

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: Bruce Johnson / Danielle Johnson

LOCATION: 16 Maria Circle

ZONING DISTRICT: Single Family 111

TYPE OF PROJECT: Construct 2 Car Garage and a Breezeway

DATE: 04/07/2021 **DENY**

SPECIAL PERMIT

ZONING BY LAW SECTIONS: 185-40 D (l) (i)

REASON FOR DENIAL: Applicant is seeking to construct a two car garage and a breezeway that increases the impervious area of the lot to 24.5 % where 15 % is allowed. The building permit is denied without a Special Permit from the ZBA.

APPEAL OF DENIAL OPTIONS:

ZONING BOARD OF APPEALS

APPLICANT SIGNATURE

ZONING OFFICIAL SIGNATURE LAB 04/07/2021 DATE

TOWN OF FRANKLIN
ZONING BOARD OF APPEALS

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

RECEIVED
TOWN OF FRANKLIN
APR 15 2021

TOWN OF FRANKLIN
TOWN CLERK

2021 APR 15 A 9:15

RECEIVED

ZBA APPLICATION FORM

GENERAL INFORMATION

ZONING BOARD OF APPEALS

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

Special Permit: Variance: _____ Appeal: _____

PETITIONER: BRUCE G. JOHNSON SR / DANIELLE M. JOHNSON

PETITIONER'S ADDRESS: 16 MARIA CIR FRANKLIN PHONE: 508 298 8620

LOCATION OF PROPERTY: 16 MARIA CIR FRANKLIN

TYPE OF OCCUPANCY: Single Family ZONING DISTRICT: SFR 3

ASSESSORS MAP & PARCEL: 267-071-000-000

REASON FOR PETITION:

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

DESCRIPTION OF PETITIONER'S PROPOSAL:

2 Car garage

SECTIONS OF ZONING ORDINANCE CITED:

Article 185 Section 40

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): Bruce Johnson
(Petitioner(s)/Owner)
BRUCE JOHNSON DANIELLE JOHNSON
(Print Name)

Address: 16 MARIA CIR FRANKLIN

Tel. No.: 508-298-8620

E-Mail Address: bruce.johnson.76@comcast.net

Date: 3/29/21

**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 BRUCE JOHNSON JR / DANIELLE JOHNSON
(OWNER)

Address: 16 MARTA CIR FRANKLIN MA 02038

State that I/We own the property located at 16 MARTA CIR FRANKLIN MA
which is the subject of this zoning application.

The record title of this property is in the name of BRUCE JOHNSON JR / DANIELLE M
JOHNSON

*Pursuant to a deed of duly recorded in the date _____, Norfolk
County Registry of Deeds at Book 18040, Page 569; or
Dedham Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

Bruce Johnson
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: BRUCE JOHNSON PRESENT USE/OCCUPANCY: RES

LOCATION: 16 MARIA CIR Franklin MA ZONE: _____

PHONE: 508 298 8620 REQUESTED USE/OCCUPANCY: _____

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS¹</u>	
<u>Lot Area:</u>		_____	_____	_____	(min.)
<u>Continuous Frontage:</u>		_____	_____	_____	(min.)
<u>Size of Lot:</u>	Width	_____	_____	_____	(min.)
	Depth	_____	_____	_____	(min.)
<u>Setbacks in Feet:</u>	Front	_____	_____	_____	(min.)
	Rear	_____	_____	_____	(min.)
	Left Side	_____	_____	_____	(min.)
	Right Side	_____	_____	_____	(min.)
<u>Building Height:</u>	Stories	_____	_____	_____	(max.)
	Feet	_____	_____	_____	(max.)
<u>NO. of Dwelling Units:</u>		<u>1</u>	<u>0</u>	<u>1</u>	(max.)
<u>NO. of Parking Spaces:</u>		<u>2</u>	<u>0</u>	<u>2</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.



ZBA APPLICATION FORM
SUPPORTING STATEMENT FOR A SPECIAL PERMIT

Please describe in complete detail how you meet each of the following criteria in accordance with Zoning Bylaw Section 185-45(D)(2)(a) referring to the property and proposed changes or uses which are requested in your application. Attach sheets with additional information for special permits for which additional criteria must be met under the Zoning Bylaw.

185-45(D)(2)(A) **BOARD OF APPEALS:** TO HEAR AND DECIDE APPLICATIONS FOR SPECIAL PERMITS UPON WHICH THE BOARD IS EMPOWERED TO ACT UNDER THIS CHAPTER. SPECIAL PERMITS SHALL BE GRANTED BY THE BOARD OF APPEALS ONLY UPON ITS WRITTEN DETERMINATION THAT THE PROPOSED USE WILL NOT HAVE ADVERSE EFFECTS WHICH OVERBALANCE ITS BENEFICIAL EFFECTS ON EITHER THE NEIGHBORHOOD OR THE TOWN, IN VIEW OF THE PARTICULAR CHARACTERISTICS OF THE SITE AND OF THE PROPOSAL IN RELATION TO THAT SITE. THIS DETERMINATION SHALL BE IN ADDITION TO THE FOLLOWING SPECIFIC FINDINGS:

- (1) Proposed project addresses or is consistent with neighborhood or Town need. *yes, will look like 80% of houses in neighborhood.*
- (2) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed. *will not impact.*
- (3) Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development. *will not be affected*
- (4) Neighborhood character and social structure will not be negatively impacted. *no*
- (5) Project will not destroy or cause substantial damage to any environmentally significant natural resource, habitat, or feature or, if it will, proposed mitigation, remediation, replication, or compensatory measures are adequate. *no will not damage. all roof drainage will be recharged back into ground.*
- (6) Number, height, bulk, location and siting of building(s) and structure(s) will not result in abutting properties being deprived of light or fresh air circulation or being exposed to flooding or subjected to excessive noise, odor, light, vibrations, or airborne particulates. *no.*
- (7) Water consumption and sewer use, taking into consideration current and projected future local water supply and demand and wastewater treatment capacity, will not be excessive. *will have no effect.*

BK 1804 OPG 569

QUITCLAIM DEED

25
20

16 maria cir Franklin

We LAWRENCE W. KELLY and CHRISTINA L. KELLY a/k/a CHRISTINE KELLY, of Franklin, Norfolk County, Commonwealth of Massachusetts,

for consideration of Three Hundred Nineteen Thousand Nine Hundred Dollars (\$319,900.00),

grant to BRUCE C. JOHNSON, Jr. and DANIELLE M. JOHNSON, husband and wife, both of 16 Maria Circle, Franklin, Massachusetts, 02038, as Tenants by the Entirety

with Quitclaim Covenants

The land with the buildings thereon situated in Franklin, Norfolk County, Massachusetts on the northwesterly side of Chestnut Street and being shown as Lot 8 on a plan of land entitled "Chestnut Hill a Subdivision in Franklin, Mass. Scale: 1" = 40' June 27, 1983 William J. Rossetti & Associates, Inc., Franklin, Mass.", which plan is recorded with the Norfolk County Registry of Deeds as Plan No. 851A of 1983 in Plan Book 305, reference to which may be had for a more particular description.

Said Lot 8 contains 22,189 square feet, more or less, according to said plan.

Subject to the conditions and restrictions contained in the deed of Charles G. Pilligian et al dated June 17, 1983 and recorded with said Deeds in Book 6186, page 433.

Subject to grant to Massachusetts Electric Company and New England Telephone and Telegraph Company recorded with said Deeds in Book 6282, page 165.

Being the same premises conveyed by deed of Ann Marie Birtwell dated July 12, 2001 recorded with said Deeds in Book 15269, page 560.

011192

03 JAN 15 PM 2:41

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA
CERTIFY
William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

CANCELLED

DEDHAM
JAN 15 2003
NORFOLK

01/15/03 2:45PM
00000 #4353

FEE \$1458

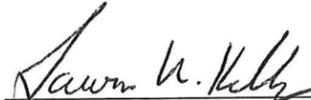
CASH \$1458

1458.75

PROPERTY ADDRESS: 16 MARIA CIRCLE, FRANKLIN, MA

BK18040PG570

Witness our hands and seals this 13 day of January 2003


LAWRENCE W. KELLY

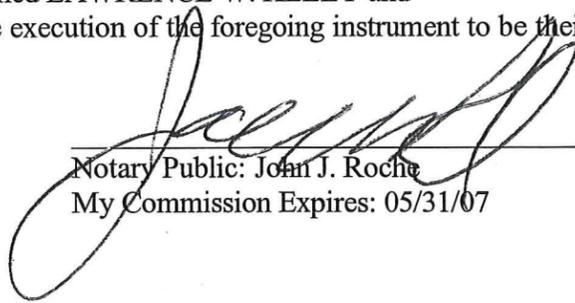

CHRISTINA L. KELLY

COMMONWEALTH OF MASSACHUSETTS

Norfolk County

January 13, 2003

Then personally appeared the above-named LAWRENCE W. KELLY and CHRISTINA L. KELLY and acknowledges the execution of the foregoing instrument to be their free act and deed, before me


Notary Public: John J. Roche
My Commission Expires: 05/31/07

THE BUILDING OFFSETS SHOWN HEREON ARE NOT TO BE USED FOR THE ESTABLISHMENT OF PROPERTY LINES OR FOR THE ESTABLISHMENT OF ANY PROPOSED CONSTRUCTION UNLESS SAID CONSTRUCTION IS SHOWN HEREON.

THIS PLAN WAS PREPARED FOR THE EXCLUSIVE USE AND PURPOSE FOR THE PARTY STATED HEREON AND SHALL NOT BE USED BY ANY THIRD PARTY WITHOUT THE EXPRESSED WRITTEN PERMISSION OF GUERRIERE AND HALNON, INC.

CONSTRUCTION ON THIS LAND IS SUBJECT TO ANY EASEMENTS, RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS, OR OTHER LIMITATIONS WHICH MAY BE REVEALED BY AN EXAMINATION OF THE TITLE.

CONTRACTORS (IN ACCORDANCE WITH MASS.G.L. CHAPTER 82 SECTION 40 AS AMENDED) MUST CONTACT ALL UTILITY COMPANIES BEFORE EXCAVATING AND DRILLING AND CALL DIGSAFE AT 1(888)DIG-SAFE{7233}.

SINGLE-FAMILY RESIDENTIAL III

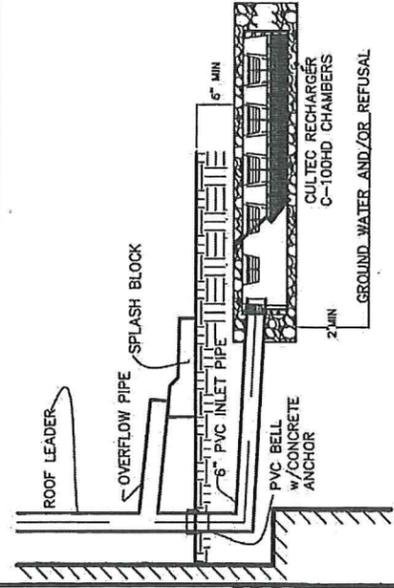
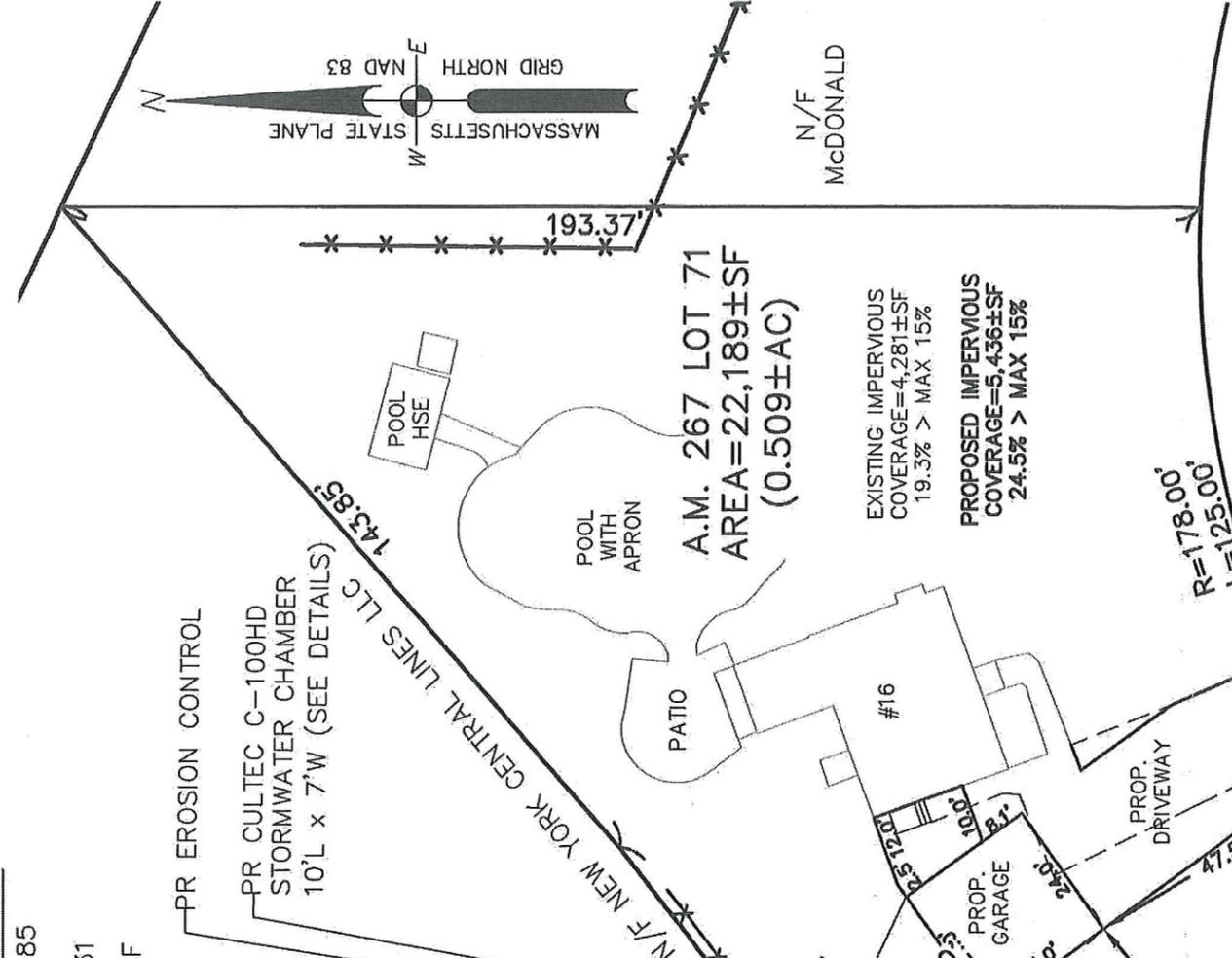
FRANKLIN ZONING BYLAW SECTION 185
ATTACHMENT 9; LAST AMENDED
3-13-2019 BY AMENDMENT 19-831

MINIMUM LOT AREA 20,000 SF
MINIMUM LOT FRONTAGE 125'
MINIMUM YARDS
FRONT 40'
SIDE 25'
REAR 30'

MAX. % OF LOT UPLAND COVERED BY:
STRUCTURES 15*
STRUCTURES+PAVING 15*
* SEE NOTE 2

NOTES:

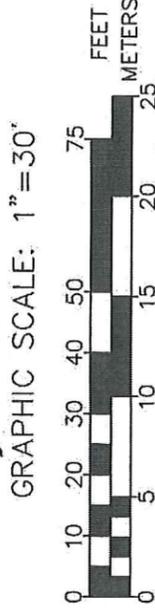
1. THIS SITE IS NOT IN A SPECIAL FLOOD HAZARD ZONE PER FEMA COMMUNITY PANEL NO. 25021C0309E EFFECTIVE DATE 7/17/2012.
2. THIS SITE IS IN WATER RESOURCE DISTRICT ZONE II PER TOWN OF FRANKLIN WATER RESOURCE DISTRICT MAP DATED 3/2/2020.



ROOF LEADER/INFILTRATOR CONNECTION N.T.S.

NOTE:

PROPOSED WORK TO REQUIRE RELIEF FROM ZBA UPLAND REQUIREMENT 185-40L(i).



CERTIFICATION	OWNER	<p>BRUCE C. JOHNSON DANIELLE M. JOHNSON 16 MARIA CIRCLE FRANKLIN, MA 02038</p> <p>DEED BOOK 18040 PAGE 569 PLAN NO. 851A OF 1983 PLAN BK. 305 A.M. 267 LOT 71</p> <p>RECEIVED TOWN OF FRANKLIN APR 27 2021</p> <p>ZONING BOARD OF APPEALS</p>
	<p>ROBERT J. DUFF No. 40707 CIVIL REGISTERED PROFESSIONAL ENGINEER</p>	
ADDITION PLOT PLAN 16 MARIA CIRCLE FRANKLIN MASSACHUSETTS		<p>GUERRIERE & HALNON, INC. ENGINEERING & LAND SURVEYING 55 WEST CENTRAL ST. PH. (508) 528-3221 FRANKLIN, MA 02038 FX. (508) 528-7921 www.gandhengineering.com</p>
MARCH 12, 2021		<p>DATE 04/08/21</p> <p>REVISION DESCRIPTION: Addition Roof Recharge</p>

THE BUILDING OFFSETS SHOWN HEREON ARE NOT TO BE USED FOR THE ESTABLISHMENT OF PROPERTY LINES OR FOR THE ESTABLISHMENT OF ANY RIGHTS-OF-WAY, RESTRICTIONS, RESERVATIONS, OR OTHER LIMITATIONS PROPOSED CONSTRUCTION UNLESS SAID CONSTRUCTION IS SHOWN HEREON.

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F4432

SINGLE-FAMILY RESIDENTIAL III

FRANKLIN ZONING BYLAW SECTION 185
 ATTACHMENT 9; LAST AMENDED
 3-13-2019 BY AMENDMENT 19-831

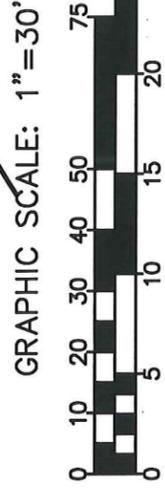
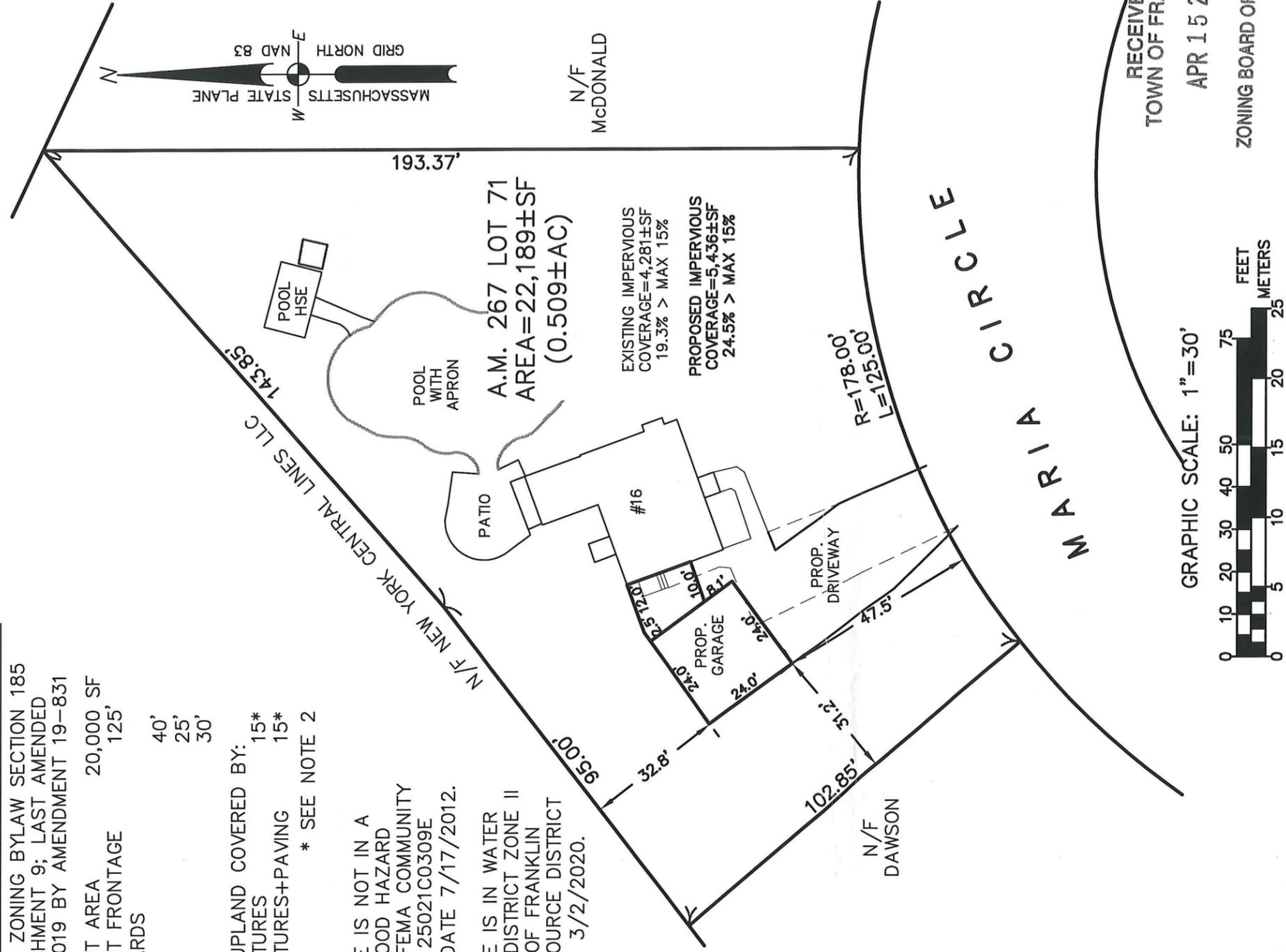
MINIMUM LOT AREA 20,000 SF
 MINIMUM LOT FRONTAGE 125'
 MINIMUM YARDS
 FRONT 40'
 SIDE 25'
 REAR 30'

% OF LOT UPLAND COVERED BY:
 STRUCTURES 15*
 STRUCTURES+PAVING 15*

* SEE NOTE 2

1. THIS SITE IS NOT IN A SPECIAL FLOOD HAZARD ZONE PER FEMA COMMUNITY PANEL NO. 25021C0309E EFFECTIVE DATE 7/17/2012.

2. THIS SITE IS IN WATER RESOURCE DISTRICT ZONE II PER TOWN OF FRANKLIN WATER RESOURCE DISTRICT MAP DATED 3/2/2020.



RECEIVED
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 APR 15 2021

ZONING BOARD OF APPEALS

CERTIFICATION

I CERTIFY THAT THIS PLAN WAS PREPARED FROM AN ON THE GROUND SURVEY AND THAT THE EXISTING FEATURES ARE LOCATED ON THE LOT AS SHOWN HEREON.

03/11/2021



OWNER

BRUCE C. JOHNSON
 DANIELLE M. JOHNSON
 16 MARIA CIRCLE
 FRANKLIN, MA 02038

DEED BOOK 18040 PAGE 569
 PLAN NO. 851A OF 1983 PLAN BK. 305
 A.M. 267 LOT 71

ADDITION PLOT PLAN
16 MARIA CIRCLE
FRANKLIN MASSACHUSETTS

MARCH 12, 2021

DATE	REVISION DESCRIPTION

Guerriere & Halnon, Inc.
 ENGINEERING & LAND SURVEYING

55 WEST CENTRAL ST. PH. (508) 528-3221
 FRANKLIN, MA 02038 FX. (508) 528-7921
 www.gandhengineering.com

F4432