

**Thursday, December 12, 2019
Meeting Minutes**

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: Robert Acevedo, Philip Brunelli, Christopher Stickney. Members absent: Mickey Whitmore. Also in attendance: Gus Brown, Building Commissioner.

19 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. Applicants present: Mr. Jim Susi of United Consultants Inc., and Mr. Nathan Moreland, property owner. Mr. Susi stated the intent is to put a 30' x 50' garage in the location depicted on the provided plans, which is 10' off the house, approximately 75' back from the street line, and 3.5' off the sideline. He explained the lot shape and slope of the property and provided a Google Earth photograph of the location. He stated there was nothing around the property except trees. Chair Hunchard confirmed this property is at the end of a cul-de-sac; the property to the left is owned by the Town of Franklin. Mr. Acevedo asked for the type of structure that will be built. Mr. Moreland stated it will be a wooden structure to match the house design. He would like it to be separate from the house as to not smell car fumes; it will be used for classic cars. He stated he proposes to put a loft on the back side of the garage which would make it two-stories; there will be no living unit. ZBA members asked questions. Chair Hunchard asked the distance from the start of the second floor to the top of the gable; the requirement is 40' from the sideline. However, he explained that as this is an accessory dwelling, the requirement is different. The applicant will start at 10', then take half of the height distance. Mr. Brown requested the surveyor indicate the height of the structure in order to enter it into the decision, if the decision is favorable. Chair Hunchard asked Mr. Susi for a calculation for a 30' wide building with a 10-pitch roof as to what half the distance from the start of the second floor to the top of the gable would be. Mr. Susi stated about 4.5' to 5'. Mr. Brown stated this would be approximately 14.5' to 15' mean height of the roof. Chair Hunchard stated he wanted to make sure enough relief is granted, but not to exceed 3.5' because it is an accessory structure. Therefore, the applicant is looking for a 12.5' side line setback, not to exceed 3.5'. Chair Hunchard reviewed the bylaw.

Motion made by Philip Brunelli to grant the Variance for Nathan Moreland for 19 Mulberry Lane to grant a 12.5' side line variance not to be closer than 3.5' to the side line for the proposed building as shown on a plan dated September 30, 2019, titled "Garage Plan, 19 Mulberry Lane, Franklin, MA" prepared by United Consultants Inc., 850 Franklin Street, Suite 11D, Wrentham, MA. Seconded by Robert Acevedo. 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, and Mr. John Juhl, Principal of JNJUHL & Associates LLC. Mr. Cornetta stated this is a continuation of a previous public hearing. The last time they were before the ZBA, they were discussing the actual decision. Since that time, they have a new version showing the highlighted revisions; he also has a clean copy of the decision. He stated he believes Chair Hunchard was on the email chain with Special Counsel Mark Bobrowski who has reviewed the changes. Mr. Cornetta provided a clean copy to Mr. Brown with the exhibits. Chair Hunchard stated a new signature page will be needed identifying who made and seconded the motion to approve as well as the actual vote. Mr. Acevedo noted he will not vote as he was not present at each public hearing meeting. Chair Hunchard stated Mr. Stickney could vote.

Motion made by Philip Brunelli to close the public hearing. Motion seconded by Christopher Stickney. Unanimous by Board.

Motion made by Philip Brunelli to approve the decision as presented to the Zoning Board of Appeals and reviewed by the consulting attorney, Special Counsel Mark Bobrowski, and a decision page will be provided listing the three Zoning Board of Appeals members making the motion, seconding the motion, and voting on the motion. Motion seconded by Christopher Stickney. Unanimous by Board.

Chair Hunchard confirmed Mr. Brown will prepare the signature page for the decision.

Mr. Juhl confirmed the 20-day appeal period starts when the decision is filed with the Town Clerk.

General Business – Meeting Minutes

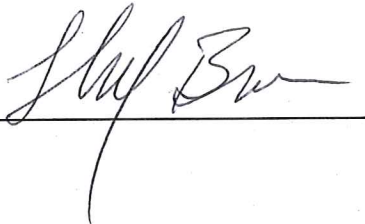
Motion made by Robert Acevedo to approve the Meeting Minutes as presented for Thursday, November 21, 2019. Seconded by Philip Brunelli. Unanimous by Board.

Motion made by Philip Brunelli to adjourn. Seconded by Robert Acevedo. Unanimous by Board. Meeting adjourned at 7:56 pm.

Respectfully submitted,

Judith Lizardi
Recording Secretary

Signature



Date

1-9-20