Town Of Sandwich
THE OLDEST TOWN ON CAPE COD
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PLANNING BOARD

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MINUTES
December 15, 2015

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7:01pm
Upstairs Meeting Room
Human Services Building,
270 Quaker Meetinghouse Road

Present: Sarah Regan, Chair, Scott Torrey, Vice Chair, William Burbank, Joseph Vaudo, and Robert King
Absent: Lori Caron and Thomas Lynch
Also Present: Josh Peters, Asst. Town Planner and Sam Jensen, Asst. Town Engineer

Minutes
Mr. Torrey motioned that the minutes of December 1, 2015 be accepted with one correction. Mr. Vaudo seconded. The vote was unanimous.

Submission of New Plans
No new plans were submitted.

Lot Release
10 Captain Paine
Trautner Realty Trust
Ms. Regan read a letter from Atty. Benjamin Losordo dated December 15, 2015 authorizing Atty. Christopher MacAuliffe to represent the applicants. Atty. MacAuliffe told the Board that the covenant for the Scorton Shores subdivision does not apply to 10 Capt. Paine Road. In response to a Board comment, Mr. Jensen said that the Building Inspector will determine if there is proper frontage, which requires a street that is up to Subdivision Rules and Regulation standards. Ms. Regan would like to see proof of when the lot was sold. Atty. MacAuliffe also has additional information that he believes will clear up the questions that the Board has. At the request of the Board, he will email this documentation to the Planning and Development office. Mr. Torrey moved that the Lot Release for 10 Capt. Paine be continued to the meeting of January 5, 2016. Mr. King seconded. The vote was unanimous.

Cape Crossing Definitive Subdivision Cont'd
Off Route 130
Route 130 Land Development LLC
Ms. Regan read an email into the record from Mr. Richard Rheaume, Prime Engineering, requesting that the public hearing be continued to the first meeting in January. Mr. King moved that the public hearing for Cape Crossing be continued to the meeting on January 5, 2016 at 7pm. Mr. Vaudo seconded. The vote was unanimous.

Scenic Road Permit
15 Gully Lane
Sandwich Conservation Trust
Ms. Regan read the public hearing notice into the record. A comment letter from Tree Warden Justin O'Connor dated November 29, 2015 was also read into the record. Mr. Robert O'Connor, Trustee and Project Manager, addressed the Board. He first introduced Mr. John Cullity, President, and Mr. Joseph

Queenan, Vice President, of the Sandwich Conservation Trust to the Board. Mr. O'Connor explained the request to the Board. The site of the proposed off street parking spaces is popular and has year round use. Currently any parking is on the shoulder of Gully Lane which is not very safe. Even with mowing to keep the shoulder clear, the current parking is unsafe. The application is for two parking spaces in a 20'x20' area; these spaces would also make it safer for the contractor who does the mowing. Mr. Burbank asked when the work would be done; Mr. O'Connor said ASAP. The reason for the Scenic Road application is the remains of a stone wall on site. Most of the stones are buried at the moment. These stones will be removed and used along the sides of the parking space as it flares out.

Ms. Regan opened the meeting for public comment. There was no public comment.

Mr. Burbank moved to approve the plan submitted by the Sandwich Conservation Trust to construct two off-street parking spaces in a 20'x20' area. Mr. Vaudo seconded. The vote was unanimous.

Cluster Subdivision and Special Permit
Off Atkins Road
Monomoy Properties LLC

Ms. Regan read the public hearing notices into the record. The following comment letters were also read into the record:

- Board of Health, David Mason, RS, CHO, Health Agent, letter dated December 14, 2015
- Planning & Development Office, Blair Haney, Director, letter dated December 11, 2015
- Sandwich Fire Department, William Carrico, II, Fire Chief, letter dated November 30, 2015
- Division of Fisheries and Wildlife, Thomas French, PhD, Asst. Director, letter dated July 9, 2015

Ms. Regan deferred reading the letter from Sam Jensen, PE, Asst. Town Engineer, dated December 11, 2015 until later in the public hearing. Atty. Eliza Cox was present for the applicant. Also present were Atty. Michael Scott, Atty. Jean Kampas, Mr. Brian Yergatian, Engineer from BSC Group, and Mr. Ray Caterino, manager of Monomoy Properties LLC. Atty. Cox gave a brief background of the proposed subdivision on a 36.9A parcel with extreme topography located in the R2 zoning district. She then asked Mr. Yergatian for his presentation. The current design shows 23 lots laid out as a cluster subdivision with 27.6A of open space or 75% of the size of the property. The roads are designed for low impact; they are 20' side with sidewalks on one side of each road. The landscaping plan shows full landscaping on the cul-de-sacs. Street trees will be provided as well as significant vegetated buffers. There will be conventional catch basins/storm drains in this low impact development. It is Title V compliant with four bedrooms in each unit. A traffic impact study has not been done because the project falls below the Cape Cod Commission and Town of Sandwich threshholds. The applicant will be asking for a waiver of the 500' length condition for deadend streets. He also addressed emergency access from the two cul-de-sacs. There will be three locked and gated connections with the Sandwich Fire Department having keys to open them. These access roads are proposed to be grassy with a hard plastic base. The applicant is also providing the Town of Sandwich with an easement to the town owned conservation land. There will be municipal water service to the property; the Sandwich Water District is working with the engineer to extend service from a higher pressure area, possibly running pipes under 6A. The water pressure in the abutting areas is low already and the developer does not want to add more households to the same system. There will also be a connection from the higher water pressure in this development to the surrounding areas that the Fire Department could hook into in case of fire.

Atty. Cox told the Board that there are three affordable units included in the project. There is some flexibility allowed: lots can be within the development, three lots elsewhere in town could be purchased for affordable units or Housing Authority has inquired about possibly using the money to buy down units in Sandwich. All other necessary permitting has been done. The applicant is asking for three waivers that are all within the public interest.

Ms. Regan asked Mr. Jensen for his comments. He said that a number of his comments were of the nuts and bolts variety, mostly plan housekeeping items. He then highlighted the content and design comments for the Board:

- Access – extensive grading with a challenging topography (3:1 grading)
- Erosion control plan to be provided by the applicant – actual location needs to be shown as there are already drainage issues on Atkins Road
- Drainage system – retention pond or subsurface system
- Short section of Atkins Road adjacent to the property that is needed for access is only 17'-18' wide, not the required 20'
- Concerns about the site distance on the vertical curve
- 500' deadend is reasonable for the proposed layout
- Emergency access gates should be shown
- Road names need to be identified – Road "A" – Atkins Road &Road "B" Blue Fin, Black Fin, or Yellow Fin names were suggested by applicant
-

Mr. Yergatian replied to Mr. Jensen's comments:

- Steep front yards will require driveways to be cut into to meet requirements with retaining walls on sided – Mr. Jensen would the schematics – maybe use Lot 10 as an example
- Erosion Plan – one was prepared for the Cape Cod Commission and will be supplied to Engineering
- Site Distance – he will review and work with Mr. Jensen on this
- Showing any requested locations is not a problem
- For drainage – a proposed subsurface leaching system

The Board made the following comments:

- Total length of each road? Road A is 1016' and Road B is 405' to the cul-de-sacs
- Does Marie Lane go to Crestview Drive?
- Inadequate landscape plan – need to identify street trees
- Need for more sidewalks all around the cul-de-sacs
- Placement of utilities
- How unusual is waiver of 500' requirement? Ms. Regan said almost every subdivision in Sandwich has one
- Amount of Open Space is positive

Ms. Regan opened the meeting for public comment. The following people spoke:

- James Kalweit, 17 Atkins Road
- Shawn MacInnes, 48 Crestview Drive
- Joy Bronstein, 37 Crestview Drive
- Harold Mitchell, 2 Settlers Path
- Lisa Golfomitsos, 2 Marie Lane
- Judith Stainbrook, 2 Faunce Mountain Road
- Natalie Smith, 4 Crestview Drive Ext.

The following are the concerns raised:

- Width of Atkins Road is narrow – when there is snow only one car can go at a time in some spots
- How will run-off from the development impact neighboring homes
- Need for a traffic study – view all of Atkins Road

- Concerns about Marie Road as an emergency access – Private Road, boulders across property line, buffer vegetation being removed, snow piled up at the top of street by Town as well as private plow
- Open Space far exceeds requirement
- Consideration for the neighborhood not the developer
- If HOA maintains the road within the subdivision, who maintains rest of Atkins Road
- Lack of water pressure in surrounding neighborhoods
- Lack of communication with abutters

After a short discussion with the applicant, Mr. Torrey motioned for the public hearing for the subdivision off Atkins Road to be continued to the meeting of February 2, 2016. Mr. Vaudo seconded. The vote was unanimous.

Board Discussion

Ms. Regan referred to a letter written by Town Manager Bud Dunham to Thomas Atkins of NRG Canal 3 Development, LLC in which Mr. Dunham expresses support from Town staff and himself of NRG's plan to seek a comprehensive zoning exemption through the DPU for the construction and operation of the facility. He cites the much larger size of the proposal being more than our local existing bylaws and other regional regulations allow. The Board concurred.

Mr. Burbank brought up the topic of Scenic Roads and the current by-laws regarding the scenic roads in Sandwich. He recapped considerations that the Planning Board is supposed to take into consideration when rendering a decision on a Scenic Road application – preservation of natural resources, environmental issues, historic and others. Mr. King agreed that there is a weakness in the bylaw and how it is written. The Board will look at revisions to this bylaw after the holidays. Mr. Burbank also mentioned that there is not enough infrastructure in town, and that there are resources that could be tapped into. He also brought up the subject of Micro-Grid utility centers – nothing is being done in the Town. He would like to see the Planning Board work with the SEIC to get things done.

Mr. Peters updated the Board on the project to identify the number of landlocked parcels in the Town of Sandwich. He explained that this is a larger project than originally anticipated and could not give them a timeframe for completion of the project.

Mr. Torrey motioned to adjourn. Mr. King seconded. The vote was unanimous. The meeting adjourned at 10:05pm.

Respectfully submitted,

Marilyn K. Bassett