

**Holliston Planning Board
Meeting Minutes of April 2, 2012**

In Attendance: Chairman Jack Donovan, Parashar Patel, Jonathan Loya, Warren Chamberlain, and Geoffrey Zeamer. Also present was Special Counsel Mark Bobrowski.

Call to Order: The Chairman called the meeting to order at 7:30 p.m. in Room 014 of the Town Hall, 703 Washington Street.

**General Business:
Approval of Minutes**

On a motion by Mr. Patel, seconded by Mr. Chamberlain, the Board voted unanimously to approve the minutes of March 19, 2012 as drafted.

On a motion by Mr. Patel, seconded by Mr. Chamberlain, the Board voted unanimously to approve the minutes of March 22, 2012 as amended through discussion.

Economic Development Committee Report

The Chairman noted that he had sent the chairman of the Economic Development Committee a note about their January 20th report to the Board of Selectmen. Members discussed the recommendations for pre-development meetings, a community development process guide, filling the Associate vacancy and scheduling.

Master Plan Update

The Chairman reviewed the materials on Master Plan goals he released to the Holliston Reporter and noted that he had an appointment with the Board of Selectmen on April 17th to discuss.

Approval Not Required Subdivisions

- 1. Lots 113 and 114 Mohawk Path** – Paul Atwood, PLS was present from Guerriere and Halnon to discuss a proposed lot line shift on two existing lots in the Highlands at Holliston Definitive Subdivision. He noted that the lots are located in a cluster subdivision and both the average and minimum frontage requirements and lot areas will be maintained. Mr. Zeamer made a motion to empower the Agent to endorse the plan prepared by G&H dated March 21, 2012. Mr. Patel seconded with all in favor.
- 2. Lot B Meadowbrook Lane (aka Warren Woods)** – Ms. Sherman noted that this application is from the Town of Ashland. They are purchasing Lot A which is located in Ashland from the owners, Northeastern University. The remaining land (LotB) is located in Holliston and is labeled “Not to be considered a building lot”. The plan was prepared by Schofield Brothers and is dated June 2011. Mr. Zeamer made a motion to empower the Agent to endorse the plans. Mr. Patel seconded with all in favor.

Continued Administrative Site Plan Review: Bullard Farm Solar Facility

Shortly after 8 p.m. discussion began on a draft document prepared by counsel entitled “possible grounds for denial”. Representing the applicants, Renewable Energy Massachusetts, LLC (REM), was Larry Beals of Beals Associates, Inc. of Charlestown. Atty. Bobrowski noted that he had sent two cases for the members to consider in their deliberations. He reviewed the statutory exemption for solar facilities (MGL, c. 40A, s. 3)

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and made the recommendation that the members focus on the safety and welfare aspects of the proposed project rather than health issues. He discussed the different language of the statutory exemptions for churches, schools and childcare facilities. He noted that drawing specific conclusions about potential health issues might be perceived by a judge as putting a townwide stigma on that land use and would likely require the Town to hire experts to defend that position.

Discussion followed on the issues of the scenic road and community character, potential impacts of NSTAR upgrades, status as a National Register property, potential negative impacts on property values, industrial character of the use, creation of an attractive nuisance, and site security. Atty. Bobrowski explained the site plan review appeal process, noting that it is necessary to state findings but not in great detail. The appeal of a building permit denial would go first to the Zoning Board of Appeals and then to Superior or Land Court. He recommended that the Board consider initiating a change to the zoning by-law so that site plan review appeals would follow the course of c. 40A, s. 17 like Special Permits.

He noted receipt of correspondence from Bullard Memorial Farm Association dated March 25th and Tom Gilbert dated March 26th and cautioned the Board to not formally acknowledge its receipt after the close of public comment. Discussion was continued until April 12th.

Adjournment - The meeting was adjourned at 8:50 p.m. on a motion made and duly seconded.

Respectfully submitted,

Karen L. Sherman, Town Planner