

**Holliston Zoning Board of Appeals  
Meeting Minutes of June 17, 2015**

**Present:** Chairman Henry Dellicker, Vice Chairman John Love, Brian Liberis and Associate Members Jay Peabody and Mark Bush.

**Call to Order:** The Chairman called the meeting to order at 7:10 p.m. in Room 014 of the Town Hall.

**Approval of Minutes:** On a motion by Mr. Peabody, seconded by Mr. Liberis, the members approved the minutes of May 20, 2015 as written.

**I. PUBLIC HEARINGS:**

**Special Permit Public Hearing**

**Jason Stanley – 47 Cold Spring Road**

The Chairman opened the public hearing at 7:15 p.m. and waived the reading of the hearing notice given that no one in the audience had an interest in the matter. A comment letter from the Conservation Agent (dated June 10, 2015) was entered into the record by Mr. Liberis.

Mr. Stanley was present and discussed his garage addition plans, noting that the final plans have not been designed but his draft drawings indicate a need to encroach to within 12' of the side lot line. He added that he will be replacing his septic system as well and therefore, alternative locations for the proposed construction are limited.

The Chairman opened the hearing to the audience. No one spoke in favor or against the proposal. On a motion by Mr. Love, seconded by Mr. Liberis, the public hearing was closed.

**Special Permit Public Hearing**

**Greg Pellegrino – 20 Whitney Street**

The Chairman opened the public hearing at 7:25 p.m. and Mr. Liberis read the hearing notice. A comment letter from the Conservation Agent (dated June 10, 2015) was entered into the record by Mr. Liberis.

Mr. Pellegrino was present to discuss his plans for expansion into space at 20 Whitney Street. He indicated that he is presently operating at 86 Washington Street. He clarified the operation and proposed uses, included outdoor storage.

The Chairman opened the hearing to the audience. No one spoke in favor or against the proposal. On a motion by Mr. Love, seconded by Mr. Liberis, the public hearing was closed.

**Special Permit Public Hearing**

**Classic Motors, LLC dba Green Monster Motor Cars – 86**

The Chairman opened the public hearing at 7:35 p.m. Mr. Liberis read the hearing notice. A comment letter from the Conservation Agent (dated June 10, 2015) was entered into the record.

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Present with the petitioner was Att. Peter Barbieri. They explained the nature of the business, sale of collectible cars (1950s to 1980s) with a limited amount of detailing and repair. The association plan was reviewed with regard to assigned parking and access. After some discussion of proposed uses, Atty. Barbieri asked to amend the application to include a request for a Special Permit under use #27c for outdoor retail sales rather than a commercial parking lot.

The Chairman opened the hearing to the audience. No one spoke in favor or against the proposal. On a motion by Mr. Love, seconded by Mr. Liberis, the public hearing was closed.

**Special Permit Public Hearing  
Peter and Alice Feldman – 28 Sweet Grass Lane**

The Chairman opened the public hearing at 7:45 p.m. Mr. Liberis read the hearing notice.

Mr. Feldman was present to discuss his proposal to construct a 2-car garage and master suite. He indicated that his final design would be tailored to the results of his pending survey. He indicated that he would like to request relief for construction to within 10' of the side lot line and that the entire dwelling would be sided to be consistent.

The Chairman opened the hearing to the audience. No one spoke in favor or against the proposal. On a motion by Mr. Liberis, seconded by Mr. Bush, the public hearing was closed.

**Continued Use Variance Public Hearing  
BWC Charles River, LLC – 397 Hollis Street**

The Chairman re-opened the public hearing at 8:00 p.m. and explained the format of the hearing. He asked that everyone direct their questions through him after the applicant's presentation. Comment letters from Thomas Gilbert of 105 Bullard Street (dated April 13, 2015 and June 17, 2015), Donald and Virginia Bates of 124 Bullard Street (dated June 4, 2015), Dr. Sandra George O'Neil of 110 Bullard Street (dated June 8, 2015), Heather Deluca of 7 Pinecrest Street (dated June 16, 2015) and Planning Board (dated June 11, 2015) were entered into the record.

Present for the petitioner were Anne Reitmayer, Esq. and Aiden Foley of Blue Wave and Rob Truax of GLM Engineering Consultants, Inc. The three provided an overview of the conceptual plan for the site, noting the southern exposure and the current wooded state of the farm property. A second layout entitled "Revised Photovoltaic System Ortho. View P-1" dated June 17<sup>th</sup> was shown depicting a smaller 1.45 MW AC system with additional eastern screening to abutters.

Hardship issues were outlined, including the position that the farm is underutilized and this income source will help preserve it into the future. Consistency with the neighborhood, tax benefits (Approximately \$12,000 - \$17,000 per megawatt) and creation of temporary jobs were also discussed.

The Chairman opened the floor to audience questions. Asking questions with regard to scale, revenue, substantial hardship standards, shading analysis, tree clearing, interconnection to utility

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company lines, power purchase programs, net metering, construction impacts, construction entrance, stormwater management, and useful project life were the following individuals: Ellen George of 62 Persis Place, Erin Porter of 80 Mellen Street, Bob Hamm of 74 Mellen Street, Don Bates of 124 Bullard Street, Howard Hager of 425 Winter Street, Tom Gilbert of 105 Bullard Street, Liz Tyler-Bourque of Norland Street, Leslie Kauffman of 696 Highland Street, Hannah Tabbara of 757 Highland Street, and Atty. Peter Barbieri for Fran and Lisa Colantonio of 110 Mellen Street.

After some discussion, Mr. Peabody asked for an alternatives analysis with additional detail on proposal impacts. Mr. Foley indicated that he would work with his team and staff to clarify and provided additional information in a timely manner.

On a motion by Mr. Love, seconded by Mr. Liberis, the public hearing was continued to August 19<sup>th</sup> at 7:45 p.m. pending receipt of an extension to act request to September 21<sup>st</sup>.

**Continued Administrative Appeal Public Hearing  
Holliston Residential Realty, LLC – 94 Brook Street**

The Chairman re-opened the public hearing at 9:40 p.m. Letters from Mark Bobrowski, Special Town Counsel (dated June 8, 2015) and Jeffrey L. Roelofs, P.C. (dated June 17, 2015) were read and entered into the record.

Atty. Roelofs provided an overview of his handout, noting the legislative history research provided by staff. He focused his comments on 1. By-Law Section IV-A(14) as a policy provision, 2. Impacts of lot adjustments, indicating that he has represented that the lot was changed from the onset and that the effect of the change is to change nothing in terms of the lot's characteristics (i.e. de minimus), and 3. Similarities to a Land Court case involving a land swap (Morse v. Jacob, Not Reported in N.E. 2<sup>nd</sup>) found at Tab 7.

Atty. Bobrowski disagreed, referencing the recorded plans, noting that subsequent plans had consequences because of the proposition of infectious invalidity and that a 3% change in lot area is not de minimus. The definition of Lot was read into the record and the language of Section IV-A(14) was reviewed in detail.

On a motion by Mr. Peabody, seconded by Mr. Love, the public hearing was closed.

**Dimensional Variance Continued Public Hearing  
Holliston Residential Realty, LLC – 94 Brook Street**

The Chairman re-opened the public hearing at 10:40 p.m. Atty. Roelofs referred to his correspondence of January 26<sup>th</sup> detailing hardships with regard to insufficient lot area and depth as well as the proposed 3-bedroom single-family dwelling plan at Tab 4. He also noted that the Massachusetts Department of Environmental Protection had issued a superceding Order of Conditions for the proposal.

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The Chairman opened the hearing to the audience. No one spoke in favor or against the proposal. On a motion by Mr. Love, seconded by Mr. Peabody, the public hearing was closed.

**Adjournment:** The meeting adjourned at 11:05 p.m. on a motion made and duly seconded with all in favor. The next meeting was scheduled for June 24<sup>th</sup> at 7:30 p.m. for deliberations. Additionally, July 15<sup>th</sup> and August 19<sup>th</sup> were scheduled.

Respectfully submitted,

Karen Sherman  
Town Planner