

**Franklin Zoning Board of Appeals
For Meeting Held On
Thursday, January 21, 2010
355 East Central Street
Franklin, MA 02038**

**Members Present
Bruce Hunchard
Robert Acevedo
Bernard Mullaney
Seth Jackson**

7:30PM - 60 Washington St – Joseph & Johnna MacLean

Applicant is seeking a building permit to construct a detached two-car garage with dwelling unit above. This building permit is denied without a special permit from ZBA.

No Abutters Present

Appearing before the board is Joseph & Johnna MacLean proposing a two car detached garage with an in-law above. Will have an open floor plan with one bedroom, kitchen/family room and a bathroom. No relief required. The applicant reviews the special permit criteria. Motion by Bernard Mullaney to close the public hearing. Seconded by Robert Acevedo. Unanimous by the board. Motion by Robert Acevedo to grant a Special Permit for the detached two car garage with in-law above for a second dwelling unit at the property located at 60 Washington Street as shown on a plan entitled Accessory Garage and Inlaw Addition For #60 Washington Street Plan Of Land in the Town of Franklin Massachusetts dated November 19, 2009 by Guerriere & Halnon, Inc. with the condition of the Special Permit be that the in-law Frances and Donald MacLean reside at the property along with Joseph & Johnna MacLean and that the Special Permit for the second dwelling unit becomes null and void if either party moves or transfers ownership and all common utilities to be tied into 60 Washington Street and prior to further commencement of the building the Certified as Built will need to be submitted and verified to meet the setbacks before continuing construction. The board also determines that the social, economic or community needs which are served by the proposal, traffic flow and safety will not be encumbered, adequate utilities and other public services basically consist of the neighborhood character and social structure that is there now as I know it and that the quality of natural environment will stay intact and that there is no potential fiscal impact for the Town of Franklin by the issuance of the Special Permit. Also, that the Special Permit be recorded at the Registry of Deeds. Seconded by Bernard Mullaney. Unanimous by the board.

General Discussion:

The board is in receipt of a letter from Edward B. Kaiser requesting return of unused funds. The applicant previously provided a check for 2,000.0 to pay for the consultant in regards to Lot 6A Miller Street. Consultant fees 880.00. Motion by Bernard Mullaney to return the unused funds in the amount of 1120.00. Seconded by Robert Acevedo. Unanimous by the board.

Motion by Bernard Mullaney to accept the minutes of January 7, 2010. Seconded by Robert Acevedo. Unanimous by the board.

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