

Town of Medway

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

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

**TOWN OF MEDWAY**  
**ZONING BOARD OF APPEALS**

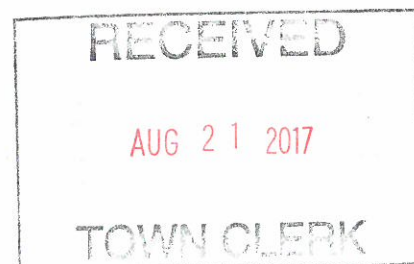
Notice is hereby given that the **Zoning Board of Appeals** of the Town of Medway will conduct a **Public Hearing** on **Wednesday, September 06, 2017 at 7:35 P.M.** in the **Sanford Hall** at the **Town Hall, 155 Village St, Medway, MA** on an application from **Alan Moles and Brenda Murrell**, with respect to property, owned by Brenda Murrell, located at 106 Oakland Street, Assessor Parcel No. 33-016, AR-I Zoning District.

The application is for Variance from Section 6.1 to accommodate a deck that is 6.1 feet away from the property line; the applicant requests a 9.5 foot variance from the required 15 foot side setback.

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 8/23/2017 and 8/30/2017.



Brenda Murrell

Alan Moles

106 Oakland St

Medway, MA 02053

August 11, 2017





Medway Town Board,

We are respectfully requesting a waiver of fees for our new application and hearing notice fees for a variance for the corner of our deck.

We erroneously submitted the first application listing the actual measurement of the deck from the property line instead of the variance needed.

We are applying for a 9.5 foot variance for the corner of our deck.

Thank you

  
  
Brenda Murrell & Alan Moles





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

RECEIVED

AUG 14 2017

TOWN CLERK

**Application for Zoning Board of Appeals Hearing**

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

Applicant Name(s) Brenda Murrell and Alan Moles	Applicant Address 106 Oakland St Medway, MA 02053	
	Applicant Telephone # (508) 668-5169	Applicant Email blmurre@aol.com
Attorney/Engineer/Consultant Name (if any) James Nieva Dunn McKenzie Inc 206 Dedham St Norfolk MA 02056	Address 206 Dedham St, Rt 1A @ Rt 115 Norfolk MA 02056	
	Telephone # (508) 384-3990	Email jimmy@dunnmckenzie.com
Property Owner (if different than Applicant)	Address	Telephone #
Location of Property 106 Oakland St. Medway, MA 02053		Zoning District(s)
Registry of Deeds Book & Page No. and Date or Land Court Certificate No. and Date of Current Title		Assessors Parcel ID # 33-016
Present use of property Residence	Proposed use of property Residence	Have you applied for a building permit? <input checked="" type="radio"/> Y <input type="radio"/> N
		Has permit been denied? <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) 6.1 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:

We built a deck 12' x 36' but we mistakenly did not apply for permit in advance. When advised by town representative Rondo that permit was required we immediately secured permit + it was approved + closed. We have since found out we need a 9.5 foot variance to accommodate the corner of our deck to be in compliance.

2017 ZBA Application



**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)*

As seen from plot plan lot is irregular triangle shape.

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

We have incurred considerable expense both in the construction of the deck, the permits, the plot plans + fees. We cannot afford to remove 1/2 of our deck + I believe we have paid for our error on deck that was approved.

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

This deck was built for owners for long term use not to flip a house. It is very sturdy + appealing and only requires variance due to irregular shape of lot in the corner

**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)

Brenda Mullen

Date

8/11/17

Signature of Property Owner (if different than Applicant)

Date

**For Town Hall use only**

To be filled out by the Building Commissioner:

8/14/2017

Date Reviewed

Medway Building Commissioner

To be filled out by the Zoning Board of Appeals:

8/14/17

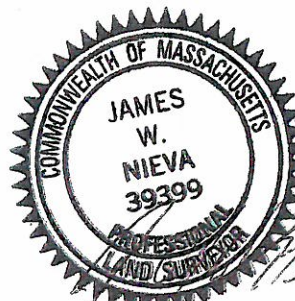
Date Received

Received by



I CERTIFY THAT THE EXISTING DWELLING IS  
LOCATED AS SHOWN HEREON AND THAT  
IT DOES NOT LIE WITHIN THE HUD FLOOD  
HAZARD ZONE A AS DEFINED ON THE LATEST  
FLOOD INSURANCE RATE MAP.

JAMES W. NIEVA., P.L.S. #39399

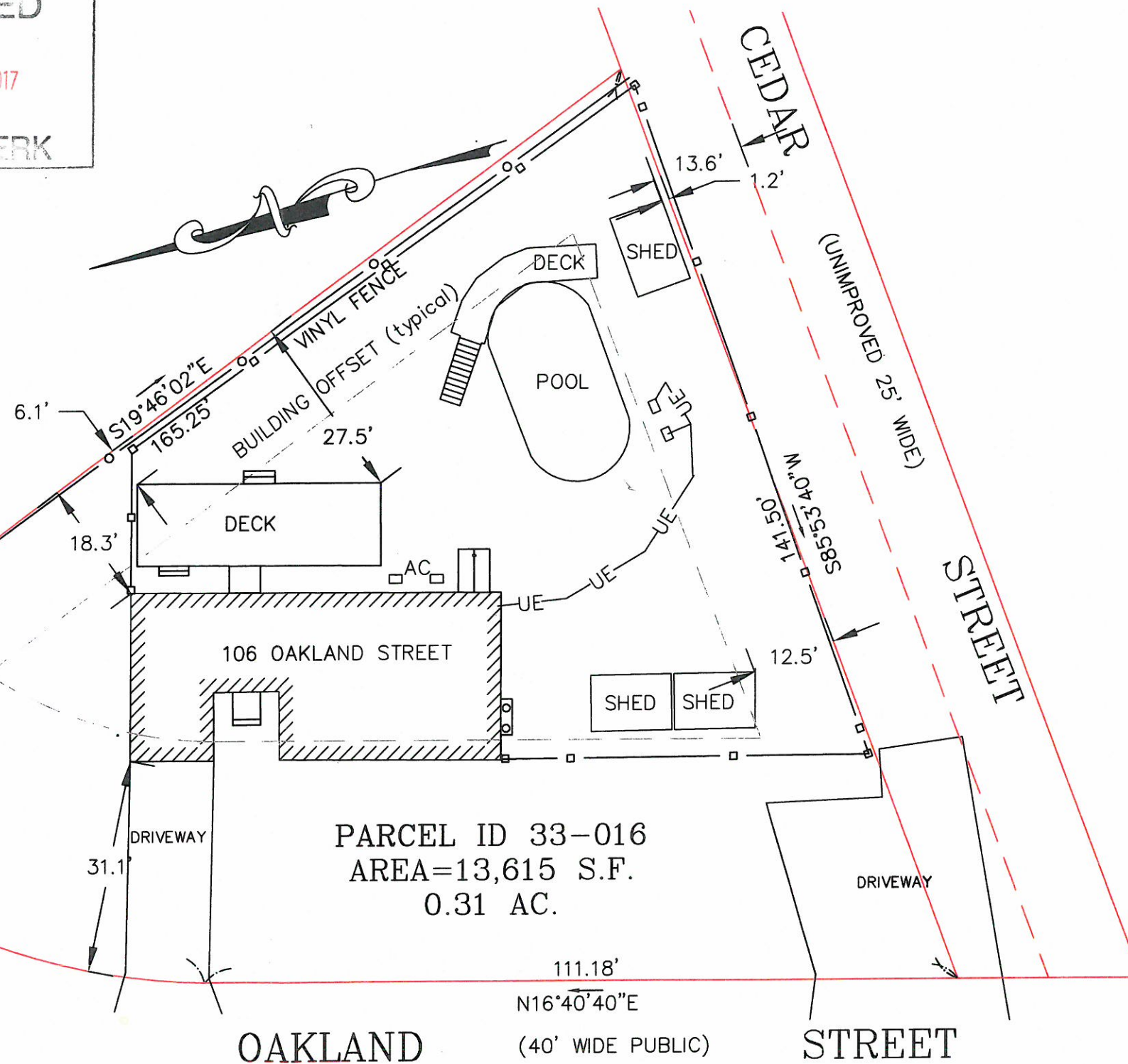


ZONING REFERENCE AR-1  
AGRICULTURAL RESIDENCE I  
PARCEL ID 33 - 016

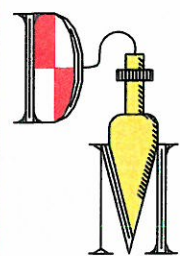
BUILDING SETBACKS  
FRONT 35'  
SIDE 15'  
REAR 15'

MAIN STREET  
(60' WIDE PUBLIC)

RECEIVED  
AUG 14 2017  
TOWN CLERK



DEED REFERENCE: BOOK 35228 PAGE 518  
PLAN REFERENCE: 161 OF 1956



**Dunn · McKenzie, Inc.**

LAND SURVEYING AND CIVIL ENGINEERING  
206 DEDHAM STREET, Rt.1A at Rt.115  
NORFOLK, MASSACHUSETTS 02056  
(508) 384-3990 - FAX (508) 384-3905  
jimmy@dunnmckenzie.com

PREPARED FOR AND OWNED BY:  
MS. BRENDA L. MURRELL & ALAN MOLES  
106 OAKLAND STREET  
MEDWAY, MA 02053

**CERTIFIED PLOT PLAN**  
**106 OAKLAND STREET**  
**MEDWAY, MASSACHUSETTS 02053**

SCALE: 1"=20'

AUGUST 7, 2017

JOB #5639