

**Holliston Zoning Board of Appeals
Meeting Minutes of March 18, 2015**

Present: Chairman Henry Dellicker, John Love, Brian Liberis and Associate Member Mark Bush.

Call to Order: The Chairman called the meeting to order at 7:40 p.m. in Room 014 of the Town Hall.

Approval of Minutes: On a motion by Mr. Love, seconded by Mr. Liberis with the vote of 3 ó 0 ó 1 (Mr. Dellicker abstained), the members approved the minutes of February 18, 2015 as drafted.

Public Hearings:

Administrative Appeal Public Hearing

Holliston Residential Realty, LLC – 94 Brook St.

The Chairman opened the public hearing at 7:41 p.m. Based on a written request from Atty. Jeffrey L. Roelofs (dated March 17, 2015) indicating that he would not be present, Mr. Bush made a motion to continue the public hearing until April 15th at 7:30. Mr. Love seconded with all in favor.

Dimensional Variance Public Hearing

Holliston Residential Realty, LLC – 94 Brook St.

The Chairman opened the public hearing at 7:42 p.m. Based on a written request from Atty. Jeffrey L. Roelofs (dated March 17, 2015) indicating that he would not be present, Mr. Bush made a motion to continue the public hearing until April 15th at 7:30. Mr. Love seconded with all in favor.

Use Variance Public Hearing

2016 Washington Street, LLC – 2016 Washington Street

The Chairman opened the public hearing at 7:45 p.m. and waived the reading of the hearing notice given that only Robert Truax of GLM Engineering Consultants, Inc. was present for the petition. Comment letters from the Fire Chief (dated March 4, 2015) and Conservation Agent (dated March 11, 2015) were entered into the record.

Mr. Truax provided an overview plan dated March 18, 2015, noting the common driveway easement over Lot 1A. He described the multiple lot development of large-scale ground-mounted solar along with a 6,300 s.f. industrial building and noted that all parcels are currently in common ownership but will likely not be in the future. The proposed common driveway serves the three industrial lots as well as the proposed municipal lot on Conservation Commission land. The solar lots have frontage on Washington Street but are accessed over the frontage for Lot 1A

No one was present in the audience to speak in favor or against the petition. Mr. Love made a motion to close the public hearing. Mr. Liberis seconded with all in favor.

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**Dimensional Variance Public Hearing
Holliston Fire Dept. – Off Washington Street**

The Chairman opened the hearing at 8:05 p.m. and waived the reading of the hearing notice given that only Chief Cassidy was present. Comment letters from the Fire Chief (dated March 4, 2015) and Conservation Agent (dated March 11, 2015) were entered into the record. Chief Cassidy discussed the proposal to add approximately 4.5ø to the front of the existing building to accommodate a larger garage door and larger engine, noting the work would largely be accomplished by volunteers. Relief was discussed in detail based on plans prepared by Schofield Brothers of New England dated November 24, 2014.

No one was present in the audience to speak in favor or against the petition. Mr. Love made a motion to close the public hearing. Mr. Liberis seconded with all in favor.

Deliberations:

**1. 2016 Washington Street, LLC – Use Variance
Washington Street and 58 Hopping Brook Road**

Findings of Fact

The Board reviewed the application materials and testimony provided by the Petitioner as well as comment letters from the Fire Chief (dated March 4, 2015) and Conservation Agent (dated February 12, 2015). In accordance with the provisions of Section VI-D (3. Variances) and MGL, c. 40A, s. 10, the Board finds that consistent with its decision of March 2014, overall development of the subject lots is being proposed over a common driveway subject to Planning Board Special Permit approval. The common driveway originates from Hopping Brook Road, serving proposed 6,300 s.f. industrial development at #58A, as well as existing large-scale solar energy generating systems at #58B and #58C Hopping Brook Road on parcels denoted. The financial and environmental benefits of the proposed common driveway from within the planned industrial park rather than from individual driveways crossing wetlands on Washington Street have previously been enumerated by both Boards and the Board finds that the access to each lot will not derogate from the purpose and intent of the By-Laws. Literal enforcement of the provisions of the by-law would involve substantial hardship to the petitioner.

Zoning Board Vote

The Boardø vote to approve the Petitionerø Use Variance application for relief under Section I-E for property described and located at 2016 Washington Street was as follows on a motion by Mr. Love, seconded by Mr. Liberis:

Chairman Dellicker	Aye
Mr. Love	Aye
Mr. Liberis	Aye

Conditions of Approval

1. This Use Variance is not valid until recorded and indexed at the Registry of Deeds in accordance with the provisions of MGL, c. 40A, s. 11. The copy of the decision to be filed must contain a certification by the Town Clerk that 20 days have elapsed since after

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the decision was filed and that no appeal has been filed or if such appeal has been filed, that it has been dismissed or denied.

2. Upon receipt of the Common Driveway Special Permit from the Planning Board, the applicant shall provide a copy of the final plan.

2. Holliston Fire Dept. – Dimensional Variance

Off Washington Street

Findings of Fact

The Board reviewed the application materials and testimony provided by the Petitioner as well as comment letters from the Fire Chief (dated March 4, 2015) and Conservation Agent (dated March 11, 2015). In accordance with the provisions of Section VI-D Board of Appeals (3. Variances) and Section 10 of MGL, c. 40A, the Board finds that literal enforcement of the provisions of this by-law would involve substantial hardship to the petitioner owing to the unique placement of this historical structure on the lot as well as the unique circumstances of this municipal use to house vital public safety equipment servicing the eastern portion of the community.

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 Washington Street was as follows on a motion by Mr. Love, seconded by Mr. Liberis:

Chairman Dellicker	Aye
Mr. Love	Aye
Mr. Liberis	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. The copy of the decision to be filed must contain a certification by the Town Clerk that 20 days have elapsed since after the decision was filed and that no appeal has been filed or if such appeal has been filed, that it has been dismissed or denied.
2. Setback, lot coverage and floor area ratio relief is shown on the plan of record prepared by Schofield Brothers of New England dated November 24, 2014 and is described in more detail as follows: front yard setback of 0' northwest side yard setback - 2' southeast side yard setback of 5' with undetermined coverage and floor area ratio as per plan of record for the structure and use as proposed.

Adjournment: The meeting adjourned at 9:10 p.m. on a motion made and duly seconded with all in favor. The next meeting was scheduled for April 15, 2015.

Respectfully submitted,

Karen Sherman, Town Planner