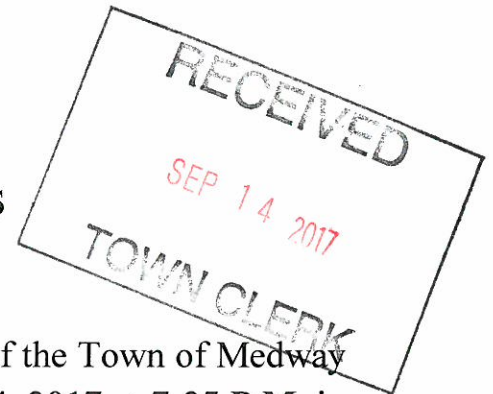


Town of Medway

ZONING BOARD OF APPEALS
155 Village St, Medway, MA
(508) 321-4915 • FAX: (508) 321-4988

Eric Arbeene, Chairman
Carol Gould, Clerk
Brian White, Member
Rori Stumpf, Member
Bridgette Kelly, Member

TOWN OF MEDWAY
ZONING BOARD OF APPEALS



Notice is hereby given that the **Zoning Board of Appeals** of the Town of Medway will conduct a **Public Hearing** on **Wednesday, October 04, 2017 at 7:35 P.M.** in **Sanford Hall** at the **Medway Town Hall, 155 Village Street, Medway, MA** on an application from **Joanne Beksha Brown**, with respect to property located at 85 Winthrop Street, Assessor Parcel No. 14-034, AR-I Zoning District.

The application is for a Variance from Section 6.1 of the Zoning Bylaw to divide one lot into two lots. "Lot 1" shall remain a conforming lot. The petitioner is seeking a variance for "Lot 2" which would have 43,938 sq. ft. of area where the required area is 44,000 sq. ft.

Copies of the petition are on file in the offices of the Town Clerk and Community and Economic Development, 155 Village St, Medway, MA during normal office hours, Monday through Friday.

Zoning Board of Appeals
Medway, MA

Milford Daily News 9/20/2017 and 9/27/2017.

Kenney & Kenney
ATTORNEYS AT LAW

STEPHEN J. KENNEY
PAUL V. KENNEY

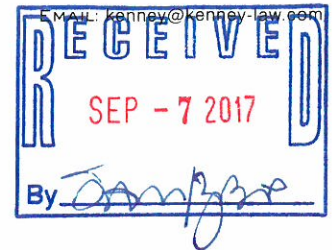
PETER J. KENNEY (1973-1980)



MEDWAY, MASSACHUSETTS 02053

TEL: (508) 533-6711

FAX: (508) 533-6904



September 6, 2017

In Hand
Town of Medway
Zoning Board of Appeals
155 Village Street
Medway, MA 02053
Attn: Mackenzie Leahy

Re: Joanne Beksha Brown
85 Winthrop Street, Medway, MA 02053
Variance Request

Dear Mackenzie,

Enclosed please find the following in connection with the above referenced applicant:

1. Original application form package and plan;
2. Nine additional copies of the application and plans; and
3. Check in the amount of \$175.00 in payment of the filing fee.

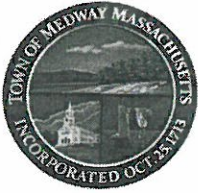
Please set this matter for hearing for the Board's meeting on October 4, 2017.

Thank you for your attention to this matter.

Very Truly Yours,

Paul V. Kenney

PVK/MB



TOWN OF MEDWAY
Zoning Board of Appeals
155 Village Street, Medway, MA 02053
Phone: (508) 5321-4915 • Fax: (508) 321-4988



Application for Zoning Board of Appeals Hearing

Be sure all questions are answered fully. If more space is necessary, attach additional sheets.

<i>Applicant Name(s)</i> Joanne Beksha Brown		<i>Applicant Address</i> 85 Winthrop Street, Medway, MA 02053	
		<i>Applicant Telephone #</i> 508-533-7901	<i>Applicant Email</i>
<i>Attorney/Engineer/Consultant Name (if any)</i> Paul V. Kenney, Esq.		<i>Address</i> 181 Village Street, Medway, MA 02053	
Colonial Engineering		<i>Telephone #</i> 508-533-6711	<i>Email</i> pkenney@kenney-law.com
<i>Property Owner (if different than Applicant)</i>		<i>Address</i>	<i>Telephone #</i>
<i>Location of Property</i> 85 Winthrop Street, Medway, MA 02053		<i>Zoning District(s)</i> ARI	
<i>Registry of Deeds Book & Page No. and Date or Land Court Certificate No. and Date of Current Title</i> Book 8567, Page 414; 2/13/90; Norfolk Probate Court Docket #07P0038EP		<i>Assessors Parcel ID #</i> 14-034	
<i>Present use of property</i> Residential	<i>Proposed use of property</i> Residential	<i>Have you applied for a building permit?</i> <input type="radio"/> Y <input checked="" type="radio"/> N	<i>Has permit been denied?</i> <input type="radio"/> Y <input checked="" type="radio"/> N

Requested Relief (check all that apply):

- ☐ A **Special Permit** as provided in Section(s) _____ of the Medway Zoning Bylaws.
- ☒ A **Variance** from the requirements of Section(s) Section 6 (Area) of the Medway Zoning Bylaws.
- ☐ An **Appeal** of the Building Commissioner's decision. (*Attach copy of decision.*)
- ☐ A **Comprehensive Permit** under MGL c. 40B (subsidized housing)
- ☐ Other, please explain: _____

State briefly reasons for application:

Applicant seeks to subdivide the property into two lots. Lot 1 on the attached plan shall conform to the Zoning Bylaw. Lot 2 shall require an area variance of 63 S.F. Applicant intends to sell Lot 2.

TO BE COMPLETED IF REQUESTING A VARIANCE:

What circumstances exist relating to the shape, topography, or soil conditions of the subject property, which do not generally affect other land in the zoning district? (See MGL c. 40A Section 10)

In 1955 and 1962, the County of Norfolk made takings for the relocation of Winthrop Street and Lovering Street. As the property is located on the corner of both streets, the takings changed the shape of the lot and reduced the area of the lot. This did not generally affect other land in the zoning district.

*What substantial hardship is caused by the circumstances listed above, when the Medway Zoning Bylaw is applied?
(See MGL c. 40A Section 10)*

A hardship was created by the takings made by the County of Norfolk for the relocation of Winthrop and Lovering Streets. The takings reduced the area of the property, thereby preventing the ability to subdivide the property under the provisions of the current Zoning Bylaw, without the benefit of a variance.

State why you believe the grant of relief would not nullify or derogate from the intent of the Zoning Bylaw.

The grant of relief will not nullify or derogate from the intent of the Bylaw because a variance of 63 S.F. is de minimis, and many of the house lots in the area contain less than 44,000 S.F.

I hereby certify that the above statements and all testimony to be given by me during the Zoning Board of Appeals public hearing associated with this application are true to the best of my knowledge and belief.

Signature of Applicant(s)

Date _____

Joanne Debbsa Brown

Aug 21, 2017

Signature of Property Owner (if different than Applicant)

Date _____

For Town Hall use only

To be filled out by the Building Commissioner:

Date Reviewed

Medway Building Commissioner

To be filled out by the Zoning Board of Appeals:

9/6/17
Date Received

Received by Samir K. S. S.



TOWN OF MEDWAY
Zoning Board of Appeals
155 Village Street, Medway, MA 02053
Phone: (508) 5321-4915 • Fax: (508) 321-4988

Legal Notice Billing Agreement Form

The Zoning Board of Appeals will prepare and submit a legal notice to be published in the *Milford Daily News*. This legal notice will appear in two consecutive issues of the newspaper, at least 14 days prior to the date of your hearing. The cost varies based upon the applicant request and information required for the notice. The Zoning Board of Appeals will forward the ad proof with the total to be paid by the applicant.

Joanne Beksha Brown

Applicant Name

85 Winthrop Street, Medway, MA 02053

Property Address

508-533-7901

Telephone Number

14-034

Parcel ID

ARI

E-mail Address

Zoning District

I hereby agree to provide a check in the sum of the ad proof total provided by the Zoning Board of Appeals for the required legal notice for a public hearing before the Zoning Board of Appeals.

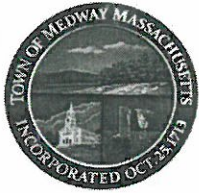
Joanne Beksha Brown

Signature

Aug. 21, 2017

Date

Please Note: This form must be returned to the Zoning Board of Appeals when submitting your application package.



TOWN OF MEDWAY
Zoning Board of Appeals
155 Village Street, Medway, MA 02053
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Site Access Agreement Form

Please complete this form, sign at the bottom, and return to the address indicated above.

By submitting this form with an application to the Zoning Board of Appeals (the Board),

I, Joanne Beksha Brown , hereby give the Board, and/or Staff to the Board, access to the
(Print Name)
property in order to complete a site visit, if determined necessary. The Board, and/or Staff to the Board,
may also determine and request the necessary site visits from other Town of Medway Staff, Consultants,
Boards, and/or Committees.

This request is made by Joanne Beksha Brown , who is the applicant for this project and/or
(Print Name)
the rightful property owner.

This form is submitted with the application for Variance with respect to the property
(Special Permit, Variance, or Appeal)
located at 85 Winthrop Street .
(Property Address and/or Parcel ID)

I am the:	<input checked="" type="checkbox"/> Applicant
(Check All That Apply)	<input checked="" type="checkbox"/> Property Owner

Signature: Joanne Beksha Brown

Date: Aug 21, 2017

By declining or neglecting to submit this form, you are denying access to the property prior to opening of the hearing. Upon opening of the hearing, the Board and/or Staff to the Board may determine that a site visit is necessary.