

**TOWN OF MEDWAY**  
**ZONING BOARD OF APPEALS**  
**MINUTES OF MEETING AUGUST 5, 2009**

Messrs. Musmanno, Cole and Gluckler and Ms. Gould were present. The Chairman called the meeting to order at 8.40 p.m.

The Board then unanimously agreed to proceed to hear the application of Mr. and Mrs. Crespi, who appeared on their own behalf. The applicants stated that they considered it important to have their family, and specifically Mrs. Crespi's parents, near them, and that they considered they had found a perfect house at their present location. It was clarified by reference to the Zoning Map that the Zoning District of the relevant lot was AR1. There was a rear entrance to the walk-out basement in which the auxiliary family dwelling unit (AFDU) was sought to be created, plus stairs to the main level. The house had a three car garage, plus two parking spaces in the driveway. The house is about 4000 square feet plus about 1500 square feet in the finished basement. If the basement were no longer used as an AFDU, the dwelling would be reconverted to a single family residence.

No members of the public were present, so no questions or comments were made. No correspondence had been received regarding this application.

A motion to close the hearing was moved by Mr. Musmanno , seconded by Mr. Gluckler and passed unanimously.

The Board then re-opened the application of the Council on Aging and, with the applicant's consent, a motion to continue the hearing to August 19 at 7.30 pm was made by Mr. Musmanno , seconded by Mr. Gluckler and passed unanimously.

The Board next discussed the need to continue deliberations on the Chesmore application in view of the 90 day limit for decision, and it was decided to schedule the continued deliberation for August 19.

The Board then agreed to deliberate on the Crespi application. A motion was made by Mr. Cole, seconded by Mr. Gluckler and passed unanimously to find that grant of a special permit for an AFDU substantially in accordance with the plans presented would not cause substantial detriment to the public good.

A motion to grant a special permit to the applicants in accordance with the plans presented and attached to the decision was made by Mr. Cole, seconded by Mr. Gluckler and passed unanimously.

A motion to adopt the minutes of the meeting of July 29 was made by Mr. Musmanno, seconded by Mr. Gluckler and passed 3-0, with Ms. Gould abstaining as she had not been present at the earlier meeting.

The Board then discussed the possibility of increasing the application due to the additional mailings which may be required in view of *Uglietta v City Clerk of Somerville*, 32 Mass. App. Ct. 742 (1992). The Secretary was asked to estimate the added costs and Mr. Cole was asked to review the authorities and make a recommendation at the August 19 meeting.

A motion was then made by Mr. Musmanno, seconded by Mr. Cole, and passed unanimously to request the Town Administrator to (i) appoint Mr. Flotta an associate member of the Board; (ii) appoint Ms. Gould a full member of the Board; and (iii) make all possible efforts to appoint a second alternate member to the Board.

On a motion made by Mr. Musmanno, seconded by Mr. Cole, and passed unanimously, the meeting was adjourned at 9.38 pm.