



TOWN OF HOLDEN

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ZONING BOARD OF APPEALS PUBLIC HEARING, October 17, 2019

Susan Harragin and Timothy Shaw

Case No. SP-1907

The Zoning Board of Appeals held a public hearing on Thursday, October 17, 2019 at 7:10 p.m. in the Holden Senior Center on the Petition of Susan Harragin and Timothy Shaw for a SPECIAL PERMIT to grant use of property located at 1650 Main St as a single family residence in a commercial zone.

Members in attendance: R. Spakauskas, S. Annunziata, J. Deignan, R. Fraser, D. George (1st Alternate), and B. Meljac (2nd Alternate)

Others in attendance: D. Lindberg – Building Commissioner, C. Perkins – Secretary, S. Harragin – 1650 Main St

R. Spakauskas reviewed the procedures for the hearing and R. Fraser made a motion to waive the reading of the application and findings of fact. R. Spakauskas continued with a reading of a letter received from the Holden Fire Department dated October 3, 2019 stating the following:

The building at 1650 Main St which is currently zoned for commercial use is a unique building as it has been renovated in the past for office use. When the building was sold in 2013, there was a possibility that the new owner would utilize it as a residential space, but the fire department was never notified of any change in zoning for this property during the years 2013-2019. Upon inspecting the property prior to the most recent sale, it was found that this building indeed had been used for multi-family residential purposes without meeting the fire code for smoke or carbon monoxide detection. Based upon the layout of the 3 floors, it is difficult to determine placement of detectors due to no real residential floor plan or discernable bedrooms.

The Fire Department is agreeable with the special permit for residential use under the following conditions:

1. Should the structure be utilized as a single family residence, the hardwired smoke/CO detection must be restored on all levels. With any renovations to add walls for bedrooms or other spaces, new hardwired detectors may need to be added to the existing system based upon current code requirements.
2. Should the structure be utilized as a multi-family residence, the existing hardwired smoke/CO detection system must be restored on all levels. With multi-family occupancy, additional smoke/CO detection is required in each unit above and beyond those that are currently in the common spaces.
3. With any renovations to revert this structure back to a residential application, the Fire Department will review submitted plans for building permit application.

4. Prior to any occupancy in this dwelling, the owner will schedule an inspection with the Fire Department to review for smoke/CO detection compliance with MGL Chapter 148 Sections 26F and 26 ½.

R. Spakauskas then invited the petitioner to address the board. S. Harragin stated she is looking to officially change the use from commercial to residential. She provided a brief history and use of the property over the years.

There were no comments from the Board and R. Fraser made a motion to vote and S. Annunziata seconded that motion. The Board voted unanimously to APPROVE the SPECIAL PERMIT by a vote of 5-0 with the following conditions:

1. Property must be used as a single family residence.
2. The applicant must adhere to the comments submitted to the Zoning Board from the Holden Fire Department, dated October 3, 2019 as follows:
 1. Should the structure be utilized as a single family residence, the hardwired smoke/CO detection must be restored on all levels and meet current code requirements.
 2. Any renovations to this structure the Fire Department will review submitted plans and the owner will schedule an inspection with the Fire Department to review for smoke/CO detection compliance with MGL Chapter 148 Sections 26F and 26 ½.

The public hearing was closed at 7:19 p.m.

Ronald E. Spakauskas, Chairman