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Town of Franklin



Zoning Board of Appeals

**Thursday, September 10, 2020
Meeting Minutes**

Chair Bruce Hunchard called the above-captioned **Remote Access Zoom Virtual Meeting** to order this date at 7:30 p.m. Members in attendance: Philip Brunelli, Robert Acevedo, Christopher Stickney, Mickey Whitmore. Members absent: None. Also in attendance: Melissa Kiriacopoulos, Administrative Assistant.

This meeting is being conducted as a **Remote Access Zoom Virtual Meeting** as allowed by the Governor's Order relating to the COVID-19 outbreak emergency. Chair Hunchard noted the Zoom Meeting link and the Zoom Meeting call-in number provided on the agenda. He announced the meeting is being televised and recorded for the public's information.

5 Linbrook Lane – Evan and Karyn Matza
Abutters: None

7:30 p.m. Applicant seeking to construct a pool deck that is 7.9' from the side yard setback whereas 10' is required. The building permit is denied without a Variance from the ZBA. Applicants present: Evan Matza. Mr. Matza stated that he hired a pool company that filed a permit which was approved. When they requested a final inspection for the pool, the inspector told them the corner of the pool deck was too close. Mr. Matza expressed his confusion on the zoning setbacks, stating that the drawing shows the side and deck of the pool within required lot line, but because it's a diagonal lot, depending on where you measure on the decking, it gets closer and closer to lot line stating that the corner of the pool deck is 7.9' from lot line but rest of pool is within the 10'. Mr. Matza said they could move the deck at a \$6,000.00 expense. The Board stated that the pool is in compliance but that the decking is actually the issue. The Board asked where the pool company stood on any of this. Mr. Matza stated they offered to help pull the Variance and the pool company felt they were in compliance. The Board asked if Mr. Matza could move his deck to the opposite end of the pool, which Mr. Matza explained he would be in for an expense for approximately \$6,000.00 for cost of tree removal and would also have to reconfigure where his existing shed is located at the suggested deck move.

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

Philip Brunelli suggested to the applicant to reach out to the pool company pointing out that they were the ones that put the pool in the wrong location and that Mr. Matza should not be penalized for \$6-8,000.00 for something the pool company did in error.

Motion made by Robert Acevedo to grant the Variance for Evan and Karyn Matza of 5 Linbrook Lane to grant relief of 2.1' yard side relief, as shown on a drawing dated July 13, 2020, titled "Showing As-Built Pool 5 Lindbrook Ln., Franklin, MA by O'Brien Land Survey. Seconded by Philip Brunelli. Unanimous by Board.

General Business – Meeting Minutes

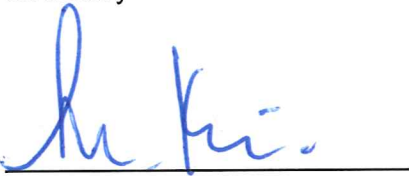
Motion made by Robert Acevedo to approve the Meeting Minutes as presented for August 20, 2020. Seconded by Philip Brunelli. Unanimous by Board.

Motion made by Robert Acevedo to approve the ZBA schedule presented for 2021. Seconded by Philip Brunelli. Unanimous by Board.

Motion made by Philip Brunelli to adjourn the Remote Access Zoom Virtual Meeting. Seconded by Robert Acevedo. Unanimous by Board. Meeting adjourned at 7:56p.m.

Respectfully submitted,
Melissa Kiriacopoulos
Recording Secretary

Signature



Date

9/14/2020