

Present: Vice Chairman John Love, Brian Liberis and Associate Members Jay R. Peabody and Mark Bush.

Call to Order: The Vice Chairman called the meeting to order at 7:15 p.m. in Room 014 of the Town Hall.

Approval of Minutes: On a motion by Mr. Peabody, seconded by Mr. Liberis with all in favor, the members approved the minutes of January 21, 2015 as drafted.

Public Hearings:

**Continued Special Permit Public Hearing
Martin Garvey Transport - 20 Whitney St.**

The Vice Chairman re-opened the public hearing at 7:15 p.m. Comment letters from the Fire Chief (dated January 21, 2015), Police Dept. (dated January 20, 2015), and Conservation Agent (dated January 14, 2015) were entered into the record. Atty. Peter Barbieri was present along with his client Martin Garvey to discuss the petition. Atty. Barbieri referenced the previous Special Permit and Site Plan Review approval granted by the Planning Board in 2007 and noted that the building had been constructed with vehicle storage in mind and is constructed and vented for such purpose. He clarified that this floor has its own designated driveway and building entrance separated physically from the main floor and the principal tenants. He also noted that a dumpster location has been removed from the plan as none is planned. Mr. Garvey indicated that this location is excellent based on its proximity to the ADESA car dealer auction facility in Framingham and that a single employee would be on-site on an as-needed basis.

No one was present in the audience to speak in favor or against the petition. Mr. Peabody made a motion to close the public hearing. Mr. Liberis seconded with all in favor.

**Special Permit Public Hearing
The Weise Company - 66 Winthrop St.**

The Vice Chairman opened the public hearing at 7:30 p.m. and Mr. Liberis read the hearing notice into the record. Alan Wright, AIA of the Weise Company was present along with Matthew Brown, Owner to discuss the petition. Plans of record were reviewed.

No one was present in the audience to speak in favor or against the petition. Mr. Peabody made a motion to close the public hearing. Mr. Bush seconded with all in favor.

**Special Permit Public Hearing
Suzanne and Robert Cahill - 8 Forest Park Drive**

The Chairman opened the public hearing at 7:35 p.m. and waived the reading of the notice as only Joyce Hastings, PLS of GLM Engineering Consultants, Inc. representing the petition was present. The plan of record was reviewed in detail. Ms. Hastings noted that the Conservation Commission had recently approved a wetland crossing for a driveway to the new building lot.

No one was present in the audience to speak in favor or against the petition. Mr. Peabody made a motion to close the public hearing. Mr. Liberis seconded with all in favor.

Mr. Liberis made a motion to close the public hearing. Mr. Love seconded with all in favor.

DELIBERATIONS:

Deliberations:

I. 20 Whitney Street

Findings of Fact

The Board reviewed the application materials and testimony provided by the petitioner and his counsel as well as comment letters from the Conservation Agent (dated January 14, 2015), Police Dept. (dated January 20, 2015) and Fire Chief (dated January 21, 2015). The Board finds that use of the property as described is in harmony with the general purpose and intent of the By-Law per the criteria of Section VI-E(5). As noted, the locus received Site Plan Review approval from the Planning Board in September 2007 and the site has been constructed per the approved plans and Certificate of Action (See Book 49615, Page 334) and has been vacant. The plan of record for Lot 2 of Whitney Street was prepared by GLM Engineering Consultants, Inc. and is dated September 1, 2006. A hand-drawn modification to the parking area plan denoting outside stacked parking for 5 cars was entered into the record as was a response to the Conservation Agent's comments from Junction Street, LLC dated February 13, 2015.

Zoning Board Vote

The Board's vote to approve the Petitioner's Special Permit application for relief under Section III-A (Use #31) for property described and located at 20 Whitney Street was as follows on a motion by Mr. Peabody seconded by Mr. Liberis:

Mr. Love	Aye
Mr. Liberis	Aye
Mr. Peabody	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. The copy of the decision to be filed must contain a certification by the Town Clerk that 20 days have elapsed since after the decision was filed and that no appeal has been filed or if such appeal has been filed, that it has been dismissed or denied.
2. Vehicle storage (maximum 5 vehicles outside and 24 interior) is limited to the basement of the locus and assigned exterior parking area with designated driveway. The use is limited to storage as indicated with no sales or related activities on site.

II. 66 Whitney Street

Findings of Fact

The Board reviewed the application materials and testimony provided by the Petitioner, including proposed plot plan (prepared by Applewood Survey, LLC dated January 29, 2015) and architectural layout and elevation prepared by The Weise Company dated January 13, 2015. In accordance with the provisions of Section I-C (3) and VI-E(5), the Board finds that the proposed addition increases the non-conforming nature of the altered structure without material change in the exterior appearance and therefore the change will not be more substantially detrimental than the existing non-conforming use to the neighborhood.

Zoning Board Vote

The Board's vote to approve the Petitioner's Special Permit application for relief under Section I-C (3) for property described and located at 66 Winthrop Street was as follows on a motion by Mr. Peabody, seconded by Mr. Liberis:

Mr. Liberis	Aye
Mr. Peabody	Aye
Mr. Bush	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. The copy of the decision to be filed must contain a certification by the Town Clerk that 20 days have elapsed since after the decision was filed and that no appeal has been filed or if such appeal has been filed, that it has been dismissed or denied.
2. Construction shall encroach no further than 6' into the required side yard setback or within 10' of the eastern side lot line.
3. Elevations and construction materials shall substantially comply with submitted plans as referenced above.

III. 8 Forest Park Drive

Findings of Fact

The Board reviewed the application materials and testimony provided by the Petitioner's Surveyor as well as the endorsed Approval Not Required Subdivision proposed by GLM Engineering Consultants, Inc. dated January 8, 2015.

In accordance with the provisions of Section I-C (4) and VI-E(5), the Board finds that the proposed division of the locus (Deer Run at Holliston Cluster Subdivision Lot #17) is in compliance with the requirements and terms of the previous relief granted. The proposed building lot meets minimum frontage and lot area requirements and no proposed alteration effects the depth. Excess land (Parcels C and D) is labeled "Not to be considered a buildable lot".

Zoning Board Vote

The Board's vote to approve the Petitioner's Special Permit application for relief under Section I-C (4) for property described and located at 8 Forest Park Drive was as follows on a motion by Mr. Peabody, seconded by Mr. Liberis:

Mr. Love Aye
Mr. Liberis Aye
Mr. Peabody 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. The copy of the decision to be filed must contain a certification by the Town Clerk that 20 days have elapsed since after the decision was filed and that no appeal has been filed or if such appeal has been filed, that it has been dismissed or denied.
2. The following notes on the plan of record shall be referenced on the individual parcel conveyances:
 - a. Parcel F is not to be considered a buildable lot and is to be conveyed to Parcel E to reconfigure the locus of #8 Forest Park Drive within the subdivision.
 - b. Parcel B is not to be considered a buildable lot and it to be conveyed to Parcel C to create a new building lot with frontage within the subdivision.
 - c. Parcel D is not to be considered a buildable lot and is to be conveyed to Parcel A to reconfigure the locus of #145 Hanlon Road, abutting the subdivision.

Adjournment: The meeting adjourned at 8:35 p.m. on a motion made and duly seconded with all in favor. The next meeting was scheduled for March 18, 2015.

Respectfully submitted,

Karen Sherman
Town Planner