

**Town of Franklin**



**Zoning Board of Appeals**

**Thursday, August 1, 2019  
Meeting Minutes**

**TOWN OF FRANKLIN  
TOWN CLERK**

**2019 SEP 13 A 9:14**

**RECEIVED**

Chairman Bruce Hunchard called the above-captioned meeting to order this date at 7:30 PM, at the Franklin Municipal Building, 355 East Central Street, Franklin, Massachusetts. Members in attendance: Robert Acevedo, Philip Brunelli, Christopher Stickney, Mickey Whitmore. Members absent: None.

**349 East Central Street – Paul D'Amelio**

**Abutters: None.**

**7:30 pm:** Applicant is seeking to site a propane refilling station at 349 West Central Street. The use is denied without a Variance from the ZBA. Applicants present: Amanda Cavaliere, Guerriere & Halnon, Inc.; Paul D'Amelio, Franklin Car Wash. Ms. Cavaliere stated the propane tank is installed in a Water Resource District so they need a variance. She stated there had been some miscommunication. Permits were previously filed to install and construct the propane filling station and the job has since been completed. After completing the project, the applicant was informed he did not comply with the zoning regulations due to the property being located in the Water Resource District. Mr. Acevedo asked why a car wash needed a propane filling station. Mr. D'Amelio stated it was another income stream. He stated a vacuum island was previously in the propane filling station location. Mr. Stickney asked if there would be lines if two or three people at one time needed tanks filled. Mr. D'Amelio said people are pulling up right next to it; it is a big, wide-open area. Mr. Stickney asked if there was any runoff from the installation. Mr. D'Amelio stated no. Mr. Brunelli stated he thinks this is great. Chairman Hunchard reviewed the history of this situation. He stated the applicant needs a permit because the property is located within a Water Resource District. He stated he reviewed the Water Resource bylaw. He also asked a propane distributor what would happen if the tank were to crack or leak; he was told the gas would dissipate into the air. He mentioned the building commissioner did not think a building permit was necessary. Mr. D'Amelio explained how the truck enters and where it parks to fill the 1,000 gal. tank.

***Motion made by Robert Acevedo to close the public hearing. Motion seconded by Philip Brunelli. Unanimous by Board.***

***Motion made by Robert Acevedo to grant a Variance for Paul D'Amelio for 349 East Central Street to add a propane filling station at the car wash as shown on a drawing dated July 2, 2019, titled "Variance Plot Plan for Propane Fill Station, 349 East Central Street, Franklin, MA." Seconded by Philip Brunelli. Chairman Hunchard noted he would have been fine if someone had wanted to make a motion to just grant a finding on this. However, we have gone through the application process and everyone has reviewed it; we have not received any comments back from anyone, so we will continue on with what we have. Unanimous by Board.***

**394 Coronation Drive – Richard and Doreen Johnson**

**Abutters: None.**

**7:35 pm:** Applicant is seeking to construct a garage addition that is 36.5' from the front setback where 40' is required. The building permit is denied without a Variance from the ZBA. Applicant present: Richard

Johnson, owner. Mr. Johnson stated they are a retired couple who hope to age in place. They are adding a bath and laundry to the first floor and extending the garage for potential conversion to a bedroom, if necessary. He read his Supporting Statement for a Variance. He described the addition as shown on the "As Built." Mr. Acevedo asked questions and confirmed the location and size of the addition that the applicant is requesting relief for.

***Motion made by Philip Brunelli to close the public hearing. Motion seconded by Robert Acevedo. Unanimous by Board.***

***Motion made by Robert Acevedo to grant the Variance for Richard and Doreen Johnson for 394 Coronation Drive to extend the front of their 12' x 12' x 12.8' garage bringing them to 36.5' from the front yard setback where 40' is required giving them relief of 3.5' as shown on a drawing dated June 18, 2019, titled "Certified Plot Plan Located at 394 Coronation Drive, Franklin, MA" prepared by Continental Land Survey, LLC, 105 Beaver Street, Franklin, MA. Seconded by Philip Brunelli. Unanimous by Board.***

**13 Brookfield Road – James Thornhill/Trooper Inc.**

**Abutters: None.**

**7:40 pm:** Applicant is seeking to construct a 16' X 16' addition that is 13.1' from the left side yard setback where 25' is required and to construct a covered porch that is 8.4' from the right side yard setback where 25' is required. Applicants present: Nicole Eliopoulos, owner; James Thornhill, Trooper Siding, Inc. Mr. Thornhill stated Ms. Eliopoulos would like to put a 16' X 16' room on the back of the house where there is a preexisting deck to add living space to the house as they are a growing family. He reviewed the drawing he just provided. He stated the first plan the ZBA received showed a walkway going from the addition to the front of the house which the owner has opted not to do. They would like to put a 6' X 19' farmer's porch on the front of the house, as well. He stated it is a cul-de-sac and the neighborhood children play in the street; Ms. Eliopoulos assumes her children will also, and this will allow her to keep an eye on them. He stated the setback would now be 10.3'. Chairman Hunchard confirmed it would be a single-story addition in the back. He noted the new plan was not stamped and dated. Mr. Thornhill said a stamped copy of the new plan can be obtained tomorrow. Mr. Thornhill confirmed the existing deck will be removed, and he reviewed the location and setbacks of the proposed addition. Mr. Stickney confirmed the farmer's porch will have a roof.

***Motion made by Philip Brunelli to close the public hearing. Motion seconded by Robert Acevedo. Unanimous by Board.***

***Motion made by Robert Acevedo to grant the Variance for James Thornhill/Trooper Inc. for 13 Brookfield Road to add a 16' X 16' single-story room addition at the back right corner of the house that is 13.1' from the left side yard setback where 25' is required giving relief of 11.9' and a 19' X 6' covered front porch that is 10.3' from the right side yard setback where 25' is required giving relief of 14.7' as shown on a drawing dated June 18, 2019, with a revision date of August 1, 2019, titled "Certified Plot Plan Located at 13 Brookfield Road, Franklin, MA" prepared by Continental Land Survey, LLC, 105 Beaver Street, Franklin, MA. Seconded by Philip Brunelli. Chairman Hunchard stated the revised plan to be dated August 1, 2019, must be submitted before the ZBA signs off. Unanimous by Board.***

**General Business**

***Motion made by Robert Acevedo to approve the Meeting Minutes as presented for Thursday, July 18, 2019. Seconded by Philip Brunelli. Unanimous by Board.***

**Chair Comments**

Chairman Hunchard stated the next meeting is September 12, 2019.



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***Motion made by Philip Brunelli to adjourn. Seconded by Robert Acevedo. Unanimous by Board.  
Meeting adjourned at 8:04 PM.***

Respectfully submitted,

Judith Lizardi  
Recording Secretary

Signature Reanne Herwin

Date 9-12-19