

**Town of Medway  
Zoning Board of Appeals Meeting  
Sanford Hall, Town Hall  
155 Village Street, Medway**

**MINUTES OF MEETING  
October 7, 2015**

David Cole, Chairman, called the meeting to order at 7:40 p.m. Attending Board members were Ms. Gould, Clerk, Mr. Arbeene, Mr. Kennedy, and Mr. White. Mr. Olsen was not present.

**Citizen Comments**

There were no members of the public that wished to make comments.

**General Business**

Ms. Mercandetti presented an overview of a Sign Bylaw Task Force of which its members will be appointed by the Planning and Economic Development Board. This seven-member task force will review the sign regulations and recommend changes. The task force includes a representative from this Board. Ms. Gould volunteered to represent the Board and Chairman Cole will serve as an alternate.

Ms. Mercandetti gave a brief summary of some minor revisions to the Board's Rules and Regulations. The primary change is to clarify submission requirements required for comprehensive permit applications. Approval of these revisions will be at the next meeting.

**Public Hearings**

**Public hearing for William Blenkhorn for a Variance from Section 6.1. Table 2 of the Zoning Bylaw to allow for a 4ft side setback where a minimum of 15ft is required for an existing shed on the property located at 15 High Street, Medway, MA**

The Board moved to hear the application of Mr. William Blenkhorn. Mr. Blenkhorn was present and explained his request for dimensional relief.

Mr. Blenkhorn stated that while applying for a building permit to add a deck he was made aware that his existing shed, of 10 years, needed a variance. The shed is located on the most relatively flat part of yard. The property on the other side is a business separated by a wooded barrier. Mr. Blenkhorn presented pictures to show the distance of the shed to the next building. The Board explained the criteria an applicant must meet to receive a variance and asked questions relating to the pictures and location of the shed.

Ms. Mercandetti noted that the Conservation Agent has reviewed the application and plans and has no issues with the request.

Chairman Cole asked for public comments or questions. A neighbor asked about the shed and trash in yard. Mr. Blenkhorn noted that there is a second shed across the street from his neighbor which conforms to the Medway Zoning Bylaw. The shed in question for this application is located on the other side of the property.

*A motion to close the public hearing was made by Mr. Kennedy, seconded by Mr. Arbeene and passed unanimously.*

**Public hearing for Michael Fasolino for a Special Permit under Section 5.5 of the Zoning Bylaw to construct a second floor addition and renovations on the property located at 27 Summer Street, Medway, MA**

The Board moved to hear the application of Michael Fasolino who was present for the hearing. Mr. Fasolino explained his request and the proposed renovations to the property. The Board inquired about the expansion of the house. Mr. Fasolino responded that he seeks to renovate the abandoned home and add a second floor. There will be no change in footprint of the building. The Board asked how long the house has been vacant. Mr. Fasolino noted that the house had been vacant for 2-3 years. He provided pictures of a similar home to show what it would look like finished. No further discussion from the Board.

Ms. Mercandetti mentioned that the Conservation Agent has reviewed the application and plans and noted that there were no wetlands issues. Chairman Cole asked for any public comment. No comments in favor or in opposition of the application were made.

*A motion to close the public hearing was made by Chairman Cole, seconded by Mr. Arbeene and passed unanimously.*

**Deliberations**

**15 High Street**

The Board proceeded, by unanimous consent, to deliberate on the application of William Blenkhorn.

Chairman Cole said the applicant established that there was nowhere else on the lot to put the shed. The Board members agreed. It was also noted that the abutting property is a business and they have not voiced concern.

*Chairman Cole moved to find that the applicant established circumstances relating to the topography of the subject lot especially affecting the lot but not affecting generally the zoning district in which the lot is located which would cause a literal enforcement of the provisions of this Bylaw to involve substantial hardship to the applicant, and that the topography of the lot renders it extremely difficult to locate the shed in any other place than the present location. Mr. Arbeene seconded and the motion passed 5-0-0.*

*Chairman Cole moved to find that the applicant established that the nearest building on the opposite side of the relevant side lot line was in excess of 30 feet from this side lot line and that*

*accordingly desirable relief may be granted without substantial detriment to public good and without nullifying or substantially derogating from the intent or purpose of this bylaw. Mr. Arbeene seconded and the motion passed 5-0-0.*

*Chairman Cole moved to grant to the applicant, William Blenkhorn, a Variance under Section 6.1 Table 2 of the Medway Zoning Bylaw to permit the shed adjacent to northern side lot line of the subject lot to remain in its present location with a reduction in the side setback requirement from 15 feet to 4 feet on property located at 15 High Street in accordance with the plans submitted. Mr. Arbeene seconded and the motion passed 5-0-0.*

*Variance Granted.*

### **27 Summer Street**

The Board then proceeded, by unanimous consent, to deliberate on the application of Michael Fasolino.

Chairman Cole stated that while the house footprint stayed the same, the overall footprint would actually be smaller since the existing deck would be removed. The Board discussed whether the proposed renovations increased the nonconforming nature of the single family home. The Board agreed that it did not.

*Chairman Cole moved to find that the proposed alterations at 27 Summer Street do not increase the nonconforming nature of the structure. Mr. Arbeene seconded and the motion passed 5-0-0.*

*Chairman Cole further moved that in view of the foregoing finding, the Board finds that a Special Permit is not required and that consequently the criteria for a Special Permit under Section 3.4.C. are not relevant with respect to the application of Michael Fasolino to construct a second floor addition and renovations on property located at 27 Summer Street.*

The next meeting is scheduled for November 4, 2015 and there will be hearings on two applications.

### **Adjournment**

*A motion to adjourn was made by Mr. Arbeene and seconded by Mr. Kennedy and passed unanimously. Board adjourned at 8:39p.m.*

Respectfully submitted,  
Wendy Harrington  
Administrative Board Secretary