

**Franklin Zoning Board of Appeals
For Meeting Held On
Thursday, August 25, 2011
355 East Central Street
Franklin, MA 02038**

**Members Present
Bruce Hunchard
Robert Acevedo
Timothy Twardowski**

7:30pm – 154 Pine St – Lisa Santiago

Applicant is seeking a building permit to construct a second dwelling unit by conversion. This building permit is denied without a special permit/variance from ZBA.

Abutters Present

Appearing before the board is Sandcastle Homes representing Lisa Santiago proposing construction of a single story in-law addition to the existing home at 154 Pine Street. Special permit criteria are reviewed. Board-How's the addition incorporated into the existing house? Response: There is a door from the kitchen that goes into the living room. The board is unable to read the plot plan and request larger copies be provided. In terms of existing structure is any portion of the existing structure incorporated into the second unit or is this all new construction? Response: The unit is new construction. Have you pulled a building permit on this? Response: No. Board member feels some element of the existing structure has to be converted into the new dwelling unit to the extent that you have an existing single family home and the second unit is all new construction. My interpretation of the by-law is that that's considered a two family new construction as opposed to a two family by conversion. As far as I can tell from the plans in front of me and what you have told me you have nothing but new construction being the second unit and under my interpretation that does not qualify for a special permit under the by-law. The town is currently exploring a new by-law that would be more specifically tailored to these types of in-law apartments. Not sure how long that may take. Board provides the applicant some alternatives. Abutter Gary McAlister 35 Stanwood Drive and Dave Waddicor 149 Pine Street would like to see the plan. Motion by Timothy Twardowski to continue the public hearing till September 8, 2011 at 7:40pm. Seconded by Robert Acevedo. Unanimous by the board.

**7:40pm-106-108 Hayward St/Corner of West Central St & Hayward St – Moseley Realty LLC
Applicant is seeking a building permit to install an off premises sign at the corner of West Central Street and Hayward Street. This building permit is denied without a special permit/variance from the ZBA.**

No Abutters Present

The board is in receipt of a memo dated August 19, 2011 (see attached) requesting a continuance till next meeting. Motion by Timothy Twardowski to continue the public hearing till September 8, 2011 at 7:50pm. Seconded by Robert Acevedo. Unanimous by the board.

General Discussion:

758 & 760 Union Street – Appearing before the board is Andy O'Connell resident at 760 Union Street and Amber Cadorette resident at 758 Union Street. There are four properties at the end of Union Street that are currently zoned as condominiums but they are single family standing structures, not connected. I believe they are called site condominiums. We are looking to have them converted to single family homes and rezoned. Board-Do we have a plan? The assessors plan is not considered a plan. You don't have a plot plan? Response: No. The builder put two houses on one lot but there's not enough frontage. The board does not see a hardship. What exactly don't you comply with? Response: Not to sure. How old are these houses? Response: Around 1996. Board- you need to go back in time and see what the frontage requirement was back when they were constructed,

then that would allow you to make an argument that they are pre-existing non-conforming. Board – have the applicant review the town’s by-law and provide a plan by a registered land surveyor and apply to the Zoning Board of Appeals for a hearing.

470 West Central Street - Appearing before the board is Tammy Mitchell in regards to a sign. There is an existing sign on the property and looking to have a bigger sign. Renting the home, looking to own the property in the future. The board provides some suggestions.

126 Washington Street – Appearing before the board is Anthony Catalli who previously applied to the ZBA but at the time he did not own the property and the application was denied. Mr. Catalli purchased the property and is asking if that would be considered a substantially change so he may re-file within the two year period to the ZBA. The board feels it’s a substantial change since Mr. Catalli owns the property now so feel free to re-file an application with the Zoning Board of Appeals.

Plain Street – Will attend a meeting at a later date with a plan.

Motion by Robert Acevedo to approve the minutes of July 21, 2011. Seconded by Timothy Twardowski. Unanimous by the board.

Motion by Bruce Hunchard to approve the minutes of August 4, 2011. Seconded by Timothy Twardowski. Unanimous by the board.

Motion by Robert Acevedo to adjourn. Seconded by Timothy Twardowski. Unanimous by the board.

Signature _____

Date _____