

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: King Construction Inc.

LOCATION: 582 Oak Street

ZONING DISTRICT: SFR III

TYPE OF PROJECT: Construction of an Attached Garage

DATE: 03/08/2023 **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 24' x 24' one
story attached garage that is 10.6' from the right side setback where 25' 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** 03/08/2023

RECEIVED
TOWN OF FRANKLIN

MAR 17 2023

ZONING BOARD OF APPEALS

TOWN OF FRANKLIN
ZONING BOARD OF APPEALS

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

TOWN OF FRANKLIN
TOWN CLERK

2023 MAR 17 A 10:28

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ZBA APPLICATION FORM

GENERAL INFORMATION

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

Special Permit: _____ Variance: X Appeal: _____

PETITIONER: KING CONSTRUCTION, INC.

PETITIONER'S ADDRESS: 62 MILL STREET PHONE: 508-294-8223

LOCATION OF PROPERTY: 582 OAK STREET

TYPE OF OCCUPANCY: RESIDENTIAL ZONING DISTRICT: SF-III

ASSESSORS MAP & PARCEL: 252-019-000-000

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:

CONSTRUCT A NEW 24 FOOT BY 24 FOOT TWO CAR GARAGE
ON THE WEST SIDE OF THE EXISTING HOUSE. GARAGE TO BE 10 FEET
FROM THE SIDE PROPERTY LINE WHERE 25 FEET IS REQUIRED

SECTIONS OF ZONING ORDINANCE CITED:

Article 185 Section ATTACHMENT 9

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):

Paul Dellorco
(Petitioner(s)/Owner)

PAUL DELLORCO
(Print Name)

Address:

62 MILL STREET
FRANKLIN, MA 02038

Tel. No.:

508-294-8223

E-Mail Address:

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: KING CONSTRUCTION, INC. PRESENT USE/OCCUPANCY: RESIDENTIAL

LOCATION: 582 OAK STREET ZONE: SF-III

PHONE: 508-294-8223 REQUESTED USE/OCCUPANCY: SAME

		<u>EXISTING</u> <u>CONDITIONS</u>	<u>REQUESTED</u> <u>CONDITIONS</u>	<u>ORDINANCE</u> <u>REQUIREMENTS</u> ¹
<u>Lot Area:</u>		<u>16,356 SF *</u>	<u>SAME</u>	<u>20,000 SF</u> (min.)
<u>Continuous Frontage:</u>		<u>150.26 FT.</u>	<u>SAME</u>	<u>125 FT.</u> (min.)
<u>Size of Lot:</u>	Width	<u>87.0 FT. *</u>	<u>SAME</u>	<u>112.5 FT.</u> (min.)
	Depth	<u>155.6 FT. *</u>	<u>SAME</u>	<u>160 FT.</u> (min.)
<u>Setbacks in Feet:</u>	Front	<u>31.7 FT. *</u>	<u>35.0 FT.</u>	<u>40 FT.</u> (min.)
	Rear	<u>138.8 FT.</u>	<u>SAME</u>	<u>30 FT.</u> (min.)
	Left Side	<u>13.8 FT. *</u>	<u>SAME</u>	<u>25 FT.</u> (min.)
	Right Side	<u>27.0 FT.</u>	<u>10.6 FT.</u>	<u>25 FT.</u> (min.)
<u>Building Height:</u>	Stories	<u>1</u>	<u>SAME</u>	<u>3</u> (max.)
	Feet	<u>17.0 FT.</u>	<u>SAME</u>	<u>35 FT.</u> (max.)
<u>NO. of Dwelling Units:</u>		<u>1</u>	<u>SAME</u>	<u>1</u> (max.)
<u>NO. of Parking Spaces:</u>		<u>4</u>	<u>SAME</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.

THE PROPOSED TWO CAR GARAGE IS 24 FT. X 24 FT. AND IS WOOD
FRAME WITH A CONCRETE FOUNDATION AND CONCRETE FLOOR.
THE SUBJECT LOT CONTAINS A 26 FT. X 38 FT ONE STORY WOOD
FRAME RESIDENTIAL HOUSE AND TWO SMALL SHEDS.

SEE FRANKLIN ZONING BYLAW ARTICLE 185, ATTACHMENT 9.

* EXISTING GRANDFATHERED LOT

**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:

SEE ATTACHED

- 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:

SEE ATTACHED

- C) Desirable relief may be granted without either:

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

SEE ATTACHED

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

SEE ATTACHED

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 VARIANCE

582 OAK STREET
FRANKLIN, MA

A) *A literal enforcement of the provisions of the Zoning bylaw would involve a substantial hardship, financial or otherwise, to the petitioner or appellant for the following reasons:*

The lot is a “grandfathered” preexisting lot that does not comply with the current zoning bylaws for lot area, build circle, front yard and side yards distances. The Town of Franklin exercised a taking of five feet in the front to allow for a sidewalk to accommodate the Oak Street schools. This resulted in a reduction in the lot area and front yard setback.

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 narrow and skewed shape lot prevents additions without a variance. The existing soil structure is compact glacial till with a relatively high perched water table that makes a garage under very problematic.

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

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

The proposed two-car garage would be a substantial improvement and is consistent with the neighborhood properties. The garage and driveway turnaround will minimize the potential for vehicles backing onto very busy Oak Street traffic.

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

The applicant will remove an existing 8 foot by 10 foot shed that is currently “grandfathered” and is in violation of the sideyard setback. The shed to be removed is closer to the right sideline than the proposed garage.

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 PAUL DELLOCCO
(OWNER)

Address: 102 MILL STREET, FRANKLIN, MA

State that I/We own the property located at 582 OAK STREET,
which is the subject of this zoning application.

The record title of this property is in the name of KING
CONSTRUCTION, INC.

*Pursuant to a deed of duly recorded in the date 11/15/22, Norfolk
County Registry of Deeds at Book 40920, Page 510; or

Dedham Registry District of Land Court, Certificate No: _____

Book _____ Page _____


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

OUR
Doc
NOT
AN
OFFICIAL
COPY

NOT
AN
OFFICIAL
COPY

QUITCLAIM DEED

I, Anne Marie Santospago, an unmarried person, of Franklin, Massachusetts
for consideration paid and in full consideration of Two Hundred Seventy-Five Thousand and
00/100 (\$275,000.00) Dollars
grant to King Construction, Inc., a Massachusetts corporation having its principal place of
business at 62 Mill Street, Franklin, Massachusetts
with quitclaim covenants

A certain tract or parcel of land, with the buildings thereon, situated on the southerly side of Oak
Street in Franklin, Norfolk County, Massachusetts, bounded and described as follows:

- NORTHERLY by Oak Street, by two courses respectively measuring fifty (50) feet and
ninety-three and 15/100 (93.15) feet, making a total of one hundred forty-
three and 15/100 (143.15) feet;
- EASTERLY by land now or late of Ernest A. Daniels, one hundred ninety-four and
29/100 (194.29) feet;
- SOUTHEASTERLY by land now or late of said Ernest A. Daniels, thirty (30) feet; and
- WESTERLY by a stone wall at land now or late of said Ernest A. Daniels, by three courses
respectively measuring one hundred five (105) feet, twelve and 03/100
(12.03) feet and one hundred eighty-six and 30/100 (186.30) feet, making a
total of three hundred three and 33/100 (303.33) feet.

Subject to Taking for relocation of Oak Street recorded with Norfolk Deeds in Book 5136 Page
86.

Property Address: 582 Oak Street, Franklin, MA

Meaning and intending to convey and hereby conveying the same premises conveyed to the Grantor by deed dated September 15, 1969 and recorded with Norfolk County Registry of Deeds in Book 4620, Page 217

OFFICIAL

COPY

The Grantor hereby releases her homestead rights and does hereby certify and affirm under the pains and penalties of perjury that no other person is entitled to homestead rights in the above described premises.

NOT ^{9th}
Witness my hand and seal this 9th day of November, 2022. A N
O F F I C I A L O F F I C I A L
C O P Y C O P Y

Anne Marie Santospago
Anne Marie Santospago

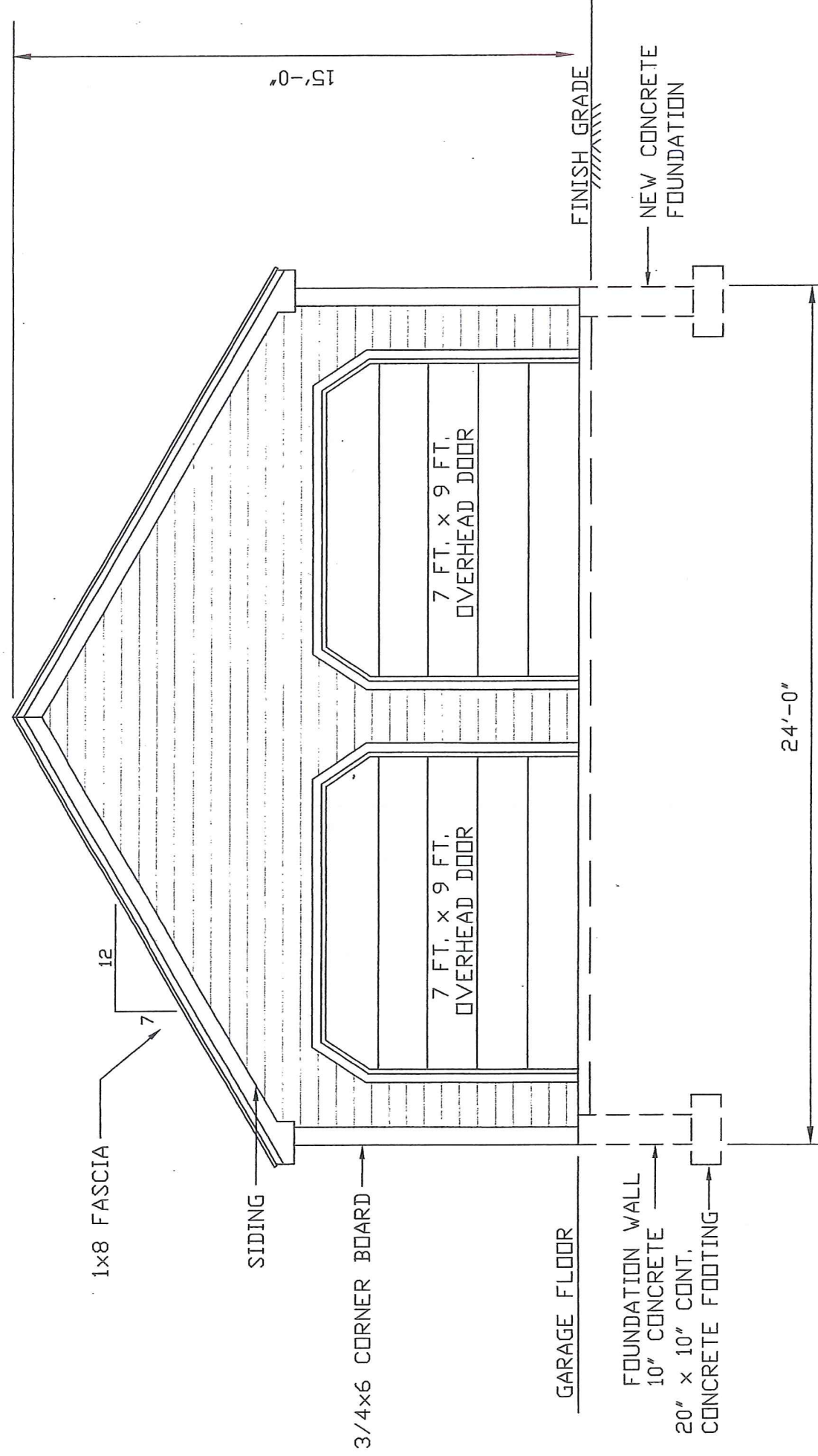
COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

On this 9th day of November, 2022, before me, the undersigned notary public, personally appeared Anne Marie Santospago, 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 or attached document, and acknowledged to me that she signed it voluntarily for its stated purpose and also swore or affirmed to me that the contents of the document are truthful and accurate to the best of her knowledge and belief.



John P. Vignone
Notary Public John P. Vignone
My Commission Expires: 8/3/2029



PROPOSED GARAGE

FRONT ELEVATION

SCALE: 1/4" = 1'-0"



300 foot Abutters List Report

Franklin, MA
February 14, 2023

Subject Property:

Parcel Number: 252-019-000
CAMA Number: 252-019-000-000
Property Address: 582 OAK ST

Mailing Address: KING CONSTRUCTION INC
62 MILL STREET
FRANKLIN, MA 02038

Abutters:

Parcel Number: 252-017-000
CAMA Number: 252-017-000-000
Property Address: 576 OAK ST

Mailing Address: BRACCI CHRISTINE M
576 OAK ST
FRANKLIN, MA 02038

Parcel Number: 252-018-000
CAMA Number: 252-018-000-000
Property Address: 580 OAK ST

Mailing Address: WIN WIN CAPITAL INVESTMENTS LL
15 JACOB AMSDEN RD
NORTHBOROUGH, MA 01581

Parcel Number: 252-019-000
CAMA Number: 252-019-000-000
Property Address: 582 OAK ST

Mailing Address: KING CONSTRUCTION INC
62 MILL STREET
FRANKLIN, MA 02038

Parcel Number: 252-020-000
CAMA Number: 252-020-000-000
Property Address: 584 OAK ST

Mailing Address: DONOVAN DANIEL W DONOVAN
DEBORAH A
584 OAK ST
FRANKLIN, MA 02038

Parcel Number: 252-021-000
CAMA Number: 252-021-000-000
Property Address: 291 IROQUOIS RD

Mailing Address: FARRELL WILLIAM FARRELL NANCY J
291 IROQUOIS RD
FRANKLIN, MA 02038

Parcel Number: 252-022-000
CAMA Number: 252-022-000-000
Property Address: 406 DAILEY DR

Mailing Address: CHANDLER MICHAEL E
406 DAILEY DR
FRANKLIN, MA 02038

Parcel Number: 252-023-000
CAMA Number: 252-023-000-000
Property Address: 394 DAILEY DR

Mailing Address: HOUSE MARGARET A
394 DAILEY DR
FRANKLIN, MA 02038

Parcel Number: 252-024-000
CAMA Number: 252-024-000-000
Property Address: 382 DAILEY DR

Mailing Address: SICARD ROBERT L TR ROBERT L
SICARD TR AGREEMENT
382 DAILEY DR
FRANKLIN, MA 02038

Parcel Number: 252-025-000
CAMA Number: 252-025-000-000
Property Address: 264 DAILEY DR

Mailing Address: FERULLO MICHAEL F PELLE- FERULLO
SHARON L
264 DAILEY DR
FRANKLIN, MA 02038

Parcel Number: 252-050-000
CAMA Number: 252-050-000-000
Property Address: 263 DAILEY DR

Mailing Address: YADISERNIA DONALD J YADISERNIA
HOLLY ANN
263 DAILEY DR
FRANKLIN, MA 02038



www.cai-tech.com

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



300 foot Abutters List Report

Franklin, MA
February 14, 2023

Parcel Number: 252-051-000 CAMA Number: 252-051-000-000 Property Address: 395 DAILEY DR	Mailing Address: MICHAUD THOMAS MICHAUD REBECCA 395 DAILEY DR FRANKLIN, MA 02038
Parcel Number: 252-052-000 CAMA Number: 252-052-000-000 Property Address: 405 DAILEY DR	Mailing Address: HOULKER BRIAN C HOULKER MEGAN T 405 DAILEY DR FRANKLIN, MA 02038
Parcel Number: 252-059-000 CAMA Number: 252-059-000-000 Property Address: 3 CHARLES RIVER DR	Mailing Address: GRADY MATTHEW J GRADY CHRISTINA 3 CHARLES RIVER DR FRANKLIN, MA 02038
Parcel Number: 252-060-000 CAMA Number: 252-060-000-000 Property Address: 1 CHARLES RIVER DR	Mailing Address: MCGINNESS GREGORY W MCGINNESS ASHLEY C 1 CHARLES RIVER DR FRANKLIN, MA 02038
Parcel Number: 252-061-000 CAMA Number: 252-061-000-000 Property Address: 605 OAK ST	Mailing Address: DOROSKI JUDY L 605 OAK ST FRANKLIN, MA 02038
Parcel Number: 252-062-000 CAMA Number: 252-062-000-000 Property Address: OAK ST	Mailing Address: FRANKLIN TOWN OF 355 EAST CENTRAL STREET FRANKLIN, MA 02038
Parcel Number: 252-063-000 CAMA Number: 252-063-000-000 Property Address: MAPLE BROOK LN	Mailing Address: FRANKLIN TOWN OF 355 EAST CENTRAL STREET FRANKLIN, MA 02038
Parcel Number: 252-064-000 CAMA Number: 252-064-000-000 Property Address: 587 OAK ST	Mailing Address: LIDONNI MATTHEW LIDONNI VANESSA 587 OAK ST FRANKLIN, MA 02038
Parcel Number: 252-065-000 CAMA Number: 252-065-000-000 Property Address: 585 OAK ST	Mailing Address: EATON MICHAEL R EATON KIMBERLY A 585 OAK ST FRANKLIN, MA 02038
Parcel Number: 252-066-000 CAMA Number: 252-066-000-000 Property Address: 583 OAK ST	Mailing Address: KOSICKI DAVID H GRIFFIN MARCIE L 583 OAK ST FRANKLIN, MA 02038
Parcel Number: 252-067-000 CAMA Number: 252-067-000-000 Property Address: 575 OAK ST	Mailing Address: SHERMAN CARL 575 OAK ST FRANKLIN, MA 02038
Parcel Number: 253-120-001 CAMA Number: 253-120-001-000 Property Address: 606 OAK ST	Mailing Address: JANI HIRAN SAURIN JANI SAURIN D 606 OAK ST FRANKLIN, MA 02038



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
February 14, 2023

Parcel Number: 253-158-000
CAMA Number: 253-158-000-000
Property Address: 290 IROQUOIS RD

Mailing Address: KELLY STACEY ANNE
290 IROQUOIS RD
FRANKLIN, MA 02038

Parcel Number: 253-159-000
CAMA Number: 253-159-000-000
Property Address: 292 IROQUOIS RD

Mailing Address: FRANKLIN TOWN OF
355 EAST CENTRAL STREET
FRANKLIN, MA 02038

BRACCI CHRISTINE M
576 OAK ST
FRANKLIN, MA 02038

CHANDLER MICHAEL E
406 DAILEY DR
FRANKLIN, MA 02038

DONOVAN DANIEL W
DONOVAN DEBORAH A
584 OAK ST
FRANKLIN, MA 02038

DOROSKI JUDY L
605 OAK ST
FRANKLIN, MA 02038

EATON MICHAEL R
EATON KIMBERLY A
585 OAK ST
FRANKLIN, MA 02038

FARRELL WILLIAM
FARRELL NANCY J
291 IROQUOIS RD
FRANKLIN, MA 02038

FERULLO MICHAEL F
PELLEY-FERULLO SHARON L
264 DAILEY DR
FRANKLIN, MA 02038

FRANKLIN TOWN OF
355 EAST CENTRAL STREET
FRANKLIN, MA 02038

GRADY MATTHEW J
GRADY CHRISTINA
3 CHARLES RIVER DR
FRANKLIN, MA 02038

HOULKER BRIAN C
HOULKER MEGAN T
405 DAILEY DR
FRANKLIN, MA 02038

HOUSE MARGARET A
394 DAILEY DR
FRANKLIN, MA 02038

JANI HIRAN SAURIN
JANI SAURIN D
606 OAK ST
FRANKLIN, MA 02038

KELLY STACEY ANNE
290 IROQUOIS RD
FRANKLIN, MA 02038

KING CONSTRUCTION INC
62 MILL STREET
FRANKLIN, MA 02038

KOSICKI DAVID H
GRIFFIN MARCIE L
583 OAK ST
FRANKLIN, MA 02038

LIDONNI MATTHEW
LIDONNI VANESSA
587 OAK ST
FRANKLIN, MA 02038

MCGINNESS GREGORY W
MCGINNESS ASHLEY C
1 CHARLES RIVER DR
FRANKLIN, MA 02038

MICHAUD THOMAS
MICHAUD REBECCA
395 DAILEY DR
FRANKLIN, MA 02038

SHERMAN CARL
575 OAK ST
FRANKLIN, MA 02038

SICARD ROBERT L TR
ROBERT L SICARD TR AGREE
382 DAILEY DR
FRANKLIN, MA 02038

WIN WIN CAPITAL INVESTMEN
15 JACOB AMSDEN RD
NORTHBOROUGH, MA 01581

YADISERNIA DONALD J
YADISERNIA HOLLY ANN
263 DAILEY DR
FRANKLIN, MA 02038

REQUIRED

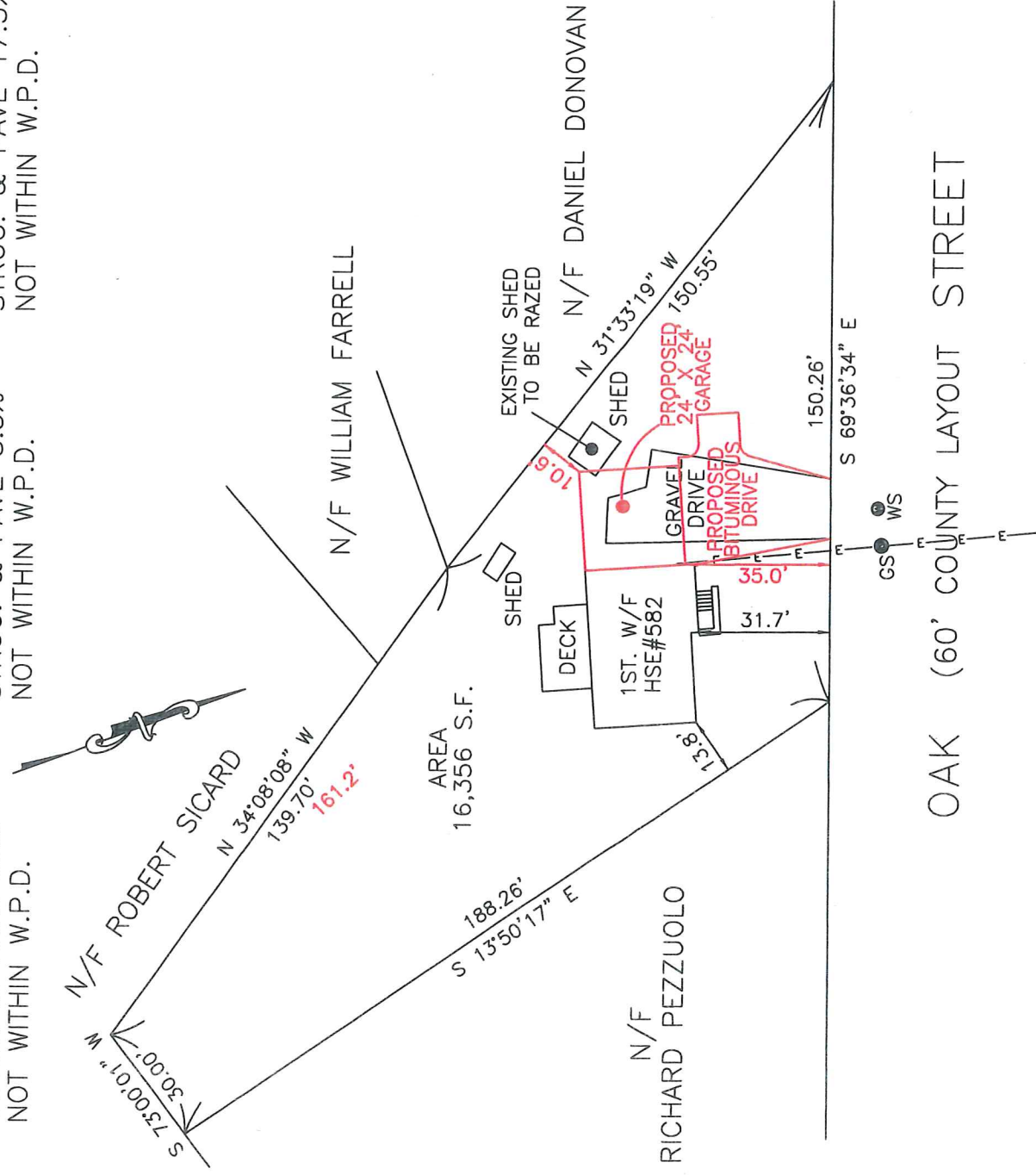
ZONE SF III
AREA 20,000 S.F.
FRONTAGE 125'
160' DEPTH
112.5' DIA CIRCLE
40' SETBACK
25' SIDEYARD
30' REARYARD
LOT COVERAGE
STRUCTURE 25%
STRUC. & PAVE 35%
NOT WITHIN W.P.D.

EXISTING

ZONE SF III
AREA 16,356 S.F.
FRONTAGE 150.26'
155.6' DEPTH (N/A)
87.00' DIA CIRCLE
31.7' SETBACK
13.8' SIDEYARD
138.8' REARYARD
LOT COVERAGE
STRUCTURE 8.0%
STRUC. & PAVE 8.3%
NOT WITHIN W.P.D.

PROPOSED

ZONE SF III
AREA 16,356 S.F.
FRONTAGE 150.26'
155.6' DEPTH
87.00' DIA CIRCLE
35.0' SETBACK
10.6' SIDEYARD
161.2' REARYARD
LOT COVERAGE
STRUCTURE 8.3%
STRUC. & PAVE 17.3%
NOT WITHIN W.P.D.



RECEIVED
TOWN OF FRANKLIN

MAR 17 2023

ZONING BOARD OF APPEALS

PROPOSED GARAGE
PLAN OF LAND

IN

FRANKLIN, MA.

NOTE: LOT IS PRE-EXISTING AND
NON- CONFORMING.

SCALE: 1"=40' FEB. 27, 2023

OWNER: King Construction, Inc.
62 Mill Street
Franklin, Ma. 02053

COLONIAL ENGINEERING INC.
11 AWL STREET
MEDWAY, MA. 02053
508-533-1644



Anthony M. Dellorco

