

**Holliston Zoning Board of Appeals  
Meeting Minutes of July 15, 2015**

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

**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. Love, seconded by Mr. Liberis, the members approved the minutes of June 17, 2015 and June 25, 2015 as amended through discussion.

**I. PUBLIC HEARINGS:**

**Special Permit Public Hearing**

**Brett Strasnick – 53 Robert Road**

The Chairman opened the public hearing at 7:10 p.m. The Chairman waived the reading of the public hearing notice as no one was in the audience with an interest in the petition. Mr. Strasnick was present to discuss his application and the relief sought in the front and side yard setbacks. He described the proposed screen porch on the east side of the existing dwelling (13ø x 15ø maximum) and the proposed reconstruction of a 4ø x 7ø front porch with stairs.

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

**Special Permit Public Hearing**

**Stephen Rogers – 56 Paul Road**

The Chairman opened the public hearing at 7:20 p.m. The Chairman waived the reading of the public hearing notice as no one was in the audience with an interest in the petition. A comment letter from the Conservation Agent (dated July 8, 2015) was entered into the record.

Mr. Rogers was present along with Ed Clinton, AIA of Clinton Designs to discuss his petition to reconstruct an existing garage into a 1-bedroom handicapped accessible dwelling unit to be located within 14ø of the side lot line. The proposed addition is 22øö x 40ø2ö with a 7ø porch off the rear per design plans and elevations prepared by Mr. Clinton (undated).

Discussion followed on the size of the proposed unit and whether it constituted a dwelling unit. The Board reviewed the use table (Section III-A) and the accessory family dwelling unit provisions (Section V-G(A)) and concluded that additional relief would likely be required. Members encouraged the applicant to consult with the Inspector of Buildings.

The Chairman opened the hearing to the audience. No one was present to speak in favor or against the petition. On a motion by Mr. Love, seconded by Mr. Liberis, the public hearing was continued to August 19<sup>th</sup> at 7:10 p.m.

**Holliston Zoning Board of Appeals  
Meeting Minutes of July 15, 2015**

**Special Permit Public Hearing**

**Darryl A. Abbey – 351 High Street**

The Chairman opened the public hearing at 8:10 p.m. The Chairman waived the reading of the public hearing notice as no one was in the audience with an interest in the petition. A comment letter from the Conservation Agent (dated July 8, 2015) was entered into the record. Darryl and Gail Abbey were present to discuss their application. Mr. Abbey described the proposed 8ø x 20ø master bedroom addition on slab to be located on the northeast corner of the existing cape-style dwelling to be located within 14ø of the side lot line.

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

**Special Permit Public Hearing**

**Dan Brogan/Theresa DeMasi – 86 Oak Street**

The Chairman opened the public hearing at 8:20 p.m. The Chairman waived the reading of the public hearing notice as no one was in the audience with an interest in the petition. Ms. DeMasi was present to discuss her petition for a small covered porch in the side yard, encroaching 6ø into the required setback (south side). She described it as being consistent with a recently constructed farmerø porch on the front of the dwelling.

The Chairman opened the hearing to the audience. Bruce Wilkison of 146 Oak Street asked for clarification of whether this work had already been completed. Ms. DeMasi confirmed that it had been completed without a building permit. She will seek a permit upon issuance of this Special Permit. On a motion by Mr. Liberis, seconded by Mr. Love, the public hearing was closed.

**Special Permit Public Hearing**

**Richard and Amanda Brown – 657 Concord Street**

The Chairman opened the public hearing at 8:30 p.m. The Chairman waived the reading of the public hearing notice as no one was in the audience with an interest in the petition. A comment letter from the Conservation Agent (dated July 8, 2015) was entered into the record.

The Brownø were present to discuss their petition to demolish the existing dwelling and replace it with a 2-story colonial dwelling as detailed on the plans provided. Setbacks will not encroach any further than the existing conditions. It was noted that the northern side yard setback is currently 20ø at the closest point.

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

**Holliston Zoning Board of Appeals  
Meeting Minutes of July 15, 2015**

**II. DELIBERATIONS:**

**Special Permit – 53 Robert Road**

**Findings of Fact**

The Board reviewed the application materials and testimony provided by the Petitioner. In accordance with the provisions of Section I-C and VI-E(5), the Board finds the following:

1. The proposed additions do not increase the non-conforming nature of the structure,
2. There is no material change in the exterior appearance of the existing single family dwelling except according to the terms of this Special Permit, and
3. The addition will not be substantially more detrimental to the neighborhood than the existing non-conforming structure and lot.

**Zoning Board Vote**

The Board's vote to approve the Petitioner's Special Permit application for relief under Section I-C(3)(b), for construction of a screened-in porch on the east side of the house and a front porch to be located in the minimum side and front yard setback for property described and located at 53 Robert Road was as follows on a motion by Mr. Liberis, seconded by Mr. Love:

Chairman Dellicker	Aye
Mr. Love	Aye
Mr. Liberis	Aye
Mr. Bush	Aye

**Conditions of Approval**

1. This Special Permit 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. Proposed construction shall encroach no further than 10' into the required front yard setback or within 30' of the front lot line and shall encroach no further than 8' into the required side yard setback or within 22' of the side lot line.
3. Elevations and construction materials shall be consistent with the existing dwelling.

**Special Permit – 351 High Street**

**Findings of Fact**

The Board reviewed the application materials and testimony provided by the Petitioner as well as comment letter from the Conservation Agent (dated July 8, 2015). In accordance with the provisions of Section I-C and VI-E(5), the Board finds the following:

1. The proposed addition does not increase the non-conforming nature of the altered structure,
2. There is no material change in the exterior appearance of the existing single family dwelling except according to the terms of this Special Permit, and
3. The addition will not be substantially more detrimental to the neighborhood than the existing non-conforming structure and lot.

## **Holliston Zoning Board of Appeals Meeting Minutes of July 15, 2015**

### **Zoning Board Vote**

The Board's vote to approve the Petitioner's Special Permit application for relief under Section I-C(3)(b), for construction of a 8x20 addition to left rear corner of residence in the minimum side yard setback for property described and located at 351 High Street was as follows on a motion by Mr. Liberis, seconded by Mr. Peabody:

Chairman Dellicker	Aye
Mr. Love	Aye
Mr. Liberis	Aye
Mr. Bush	Aye

### **Conditions of Approval**

1. This Special Permit 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. Proposed construction shall encroach no further than 16' into the required side yard setback or within 14' of the northwest side lot line.
3. Elevations and construction materials shall be consistent with the existing dwelling.
4. The project is subject to any conditions imposed by the Conservation Commission in a Determination of Applicability.

### **Special Permit – 86 Oak Street**

#### **Findings of Fact**

The Board reviewed the application materials and testimony provided by the Petitioner.

In accordance with the provisions of Section I-C and VI-E(5), the Board finds the following:

1. The proposed addition does not increase the non-conforming nature of the altered structure,
2. There is no material change in the exterior appearance of the existing single family dwelling except according to the terms of this Special Permit, and
3. The addition will not be substantially more detrimental to the neighborhood than the existing non-conforming structure and lot.

### **Zoning Board Vote**

The Board's vote to approve the Petitioner's Special Permit application for relief under Section I-C(3), for construction of a covered landing/stairs in the minimum side yard setback for property described and located at 86 Oak Street was as follows on a motion by Mr. Liberis, seconded by Mr. Peabody:

Chairman Dellicker	Aye
Mr. Love	Aye
Mr. Liberis	Aye
Mr. Bush	Aye

**Holliston Zoning Board of Appeals  
Meeting Minutes of July 15, 2015**

**Conditions of Approval**

1. This Special Permit 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. Proposed construction shall encroach no further than 6ø into the required side yard setback or within 14ø of the south side lot line.
3. Elevations and construction materials shall be substantially consistent with the existing dwelling.

**Special Permit – 657 Concord Street**

**Findings of Fact**

The Board reviewed the application materials and testimony provided by the Petitioner as well as comment letter from the Conservation Agent (dated July 8, 2015). In accordance with the provisions of Section I-C and VI-E(5), the Board finds the following: 1. The proposed addition does not increase the non-conforming nature of the altered structure, 2. There is no material change in the exterior appearance of the existing single family dwelling except according to the terms of this Special Permit, and 3. The addition will not be substantially more detrimental to the neighborhood than the existing non-conforming structure and lot.

**Zoning Board Vote**

The Boardø vote to approve the Petitionerø Special Permit application for relief under Section I-C(3)(a), for demolition and reconstruction of a new single family dwelling for property described and located at 657 Concord Street was as follows on a motion by Mr. Liberis, seconded by Mr. Peabody:

Chairman Dellicker	Aye
Mr. Love	Aye
Mr. Liberis	Aye
Mr. Bush	Aye

**Conditions of Approval**

1. This Special Permit 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. Proposed construction shall encroach no further than 15ø into the required side yard setback or within 15ø of the northern side lot line.
3. Elevations and construction materials shall substantially comply with the plans of record prepared by FRE Building Co., Inc. dated July 2011 showing 2,030 s.f. of finished living area in two floors.
4. The project is subject to any additional conditions imposed by the Conservation Commission per their review of Special Condition #15 of the Order of Conditions (DEP File #185-69).

**Holliston Zoning Board of Appeals  
Meeting Minutes of July 15, 2015**

**Adjournment:** The meeting adjourned at 9:20 p.m. on a motion made and duly seconded with all in favor. The next meeting was scheduled for August 19, 2015.

Respectfully submitted,

Karen Sherman  
Town Planner