

**Holliston Planning Board
Meeting Minutes of March 30, 2023**

CALL TO ORDER:

The Chair called the regular meeting to order at 7:06 p.m. and read the following statement into the record: Pursuant to the June 16, 2022 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:

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

The Board's 9:00 p.m. curfew was identified and a proposed agenda for the evening was presented.

GENERAL BUSINESS:

1. Approval of Minutes

On a motion by Mr. Ferkler, seconded by Ms. Peatie, members approved the minutes of March 16, 2023 as written on a roll call vote.

CONTINUED PUBLIC HEARING:

Special Permit and Site Plan Review

Casey's Public House

81 Railroad Street

The Chair opened the public hearing at 7:13 p.m. and explained the hearing format, noting that the applicant will present an overview and updates, followed by questions and concerns by the members and then questions and concerns from the audience. Present along with the applicant John McCarthy was John Matz, AIA of Matz Collaborative Architects, Inc.

The following documents were entered into the record and were the primary talking points for discussion:

- Correspondence dated March 9, 2023 from Matz Collaborative Architects in response to Planning Board Meeting questions from 3/2/23.
- Correspondence from the Holliston Trails Committee dated March 24, 2023

Mr. Matz gave an overview of the proposal and addressed each of the prior questions as well as the Trails Committee comments. The Chair referred to the February 28th email from the Health Agent and asked for clarification of the septic system capacity and seating management. Mr. McCarthy also clarified that "No Smoking" will be posted on the patio and patrons will be

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directed to a designated smoking area at least 20' from all entrances. The outdoor "close" time was identified as 10 p.m.

The Chair opened the meeting to public questions and comments. The following individuals spoke: Jay Marsden of 32 Wendy Lane, Karen Goodman of 86 Church Street, Sarah Baroud of 21 Lowland Street, Laura Pierce of 25 Norfolk Street, and Andrea McCoy of 96 Church Street. Additionally, Mr. Matz replied to comments received from: Corinne Kelleher of 76 Church Street and Karen Goodman, 86 Church Street.

On a motion by Mr. Ferkler, seconded by Mr. Santos with all in favor on a roll call vote, the public hearing was continued until April 13, 2023 at 7:02 p.m. Ms. Sherman was directed to work with other land use and public safety staff on a draft Certification of Action with findings and conditions.

**CONTINUED PUBLIC HEARING:
Special Permit and Site Plan Review
Masters Paving Corp. and Middlesex Asphalt Services Inc.
157-165 Lowland Street**

The Chair reopened the hearing and explained the hearing format, noting that the applicant will present, followed by questions and concerns by the members and then questions and concerns from the audience. Present for the applicant was Atty. Michael Khoury of Madoff & Khoury, LLP along with George Connors of Connorstone Engineering and Greg Tocci of Cavanaugh Tocci.

The following documents were entered into the record and were the basis of ongoing discussion:

- Correspondence entitled "Amendment to Application for Special Permit and Site Plan Approval from Affiliated Massachusetts Business Entities Holliston Asphalt & Concrete, Inc and M&M Estates, LLC" dated March 23, 2023
- Sound Study titled "Mobile Source Study Masters Paving and Middlesex Asphalt Services Building", from Cavanaugh Tocci (dated January 26, 2023)
- Correspondence entitled "157-165 Lowland Street, Holliston, Ma, Traffic Impact Assessment" prepared by Howard Stein Hudson (dated March 2023).

The Chair asked for clarification on the proposed application amendment, noting that she had consulted with Atty. Brian Winner of Mead, Talerman and Costa (Town Counsel) and would like him to weigh in on this matter. Atty. Winner opined that the Applicant should consider withdrawing the portion of the Special Permit and Site Plan Review Application related to Asphalt and Concrete Recycling or face the consequences of having the board act on the entire application. Atty. Khoury noted that he would advise his clients to withdraw that portion of the application without prejudice. Atty. Winner advised the members that they should vote on such a withdrawal request upon receipt.

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Further discussion of the remaining relief sought under the application (Section B of the Amendment correspondence) followed. It was noted that the narrative was not consistent with the Application and the hearing advertisement. The Building Commissioner had previously determined that the appropriate use category for the two paving companies (Masters Paving and Middlesex Asphalt Services) was General Service Establishment under Section III(D)(7).

Greg Tocci of Cavanaugh Tocci gave a brief overview of his correspondence addressed to George Connors regarding “mobile sound levels with voluntary design goals” to prevent noise nuisance based on the ambient sound level. He referred to the design goals for Continuous (+10dB) and Tonal (+5 dB) sources. He noted that proposed mitigation included the use of 600 + feet of solid sound barriers, earthen berms and placement of the building itself. Typical sounds accounted for were truck back-up alarms, high idle and truck pass-by.

No public comment occurred because of time constraints. Correspondence from Audrea & Mike Szabatura, 31 Noel Drive, in opposition to the project was entered into the record.

On a motion by Mr. Santos, seconded by Mr. Thorn with all in favor on a roll call vote, the public hearing was continued until May 25, 2023 at 7:02 p.m.

ADJOURNMENT - The meeting was adjourned at 9:03 p.m. on a motion made by Mr. Ferkler and duly seconded by Ms. Peatie on a unanimous roll call vote. The next meetings were scheduled for April 13 as well as May 4 & 25 and June 8 & 22 at 7 p.m.

Respectfully submitted,

Karen L. Sherman, Town Planner