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Town of Franklin



Zoning Board of Appeals

Thursday, November 21, 2019  
Meeting Minutes

TOWN OF FRANKLIN  
TOWN CLERK  
2019 DEC 13 P 12:12  
RECEIVED

Chair 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: Philip Brunelli, Robert Acevedo, Christopher Stickney. Members absent: Mickey Whitmore.

**14 Mulberry Lane – Nathan Moreland**

**Abutters: None.**

**7:30 pm:** Applicant is seeking to construct a garage addition that is 3.5' from the side yard setback where 40' is required. The building permit is denied without a Variance from the ZBA.

Chair Hunchard read aloud a letter to the Zoning Board of Appeals from Nathan Moreland of 19 Mulberry Lane requesting to reschedule this hearing to December 12, 2019.

***Motion made by Philip Brunelli to continue the discussion until the end of the meeting as to the date this hearing will be continued. Motion seconded by Robert Acevedo. Unanimous by Board.***

**General Business – Meeting Minutes**

***Motion made by Philip Brunelli to approve the Meeting Minutes as presented for Thursday, November 7, 2019. Seconded by Christopher Stickney. Unanimous by Board.***

***Chair Hunchard called a two-minute recess.***

**333 Lincoln Street – Charles M. Gates**

**Abutters: None.**

**7:35 pm:** Applicant is seeking to construct a two-car garage that is 6.7' from the side yard setback where 25' is required. The building permit is denied without a Variance from the ZBA. Applicant present: Mr. Charles Gates, owner. Mr. Gates stated he heeded the advice provided by the ZBA members at the last meeting. He adjusted the plan and reduced the size of the garage; the closest point to the side yard setback is now 13'.

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

***Motion made by Christopher Stickney to approve the Variance for Charles M. Gates, 333 Lincoln Street, to construct a two-car garage with a master bedroom dwelling on the second floor of the garage that is 13' from the side yard setback where 25' is required, granting***

**relief of 12', as shown on a drawing dated June 25, 2019, with revised date November 11, 2019 titled "Plan Showing Proposed Addition, 333 Lincoln Street, Franklin, MA" prepared by D. O'Brien Land Surveying, 480 West Central Street, Franklin, MA. Seconded by Philip Brunelli. Unanimous by Board.**

**Veterans Memorial Drive – John Juhl, JNJUHL & Associates**  
**Abutters: None.**

**7:40 pm.** Applicant is seeking to construct a 60-unit affordable rent senior housing project. The building permit is denied without a Comprehensive Permit from the ZBA. Applicants present: Mr. Richard Cornetta, Applicant's Attorney of Cornetta Ficco & Simmler PC; Mr. John Juhl, Principal of JNJUHL & Associates LLC; Mr. Lucio Trabucco, Consulting Architect of Nunes Trabucco Architects; and Ms. Amanda Cavaliere, Consulting Site Engineer of Guerriere & Halnon, Inc. Mr. Cornetta confirmed the Zoning Board of Appeals received the draft decision. He stated Special Counsel Mark Bobrowski sent him an email this evening and said that everything the applicant suggested was agreeable. He noted Mr. Bobrowski sent a final draft. Mr. Cornetta stated he reviewed the final draft and everything seems to be in it. However, he pointed out that there were a few references to the Order of Conditions, but there was no Order of Conditions issued. He read aloud General Condition #22A which references an Order of Conditions. Chairman Hunchard stated that as there was no Order of Conditions, it would not be required. Mr. Cornetta pointed out that General Condition #37 and Construction Condition #28 mention irrigation systems; he read the conditions aloud. He asked if this was an obligation for the applicant to pursue an irrigation well. Mr. Juhl asked if this is elective or required. Chair Hunchard suggested the wording be change to "the applicant may." Mr. Cornetta agreed, and he noted a few other minor tweaks needed to be made. Chair Hunchard noted the final decision is not yet prepared. Mr. Cornetta said he would work with Building Commissioner Gus Brown and send a cleaned-up version. Ms. Cavaliere stated she sent Mr. Bobrowski the waiver information. She noted that the applicant would be requesting waivers regarding Chapter 181 Wetlands Protection and Chapter 271 Conservation Commission Bylaws. They would be complying with Massachusetts Wetlands Protection Act, 310-CMR 10.00. Mr. Cornetta stated they would send Mr. Bobrowski the waiver information again. Chair Hunchard stated they voted at the last meeting for Mr. Bobrowski to draft the documents in favor of the proposal. Mr. Juhl stated they have most everything done except for a few minor clerical items which need to be addressed in the document. Mr. Cornetta stated he would discuss the remaining concerns with Mr. Bobrowski. ZBA members agreed they would feel more comfortable with the document being completed before closing the hearing.

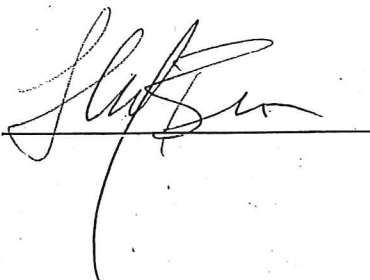
**Motion made by Philip Brunelli to continue the public hearing to December 12, 2019 at 7:35 pm. Motion seconded by Robert Acevedo. Unanimous by Board.**

**Motion made by Philip Brunelli to adjourn. Seconded by Robert Acevedo. Unanimous by Board. Meeting adjourned at 8:00 pm.**

Respectfully submitted,

Judith Lizardi  
Recording Secretary

Signature



Date

12-12-19