

**Holliston Zoning Board of Appeals
Meeting Minutes of December 9, 2020**

Call to Order: The Chairman called the meeting to order at 7:00 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. Peabody, seconded by Mr. Bush, the minutes of November 18, 2020 were approved as written on a roll call vote.

**Continued Special Permit Public Hearing
Gill Realty Trust – I, 45 Washington Street**

The Chairman re-opened the public hearing at 7:05 p.m. and noted that Dan Merrikin, P.E., Legacy Engineering, LLC has provided a written request for continuance (dated December 8, 2020) to January, 2021.

On a motion by Mr. Peabody, seconded by Mr. Bush, the public hearing was continued to January 13, 2021.

**Continued Dimensional Variance Public Hearing
Sandra Intinarelli, Trustee – 526 Concord Street**

The Chairman re-opened the public hearing at 7:15 p.m. Sandra Intinarelli, Tr. owner/applicant, was present to discuss construction of a front deck and stairs within the required minimum front yard setback. A plan entitled “Intinarelli Residence, 526 Concord Street, Holliston, Massachusetts First Floor Plan” (Sheet A2), dated July 9, 2020 (revised 12/9/20), prepared by Lauren Olivier Architect, LLC was entered into the record. Clarification of the requested relief included a review of the landing and three stairs. Members concluded that the encroachment proposed is 6.1’.

No one was in the audience to offer testimony in favor or against the proposal.

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

Approved: January 13, 2021

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Continued Comprehensive Permit Public Hearing:

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

The Chairman re-opened the public hearing at 7:25 p.m. Present for Indian Ridge Realty Trust were Dean Harrison and Robert Truax of GLM Engineering Consultants, Inc. Sitting with the Board was Atty. Paul Haverty.

The following documents were entered into the record: Waiver requests were from Robert Truax (dated November 30, 2020), correspondence from David Faist of CMG Engineering (dated December 2, 2020) and correspondence from Corinne Tobias, P.E. of Green International Affiliates, Inc. (dated December 2, 2020).

Discussion centered around the proposed waivers and draft decision as prepared by Atty. Haverty with commentary from Mr. Harrison. It was clarified that the roadway is planned to be offered to the Town as a public roadway but it is understood that Town Meeting is the ultimate decisionmaker. Roadway construction waivers were reviewed in detail. Mr. Truax will provide clarification of the addition of vertical granite curbing as suggested by David Faist, PE of CMG engineering in his correspondence. Mr. Harrison clarified that many of the waivers have been withdrawn and Atty. Haverty also characterized some as unnecessary in text. Mr. Harrison agreed that three architectural plans/layouts would be made available for the single-family units and one for the duplexes. He also agreed that the final plan would include a Landscape Plan. He clarified that the units would be 6 3-bedroom units and 18 4-bedroom units. Atty. Haverty clarified that there would be both a homeowner's association for the infrastructure and condo. documents/association for the duplexes.

Discussion of existing conditions and proposed cul-de-sac removal on Indian Ridge Road South continued. Mr. Harrison followed up on prior peer review comments (Vanasse Assoc. September 29, 2020) and Mrs. Cohen's concerns regarding sidewalks and offered a contribution of \$15,000 (pro rationed to market sales) but indicated that the developer would not construct the walk.

Asking questions and offering testimony during the open discussion were the following individuals: Anne Buckley of Indian Ridge Road, Judy Douglas of 42 Meetinghouse Path (Ashland), Bob Bolandrina of (Ashland), Tracey Cohen of Indian Ridge Road South and John and Pam Poor of 50 Indian Ridge Road South.

Action items for preparation for the next session include the following:

- Integration of this evening's discussion points into the draft.
- Distribution of the draft to Vanasse Assoc. for comments on traffic conditions (Section F).
- Distribution of draft to Conservation Agent, Fire Chief, Health Agent and DPW Director for input regarding the local wetlands by-law and planned infrastructure improvement conditions.
- Discussion with DPW Director and Town Administrator regarding proposed sidewalk mitigation funding (\$15,000 per Mr. Harrison's offer).
- Posting draft decision and waivers on website.

Approved: January 13, 2021

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On a motion by Mr. Peabody, seconded by Mr. Bush, the public hearing was continued to January 13, 2021 on a unanimous roll call vote.

Deliberations:

Dimensional Variance – 526 Concord Street

Findings of Fact

The Board reviewed the application materials and testimony provided. In accordance with the provisions of Sections I-C(3), Pre-Existing, Non-conforming Uses, Structures and Lots and VI-D(3) Variances of the Town of Holliston Zoning By-Laws and MGL c. 40A, the Board finds the following: Literal enforcement of the provisions of the Zoning By-Laws would involve substantial hardship to the petitioner owing to circumstances relating to the dwelling's placement on the non-conforming lot. Desired relief was quantified as 6.5' and 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(3) for property described and located at 526 Concord 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 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 and Section VI-D 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.
2. Per the record plan prepared by Lauren Olivier Architect, LLC, the structure shall be constructed no closer than 33.5' to the front lot line (Concord Street).

Adjournment: The meeting adjourned at 10:13 p.m. on a motion made and duly seconded with all in favor on a roll call vote. The next meeting was scheduled for January 13, 2021.

Respectfully submitted,

Karen Sherman
Town Planner

Approved: January 13, 2021