

TOWN OF MEDWAY
ZONING BOARD OF APPEALS
MINUTES OF MEETING JUNE 3, 2009

Messrs. Musmanno, Cole and Biocchi and Ms. Gould were present. The Chairman called the meeting to order at 7.30 p.m.

On a motion made by Ms. Gould and seconded by Mr. Biocchi, the revised minutes of the April 15 meeting were approved by a vote of 3-0, Mr. Musmanno abstaining since he had not been present at the earlier meeting.

On a motion made by Mr. Musmanno and seconded by Mr. Cole, the minutes of the May 6 meeting were approved by a vote of 2-0, Ms. Gould abstaining since she had not been present at the earlier meeting.

A motion to authorize the Secretary to purchase, at a cost of not more than \$750, a laptop for the use of the Board was made by Mr. Cole, seconded by Mr. Musmanno and passed unanimously.

A motion to accept the application of Mr. Crespi of 25 Howe Street was tabled temporarily.

The Board then unanimously agreed to proceed to hear the application of Ms. Chesmore, who appeared on her own behalf. The applicant stated that she was trying to phase out her hairdressing business in favor of her bakery business. Only about five clients per week would visit her house, and hair services would be by appointment only. There would be no physical changes to the premises, no signage and no employees except that her daughter, a resident of the premises, might help out with the business from time to time. No appointments would be made after 6 pm, or before 6 am. The subject premises are on a dead end street with two houses having a driveway which can apparently accommodate three cars. The applicant did not know the area or frontage of the lot; its front setback is approximately three car lengths. A laundry room would be designated for the hairdressing business with a sink and a all-purpose chair. There would be no storage of chemicals other than domestic hair treatment reagents. The applicant has resided on the subject premises for 16 years.

There were no questions from the public. Mr. Richard DeJulio of 7 Massasoit Street spoke in favor of the application; no one spoke in opposition.

A motion to close the hearing leaving the record open was moved by Mr. Biocchi, seconded by Mr. Musmanno and passed unanimously.

The Board then unanimously agreed to proceed to hear the application of Mr. Fasolino, who appeared on his own behalf. The applicant stated that a previous plan to create three lots had been turned down by the Planning Board because of road width problems. The demolition of the existing structures would remove an eyesore. The applicant was still exploring options for building on the adjacent lot. The proposed front elevation shows a one car garage for each side of the duplex with driveway parking for one additional car for each unit. Since no members of the public were present, there were no questions or statements from the public.

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

After some deliberation on the Chesmore application, Mr. Musmanno stated that he felt the Board members should see the layout of the lot, and accordingly it was unanimously agreed to continue the Chesmore deliberation until July 29. The tabled motion regarding the Crespi application was taken from the table and, by unanimous consent, was scheduled for hearing on the same date.

The Board then agreed to deliberate on the Fasolino application. A motion was made by Mr. Musmanno, seconded by Mr. Cole and passed unanimously to find that the decision would be made on the plan received at the hearing and dated May 12, 2009, which plan depicts Lot 2 as unbuildable, Lot 2 being additionally understood to be not conveyable under Zoning ByLaw Article V.F.8.

A motion to find that grant of suitably conditioned special permit for a two family dwelling on the subject lot would not cause substantial detriment to the public good was made by Mr. Cole, seconded by Mr. Biocchi and passed unanimously.

A motion to grant a special permit to the applicant for a two family dwelling in accordance with the petition and the plan presented dated May 12, 2009 and subject to the following conditions was made by Mr. Cole, seconded by Mr. Biocchi and passed unanimously (in the following statement of the conditions, the movers and

seconders appear in parentheses after the text of the conditions; both conditions were added by unanimous vote):

(a) There shall not be more than one curb cut on Summer Street (Biocchi/Cole); and

(b) The existing structures shall be completely razed prior to construction of the new dwelling (Musmanno/Biocchi).

A motion to continue the application of the Council on Aging to July 29 at 7:30 pm was made by Mr. Musmanno, seconded by Mr. Cole and passed unanimously.

A motion to move to executive session for the purpose of considering pending litigation, without the intent to return to open session, was made by Mr. Musmanno, seconded by Mr. Biocchi and passed unanimously by roll call vote.

The public part of the meeting was then closed at 9.32 pm.