

## **Holliston Zoning Board of Appeals Meeting Minutes of June 20, 2018**

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

**Call to Order:** The Chairman called the meeting to order at 7:00 p.m. in the Selectmen's Meeting Room (#105) of 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 April 25, 2018.

### **Dimensional Variance Public Hearing**

#### **Robert and Mary Graham – 81 Water Street**

The Chairman opened the public hearing at 7:10 p.m. and he waived the reading of the hearing notice into the record. Comment letters from the Conservation Agent (dated May 29, 2018 and June 6, 2018) and Joyce Hastings, PLS of GLM Engineering Consultants, Inc. (dated June 4, 2018) were entered into the record. Robert and Mary Graham were present to discuss their petition to replace a concrete landing with a wooden landing in the minimum front yard setback. They noted the historic character of the house in Mudville and the plan to replace the landing, including addition of a railing. The decking is proposed to be wooden, covering the existing cement. The step height will meet code and railing will be similar to the house directly across the street. A revised plot plan prepared by GLM Engineering Consultants, Inc. (dated June 13, 2018) was submitted for the record. It was noted that the house next door (#85 Water) is closer to the street than this one. Members discussed additional relief to within 10 feet of the street line.

The Chairman opened the hearing to the audience. No one was present to ask questions regarding the petition.

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

## **II. DELIBERATIONS:**

### **Dimensional Variance – 81 Water Street**

#### **Findings of Fact**

The Board reviewed the application materials and testimony provided by the Petitioners. In accordance with the provisions of Section I-C (3.2) of the Town of Holliston Zoning By-Laws and MGL c. 40A, the Board finds the following: Literal enforcement of the provisions of this by-law would involve substantial hardship to the petitioners owing to circumstances relating to topography of the structure, notably the placement of the historic house on the non-conforming lot within the Agricultural-Residential B zoning district. The unique circumstances presented do not generally affect the zoning district or neighborhood in which it is located. The 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 Holliston Zoning By-Law.

Approved: July 18, 2018

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**Zoning Board Vote**

The Board's vote to approve the Petitioner's Dimensional Variance application for relief under Section I-C (3.2), Pre-Existing, Non-Conforming Uses, Structures and Lots for property described and located at 81 Water Street was as follows on a motion by Mr. Love, seconded by Mr. Bush:

Mr. Dellicker	Aye
Mr. Love	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. The construction shall substantially comply with the sketches and plot plan presented and the structure shall be no closer than 10 feet to the southeast front line.
3. The materials and style of construction shall be consistent with the existing construction.

**Adjournment:** The next meeting was set for July 18, 2018. The meeting adjourned at 7:40 p.m. on a motion made and duly seconded with all in favor.

Respectfully submitted,

Karen Sherman  
Town Planner

Approved: July 18, 2018