

Holliston Zoning Board of Appeals Meeting Minutes of September 23, 2020

Call to Order: The Chairman called the meeting to order at 7:05 p.m. via Zoom. He read the following statement into the record: Pursuant to the Governor's Order suspending certain provisions of the Open Meeting Law M.G.L. c. 30A paragraph 20, as well as the Select Board's Emergency Order dated March 16, 2020, the Zoning Board of Appeals will be using remote participation for this meeting. The audio of this meeting is being recorded and will be posted on the Town's webpage within 24 hours in accordance with the Governor's Emergency Action requirement of keeping the public informed of actions during this meeting. I would ask that all participants remotely attending this meeting please state your name for identification purposes each time you speak throughout the meeting. At this time, a roll call attendance vote will be taken:

Chairman John Love - Present
Jay Peabody - Present
Mark Bush- Present
Elizabeth Dembitzer, Associate – Present

Approval of Minutes:

On a motion by Mr. Bush, seconded by Ms. Dembitzer, the minutes of September 2, 2020 were approved as written on a roll call vote. Mr. Peabody abstained from the vote as he was not present at the session of September 2, 2020.

PUBLIC HEARINGS:

Continued Special Permit Public Hearing Gulf Services, Inc. - 799 Washington Street

The Chairman re-opened the public hearing at 7:00 p.m. and read correspondence from George Richards, Esq., asking for a continuance to the next ZBA meeting on behalf of the owner.

On a motion by Mr. Peabody, seconded by Mr. Bush, the public hearing was continued to October 28, 2020 at 7:00 p.m. on an unanimous roll call vote.

Continued Comprehensive Permit Public Hearing:

Geoffrey Park, Indian Ridge Realty Trust – 0 Indian Ridge Road South

The Chairman re-opened the public hearing at 7:15 p.m. Present for Indian Ridge Realty Trust were Dean Harrison, Robert Truax of GLM Engineering Consultants, Inc. and Corinne Tobias, PE of Green International Affiliates. Sitting with the Board was Atty. Paul Haverty and Fire Chief, Michael Cassidy.

Discussion centered around the following: 1. Follow-up correspondence dated September 16, 2020 from Green International Affiliates, Inc. in response to the previous session and peer review comments and 2. A written response to peer review comments from Robert Truax (dated September 16, 2020) along with revised plans "Site Plan Development Plan of Land, A 40B Comprehensive Permit Project "Geoffrey Park", Holliston, Massachusetts" (revised September 16, 2020). Ms. Tobias and Mr. Truax gave brief presentations of their submissions and it was noted that both peer review consults would be responding to the revisions. Ms. Tobias noted the COVID-19 adjustments made to traffic counts as well as proposed/recommended mitigation,

Approved: October 28, 2020

Holliston Zoning Board of Appeals Meeting Minutes of September 23, 2020

including sidewalk extension and advanced warning signs. Mr. Truax noted that the Conservation Commission had closed its public hearing based on the revisions made to the stream crossing, including the addition of a 4' bottomless culvert.

Correspondence was also received from Sean Reese, Water Dept. (dated September 23, 2020).

Asking questions during the open discussion were the following individuals: Tracey Cohen of 58 Indian Ridge Road South, Pam and John Poor of 50 Indian Ridge Road South, Cecile Freilich of 10 Indian Ridge Road and Judy Douglass of 42 Meetinghouse Lane (Ashland).

On a motion by Mr. Peabody, seconded by Mr. Bush, the public hearing was continued to October 28, 2020. The roll call vote in favor was as unanimous. Atty. Haverty and Ms. Sherman indicated that they would begin to assemble the framework of a decision. Mr. Harrison agreed to provide a more comprehensive waiver request list.

DELIBERATION:

175 Lowland Street – Herbert Brockert, Jr. (Special Permit)

Findings of Fact

The Board reviewed the application materials and testimony provided. In accordance with the provisions of Section III-G (3 & 6), Use Regulations and VI-E(5) Special Permit Granting Authority of the Town of Holliston Zoning By-Laws and MGL c. 40A, the Board finds the following: The continued use of the site as a multi-tenant contractor's yard does not significantly alter the character of this industrial park; the locus is compatible with existing uses and other uses allowed by-right in the district and is designed to be compatible with the character and the scale of neighboring properties. The Building Inspector indicated in his narrative of July 20, 2020 that the current use of the property is a non-conforming use that was not established legally. To the extent feasible, the site has been integrated into the existing terrain with significant mature screening.

Zoning Board Vote

The Board's vote to approve the Petitioner's Special Permit application for relief under Section III-G (3 & 6), for property described and located 175 Lowland Street was as follows on a motion by Mr. Peabody, seconded by Mr. Bush:

Mr. Love	Aye
Mr. Peabody	Aye
Mr. Bush	Aye
Ms. Dembitzer	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 three (3) years unless exercised per MGL, c. 40A, s. 9 and Section VI-E(6) of the Holliston Zoning By-Laws. The copy of the decision to be filed must contain a certification 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 an appeal has been filed, that it has been dismissed or denied.

Approved: October 28, 2020

**Holliston Zoning Board of Appeals
Meeting Minutes of September 23, 2020**

2. This permit is issued solely to the owner/applicant and is not transferable or assignable.
3. The owner shall provide the Building Inspector, Health Director and Fire Chief a list of tenants annually with emergency contact numbers (If a tenant turnover should occur within the reporting periods, additional information shall be provided to the Building Inspector to evaluate the proposed use.). Each tenant shall provide a general material and equipment list and shall be easily identified on the site. The site shall be subject to annual inspection by the Building Inspector and Health Director.
4. No snow storage or storage of gasoline, diesel fuel or hazardous materials is authorized. No commercial composting is authorized.
5. Any material storage shall be limited to block bins denoted in the application materials or in open piles no higher than 12'. All materials and equipment shall be screened from Lowland Street and safe site circulation must be maintained at all times.
6. The applicant shall ensure that any odor, dust and noise are properly managed in accordance with all applicable federal, state and local laws and employees and tenants shall be trained to ensure that no odor-generating or organic materials not specifically permitted hereunder are stored on the site and that no odor-generating management practices are employed.
7. The owner/applicant shall take measures to prevent vehicle queuing at the site entrance and along Lowland Street.
8. The applicant shall employ best efforts to direct his vehicles and those of tenants to utilize the designated industrial roads in the area in order to minimize impacts to residential areas. This includes utilization of Jeffrey Avenue and Whitney Streets to access Washington Street.
9. Any chipping or grinding of materials as described in the application narrative shall be subject to the following terms:
 - a. Notice shall be provided to the Building Inspector, Health Director and Fire Chief at least 48 hours in advance of activities,
 - b. Activities shall be limited to 8:00 a.m. to 4:00 p.m. a maximum of four days (week days) per calendar year utilizing equipment that operates in compliance with the noise provisions of Section V-N(4). Specifications for the equipment shall be provided to noted Town officials with the above required notice,
 - c. Adequate dust control measures shall be provided for planned processing events, and
 - d. A portable toilet facility shall be provided for processing events.

Adjournment: The meeting adjourned at 8:07 p.m. on a motion made and duly seconded with all in favor on a roll call vote. The next meeting was scheduled for October 28, 2020.

Respectfully submitted,

Karen Sherman
Town Planner

Approved: October 28, 2020