

Board Members
Rori Stumpf, Chairman
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, October 7, 2020 at 7:30 p.m.
(Virtual Meeting)
Meeting Minutes

Present: Rori Stumpf, Chairman; Brian White, Vice Chair; Christina Oster, Member
Also Present: Barbara Saint Andre, Director, Community and Economic Development
Stefany Ohannesian, Administrative Assistant, Community and Economic Development

Call to Order

Chairman Rori Stumpf called the meeting to order at 7:37 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 stated that there was a significant storm that took place just prior to the meeting therefore leaving some members and public unable to attend. The meeting was able to continue as there were three members present therefore creating a quorum.

Public Hearings

72A Fisher Street - The application is for a **Modification** of a previously granted **variance** for the property, to remove the following conditions from the variance: 1. that only one single family home may be built on the lot; and 2. that the applicant shall impose, by including in the deed, a covenant running with the land that the premises are not to be subdivided and are to be used only for one single family dwelling.

Attorney Kenney, the applicant's representative stated that he submitted a withdrawal request without prejudice. They do not wish to move forward based on the strong objection of abutters. They expressed gratitude to the Board for their invested time in the application including conducting site visits. Mr. Stumpf stated that there were no issues with this request.

Motion to allow the applicant to withdraw the modification of variance application for 72A Fisher Street without prejudice was made by Brian White, seconded by Christina Oster, passed by a roll call vote of 3-0.

Christina Oster – Aye

Brian White – Aye

Rori Stumpf – Aye

62 Adams Street – The application is for the issuance of a **special permit** under Section 8.2 of the Zoning Bylaw to construct an Accessory Family Dwelling Unit (“AFDU”) within the existing barn attached to the existing dwelling.

Mr. Stumpf stated that there were not enough Board members to make a decision, and there may be members of the not having an opportunity to participate due to the storm and many power outages in the area. As a result, this hearing will need to continue at the Board’s next meeting.

Theresa Lawrence, the applicant was present and introduced her daughter and son in-law who also own the home, as well as the President of Wicked Builders, Anthony Tasselari. She stated she submitted a photo of the barn as it currently exists today, and explained the layout of the proposed AFDU. The proposed AFDU will be accessed through a connecting mud room from the main house to the barn. She stated the only exterior change is that the AFDU needs a second means of egress, and that is why they are adding a deck on the back of the barn. She stated it will not be visible from the street. Mr. Stumpf inquired about the size of the AFDU, which would be around 967 square feet. Ms. Lawrence stated they are not changing the footprint. It was discussed that an additional parking space will be provided for the AFDU. Mr. White stated that he wanted to ask about comments from Town staff, but will wait until the next meeting. Ms. Oster agreed.

There was a discussion about an email from Francis Panechelli of 116 Summer Street opposed to a second residence, but agreeable to having a family member stay there. This was read into the record. Mr. Stumpf then went on to discuss that there is a recertification process every two years for an AFDU, as well as requirements that a family member needs to reside there. There was then a discussion about the Conservation Commission requirements and process.

Stanley and Cameron Kuczmeic, 56 Adams Street inquired about the proposed second single family home on the lot. Ms. Ohannesian clarified about the proposed additional lot and structure application is before the Conservation Commission for 62 Adams Street, Lot 2, not this property.

Ms. Saint Andre stated that there should not be a discussion about the criteria until enough members are present to deliberate.

Motion to continue the hearing for 62 Adams Street to October 21, 2020 at 7:30 p.m. made by Brian White, seconded by Christina Oster, passed by a roll call vote of 3-0

Brian White – Aye

Christina Oster – Aye

Rori Stumpf – Aye

New Business

- General discussion on procedures of the Board during public hearing process

The Board decided to have this discussion when the other members are present.

Approval of Minutes

- September 16, 2020

Mr. White noted one correction.

Motion to approve the minutes for September 16, 2020 as amended made by Brian White, seconded by Christina Oster, passed by a roll call vote of 3-0.

Brian White – Aye

Christina Oster – Aye

Rori Stumpf – Aye

Upcoming Meetings

- October 21, 2020 – 62 Adams St continuation
- November 4, 2020

Adjournment

Motion to adjourn the meeting at 8:02 p.m. made by Brian White, seconded by Christina Oster, passed by a roll call vote of 3-0.

Brian White – Aye

Christina Oster – Aye

Rori Stumpf – Aye

Respectfully submitted,

Stefany Ohannesian

Administrative Assistant

Community and Economic Development