MINUTES
January 4, 2022

7:07 p.m.
Sand Hill School Community Center, 16 Dewey Avenue, Sandwich, MA & via Remote Participation Software

Present via ZOOM: Jeffrey Picard, Chair; Jennifer Reisig, Vice-Chair; David Darling; Mark Callahan; Paul Coteus; and James Dever
Absent: Robert King
Also Present via ZOOM: Ralph Vitacco, Director, Planning & Development; Leanne Drake, Town Planner; and Maureen McCabe, Sr. Administrative Assistant

Mr. Picard states that this regularly scheduled meeting of the Sandwich Planning Board is being conducted remotely. On June 16, 2021 Governor Baker signed into law an Act extending certain COVID-19 measures adopted during the State of Emergency. This Act includes an extension, until April 1, 2022, of the remote meeting provisions of his March 12, 2020 Executive Order suspending certain provisions of the Open Meeting Law. All Board members are participating via videoconference. Mr. Picard reads the Planning Board’s opening statement. He says that each vote taken this evening will be by roll call vote.

Approval of Minutes

Ms. Reisig motions to accept the minutes from the meeting held December 7, 2021, as submitted. Mr. Callahan seconds. Unanimously approved by roll call vote.

Submission of New Plans

There are no new plans submitted.

Old Business

There is no old business to discuss.

New Business

There is no New Business to discuss.
Board Discussion

• Housing Production Plan

Mr. Picard explains tonight’s goal is to complete discussion on the Housing Production Plan (“HPP”) and vote to see if the Board accepts the Plan and then to send it on to the Board of Selectmen. Mr. Vitacco reminds Board members there have been several discussions on the HPP. In addition, there was a joint presentation made to the Board of Selectmen. On December 7, 2021 the Board was pretty much in favor of the HPP but wanted to see some changes which had been put forward. Mr. Vitacco describes the changes made to include Sandwich Green. In addition, Mr. Darling thought the housing ladder was critical to the HPP. In consultation with Karen Sunnarborg, the Ladder was added as an appendix. Mr. Darling says he spoke with Mr. Coteus and the Ladder is referenced within the text of the HPP. Mr. Vitacco explains there is one reference to the Ladder included within the HPP. Mr. Darling says that a Housing Ladder is a fundamental part of how to approach housing and hopes that everyone appreciates the value of it. He suggests meeting with Sandwich TV to have a public discussion about housing affordability so that it becomes a part of the conversation in Sandwich. Mr. Picard tells Mr. Darling that his suggestion will be taken under advisement with the Planning Department. Once the HPP goes forward to the Selectmen we should look at where and how it gets posted. There is no further discussion as it relates to this matter. Ms. Reisig motions to move the Housing Production Plan forward to the Selectmen. Mr. Darling seconds. Unanimously approved by roll call vote. Mr. Vitacco explains that the Planning office will try to get the HPP on the Selectmen’s Agenda for next week. Once the HPP is approved by the Board of Selectmen it will be sent to the Department of Housing and Community Development.

• Scenic Road Act

Mr. Picard introduces the topic of Scenic Roads. He says that he asked Ralph and Leanne to pull together a packet of information for the Board and to run through the Scenic Road Act. He explains that there was an editorial in the paper after a winter storm that Mr. Coteus had some questions on. Mr. Vitacco provides an overview of the Scenic Road Act and the Public Shade Tree Laws. He explains that all trees within the public right-of-way require a public hearing. If the road has been designated a Scenic Road the Planning Board will hold the public hearing; if not, the Tree Warden holds a public hearing. Mr. Coteus has specific questions. Mr. Picard describes in detail instances where a person would have to get permission to take down a tree. Mr. Coteus explains that was not the question he was asking. He would like to know who is responsible for each tree. He would like the Board to be more proactive and perhaps mark the trees in town that are town trees. Mr. Picard details the difficulty and liability issues that may arise with this. Mr. Coteus asks what the definition of a public shade tree is. Ms. Reisig directs Mr. Coteus to the definitions section of M.G.L. A lively discussion ensues regarding maintenance, responsibility and the road layout. The Board discusses the editorial in the paper. Mr. Vitacco details what happened and why the Town was unable to remove the tree as it fell on private property. Mr. Coteus would like residents to have clear direction as to what to do if they have a question relating to trees. Mr. Vitacco explains calls should be directed to the DPW. The Board continues the discussion. Ms. Reisig explains that when the laws are applied the outcome can vary depending on the set of circumstances. It must be looked at on a case by case basis. Mr. Coteus says that he understands. Mr. Darling states the Town needs to get rid of the Scenic Road Act and give rights back to property owners. In
addition, he says his experience was different from Mr. Coteus. All of the trees in front of his house were taken down without his permission and the wood was taken away. Mr. Picard thanks the Board for taking the time to discuss this topic.

**Deliberations**

- There are no matters to deliberate.

**Other Matters Not Reasonably Anticipated**

- **Habitat for Humanity**

  Mr. Vitacco and Mr. Darling have a conversation as it relates to the Habitat for Humanity project in Sandwich.

Mr. Dever motions to adjourn. Mr. Coteus seconds. Unanimously approved by roll call vote. The meeting adjourns at 8:09 p.m.

Respectfully submitted,

[Signature]

Maureen McCabe

Supporting Documents:

1. December 7, 2021 Draft Minutes (4 pages)
2. Town of Sandwich Draft Housing Production Plan version 4 (122 pages)
3. Mass. General Law Chapter 87 Section 5 (5 pages)
4. Town of Sandwich, Department of Public Works, Municipal Tree Protection Regulations (1 page)
5. Scenic Road Bylaw and Planning Board Procedure Amended 5/5/03 (8 pages)
6. Scenic Road Bylaw Amended 5/5/03 (7 pages)
7. Sandwich Uprooted by Northeaster by Jamie Costa published in the Sandwich Enterprise on October 29, 2021 (5 pages)