

Franklin Zoning Board of Appeals
For Meeting Held On
Thursday, November 21, 2013
355 East Central Street
Franklin, MA 02038

Members Present
Bruce Hunchard
Robert Acevedo
Timothy Twardowski

Lot 1A # 15 Beaver Court – Franklin Municipal Affordable Housing Trust Fund

Abutters: See List

Applicant is seeking a building permit to construct a home with a lot area of 24,394 S.F. where 30,000 S.F. is required, 94.43' of frontage where 150' is required, 46.28' of lot width (circle) where 135' is required, 33.5' of side yard setback where 35' is required and 18.2' of rear setback where 35' is required. The building permit is denied without a variance from ZBA.

Appearing before the board is Jeff Nutting, Town Administrator and also a member of the Housing Trust. We started here many months ago to propose the affordable houses to be built by the Tri-County school after listening to the concerns of the neighborhood we revamped this down from 2 homes to a single home and tried to located it in a position that would be the least detrimental to the immediate abutters. I did send out a notice to all the abutters inviting them to a meeting of the Housing Trust which took place a week or so ago. We did have 2 folks from the neighborhood come and discuss the matter with us they came up with a suggestion to relocate the end of the driveway in lieu of being in front of the house it would be next to the house and we thought that was a good idea. We will also have the opportunity to meet with them prior to the construction to see what brush or underbrush can be thinned out while maintaining to the extent possible the large trees and we would certainly agree to that as well. That being said we are here to propose a single home that would be an affordable unit prefund delivered on site with final construction to take place once it has been delivered. I am happy to answer any questions or concerns. Board: Is this a new Lot #? Mr. Nutting: Yes, we went back to the Planning Board and had them vote to make it a single lot. Board: It is the intent that this stay in the Franklin Municipal Housing Trust Fund? Mr. Nutting: No it will be sold to a person through a lottery. But, the house itself would remain in perpetuity and the land to whoever owns it and passes it on to the next owner as an affordable unit. It would be deed restricted. Board: A question for the Building Commissioner. I'm not sure that this lot needs relief from the circle bylaw because this lot was here before the circle bylaw came into affect. Lloyd "Gus" Brown (Building Commissioner): There have been so many changes with this lot we decided to put it in anyways. Board: Have we received a letter formally withdrawing Lot 2? Mr. Nutting: Letter will be prepared in the morning (See attached letter along with Withdrawal without Prejudice) Board: Any abutters have any comments? Abutter: No objections. Motion by Robert Acevedo to close the public hearing. Second by Timothy Twardowski. Unanimous by board. Motion by Robert Acevedo to grant a variance for the Franklin Municipal Affordable Housing Trust Fund for a 5606 foot lot area "variance" down to 24,394 feet where 30,000 feet is required a 55.57 foot frontage

“variance” down to 94.43 feet where 150 feet is required a 4.28 feet of lot width where 135 feet is required under the circle bylaw a 1.5 foot side yard setback
”variance” down to 33.5 feet where 35 feet is required and a 16.8 foot rear setback
‘variance” down to 18.2 feet where 35’ is required for the proposed single family residence as shown on plan entitled “Zoning Plan” located at Lot 1A # 15 Beaver Court, Franklin, MA dated October 21,2013 by United Consultants, Inc. With the provision that the Franklin Municipal Affordable Housing Trust withdraw the request for Lot 2 Beaver Court. Seconded by Timothy Twardowski, Unanimous by board.

18 Sherman Ave - Michael & Carol Giardino being represented by David Constantino

Abutters: None

Applicant is seeking to construct an attached garage 36 feet from the front yard setback where 40 feet is required and an overhang 18.7 feet from the side yard setback where 25 feet is required. The building permit is denied without a variance from ZBA.

Appearing before the board is David Constantino representing Michael & Carol Giardino. They would like to construct a single car garage on the left side of the existing house and currently they do not meet setbacks I do have some pictures if you would like to see them. Board: Yes (see attached) is the overhang just an open porch? Just a roof? David: Yes. Board: Motion by Robert Acevedo to close the public hearing. Second by Timothy Twardowski. Unanimous by board. Motion by Robert Acevedo to grant a 4 foot front yard setback from 40 feet to 36 feet and a side yard setback of 6.3 feet from 25 feet down to 18.7 feet as shown on a drawing entitled “Certified Plot Plan” for 18 Sherman Ave., dated October 17, 2013 by Continental Land Survey, Beaver St., Franklin, MA. Second by Timothy Twardowski. Unanimous by board.

General Discussion:

- Motion by Robert Acevedo to approve minutes of October 24, 2013. Second by Timothy Twardowski. Unanimous by board.

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

Signature _____

Date _____