

Town of Sandwich  
THE OLDEST TOWN ON CAPE COD



Board of Appeals

16 Jan Sebastian Drive  
Sandwich, MA 02563  
Phone: 508-833-8001  
Fax: 508-833-8006  
E-mail: [planning@sandwichmass.org](mailto:planning@sandwichmass.org)

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TOWN OF SANDWICH

MAR 23 2022

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MINUTES  
March 8, 2022

6:00 p.m.  
Sand Hill School Community Center, 16 Dewey Avenue

**Present:** Erik Van Buskirk, Chair; James Killion, Vice-Chair; Robert Jensen via telephone; Gerry Nye; and Mary Foley

**Absent:** Christopher Neeven and Chase Terrio

**Also Present:** Leanne Drake, Town Planner; Brendan Brides, Building Commissioner; and Maureen McCabe, Sr. Administrative Assistant

**Absent:** Ralph Vitacco, Director of Planning & Economic Development

Mr. Van Buskirk opens the meeting with the Pledge of Allegiance and the reading of the Opening Statement.

**Approval of Minutes**

There are no Minutes to approve.

**Old Business**

There is no Old Business to discuss.

**New Business**

- #22-05: 11 Norse Pines Drive – Special Permit – Pleasantwood Homes

Mr. Van Buskirk reads the Public Hearing Notice into the record. Mr. Killion motions to open the Public Hearing. Mr. Nye seconds. Unanimously approved by roll call vote. Mr. Van Buskirk reads the following comment memos into the record:

- Memo to Erik Van Buskirk, Chairman Board of Appeals from David J. DeConto, Director, Department of Natural Resources re: Conservation Commission comments on Special Permit #22-05, 11 Norse Pines Drive, Sandwich, MA, dated February 24, 2022
- Email to Maureen McCabe from Sam Jensen, Assistant Town Engineer re: Request for Comment: #22-05: 11 Norse Pines Drive – Special Permit, dated February 23, 2022
- Email to Maureen McCabe from Brendan Brides, Building Commissioner re: Request for Comment: #22-05: 11 Norse Pines Drive – Special Permit, dated February 17, 2022



Mr. Dan Marsters explains to the Board that he received Special Permit approval in 2017 but never got around to the project. Mr. Marsters says he has received approvals from the Conservation Commission. The Conservation Commission made him change some of the contour lines and the flood zone fill line. As a result, he will be using less square cubic yards of fill than before. He explains that he is trying to get the project out of the flood zone and outlines what steps he needs to take to do this. Mr. Marsters tells Mr. Killion that the high side of the lot is 16 feet and the low side of the lot is approximately 11 feet. He goes on to say he is looking to establish a building area that is at the 14-foot elevation. Mr. Marsters explains the process he will take to accomplish this. He will be bringing in 1332 cubic yards of fill. Mr. Jensen asks Mr. Marsters, aside from the amount of fill, is there is anything different with this application than with the 2017 application. Mr. Killion says there is a comment from the Building Inspector regarding runoff. Mr. Marsters explains there will be erosion control in place. Mr. Brides adds that in the past there has been damage done to the Town's catch basins and asks Mr. Marsters to be aware of this. Mr. Marsters acknowledges Mr. Brides' comments and explains the process he will use. Mr. Jensen and Mr. Marsters discuss open space for the neighborhood. There are no further questions from the Board. Mr. Van Buskirk opens the matter up to the public for comment. There is none. Mr. Killion motions to close Public Hearing #22-05 and take the matter under advisement. Mr. Nye seconds. Unanimously approved by roll call vote.

### **Board Discussion**

- COVID-19 Remote Meeting Participation Policy

Ms. Drake advises Board members that the Remote Meeting Participation Policy has been extended to July 15, 2022. There is a brief discussion as it relates to this matter.

### **Deliberations**

- #22-05: 11 Norse Pines Drive – Special Permit – Pleasantwood Homes

The Board reviews and discusses the application and materials submitted for Special Permit #22-05. Board members unanimously approve, by roll call vote, the Special Permit with conditions. The Decision, Findings and Conditions are on file in the Planning & Development office.

### **Other Matters Not Reasonably Anticipated**

- There are no matters to discuss.

**Adjournment**

Mr. Nye motions to adjourn. Ms. Foley seconds. The vote is unanimous. The meeting adjourns at 6:18 p.m.

Respectfully Submitted,



Maureen McCabe

**Supporting Documents:**

1. 11 Norse Pines Drive Public Hearing Notice (1 page)
2. 11 Norse Pines Drive Special Permit Application (29 pages)
3. Memo to Erik Van Buskirk, Chairman Board of Appeals from David J. DeConto, Director, Department of Natural Resources re: Conservation Commission comments on Special Permit #22-05, 11 Norse Pines Drive, Sandwich, MA, dated February 24, 2022 (2 pages)
4. Email to Maureen McCabe from Sam Jensen, Assistant Town Engineer re: Request for Comment: #22-05: 11 Norse Pines Drive – Special Permit, dated February 23, 2022 (1 page)
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