



Planning Board of the Town of Holland  
27 Sturbridge Road  
Holland, MA 01521



**Minutes of June 7, 2023**

**Members:**

Charles Furst  
Bill Robertson  
Peter Frei  
Kyle Merolla  
Robert Parron  
Sean OBrien

**Function:**

Chair person  
Secretary  
Member  
Member  
Member  
Associate member

**present:**

yes  
absent on a business trip  
18:04-18:28 and 18:48-20:19 hours  
18:30-20:19 hours  
yes  
yes

Other individuals present:

we joined the Board of Selectman's meeting from 18:07-18:41

**Call to Order:** Charles called the meeting to order at 18:04 hours, followed by the pledge of Allegiance.

**Old Business:**

All members signed letter to be handed to the Board of Selectman. The Board voted during the meeting of May 9<sup>th</sup>, 2023, to follow Bob's proposal to write the letter which Peter wrote according to the Board's vote, see attached letter.

**New Business:**

The Board approved unanimously the minutes to the meeting of May 23, 2023.

Kyle made a motion to sign a bill for \$120.86, Bob seconded the motion, all in favor. The bill was for a white-board Bill purchased and mounted it on the wall to the current Planning Board office. Kyle read some mail; letters from Planning Boards of neighboring towns based on M.G.L.

Discussion about appointing Sean Obrien to be an associate member of the Board.

[M.G.L. c.40A, s.9 par.12](#) provides the right to municipalities to create a bylaw to appoint associate members. The Town has such a bylaw, Zoning bylaw [Section 2.11.2 Associate Member of \[sic\] Planning Board](#). This section prescribes the rights and duties of the associate member to the Planning Board.

Peter moved to take a vote to appoint Sean to be the associate member, Kyle seconded the motion; all in favor. Sean Obrien lives on 19 Forest Drive.

Discussion about the upcoming town-elections. Also reorganizing the Board after the election. Charles is up for re-election and his name appears unopposed on the ballot this year.

Question is raised which member will be in his last year of his term. According to the record, it will be Bill's last year. Bill will therefore be the chairman of the Board for FY 2024 and Charles the secretary.

Discussion about plans of action in the near future.

Bob will prepare the language for an article for the next town meeting about “The right to farm;” Kyle will work on the necessary bylaw changes to the “Marijuana bylaw” to bring the bylaw in compliance with MGL. Kyle will also re-write some of the bylaw on FEMA to ensure that they are better tight to MGL in case MGL will change; and Peter will work on language for an article to prevent further “Mansionization” around Hamilton Reservoir.

**Other Business:**

**Adjourned:** 20:19 hours Kyle moved to adjourn the meeting, Charles seconded, all present in favor.

June 8, 2023, written by Peter Frei, member, on behalf of Bill Robertson, secretary.

Attachment:

Letter to Board of Selectman with attachments; time stamped by Stacy Stout, town administrator.



Planning Board of the Town of Holland  
27 Sturbridge Road  
Holland, MA 01521



RECEIVED  
JUN 07 2023  
BY: SS

Board of Selectmen  
27 Sturbridge Road  
Holland, MA 01521

Dear members of the Board,

we, the members of the Planning Board, would like to copy this Board with correspondence we had with BJ Church, the Building Inspector of the Town of Holland, and also with the Office of the Secretary of the Commonwealth, at One Ashburton Place, Boston, MA 02108.

We further ask kindly to be informed of the date and place when and where the meeting by this Board will take place to re-appoint BJ Church, so we, the members of the Planning Board have an opportunity to attend.

We further ask kindly that the enclosed correspondence will be made part of her personal file and record; especially the letter she received from Arthur Manza, Supervisor of Records, Secretary of the Commonwealth, Public Records Division, dated April 4<sup>th</sup>, 2023, ordering the building Department to provide Mr. Furst with a response to the request within ten (10) days. See attached copy of letter.

We appreciate your attention in this matter  
Sincerely,

email: [planningboard@hollandma.org](mailto:planningboard@hollandma.org)

The Planning Board of Holland

Peter Frei, member

Kyle Merolla, member

*Charles E. Furst*  
Charles Furst, chair

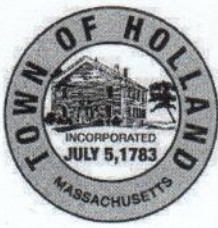
Bill Robertson, secretary

Robert Paron, member

Attachments:

- 2023-04-27 Planning Board's info letter of none-compliance to Supervisor of Records
- 2023-04-04 Supervisor of Records letter to BJ Curch, Building Inspector
- 2023-03-28 Planning Board letter to Supervisor of Records, Ana Maria Kostowski
- 2023-02-08 Planning Board's amended PIR request to BJ Curch, Building Inspector
- 2022-12-02 Planning Board's PIR to BJ Curch, Building Inspector





Planning Board of the Town of Holland  
27 Sturbridge Road  
Holland, MA 01521



Thursday April 27, 2023

Manza Arthur, Supervisor of Records  
Office of the Secretary of the Commonwealth  
One Ashburton Place, Room 1719  
Boston, MA 02108

RE: Appeal SPR23/0577

Dear Manza Arthur,

Just an update; this Board has yet to get a response from the Building Inspector, BJ Church.

We confirm herewith that BJ Church, to this day, April 27, 2023, has not provided this Board with copies of the requested documents. We are still waiting and are now in the fourth month to do so.

Please contact the Planning Board if you have questions or need additional information. Thank you for your assistance.

Sincerely,

email: [planningboard@hollandma.org](mailto:planningboard@hollandma.org)

The Planning Board of Holland

Peter Frei, member

Charles Furst, chair

Kyle Merolla, member

*Charles E. Furst*

*Kyle Merolla*

Bill Robertson, secretary

Robert Paron, member

*Bill Robertson*

*Robert Paron*



**The Commonwealth of Massachusetts**  
William Francis Galvin, Secretary of the Commonwealth  
Public Records Division

Manza Arthur  
Supervisor of Records

April 4, 2023  
SPR23/0577

BJ Church  
Building Commissioner  
Town of Holland  
27 Sturbridge Road  
Holland, MA 01521

Dear Commissioner Church:

I have received the petition of Charles Furst appealing the nonresponse of the Town of Holland Building Department (Department) to a request for public records. See G. L. c. 66, § 10A; see also 950 C.M.R. 32.08(1). On December 13, 2022, Mr. Furst requested copies of the "last ten applications for a building permit [and] the decisions made in response to such applications." On February 8, 2023, Mr. Furst modified his request "[to] building permits of single and double family homes as well as accessory dwelling units, and additions to all of the aforementioned structures."

Claiming to not yet have received responsive records, Mr. Furst petitioned this office and this appeal, SPR23/0577, was opened as a result.

Despite being notified of the opening of this appeal, it remains unclear whether the Department has provided a response. Accordingly, the Department is ordered to provide Mr. Furst with a response to the request, provided in a manner consistent with this order, the Public Records Law and its Regulations within ten (10) business days. A copy of any such response must be provided to this office. It is preferable to send an electronic copy of this response to this office at [pre@sec.state.ma.us](mailto:pre@sec.state.ma.us). Mr. Furst may appeal the substantive nature of the Department's response within ninety (90) days. See 950 C.M.R. 32.08(1).

Sincerely,

A handwritten signature in black ink that reads "Manza Arthur".

Manza Arthur  
Supervisor of Records

cc: Charles Furst



Planning Board of the Town of Holland  
27 Sturbridge Road  
Holland, MA 01521



Tuesday March 28, 2023

Supervisor of Records  
Office of the Secretary of the Commonwealth  
McCormack Building, Room 1719  
One Ashburton Place  
**Boston, MA 02108I**

RE: Appeal pursuant to M.G.L. c.66, s.10B, for the failure to comply to a Public Record Request by the building inspector of the town of Holland to the Planning Board's amended request filed with the Building Inspector on February 8th, 2023.

Dear Ana Maria Kostowski

We confirm the receipt of your email dated March 27, 2023.

To answer your question whether the Building Inspector complied yet with our request is a NO.

Further more, we filed an amended request dated February 8th, 2023 and did not receive any answer to that request either. See attached copy.

We, the Planning Board of Holland, appeal and complain herewith the Building Inspectors none compliance to our amended request.

Please contact the Planning Board if you have questions or need additional information.

Thank you for your assistance.

Sincerely, the members of the Planning Board  
email: [planningboard@hollandma.org](mailto:planningboard@hollandma.org)



Best regards,

the Planning Board of Holland

Charles Furst, chair

*Charles E. Furst*

Bill Robertson

*Bill Robertson*

Peter Frei, member

Kyle Merolla, member

Robert Paron, member

*Robert Paron*



Planning Board of the Town of Holland  
27 Sturbridge Road  
Holland, MA 01521



WED FEB. 8TH

~~Tuesday January 31<sup>st</sup>~~ 2023,

Amended request according to the Public Records Act, M.G.L., c.66, s.10.

Dear BJ Church, Building Inspector of the Town of Holland,

this request is an amendment to the request filed with you back on December 13<sup>th</sup>, 2022. The Planning Board would like to narrow the scope of the request to, building permits of single and double family homes as well as accessory dwelling units, and additions to all of the aforementioned structures.

You may remember that the Board of Selectmen, members of other boards, such as the Zoning Board of Appeals and the Planning Board held a joint meeting back on August 23, 2022, . Among other questions, the applicability of the Grandfather Clause, M.G.L., c.40A, s.6, came up and it was not clear whether applicants with pre-existing none-conforming lots were entitled to building permits. Applicability of the Grandfather Clause is a somewhat complex issue and does have little to do with Building Code and safety, the primary purview and expertise of the Building Inspector. We, the members of the Planning Board, discussed the subject in depth and decided to study the subject based on the last ten applications for building permits filed with your department as an exercise. At the meeting of November 29, 2022, this board decided unanimously to request copies of the last ten applications for a building permit including correspondence between your department and the applicants. We also request copies of your decisions made in response to such applications. This request is based on the Public Records Act, M.G.L., c.66, s.10. This Board is under the impression that it may be an undue burden on any building inspector to get deeply involved in questions pertaining to land-use-law as a building inspector's main concern needs to be the building code, and safety.

We look forward to reviewing the requested documents and hope to work together with you in the future.

Best regards,  
the Planning Board of Holland

Charles Furst, chair  
*Charles E. Furst*

Bill Robertson  
*Bill Robertson*

*Peter Frei*  
Peter Frei, member

*Kyle Merolla*  
Kyle Merolla, member

*Robert Paron*  
Robert Paron, member





Planning Board of the Town of Holland  
27 Sturbridge Road  
Holland, MA 01521



Tuesday December 13<sup>th</sup> 2022

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Best regards,

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27 Sturbridge Road  
Holland, MA 01521



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Bill Robertson  
Peter Frei  
Kyle Merolla  
Robert Parron  
Sean OBrien

**Function:**

Chair person  
Secretary  
Member  
Member  
Member  
Associate member

**present:**

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absent on a business trip  
18:04-18:28 and 18:48-20:19 hours  
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Other individuals present:

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**Call to Order:** Charles called the meeting to order at 18:04 hours, followed by the pledge of Allegiance.

**Old Business:**

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**Other Business:**

**Adjourned:** 20:19 hours Kyle moved to adjourn the meeting, Charles seconded, all present in favor.

June 8, 2023, written by Peter Frei, member, on behalf of Bill Robertson, secretary.

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27 Sturbridge Road  
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RECEIVED  
JUN 07 2023  
BY: SS

Board of Selectmen  
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Holland, MA 01521

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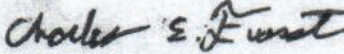
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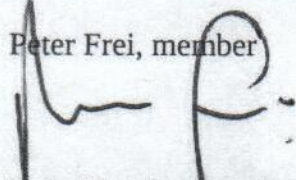
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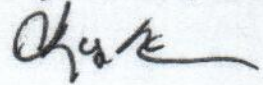
The Planning Board of Holland

Peter Frei, member

  
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Kyle Merolla, member

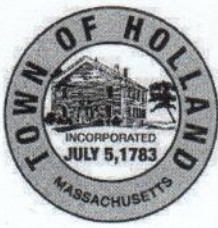
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Planning Board of the Town of Holland  
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Thursday April 27, 2023

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One Ashburton Place, Room 1719  
Boston, MA 02108

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*Bill Robertson*

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**The Commonwealth of Massachusetts**  
William Francis Galvin, Secretary of the Commonwealth  
Public Records Division

Manza Arthur  
Supervisor of Records

April 4, 2023  
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Manza Arthur  
Supervisor of Records

cc: Charles Furst





Planning Board of the Town of Holland  
27 Sturbridge Road  
Holland, MA 01521



Tuesday March 28, 2023

Supervisor of Records  
Office of the Secretary of the Commonwealth  
McCormack Building, Room 1719  
One Ashburton Place  
**Boston, MA 02108I**

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Charles Furst, chair

*Charles E. Furst*

Bill Robertson

*Bill Robertson*

Peter Frei, member

Kyle Merolla, member

Robert Paron, member

*Robert Paron*





Planning Board of the Town of Holland  
27 Sturbridge Road  
Holland, MA 01521



WED FEB. 8TH

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*Charles E. Furst*

Bill Robertson  
*Bill Robertson*

*Peter Frei*  
Peter Frei, member

*Kyle Merolla*  
Kyle Merolla, member

*Robert Paron*  
Robert Paron, member



Planning Board of the Town of Holland  
27 Sturbridge Road  
Holland, MA 01521



Tuesday December 13<sup>th</sup> 2022

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