



TOWN OF HOLDEN

1196 MAIN STREET
HOLDEN, MASSACHUSETTS 01520

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ZONING BOARD OF APPEALS PUBLIC HEARING, March 21, 2019

Joseph & Erika Francese

Case No. V-1901 & SP-1901

The Zoning Board of Appeals held a public hearing on Thursday, March 21, 2019 at 7:15 p.m. in the Holden Senior Center on the Petition of Joseph & Erika Francese for a VARIANCE for relief from the front yard setback requirements for an addition and for a SPECIAL PERMIT for an accessory apartment for property located at 108 Valley Hill Dr.

Members in attendance: R. Spakauskas, J. Deignan, R. Fraser, F. Lonardo, and R. Butler, (1st Alternate), and D. George (2nd Alternate)

Others in attendance: P. Harding – Director, Planning & Development, C. Perkins – Secretary, B. Toning – 64 Crestview Dr, J. Francese – 108 Valley Hill Dr, J. Silk – 19 Ivernia Rd Worcester, Lar Greene – Westborough, J. Meyer – 45 Chapin Rd, J. Zottoli – 404 Main St, D. Zottoli – 404 Main St, S. Goodwin – 28 Salem Rd, M. Conway – 18 Avery Heights Dr, Z. Downing – 3 Bear Path Clinton, L. Hardy – 27 Duxbury Dr

R. Spakauskas reviewed the procedures for the hearing and the secretary read the application and the findings of fact.

R. Spakauskas then invited the petitioner to address the board. J. Francese addressed the board noting their request for a variance of 6.5' relief from the front yard setback requirement to add an addition on to their home for an accessory apartment for their parents to reside with their family. In addition, he asked the board to consider granting the Special Permit to allow for an accessory apartment. J. Francese stated this addition will in no way affect the neighborhood negatively.

J. Deignan asked the petitioner where there is current basement access. J. Francese stated access to the basement is from the inside of the home as well as the bulkhead. The bulkhead will be moved according to the plans if the variance is granted and the entire addition will have a basement.

F. Lonardo stated that the statements under Question #1 on the Findings of Facts are insufficient and do not support this variance request. He recommends adding statements that support the uniqueness of the lot shape and topography.

D. George asked the petitioner if they would consider moving the addition back for less relief. The petitioner stated they have already adjusted the plans for the addition needing relief of 17' to now only needing 6.5' of relief and there is a slope in the back of property falling off by 10 feet and are not able to adjust the plans further.

There were no further comments or questions. R. Spakauskas thanked everyone for attending and provided a review of the appeal period.

R. Fraser made a motion to vote and J. Deignan seconded. The Board voted unanimously 5-0 with the following additions to the Findings of Fact Question #1 on the Variance application:

1. The lot is triangular in nature which is unique to the neighborhood
2. The lot drops significantly in back which is unique to the property

The board also granted the application subject to the following conditions:

1. A certified as-built plan will be required showing changes to the building footprint
2. Stake the lot lines of the addition

The public hearing was closed at 7:40 p.m.

Ronald E. Spakauskas, Chairman



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- New Business/Other Business

1. Citizen's Petition by F. Lonardo

F. Lonardo has submitted a citizen's petition to amend the Zoning Bylaw for the Town of Holden – Non-Conforming Uses, Structures, and Lots for the Planning Board's review. F. Lonardo stated he reached out to the Attorney General's office to find out if it is legal to bring this petition forward under a Special Permit but has not heard back.

P. Harding stated the Citizen's Petition will go before the Planning Board at their meeting on April 9, 2019 in Town Hall, Memorial Hall at 7 p.m. If the citizen's petition is approved by the Planning Board, it will appear as a warrant at the Town Meeting in May. The more people to attend Town Meeting, the better, as it needs a 2/3 vote to pass.

Ronald E. Spakauskas, Chairman