### 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:

Jeffrey and Kayla Nisbet

LOCATION:

388 Partridge Street

**ZONING DISTRICT:** RR 1

TYPE OF PROJECT: Accessory Dwelling Unit

**DATE:** 10/23/2021

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 space above attached garage 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

<b>ZONING OFFICIAL</b>	SIGNATURE LAB_	10/13/2021
DATE		

### TOWN OF FRANKLIN ZONING BOARD OF APPEALS

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

### RECEIVED TOWN OF FRANKLIN

OCT 06 2021

ZBA APPLICATION FORM

GENERAL INFORMATION

ZONING BOARD OF APPEALS

# TOWN OF FRANKLIN ZONING BOARD OF APPEALS

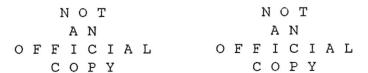
Municipal Building 355 East Central Street Franklin, MA 02038 508-520-4926

### ZBA APPLICATION FORM - OWNERSHIP INFORMATION

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

I/We Kayla Nisbet
(OWNER)
Address: 398 Partninge St, Franklin, MA 02038
State that I/We own the property located at 388 Partninge St.
which is the subject of this zoning application.
The record title of this property is in the name of Kayla and
*Pursuant to a deed of duly recorded in the date 31,21, Norfolk County Registry of Deeds at Book 39009, Page 504; or Dedham Registry District of Land Court, Certificate No.
BookPage

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



#### QUITCLAIM DEED

I, Kevin M. Leonard, a single man, of Franklin, Massachusetts

For consideration paid and in full consideration of FIVE HUNDRED FIFTY THOUSAND (\$550,000.00) Dollars

Grant to Jeffrey Nisbet and Kayla Nisbet, husband and wife, as tenants by the entirety, now of 388 Partridge Street, Franklin, Massachusetts 02038

WITH QUITCLAIM COVENANTS

The property known and numbered 388 Partridge Street, Franklin, Norfolk County, Massachusetts

The land with the buildings thereon situated in Franklin, Norfolk County, Massachusetts, being shown as Lot 27 on "Plan of Land in Franklin, Mass." dated May 22, 1959 and recorded with Norfolk Registry of Deeds in Book 3730, Page 350, and bounded and described according to said plan as follows:

SOUTHEASTERLY

by Partridge Street, seventy-five (75) feet;

SOUTHERLY

by a curved line having a radius of twenty-three and 19/100

(23.19) feet, thirty-eight and 17/100 (38.17) feet;

**SOUTHWESTERLY** 

by land now or formerly of Albert P. Bishop, one hundred thirty-

eight and 54/100 (138.54) feet;

NORTHWESTERLY

by land of Albert P. Bishop, ninety-nine and 71/100 (99.71) feet;

EASTERLY

by Lot 26, as shown on said plan, one hundred fifty-five and

99/100 (155.99) feet.

Containing 15,794 square feet of land according to said plan.

Being the same premises conveyed to Grantor(s) by Deed dated August 8, 2013, recorded with Norfolk County Registry of Deeds in Book 31686, Page 291.

Grantor hereby releases any and all rights of Homestead on the property and states under the pains and penalty of perjury that no other persons are entitled to any benefits of an existing estate of Homestead.

MASSACHUSETTS STATE EXCISE TAX Norfolk Registry of Deeds

Date: 03-01-2021 @ 12:24pm

Ct1#: 798

Doc#: 26359

Fee: \$2,508.00 Cons: \$550,000.00

WITNESS our hands and seals this 10<sup>th</sup> day of February 2021<sub>N</sub>

OFFICIAL

COPY

COPY

Kevin M. Leonard

### THE COMMONWEALTH OF MASSACHUSETTS

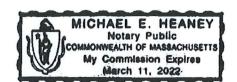
Worcester, ss.

February 10, 2021

On this 10th day of February 2021, before me, the undersigned notary public, personally appeared Kevin M. Leonard, proved to me through satisfactory evidence of identification, which was a Massachusetts Driver's License, to be the person whose name is/are signed on the preceding or attached document, and acknowledged to me that he signed it voluntarily for its stated purpose.

Notary Public:

My Commission Expires:



### 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: Jeffre	y and Kay	yla Nisbet pres	SENT USE/OCCUPANCY	:
LOCATION: 388 P	artridge	St.	ZONE:	
PHONE: 401-1043-	6230	REQUESTED USE/OC	CUPANCY:	
		EXISTING CONDITIONS	REQUESTED CONDITIONS	ORDINANCE REQUIREMENTS
Lot Area:				(min.)
Continuous Frontage:	<u> </u>			(min.)
Size of Lot:	Width			(min.)
	Depth			(min)
Setbacks in	Front			(min.)
Feet:	Rear			(min.)
	Left Side			(min.)
	Right Side			(min.)
Building Height:	Stories			(max.)
	Feet			(max.)
NO. of Dwelling Unit	s:			(max.)
NO. of Parking Space	<u>es</u> :			(min./max)
on same lot, and steel, etc.	type of const	e is with i	l, e.g.; wood fra	of adjacent buildings me, concrete, brick, which, w

SEE FRANKLIN ZONING BYLAW ARTICLE 185, ATTACHMENT 9.

Disbet 308 Partrielge St



# 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

(2) Vehicular traffic flow, access and parking and pedestrian safety

Town need.

are properly addressed.

- (3) Public roadways, drainage, utilities and other infrastructure are adequate or will be upgraded to accommodate development.
- (4) Neighborhood character and social structure will not be negatively impacted.
- (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.
- (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.
- (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.

- 1. The in-law project highly complements the character of our neighborhood as well as speaks to the culture of our town; creating a sense of community by having several generations under one roof each helping one and other.
- 2. The property allows for a total of 5 vehicles. Our need is only for 4 vehicles. Traffic flow and pedestrian walk way is not impeded in any way.
- 3. The public roadway, drainage, and utilities are beyond adequate for the dwelling and occupants because of the new construction. The already adequate exterior infrastructure remains in its original form as we had to adjust the internal infrastructure to meet the project's needs.
- 4. In keeping with the original character of our house and other Cape style homes in the neighborhood by adding a dormer on the former two car garage and unfinished upstairs space, we are positively improving the property by adding more character to the pre-existing structure. A more practical use of the space has been achieved by making it into an in-law addition.
- 5. Because we did not add a structure but merely redesigned an already existing garage, we did not cause any damage nor impede any natural resources or surrounding habitats.
- 6. With the added dormer aligning with the house and having a discreet profile, we avoid depriving any surrounding properties of light and fresh air.
- 7. The in-law addition will only house two people and therefore will not excessively impact the local water or wastewater supply. Also, the design of the space, specifically the location of the bathroom and kitchen space, was intentionally created to be water conscious in terms of usage and sewage.

NOTE: SEE VARIANCE DATED FEBRUARY 6, 2003 RECORDED IN BK 20450 PG 261. LOT 27 LOT 26 15,794±S.F. 78.4 16.1 EX. DWE! 20.2 PARTRIDGE STREET WISON, JR. RECEIVED TOWN OF FRANKLIN

ZONE: RURAL RESIDENTIAL I

REQ. AREA - 40,000 S.F.

REQ. FRONTAGE - 200'

REQ. YARD SETBACKS:

F-40' S-40' R-40'

Scale: 1" = 40'

OCT 06 2021

**ZONING BOARD OF APPEALS** 

GARAGE & BREEZEWAY
AS-BUILT

388 PARTRIDGE STREET FRANKLIN, MASSACHUSETTS SEPTEMBER 28, 2007

WILSON ASSOCIATES

ENGINEERING & SURVEY, INC. 205 EAST CENTRAL STREET, SUITE 9 FRANKLIN, MASSACHUSETTS 02038 PREPARED FOR:

NEIL McLAUGHLIN 388 PARTRIDGE STREET FRANKLIN, MASSACHUSETTS

W - 2137

Dear Zoning Board of Appeals,

I would like to file a permit to turn our current permitted Bonus Room construction project into an In-law addition project.

In March, my husband and I purchased our home with the intent of inviting my parents to live with us. We welcomed our third child in May and there is always a need for extra hands around our busy house with three kids four and under. After they sold their house in Rhode Island, they moved into our spare bedroom and we began work on turning our former garage into a bonus room to give everyone a bit more space in our smaller Cape style home. After some time has passed and the project has taken shape we see that by adding a stove, this project can actually function as an in-law addition for my parents. Doing so would give them their own space and privacy.

Because the in-law space would occupy the current bonus room site, we wouldn't have to change the footprint of the home and we can keep a connected and doored passageway between our home and the in-law addition. We are excited that both families can have their own separate living quarters without a negative impact on our community.

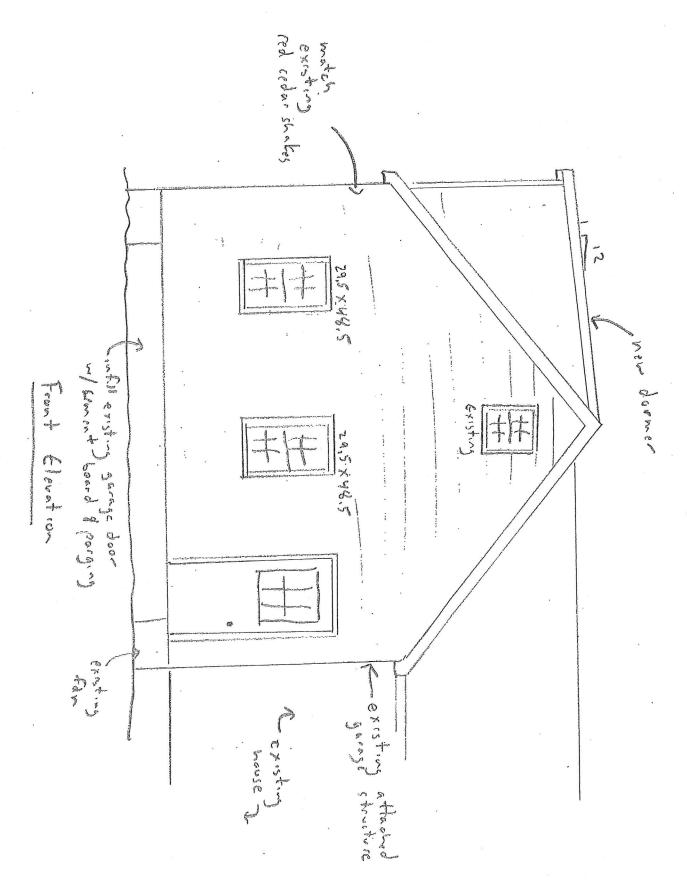
Please consider our request and thank you for your time,

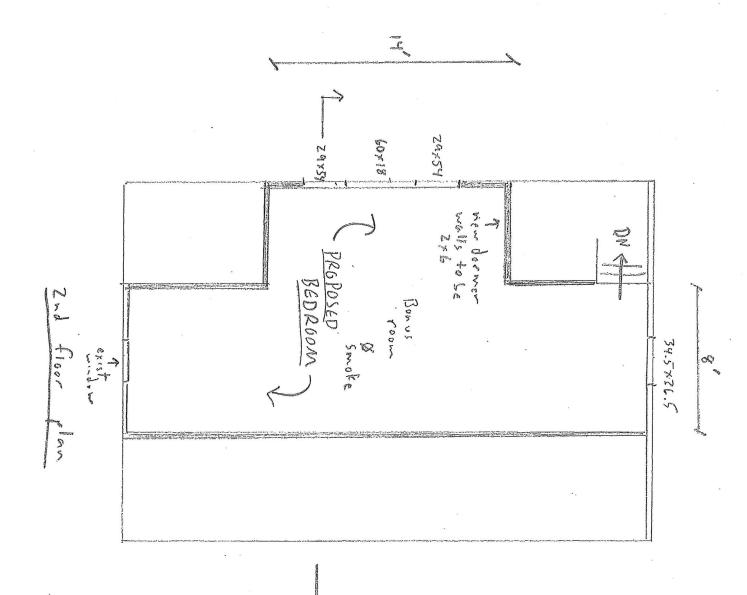
Kayla Nisbet and Family

RECEIVED TOWN OF FRANKLIN OCT 06 2021

**ZONING BOARD OF APPEALS** 

0 26480 29×48 25.045 MFr.dyc 14 KITCHEN/LIVING ROOM 名による元 opening w/2x4. PROPOSED Boundary Les from system 1 2nd Alber window break FIGURE PIECO Proposed S 5×32 00 foor opening Bath M 500 existing door cheving our existing garage furtprint Cressory Dwelling ( 3 50 0 mg 388 TANNING ST





Plase Email

### Town of Franklin - Board of Assessors

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

# PECEIVED TOWN OF FRANKLIN SEP 15 2021

BOARD OF ASSESSORS

## **Abutters List Request Form**

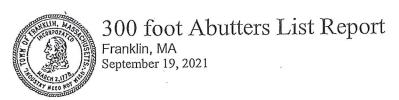
Please Note: A \$25.00 Fee PER PARCEL is required to process your request. Payment is due at the time of submission of this form. Please allow 10 days from the date of payment and submission of the form for the Assessors office to complete the processing of your request.

Date of Request 9-16/21
Assessors Parcel ID # (12 digits) <u>821 - 006 - 000 - 600</u> √
Property Street Address 388 Partrilge St V
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 Kayla + Jeff Nisbet
Property Owner's Mailing Address 398 Partridge St
Town/City Pranklin State MA Zip Code 02038
Property Owner's Telephone # 401 - 663 - 6230 - Kayla - 966 - 7741 - Jeff
Requestor's Name (if different from Owner) Sme
Requestor's Address
Requestor's Telephone #
Office Use Only: Date Fee Paid 9/15/21 Paid in Cash \$
Paid by Check \$ 25.  Check # 579 Town Receipt # 27445

RETURN TO LEEANNE

Kaylajeannisbetagmail.com

### 388 PARTRIDGE ST - 300' ABUTTERS CAT Technologies Franklin, MA 1 inch = 200 Feet September 19, 2021 www.cai-tech.com 14:5 11,12 58, st Partridge 19 0 41 63<sub>.3</sub> 💸 This information is believed to be correct but is subject to change and is not warrantied.



#### Subject Property:

Parcel Number:

221-006-000

CAMA Number:

221-006-000-000

Property Address: 388 PARTRIDGE ST

Mailing Address: NISBET JEFFREY NISBET KAYLA

388 PARTRIDGE ST

FRANKLIN, MA 02038

Mailing Address: O'CONNELL JAMES M JR O'CONNELL

FRANKLIN, MA 02038 Mailing Address: KENNEALLY DANIEL D KENNEALLY

387 PARTRIDGE ST

FRANKLIN, MA 02038

JANINE L

LINDSEY M

610 MAPLE ST

Abutters:

Parcel Number:

221-001-000

CAMA Number:

221-001-000-000

Property Address: 610 MAPLE ST

Parcel Number:

221-002-000

CAMA Number:

221-002-000-000

Property Address: 387 PARTRIDGE ST

Parcel Number:

221-003-000

CAMA Number:

221-003-000-000

Property Address: 393 PARTRIDGE ST

Parcel Number:

221-004-000

CAMA Number:

221-004-000-000

Property Address: 405 PARTRIDGE ST

Mailing Address: REINHARDT WILLIAM R & RAELENE M

TRS REINHARDT IRREVOCABLE TRUST

393 PARTRIDGE ST

FRANKLIN, MA 02038

Mailing Address: TENG PAULINE Y COMER SEAN

405 PARTRIDGE ST FRANKLIN, MA 02038

Parcel Number: CAMA Number:

221-005-000

221-005-000-000 Property Address: 402 PARTRIDGE ST

Mailing Address: MIHAILOVS ALEKSEJS SACHEK

**EUGENIA** 

**402 PARTRIDGE ST** FRANKLIN, MA 02038

Parcel Number:

221-006-000

221-006-000-000 CAMA Number: Property Address: 388 PARTRIDGE ST

Mailing Address: NISBET JEFFREY NISBET KAYLA

388 PARTRIDGE ST FRANKLIN, MA 02038

Parcel Number:

221-007-000

221-007-000-000 CAMA Number: Property Address: 384 PARTRIDGE ST

Property Address: 378 PARTRIDGE ST

Property Address: 368 PARTRIDGE ST

Mailing Address: ROPER PAUL W ROPER MARIE J

384 PARTRIDGE ST FRANKLIN, MA 02038

Parcel Number: CAMA Number:

221-008-000

221-008-000-000

Mailing Address: DRISCOLL JAMES Z DRISCOLL

KATHRYN L

378 PARTRIDGE ST FRANKLIN, MA 02038

Parcel Number: CAMA Number: 221-009-000 221-009-000-000

Mailing Address: BUNCE JAMIE G SAVA SIMONA

368 PARTRIDGE STREET FRANKLIN, MA 02038

Parcel Number:

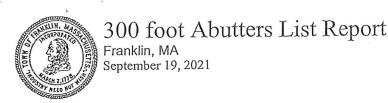
221-010-000

221-010-000-000

Mailing Address: KILROY BRIAN KILROY KRISTEN

362 PARTRIDGE ST FRANKLIN, MA 02038

CAMA Number: Property Address: 362 PARTRIDGE ST



Parcel Number: CAMA Number: 221-013-000

221-013-000-000

Property Address: PARTRIDGE ST

Mailing Address: FRANKLIN TOWN OF

355 EAST CENTRAL STREET

FRANKLIN, MA 02038

Parcel Number: CAMA Number: 221-116-000

221-116-000-000 Property Address: 365 PARTRIDGE ST

Mailing Address:

GRINLEY STEPHANIE QUILLIN JOHN

365 PARTRIDGE ST FRANKLIN, MA 02038

Parcel Number: CAMA Number:

221-117-000

221-117-000-000 Property Address: 611 MAPLE ST

Mailing Address: LANGILLE ANTHONY F LANGILLE

**JOANNE** 

611 MAPLE ST

FRANKLIN, MA 02038

Parcel Number: CAMA Number: 221-118-000 221-118-000-000 Mailing Address:

VAZQUEZ MAURICIO CASTRO

609 MAPLE ST

FRANKLIN, MA 02038

Property Address: 609 MAPLE ST

Mailing Address: CREASIA LOUIS M

410 PARTRIDGE ST FRANKLIN, MA 02038

Parcel Number: CAMA Number:

222-060-000 222-060-000-000 Property Address: 410 PARTRIDGE ST

Parcel Number: CAMA Number:

222-061-000

222-061-000-000

Property Address: 406 PARTRIDGE ST

Mailing Address: CASSELLA CHRISTINE ANNE

CASSELLA WILLIAM ROBERT

406 PARTRIDGE ST FRANKLIN, MA 02038

Parcel Number:

222-062-000

222-062-000-000

CAMA Number: Property Address: 396 PARTRIDGE ST Mailing Address: LEMBO GAIL V TR GAIL V LEMBO

LIVING TRUST RICE, SUSAN L TR

1221 POND STREET FRANKLIN, MA 02038

Parcel Number:

222-063-000

CAMA Number: 222-063-000-000 Property Address: PARTRIDGE ST

Mailing Address: LEMBO GAIL V TR GAIL V LEMBO

LIVING TRUST **1221 POND ST** 

FRANKLIN, MA 02038

Parcel Number: CAMA Number:

222-064-000 222-064-000-000 Property Address: 409 PARTRIDGE ST

Mailing Address: BALLANTYNE THOMAS D 409 PARTRIDGE ST

FRANKLIN, MA 02038



BALLANTYNE THOMAS D 409 PARTRIDGE ST FRANKLIN, MA 02038 LEMBO GAIL V TR GAIL V LEMBO LIVING TRUST 1221 POND ST FRANKLIN, MA 02038

BUNCE JAMIE G SAVA SIMONA 368 PARTRIDGE STREET FRANKLIN, MA 02038 LEMBO GAIL V TR GAIL V LEMBO LIVING TRUST 1221 POND STREET FRANKLIN, MA 02038

CASSELLA CHRISTINE ANNE CASSELLA WILLIAM ROBERT 406 PARTRIDGE ST FRANKLIN, MA 02038 MIHAILOVS ALEKSEJS SACHEK EUGENIA 402 PARTRIDGE ST FRANKLIN, MA 02038

CREASIA LOUIS M 410 PARTRIDGE ST FRANKLIN, MA 02038 NISBET JEFFREY NISBET KAYLA 388 PARTRIDGE ST FRANKLIN, MA 02038

DRISCOLL JAMES Z DRISCOLL KATHRYN L 378 PARTRIDGE ST FRANKLIN, MA 02038 O'CONNELL JAMES M JR O'CONNELL JANINE L 610 MAPLE ST FRANKLIN, MA 02038

FRANKLIN TOWN OF 355 EAST CENTRAL STREET FRANKLIN, MA 02038 REINHARDT WILLIAM R & RAE REINHARDT IRREVOCABLE TRU 393 PARTRIDGE ST FRANKLIN, MA 02038

GRINLEY STEPHANIE QUILLIN JOHN 365 PARTRIDGE ST FRANKLIN, MA 02038 ROPER PAUL W ROPER MARIE J 384 PARTRIDGE ST FRANKLIN, MA 02038

KENNEALLY DANIEL D KENNEALLY LINDSEY M 387 PARTRIDGE ST FRANKLIN, MA 02038 TENG PAULINE Y COMER SEAN 405 PARTRIDGE ST FRANKLIN, MA 02038

KILROY BRIAN KILROY KRISTEN 362 PARTRIDGE ST FRANKLIN, MA 02038

VAZQUEZ MAURICIO CASTRO 609 MAPLE ST FRANKLIN, MA 02038

LANGILLE ANTHONY F LANGILLE JOANNE 611 MAPLE ST FRANKLIN, MA 02038