

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

**MINUTES OF MEETING
February 17, 2016**

David Cole, Chairman, called the meeting to order at 7:40p.m. Attending Board members were Ms. Gould, Clerk, Mr. Arbeene, Mr. Kennedy, Mr. Olsen and Mr. White, Associate Member.

Citizen Comments

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

Appointments

There were no appointments this evening.

Correspondence

The Board is in receipt of a flyer invite for the final community meeting and presentation for the Adams Street Land Management Plan to be held on Wednesday, March 2nd at 7:00pm at Thayer House.

Public Hearings

7:45PM - Public hearing for Stephen and Sarra Forrester for a Special Permit under Section 5.5 of the Zoning Bylaw to demolish the existing single family home and construct a new single family home on the property located at 27 Charles Street, Medway, MA.

The Board is in receipt of the following documents:

- Application form stamped by the Town Clerk and Board of Appeals on January 26, 2016.
- Existing Conditions Plan, dated January 15, 2016, prepared by GLM Engineering Consultants, Inc.
- Proposed Housing Plan, dated January 15, 2016, prepared by GLM Engineering Consultants, Inc.
- Proposed Elevations and Floor Plans for Prestige 2 Story, dated 8/17/2015 revised 10/2/2015, prepared by Professional Building Systems, Inc.
- Email from Nancy and Bob Campana, 20 Charles Street
- Email from Pat Albee, 23 Charles Street

The Board moved to hear the application of Stephen and Sarra Forrester. The applicant, Stephen Forrester, and his engineer, Rob Truax of GLM Engineering Consultants, Inc., were present to discuss the request with the Board.

Mr. Forrester explained the request for a special permit from the Board. He would like to demolish the existing single family home, shed and garage on the property and construct a new single family home with attached garage and above ground pool on the property. The house was built in the 1800's which predates the Zoning Bylaw. The property does not meet the frontage and minimum lot area requirements as referenced in the Zoning Bylaw for the Agricultural-Residential II Zoning District and thus the single family home is pre-existing nonconforming. Mr. Truax stated that the proposed new single family house will be an increase in the footprint and height over the existing house.

The Board asked questions relating to the proposed height and expanded footprint of the proposed new single family home to be constructed and if it would meet the required setbacks. Mr. Truax responded that it would meet all the necessary setbacks. The Board sought clarification of the front lot line. The Board also inquired if the proposed house was to be built on slab or over basement as there was no foundation plan included in the application. Mr. Truax explained that the new dwelling was a modular home. The proposed house will have a height of 29 feet to the ridge line plus a few more inches for a foundation. The Board questioned the distance to structures on adjacent lots.

Ms. Mercandetti noted that Sarra Forrester provided a copy of the letter from Medway Historical Commission, dated November 5, 2015, via email which was received on February 3, 2016.

Mr. Forrester also provided sign correspondence from Carl and Denise Osterberg of 17 Charles Street in support of the application.

Chairman Cole asked for any public comments or questions concerning the application. There were none.

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

Deliberations

The Board proceeded, by unanimous consent, to deliberate on the application of Stephen and Sarra Forrester.

Chairman Cole moves to find that the applicant demonstrated that the existing dwelling is pre-existing nonconforming and at least 80 years old and that both the dwelling and the current street layout thus preceded the adoption of the Zoning Bylaw in Medway. Mr. Kennedy seconds and it was passed 5-0-0.

Chairman Cole moves to find that the proposed new construction will increase the extent of nonconformity by increasing the maximum height of the structure and increasing the footprint of the dwelling portion of the existing structure. Ms. Gould seconds and it was passed 5-0-0.

Chairman Cole moves to find that the proposed construction will not be substantially more detrimental to the neighborhood than the existing nonconforming structure in as much as the

height of the proposed construction does not exceed that expected for a normal two story single family dwelling of which there are several in the existing neighborhood, and that the proposed construction is sufficiently well spaced from all lot lines and from buildings on adjacent lots that it should not have any significant detrimental effects on any of its neighbors. Mr. Arbeene seconds and it was passed 5-0-0.

Chairman Cole moves to grant a Special Permit under Section 5.5 of the Medway Zoning Bylaw to the applicants, Stephen and Sarra Forrester of 27 Charles Street, Medway, to allow for the construction of a new single family dwelling with adjacent above ground pool on the property substantially in accordance with the plans presented. Mr. Kennedy seconded and it was passed 5-0-0.

Special Permit granted.

Approval of Minutes

A motion to accept the Minutes of the February 3, 2016 meeting as written was made by Mr. Arbeene, seconded by Mr. Kennedy and passed 4-0-1. Mr. Olsen abstained as he was not present for the meeting.

Adjournment

A motion to adjourn was made by Mr. Arbeene and seconded by Mr. Kennedy and passed unanimously. The Board adjourned at 8:51p.m.

Respectfully submitted,
Stephanie Mercandetti
Director, Community and Economic Development