

TOWN OF HOLLISTON
ZONING BOARD OF APPEALS

TOWN HALL

HOLLISTON, MASSACHUSETTS 01740

APPLICATION FOR GRANT OF A SPECIAL PERMIT

Date Filed: Dec. 29, 2022

Subject Address: 36 Cranberry Lane

Applicant's Name: Gregory and Eileen Ferrick

Applicant's Phone Number: 508-808-4819

Applicant's Email: ggferrick@yahoo.com

Owner's Name: Gregory and Eileen Ferrick

Owner's Address: 36 Cranberry Lane Holliston, MA

Zoning Information (To be completed by Inspector of Buildings):

The Owner hereby appoints Peter Barbieri to act as his/her/its agent for the purposes of submitting and processing this application for a special permit.

Applicant's Signature: [Signature]

Owner's Signature: [Signature]

Registry of Deeds Recording Information: Book 73077 Page 529 L.C. Y/N?

Assessors Map 12 Block 3 Lot 7A

Zoning Information (To be completed by Inspector of Buildings):

Zoning District: AR-2

with all the additions on the structure
proposed will exceed 50% of the original gross
floor area requiring a special permit.
12/30/22 [Signature]

Section of Zoning Bylaw that permits this use by grant of Special Permit:
I.C.3.2 Changes Resulting in Increased or New Nonconformity

Nature and subject matter of Special Permit:

Special Permit for addition following the same non-conforming front setback as the existing dwelling. New Garage meets front setback. Variance for side setback.

The Applicant presents the following evidence that supports the grant of the special Permit:

a. The use is in harmony with the general purpose and intent of the bylaw because:
The 10x24 addition follows the existing front setback of 34.7 feet. The addition meets the side and rear setback requirements. The garage addition meets the front setback but requires a variance for the side setback. The addition following the existing front setback will allow the addition in a manner consistent with the existing dwelling.

b. The general or specific provisions of a grant of a special permit, as set forth in the zoning bylaw are satisfied because:

The granting of the Special Permit will allow for the continued use of the property for a three bedroom dwelling. The improvements will not unreasonably affect abutting properties as there is no increase in the number of bedrooms. The existing facilities will therefore not be impacted. There are no impacts to wetlands or significant natural features.

Will the proposed use include the storage or process of any hazardous substances?

Yes _____ (Please attach additional information.) No x

**MEMORANDUM IN SUPPORT OF
PETITION FOR VARIANCES and SPECIAL PERMIT**

The property at 36 Cranberry Lane was created and developed in 1963 prior to the amendment of the Zoning By-Law establishing the current Dimensional Requirements for lots within the Agricultural Residence B Zone (ARB Zone) in which the property is located. The Lot (Lot 7A) when created consisted of twenty-one thousand eighty-six (21,086) square feet with 141.93 feet of frontage, which conditions have not changed. The Lot is, therefore, non-conforming as lots within the ARB Zone are required to have forty thousand (40,000) square feet and one hundred eighty (180) feet of frontage.

The dwelling on the property was constructed in 1963 based upon Assessors' records. The dwelling is located less than forty (40) feet from the street. The location of the dwelling is, therefore, also non-confirming as a front setback of forty (40) feet is required. The dwelling was located close to the street due to the requirements for the construction of a septic system and wetland conditions to the rear of the lot. The septic system is located behind the dwelling, which pushed the location of the dwelling to the street, as depicted on the Site Plan. Due to high ground water in the area, the dwelling was raised, requiring four (4) steps to enter the home.

In 2020, the Applicants received Variance to construct a garage; however, due to COVID and costs the garage was not constructed. A copy of the 2020 Variance is attached. The Applicants seek to again install a garage; however, due to the restrictions applicable to the property, the garage cannot be located outside of the required thirty (30) foot side setback. The garage is to be attached to the dwelling by a breezeway. This is necessary due to the four (4)-step entry into the home. The garage is located to the south side of the dwelling as that is the kitchen/living room side of the

house. Bedrooms occupy the north side of the home prohibiting construction of the garage on the north side of the house.

The location of the garage is also limited due to the wetland conditions affecting the Lot, as well as the existing construction (elevation and location of the dwelling), thereby, leaving the only location for the construction of the garage to be in the existing driveway, which will continue to serve as the driveway to the garage.

The garage is proposed to be located within 17.98 feet (including overhang) of the southerly property line (12.02 side setback deficiency). The Applicants, therefore, require a Variance from the Side Setback Requirement. All other conditions of the By-Law relating to the proposed construction are satisfied.

The property consists of twenty-one thousand eighty-six (21,086) square feet. The By-Law limits the impervious coverage on the site to twenty percent (20%) (4,217 square feet). The proposed improvements establish an impervious coverage of 20.84%. Pursuant to the Groundwater Protection District Requirements of the By-Law, Section V- L. 4.), residential uses are allowed as of right in a Zone II provided that the total impervious surface on the Lot is no more than twenty percent (20%). As the proposal establishes a 20.84% impervious coverage rate, a Variance is required.

The proposal also includes the construction of the bedroom addition. The construction of the bedroom addition, in and of itself, would not require any approvals as the size of the addition (240 square feet) together with past changes to the dwelling would not result in an increase of more than fifty percent (50%) of the size of the original dwelling. However, due to the bedroom addition and the garage addition, the combined areas of the new additions exceed the allowed fifty percent (50%) increase of the original gross floor area of the structure. This increase in gross floor

area does not allow the Building Official to issue a building permit. Therefore, a Special Permit under Section I. C. 3. 2. (Changes Resulting in Increased or New Non-Conformity) is required.

The 10' × 24' addition is in an area that is presently grass and, as noted, will follow the existing non-conforming front setback. Accordingly, the proposed addition will not significantly alter the character of the dwelling nor the neighborhood. The garage construction, as noted in the Board's prior Variance Decision, will also not have a detrimental impact. The proposed improvements to the dwelling have been integrated into the existing terrain and will not have any impacts upon wetland areas, steep slopes or the flood plain. The proposed Plan will result in an expanded driveway, which will provide for adequate services for the continued use of the Property as a three (3) bedroom dwelling. The proposed improvements will not create any additional emissions of noise, dust, fumes or noxious gases or have an adverse impact upon stormwater, erosion or sediment. Finally, the proposed dwelling improvements will not create any unreasonable glare from lighting.

As noted, the property is affected by wetlands, high ground water, the location of the septic system, the elevated construction of the dwelling and the existing driveway location. These conditions, as well as the lot size, only twenty-one thousand eighty-six (21,086) square feet with non-conforming frontage/width makes the property unique as compared to other properties. Most of the other lots on Cranberry Lane either have more area and/or greater frontage/width. The dwellings, which are not offset on their lots, are not impacted by wetlands and/or have garages which were constructed at the time that the homes were built. In fact, over seventy percent (70%) (not including the subject property) of the homes on Cranberry Lane have garages. This property is, therefore, unique.

The granting of the requested relief will authorize the use of the property to be consistent with most of the dwellings on Cranberry Lane (homes with garages) in a manner that is not substantially detrimental to the public good. As noted, a majority of the homes on Cranberry Lane have garages, so adding a garage to this home will not be out of place. In addition, the construction will not be more detrimental than the construction of a detached garage. Pursuant to Section V-A, Accessory Building and Structures, of the By-Law, an accessory building (garage) can be located up to ten (10) feet from a lot line provided the structure is not within the front setback. The garage is not within the front setback and will be setback 17.98 feet from the lot line. The attachment of the garage to the house makes it part of the structure and not an accessory building. However, the connection allows for the garage to be setback more than ten (10) feet from the side lot line; thereby, promoting the interest of the By-Law to offset structures from lot lines.

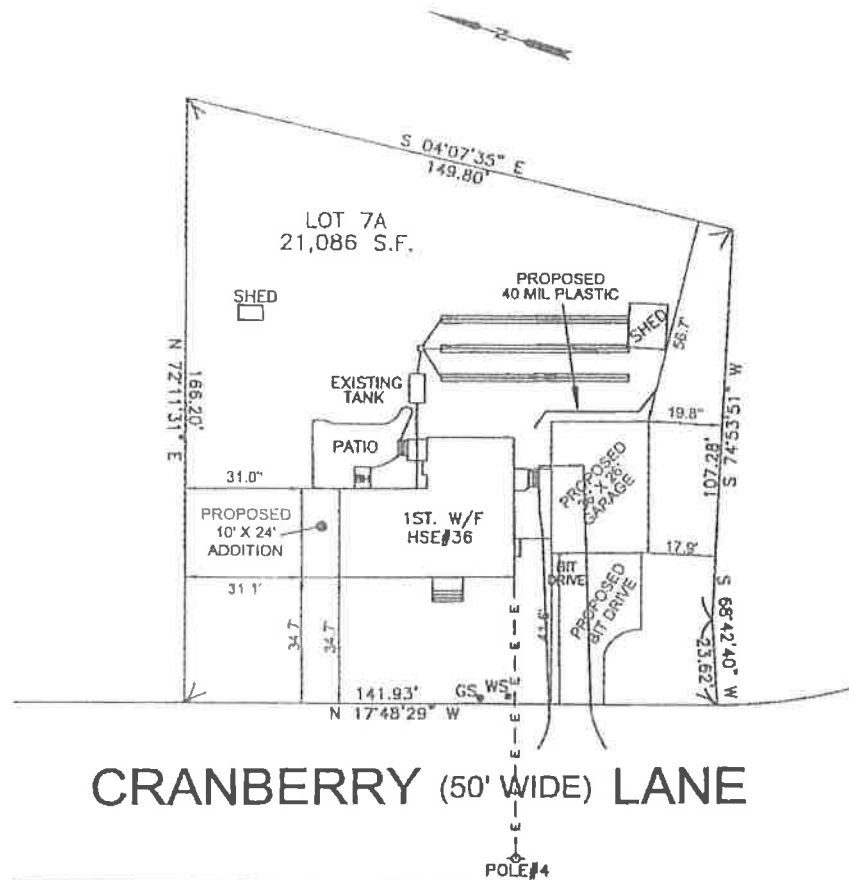
The granting of the requested relief, therefore, does not substantially derogate from the intent of the By-Law and will allow for the single-family dwelling use of the property in a manner which is consistent with the already established single-family dwellings with garages on Cranberry Lane.

PETITIONERS:

GREGORY and EILEEN FERRICK
By their Attorney

A handwritten signature in dark ink, appearing to read "P. Barbieri", is written over a horizontal line.

Peter R. Barbieri, Esquire
Fletcher Tilton PC
161 Worcester Road, Suite 501
Framingham, MA 01701
Direct Phone: 508-532-3517
Email: pbarbieri@fletchertilton.com



ZONE ARB

AREA = 40,000 S.F.
 FRONTAGE = 180'
 DEPTH = 200'
 SETBACK = 40'
 SIDEYARD = 30'
 REARYARD = 40'
 BUILDING COVERAGE = 25%
 ZONE II IMPERVIOUS COVERAGE = 20%

EXISTING BUILDING COVERAGE = 8.00%
 EXISTING IMPERVIOUS COVERAGE = 13.26%

PROPOSED BUILDING COVERAGE = 14.36%
 PROPOSED IMPERVIOUS COVERAGE = 20.84%

NOTE: LOT IS PRE-EXISTING & NON-CONFORMING
 CREATED MARCH 26, 1963.

PROPOSED ADDITION PLAN OF LAND

IN

HOLLISTON, MA.

SCALE: 1"=40' FEB. 10, 2022

OWNER: Gregory & Eileen Ferrick
 36 Cranberry Lane
 Holliston, Ma. 01746

COLONIAL ENGINEERING INC.
 11 AWL STREET MEDWAY, MA.
 508-533-1644



Anthony M. Dellorco



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доо нийт хэлбэр өөрчлөгчид

REVISIONS:

ISSUE DATES

36 CRANBERRY LANE
HOLLISTON MA

DRAWN BY:

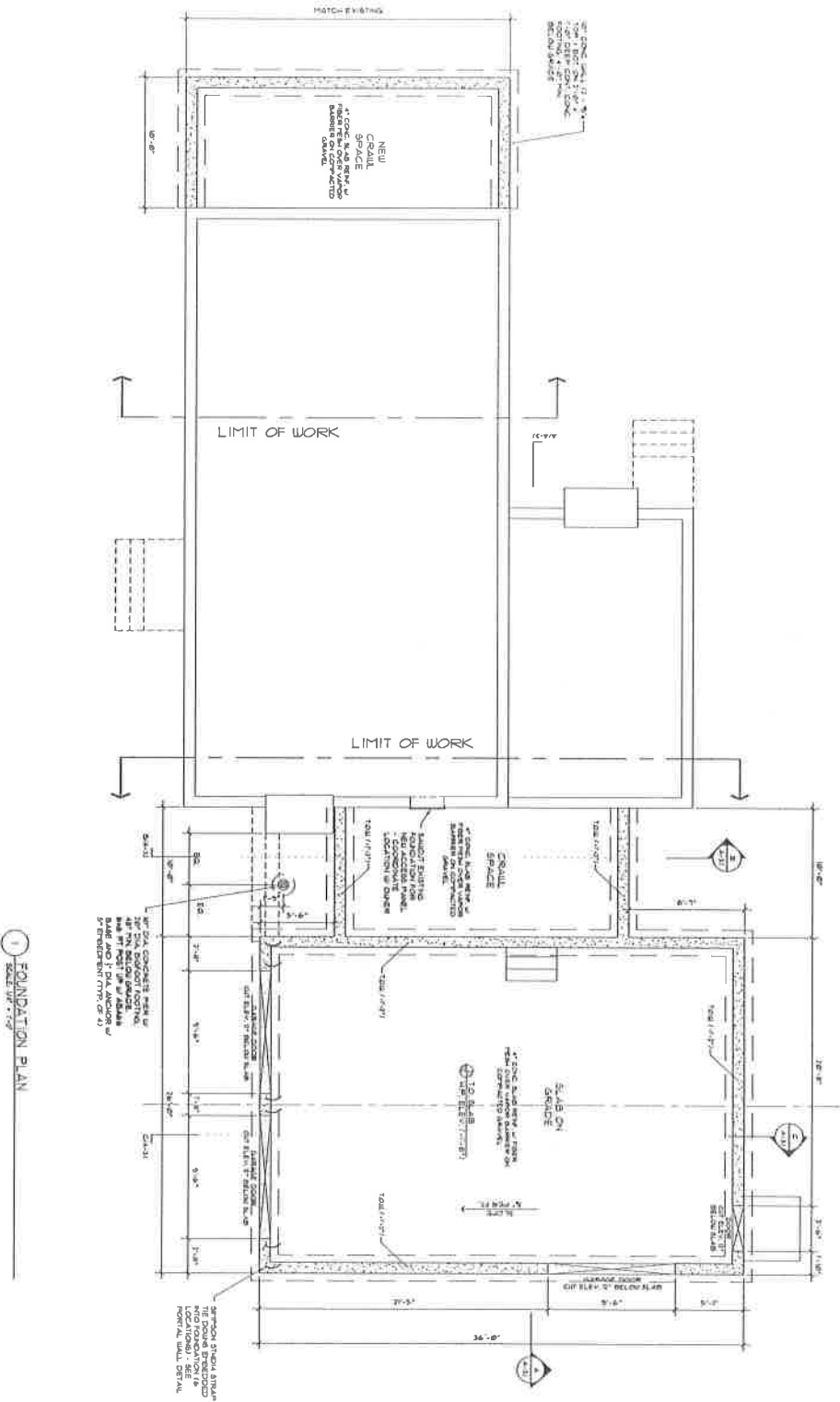
DATE:

11.21.2024

PLAN

DRAWING NUMBER:

S1.0



① FOUNDATION PLAN
SCALE: 1/8" = 1'-0"



DMCARECH.COM Ref. 508.631.7097

Did not receive 0 contacts

ISSUE DATES:

HOUSTON, MA

PLAN

1.1



These changing oral medications are not enough to keep the metabolic process going. Dr. Michael Cohen suggests a combination of growth, all-encompassing, and metabolic drugs. The metabolic drugs will be used only for the duration of treatment for the infection, and they will be added on top of the growth drugs without the need for a separate action against the bacteria. The combination of growth and metabolic drugs will be used for the duration of the infection, and the metabolic drugs will be added on top of the growth drugs without the need for a separate action against the bacteria.

ISSUE DATES

**FERRICK
RESIDENCE**
36 CRANBERRY LANE
HOLLISTON, MA

DESCRIPTION:
SECOND FLR
AND ROOF
PLANS

DRAWING NUMBER

A1.2





DANCARCH.COM P.O. # 508 451 709

FROM THE

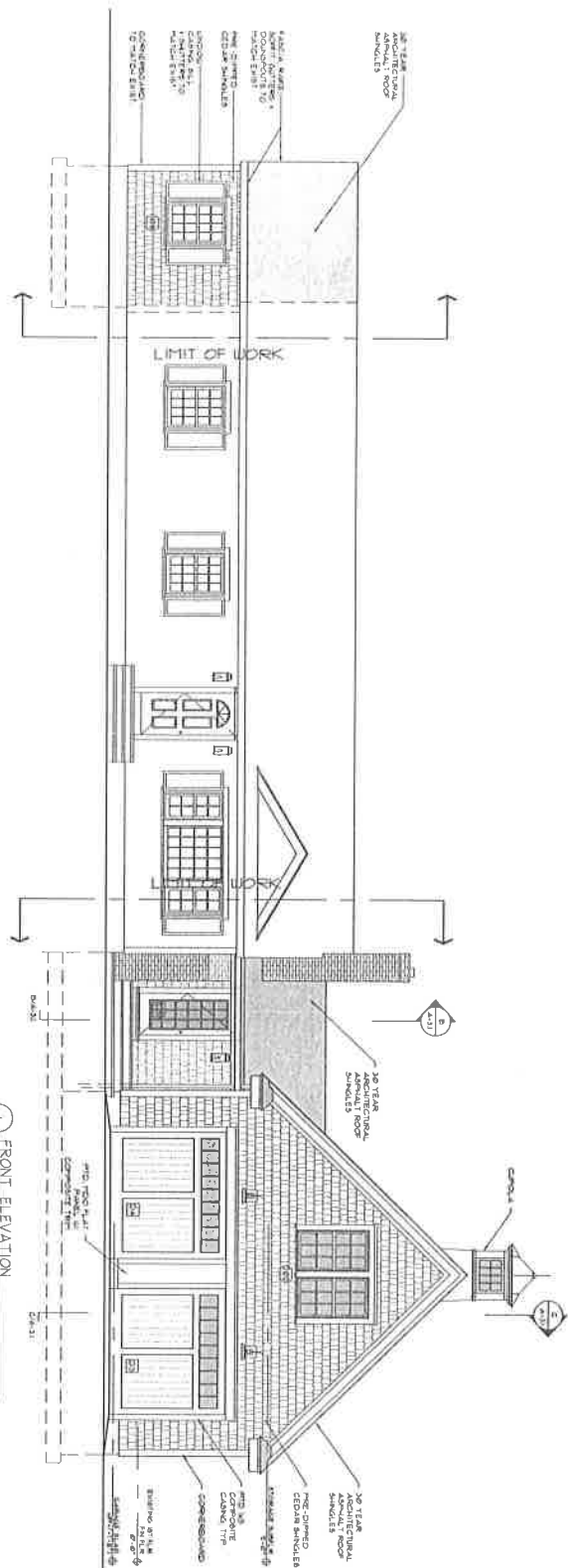
The methodology of local elections requires the vote and exclusive placement of D electoral College America's participation in several of existing methods of democracy, namely, the Oregon concept, that has been used by the Institute published in the *Washington Post* and the *New York Times*. The final result can be obtained through the use of the Oregon concept, which is the only method of election that is not based on the Oregon concept, which is the only method of election that is not based on the Oregon concept.

REVISIONS

ISSUE DATE

FRONT ELEVATION
SCALE 1/8" = 1'-0"

2000



DRAWN BY

六六六

DATA

11.21.2022

DESCRIPTION

ELEVATIONS

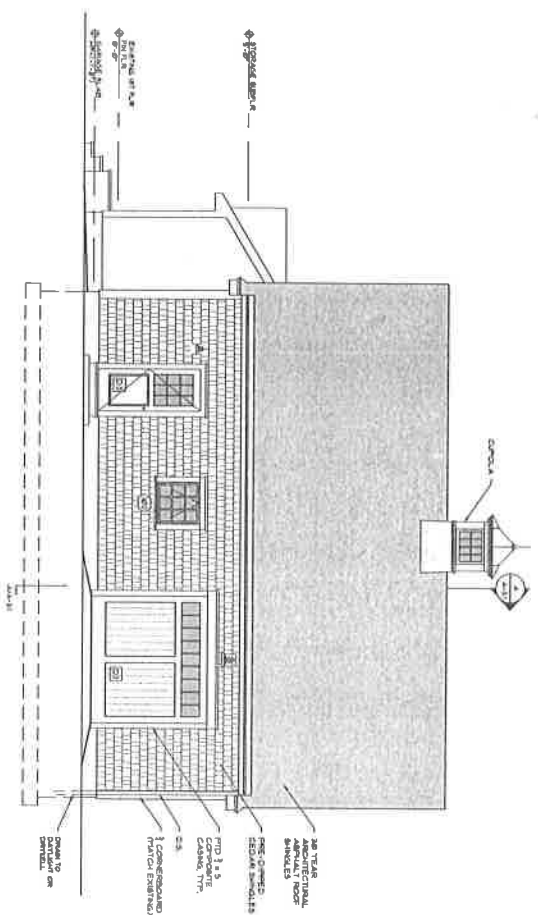
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A2.1

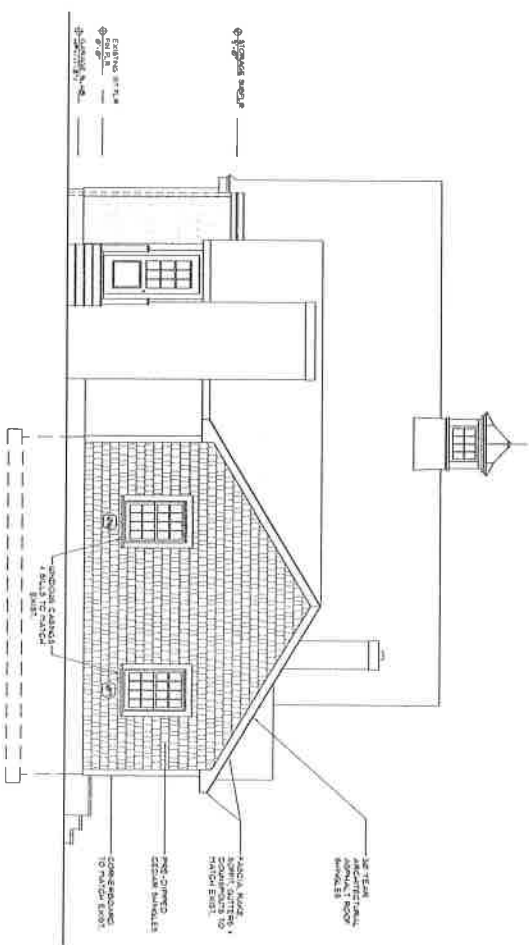
FERRICK
RESIDENCE
36 CRANBERRY LANE
HOLLISTON, MA

HOLLISTON, MA

HOLLISTON, MA



RIGHT SIDE ELEVATION
SCALE: 1/4" = 1'-0"



① LEFT SIDE ELEVATION
SCALE: 1/4" = 1'-0"

21 ELIOT STRIBER, NANTUCKET, MA 01926
DMACATCH.COM P-97 508.681.7096

21 ELIJAH STREET, NANTUCKET, MA 01786
DMCARTON.COM P/V 508.651.2708

ORIGINAL MANUSCRIPT

[illegible]

ISSUE DATES:

FERICK
RESIDENCE

36 CRANBERRY LANE
HOUSTON, MA

DRAWN BY:

DATE:

DESCRIPTION

ELEVATIONS

DRAWING NUMBER:

A2.2

