

**Franklin Zoning Board of Appeals
For Meeting Held On
Thursday, March 17, 2011
355 East Central Street
Franklin, MA 02038**

Members Present

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

7:30pm–10 Michelle’s Way – Chris & Amy Sault

Applicant is seeking a building permit to construct an addition 27.5’ from sideline where 40’ is required. This building permit is denied without a variance/special permit from ZBA and a finding/variance if front yard relief is also required.

No Abutters Present

Appearing before the board is Amy Sault owner of the property with husband Christopher. Proposing an addition that will consist of a breezeway and a two car attached garage. When I came before you for general discussion it was suggested that I scale back the breezeway and garage and that’s what is shown on this plan. The breezeway is 6’ and the garage is 22’ wide. The board is in receipt of a form letter (see attached) from the abutters of house #6, #9, #13, and #14 Michelle’s Way in favor of the proposed. The board discusses what relief will be required, sideline and or front. Will not change the driveway and will be coming in from the front. Motion by Philip Brunelli to close the public hearing. Seconded by Robert Acevedo. Unanimous by the board. Motion by Robert Acevedo to grant a 12.5’ sideline setback "Variance" down to 27.5’ where 40’ is required and a "Finding" that no front yard relief is needed for the proposed breezeway and single story garage addition for the property located at 10 Michelle's Way as shown on a plan entitled Plot Plan 10 Michelle's Way, Franklin, MA dated Jan. 28, 2011 by Trowbridge associates, inc. Seconded by Philip Brunelli. Unanimous by the board.

General Discussion:

Motion by Robert Acevedo to accept the minutes of February 24, 2011. Seconded by Philip Brunelli. Unanimous by the board.

The Board is in receipt of a letter dated March 2, 2011 from GateHouse Media in regards to new advertising rates effective April.

The Board is in receipt of a letter dated February 24, 2011 from CHAPA Citizens’ Housing and Planning Association, Inc. in regards to Union Place In Franklin, MA with a brief report on our annual income certification of the tenant households at Union Place.

Appearing before the board is Alan Berlin Dermatologist from 440 East Central Street in Franklin for about 30 years and with me is Julia Bowers to discuss an issue about medical tattooing in which we will need a variance because we are not in a commercial zone. This procedure will only be in a doctor’s office under the supervision of the dermatology group there. So it’s not cosmetic tattooing per say, for decorative purposes. Julia who has eighteen years of experience explains any per medical procedures I would be performing for example scar camouflaging. People that have dealt with cancer, burn victims, I could go on and on but it’s basically scar camouflaging would be the main procedure I would be performing. Helping patients where they have gone thru procedures already and I would probably be the last resort for them to seek either cosmetic or medical help in that sense. It would be considered medical tattooing verses the regular body tattooing. Board-Where do you do it now? Response: I do it in five different towns and I have my licenses here as well. Board-Is it a state license you are required also? Response: No, there is no state licensing. Board-Have you talked to the local Board of Health yet? No, I haven’t yet. When

you have a commercial tattoo we spend a lot of time taking those off for patients, there's a lot of risk to it. Julia's type of tattooing is semi-permanent, the skin eventually sloughs it off, it last two to three years but it's not the same type of permanent irreparable damage that a decorative tattoo is. Patients would have to come back again and again to have this procedure done if they want to continue the look so it's really not permanent, it's semi permanent. It's also done by a hand tool verses a machine. We are here to get a sense of the board as to whether this would be something that potentially would be worth us applying for a variance. Board-What kind of safe guards does the other towns put in their decisions. Response – Just one variance and safe guard I guess is that I'm the only one that can do it in that town at this point and they based it on my credentials and 18 years of experience. It is possible that a patient could come in and want this done for cosmetic purposes and we probably are not going to turn those patients away. You do not need a doctor's prescription to have this process done, there are patients who may hear about it and come independently, so it's a little different than a procedure. Board-Do they have to see the doctor before they see her? Response: Most of the time they would but not necessarily. Board-Every applicant has the right to file an application but there are requirements. Do you own the building? Response: No. Board-The owner will have to sign off on it and the board explains the application process and explains the abutters will be notified. The town did make a special zoning district for tattooing so some of the town officials may show up and object.

The Board is in receipt of a Dual Party Agreement between the Town of Franklin and Scituate Federal Savings Bank in the sum of \$87,940.00 for the subdivision known as "The Woodlands, Franklin, MA" that has been reviewed by the Town Attorney Mark Cerel. Board members sign the agreement.

Board states there will be no ZBA meeting on March 31, 2011.

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

Signature _____

Date_____