

**Town Of Sandwich**  
THE OLDEST TOWN ON CAPE COD



**BOARD OF APPEALS**

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**FINAL COPY**

**Minutes**  
**March 10, 2015**

TOWN CLERK  
TOWN OF SANDWICH

APR 16 2015  
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7:00pm  
Upper Conference Room  
16 Jan Sebastian Drive

**Present:** James Killion, Chair, Christopher Neeven, Erik VanBuskirk, and Harold Mitchell  
**Absent:** Robert Jensen, Vice Chair and David Schrader  
**Also Present:** Blair Haney, Director Planning & Development and Paul Spiro, Building Inspector

**Approval of Minutes**

Mr. Mitchell moved to accept the minutes of February 10, 2015 and February 24, 2015 as written. Mr. VanBuskirk seconded. The vote was unanimous.

**Variance #15-04**

**6 Bunker Circle**

**Lynch**

Mr. Killion read the request from the applicant to continue the public hearing to the meeting of March 24, 2015. Mr. Neeven moved the Board grant the request to continue the public hearing to the meeting of March 24, 2015. Mr. VanBuskirk seconded. The vote was unanimous.  
Mr. Mitchell moved to adjourn. Mr. VanBuskirk seconded. The meeting adjourned at 7:33pm.

**Special Permit Amendment #15-05**

**82 Roos Road**

**Karl/Walter**

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

- Sandwich Fire Department, Daniel Keane, Fire Prevention Officer, letter dated March 5, 2015
- Conservation Commission, David J. DeConto, Asst. Director, Natural Resources, letter dated February 27, 2015

Attorney Gerald Garnik was present with the applicants Michael Karl and Cathy Walter. Atty. Garnick reviewed the lengthy history of litigation with the abutters for the Board. He stated the MOU was signed by all parties at mediation. He said the request for the amendment to the special permit was in compliance with the court order and the MOU. In response to a question from the Board, he assured the Board there are no pending cases involving the house and the walkway. Mr. Spiro commented that the plans are no more non-conforming.

Mr. Killion opened the meeting for public comment. There was none.

Mr. Mitchell moved that the Board close the Public Hearing for Special Permit Amendment #15-05. Mr. VanBuskirk seconded. The vote was unanimous.



**Deliberation**

**82 Roos Road**

The Board reviewed and discussed 82 Roos Road, SPA #15-05. The Board voted to grant the Special Permit Amendment with conditions. The decision, findings, and conditions are on file in the Planning and Development office.

**Board Discussion**

Mr. Mitchell introduced Elizabeth Cotter to the Board. She is a land use attorney currently serving on the Planning Board. She has decided not to run for reelection to that Board and is interested in serving on the Board of Appeals. The Board asked Ms. Bassett to draft a letter to the Selectmen recommending Ms. Cotter as an Alternate member of the Board of Appeals.

Mr. Mitchell moved to adjourn. Mr. VanBuskirk seconded. The vote was unanimous.  
Respectfully submitted,

Marilyn K. Bassett