

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: Wayne and Paula Proctor

LOCATION: 12 Lady Slipper Lane

ZONING DISTRICT: SFR 111

TYPE OF PROJECT: Accessory Dwelling Unit

DATE: 02/05/2021 **DENY**

SPECIAL PERMIT

ZONING BY LAW SECTIONS: Article 185, Attachment 7 (Use Regulations Schedule Part V1 6.3.b.)

REASON FOR DENIAL: Applicant is seeking to convert a section of the existing residence into an accessory dwelling unit. 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 02/05/2021
_____**DATE**

TOWN OF FRANKLIN
ZONING BOARD OF APPEALS

RECEIVED
TOWN OF FRANKLIN

FEB 05 2021

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

TOWN OF FRANKLIN
TOWN CLERK
2021 FEB -5 A 10:12
RECEIVED

ZONING BOARD OF APPEALS

ZBA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit: ☒ Variance: _____ Appeal: _____

PETITIONER: Wayne & Paula Proctor

PETITIONER'S ADDRESS: 12 Lady Slipper Lane PHONE: (508) 344-3613

LOCATION OF PROPERTY: " " " "

TYPE OF OCCUPANCY: Single Family Home ZONING DISTRICT: _____

ASSESSORS MAP & PARCEL: 244-130-000-000

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 Add'l Dwelling Unit's	<input type="checkbox"/> Sign
<input type="checkbox"/> Dormer	<input type="checkbox"/> Subdivision
<input checked="" type="checkbox"/> Other: <u>interior renovation</u>	

DESCRIPTION OF PETITIONER'S PROPOSAL:

Add additional Kitchen within existing structure
for purpose of creating an inlaw apartment.

SECTIONS OF ZONING ORDINANCE CITED:

Article _____ Section _____ 1.

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):

Paula Proctor Wayne Proctor
(Petitioner(s)/Owner)
Paula Proctor Wayne Proctor
(Print Name)

Address: 12 Lady Slipper Lane

Tel. No.: (508) 344-3613

E-Mail Address: pfproctor@yahoo.com

Date: 1/5/21

**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 Wayne + Paula Proctor
(OWNER)

Address: 12 Lady Slipper Lane, Franklin

State that I/We own the property located at 12 Lady Slipper Lane,
which is the subject of this zoning application. Franklin

The record title of this property is in the name of Wayne + Paula
Proctor

*Pursuant to a deed of duly recorded in the date 11/6/2020, Norfolk
County Registry of Deeds at Book 38579, Page 451, or #123230
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: Wayne & Paula Proctor PRESENT USE/OCCUPANCY: _____

LOCATION: 12 Lady Slipper Lane ZONE: _____

PHONE: (508) 344-3613 REQUESTED USE/OCCUPANCY: IN LAW

		<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>		_____	_____	_____ (max.)
<u>NO. of Parking Spaces:</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.

Construction will take place within the
confines of the existing structure.



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. *PROJECT WILL HAVE NO IMPACT ON Neighborhood.*
- (2) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed. *NO IMPACT ON TRAFFIC, 2 CAR DRIVEWAY INITIALLY INSTALLED WHEN HOUSE WAS CONSTRUCTED*
- (3) Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development. *NO CONSTRUCTION OUTSIDE OF EXISTING HOUSE ALL INTERIOR*
- (4) Neighborhood character and social structure will not be negatively impacted. *NO CONSTRUCTION OUTSIDE OF EXISTING HOUSE ALL INTERIOR*
- (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 IMPACT ON ENVIRONMENT, NO CONSTRUCTION OUTSIDE OF EXISTING HOUSE*
- (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 CONSTRUCTION OUTSIDE OF EXISTING HOUSE ALL INTERIOR*
- (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. *WATER AND SEWER USE will be at MINIMUM with only 2 ADULTS USING. NO upgrades of water or sewer is needed.*

February 2, 2021
Town of Franklin
Zoning Board of Appeals

We have recently moved to the town of Franklin. We are a retired couple who, for health reasons, have opted to reside with our son and his family at 12 Lady Slipper Lane. The house is connected to town water and sewer. It contains a living room space as well as previously approved and permitted bedroom and bath separate from the family living quarters. We are currently using this area. There is also separate access exclusive to this section of the home. It is our hope to expand this area into an in law accessory apartment.

We are requesting a special permit in order to construct a small kitchen to include within the accessory apartment. Our contractor is Dave Constantino. Please let us know if we can provide further information to expedite this process.

Thank you for your attention.



Wayne A. Proctor
Paula Fitch Proctor
12 Lady Slipper Lane
Franklin, MA

RECEIVED
TOWN OF FRANKLIN
FEB 05 2021
ZONING BOARD OF APPEALS

[Space Above This Line for Recording Data]

QUITCLAIM DEED

KNOW ALL PERSONS BY THESE PRESENTS that We, **JOHN A. MACLEOD** and **MURIEL D. MACLEOD**, husband and wife of 12 Lady Slipper Lane, Franklin, Massachusetts

For consideration paid and in full consideration paid in the amount of SIX HUNDRED THIRTY FIVE THOUSAND DOLLARS AND 00/100 (\$635,000.00)

Grant to **WAYNE A PROCTOR** and **PAULA F PROCTOR** husband and wife of 43 West Street, East Bridgewater, Massachusetts

With quitclaim covenants

The land with buildings thereon situated in Franklin, Norfolk County, Massachusetts and being shown as Lot 2A on a plan entitled, "Symmes Acres; Modification of Definitive Subdivision Plan of Land in Franklin, Mass." drawn by Guerriere & Halnon, Inc., dated December 16, 1994, revised January 19, 1995 which plan is recorded with Norfolk Registry of Deeds as Plan No. 135 of 1995 in Plan Book 428 to which reference may be had for a more particular description.

Lot 2A contains 22,012 square feet, more or less, according to said plan.

Lot 2A is subject to a sewer easement according to said plan.

Subject to an easement to Massachusetts Electric Co. and New England Telephone Co. recorded with Norfolk Registry of Deeds, Book 10623, Page 466.

Subject to a scheme of Common Restrictions recorded with Norfolk Registry of Deeds, Book 10773, Page 253.

Together with the right to use the ways shown on the plan hereinbefore referred to for all purposes of which ways are commonly used in the Town of Franklin in common with all others legally entitled thereto.

Property Address: 12 Lady Slipper Lane, Franklin, MA

As per M.G.L. Chapter 188, sect. 13, the Grantors, under oath and subject to the pains and penalties of perjury, do hereby depose, state and certify that: (i) we release all rights of Homestead in the subject realty, (ii) that no spouse, nonowner spouse, former spouse, or any other person resides in the home, and (iii) at the time of delivery of this deed, no spouse, former spouse, or any other person is entitled to claim the benefit of an existing estate of homestead.

BEING the same premises conveyed to the grantors herein by deed of D.P. Gage Construction, Inc. dated October 31, 1996, and recorded in the Norfolk County Registry of Deeds in Book 11576, Page 282.

SIGNATURE PAGE TO FOLLOW

WITNESS our hands and seals this 5 day of November, 2020

WITNESS:

Am. [Signature]
Am. [Signature]

John A. MacLeod
 JOHN A. MACLEOD
Muriel D. MacLeod
 MURIEL D. MACLEOD

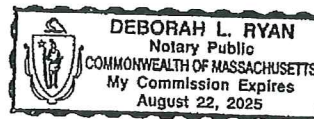
COMMONWEALTH OF MASSACHUSETTS

COUNTY OF Norfolk

On this 5 day of ^{November} ~~October~~, 2020, before me, the undersigned notary public, personally appeared **JOHN A. MACLEOD**, proved to me through satisfactory evidence of identification, which was ☒ photographic identification with signature issued by a federal or state governmental agency, ☒ personal knowledge of the undersigned, ☐ oath or affirmation of a credible witness, to be the person whose name is signed on the preceding or attached document, and who swore, subscribed and affirmed to me that the contents of the document are truthful and accurate to the best of their knowledge and belief and that they signed the document voluntarily for its stated purpose.

Deborah L. Ryan
 Notary Public

My Commission Expires: 8/22/25



AS-BUILT

FRANKLINE - MASS.

SCALE 1" = 40' DATED: OCTOBER 26, 2009

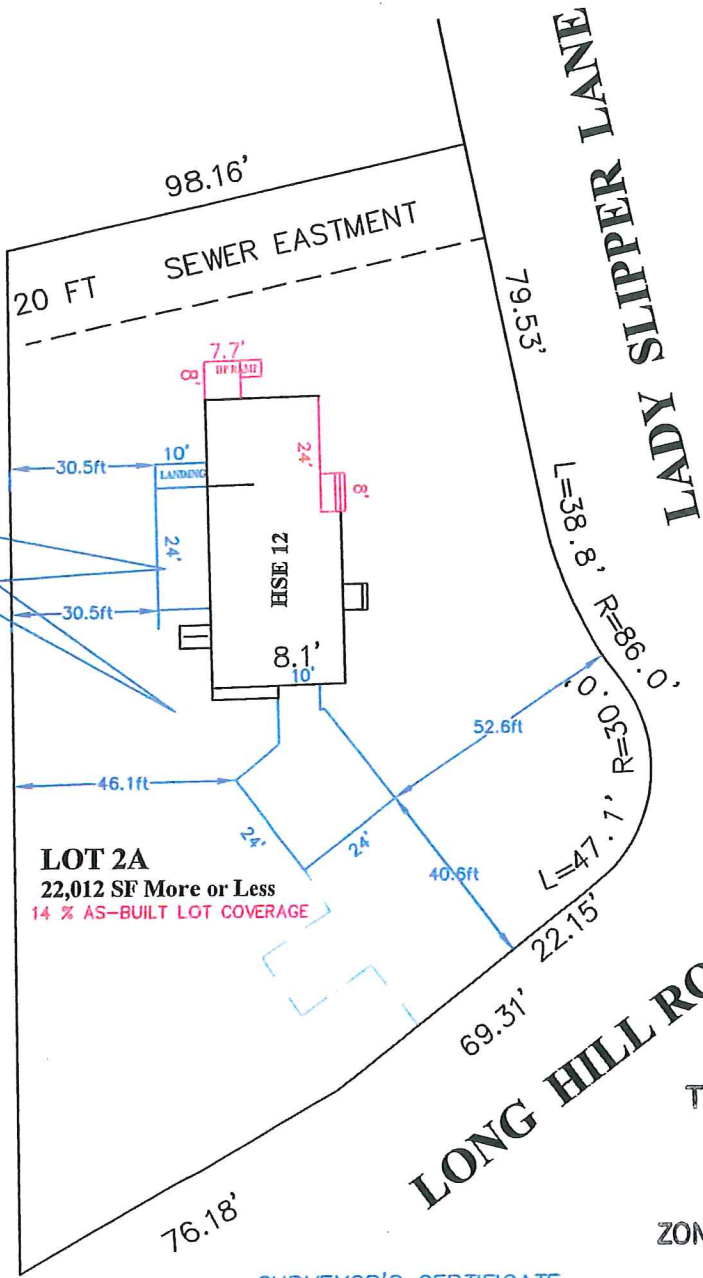
CARLSON SURVEY COMPANY

261 UNION STREET - MILLIS, MASS. 02054



AS-BUILT
ADDITION

214.07'



LOT 2A
22,012 SF More or Less
14 % AS-BUILT LOT COVERAGE

LONG HILL ROAD

RECEIVED
TOWN OF FRANKLIN
FEB 05 2021

ZONING BOARD OF APPEALS

SURVEYOR'S CERTIFICATE

I HEREBY CERTIFY THAT THIS FOUNDATION SHOWN
ON THIS PLAN WAS CONSTRUCTED IN ACCORDANCE
WITH THE RULES AND REGULATIONS OF FRANKLIN.



OWNER OF RECORD:
JOHN MACLEOD
12 LADY SLIPPER LANE
DEED REF.: 20658/526

BUILDING PERMIT No. _____

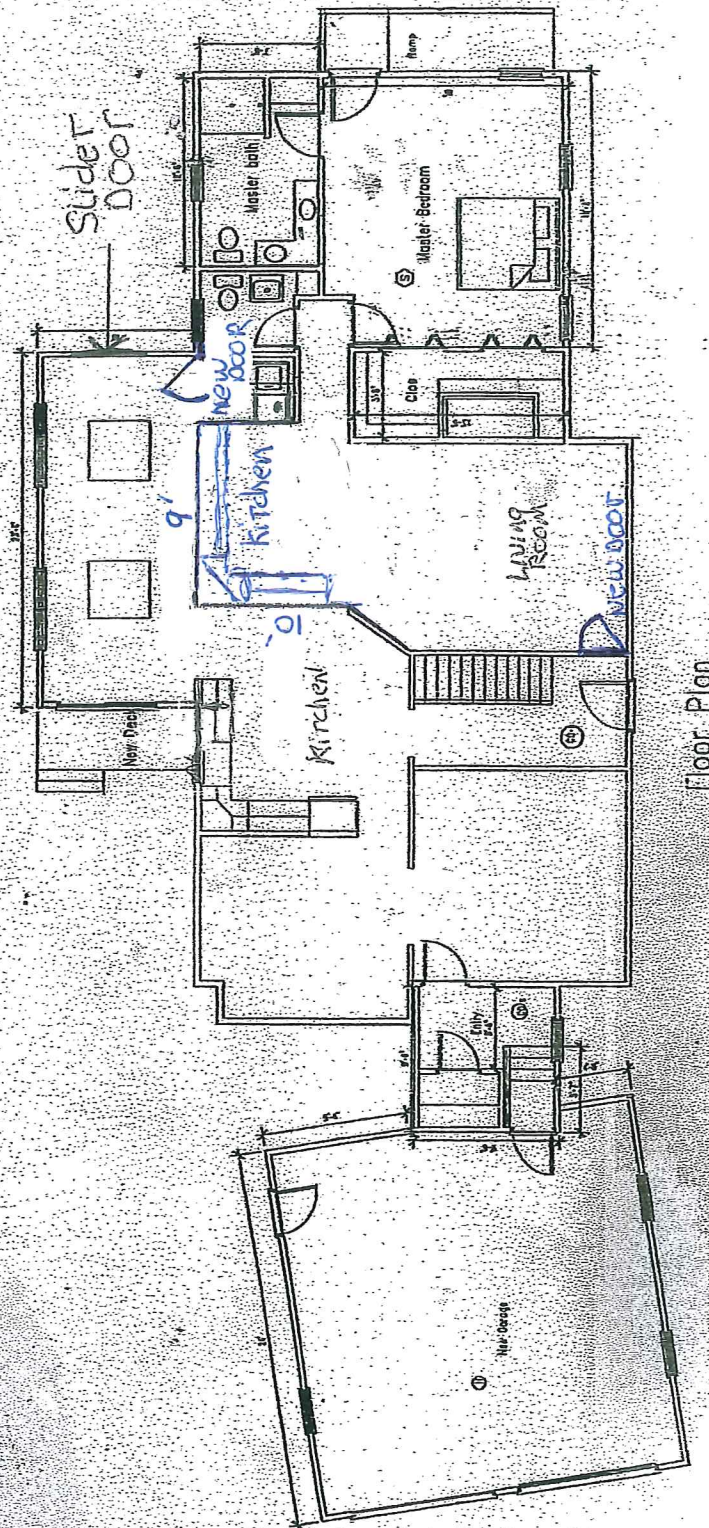
1566/6556

EXISTING Floor Plan



FEB 05 2021

NEW FLOOR PLAN 12 LADY SLIPPER LANE



Floor Plan

RECEIVED
TOWN OF FRANKLIN

FEB 05 2021

ZONING BOARD OF APPEALS

New Floor Plan