

Holliston Zoning Board of Appeals Meeting Minutes of June 21, 2017

Present: Chairman Henry Dellicker, Vice Chairman John Love, Brian Liberis, Associate Members Mark Bush and Jay Peabody (arrived at 7:20 p.m.). Also present was Atty. Paul Haverty of Blatman, Bobrowski and Haverty and Wayne Perry, PE from Stantec.

Call to Order: The Chairman called the meeting to order at 7:00 p.m. in the Selectmen's Meeting Room (#105), Town Hall.

Approval of Minutes: On a motion by Mr. Love, seconded by Mr. Bush with all in favor, the members approved the minutes of May 31, 2017 as drafted.

I. PUBLIC HEARING:

Continued Comprehensive Permit Public Hearing

Peter Conant, Own A Home MA – 245 Washington Street

The Chairman opened the continued public hearing at 7:02 p.m. A comment letter from BOH Agent Scott Moles (dated June 14, 2017) was also entered into the record. Discussion of the Applicant's requested waivers was the first item discussed.

Waiver Requests

Note: For each item, the waiver request contains the local regulation, requirement and proposed conditions.

1. Article XXX, Wetlands Protection By-Law. Atty. Haverty noted that any additional required waivers should be identified and weighed by the peer review engineer as well as Conservation Commission.
2. Board of Health Regulations. Mr. Moles's correspondence addressed the proposed waiver regarding the septic tank. Mr. Conant indicated that proposed condominium documents will be provided to the Board in the short-term. It was clarified that the system has several pumps and a generator. Some discussion of the need for the #245 system failure to be addressed followed.
3. ZBA Filing Fee. Atty. Haverty explained that a fee waiver for the affordable units was \$400. Mr. Conant agreed to pay the difference with hopes that favorable action could result in the refund of monies.
4. Zoning By-Laws - Prohibited Uses Section I-D(3). Group septic for other than single family detached dwellings.
5. Zoning By-Laws, Section V-B(C)(1) Signs. Temporary unlighted signs not over 18 s.f. The Chairman asked Ms. Sherman to pursue an interpretation of this from the Building Inspector. Temporary signage during construction and marketing was discussed. Mr. Conant indicated that no permanent sign would be employed.
6. Zoning Section IV-B. Mr. Love asked for clarification of the side yard setback lines. What is indicated on the written request is the worst case scenario. Units 12, 13, and 14 also require waivers.

It was clarified that no waivers are being requested from Water Department Regulations, including fee waivers.

Approved: July 19, 2017

Holliston Zoning Board of Appeals Meeting Minutes of June 21, 2017

Engineering Peer Review

Mr. Perry asked how the Board wanted to proceed with identified issues. Mr. Peabody expressed a preference for an initial written report so that the Applicant's responsiveness can be tracked and folded into a draft decision. The following major issues identified by Mr. Perry were discussed:

1. Details of septic design ó zones, pressure distribution to the fields, etc. Dan Carr of Stamski and McNary indicated that materials have not been submitted to the Board of Health as of yet but can be shared easily.
2. Stormwater ó No system design calculations or DEP Stormwater Policy checklist. Again, Mr. Carr indicated that calculations are in process and can be shared easily.
3. Common driveway construction and legal issues (including access to 245 Washington by easement).
4. Traffic study and mitigation. Mr. Conant provided some anecdotal information on traffic counts and the impact of the signals at Woodland and Washington and Concord and Washington in creating gaps. A detailed, conventional traffic study by a traffic engineering firm was recommended.

Atty. Haverty provided instruction on the level of engineering review, noting that certain items will be conditional, requiring detailed review in the future. He suggested that any additional information should be requested in writing. Mr. Conant suggested that Mr. Perry be provided with a copy of the Chapter 40B Handbook issued in March by Mass. Housing Partnership. Mr. Perry indicated that he could issue an initial letter within a week's time. Mr. Paul indicated that he, in turn, could respond within a week's time.

Mr. Conant provided an overview of the site visit of June 12th. He provided a series of photos of the site from the proposed driveway location and at home locations along the proposed driveway. He noted that existing vegetation provides a significant buffer that will remain untouched because of the wetlands. He added that noise regulations would be added to the condo documents given concerns expressed by neighbors. He also indicated that he would also speak to Mr. Tomesetti about control of noise from 245 Washington.

The Chairman opened the hearing to the audience for questions. The following individuals spoke:

Bill Doonan of 4 Quail Run expressed concerns about use and intensity of use of 245 Washington and intensity of use. He also noted that traffic impacts should not be minimized.

Sharon Stahl of 25 High Street noted that there is significant gypsy moth damage and most trees are deciduous. Mr. Conant suggested that he is willing to discuss additional screening needed as identified by abutters. She asked about the open space disposition (area beyond the individual unit's exclusive use areas). Mr. Conant noted that the land will be in common ownership by the homeowner's association. No trails are proposed. Additional wetland permitting would be required to cross the wetland with a structure. A deed restriction will be proposed. The Chairman suggested that a portion of Silver Lane could potentially be abandoned by the Town to limit public access. Atty. Haverty added that a condition could require limit alteration and development through a deed restriction (30 year limit) or a conservation restriction. Mike Marien

Approved: July 19, 2017

**Holliston Zoning Board of Appeals
Meeting Minutes of June 21, 2017**

of 43 Copper Lane asked about the Conservation Commission's opinion on the open space. Mrs. Stahl also suggested that pathways to schools be addressed as well as potential school bus access and impacts.

Mike Marien of 43 Copper Lane asked about adjustments to traffic counts for seasonality.

Mr. Peabody suggested setting goals for the next meeting. Both engineers agreed to have information available to the Board. Mr. Conant agreed to submit draft condo documents for review. Members were polled about a Traffic Impact Assessment. Atty. Haverty suggested a scope following the Planning Board requirements described in Section 4.3.3 of the Subdivision Rules and Regulations. All were in agreement.

On a motion by Mr. Peabody, seconded by Mr. Bush, the public hearing was continued until July 19, 2017 at 7:00 p.m.

Adjournment: The meeting adjourned at 8:25 p.m. on a motion made and duly seconded with all in favor.

Respectfully submitted,

Karen Sherman, Town Planner

Approved: July 19, 2017