

**Holliston Zoning Board of Appeals
Meeting Minutes of January 25, 2023**

CALL TO ORDER: The Chairman called the meeting to order at 7:00 p.m. via Zoom and read the following statement into the record: Pursuant to the Governor's 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 within 24 hours 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 - Absent
Elizabeth Dembitzer – Present
Vladimir Nechev - Present

APPROVAL OF MINUTES:

On a motion by Ms. Dembitzer, seconded by Mr. Love, the minutes of December 14, 2022 were approved as written on a roll call vote.

PUBLIC HEARINGS:

Special Permit

Wai Lam – 39 Locust Street

The Chairman opened the public hearing and read the hearing notice into the record. The Applicant, Wai Lam was not present to discuss the Special Permit application to establish a storage warehouse within the existing 6000 s.f. building formerly occupied by Pegasus Co.

Discussion was tabled until later in the meeting but the Applicant did not make an appearance. The Chairman opened the hearing to the audience. Raising concerns about the application were the following individuals: Andy and Rita Bell of 37 Locust Street (see correspondence dated 1/23/2023), Mike Nagel and Erica Pierce of 141 Washington Street, Melissa Mix of 69 Locust Street. Concerns included the residential nature of Locust Street and the existing Heavy Commercial Vehicle Exclusion, the potential for vectors, rodents, and potential noise sources if refrigeration units are installed.

On a motion by Mr. Nechev, seconded by Ms. Dembitzer, the public hearing was continued to February 8, 2023 on a unanimous roll call vote. Ms. Sherman will contact the Applicant.

Dimensional Variance

Joan Shaughnessy and Thomas Lamont – 87 Morton Street

The Chairman opened the public hearing and read the hearing notice into the record. Chris Crump, AIA of CWC Design was present along with the Applicants to discuss the Dimensional Variance application for the creation of an attached two car garage. The plan of record prepared

Approved: Approved 02/08/2023

**Holliston Zoning Board of Appeals
Meeting Minutes of January 25, 2023**

by Applewood Survey, Co., LLC entitled “Proposed Plot Plan, 87 Morton Street Holliston, Mass” dated May 4, 2022 was noted for the record. The proposed 24’ x 31’ garage addition on this corner lot is located within the Louis Street front yard setback and the house is oriented to the front yard along Morton Street. The existing house location on the lot and leaching field were noted as limiting factors.

The Chairman opened the hearing to the audience. Jessica Faillace of 64 Morton Street spoke in favor of the petition, noting she had received similar relief in 2007. Correspondence received from John & Louise Grimes, 80 Morton Street (dated January 13, 2023) in support of the petition was also read into the record.

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

Use Variance

Bruno Silva – 1135 Washington Street

The Chairman opened the public hearing and read the hearing notice into the record. Applicant, Bruno Silva, was present to discuss the Use Variance application for onsite storage and overnight parking of company vehicles for an existing General Services Establishment. Mr. Silva noted that the 8’ x 40’ storage container was put in place and the Building Inspector directed him to make an application to the board. Through discussion, the issue of fleet parking was added to the application (See Variance of November 3, 2020). Mr. Silva added that the storage container is not a workshop and is for storage of non-hazardous materials. He also added that he could provide screening for the unit. He clarified that three vehicles would be stored overnight – transit vans and pickup truck.

The Chairman opened the hearing to the audience. No one asked questions or spoke in favor or against the petition. Correspondence received from Kathleen McCarthy, 1158 Washington Street (dated January 24, 2023) and Jennifer & Rodman Burgett, 1147 Washington Street (dated January 25, 2023) in opposition of the petition was read into the record.

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

Use Variance

Rebecca and Wilson MacDonald– 1038 Washington Street

The Chairman opened the public hearing and read the hearing notice into the record. Applicants, Rebecca and Wilson MacDonald, were present to discuss their Use Variance application for a studio in excess of 400 s.f. Mrs. MacDonald indicated that her retirement plan is to offer quilting classes with in an existing finished 1,000 s.f. detached barn formerly used as a graphic design studio by the former owner. Her studio space includes a design wall, cutting tables and sewing machine stations. An accessible bathroom and parking spot will be added per code discussion. She clarified that the “classroom” is self-limiting in size (10 max.) and parking availability. She indicated that she does not intend to retail from the site, there would be no additional employees

Approved: Approved 02/08/2023

Holliston Zoning Board of Appeals Meeting Minutes of January 25, 2023

and neighbors are well-screened from any lighting. Proposed hours would be sporadic throughout the week and would not extend beyond 9 p.m.

Correspondance received from the Applicants on December 5, 2022 requesting a waiver of the application fee because her business is not for profit was read into the record.

The Chairman opened the hearing to the audience. Kenneth & Caroline Henderson of 1028 Washington Street spoke in favor of the petition (Also see correspondence dated January 25, 2023.).

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

Dimensional Variance and Special Permit Gregory and Eileen Ferrick – 36 Cranberry Lane

The Chairman opened the public hearings and read the hearing notices into the record. Atty. Peter Barbieri of Fletcher, Tilton PC was present along with the Applicant to discuss the Dimensional Variance and Special Permit applications for the addition of an attached garage into the required side yard setback and a 10' x 24' bedroom addition increasing the original gross floor area of the structure more than 50% in total, with lot coverage greater than 20% in the Groundwater Protection Zone 2. The plan of record is entitled "Proposed Addition Plan of Land in Holliston, MA" prepared by Colonial Engineering, Inc. (dated February 10, 2022). The plan quantifies that the existing building coverage is 8% with 14.46% proposed and the existing impervious coverage is 13.26% with 20.84% proposed. Section V-L(4)(A)(3)(e) Zone II Permitted Uses has a provision for alterations to pre-existing structures. Atty. Barbieri noted that the Dimensional Variance granted previously by the ZBA for the proposed garage has lapsed but the previously stated hardship remains (i.e. placement of the structure on the lot, septic placement and rear wetlands). Architectural plans prepared by D. Michael Collins architects (dated 11/21/2022) were reviewed for consistency throughout the construction.

The Chairman opened the hearing to the audience. No one asked questions or spoke in favor or against the petition. Correspondence received from Susan Shock of 9 Cranberry Lane in support of the petition was read into the record.

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

Administrative Appeal and Use Variance 18-24 Water Street Realty Trust, LLC

The Chairman opened the public hearing at 8:17 p.m. and read the hearing notice into the record. He noted that he would prefer to combine the two applications for discussion purposes and asked for clarification on the Administrative Appeal. Atty. Peter Barbieri of Fletcher, Tilton PC was

Approved: Approved 02/08/2023

Holliston Zoning Board of Appeals Meeting Minutes of January 25, 2023

present along with Fran Colantonio of 18-24 Water Street Realty Trust, LLC and Colantonio, Inc. to discuss the applications. Atty. Barbieri noted that the Building Inspector had made a determination the proposed use of 1,700 sq. ft. of an existing industrially zoned building as a commercial kitchen would require a use variance under section VI-D(3) of the Holliston Zoning By-Laws and so he chose to file both applications and would withdraw one after discussions with the board.

Atty. Barbieri characterized the multi-story 44,000 s.f. mill building as being mixed use. The proposed 1,700 s.f. unit is being proposed for an FDA-certified commercial kitchen, catering kitchen and community kitchen with an anchor tenant who would have rental oversight for vendor training and certification. No retail sales are proposed. A “planning room” is proposed for catering purposes. Mr. Colantonio envisions rentals for preparation for off-site events and farmer’s markets. No events would be offered on site.

The Chairman opened the hearing to the audience. Tara Hurley Schaller of Taylor Road spoke in favor of the petition.

On a motion by Ms. Dembitzer, seconded by Mr. Nechev, the public hearing for the Use Variance was closed and the Administrative Appeal hearing was continued until February 8th at 7 p.m. on a unanimous roll call vote. The Chairman noted that he would reach out to town counsel for some direction on the dual petitions.

Dimensional Variance

Joana D’Arc de Almeida – 114 Concord Street

The Chairman opened the public hearing and read the hearing notice into the record. Atty. George Connors was present to discuss the Dimensional Variance application for creation of a new building lot and land division. Submitted was plan of record prepared by Levesque Geomatics, Inc. entitled “Preliminary Subdivision, Map 11G, Lot 1, 114 Concord Street Holliston, Massachusetts” dated 4/6/2022 (revised 1/16/2023). Atty. Connors noted the plan revisions to add the building envelop and lot depth clarification. He also referenced supplemental correspondence from himself dated January 4, 2023. He noted that further relief would be required from the Planning Board for any common driveway and the lot split (subdivision). Atty. Connors provided an overview of the requested relief as detailed in the application materials.

Correspondence received from Denise Irving of 38 Taylor Road (dated January 12, 2023), Sean Irving of 38 Taylor Road (dated January 15, 2023), Lindsey Duross of 5 Taylor Road (dated January 17, 2023), Charlene Powers of 26 Taylor Road (dated January 13, 2023), Lynne Laforce of 46 Jarr Brook Road (dated January 14, 2023), Karen Ward of 15 Taylor Road (dated January 15, 2023) in opposition of the petition was entered and noted for the record.

The Chairman opened the hearing to the audience. Asking questions and speaking in opposition to the petition were Tara Schaller of 39 Taylor Road, Karen Ward of 15 Taylor Road, Rich Rosenberry and Joan Levenson of 66 Jar Brook Road, Maria Dutra of 22 Jar Brook, and Lindsey Sheridan of 5 Taylor Road. Chris Badjek of 30 Jar Brook also spoke regarding visual impacts of the proposal.

Approved: Approved 02/08/2023

**Holliston Zoning Board of Appeals
Meeting Minutes of January 25, 2023**

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

Some deliberative discussion began in the nature of a denial but the matter was tabled until February 8th for action.

ADJOURNMENT: The meeting adjourned at p.m. on a motion made by Ms. Dembitzer, seconded by Mr. Nechev with all in favor on a roll call vote. The next meeting was scheduled for February 8, 2023 and will be held remotely.

Respectfully submitted,

Karen Sherman, Town Planner

Approved: Approved 02/08/2023