

Board Members
Rori Stumpf, Chair
Brian White, Vice Chair
Gibb Phenegar, Clerk
Christina Oster, Member
Tom Emero, Member
Carol Gould, Associate Member



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TOWN OF MEDWAY

COMMONWEALTH OF MASSACHUSETTS

ZONING BOARD OF APPEALS

Wednesday, April 7, 2021 at 7:30 p.m.

Virtual Meeting

Meeting Minutes

Present (virtually): Rori Stumpf, Chair; Brian White, Vice Chair; Gibb Phenegar, Member; Tom Emero, Member; Christina Oster, Member

Also Present (virtually): Barbara Saint Andre, Director, Community and Economic Development
Morgan Harris, Administrative Assistant, Community and Economic Development

Call to Order

Chairman Rori Stumpf called the meeting to order at 7:31 p.m. and read that this meeting is being broadcast and recorded by Medway Cable Access. Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, and the Governor's Orders imposing strict limitations on the number of people that may gather in one place, no in-person attendance of members of the public will be permitted at this meeting. Board members will be participating remotely. For public hearings, access via Zoom is provided for the required opportunity for public participation. Information for participating via Zoom is posted at the end of the ZBA Agenda on the town website. He then read instructions on how to participate in the meeting. All persons participated remotely in the meeting via Zoom. Mr. Stumpf introduced all Board members participating remotely in the meeting.

Public Hearing

28 Granite Street - The application is for the issuance of a **variance** from Section 6.1 to construct a two-story addition and garage set back 10.4 feet from the side lot line, where 15-foot setback is required.

The applicant's representative, Bryan Murphy from B M Carpentry, was present and explained the application. He stated that the applicant has lived in the town for a while now and would like to expand on their current home to fit their needs instead of moving somewhere else. He explained that the house is already close to the setbacks, so they are requesting a variance so that the addition can work as designed as close to the setbacks as possible. Mr. Stumpf asked Mr. Murphy to explain why a variance request is the only option. Mr. Murphy stated that power lines were a possible concern, in addition to the house being diagonal to the lot. The addition cannot go on the other side of the house because it would be even closer to the lot lines. Mr. Stumpf asked for clarification on the size of the garage and if it is possible to reduce the size. Mr. Murphy stated that the garage would be 24 feet by 26 feet. This size could possibly be reduced to 24 feet by 24 feet, but it would make the inside a tight fit.

Mr. Phenegar stated that he drove past the house and noticed the house to the right is close to the lot line as well. No comments from any abutters were received, however Mr. Murphy stated that they had a

discussion with the neighbors about the addition and they did not have any issue with it. Mr. Phenegar brought up comments from the conservation agent, Bridget Graziano, which showed concern that the addition would not meet the 25 foot no-touch requirement. It was clarified that the Conservation Commission will require wetland delineation, but that would be part of the process if the application is approved.

Mr. White wondered if the structure could be shrunk slightly or slid forward so that it would meet the setback requirement. Mr. Murphy stated that shrinking it would make it very tight. The addition could be moved forward, but that would bring it closer to the 35-foot setback from the street where it is already close. Mr. White stated that it seemed to him that relief was considered as the first option instead of looking into moving the addition. Mr. Murphy clarified that he had discussions with both the architect and engineer, and that keeping the addition flush with the current house seemed like the most feasible option. Mr. Emero asked how much more it would cost to move the addition toward the road so that the building would have a jog in it. Mr. Murphy stated that it would cost more due to more of the driveway having to be removed and that they are trying to stay within a certain budget. He also noted that moving the addition forward would not guarantee that the 15-foot setback would be met. Mr. Stumpf clarified that this does not fall under the category of a significant financial hardship because it would not apply to any owner of the property.

Andy Rodenhiser, chair of the Planning and Economic Development Board (PEDB), stated that the PEDB was not in support of this project. He explained that the mass of the structure would impose on the property owner next door, and even though the current owner might not mind, a future owner may not be happy with it. He also noted that the current driveway layout fits with the character of the neighborhood, and there were concerns over tree removal to make changes to the driveway. He acknowledged that moving the addition forward would complicate the framing and roof of the house, but it is possible to do.

Mr. Stumpf believes that moving the garage forward may create even more of a massing issue because the structure will be more imposing from the street. He also noted that creating a jog would give the house a different look and feel than. Mr. Rodenhiser stated that when houses are close together in a subdivision, the PEDB will require the garage to be offset to help with the look and to create a little more separation between houses. Mr. Stumpf asked how feasible this option would be since the land drops down from the street to the house. Mr. Rodenhiser noted that if a survey had been prepared, they would be able to see both wetlands and the elevation. He stated that it seemed as if the applicant was preparing other options anyway and questioned why they didn't just go along that route. Mr. Murphy stated that they were looking at other options just in case, but this proposal would allow the addition to look like part of the house. Mr. White questioned if there is a reason other than aesthetic why the applicant is requesting relief. Mr. Murphy reiterated that it would be more difficult to move the addition forward and that this is the best location so that the addition works with the current driveway.

Mr. White stated that he believed adding 3 stories close to the lot line seemed out of character for the neighborhood. The board had further discussion on the massing of the addition and were generally not in favor. There was also a discussion around whether there was a garrison on the upper story that would make the structure more imposing, but it was clarified that the renderings show a detail in the roofing, not a garrison of the second floor.

Mr. Emero stated the options the applicant had. The addition could be built legally with the planned dimensions if it was shifted forward far enough. Or the addition could be built flush with the house if the variance was granted. Mr. Stumpf stated that the application must also meet the variance criteria. After a discussion with the applicant, Mr. Murphy requested to continue the hearing to the April 21, 2021 meeting.

Motion to continue the public hearing for 28 Granite Street application to April 21, 2020 at 7:30 p.m. by Brian White, seconded Gibb Phenegar, passed by a roll call vote of: 5-0

Tom Emero – Aye

Gibb Phenegar - Aye

Christina Oster – Aye

Brian White – Aye

Rori Stumpf – Aye

Other Business

Approval of Minutes

- February 3, 2021

Motion to approve the minutes for February 3, 2021 as presented made by Brian White, seconded Tom Emero, passed by a roll call vote of: 4-0 (Gibb Phenegar recused himself)

Tom Emero – Aye

Christina Oster – Aye

Brian White – Aye

Rori Stumpf – Aye

Upcoming Meetings

- April 21, 2021

Adjournment

Motion to adjourn the meeting at 8:33 p.m. made by Brian White, seconded Gibb Phenegar, passed by a roll call vote of: 5-0

Tom Emero – Aye

Gibb Phenegar - Aye

Christina Oster – Aye

Brian White – Aye

Rori Stumpf – Aye

Respectfully submitted,

Morgan Harris

Administrative Assistant

Community and Economic Development

Edited by
Barbara J. Saint Andre
Director, Community and Economic Development