

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: Paul Guarino

LOCATION: 7 Teri's Way

ZONING DISTRICT: Single Family 111

TYPE OF PROJECT: Shed, Covered Patio, Extend Pool Apron and Farmers
Porch

DATE: 03/05/2021 **DENY**

SPECIAL PERMIT and VARIANCE

ZONING BY LAW SECTIONS: 185-40 D (I) (i), 185 Attachment 9 Schedule of
Lot, Area, Frontage, Yard and Height Requirements

REASON FOR DENIAL: Applicant is seeking to construct a shed and a covered
patio that increases the impervious area of the lot to 27.87% where 15% is
allowed. Also, applicant is seeking to construct a farmers porch 38.7' from the
front setback where 40' is required. The building permit is denied without a
Special Permit and a Variance from the ZBA.

APPEAL OF DENIAL OPTIONS:

ZONING BOARD OF APPEALS

APPLICANT SIGNATURE

ZONING OFFICIAL SIGNATURE LAB 03/05/2021 DATE

TOWN OF FRANKLIN
ZONING BOARD OF APPEALS

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

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MAR 03 2021

ZONING BOARD OF APPEALS

ZBA APPLICATION FORM

GENERAL INFORMATION

TOWN OF FRANKLIN
TOWN CLERK

2021 FEB 31 P 2:26

RECEIVED

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

Special Permit: _____ Variance: Appeal: _____

PETITIONER: Paul Guarino

PETITIONER'S ADDRESS: 7 Teris way PHONE: 508-918-3099

LOCATION OF PROPERTY: Same

TYPE OF OCCUPANCY: Residential ZONING DISTRICT: SF III

ASSESSORS MAP & PARCEL: 313-028-000-000

REASON FOR PETITION:

- | | |
|---|--|
| <input type="checkbox"/> Additions | <input type="checkbox"/> New Structure |
| <input type="checkbox"/> Change in Use/Occupancy | <input type="checkbox"/> Parking |
| <input type="checkbox"/> Conversion to Addi'l Dwelling Unit's | <input type="checkbox"/> Sign |
| <input type="checkbox"/> Dormer | <input type="checkbox"/> Subdivision |
| <input checked="" type="checkbox"/> Other: <u>Add Farmers Porch</u> | |

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2021 MAR -3 A 11:13
TOWN OF FRANKLIN
TOWN CLERK

DESCRIPTION OF PETITIONER'S PROPOSAL:

Add Farmers Porch (See Plot Plan)

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):

[Signature]
Petitioner(s)/Owner

Paul Guarino
(Print Name)

Address: 7 Teris way

Tel. No.: 508-918-3099

E-Mail Address: Guarino.Construction MA@gmail.com

Date: 3/3/21

TOWN OF FRANKLIN
ZONING BOARD OF APPEALS

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

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JAN 07 2021

ZONING BOARD OF APPEALS

ZBA APPLICATION FORM
GENERAL INFORMATION

RECEIVED
TOWN OF FRANKLIN
JAN 11 11 P 3 14

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

Special Permit: X Variance: _____ Appeal: _____

PETITIONER: Paul Guarino

PETITIONER'S ADDRESS: 7 Teri's Way PHONE: 508-918-3099

LOCATION OF PROPERTY: 7 Teri's Way Franklin

TYPE OF OCCUPANCY: Residential ZONING DISTRICT: SF III

ASSESSORS MAP & PARCEL: 313-028-000-000

REASON FOR PETITION:

- Additions
- Change in Use/Occupancy
- Conversion to Add'l Dwelling Unit's
- Dormer
- Other: Add shed + Covered patio
- New Structure
- Parking
- Sign
- Subdivision

DESCRIPTION OF PETITIONER'S PROPOSAL:

Add 12'x20' shed w/ 18'x16' Covered patio. Extend Pool apron

SECTIONS OF ZONING ORDINANCE CITED:

Article 185 Section 40D (1)(I)(i) / 15%

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): Paul Guarino

(Petitioner(s)/Owner)

Paul Guarino
(Print Name)

Address: 7 Teri's Way

Tel. No.: 508-918-3099

E-Mail Address: GuarinoConstructionMA@gmail.com

Date: 1/1/2021

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.

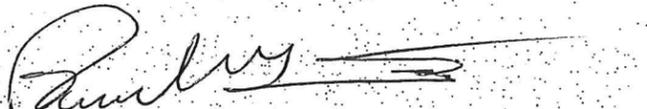
I/We Paul Guarino
(OWNER)

Address: 7 Teri's Way Franklin MA 02038

State that I/We own the property located at 7 Teri's Way,
which is the subject of this zoning application.

The record title of this property is in the name of Paul Guarino +
Elise Guarino

*Pursuant to a deed of duly recorded in the date 12/16/15, Norfolk
County Registry of Deeds at Book 33723, Page 414; 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: Paul Guarino PRESENT USE OCCUPANCY: Shed
 LOCATION: 7 Teri's Way ZONE: SF III
 PHONE: 508-918-3099 REQUESTED USE OCCUPANCY: Shed

	<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS¹</u>
Lot Area:	<u>20,014</u>	<u>N/A</u>	<u>20,000</u> (min.)
Continuous Frontage:	<u>158.8</u>	<u>N/A</u>	<u>125</u> (min.)
Size of Lot:	Width <u>151</u>	<u>N/A</u>	(min.)
	Depth <u>138</u>	<u>N/A</u>	<u>160</u> (min)
Setbacks in Feet:	Front <u>42</u>		<u>40</u> (min.)
	Rear <u>65</u>		<u>30</u> (min.)
	Left Side <u>29</u>		<u>25</u> (min.)
	Right Side <u>62</u>		<u>25</u> (min.)
Building Height:	Stories <u>2</u>		<u>3</u> (max.)
	Feet <u>23'</u>		<u>35'</u> (max.)
NO. of Dwelling Units:	<u>1</u>		(max.)
NO. of Parking Spaces:	<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.

I would like to Add a 12'x20 wood Frame
Shed to my back yard. See Attached Plot Plan.
This shed would have a 16'x18' covered patio
Attached. This would be 528^{SF} of Roof.

**TOWN OF FRANKLIN
ZONING BOARD OF APPEALS**

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

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:

If the Home owner intended to construct a Farmers Porch on my dwelling. The addition of ~~said~~ the porch will add value to the home and surrounding neighbors

- 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:

The Hardship is caused by the setbacks listed in SF III. This will limit the use of listed property and not allow Home owner to improve property value

- C) Desirable relief may be granted without either:

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

There will be no detriment to the public good through granting a variance for the setback of a Farmers Porch.

- 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.



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 it is consistent

(2) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.

Yes

(3) Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.

All Infrastructure is adequate Per Plot Plan

(4) Neighborhood character and social structure will not be negatively impacted.

Neighborhood character and social structure will not be negatively impacted because a Drainage system will be added

(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.

water will properly drain off roof and into drainage system. It will not destroy or cause damage

(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 there will be negative effect to neighbors.

(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.

No additional capacity is required.

Bk 33723 P414 #125015
12-16-2015 @ 12:42p

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA
OFFICIAL

CERTIFY COPY
William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

MASSACHUSETTS STATE EXCISE TAX
Norfolk Registry of Deeds
Date: 12-16-2015 @ 12:42pm
A N Ct1#: 976 Doc#: 125015
Fee: \$2,006.40 Cons: \$440,000.00
OFFICIAL COPY

QUITCLAIM DEED

I, Cynthia A. Fahey, an unmarried woman, of Franklin, Massachusetts

For Consideration Paid Of **FOUR HUNDRED FORTY THOUSAND (\$440,000.00) DOLLARS**

Grant To Paul Guarino and Elise Guarino, husband and wife as tenants by the entirety

Of 7 Teri's Way, Franklin, MA 02038.

with Quitclaim Covenants

The land with the buildings thereon situated on the westerly side of Teri's Way in Franklin and being shown as Lot 39A on a plan entitled, "Plan of Land in Franklin, Mass. Scale 1" = 40' October 7, 1992 William J. Rossetti P.L.S. Franklin, Mass.," which plan is recorded with Norfolk Deeds as Plan No. 702 of 1992 in Plan Book 409, reference to which may be had for a more particular description.

Said Lot 39A contains 20,014 square feet, according to said plan.

The grantor excludes from this conveyance the fee in Teri's Way.

Being the same premises conveyed by deed dated December 29, 2014 and recorded with the Norfolk County Registry of Deeds in Book 32816, Page 283.

Grantor hereby releases all rights of homestead and states that no other persons are entitled to any benefits of an existing estate of homestead.

Property Address: 7 Teri's Way, Franklin, MA 02038

NOT

NOT

WITNESS my hand and seal this 14th day of December, 2015

OFFICIAL

OFFICIAL

COPY

Cynthia A. Fahey
Cynthia A. Fahey

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss

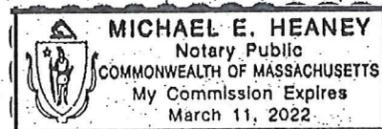
December 14, 2015

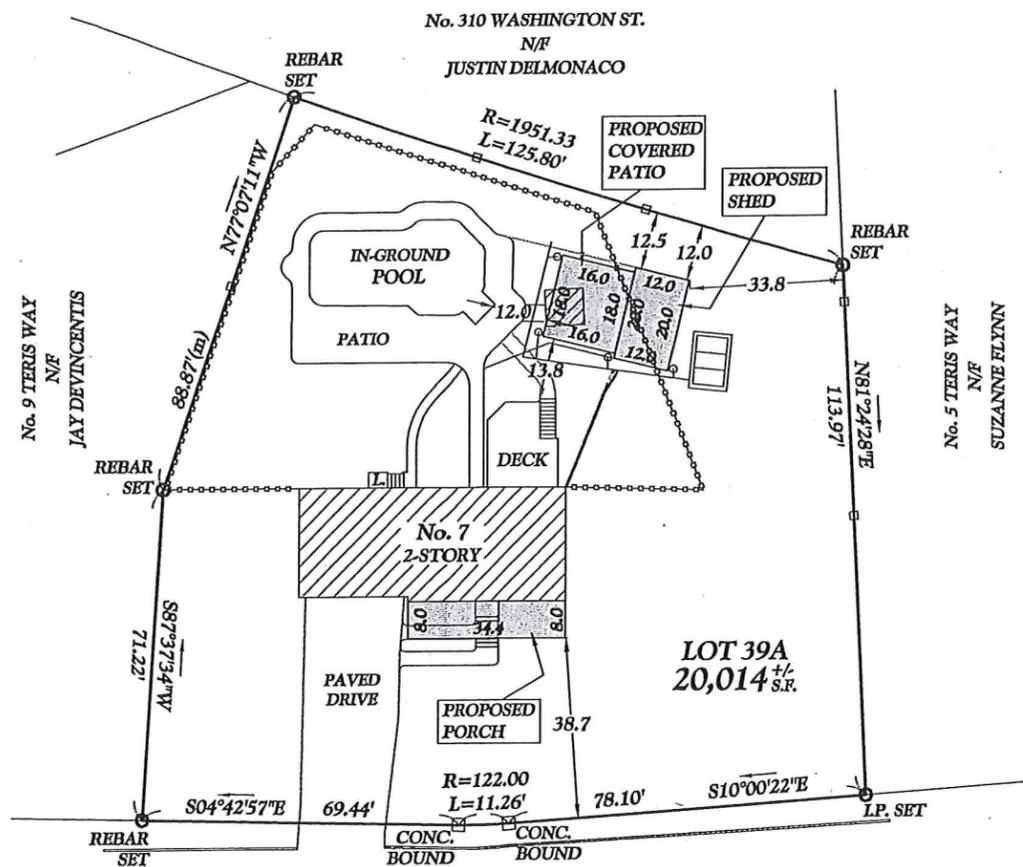
On this 14th day of December, 2015, before me, the undersigned notary public, personally appeared Cynthia A. Fahey, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License to be the person(s) whose name(s) is/are signed on the preceding or attached document, and acknowledged to me that he/she/they signed it voluntarily and for its stated purpose.

[Signature]

Notary Public

My Commission Expires:





TERIS (PUBLIC - 56.00' WIDE) WAY

RECEIVED TOWN OF FRANKLIN

MAR 03 2021

ZONING BOARD OF APPEALS

EXISTING TOTAL IMPERVIOUS SURFACE: 4,640 s.f. (23.18%)
 PROPOSED TOTAL IMPERVIOUS SURFACE: 5,577 s.f. (27.87%)
 PROPOSED INCREASE IMPERVIOUS SURFACE: 937 s.f.

PREPARED FOR:
 PAUL & ELISE GUARINO
 7 TERIS WAY
 FRANKLIN, MA 02038

REFERENCES:
 DEED: BOOK 33723, PAGE 414
 PLAN: BOOK 409, PAGE 702

I CERTIFY THAT THE LOT SHOWN AND THE IMPROVEMENTS THEREON LIE IN A WATER RESOURCE DISTRICT ZONE II.

ZONING DISTRICT: SFIII

CERTIFIED PLOT PLAN

LOCATED AT
7 TERIS WAY
 ASSESSORS PARCEL # 313-028-000-000
FRANKLIN, MA
 NORFOLK COUNTY
 CONTINENTAL LAND SURVEY, LLC
 105 BEAVER STREET, FRANKLIN, MA
 (508) 528 - 2528
 SCALE: 1"=30' FEBRUARY 18, 2021

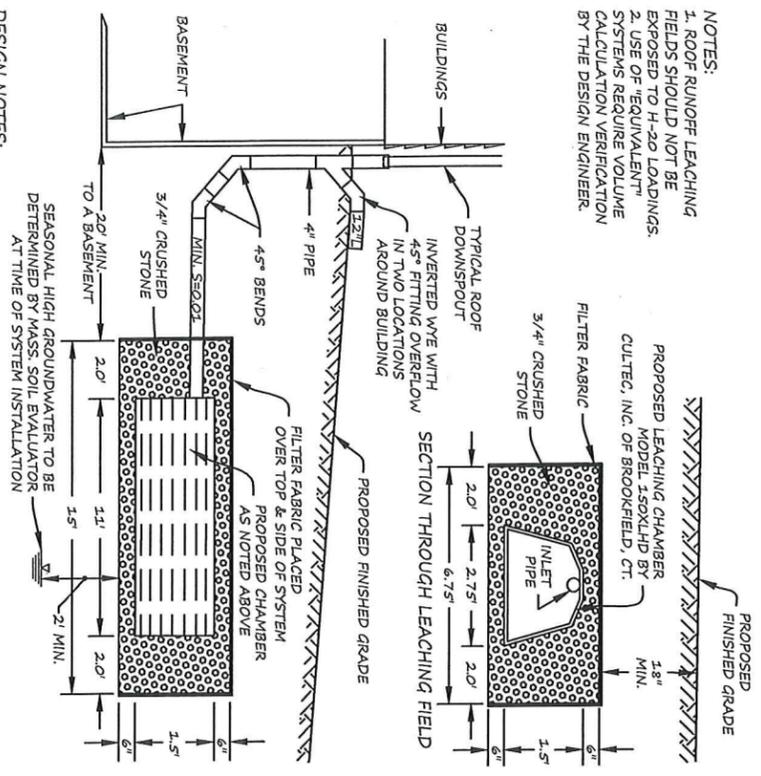
I CERTIFY THAT THIS PLAN WAS CREATED BY AN INSTRUMENT SURVEY ON THE GROUND AND THAT ALL STRUCTURES ARE LOCATED AS SHOWN HEREON.



CHRISTOPHER C. CHARLTON, PLS



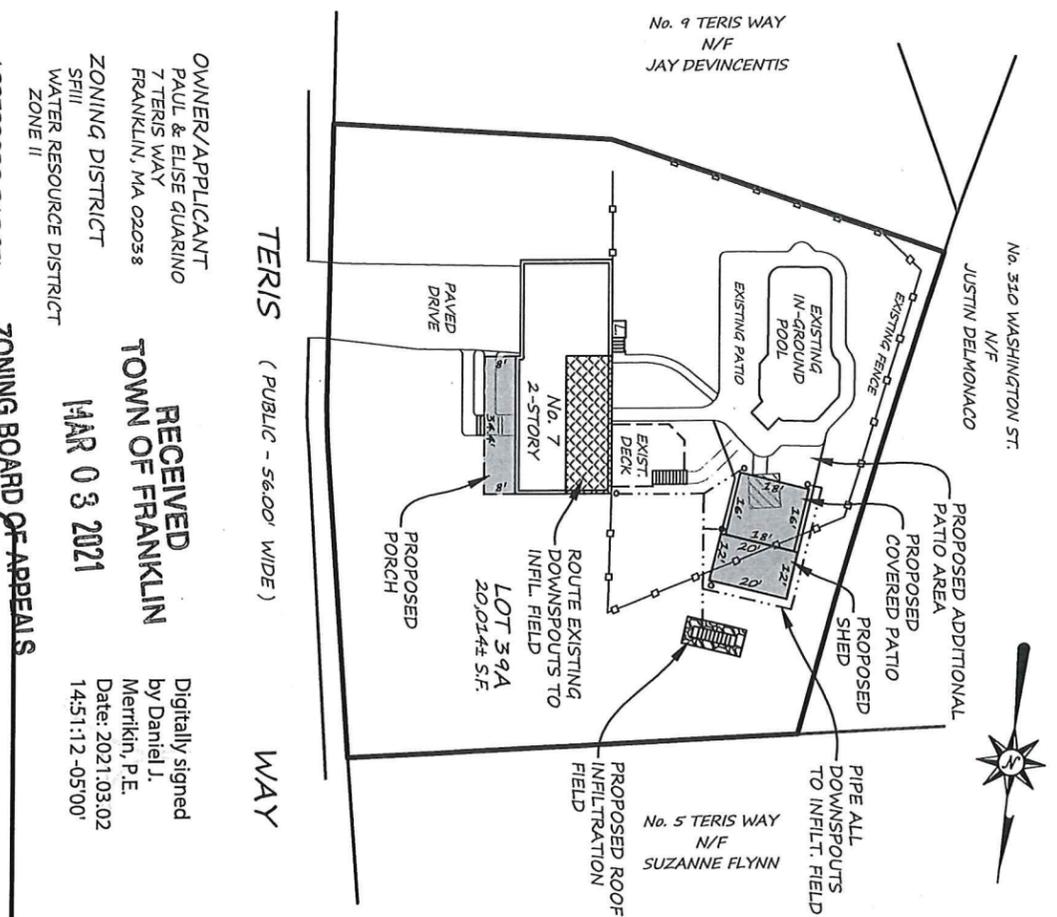
NOTES:
 1. ROOF RUNOFF LEACHING FIELDS SHOULD NOT BE EXPOSED TO H-20 LOADINGS.
 2. USE OF "EQUIVALENT" SYSTEMS REQUIRE VOLUME CALCULATION VERIFICATION BY THE DESIGN ENGINEER.



- DESIGN NOTES:**
- EXISTING IMPERVIOUS COVERAGE = 23.18% = 4,640 S.F.*
 - PROPOSED IMPERVIOUS COVERAGE = 27.87% = 5,577 S.F.*
 - PROPOSED INCREASE IN IMPERVIOUS COVERAGE = 497 S.F.*
 - THIS ROOF RUNOFF LEACHING SYSTEM WAS DESIGNED TO CAPTURE 1-INCH OF RUNOFF FROM THE ROOF AREA OF THE PROPOSED SHED AND COVERED PATIO ALONG WITH THE HATCHED PORTION OF THE EXISTING HOUSE ROOF, WHICH TOTALS ~950 S.F. MIN. 78 C.F. STORAGE REQUIRED (5/12 X 937 S.F. = 78 C.F.).
 - THE SPECIFIED INFILTRATION SYSTEM HAS A STORAGE CAPACITY OF 120 C.F. (24 C.F. IN CHAMBER PLUS 96 C.F. IN CRUSHED STONE).
 - PIPING FOR THE ROOF DOWNSPOUT COLLECTION SYSTEM MAY BE SCHEDULE 40 PVC OR HDPE.
- * PER PLOT PLAN REFERENCED IN EXISTING CONDITIONS NOTE 1.

ROOF RUNOFF INFILTRATION FIELD

- EXISTING CONDITIONS NOTES:**
- EXISTING CONDITIONS, INCLUDING PROPERTY LINE INFORMATION TAKEN FROM "CERTIFIED PLOT PLAN LOCATED AT 7 TERIS WAY, ASSESSORS PARCEL #3315-028-000-000, FRANKLIN, MA" DATED FEBRUARY 18, 2021 AND PREPARED BY CONTINENTAL LAND SURVEY, LLC. REFER TO SAID PLAN FOR PROPOSED SETBACKS AND IMPERVIOUS COVERAGE PERCENTAGE.



OWNER/APPLICANT
 PAUL & ELISE GUARINO
 7 TERIS WAY
 FRANKLIN, MA 02038

ZONING DISTRICT
 SP111
 WATER RESOURCE DISTRICT
 ZONE II

ASSESSORS PARCEL
 315-028

PLAN & DEED REFERENCE
 DEED: BOOK 35725, PG 414
 PLAN: BOOK 409, PG 702

RECEIVED
 TOWN OF FRANKLIN
 MAR 03 2021

Digitally signed
 by Daniel J.
 Merrikin, P.E.
 Date: 2021.03.02
 14:51:12 -05'00'

**7 TERIS WAY
 SITE
 PLAN OF LAND
 IN
 FRANKLIN, MA**

PLAN DATE: MARCH 1, 2021

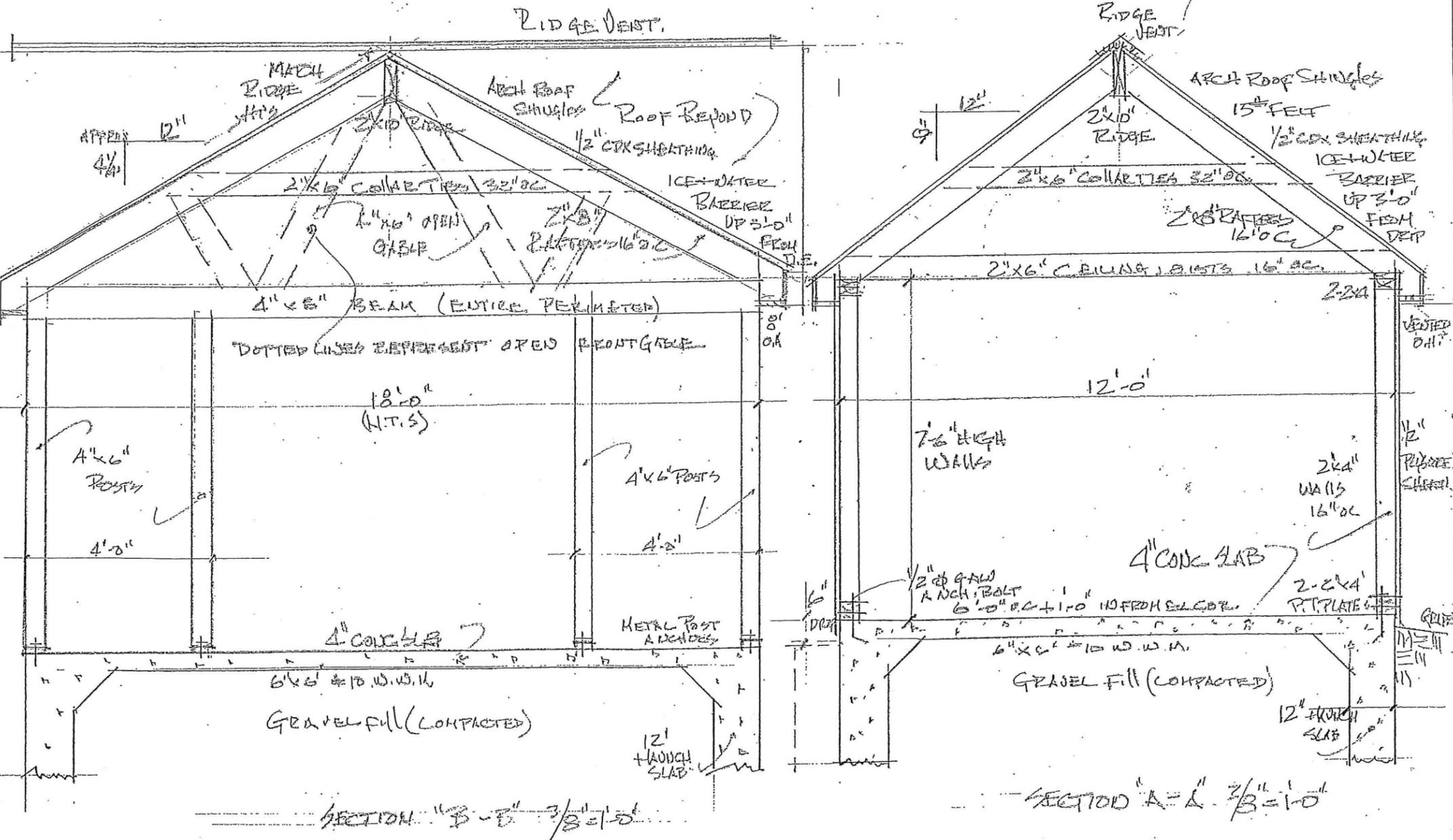
REVISION	DATE	BY

PLAN SCALE: 1" = 30'



730 MAIN STREET
 SUITE 2C
 MILLIS, MA 02054
 508-376-8883(O)
 SHEET 1 OF 1

17 EDIS WAY
FRANKLIN



Paul Guarino
7 Teris Way
Franklin

