

TOWN OF FRANKLIN  
INSPECTION DEPARTMENT  
Building Inspection – Division of Wires – Division of Gas  
Division of Plumbing  
MUNICIPAL BUILDING – 355 East Central Street  
Franklin, Massachusetts 02038

Lloyd (Gus) Brown  
Building Commissioner

Telephone: 508-520-4926  
FAX: 508-520-4906

**ZONING REVIEW**

**APPLICANT:** NATALIE RILEY

**LOCATION:** 23 Conlyn Avenue

**ZONING DISTRICT:** SFR 1V

**TYPE OF PROJECT:** Construct an Attached 2 Car Garage

**DATE:** 05/07/2021 **DENY**

**VARIANCE**

**ZONING BY LAW SECTIONS:** 185 Attachment 9 Schedule of Lot, Area, Frontage, Yard and Height Requirements.

**REASON FOR DENIAL:** Applicant is seeking to construct a 2 car attached garage that is 10.2' from the right side yard setback where 20' is required. The building permit is denied without a variance from the ZBA.

**APPEAL OF DENIAL OPTIONS:**

**ZONING BOARD OF APPEALS**

**APPLICANT SIGNATURE**

**DATE**

**ZONING OFFICIAL SIGNATURE LAB**

**DATE 05/07/2021**

TOWN OF FRANKLIN  
ZONING BOARD OF APPEALS

Municipal Building  
355 East Central Street  
Franklin, MA 02038  
508-520-4926

TOWN OF FRANKLIN  
TOWN CLERK  
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APR 27 2021

ZBA APPLICATION FORM  
GENERAL INFORMATION

ZONING BOARD OF APPEALS

The undersigned hereby petitions the Zoning Board of Appeals for the following:

Special Permit: \_\_\_\_\_ Variance: X Appeal: \_\_\_\_\_

PETITIONER: Natalie Riley

PETITIONER'S ADDRESS: 23 Conlyn Avenue, Franklin PHONE: (508)440-5040

LOCATION OF PROPERTY: 23 Colyn Avenue

TYPE OF OCCUPANCY: Single Family ZONING DISTRICT: SF R IV

ASSESSORS MAP & PARCEL: parcel: 272-064-000-000

REASON FOR PETITION:

- |                                            |                     |
|--------------------------------------------|---------------------|
| <u>X</u> Additions                         | _____ New Structure |
| _____ Change in Use/Occupancy              | _____ Parking       |
| _____ Conversion to Addi'l Dwelling Unit's | _____ Sign          |
| _____ Dormer                               | _____ Subdivision   |
| _____ Other: _____                         |                     |

DESCRIPTION OF PETITIONER'S PROPOSAL:

\_\_\_\_\_ Petitioner wishes to add an attached 2-car garage

SECTIONS OF ZONING ORDINANCE CITED:

Article 185 Section 9  
Article \_\_\_\_\_ Section \_\_\_\_\_  
Article \_\_\_\_\_ Section \_\_\_\_\_

Applicants for a Variance must complete Pages 1-5  
Applicants for a Special Permit must complete Pages 1-4 and 6  
Applicants for an Appeal to the ZBA pursuant to Zoning Bylaw section 185-45 (D) must attach a statement concerning the reasons for the appeal

Original Signature(s): Natalie Riley  
(Petitioner(s)/Owner)

Natalie Riley  
(Print Name)

Address: 23 Conlyn Avenue, Franklin

Tel. No.: (508)440-5040

E-Mail Address: natalieriley227@gmail.com

Date: 2/23/2021

**TOWN OF FRANKLIN  
ZONING BOARD OF APPEALS**

Municipal Building  
355 East Central Street  
Franklin, MA 02038  
508-520-4926

**ZBA APPLICATION FORM - OWNERSHIP INFORMATION**

*To be completed by OWNER, signed and returned to the Secretary of the Zoning Board of Appeals.*

I/We Natalie and Christopher Riley  
(OWNER)

Address: 23 Conlyn Avenue

State that I/We own the property located at 23 Conlyn Avenue,  
which is the subject of this zoning application.

The record title of this property is in the name of Morales, Natalie A &  
Riley, Christopher P

\*Pursuant to a deed of duly recorded in the date 4/19/2009, Norfolk  
County Registry of Deeds at Book 3608, Page 527; or  
Dedham Registry District of Land Court, Certificate No. \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_.

  
\_\_\_\_\_  
SIGNATURE BY LAND OWNER OR  
AUTHORIZED TRUSTEE, OFFICER OR AGENT\*

**TOWN OF FRANKLIN  
ZONING BOARD OF APPEALS**

Municipal Building  
355 East Central Street  
Franklin, MA 02038  
508-520-4926

ZBA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: Natalie and Christopher Riley      PRESENT USE/OCCUPANCY: One Family

LOCATION: 23 Conlyn Avenue      ZONE: SF R IV

PHONE: (508) 440-5040      REQUESTED USE/OCCUPANCY: Single Family

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS<sup>1</sup></u>	
<u>Lot Area:</u>		<u>15,025 SF</u>	<u>15,025 SF</u>	<u>15,000</u>	(min.)
<u>Continuous Frontage:</u>		<u>100'</u>	<u>100'</u>	<u>100'</u>	(min.)
<u>Size of Lot:</u>	Width	<u>100'</u>	<u>100'</u>	<u>90'</u>	(min.)
	Depth	<u>150'</u>	<u>150'</u>	<u>100'</u>	(min)
<u>Setbacks in Feet:</u>	Front	<u>33'</u>	<u>33'</u>	<u>30'</u>	(min.)
	Rear	<u>86'</u>	<u>86'</u>	<u>20'</u>	(min.)
	Left Side	<u>22'</u>	<u>22'</u>	<u>20'</u>	(min.)
	Right Side	<u>36'</u>	<u>10'</u>	<u>20'</u>	(min.)
<u>Building Height:</u>	Stories	<u>2</u>	<u>2</u>	<u>3</u>	(max.)
	Feet			<u>35 ft</u>	(max.)
<u>NO. of Dwelling Units:</u>		<u>1</u>	<u>1</u>		(max.)
<u>NO. of Parking Spaces:</u>		<u>4</u>	<u>4</u>		(min./max)

Describe where applicable, other occupancies on same lot, the size of adjacent buildings on same lot, and type of construction proposed, e.g.; wood frame, concrete, brick, steel, etc.

2-Car garage will be built with standard building materials to mimic existing house:  
concrete foundation, wood frame, standard roofing materials.

New building will be within ordinance requirements for all except right side setback -  
requesting 10' within 20' requirement.

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ZONING BOARD OF APPEALS**

Municipal Building  
355 East Central Street  
Franklin, MA 02038  
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**ZBA APPLICATION FORM**

**SUPPORTING STATEMENT FOR A VARIANCE**

*EACH OF THE FOLLOWING REQUIREMENTS FOR A VARIANCE MUST BE ESTABLISHED AND SET FORTH IN COMPLETE DETAIL BY THE APPLICANT IN ACCORDANCE WITH ZONING BYLAW SECTION 185-45 (D) (2) (6) AND MGL 40A, SECTION 10:*

- A) A Literal enforcement of the provisions of this Zoning bylaw would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:

Current conditions in Franklin do not allow for applicant to change residency to get a 2 car garage. The only opportunity to add a 2 car garage is to add to current home.

- B) The hardship is owing to the following circumstances relating to the soil conditions, shape or topography of such land or structures and especially affecting such land or structures but not affecting generally the zoning district in which it is located for the following reasons:

- C) Desirable relief may be granted without either:

- 1) Substantial detriment to the public good for the following reasons:

Addition of 2 car garage will remain in line with current neighborhood as several homes have either added a 2 car garage or have added other additions to their home that required a variance. Our home will be in-line with current neighborhood trends and visuals.

- 2) Nullifying or substantially derogating from the intent or purpose of this Zoning Bylaw for the following reasons:

If you have any questions as to whether you can establish all of the applicable legal requirements, you should consult with your own attorney.

**MASSACHUSETTS QUITCLAIM DEED**

We, Natalie A. Riley f/k/a Natalie A. Morales and Christopher P. Riley, as Joint Tenants, of 23 Conlyn Avenue, Franklin, Massachusetts 02038, for consideration paid, and in full consideration of less than \$1.00 grant to Natalie A. Riley and Christopher P. Riley, Husband and Wife, Tenants by the Entirety, with quitclaim covenants the following property in Norfolk County, Massachusetts.

That certain parcel of land situate in Franklin in the County of Norfolk and Commonwealth of Massachusetts, bounded and described as follows:

- WESTERLY by Conlyn Avenue, one hundred (100) feet;
- NORTHERLY by Lot 7 as shown on the plan hereinafter mentioned, one hundred fifty and 30/100 (150.30) feet;
- EASTERLY by land now or formerly of Harry Prince, one hundred (100) feet; and
- SOUTHERLY by Lot 3 as shown on said plan, one hundred fifty and 21/100 (150.21) feet.

All of said boundaries are determined by the court to be located as shown upon plans numbered 27607-A, which were filed with the original certificate of title issued on decree 27607, the same being compiled from a plan drawn by Kenneth E. McIntyre, Civil Engineer, and McIntyre & Johnson, Civil Engineers, dated May 16, 1957, and September 20, 1957, and additional data on file in the Land Registration Office, all as modified and approved by the Court, and shown thereon as Lot 5, plan filed with Certificate No. 60723.

The land hereby registered is subject to restrictions as set forth in three instruments, one executed by Carmine Lorusso, Jr., dated October 1, 1957, duly recorded in Book 3592, Page 114, one executed by Carmine Lorusso, Jr., dated October 2, 1957, duly recorded in Book 3592, Page 331, and one executed by Carmine Lorusso, Jr., et al., dated October 14, 1957 duly recorded in Book 3597, Page 32, as affected by an instrument executed by Carmine Lorusso, Jr., dated December 14, 1957, duly recorded in Book 3612, Page 322.

So much of the land hereby registered as is included within the limits of said Conlyn Avenue is subject to the rights, for all purposes, of all persons lawfully entitled thereto in and over the same, and there is appurtenant to the land hereby registered the right to use the whole of said Conlyn Avenue, as shown on said plan, for all purposes set forth in a deed given by Carmine Lorusso, Jr., et ux to Robert Maloney et ux, dated December 14, 1957, duly recorded in Book 3608, Page 527, in common with all other persons lawfully entitled thereto in and over the same.

The land hereby registered is subject to rights and easements as set forth in a grant made by Carmine Lorusso, Jr., et ux, to the Worcester County Electric Co. and New England Telephone & Telegraph Co. dated June 11, 1957 duly recorded in Book 3593, Page 587.

For title reference, see deed recorded as Document No. 1097013 on Certificate of Title 172161.

Witness our hands and seals this 14th day of April, 2009.

*Natalie A. Riley f/k/a Natalie A. Morales*      *Christopher P. Riley*  
 Natalie A. Riley f/k/a Natalie A. Morales      Christopher P. Riley

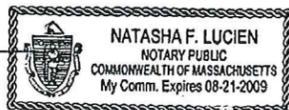
**COMMONWEALTH OF MASSACHUSETTS**

Norfolk, ss.

April 14, 2009

On this 14th day of April, 2009, before me, the undersigned notary public, personally appeared Natalie A. Riley and Christopher P. Riley, proved to me through satisfactory evidence of identification, which was/were  Mass. driver's license(s) or  \_\_\_\_\_, to be the persons whose names are signed on the preceding or attached document, and acknowledged to me that they signed it voluntarily for its stated purpose.

Notary Public: Natasha F. Lucien  
My Commission Expires: 8-21-09



Grantee & Urgency 23 Conlyn Ave Franklin, MA. 02038

**Town of Franklin – Board of Assessors**

355 East Central St

Franklin, MA 02038

Tel # 508-520-4920

Fax # 508-520-4923

**Abutters List Request Form**

**Please Note:** A \$25.00 Fee PER PARCEL is required to process your request. Payment is due at the time of submission of this form. Please allow 10 days from the date of payment and submission of the form for the Assessors office to complete the processing of your request.

Date of Request 3 / 18 / 2021

Assessors Parcel ID # (12 digits) 272 - 064 - 000 - 000

Property Street Address 23 Conlyn Avenue

Distance Required From Parcel # listed above (Circle One) 500 **300** 100  
(Note: if a distance is not circled, we cannot process your request)

Property Owner Natalie A and Christopher P Riley

Property Owner's Mailing Address 23 Conlyn Avenue

Town/City Franklin State MA Zip Code 02038

Property Owner's Telephone # 617 - 784 - 9402(c)

Requestor's Name (if different from Owner) \_\_\_\_\_

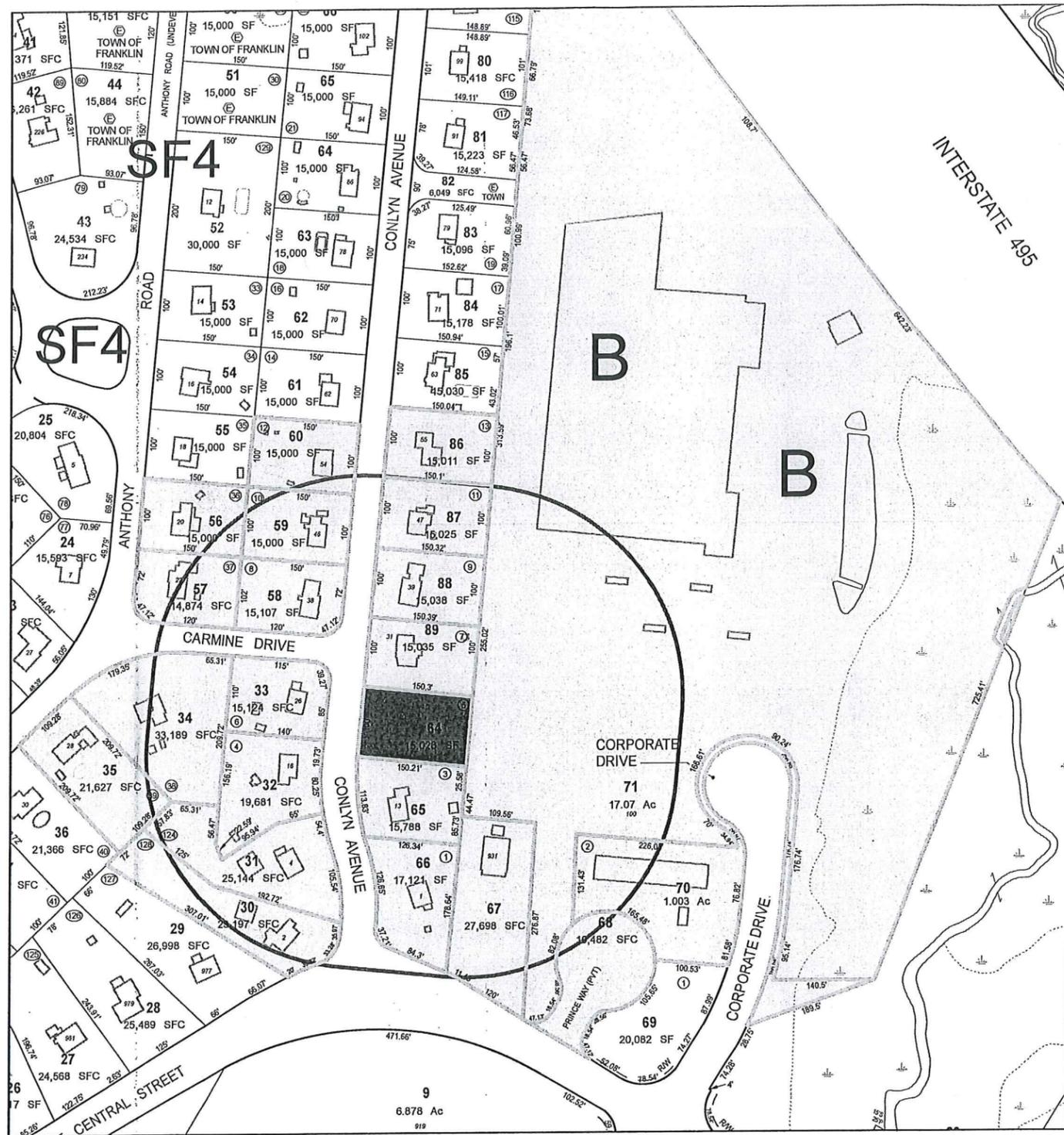
Requestor's Address \_\_\_\_\_

Requestor's Telephone # \_\_\_\_\_ - \_\_\_\_\_ - \_\_\_\_\_

Office Use Only: Date Fee Paid 3/18/2021 Paid in Cash \$ 25.00

Paid by Check \$ \_\_\_\_\_ Check # \_\_\_\_\_ Town Receipt # Kerrin W. Doyle

RETURN TO <sup>ZBA</sup> ~~LEANNE~~



**23 CONLYN AVE - 300' ABUTTERS**  
 Town of Franklin



3/19/2021

# 300' Abutters List Report

Franklin, MA  
March 19, 2021

## Subject Parcel:

Parcel Number: 272-064-000      Mailing Address: RILEY NATALIE A RILEY CHRISTOPHER P  
CAMA Number: 272-064-000-000      23 CONLYN AVE  
Property Address: 23 CONLYN AVE      FRANKLIN, MA 02038

## Abutters:

Parcel Number: 257-056-000      Mailing Address: WEBBER FRANCIS & CHARLOTTE L/E  
CAMA Number: 257-056-000-000      WEBBER FAMILY TRUST WEBBER, JA  
Property Address: 20 ANTHONY RD      20 ANTHONY RD  
FRANKLIN, MA 02038

Parcel Number: 257-057-000      Mailing Address: CARR BRENDAN G CARR ANDREA S  
CAMA Number: 257-057-000-000      22 ANTHONY RD  
Property Address: 22 ANTHONY RD      FRANKLIN, MA 02038

Parcel Number: 257-058-000      Mailing Address: STEWART PAULINE M  
CAMA Number: 257-058-000-000      38 CONLYN AVE  
Property Address: 38 CONLYN AVE      FRANKLIN, MA 02038

Parcel Number: 257-059-000      Mailing Address: DICANZIO PHILIP J  
CAMA Number: 257-059-000-000      46 CONLYN AVE  
Property Address: 46 CONLYN AVE      FRANKLIN, MA 02038

Parcel Number: 257-060-000      Mailing Address: ARGAW NETSANET ABEBE ESAYAS  
CAMA Number: 257-060-000-000      54 CONLYN AV  
Property Address: 54 CONLYN AVE      FRANKLIN, MA 02038

Parcel Number: 257-086-000      Mailing Address: BEVILACQUA EDWARD BEVILACQUA  
CAMA Number: 257-086-000-000      WENDY M  
Property Address: 55 CONLYN AVE      55 CONLYN AVE  
FRANKLIN, MA 02038

Parcel Number: 257-087-000      Mailing Address: FICCO MICHAEL D FICCO SARAH J  
CAMA Number: 257-087-000-000      47 CONLYN AVE  
Property Address: 47 CONLYN AVE      FRANKLIN, MA 02038

Parcel Number: 257-088-000      Mailing Address: PIRES MANUELA B  
CAMA Number: 257-088-000-000      39 CONLYN AV  
Property Address: 39 CONLYN AVE      FRANKLIN, MA 02038

Parcel Number: 257-089-000      Mailing Address: DOHERTY EDWARD J DOHERTY  
CAMA Number: 257-089-000-000      ROBERTA A  
Property Address: 31 CONLYN AVE      31 CONLYN AVE  
FRANKLIN, MA 02038

Parcel Number: 272-030-000      Mailing Address: TRASK JUSTIN TRASK TARYN  
CAMA Number: 272-030-000-000      2 CONLYN AV  
Property Address: 2 CONLYN AVE      FRANKLIN, MA 02038

[www.cai-tech.com](http://www.cai-tech.com)

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

# 300' Abutters List Report

Franklin, MA  
March 19, 2021

Parcel Number: 272-031-000 CAMA Number: 272-031-000-000 Property Address: 4 CONLYN AVE	Mailing Address: ALSHAWABKEH AKRAM ALSHAWABKEH REHAM D 4 CONLYN AVE FRANKLIN, MA 02038
Parcel Number: 272-032-000 CAMA Number: 272-032-000-000 Property Address: 16 CONLYN AVE	Mailing Address: ELLSWORTH MICHAEL B 16 CONLYN AVE FRANKLIN, MA 02038
Parcel Number: 272-033-000 CAMA Number: 272-033-000-000 Property Address: 26 CONLYN AVE	Mailing Address: LEVITAN ROBERT J LEVITAN NANCY E 26 CONLYN AVE FRANKLIN, MA 02038
Parcel Number: 272-034-000 CAMA Number: 272-034-000-000 Property Address: 26 ANTHONY RD	Mailing Address: JAMES RICHARD W JAMES ANGELENA 26 ANTHONY RD FRANKLIN, MA 02038
Parcel Number: 272-035-000 CAMA Number: 272-035-000-000 Property Address: 28 ANTHONY RD	Mailing Address: BERNHEART DAVID WU QIAN QIAN 28 ANTHONY RD FRANKLIN, MA 02038
Parcel Number: 272-064-000 CAMA Number: 272-064-000-000 Property Address: 23 CONLYN AVE	Mailing Address: RILEY NATALIE A RILEY CHRISTOPHER P 23 CONLYN AVE FRANKLIN, MA 02038
Parcel Number: 272-065-000 CAMA Number: 272-065-000-000 Property Address: 13 CONLYN AVE	Mailing Address: WILMOTH JENNIFER L 13 CONLYN AV FRANKLIN, MA 02038
Parcel Number: 272-066-000 CAMA Number: 272-066-000-000 Property Address: 1 CONLYN AVE	Mailing Address: QUINN-GOLDSTEIN MARY C 1 CONLYN AV FRANKLIN, MA 02038
Parcel Number: 272-067-000 CAMA Number: 272-067-000-000 Property Address: 931 WEST CENTRAL ST	Mailing Address: CHISM RUTH L/E GORDON JACQUELYN R ORABONA ROB 3 IRVING ST MILLIS, MA 02054
Parcel Number: 272-068-000 CAMA Number: 272-068-000-000 Property Address: PRINCE WAY	Mailing Address: FORGE PARK REALTY TRUST C/O NATIONAL DEVELOPMENT 2310 WASHINGTON ST NEWTON LOWER FALLS, MA 02462
Parcel Number: 272-070-000 CAMA Number: 272-070-000-000 Property Address: 60 CORPORATE DR	Mailing Address: 100 CORPORATE DR M1 LLC 100 CO C/O BOWDITCH & DEWEY LLC 10 HAWES PL BROOKLINE, MA 02246
Parcel Number: 272-071-000 CAMA Number: 272-071-000-000 Property Address: 100 CORPORATE DR	Mailing Address: 100 CORPORATE DR M1 LLC 100 CO C/O BOWDITCH & DEWEY LLC 10 HAWES PL BROOKLINE, MA 02246

*Kevin M. Doyle, 3-19-2021*

www.cai-tech.com  
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WEBBER FRANCIS & CHARLOTT  
WEBBER FAMILY TRUST WEBBE  
20 ANTHONY RD  
FRANKLIN, MA 02038

ALSHAWABKEH AKRAM  
ALSHAWABKEH REHAM D  
4 CONLYN AVE  
FRANKLIN, MA 02038

100 CORPORATE DR M1 LLC 1  
C/O BOWDITCH & DEWEY LLC  
10 HAWES PL  
BROOKLINE, MA 02246

CARR BRENDAN G  
CARR ANDREA S  
22 ANTHONY RD  
FRANKLIN, MA 02038

ELLSWORTH MICHAEL B  
16 CONLYN AVE  
FRANKLIN, MA 02038

STEWART PAULINE M  
38 CONLYN AVE  
FRANKLIN, MA 02038

LEVITAN ROBERT J  
LEVITAN NANCY E  
26 CONLYN AVE  
FRANKLIN, MA 02038

DICANZIO PHILIP J  
46 CONLYN AVE  
FRANKLIN, MA 02038

JAMES RICHARD W  
JAMES ANGELENA  
26 ANTHONY RD  
FRANKLIN, MA 02038

ARGAW NETSANET  
ABEBE ESAYAS  
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FRANKLIN, MA 02038

BERNHEART DAVID  
WU QIAN QIAN  
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FRANKLIN, MA 02038

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39 CONLYN AV  
FRANKLIN, MA 02038

QUINN-GOLDSTEIN MARY C  
1 CONLYN AV  
FRANKLIN, MA 02038

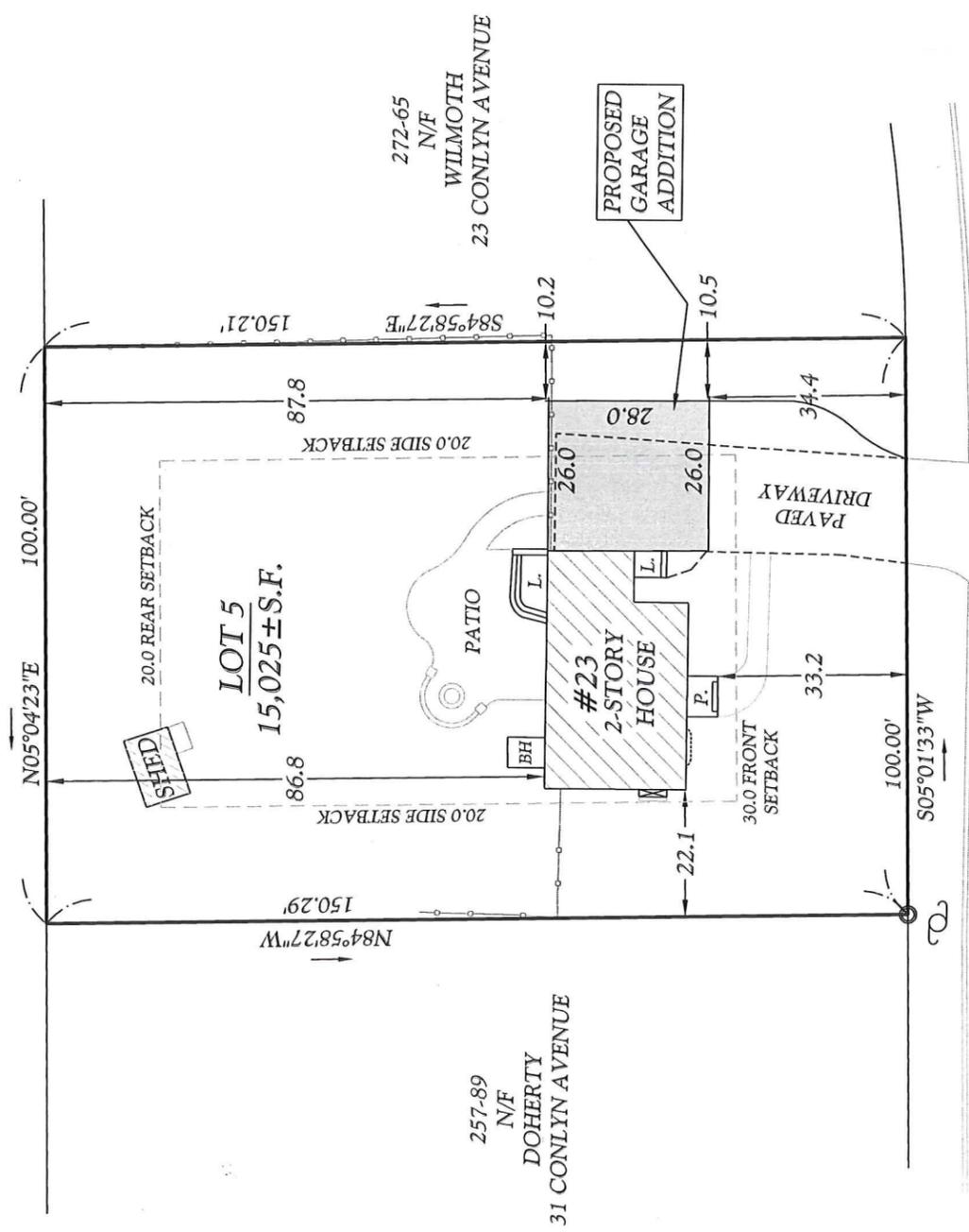
DOHERTY EDWARD J  
DOHERTY ROBERTA A  
31 CONLYN AVE  
FRANKLIN, MA 02038

CHISM RUTH L L/E  
GORDON JACQUELYN R ORABON  
3 IRVING ST  
MILLIS, MA 02054

TRASK JUSTIN  
TRASK TARYN  
2 CONLYN AV  
FRANKLIN, MA 02038

FORGE PARK REALTY TRUST  
C/O NATIONAL DEVELOPMENT  
2310 WASHINGTON ST  
NEWTON LOWER FALLS, MA 02462

272-71  
N/F  
100 CORPORATE DRIVE MI LLC  
100 CORPORATE DRIVE



### CONLYN AVENUE

PROPOSED TOTAL IMPERVIOUS = 18.6%

I CERTIFY THAT THE LOT SHOWN AND THE IMPROVEMENTS THEREON DO NOT LIE IN A WATER RESOURCE DISTRICT.

PREPARED FOR:  
NATALIE A. &  
CHRISTOPHER P. RILEY  
23 CONLYN AVENUE  
FRANKLIN, MA 02038

REFERENCES:  
DEED: CERTIFICATE# 123546  
PLAN: L.C.C.# 12345-A

ZONING DISTRICT: SF IV

I CERTIFY THAT THIS PLAN WAS CREATED BY AN INSTRUMENT SURVEY ON THE GROUND AND THAT ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.

### CERTIFIED PLOT PLAN

LOCATED AT  
23 CONLYN AVENUE  
ASSESSORS PARCEL #272-064-000-000  
FRANKLIN, MA  
NORFOLK COUNTY

CONTINENTAL LAND SURVEY, LLC  
105 BEAVER STREET, FRANKLIN, MA  
(508) 528 - 2528

SCALE: 1"=30' APRIL 27, 2021



RECEIVED  
TOWN OF FRANKLIN  
APR 29 2021  
ZONING BOARD OF APPEALS



CHRISTOPHER C. CHARLTON, PLS