### 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:

Matthew and Lisa Hurley

LOCATION:

22 Lyons Street

**ZONING DISTRICT**: RR 1

**TYPE OF PROJECT:** Accessory Dwelling Unit

**DATE:** 06/01/2021

**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 construct an addition with 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 <u>LAB</u>	06/01/2021
DATE	

### TOWN OF FRANKLIN ZONING BOARD OF APPEALS

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

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JUN 0 1 2021

ZONING BOARD OF APPEALS

TOWN OF FRANKLIN TOWN CLERK

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ZBA APPLICATION FORM

GENERAL INFORMATION
The undersigned hereby petitions the Zoning Board of Appeals for the following:
Special Permit: X Variance: Appeal:
PETITIONER: Lisa Hurley
PETITIONER'S ADDRESS: 22 Lyons Street Franklin, MA PHONE: 781-883-0134
LOCATION OF PROPERTY: 22 Lyons Street
TYPE OF OCCUPANCY: Single Family with a Proposed In-Law Unit
ZONING DISTRICT: RRI
ASSESSORS MAP & PARCEL: Map 326 Parcel 024
REASON FOR PETITION:
Additions Additions New Structure
Change in Use/Occupancy Parking
X Conversion to Addi'l Dwelling Unit's Sign
Dormer
Other:Subdivision
DESCRIPTION OF PETITIONER'S PROPOSAL:  Construct an addition which will be used as an in-law unit.
Constituet an addition which will be used as an in-law unit.
SECTIONS OF ZONING ORDINANCE CITED:
Article 185 Section Attachment 7 Section 6.3b Use Regulations Schedule Part
VI.
Article Section Section Section
Applicants for a <b>Variance</b> must complete Pages 1-5 Applicants for a <b>Special Permit</b> 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):
(Petitioner)
Lisa Hurley (Print Name)
Address: 22 Lyons Street
Tel. No.: 781-883-0134
E-Mail Address: lisa.collins22@gmail.com
Date: 5/26/21
(Page 1)

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TOWN OF FRANKLIN
MAY 2 1 2021
BOARD OF ASSESSORS

### Town of Franklin - Board of Assessors

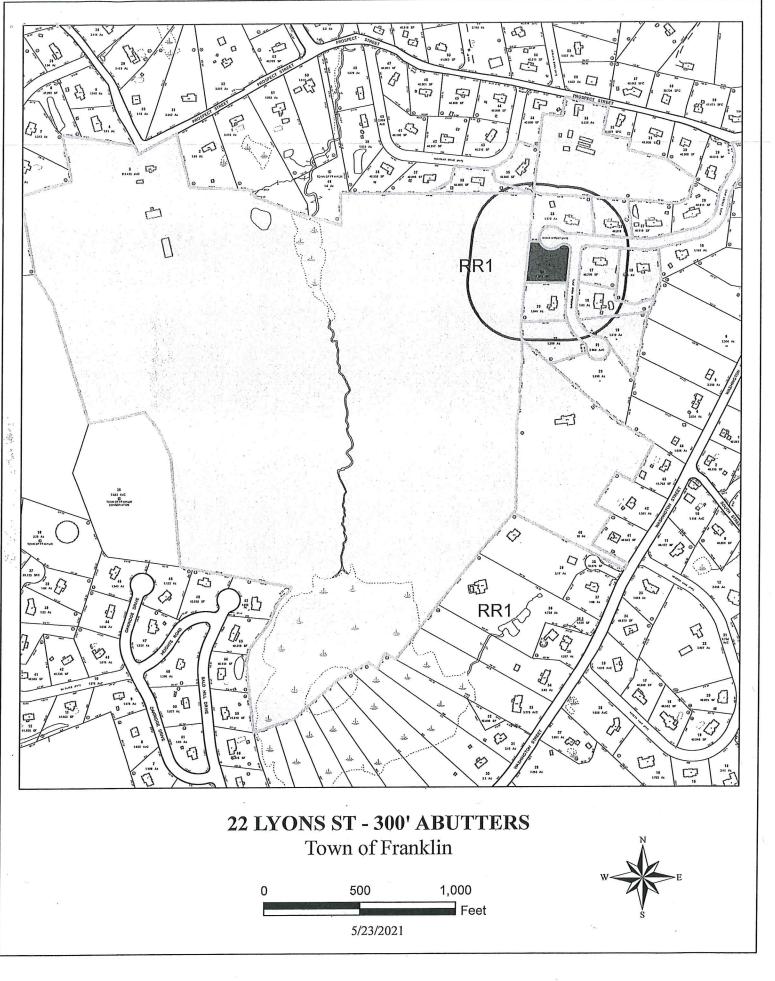
355 East Central St Franklin, MA 02038 Tel # 508-520-4920 Fax # 508-520-4923

### **Abutters List Request Form**

Please Note: A \$25.00 fee per 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 1-1-17)

Date of Request $5 / 2i / 2i$
Date of Request
Assessors Parcel ID # (12 digits) 326 - 624 - 000 - 000
Property Street Address 22 Laons 51.
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 Lisa 4 Matthews Mischer
Property Owner's Mailing Address 22 Lyons St.
Town/City _rankl.4 State MA Zip Code 020 38
Property Owner's Telephone # 781 - 883 - 0134
Requestor's Name (if different from Owner)
Requestor's Address
Requestor's Telephone #
Office Use Only: Date Fee Paid 5/21/21 Paid in Cash \$25.00
Paid by Check \$ Check # Town Receipt # _2746_

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# 300' Abutters List Report Franklin, MA May 23, 2021

Subject Parcel:	TOOK	y 4.461	
Parcel Number:	326-024-000	Mailing Address:	HURLEY MATTHEW HURLEY LISA
CAMA Number:	326-024-000-000		22 LYONS ST
Property Address:	22 LYONS ST		FRANKLIN, MA 02038
Abutters:		18. "	er a grand
Parcel Number:	325-003-000	Mailing Address:	SCHMIDTS FARM INC
CAMA Number:	325-003-000-000		215 PROSPECT ST
Property Address:	215 PROSPECT ST		FRANKLIN, MA 02038
Parcel Number: CAMA Number: Property Address:	326-016-000 326-016-000-000 12 LYONS ST	Mailing Address:	HARTNETT LAUREN A TR LAUREN HARTNETT 2008 REVOC TST 12 LYONS ST FRANKLIN, MA 02038
Parcel Number:	326-017-000	Mailing Address:	PADULA MICHAEL A PADULA KELLEY A
CAMA Number:	326-017-000-000		16 LYONS ST
Property Address:	16 LYONS ST		FRANKLIN, MA 02038
Parcel Number:	326-018-000	Mailing Address:	HURD STEPHEN
CAMA Number:	326-018-000-000		6 SARSFIELD ST
Property Address:	6 SARSFIELD ST		FRANKLIN, MA 02038
Parcel Number: CAMA Number: Property Address:	326-019-000 326-019-000-000 10 SARSFIELD ST	Mailing Address:	RANIERI MARGARET C TR RANIERI TRUST MILLER, CATHERIN 59 PLEASANT ST FRANKLIN, MA 02038
Parcel Number:	326-021-000	Mailing Address:	RANIERI DONALD G & MARY E
CAMA Number:	326-021-000-000		PO BOX Q
Property Address:	SARSFIELD ST		FRANKLIN, MA 02038
Parcel Number: CAMA Number: Property Address:	326-022-000 326-022-000-000 9 SARSFIELD ST	Mailing Address:	RANIERI MARGARET C TR RANIERI TRUST MILLER, CATHERIN 59 PLEASANT ST FRANKLIN, MA 02038
Parcel Number:	326-023-000	Mailing Address:	D`ORSI PETER D`ORSI SHANNON
CAMA Number:	326-023-000-000		5 SARSFIELD ST
Property Address:	5 SARSFIELD ST		FRANKLIN, MA 02038
Parcel Number:	326-024-000	Mailing Address:	HURLEY MATTHEW HURLEY LISA
CAMA Number:	326-024-000-000		22 LYONS ST
Property Address:	22 LYONS ST		FRANKLIN, MA 02038
Parcel Number: CAMA Number: Property Address:	326-025-000 326-025-000-000 19 LYONS ST	Mailing Address:	ARSENAULT RICKEY D ARSENAULT TRICIA M 19 LYONS ST 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.

5/23/2021

Abutters List Report - Franklin, MA

Page 1 of 2



## 300' Abutters List Report Franklin, MA May 23, 2021

Parcel Number: CAMA Number: Property Address:	326-026-000 326-026-000-000 15 LYONS ST	Mailing Address:	DEXTRADEUR ALAN J DEXTRADEUR PATRICIA R 15 LYONS ST FRANKLIN, MA 02038
Parcel Number: CAMA Number: Property Address:	326-033-000 326-033-000-000 49 PROSPECT ST	Mailing Address:	GARBOSKI TIMOTHY J VALANTINE DARCY J 49 PROSPECT ST FRANKLIN, MA 02038
Parcel Number:	326-035-000	Mailing Address:	ROY GEORGE R ROY PATRICIA J
CAMA Number:	326-035-000-000		2 NICHOLAS DR
Property Address:	2 NICHOLAS DR		FRANKLIN, MA 02038
Parcel Number:	326-036-000	Mailing Address:	CAIRNS JAMES R CAIRNS DEJA M
CAMA Number:	326-036-000-000		4 NICHOLAS DR
Property Address:	4 NICHOLAS DR		FRANKLIN, MA 02038
Parcel Number:	337-040-000	Mailing Address:	CONANT MARIA M
CAMA Number:	337-040-000-000		871 WASHINGTON ST
Property Address:	871 WASHINGTON ST		FRANKLIN, MA 02038

www.cai-tech.com

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5/23/2021

Abutters List Report - Franklin, MA

Page 2 of 2

SCHMIDTS FARM INC 215 PROSPECT ST FRANKLIN, MA 02038 GARBOSKI TIMOTHY J VALANTINE DARCY J 49 PROSPECT ST FRANKLIN, MA 02038

HARTNETT LAUREN A TR LAUREN HARTNETT 2008 REVO 12 LYONS ST FRANKLIN, MA 02038 ROY GEORGE R ROY PATRICIA J 2 NICHOLAS DR FRANKLIN, MA 02038

PADULA MICHAEL A PADULA KELLEY A 16 LYONS ST FRANKLIN, MA 02038 CAIRNS JAMES R CAIRNS DEJA M 4 NICHOLAS DR FRANKLIN, MA 02038

HURD STEPHEN 6 SARSFIELD ST FRANKLIN, MA 02038 CONANT MARIA M 871 WASHINGTON ST FRANKLIN, MA 02038

RANIERI MARGARET C TR RANIERI TRUST MILLER, CAT 59 PLEASANT ST FRANKLIN, MA 02038

RANIERI DONALD G & MARY E PO BOX Q FRANKLIN, MA 02038

D'ORSI PETER D'ORSI SHANNON 5 SARSFIELD ST FRANKLIN, MA 02038

HURLEY MATTHEW HURLEY LISA 22 LYONS ST FRANKLIN, MA 02038

ARSENAULT RICKEY D ARSENAULT TRICIA M 19 LYONS ST FRANKLIN, MA 02038

DEXTRADEUR ALAN J DEXTRADEUR PATRICIA R 15 LYONS ST FRANKLIN, MA 02038

## 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 Matthew Hurley and Lisa Hurley	
(OWNED	₹)
Address: 22 Lyons Street Franklin	MA
en e	and the second s
State that I/We own the property located $\boldsymbol{\epsilon}$	t 22 Lyons Street
which is the subject of this zoning applic	ation.
The record title of this property is in <a href="Hurley">Hurley</a>	the name of <u>Matthew Hurley and Lisa</u>
*Pursuant to a deed of duly recorded in th	ne date <u>August 28, 2019</u> , Norfolk
County Registry of Deeds at Book 37100	, Page; or
Dedham Registry District of Land Court, Ce Book Page	
	TURE BY LAND OWNER OR RIZED TRUSTEE, OFFICER OR AGENT*

page 3

### 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: Lisa H	Hurley				
PRESENT USE/OCCUPANO	CY: Single Fam:	ily Residence			
LOCATION: 22 Lyons	Street	ZONE: RRI		wasens	
PHONE: 781-883-013					
REQUESTED USE/OCCUP	ANCY: Existi	ng Residence wit	h addition of In-	Law Unit	
		EXISTING CONDITIONS	REQUESTED CONDITIONS	ORDINANCE REQUIREMENT	<u>S</u> 1
Lot Area:		43,500	43,500	40,000	(min.
Continuous Frontage	Langames ensure	364.56' PER RECORDED SU	364.56' OBDIVISION PLAN 26	200' 5 of 1989	(min.
Size of Lot:	Width			Exempt	(min.)
	Depth	217.48′	217.48'	200'	(min)
Setbacks in Feet:	Front	52.8'	52.8′	40'	(min.)
rec.	Rear	Corner Lot		40'	(min.)
	Left Side	45.0'	45.0′	40'	(min.
	Right Side	76.4'	76.4′	40'	_ (min.)
Building Height:	Stories		2	3	_(max.)
	Feet	<35'	<35′	35′	(max.)
NO. of Dwelling Uni	ts:	1	2 2 w/s	pecial Permit	
NO. of Parking Space	es:	6	6	4 (min	./max)
Describe where appl on same lot, and steel, etc.	icable, other type of const	occupancies on struction propose	same lot, the size	of adjacent kane, concrete	ouildings , brick
					<del></del>
				<del></del>	

SEE FRANKLIN ZONING BYLAW ARTICLE 185, ATTACHMENT 9.

page of



### 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 addition will be utilized for an in-law of the family who has resided in the residence since 2019. This will allow the family to remain in the residence and will allow the parent to be cared for.
- (2) Vehicular traffic flow, access and parking and pedestrian safety are properly addressed.

The existing and proposed driveway is capable of having 4+ parking spaces. There are 3 garage parking space. Two spaces per unit as required by the Franklin Zoning Bylaw. Additional vehicle trips will be minimal with less than 10 trips per day anticipated.

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

  -The roadway system can accommodate the vehicle trips from the in-law unit. The site will have less impervious coverage than allowed by the Franklin Zoning Bylaw. The site will be connected to municipal utilities. A septic system was recently installed on the property. The owner will remove one existing bedroom and add the proposed in-law bedroom. If necessary, a deed restriction could be filed by the owner.
- (4) Neighborhood character and social structure will not be negatively impacted. The addition of a family member will not negatively impact the character of social structure of the 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 proposed in- law unit will be constructed on an existing developed property and will not be located within a wetland resource area, habitats or impact a feature.
- (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 proposed in-law unit will have a footprint of 660 square feet. The lot structure coverage proposed is well below the coverage allowed by the Franklin Zoning Bylaws.

  The proposed addition meets or exceeds the Town of Franklin setback requirements. The in-law unit will meet the height requirements and will not cause flooding, excessive noise, odor, light, vibrations or airborne particulates.
- (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 existing house has a recently upgraded septic system. The removal of an existing bedroom and the creation of a bedroom in the in-law will result in no changes being made to the water or sewer use.

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RECEIVED AND RECORDED
NORFOLK COUNTY
REGISTRY OF DEEDS
DEDHAM, MA
CERTIFY
NOT

8k 37100 Ps67 \$75920 08-28-2019 & 12:09p

NOT

A N MASSACHUSETTS STATE EXCISE TAX
O F F I C MorAolt Resistry of Deeds
Date: 08-28-2019 & 12:09pm
C O P Ctlt: 706 Doct: 75920
Fee: \$3,556.80 Cons: \$780,000.00

### **QUITCLAIM DEED**

We, ROGER C. STURTEVANT, JR. and KATHRYN A. STURTEVANT, being married to each other, of Franklin, Norfolk County, Massachusetts,

for consideration paid and in full consideration of: Seven Hundred Eighty Thousand and 00/100 Dollars (\$780,000.00),

grant to: MATTHEW HURLEY and LISA HURLEY, husband and wife as tenants by the entirety, now of 22 Lyons Street, Franklin, MA 02038

with QUITCLAIM COVENANTS,

The land shown as Lot 11 on a plan entitled, "Cornwallis Estates Key Sheet 14 Lot Subdivision, Subdivision Plan of Land in Franklin, Mass. Norfolk County Scale 1"=80' November 18, 1988 Revised: January 20, 1989, Salvetti Surveying & Engineering Assoc. 10 Emmons St., Franklin, Mass." recorded with Norfolk Registry of Deeds as Plan No. 265 of 1989 in Plan, Book 379, reference to which may be had for a more particular description.

Said Lot 11 contains 43,500± square feet according to said plan.

Said Lot 11 is conveyed subject to a Declaration of Restrictive Covenants and Easements dated May 25, 1999 and recorded Norfolk County Registry of Deeds Book 13493, Page 454 and all other easements and orders of record.

There is excepted from this conveyance the fee in the ways shown as Lyons Street and Sarsfield Street on the plans hereinbefore referred to. However, the Grantee shall, subject to Declaration of Restrictive Covenants and Easements hereinbefore referred to have the right to use said ways for all purposes for which roads are commonly used in the Town of Franklin, MA.

PROPERTY ADDRESS: 22 LYONS STREET, FRANKLIN, MA 02038

### Bk 37100 Pg68 #75920

N O T

N O T

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The grantors hereby release all rights of homestead in the property to which they may be entitled to under the laws of the Commonwealth of Massachusetts and certify that at the time of the delivery of this deed, no former spouse or any other person is entitled to any homestead rights in said property.

Meaning and intending to convey and hereby conveying all of the same premises conveyed to the grantors by deed of Mary E. Ranieri, dated September 22, 1999, recorded with the Norfolk County Registry of Deeds in Book 13747, Page 147.

Bk 37100 Pg69 #75920

Witness my hand and seal this LA day of August 2010. A N  COPY  Roger C. Sturtevant, Jr.
COMMONWEALTH OF MASSACHUSETTS
Norfolk, ss.  August
COMMONWEALTH OF MASSACHUSETTS MY COMMISSION EXPIRES MAY 7, 2021  Notary Public: My Commission Expires:  Witness my hand and seal this
Kathryn A. Sturtevant  COMMONWEALTH OF MASSACHUSETTS
Norfolk, ss. August 21, 2019
On this day of August, 2019, before me, the undersigned notary public, personally appeared the above-named Kathryn A. Sturtevant, proved to me through satisfactory evidence of identification, being valid Massachusetts driver's license, to be the person whose name is signed on the preceding document, and acknowledged to me that she signed it voluntarily for its stated
JOHN J. ROCHE NOTARY PUBLIC COMMONWEALTH OF MASSACHUSETTS MY COMMISSION EXPIRES MAY 7, 2021  Notary Public: My commission Expires:

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JUN 0 1 2021

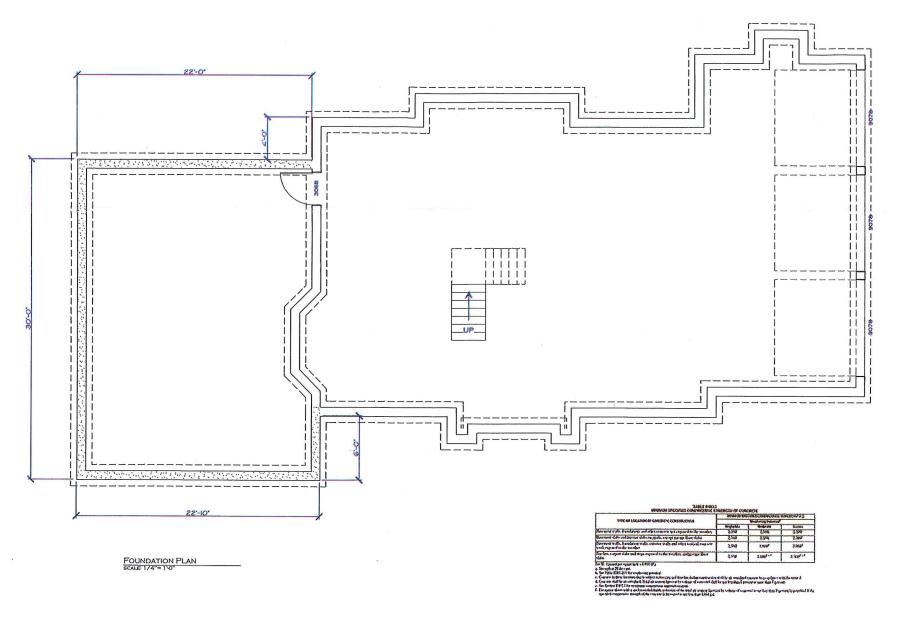
**ZONING BOARD OF APPEALS** 





- ALL DIMENSIONS AND ROOM SIZES SHALL BE VERIFIED BY BUILDER/OWNER BEFORE CONSTRUCTION.
- 2. ALL WORKING STANDARDS SHALL REFLECT ALL LOCAL & STATE BUILDING CODES,
- 3. ALL UN-DIMENSIONED DOORS/WINDOWS/CASED OPENINGS SHALL BE CENTERED OR HAVE A STUD/JACK CONFIGURATION.
- 4. DRAWINGS ARE DIAGRAMMATIC AND ARE NOT INTENDED TO BE SCALED FOR MEASUREMENTS.

NOTICE: CONTRACTOR SHALL REVIEW PLAN AND REPORT ANY INCONSISTENCIES, DISCREPANCIES, OR AMBIGUITIES TO MICHAEL J. KONOSKY ASSOCIATES BEFORE PROCEEDING WITH WORK.



Acceptance for accordance with one of the following:

1. Bitteristance conting.

2. There pounds per square yard (1.63 kg/sr) of acrylic modified centeral.

3. One-right-hards [3.2 mm] cost of sortace-bradding centeral complying with ASTMC SSI.

4. Any material permitted for waterproofing in Section R05.2.

5. Other approved methods or scarcials.

Exception: Fryiding of unit massensy walls is not required whose a material is approved for direct application to the unseency.

Convictor such shall be descripted for direct application to the unseency.

action of	All plans remain the property within the title block which mit valid for I (one) lot only, and is	This Plan is intended to give g	codes. Plans shall be reviewed	to be construed as a set of it
-	PROPOSED ADDITION PLAN	COLLINS RESIDENCE	22 LYONS RD, FRANKLIN, MA	22_LYONS_COLLINS   right battle Monday, May 24, 2021
		CLIENT	SITE	FILE
	KONOSKY ASSOCIATES INC	10 ATE		842. UPPER UNION ST. SUITE 18. FRANKLIN, MA 02038-1208 508-520-1965 - WWW.KONOSKY.COM - INFO@KONOSKY.COM

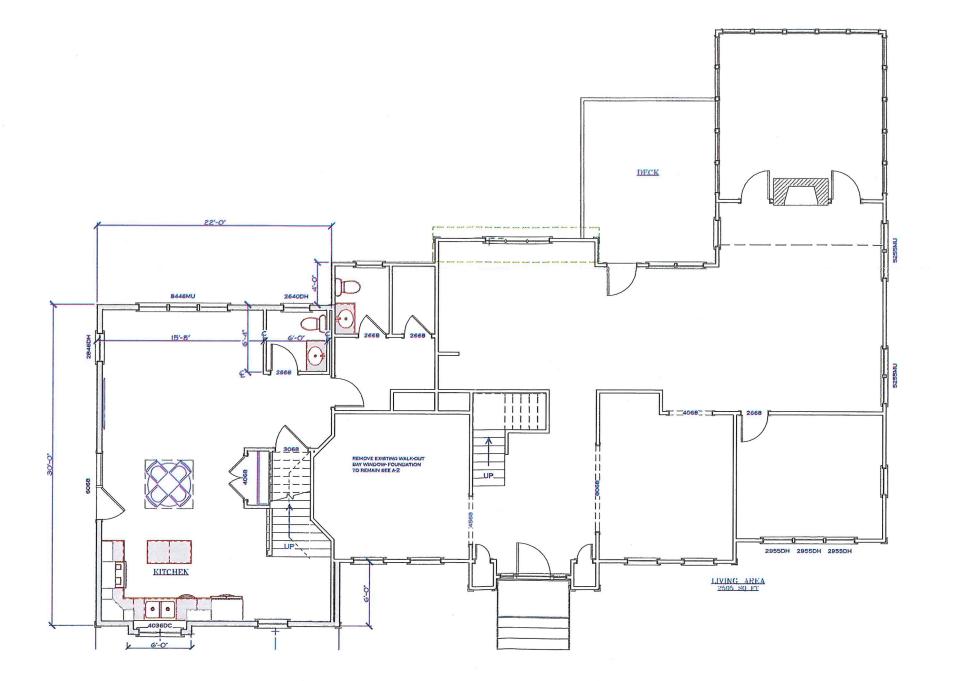


TABLE R301.5  ANNEAUM UNIFORMLY DISTRIBUTED LIVE (In pounds per square foot)	LOAOS
USE	UNELONG
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Uninhabitable arties with limited stonger	50
Habitable artice and artice somed with the despite	30
Belowies (estajud and decks*	40
Fire escayes	40
Grands and knowlevils*	200
Gened in Sill consponents	50
Passager vehicle guages*	507
Rooms other than streping souns	40
Strepling societs	301
Stales	40

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leaving malk and partition	HIN
Hoo.	1/360
Ceilings with brisile Haleden (including player and storred	1/300
Criticia vibla ibalido l'estates (escluding griposes basedi	1/240
All other structural encodors	1/210
Extraker walls—wheel heads' with planter or sincres frakts	15360
Basinler walls—wind loads' with other britile fluishes	3310
Experience white - with the sible limbbes	H120
Links supporting masony veneer walks	1/600

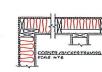
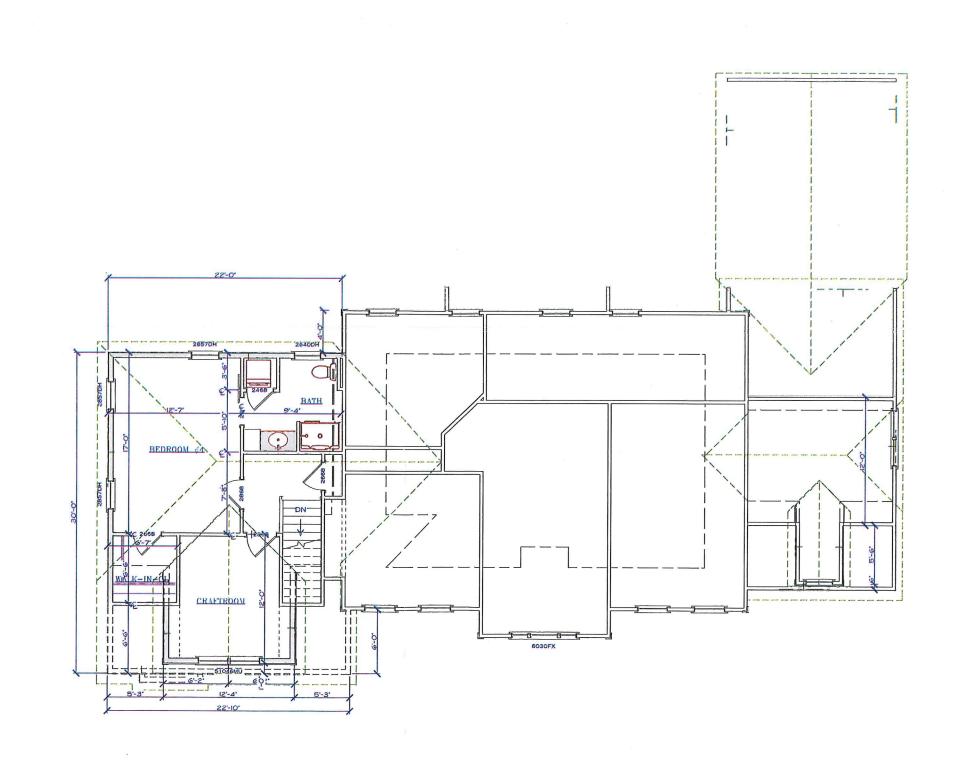


TABLE R301.5 IMMERIUM UNIFORMET UNSTRIBUTED 1.M IN POUMES por squar food	ELOADS	This set of plans must contain a typed site/lat# the site proposed for construction This plan is t written permission from Konosky Associates	nd is not intended to be a o professional following all pancies, or ambiguities shall diogrammatic and are not
USE	THETONO	277	9 9 5
क्रांतिक अस्तित स्वतिकत्ता अस्तातुन <sup>क</sup>	(a	1 8 8 8	2 5 5 6
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the experience of final applical in any direction at	any point along the	1145	20370

PLAN# 102230 PLAN DATE 5/24/2021

A B



All plans remain the property of Konodey Associates Inc Thie set of plans must contain a typed site-Molt within the title block which must match the site-Mark of the site proposed for construction his plan is valid for I (ceel bit only, and is not to be duplicated without written permission from Econosty Associates the I for I found to give general layout, design is construction information and is not intended to be a substitute for the Local on State Codes and is intended to be constructed by a professional following all codes. Dins shall be reviewed prior to construction. All thought state-mode, signs shall be reviewed prior to construction. All thought shall be reported to Konosky, Associates Inc prior to construction. All drowings are diagrammatic and are not to be constructed as a set of instructions or he sociat for measurements.

PROPOSED ADDITION PLAN
COLLINS RESIDENCE
22 LYONS RD, FRANKLIN, MA
22 LYONS, COLLINS

KONOSKV ASSOCIATES INC Attached Commercial Building Designers

PLAN# 102230 PLAN DATE 5/24/2021

sheet:

SECOND FLOOR PLAN

