



TOWN OF MEDFIELD

Office of the

BOARD OF APPEALS

TOWN HOUSE, 459 MAIN STREET
MEDFIELD, MASSACHUSETTS 02052-2009

MEETING OF:
February 8, 2023
MINUTES

Members Present: John McNicholas, Chair; William McNiff, Member; Jared Spinelli, Associate Member

Members Absent: Michael Witcher, Member; Kristine Barton, Associate Member; Jared Gustafson, Associate Member;

Staff Present: Sarah Raposa, Town Planner; Cara Wise Administrative Assistant

Others Present: Alex Almeida, David Jordan

Location: Virtual Zoom Webinar

At approximately 7:00 p.m. John McNicholas, Chair, called the meeting to order and disclosed the meeting is being video recorded. Mr. McNicholas discussed the appeal and the procedure for how and what will be heard before the Zoning Board of Appeals this evening.

-8 Sunset Realty, LLC c/o Alex Almeida (applicant/owner) seeks a special permit under MGL Chapter 40A §9 and/or Medfield Zoning Bylaw §300-9.1.C.2. and the Table of Area Regulations referenced in §300-6.2 and 6.3 of the Zoning Bylaw as well as §300-14.10 that the proposed work consisting of demolition of the existing dwelling and construction of a new single-family dwelling will not be substantially more detrimental to the neighborhood than the existing nonconforming nature; and/or a variance from Chapter 300 Attachments 2&3. The property is located at 91 Spring Street; Assessors' Map 37, Lot 002; RU/RS Zoning District with secondary aquifer protection overlay.

Mr. Spinelli read the legal notice into the record. David Jordan, Land Surveyor from Greenman & Peterson, shared his screen and discussed the proposed removal of the single-family dwelling and discussed the plans for the new single-family dwelling. He mentioned that the front of the dwelling will now be on Robinson Road with all the correct setbacks. There will be a slight increase of square footage on the plot. They have proposed to install stormwater recharge for the new dwelling. Mr. Jordan has received an approval from the Board of Health for the stormwater recharge system.

Mr. McNicholas referred to the bylaw in Medfield on corner lots and what needs to be addressed. He reviewed the setbacks and zoning bylaw to make sure that the plan was in compliance. The board reviewed the bylaw and discussed if the new proposed dwelling would be in compliance with changing of the access. With the new access, being at Robinson Road there is a question where the front yard would be in actuality. Discussion ensued regarding the lot line and which part of the lot is going to be rear, side or front. Mr. McNicholas clarified that Mr. Almeida was leaving the third floor unfinished for because if not it would be over the maximum FAR.

Mr. John Clay, realtor for the applicant, wanted to make a statement that they had met with the Building Inspector and followed everything that he told them to do to stay compliant with the Town.

Mr. Bill Hajjar raised his hand and inquired if there are any plans or pictures to see what is going to be built in the proposed area. Mr. Jordan shared his screen again and reviewed the plan. Mr. Hajjar wanted to verify that the dormers that are on the roof are not going to be living space as a third floor. Mr. Jordan clarified that it is going to be unfinished attic space.

Mr. McNicholas reviewed the bylaw for the square footage and how it is calculated or reviewed.

Mr. McNicholas asked if there is a need for a site visit. Everyone agreed that there wouldn't be necessary due to familiarly with the area.

Mr. McNicholas, Mr. Spinelli and Mr. McNiff confirmed that all points have been met by the applicant to be able to grant a special permit. Mr. McNiff believes that the new build with the new driveway entrance will be beneficial to the neighborhood and town.

MOTION: Mr. Spinelli made a motion to close the hearing
SECONDED: Mr. McNiff
ROLL CALL VOTE: Mr. Spinelli, aye, Mr. McNiff, aye, Mr. McNicholas, aye
MOTION CARRIES: 3-0

MOTION: Mr. Spinelli made a motion to approve the special permit with standard conditions
SECONDED: Mr. McNiff
ROLL CALL VOTE: Mr. Spinelli, aye, Mr. McNiff, aye, Mr. McNicholas, aye
MOTION CARRIES: 3-0

ADMINISTRATIVE

Mr. McNicholas discussed the upcoming cases that will be presented at the next meeting. There are three cases on the agenda. There is one case that may need more clarification. Ms. Raposa spoke with the applicant and urged them to get the wording correct to be able to present in front

of the Zoning Board of Appeals properly. Mr. McNicholas discussed the breakdown of the upcoming cases and the availability of the other board members.

MINUTES

MOTION: Mr. McNicholas makes a motion to approve minutes from September 8, 2022

SECONDED: Mr. Spinelli

ROLL CALL VOTE: Mr. McNicholas, aye, Mr. Spinelli aye, Mr. McNiff, abstain

MOTION CARRIES: 2-0-1

MOTION: Mr. Spinelli made a motion to adjourn the meeting at approximately 8 pm

SECONDED: Mr. McNiff

ROLL CALL VOTE: Mr. Spinelli, aye, Mr. McNiff, aye, Mr. McNicholas, aye

MOTION CARRIES: 3-0

Respectfully Submitted,
Cara Wise, Administrative Assistant