

**Franklin Zoning Board of Appeals
For Meeting Held On
Thursday, September 12, 2013
355 East Central Street
Franklin, MA 02038**

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

340 East Central Street – Franklin East Central LLC represented by Atty. Richard Cornetta

Abutters: None

Applicant is seeking a variance to allow for motor vehicle service and repair within a Water Resource District. This use is denied without a variance from ZBA.

The Board is in receipt of a letter (see attached) from Atty. Richard Cornetta on behalf of the applicants requesting a “Withdrawal Without Prejudice”. Motion made by Timothy Twardowski to allow Withdrawal Without Prejudice. Seconded by Robert Acevedo. Unanimous by Board.

16 Dean Ave – 16 Dean Ave., LLC

Abutters: None

Applicant is seeking a use variance to allow a parking facility. The use is denied without a variance from Zoning Board of Appeals.

The Board is in receipt of a letter (see attached) submitted by Susan Lewis, Manager of 16 Dean Avenue LLC requesting a “Withdrawal Without Prejudice”. Motion made by Timothy Twardowski to allow Withdrawal Without Prejudice. Seconded by Robert Acevedo. Unanimous by Board.

15 Beaver Court (Lot 2) - Town of Franklin

Abutters: See attached

Applicant is seeking a building permit to construct a home with a lot area of 14,071 square feet where 30,000 square feet is required, 64.43’ of frontage where 150’ is required, 30.93’ of lot depth where 200’ is required, 20.32’ of lot width (circle) where 135’ is required, 18.2’ of side yard setback where 35’ is required, 33.5’ of rear setback where 35’ is required, and 25.8% of coverage for structures and paving where only 25% is allowed. This building permit is denied without a variance from ZBA.

19 Beaver Court (Lot 1) – Town of Franklin

Abutters: See attached

Applicant is seeking a building permit to construct a home with a lot area of 10,323 square feet where 30,000 square feet is required, 30’ of frontage where 150’ is required, 51.73’ of lot depth where 200’ is required, 24.58’ of lot width (circle) where 135’ is required, 17.1’ of side yard setback where 35’ is required, 20’ of rear setback where 35’ is required, and 31% of coverage for structures and paving where only 25% is allowed. This building permit is denied without a variance from ZBA.

Jeff Nutting, Member of the Housing Trust which is the applicant. We are willing to work with the neighbors and eliminate one of our requests if folks think that may work better. If that doesn't work we would withdraw both requests and re-file under a 40B application. Board: So it is clear to the abutters what Mr. Nutting is proposing the town proposed to put two affordable houses on that one parcel of property dividing it up making it less conforming. The new proposal that the town has come up with if the neighbors concur would be to eliminate one of the houses and just put one house on that track of land. If that is amenable to the neighborhood we can carry on we will just extend this out because they will need to supply a new set of plans. Abutters concern is the placement of the house not being directly behind 6 JR's Lane. Mr. Nutting: We are willing to come up with new plans and place the home where it is desirable to all. The Housing Trust will have new plans drawn up and meet with the abutters to give the neighbors a sense of where the house would be located and what it might look like from an aesthetic perspective. All abutters present are in favor of the one home being built opposed to two homes depending on placement. The vast majority of the home will be built at the Tri-County School. Abutter: I would like to see the home be handicapped accessible and would like it to be offered as a Veteran's preference home in the lottery. Mr. Nutting: There was no plan to make it handicapped accessible the plan was to make it a regular home. I am not clear as to if Veterans preference is allowed in the lottery. I couldn't give you a yes or no. Board: That would be something the Housing Partnership could look into. Mr. Nutting: There is a 30 foot easement that will determine the placement of the house. Board: We have a letter of extension to hold the public hearing prior to December 12, 2013. We will continue this public hearing to November 21, 2013 @ 7:30PM that will give them plenty of time to have a new plan drawn up and have a meeting with the abutters as to where they are going to site the house and then they can continue back here. Motion made by Tim Twardowski to sign the agreement to and including November 21,2013 for both the lots 2 #15 Beaver Court and Lot 1 #19 Beaver Court with the understanding that at such time they come back with a single lot they will withdraw one of them and we will entertain a motion to withdraw it and then just deal with the one lot and deal with whatever relief they need then. Seconded by Robert Acevedo. Unanimous by Board.

General Discussion:

- Motion by Timothy Twardowski to approve 2014 ZBA Calendar. Second by Robert Acevedo. Unanimous by Board.
- Motion by Timothy Twardowski to approve minutes of July 25, 2013. Second by Robert Acevedo. Unanimous by Board.

Motion by Timothy Twardowski to adjourn. Second by Robert Acevedo. Unanimous by Board.

Signature _____

Date _____