

TOWN OF HOLDEN

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ZONING BOARD OF APPEALS PUBLIC HEARING, July 20, 2017

Boylston CP, LLC

Case No. SP-1704

The Zoning Board of Appeals held a public hearing on Thursday, July 20, 2017 at 7:00 p.m. in the Holden Senior Center on the Petition of Boylston CP, LLC for a SPECIAL PERMIT to allow four (4) two-family dwelling units on four lots, not in a cluster, in the R-10 zoning district extending Torrey lane.

Members in attendance: R. Spakauskas, S. Annunziata, R. Fraser, and J. Deignan

Members absent: F. Lonardo and R. Butler (Alternate)

Others in attendance: David Lindberg – Building Commissioner, Carol Perkins – Recording Secretary, Sandra Smith – 15 Hawthorne Rd, Meghan & Marcus Tate – 42 Sandy Glen Dr, Mark Fullen – 36 Sandy Glen Dr, Jim Haynes – Project Developer, and John Grenier – Design Engineer

R. Spakauskas reviewed the procedures for the hearing and the secretary read aloud the application, the Findings of Fact, and a letter received from Isabel McCauley – Department of Public Works (DPW) Senior Civil Engineer, dated July 20, 2017. The letter stated the following comments:

1. The driveway for Lot 5 be made a common driveway. That will include a single entrance at the curb line with a fork to each unit. This will allow for additional space along the cul-de-sac to pile snow during winter plowing operations.
2. The driveway for Lot 4 be made a common driveway. That will include a single entrance at the curb line with a fork to each unit. This will allow for additional space along the cul-de-sac to pile snow during winter plowing operations.
3. The driveways for Lot 1 and Lot 6 shall comply with the Town's Rules and Regulations for Street Opening Permits Chapter 9.3 Section 4.C.5. The driveway shall be at least 12 feet in width and not to exceed 24 feet in width. The driveways for Lot 1 appears to be 40 feet wide and for Lot 2 also appears to be 40 feet wide.

R. Spakauskas stated to the applicant that due to four (4) members sitting on the board that evening, the applicant can proceed with the hearing as usual and save the voting for the next public hearing using Mullins Rule. Mullins Rule allows the absent members to participate by reviewing the minutes from this hearing and vote with the board at the next public hearing or the applicant has the right to wait until the next public hearing to hear their case, held in September, when five (5) members are present. The petitioner agreed to present their case and save the vote for the next hearing, following Mullins Rule. R. Spakauskas then invited the petitioner to address the board.

J. Grenier, Design Engineer, addressed the board by asking the board to consider this proposal to allow two-family dwelling units on the four lots owned by the homeowners living on Lot 1 & Lot 6. He added

there is approximately 5.6 acres total and their proposal to build duplexes in the R-10 zoning district is an allowed use and will fit right in with the neighborhood. J. Grenier stated he will change the design of the driveways for the duplexes as a common driveway with a fork to each unit as DPW requested.

J. Deignan asked about the reduction of the street entry on Lots 1 & 6. J. Grenier stated he will follow-up with the owners on the entry size of each driveway.

R. Fraser stated he has a concern with grouping the driveways as a common driveway with a fork to each unit for re-sale purposes only. J. Grenier stated the homeowner will share maintenance and an association document will be in place for each lot sold. R. Fraser asked if the owners of Lot 1 & 6 do not comply with DPW's request, what happens. J. Grenier stated the deal may fall through on this proposal.

S. Annunziata asked to see building plans (i.e. total s.f., # of bedrooms, etc.) and J. Haynes stated the duplexes will consist of 2-3 bedrooms with an attached garage. J. Haynes will bring drawings to the next board meeting.

R. Spakauskas opened the hearing up for public comment. M. Tate of 42 Sandy Glen Dr. is an abutter and is concerned with the location of the infiltration basin as water will be collected behind their home and is also concerned with the split-rail fence that is proposed as he has young children. J. Grenier stated he will shift the infiltration basin to the North and with that save more trees and will place a chain link fence instead of a split-rail fence. R. Spakauskas stated this is a discussion with the Planning Board which they will address these issues at their next meeting.

S. Smith of 15 Hawthorne Rd stated for many years Torrey Lane has always been a private street and asked if it is now a public right of way. J. Grenier stated he believes Torrey Lane is a public street but will verify this with the town. S. Smith also stated she would rather see single-family homes as duplexes would increase traffic by potentially 16 more cars.

M. Fullen of 36 Sandy Glen Dr. is also concerned with increased traffic and would like to see single family homes instead of duplexes for he wants to keep the integrity of the neighborhood maintained.

R. Spakauskas stated that this area is by right allowed to build two-family dwellings.

The board members had no further questions or comments. R. Spakauskas thanked everyone and stated that Mullins Rule is in effect and the vote will be held at the next public hearing held on Thursday, September 7, 2017.

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

ZONING BOARD OF APPEALS
PUBLIC HEARING, July 20, 2017

Robert and Nancy Kielinen

Case No. V-1711

The Zoning Board of Appeals held a public hearing on Thursday, July 20, 2017 at 7:40 p.m. in the Holden Senior Center on the Petition of Robert and Nancy Kielinen for property located at 17 Birch Hill Rd for a VARIANCE for relief from the rear yard setback requirements for a pool.

Members in attendance: R. Spakauskas, S. Annunziata, R. Fraser, and J. Deignan
Members absent: F. Lonardo and R. Butler (Alternate)

Others in attendance: David Lindberg – Building Commissioner, Carol Perkins – Recording Secretary, Nancy Kielinen – 17 Birch Hill Rd

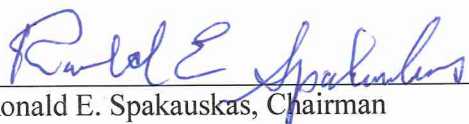
R. Spakauskas reviewed the procedures for the hearing and R. Fraser made a motion to waive the reading of the application and the findings of fact; S. Annunziata seconded. R. Spakauskas then invited the petitioner to address the board.

N. Kielinen stated her request for approximately 12' of relief from the rear setback requirement to install an above ground pool. D. Lindberg stated the Kielinen's have a shed on one side of the property and the plan submitted shows the only location the pool can be on the property.

The board members had no further questions or comments. R. Spakauskas thanked everyone and provided a review of the appeal period.

S. Annunziata made a motion to vote and R. Fraser seconded. The Board unanimously voted 4-0, all in favor with no conditions.

The public hearing was closed at 7:50 p.m.



Ronald E. Spakauskas, Chairman