



TOWN OF MEDFIELD

Office of the

BOARD OF APPEALS

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

MEETING OF:
March 8, 2023
MINUTES

Members Present: Michael Whitcher, Acting Chair; Jared Spinelli, Associate Member; Jared Gustafson, Associate Member

Members Absent: John McNicholas, Chair; William McNiff, Member; Kristine Barton, Associate Member

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

Others Present: Corrine Sheiffer, Chris Sheiffer, Stephen Chaplin, Seth Trier, Dennis, Jay Terwilliger, Allison Buff, Jonathan Burns, John Merageas, Diane Damico, Joe Kerwin, Allison Buff, Jonathan Burns, Julia Burns, Joseph Dimitriadis, JC, Rich Coulombre, Ryan McCaffrey, Luke Angelus, Darice Merageas, Jay Terwilliger, Tina Ambrose

Location: Virtual Zoom Webinar

At approximately 7:00 p.m Michael Whitcher, Acting Chair, called the administrative meeting to order and disclosed the meeting is being video recorded.

Mr. Whitcher discussed the appeal and the procedure for how and what will be heard before the Zoning Board of Appeals this evening.

Mr. Gustafson read the petition:

- **Corrine Sheiffer (applicant/owner) seeks a special permit under MGL Chpt. 40A §9 and/or Medfield Zoning Bylaw §300-14.10.I (3) & (4) for the proposed work consisting of installation of a family apartment in the existing building footprint. The property is located at 11 Spruce Way; Assessors' Map 65, Lot 017; RT Zoning District with Secondary Aquifer Protection Overlay.**

Ms. Sheiffer discussed the reasons they needed to put in a family apartment. Ms. Sheiffer stated that her mother would be the one occupying the space. She also explained that her oldest son has special needs and that she added all of her children on the application in case one of them needed to occupy the space in the future. Ms. Sheiffer explained there will be no additional walkways or entrances needed to renovate this space. The Board reviewed the application and bylaw with the applicants.

MOTION: Mr. Gustafson made a motion to close the hearing

SECONDED: Mr. Spinelli

ROLL CALL VOTE: Mr. Spinelli, aye, Mr. Gustafson, aye, Mr. Witcher, aye
MOTION CARRIES: 3-0

- Seth & Heide Trier (applicant/owners) seek a special permit under MGL Chpt. 40A §9 and/or Medfield Zoning Bylaw §300-6.2.T and §300-6.3.E for the proposed work consisting of installation of an in-ground swimming pool with a lot coverage exceeding 15%. The property is located at 23 Planting Field Road; Assessors' Map 16 Lot 068; RT Zoning District with no Aquifer Protection Overlay.

Mr. Trier explained that he is seeking to get an inground pool installed and needs a special permit for the extra 5% that is needed to complete this. He is going to install groundwater recharge systems to help. He has submitted plans from his engineer explaining this. The Board reviewed the application with the applicant. Mr. Trier is going to confirm the materials being installed for his deck and patio. The pavers should be impervious. The equipment will be on the side of the house with the AC unit. The lighting will be along the landscape and pathways.

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

- Dennis & Karen Etzkorn (applicant/owners) seek a special permit under MGL Chpt. 40A §9 and/or §6 and/or Medfield Zoning Bylaw §300-6.2.T and §300-6.3.E for the proposed work consisting of the expansion of an existing tennis court within the rear and side setbacks and with a lot coverage exceeding 15%. The property is located at 10 Trailside Road; Assessors' Map 61 Lot 030; RT Zoning District with no Aquifer Protection Overlay.

Mr. Etzkorn is looking to turn his existing sports court (40 ft by 90 ft) into a tennis court (120 ft by 60 ft). Some of this work has already begun without any permits. Mr. Etzkorn is stating that the new court will be impervious surface but there is no documentation to support this. Mr. Witcher explained that there are specific plans that need to be submitted with the application. Mr. Spinelli made clear that without these specifications it would be hard to make any decisions on this. There were questions answered from the live Q & A. Mr. Etzkorn plans to install a fence around this court and there is nothing on the plans that include this. Questions were opened up to the public.

Jonathan Burn - 19 Birch Lane, Medfield, MA - Mr. Burn lives behind the applicant. Mr. Burn wanted to be heard that he would not like the court to be placed so close to his property line. He wondered if there was any way to make sure that it does not drain off into his yard as he has wetlands on his property.

Stephen Chaplin - Attorney for abutting neighbors Richard & Jean Coulombre - 8 Trailside Road - They have concerns regarding the retaining wall and its standing. There

is a stop work order in place for this unfinished retaining wall. Mr. Chaplin reiterated the percentage coverage in request for this special permit and the lack of impervious surface plans. Mr. Chaplin shared the stop work order that was sent to Mr. Etzkorn as well as a letter from an engineering firm that reviewed the retaining wall. Both letters are submitted for the record.

Allison & Steve Buff - 15 Birch Lane, Medfield, MA - Mr. Buff wanted it made clear that this proposal for a new tennis court does not meet any of the by-laws for Medfield. It is over the percentage of lot coverage and it does not meet the setback criteria on the front, side or back. He is not in support of this being built as proposed.

Mr. Witcher stated there was no need for a site visit as this plan is a bit premature with the current proposed plans that are lacking stormwater, fence, etc. Mr. Spinelli made a motion to continue the hearing until April 12, 2023 pending re-submission of information that is lacking or notification of withdrawal of the application.

MOTION: Mr. Spinelli made a motion to continue the hearing
SECONDED: Mr. Gustafson
ROLL CALL VOTE: Mr. Spinelli, aye, Mr. Gustafson, aye, Mr. Witcher, aye
MOTION CARRIES: 3-0

Deliberations: The Board discussed the following applications and standard conditions:

MOTION: Mr. Spinelli made a motion to approve the Special Permit for 11 Spruce Way.
SECONDED: Mr. Gustafson
ROLL CALL VOTE: Mr. Spinelli, aye, Mr. Gustafson, aye, Mr. Witcher, aye
MOTION CARRIES: 3-0

MOTION: Mr. Gustafson made a motion to approve the Special Permit for 23 Planting Hill Road.
SECONDED: Mr. Spinelli
ROLL CALL VOTE: Mr. Spinelli, aye, Mr. Gustafson, aye, Mr. Witcher, aye
MOTION CARRIES: 3-0

Adjournment:

MOTION: Mr. Gustafson made a motion to adjourn the meeting at 8:30 pm
SECONDED: Mr. Spinelli
ROLL CALL VOTE: Mr. Spinelli, aye, Mr. McNiff, aye, Mr. McNichols, aye
MOTION CARRIES: 3-0

Respectfully Submitted,
Cara Wise, Administrative Assistant