

## **Holliston Planning Board Meeting Minutes of September 2, 2021**

### **Call to Order:**

The Chairwoman called the regular meeting to order at 7:00 p.m. and read the following statement: Pursuant to the June 16, 2021 Act relative to extending certain COVID-19 measures adopted during the state of emergency suspending certain provisions of the Open Meeting Law G.L. c 30A paragraph 20, the Planning Board will be using remote participation for this meeting. The audio of this meeting is being recorded and will be posted to the Town's webpage within 24 hours in accordance with keeping the public informed of actions during this meeting. I would ask that all participants remotely attending this meeting please state your name for identification purposes each time you speak throughout the meeting.

At this time, a roll call attendance vote will be taken:

Chairperson Karen Apuzzo-Langton - present  
David Thorn - present  
Jason Santos - present  
Scott Ferkler – present  
Barbara Peatie - present

### **Executive Session per MGL c. 39, s. 23B Exception 3 Auto Dealers Exchange of Concord, LLC et al**

On a motion by Mr. Santos, seconded by Mr. Ferkler, the members voted to enter Executive Session with Atty. Brian Winner of Mead, Talerman and Costa in order to discuss pending litigation with regard to the Adesa, 194 Lowland Street site and then return to open session. The roll call vote in favor was unanimous. Mr. Santos made a motion to return to open session at 7:40 p.m. Mr. Ferkler seconded with all in favor on a roll call vote.

### **Continued Special Permit Modification Public Hearing Hollis Hills Senior Residential Development – 229 Hollis Street**

The Chairwoman re-opened the public hearing. Owner/applicant, JT Walsh, was present to discuss a proposal to contribute to the Affordable Housing Trust Fund in lieu of building two affordable housing units. It was noted that both Mr. Thorn and Mr. Chamberlain had attended an Affordable Housing Trust meeting on Friday and the Trust had voted in favor of accepting the funds. Mr. Walsh made a presentation based on the criteria of Section V-Q with regard to tying payment timing with construction of units. Fifty percent of the payment or \$319,430 will be gifted at the completion of the appeal period as 17 units have occupancy permits, an additional \$127,772 will be tied to occupancy of the 24<sup>th</sup> unit or seventy-five percent and the final \$191,658 or ninety percent will be tied to the occupancy of the 28<sup>th</sup> unit. If the payments do not occur in calendar 2022, both the median sales price and DHCD affordable unit sales price will be recalculated. No one in the audience spoke in favor or against the proposal.

Mr. Ferkler made a motion to approve the contribution to the Affordable Housing Trust Fund in lieu of building two affordable housing units per the prior Special Permit as detailed in the discussion. Ms. Peatie seconded with all in favor on a unanimous roll call vote (Note: Mr. Thorn disclosed that he had also voted in favor of the proposal as a member of the Housing Trust). Mr. Ferkler made a motion to close the public hearing. Ms. Peatie seconded with all in favor on a roll call vote.

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**Scenic Road Work Permit Public Hearing**

**Between 90 & 164 Mill Street – Murch Prentice Realty Trust**

The Chairwoman opened the hearing and waived reading the legal notice into the record. Rob Truax, PE of GLM Engineering Consultants, Inc. was present to discuss removing approximately forty eight (48) linear feet of stonewall to construct the proposed roadway for Triangle Farm Definitive Subdivision. The plan of record is a plan set entitled “Definitive Open Space Subdivision, Triangle Farm, Scenic Road, Holliston, Massachusetts” prepared by GLM Engineering Consultants, Inc., dated July 8, 2021.

The Chair confirmed that the intent was to use the stones removed to enhance the remaining wall along the Mill Street frontage. Additionally, she noted that additional trees along Mill Street would enhance the site further. Mr. Truax agreed to mimic the standard within the subdivision, that is, 4” caliper trees 50’ on center for a total of 3 trees on Lot 1B and 2 on Lot 6B.

The Chairwoman opened the hearing to the audience. Deb Moore of 183 Mill Street emphasized that the street has been adversely impacted by oak devastation due to gypsy moths as well as some utility company tree removal. She also noted that the adjacent two building lots along Mill Street removed trees both in the right-of-way and on the lots, leaving a void in the canopy. She requested that the “replacement” species chosen in this case be hardy, insect- and disease-resistant and that planting be coordinated with the Tree Warden.

Mr. Santos made a motion to approve the Scenic Road Work Permit conditioned as per the discussion, seconded by Mr. Thorn with all in favor on a unanimous roll call vote.

On a motion by Mr. Santos, seconded by Mr. Thorn, the public hearing was closed.

**General Business:**

1. Approval of Minutes

On a motion by Mr. Ferkler, seconded by Mr. Thorn, members approved the minutes of August 12, 2021 as written on a unanimous roll call vote.

2. Approval Not Required Subdivision(s) – Constitution Village, Old Cart Path

Dale MacKinnon, PE was present to discuss this land division within the Constitution Village Subdivision. He noted that the lot lines were being moved to accommodate a driveway relocation on one of the lots, eliminating a retaining wall. On a motion by Mr. Santos, seconded by Mr. Thorn, the Board voted to empower the Town Planner to endorse a plan prepared by Guerriere & Halnon, Inc., entitled “Plan of Land, Lot 3C, 31B and 80A, Old Cart Path, Constitution Village, Holliston, Mass” dated August 16, 2021 on a unanimous roll call vote.

3. Re-appointment of Associate Member

On a motion by Mr. Thorn, seconded by Ms. Peatie, members vote to appoint Warren Chamberlain as their Associate Member with representation to the MAPC Metrowest, Holliston Community Preservation Act Committee, and Holliston Housing Trust. The roll call vote in favor was unanimous.

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4. Triangle Farm – Plan and Covenant Endorsement

On a motion by Mr. Santos, seconded by Mr. Thorn, members empowered the Town Planner to endorse the definitive subdivision plan and covenant for recording purposes. The roll call vote in favor was unanimous.

5. Special Town Meeting Warrant Issues

- a. Zoning By-Law Amendments: Ms. Sherman review the marijuana zoning by-law changes prepared by Town Counsel Kate Feoderoff with regard to definition and regulation of Marijuana Courier, Marijuana Delivery Licensee, Marijuana Delivery Operator and Marijuana Establishment. After some discussion, Mr. Santos made a motion to advance the amendments to the Select Board for consideration for the Special Town Meeting. Ms. Peatie seconded with all in favor.
- b. Road Acceptances: Highlands at Holliston Subdivision. After some discussion of the project's history and the remaining policy and clean-up items, Mr. Santos made a motion to advance a portion of Mohawk Path, Indian Circle, and Mayflower Landing to the Select Board for consideration as public streets. Ms. Peatie seconded with all in favor on a roll call vote. On a side note, Atty. Angela Conforti of FRE fielded a concern regarding ongoing stability of the 1:1 slopes at the rear of #168 Mohawk.

6. Board Updates

On a motion by Mr. Thorn, seconded by Mr. Santos, members agreed to appoint Ms. Peatie as their representative to the Long-Range Planning Committee. The roll call vote in favor was unanimous.

**Adjournment** - The meeting was adjourned at 9:32 p.m. on a motion made by Mr. Santos and duly seconded by Ms. Peatie with a unanimous roll call vote. The next meeting was scheduled for September 23, 2021 at 7:00 p.m.

Respectfully submitted,

Karen L. Sherman, Town Planner