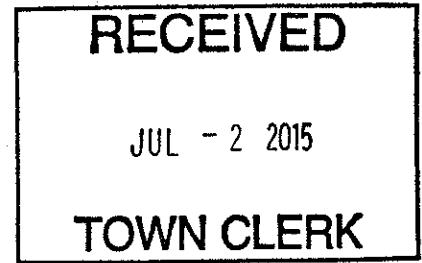


**COMMONWEALTH OF MASSACHUSETTS**

**NORFOLK, SS**



**IN THE MATTER OF:     Michelle Civetti  
                              51 Fisher Street  
                              Petitioner**

**OPINION OF THE BOARD**

**REQUEST FOR SPECIAL PERMIT  
                              Kennel License  
                              51 Fisher Street, Medway, MA**

**Hearing: April 1, 2015  
Decision: June 24, 2015**

**MEMBERS PRESENT:     David J. Cole, Chairman  
                              William Kennedy  
                              Carol Gould  
                              Craig Olsen**

**THE WRITTEN OPINION WAS DELIVERED ON June 24, 2015**

## **OPINION OF THE BOARD**

This is a proceeding of the Zoning Board of Appeals of the Town of Medway, MA (hereinafter the Board) acting under the Zoning By-Law of the Town of Medway, MA, 02053, and Massachusetts General Laws, Chapter 40A, as amended, in which the petitioner, Michelle Civetti, requests a Special Permit under Section V.E.c.6 Kennel for four (4) dogs, pets only, at 51 Fisher Street, Medway.

### **Hearing**

Notice of the Public Hearing by the Zoning Board of Appeals in this matter was published in the Milford Daily News on March 18 and 25. Notice also was sent to all "parties of interest" and posted in the Town Hall as required by Massachusetts General Laws, Chapter 40A Section 11.

The Public Hearing was held and closed on April 1, 2015. The Medway Zoning Board of Appeals Members present during the public hearing were David Cole, Chairman; Carol Gould, Clerk; Anthony Biocchi (who has since resigned from the Board); William Kennedy; and Craig Olsen (absent on April 1, 2015 and filed the appropriate documents with the Town Clerk in accordance with the Mullin Rule).

At the hearing, no members of the public spoke in favor of or in opposition to the application. A letter from an abutter, objecting to the request, was entered into the record.

### **Hearing Summary**

The applicant, Ms. Michelle Civetti, appeared before the Board to request a Special Permit for a Kennel License to allow four (4) dogs, as personal pets only, on the premises at 51 Fisher Street, Medway. The applicant's residence is approximately 5 acres and the property has a landscaped buffer from adjacent properties. The applicant has four (4) dogs for personal pets that have been spayed and neutered. One dog is 10 years old with an expected life span of 12-15 years. A second dog is 1 years old and the other two dogs are each 5 months old. All of the dogs have been vaccinated and are up-to-date with their shots.

The Chairman read a letter from the Building Commissioner into the record and then suggested that the applicant contact the Building Commissioner for clarification on other permits required and claims about a landscape business.

**Findings:**

By votes of 4-0:

1. The subject lot is approximately 5 acres and is well screened by woodlands from adjacent lots.
2. The applicant testified that there had been no complaints to the animal control officer regarding the dogs on the subject lot.
3. The grant of the requested Special Permit would not be inconsistent with any of the criteria for a Special Permit under Section III.J of the Zoning Bylaw.
4. The grant of the Special Permit would not be substantially detrimental to the public good.

**Relief Granted:**

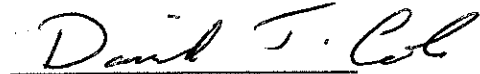
By vote of 4-0:

The Zoning Board of Appeals hereby grants a Special Permit under Section V.E.c.6 for a Kennel License to Michelle Civetti of 51 Fisher Street, Medway, MA 02053 subject to the following terms and conditions:

1. There shall not be more than 4 dogs on the premises.
2. All dogs more than 1 year old shall be spayed or neutered.
3. No commercial activity shall be permitted in connection with the kennel permit.

The Board hereby makes a detailed record of its findings and proceedings relative to this petition, sets forth its reasons for its findings and decision, incorporates by reference any plan or diagram received by it, directs that this decision be filed in the office of the Town Clerk and be made a public record and that notice and copies of its decision be made forthwith to all parties or persons interested.

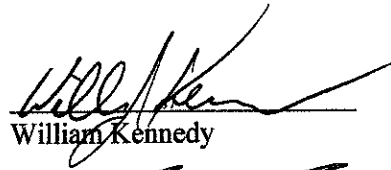
**IN ACCORDANCE WITH MASSACHUSETTS GENERAL LAW CHAPTER 40A,  
SECTION 11, NO VARIANCE, SPECIAL PERMIT OR CONSTRUCTIVE GRANT OF A  
VARIANCE TAKES EFFECT UNTIL RECORDED IN THE REGISTRY OF DEEDS.**



David J. Cole, Chairman



Carol Gould



William Kennedy



Craig Olsen