

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: Old Colony Habitat for Humanity

LOCATION: 762 Washington Street

ZONING DISTRICT: RR I

TYPE OF PROJECT: Convert Meeting House into Single Family Home

DATE: 04/17/2025 **DENY**

SPECIAL PERMIT

ZONING BY LAW SECTIONS: Article 185-18 A (3)

REASON FOR DENIAL: Applicant is seeking to convert the South Franklin Congregational Meeting House to a single family home. The building permit is denied without a Special Permit from the ZBA.

APPEAL OF DENIAL OPTIONS:

ZONING BOARD OF APPEALS

APPLICANT SIGNATURE _____ **DATE**

ZONING OFFICIAL SIGNATURE LAB _____ **04/17/2025**
_____ **DATE**

TOWN OF FRANKLIN
ZONING BOARD OF APPEALS

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

TOWN OF FRANKLIN
TOWN CLERK

2025 APR 18 P 12:25

RECEIVED

ZBA APPLICATION FORM
GENERAL INFORMATION

RECEIVED
TOWN OF FRANKLIN
APR 18 2025
ZONING BOARD OF APPEALS

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

Special Permit: X Variance: _____ Appeal: _____

PETITIONER: Old Colony Habitat for Humanity

PETITIONER'S ADDRESS: PO Box 100 Attleboro MA 02703 PHONE: 508-399-1781

LOCATION OF PROPERTY: 762 Washington St Franklin MA

TYPE OF OCCUPANCY: Residential ZONING DISTRICT: Rural Res 1

ASSESSORS MAP & PARCEL: _____

REASON FOR PETITION:

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

DESCRIPTION OF PETITIONER'S PROPOSAL: Convert the church into a single family home

SECTIONS OF ZONING ORDINANCE CITED:

Article _____ Section 185-18 A (3)

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): _____
(Petitioner(s)/Owner)

Kim Thomas
(Print Name)

Address: PO Box 100 Attleboro MA 02703

Tel. No.: 508-399-1781

E-Mail Address: Dir@oldcolonyhabitat.org

Date: 4-11-2025

**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.

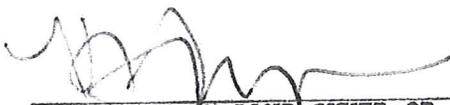
I/We Old Colony Habitat for Humanity
(OWNER)

Address: PO Box 100 Attleboro MA 02703

State that I/We own the property located at 762 Washington St Franklin MA,
which is the subject of this zoning application.

The record title of this property is in the name of Old Colony Habitat for Humanity

*Pursuant to a deed of duly recorded in the date 3-19-25, Norfolk
County Registry of Deeds at Book 42311, Page 164; 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: Old Colony Habitat for Humanity PRESENT USE/OCCUPANCY: Religious

LOCATION: 762 Washington St Franklin MA ZONE: Rural Res 1

PHONE: 508-399-1781 REQUESTED USE/OCCUPANCY: Residential

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS¹</u>
<u>Lot Area:</u>		<u>28,550</u>	<u>28,550</u>	<u>40,000</u> (min.)
<u>Continuous Frontage:</u>		<u>142</u>	<u>142.</u>	<u>200</u> (min.)
<u>Size of Lot:</u>	Width	<u>165/142.</u>	<u>165/142.</u>	<u>180</u> (min.)
	Depth	<u>40.</u>	<u>40.</u>	<u>40</u> (min)
<u>Setbacks in Feet:</u>	Front	<u>40.</u>	<u>40</u>	<u>40</u> (min.)
	Rear	<u>40</u>	<u>40</u>	<u>40</u> (min.)
	Left Side	<u>40</u>	<u>40</u>	<u>40</u> (min.)
	Right Side	<u>40</u>	<u>40</u>	<u>40</u> (min.)
<u>Building Height:</u>	Stories	<u>1</u>	<u>2.</u>	<u>3</u> (max.)
	Feet			<u>35</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.

The Town has a water pumping station on the back of the lot



**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.** The proposed project addresses community needs by preserving a historic church while converting it into a single-family home for a low-income family in need. This aligns with the town's goals of supporting affordable housing and adaptive reuse of historic structures.
- (2) **Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.** The project will utilize the existing access points to ensure smooth vehicular traffic flow and adequate parking. Pedestrian safety will be prioritized by maintaining clear walkways and ensuring compliance with all local safety regulations.
- (3) **Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.**
Existing public roadways, drainage, and utilities are adequate to support the project.
- (4) **Neighborhood character and social structure will not be negatively impacted.** The project will preserve the historic character of the building while adapting it for residential use, ensuring it blends with the neighborhood.
- (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.** The project will not cause damage to any environmentally significant resources, habitats, or features. If any minor impacts arise, appropriate mitigation measures will be implemented.
- (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.**
The project involves converting an existing structure without altering its height, bulk, or location, ensuring no impact on neighboring properties.
- (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.**
The project's water consumption and sewer use will be in line with that of a typical single-family home, ensuring no excessive demand on the local water supply or wastewater treatment capacity.

3k 42311 P=164 #18109
03-26-2025 @ 03:31P

MASSACHUSETTS STATE EXCISE TAX
Norfolk Registry of Deeds
Date: 03-26-2025 @ 03:31PM
Ct1#: 368 Doc#: 18109
Fee: \$4.56 Cong: \$1,000.00

Quitclaim Deed, Subject to Reserved Utility Easement

Town of Franklin, a duly organized municipal corporation with administrative offices located in the Franklin Municipal Building 355 East Central Street, Franklin, Norfolk County, MA, acting by and through its Town Administrator, duly-authorized, in consideration of One Thousand Dollars, GRANTS to Old Colony Habitat for Humanity, Inc., a duly-organized Massachusetts non-profit corporation with an office at 9 Washington Street, Attleboro, Bristol County, MA, WITH QUITCLAIM COVENANTS, the land, together with the building and improvements located on the southerly side of Washington Street and described as follows:

A certain tract of land lying on the south side of the public road leading from the house of Benjamin Foster to the house of Joseph B. Whiting (now known as Washington Street) in the southwesterly part of said Franklin, being the land on which the building for a meeting house now stands, containing three fourths of an acre more or less, bounded as follows:

Commencing at a stake and stones at the northwest corner of said lot on the southern boundary of the new made road; thence southwardly by a stone wall which divides said lot from lands belonging to Joseph B. Whiting twelve rods to a stake and stones; thence eastwardly ten rods to a stake and stones; thence northwardly twelve rods to a stake and stones at the southern location of said new road; thence westerly by said new road ten rods to the bound first mentioned,

for the purpose of renovating the existing building to create and maintain an affordable single family residence; if Grantor fails to commence and complete said renovation and to create an affordable single family residence within five (5) years following the date of execution of this deed, or, having created said residence, fails to find an eligible, qualified Buyer, or if the property otherwise fails or ceases to qualify as an affordable single family residence, then ownership of said property shall automatically revert to the Town of Franklin.

Excluded from this conveyance and expressly reserved to Grantor is the utility easement shown as "11,274 SF + or - Town of Franklin Utility Easement" on the sketch plan captioned 'Plan of Utility Easement 762 Washington Street Town of Franklin Department of Public Works Engineering Division' dated 11.13.2024 and attached hereto as "Exhibit A." The purpose of said utility easement is the continued location, operation and maintenance of a water booster pumping station and access thereto from Colt Road, as shown on "Exhibit A." Included with said reserved utility easement is the perpetual right to construct, inspect, repair, remove, replace, operate and forever maintain the water booster pump station and all equipment, pipes, conduits and their appurtenances and to do all other acts incidental to the foregoing including the right to pass along and over the land and the right to enter on foot and with equipment and vehicles to perform any of said work for the aforementioned purposes.

The Grantee, for itself and its successors in title, covenants that it shall not permit any use within said easement area described herein which is inconsistent with this Reserved Utility Easement including, but not limited to, the erection of any non-related structures of any kind or the planting of shrubs and/or trees within the easement area or performing any act which will impair the function and purpose of this Reserved Utility Easement.

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA

CERTIFY
William P. O'Sullivan
WILLIAM P. O'SULLIVAN, REGISTER

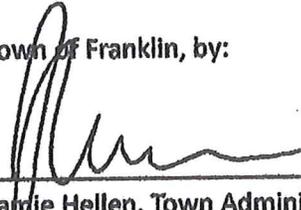
762 WASHINGTON ST., FRANKLIN, MA 01038

NOT A N O T A N
This conveyance is further subject to the execution and recordation of a permanent affordable housing restriction and a permanent historic preservation restriction, as provided in GL Chapter 184 Sections 30, 33
O F F I C I A L C O P Y O F F I C I A L C O P Y

For Grantor's title, see deed dated April 24, 1972 and recorded at Norfolk County Registry of Deeds in Book 4859 Page 675.

In witness thereof, the Town of Franklin has caused this deed to be executed on its behalf this 19th day of March 2025 by its Town Administrator, duly-authorized.

Town of Franklin, by:



Jamie Hellen, Town Administrator

COMMONWEALTH OF MASSACHUSETTS

NORFOLK, ss

On this 19th day of March 2025, before me, the undersigned notary public, personally appeared Jamie Hellen, Franklin Town Administrator, proved to me through satisfactory evidence of identification, which was personal knowledge, to be the person whose name is signed on the preceding document and acknowledged to me that he signed it voluntarily for its stated purpose as the free act and deed of the Town of Franklin.



Notary Public

My commission expires: 1-22-2027



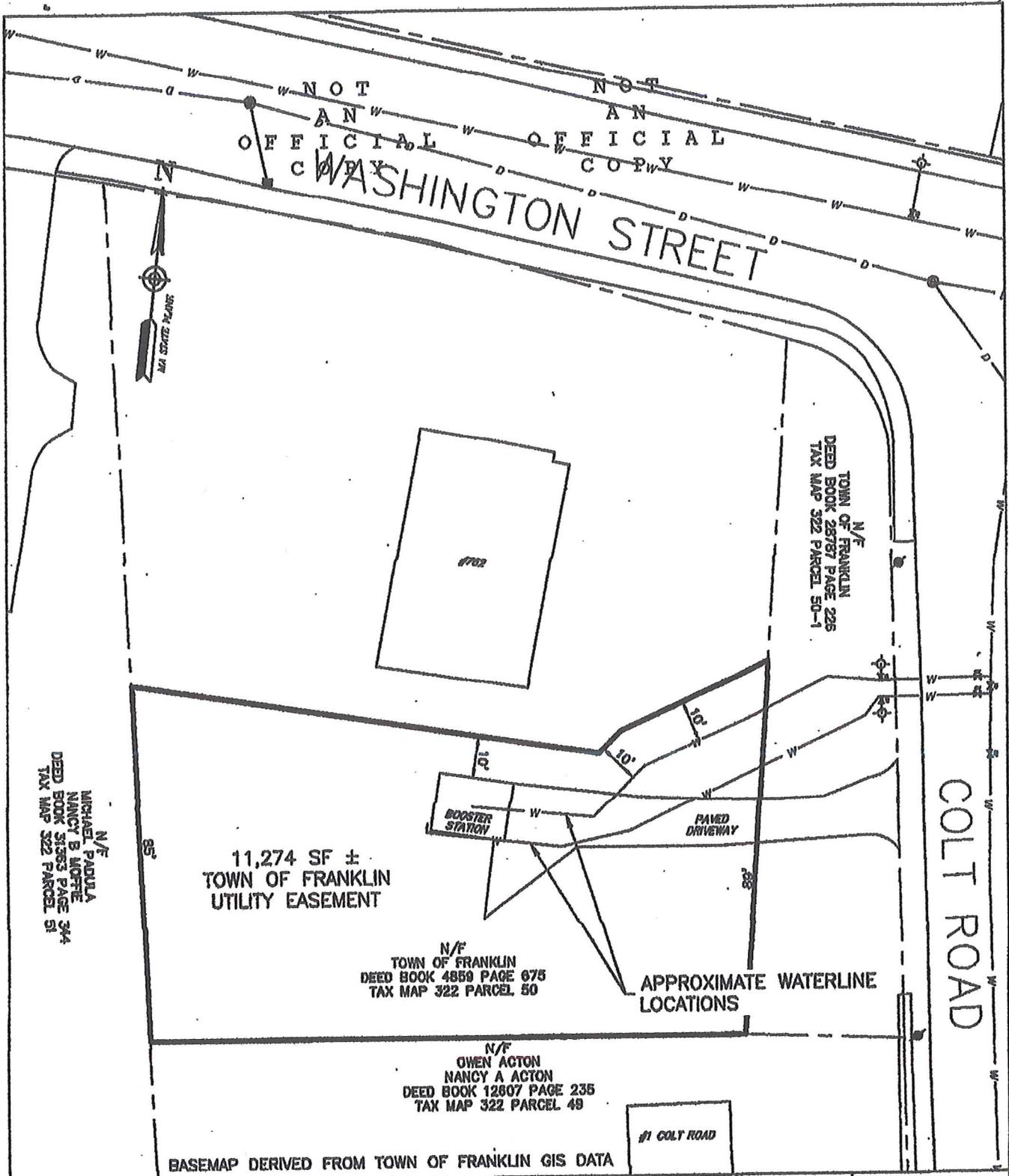


EXHIBIT A
Plan of Utility Easement
 762 Washington Street
 TOWN OF FRANKLIN DEPARTMENT OF PUBLIC WORKS
 ENGINEERING DIVISION

DATE:
11/13/2024

SCALE:
1"=30'

