



Town of Medway  
**ZONING BOARD OF APPEALS**  
155 Village Street, Medway MA 02053  
(508) 321-4915

Rori Stumpf, Chair  
Brian White, Vice Chair  
Carol Gould, Clerk  
Christina Oster, Member  
Gibb Phenegar, Member

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**Zoning Board of Appeals Meeting**  
**Wednesday, April 3, 2019 at 7:30 pm**  
**Sanford Hall**  
**155 Village Street, Medway, MA**

**MINUTES OF MEETING**

**Present:** Chair, Rori Stumpf, Vice Chair, Brian White, Clerk, Carol Gould, Member Christina Oster and Member, Gibb Phenegar.

**Also Present:** Barbara Saint Andre, Director, Community and Economic Development and Stefany Ohannesian, Administrative Assistant, Community and Economic Development

**1. Call to Order:** The Chairman Rori Stumpf opened the meeting at 7:30pm

Mr. Stumpf started the meeting by welcoming Stefany Ohannesian as new Administrative Assistant for Community and Economic Development specifically for the Zoning Board of Appeals. He then asked Barbara Saint Andre to start the discussion regarding the items on the agenda.

**2. Discussion of Timber Crest Comprehensive Permit review of Final Plans:**

Ms. Saint Andre explained the Timber Crest, LLC comprehensive permit and that Timber Crest received a final Order of Conditions from the Conservation Commission. They are now switching over to preparing the final plans. (Brian White arrived to the meeting at 7:31 pm.) Timber Crest needs to make several updates to the plans in order to comply with conditions set by the Board as well as the Conservation Commission. She recommends that Tetra Tech be contracted to review the final plans as they come in from Timber Crest. Tetra Tech has provided a quote for the final review consultation.

Mr. Stumpf raised the question of part of this review would make sure that every detail and aspect of the plans are shown? Ms. Saint Andre explained that the final plans would portray storm water requirements, water and sewer requirements, utilities and road way plans, etc. (Carol Gould arrived to the meeting at 7:33pm.)

She explained the proposal from Tetra Tech is for a change order for final review in the amount of \$10,000. However, Timber Crest still carries a balance of \$3,125 in peer review fees from the initial review of the comprehensive permit application in 2017. This would leave a balance of \$6,875. If approved by the Board, we would then send a letter to Timber Crest to provide payment of \$6,875 to bring balance up to \$10,000.00.

Mr. Stumpf questioned who was responsible for payment of this service; the Town or the developer? Ms. Saint Andre confirms that Tetra Tech would provide this service for the Town at the expense of the developer.

***Brian White moved, seconded by Gibb Phenegar, that the Board determines that services of an outside consultant are needed for review of Final Plans and other conditions as set forth in comprehensive permit, and to engage Tetra Tech to perform these consulting services, and to approve Tetra Tech's change order in the amount of \$10,000 for these purposes. Vote passes unanimously. (5-0-0)***

### **3. Discussion of 39 Main Comprehensive Permit Application:**

Ms. Saint Andre explains that the comprehensive permit application for 39 Main Street for a proposed project of 190 units has been received. The developer first filed an application with the Board of Selectmen under the Local Initiative Program. She sent that application to Tetra Tech for an estimate for how much it will cost to peer review the application and plans. She recommended the use of an outside reviewer of the application and plans due to the complexity.

Mr. Stumpf asked for clarification on if the applicant would be paying for the fees although the consultant (Tetra Tech) would be hired by the Town? Ms. Saint Andre answers yes to his question.

***Brian White moved, seconded by Gibb Phenegar, that the Board determines that the services of an outside consultant are needed for review of the comprehensive permit application, and to engage Tetra Tech to perform these consulting services, and to approve Tetra Tech's peer review estimate dated January 21, 2019 in the amount of \$19,299 for these purposes. Vote passes unanimously. (5-0-0)***

Ms. Saint Andre then explains that the applicant had originally wanted to file the application on Friday, March 22, 2019 which would require an "extension of time" request to be signed and approved by the Board to be within the 30-day time period to hold a public hearing for a comprehensive permit which is scheduled for Wednesday, April 24, 2019. The application was

not filed until Monday, March 25, 2019 which would put them within the 30-day time period of holding the public hearing. The Board agreed to still acknowledge and sign the “extension of time” request extending the time to hold a Public Hearing through and including May 1, 2019.

***Brian White moves, seconded by Gibb Phenegar, that the Board agrees to the applicant’s extension of time to open the public hearing on the comprehensive permit, and authorize the Chair to sign it on behalf of the Board. Vote passes unanimously. (5-0-0)***

Ms. Saint Andre stated that the public hearing for 39 Main Street will most likely require more than one hearing. The applicant will be filing notice of intent with Conservation Commission very shortly, in which the Board will receive a copy. All copies of information received regarding the application such as comments from departments or abutters or application materials will be filed in the Zoning Board of Appeals drop box, the members should check it periodically.

Ms. Saint Andre also added that Glen Brook Way may be submitting some requested modifications to its comprehensive permit to the Board; there is a 20-day time period for the Board to determine if the changes are substantial. She stated that April 24, 2019 might not be a good date for this due to the public hearing for the 39 Main Street, and the members concurred. She has encouraged the developer to file this modification to be heard on May 1, 2019.

Mr. Stumpf emphasized to the Board members that their attendance would be crucial for the public hearing scheduled for April 24, 2019. He also asked the number of members that needed to be present for an accurate vote. Ms. Saint Andre explained that with a comprehensive permit it would need to be a majority vote which needs three members to make a quorum. She did stress though that attendance and participation of all Board members would be best.

#### **4. Approval of Minutes**

- December 5, 2018

***Brian White moved, seconded by Gibb Phenegar, that the Zoning Board of Appeals approve the meeting minutes from December 5, 2018. Vote passes unanimously. (5-0-0)***

#### **5. Correspondence** – CHAPA Letter

#### **6. Upcoming Meetings**

- April 17, 2019 – Board agreed to cancel this meeting
- April 24, 2019 – 39 Main St. comprehensive permit public hearing
- May 1, 2019 – One variance application public hearing scheduled so far

#### **7. Other Business** – No other business was brought forth by the Board to discuss at this time

#### **8. Adjournment**

***On a motion made by Brian White and seconded by Gibb Phenegar, the Zoning Board of Appeals voted unanimously to adjourn the meeting at 7:46 pm. Vote passes unanimously. (5-0-0)***

Respectfully Submitted,

Stefany Ohannesian  
Administrative Assistant  
Community and Economic Development Department