

**Town of Medway  
Zoning Board of Appeals Meeting  
Sanford Hall  
Town Hall  
155 Village St, Medway MA**

**MINUTES OF MEETING**

**November 1, 2017**

**Present:** Chair Eric Arbeene; Vice Chair Brian White; Clerk, Carol Gould; Committee Members: Rori Stumpf, Bridgette Kelly

**Also present:** Stephanie Mercandetti, Director, Community & Economic Development

Chairman Arbeene called the meeting to order at 7:32 PM.

**Citizen Comments:**

There were no members of the public that wished to make comments on items other than those already on the agenda.

**Any other business that may properly come before the Board:**

Mike Curatola presented his request regarding a modification to the Special Permit for 3 Cherokee Lane. Ms. Mercandetti stated that she wanted to discuss whether a modification was necessary with the Building Commissioner and Zoning Enforcement Officer. No action was taken by the Board.

**Public Hearings:**

**7:35 P.M. – The Applicant, Joanne Beksha Brown, seeks a Variance from Section 6.1 to divide one lot into two lots. “Lot 1” shall remain a conforming lot. The application seeks a variance for “Lot 2” which would have 43, 938 sq. ft. of area where the required area is 44,000 sq. ft, with respect to the property located at 85 Winthrop St.**

The Board reviewed the draft decision.

Sue Shemuga of 83 Winthrop Street attended the hearing and spoke in opposition of the variance.

***A motion to close the hearing was made by Mr. White, seconded by Ms. Kelly and approved 4-0-0. Ms. Gould did not vote.***

***A motion to approve the decision as amended with the correct square footage was made by Mr. Stumpf, seconded by Mr. White, and approved 4-0-0. Ms. Gould did not vote.***

**- The Applicant, William Goodwin & Rosemary Conway, seek a Special Permit under Section 5.4 Table 1 to allow for a personal kennel license, with respect to the property located at 5 Brookside Road.**

The Board reviewed the draft decision.

***A motion to close the hearing was made by Mr. White, seconded by Mr. Stumpf and approved 4-0-0. Ms. Gould did not vote.***

***A motion to approve the decision as presented was made by Mr. Stumpf, seconded by Mr. White, and approved 4-0-0. Ms. Gould did not vote.***

**- The Applicant, Ambassador Pools, seeks a Variance from 6.1 to accommodate a pool that was installed 4 feet from the rear property line at 7 Legion Avenue; the required setback is 10 feet.**

Given that the Applicants were not in attendance, the Board discussed continuing the hearing without testimony.

Abutters of 5 Legion Ave requested that the Board not continue the hearing to November 15, 2017, as they were unable to attend that date.

***A motion to continue the hearing without testimony to 7:35 pm on December 6, 2017 was made by Mr. White, seconded by Mr. Stumpf and approved unanimously.***

**- The Applicant, James Landry, seeks a Special Permit under Section 5.5, to demolish and replace a single story home with a two story home on a pre-existing nonconforming lot due to insufficient area and frontage, with respect to the property located at 5 Buttercup Lane.**

The hearing was opened by the Board. The Applicant provided an overview of the proposed two story home. They explained they were in the process of purchasing the home which was why the homeowner was under a different name. The current house was built around 1959/1960. The existing house would need new siding, roof, doors, etc...It's beyond a remodel. The house would need to be demolished in order to meet the new energy codes. They would like to demolish the existing house, leaving only the foundation and then rebuild with a two story home. The home is large for the lot, however, the roof line, as proposed, is brought down to reduce the appearance of height and size. In the application, the applicant provided comparable homes in the neighborhood of similar size. The existing house is currently encroaching the front setback by 5 feet and would like to request an addition 8 feet to the front for the proposed deck and roof line. When facing the house, the chimney is currently on the left side of the house. The applicant would like to move the chimney to the right side which would be encroaching the southern side setback by 7 inches. The rear setback and northern side setback would be met. The home would tie into sewer, the applicant had spoken to the Department of Public Services already. The property is in pre-foreclosure of a contested estate.

Ms. Mercandetti, Director of Community & Economic Development stated that the Board of Health's questions had been addressed, and that the only other comment was from the Conservation Agent requesting mitigation for the roof runoff.

The Applicant explained that it was a home that they would be moving into, not selling.

Mr. Stumpf stated that he liked the proposal and felt that the application was very thorough.

John Babineau, 7 Buttercup Lane, stated that it looked like a beautiful house and that anything would be an improvement to the existing house. Mr. Babineau stated that he had been living next to a “haunted house” since 1998. Mr. Babineau was only concerned with the size of the proposed home.

Ms. Gould stated that the home was very large and asked how much square footage there was for the entire home. The applicant stated that it would be around 3,000 sq. ft.

***A motion to continue the hearing to 7:35 pm on November 15, 2017 was made by Mr. White, seconded by Mr. Stumpf and approved unanimously.***

**Correspondence:**

None.

**Approval of Minutes:**

4/19/17: Motion by Brian, seconded by Bridgette to approve the minutes as amended. Passed unanimously.

5/17/17: Motion by Brian, seconded by Rori to approve the minutes as amended. Passed unanimously.

6/7/17: Motion by Brian, seconded by Rori to approve the minutes as amended. Passed unanimously.

6/21/17: Motion by Brian, seconded by Bridgette to approve the minutes as presented. Passed unanimously.

7/5/17: Motion by Brian, seconded by Rori to approve the minutes as amended. Reorganization of the Board and associated votes needed to be added to these minutes. Passed unanimously.

8/2/17: Motion by Brian, seconded by Rori to approve the minutes as amended. Passed unanimously.

8/9/17: Motion by Brian, seconded by Rori to approve the minutes as presented. Passed unanimously.

8/16/17: Motion by Brian, seconded by Rori to approve the minutes as presented. Passed unanimously.

9/6/17: Motion by Brian, seconded by Rori to approve the minutes as. Passed unanimously.

10/4/17: Motion by Brian, seconded by Rori to approve the minutes as amended. Passed unanimously.

10/11/17: Motion by Brian, seconded by Rori to approve the minutes as presented. Passed unanimously.

10/18/17: Motion by Brian, seconded by Rori to approve the minutes as amended. Passed unanimously.

**Upcoming Meetings:**

Two new applications were received and were scheduled for November 15, 2017. One new application was received that would be scheduled for December 6, 2017.

**Adjournment**

***A motion to adjourn was made by Mr. White, seconded by Mr. Stumpf and approved unanimously. The Board adjourned at 9:30 p.m.***

Respectfully submitted,

Mackenzie Leahy  
Administrative Assistant  
Community and Economic Development