

TOWN OF MEDWAY
ZONING BOARD OF APPEALS

MINUTES OF MEETING FEBRUARY 19, 2014

The Chairman called the meeting to order at 7.50 p.m. with all members present except for Ms. Gould.

The Board proceeded by unanimous consent to continue with the hearing on the application of Daniel Pires for relief from front setback requirements at 40 Coffee Street. Mr. Pires appeared on his own behalf. Mr. Pires initially requested variation of the front setback to 35 feet. The Board pointed out to Mr. Pires that if indeed he could maintain a setback of 35 feet, he would not need any relief, since the Zoning ByLaw only prescribes a setback of 35 feet. After further questioning by the Board, it emerged that Mr. Pires had failed to appreciate the difference between the curb line and the front lot line and had taken his measurement from the former, not the latter. Accordingly, it would be difficult, if not impossible for the Board to grant effective relief on the basis of its present information. The Board suggested that Mr. Pires consult his builder or a surveyor to effect a proper measurement of the setback from the front lot line, and the applicant agreed to again continue the hearing until the next meeting of the Board on March 19, 2014 at 8 pm.

The Board then proceeded by unanimous consent to hear the application of Mr. Bethony, who appeared on his own behalf. Mr. Bethony noted that the plan of the surrounding area attached to his application showed that numerous dwellings on both Barber Street and North Street had front setbacks substantially less than required by the Zoning ByLaw, and substantially less than the 32 foot setback he was requesting. Indeed, several lots in the neighborhood had essentially no front setback, with the dwellings lying immediately adjacent the front lot lines. The truth of these observations was confirmed by various members of the Board familiar with the neighborhood. There being no members of the public present, questions and comments by the public were omitted.

A motion was made by Mr. Biocchi, seconded by Mr. Cole and passed unanimously to close the hearing. A second motion was made by Mr. Cole, seconded by Mr. Biocchi and passed unanimously to move to immediate deliberation on the

application of Mr. Bethony. The following motions were then successively made by Ms. Doherty, seconded by Mr. Biocchi and passed unanimously:

(1) To find that the front and side setbacks of neighboring and nearby lots vary from the setback requirements of the Zoning ByLaw;

(2) To find that the grant of the requested Special Permit under Section V.F.7 of the Zoning ByLaw would not be substantially detrimental to the public good;

(3) To find that the grant of the requested Special Permit under Section V.F.7 of the Zoning ByLaw would not be contrary to any of the criteria for the grant of Special Permits set out in Section III.J of the Zoning ByLaw; and

(4) To grant to the applicant a Special Permit under Section V.F.7 of the Zoning ByLaw for the construction of a one story family room and deck at 15 Barber Street substantially as per the attached plan with side setback from North Street to be no closer than 30 feet.

The Board then proceeded to general business and signed routine expense reports. The Board then reviewed the Petition of Caryn Cantrell, determined that it contained sufficient information to be set for advertisement and hearing, and appointed a hearing for March 19, 2014 at 7:45 pm. Since it appeared from this Petition (which was signed by the landlord of the subject lot) that the letter from Elliot Vanetzian to the Board was now moot, the Board unanimously agreed to lay aside this letter without taking any action thereon.

A motion was made by Ms. Doherty, seconded by Mr. Biocchi and passed unanimously to accept the Minutes of the January 8, 2018 meeting as presented by the Chairman.

A motion to adjourn was made by Ms. Doherty, seconded by Mr. Biocchi and passed unanimously, and the Board adjourned at about 9.00 p.m.