## 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: Sean Pisani

LOCATION:

865 Upper Union Street

**ZONING DISTRICT:** RR I

TYPE OF PROJECT: Construction of a Single Family Residence

**DATE:** 07/25/2023 **DENY** 

**VARIANCE** 

**ZONING BY LAW SECTIONS:** 185 Attachment 9 Schedule of Lot, Area, Frontage, Yard and Height Requirements and 185-12 Front Yard Requirements

REASON FOR DENIAL: Applicant is seeking to construct a single family home that has 153.56' of lot frontage where 200' is required and has 153.9' of lot width where 180' is required. The building permit is denied without a variance from the ZBA.

#### **APPEAL OF DENIAL OPTIONS:**

ZONING BOARD OF APPEALS		
APPLICANT SIGNATURE		_DATE
	8	
ZONING OFFICIAL SIGNATURE LAB	 DATE 07/25	5/2023

## TOWN OF FRANKLIN ZONING BOARD OF APPEALS

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

TOWN OF FRANKLIN TOWN CLERK RECEIVED TOWN OF FRANKLIN

JUL 19 2023

2023 JUL 191P 4: 20

ZBA APPLICATION FORM

9	GENERAL INFORMATION	ZONING BOARD OF APPEALS
RECEIVED		
The undersigned hereby petition		
Special Permit:	Variance: X	Appeal:
PETITIONER: DECO 1713	ani	
		PHONE: 774-291-6573
LOCATION OF PROPERTY:		
TYPE OF OCCUPANCY: 125/0/20	nhCl zoning distr	RICT: TORI
ASSESSORS MAP & PARCEL: 319-	010-000-000	
REASON FOR PETITION:		
Additions		New Structure
Change in Use/Occ	cupancy	Parking
Conversion to Add	di'l Dwelling Unit's	Sign
Dormer		Sabdivision
Other:		Jabatvibion
DESCRIPTION OF PETITIONER'S PR	OPOSAL:	
two story singl	re family ham	VC
SECTIONS OF ZONING ORDINANCE C	ITED:	
Article V Section 185	-12	
Article V Section 189		- 9
Article Section		
Applicants for a <b>Variance</b> must Applicants for a <b>Special Permi</b> Applicants for an <b>Appeal</b> to the must attach a statement concer	<u>t</u> must complete Pages 1 ne ZBA pursuant to Zonia	ng Bylaw section 185-45 (D)
Original Sig	gnature(s):	itioner(s)/Owner)
	$\alpha$	recione (s)/owner/
	Address: 807	(Print Name) Upper Union Jt
	TET. NO.:	291-0573
Date: 7/13/2023	E-Mail Address: <u>SCCr</u>	SPISANI 33 (P. GMail. COM

(Page 1)

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

Letter of Intent for Zoning Variance For: Anthony Pisani and Sean Pisani 867 Upper Union St Franklin, MA 02038

ZONING DISTRICT: RRI

PARCEL: 319-010-000-000

Dear Planning and Zoning Members,

Anthony Pisani (current property owner) and his son, Sean Pisani (prospective builder), are requesting a variance for the above address to seek relief for the required road frontage and width. For the reasons detailed below, the proposed exemption would allow for Anthony to sign over this parcel of land to his son, who would in turn build his dream home and remain in the town of Franklin, MA.

The plans being proposed are in compliance with all requirements of the zoning area RRI except for the frontage (the zone requires 200ft and the lot has 153.56ft) and the width (required is 200ft, lot has 153.9ft). It is understood and respected that the zoning regulations are in place to protect the provincialism of Franklin and privacy between neighbors. To maintain this provincialism and privacy, Anthony and his Son have plans to install fences with vegetation between neighbors in order to maintain privacy. In addition, there are plans to maintain vegetation at the front of the lot between the house and the road. It is also recognized that this parcel of land has a right of way to a cell tower behind the lot. We have no plans to block or move this right of way, and intend to keep it accessible to all parties who require access.

When Anthony purchased this lot back 30 years ago, it was with the vision of being able to provide something for his children. As a 7th generation Franklinite, Sean Pisani has a strong love and dedication to family and Franklin. It has always been Seans dream to build in Franklin, and follow in his fathers footsteps. Currently, Seans parents, grandparents, and a large number of Aunts, Uncles, and Cousins reside in the town. Enabling Sean to build on this lot would allow him to raise an 8th generation of Frankinites, who will grow to love and take pride in the town as much as he does.

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Thank you for your consideration.

Sincerely,

Anthony J. Pisani

Property Owner

Sean A. Pisani

Son and Prospective Builder

# 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.
Control of the Contro
I/We Anthony & Ana Resure
Address: Ea7 Upper Union St Franklin, MA
State that I/We own the property located at 805 Upper Union St
7 - 1 (
which is the subject of this zoning application.
The record title of this property is in the name of How Hallow hiscur.
*Pursuant to a deed of duly recorded in the date $\frac{213102}{52}$ , Norfolk
*Pursuant to a deed of duly recorded in the date 1000, Nortolk
County Registry of Deeds at Book $0239$ , Page $52$ ; or
Dedham Registry District of Land Court, Certificate No
BookPage
Of Jan Lan
SIGNATURE BY LAND OWNER OR AUTHORIZED TRUSTEE. OFFICER OR AGENT*



### COUNTY OF NORFOLK COUNTY OF PRESIDENTS REGISTRY OF DEEDS

NORFOLK REGISTRY DISTRICT OF THE LAND COURT

WILLIAM P. O'DONNELL REGISTER OF DEEDS ASSISTANT RECORDER OF THE LAND COURT

December 28, 2021

Anthony J Pisani 867 Upper Union Street Franklin, MA 02038

Dear Friend of the Registry:

Enclosed please find a copy of the deed to your property recently recorded at the Norfolk County Registry of Deeds. Please keep this copy as part of your records for personal reference. For further-security and convenience, your original deed has been digitally scanned and is contained in our computer system for instant retrieval.

Please note the Norfolk County Registry of Deeds is one of the registries that still mails back original documents. Your original will be sent back to the address requested at the time of recording by the filer of this document. The Norfolk County Registry of Deeds produces record books that are available at the Registry building from these original documents.

If you would like to stay up to date on upcoming Registry of Deeds events, programs and real estate information you can sign up for our Registry email updates at www.norfolkdeeds.org, like us on Facebook® at www.facebook.com/norfolkdeeds or follow us on Twitter® at www.twitter.com/norfolkdeeds. Our Customer Service Center is also available to assist you at 781-461-6101.

It is a pleasure to serve you as Register of Deeds of Norfolk County.

Sincerely yours,

William P. O'Donnell Register of Deeds

Enclosures - 40138-557

Bill O' Tomell

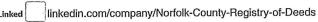
649 HIGH STREET, DEDHAM, MASSACHUSETTS 02026 TELEPHONE: 781-461-6116 FAX: 781-326-4246 EMAIL: registerodonnell@norfolkdeeds.org

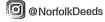
> www.norfolkdeeds.org s €000 1 750



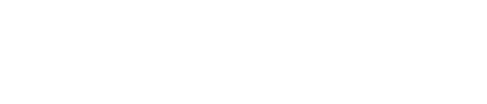


twitter.com/NorfolkDeeds You youtube.com/NorfolkDeeds









Bk 40138 Pg558 #153519

Executed as a sealed instrument this 2 day of December, 2021.

Pisani Realty LLC

### COMMONWEALTH OF MASSACHUSETTS

Norfolk, ss.

On this \_\_\_\_day of December, 2021, before me, the undersigned notary public, personally appeared Anthony J. Pisani (name of document signer), 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, \_\_\_\_\_ Outh 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 he signed it voluntarily for its stated purpose, as Manager of Pisani Realty LLC.

John P. Vignone, Notary Public My commission expires: 08/19/2022



Bk 40138 P557 #153519 12-07-2021 @ 12:35p

#### QUITCLAIM DEED

Pisani Realty LLC, a Massachusetts limited liability company having a usual place of business at 867 Upper Union Street, Franklin, Massachusetts, for consideration paid and in full consideration of less than One Hundred (\$100.00) Dollars, grants to Anthony J. Pisani and Ana I. Pisani, husband and wife, as Tenants by the Entirety, of 867 Upper Union Street, Franklin, Norfolk County, Massachusetts, with QUITCLAIM COVENANTS

The land in Franklin, Norfolk County, Massachusetts, situated on the Westerly side of Union Street and being shown as Parcel A2, on a plan entitled "Plan of Land in Franklin, Mass.," dated February 12, 1993 drawn by William J. Rossetti P.L.S. and recorded with Norfolk County Registry of Deeds as Plan No. 395 of 1993 in Plan Book 414 to which reference may be had for a more particular description.

Parcel A2 contains 1.05 acres more or less.

Said parcel is conveyed subject to a right of way as shown on said plan.

Being a portion of the premises conveyed to grantor by deed dated February 13, 2002 and recorded with said Deeds in Book 16239, Page 52.

The grantor is not classified for the current taxable year as a corporation for federal income tax purposes

THE REMAINDER OF THIS PAGE IS LEFT INTENTIONALLY BLANK

MASSACHUSETTS STATE EXCISE TAX Norfolk Registry of Deeds Date: 12-07-2021 @ 12:35pm

Ctl#: 583 Doc#: 153519 Fee: \$.00 Cons: \$1.00 WILLIAM P. O'DONNELL, REGISTER
NORFOLK COUNTY REGISTRY OF DEEDS
RECEIVED & RECORDED ELECTRONICALLY

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

## ZBA APPLICATION FORM

## DIMENSIONAL INFORMATION

APPLICANT: SCO	1 PIOCO	PR	ESENT USE/OCCUPANO	ex: Vacant	
LOCATION: 805	Upper	Union St	zone2	IZT	
PHONE: 174-29	1-0573	REQUESTED USE/	OCCUPANCY: 5100( REQUESTED	ORDINANCE	hane
		CONDITIONS	CONDITIONS	REQUIREMENTS <sup>1</sup>	
Lot Area:		40,000	40,157	(m	uin.)
Continuous Frontage	<u>ı:</u>	200	153.50	(m	in.)
Size of Lot:	Width	180	153.9	•	in.) in)
Setbacks in Feer.	Depth Front Rear Left Side	40'	89.7' 169.3' 40.3'	(m	in.) nin.)
Building Height:	Right Side Stories Feet	40' 3 35'	40.3'	(n	nin.) nax.)
NO. of Dwelling Un		<u>019</u>		(min.,	max.) /max)
Describe where appon same lot, and steel, etc.  Control  Control	pe of	cr occupancies or estruction propo		ze of adjacent buil frame, concrete, b XO3/CCI \S	

SEE FRANKLIN ZONING BYLAW ARTICLE 185. ATTACHMENT 9.

## 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:

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:

- C) Desirable relief may be granted without either:
  - 1) Substantial detriment to the public good for the following reasons:
  - 2) Nullifying or substantially derogating from the intent or purpose of this Zoning Bylaw for the following reasons:

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

Page 5

## ZBA Application Form Supporting Statement For A Variance

- A) The enforcement of the zoning requirements for this zone would cause substantial undue and unnecessary hardships to the current property owner, who would be unable to build on this lot. These zoning requirements deprive him of the opportunity to develop the property in a similar fashion to other, similarly zoned properties, who lack the required road frontage. It would also cause undue hardship to his son, and prospective builder, who would now have to locate and purchase land elsewhere.
- B) The hardship is owing to the shape of the land, which is preventing the current owner and his son from building. This lot has 153.56ft of road frontage, and is required to have 200ft. This impacts both the road frontage and width. Allowing for an exception to build due to this hardship will not affect the zoning district as the plans for the lot are in compliance with all other aspects of the zoning district which are not impacted by the road frontage.
- C) Desirable relief may be granted without either:
  - Granting relief for this project will not cause substantial detriment to the public good. As a single family home, it is consistent with the spirit and intent of the neighborhood. It will have no effect on the adjoining properties or the easement to the cell tower. It will not cause any detriment to the common good, but will cause substantial undue and unnecessary hardship to the current property owner and son.
  - 2. Desirable relief may be granted without nullifying or substantially derogating from the intent or purpose of the Zoning Bylaw. We understand that these zoning regulations are put in place to maintain privacy and provincialism of the neighborhood. In order to maintain this, we plan to put up fencing and vegetation in the front, and along the property lines, to maintain the privacy of the neighborhood. The 40 foot setback from each neighboring property line will also be maintained to establish privacy and the ruralness of this specific area of town. The proposed plans also have the driveway facing the back of the property, away from the road, to minimize noise and lights that may bother neighbors.

## Town of Franklin - Board of Assessors

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

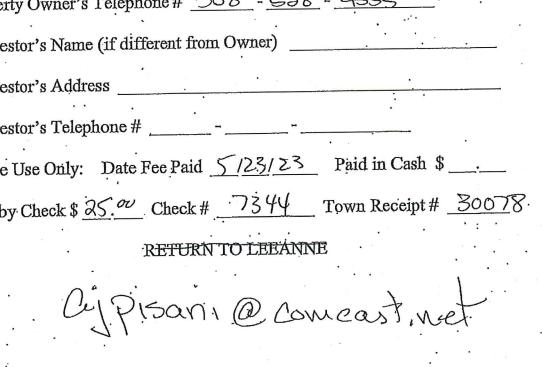
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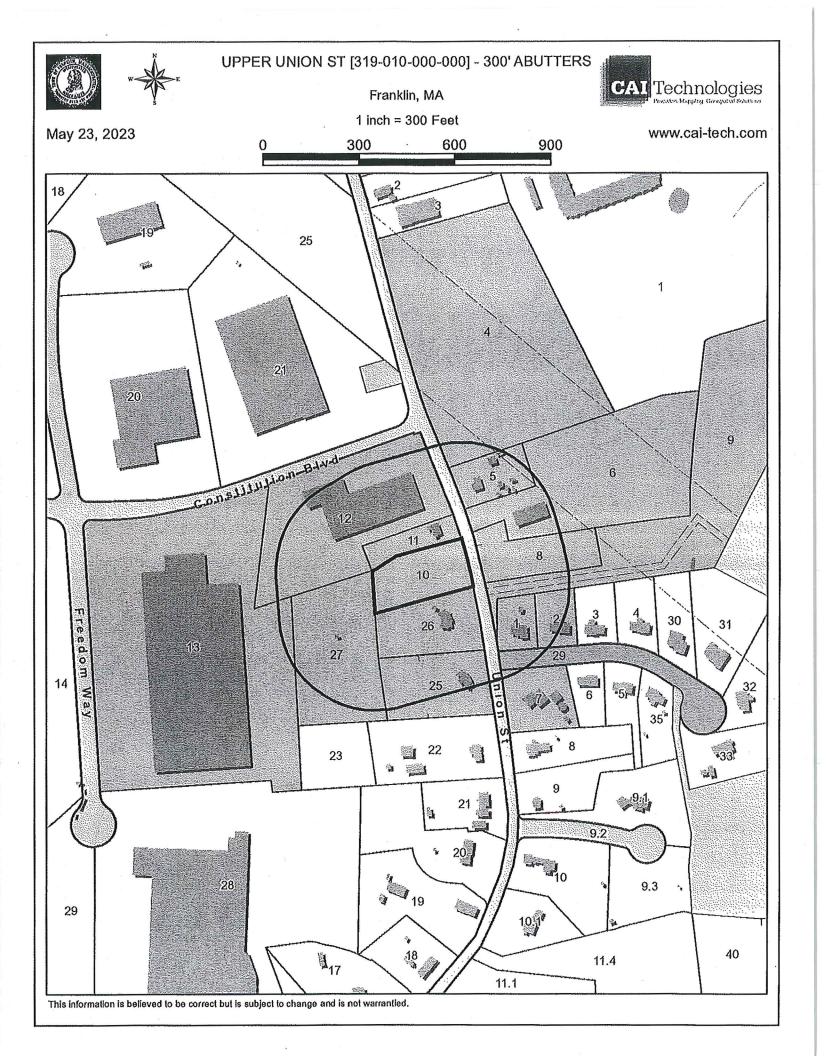
BOARD OF ASSESSORS

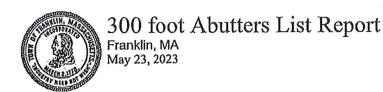
## **Abutters List Request Form**

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 5 12312023
Assessors Parcel ID # (12 digits) 319 - 010 - 000 - 000
Property Street Address N/A Upper Onion St
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 Anthony Yisani
Property Owner's Mailing Address Sto Upon
Town/City Franklin State MA Zip Code 5038
Property Owner's Telephone # 508 - 558 - 4355
Requestor's Name (if different from Owner)
Requestor's Address
Requestor's Telephone #
Office Use Only: Date Fee Paid 5/23/23 Paid in Cash \$
Paid by Check \$ 25.00 Check # 7344 Town Receipt # 30078
RETURN TO LEEANNE
Cipisani @ compart met







#### **Subject Property:**

Parcel Number: 319-010-000 CAMA Number: 319-010-000-000 Property Address: UPPER UNION ST Mailing Address: PISANI ANTHONY J PISANI ANA I

867 UPPER UNION ST FRANKLIN, MA 02038

ΑI	bI	ut	t	e	r	S	:

Parcel Number: 319-004-000 CAMA Number: 319-004-000-000 Property Address: UPPER UNION ST Mailing Address: NEW ENGLAND POWER CO PROPERTY TAX DEPT

40 SYLVAN RD

WALTHAM, MA 02451-2286

Parcel Number: 319-005-000 319-005-000-000 CAMA Number:

Mailing Address: HENRY HAROLD T JR HENRY SHOUAA

860 UPPER UNION ST FRANKLIN, MA 02038

Property Address: 860 UPPER UNION ST

Mailing Address: MBBT LLC

PO BOX 35

CAMA Number: 319-006-000-000 Property Address: 864 UPPER UNION ST

FRANKLIN, MA 02038

Parcel Number: 319-006-000

Parcel Number: 319-008-000

Mailing Address: FORTE DARIEN

299 WASHINGTON ST APT1

CAMA Number: 319-008-000-000 Property Address: UPPER UNION ST

CAMBRIDGE, MA 02139

Parcel Number: 319-009-000 CAMA Number: 319-009-000-000 Property Address: UPPER UNION ST

Mailing Address: COLELLA JOHN C SR COLELLA JOHN C

P O BOX 454

FRANKLIN, MA 02038

Parcel Number: 319-010-000 319-010-000-000 CAMA Number:

Mailing Address: PISANI ANTHONY J PISANI ANA I

867 UPPER UNION ST FRANKLIN, MA 02038

Property Address: UPPER UNION ST

Parcel Number: 319-011-000

CAMA Number:

Mailing Address: DONOVAN JOSEPH E WHEELER SARAH

863 UPPER UNION ST FRANKLIN, MA 02038

319-011-000-000 CAMA Number: Property Address: 863 UPPER UNION ST Parcel Number: 319-012-000

Mailing Address: TALON REALTY LLC

10 DISCOVERY WAY FRANKLIN, MA 02038

319-013-000 Parcel Number: 319-013-000-000 CAMA Number: Property Address: 135 CONSTITUTION BLVD

Property Address: 145 CONSTITUTION BLVD

319-012-000-000

Mailing Address: KNICKERBOCKER PROPERTIES INC C/O MARVIN F POER & COMPANY

3520 PIEDMONT RD NE SUITE 410

ATLANTA, GA 30305

330-001-000 Parcel Number: CAMA Number: 330-001-000-000

Mailing Address: BATRA KAPIL BATRA SUMAN P

2 RIBERO DR FRANKLIN, MA 02038

Property Address: 2 RIBERO DR



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 May 23, 2023

Parcel Number: **CAMA Number:** 

330-002-000 330-002-000-000 Property Address: 6 RIBERO DR

Mailing Address: WONG MICHAEL WONG BONA D

6 RIBERO DR

FRANKLIN, MA 02038

Parcel Number: CAMA Number:

330-007-000 330-007-000-000 Property Address: 1 RIBERO DR

Mailing Address: PETIT ARTHUR A PETIT CHRISTINE E 1 RIBERO DR

FRANKLIN, MA 02038

Parcel Number: 330-025-000

CAMA Number: 330-025-000-000 Property Address: 871 UPPER UNION ST

Mailing Address: BYKOVA KSENIA MATVEEV VADIM

871 UPPER UNION ST FRANKLIN, MA 02038

Parcel Number: CAMA Number:

330-026-000 330-026-000-000 Property Address: 867 UPPER UNION ST

Mailing Address: PISANI ANA I TR ANA I PISANI

**INVESTMENT TRUST** 867 UPPER UNION ST FRANKLIN, MA 02038

Parcel Number: CAMA Number:

330-027-000 330-027-000-000 Property Address: UPPER UNION ST

Mailing Address: MEDIAONE OF WESTERN N E INC C/O PROPERTY TAX DEPARTMENT

ONE COMCAST CENTER - 32ND FLOOR

PHILADELPHIA, PA 19103

Parcel Number: 331-029-000

CAMA Number: 331-029-000-000 Property Address: RIBERO DR

Mailing Address: J COLELLA & SON INC & JC BLDR

PO BOX 454

FRANKLIN, MA 02038

Hemill. Doyle, 5-23-23



BATRA KAPIL BATRA SUMAN P 2 RIBERO DR FRANKLIN, MA 02038 NEW ENGLAND POWER CO PROPERTY TAX DEPT 40 SYLVAN RD WALTHAM, MA 02451-2286

BYKOVA KSENIA MATVEEV VADIM 871 UPPER UNION ST FRANKLIN, MA 02038

PETIT ARTHUR A
PETIT CHRISTINE E
1 RIBERO DR
FRANKLIN, MA 02038

COLELLA JOHN C SR COLELLA JOHN C JR P O BOX 454 FRANKLIN, MA 02038 PISANI ANA I TR ANA I PISANI INVESTMENT T 867 UPPER UNION ST FRANKLIN, MA 02038

DONOVAN JOSEPH E WHEELER SARAH 863 UPPER UNION ST FRANKLIN, MA 02038 PISANI ANTHONY J PISANI ANA I 867 UPPER UNION ST FRANKLIN, MA 02038

FORTE DARIEN 299 WASHINGTON ST APT1 CAMBRIDGE, MA 02139 TALON REALTY LLC 10 DISCOVERY WAY FRANKLIN, MA 02038

HENRY HAROLD T JR HENRY SHOUAA 860 UPPER UNION ST FRANKLIN, MA 02038 WONG MICHAEL WONG BONA D 6 RIBERO DR FRANKLIN, MA 02038

J COLELLA & SON INC & JC PO BOX 454 FRANKLIN, MA 02038

KNICKERBOCKER PROPERTIES C/O MARVIN F POER & COMPA 3520 PIEDMONT RD NE SUITE 410 ATLANTA, GA 30305

MBBT LLC PO BOX 35 FRANKLIN, MA 02038

MEDIAONE OF WESTERN N E I C/O PROPERTY TAX DEPARTME ONE COMCAST CENTER - 32ND FLOOR PHILADELPHIA, PA 19103

