

23 September Drive

----- Forwarded message -----

From: [mjpestana@comcast.net](mailto:mjpestana@comcast.net) <[mjpestana@comcast.net](mailto:mjpestana@comcast.net)>

Date: Fri, Jan 16, 2026 at 3:34 PM

Subject: ZBA Meeting - 1/22/26 - 23 September Drive Variance Concern

To: [cthayer@franklinma.gov](mailto:cthayer@franklinma.gov) <[cthayer@franklinma.gov](mailto:cthayer@franklinma.gov)>

Hi Casey,

Gus recommended that I submit this to you for the official/public record. Below is the communication and the form submitted to each member of the ZBA follows it.

**To:**

Bruce Hunchard - Chairman  
Robert Acevedo - Member  
Ginelle M. Lang - Member  
Joseph F. Halligan - Associate  
Meghan Lee Whitmore - Associate

RECEIVED

2026 JAN 20 A 10: 02

TOWN OF FRANKLIN  
TOWN CLERK

**Subject:** ZBA Meeting - 1/22/26 - 23 September Drive Variance Concern

Dear Members of the Zoning Board of Appeals,

My name is Mark Pestana, and I live at 19 September Drive.

I am writing regarding the proposed addition at 23 September Drive, which includes a third garage and an ADU/future pool view forming an L-shaped structure that wraps the right side of their pool and extends significantly into the rear yard.

The requested setback variance—from the required 40' feet to just 15.5' feet—would have a substantial negative impact on my property. The proximity of the proposed garage and roofline would require considerable landscaping and mitigation efforts on my part, yet even with those investments, the variance would still diminish the marketability and value of my home.

This encroachment affects not only my side yard but also my backyard, including all windows, doors, deck, and pool areas. The height and placement of the roofline would obstruct morning sunlight, reduce natural lighting, and create the visual effect of a solid barrier along the landscaped portion of my backyard.

My family chose to build in Countryside Estates/Franklin for its tranquility and open wooded character. We followed all building codes and worked collaboratively with our neighbors on decisions that could affect their property. We preserved trees and oriented our windows to

take advantage of the natural views and sunrise. If this variance is approved, those views would be replaced by the side wall and roofline of a new structure across the entire left side of our backyard.

I understand that development often requires compromise, and no one gets everything they want. For that reason, I respectfully ask the Board to encourage a design that complies with the established 40-foot setback and avoids the need for such a significant variance. A compliant design would better preserve neighborhood character and avoid imposing significant costs and impacts on abutting properties.

Based on the limited rendering I have seen, the project as currently proposed would create substantial and lasting negative effects on my property. I appreciate your consideration and your commitment to maintaining the integrity of our neighborhood.

I'd be happy to have you visit our home and see for yourself. I'm at 717-649-0423 and will make our home open to you at your convenience. I am trying to make this work, but I am highly concerned of the impact to my property value.

Thank you for your time.

Sincerely,  
Mark Pestana

**From:** [noreply@civicplus.com](mailto:noreply@civicplus.com) <[noreply@civicplus.com](mailto:noreply@civicplus.com)>  
**Sent:** Monday, January 12, 2026 7:04 PM  
**To:** [mjpestana@comcast.net](mailto:mjpestana@comcast.net) <[mjpestana@comcast.net](mailto:mjpestana@comcast.net)>  
**Subject:** Online Form Submittal: Contact the Zoning Board of Appeals

## Contact the Zoning Board of Appeals

Your Name	Mark Pestana
Your Email Address	<a href="mailto:mjpestana@comcast.net">mjpestana@comcast.net</a>
Please Select the Personnel You Would like to Contact	Bruce Hunchard - Chairman, Robert Acevedo - Member, Ginelle M. Lang - Member, Joseph F. Halligan - Associate, Meghan Lee Whitmore - Associate
Subject	ZBA Meeting - 1/22/26 - 23 September Drive Variance Concern
Message	Dear Members of the Zoning Board of Appeals,

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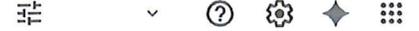
Attachments

*Field not completed.*

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- Drafts 5
- More

Labels

- 121 Grove Street
- 237 Pleasant Street
- 444 East Central Street I...
- Bruce
- franklin heights bill mark ...
- Gus ZBA
- newspaper



1



**mjpestana@comcast.net** <mjpestana@comcast.net>  
to me, gbrown@franklinma.gov

Mon, Jan 19, 12:51 PM (20 hours ago)

Hi Casey,

Passing this second communication to the ZBA after I was able to view the plan. After reviewing, I am even more concern (1,390 sq ft) in aggregate and the construction "choice" to pursue a variance rather than an attempt to design within the requirements.

Passing this along in case you feel it should be captured in the public record.

Thank you,  
Mark

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From: [noreply@civicplus.com](mailto:noreply@civicplus.com) <noreply@civicplus.com>  
Sent: Sunday, January 18, 2026 1:58 PM  
To: [mjpestana@comcast.net](mailto:mjpestana@comcast.net) <mjpestana@comcast.net>  
Subject: Online Form Submittal: Contact the Zoning Board of Appeals

Contact the Zoning Board of Appeals