

**Franklin Zoning Board of Appeals
For Meeting Held On
Thursday, February 24, 2011
355 East Central Street
Franklin, MA 02038**

Members Present

**Bruce Hunchard
Robert Acevedo
Philip Brunelli
Timothy Twardowski**

7:30pm–39 Schofield Drive – Regina & Mark Williams

Applicant is seeking a building permit to construct an addition 32.4' from front sideline where 40' is required. This building permit is denied without a variance/special permit from ZBA.

No Abutters Present

Appearing before the board is Dave Constantino remodeling contractor in Franklin representing Regina and Mark Williams at 39 Schofield Drive. Proposing an addition to the existing carport on the existing foundation that was put in. Board-Carport, meaning no walls? Response: No walls, just a roof with a couple of columns. Built on an existing slab that was previously permitted. Basically, here to validate what was previously done and to put a roof over for a one car. Motion by Robert Acevedo to close the public hearing. Seconded by Philip Brunelli. Unanimous by the board. Motion by Robert Acevedo to grant a 7.6 foot front sideline setback "Variance" down to 32.4' where 40' is required for the purpose to construct a carport with roof only over the existing concrete slab and that the foundation is in the ground for the property located at 39 Schofield Drive as shown on a plan entitled Certified Plot Plan located at 39 Schofield Drive by Continental Land Survey dated January 24, 2011. Seconded by Philip Brunelli. Unanimous by the board.

7:40pm –9 York Lane - Peter and Patricia Lewis

Applicant is seeking a building permit to construct an addition 17' from sideline where 25' is required. This building permit is denied without a variance/special permit from ZBA.

No Abutters Present

Appearing before the board is Richard Goodreau from United Consultants representing the applicants who were unable to attend the meeting. Richard Goodreau presents two pictures to show one recent picture showing the snow covered situation and another to show the lake in the driveway. When putting the plan together we show an existing condition to the left side of the plan sheet. Basically the driveway is graded down from the road, approximate elevation 315 at the road into an elevation 310 at the garage for a five-foot elevation change. The rear portion of the house as well as the lot to the right that lot all drain into that driveway in the rear. The proposal is shown on the right hand side of the plan, what we are proposing and that is to construct a garage at grade thus creating a positive grade from the driveway out toward the roadway with a gentle slope of about one percent. Capture that water that comes across from the neighbor's property into the rear and get it out to the driveway and drain to the roadway area and basically eliminate the majority of the water that ends up in that front left corner that's being pumped out into the area previously described. To accomplish that the addition is situated in such a fashion that it allows for the stairs to be internally to a second floor which will be located above the garage and also from the garage up into a mudroom area and then a connection into the house. That's what's necessitating a variance from 25' side yard setback to 17' other than that it does meet the setback requirements for the existing structure and the garage with relation to the front and back setback, which are met. Board-The proposal is to put a garage one foot down from top of concrete of what's there to eliminate and re-grade everything to pitch out toward the street. From the existing house they will block off the existing garage doors and fill that area in and there will be no basement below the addition. I have a floor plan but no elevation plan. Motion by Philip Brunelli to close the

public hearing. Seconded by Robert Acevedo. Unanimous by the board. Motion by Robert Acevedo to grant an 8 foot sideline setback "Variance" down to 17' where 25' is required for the proposed two story addition with a garage below and bonus room above for the property located at 9 York Lane as shown on a plan entitled Proposed Addition Plan Located at Franklin, Massachusetts Prepared For Peter & Patricia Lewis 9 York Lane by United Consultants Inc. dated Jan. 19, 2011. Seconded by Philip Brunelli. Unanimous by the board.

General Discussion:

Motion by Philip Brunelli to accept the minutes of February 3, 2011. Seconded by Bruce Hunchard.

Return Unused Funds:

- Motion by Robert Acevedo to return unused funds of 1,944.69 to Abbott Real Estates Dev., LLC for an application for Residences at Union Place at Upper Union Street. Seconded by Philip Brunelli. Unanimous by the board.
- Motion by Robert Acevedo to return unused funds of 2,350.00 to T-Mobile USA, Inc. for an application for Omnipoint Communications, Inc. at 887 Lincoln Street. Seconded by Philip Brunelli. Unanimous by the board.
- Motion by Robert Acevedo to return unused funds of 750.80 to The Adirondack Club for an application for Adirondack Club at 800 Chestnut Street. Seconded by Philip Brunelli. Unanimous by the board.
- Motion by Robert Acevedo to return unused funds of 1,700.00 to C&W Telecom, LLC for an application for Cingular Wireless at 101 Forge Hill Road. Seconded by Philip Brunelli. Unanimous by the board.

Motion by Philip Brunelli to adjourn. Seconded by Robert Acevedo. Unanimous by the board.

Signature _____

Date _____