

**Franklin Zoning Board of Appeals  
For Meeting Held On  
Thursday, June 16, 2016  
355 East Central Street  
Franklin, MA 02038**

**Members Present  
Bruce Hunchard  
Robert Acevedo  
Timothy Twardowski**

**4 Griffin Road – Nancy and Ward Cunningham  
Abutters: None Present**

Applicant is seeking a special permit to exceed impervious coverage by 1.1% where 15% maximum is required. The impervious coverage request is denied without a special permit from the ZBA. Appearing before the board is Nancy and Ward Cunningham. Nancy: We put a pool in and would like to finish our as built. We hired a surveyor to do our as built when he discovered our pool is over 1.1%, so we brought along some pictures to show you. Board: Over 1.1% over what? Ward: We are at 16.1% instead of 15% of the impervious coverage. Ward: We put the patio around the pool not knowing we would be 443 square feet above what we needed to do. The very top is a top of a hill, so the water runs down the hill down to the street. We put the retaining wall around the pool. There is crushed rock behind the wall, so as the waters comes down the hill it hits the wall and goes into the ground instead of running down the driveway. (Ward shows pictures of the hill to the Board) Nancy: The other thing the survey asked us to mention was that being near a water shed district we are limited to 15% but if we were in any other part of the town it would be 25%. Board: The patio looks like it is blocks. Nancy: Blue stone dust between them. Motioned made by Tim Twardowski to close the public hearing. Seconded Robert Acevedo. Unanimous by Board. Motion made by Robert Acevedo to grant this special permit for impervious coverage to exceed 15% by 1.1% for Nancy and Ward Cunningham at 4 Griffin Road as shown on a drawing dated April 27, 2016 by Colonial Engineering Inc of 11 Awl Street, Medway Ma. Seconded by Tim Twardowski. Unanimous by Board.

**3 Bens Way – Jeffrey and Melynda Perry  
Abutters: None Present**

Applicant is seeking a special permit for an accessory dwelling unit. The building permit is denied without a special permit from the ZBA. Appearing before the board is Jeffrey and Melynda Perry. Jeffrey: We are looking for special zoning permit for an In-Law. We recently purchased 3 Bens Way in December of 2015. The previous owners had a permit for the in law apartment so we were looking to apply for that. Board: So basically you are looking to change the names for the special permit for the second dwelling unit. Jeffrey: Yes. Board: Who may I ask will be living in the other unit? Jeffrey: My wife's parents, Joseph and Catherine Perruzzi. Board: Do you have a copy of the previous

decision? Jeffrey: Yes (Brings copy to Board). Motioned moved by Tim Twardowski to close the public hearing. Seconded by Robert Acevedo. Unanimous by Board. Motion made by Robert Acevedo to grant the Special Permit for the second dwelling unit for the property located at 3 Bens Way with the condition that the In-Law Joseph and Catherine Perruzzi reside at the property along with the owners Jeffrey and Melynda Perry. That the Special Permit for the second dwelling unit becomes null and void if either of the party moves, transfers ownership, no separate utilities shall be permitted unless required by the DPW at 3 Bens Way. The board also determines that the social economic or community needs, which are served by the proposal, will be met. Traffic flow and safety will not be encumbered, adequate utilities and other public services exist, the proposal is consistent with the neighborhood character and social structure as it exists now and that the quality of natural environment will stay intact. There is no potential fiscal impact for the town of franklin by the issuance of this special permit and that the special permit be recorded at the Registry of Deeds. Seconded by Tim Twardowski. Unanimous by Board.

**21 Peck Street and 180 Cottage Street-Madalene Village-MV Cottage Development LLC**

**Abutters: See Attached**

Applicant is seeking a building permit to construct a 40 Unit townhome style development. The building permit is denied without a comprehensive permit from the ZBA. Board: We received a letter (see attached) dated June 15, Dear Mr. Chairman: My client is assessing opportunities to modify the application currently pending before your Board. We believe it will be more effective use of the Board's time, as well as the Town Peer Review Consulting Engineer, if we formally introduce the modified plan at your July 14<sup>th</sup> public hearing. The revised schedule should hopefully allow my client and team adequate time to prepare a revised plan(s) as well as providing the Town's Peer Review Consultant adequate time to review and formally comment on the revised program. We look forward to discussing this project with the Board in greater detail on July 14<sup>th</sup>. We appreciate any additional comments contributed by municipal officials or its consultants as we move forward in this process. Sincerely Geoffrey Engler. Motioned by Tim Twardowski to continue July 14<sup>th</sup> at 7:35pm. Seconded by Robert Acevedo. Unanimous by Board.

General Discussion

- Motion by Robert Acevedo to approve minutes of May 19, 2016. Second by Tim Twardowski. Unanimous by the Board.

Signature \_\_\_\_\_

Date \_\_\_\_\_