

## **Holliston Zoning Board of Appeals Meeting Minutes of May 31, 2017**

**Present:** Chairman Henry Dellicker, Vice Chairman John Love, Brian Liberis, and Associate Members Mark Bush and Jay Peabody. Also present was Atty. Paul Haverty of Blatman, Bobrowski and Haverty.

**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. Dellicker with all in favor, the members approved the minutes of April 26 and May 3, 2017 as drafted (Messrs. Bush and Liberis abstained from 4/26 as they were not present. Mr. Peabody abstained from 5/3 as he was not present.).

### **I. PUBLIC HEARING:**

#### **Comprehensive Permit Public Hearing**

##### **Peter Conant, Own A Home MA – 245 Washington Street**

The Chairman re-opened the public hearing at 7:00 p.m. and explained the hearing process to the audience. Noted was a letter from the Commonwealth of Massachusetts, Board of Registration of Architects regarding the reinstatement of the Applicant's license, which stated it was reviewed and conditionally approved (dated May 18, 2017).

Peter Conant was present along with Ona Jonaityte of Own A Home MA, Scott Heavner (construction manager), and Daniel Carr, PE of Stamski and McNary, Inc. of Acton, MA. Mr. Conant provided a PowerPoint presentation (attached) detailing the proposed project plans and a series of locus photos and architectural renderings. He reviewed a statement of variances/waivers of local by-law and requirements, including but not limited to the following: title V and wetlands protection act versus local regulations, water department regulations, and planning board regulations. Later in the discussion, Atty. Haverty noted that the waiver list needs additional detail and suggested a request for additional information (e.g. roadway construction standards).

Mr. Love asked for a clarification of the stormwater waivers. Mr. Carr indicated that there is a reduction in the volume leaving the site post-development. Atty. Haverty noted that rate and volume neutrality are the local standard. Mr. Love also asked for an overview of the proposed drainage system. Mr. Carr noted location of catch basins and piping as well as use of the proprietary infiltration systems (both above- and below-ground). The Chairman asked about the location of the proposed infiltration basin in relation to the site driveway and sidewalk. Some additional details about the communal septic system were provided, including maintenance requirements. Mr. Love asked for clarification of the Water Dept. construction standards. Mr. Conant agreed to research the issue and provide additional feedback.

Issues on the adjacent lot noted include the failed septic system and shared driveway on Washington Street on the western portion of the site (The existing driveway will be relocated.).

He noted that he had met with the Economic Development Committee at their May meeting and received endorsement of the project (as long as concerns of other boards and town agencies are met).

## **Holliston Zoning Board of Appeals Meeting Minutes of May 31, 2017**

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

Phil Stahl at 25 High Street asked for clarification of the existing culvert on Washington Street and the stream location. Mr. Conant noted that it is approximately 70ø from the site drive and has been certified by the Conservation Commission as a perennial stream. The stream goes up and around the developable portion of the site and joins additional wetlands at the rear of the site.

Julie Krass of 85 High Street mentioned the existence of vernal pools in the rear of the site. She reiterated Mr. Bailow's request for a compilation plan and asked about the State's SHI compilation for the community, especially with regard to group homes.

Sharon Stahl of 25 High Street asked for clarification of the building area of the site. Mr. Conant clarified that the entire site is 12.99 acres and the limits of work/developable area is approximately 4 acres. The Chairman asked about protection of the open space. Mr. Conant suggested that the issue is open but will likely be controlled by the homeowner's association. She also asked about Homeowner's Association fees. Mr. Conant estimated that the fee would likely be a minimum of \$150/month. Atty. Haverty indicated that the condo fee is factored into the sales package and can either be discounted or equitable (therefore the sales price would reduce the purchase price). Mrs. Stahl also expressed concern for internal traffic congestion and a fair number of children. Mr. Conant clarified that each home has room for three vehicles with 9 visitor spaces on the roadway loop.

Mike Marien of 43 Copper Lane asked about common services such as trash. It was clarified that there would be no common dumpster or collection area. The Chairman clarified that no public trash pick-up would service the site. He also asked about the proposed septic design and Mr. Carr gave an overview of the trenching and distribution system design. Mr. Marien and Mr. Bailow also reminded that members that Mr. Conant remains unlicensed and questioned his ethics. After some discussion of issues involving the Board of Registration of Architects, Atty. Haverty advised that it is not an issue under the ZBA jurisdiction. Mr. Marien also asked about the potential for lot line delineation and screening.

Chris Bailow of 35 High Street asked for a compilation plan, showing the entire lot and all site features (natural and proposed) in relation to all the abutting lots. Mr. Conant agreed to provide the plan.

Marilyn Cooper of 50 Silver Lane asked for clarification of the nearest abutter. Mr. Conant noted that the proposed structures are 100ø to the property line.

Joe Bardellini of 95 High Street asked for clarification of distances to abutting structures and asked about the proposed density. He characterized the proposal as aggressive and uncharacteristic of the area. Atty. Haverty noted that the density is a key factor in determining the economic viability of the project.

**Holliston Zoning Board of Appeals  
Meeting Minutes of May 31, 2017**

Bill Doonan of 4 Quail Run asked about taxation of the individual units. Atty. Haverty noted that each unit will be assessed individually and the common land ðlotö would be assessed collectively.

The Chairman clarified the informational requests resulting from this evening's discussion: 1. Compilation plan and 2. Supplemental waiver requests. Mr. Love also suggested scheduling a site visit. Mr. Doonan asked if the public would be invited. Mr. Conant indicated that the property owner has no objection to having people visit the site. Mr. Bush asked if any of the site features were staked in the field. Mr. Conant agreed to provide staking of limit of work and the roadway location.

On a motion by Mr. Love, seconded by Mr. Bush, the public hearing was continued until June 21, 2017 at 7:00 p.m. A site visit was scheduled for June 12<sup>th</sup> at 8:00 a.m. Atty. Haverty advised the board members on conduct during the visit, noting there should be no questions and answers during the visit but rather, information should be directional only (physical characteristics of the site like ledge).

**FY17 Budget**

Mr. Liberis made a motion to request a proposal for by-law amendments with funds from Professional Development and Professional services line items. Mr. Bush seconded with all in favor.

**Adjournment:** The meeting adjourned at 8:50 p.m. on a motion made and duly seconded with all in favor.

Respectfully submitted,

Karen Sherman  
Town Planner