



**BOARD OF APPEALS**

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**Minutes**  
**March 22, 2011**

**7:08 P.M.**

**Present:** Christopher Neeven, Chair, Erik VanBuskirk, Fred Watt, and Harold Mitchell

**Absent:** James Killion and Robert Jensen

**7:08pm**

**Approval of Minutes**

Mr. Mitchell made a motion that the Board accept the minutes of March 8, 2011 as written. Mr. Watt seconded. The vote was unanimous.

**7:09pm**

**Public Hearing**

**Special Permit #10-15**

**68 & 82 Roos Road**

**Walter and Karl**

Mr. Neeven read a letter from Attorney Kevin Kirrane requesting that the Public Hearing for the above Special Permit be continued until the May 10, 2011 meeting at 7:05pm.

**7:10pm**

**Public Hearing**

**Special Permit #11-04**

**2 Freezer Road**

**McGrath**

Mr. Neeven read the Public Hearing Notice into the record. He also read the following comment letters into the record:

- US Army Corps of Engineers, Roger Hagen, Acting Park Manager for Canal Project, dated March 21, 2011
- Engineering Department, Sam Jensen, P.E., Assistant Town Engineer, dated March 18, 2011
- Sandwich Conservation Commission, David DeConto, Natural Resources Officer, dated March 3, 2011
- Sandwich Fire Department, J.J. Burke, Fire Prevention Officer, dated March 3, 2011

Mr. Gregory McGrath, applicant, addressed the Board and replied to the issues raised in the comment letter from the Engineering Department. Eliminating the first parking space closest to Tupper Road is not a problem. He will be considering a sidewalk or walkway later. Finally, the connection between his property and Mary Lou's is very narrow in the back. The Board had no questions for the applicant.

Mr. Neeven asked if there was any public comment. Mr. Paul Hannon, 68 Tupper Road, expressed his concern regarding parking as he is a direct abutter. He asked how many spaces would be provided for parking. Mr. McGrath told him that 18 spaces have been allotted for parking, with a potential to add more. Mr. Hannon asked the hours of operation to which the applicant replied that it would be open seven days a week from April through September, closing at 10pm. Mr. Hannon also stated that he hoped that Mr. McGrath would keep the area neat and clean as did the other area businesses.

Mr. Watt motioned for the Board to close the Public Hearing for Special Permit #11-04, 2 Freezer Road. Mr. VanBuskirk seconded the motion. The vote was unanimous.

### **Board Discussion**

#### **93 Harlow Road Modification Request**

Mr. Watt recused himself from the discussion. With only three members of the Board remaining, there was no quorum. Mr. VanBuskirk motioned to continue the Board Discussion for 93 Harlow Road to the meeting on April 12, 2011 at 7:10pm. Mr. Mitchell seconded. The vote was unanimous.

### **Deliberation**

#### **19 Prince Path**

##### **Cloonan**

Because Mr. Killion and Mr. Jensen were not present at tonight's meeting, the Board will deliberate on this Variance at the next meeting to be held on April 12, 2011. The members present would like to have all the members deliberate on this variance.

Mr. Mitchell motioned to adjourn. Mr. Watt seconded. The vote was unanimous.

The meeting adjourned at 7:25pm.

Respectfully submitted,  
Marilyn K. Bassett

