

Holliston Zoning Board of Appeals Meeting Minutes of August 17, 2022

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 June 16, 2022 Act relative to extending certain COVID-19 measures adopted during the state of emergency suspending certain provisions of the Open Meeting Law G.L. c 30A paragraph 20, 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 to the Town's webpage as soon as possible in accordance with 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
Elizabeth Dembitzer - Present

Approval of Minutes:

On a motion by Mr. Peabody, seconded by Ms. Dembitzer the minutes of July 13, 2022 were approved as written on a roll call vote.

PUBLIC HEARINGS:

Special Permit

Amardeep Singh – Lots 1A & 2A, Norfolk Street (next to 611 Norfolk Street)

The Chairman opened the public hearing and waived reading the hearing notices into the record and combined both Special Permit applications in the discussion. Joyce Hastings of GLM Engineering Consultants, Inc., was present to discuss the Special Permit applications to construct a two-family dwelling on both lots. She clarified the size of the newly created lots and the proposed setbacks for each.

The Chairman entered correspondence from the following into the record: Caryn and Robert Martin of 625 Norfolk Street and Paul Truax of 629 Norfolk Street. Mr. Truax identified a split zoning district between R-1 and Ar-2 and the Chairman asked Ms. Hastings to verify the location and implications of the split zoning.

The Chairman opened the hearing to the audience. Caryn Martin of 625 Norfolk Street clarified that her written comments about apartments came from the application plan title. Ms. Hastings clarified that the applicant's intent is to sell the units and utilize covenants to share responsibilities for the septic systems. She noted that a subdivision of land was contemplated but the shape of the parcels was limiting for construction of a road.

Both Mr. Peabody and Ms. Dembitzer expressed concerns and asked for additional architectural details and landscaping. Ms. Hastings added that there are two duplexes located between 200 and 258 Norfolk, permitted and constructed within the last five years.

On a motion by Mr. Peabody, seconded by Ms. Dembitzer, the public hearing was continued to September 21 at 7:00 p.m. on a unanimous roll call vote.

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Special Permit

Daniel Alfred – 315 High Street

The Chairman opened the public hearing and waived reading the hearing notice into the record. Skip Kelleher, Minglewood Development was present, as well as, Daniel Alfred, the applicant/owner to discuss the Special Permit application to allow an addition of 800 sq. feet, when combined with previous additions, totals greater than 50% of the original gross floor area of the house.

The plan of record entitled “Proposed Addition Plan 315 High Street, Holliston, MA” prepared by Joyce Hastings, PLS of GLM Engineering Consultant, Inc. (dated June 20, 2022 with revisions through July 20, 2022) was reviewed as well as the architectural drawings (exterior elevations, demolition plans and floor plans) prepared by SO Design Collective (dated May 11, 2022 with revisions through June 24, 2022). Mr. Alfred noted that the application is being made under provisions of Section I-C that were modified in May 2022 and the Building Commissioner has tracked the record zoning by-law changes and various additions to the structure over time.

The Chairman opened the hearing to the audience. No one asked questions or spoke in favor or against the petition.

On a motion by Mr. Peabody, seconded by Ms. Dembitzer, the public hearing was closed on a unanimous roll call vote.

Dimensional Variance

Glenn Wegrzyn – 98 Robert Road

The Chairman opened the public hearing and waived reading the hearing notice into the record. He noted that the Applicant/Owner, Glenn Wegrzyn has requested a continuance per his correspondence dated August 7, 2022 in tandem with correspondence received from abutters, Karen and Richard Cotter dated August 3, 2022.

On a motion by Mr. Peabody, seconded by Ms. Dembitzer, the public hearing was continued until September 21, 2022 at 7:00 p.m. on a unanimous roll call vote.

Use Variance

Christine and Matthew Chabot – 340 Norfolk Street (Lot A)

The Chairman opened the public hearing and waived reading the hearing notice into the record. Joyce Hastings of GLM Engineering Consultants, Inc., was present to discuss the Use Variance application to provide driveway access over non-continuous frontage. She reviewed the proposed access, noting that the Conservation Commission had approved the driveway crossing the extensive wetland and that the location utilizes existing farm paths. The driveway will access a single home to be constructed on the 60-acre parcel. She noted that the driveway has good sight distance.

The Chairman opened the hearing to the audience. No one asked questions or spoke in favor or against the petition.

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On a motion by Mr. Peabody, seconded by Ms. Dembitzer, the public hearing was closed on a unanimous roll call vote.

Special Permit

Leudson Veloz – 893 Washington Street

The Chairman opened the public hearing and waived reading the hearing notice into the record. Joyce Hastings of GLM Engineering Consultants, Inc. was present. The Chairman noted that an abutter notification issue had been raised earlier today and a re-notice seems warranted.

On a motion by Mr. Peabody, seconded by Ms. Dembitzer, the public hearing was continued to September 21st at 7:00 p.m. on a unanimous roll call vote.

DELIBERATIONS:

Special Permit – 315 High Street

Findings of Fact

The Board reviewed the application materials and testimony provided. In accordance with the provisions of Section I-C (3.3.1), Pre-Existing, Non-Conforming Uses, Structures and Lots 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 Board as Special Permit Granting Authority has considered the proposed addition and finds that there are no significant adverse effects to the neighborhood or the Town, considering the regulations, restrictions and criteria of sub-section VI-E(5) and as conditioned below. Desirable 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 Special Permit application for relief under Section I-C (3.3.1) for property described and located at 315 High Street was as follows on a motion by Ms. Dembitzer, seconded by Mr. Bush:

Mr. Love	Aye
Mr. Peabody	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.
2. Construction shall be in substantial compliance with both the record site plan entitled "Proposed Addition Plan, 315 High Street, Holliston, MA" prepared by Joyces Hastings, PLS

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of GLM Engineering Consultants, Inc. (dated June 30, 2022 with revisions through July 20, 2022) with regard to setbacks, lot coverage and gross floor area. No relief is granted for creation of any additional dimensional non-conformities with regard to setbacks.

3. Construction shall also be substantially in compliance with the record architectural drawings (exterior elevations, demolition plans and floor plans) prepared by SO Design Collaborative (dated May 11, 2022 revised through June 24, 2022).

Use Variance – 340 Norfolk Street (Lot A)

Findings of Fact

The Board reviewed the application materials and testimony provided. In accordance with the provisions of Sections I-E Definitions of Lot Frontage and VI-D(3) Variances of the Town of Holliston Zoning By-Laws and MGL c. 40A, the Board finds the following: Desirable 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. The applicants have demonstrated that literal enforcement of the provisions of this by-law would involve substantial hardship due to the unique soil conditions of the large agricultural lot and the presence of an extensive wetland bisecting the lot. The proposed driveway over the one hundred foot strip located south of the legal lot frontage provides adequate access to the buildable portion of the lot, locate several hundred feet off Norfolk Street.

Zoning Board Vote

The Board's vote to approve the Petitioners' Use Variance application for relief under Section I-E for property described and located at 340 Norfolk Street (Lot A) was as follows on a motion by Mr. Peabody, seconded by Ms. Dembitzer:

Mr. Love	Aye
Mr. Peabody	Aye
Ms. Dembitzer	Aye

Conditions of Approval

1. This Use 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.

Adjournment: The meeting adjourned at 8:20 p.m. on a motion made by Mr. Peabody, seconded by Ms. Dembitzer with all in favor on a roll call vote. The next meeting was scheduled for September 21, 2022 and will be held remotely.

Respectfully submitted,
Karen Sherman, Town Planner

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