



June 14, 2022
Medway Planning & Economic Development Board
Meeting

ANR Plan – 14 Franklin Street

- ANR application
- ANR Project Narrative
- *ANR Plan of Land for 14 Franklin Street*, dated March 12, 2022, revised May 20, 2022, stamped June 6, 2022
- Review memo from Susy Affleck-Childs dated June 6, 2022

NOTE – Since the review memo was provided to the applicant, the ANR plan has been revised. The version provided to you in the board packet is the revised plan. I recommend the PEDB endorse the plan as presented.



Planning & Economic Development Board - Town of Medway, MA
LAND SUBDIVISION – FORM A

**Application for Endorsement of Plan
Believed Not to Require Subdivision Approval (ANR)**

INSTRUCTIONS TO APPLICANT/OWNER

This Application is made pursuant to the Medway Subdivision Rules and Regulations.
Please complete this entire Application.

Submit two (2) signed originals of this ANR Application, two copies of the ANR Plan, an electronic version (PDF) of the ANR plan, two Project Explanations, and the appropriate ANR application/filing fee checks to the Medway Planning and Economic Development office, 155 Village ST, Medway, MA 02053.

The Applicant certifies that the information included in this Application is a true, complete and accurate representation of the facts regarding the property under consideration.

In submitting this application, the Applicant and Property Owner authorize the Planning & Economic Development Board and its agents to access the site during the plan review process.

The Town's Planning Consultant will review the Application, Project Explanation and ANR plan and provide a recommendation to the Planning & Economic Development Board.

A copy of that letter will be provided to you. Revisions to the plan may be needed.

**You or your duly authorized agent is expected to attend the Board meeting
when the ANR Plan will be considered to answer any questions and/or submit such
additional information as the Board may request.**

Your absence may result in a delay in the Board's review and decision.

June 3, 2022

TO: The Planning & Economic Development Board of the Town of Medway, MA

The undersigned, wishing to record the accompanying plan of property in the Town of Medway and believing that the plan does not constitute a subdivision within the meaning of the Subdivision Control Law, herewith submits this Application and ANR Plan to the Medway Planning and Economic Development Board and requests its determination and endorsement that the Board's approval under the Subdivision Control Law is not required.

PROPERTY INFORMATION

ANR Location Address(es): 14 Franklin St. Medway

The land shown on the plan is shown on Medway Assessor's Map # _____ Parcel(s) # 57-078

Total Acreage of Land to be Divided: 46,103 sq. ft.

Subdivision Name (if applicable): Parcel A - Not a buildable lot (5,359 sq ft)

Medway Zoning District Classification: AR-11

Frontage Requirement: N/A Area Requirement: N/A

Is the road on which this property has its frontage a designated **Medway Scenic Road**? Yes

The owner's title to the land that is the subject matter of this application is derived under deed from: Michael Themeli to Lynne Tatevosian dated February 11, 2019 and recorded in Norfolk County Registry of Deeds, Book 36604 Page 172 or Land Court Certificate of Title Number _____, Land Court Case Number _____, registered in the Norfolk County Land Registry District Volume _____, Page _____.

ANR PLAN INFORMATION

Plan Title: Plan of Land in Medway, MA
Prepared by: Colonial Engineering Inc
P.E. or P.L.S registration #: 34303 Plan Date: March 14, 2022 Revised May 20, 2022

APPLICANT INFORMATION

Applicant's Name: Lynne Tatevosian
Address: 14 Franklin St.
Medway MA
Telephone: 781-726-1988 Email: Tatevosian@comcast.net

PROPERTY OWNER INFORMATION

(If different than the applicant or if the plan shows a land swap between two adjacent properties)

Property Owner's Name: Same
Address: _____

Telephone: _____ Email: _____

ENGINEER or SURVEYOR INFORMATION

Name: Anthony M. Dellorco Colonial Engineering Inc
Address: 11 Awt St.
Medway MA 02053
Telephone: 508-533-1644 Email: colonial.eng@verizon.net

ATTORNEY INFORMATION

Name: N/A
Address: _____

Telephone: _____ Email: _____

OFFICIAL REPRESENTATIVE INFORMATION

Name: N/A

Address: _____

Telephone: _____ Email: _____

PROJECT EXPLANATION

Provide a cover letter with a detailed explanation of how you propose to divide the land, what land transaction will occur, and what land reconfiguration will result from the endorsement and recording of this ANR Plan.

APPROVAL NOT REQUIRED JUSTIFICATION

The Applicant believes that the Board's approval under the Subdivision Control Law is not required for the following reasons: *(Check all that apply.)*

- ☐ 1. The accompanying plan does not show a division of land.
- ☐ 2. Every lot shown on the plan has frontage as required by the Medway Zoning Bylaw. The frontage required by the Zoning Bylaw is located on _____ *(name of way(s), which is:*
- ☐ a. A public way. Date of street acceptance: _____
- ☐ b. A way certified by the Town Clerk as being maintained and used as a public way. *(Attach Town Clerk's certification)*
- ☐ c. A way shown on a definitive subdivision plan entitled _____
that was previously endorsed by the Planning and Economic Development Board on _____ and recorded at the Norfolk County Registry of Deeds on _____
Provide detailed recording information: _____
- ☐ d. A private way in existence on the ground before 1952 when the Subdivision Control Law was adopted in the Town of Medway, which has, in the opinion of the Planning & Economic Development Board, adequate width, suitable grades, and adequate construction to provide vehicular access to the lot(s) for their intended purpose of _____ and to permit the installation of municipal services to serve the lot(s) and any buildings thereon.
- ☒ 3. The division of land shown on the accompanying plan is not a "subdivision" for the following reasons: _____

Parcel A is not a buildable lot.

SIGNATURES

The undersigned, being the Applicant as defined under Chapter 41, Section 81P for endorsement of an Approval Not Required Plan, herewith submits this application and Approval Not Required Plan to the Medway Planning and Economic Development Board for review and endorsement.

I hereby certify, under the pains and penalties of perjury, that the information contained in this application is a true, complete and accurate representation of the facts regarding the property under consideration.

(If applicable, I hereby authorize N/A to serve as my Agent/Official Representative to represent my interests before the Medway Planning & Economic Development Board with respect to this Approval Not Required Application.)

In submitting this application, I authorize the Board, its consultants and agents, and Town staff to access the site during the plan review process.

Hyman Latorian
Signature of Property Owner

June 3, 2022
Date

Same
Signature of Applicant (if other than Property Owner)

Date

N/A
Signature of Agent/Official Representative

Date

ANR PLAN FILING FEE

\$250 plus \$100 per lot or parcel for a plan involving three (3) or more lots/parcels, not to exceed a maximum of \$750.

Please prepare two checks: one for \$100 and one for the balance.
Each check should be made payable to: Town of Medway

Fee approved 11-2-06

APPLICATION CHECKLIST – All items must be submitted

- ☒ 2 signed original ANR applications (FORM A)
- ☒ 2 full size prints of ANR plan
- ☒ Electronic version of ANR plan – A flash drive may be provided or a PDF of the plan may be emailed to: planningboard@townofmedway.org.
- ☒ 2 copies of the Project Explanation
- ☒ Application/Filing Fee (2 checks) – Check with PEDB office for amounts.

ANR Application/Filing Fee Paid:

Amount: \$100 Check # 1704
Amount: 350 Check # 1705

June 3, 2022

Planning & Economic Development Board

Attn: Ms. Susan Affleck-Childs

Town of Medway, MA

Re: Parcel 57-078 - Project Explanation - Land Subdivison for 14 Franklin Street, Medway

Dear Ms. Affleck-Childs,

I reside at and own 14 Franklin Street, a lot with approximately 46,103 square feet. I wish to carve out approximately 5,359 square feet on the north corner of my lot as a non-buildable lot with no frontage to create Parcel A, as indicated on the ANR Plan of Land in Medway dated March 14, 2022.

The sole intent is to convey Parcel A to the owners of the abutting property, Mr & Mrs. Paul Santosuosso – 2 Franklin Creek Lane, so that they will have a larger back yard. The Santosuosso's house is currently at the minimum back setback.

Please see the attached ZBA notice of decision dated May 4, 2022, granting a Modification of Special Permit and Variance. As indicated in the Decision, if Parcel A is conveyed to the abutter as intended, the frontage of my property would not be affected, and the remaining lot (Lot 3) would have sufficient square footage (40,744 square feet) for the two-family dwelling that has been constructed on the Lot.

I appreciate the Board's consideration of this request/application and look forward to the Board meeting to answer any questions.

Kind regards,

A handwritten signature in black ink, appearing to read "Lynne Tatevosian", with a long horizontal flourish extending to the right.

Lynne Tatevosian

781-726-1988



TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
TOWN CLERK'S OFFICE

Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3204
Fax (508) 321-4988
sohannesian@townofmedway.org
www.townofmedway.org

Town Clerk
Stefany Ohannesian

June 3, 2022

CERTIFICATE

I, STEFANY OHANNESIAN, TOWN CLERK OF THE TOWN OF MEDWAY, HEREBY CERTIFY THAT NOTICE OF A **MODIFICATION** OF A FRONTAGE VARIANCE AND SPECIAL PERMIT GRANTED BY THE ZONING BOARD OF APPEALS ON AUGUST 7, 2019 HAS BEEN FILED IN THE MATTER OF:

LYNNE TATEVOSIAN
14 FRANKLIN STREET
MEDWAY, MA 02053

FILED IN THE TOWN CLERK'S OFFICE ON **MAY 13, 2022**

NO APPEAL WAS RECEIVED DURING THE NEXT TWENTY DAYS AFTER SUCH RECEIPT AND RECORDING OF SAID DECISION WITH THE TOWN CLERK'S OFFICE.

DATED AT MEDWAY, MA.....**JUNE 3, 2022**

A TRUE COPY

ATTEST

Stefany Ohannesian

Board Members
Brian White, Chair
Gibb Phenegar, Vice Chair
Christina Oster, Clerk
Joe Barresi, Member
Tom Emero, Member
Carol Gould, Associate Member



Medway Town Hall
155 Village Street
Medway, MA 02053
Telephone (508) 321-4890
zoning@townofmedway.org

TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
ZONING BOARD OF APPEALS

FILED FOR RECORD
JUN 12 2022

20 Day Appeal
June 2, 2022

DECISION
REQUEST FOR MODIFICATION OF
VARIANCE AND SPECIAL PERMIT
14 FRANKLIN STREET

Applicant(s): Lynne Tatevosian
14 Franklin Street
Medway, MA 02053

Location of Property: 14 Franklin Street (Assessor Parcel ID: 57-078).

Approval Requested: The application is for a **modification** of the frontage variance and special permit granted on August 7, 2019, which allowed the construction of a two-family dwelling; the modification is requested to change the shape of the lot by creating a non-buildable Parcel A with about 5,395 sq. ft. along the northern border of the lot.

Members Participating: Brian White (Chair), Gibb Phenegar (Vice Chair), Joe Barresi (Member), Tom Emero (Member)

Members Voting: Brian White (Chair), Gibb Phenegar (Vice Chair), Joe Barresi (Member), Tom Emero (Member)

Date of Decision: May 4, 2022

Decision: **GRANTED**

Board Members
Brian White, Chair
Gibb Phenegar, Vice Chair
Christina Oster, Clerk
Joe Barresi, Member
Tom Emero, Member
Carol Gould, Associate Member



Medway Town Hall
155 Village Street
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TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
ZONING BOARD OF APPEALS

DECISION
REQUEST FOR MODIFICATION OF
VARIANCE AND SPECIAL PERMIT
14 FRANKLIN STREET

Applicant(s): Lynne Tatevosian
14 Franklin Street
Medway, MA 02053

Location of Property: 14 Franklin Street (Assessor Parcel ID: 57-078).

Approval Requested: The application is for a **modification** of the frontage variance and special permit granted on August 7, 2019, which allowed the construction of a two-family dwelling; the modification is requested to change the shape of the lot by creating a non-buildable Parcel A with about 5,395 sq. ft. along the northern border of the lot.

Members Participating: Brian White (Chair), Gibb Phenegar (Vice Chair), Joe Barresi (Member), Tom Emero (Member)

Members Voting: Brian White (Chair), Gibb Phenegar (Vice Chair), Joe Barresi (Member), Tom Emero (Member)

Date of Decision: May 4, 2022

Decision: **GRANTED**

I. PROCEDURAL HISTORY

1. On April 4, 2022, the Applicants submitted an application for a modification to the Board's decision of August 7, 2019, which had approved a special permit under Section 5.4, Table 1.C of the Zoning Bylaw, allowing the construction of a two-family dwelling that has the exterior appearance of a single family dwelling, and a variance from Section 6.1 Table 2 of the Zoning Bylaw to allow for construction of the two-family dwelling on a lot with 89.31 feet of frontage where 150 feet is required. That decision is recorded at the Norfolk Registry of Deeds at Book 37108, Page 442. The original 2019 decision was modified by decision of the Board dated March 18, 2020 recorded at the Norfolk County Registry of Deeds at Book 38126 Page 185. The current application is for a further requested modification to change the shape of the lot by creating a non-buildable Parcel A with about 5,395 sq. ft. along the northern border of the lot.
2. Notice of the public hearing was published in the MetroWest Daily News on April 20, 2022, and April 27, 2022, and notice sent by mail to all parties in interest and posted in Town Hall as required by G.L. c. 40A, §11.
3. The public hearing was opened on May 4, 2022. The hearing was closed the same evening.
4. The property is located in the Agricultural Residential II (AR-II) District. The front setback requirement is 35 feet and the side and rear setback requirements are 15 feet. The minimum lot area requirement is 22,500 sq. ft. and the minimum frontage requirement is 150 feet. Two-family dwellings are allowed by special permit.
5. The Board notified Town departments, boards, and committees of this application. The Board did not receive any comments.
6. All documents and exhibits received during the public hearing are contained in the Zoning Board of Appeal's files and listed in Section V. of this Decision.

II. TESTIMONY

The applicant, Lynne Tatevosian, stated that she wanted to create a non-buildable Parcel A from a portion of her lot, as shown on the plan she submitted, so that she could convey it to the owners of the abutting property, the Santosussos. The Santosusso's house is currently at the minimum side lot setback, so conveying Parcel A would give them some side yard area. The members agreed that the conveyance of Parcel A, in the north corner of the lot, does not affect the variance for frontage or the special permit for the two-family dwelling that were previously granted by the Board. Ms. Saint Andre explained that the prior decisions for 14 Franklin Street are based on the plans that were previously submitted, so a modification is necessary to make sure there are no issues with the change in the lot. She noted that if Parcel A is conveyed to the abutter, the property will have about 40,774 square feet, well in excess of the 30,000 square feet required for construction of a two-family dwelling.

III. FINDINGS

In making its findings and reaching the decision described herein, the Board is guided by G.L. c. 40A, as amended, and by the Medway Zoning Bylaw. The Board also considered evidence and testimony presented at the public hearing.

The Board incorporates its findings from the original 2019 decision and the 2020 modification and finds that the proposed modification of the size of the lot meets the requirements for modification of the special permit and variance. The original decision and the 2020 modification required the applicant to construct the two-family dwelling in accordance with the plans that had been submitted, including plans showing the lot on which the two-family dwelling would be constructed. Those plans show a lot, labeled "Lot 1 and 2" with 46,103 square feet of area. The Modified Plan submitted with this application shows a portion of the property carved out to create a new Parcel A, which will be a non-buildable lot with no frontage and approximately 5,359 square feet. The applicant stated that her intent is to convey Parcel A to the owners of the abutting property so that they will have a larger lot. The Zoning Bylaw, Section 6.1 Table 2, requires a minimum of 30,000 square feet for construction of a two-family home. If Parcel A is conveyed to the abutter as intended, the remaining lot, Lot 3 as shown on the Modified Plan, will still have sufficient square footage (40,744 square feet) for the two-family dwelling that has been constructed on the Lot. The frontage of the applicant's property will not be affected.

IV. CONDITIONS OF APPROVAL

Based upon the findings of the Board and testimony and information received into the record during the public hearing process, the Board hereby GRANTS the Applicant, Lynne Tatevosian a **MODIFICATION** to the special permit and variance granted August 7, 2019, under Section 5.4 Table 1.C of the Zoning Bylaw, and Section 6.1 of the Zoning Bylaw, as modified by the Board's decision of March 18, 2020. This Decision will modify the previous decisions of this Board as set forth in the application, to allow the creation and conveyance of Parcel A as shown on the Modified Plan without affecting or invalidating the special permit and variance, and subject to the **CONDITIONS** herein.

All provisions of the original decision dated August 7, 2019 and as modified by the decision of March 18, 2020 continue in effect, including all conditions, except as modified by this decision, and are incorporated herein as if fully set forth.

V. INDEX OF DOCUMENTS

A. The request for modification included the following plans and information that were provided to the Board at the time the application was filed:

1. Plan titled "14 Franklin Street Approval-Not-Required Plan of Land," by Colonial Engineering, LLC, dated March 14, 2022. (the "Modified Plan")

VI. VOTE OF THE BOARD

By a vote of 4 – 0 on a motion made by Gibb Phenegar and seconded by Joe Barresi, the Zoning Board of Appeals hereby **GRANTS** the Applicant, Lynne Tatevosian, a **MODIFICATION** to the variance and special permit granted August 7, 2019 as modified by decision dated March 18, 2020, modifying the previous decisions of this Board to allow the creation and conveyance of Parcel A as shown on the Modified Plan, a copy of which is attached hereto, without affecting or invalidating the special permit and variance, and subject to the **CONDITIONS** herein.

Member:	Vote:	Signature:
Brian White	Aye	_____
Gibb Phenegar	Aye	_____
Tom Emero	Aye	_____
Joe Barresi	Aye	_____

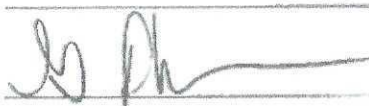
The Board and the Applicant have complied with all statutory requirements for the issuance of this Decision on the terms set forth. A copy of this Decision will be filed with the Medway Town Clerk and mailed to the Applicant, and notice will be mailed to all parties in interest as provided in General Laws, chapter 40A, section 15.

Any person aggrieved by the decision of the Board may appeal to the appropriate court pursuant to Massachusetts General Laws, chapter 40A, section 17, and shall be filed within 20 days after the filing of this notice in the office of the Medway Town Clerk.

In accordance with General Laws c. 40A, Section 11, no variance or special permit shall take effect until a copy of the Decision is recorded in the Norfolk County Registry of Deeds, and indexed in the grantor index under the name of the owner of record or is recorded and noted on the owner's certificate of title, bearing the certification of the Town Clerk, in the case of a variance, that twenty days have elapsed after the Decision has been filed in the office of the Town Clerk and no appeal has been filed within said twenty day period or that any duly filed appeal has been dismissed or denied; and in the case of a special permit, that 20 days have elapsed after the decision has been filed in the office of the Town Clerk and either that no appeal has been filed or the appeal has been filed within such time. The person exercising rights under a duly appealed special permit does so at risk that a court will reverse the permit and that any construction performed under the permit may be ordered undone. The fee for recording or registering shall be paid by the Applicant. A copy of the recorded Decision certified by the Registry, and notification by the Applicant of the recording, shall be furnished to the Board.

VI. VOTE OF THE BOARD

By a vote of 4 – 0 on a motion made by Gibb Phenegar and seconded by Joe Barresi, the Zoning Board of Appeals hereby **GRANTS** the Applicant, Lynne Tatevosian, a **MODIFICATION** to the variance and special permit granted August 7, 2019 as modified by decision dated March 18, 2020, modifying the previous decisions of this Board to allow the creation and conveyance of Parcel A as shown on the Modified Plan, a copy of which is attached hereto, without affecting or invalidating the special permit and variance, and subject to the **CONDITIONS** herein.

Member:	Vote:	Signature:
Brian White	Aye	
Gibb Phenegar	Aye	
Tom Emero	Aye	
Joe Barresi	Aye	

The Board and the Applicant have complied with all statutory requirements for the issuance of this Decision on the terms set forth. A copy of this Decision will be filed with the Medway Town Clerk and mailed to the Applicant, and notice will be mailed to all parties in interest as provided in General Laws, chapter 40A, section 15.

Any person aggrieved by the decision of the Board may appeal to the appropriate court pursuant to Massachusetts General Laws, chapter 40A, section 17, and shall be filed within 20 days after the filing of this notice in the office of the Medway Town Clerk.

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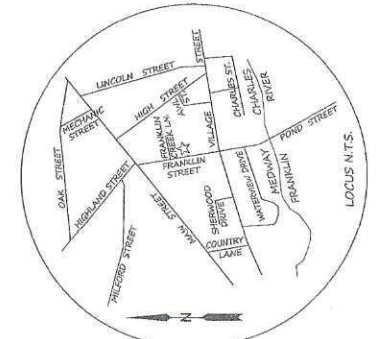


DATE: 3-14-22
Anthony J. Dellore
 REGISTERED LAND SURVEYOR

30, 200 FOR FRONTAGE VARIANCE.

PLAN SCALE: 1" = 20'

SHEET 1 OF 1





STEPHEN & CYNTHIA JAQUITH
ASSESSOR'S PARCEL 57-82
4 FRANKLIN CREEK LANE

n/f
KNOX ROGERS &
ALLISON JILL DELUCIA
ASSESSOR'S PARCEL 57-67
4 STAGECOACH WAY

DEMETRIOS & MELISSA GIALLOUSIS
ASSESSOR'S PARCEL 57-68
5 STAGECOACH WAY

ZONING REQUIREMENTS

- ZONE: AR-II
- AREA: 22,500 S.F.
- FRONTAGE: 150'*
- FRONT SETBACK: 35'
- SIDE SETBACK: 15'
- REAR SETBACK: 15'
- LOT COVERAGE STRUCTURES: 30%
- • LOT 3: 7.5%
- LOT COVERAGE IMPERVIOUS: 40%
- • LOT 3: 18.2%

*VARIANCE GRANTED FOR REDUCED LOT FRONTAGE

OWNER & APPLICANT
LYNNE TATEVOSIAN
14 FRANKLIN STREET
MEDWAY, MA 02053

ZONING DISTRICT
AGRICULTURAL RESIDENTIAL II (AR-II)

ASSESSORS PARCEL
57-078

PLAN & DEED REFERENCE
DEED BOOK 36604, PAGE 172
PLAN BOOK 679 NO. 33

FOR REGISTRY USE

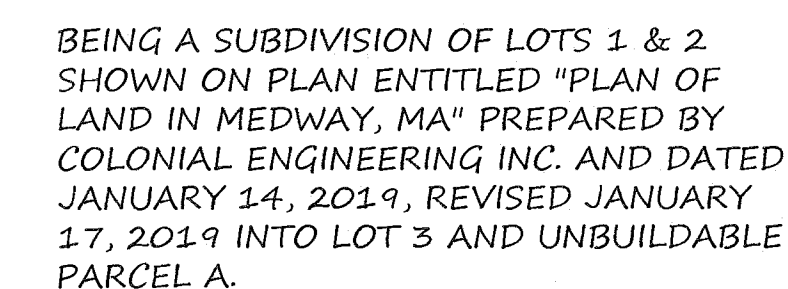
n/f
PAUL J. & MICHELLE
SANTOSSUSO
ASSESSOR'S PARCEL 57-81
2 FRANKLIN CREEK LANE

PARCEL A
5,359 S.F.
0.12 ACRES
100% UPLANDS
(NOT A BUILDABLE LOT)

LOT 3
40,744 S.F.
18.95 L.S.F.
0.94 ACRES
100% UPLANDS

n/f
BETH & JOSEPH TUNNEY
ASSESSOR'S PARCEL 57-80
16 FRANKLIN STREET

w/f
JOSEPH & MICHELLE MELE
ASSESSOR'S PARCEL 57-77
12 FRANKLIN STREET



I CERTIFY THAT THIS PLAN HAS BEEN
PREPARED IN CONFORMITY WITH THE
RULES AND REGULATIONS OF THE
REGISTERS OF DEEDS OF THE
COMMONWEALTH OF MASSACHUSETTS

DATE: 6/6/22
Arthur M. Dellorco
REGISTERED LAND SURVEYOR

APPROVAL UNDER THE SUBDIVISION
CONTROL LAW NOT REQUIRED.

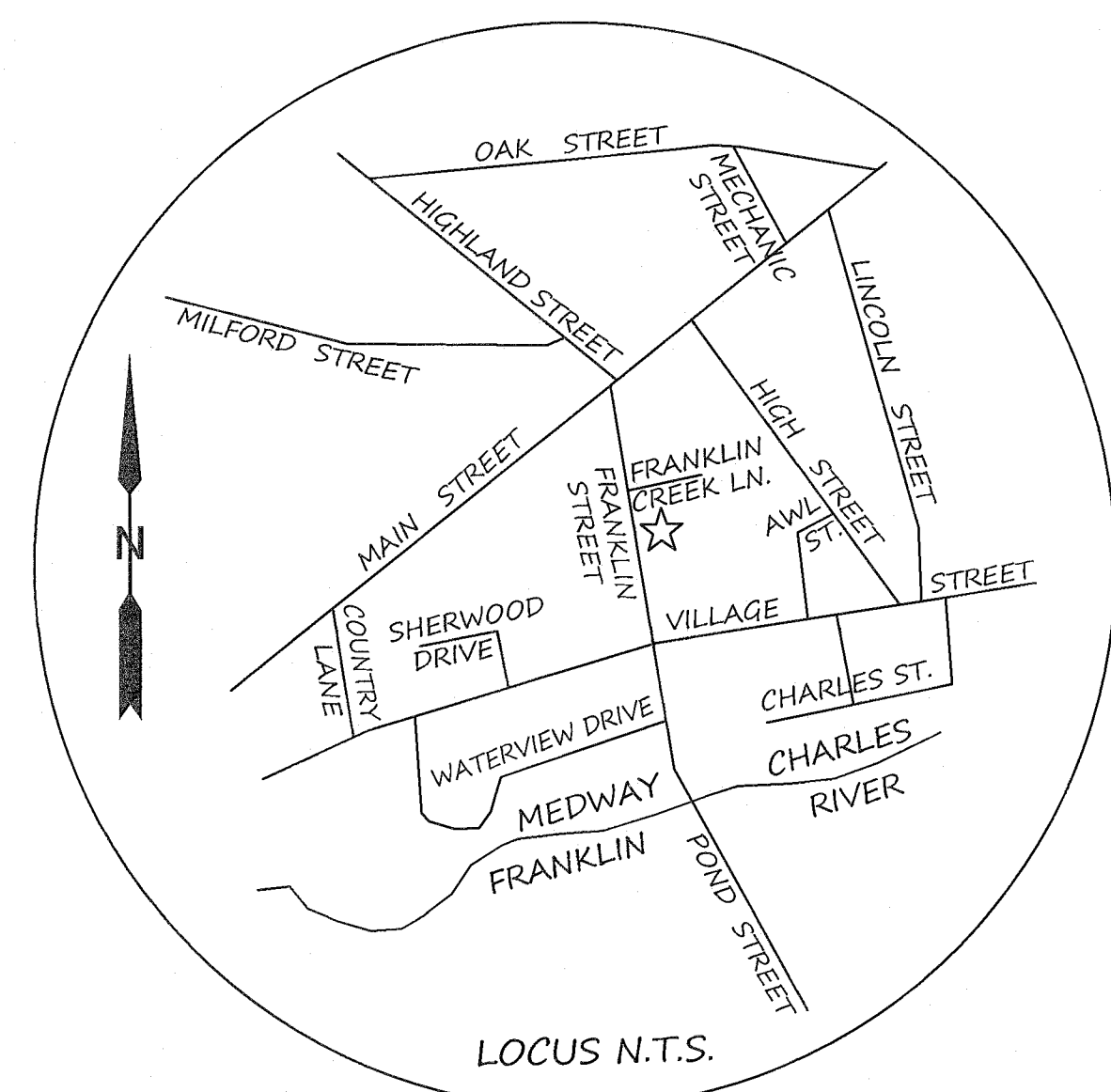
DATE APPROVED: _____

MEDWAY PLANNING BOARD

PLANNING BOARD ENDORSEMENT DOES NOT CONSTITUTE A DETERMINATION OF COMPLIANCE WITH MEDWAY ZONING-BYLAWS.

NOTE: SUBJECT PROPERTY IS NOT CLASSIFIED AS CHAPTER 61A OR 61B.

NOTE: SEE DECISIONS FROM MEDWAY ZONING BOARD OF APPEALS DATED JUNE 20, 2018, AUGUST 7, 2019, MARCH 18, 2020, AND MAY 4, 2022 FOR FRONTAGE VARIANCE AND SPECIAL PERMIT.



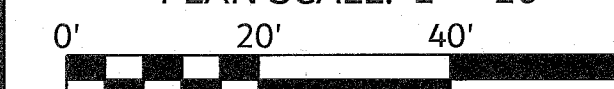
FRANKLIN (PUBLIC - SCENIC VARIABLE WIDTH) STREET

n/f
NATALIA CHEB
ASSESSOR'S PARCEL 57-125
11 FRANKLIN STREET

COLONIAL ENGINEERING, INC.

P.O. BOX 95
MEDWAY, MA 02053
508-533-1644

PLAN SCALE: 1" = 20'



SHEET 1 OF 1

Susan E. Affleck-Childs

Planning and Economic
Development Coordinator



Medway Town Hall
155 Village Street
Medway, MA 02053
Phone (508) 533-3291
Fax (508) 321-4987
Email: sachilds@
townofmedway.org
www.townofmedway.org

TOWN OF MEDWAY
COMMONWEALTH OF MASSACHUSETTS
PLANNING AND ECONOMIC
DEVELOPMENT OFFICE

MEMORANDUM

June 6, 2022

TO: Planning and Economic Development Board members
FROM: Susy Affleck-Childs
RE: ANR Plan for 14 Franklin Street

I have reviewed the Approval Not Required Plan of Land, ANR application, and accompanying submittal letter filed for the Board's endorsement by Lynne Tatevosian of 14 Franklin Street. The plan is dated March 14, 2022, revised May 20, 2022 and was prepared by Colonial Engineering, Inc. of Medway, MA; the plan was stamped by Anthony Dellorco, PLS. The plan shows the division of the 46,103 sq. ft. property at 14 Franklin Street in the AR-II zoning district as follows:

- Parcel A – 5,359 sq. ft., located in the northeast corner of the property
- Lot 3 – 40,744 sq. ft. with 89.31 linear feet of frontage on Franklin Street, for which a frontage variance was granted by the Zoning Board of Appeals in August 2019. NOTE – The ZBA also granted a 2-family special permit.

Ms. Tatevosian wishes to convey Parcel A to abutting property owners Paul and Santususso at 2 Franklin Creek Lane so that they may have a larger side yard.

Because of the previously granted variance, the applicant sought further authorization from the ZBA to change the shape of the lot as shown on the noted ANR plan by splitting off Parcel A. The ZBA approved this modification on May 4, 2022.

I have comments as follows:

1. Lot 3 will have more than the required 30,000 sq. ft. area for a 2-family house.
2. The land division has no impact on the previously authorized reduced frontage on Franklin Street, a Medway public way and does not change access to 14 Franklin Street.
3. Access to Parcel A is not an issue as it is not a buildable lot and will be conveyed to the adjacent property owner.
4. The plan should be revised as follows:
 - a) The note depicting the building at 14 Franklin Street as a Single-Family Dwelling should be corrected to read: 2-Family Dwelling
5. The plan is drawn at a scale of 20' to the inch; the regulations specify a scale of 40' to an inch but authorize the Board to accept a different scale. The varied scale is appropriate so to provide the property details in a more readable form.

6. All other details required to be shown on an ANR plan pursuant to Section 3.2 ANR Plan Contents of the *Medway Subdivision Rules and Regulations*.

The proposed division of land does not constitute a “subdivision” and the Board’s approval under the Subdivision Control Law is not required. I recommend the Board endorse the ANR plan with the above noted plan revision. The Applicant should submit a revised plan for consideration at the June 14, 2022 Planning and Economic Development Board meeting.