

TOWN OF SANDWICH

THE OLDEST TOWN ON CAPE COD

130 MAIN STREET
SANDWICH, MA 02563

TEL: 508-888-4910 AND 508-888-5144

FAX: 508-833-8045

EMAIL: selectmen@townofsandwich.net

EMAIL: townhall@townofsandwich.net



BOARD OF
SELECTMEN

TOWN
MANAGER

BOARD OF SELECTMEN AGENDA

January 7, 2010 – 7:00 P.M.

Human Services Building – 270 Quaker Meetinghouse Road

1. Pledge of Allegiance
2. Review & Approval of Minutes
3. Town Manager Report
4. Correspondence / Statements / Announcements / Follow-up (*10 Minutes*)
5. Public Forum (*20 Minutes*)
6. 7:30 P.M. Public Hearing: Class II Used Car Dealer's License – 182 Route 6A
Classic Car Services – William Hapeman & Jeff Lasher, Owners
7. Staff Meeting (*0 Minutes*)
(Open)
8. Old Business (*15 Minutes*)
FY'11 Budget
Long Range Plan – Final Document on Town Website (www.sandwichmass.org)
North Shore Boulevard Beach Parking Follow-up – February 2
Other
9. New Business (*5 Minutes*)
Snow & Ice Deficit Authorization – M.G.L. c.44, §31D
Other
10. Public Forum
11. Closing Remarks
12. Executive Session
Collective Bargaining
13. Adjournment

NEXT MEETING: Thursday, January 14, 2010, 7:00 P.M. – Human Services Building

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PUBLIC HEARING

In accordance with Mass. General Laws. C. 140, Section 59, the Sandwich Board of Selectmen will hold a public hearing on Thursday, January 7, 2010 at the Human Services Building, 270 Quaker Meetinghouse Road, on the application of William Hapeman and Jeff Lasher, Classic Car Services, for a Class II Used Car Dealer's License to be operated at 182 Route 6A, Sandwich, MA. Any person wishing to be heard on this subject will be afforded an opportunity to speak at that time.

John F. Kennan, Jr., Chairman



TOWN OF SANDWICH
Supplemental Application for Class II License

Applicant Name: William Hareman / Jeff Lasher
Business Name: Classic Car Services
Business Address: 182 Route 6A Sandwich MA 02563
Business Telephone: 508 j. 78 4918

1. Is the occupation of selling used cars your principal business? (Yes or No)
If no, what is your primary business? wholesale only

2. Are you applying for a Class II license for the purposes of operating a retail or wholesale used car business? wholesale only

3. Do you intend to apply for a Dealer's General Registration plate through the Registry of Motor Vehicles? (Yes or No) Already have one #518

4. Please provide a complete description of the business operations planned for the proposed licensed location.
wholesale pre owned car attached to Sandwich Service Center bldg.
wholesale pre owned only

5. Please describe the current use of the property and buildings (i.e., residence w/ home occupation, commercial, etc.) to be used for the proposed licensed activity. Do you plan to operate the proposed business from a separate and distinct facility? (Please explain)
Small office already there along with 6 marked spots already there.
* sharing the 6 spot already permitted by special permit from 2000.

6. Do you plan to store vehicles on the premises? (Yes) or No

If yes, how many vehicles and where? 6 out front rest out back

Sharing 6 spots approved by special permit.

7. Please describe how you plan to satisfy the warranty repair provisions of G.L. c.140, §58. If you plan to contract for motor vehicle repair services, please provide the name and address of the repair facility and attach a copy of the service agreement.

ATTACHED to Sandwich Service Center

CERTIFICATION

I understand that false statements herein may result in the rejection of the application or the subsequent revocation off the license. I certify that the information on this application form is accurate and complete.

Applicant Printed Name: Jeff LADNER

Applicant Signature: [Signature] Date: 12/16/09

FOR OFFICE USE ONLY

Zoning District: _____

Please provide comments in the space provided, attach additional sheets if necessary.

Building Department: _____

Planning & Development: _____

Police Department: _____

Other: _____

TOWN OF SANDWICH

THE OLDEST TOWN ON CAPE COD

(508) 888-4200

Fax: (508) 833-0018



OFFICE OF THE BOARD OF APPEALS

16 JAN SEBASTIAN DRIVE

BOX 8

SANDWICH, MA 02563

00-49

Name of Applicant

KWE ENTERPRISES, INC.

On August 22, 2000 The Zoning Board of Appeals voted to

Grant

A SPECIAL PERMIT

To: **KWE ENTERPRISES, INC.**

For the purpose(s) of: **Request special permit to change, extend, and/or alter a lawful non-conforming use of land and buildings to allow for parking a tow truck and temporary storage of not more than 6 motor vehicles.**

On property located at: **182 Route 6A**

As shown on Assessors' Map: **66 as Lot: 24**

DISTRICT: **R1**

Applicable Zoning Bylaw Section(s) **2400 and 2420.**

The Board of Appeals certifies that the decision attached hereto is a true and correct copy of its decision Granting **said SPECIAL PERMIT** and that copies of said decision, and of all plans referred to in the decision, have been filed with the planning board and the town clerk as of August 24, 2000 which will be the date of record.

The Board of Appeals also calls to the attention of the owner or applicant that General Laws, Chapter 40A, Section 11 (last paragraph) provides that no variance or special permit, or any extension, modification or renewal thereof, shall take effect until a copy of the decision bearing the certification of the town or city clerk that twenty days have elapsed after the decision has been filed in the office of the city or town clerk and no appeal has been filed or that, if such appeal has been filed, that it has been dismissed or denied, is recorded in the registry of deeds for the county and district in which the land is located and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title. The owner or applicant shall pay the fee for such recording or registering. A copy of that registered decision shall be returned to the ZBA office as proof of filing. Any person aggrieved by this decision may appeal to the Superior Court or Land Court as in Section 17 of Chapter 40A, M.G.L. by filing a NOTICE OF ACTION AND COMPLAINT with the Town Clerk within twenty (20) days of the date of filing of this decision. This is to certify that this decision of the Board and the plan is filed with the Planning Board and Town Clerk as Petition Number 00-49

Town Clerk Stamp

TOWN CLERK TOWN OF SANDWICH AUG 24 2000 9 H 50 M A M C RECEIVED & RECORDED
--

Michael Lespance

Chair

Clerk

WORKSHEET PACKET

PETITION NUMBER: 00-49

APPELLANT: KWE ENTERPRISES, INC.

SPECIAL PERMIT FINDINGS

- | | <u>Circle</u> |
|---|------------------|
| | <u>YES OR NO</u> |
| 1. Meets requirements of Section 9, M.G.L. Chapter 40A. | <u>YES OR NO</u> |
| 2. Section 1330 requirements: | |
| A) Has a peculiar condition not generally true for similar permitted use in this R1 district. | <u>YES OR NO</u> |
| B) Appears that nuisance, hazard or congestion will be created. | <u>YES OR NO</u> |
| C) Will pose substantial harm to the neighborhood. | <u>YES OR NO</u> |
| D) Will derogate from the intent of the bylaw. | <u>YES OR NO</u> |
| 3. Meets all requirements of Section 1330. | <u>YES OR NO</u> |
| 4. Meets requirements of applicable Section(s) 2400 and 2420 | <u>YES OR NO</u> |

EXPLAIN:

Applicant requests a Special Permit to allow parking of a tow truck and temporary storage of not more than 6 vehicles.

Current use of this site is divided between the Fred O. Earle Fuel Oil business and Brian Cook Auto Body Repair.

Current owner of the site is KWE Enterprises, Inc.

The site description has been the same since at least 1939. No land has been added.

The primary structure (garage) now on the site has been substantially the same since about 1918.

Since well before zoning was enacted in Sandwich (1960), the use of the site was related to motor vehicles and involved sales, parts, repairs, storage, fuel and home heating oil delivery.

This property must be considered a pre-existing, non-conforming use.

Applicant proposes to store one tow truck and not more than 6 vehicles on the property. All such parking to be in the rear of the building.

Presently about 6 oil delivery trucks plus a semi-trailer are stored on this property causing some congestion at the rear entrance on Charles Street.

Parking for the tow truck and six vehicles will utilized existing spaces so no additional parking is proposed.

Town Of Sandwich
THE OLDEST TOWN ON CAPE COD



OFFICE OF THE INSPECTOR OF BUILDINGS
Donna Boardman, Building Commissioner
16 Jan Sebastian Drive, Sandwich, MA 02563
Phone: 508-888-4200
Fax: 508-833-0018
E-mail: dboardman@townofsandwich.net

SELECTMEN

R JAN 05 2010 D
RECEIVED

Date: January 4, 2010
To: Sandwich Board of Selectmen
From: Pete Sherwin, Assistant Building Inspector
Re: Jeffrey Lasher, Classic Car Services- Used Car Dealers License Application- 182 Rt. 6A

Mr. Lasher requests parking for 6 spaces in front of the building. The Special Permit of 2000 authorizes parking in front for the customers of the auto repair service. Six spaces at the rear of the building have been allocated to the auto repair service as part of the conditions of the 2000 Special Permit (amongst other conditions that might be reviewed).

Primarily because of the parking requirements of the 2000 Special Permit, Alden Sherwin of the Building Dept. is denying the request Mr. Lasher.

An amended or new Special Permit may be contemplated to revise the parking situation.

Alden Sherwin, Asst. Building Inspector

Town Of Sandwich
THE OLDEST TOWN ON CAPE COD



PLANNING & DEVELOPMENT OFFICE

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

Date: December 22, 2009
To: Sandwich Board of Selectmen
From: Greg Smith, Director of Planning and Development *Greg M. Smith*
Re: Classic Car Services Used Car Dealer's License Application

Mr. Jeff Lasher is seeking a Class II Used Car Dealer's License from the Board of Selectmen for the purpose of operating a wholesale used car business from an established automotive repair shop located at 182 Route 6A in Sandwich. As the board is likely aware, this part of town is zoned R-1 and retail sales are not allowed.

The automotive repair shop was the recipient of a special permit from the Sandwich zoning board of appeals dated August 22, 2000 (see attached). That special permit limited the number of temporary storage parking spaces located on site to six (6). Those parking spaces are to be located to the rear of the building.

As the applicant is requesting a license for the wholesaling of automobiles, the use does not conflict with local zoning. The wholesaling of automobiles, as both discussed with the applicant and understood by the planning department, involves the purchase, cleaning, repair and non-retail sale of vehicles. In essence, the applicant acts as a middle-man and, upon the cleaning and repair of vehicles at the automotive repair shop at 182 Route 6A, moves the vehicles off-site where they are sold at a retail establishment.

The burden should be on the applicant to demonstrate to the board that the operations of the wholesale Used Car operation at 182 Route 6A will not conflict with the conditions of the August 2000 special permit which limits the number of cars stored on site to six vehicles. Providing that this condition is complied with by the applicant, the planning department provides its recommendation that a Class II Used Car Dealer's License should be granted.



The Town of Sandwich Massachusetts



H1N1 Flu Vaccinations
Click [HERE](#) for info

Special Election
Tuesday, 1-19-10
Polls open from 7am to 8pm

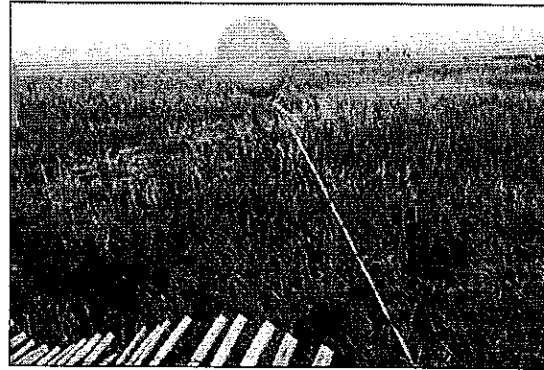
Board of Selectmen

- [Town Hall](#)
- [Transfer Station Webcam](#)
- [Directory](#)
- [Public Documents](#)
- [Calendar](#)
- [MAPS](#)
- [Incorporated 1639](#)

The Oldest Town on Cape Cod

The Town of Sandwich is a seaside community of 23,000 residents located in the northwest corner of Cape Cod in Barnstable County, Massachusetts.

Incorporated in 1639, Sandwich is the oldest town on Cape Cod and one of the oldest towns in the United States, settled by European immigrants nearly 150 years before the American Revolution.



Sandwich is a quaint and quiet New England town with seaside charm. The Town's historic charm and uniqueness, combined with its ideal location, make Sandwich an attractive place to both visit and live.

We hope you enjoy your stay!

Click [HERE](#) to sign up for a town committee

Click [HERE](#) to sign up for the town e-mail list to receive periodic news updates

Town of Sandwich Mission Statement

The government of the Town of Sandwich will provide the public with the highest, most efficient and effective level of service with the resources available in a manner that exemplifies honesty, integrity and a commitment to public service while honoring our rich history, protecting our environment and responsibly planning for our future.

HIGHLIGHTED LINKS

[Long Range Plan - Dec 2009 Update
Board of Selectmen: Long Range Plan
Updated December 2009](#)

[Regulations
Town of Sandwich: Rules & Regulations](#)

[Town Charter
Town Charter as Adopted by Town
Meeting January 2008 and approved by
the Legislature October 2009](#)

[By-Laws
General Town By-Laws](#)

[January 2008 Zoning Bylaws
Protective Zoning Bylaws Updated per
January 2008 Special Town Meeting](#)

NEW ONLINE

[OneillOKane Family Pic 1
OneillOKane Family Pic 1](#)

[Anderson Family Pic 2
Anderson Family Pic 2](#)

[Anderson Family Pic 1
Anderson Family Pic 1](#)

[FY2010 RE/PP Abatement Application
Application for ABATEMENT for Fiscal
2010 Real Estate or Personal Property
Values. Completed filing must be received
by/or postmarked by February 1, 2010
Filings CANNOT not be made until after
issuance of the 3rd quarter bill \(December
31, 2009\). Any filings received prior to
December 31, 2009 will be return to the
filer with no action taken.](#)

[FY2010 Exemption Criteria
Document with basic criteria for annual
Real Estate Exemptions offered in
compliance with Massachusetts General](#)

SANDWICH TOWN NEWS

[Special Election
Tuesday, January 19, 2010
Polls open from 7am to 8pm](#)

[H1N1 Flu Vaccinations
Click \[HERE\]\(#\) for Info](#)

[2010 Transfer Station & Beach
Stickers Now Available
at Collector's Office
New Expanded Hours for Town Hall
Annex Until 8:00pm on 1st and 3rd
Tuesday of the Month](#)

[Board of Selectmen Long Range
Plan - Updated December 2009](#)

[Transportation Investment
Generating Economic Recovery](#)

SEARCH
sandwichmass.org

Search

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NOTICE OF PUBLIC FORUM: FOLLOW-UP DISCUSSION NORTH SHORE BOULEVARD PARKING

Notice is hereby given that the Town of Sandwich will conduct a follow-up meeting on Tuesday February 2, 2010 at 7:00 p.m. at the Sandwich Hollows Golf Club (located off the Service Road near Rt. 6 Exit 3), to solicit further input from residents and other interested parties about motor vehicle parking and related traffic issues along North Shore Boulevard, East Sandwich. At this meeting Town of Sandwich staff will present proposed parking alternatives for public discussion and input prior to presenting a formal proposal to the Board of Selectmen at a future date.

Anyone wishing to be heard on this matter will be afforded an opportunity at that time.

George H. Dunham
Town Manager

The General Laws of Massachusetts

Search the Laws

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PART I. ADMINISTRATION OF THE GOVERNMENT

TITLE VII. CITIES, TOWNS AND DISTRICTS

CHAPTER 44. MUNICIPAL FINANCE

DEPARTMENT APPROPRIATIONS

Chapter 44: Section 31D. Snow and ice removal; emergency expenditures; reporting requirements

Section 31D. Any city or town may incur liability and make expenditures in any fiscal year in excess of available appropriations for snow and ice removal, provided that such expenditures are approved by the town manager and the finance or advisory committee in a town having a town manager, by the selectmen and the finance or advisory committee in any other town, by the city manager and the city council in a city having a city manager or by the mayor and city council in any other city; provided, however, that the appropriation for such purposes in said fiscal year equaled or exceeded the appropriation for said purposes in the prior fiscal year. Expenditures made under authority of this section shall be certified to the board of assessors and included in the next annual tax rate.

Every city or town shall annually, not later than September fifteenth, report to the division of local services of the department of revenue the total amounts appropriated and expended, including any funding or reimbursements received from the commonwealth, for snow and ice removal in the fiscal year ending on the preceding June thirtieth.

DEPARTMENT: 421 - Snow & Ice
TOC

EXPEND FY05 EXPEND FY06 EXPEND FY07 EXPEND FY08 APPROP FY09 REQUEST FY10

PERSONNEL:

Position Name

Labor	103,584	47,497	27,289	42,856	12,516	12,517
PERSONNEL SUBTOTAL	103,584	47,497	27,289	42,856	12,516	12,517

OPERATING EXPENSES:

Acct # Account Name

5046	Equipment Maintenance	35,179	27,672	7,661	11,176	15,000	15,000
5245	Truck Maintenance	1,561	340	721	125	2,000	2,000
5275	Equipment Hire	478,786	220,722	173,989	223,315	197,491	197,491
5400	Supplies	1,566	1,225	30	251	1,500	1,500
5480	Gas & Oil	27,647	8,639	4,577	8,830	2,500	2,500
5533	Salt	41,129	67,560	24,702	60,643	12,000	12,000
5534	Sand	7,000	13,719	4,704	14,067	7,000	7,000
OPERATING SUBTOTAL		592,868	339,877	216,384	318,407	237,491	237,491

TOTAL DEPARTMENT BUDGET

		696,452	387,374	243,673	361,263	250,007	250,008
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Fiscal Year Expenditure Fiscal Year Expenditure

FY'08	361,263	FY'03*	352,994
FY'07	243,673	FY'02	160,000
FY'06	387,374	FY'01	365,835
FY'05**	696,452	FY'00	223,002
FY'04	265,634	FY'99	392,541
		5 Year Average:	390,879
		10 Year Average:	344,877

** = Does not include \$104,772 in FEMA reimbursement. Total expense for FY'05 = \$801,224.

* = Does not include \$63,489 in FEMA reimbursement. Total expense for FY'03 = \$416,483.

EXHIBIT B

PAYMENT SCHEDULE

Lease With Option to Purchase Agreement dated as of June 15, 2004 between All American Investment Group, LLC ("Lessor") and Town of Sandwich ("Lessee")

Date of first payment:
Original Balance:
Total number of payments:
Number of Payments per year:

At Delivery
\$905,181.00
6
1

Rental Payments shall be made as follows:

	Payment Date	Payment Amount	Interest Amount	Principal Amount	Purchase Option Price
1	Upon Delivery	165,754.42	0.00	165,754.42	739,426.58
2	7/15/2005	165,754.42	30,643.06	135,111.36	604,315.22
3	7/15/2006	165,754.42	23,049.75	142,704.67	461,610.55
4	7/15/2007	165,754.42	17,606.72	148,147.70	313,462.85
5	7/15/2008	165,754.42	11,956.08	153,798.34	159,664.51
6	7/15/2009	165,754.42	6,089.91	159,664.51	0.00
Grand Totals		994,526.52	89,345.52	905,181.00	

LESSEE: Town of Sandwich

BY: George H. Dunham
Title: Town Administrator

*Assumes all Rental Payments due to date are paid.

S&I
1/4/10 Balance: -24,169