

**Holliston Zoning Board of Appeals  
Meeting Minutes of January 18, 2017**

**Present:** Vice Chairman John Love, Brian Liberis, and Associate Member Jay Peabody. Chairman Henry Dellicker and Mark Bush were absent.

**Call to Order:** The 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. Bush, seconded by Mr. Peabody with all in favor, the members approved the minutes of December 14, 2016 as drafted.

**FY18 Budget:** Members reviewed the proposed budget with Personal Services, Purchased Services, Supplies and Materials line items for a total of \$10,938. Mr. Liberis made a motion to approve the request. Mr. Peabody seconded with all in favor.

**I. PUBLIC HEARINGS:**

**Dimensional Variance Public Hearing  
David and Susan Longmoore – 0 Rockland Street**

The Chairman opened the public hearing at 7:15 p.m. and Mr. Liberis read the hearing notice into the record. Comment letters from the Board of Health and Conservation Commission (both dated December 27, 2016) were entered into the record. A Determination of Applicability was issued by the Conservation Commission in October 2016. Atty. Peter Barbieri of Fletcher Tilton was present with his clients. He provided an overview of the legal history of the property, originally divided into four parcels in 1963 by Approval Not Required Subdivision with an expired/unexecuted dimensional variance from 2005. He reiterated the requested relief and hardship layed out in his memorandum attached to the application. The deficient lot area and frontage as well as presence of wetlands both pose significant physical limitations for development. Review of the record plan followed.

The Vice Chairman opened the meeting to the audience for questions and comments. Jack Anderson of 104 Rockland Street noted that Lot 1 was one of the oldest houses in the neighborhood and was in Mrs. Norris' family. He noted that he was the listing broker in 2005 for this locus, but was unable to sell it given the market conditions at the time. On a motion by Mr. Liberis, seconded by Mr. Peabody, the public hearing was closed.

**II. DELIBERATIONS:**

**Dimensional Variance – 0 Rockland Street  
Findings of Fact**

The Board reviewed the application materials and testimony provided by the Petitioners as well as comment letters from the Board of Health (dated December 27, 2016) and Conservation Commission (dated December 27, 2016). In accordance with the provisions of Section VI-D(3), the Board finds the following: The use is in harmony with the general purpose and intent of the zoning by-law. A modest residential on this undersized lot shown on the record Approval Not Required Subdivision from 1963 could be consistent with the neighborhood and literal

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enforcement of the provisions of the by-law would involve substantial financial hardship to the owners.

**Zoning Board Vote**

The Board's vote to approve the Petitioners Dimensional Variance application for relief under Section IV-B for property described and located at 0 Rockland Street was as follows on a motion by Mr. Peabody, seconded by Mr. Liberis:

Mr. Love	Aye
Mr. Peabody	Aye
Mr. Liberis	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. The copy of the decision to be filed must contain a certification by 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 appeal has been filed, that it has been dismissed or denied.
2. Relief is given to the lot in relation to minimum required lot area and continuous frontage in that the lot is deficient by 45,613 s.f. and frontage is 87.17 feet short.
3. The Board reserves the right to review and approve elevations of the proposed dwelling prior to issuance of a building permit.
4. Approved single-family dwelling construction shall be no closer than 30' to either side lot line.

**Adjournment:** The meeting adjourned at 8:15 p.m. on a motion made and duly seconded with all in favor. The next meeting was scheduled for February 22, 2017.

Respectfully submitted,

Karen Sherman  
Town Planner