

TOWN OF MEDWAY
ZONING BOARD OF APPEALS

MINUTES OF MEETING MARCH 5, 2008

Members present were Mr. Musmanno, Mr. Cole, Mr. Flotta and Mr. Gluckler.

The meeting was called to order at 7:25 p.m. The Board agreed that its next meeting would be on April 2, 2008 at 7:15 p.m.

There being no objection from any member, the Board proceeded immediately to hear the application of Ms. Mosher Murphy, who appeared on her own behalf. Ms. Mosher Murphy stated that she had resided at 24 Milford Street for ten years, had kept dogs throughout that time and there had been no complaints from neighbors. There would be no commercial operations. There were presently four of her own dogs on the premises, and she wished to be able to foster at least one more dog. The backyard is fenced. In response to a question from Mr. Thomas Fuller of 21 Milford Street, the applicant stated that she would not use the property she owned across the street from 24 Milford Street for keeping the dogs. The dogs are not allowed outside alone.

There were no public comments. Letters from Lucky Star Cavalier Rescue and VCA Heritage Hill Animal Hospital were read into the record. The applicant agreed that a permit for five dogs would be sufficient. One dog might be fostered, usually for not more than two months.

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

The Board then proceeded to consider the application of the Town of Medway, who were represented by Mr. D'Amico, Director of Public Works. Mr. Musmanno noted that was a problem in that the earlier part of the hearing on this application was heard by only four members, not all of whom were present for this continued hearing. Accordingly, it was agreed to further continue this hearing to the April 2 meeting.

There being no objection from any member, the Board proceeded immediately to hear the application of Ms. Shemuga, who appeared personally. The

applicant stated that she had for several years owned three toy poodles, which are small dogs normally weighing less than 10 lbs. She has fostered dogs for Medfield Animal Hospital and other shelters. A letter from the applicant was read into the record. The applicant stated that she fostered toy poodles for up to two months. She had occupied the premises since 2001 and there had been no complaints or action by the Animal Control Officer. The numbers of dogs fluctuated. The dogs were never outside unattended, and there was always an adult on the premises except for short periods for shopping or the like. The lot is just under 1 acre and there would be no commercial operations on the premises; all the dogs are spayed or neutered.

No members of the public were present during the hearing so there were no public questions or comments.

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

A letter from the State Inspector General to the Town Administrator was, by unanimous consent, referred to the Board's Secretary for collection of data.

After correction of two minor errors, the Minutes of the January 16 meeting were approved 3-0, with Mr. Gluckler abstaining since he was not present at the January 16 meeting.

The Board then proceeded to deliberate on the application of Ms. Mosher Murphy, and voted unanimously to grant a kennel permit with certain conditions. Full details of the deliberations and the conditions attached are given in the Board's Decision.

The Board then proceeded to deliberate on the application of Ms. Shemuga, and voted unanimously to grant a kennel permit with certain conditions. Full details of the deliberations and the conditions attached are given in the Board's Decision.

The Board then unanimously agreed, by a roll call vote, to convene an executive session for the purpose of discussing pending litigation concerning Maritime Housing, with no intent to return to public session.