



Town of Franklin

355 East Central Street Franklin, Massachusetts 02038-1352



Phone: (508) 520-4907 www.franklinma.gov

DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

MEMORANDUM

DATE:	August 17, 2022
TO:	Franklin Planning Board
FROM:	Department of Planning and Community Development
RE:	105 Beaver St Special Permit & Site Plan

The DPCD has reviewed the above referenced Site Plan Modification application for the Monday, August 22, 2022 Planning Board meeting and offers the following commentary:

General:

- 1. The site is located at 105 Beaver St in the Single Family IV Zoning District.
- 2. The site is currently a single family residential house.
- 3. The Applicant is requesting to increase the impervious surface within the lot.
- 4. Special Permit is required under Section 185-36 Impervious Surfaces.

Comments:

- 1. The site is currently at 36.1% impervious, were 35 % impervious is allowed. The Applicant is requesting to increase the impervious area to 39.4%.
- 2. DPCD has not requested BETA to review the Site Plan.
- 3. The Planning Board is required to take a roll call vote.
- 4. The Applicant is requesting that the Site Plan Application fee of \$1,500 be waived. The Applicant did pay the Special Permit fee of \$750.

ROLE CALL VOTE:

This determination shall be in addition to the following specific findings:

If you vote NO on any of the following, please state reason why you are voting NO:

(1) **Special Permit:** To allow impervious surface increase to 39.4% under Section 185-36:

(a) Proposed project addresses or is consistent with neighborhood or Town need.

Gregory Rondeau	YES	NO	Jennifer Williams	YES	NO
Rick Power	YES	NO	Beth Wierling	YES	NO
William David	YES	NO			

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

Gregory Rondeau	YES	NO	Jennifer Williams	YES	NO
Rick Power	YES	NO	Beth Wierling	YES	NO
William David	YES	NO	-		

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

Gregory Rondeau	YES	NO	Jennifer Williams	YES	NO
Rick Power	YES	NO	Beth Wierling	YES	NO
William David	YES	NO			

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

Gregory Rondeau	YES	NO	Jennifer Williams	YES	NO
Rick Power	YES	NO	Beth Wierling	YES	NO
William David	YES	NO	-		

(e) 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.

Gregory Rondeau	YES	NO	Jennifer Williams	YES	NO
Rick Power	YES	NO	Beth Wierling	YES	NO
William David	YES	NO	-		

(f) 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.

Gregory Rondeau	YES	NO	Jennifer Williams	YES	NO
Rick Power	YES	NO	Beth Wierling	YES	NO
William David	YES	NO			

(g) 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.

Gregory Rondeau	YES	NO	Jennifer Williams	YES	NO
Rick Power	YES	NO	Beth Wierling	YES	NO
William David	YES	NO	-		

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.

Gregory Rondeau	YES	NO	Jennifer Williams	YES	NO
Rick Power	YES	NO	Beth Wierling	YES	NO
William David	YES	NO	-		

CHAPTER 185, SECTION 45.E

3. FINDINGS.

- (A) PROPOSED PROJECT HAS NO RELEVANCE TO NEIGHBORHOOD OR TOWN NEED, NOR WILL IT EFFECT OR IMPACT THE NEIGHBORHOOD OR TOWN IN GENERAL ASIDE FROM POTENTIALLY ADDING TO AESTHETIC & PROPERTY VALUE.
- (B) PROPOSED PROJECT WILL HAVE NO EFFECT, NEGATIVE OR POSITIVE, ON TRAFFIC FLOW, ACCESS, PARKING OR PEDESTRIAN SAFETY.
- (C) PROJECT WILL HAVE NO DIRECT EFFECT ON PUBLIC WAYS OR UTILITIES. THE PROJECT WILL IMPROVE SITE DRAINAGE RESULTING IN LESS OVERALL RUNOFF FLOW TO PUBLIC DRAINAGE, IF ANY, THEREBY POTENTIALLY LESSENING THE BURDEN ON THE PUBLIC DRAINAGE SYSTEM IN PLACE.
- (D) PROJECT COULD HAVE A POSITIVE IMPACT ON NEIGHBORHOOD CHARACTER AND SOCIAL STRUCTURE BY POTENTIALLY INCREASING PROPERTY VALUE AND OVERALL SITE AESTHETIC. THERE IS NO KNOWN NEGATIVE IMPACT.
- (E) THERE ARE NO ENVIRONMENTALLY SIGNIFICANT RESOURCES, HABITATS OR FEATURES ON OR NEAR THIS PROJECT SITE.
- (F) PROPOSED PROJECT WILL RESULT IN 11.3% STRUCTURE LOT COVERAGE, WELL BELOW THE 30% ALLOWED IN DISTRICT SFIV. THE PROPOSED PAVILION STRUCTURE WILL CONFORM TO ALL SETBACKS TO ABUTTING LOTS & TO EXISTING SITE STRUCTURES. THE ADDITIONAL PROPOSED IMPERVIOUS WILL BE INFILTRATED. THERE ARE NO KNOWN NEGATIVE EFFECTS TO ABUTTING PROPERTIES WITH THIS PROJECT.
- (G) PROPOSED PROJECT WILL NOT BE CONNECTED TO TOWN WATER AND WILL PRODUCE NO WASTEWATER.

APPLICATION FOR APPROVAL OF A SITE PLAN AND SPECIAL PERMIT(S) To the Franklin Planning Board: The undersigned, herewith, submits the accompanying Site Plan entitled
APPLICATION FOR APPROVAL OF A SITE PLAN
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To the Franklin Planning Board:
The undersigned, herewith, submits the accompanying Site Plan entitled " 105 BEAVER STREET SITE PLAN OF LAND IN FRANKLIN, MA " and Special
Permit(s) for <u>SECTION 185-36 IMPERVIOUS SURFACES</u> and requests approval for under the provisions of the Zoning By-Laws of the Town of Franklin covering Site Plans and
Special Permits
1. Name of Applicant: CHRISTOPHER C. & AMIEE L. CHARLTON
Address of Applicant, 105 BEAVER STREET
Phone No.: 617-584-2486 Email: CONTINENTAL.SURVEY@GMAIL.COM
2. Name of Owner (if not the Applicant):
Address of Owner:
Phone No.: Email:
3. Name of Engineer: DANIEL J. MERRIKIN - P.E.
Address of Engineer: 730 MAIN ST., SUITE 2C, MILLIS, MA 02054
Phone No.: 508-376-8883 Email: dan@legacy-ce.com
1. Deed of Property recorded with Norfolk Registry of Deeds in
Book 30260, Page 491, (or Certificate of Title No)
2. Location and Description of Property:
THE LAND WITH BUILDINGS THEREON SITUATED ON THE NORTHWESTERLY SIDE OF BEAVER STREET IN SAID FRANKLIN AND SHOWN ON A "PLAN OF LAND IN FRANKLIN, MASS, AUGUST 10,
1959, E.H. THOMPSON, SURVEYOR", WHICH PLAN IS RECORDED IN BOOK 3751, PAGE 516, BOUNDED AND DESCRIBED ACCORDING TO SAID PLAN.
Zoning District: SFIV
Assessor's Map: 269 Lot: 084 [1,726 S.F.(9.2%) EXISTING Square Footage of Building(s): 2,110 S.F. (11.3%) PROPOSED
Impervious Coverage of Existing Upland: <u>36.1 EXISTING 739.4 PROPOSED</u>
3. Purpose of Site Plan:
TO PROVIDE CALCULATIONS BY A REGISTERED PROFESSIONAL ENGINEER INDICATING THAT STORMWATER RUNOFF FROM THE SITE
WILL NOT BE INCREASED FOLLOWING THE DEVELOPMENT.
4. Special Permit(s) Requested:
SCHEDULE OF LOT, AREA, FRONTAGE, YARD AND HEIGHT REQUIREMENTS UPON RECEIPT OF CALCULATIONS PREPARED BY A
REGISTERED PROFESSIONAL ENGINEER INDICATING THAT STORMWATER RUNOFF FROM THE SITE WILL NOT BE INCREASED

FOLLOWING THE DEVELOPMENT (SECTION 185-36)

Special Permit Criteria: please provide on a separate document, written findings for 5. special permit criteria a-g for each special permit being requested. Criteria are listed below. Applications will not be accepted until findings are submitted.

Chapter 185, Section 45.E

(3). Findings. Special permits shall be granted by the special permit granting authority 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:

(a) Proposed project addresses or is consistent with neighborhood or Town need.

- (b) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.
- (c) Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.
- (d) Neighborhood character and social structure will not be negatively impacted.
- (e) 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.
- (f) 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.
- (g) 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.
- Other issues requiring Planning Board Consideration: 6.
- A certified list (by Office of the Assessors) of abutters within 300 feet of the site is also 7. submitted with the application.

Certificate of Ownership. 8. Imin Chorola

Signature of Applicant

Amiee Charlton Christopher Charlton Print Name of Applicant

SAME

Signature of Owner

Print Name of Owner

CHAPTER 185, SECTION 45.E

3. FINDINGS.

- (A) PROPOSED PROJECT HAS NO RELEVANCE TO NEIGHBORHOOD OR TOWN NEED, NOR WILL IT EFFECT OR IMPACT THE NEIGHBORHOOD OR TOWN IN GENERAL ASIDE FROM POTENTIALLY ADDING TO AESTHETIC & PROPERTY VALUE.
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- (G) PROPOSED PROJECT WILL NOT BE CONNECTED TO TOWN WATER AND WILL PRODUCE NO WASTEWATER.

CERTIFICATE OF OWNERSHIP I the undersigned Applicant, do hereby certify to the Town of Franklin, through its Planning Board, that all 10:04 Parties of interest to the below-listed plan are identified in Section B: below,

Type o	of Plan (circle one)	ANR 81-P; Preliminary Subdivision
		Definitive Subdivision.; Site Plan; Special Permit
	Title of Plan: 105 BE	AVER STREET SITE PLAN OF LAND IN FRANKLIN
	Date of Plan: JULY 1	1, 2022 Map/Parcel#: 269-084-000-000
	Prepared by:	ÉNGINEERING - DANIEL J. MERRIKIN, P.E.
	Applicant Name & Ad	CHRISTOPHER & AMIEE CHARLTON - 105 BEAVER STREET
<u>SECTIO</u>	<u> </u>	CHRISTOPHER & AMIEE CHARLTON
	Name of Record Owne	
	Address of Record Own	105 BEAVER STREET FRANKLIN MA 02038

**Attach Property Deed matching the owner name's listed above.

*If in the name of a Trust, Corporation or Partnership, list the names and addresses of all Trustee(s), Corporate Officer(s) or Partner(s):

*If in the name of a Trust or Corporation, list the Beneficiary(ies) of the Trust or the Shareholder(s) of the Corporation:

*If in the name of a Trust or Corporation, list the date, county, book and page of recording of the Trust Instrument, or the date and State of incorporation:

13th 24th day of JULY Executed as a/sealed instrument this 20 22 12 6 CHARLTON Amice Charlfon 60 (LIK ISTOP/TER Signature of Applicant Print name of Applicant MP

Signature of Owner

Print name of Owner

***Must be Notarized on back page

Page 1 of 2

Bk 30260 Ps491 \$91130 08-01-2012 & 09:05α

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CERTIFY

WILLIAM P. O'DONNELL, REGISTER

MASSACHUSETTS QUITCLAIM DEED

We, Christopher C. Charlton and Aimee L. Currul n/k/a Aimee L. Charlton of Franklin, Massachusetts 02038, for consideration paid, and in full consideration of less than \$100 grant to Christopher C. Charlton and Amiee L. Charlton, Husband and Wife as Tenants by the Entirety, of 105 Beaver Street, Franklin, Massachusetts 02038 with **quitclaim covenants** the following property in Norfolk County, Massachusetts.

The land with buildings thereon situated on the northwesterly side of Beaver Street in said Franklin and shown on a "Plan of Land in Franklin, Mass. August 18,1999, E.H. Thompson, Surveyor," which Plan is recorded in Book 3751, Page 516 (Plan No. 943 of 1959), bounded and described according to said Plan.

Subject to the easement of the Worcester County Electric Company and New England Telephone and Telegraph Company as set forth in the Deed dated October 18, 1957, recorded with Norfolk Deeds, Book 8606, Page 245.

Said premises are conveyed subject to and with the benefit of easements, reservations, restrictions and rights of way of record so far as the same are now in force and applicable.

For title, see the deed recorded at the Norfolk County Registry of Deeds in Book 22594, at Page 114.

PROPERTY ADDRESS: 105 Beaver Street, Franklin, MA 02038

NOT AN OFFICIAL

A N O F F I C I A L

ΝΟΤ

Witness my/our hand(s) and seal(s) this 24th day of July, 2012.

Christopher C. Charlton

Annie Chenfor

Aimee L. Currut n/k/a Aimee L. Charlton

COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

On this 24th day of July, 2012, before me, the undersigned notary public, personally appeared, Christopher C. Charlton and Aimee L. Currul n/k/a Aimee L. Charlton, proved to me through satisfactory evidence of identification, which was/were [\checkmark] Mass. driver's license(s) or []______, 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 for its stated purpose.

Notary Public: Chifford A. Monac My Commission Expires: 6/29/2018

PROPERTY ADDRESS: 105 Beaver Street Franklin, Massachusetts 02038

ARROYO EDDIE ARROYO BELINDA LAS 6 JR`S LANE FRANKLIN, MA 02038

BALUNAS BRYAN R 4 MARK`S WAY FRANKLIN, MA 02038

BERTONE RITA C 80 BEAVER ST FRANKLIN, MA 02038

BRODSKY WAYNE R BRODSKY ANNE MARIE 21 STUBB ST FRANKLIN, MA 02038

CARRIER THOMAS E & PAMELA CARRIER FAMILY REVOCABLE 10 STUBB ST FRANKLIN, MA 02038

CHARLTON CHRISTOPHER C CHARLTON AIMEE L 105 BEAVER ST FRANKLIN, MA 02038

DELUCA LINDA M TR DELUCA WATERS REALTY TRUS 2 WILLOW ST FRANKLIN, MA 02038

DOWNEY JOANNE 3 JR`S LN FRANKLIN, MA 02038

DOWNS JAMES B DOWNS CANDACE R 112 MARVIN AVE FRANKLIN, MA 02038

DUFFY VICTORIA R 15 BEAVER CT FRANKLIN, MA 02038 DUTTA AMIT KUMAR BASU PRIYA 2 JR`S LN FRANKLIN, MA 02038

FEDERAL NATIONAL MORGAGE C/O MIDTOWN CENTER 1100 15TH ST NW WASHINGTON, DC 20005

FINNEGAN ROBERT J FINNEGAN MEGAN E 2 BEAVER CT FRANKLIN, MA 02038

FRANKLIN TOWN OF HORACE MANN/OAK ST ELEMEN 224 OAK ST FRANKLIN, MA 02038

GEROMINI CHRISTOPHER R TR 3 WILLOW STREET TRUST GER 3 WILLOW ST FRANKLIN, MA 02038

GRACE BAPTIST CHURCH 69 BEAVER ST BOX 382 FRANKLIN, MA 02038

HART DAVID D HART LIUDMILA Y 1 MARK`S WAY FRANKLIN, MA 02038-1861

LIGHTHOLDER JOHN R LIGHTHOLDER JUDITH H 9 LEE ST FRANKLIN, MA 02038

MAROTTA MARIA E 6 BEAVER CT FRANKLIN, MA 02038

MONTIJO LUMARYS 6 MARKS WAY FRANKLIN, MA 02038 MORINE JAMES D MORINE RONA L 12 BEAVER CT FRANKLIN, MA 02038

NESMITH MINGO A NESMITH LISA P 10 BEAVER CT FRANKLIN, MA 02038

NEUFVILLE HENRY S WOOD DIANE E 73 BEAVER ST FRANKLIN, MA 02038

NIGHUTE VINOD NIGHUTE ASHWINI 7 JR`S LN FRANKLIN, MA 02038

ONEILL MICHAEL J ONEILL MARY E 102 BEAVER ST FRANKLIN, MA 02038

PAN CHIN CHIN YI LIANG PING 1 JR`S LN FRANKLIN, MA 02038

PAN XIAOFANG 8 BEAVER CT FRANKLIN, MA 02038

PFLOMM ALEXANDER C PFLOMM MICHELLE L 4 BEAVER CT FRANKLIN, MA 02038

PISANI KENNETH J PISANI JOYCE J 19 STUBB ST FRANKLIN, MA 02038

ROMAN CATHOLIC ARCHIBISHOP OF BOSTON CHURCH SQUARE FRANKLIN, MA 02038 RYAN KYLE T DAVID KRISTIN M 3 STUBB ST FRANKLIN, MA 02038

SCARINGELLO JOSEPH SCARINGELLO MEGUMI 5 JR`S LN FRANKLIN, MA 02038

SHAHU SHYAM BADE NARAYAN 82 BEAVER ST FRANKLIN, MA 02038

SICCHIO SAMUEL III&HEATHE SICCHIO FAMILY REALTY TRU 101 BEAVER ST FRANKLIN, MA 02038

SMYTH JOHN J 81 BEAVER ST FRANKLIN, MA 02038

WITT MARK L WITT KARA L 7 WILLOW ST FRANKLIN, MA 02038

WRIGHT SCOTT R WRIGHT LINDA M 5 WILLOW ST FRANKLIN, MA 02038 Town of Franklin

355 East Central Street Franklin, Massachusetts 02038-1352



Phone: (508) 520-4907 www.franklinma.gov

PLANNING BOARD

The following notice will be published in the Milford Daily Newspaper once on Monday, August 8, 2022 and again on August 15, 2022

FRANKLIN PLANNING BOARD PUBLIC HEARING NOTICE

In accordance with the Town of Franklin Zoning By-Laws, the Franklin Planning Board will hold a public hearing in person and remotely on **Monday, August 22, 2022 at 7:05 PM** in the Town Council Chambers of the Franklin Municipal Building, 355 East Central Street, for a Special Permit and Site Plan Modification application titled "105 Beaver Street Site Plan of Land in Franklin, MA" prepared by Daniel J. Merrikin P.E., Millis, MA, and submitted to the Department of Planning & Community Development on July 14, 2022, by Christopher C. & Amiee L. Charlton, Franklin, MA.

The property is located in the Single Family IV Zoning District (Assessors Map 269 Lot 084) at 105 Beaver Street. The Applicant is proposing to construct a 12-foot by 32-foot pavilion, patio extension and infiltration system. The applicant is applying for one (1) Special Permit under Chapter 185-36: Impervious Surfaces.

<u>Please note:</u> This will be your only written notice of this public hearing. Should the Planning Board vote to continue this Public Hearing, the date and time will be posted on the Planning Board's website under Agendas.

Please contact the Department of Planning & Community Development at (508) 520-4907 if you require further information or if you need to make arrangements to provide translation services for the hearing impaired, or for persons with language barriers.

Copies of the plan and supporting documentation may be reviewed in the Department of Planning & Community Development during regular office hours.

Greg Rondeau, Chairman