

TOWN OF HOLLISTON
ZONING BOARD OF APPEALS
TOWN HALL

HOLLISTON, MASSACHUSETTS 01746

2023 APR 20 AM 11:08

APPLICATION FOR GRANT OF A USE VARIANCE

Date Filed: 3/23/23

Subject Address: 1493 Washington St

Applicant's Name: Chet Patel

Applicant's Phone Number: 774 279 1342

Applicants Email: FCVA LLC@gmail.com

Owner's Name: JHGP LLC

Owner's Address: 201 Algernon Rd Ashland MA

The Owner hereby appoints Geo. Conners to act as his/her/its agent for the purposes of submitting and processing this application for a variance.

Applicant's Signature: [Signature]

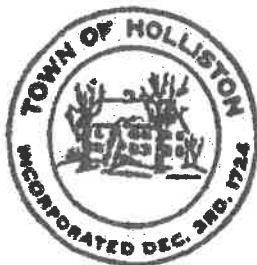
Owner's Signature: [Signature]

Registry of Deeds Recording Information: Book 7892, Page 558 L.C. ✓N?

Assessor's Map 5, Block 3, Lot 57

Zoning Information (To be completed by Building Commissioner):

Zoning district: MAZ Industrial
Small Area Portion Roadfrontal



TOWN OF HOLLISTON
ZONING BOARD OF APPEALS

TOWN HALL

HOLLISTON, MASSACHUSETTS 01746

APPLICATION FOR GRANT OF A USE VARIANCE

Date Filed: 4/11/23
3-23-23

Subject Address: 1483 Washington St

Applicant's Name: Chet Patel

Applicant's Phone Number: 774 279 1342

Applicants Email: LCVA LLC@gmail.com

Owner's Name: JKOP LLC

Owner's Address: 201 Algoma Rd Ashland MA

The Owner hereby appoints Geo. Conners 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: Chet Patel

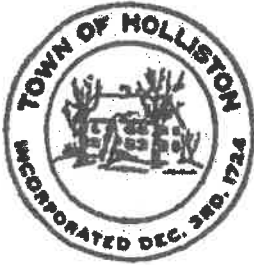
Registry of Deeds Recording Information: Book 78092, Page 55B L.C. YN?

Assessor's Map 5, Block 3 Lot 59

Zoning Information (To be completed by Building Commissioner):

Zoning district: IND

The applicant is looking to construct 2 multi-family buildings in the Industrial zoning district. This is not an allowed use in this district and requires a use variance.
4/11-4/12/23



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Subject Address: 1483 Washington St

Applicant's Name: Chet Patel

Applicant's Phone Number: 774 279 1342

Applicants Email: LCVA LLC@gmail.com

Owner's Name: JKP LLC

Owner's Address: 201 Algoma Rd Ashland MA

The Owner hereby appoints Geo. Conners 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: Chet Patel

Registry of Deeds Recording Information: Book 78092, Page 55B L.C. YN?

Assessor's Map 5, Block 3 Lot 59

Zoning Information (To be completed by Building Commissioner):

Zoning district: IND

The applicant is looking to construct 2 multi-family buildings in the Industrial zoning district. This is not an allowed use in this district and requires a use variance.
4/11-4/12/23

Nature and subject matter of Variance:

*Residential use in Industrial Zone
See Attached Narrative*

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

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:

See Attached Narrative

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

See Attached Narrative

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

See Attached Narrative

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

Yes _____ (Please attach additional information.) No ☒

George F. Connors
Counselor At Law

10 Southwest Cutoff, Northboro, MA 01532
Zero Cranberry Lane, Hopkinton, MA 01748
Phone (508) 393-6055 • Fax (508) 393-5242
george@gfconnorslaw.com

Holliston Zoning Board of Appeals
Town Hall
Holliston, MA 01746

Via email

March 22, 2023

Re: 1483 Washington Street - USE VARIANCE REQUEST

Dear Members of the Board:

I represent RCVA LLC and JKSP LLC, in their efforts to develop property at the above referenced address. This application proposed to use industrial zoned land for a modest multi-family residential development and provide affordable housing opportunities.

The project, based upon septic system capacity can support about 30 bedrooms. The unit mix will be worked out with the Planning Board should this project go forward.

Applicant requests a variance for a residential use in the industrial zone at 1483 Washington Street, Assessor's Parcel designation 5-3-59.2, comprising about 3.7 acres.

The lot is mostly within the Industrial Zone but a small section at the rear is in the Residential Zone, as shown on the attached various plans.

The parcel is owned by JKSP LLC, having an address at 201 Algonquin Trail, Ashland, Massachusetts, 01721, as recorded in the Middlesex South District Registry of Deeds in Book 78092, Page 558, and as shown on a Plan recorded as Plan 845 of 2020, copies of both attached hereto.

The developer will be RCVA LLC, of the same address.

The applicant proposes to construct two multi-unit buildings each with up to 10 units. The applicant is offering 10% of the units to be 'affordable.'

Hardship, relative to Soils, accrues for this particular lot due to extensive ledge and interspersed wetland patches. Ledge can be seen prominently sticking up throughout the site, and further

discovered to be at shallow depths below grade from testing. Wetland patches both on-site and from a nearby adjacent wetland complex, with the attendant regulatory no-touch buffer zones impact septic placement (necessary to provide two separate leaching areas), and overall land use.

Hardship also accrues for this particular lot due to the Topography rising above surrounding lots sharply and impacting any proposed stormwater facility attendant to economically viable industrial uses (larger building footprints and parking/maneuvering areas).

Hardship is further exacerbated by the combination of soils and topography (ledge and slopes) necessitating significantly more earthwork to accommodate the industrial building/parking use. As can be seen from the Sketch Plan, the grading, necessarily raised to minimize ledge removal, extends considerably over the sites building area, raises the grades, in some places as much as 10+ feet, The comparison of the two plans (industrial/commercial to residential) clearly depict these soils/topography considerations. The cost of is obviously greater for the commercial/industrial development, including ledge handling, grading, and the structural fill needed for the large footprint of the commercial use building. Contrast this to the residential buildings where the grade change for the easterly building fits the grade better with a walk out basement rather than extensive fill.

Hardship also accrues for this particular lot due to its Shape, that of a flag shape where the larger-useable land area is closer to existing residential areas.

There can be no Derogation from the intent of the bylaw where the most sensitive land uses, that of residential, are in close proximity to the development versus that of an industrial use. The zoning map (GIS version attached) shows the site being adjacent to the Residential District, and

that two lots along Washington Street are residential within in all, or part, of the Industrial district.

There can be no **Detriment** to the neighborhood which consists of many residential houses to the east and north of the site. A residential use in this location would be preferable than industrial activities from the existing building to the west of this site. There is an exceptional open space associated with the residential development for passive recreation being preserved available to the residents.

The concept plan has been developed based upon significant soil testing to demonstrate the viability of the infrastructure, and to understand the ledge impacts both from a soils suitability standard and from an economic understanding.

An industrial use schematic is presented to show the amount of site disturbance and extent of land use for an allowable building in conformance with dimensional zoning criteria. This plan requires, as does most commercial/industrial type uses, large flat site pads. Construction on this parcel of land would involve significant earth work including blasting as can be seen on the exposed ledge at the surface of the ground.

For all the above reasons the project would be the most suitable as a buffer to surrounding residential uses to the east and north, not impact the existing more active commercial activities along the street, and contribute to the Towns supply of affordable housing opportunities.

Very truly,
RCVA LLC
By their attorney


George Connors.

Encls.

Bylaw excerpts

II-B

5. Where a district boundary line divides a lot, the regulations applying to the portion of such lot in the less restricted district may be considered as extending not more than 50 feet into the more restricted portion, but only if the lot has frontage on a street in the less restricted district, provided, however, that there shall be no such extension into any area subject to the provisions of Section V-I.

VI –D

3. Variances - To grant upon appeal or upon petition with respect to particular land or structures, a use or dimensional variance from the terms of this by-law where the Board of Appeals specifically finds that:

a. Literal enforcement of the provisions of this by-law would involve substantial hardship, financial or otherwise, to the petitioner or appellant owing to circumstances relating to:

(1) soil condition (2) shape, or (3) topography of such land or structures, especially affecting such land or structures but not generally affecting the zoning district in which it is located; and

b. Desirable relief may be granted without substantial detriment to the public good, and without nullifying or substantially derogating from the intent or purpose of this by-law.

SECTION I - GENERAL I-A PURPOSE (Amended May 2012 – ATM, Art. 32. Previously amended March 1978 – STM, Art. 1) The purpose of this zoning by-law is to promote the general health, safety, convenience, morals and welfare of the inhabitants of Holliston under the provisions of General Laws, Chapter 40A (the Zoning Act); to encourage the most appropriate use of the land; to preserve the cultural, historical and agricultural heritage of the community; to conserve the value of land and buildings, including the conservation of natural resources; to provide for appropriate commercial and industrial uses of land; to protect water quality and supply; to secure safety from fire, flood and other dangers; to regulate land uses that have an impact on the Town's natural, fiscal and physical capacities; to encourage housing for residents of all income levels; and to provide for other purposes authorized under the Zoning Act. For this purpose, the use, construction, repair, alteration, height, area, and

location of buildings and structures, and use of premises in the Town of Holliston, are regulated as hereinafter provided.

3/22/23, 11:55 AM

Public Search

Page datalets/datalet.aspx?mode=agriculture not registered

PARID: 1360050000300592

MUNICIPALITY: HOLLISTON

LUC: 400

JKSP LLC

1483 WASHINGTON ST

PARCEL YEAR: 2023

Property Information

Property Location: 1483 WASHINGTON ST

Class: I-INDUSTRIAL

Use Code (LUC): 400-MANUFACTURING FACILITIES

District: MA136 - HOLLISTON

Deeded Acres: 3.7136

Square Feet: 161,563

Sales

Sale Date (D/M/Y)	Book/Page	Sale Price	Grantee:	Grantor:	Cert Doc #
24-06-2021	78092-558	\$325,000	JKSP LLC	ARTHUR G. CHAMPNEY TRUST (THE)	
16-04-1996	26225-274	\$100	ARTHUR G. CHAMPNEY TRUST (THE)	CHAMPNEY,ARTHUR G	

Owner History

1 of 2

Tax Year: 2023

Owner: JKSP LLC

Co-Owner:

Sale Care Of

State: MA

City: ASHLAND

Address: 201 ALGONQUIN TRAIL

Zip Code: 01721

Deed Book/Page: 78092/558

Land

Land Line #	Land Type	Land Code	Class	Square Feet	Acres	Suppressed	CH61B %	Infl %	Infl Reason	Infl 2 %	Infl 2 Reason	Base Rate	Chap Market Value	Assessed Value
1	S-SQUARE FOOT P-PRIMARY		440-DEVELOPABLE LAND - ACCESSORY TO INDUSTRIAL	40,000	.92	N						7	271,200	
2	A-ACREAGE	R-RESIDUAL	440-DEVELOPABLE LAND - ACCESSORY TO INDUSTRIAL	121,763	2.80	N						10,000	18,977	
Total:													0 290,177	

Printed on Wednesday, March 22, 2023, at 10:54:53 AM EST

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PARID: 1360050000300592	MUNICIPALITY: HOLLISTON	LUC: 400
JKSP LLC	1483 WASHINGTON ST	PARCEL YEAR: 2023

Property Information

Property Location:	1483 WASHINGTON ST
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Deeded Acres:	3.7136
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Owner History

1 of 2

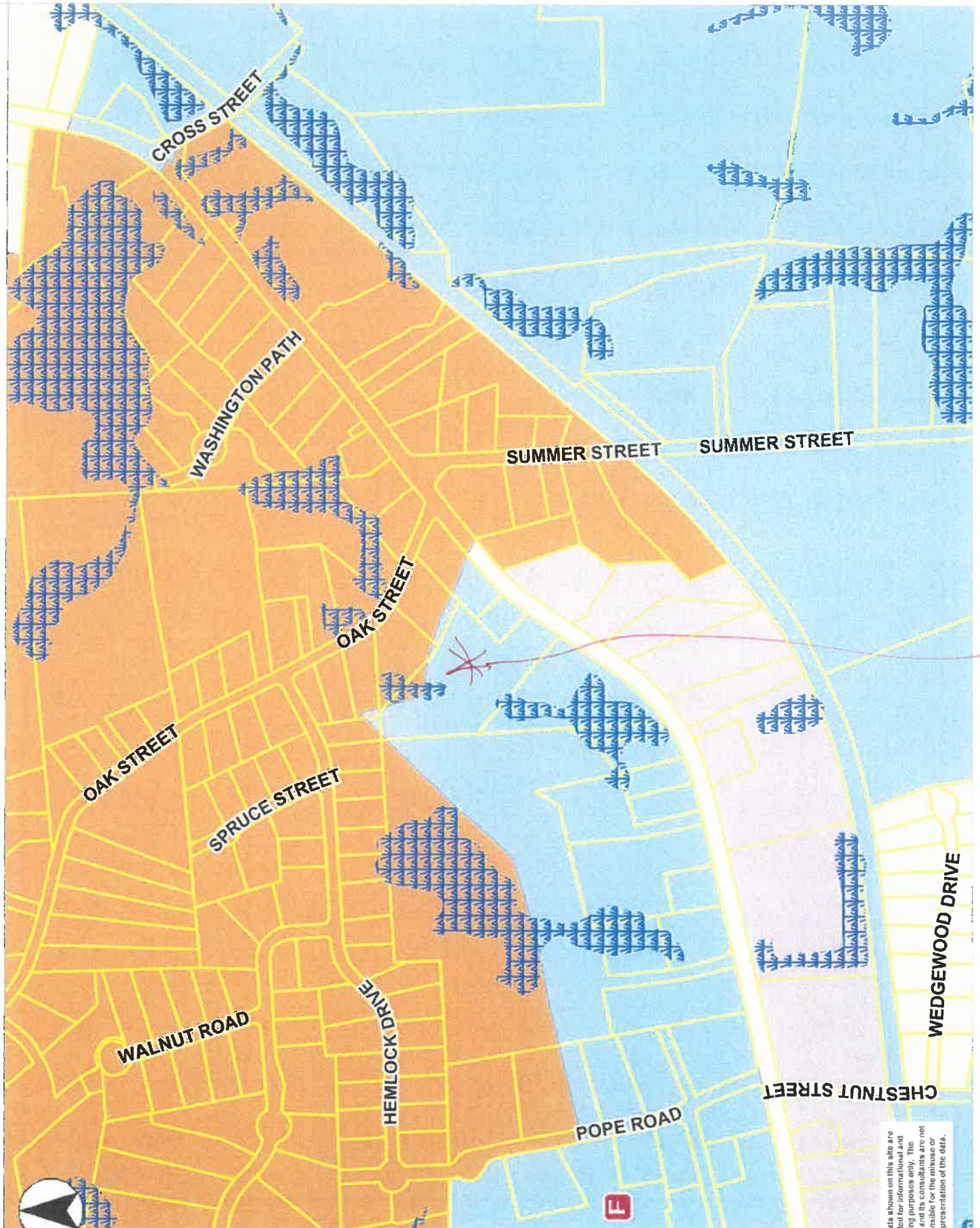
Tax Year	2023
Owner:	JKSP LLC
Co-Owner:	
Sale Care Of	
State:	MA
City	ASHLAND
Address:	201 ALGONQUIN TRAIL
Zip Code:	01721
Deed Book/Page	78092/558

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Total:														0 290,177



- Places**
- Fire Station
 - Police Station
 - Town Hall
 - Public Library
 - School
 - DEP Wetlands
- Parcels with Aerials**
- Zoning**
- Agricultural-Residential
 - Industrial-Residential
 - Commercial District
 - Industrial District
 - Residential District
 - Village Commercial
 - Village Residential



All data shown on this site are for informational and planning purposes only. The data and its consultants are not liable for the misuse or representation of the data.

Middlesex South Registry of Deeds

Electronically Recorded Document

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Recording Information

Document Number	: 143152
Document Type	: DEED
Recorded Date	: June 24, 2021
Recorded Time	: 01:37:59 PM
Recorded Book and Page	: 78092 / 558
Number of Pages(including cover sheet)	: 3
Receipt Number	: 2679538
Recording Fee (including excise)	: \$1,637.00

MASSACHUSETTS EXCISE TAX
Southern Middlesex District ROD # 001
Date: 06/24/2021 01:37 PM
Ctrl# 340478 01758 Doc# 00143152
Fee: \$1,482.00 Cons: \$325,000.00

Middlesex South Registry of Deeds
Maria C. Curtatone, Register
208 Cambridge Street
Cambridge, MA 02141
617-679-6300
www.middlesexsouthregistry.com

QUITCLAIM DEED

I, PAUL A. CHAMPNEY, Trustee of THE ARTHUR G. CHAMPNEY TRUST, u/d/t dated February 9, 1996, recorded with the Middlesex South District Registry of Deeds in Book 26225, Page 270

for consideration of THREE HUNDRED TWENTY-FIVE THOUSAND AND 00/100 DOLLARS (\$325,000.00), PAID

grants to JKSP LLC, a Wyoming limited liability company registered to do business in the Commonwealth of Massachusetts, having a local address of 201 Algonquin Trail, Ashland, Massachusetts 01721

with QUITCLAIM COVENANTS

The land, together with the buildings thereon, located at 1483 Washington Street, Holliston, Middlesex County, Massachusetts, being shown as Lot No. 2-1 on a plan entitled "Plan of Land Site Location: 1485 Washington Street Holliston MA" dated June 14, 2021 Scale: 1" = 40' Drawn by: J.D. Marquedant & Associates Inc. Land Surveying recorded with said Deeds in Plan No. 460 of 2021, and to which plan reference may be had for a more particular description of said lot.

Said Lot 2-1 contains area of 161,563 S.F. \pm or 3.71 AC. \pm according to said plan.

Specifically EXCLUDING Parcel A as shown on said plan, containing 223 S.F. according to said plan, and EXCLUDING Parcel B as shown on said plan, containing 74 S.F. according to said plan

Pursuant to M.G.L. c. 188 §10(a) (4), I hereby release and terminate all rights of homestead in the premises and state under penalties of perjury that there is no other person entitled to claim an estate of homestead in the premises.

Being a portion of the premises conveyed to grantor by deed dated February 9, 1996, and recorded with said Deeds in Book 26225, Page 274.

1483 Washington Street, Holliston, MA

WITNESS my hand and seal on this 22 day of June, 2021.

THE ARTHUR G. CHAMPNEY TRUST

Paul A. Champney Trustee
BY: PAUL A. CHAMPNEY, TRUSTEE AS AFORESAID
Paul A. Champney

COMMONWEALTH OF MASSACHUSETTS

Middlesex, ss

On this 22nd day of June, 2021, before me, the undersigned notary public, personally appeared Paul A. Champney, proved to me through satisfactory identification (driver's license) to be the person whose name is signed above and acknowledged to me that he signed it voluntarily for its stated purpose as Trustee of The Arthur G. Champney Trust.

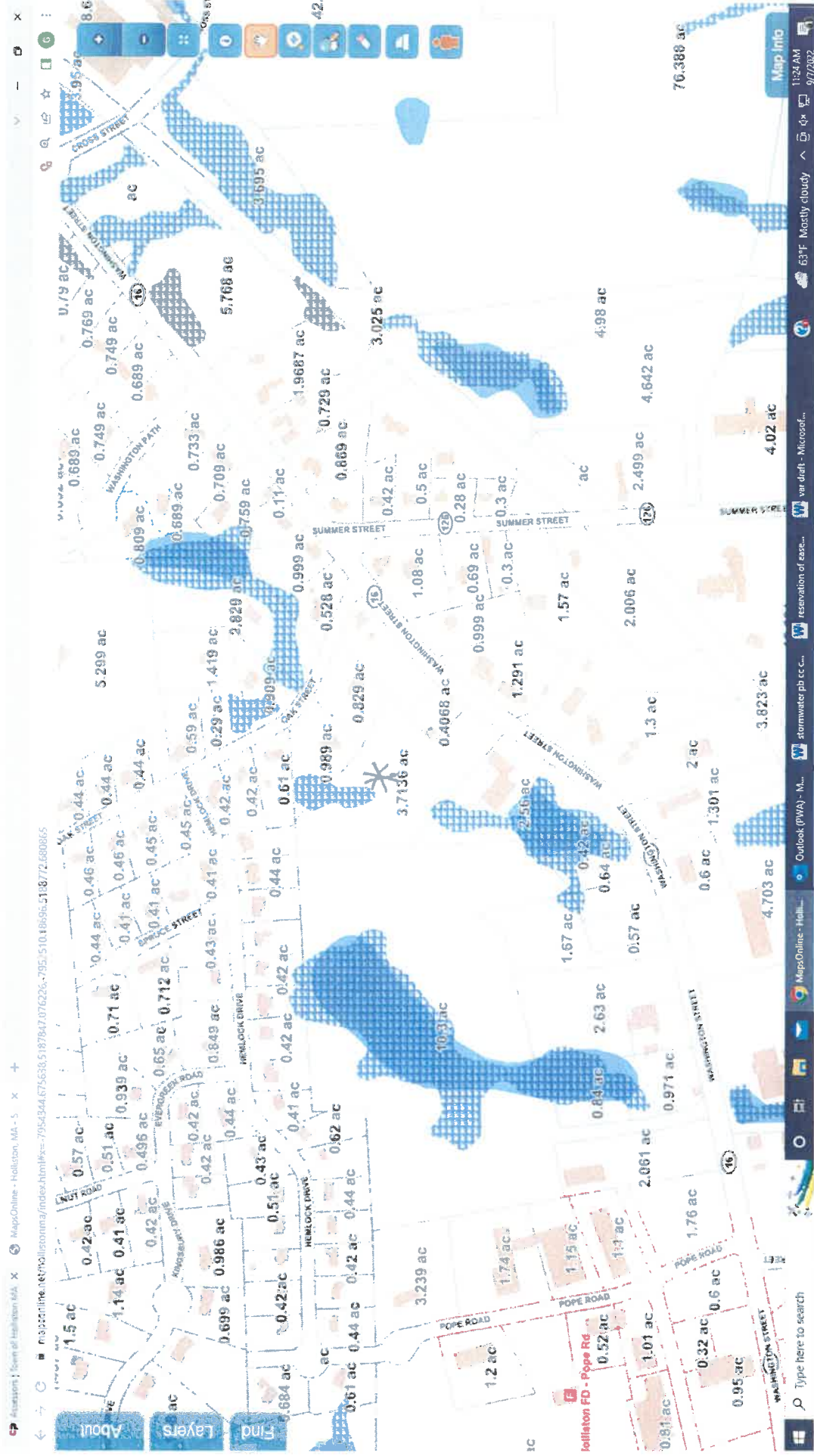
Steven A. Greenwald

Steven A. Greenwald

My commission expires: 11/7/25

- Notary Public

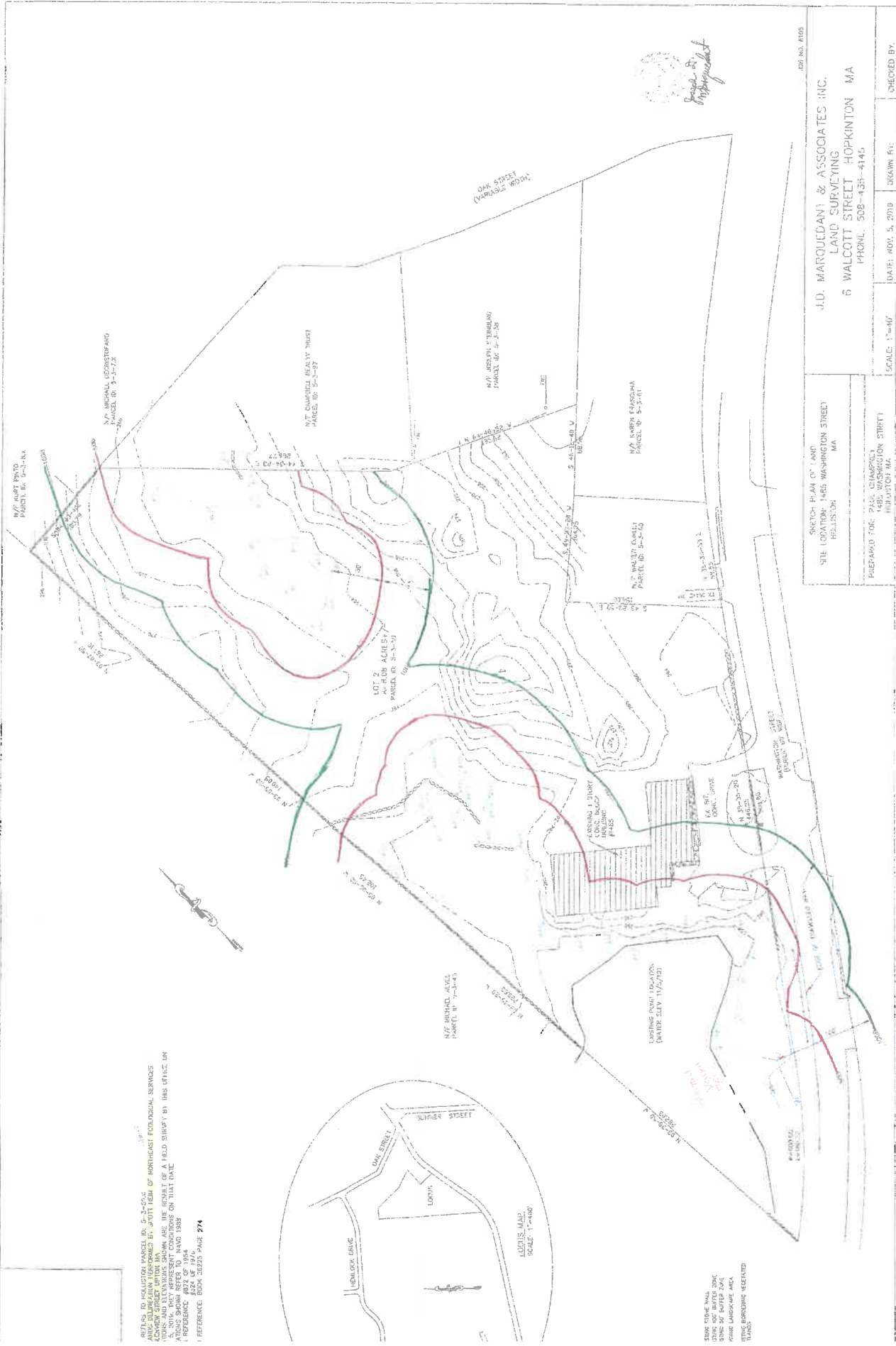
Steven A. Greenwald
Notary Public
Commonwealth of Massachusetts
My Commission Expires 11-7-25



* = LOCUS



1483 = locws



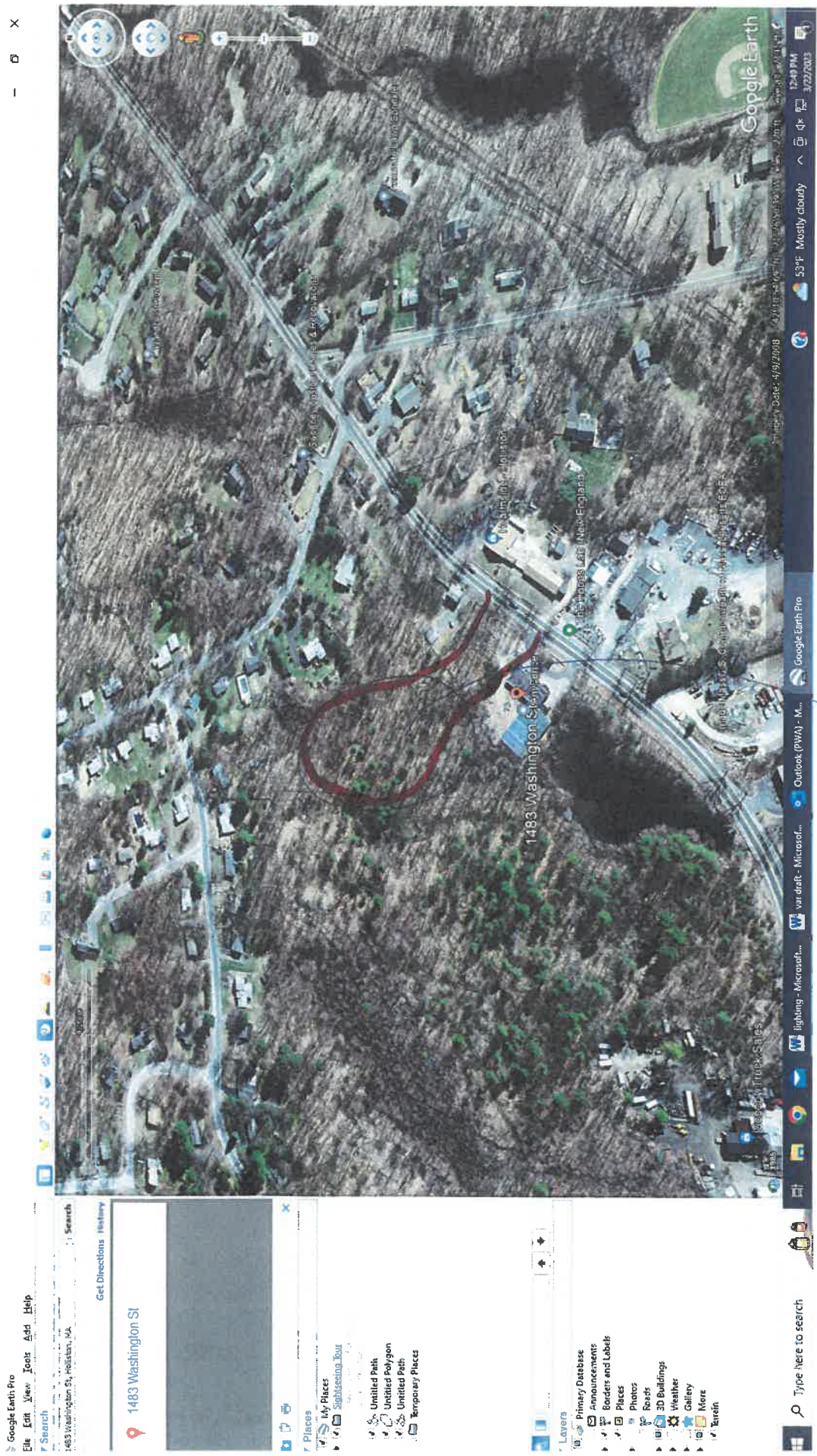
wetlands delineation



House to East of 107



View from west of lot



Birds Eye of Site



Lot



607

[illegible][illegible]

10-10-20	10-10-20
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BUSINESS/OFFICE REQUIRES: 1 SPACE/250 S.F.
860 S.F. / 250 S.F. = 59.4 SPACES REQUIRED
WORKING SPACES PROVIDED = 82

PRICE REQUIRES: 75 CORD PER 1,000 S.F.

DESIGN PERC RATE = 20 MDY (0.53 GAL/SF)

2'x2' FRENCHES = 71' x 0.53 = 1,128 CPM



REVISED:	ORIGIN BY: REN	CHECK BY: VC	DESCRIPTION:
DATE: SEPTEMBER 9, 2022			
SCALE: 1"=40'		SHEET 1 OF 1.	

Concept Comm/Ind. Layout

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260000 62400	260000 62400	260000 62400	260000 62400

\mathcal{D}	$(\mathcal{D} - \mathcal{D}^0) \cdot \mathcal{D}^0$
$\mathcal{D} \cdot \mathcal{D}^0$	

OPTIC AREA CALCULATION:

IDENTICAL REQUIREMENTS: 110 CPD PER BEDROOM
 @ 110 CPD = 2,870 CPD
 HIGH PERC RATE = 20 MPI (0.53 GAL/SF)
 110 CPD / 0.53 GAL/SF = 5,604 S.F. OF LEACH AREA REQUIRED
 REDUCTION - INNOVATIVE ALTERNATE SYSTEM
 14 CPD x 60% = 3,363 S.F. REQUIRED
 BARY AREA PROVIDED = 3,400 S.F.



NO.	DESCRIPTION	DRAWN BY	CHECKED BY

DATE: SEPTEMBER 9, 2022
SCALE: 1"=60'
SHEET 1 OF 1

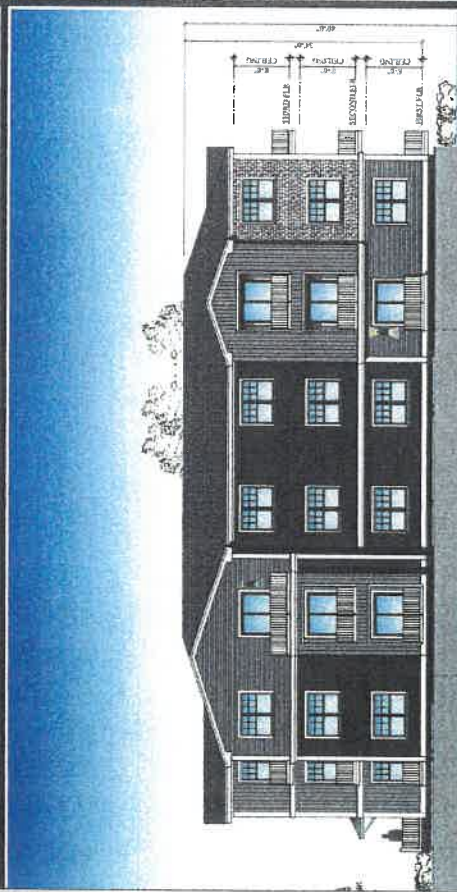
PROPOSED Residential use



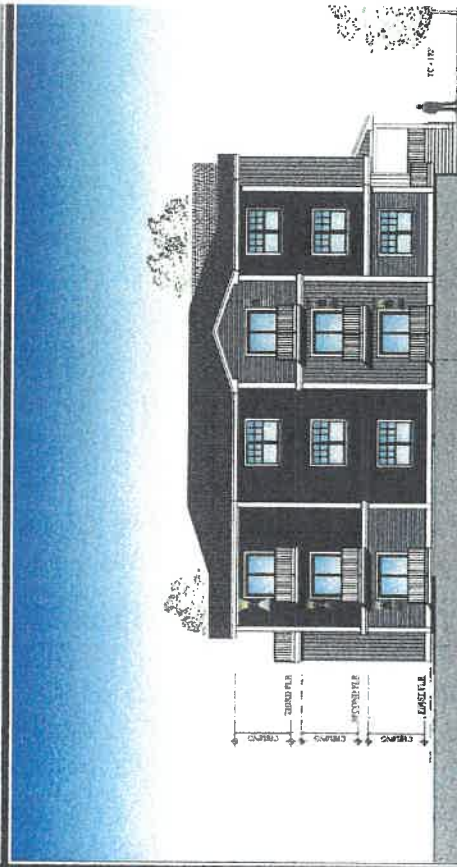
Proposed Front Elevation - Building 1
10/10/2017 10:00 AM 10/10/2017



Proposed Right Elevation - Building 1
10/10/2017 10:00 AM 10/10/2017

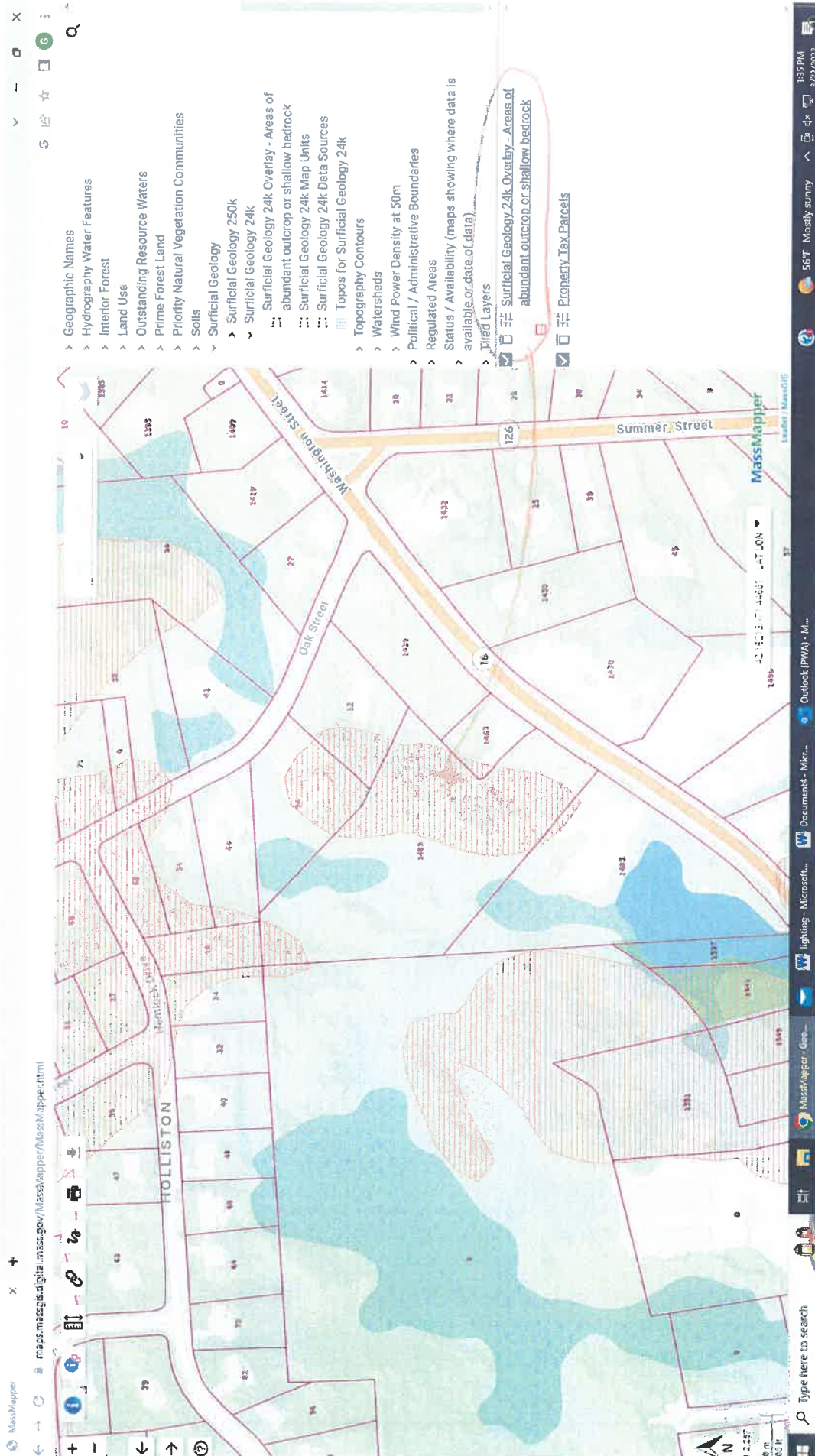


Proposed Rear Elevation - Building 1
10/10/2017 10:00 AM 10/10/2017



Proposed Left Elevation - Building 1
10/10/2017 10:00 AM 10/10/2017

Concept Building



HOLLISTON, MASSACHUSETTS 01746
BOARD OF ASSESSORS



COPY FEB 2023

ABUTTER CERTIFICATION REQUEST

DATE: _____

✓ \$50.00 p
noted check - 102/
check # 526

APPLICANT'S NAME: RCVA LLC

APPLICANT'S ADDRESS: 201 Algonquin Trail, Ashland MA 01701

APPLICANT'S PHONE: 774-279-1342

SUBJECT PROPERTY ADDRESS: 1483 Washington St, Holliston MA 01746

MAP 5 BLOCK 3 LOT 59.2

ASSOCIATED PERMIT/APPROVAL (e.g., Special Permit):

PERMIT GRANTING AUTHORITY (e.g., Planning Board)

Zoning Board

RADIUS FOR NOTICE (e.g., 100 feet, 300 feet) 300

FEE (made payable to the Town of Holliston): \$50.00 minimum¹

Signed under the pains and penalties of perjury:

Chris MA

Applicant's Signature

¹ FEE: \$50.00 minimum for up to 25 names/addresses, then \$2 per each additional name/address up to a maximum fee of \$100.00.

(For example, 1-25 names/addresses = \$50.00; 40 = \$80; 50 and above = \$100)

