



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

Rori Stumpf, Chair
Brian White, Vice Chair
Carol Gould, Clerk
Christina Oster, Member
Gibb Phenegar, Member

Zoning Board of Appeals Meeting
Wednesday, June 5, 2019 at 7:30 pm
Sanford Hall
155 Village Street Medway, MA 02053
Meeting Minutes

Present: Rori Stumpf, Chairman; Brian White, Vice Chair; Carol Gould, Clerk; Christina Oster, Member; Gibb Phenegar, Member

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

Chairman Rori Stumpf called the meeting to order at 7:30 pm and stated it was being broadcast on Medway Cable Access.

Public Hearings

72A Fisher Street (Continued from May 1, 2019) – Variance from Section 6.1 of the Zoning Bylaw, which requires 180 feet of frontage, to split the current lot into two lots, resulting in new Lot 1 having 57.9 feet of frontage and new Lot 2 having 60 feet of frontage.

Attorney Stephen Kenney was present to represent the applicants, Patrick and Katherine McSweeney, and stated that they would like to withdraw the application without prejudice.

Motion to allow the applicant to withdraw the variance application for 72A Fisher Street Medway without prejudice was made by Brian White, seconded by Gibb Phenegar, passed with a vote of 5-0-0.

7 Wellington Street (Continued from May 15, 2019) – application for variances from Section 6.1 of the Zoning Bylaw to split the property into two lots. The applicant seeks variances from the required 150 feet of frontage for proposed Lot 2, which will have 90.81 feet of frontage, and from the required square footage of 22,500 square feet for both proposed lots; Lot 1 will be 11,062 square feet and Lot 2 will be 12,549 square feet.

Patrick Mulvehill was present with applicants Paul and Marlena Doucette and handed out floor plans along with pictures of the type of new proposed home with square footage dimensions. He again reiterated that the Doucettes want to stay in the neighborhood and will live in the

newly constructed home with no intent to build and sell.

Mr. Stumpf spoke about the town voting to not approve smaller lot sizes for this zoning district at a Town Meeting in 2016. He stated that personally he likes the idea of a single story single family residence and would make conditions to ensure this is what is completed. He also inquired about, as a condition, to refer them to the Design Review Committee to make sure this home complies with the look of the neighborhood.

Ms. Saint Andre stated that generally speaking the Board cannot delegate the authority for decisions to someone else. The applicant can be referred to the Design Review Committee for recommendations.

There was a discussion around conditions and what is reasonable and acceptable.

Mr. Stumpf explained that the variance is attached to the land not to the property owners. Ms. Doucette inquired about what they (the applicants) can do to make this process go smoothly for everyone. Mr. Stumpf stated that the concerns can be mitigated by setting conditions if the variance is granted.

Carol Gould, Clerk stated that she is concerned due to the fact that this is a conforming lot that, if the petition is granted, will become two nonconforming lots. If this is granted she stated that this is going to set a precedent for other applicants and she doesn't agree with taking a conforming lot and separating it. She stated that she cannot find the hardship in the lot.

There was then a discussion among the Board about the other lots in the neighborhood as well as the Town water and sewer systems.

Mr. Mulvehill stated that the visual compatibility of the proposed new lot should be taken into consideration, and as the Applicant's health is declining, this will really help the family. He stated again that the Applicants want to stay in Medway and will do what they need to while still respecting the Medway Zoning Bylaws.

Brian White, Vice Chair stated that he understands the applicants want to stay in town but his concerns are if someone were to object and appeal any decision made.

Ms. Saint Andre discussed the first two variance criteria and where hardship related to the land would come into play. She explained that the variance standard is hard to meet and they should be granted sparingly.

Gibb Phenegar, Member stated that he is hoping they can find some way to condition this application to make it acceptable. He stated that the criteria would need to be met and conditions put in place to achieve that goal.

Mr. Stumpf inquired if the Board was ready to vote. There was a consensus that they were not

ready to vote based on needing to discuss the variance criteria further. The Board then decided to continue the hearing to June 19, 2019.

Motion to continue the hearing for 7 Wellington Street to Wednesday June 19, 2019 at 7:30 pm in Sanford Hall made by Brian White, seconded by Gibb Phenegar, passed with a unanimous vote of 5-0-0.

Other Business

- Discuss possible Zoning Bylaw Amendments and identify any additions or modifications from Zoning Board of Appeal

Mr. Stumpf asked the Board that they read the list of potential Zoning Bylaw Amendments and bring back any questions or concerns to the next meeting.

Ms. Saint Andre highlighted that the proposed amendments in blue are the ones identified by the Planning and Economic Development Board as more pressing ones that will be coming up soon and they should consider them first. She also recommended that if there are other items the board would like to see on the list they can add those for discussion.

Mr. Stumpf brought up the Board being allowed to grant use variances and possibly amending the zoning bylaw to not allow that.

Ms. Saint Andre stated that use variances right now may be granted by the Board, she also states that there is a section in the Bylaw of uses that cannot be granted even by a use variance. The reason this is brought up is that there are all different ways to allow use variances, for example restricting uses to residential or commercial districts.

Mr. White asked if there was a list of all the use variances granted in the last decade in a residential area. Ms. Ohannesian stated she will try and compile this list.

Correspondence

Approval of Minutes

- No minutes to approve

Upcoming Meetings

- June 19, 2019
 - 39 Main Street Comprehensive Permit Application Continued Review
 - 7 Wellington Street continuation
- July 3, 2019 – 7:00 pm

Adjournment

Motion to adjourn the meeting at 8:10pm made by Brian White seconded by Gibb Phenegar, passed with a 5-0-0 vote.

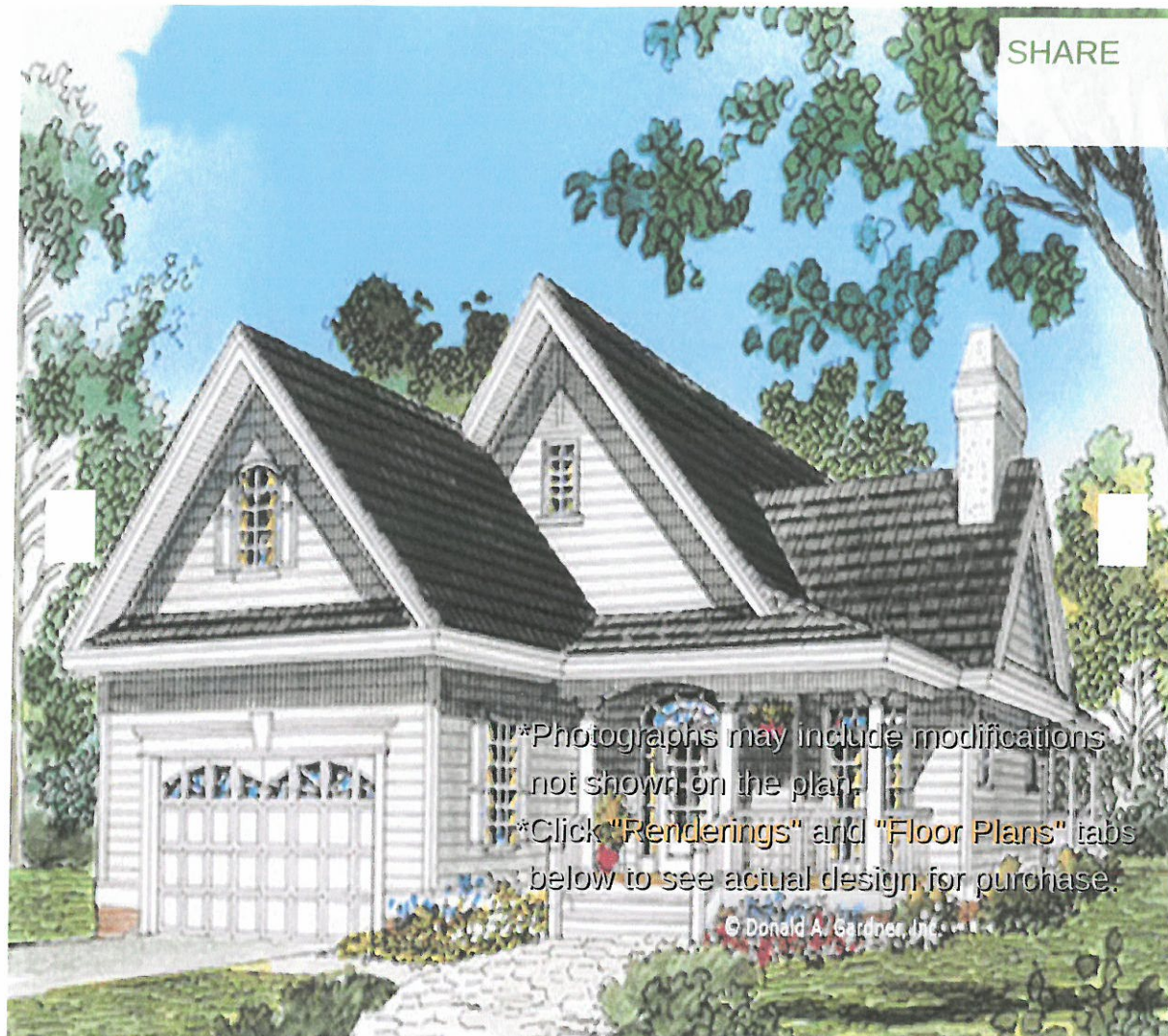
Respectfully submitted,

Stefany Ohannesian

Administrative Assistant, Community and Economic Development

Documents Submitted at this Meeting:

1. Pictures and dimensions of the proposed home to be constructed on Lot 1 of 7 Wellington Street Medway submitted by Patrick Mulvehill



SHARE



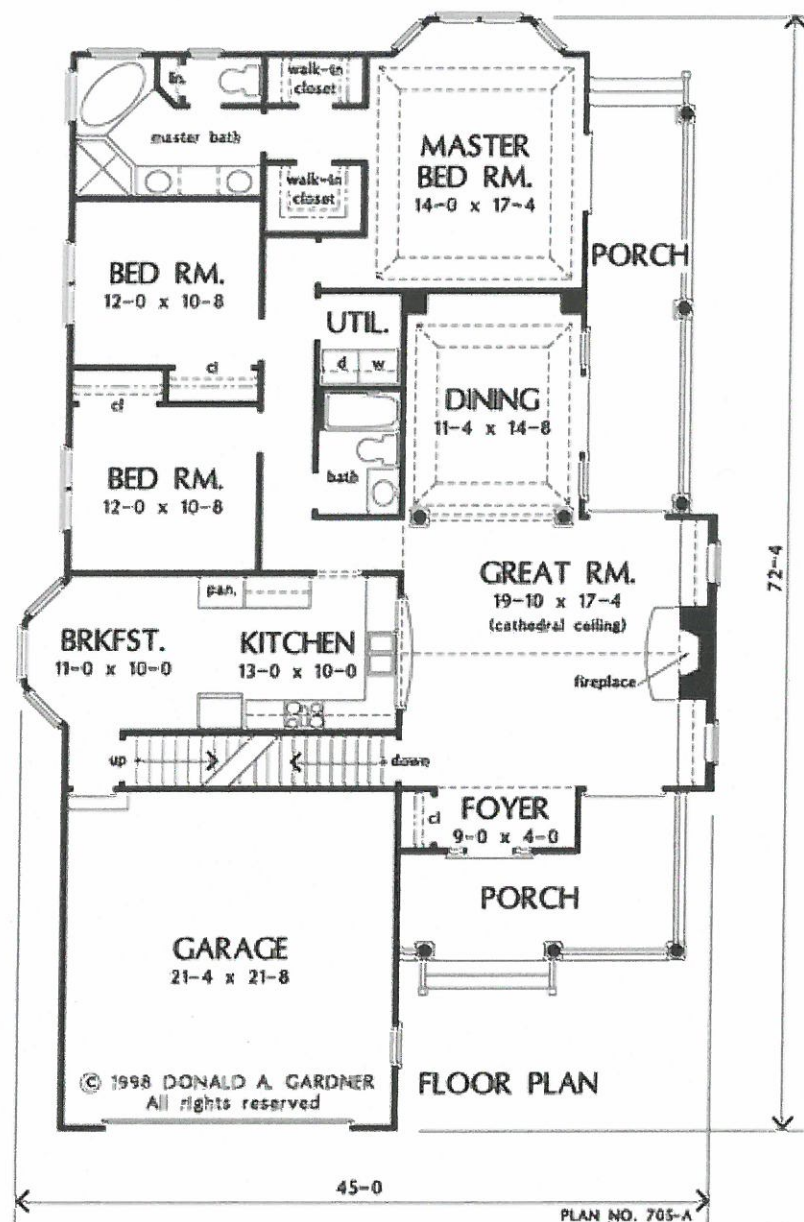
*Photographs may include modifications not shown on the plan.
*Click "Renderings" and "Floor Plans" tabs below to see actual design for purchase.

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 **PHOTO GALLERY**

This lovely home incorporates style and practicality in an economical and charming package with lots of curb appeal. Even with its slightly wrapping front and side porches, this home easily fits on a narrow lot. A cathedral ceiling enhances the great room with fireplace and built-ins. An optional loft/study above the kitchen overlooks the great room, creating a great flexible space for growing families. Columns frame entry to the formal dining room with tray ceiling. The master suite is complete with tray ceiling, bay window, side porch access, dual walk-in closets, and bath with garden tub and separate shower. Two family bedrooms share a hall bath, and laundry facilities are conveniently located in the bedroom wing. A bonus room over the garage further expands a family's options.

Floor Plans



Plan Prices and Options

AutoCAD file with Unlimited Build

\$2,215.00

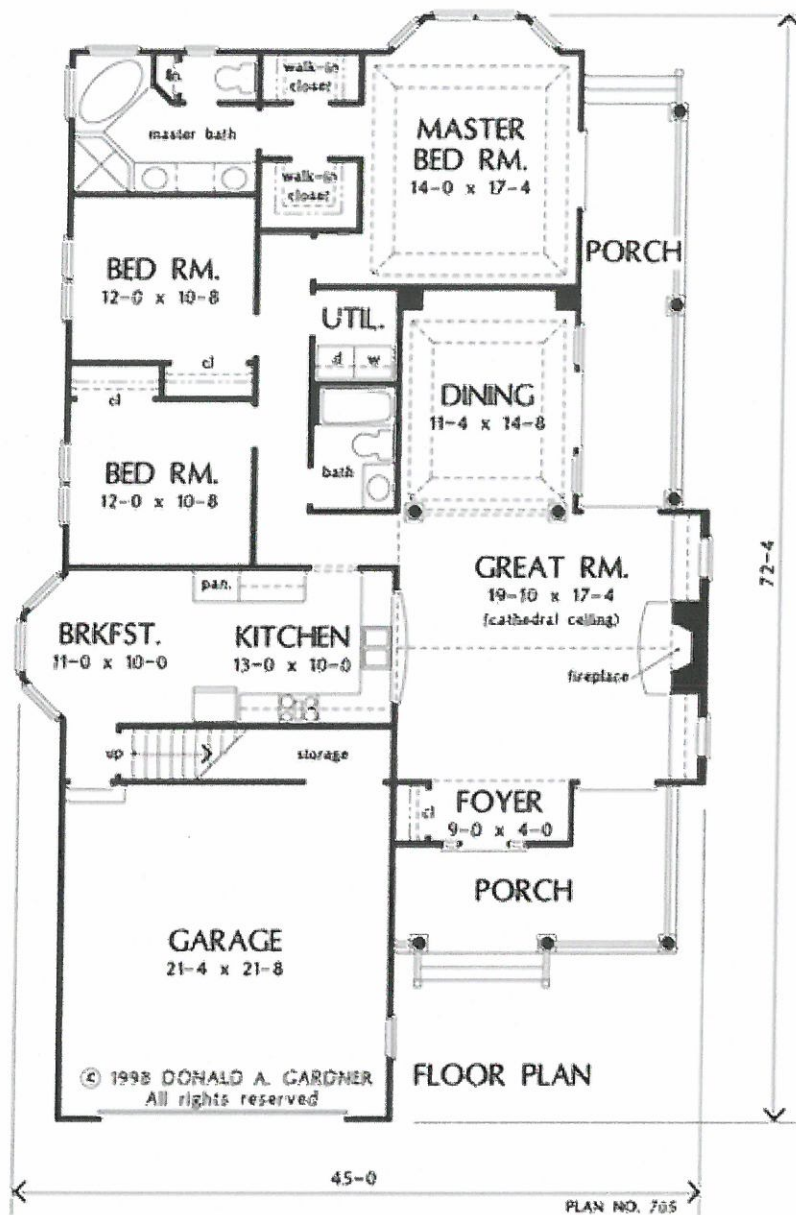
Electronic files emailed of the complete set of construction drawings, only to be used with AutoCAD compatible software. Comes with UNLIMITED license to build home. Please consult a professional before purchasing. (Free PDF file included. NON REFUNDABLE)

PDF Reproducible Set (Best Value)

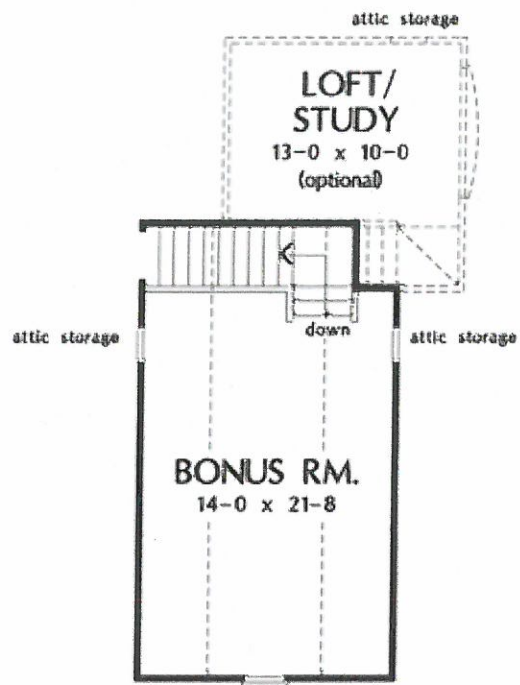
\$1,245.00

One full set construction drawings in PDF format is emailed and provides license for unlimited copies to be printed to build the home ONE time. (Emailed within 1 business day. NON REFUNDABLE)

FIRST



BONUS



BASEMENT STAIRS

Additional surcharge to plan package for a Full Reverse of plan with right-reading letters. May take to 2-3 weeks or less to complete. Call 1-800-388-7580 for estimated date.

Material List

\$80.00

List of materials to build home. Does not include mechanical, electrical or plumbing layouts. Will not reflect standard options such as 2x6 walls, slab and basement foundations. If ordering plan number 1445-D or greater, please call for availability.



1795**

Total Sq. Ft

3

Bedrooms

2

Bathrooms

1

Stories

*** Total Square Footage does not include "Bonus Room" or other unfinished/optional spaces shown on the floor plan.*

Finished Square Footage

1st Floor:

1795 Sq. Ft.

Unfinished Square Footage

Bonus Room:

368 Sq. Ft.

Garage/Storage:

520 Sq. Ft.

Porch:

346 Sq. Ft.

Other:

167 Sq. Ft.

Additional Specs

House Dimensions:

45' 0" x 72' 4"

Great Room:

19' 10" x 17' 4"

Master Bedroom:

14' 0" x 17' 4"

Exterior Wall Construction:

2x4