

**Town of Medway
Zoning Board of Appeals Meeting
School Committee Presentation Room
Medway Middle School
45 Holliston St, Medway MA**

MINUTES OF MEETING

August 17, 2016

Present: Chairman David Cole; Clerk Carol Gould; Committee Members: Eric Arbeene, William Kennedy and Brian White; and Associate Member Rori Stumpf.

Also Present: Stephanie Mercandetti Director, Community and Economic Development and Mackenzie Leahy, Administrative Assistant, Community and Economic Development.

David Cole, Chairman, called the meeting to order at 7:34 PM.

Citizen comments:

There were no members of the public that wished to make comments on items other than those already on the agenda.

Approval of Minutes:

One minor correction was suggested by the Board to the draft meeting minutes of August 3, 2016.

A motion to accept the minutes of the August 3, 2016 meeting as amended was made by Mr. White, seconded by Mr. Cole and approved unanimously.

Correspondence:

One new application has been received for a variance. Hearing has been scheduled for September 7, 2016 at 7:45 PM.

Upcoming Meeting:

September 7, 2016: variance hearing, continuance of public hearing for Timber Crest Estates.

September 21, 2016: Chairman Cole will not be available, meeting may be moved.

Public Hearings:

7:45 P.M. – (Continuance requested by the Applicant’s representative to continue the hearing without testimony to September 7, 2016 at 8:00 PM) The Applicant, Timber Crest LLC, seeks a Comprehensive Permit under MGL c. 40B, Sections 20-23 as amended, to allow construction of a 188 unit development to be called “Timber Crest Estates” containing 25% affordable units on 163.07 acres which is comprised of the properties located at 143 Holliston Street,

153R Holliston Street, 177A Holliston Street, 21R Fairway Lane, 13 Ohlson Circle, 102 Winthrop Street, 11 Woodland Road, and 0R Woodland Road, Medway, MA.

The Board is in receipt of a letter from the Applicant's representative, Paul Cusson, requesting a continuance to the next available meeting date given a pending Notice of Project Change.

Chairman Cole explained that a continuation had been requested. For the benefit of the public, Chairman Cole summarized that at the public meeting of August 3, 2016, the Applicant notified the Board of a revised plan, which among other things took into the project a new lot and a new egress onto Holliston Street. The eastern half of the project changed from 116 condo units to 88 single family homes. This plan changes the actual area involved as well as the list of abutters. The Applicant was put to an election as to whether they would like to proceed with the original plan or with the revised one. The Applicant requested 14 days to consult with counsel. Since the last meeting, the Applicant's attorney has had discussions with Town Counsel and an appropriate procedure has been established. The Applicant plans to submit a Notice of Project Change to the Board as well as to MassHousing and this will require re-advertisement and re-notification of abutters.

Chairman Cole read the following part of the letter submitted by Mr. Cusson for public record:

"It is my understanding that the Applicant intends to submit a formal "Notice of Project Change" to both the Board, and to MassHousing accordance with 760 CMR 56.04(5), in order to formally change the proposal before the Board. Given the pending Notice of Project Change, the Applicant does not have additional testimony to present at Wednesday's hearing: therefore, a continuance is appropriate. The Applicant will coordinate with the Board to formalize an extension of any 180-day period required for review of the revised project from the initial hearing on the Applicant's revised plans. The Applicant will also coordinate with the Town to ensure that appropriate notice, including additional and duplicative abutter notification, is given regarding the continued hearing on the Applicant's revised project plans. Lastly, the Applicant will also fund additional costs associated with any new notice requirements, as well as additional engineering review necessitated by the revised project plans.

Therefore we respectfully request continuance of tomorrow's hearing (August 17, 2016) to the next available Board meeting date, which we understand will be on September 7, 2016 at 8 pm. Thank you for your continued assistance in this matter".

A motion to grant the Applicant the continuance of this hearing to September 7, 2016 at 8:00 PM was made by Chairman Cole, seconded by Mr. White and approved unanimously.

Ms. Mercandetti noted that the September 7, 2016 meeting will not be the first hearing on the new plan as that new plan has not formally been submitted. The hearing for the revised plan will likely begin on the meeting of September 21, 2016 or October 5, 2016.

Adjournment:

A motion to adjourn the meeting was made by Mr. White, seconded by Chairman Cole and approved unanimously. The Board adjourned at 7:56 PM.

Respectfully submitted,

Filipa LeClair
Meeting Recording Secretary