



# TOWN OF MEDFIELD

Office of the

## BOARD OF APPEALS

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

(508) 359-3027  
(508) 359- 6182 Fax

MEETING OF:  
**April 8, 2020**  
MINUTES

**Members Present:** John J. McNicholas, Chairman; William McNiff, Member; Jared Spinelli, Associate Member

**Members Absent:** Michael W. Whitcher, Member; Charles H. Peck, Associate Member; Jared Gustafson, Associate Member

**Staff Present:** Sarah Raposa, Town Planner; Marion Bonoldi, Recording Clerk

**Others Present:** Paul Haverty, Michael Larkin, Stephanie Kiefer, Bill Massaro, Brad Miller, Daoud Aboushousha, Gary Pelletier, Michael Larkin, Tracey Hogan, Ellen, Noel Grimm, Aftab Khan, Norah Okoro Mina Salib, Nancy Nelson, Nancy Sterling, David McKinnon, Andrea Sabe

**Location:** Virtual Zoom Webinar: [https://zoom.us/webinar/register/WN\\_t7XM06NNSGafA2QquB9G1Q](https://zoom.us/webinar/register/WN_t7XM06NNSGafA2QquB9G1Q)

At approximately 7:00 pm, Chairman Jack McNicholas called the meeting to order and announced the meeting is being recorded. Chairman McNicholas introduced Mr. William McNiff and Mr. Jared Spinelli. Chair McNicholas read:

*Pursuant to Governor Baker's March 12, 2020 Order Suspending Certain Provisions of the Open Meeting Law, G.L. c. 30A, §18, and the Governor's March 15, 2020 Order imposing strict limitations on the number of people that may gather in one place, this meeting of the Medfield Zoning Board of Appeals is being conducted via remote participation. No in-person attendance of members of the public will be permitted, but every effort will be made to ensure that the public can adequately access the proceedings as provided for in the Order. A reminder that persons who would like to listen to or view this meeting while in progress may do so by following the instructions on the agenda and meeting notice. The meeting is being recorded.*

### **Administrative:**

#### **Minutes-**

- Mr. McNiff made a motion to approve the minutes from March 2, 2020. Seconded by Mr. Spinelli. Roll Call Vote: WM=yes; JS= yes, JM=yes. The Vote: 3-0.
- Mr. McNiff made a motion to approve the minutes from March 11, 2020. Seconded by Mr. Spinelli. Roll Call Vote: WM=yes; JS= yes; JM=abstained. The Vote: 2-0-1.
- Mr. McNiff made a motion to approve the minutes from March 12, 2020 at 6:30 pm. Seconded by Mr. Spinelli. Roll Call Vote: WM=yes; JS= yes, JM= es. The Vote: 3-0.

- Mr. McNiff made a motion to approve the executive session minutes from March 31, 2020. Seconded by Mr. Spinelli. Roll Call Vote: WM=yes; JS= yes, JM=yes. The Vote: 3-0. No vote was taken to make them publicly available yet.

### **Chapel Hill Landing - Hospital Road/Sunset/Stoneridge Way**

Ms. Sarah Raposa said there are 2 questions that have come in on the “chat” feature of the webinar. Ms. Tracey Hogan asked if the outdoor lantern fixtures will ever be corrected, as promised, at Chapel Hill Landing. Ms. Raposa said she responded to Ms. Hogan saying she will contact the Building Commissioner however, this public hearing tonight is specific to the affordable unit bathroom counts. Mr. Daoud Aboushousha wanted Ms. Raposa to know that he has a comment and a question would like to be heard by the Board.

Chair McNicholas said before he opens the hearing he would like to give some administrative updates. Chair McNicholas said on March 12, 2020 the ZBA voted that the bathroom count modifications on the affordable units was a substantial change. The ZBA is required to open a public hearing within 30 days. The applicant has since filed an appeal with the Housing Appeals Committee (HAC). Chair McNicholas said that since the appeal has been filed the ZBA, currently, has no jurisdiction over this matter. Chair McNicholas explained that 760 CMR 56.05(11) determines that the matter needs to be “stayed” until there is a determination by the HAC.

At approximately 7:25 pm, Chair McNicholas opened the hearing and read:

**After determining that the change in approved floor plan (reduction of full bathrooms in all affordable units) is a substantial change, and pursuant to 760 CMR 56.05(11), the Medfield Zoning Board of Appeals will hold a public hearing starting at 7:00 p.m. on Wednesday, April 8, 2020, at the Medfield Town House, 459 Main Street, for further review of the factors set forth in 760 CMR 56.07(4). The project is known as Country Estates of Medfield aka Chapel Hill Landing for the property located at 21-29 Hospital Road (currently developed as Sunset Way and Stoneridge Way). All town boards and other interested parties wishing to be heard should appear at the time and place designated.**

**Signed, John J. McNicholas, Chairman of the Board of Appeals on Zoning. This appeared in the MEDFIELD PRESS on March 20, 2020 and March 27, 2020**

Chair McNicholas said the applicant has filed an appeal with the HAC and the proceedings are stayed until a determination is made by the HAC. Chair McNicholas said no public participation is allowed during this hearing. Chair McNicholas suggested continuing the hearing until a future date. Mr. Spinelli and Mr. McNiff agreed. Ms. Raposa said all abutters will be re-noticed with the next public hearing is posted.

Mr. McNiff made a motion to continue the public hearing to a future date to be determined. Seconded by Mr. Spinelli. Roll Call Vote: WM=yes; JS=yes; JM=yes. The Vote: 3-0.

### **Adjournment**

Mr. McNiff made a motion to continue for adjournment. Seconded by Mr. Spinelli. Roll Call Vote: WM=yes; JS=yes; JM=yes. The Vote: 3-0.

### **Respectfully Submitted,**

Marion Bonoldi, Recording Clerk