

Town Of Sandwich
THE OLDEST TOWN ON CAPE COD



BOARD OF APPEALS

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FINAL COPY

**October 13, 2015
Minutes**

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TOWN OF SANDWICH

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7:00pm
Upper Meeting Room
270 Quaker Meetinghouse Road

Present: James Killion, Chair, Robert Jensen, Vice Chair, Christopher Neeven, Erik Van Buskirk, and Harold Mitchell

Also Present: Blair Haney, Director P&D, Josh Peters, Asst. Town Planner, Paul Spiro, Building Inspector, and Sam Jensen, Asst. Town Engineer

Approval of Minutes

Mr. Mitchell moved to accept the minutes of the meeting held September 22, 2015 as written. Mr. Jensen seconded. The vote was unanimous.

Public Hearing

311 Service Road

Rehabilitation Hospital of the Cape & Islands Corp

Special Permit Amendment #15-07 Continued

Variance #15-08 Continued

Mr. Killion read the following letter into the record:

- Sam Jensen, P.E., Asst. Town Engineer, letter dated October 9, 2015

Atty. Eliza Cox, Brian Yergatian, Civil Engineer with BSC Group, and Adelle McDermott, Partners Healthcare, were present for the applicant. Atty. Cox briefly reviewed the applications for the Board. She submitted one suggested condition due to the existing DRI with the Cape Cod Commission. Because she feels there may be tweaks made to this DRI, she would like the Board to consider this condition in their decision.

Because the letter from Mr. Jensen answered the questions that the Board had regarding these two applications, there were no further questions from the Board. Mr. Killion opened the meeting for public comment. There was none.

Mr. Jensen motioned to close the public hearing for Special Permit Amendment #15-07 and Variance #15-08. Mr. VanBuskirk seconded. The vote was unanimous.

Public Hearing

2 Jan Sebastian Drive

Falmouth Hospital Association, Inc.

Sign Code Variance #15-09

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

- Sandwich Fire Department, J.J. Burke, Deputy Fire Chief, letter dated September 28, 2015
- Conservation Commission, David J. DeConto, Asst. Director, Dept. of Natural Resources, letter dated September 21, 2015
- Sandwich Water District, Erik VanBuskirk, Asst. Superintendent, letter dated October 13, 2015

Attorney Eliza Cox and Mr. Michael Bachstein, Cape Cod Healthcare were present. Atty. Cox reviewed the application with the Board. The applicant is looking for relief under the sign code for 22' of new signage to match the existing sign. This addition would allow patients and the public to be more informed about the services provided and help them find the entrance. Atty. Cox reviewed the three necessary findings for granting a variance:

1. Property is uniquely shaped on two roadways and is a gateway property uniquely larger compared to other properties on Jan Sebastian Drive
2. Hardship occurs when holding larger property to same amount of signage as smaller lots – the signage is appropriately sized to avoid confusion
3. No detriment to the neighborhood as the size and materials are attractive and will provide adequate notice for tourists as well as patients. Dan Ojala, Engineer, has provided a letter stating that there is sufficient site distance.

Mr. Bachstein commented that this sign tells the public what is available and being done at the Stoneman Center. Mr. Killion asked if the font was sized to be easily read. It is standard size that can be seen at 200'. There was no further Board discussion. Mr. Killion opened the meeting for public comment. There was none.

Mr. Spiro then addressed the Board. Under the Sign Code bylaw, two signs are allowed on a single lot with a combined area of not more than 16 sq. ft. The frontage on Rte. 130 also allows for a sign up to 20 sq. ft. Currently, the signage on the property is a total of 88 sq.st+/- . When Mr. Spiro issued the permit for the 400 sq. ft. pharmacy, it was for patients at the site only. Also, given the size of the proposed sign, it would dwarf the Industrial Park sign.

Mr. Mitchell motioned to close the Public Hearing #15-09 for 2 Jan Sebastian Drive. Mr. VanBuskirk seconded. The vote was unanimous.

Board Discussion

Cape Crossing Subdivision

Off Route 130

After a brief discussion, the Board had no comment for the Planning Board.

Deliberations

311 Service Road

SPA #15-07 and Variance #15-08

Rehabilitation Hospital of Cape and Islands

The Board reviewed and discussed 311 Service Road, Special Permit Amendment #15-07 and Variance #15-08. The Board voted to grant the Special Permit Amendment and the Variance with conditions. The decision, findings, and conditions are on file in the Planning and Development office.

2 Jan Sebastian Drive

Sign Code Variance #15-09

Falmouth Hospital Association, Inc.

The Board reviewed and discussed 2 Jan Sebastian Drive, Sign Code Variance #15-09. Mr. Mitchell moved the Board deny the Sign Code Variance without prejudice. Mr. VanBuskirk seconded. The vote was unanimous.

Mr. Jensen moved to adjourn the meeting. Mr. Neeven seconded. The vote was unanimous. The meeting adjourned at 8:09pm.

Respectfully submitted,

Marilyn K. Bassett