

Franklin Zoning Board of Appeals  
For Meeting Held On  
Thursday, May 14, 2009  
355 East Central Street  
Franklin, MA 02038

Members Present  
Bruce Hunchard  
Bernard Mullaney  
Robert Acevedo  
Todd Alexander

**7:30PM-122 Chestnut Street – Lawrence Benedetto/Lajero LLC**  
**Applicant seeking a variance/special permit to construct a commercial building 21.3' from**  
**sideline where 30' is required.**

**No Abutters Present**

Appearing before the board is Lawrence Benedetto/Lajero LLC asking the Board for re-issue of the permits that were previously approved. Nothing has changed except the economy, we continue to develop and market this property. Motion by Bernard Mullaney to close the public hearing. Seconded by Robert Acevedo. Unanimous by the board. Motion by Bernard Mullaney to grant a 9 foot sideline setback "Variance" down to 21 feet where 30 feet is required to construct a commercial building for the property located at 122 Chestnut Street as drawn on a plan entitled 122 Chestnut Street Site Plan of Land in Franklin, Massachusetts dated June 7, 2007 with a revision date of 9/27/07 by Guerriere & Halnon, Inc. Seconded by Robert Acevedo. Unanimous by the board.

**7:31PM-122 Chestnut Street – Lawrence Benedetto/Lajero LLC**  
**Applicant has demolished an existing non-conforming building on a non-conforming lot.**  
**They are seeking a special permit/variance to construct a new commercial building on a**  
**non-conforming lot.**

See minutes above

Motion by Bernard Mullaney to grant a "Special Permit" to demolish an existing non-conforming building on a non-conforming lot. A new commercial building will be constructed at the property located at 122 Chestnut St., Franklin, MA as drawn on a plan entitled 122 Chestnut Street Site Plan of Land in Franklin, Massachusetts dated June 7, 2007 with a revision date of 9/27/07 by Guerriere & Halnon, Inc. Seconded by Robert Acevedo. Unanimous by the board.

**7:32PM-122 Chestnut Street – Lawrence Benedetto/Lajero LLC**  
**Applicant seeking a special permit/variance to allow impervious coverage more than 15%**  
**and less than 60% in a water resource district, 59.8% is proposed.**

See minutes above

Motion by Bernard Mullaney to grant a "Special Permit" to allow impervious coverage not to exceed 60% for the property located at 122 Chestnut Street, Franklin, MA based upon the information provided us by the towns hydrogeologist Ted Morine from Boart Longyear in a letter dated October 18, 2007 and a memo from the Board of Health dated September 17, 2007. As shown on a plan entitled 122 Chestnut Street by Guerriere & Halnon sheets consisting of 8 of 8 dated June 5, 2005, revision date of 9/27/07. Subject to Planning Board review and approval. Seconded by Robert Acevedo. Unanimous by the board.

General Discussion:

The Board is in receipt of a letter dated April 24, 2009 (see attached) from Mel-Dina Realty Trust requesting an extension for 120 Grove Street. Motion by Bernard Mullaney to grant an

extension in time for a "Special Permit" not to exceed 60% of impervious coverage on a Lot at 120 Grove St. as shown on a plan entitled Site Plan Beaulieu Business Park North Site Plan Sheets 1 thru 9 dated April 16, 2007 by United Consultants Inc. The Zoning Board of Appeals voted unanimously to grant a six-month extension. In accordance with the Statute, the Special Permit will now expire on January 12, 2010. Seconded by Robert Acevedo. Unanimous by the board.

Motion by Bernard Mullaney to grant an extension in time for a "Special Permit" for earth removal not to exceed 25,000 yards, hours of operation will be 7:00am to 4:00pm Monday thru Saturday, direction of travel will be out the access road to Grove St. and that the applicant follow the erosion control plan as stated on Sheet 9 of the plan entitled Beaulieu Business Park North dated April 16, 2007 Prepared for Mel-Dina Realty Trust 120 Grove St., Franklin, MA by United Consultants, Inc. and the applicant post a bond for four acres in the amount of \$20,000.00 and the earth removal permit be subject to an approved site plan from the Town of Franklin Planning Board. Also, submit certified engineer reports to the building commissioner of the earth removal amounts for the property located at 120 Grove Street, Franklin, MA. The Zoning Board of Appeals voted unanimously to grant a six-month extension. In accordance with the Statute, the Special Permit will now expire on December 14, 2009. Seconded by Robert Acevedo. Unanimous by the board.

Motion by Bernard Mullaney to approve the minutes of March 26, 2009. Seconded by Robert Acevedo. Unanimous by the board.

Motion by Bernard Mullaney to adjourn. Seconded by Robert Acevedo. Unanimous by the board.