

TOWN OF FRANKLIN

ZONING BOARD OF APPEALS

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

ZBA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit: _____ Variance: X Appeal: _____

PETITIONER: Ecogy MA VI LLC ; John A. Bertuzzi will sign as CEO

PETITIONER'S ADDRESS: 315 Flatbush Ave #393, Brooklyn, NY 11217 PHONE: (718) 304-0945

LOCATION OF PROPERTY: 27 Forge Parkway, Franklin, MA 02038

TYPE OF OCCUPANCY: IND OFFICE ZONING DISTRICT: Industrial

ASSESSORS MAP & PARCEL: Parcel # 275-013-000-000

REASON FOR PETITION:

<p>_____ Additions</p> <p>_____ Change in Use/Occupancy</p> <p>_____ Conversion to Addi'l Dwelling Unit's</p> <p>_____ Dormer</p> <p><u> x </u> Other: <u>Solar Canopy Installation</u></p>	<p>_____ New Structure</p> <p>_____ Parking</p> <p>_____ Sign</p> <p>_____ Subdivision</p>
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DESCRIPTION OF PETITIONER'S PROPOSAL:

The proposed construction includes the installation of steel canopy structures to support solar PV modules, which will provide covered parking. The canopy structure height is dictated by the emergency vehicular traffic clearance requirements of the Town of Franklin Fire Department. Given the height of their vehicles, the low side of our canopy structures will be at least 14 feet and the higher end 20 feet given the angular tilt needed to capture maximum solar irradiance. For this reason, we are requesting 5' of height relief from the 15' height limitation stated in the zoning ordinance.

SECTIONS OF ZONING ORDINANCE CITED:

Article V Section 185-19E

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):

DocuSigned By:

John A. Bertuzzi

CEO

59B6A7A3E78D427...
(Petitioner(s)/Owner)

John A. Bertuzzi
(Print Name)

Address: 315 Flatbush Ave #393, Brooklyn, NY 11217

Tel. No.: (718) 304-0945

Date: 12/17/2020

E-Mail Address: projectmanagement@ecogysolar.com

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ZBA APPLICATION FORM - OWNERSHIP INFORMATION

To be completed by OWNER, signed and returned to the Secretary of the Zoning Board of Appeals.

I/We Thermo Fisher Scientific Inc.

(OWNER)

Address: 600 Business Center Drive, Pittsburgh PA 15205

State that I/We own the property located at 27 Forge Parkway, Franklin MA 02038
which is the subject of this zoning application.

The record title of this property is in the name of 27 Forge Parkway LLC

*Pursuant to a deed of duly recorded in the date 11-24-2008, Norfolk
County Registry of Deeds at Book _____, Page _____; or
Dedham Registry District of Land Court, Certificate No. 177794
Book _____ Page _____.

DocuSigned by:

Dan Lesinski

**SIGNATURE BY LAND OWNER OR
AUTHORIZED TRUSTEE, OFFICER OR AGENT***

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ZBA APPLICATION FORM

DIMENSIONAL INFORMATION

APPLICANT: Ecogy MA VI LLC **PRESENT USE/OCCUPANCY:** IND OFFICE

LOCATION: 27 Forge Parkway, Franklin, MA 02038 **ZONE:** Industrial

PHONE: (718) 304-0945 **REQUESTED USE/OCCUPANCY:** no change requested

		<u>EXISTING CONDITIONS</u>	<u>REQUESTED CONDITIONS</u>	<u>ORDINANCE REQUIREMENTS¹</u>
<u>Lot Area:</u>		<u>16.93 acre</u>	<u>no change</u>	<u> </u> (min.)
<u>Continuous Frontage:</u>		<u> </u>	<u>no change</u>	<u>175'</u> (min.)
<u>Size of Lot:</u>	Width	<u> </u>	<u>no change</u>	<u>157.5'</u> (min.)
	Depth	<u> </u>	<u>no change</u>	<u>200'</u> (min)
<u>Setbacks in Feet:</u>	Front	<u>102'1"</u>	<u>67'8"</u>	<u>40'</u> (min.)
	Rear	<u>373'1"</u>	<u>42'6"</u>	<u>30⁵'</u> (min.)
	Left Side	<u>203'1"</u>	<u>103'6"</u>	<u>30⁵'</u> (min.)
	Right Side	<u>254'10"</u>	<u>no change</u>	<u>30⁵'</u> (min.)
<u>Building Height:</u>	Stories	<u> </u>	<u>no change</u>	<u>3⁶</u> (max.)
	Feet	<u> </u>	<u>no change</u>	<u>-</u> (max.)
<u>NO. of Dwelling Units:</u>		<u> </u>	<u>no change</u>	<u> </u> (max.)
<u>NO. of Parking Spaces:</u>		<u> </u>	<u>no change</u>	<u> </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.

The proposed construction includes the installation of steel canopy structures to support solar PV modules, which will provide covered parking. The canopy structure height is dictated by the emergency vehicular traffic clearance requirements of the Town of Franklin Fire Department. Given the height of their vehicles, the low side of our canopy structures will be at least 14 feet, bringing the higher end to 20 feet given the angular tilt needed to capture maximum solar irradiance. For this reason, we are requesting 5' of height relief from the 15' height limitation stated in the zoning ordinance.

SEE FRANKLIN ZONING BYLAW ARTICLE 185, ATTACHMENT 9.

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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:

The proposed solar canopy project would not otherwise move forward without a granted zoning code height variance. Accommodating fire trucks and other emergency vehicles requires the low end clearance to be approximately 14 feet. Canopies must be tilted at an angle in order to capture maximum solar irradiance, so the high end will then exceed the zoning code height limitation.

- 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 proposed solar canopy system is a specific case of an additional accessory structure that will provide monetary benefit to the property owner. Ecology believes the proposed project is also an example of favorable land use for solar development.

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

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

Canopy structures are in fact an asset to property as such structures provide shaded, covered parking and are minimally visible from adjacent properties. Neither the public good nor environment will be negatively affected throughout the project lifetime.

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

The zoning code height limitation applied to Ground Mounted Solar Energy systems accounts only for a standard Ground Mounted configuration, not canopy structures sited within a parking lot. The requested height variance will allow proper clearance for fire trucks and other emergency vehicle passage, as such vehicles are approximately 14 feet in height.

If you have any questions as to whether you can establish all of the applicable legal requirements, you should consult with your own attorney.