

**Holliston Zoning Board of Appeals
Meeting Minutes May 31, 2023**

CALL TO ORDER: The Chairman called the meeting to order at 12:09 p.m. via Zoom and read the following statement into the record: Pursuant to the Governor's action on March 29, 2023 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 Zoning Board of Appeals 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.

PRESENT:

Chairman John Love - Present
Jay Peabody - Present
Elizabeth Dembitzer – Present
Vladimir Nechev - Absent

DELIBERATIONS:

Dimensional Variance – 120 and 120A Goulding Street
Findings of Fact

The Board reviewed the application materials and testimony provided. In accordance with the provisions of Section IV-B and VI-D(3) Variances of the Town of Holliston Zoning By-Laws and MGL c. 40A, the Board finds the following: Desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the By-Law. Literal enforcement of the By-Law would result in substantial hardship to the applicant owing to circumstances related to the unique shape of the lot and placement of the existing dwellings. The dwelling on Lot 2 was previously recognized as pre-existing, non-conforming and relief was granted for its improvement by this Board in 2015 (See Certificate of Action recorded at Book 66228, Page 461). Further permitting through the Planning Board under the Subdivision Control Law will be required to provide legal frontage for the lots and to finalize lot configurations.

Zoning Board Vote

The Board's vote to approve the Petitioner's Dimensional Variance application for relief under Section IV-B for property described and located at 120 and 120A Goulding Street was as follows on a motion by Ms. Dembitzer, seconded by Mr. Peabody:

Mr. Love	Aye
Mr. Peabody	Aye
Ms. Dembitzer	Aye

Conditions of Approval

1. This Dimensional Variance is not valid until recorded and indexed at the Registry of Deeds in accordance with the provisions of MGL, c. 40A, s.11 and shall lapse in one (1) year unless exercised per MGL, c. 40A, s. 10 and Section VI-D of the Holliston Zoning By-Laws. The copy of the decision to be filed must contain a certification the Town Clerk that twenty (20)

Approved: Approved June 28, 2023

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OFFICE OF THE
TOWN CLERK
HOLLISTON, MASS

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days have elapsed since after the decision was filed and that no appeal has been filed or if such an appeal has been filed, that it has been dismissed or denied.

2. Approval shall be in compliance with the plan of record prepared by Joyce Hastings, PLS of GLM Engineering Consultants, Inc. entitled “Definitive Subdivision Plan ‘Bent Mountain’” (dated April 21, 2023). The approved front yard setback is 17.6 feet and the southerly side lot line setback is 14.8 feet.
3. This subdivision is subject to further approval by the Planning Board under the Subdivision Control Law. It is understood that the plan presented with this application may be modified through that pending process. The area of Lot 2 shown on the record plan – 30,669 s.f. – is the minimum area acceptable to the ZBA.
4. No further subdivision of Lot 1 is allowed and use on both lots shall be limited to single-family detached dwellings and their allowed accessory uses.

ADJOURNMENT: The meeting adjourned at 12:24 p.m. on a motion made by Mr. Peabody, seconded by Ms. Dembitzer with all in favor on a roll call vote. The next meeting was scheduled for June 28, 2023 and will be held remotely.

Respectfully submitted,

Karen Sherman, Town Planner

Approved: Approved June 28, 2023