



# TOWN OF MEDFIELD

Office of the

## Board of Appeals on Zoning

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

Direct: (508) 906 - 3027  
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No. 1352

October 12, 2018

*Decision of the Board of Appeals on the petition of:* Country Estates of Medfield, LLC  
Property owned by: Country Estates of Medfield, LLC  
Location of Property: 21, 25, 29 Hospital Road, Medfield, MA  
Norfolk County Registry of Deeds: Book 33500, Page 500 and Book 33564, Page 340; and,  
Norfolk County Land Court Certificate of Title No: 191843  
Medfield Assessors' Record: Map: 64 Lot: 009  
Zoning District: Residential Town (RT) with partial Aquifer Protection District

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TOWN CLERK

By request dated October 3, 2018 (the "Application") filed with the Board of Appeals on the same date, Country Estates of Medfield, LLC c/o Michael J. Larkin (hereinafter the "Applicant") of Medfield, Massachusetts seeks a modification of ZBA Decision No. 1300 to modify Condition B.6 (rate of Occupancy Certificates for Market & Affordable units). The property is located at 21, 25, 29 Hospital Road which has been combined as Assessors' Map 64, Lot 009; RT Zoning District with partial Aquifer Protection District (hereinafter the "Locus").

A public meeting was held on Wednesday, October 10, 2018 to hear the request within 20 days of receipt in accordance with 760 CMR 56(11)(a).

### **DECISION:**

The Medfield Zoning Board of Appeals hereby determines the request to be insubstantial in accordance with the factors set forth in 760 CMR 56.07(4) and amends its condition B.6 in Decision No. 1300 as follows:

1. No more than five certificates of occupancy shall be issued by the Building Commissioner for Units designated for sale at fair market prices (the "Market Rate Units") before a certificate of occupancy is issued for the first Affordable Unit;
2. No more than three additional certificates of occupancy shall be issued by the Building Commissioner for Units designated for sale at fair market prices (the "Market Rate Units") before the second certificate of occupancy is issued for an Affordable Unit;
3. No more than three additional certificates of occupancy shall be issued by the Building Commissioner for Units designated for sale at fair market prices (the "Market Rate Units") before the third certificate of occupancy is issued for an Affordable Unit;
4. No more than three additional certificates of occupancy shall be issued by the Building Commissioner for Units designated for sale at fair market prices (the "Market Rate Units") before the fourth certificate of occupancy is issued for an Affordable Unit;
5. No more two additional certificates of occupancy shall be issued by the Building Commissioner for Units designated for sale at fair market prices (the "Market Rate Units") before the fifth certificate of occupancy is issued for an Affordable Unit;
6. No more two additional certificates of occupancy shall be issued by the Building Commissioner for Units designated for sale at fair market prices (the "Market Rate Units") before the sixth certificate of occupancy is issued for an Affordable Unit.

In table format this reads as follows:

1. Five Market Rate Units CO Permits	-	One Affordable Unit CO Permit
2. Three Market Rate Units CO Permits	-	One Affordable Unit CO Permit
3. Three Market Rate Units CO Permits	-	One Affordable Unit CO Permit
4. Three Market Rate Units CO Permits	-	One Affordable Unit CO Permit
5. Two Market Rate CO Units Permits	-	One Affordable Unit CO Permit
6. Two Market Rate CO Units Permits	-	One Affordable Unit CO Permit

All other conditions from the previous decisions remain in effect, including Condition B.6. in its original form once the units included in this modification are issued Certificates of Occupancy.

Further, the Board hereby modifies the provisions of Condition K.1. so that the last sentence reads as follows: "Such reserves, including the amount thereof, shall be reviewed and approved by the ZBA prior to ~~first~~ tenth conveyance."

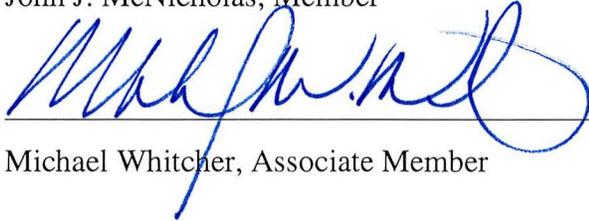
MEDFIELD ZONING BOARD OF APPEALS



Charles Peck, Acting Chairman



John J. McNicholas, Member



Michael Witcher, Associate Member

STEPHEN M. NOLAN, CHAIRMAN, WILLIAM MCNIFF, ASSOCIATE MEMBER, AND JARED SPINELLI, ASSOCIATE MEMBER, DID NOT SIT ON THE BOARD AT THE PUBLIC HEARING CONCERNING THIS MATTER NOR DID THEY PARTICIPATE IN THE DELIBERATIONS OF THE BOARD OR IN THIS DECISION.

APPEALS FROM THIS DECISION, IF ANY, SHOULD BE MADE PURSUANT TO GENERAL LAWS, CHAPTER 40 A, §17, AND SHALL BE FILED WITHIN 20 DAYS AFTER THE DATE OF FILING OF THIS DECISION IN THE OFFICE OF THE TOWN CLERK