

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** Christine M. Wall

**LOCATION:** 121 Miller Street

**ZONING DISTRICT:** RR I

**TYPE OF PROJECT:** Construction an Attached Garage with a Room Above

**DATE:** 09/17/2023 **DENY**

**VARIANCE**

**ZONING BY LAW SECTIONS:** 185 Attachment 9 Schedule of Lot, Area,  
Frontage, Yard and Height Requirements

**REASON FOR DENIAL:** Applicant is seeking to construct a 22' x 38'  
attached garage with living space above that is 20.5' from the left side yard  
setback where 40' is required. The building permit is denied without a  
variance from the ZBA.

**APPEAL OF DENIAL OPTIONS:**

**ZONING BOARD OF APPEALS**

**APPLICANT SIGNATURE** \_\_\_\_\_ **DATE**

**ZONING OFFICIAL SIGNATURE** LAB \_\_\_\_\_ **DATE** 09/17/2023

**TOWN OF FRANKLIN  
ZONING BOARD OF APPEALS**

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

**RECEIVED  
TOWN OF FRANKLIN**

**SEP 13 2023**

TOWN OF FRANKLIN  
TOWN CLERK

2023 SEP 13 10 49:31

RECEIVED

ZBA APPLICATION FORM

**ZONING BOARD OF APPEALS**

GENERAL INFORMATION

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

Special Permit: \_\_\_\_\_ Variance: X \_\_\_\_\_ Appeal: \_\_\_\_\_

PETITIONER: Christine M. Wall

PETITIONER'S ADDRESS: 121 Miller Street PHONE: 508-850-5776

LOCATION OF PROPERTY: Same

TYPE OF OCCUPANCY: Residential single family ZONING DISTRICT: Rural Residential I

ASSESSORS MAP & PARCEL: 230-036

**REASON FOR PETITION:**

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

**DESCRIPTION OF PETITIONER'S PROPOSAL:**

To Construct a 22' x 38' grage with second floor Living space above the garage

**SECTIONS OF ZONING ORDINANCE CITED:**

Article 185 Section attachment 9.1 schedule of lot requirements

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):

Christine M. Wall  
(Petitioner(s)/Owner)

Christine M. Wall

(Print Name)

Address: 121 Miller Street

Tel. No.: 508-850-5776

E-Mail Address: Crickethas3@icloud.com

Date: \_\_\_\_\_

**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 Christine M. Wall  
(OWNER)

Address: 121 Miller Street Franklin, Ma 02038

State that I/We own the property located at 121 Miller Street,  
which is the subject of this zoning application.

The record title of this property is in the name of Christine M. Wall

\*Pursuant to a deed of duly recorded in the date 8/20/21, Norfolk  
County Registry of Deeds at Book 39761, Page 102; or  
Dedham Registry District of Land Court, Certificate No. \_\_\_\_\_  
Book \_\_\_\_\_ Page \_\_\_\_\_.

Christine Wall  
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: Christine M. Wall PRESENT USE/OCCUPANCY: 5 people

LOCATION: 121 Miller Street ZONE: RR I

PHONE: 508-850-5776 REQUESTED USE/OCCUPANCY: Residential / home office

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS<sup>1</sup></u>
<u>Lot Area:</u>		<u>108,332 S.F.</u>	<u>                    </u>	<u>40,000</u> (min.)
<u>Continuous Frontage:</u>		<u>200'</u>	<u>                    </u>	<u>200'</u> (min.)
<u>Size of Lot:</u>	Width	<u>180'</u>	<u>no change</u>	<u>varies</u> (min.)
	Depth	<u>200'</u>	<u>                    </u>	<u>695'</u> (min.)
<u>Setbacks in Feet:</u>	Front	<u>73'</u>	<u>71'</u>	<u>40'</u> (min.)
	Rear	<u>515'</u>	<u>498'</u>	<u>40'</u> (min.)
	Left Side	<u>42.8'</u>	<u>20.5'</u>	<u>40'</u> (min.)
	Right Side	<u>45'</u>	<u>no change</u>	<u>40'</u> (min.)
<u>Building Height:</u>	Stories	<u>2</u>	<u>2</u>	<u>2.5</u> (max.)
	Feet	<u>                    </u>	<u>                    </u>	<u>                    </u> (max.)
<u>NO. of Dwelling Units:</u>		<u>1</u>	<u>1</u>	<u>1</u> (max.)
<u>NO. of Parking Spaces:</u>		<u>2</u>	<u>4</u>	<u>2</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.

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SEE FRANKLIN ZONING BYLAW ARTICLE 185, ATTACHMENT 9.



**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:

Applicants family and job requirements require a home office space thus losing one of the bedrooms. The proposed garage with living space above will allow the office space and relocation of a bedroom to handle the family requirements. Applicant needs relief on the side yard setback to accomidate the addition otherwise the family faces having to relocate into a bigger home and the costs of larger homes is very costly

- 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 lot is irregularly shaped and is pinched in at the current building location see plan.

In order to place the garage a side yard setback varaince is requested to reduce to 20.5'

Also please note the existing driveway opening, septic and topography on the right side of the home would not work for the garage.

- C) **Desirable relief may be granted without either:**

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

The building would be similar to others in the imediate neighborhood and not be out of place  
The house is serviced by town water and a private septic and has adiquate parking with inside and out of the garage spaces. Thus keeping the established family in their home and establish the needed home office due to the covid relocation of employees

- 2) Nullifying or substantially derogating from the intent or purpose of this Zoning Bylaw for the following reasons:

The lot is pre-existing and irregularly shaped conforming to zoning at the time it was created, the reduced side yard still provides 20+ feet to the side line so as not to crowd the neighbor on the left, the proposed distance between homes is slightly over 80'.

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.

Proposed Garage addition is similar to other homes in the neighborhood

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

2 parking spaces provided inside or outside of garage

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

No change to the existing utilities proposed

m

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

Proposed addition is a residential use with a home office which are allowed in this zone.

(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.

Proposed addition to be erected in a previously

(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.

Addition is not going to block or deprive the 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.

Proposed use does not increase the water or sewage demand

PROPERTY ADDRESS: 121 Miller Street, Franklin, Massachusetts

**QUITCLAIM DEED**

We, **Joseph F. Brewin and Sarah D. Brewin**, Trustees of the Brewin Family Revocable Trust U/D/T dated June 6, 2018, for consideration paid and in full consideration of **Five Hundred Eighty Five Thousand and 00/100 Dollars (U.S. \$585,000.00)**, grant to **Christine M. Wall**, individually, now of 121 Miller Street, Franklin, Norfolk County, Massachusetts,

***with QUITCLAIM COVENANTS***

A certain parcel of land situated on the easterly side of Miller Street in Franklin and Norfolk, Norfolk County, Massachusetts, shown as Lot 1 on a plan entitled "Plan of land in Norfolk and Franklin, MA." dated February 10, 1983, drawn by Shea Engineering and Surveying Co. Mendon, Massachusetts, which plan is recorded with Norfolk Deeds as Plan Number 215 of 1983, Plan Book 301.

Said lot number one contains 2.49 acres, more or less, according to said plan.

The Grantor hereby releases and terminates any and all estates of homestead they may have in and to the property conveyed herein and further states under the pains and penalties of perjury that no other person or entity is entitled to an estate of homestead in and to the property.


For Grantor's title see Deed dated June 6, 2018, and recorded in Book 36051, Page 17.

MASSACHUSETTS STATE EXCISE TAX  
Norfolk Registry of Deeds  
Date: 08-20-2021 @ 02:26pm  
Ctl#: 858 Doc#: 108913  
Fee: \$2,667.60 Cons: \$585,000.00

WILLIAM P. O'DONNELL, REGISTER  
NORFOLK COUNTY REGISTRY OF DEEDS  
RECEIVED & RECORDED ELECTRONICALLY



Witness my hand and seal this 9<sup>th</sup> day of August, 2021.


  
Joseph F. Brewin, Trustee

  
Sarah D. Brewin, Trustee

COMMONWEALTH OF MASSACHUSETTS

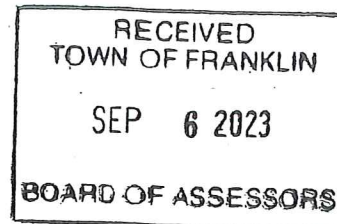
Norfolk, ss.

On this 9<sup>th</sup> day of August, 2021, before me, the undersigned notary public, personally appeared the above-named **Joseph F. Brewin and Sarah D. Brewin, aforesaid Trustees**, who proved to me through satisfactory evidence of identification being (check whichever applies): ☒ driver's license or other state or federal governmental document bearing a photographic image, ☐ oath or affirmation of a credible witness known to me who knows the above signatory, or ☐ my own personal knowledge of the identity of the signatory, to be the person whose name is signed on the preceding document, and acknowledged to me that she signed it voluntarily for its stated purpose and that the foregoing instrument is her free act and deed.

  
Notary Public Allison Deraney  
My Commission Expires: 5/18/2023







Town of Franklin – Board of Assessors  
355 East Central Street  
Franklin, MA 02038  
Tel # 508-520-4920  
Fax # 508-520-4923

## Abutters List Request Form

**Please Note:** A \$25.00 fee per list is required to process your request. Payment is due at the time of submission of this form. Please allow 10 days from the date of both payment and submission of the form for the Assessors office to complete processing your request. (Revised 1-1-22)

Date of Request 9/6/23

Assessors Parcel ID # (12 digits) 230-300

Property Street Address 121 MILLER ST.

Distance Required From Parcel # listed above (Circle One): 500 300 100  
(Note: if a distance is not circled, we cannot process your request)

Property Owner CHRISTINE WALL

Property Owner's Mailing Address 121 miller street

Town/City FRANKLIN State MA Zip Code 02038

Property Owner's Telephone # 781-844-5752

Requestor's Name (if different from Owner) BRUCE WILSON

Requestor's Address 248 ELM ST. BLACKSTONE, MA

Requestor's Telephone # 508-509-3380

Office Use Only: Date Fee Paid 9/6/23 Paid in Cash \$ 25.00

Paid by Check \$ \_\_\_\_\_ Check # \_\_\_\_\_ Town Receipt # 30149

Please Circle One:

Administration

Conservation

Planning

Zoning Board of Appeals



# 121 MILLER ST - 300' ABUTTERS

Franklin, MA

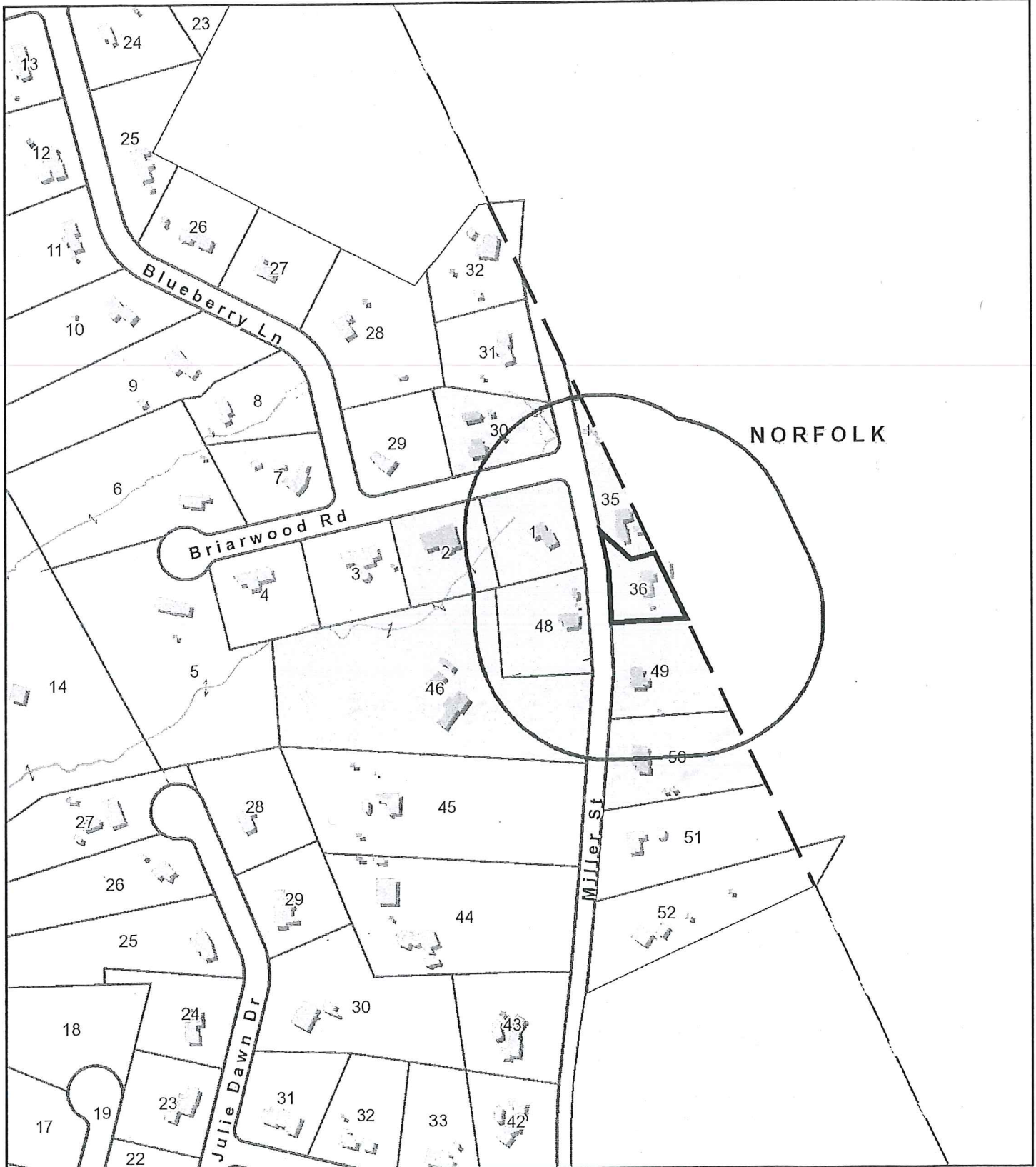


CAI Technologies  
Precision Mapping. Geospatial Solutions.

September 11, 2023

1 inch = 300 Feet

[www.cai-tech.com](http://www.cai-tech.com)



This information is believed to be correct but is subject to change and is not warranted.



# 300 foot Abutters List Report

Franklin, MA  
September 11, 2023

## Subject Property:

Parcel Number: 230-036-000  
CAMA Number: 230-036-000-000  
Property Address: 121 MILLER ST

Mailing Address: WALL CHRISTINE M  
121 MILLER ST  
FRANKLIN, MA 02038

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## Abutters:

Parcel Number: 230-001-000  
CAMA Number: 230-001-000-000  
Property Address: 126 MILLER ST

Mailing Address: TEDESCO RALPH TEDESCO COLLEEN  
126 MILLER ST  
FRANKLIN, MA 02038

Parcel Number: 230-002-000  
CAMA Number: 230-002-000-000  
Property Address: 4 BRIARWOOD RD

Mailing Address: CHOW LESTER SHERMAN PANG MU-  
CHOW KIMBERLY JEAN  
4 BRIARWOOD RD  
FRANKLIN, MA 02038

Parcel Number: 230-030-000  
CAMA Number: 230-030-000-000  
Property Address: 1 BRIARWOOD RD

Mailing Address: MILLER RICHARD P MILLER PATRICIA A  
1 BRIARWOOD RD  
FRANKLIN, MA 02038

Parcel Number: 230-034-000  
CAMA Number: 230-034-000-000  
Property Address: MILLER ST

Mailing Address: MARGOLIS LEE MARGOLIS SUSAN  
75 MILLER ST  
NORFOLK, MA 02056

Parcel Number: 230-035-000  
CAMA Number: 230-035-000-000  
Property Address: 123 MILLER ST

Mailing Address: KANGAS MARIA CHRISTINE WILSON  
ANDREW THOMAS  
123 MILLER ST  
FRANKLIN, MA 02038

Parcel Number: 230-036-000  
CAMA Number: 230-036-000-000  
Property Address: 121 MILLER ST

Mailing Address: WALL CHRISTINE M  
121 MILLER ST  
FRANKLIN, MA 02038

Parcel Number: 231-046-000  
CAMA Number: 231-046-000-000  
Property Address: 118 MILLER ST

Mailing Address: GOULET RAYMOND L MIETHE JEAN S  
118 MILLER ST  
FRANKLIN, MA 02038

Parcel Number: 231-048-000  
CAMA Number: 231-048-000-000  
Property Address: 122 MILLER ST

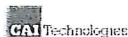
Mailing Address: GIRSTANTAS CARRIE M TR ELIZABETH  
GIRSTANTAS LIVING TR  
1111 SHERWOOD ROAD  
CHARLOTTESVILLE, VA 22902

Parcel Number: 231-049-000  
CAMA Number: 231-049-000-000  
Property Address: 117 MILLER ST

Mailing Address: LAM YAT-HOON G  
117 MILLER ST  
FRANKLIN, MA 02038

Parcel Number: 231-050-000  
CAMA Number: 231-050-000-000  
Property Address: 115 MILLER ST

Mailing Address: ANI ALAN KERMISH NICOLE C  
115 MILLER ST  
FRANKLIN, MA 02038



www.cai-tech.com

This information is believed to be correct but is subject to change and is not warranted.

9/11/2023

Page 1 of 1

*Kevin M. Doyle, 9-11-23*



ANI ALAN  
KERMISH NICOLE C  
115 MILLER ST  
FRANKLIN, MA 02038

CHOW LESTER SHERMAN PANG  
MU-CHOW KIMBERLY JEAN  
4 BRIARWOOD RD  
FRANKLIN, MA 02038

GIRSTANTAS CARRIE M TR  
ELIZABETH GIRSTANTAS LIVI  
1111 SHERWOOD ROAD  
CHARLOTTESVILLE, VA 22902

GOULET RAYMOND L  
MIETHE JEAN S  
118 MILLER ST  
FRANKLIN, MA 02038

KANGAS MARIA CHRISTINE  
WILSON ANDREW THOMAS  
123 MILLER ST  
FRANKLIN, MA 02038

LAM YAT-HOON G  
117 MILLER ST  
FRANKLIN, MA 02038

MARGOLIS LEE  
MARGOLIS SUSAN  
75 MILLER ST  
NORFOLK, MA 02056

MILLER RICHARD P  
MILLER PATRICIA A  
1 BRIARWOOD RD  
FRANKLIN, MA 02038

TEDESCO RALPH  
TEDESCO COLLEEN  
126 MILLER ST  
FRANKLIN, MA 02038

WALL CHRISTINE M  
121 MILLER ST  
FRANKLIN, MA 02038