

**Franklin Zoning Board of Appeals
For Meeting Held On
Thursday, June 10, 2010
355 East Central Street
Franklin, MA 02038**

**Members Present
Bruce Hunchard
Robert Acevedo
Bernard Mullaney
Philip Brunelli**

7:30pm - 3 Ivy Lane - Robert Moore

Applicant is seeking a building permit to construct an addition 25.8' from front setback where 40' is required. This building permit is denied without a variance/special permit from the ZBA

No Abutters Present

The board is in receipt of a letter dated June 9, 2010 from the applicant requesting a continuance till the next available hearing. Motion by Bernard Mullaney to continue the public hearing till July 8, 2010 at 7:50pm. Seconded by Robert Acevedo. Unanimous by the board.

7:40PM – 91L Southgate, LLC - 158 Cottage Street

Applicant is seeking a building permit to construct a multi family building. This permit is denied without variances/special permits from the ZBA. 1. Variance to construct a multi family in a SFR IV zone. 2. Front setback at 22' where 30' is required. 3. Side setback at 16' where 20' is required. 4. Lot area of 12,028 sq. ft. where 15,000 is required.

Abutter Present

Appearing before the board is Richard Cornetta attorney on behalf of the applicant, along with Stephen Blonder and Todd Matthews two principals of the applicant 91L Southgate, LLC. Since our last meeting we went back to the architects and engineers and in listening to the boards comment from the last meeting we have reduced the size of the building. We have shrunk the size of the building down about 1000 sq ft reducing it down to a three-unit resident/condominium. We flipped it around from our original rendering where the front of the building was facing Cottage Street. The driveway access is now on Wachusett side of the street. Effectively by doing that, the only point of dimensional relief that we require is approximately 25 ft setback from Cottage Street. Because this property is located at the intersection of Cottage and Wachusett we are required to comply with the 30' front yard setback from both streets even thou we are facing Wachusett Street. So, we do need some relief there but we have eliminated effectively by shrinking the building and shifting the building we have eliminated the requests for relief for side yard setback and we will still be requesting relief with regards to the total square foot area of the lot but you will notice that the building itself is now about 2,890 square feet in size. We are showing three driveways and we have shown 60-foot line from the centerline of Cottage Street and it will show that we have sufficient distance for that first driveway. That's not to say that in our review before the Planning Board they may not require us to limit the curb cuts but we just wanted to show that to you because it was an issue that was raised during the last meeting. We wanted to show the sufficient distance from the intersection. Abutter John Crowninshield 11 Wachusett Street only issue we had was the retaining walls are all rotted and knocking our fence over so that was the only issue we had and the drainage.

Applicant states the abutter is going to get what he needs. Motion by Bernard Mullaney to close the public hearing. Seconded by Robert Acevedo. Unanimous by the board. Motion by Robert Acevedo to grant a "Use Variance" for three units on this property, that there be a 2,972 sq ft "Variance" from 15,000 to 12,028 and that we grant a 5' front yard "Variance" down to 25' where 30' is required as shown on a plan entitled Plan For Variance 91L Southgate, LLC dated June 8, 2010 by B&R Survey, Inc. for the property located at 158 Cottage Street, Franklin, MA as may be amended by the Site Plan Review thru the Planning Board. Seconded by Bernard Mullaney. Unanimous by the board.

General Discussion:

The board is in receipt of a memo from ZBA board member Seth Jackson stating he will not be seeking reappointment to the Zoning Board of Appeals. The board states it was a pleasure working with Seth.

Motion by Bernard Mullaney to accept the minutes of May 20, 2010. Seconded by Robert Acevedo. Unanimous by the board.

Motion by Bernard Mullaney to close the public hearing. Seconded by Robert Acevedo. Unanimous by the board.
