



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

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

Zoning Board of Appeals Meeting
Wednesday, November 6, 2019 at 7:30 pm
Sanford Hall
155 Village Street Medway, MA 02053
Meeting Minutes

Present: Rori Stumpf, Chairman; Brian White, Vice Chair; Gibb Phenegar, Clerk; Tom Emero, Member (arrived at 7:43 p.m.)

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

Call to Order

Chairman Stumpf called the meeting to order at 7:33 p.m. and read that the meeting was broadcast and recorded by Medway Cable Access.

Public Hearings

119A & 119B Main Street Variance Extension – Request for consideration of a 6-month extension to the current Variance approved on December 5, 2018.

Attorney Kenney was present representing the applicant, Maritime Housing Fund, LLC and explained the extension request for the previously granted Variance, Norfolk Country Registry of Deeds Book 36556, Page 531. He explained that Dan Merrikin from Legacy Engineering, Inc. is continuing to work on a plan and expects to have the plan ready either the third week of November or the first week of December to submit to the Conservation Commission to file for a Notice of Intent. Mr. Stumpf stated they have already started work there, Attorney Kenney confirmed Mr. Stumpf's statement. The Board collectively decided to grant the extension.

By a motion made by Brian White, seconded by Gibb Phenegar the Board voted to grant the extension of time for the variance to 119A & 119B Main Street to be extended to June 5, 2020 with a unanimous vote of 3-0.

Timber Crest Estates – Modification Request – Request for modification of comprehensive permit to conform to final plans submitted, including reduction in number of house lots from 147 to 136, elimination of two roadways, and changes made to the plans to conform to Order

of Conditions issued by Conservation Commission.

Mounir Tayara, the applicant and Jim Pavlik of Outback Engineering were present and explained the changes made to the final plans as shown on an overlay plan, where the original plans are indicated in red and the changes are in black. Mr. Tayara explained that the entire property has been resurveyed and new lot lines are indicated on the updated overlay plan. He then gave an overview of the changes made to the “west side” of the plan known as Timber Crest Estates and stated that during the survey of the property they confirmed the location of the gas line in the Boston Edison easement. He then provided an overview of the changes to the “east side” of the plan known as Kingsbury Village. He explained that some lots were eliminated and that they have eliminated a wetland crossing for utility line installation from Linden Path to Kingsbury Drive. He then explained the changes to the lots off of Fern Path to be in compliance with the permit, and also explained that, due to new property survey there is a reduction in the land in that area.

Mr. Phenegar inquired about the lack of a trail system in the plans. Mr. Tayara explained that due to all the wetlands and the alterations that would be necessary for a trail system, it did not seem feasible at this time. Ms. Saint Andre explained that a separate meeting would happen in regards to the trail system and a potential plan for a trail system will be put in place before the November 20, 2019 meeting. Ms. Saint Andre discussed the lot numbers. Some lots were eliminated per the comprehensive permit, but those same numbers are still indicated on the plans, she asked for clarification. Mr. Tayara explained that the Town’s consultant Tetra Tech asked that the numbers be kept the way they were on the original plans to make it easier when referring to the changes made to ensure compliance on the finals plans with the comprehensive permit conditions. Mr. Stumpf inquired on whether or not Town staff thought the changes are substantial or insubstantial. Ms. Saint Andre explained that per regulations it does not seem that the changes are substantial. The Board discussed and collectively decided that the submitted changes are insubstantial.

By a motion made by Brian White and seconded by Gibb Phenegar the Board finds that the request for modifications to Timber Crest Estates comprehensive permit constitute insubstantial changes with a unanimous vote of 4-0.

Other Business

The Board discussed and approved the 2020 Zoning Board of Appeals Application Filing Deadline schedule.

Approval of Minutes

- October 16, 2019

Motion to approve the minutes for October 16, 2019 as presented made by Brian White, seconded by Gibb Phenegar passed with a unanimous vote of 4-0.

Upcoming Meetings

- November 20, 2019 – Timber Crest Estates Final Plan Review and request for Approval

Adjournment

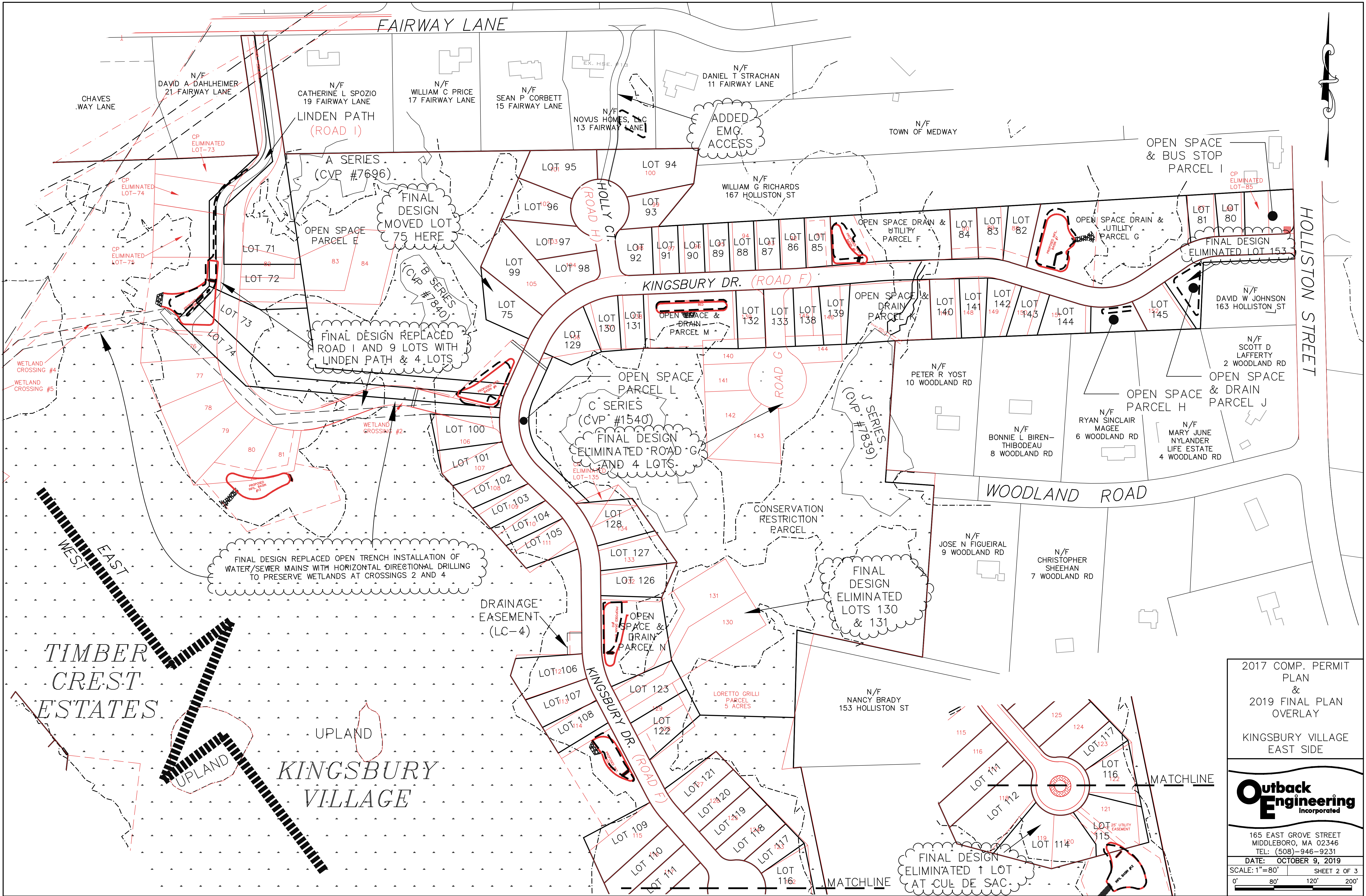
Motion to adjourn the meeting at 7:55 p.m. made by Brian White and seconded by Gibb Phenegar passed with a unanimous vote of 4-0.

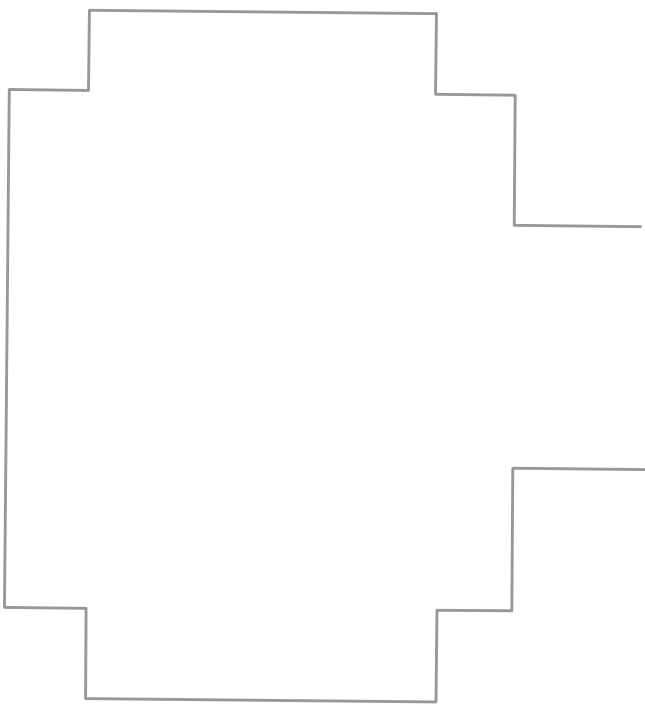
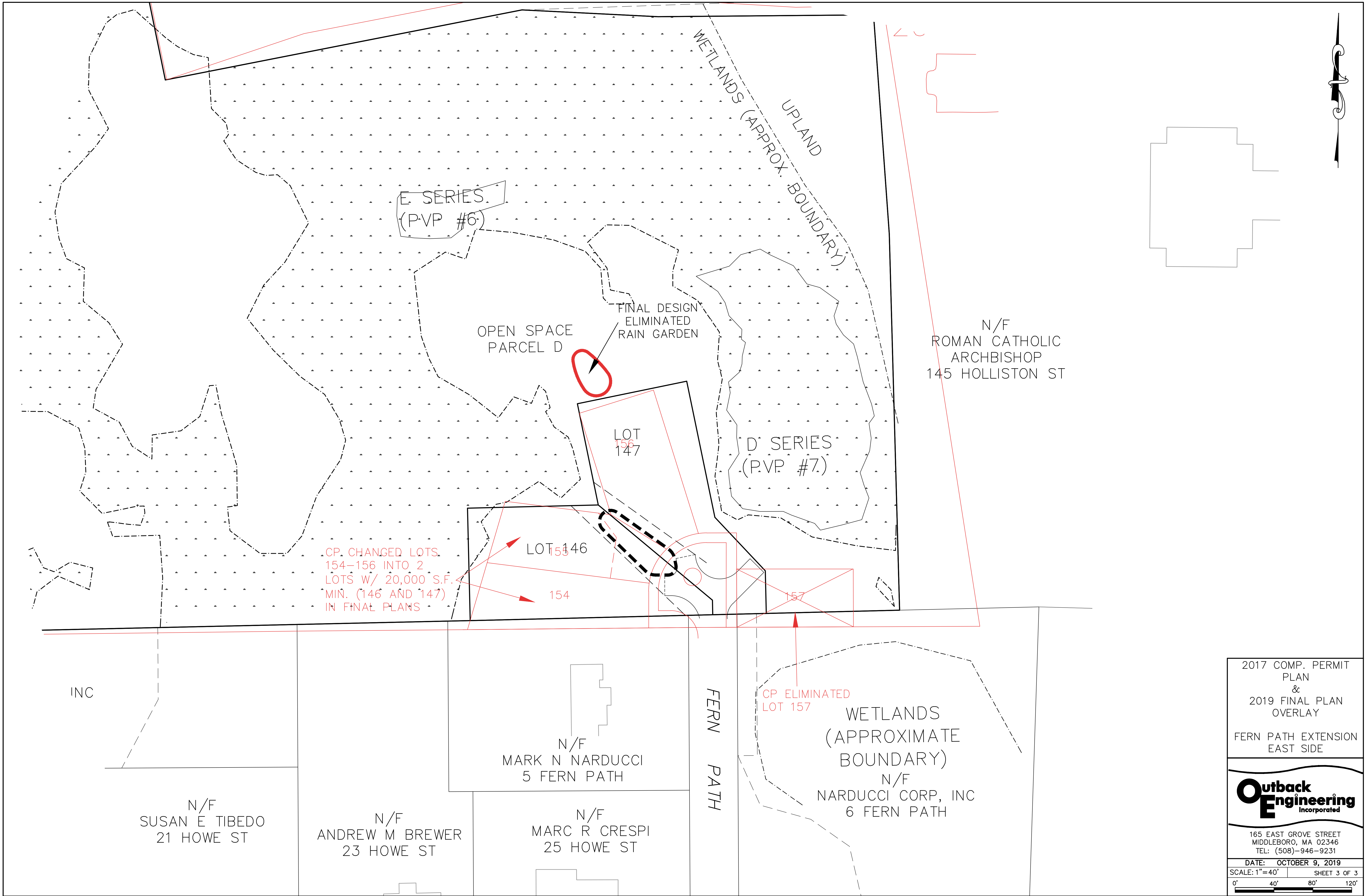
Respectfully submitted,

Stefany Ohannesian
Administrative Assistant
Community and Economic Development

Documents reviewed at this meeting:

1. "2017 Comp. Permit Plan and 2019 Final Plan Overlay" dated October 4, 2019 prepared by Outback Engineering Inc. 165 East Grove Street Middleborough, MA 02346





2017 COMP. PERMIT
PLAN
&
2019 FINAL PLAN
OVERLAY

FERN PATH EXTENSION
EAST SIDE

Outback Engineering
Incorporated

165 EAST GROVE STREET
MIDDLEBORO, MA 02346
TEL: (508)-946-9231

DATE: OCTOBER 9, 2019

SCALE: 1"=40'

SHEET 3 OF 3

0' 40' 80' 120'