

TOWN OF SANDWICH
THE OLDEST TOWN ON CAPE COD



PLANNING BOARD
16 Jan Sebastian Drive, Sandwich, MA 02563
Phone: 508-833-8001
Fax: 508-833-8006
E-mail: planning@townofsandwich.net

Application for Rescission of Definitive Plan

To the Planning Board of the Town of Sandwich:

The undersigned herewith submits an application for a proposed rescission to a definitive plan, entitled: _____ dated _____, located in the Town of Sandwich, under the requirements of the Subdivision Control Law and the Rules and Regulations of the Sandwich Planning Board.

1. Name of Applicant: _____
Address: _____
Daytime Phone #: _____
Email: _____
Signature of Applicant: _____

2. Name of Engineer and/or Surveyor: _____
Address: _____

3. Name of Property Owner(s): _____
Address: _____
Daytime Phone #: _____
Email: _____
Signature of Property Owner(s): _____

Deed of property recorded in Barnstable County Registry of Deeds, Book _____ Page _____

Or under Certificate of Title No. _____ Registered in Land Registry District, Book _____ Page _____.

Subject Property: Map _____ Parcel _____. (Found on tax bill) Zoning District: _____

Registry of Deeds title reference: Book _____, Page _____, or Certificate of Title Number _____ & Land Court Lot # _____ & Plan # _____.

(Call Barnstable County Registry at (508) 362-7733).

Date subject lot was created in its present form (Call Barnstable County Registry at (508) 362-7733). _____

Property Address: _____

Property Access: _____

Please read packet before submitting application.

Abutters Notice

The laws governing Definitive Plans specify that “parties in interest” (also referred to as **abutters**) are entitled to receive **notice of the public hearing** for a definitive plan application and the **decision** on that application. The statute defines “parties in interest” as the person requesting the definitive plan for the property that is the subject of the definitive plan application; abutters, that is all property owners whose property directly abuts the property that is the subject of the definitive plan application; owners of land directly opposite on any street; abutters to abutters within three hundred feet of the property line of the petitioner and the Planning Boards of all abutting towns be sent notice as well. For Sandwich the abutting towns are Bourne, Barnstable, Falmouth and Mashpee. The Assessing department is familiar with these requirements.

The list of abutters must be certified by the Assessing Department. The Assessing Department is required to certify these lists in ten (10) days from the date they are received at the Assessing Department. The Assessing Department processes abutter’s list certification requests in the order in which they are received. The Assessing Department will contact the person requesting certification when the list has been certified or if there are errors that require a revised abutter’s certification request to be submitted to the Assessing Department. There is a fee for certifying abutter’s lists. The phone number for the Assessing Department is 508-888-0157. You may also view instructions on the Town website at www.sandwichmass.org. Click on the Maps tab.

The original copy of the abutters list certified by the Assessing Department must be submitted with the Definitive Plan application materials. The certified abutters list is then used by the applicant **to address the envelopes necessary for the required abutters notice** for the public hearing and for the decision.

Addresses for the Planning Boards of the four abutting towns:

Town of Bourne	Planning Board	24 Perry Avenue, Buzzards Bay, MA 02532
Town of Barnstable	Planning Board	200 Main Street, Hyannis, MA 02601
Town of Falmouth	Planning Board	59 Town Hall Square, Falmouth, MA 02540
Town of Mashpee	Planning Board	16 Great Neck Road North, Mashpee, MA 02649

Public Hearing Notice – 1st Mailing

The public hearing notice is mailed to each abutter and the four abutting towns **by certified mail with return receipt requested. Remember to include an envelope for the applicant and/or property owner(s). Please be sure that the envelopes are complete with the following information:**

- a. Each envelope must be legibly addressed; the return address must also be placed on the upper left hand corner of the envelope:
Planning & Development Office
16 Jan Sebastian Drive,
Sandwich MA 02563;
- b. Each envelope must have enough postage on it to mail one sheet of paper by certified mail return receipt requested;

- c. Each envelope must have the certified mail slips filled out;
- d. Each envelope must have the return receipt cards completely filled out. On the return receipt cards:
 - 1. The addressee is the person or organization to whom the public hearing notice is being sent.
 - 2. The service type is Certified Mail.
 - 3. The article number is the number on the Certified Mail slip.
 - 4. The return receipt cards must show the sender's address as:
 Planning & Development Office
 16 Jan Sebastian Drive
 Sandwich, MA 02563;
- e. Place certified slip and green return receipt card inside each envelope and submit along with your completed application.

Decision – 2nd Mailing

After the Board makes their decision the law requires that this decision must also be noticed to the abutters by regular first class mail. However, the applicant and property owner(s) must be notified by **Certified Return Receipt** (please see the above “Public Hearing Notice” section for these envelope procedures).

For the **decision** envelopes:

- a. Each envelope must be legibly addressed to the abutter or abutting town's Planning Board; the return address placed on the upper left hand corner of the envelope is:
 Planning & Development Office
 16 Jan Sebastian Drive
 Sandwich MA 02563;
- b. Each envelope must have a first class stamp affixed to it.
- c. Submit these envelopes along with your completed application.

The Planning & Development Office will mail the public hearing notices and the decisions to the abutters, Towns, applicant and/or property owner(s).

If you are being represented by an attorney/consultant, make sure you include envelopes for both the public hearing notice & decision to be mailed to your attorney/consultant as well.

Advertising

The laws governing Definitive Plans require that a public hearing be advertised in a newspaper of general circulation. The advertisement must appear two times with the first time being not less than fourteen (14) days before the public hearing. The advertisement must state the nature of the applicant's request, along with the date, time and place where the public hearing is to be held.

The applicant is responsible for the cost of the required advertising. The Town of Sandwich has contracted with Falmouth Publishing for the advertisement of public hearing notices. Falmouth Publishing publishes the Sandwich Enterprise once a week on Fridays. A check

made out to **Falmouth Publishing Co., Inc.** (please refer to the Fee Schedule for amount) is required at the time of application submittal.

Next Steps

If the Definitive Plan is granted, the law requires that a 20 day appeal period must elapse from the date of that Town Clerk stamp before the decision is final. On the 21st day you may obtain a copy of the decision from the Town Clerk, which will bear a notice that no appeals have been filed. The decision is then eligible to be recorded at the Registry of Deeds. (*Mandatory condition of all special permits and variance grants.*)

Please contact the Town Clerk's Office at 508-888-0340 for further information regarding the appeal period and the time that your decision will be ready for you. A copy of the recorded Definitive Plan Decision must be provided to the Planning Board.

If you have any questions, please contact the Planning & Development Office at (508) 833-8001 or e-mail us at planning@townofsandwich.net