



# TOWN OF MEDFIELD

*Office of the*

## BOARD OF APPEALS

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

(508) 359-3027  
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MEETING OF:  
**April 29, 2020**  
MINUTES

**Members Present:** John J. McNicholas, Chairman; Michael W. Whitcher, Member; Jared Gustafson, Associate Member

**Members Absent:** Charles H. Peck, Associate Member; William McNiff, Member; Jared Spinelli, Associate Member

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

**Others Present:** Paul Haverty, Vin O'Brien, Dan Merrikin, Ed Coolbrith, Dean Harrison, Chris Chiuri, Lorrie Guindon, Gerry Irwin, William Lane

**Location:** Virtual Meeting

At approximately 7:00 pm, Chairman Jack McNicholas called the meeting to order. Chair McNicholas read the following:

**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/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:**

Mr. Whitcher made a motion to approve minutes from April 1, 2020 with noted edits. Seconded by Mr. Jared Gustafson. Roll Call Vote: MW=yes, JG= yes, JM=yes. The Vote: 3-0.

**“Aura at Medfield” from Mayrock Development LLC (applicant), with respect to property located at 50 Peter Kristof Way (owned by Beckwith Post #110 Inc.); Assessors' Map 48, Lot 029; RS Zoning District with Primary Aquifer Overlay for a Comprehensive Permit under MGL Chapter 40B, Sections 20 through 23 as amended, to allow construction of a multi-family residential development that will consist**

**of 56 non age-restricted rental units (1 BR, 2 BR, and 3 BR) with appurtenant driveways, parking areas, landscaping, utility systems, and stormwater management system. There will be 14 affordable units and 42 market rate units. (Continued from 11/25/19, 1/9/20, 3/12/20, 4/1/20)**

Chair McNicholas said the draft decision has been circulated and feels there are no outstanding issues. Chair McNicholas asked Mr. Paul Haverty, 40B Consultant to walk the Board through the decision. Mr. Haverty said there are a lot of changes shown on the draft decision but all are minor.. Mr. Haverty said on Page 5 there is a blank space regarding the date of the architectural floor plans. Ms. Sarah Raposa, Town Planner, said the date needed is April 15, 2020.

Chair McNicholas asked for clarification of approved plans and final plans. Ms. Raposa explained that language has been added that the applicant is solely responsible for alerting the Town of any changes to the plan or the comprehensive permit. Chair McNicholas said this applicant, unfortunately, is the “guinea pig” because the Town is having issues with another developer. Chair McNicholas said he would prefer is the language was changed to sole obligation instead of sole responsibility.

The Board reviewed continued to review minor changes. Chair McNicholas asked if the Board had any concerns about the “body” of the decision. Mr. Whitcher and Mr. Gustafson said no. Mr. Haverty reviewed the waivers with the Board. Mr. Vin O’Brien, attorney for the applicant, wanted the Board aware that ownership may change when transferred to an LLC. Mr. Haverty said this is not an issue and the applicant is only required to make the Board aware of it when it happens.

Mr. O’Brien said the applicant would like to thank the town for all of their help. Mr. O’Brien especially thanked Ms. Raposa. Ms. Raposa said the applicant did a lot of work before meeting with the ZBA and she appreciated that. Ms. Raposa announced a question from Mr. Gerry Irwin. Mr. Irwin asked if this was the last town approval needed. Mr. Haverty explained the timeline and said the decision would be filed on May 8, 2020 and then the applicant will wait out the appeal period. Mr. Haverty said the applicant will be waiting on the final approval from the subsidizing agency and then the applicant can apply for a building permit.

Chair McNicholas thanked the applicant and Legion members. Mr. Whitcher made a motion to close the hearing. Seconded by Mr. Jared Gustafson. Roll Call Vote: MW=yes, JG=yes, JM=yes. The Vote: 3-0.

### **Deliberation**

Chair McNicholas said Mr. Haverty is to work on the final decision and send to Ms. Raposa. Mr. Whitcher said everything is in order and Mr. Gustafson has no further comments.

At approximately 8:05 pm, Mr. Whitcher made a motion to grant the comprehensive permit consistent with the draft decision to Mayrock Development LLC for “Aura at Medfield.” Seconded by Mr. Jared Gustafson. Roll Call Vote: MW=yes, JG= yes, JM = yes. The Vote: 3-0. Mr. Whitcher made a motion to authorize Ms. Sarah Raposa to sign the decision on behalf of the Board. Seconded by Mr. Gustafson. Roll Call Vote: MW=yes, JG= yes, JM=yes. The Vote: 3-0.

At approximately 8:10 pm Mr. Whitcher made a motion to adjourn. Seconded by Mr. Gustafson. Roll Call Vote: MW=yes, JG= yes, JM=yes. The Vote: 3-0.

**Respectfully Submitted,**

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Marion Bonoldi, Recording Clerk