Building Inspector

### Approval of Minutes

Mr. Jensen moved to accept the minutes of January 13, 2015 as written. Mr. Killion seconded. The vote was unanimous.

### 68 & 82 Roos Road Extension Request

Mr. Killion suggested that the Roos Road Extension request be heard first. Mr. Killion read a letter from the applicant dated February 3, 2015 requesting that both Special Permit #09-12 and Special Permit Amendment #10-01 be extended for six months.

There was no comment from the public.

Mr. Jensen made a motion to extend the time period for Special Permit #09-12 and Special Permit Amendment #10-01 from March 14, 2015 until September 14, 2015. Mr. Neeven seconded, the vote was unanimous.

### Special Permit #15-01

#### 15 Haror Street

#### Corbusier

Mr. Killion read the Public Hearing into the record. The following comment letters were also read into the record:

- o Fire Dept., Daniel Keane, Fire Inspector, letter dated January 18, 2015
- o Conservation Commission, David DeConto, Asst. Dir., Natural Resource Dept., letter dated January 13, 2015

Mr. Donald Bracken of Bracken Engineering was present. Mr. Bracken gave a description of the property and said the project would take about one week from start to finish and that there would be between fifteen and seventeen cubic yards of fill. Mr. Killion asked about the finished elevations. Mr. Bracken said it would be 15.6 at the highest to 14.3. He also said there would be jute netting and straw to stabilize the slop.

There was no comment from the public.

Mr. Jensen moved that the Public Hearing for Special Permit #15-01 be closed and taken under advisement. Mr. Mitchell seconded. The vote was unanimous.

### Special Permit #15-02

#### 10 Old County Way

#### Radtke

Mr. Killion read the Public Hearing into the record. The following comment letters were also read into the record:

- o Fire Dept., Daniel Keane, Fire Inspector, letter dated February 2, 2015
- o Conservation Commission, David DeConto, Asst. Dir., Natural Resource Dept., letter dated January 21, 2015

Mr. & Mrs. Radtke were present. Mr. Radtke explained that they would like to foster puppies that will live in their barn



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until they are adopted. The program is called Dogs in Danger Rescue., Inc. He said they would insulate the barn and provide heating and cooling. Mr. Radtke said he would work with a contractor to accomplish the recommendations of the Fire Dept.

Mr. Jensen asked about how many puppies they would anticipate having at one time and Mrs. Radtke said the most would be eighteen.

Ms. Rebecca Moore of 8 Checkerberry Lane spoke in favor of the program.

Mr. Jensen moved that the Public Hearing for Special Permit #15-02 be closed and taken under advisement. Mr. Mitchell seconded. The vote was unanimous.

## Special Permit #15-03

### 18 Pinecrest Drive

#### Mitchell

Mr. Killion read the Public Hearing into the record. The following comment letters were also read into the record:

- Engineering Dept., Sam Jensen, Assistant Town Engineer, letter dated February 9, 2015
- Fire Dept., Daniel Keane, Fire Inspector, letter dated February 2, 2015
- Conservation Commission, David DeConto, Asst. Dir., Natural Resources Dept., letter dated January 20, 2015

It was noted from the Engineering Dept. that the proposed dwelling will be reassigned as 12 Pinecrest Drive.

Attorney Rebecca Moore, representing the prospective buyer was present. Ms. Moore explained that the buyer is looking to construct a home on the property with a front yard setback of 36.8 feet. Ms. Moore said that the property is a long and narrow lot. There was discussion about the rear and side yard setbacks.

Mr. Killion asked if there was any comment from the public.

Mr. Richard Kennedy of 1 Pimlico Pond Road, asked about the placement of the house on the property. Ms. Moore showed him a copy of the plan and where the house was to be placed.

Mr. Jensen moved that the Public Hearing for Special Permit #15-03 be closed and taken under advisement. Mr. VanBuskirk seconded. The vote was unanimous.

## Variance #15-04

### 6 Bunker Circle

#### Lynch

Mr. Killion recused himself. Mr. Jensen read the Public Hearing into the record. The following comment letters were also read into the record:

- Planning Board, Ms. Sarah Regan, Assistant Chair, letter dated February 3, 2015
- Sandwich Fire Dept., Daniel Keane, Fire Prevention Officer, letter dated February 2, 2015
- Conservation Commission, David DeConto, Asst. Dir., Natural Resources Dept., letter dated January 22, 2015

Mr. Thomas Lynch was present and said he owns the house at 8 Bunker Circle and was here representing Edward Lynch, who is the Trustee of what is a .48 acre lot at 6 Bunker Circle with 127 feet frontage in Holly Ridge which was merged with 8 Bunker Circle. He said that he is here requesting that the Board grant a Variance to make 6 Bunker Circle a buildable lot.

Mr. Jensen asked about the merging of the property and Mr. Spiro, the Building Inspector gave a history of Cluster Subdivisions and the zoning and amount of frontage when this subdivision was approved. He also said if the lots were not merged that the empty lot would be the same as the lot beside it. Mr. Spiro said he had emailed Town Counsel to make sure that we did not merge the lots because of zoning. Mr. Spiro said he would like to suggest that the applicant continue this hearing so he could get the information from Town Counsel.

Mr. Lynch agreed to the continuation.

Mr. Raymond Gehling of 4 Bunker Circle said he had not seen any house plans but asked if there would be any restrictions on a house such as a two bedroom or ranch. Mr. Killion said the only restrictions would be based on water recharge, height, lot coverage and setbacks. Restrictions also would be based on a covenant.

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Mr. Mitchell made a motion to continue Variance #15-04 until the next Board of Appeals meeting on February 24, 2015. Mr. Schrader seconded. The vote was unanimous.

Mr. Mitchell made a motion to adjourn. Mr. Neèven seconded. The vote was unanimous. The meeting adjourned at 7:35 P.M.

Respectfully submitted,  
Maureen Carty