

Town Of Sandwich
THE OLDEST TOWN ON CAPE COD



BOARD OF APPEALS

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FINAL COPY

Minutes
September 8, 2015

7:00pm
Upper Meeting Room
270 Quaker Meetinghouse Road

Present: James Killion, Chair, Robert Jensen, Vice Chair, Christopher Neeven, Erik Van Buskirk, Harold Mitchell, and David Schrader
Also Present: Blair Haney, Director Planning & Development, Josh Peters, Asst. Town Planner, and Brendan Brides, Asst. Building Inspector

Approval of Minutes

Mr. Jensen moved to accept the minutes of the meeting held July 14, 2014 as written. Mr. Neeven seconded. The vote was unanimous.

Comprehensive Permit #06-28
Modification Determination/Request
Colonial Way (43 Chase Road)
Sandwich Housing Partners II LLC

Attorney Robert Devin was present representing the applicant. He told the Board that there are two parts of the modification request: 1. Changing the monitoring agency to the Barnstable Housing Authority (BHA) and Housing Assistance Corporation (HAC) as the lotter agent and 2. Revising the original house plans that are no longer marketable. He said the market rate homes average about 2000 sq. ft. in size with three bedrooms, and the affordable unit is a smaller two bedroom house. He said that both BHA and HAC approve of the house plans. The plans are ready to be sent to the state for approval as well. Mass Housing Finance Agency is the subsidizing agency for this project and will have final approval before the start of construction.

Mr. Jensen wanted to know if the number of bedrooms had stayed the same. The original house plans call for a total of twelve bedrooms; the revised house plans call for eleven bedrooms. Mr. Killion asked what changes have been made. Mr. Robert Minichielli, Managing Partner, Sandwich Housing Partners II LLC, answered by saying that the site plan has been redesigned. The site originally called for twelve bedrooms on four 30,000 sq. ft. lots; the final plan was short by 5,000 sq. ft+/- for one lot. HAC would take the two bedroom unit as a rental. Mr. Killion would like to review the original site plan. Mr. Mitchell brought up the point that the market rate units are all 2000sq.ft+/-, while the affordable unit is 1000sq.ft+/- . There should not be any way to distinguish the affordable unit from market rate units in a 40B development. Mr. Minichielli noted that the upstairs of the affordable unit was unfinished. The Board also asked for a letter from the Sandwich Housing Authority indicating approval of the change in monitoring agency.

Mr. Jensen motioned to continue the Modification Determination/Request to the next meeting to be held on September 22, 2015 at 7pm. Mr. Neeven seconded. The vote was unanimous.

TOWN CLERK
TOWN OF SANDWICH

SEP 23 2015

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Special Permit #15-06

0 Gallo Road

G-Four, LLC

Mr. Killion read the Public Hearing Notice into the record. He then read the following comment letters into the record:

- Engineering Department, Sam Jensen, Asst. Town Engineer, letter dated September 3, 2015
- Sandwich Fire Department, John J. Burke, Deputy Fire Chief, letter dated August 15, 2015
- Board of Health, David B. Mason, RS, CHO, Director of Public Health, letter dated August 12, 2015

Atty. Jon Fitch was present for the applicants. He introduced the Special Permit request by explaining to the Board that the proposed structure was for the processing of fish – cleaning and preparation only – and that there was no restaurant proposed. The site is 70,000+ sq. ft. with 736' of frontage on Gallo Road. There is a requirement for a 30' setback; the proposed plans indicate a 100' setback with 48% lot coverage. The proposed building is a one story 5850sq. ft structure. The number of parking spaces required is seventeen; twenty four will be provided. The facility will share a driveway with the adjacent restaurant. The Gallo family will lease the building to Mr. Joseph Vaudo for a business "Joe's Lobster Mart". Mr. Fitch, and the applicants, assured the Board that site distances at the driveway entrance will be evaluated during the construction process; they will closely with the Engineering Department. Mr. Mitchell asked about the hours of operation. Mr. Fitch responded that he had nothing definite at this time but thought that the hours would be normal daytime hours with some evening hours involved.

Mr. Killion opened the meeting for public comment.

- Richard and Bernadette Pardo, 26 Town Neck Road voiced their concern that the building location will block the little view they have left of the canal. Mr. Pardo was also concerned about the influx of seagulls with the cleaning of the fish.

Mr. Mitchell motioned to close the public hearing for Special Permit #15-06, 0 Gallo Road. Mr. Jensen seconded. The vote was unanimous.

There was no **Board Discussion**.

Deliberation

0 Gallo Road

G-Four LLC

The Board reviewed and discussed 0 Gallo Road, Special Permit #15-06. The Board voted to grant the Special Permit with conditions. The decision, findings, and conditions are on file in the Planning and Development office.

Mr. Jensen moved to adjourn the meeting. Mr. Neeven seconded. The vote was unanimous. The meeting adjourned at 8:10pm.

Respectfully submitted,

Marilyn K. Bassett