

Board Members  
Brian White, Chair  
Gibb Phenegar, Vice Chair  
Christina Oster, Clerk  
Joe Barresi, Member  
Tom Emero, Member



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**TOWN OF MEDWAY**  
**COMMONWEALTH OF MASSACHUSETTS**  
**ZONING BOARD OF APPEALS**

**Wednesday, June 9, 2023, at 11:30 a.m.**

**Sanford Hall**

**Medway Town Hall**

**155 Village Street Medway, MA**

**MINUTES**

**Members Present:** Brian White, Chair; Gibb Phenegar, Vice Chair; Christina Oster, Clerk; Joe Barresi, Member

**Members Participating Remotely:** none

**Members Absent:** Tom Emero

**Also Present:** Barbara Saint Andre, Director, Community and Economic Development; Anna Rice, Administrative Assistant, Community and Economic Development

**Call to Order**

Mr. White called the meeting to order at 11:45 a.m. and stated that this meeting is being recorded.

**Public hearings**

***67 Village Street (continued from May 17, 2023)*** – The application is for a determination of a pre-existing nonconforming use of the property, and the issuance of a **special permit** under Section 5.5 D to allow a personal trainer's office.

Attorney Stephen Kenney was present, representing Boston Dog Hotel, LLC. Kent Leung, the owner of the building and Boston Dog Hotel, LLC, was also present. Attorney Kenney stated he reviewed the draft decision and noted that there was no mention of broader terminology regarding the industrial use. Ms. Saint Andre stated since the building is located in a residential zone, none of the proposed uses are allowed, and the applicant has to prove any pre-existing nonconforming use. Ms. Saint Andre stated in 1951 when zoning went into effect in the town, the use of the building was for Castronics, and that is when the nonconforming use was established. Everything that has happened after that as far as the use of the building just shows that the use has not been abandoned. She stated that the issue is whether the proposed use is substantially more detrimental to the neighborhood.

Ms. Saint Andre stated she would add a condition regarding floor plans if the petition is approved, Mr. Leung stated he has no intention to allow the training facility to expand. Mr. Leung provided the Board members with a floor plan of the building. He stated that as shown on the floor plan, unit 1 on the first floor will be for the training facility, unit 2 will be occupied by Mr. Leung, and unit 3 will be for a future tenant. Mr. Leung stated the entire second floor will be for 22Mohawk, and that all of the units in the

building are existing as he purchased it. Mr. White suggested the Board move forward with voting on the personal trainer's facility.

**With a motion made by Gibb Phenegar, seconded by Christina Oster, the Board finds that the change in use for the personal trainer facility will not be substantially more detrimental to the neighborhood, by a vote of 4-0.**

Ms. Saint Andre reviewed the conditions of the decision, with which the Applicant agreed.

**Motion to grant the special permit request for 67 Village Street with conditions set forth, by Gibb Phenegar, seconded by Christina Oster, passed by a vote of 4-0.**

**Motion to close the public hearing for 67 Village Street and to allow any one member of the Board to sign the decision by Gibb Phenegar, seconded by Christina Oster, passed by a vote of 4-0.**

**67 Village Street** – The application is for a determination of a pre-existing nonconforming use of the property, and the issuance of a **special permit** under Section 5.5 D to allow for office use by a non-profit organization offering free counseling services to veterans.

Attorney Stephen Kenney was present, representing Boston Dog Hotel, LLC. Kent Leung, the owner of the building and Boston Dog Hotel, LLC, was also present. Attorney Kenney stated that building permits have been applied for, and that he reached out to 22Mohawk to see if they could operate having only up to 3 dogs for the time being but has not heard back yet.

Mr. White stated that at the last meeting, the tenants gave examples of what their plan is, that it seems to be more than a typical office use, and that the information provided to the Board is not enough to satisfy the need to make a determination. Mr. White stated he would like to see a set of floor plans, existing and proposed, for the second floor, since it seems that the space will be used for more than just office space – the use will include dog training and overnight boarding. Mr. Phenegar agreed, and stated he would like more information on how many people will be in and out of the office during the day, if people will be with the dogs 24/7, and what the office hours will be. Ms. Oster agreed with needing more information, and noted that the tenants has mentioned hosting events, and was concerned that the parking would not be adequate. Mr. Barresi stated he would like to see a business description and the tenant's plans. Mr. White stated he is looking for the same type of information from each tenant.

Mr. Leung stated the events that the tenants were referring to would be in-office donor meetings, and a lot of the larger events they have will be offsite. He also stated that he is working with the building department and hired a new contractor.

The Board agreed to continue the public hearing so the applicant can provide more information.

**Motion to continue the public hearing for 67 Village Street to July 5, 2023, at 7:30 p.m., made by Gibb Phenegar, seconded by Christina Oster, passed by a vote of 4-0.**

### **3. Other Business**

### **4. Approval of Minutes**

### **5. Upcoming Meetings**

- July 5<sup>th</sup>

### **6. Adjournment**

**Mr. White adjourned the meeting at 12:25 p.m.**

Respectfully submitted,

Anna Rice

Administrative Assistant, Community and Economic Development

Edited by

Barbara J. Saint Andre

Director, Community and Economic Development

#### List of Documents Reviewed at the Meeting

1. Floor plans for 67 Village Street