

TOWN OF MEDWAY
ZONING BOARD OF APPEALS
MINUTES OF MEETING AUGUST 19, 2009

Messrs. Musmanno, Cole and Gluckler and Ms. Gould were present. The Chairman called the meeting to order at 7.22 p.m.

The Chairman reported that there no communication had been received from the Town Administrator or the Board of Selectmen regarding the changes in Board membership recommended by the Board at the August 5 meeting.

There being no quorum present to enable a decision to be made on the Chesmore application, the Board discussed various possibilities for reaching a decision on the application in view of the approaching statutory deadline for the decision. After considerable discussion, it was agreed by unanimous consent that, since it did not appear likely that Mr. Biocchi would be attending a Board meeting in the near future, Mr. Gluckler would review the tape of the hearing and visit the site, and that the Board will approach the petitioner with a view to securing her agreement to have the application decided by a meeting of the Board with Mr. Gluckler voting on the application. A meeting to deliberate on the application was set for August 24 at 7.30 pm.

The Board then by unanimous consent gave further consideration to the application of the Council on Aging. A letter in favor of the application had been received from the Town Administrator, and the School Committee had given their consent. The Board agree to communicate to the proponent that we lack certain evidence and that we request her presence at the forthcoming hearing. Mr. Cole was appointed to communicate with the applicant. A motion to continue the hearing to August 24 at 7.30 pm was made by Mr. Musmanno, seconded by Mr. Gluckler and passed unanimously.

The Clerk requested that consideration of the minutes of the August 5 meeting be deferred to the next meeting to enable him to correct an error in the minutes which he had observed during the present meeting.

The Board then considered whether they should suggest to the Town any proposed changes in the Zoning ByLaw. Mr. Musmanno moved to recommend repeal of Auxiliary Family Dwelling Unit sections, but there was no second so the motion failed.

On a motion made by Mr. Musmanno, seconded by Mr. Cole and passed unanimously, the Board recommended to the Town that the Board hear appeals from any decision granting a special permit. During discussion on this motion, Mr. Musmanno advised the Board that the Chairman of the Planning Board saw no problem with this proposed change.

The Chairman reported that, in the pending Kopacz appeal, the Town's attorney has served Mr. Kopacz with interrogatories and requests to produce documents.

On a motion made by Mr. Musmanno, seconded by Mr. Cole, and passed unanimously, the meeting was adjourned at 8.51 pm.