

TOWN OF FRANKLIN
ZONING BOARD OF APPEALS

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

RECEIVED
TOWN OF FRANKLIN
APR 15 2021
ZONING BOARD OF APPEALS

TOWN OF FRANKLIN
TOWN CLERK

2021 APR 15 A 9:16

ZBA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit: ☒ Variance: _____ Appeal: _____

PETITIONER: Sarah K. Hunter and David C. Hunter

PETITIONER'S ADDRESS: 18 Northern Spy Road PHONE: 508-346-3786

LOCATION OF PROPERTY: 18 Northern Spy Road, Franklin, MA 02038

TYPE OF OCCUPANCY: residential ZONING DISTRICT: 101 - One Family

ASSESSORS MAP & PARCEL: 299-025-000

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 Addi'l Dwelling Unit's	<input type="checkbox"/> Sign
<input type="checkbox"/> Dormer	
<input checked="" type="checkbox"/> Other: Inground pool and patio created 17.9% of impervious lot coverage	<input type="checkbox"/> Subdivision

DESCRIPTION OF PETITIONER'S PROPOSAL: Seeking special permit and approval

of proposed infiltration plan to comply with impervious coverage

provision of zoning ordinance as installation of inground pool

SECTIONS OF ZONING ORDINANCE CITED: and deck exceeds permitted lot coverage

Article 185 Section 40 D. (1) (k)

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):

Sarah K. Hunter David C. Hunter
(Petitioner(s)/Owner)

Sarah K. Hunter David C. Hunter

(Print Name)

Address: 18 Northern Spy Rd, Franklin, MA

Tel. No.: 978-250-4600

E-Mail Address: Brian@SullivanandCarroll.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 Sarah K. Hunter and David C. Hunter
(OWNER)

Address: 18 Northern Spy Road, Franklin, MA 02038

State that I/We own the property located at 18 Northern Spy Road,
which is the subject of this zoning application.

The record title of this property is in the name of Sarah K. Hunter and
David C. Hunter

*Pursuant to a deed of duly recorded in the date 04/29/2010, Norfolk
County Registry of Deeds at Book 27630, Page 568; or
Dedham Registry District of Land Court, Certificate No. _____
Book _____ Page _____.

Sarah Hunter
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: Sarah K. Hunter PRESENT USE/OCCUPANCY: single family

LOCATION: 18 Northern Spy Road ZONE: 101 - One Family

PHONE: 508-346-3786 REQUESTED USE/OCCUPANCY: SAME

		EXISTING CONDITIONS	REQUESTED CONDITIONS	ORDINANCE REQUIREMENTS ¹
Lot Area:		43,081'		(min.)
Continuous Frontage:		330.71'		(min.)
Size of Lot:	Width			(min.)
	Depth	199.04'		(min)
Setbacks in Feet:	Front			(min.)
	Rear	37.55'		(min.)
	Left Side	42.45'		(min.)
	Right Side			(min.)
Building Height:	Stories	2		(max.)
	Feet			(max.)
NO. of Dwelling Units:		1		(max.)
NO. of Parking Spaces:				(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.

See attached proposed Roof and Infiltration Plan of Land
depicting all structures on 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 petitioners are prepared to install a roof infiltration system to capture runoff water and retain onsite to comply with purpose of 185, section 40 D (1) (k).
- (2) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.
No effect upon traffic, access, parking or pedestrian safety.
- (3) Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.
The proposed roof infiltration plan will capture runoff from impervious surfaces and therefore no effect upon infrastructure.
- (4) Neighborhood character and social structure will not be negatively impacted. The roof and infiltration plan will capture runoff water and retain onsite and therefore no negative impact upon 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 roof infiltration plan will not have any impact upon environment as system will capture and retain runoff water onsite.
- (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 roof infiltration plan utilizes drainage and PVC pipes to capture runoff water and divert to two Bylaw surface leaching chambers.
- (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 roof infiltration plan will have no effect upon consumption of water or sewer use on the property or effecting the town.

Bk 27630 Pg 568 #38651
04-29-2010 @ 11:58a

RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEBHAM, MA
C O P Y
CERTIFY

William P. O'Donnell
WILLIAM P. O'DONNELL, REGISTER

MASSACHUSETTS STATE EXCISE TAX
Norfolk Registry of Deeds
Date: 04-29-2010 @ 11:58am
Doc#: 38651
Fee: \$2,840.88 Cons: \$623,000.00
C O P Y

QUITCLAIM DEED

We, **Michele M. Driscoll, f/k/a Michele D. Marinello, and Terence Driscoll**, as Joint Tenants, of 18 Northern Spy Road, Franklin, Norfolk County, Massachusetts 02038, for consideration paid in the amount of Six Hundred Twenty-Three Thousand (\$623,000.00) Dollars, the receipt of which is herein acknowledged, grant to **Sarah K. Hunter and David C. Hunter, III** as Husband and Wife, Tenants by the Entirety, of 421 Gatehouse Lane, Franklin, Norfolk County, Massachusetts 02038

with *Quitclaim Covenants*

A certain parcel of land situated on the southerly side of Northern Spy Road, in Franklin, Norfolk County, Massachusetts, shown as Lot 54 on a plan entitled "Definitive Subdivision Plan, 'Cooks Farm Estates', Franklin, Mass.", dated December 1, 1993, revised through June 2, 1994, prepared by GLM Engineering Consultants, Inc., Holliston, MA, filed with Norfolk County Registry of Deeds as Plan No. 485 of 1995, Plan Book 432, and to which Plan reference may be made for a more particular description.

Lot 54 contains 43,081 square feet, more or less, according to said Plan.

Lot 54 is subject to a Drain Easement, located on the northwesterly portion of said Lot, as shown on said Plan.

Together with the right to use the streets and ways shown on said Plan, as the same may be amended, in common with other persons entitled thereto, as streets and ways are commonly used in the town of Franklin. No other interest in and to said streets and ways is herein intended or conveyed.

Subject to an easement granted to the Massachusetts Electric Company dated October 17, 1995, recorded with Norfolk Deeds, Book 11114, Page 255; and subject to an easement granted to New England Telephone & Telegraph Company dated October 27, 1995, recorded with Norfolk Deeds, Book 11148, page 172.

Being the same premises conveyed to Gary J. Eigenberg and Charlene K. Eigenberg, Husband and Wife, by deed of DEL MAR DEVELOPMENT CORP., dated January 22, 1998, which deed was recorded with the Norfolk County Registry of Deeds in Book 12235, Page 541.

For Grantors' title see Quitclaim Deed of Gary J. Eigenberg and Charlene K. Eigenberg, Husband and Wife, to Michele D. Marinello and Terence Driscoll, as Joint Tenants, dated

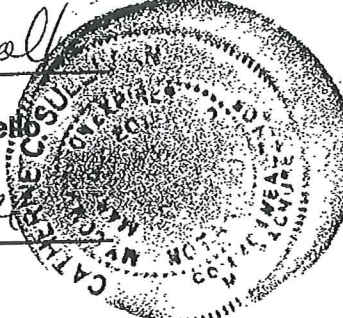
February 21, 2004, which Deed was recorded at the Norfolk County Registry of Deeds at Book 20895, Page 013.

A N
O F F I C I A L O F F I C I A L

WITNESS our collective hands and seals this twenty fourth (24th) day of April, 2010

Michele M. Driscoll
Michele M. Driscoll,
f/k/a Michele D. Marinello

Terence Driscoll
Terence Driscoll



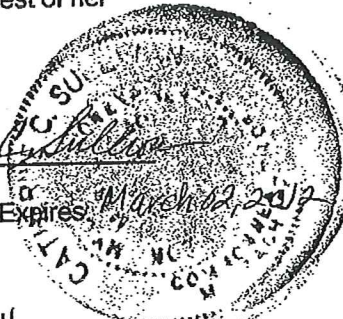
COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

April 24, 2010

On this twenty fourth (24) day of April, 2010, before me, the undersigned notary public, personally appeared Michele M. Driscoll, f/k/a Michele D. Marinello, who proved to me through satisfactory evidence of identification, which was a Commonwealth of Massachusetts Motor Vehicle License, to be the person whose name is signed in the preceding document, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.

Catherine B. Sullivan
Notary Public:
My Commission Expires March 12, 2012




COMMONWEALTH OF MASSACHUSETTS

NORFOLK, SS.

April 24, 2010

On this twenty fourth (24) day of April, 2010, before me, the undersigned notary public, personally appeared Terence Driscoll, who proved to me through satisfactory evidence of identification, which was a Commonwealth of Massachusetts Motor Vehicle License, to be the person whose name is signed in the preceding document, and who swore or affirmed to me that the contents of the document are truthful and accurate to the best of his knowledge and belief.

Catherine B. Sullivan
Notary Public:
My Commission Expires March 12, 2012



Town of Franklin – Board of Assessors

355 East Central St

Franklin, MA 02038

Tel # 508-520-4920

Fax # 508-520-4923

Abutters List Request Form

Please Note: A \$25.00 Fee PER PARCEL 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 payment and submission of the form for the Assessors office to complete the processing of your request.

Date of Request 04 / 12 / 2021

Assessors Parcel ID # (12 digits) 299 - 025 - 000 - 000

Property Street Address 18 Northern Spy Road

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 Sarah K. Hunter and David C. Hunter

Property Owner's Mailing Address 18 Northern Spy Road

Town/City Franklin State MA Zip Code 02038

Property Owner's Telephone # 508 - 346 - 3786

Requestor's Name (if different from Owner) Brian R. Sullivan, Esq.

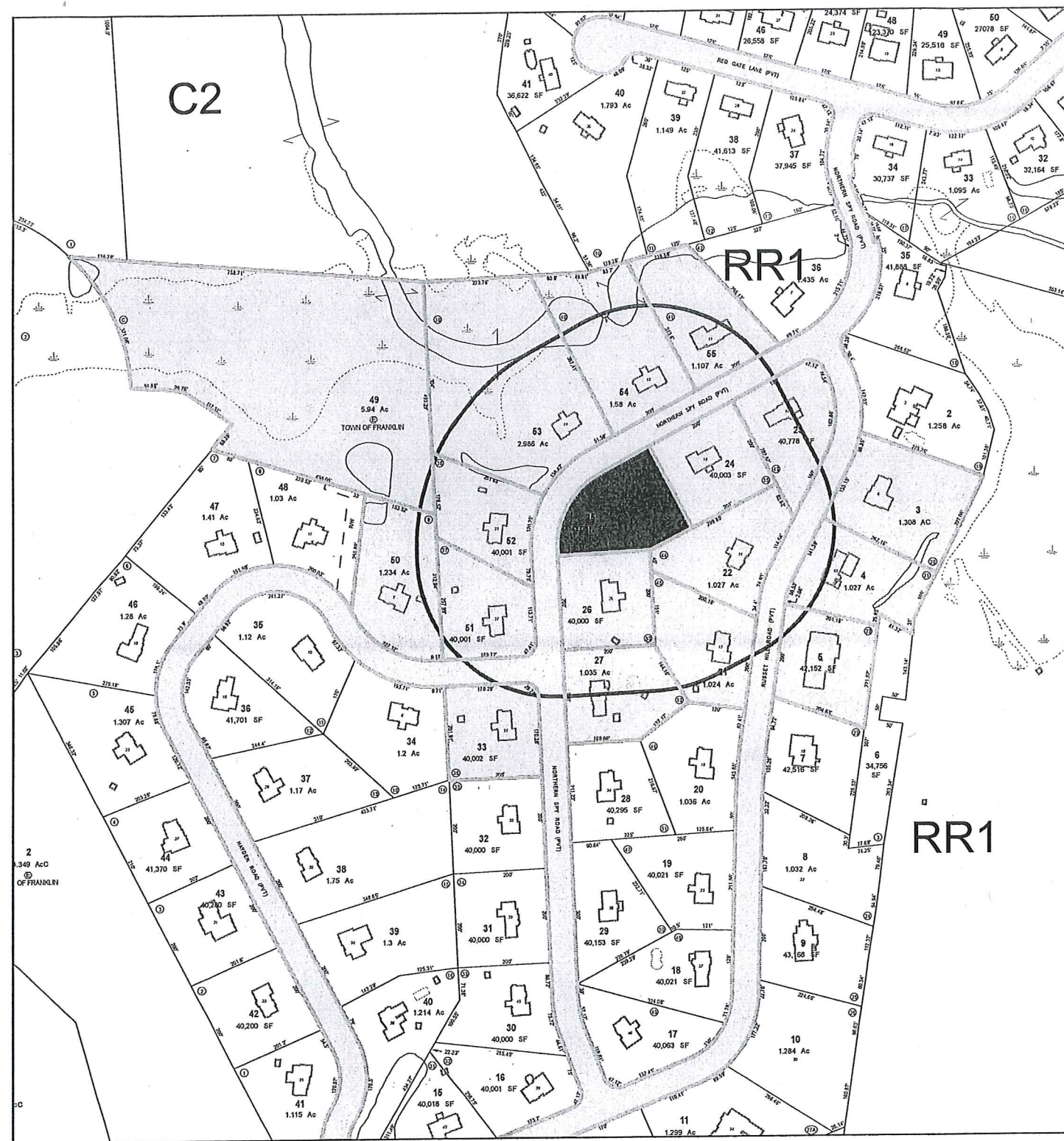
Requestor's Address 11 North Road, Chelmsford, MA 01824

Requestor's Telephone # 978 - 250 - 4600 *Brian@SullivanandCarroll.com*

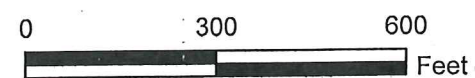
Office Use Only: Date Fee Paid / / Paid in Cash \$

Paid by Check \$ Check # Town Receipt #

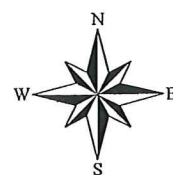
RETURN TO LEEANNE



18 NORTHERN SPY RD - 300' ABUTTERS
Town of Franklin



4/12/2021



300' Abutters List Report

Franklin, MA
April 12, 2021

Subject Parcel:

Parcel Number:	299-025-000	Mailing Address:	HUNTER SARAH K HUNTER DAVID C III
CAMA Number:	299-025-000-000		18 NORTHERN SPY RD
Property Address:	18 NORTHERN SPY RD		FRANKLIN, MA 02038

Abutters:

Parcel Number:	284-030-000	Mailing Address:	OAK RIDGE CONSTRUCTION CO INC
CAMA Number:	284-030-000-000		206 MAPLE ST, PO BOX 272
Property Address:	RED GATE LN		FRANKLIN, MA 02038

Parcel Number:	299-003-000	Mailing Address:	MOREAU ROBERT J SR MOREAU SUSAN M
CAMA Number:	299-003-000-000		6 RUSSET HILL RD
Property Address:	6 RUSSET HILL RD		FRANKLIN, MA 02038

Parcel Number:	299-004-000	Mailing Address:	SHABBICK DANIEL A SHABBICK MARIA C
CAMA Number:	299-004-000-000		10 RUSSET HILL RD
Property Address:	10 RUSSET HILL RD		FRANKLIN, MA 02038

Parcel Number:	299-005-000	Mailing Address:	DOIRON DAVID R & GAIL A TRS DAVID R DOIRON REVOCABLE TRUST
CAMA Number:	299-005-000-000		14 RUSSET HILL RD
Property Address:	14 RUSSET HILL RD		FRANKLIN, MA 02038

Parcel Number:	299-021-000	Mailing Address:	NEALON ROBERT S NEALON SHANNON L
CAMA Number:	299-021-000-000		15 RUSSET HILL RD
Property Address:	15 RUSSET HILL RD		FRANKLIN, MA 02038

Parcel Number:	299-022-000	Mailing Address:	HOANG HUNG THAI HANG
CAMA Number:	299-022-000-000		11 RUSSET HILL RD
Property Address:	11 RUSSET HILL RD		FRANKLIN, MA 02038

Parcel Number:	299-023-000	Mailing Address:	OTOCKI DAVID J &SUSAN J TRS OTOCKI REALTY TRUST
CAMA Number:	299-023-000-000		10 NORTHERN SPY RD
Property Address:	10 NORTHERN SPY RD		FRANKLIN, MA 02038

Parcel Number:	299-024-000	Mailing Address:	VOZZELLA JOSEPH R VOZZELLA SUZANNE S
CAMA Number:	299-024-000-000		14 NORTHERN SPY RD
Property Address:	14 NORTHERN SPY RD		FRANKLIN, MA 02038

Parcel Number:	299-025-000	Mailing Address:	HUNTER SARAH K HUNTER DAVID C III
CAMA Number:	299-025-000-000		18 NORTHERN SPY RD
Property Address:	18 NORTHERN SPY RD		FRANKLIN, MA 02038

Parcel Number:	299-026-000	Mailing Address:	METCALF PAUL G METCALF DIANE
CAMA Number:	299-026-000-000		26 NORTHERN SPY RD
Property Address:	26 NORTHERN SPY RD		FRANKLIN, MA 02038

www.cai-tech.com

Data shown on this report is provided for planning and informational purposes only. The municipality and CAI Technologies are not responsible for any use for other purposes or misuse or misrepresentation of this report.

300' Abutters List Report

Franklin, MA
April 12, 2021

Parcel Number:	299-027-000	Mailing Address:	FOX PHILIP C FOX SARAH V
CAMA Number:	299-027-000-000		30 NORTHERN SPY RD
Property Address:	30 NORTHERN SPY RD		FRANKLIN, MA 02038
Parcel Number:	299-033-000	Mailing Address:	MATTESON ERIC MATTESON ELIZABETH
CAMA Number:	299-033-000-000		31 NORTHERN SPY RD
Property Address:	31 NORTHERN SPY RD		FRANKLIN, MA 02038
Parcel Number:	299-049-000	Mailing Address:	FRANKLIN TOWN OF
CAMA Number:	299-049-000-000		355 EAST CENTRAL STREET
Property Address:	RUSSET HILL RD		FRANKLIN, MA 02038
Parcel Number:	299-050-000	Mailing Address:	LUZZO WILLIAM LUZZO KERRI L
CAMA Number:	299-050-000-000		7 HAYDEN LN
Property Address:	7 HAYDEN LN		FRANKLIN, MA 02038
Parcel Number:	299-051-000	Mailing Address:	LETOURNEAU DANY J LETOURNEAU
CAMA Number:	299-051-000-000		JEANNETTE
Property Address:	27 NORTHERN SPY RD		27 NORTHERN SPY RD
			FRANKLIN, MA 02038
Parcel Number:	299-052-000	Mailing Address:	REEDER PAUL E II & AMY R TRS AMY R
CAMA Number:	299-052-000-000		REEDER REVOCABLE TRUST
Property Address:	23 NORTHERN SPY RD		23 NORTHERN SPY RD
			FRANKLIN, MA 02038
Parcel Number:	299-053-000	Mailing Address:	OPPELT DOUGLAS J OPPELT TRICIA M
CAMA Number:	299-053-000-000		19 NORTHERN SPY RD
Property Address:	19 NORTHERN SPY RD		FRANKLIN, MA 02038
Parcel Number:	299-054-000	Mailing Address:	QUIGLEY JOHN E QUIGLEY NANCY V
CAMA Number:	299-054-000-000		15 NORTHERN SPY RD
Property Address:	15 NORTHERN SPY RD		FRANKLIN, MA 02038
Parcel Number:	299-055-000	Mailing Address:	HANSEN TYREL HANSEN ALISA J
CAMA Number:	299-055-000-000		11 NORTHERN SPY RD
Property Address:	11 NORTHERN SPY RD		FRANKLIN, MA 02038

Kevin W. Doyle, 4-12-2021

www.cai-tech.com

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OAK RIDGE CONSTRUCTION CO
206 MAPLE ST, PO BOX272
FRANKLIN, MA 02038

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6 RUSSET HILL RD
FRANKLIN, MA 02038

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NEALON SHANNON L
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FRANKLIN, MA 02038

HOANG HUNG
THAI HANG
11 RUSSET HILL RD
FRANKLIN, MA 02038

OTOCKI DAVID J &SUSAN J T
OTOCKI REALTY TRUST
10 NORTHERN SPY RD
FRANKLIN, MA 02038

VOZZELLA JOSEPH R
VOZZELLA SUZANNE S
14 NORTHERN SPY RD
FRANKLIN, MA 02038

HUNTER SARAH K
HUNTER DAVID C III
18 NORTHERN SPY RD
FRANKLIN, MA 02038

METCALF PAUL G
METCALF DIANE
26 NORTHERN SPY RD
FRANKLIN, MA 02038

FOX PHILIP C
FOX SARAH V
30 NORTHERN SPY RD
FRANKLIN, MA 02038

MATTESON ERIC
MATTESON ELIZABETH
31 NORTHERN SPY RD
FRANKLIN, MA 02038

FRANKLIN TOWN OF
355 EAST CENTRAL STREET
FRANKLIN, MA 02038

LUZZO WILLIAM
LUZZO KERRI L
7 HAYDEN LN
FRANKLIN, MA 02038

LETOURNEAU DANY J
LETOURNEAU JEANNETTE
27 NORTHERN SPY RD
FRANKLIN, MA 02038

REEDER PAUL E II & AMY R
AMY R REEDER REVOCABLE TR
23 NORTHERN SPY RD
FRANKLIN, MA 02038

OPPELT DOUGLAS J
OPPELT TRICIA M
19 NORTHERN SPY RD
FRANKLIN, MA 02038

QUIGLEY JOHN E
QUIGLEY NANCY V
15 NORTHERN SPY RD
FRANKLIN, MA 02038

HANSEN TYREL
HANSEN ALISA J
11 NORTHERN SPY RD
FRANKLIN, MA 02038

BRIAN R. SULLIVAN
JOHN BYRNE CARROLL*
*(1985 - 2011)

LAW OFFICES OF
SULLIVAN & CARROLL
11 NORTH ROAD
CHELMSFORD, MASSACHUSETTS 01824

TEL: (978) 250-4600
FAX: (978) 250-3323

OF COUNSEL
RICHARD J. REGAN

April 12, 2021

Town of Franklin
Zoning Board of Appeals
355 East Central Street
Franklin, MA 02038

Re: 18 Northern Spy Road, Franklin, MA
Special Permit Application


Dear Sir/Madam:

Enclosed herewith kindly find:

1. Original Petition and seven (7) copies;
2. Eight (8) copies of Quitclaim Deed;
3. Eight (8) original copies of plot plan; and
4. One (1) copy of the Abutter's List attached to the original petition.

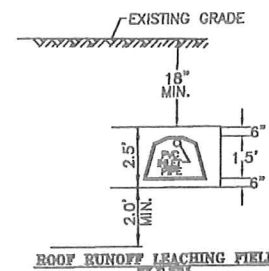
Thank you for your assistance.

Sincerely,


Brian R. Sullivan, Esq.

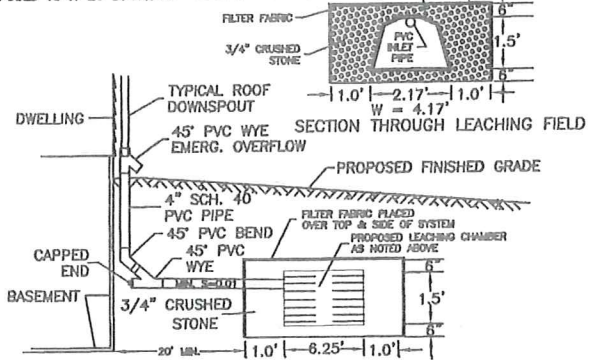
Encl.
BRS/sfr

UNIT 1



NOTES:
1. ROOF RUNOFF LEACHING FIELDS SHOULD NOT BE EXPOSED TO H-20 LOADINGS.

PROPOSED LEACHING CHAMBER (1) MODEL CONTACTOR 125HD BY CULTEC, INC. OF BROOKFIELD, CT.



DESIGN NOTES:

NOT TO SCALE

DESIGN CALCULATIONS

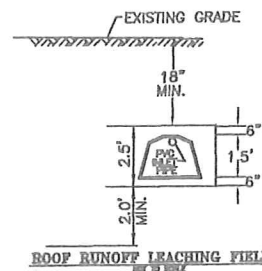
481 S.F. ROOF X 1"/12 = 38.42 C.F. REQUIRED
4.17' X 8.25' X 2.5' = 86.00 C.F.
86.00 - 13.85 (1 CHAMBER VOLUME) = 72.15 C.F.
72.15 X 0.40 (VOID VOLUME) = 28.86 C.F.
28.86 + 13.85 = 42.71 C.F. (PROVIDED)

ZONE R1

40,000 S.F.
200' FRONTAGE
200' DEPTH
40' SETBACK
40' SIDEYARD (POOL 15')
40' REARYARD (POOL 15')
LOT COVERAGE
STRUCTURE 20%
STRUC. & IMPER. 15%
WITHIN WATER RESOURCE DISTRICT

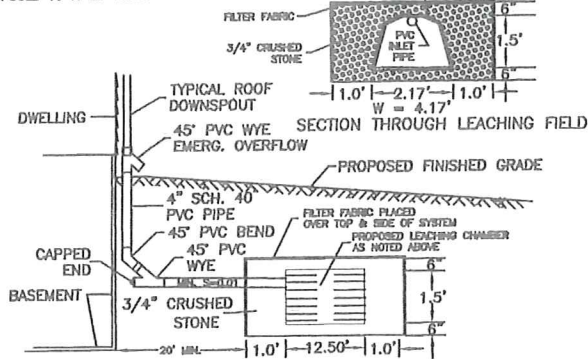
EXISTING LOT COVERAGE
STRUCTURES 7.17%
STRUC. & IMPER. 17.90%

UNIT 2



NOTES:
1. ROOF RUNOFF LEACHING FIELDS SHOULD NOT BE EXPOSED TO H-20 LOADINGS.

PROPOSED LEACHING CHAMBER (1) MODEL CONTACTOR 125HD BY CULTEC, INC. OF BROOKFIELD, CT.

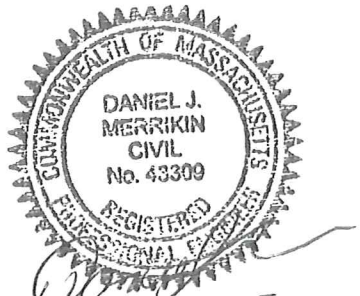


DESIGN NOTES:

NOT TO SCALE

DESIGN CALCULATIONS

807 S.F. ROOF X 1"/12 = 67.25 C.F. REQUIRED
4.17' X 14.50' X 2.5' = 151.16 C.F.
151.16 - 27.70 (2 CHAMBER VOLUME) = 123.46 C.F.
123.46 X 0.40 (VOID VOLUME) = 49.38 C.F.
49.38 + 27.70 = 77.08 C.F. (PROVIDED)



2019.04.05
DRAINAGE
2021.04.14

PROPOSED ROOF INFILTRATION PLAN OF LAND

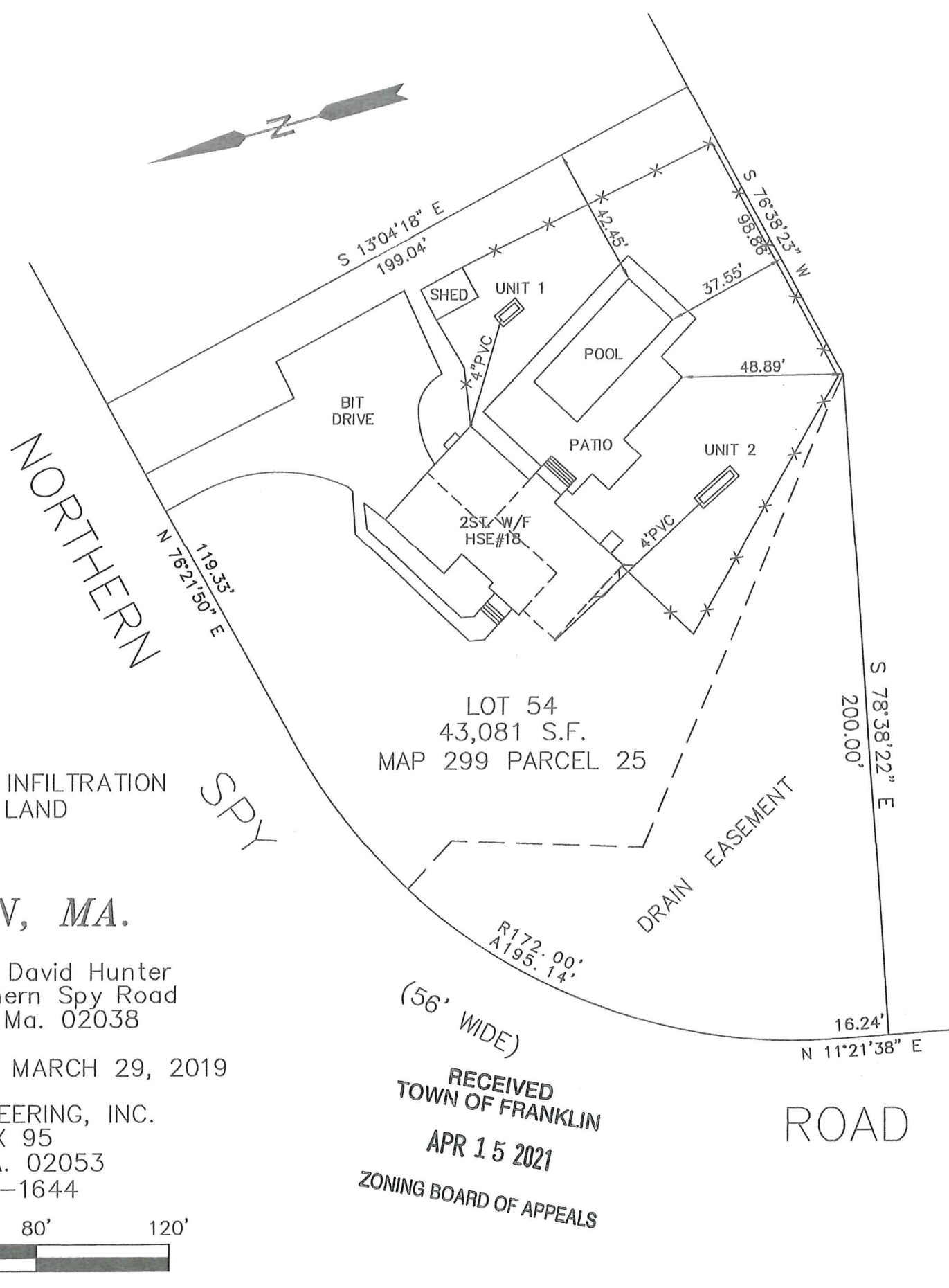
IN

FRANKLIN, MA.

OWNER: Sarah & David Hunter
18 Northern Spy Road
Franklin, Ma. 02038

SCALE: 1"=40' DATE: MARCH 29, 2019

COLONIAL ENGINEERING, INC.
P.O. BOX 95
MEDWAY, MA. 02053
(508) 533-1644



RECEIVED
TOWN OF FRANKLIN
APR 15 2021
ZONING BOARD OF APPEALS