

**Holliston Zoning Board of Appeals
Meeting Minutes of March 15, 2017**

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

Call to Order: The Chairman called the meeting to order at 7:05 p.m. in Room 014 of the Town Hall.

Approval of Minutes: On a motion by Mr. Bush, seconded by Mr. Peabody with all in favor, the members approved the minutes of January 18, 2017 as drafted (Mr. Dellicker and Bush abstained as they were not present).

0 Rockland Street – House Plans:

The Vice Chairman reviewed the condition of approval within the recent Dimensional Variance requiring Board approval of building plans. Elevations and floor plans prepared for Grandis Homes of 135 Village Street were reviewed. The proposed dwelling is 64ø x 28ø met with the Board's approval. Mr. Love made a motion to transmit approval to the Inspector of Buildings. Mr. Peabody seconded with the vote 4 ó 0 ó 1 (Mr. Dellicker abstained as he was not present.)

I. PUBLIC HEARINGS:

Special Permit Public Hearing

Darren Fell – 566 Concord Street

The Chairman opened the public hearing at 7:13 p.m. and Mr. Liberis read the hearing notice into the record. A comment letter from the Board of Health (dated February 21, 2017) was entered into the record.

Plans prepared by Architectural Design Group of Framingham entitled "Proposed Garage Addition" (dated 9/26/16) showing proposed elevations and room layout were presented by the applicant as was a revised plot plan prepared by GLM Engineering Consultants denoting the recent septic improvements. Clarification of the side yard setback relief was requested given the roof details on the building plans (an additional 1ø).

No one was present in the audience to speak for or against the application. On a motion by Mr. Bush, seconded by Mr. Peabody, the public hearing was closed.

Dimensional Variance Public Hearing

Philip and Sharon Stahl – 25 High Street

The Chairman opened the public hearing at 7:22 p.m. and waived reading the hearing notice as only the applicants were present. Chris Bailow, AIA was present to represent the applicants. The applicants currently share a driveway with their neighbors at #31 and the couple would like to rebuild the porch in order to improve access to the structure. Placement is limited to the front where an existing porch will be removed and replaced with a 12ø x 21ø seasonal porch. Mr. Bailow clarified that an additional 2ø would clarify the issue of the overhang and gutter not accounted for in the initial request. He provided a detailed locus map of the area showing the density of the neighborhood, noting that many structures in the immediate area are also historic.

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Comment letters from abutters Kim and John Sullivan of 31 High Street and Annie Loerke of 19 High Street in favor of the proposed porch (dated January 23, 2017 and February 26, 2017 respectively) were entered into the record.

No one was present in the audience to speak for or against the application. On a motion by Mr. Love, seconded by Mr. Liberis, the public hearing was closed.

II. DELIBERATIONS:

Special Permit – 566 Concord Street

Findings of Fact

The Board reviewed the application materials and testimony provided by the Petitioner as well as a comment letter from the Board of Health (dated February 21, 2017). In accordance with the provisions of Section I-C(3.3.1) and VI-E(2a and 5), the Board finds the following: The proposed attached 2-story garage addition will not be more substantially detrimental than the existing non-conforming structure to the neighborhood.

Zoning Board Vote

The Board's vote to approve the Petitioner's Special Permit application for relief under Section I-C for property described and located at 566 Concord Street was as follows on a motion by Mr. Love, seconded by Mr. Liberis:

Mr. Dellicker	Aye
Mr. Love	Aye
Mr. Peabody	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 and shall lapse in two (2) years unless exercised per MGL, c. 40A, s. 10. The copy of the decision to be filed must contain a certification by the Town Clerk that twenty (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. The proposed attached garage construction shall be no closer than 19' to the northern side lot line.
3. The porch shall be constructed in substantial compliance with the plans prepared by Architectural Design Group of Framingham entitled "Proposed Garage Addition" (dated 9/26/16) and shall be consistent with the existing dwelling with regard to siding, windows and other architectural features.

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Dimensional Variance – 25 High Street

Findings of Fact

The Board reviewed the application materials and testimony provided by the Petitioner as well as comment letters from Kim and John Sullivan of 31 High Street and Annie Loerke of 19 High Street (dated January 23, 2017 and February 26, 2017). In accordance with the provisions of Section I-C(3.2), the Board finds the following: Literal enforcement of the provisions of this by-law would involve substantial hardship to the Petitioner. The lot's small area (11,323 s.f.), house placement on the narrow lot, and limited access to the structure via a shared driveway create unique and substantial physical hardship. Desired relief may be granted without substantial detriment to the public good, and without nullifying or substantially derogating from the intent or purpose of the by-law.

Zoning Board Vote

The Board's vote to approve the Petitioner's Dimensional Variance application for relief under Section I-C for property described and located at 25 High Street was as follows on a motion by Mr. Peabody, seconded by Mr. Liberis:

Mr. Dellicker	Aye
Mr. Love	Aye
Mr. Peabody	Aye
Mr. Liberis	Aye
Mr. Bush	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 and shall lapse in one (1) year unless exercised per MGL, c. 40A, s. 10. The copy of the decision to be filed must contain a certification by the Town Clerk that twenty (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. Construction shall encroach no closer than 23.5' to the street.
3. Proposed porch construction shall be substantially in compliance with plans entitled "Stahl Residence" prepared by Bailow Architects (dated 6/15/16) and shall be consistent with the existing dwelling with regard to siding, windows and other architectural features.

Adjournment: The meeting adjourned at 8:00 p.m. on a motion made and duly seconded with all in favor. The next meeting was scheduled for April 26, 2017.

Respectfully submitted,

Karen Sherman
Town Planner