

TOWN OF MEDWAY
ZONING BOARD OF APPEALS
MINUTES OF MEETING JANUARY 4, 2012

Messrs. Musmanno, Cole and Biocchi were present when the Chair called the meeting to order at 7:48 p.m.

On a motion made by Mr. Musmanno, seconded by Mr. Biocchi and passed unanimously, the Minutes of the December 7, 2011 Meeting were approved with agreed minor amendments.

On a motion made by Mr. Musmanno, seconded by Mr. Biocchi and passed unanimously, the petition of Barry Roth was returned, and his petition fee refunded. The Secretary was instructed to draw Mr. Roth's attention to Section V.Y.1 of the Zoning ByLaw, which the Board felt might avoid the need for a Special Permit in this case.

At this point Ms. Gould joined the meeting.

The Board, by unanimous consent, agreed to hear the application of Mr. and Mrs. Hynes, who appeared on their own behalf accompanied by Mr. Paul Yorkis and Mr. John Claffey, the proposed builder of the dwelling. The Chairman explained that four Board members were required for a hearing and that the fifth member was not available because of sickness. The Chairman further explained that he was an abutter of the subject lot, and offered the applicants the option of postponing the hearing to a future date, at which the fifth member might be available, whereupon he would recuse himself. The applicants stated that they wished to proceed with the hearing.

The applicants stated that the main dwelling would be occupied by themselves and their three adult sons, while the auxiliary family dwelling unit (AFDU) would be occupied by the applicants' parents. The dwelling would be erected in accordance with the plan submitted, the total area of the structure being about 3750 square feet, of which the AFDU would be about 1000 square feet. In response to a question from a Board member regarding possible future plans, the applicants stated that it was likely that after the parents' demise, the applicants would occupy the AFDU with

their sons occupying the main dwelling. In addition to the two car garage, additional parking was available along the driveway.

Questions were then invited from the public. Mr. Jim Wheeler, an abutter, enquired if the applicants would consider pushing the house back from the road, or putting additional parking behind the house. Ms. Cathy Rao, an abutter, stated that she was concerned about the parking situation. Mr. Claffey noted that with two cars in the garage there would be no more than four cars parked on the lot. Mr. Yorkis offered to extend the paved surface adjacent the garage easterly (away from the road) by 18 feet to provide additional parking.

Comments were then invited from the public. Mr. David Morgan, the owner of the adjacent historic structure, objected to a multiple tenant dwelling being allowed in the present location, and opined that the proposed structure had the potential to accommodate other potential uses of the dwelling. Ms. Stephanie Seacord, speaking on behalf of Seacord Realty Trust, the owners of the subject lot, spoke in favor of the application, and noted that the Zoning ByLaw does not allow multi-tenant use. Mr. Yorkis noted that one goal of the Medway Masterplan was an increase in diversity of types of housing in Medway and this application would be one small step in that direction. Upon some Board members expressing some skepticism regarding this argument, the attorney for the applicants noted that allowing families to dwell together among generations does add somewhat to the diversity of housing. Mr. Yorkis added that this was a close family and the ability to stay together was important to them.

A motion was made by Mr. Cole, seconded by Mr. Biocchi and passed unanimously to close the hearing.

The Board then proceeded, by unanimous consent, to deliberate on the application of Mr. and Mrs. Hynes. After a period of general discussion, some board members indicated that they felt there might be a case for requiring screening of the parking area and for this purpose would like to inspect the subject lot. Accordingly, a motion was made by Mr. Musmanno, seconded by Mr. Cole and passed unanimously to set this matter on the table. The Chairman then called a meeting of the Board for January 18, 2012 at 7:30 pm.

Following a motion to adjourn made by Mr. Cole, seconded by Mr. Biocchi and passed unanimously, the meeting was closed at 9:20 pm.