

March 23, 2023

**AMENDMENT TO APPLICATION FOR SPECIAL PERMIT AND SITE PLAN APPROVAL
FROM AFFILIATED MASSACHUSETTS BUSINESS ENTITIES
HOLLISTON ASPHALT & CONCRETE INC. AND M & M ESTATES LLC
[157-165 LOWLAND STREET, HOLLISTON, MASSACHUSETTS]**

The affiliated Massachusetts business entities Holliston Asphalt & Concrete Inc. and M & M Estates LLC (the “**Applicants**”), together with their equity holders Master Paving Corporation and Middlesex Asphalt Services, Inc., submit this Amendment to their Application for Special Permit and Site Plan Approval dated as of May 17, 2022¹ (the “**Original Application**”).

The Applicants are owned by Middlesex Asphalt Services, Inc. (“**Middlesex**”) and Master Paving Corporation (“**Master Paving**”), two business entities engaged in the business of paving, road construction and related work. By the Application as amended hereby, the Applicants request that this Board continue that portion of the Application addressing the request for continuance of asphalt and concrete recycling operations and consider and move forward currently with the proposal to construct a contractor’s garage as depicted in the amended plans filed herewith and to use the Property for overnight and long-term storage (outside of the paving season) of the trucks and equipment used by Middlesex and Master Paving and for workday parking of their staffs’ personal vehicles.

A. Request to Continue
Request for Asphalt and Concrete Recycling Activities

By this Amendment, the Applicants wish to continue the request made in the Original Application for a special permit for the continuation and improvement of asphalt and concrete manufacturing and recycling operations located at 157-165 Lowland Street, Holliston, Massachusetts (the “**Property**”).

Pending their further consideration of the Town’s and abutters’ issues and concerns with the continuation of the operation and ways to address same, the Applicants wish to proceed on that portion of the Application addressing the matters at Section B below and to continue this Board’s consideration of the request for a Special Permit to allow asphalt and concrete recycling activities made in the Original Application.

B. Summary of Remaining Relief Sought under the Application

The Applicants have amended their plan set and submissions to propose the construction of a contractor’s garage (the “**Contractor’s Garage**”), measuring 120 feet by 60 feet, built on a slab near the Southeast border of the Property at the location and configured on the plans prepared by Connorstone Engineering, Inc., a copy of which is attached as **Exhibit “A.”**

Further, and associated with the use of such contractor’s garage, the Applicants seek in the Application, as amended, to store their trucks and heavy equipment on the Property, **which shall not be used for construction or processing work onsite – only for overnight storage**

¹ On April 13, 2021, the Applicants filed their original Application for Special Permit and Approval of Site Plan with this Board. Following the effective date of the certain amendments to the Holliston zoning bylaw taking effect as of May 13, 2022, the applicants filed an amended application referenced above on May 17, 2022

and departure and return from various job sites of the Applicants as well as during the workday, passenger vehicles of the staff of Middlesex and Master Paving.

In sum, the relief now sought under the Application as amended is:

- (a) **Site Plan Approval, together with Special Permit and or Variance** to permit construction of the Contractor's garage on the Property under:
 - (i) **Section III (G)(3) of the Zoning Bylaw of the Town of Holliston, as amended as of May, 2022** (the "Bylaw") as *"general industrial use, including manufacturing, storage, processing fabrication packaging assembly that occupy more than 15,000 square feet of floor area not including Warehouse"*.
 - (ii) **Site Plan Approval under Section VII (4) and (5) of the Bylaw**
- (b) **Special Permit to allow outdoor , overnight parking of trucks, heaving equipment and construction materials and equipment at the Property –**
 - (i) **Section III(H) (11) of the Bylaw** provides this Board the authority to issue a Special Permit which allows:

"commercial open storage of raw materials, finished goods or construction equipment not associated with active permitted construction or agricultural uses"
 - (ii) **Section III(H) (11) of the Bylaw** provides this Board the authority to issue a Special Permit in an Industrial District which allows accessory outdoor storage *"clearly necessary to the operation and conduct of a permitted industrial or commercial use."*

The parking of the Applicants' trucks and equipment for overnight storage for most of the year and seasonal (winter) long-term storage would be limited to the garage and the area surrounding it, and would be conducted in such a manner, with modifications to the Property, as to limit adverse traffic, noise, environmental and other impacts.

Respectfully submitted this 23rd day of March, 2023.

**HOLLISTON ASPHALT &
CONCRETE INC.**

M&M ESTATES LLC

By: Henrique Oliveira
Its duly-authorized Manager

By: Henrique Oliveira
Its duly authorized Officer

EXHIBIT "A"

CONSTRUCTION NOTES

1. EXISTING UTILITIES SHOWN ON THIS DRAWING ARE FROM AVAILABLE INFORMATION AND FIELD SURVEY. THE CONTRACTOR SHALL VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY.
2. THE CONTRACTOR SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY PERMITS AND APPROVALS FROM THE LOCAL, STATE, AND FEDERAL AGENCIES.
3. THE CONTRACTOR SHALL MAINTAIN ACCESS TO ALL ADJACENT PROPERTIES AND PUBLIC ROADS AT ALL TIMES.
4. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING TREES AND LANDSCAPE FEATURES.
5. THE CONTRACTOR SHALL MAINTAIN THE EXISTING EROSION CONTROL MEASURES THROUGHOUT THE CONSTRUCTION PROCESS.
6. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING UTILITIES AND STRUCTURES.
7. THE CONTRACTOR SHALL MAINTAIN THE EXISTING DRAINAGE SYSTEMS AND FLOOD CONTROL MEASURES.
8. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING HISTORIC AND CULTURAL RESOURCES.
9. THE CONTRACTOR SHALL MAINTAIN THE EXISTING ACCESS TO ALL ADJACENT PROPERTIES AND PUBLIC ROADS.
10. THE CONTRACTOR SHALL BE RESPONSIBLE FOR THE PROTECTION OF ALL EXISTING ENVIRONMENTAL FEATURES.

CONTRACTOR TO VERIFY THE LOCATION AND DEPTH OF ALL UTILITIES PRIOR TO CONSTRUCTION. ANY DISCREPANCIES SHALL BE REPORTED TO THE ENGINEER IMMEDIATELY.

SOIL LOGS

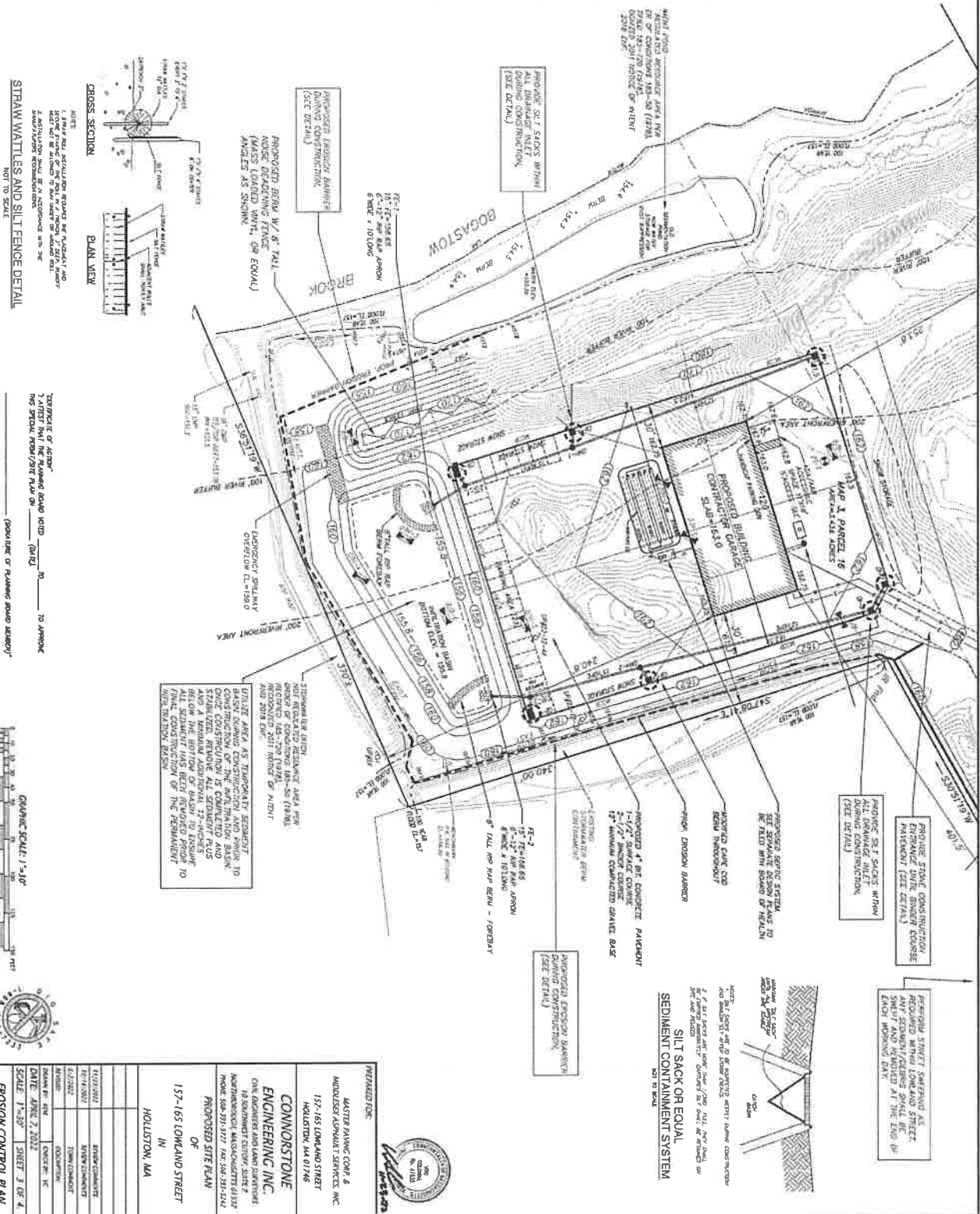
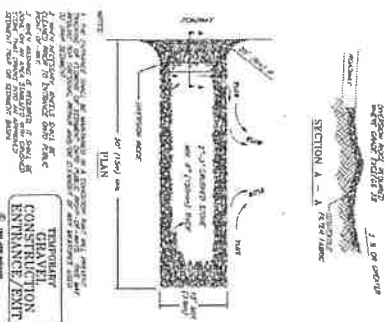
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* ALL WORK SHALL BE IN ACCORDANCE WITH THE ORDER OF CONDITIONS ISSUED BY THE CONSTRUCTION COMMISSION AND PROJECT STORMWATER POLLUTION PREVENTION PLAN (APPENDIX)

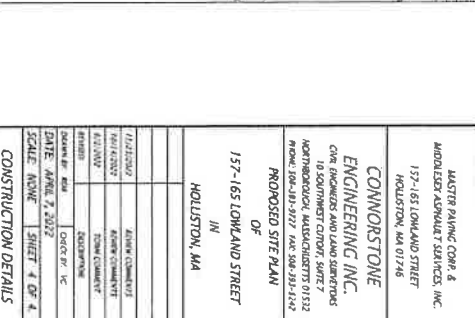
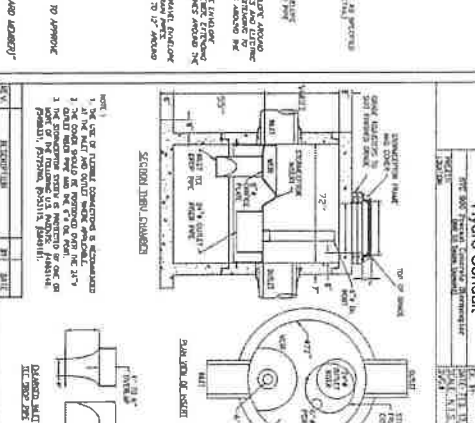
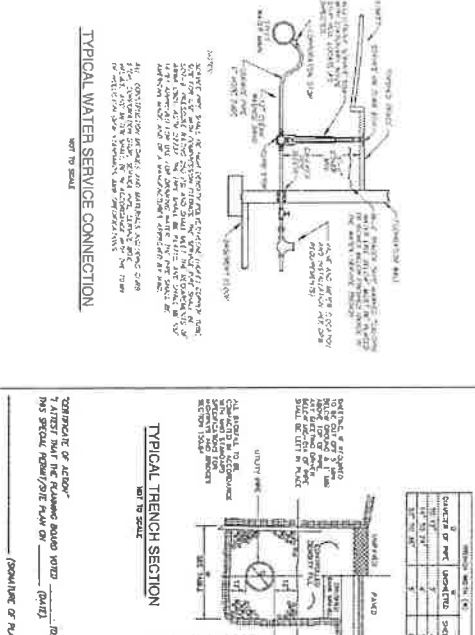
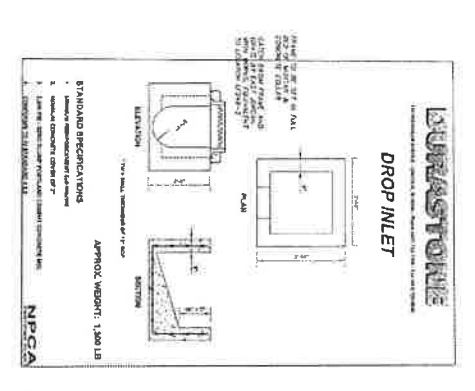
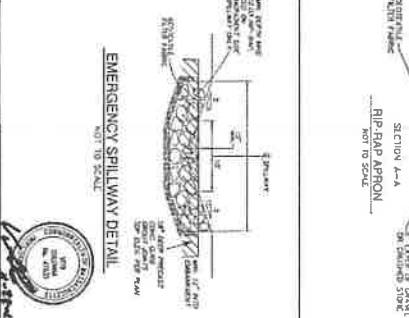
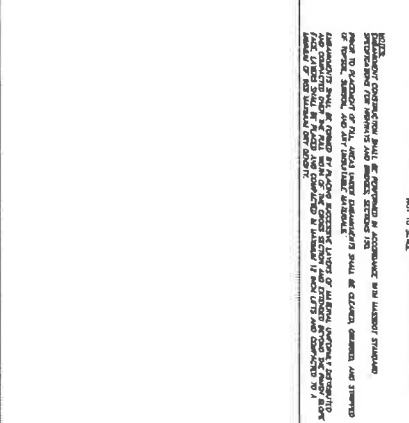
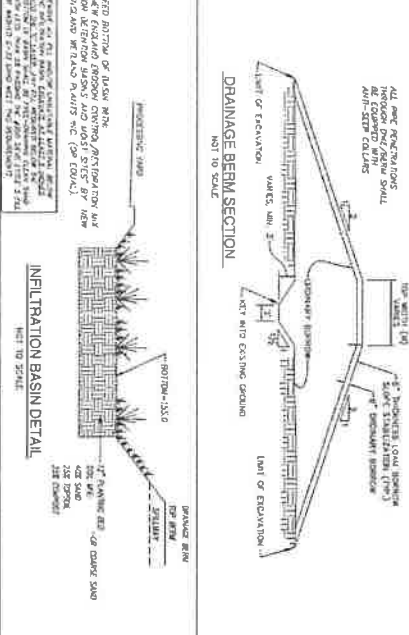
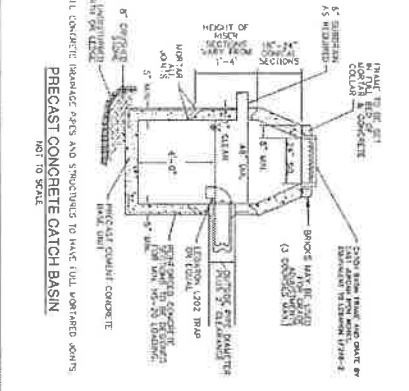
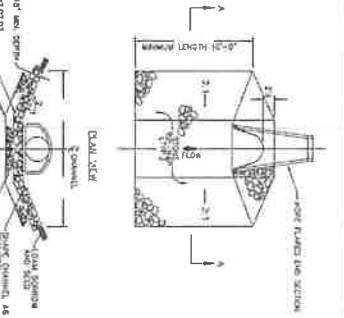
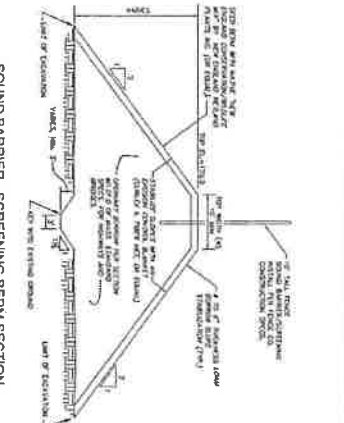
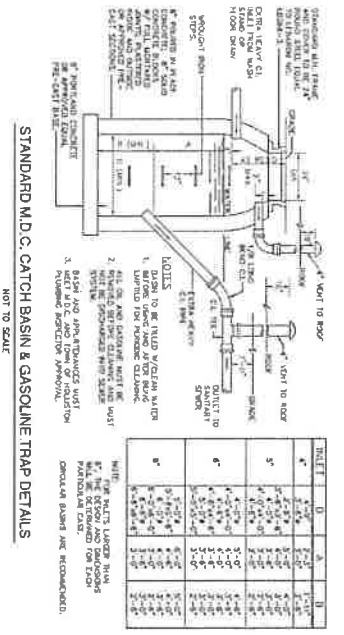
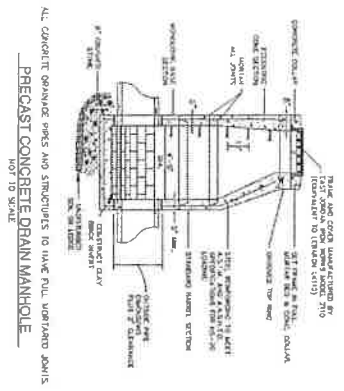
- There are a number of reasons why the use of the term "control" is inappropriate. First, the term "control" is commonly understood to mean that the person or entity being controlled is under the direct or indirect command or influence of the controlling party. This is not the case with the proposed system. The system is designed to be a self-governing entity, with the ability to make decisions and take actions on its own behalf. Second, the term "control" implies a degree of permanence or stability that is not necessarily intended for the proposed system. The system is designed to be flexible and adaptable, with the ability to evolve and change over time. Finally, the term "control" suggests a hierarchical relationship, with one party exerting control over another. This is not the intended relationship between the proposed system and its users. The system is designed to be a collaborative tool, with users working together to achieve common goals.

ONCE OBTAINED OR AS INDICATED ON THE PLANS, ADDITIONAL BARBERS SHALL BE LOCATED AT CONCRETE WALLS, AND IN SOME AREAS STRUCTURES MAY HAVE TO BE REINFORCED AT REGULAR INTERVALS UNLESS A GRADIENT OF WEAR IS ACCOMPLISHED.

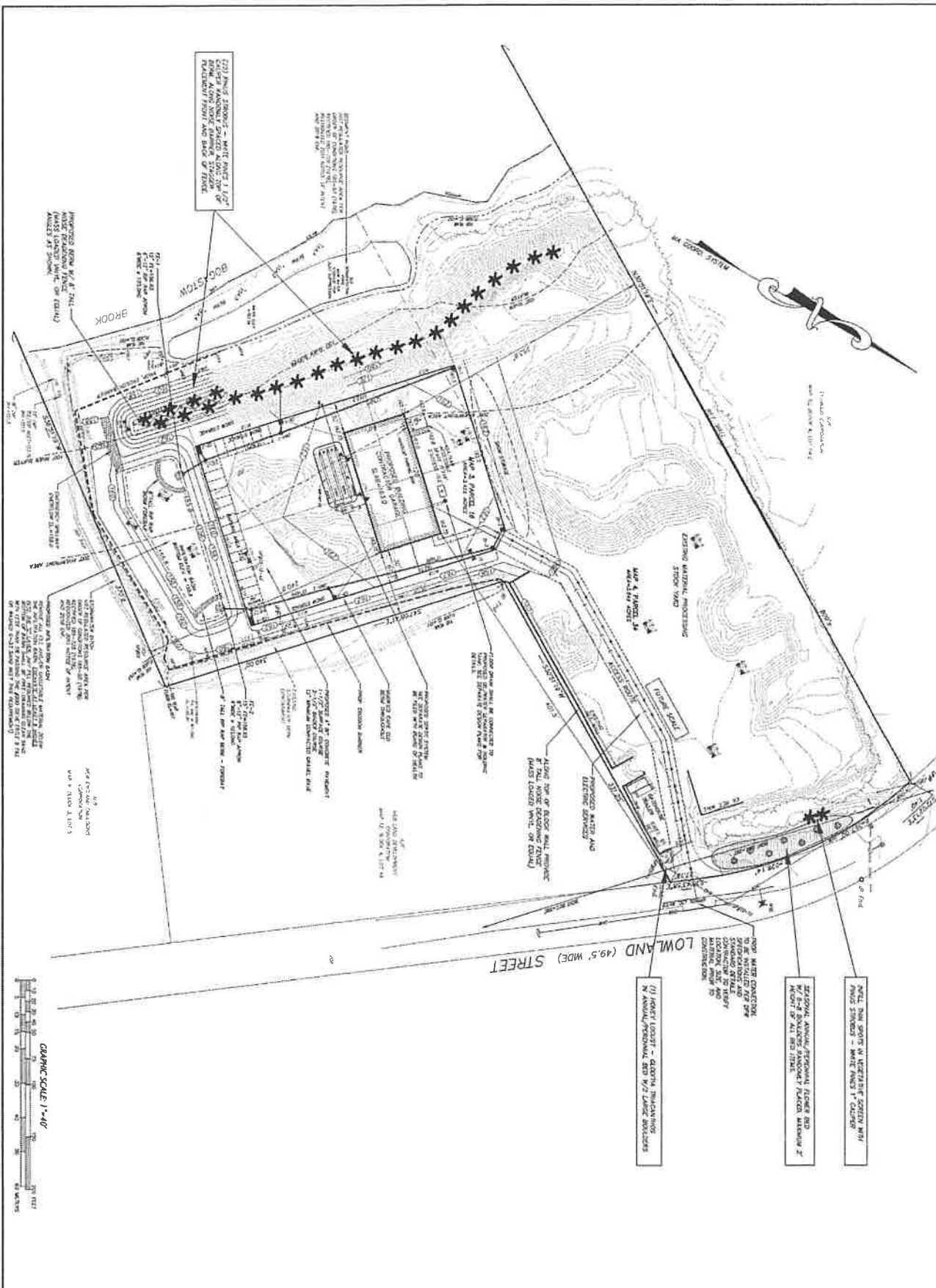
- [illegible]



PROJECT FOR: MAYTEE PAVING CORP. & MODULISTE ASPHALT SERVICES, INC. 157-165 LOWLAND STREET HOLLISTON, MA 01746	CONNOCKSTONE ENGINEERING, INC. ONE ADAMS STREET 143 CONNORRY DRIVE, SUITE 2 NORTHCHILTON, MASSACHUSETTS 01930 PHONE: 508-393-3177 FAX: 508-393-5242
PROPOSED SITE PLAN OF 157-165 LOWLAND STREET IN HOLLISTON, MA	DATE: 04/02/2012 BY: J. GARDNER IN WITNESS WHEREOF, I have hereunto set my hand and the seal of the said firm, this 2nd day of April, 2012. _____ J. GARDNER, JR. REGISTERED PROFESSIONAL ENGINEER No. 10000, State of Massachusetts
EROSION CONTROL PLAN	SCALE: 1/4" = 1'-0" SHEET 3 OF 4



CONSTRUCTION DETAILS



CONORSTONE ENGINEERING INC.	DATE: APRIL 2, 2022
ONE HUNTER ROAD AND LAND SERVICES	SCALE: 1"=40'
NORTH DORCH, MASSACHUSETTS 01928	SHEET 1 OF 1
PHONE: 508-288-8000 FAX: 508-288-8000	LANDSCAPE FRAMEWORK PLAN
PROPOSED SITE PLAN	
157-165 LOWLAND STREET	
HOLLISTON, MA	
CONORSTONE ENGINEERING INC.	
ONE HUNTER ROAD AND LAND SERVICES	
NORTH DORCH, MASSACHUSETTS 01928	
PHONE: 508-288-8000 FAX: 508-288-8000	
DATE: APRIL 2, 2022	
SCALE: 1"=40'	
SHEET 1 OF 1	
LANDSCAPE FRAMEWORK PLAN	