



TOWN OF HOLLISTON  
ZONING BOARD OF APPEALS  
TOWN HALL

HOLLISTON, MASSACHUSETTS 01746

APPLICATION FOR GRANT OF A USE VARIANCE

Date Filed: ~~March 1, 2024~~ March 1, 2024  
Subject Address: 14 Fiske Pond Road, Holliston, MA 01746  
Applicant's Name: AJR Construction Inc. AJR Construction, Inc.  
Applicant's Phone Number: 774-719-3350  
Owner's Name: AJR Construction Inc. AJR Construction, Inc.  
Owner's Address: 36 Bancroft Avenue, Apt. 1, Milford, MA 01757  
The Owner hereby appoints DBT Associates DBT Associates to act as his/her/its agent for the purposes of submitting and processing this application for a variance.  
Applicant's Signature: [Signature]  
Owner's Signature: [Signature]  
Registry of Deeds Recording Information: Book 82889, Page 777 L.C. Y/N?  
Assessor's Map 0090, Block 0001 Lot 0071 009.0-0001-0071  
Parcel ID: 009.0-0001-0071

**Zoning Information (To be completed by Building Commissioner):**

Zoning district: AR-B

Building Commissioner's comments:

This was a 1987 Cluster sub division that has timed out. Applicant is looking to access the property from other than there legal frontage. So this would require a variance. See section I-E Definitions (Lot Frontage).

Building Commissioner's Signature: Mark Kaferlein

Digitally signed by Mark Kaferlein  
DN: cn=Mark Kaferlein, o=Town of Middlesex, ou=Middlesex County, c=US  
Date: 2024.03.01 11:20:51 -0500

**Nature and subject matter of Variance:**

The applicant is proposing to obtain access to the lot from an Access Easement designed for the lot when the subdivision was created in 1987.

**Section of Zoning Bylaw that permits this use by grant of Variance:**

Section I-E Definitions (Frontage)

**The Applicant presents the following evidence that supports grant of the Variance:**

**a. If this Variance is allowed it will alleviate a substantial hardship because:**

The driveway as proposed is designed as it was intended when the subdivision was created. Access and utilities (water and electric) have been brought to close proximity to the property outside of the Town right-of-way within the existing Access Easement that was designed for Lots 12, 13, 14A, and 15A of the subdivision. Due to the shape of the lot (not containing frontage along Fiske Pond Road) the applicant is subject to applying for this waiver. The topography of the shoulder of the roadway along Fiske Street creates a ridge that would

**b. If this variance is allowed it will create no substantial detriment to the public good because:**

The proposed layout creates no impact to the Town's roadways and utilities, and provides a better screened buffer from the roadway into the subdivision. Lot 13, (the lot the driveway for the subject property crosses to get to the existing Access Easement) has already agreed to allow the continued use and extension of the Access Easement for the proposed use within the deed recorded at the Middlesex South Registry of Deeds Book 82389 Page 86.

**c. If this variance is allowed, it will not nullify or substantially derogate from the intent and purpose of the zoning bylaw because:**

This Lot has extenuating circumstances due to the following: The definition of "Frontage" was changed in 1995 to require all lots to gain access from its legal frontage. This subdivision was created in 1987, and therefore when this Lot was created it did not need legal frontage to Fiske Pond Road to gain its access. Access for all of the 15 lots in this subdivision is

**d. Will the proposed use include the storage or process of any hazardous substance?**

Yes \_\_\_\_\_ (Please attach additional information.) No ☒

## Attachment for Town of Holliston Zoning Board of Appeals

### Application for Grant of a Use Variance

14 Fiske Pond Road, Holliston, MA 01746

- a. The driveway as proposed is designed as it was intended when the subdivision was created. Access and utilities (water and electric) have been brought to close proximity to the property outside of the Town right-of-way within the existing Access Easement that was designed for Lots 12, 13, 14A, and 15A of the subdivision. Due to the shape of the lot (not containing frontage along Fiske Pond Road) the applicant is subject to applying for this waiver. The topography of the shoulder of the roadway along Fiske Street creates a ridge that would require excess re-grading and large amounts mature vegetation and tree removal for proper sight distances as the existing sight distance creates an unsafe condition (only 137' looking south towards Fiske Pond Road). This extra work not only creates additional costs associated with regrading, tree removal, utility installation, and re-designing architectural and engineering site plans, but also creates a less attractive, less safe, and less functional lot with the loss of the screened buffer that the existing vegetation provides.
- b. The proposed layout creates no impact to the Town's roadways and utilities, and provides a better screened buffer from the roadway into the subdivision. Lot 13, (the lot the driveway for the subject property crosses to get to the existing Access Easement) has already agreed to allow the continued use and extension of the Access Easement for the proposed use within the deed recorded at the Middlesex South Registry of Deeds Book 82389 Page 86.
- c. This Lot has extenuating circumstances due to the following: The definition of "Frontage" was changed in 1995 to require all lots to gain access from its legal frontage. This subdivision was created in 1987, and therefore when this Lot was created it did not need legal frontage to Fiske Pond Road to gain its access. Access for all of the 15 lots in this subdivision is provided off of Access Easements off of the subdivision road (Fiske Pond Road). The applicant is proposing to do the same.