

**Holliston Zoning Board of Appeals
Meeting Minutes of August 16, 2017**

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

Call to Order: The Chairman called the meeting to order at 7:05 p.m. in the Selectmen's Meeting Room (#105) of Town Hall.

I. PUBLIC HEARING:

Dimensional Variance Public Hearing

Herb Chambers Holliston, LLC – 11 Bartzak Drive

The Chairman opened the public hearing at 7:05 p.m. and Mr. Liberis read the hearing notice into the record. Present for the applicant were Frank Marinelli, Esq., John Welsh, Director of Corporate Facilities at the Herb Chambers Companies, and Paul Beal of Regent Architects. Atty. Marinelli provided an overview of the proposed collision center and parts distribution facility, noting that the renovation of the 80,000 s.f. L-shaped building is underway with an overall investment of over \$8 million. The 7-acre parcel is uniquely located in the Industrial zoning district at the intersection of October Hill Road and Bartzak Drive. He described the unique location of the facility and hardship (financial, customer safety and convenience, lot size and shape and topography) as well as the proposed flow of the operation of the facility and its three businesses: collision center, wholesale parts distribution and Sprinter van service.

The proposed signage relief is for both freestanding and attached signage. The proposed freestanding entrance signage (8.75 s.f. each) is meant to direct customers. The proposed southwest façade sign is proposed to house the 164.9 s.f. brand identifier "Herb Chambers Collision Center" in 2.5" letters. The directional signage is detailed on page 2 and 3 of the narrative attached to the application. It was clarified that the signage is proposed to be illuminated only during business hours and the letters, not the background, will be illuminated.

No one was in the audience to speak for or against the proposal.

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

Special Permit Public Hearing

Steven Proia – 229 Lowland Street

On a motion by Mr. Liberis, seconded by Mr. Love with all in favor, the members chose to move this item up on the agenda. The Chairman opened the public hearing at 7:25 p.m. and Mr. Liberis read the hearing notice into the record. Steven Proia was present to discuss his petition to add sale of 10 used cars to his existing business - Authentic Auto Body & Collision, LLC. He noted that the previous business owner had such a license/permit at the site but the license was not transferable.

The Chairman asked about safe and clear access to the site because of the multi-tenant situation. Mr. Proia noted that there is a landscape company in the middle building that has exterior storage of equipment. The landlord has advised him to relocate some equipment in order to provide better access to the other tenants. Mr. Proia also noted that up to 6 cars can be parked inside the

Approved: September 20, 2017

**Holliston Zoning Board of Appeals
Meeting Minutes of August 16, 2017**

building. Some vehicles (õworks in progressö) are stored in a designated parking area on the site. The vehicles for sale will not be commingled and will be kept in the back corner of the lot, screened from Lowland Street.

Cherie and Pat Hafford of 242 Lowland Street asked about the two Special Permits and whether this permit would supercede the prior decision. It was clarified the the two permits would function at the time and have individual conditions. Mrs. Hafford expressed an interest in not allowing any vehicles to be parked on the grassy area at the entrance.

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

**Continued Comprehensive Permit Public Hearing
Peter Conant, Own A Home MA – 245 Washington Street**

The Chairman re-opened the public hearing at 7:42 p.m. Present were Peter Conant from Own a Home MA, Construction Manager Scott Heavner, and Dan Carr, EIT from Stamski and McNary, Inc. Also present was Atty. Paul Haverty of Blatman, Bobrowski and Haverty on behalf of the Board.

Comment letters received from DPW Director, Sean Reese (dated August 8, August 11, and August 15, 2017), Conservation Commission (dated August 9, 2017), Francisco Lovera, PE of McMahon Associates (dated July 25, 2017) and Wayne Perry of Stantec Consulting Services, Inc. (dated August 14, 2017) were entered into the record as was correspondence from Daniel Carr and George Dimakarakos of Stamski and McNary, Inc., Stormwater Operation and Maintenance Manual, and revised plans entitled õVillage on the Green Site Plan, Washington Street, Holliston, MAö dated March 31, 2017 (revised July 27 and August 10, 2017), prepared by Stamski and McNary, Inc. Also submitted was a Landscape Plan, prepared by Kim Ahern Landscape Architects, dated August 2, 2017 and a revised plant list (dated August 10, 2017).

Mr. Conant provided an update of the proposed project design and supplemental submittals since the last hearing session. Mr. Carr described the driveway intersection improvements proposed by McMahon Assoc., including the existing gravel driveway, stone wall relocation, and vegetation removal. Some discussion of proposed traffic markings followed.

Mike Marion of 43 Copper Lane expressed concerns for paving markings opening up false gaps in westbound information and influencing sight lines.

Bill Doonan of 4 Quail Run asked about the status of the traffic study and use of seasonal adjustments and prior data (2013, 2015, 2016 counts and DOT data from January 2017). Mr. Love noted that both McMahon Assoc. and Stantec stated that the seasonal volume adjustments are conservative. Mr. Doonan continued to express concern about the safety of the existing dwelling at 245 Washington Street.

Sharon Stahl of 25 High Street asked about the proposed construction period. Mr. Conant noted that the site work, underground utilities and roadway would occur first and would likely occur in

Approved: September 20, 2017

**Holliston Zoning Board of Appeals
Meeting Minutes of August 16, 2017**

a 4-6 month period. The actual work on Washington Street would only be for the utility connections.

Clarification of the Conservation Commission staff request for all native species on the landscape plan will occur prior to the next session. Atty. Haverty asked for clarity on the legal entity required for eligibility. Mr. Conant indicated that he would create an entity called Village on the Green, LLC. A draft decision was circulated and members were asked to review the contents. Atty. Haverty advised the members that deliberations may occur with the public hearing open. Comments will be distributed upon receipt prior to the next session.

On a motion by Mr. Love, seconded by Mr. Liberis, the public hearing was continued to September 20th at 7:30 p.m.

II. DELIBERATIONS:

Dimensional Variance – 11 Bartzak Drive

Findings of Fact

The Board reviewed the application materials and testimony provided by the Petitioner's Representatives. In accordance with the provisions of Section VI-D(3) of the Town of Holliston Zoning By-Laws and MGL c. 40A, the Board finds the following: Sufficient evidence of substantial hardship (financial and otherwise) has been demonstrated in the application and the relief requested may be granted without nullifying or substantially derogating from the intent and purpose of the by-law.

Zoning Board Vote

The Board's vote to approve the Petitioner's Dimensional Variance application for relief under Section V-B(C)(3) for property described and located at 11 Bartzak Drive was as follows on a motion by Mr. Liberis, seconded by Mr. Love:

Mr. Dellicker	Aye
Mr. Love	Aye
Mr. Liberis	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. Freestanding and attached signage in excess of that allowed under section V-B is approved in accordance with the record plan prepared by Regent Associates, Inc Architects Sheets A5.1 entitled "Exterior Elevations" and the application narrative. In addition, supplemental freestanding directional signage at the site drives and internally to the site are allowed to facilitate customer service.

Approved: September 20, 2017

**Holliston Zoning Board of Appeals
Meeting Minutes of August 16, 2017**

Special Permit – 229 Lowland Street

Findings of Fact

The Board reviewed the application materials and testimony provided by the Petitioner. In accordance with the provisions of Section, the Board finds the following: The proposed use in relation to the site and the adjacent uses, shall have no significant adverse effects to the neighborhood or the Town. Adequate and appropriate facilities shall be provided for the operation of the proposed use.

Zoning Board Vote

The Board's vote to approve the Petitioner's Special Permit application for relief under Sections III (D)(9) and VI-D for property described and located at 229 Lowland Street was as follows on a motion by Mr. Love, seconded by Mr. Liberis:

Mr. Dellicker	Aye
Mr. Love	Aye
Mr. Peabody	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. Cars for sale are limited to ten (10) vehicles to be displayed in the area designated in the application materials (i.e. closest to the Authentic Auto Body & Collision facility). These vehicles are not to be considered as unregistered or in conflict with limitations of the previous permit (See Special Permit dated December 14, 2016 filed at Book 68755, Page 495).
3. Hours of operation are limited to 7 a.m. to 7 p.m. Monday through Saturday. No deliveries or pick-ups shall occur off hours.
4. Because of the nature of the business and additional licensing required, this Special Permit is non-transferable.

Adjournment: The meeting adjourned at 9:00 p.m. on a motion made and duly seconded with all in favor.

Respectfully submitted,

Karen Sherman
Town Planner

Approved: September 20, 2017