

**Holliston Zoning Board of Appeals
Meeting Minutes of April 26, 2017**

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

Call to Order: The Chairman called the meeting to order at 7:05 p.m. in Room 014 of the Town Hall.

Approval of Minutes: On a motion by Mr. Love, seconded by Mr. Peabody with all in favor, the members approved the minutes of March 15, 2017 as drafted.

I. PUBLIC HEARINGS:

Special Permit Public Hearing

Holliston Animal Services, Inc. (Rodney Poling) – 13 Exchange Street

The Chairman opened the public hearing at 7:10 p.m. and Mr. Peabody read the hearing notice into the record. Correspondence from James Arena-deRosa of 9 Mechanic Street dated April 26th was also entered into the record.

Dr. Poling was present to discuss his petition. The building has been in use as a veterinary office for over 15 years. The proposed renovations will include siding and window replacement. The long narrow building has internal circulation issues and ½ of the basement is unusable. The front door and stair will be relocated to the center of the building. Internally, a conference room and an animal holding area for odor and noise control will be added. Elevations and floor plans prepared by Jay Tracy, AIA of Walpole, MA dated March 1, 2017 were provided.

Relief requested was clarified. The existing footprint will not be expanded. The existing handicapped ramp will be covered by roof (encroaching to within 2.5' of the side lot line) and the front stair and landing will be relocated/re-built (encroaching no further than the existing landing). A plan on file entitled "Tile Insurance Plan, 13 Exchange Street" dated April 26, 2005 prepared by GLM Engineering Consultants, Inc. was utilized as reference as it provided more detail than the plot plan submitted with the application.

The Chairman opened the meeting to the audience for questions and comments. Mark Heavner, owner of 838 Washington Street and Deb Coppins of 15 Sparrow Lane spoke in favor of the petition. Lee Desorgher of 15 Mechanic Street expressed concerns about the massing and is looking for a more aesthetically pleasing structure. Exterior improvements including siding and window replacement were described in detail. He suggested replacement of the chain link fence and additional landscaping. He presented a photo from his property (rear of the locus). Dr. Poling offered to discuss the matter further with his neighbors and members of the Historic Commission.

On a motion by Mr. Love, seconded by Mr. Peabody, the public hearing was closed.

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Special Permit Public Hearing

Eric and Cheryl Anastasia – 78 Prospect Street

The Chairman opened the public hearing at 7:52 p.m. and the hearing notice reading was waived as there were no persons of interest in the audience. The Anastasias were present to discuss their petition for an attached mudroom and garage with a master bedroom suite above. A full basement is also proposed. Architectural plans and elevations were submitted for the record prepared by Chimini Design Architects, Inc. dated March 2017. The proposed addition will encroach to within 11' of the side lot line. The existing dwelling and 12,286 s.f. lot are both non-conforming.

The Chairman opened the meeting to the audience for questions and comments. No one was present in the audience to speak for or against the application.

On a motion by Mr. Love, seconded by Mr. Peabody, the public hearing was closed.

Special Permit Public Hearing

Deborah J. Coppins – 15 Sparrow Lane

The Chairman opened the public hearing at 8:05 p.m. and the hearing notice reading was waived as there were no persons of interest in the audience. Comment letters from abutter Martha Devoe of 35 Robin Hill Road (dated April 4 and 6, 2017) and responses from the applicant (dated April 6, 2017) were entered into the record. Ms. Coppins was present with her contractor Mark Heavner to discuss her petition to add a second floor to the existing dwelling. The footprint will not be altered but the dwelling and 18,250 s.f. lot are both non-conforming and the proposed addition exceeds the 50% by-right expansion in the by-law. Mr. Heavner clarified that the structure at its highest point will be 34'

Ms. Sparrow provided a letter of support for the proposal signed by Jennifer Reichheld of 7 Sparrow Lane, Martin & Ann Conley of 8 Sparrow Lane, Ralph Baker of 16 Sparrow Lane, Sean & Katherine Fitzpatrick of 43 Robin Hill Road and John & Patricia Themeli of 40 Smithhurst Drive. It was entered into the record.

The Chairman opened the meeting to the audience for questions and comments. No one was present in the audience to speak for or against the application. On a motion by Mr. Love, seconded by Mr. Peabody, the public hearing was closed.

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II. DELIBERATIONS:

Special Permit – 13 Exchange Street

Findings of Fact

The Board reviewed the application materials and testimony provided by the Petitioner. In accordance with the provisions of Sections IV-B and V-K(5), the Board finds the following: The proposed addition to within 2.5ø of the side lot line meets the objectives, requirements and guidelines of the Village Center Commercial District and will not be substantially more detrimental than the existing non-conforming structure to the neighborhood.

Zoning Board Vote

The Board's vote to approve the Petitioner's Special Permit application for relief under Section IV-B and V-K(5) for property described and located at 13 Exchange Street was as follows on a motion by Mr. Love, seconded by Mr. Peabody:

Mr. Dellicker	Aye
Mr. Love	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 and shall lapse in two (2) years 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. Construction shall be no closer than 2.5ø to the western side lot line. An as-built drawing showing the final construction shall be provided to the Building Inspector.
3. Final design and materials shall be substantially in compliance with elevations and floor plans prepared by Jay Tracy, AIA of Walpole, MA dated March 1, 2017 and in keeping with the neighborhood.

Special Permit – 78 Prospect Street

Findings of Fact

The Board reviewed the application materials and testimony provided by the Petitioners, including a plan entitled "Proposed Addition Plan, 78 Prospect Street, Holliston, MA" prepared by GLM Engineering consultants, Inc. (dated March 21, 2017). In accordance with the provisions of Section I-C(3.3.1), the Board finds the following: The proposed one-car garage and mudroom addition shall not be substantially more detrimental to the neighborhood than the existing non-conforming structure.

Zoning Board Vote

The Board's vote to approve the Petitioners Special Permit application for relief under Section I-C for property described and located at 78 Prospect Street was as follows on a motion by Mr. Peabody, seconded by Mr. Love:

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Mr. Dellicker	Aye
Mr. Love	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 and shall lapse in two (2) years 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. The addition shall not be constructed any closer than 11øto the western side lot line, essentially in line with the existing shed.
3. Materials and plans shall be substantially in compliance with the record drawings prepared by Chimini Design Architects, Inc. dated March 2017.

Special Permit – 15 Sparrow Lane

Findings of Fact

The Board reviewed the application materials and testimony provided by the Petitioner. In accordance with the provisions of Section I-C(3.3.1), the Board finds the following: The proposed addition shall not be substantially more detrimental than the existing non-conforming structure to the neighborhood.

Zoning Board Vote

The Boardø vote to approve the Petitionerø Special Permit application for relief under Section I-C for property described and located at 15 Sparrow Lane was as follows on a motion by Mr. Peabody, seconded by Mr. Love:

Mr. Dellicker	Aye
Mr. Love	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 and shall lapse in two (2) years 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 for the second story addition is per record plans entitled øCertified Plat Plan in Holliston, MAø prepared by Drake Associates, Inc. (dated 2000 with proposal overlaid). There is no increase in the encroachment to either side yard setback and the front yard setback will comply with current zoning.

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3. Construction style and materials shall be substantially in compliance with the sketch provided in application materials.

Adjournment: The meeting adjourned at 8:45 p.m. on a motion made and duly seconded with all in favor.

Respectfully submitted,

Karen Sherman
Town Planner

Approved: May 31, 2017