

TOWN OF FRANKLIN ZONING BOARD OF APPEALS

**COMPREHENSIVE PERMIT APPLICATION
pursuant to M.G.L. Ch. 40B, §§ 20-23**

APPLICANT: **ST JOHNS EPISCOPAL CHURCH OF FRANKLIN &
THE COMMUNITY BUILDERS INC**

SUBJECT PROPERTY: **237 Pleasant St, Franklin, MA
Parcel ID # 267-009-000-000**

PROJECT NAME: **237 PLEASANT STREET**

REQUESTED WAIVERS¹

The Applicant seeks waivers from Town of Franklin Local Requirements and Regulations (local bylaws, rules and regulations), as shown below.

The Applicant also requests that waivers be granted from any requirements to apply to the Town or other municipal Boards or departments, including but not limited to the Board of Health, Board of Selectmen, Conservation Commission, Highway Superintendent, Department of Public Works, Planning Board, Town Administrator or designee, and Water and Sewer Commission, if normally required for Local Requirements and Regulations; and the Applicant requests that the Comprehensive Permit be issued in lieu of all of the aforementioned permits, inclusively, including but not limited to the permits and approvals to connect to the municipal water system and sewer system (please note that the Applicant will comply with all technical requirements related to the municipal water and sewer systems).

If in the course of the hearings it is determined that there are other local by-laws, rules and regulations that would otherwise be applicable to this development that have not been requested in this application, the Applicant reserves the right to so amend the Requested Waivers.

The Applicant also requests waivers from otherwise applicable building permit and water sewer fees, as to the affordable units.

¹ Pursuant to 760 CMR 56.05(7), waivers are not needed from Special Permit provisions of a zoning bylaw, but only from the requirements of the underlying as of right zoning provisions; and, so, no special permit waiver relief is requested.

Zoning Waivers

The project locus is in the Town of Franklin Single-Family III Zoning District. The following waivers from the Town of Franklin Zoning Bylaw Chapter 185 will be required:

185 Attachment 7 Use Regulation Schedule

Restriction of use 6.1 – “Multi-family or Apartment”

185 Attachment 9 Schedule of lot, area, frontage, yard and height requirements

Single-Family Residential III

Min Lot Dimensions - Frontage Required: 125’ Proposed: ±61’

Min Lot Dimensions - Width Required: 112.5’ Proposed: ±61’

Section 185-11 Number of buildings on a lot

Not more than one single-family or two-family dwelling shall be erected on a lot.

Section 185-21 Parking, loading and driveway requirements

B.(3)(a) spaces per dwelling unit Required: 2 Proposed: 1.5

C.(3) Parking areas for five or more cars shall not require backing onto a public way.

Section 185- 31 Site Plan and Design Review

Waive requirement to obtain Site Plan Review approval from the Planning Board

Section 185-38 Multi-Family and Flex Development

E. Building design requirements. To minimize departure from single-family residential scale, no single structure shall contain more than six dwelling units; not more than two dwelling units shall be served from a single building entrance; there shall be no more than 12 parking spaces in any single parking area

Maximum dwelling units per building: 6 Proposed: 10

Maximum dwelling unit for single entrance: 2 Proposed: 5

Maximum parking spaces in single area: 12 Proposed: 40 in 4 bays

Waive requirement to obtain Special Permit from the Planning Board

Subdivision Waivers

The following waivers from the Town of Franklin Subdivision Rules and Regulations, Chapter 300 Subdivision of Land, will be required:

Section 300-5 Compliance with zoning required.

No subdivision plan shall be approved unless all the lots located therein comply with the frontage and area requirements of the Town of Franklin Zoning Bylaw in effect at the time of plan submittal.

Section 300-10 Streets

B. Location and Alignment

5. Center line.

(a) The minimum horizontal center-line radius of any curve on a major or minor street shall be 150 feet and 200 feet on a collector street. The Planning Board may require a greater radius where deemed necessary for the public safety. A shorter radius may be allowed if the Planning Board determines that a shorter radius will result in the preservation of trees or other natural features without detriment to public safety.

Center-line radius required: 200'

Provided: 60'

(b) Center-line offsets for intersecting streets shall not be less than 200 feet.

Center-line offset required: 200'

Provided: 120'

C. Width Requirements.

1. Street right-of-way and pavement widths, measured inside curbs or berms, shall be as follows:

Type of Street	Right-of-Way Width (feet)	Pavement Width (feet)
Collector	56	32

Width Required: 56'

Provided: 24'

D. Grade.

2. Minimum and maximum. Grades of streets shall not be less than 1.5%. Grades shall not be more than 6.0% for collector streets nor more than 8.0% for all other roads.

Maximum slope allowed: 6%

Provided: 8%

3. Leveling area. On any street where the grade exceeds 6.0% on the approach to an intersection, a leveling area with a slope of not more than 3.0% shall be provided for a distance of not less than 100 feet, measured from the nearest exterior line of the intersecting street.

Leveling area length required: 100'

Provided: 0'

E. Dead-end streets.

4. Other. Dead-end streets shall serve no more than 12 dwelling units and shall be no longer than 600 feet and having a minimum length of 400 feet, measured from the center of the turnaround to the side line of the closest, connecting through street.

We are proposing a driveway with one outlet that serves 64 dwelling units.

H. Curbing

1. Type. Curbing shall be placed the full length of all streets. The type shall be W4 (Massachusetts Department of Public Works Specification M9.04.1) vertical granite where high-frequency parking is anticipated, such as where multifamily units are to be near the street or at dropoff points in nonresidential development. At all other locations, curbing shall be Type SB sawn (smooth) top slant granite (Massachusetts Department of Public Works Specification M9.04.2).

Providing cast in place concrete curb.

Section 300-11 Stormwater Management

B. Construction

2. Piping

- a. The drainage pipe shall be reinforced concrete, with bell and spigot gasketed joints.

Providing HDPE drainage pipe

Section 300-13 Other Improvements

A. Sidewalks

1. Location. Sidewalks are required on both sides of the road, unless the Board determines that one sidewalk will adequately service pedestrian traffic. The Board shall also consider the preservation of natural features in making its determination concerning the number of sidewalks required.

Pedestrian access is provided but not with sidewalks adjacent to the driveway.

B. Grass plots.

1. Location. A vegetated area of at least four feet in width shall be located between the sidewalk and the curbing, maintained in grass or retained natural vegetation.

Grass strip varies and is omitted in some areas.

D. Bounds

Bounds are not proposed for the internal site intersections.

F. Street signs.

1. Location. The subdivider shall furnish and install double faced extruded-aluminum street signs, mounted on two-inch-diameter posts equal to those in use by the Franklin Department of Public Works, at each street intersection within the subdivision. At T-intersections, one sign post shall be sufficient; at four-way intersections, two posts and sets of signs are required.

Street signs are not proposed for the site driveways.

Other Town of Franklin Chapters

The following waivers from other Town of Franklin Chapters will be required:

Chapter 131 – Public Way Access Permits

Waive requirement for permit from Town Administrator or designed.

Chapter 153 -Stormwater Management

Waive requirement for a Stormwater Management permit or approval from the DPW Director

Chapter 155 – Streets and Sidewalks Excavation in Public Way

Waive requirement for obtaining permit or approval from the DPW

Chapter 179 – Water, Water Extension

Waive requirement for obtaining a Water Distribution System Permit from the DPW

Chapter 263 – Water

Waive requirement for water system approval – Section 263-4 Restriction on Issuance of Building Permit

Municipal Fees

Waive requirements for municipal fees for affordable units.