

**Holliston Zoning Board of Appeals
Meeting Minutes February 21, 2024**

CALL TO ORDER:

The Vice Chair called the meeting to order at 7:20 p.m. via Zoom and read the following statement into the record: Pursuant to the Governor's action on March 29, 2023 relative to extending certain COVID-19 measures adopted during the state of emergency suspending certain provisions of the Open Meeting Law G.L. c 30A paragraph 20, the Zoning Board of Appeals will be using remote participation for this meeting. The audio of this meeting is being recorded and will be posted to the Town's webpage within 24 hours in accordance with keeping the public informed of actions during this meeting. I would ask that all participants remotely attending this meeting please state your name for identification purposes each time you speak throughout the meeting. At this time, a roll call attendance vote will be taken:

Present:

Chairman Jay Peabody - absent
Vice Chair - Elizabeth Dembitzer - Present
Vladimir Nechev Present (Joined at 7:23)
Associate Member John Love - Present

GENERAL BUSINESS:

Approval of Minutes:

On a motion by Mr. Love, seconded by Ms. Dembitzer, the minutes of January 10, 2024 were approved as written on a roll call vote.

DELIBERATIONS:

Special Permit - 747 Washington Street

On a motion by Mr. Love, seconded by Ms. Dembitzer, members tabled the discussion and scheduled a meeting for Wednesday, February 28th at 7 p.m. to discuss the matter.

PUBLIC HEARINGS:

Special Permit and Dimensional Variance

623 Winter Street, LLC – 623 Winter Street

The Vice Chair opened the public hearings and waived reading the hearing notices into the record. She agreed to hear both petitions in a combined format. Joyce Hastings of GLM Engineering Consultants, Inc. was present to discuss the Special Permit and Dimensional Variance applications for relief under Sections I-C(3.5.1)(3) and I-C(3)(3,2) for reconstruction of a demolished single-family structure on a non-conforming lot.

The plan of record is entitled "Proposed Plot Plan, 623 Winter Street, Holliston, Massachusetts" prepared by GLM Engineering Consultants, Inc. (dated December 1, 2023). In addition, elevation and floor plans, prepared by Shane Structures (dated July, 2016), were provided for discussion and clarification. Ms. Hastings indicated that the 26,000 s.f. lot is non-conforming. She noted the prior and proposed conditions, noting that the prior structure has been razed after a fire. She clarified that the footprint of the structure is different and the proposed 25' side yard setbacks are slightly smaller than the prior condition. She noted that the proposed building

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footprint is approximately the same and the overall gross floor area is increasing. She did not provide a calculation of the gross floor area change.

The Vice Chair opened the hearing to the audience. No one asked questions or spoke in favor or against the petition. Deb Frey of 615 Winter Street stated that after review of the proposed plans, she has no issues with the proposal.

On a motion by Mr. Love, seconded by Ms. Dembitzer, the public hearings were closed on a unanimous roll call vote.

DELIBERATIONS:

Dimensional Variance – 623 Winter Street

Findings of Fact

The Board reviewed the application materials and testimony provided. In accordance with the provisions of Sections I-C(3)(3.2) and VI-D(3) Variances of the Town of Holliston Zoning By-Laws and MGL c. 40A, the Board finds the following: The proposed construction results in a de minimis change to the required minimum side yard setbacks on both sides of the proposed dwelling. Literal endorsement of the provisions of the Holliston Zoning By-Laws would involve substantial hardship to the Petitioner owing to circumstances related to the shape of the non-conforming lot. The lot is 100.05' wide at the street line.

Zoning Board Vote

The Board's vote to approve the Petitioner's Dimensional Variance application for relief under Section I-C(3)(3.2) for property described and located at 623 Winter Street was as follows on a motion by Mr. Love, seconded by Mr. Nechev:

Ms. Dembitzer	Aye
Mr. Nechev	Aye
Mr. Love	Aye

Conditions of Approval

1. This Dimensional Variance is not valid until recorded and indexed at the Registry of Deeds in accordance with the provisions of MGL, c. 40A, s.11 and shall lapse in one (1) year unless exercised per MGL, c. 40A, s. 10 and Section VI-D of the Holliston Zoning By-Laws. The copy of the decision to be filed must contain a certification the Town Clerk that twenty (20) days have elapsed since after the decision was filed and that no appeal has been filed or if such an appeal has been filed, that it has been dismissed or denied.
2. Construction is limited by "proposed conditions" portion of the plan of record entitled "Proposed Plot Plan, 623 Winter Street, Holliston, Massachusetts" prepared by GLM Engineering Consultants, Inc. (dated December 1, 2023). The side yard setbacks shall be no less than 25' to either side line.
3. Construction shall be in substantial compliance with the elevation and floor plans prepared by Shane Structures (dated July, 2016) provided for the record.

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Special Permit – 623 Winter Street

Findings of Fact

The Board reviewed the application materials and testimony provided. In accordance with the provisions of Section VI-E and Section I-C(3.5.1)(3) of the Town of Holliston Zoning By-Laws and MGL c. 40A, the Board finds the following: Desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of the By-Law. The proposed single-family dwelling is in keeping with the neighborhood. The existing front yard setback non-conformity will be eliminated.

Zoning Board Vote

The Board's vote to approve the Petitioner's Special Permit application for relief under Section VI-E and Section I-C(3.5.1)(3) for property described and located at 623 Norfolk Street was as follows on a motion by Mr. Love, seconded by Mr. Nechev:

Ms. Dembitzer	Aye
Mr. Nechev	Aye
Mr. Love	Aye

Conditions of Approval

1. This Special Permit is not valid until recorded and indexed at the Registry of Deeds in accordance with the provisions of MGL, c. 40A, s.11 and shall lapse in three (3) years unless exercised per MGL, c. 40A, s. 9 and Section VI-E(6) of the Holliston Zoning By-Laws. The copy of the decision to be filed must contain a certification the Town Clerk that twenty (20) days have elapsed since after the decision was filed and that no appeal has been filed or if such an appeal has been filed, that it has been dismissed or denied.
2. Construction is limited by "proposed conditions" portion of the plan of record entitled "Proposed Plot Plan, 623 Winter Street, Holliston, Massachusetts" prepared by GLM Engineering Consultants, Inc. (dated December 1, 2023). The side yard setbacks shall be no less than 25' to either side line.
3. Construction shall be in substantial compliance with the elevation and floor plans prepared by Shane Structures (dated July, 2016) provided for the record.

ADJOURNMENT: The meeting adjourned at 7:40 p.m. on a motion made by Mr. Love, seconded by Mr. Nechev with all in favor on a roll call vote. The next meeting was scheduled for Wednesday, February 28, 2024 and will be held remotely.

Respectfully submitted,

Karen Sherman, Town Planner

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